151373

Exhibit 3.7

Information Request No. 39

CONFIDENTIAL BUSINESS
INFORMATION

Pursuant to 40 CFR Part 2, Subpart B, Monsanto Company hereby asserts a business confidentiality claim covering this Exhibit and all documents attached thereto.

ESPK464A.ch

Monsanto

Total Quality

39

FROM
(NAME—LOCATION—PHONE) MAX MCCOMBS - W. G. KRUMMRICH PLANT - EXT 2322

DATE April 28, 1989

CC:

SUBJECT WGK Discharge Permit

REFERENCE

TO : Mike Foresman
Harvey Sheldon
[redacted]

Attached per your request is a compy of the final, effective permit for American Bottoms for the Krummrich Plant.

Max /sdg
Max McCombs

MWM/sdg
Attachments

→ ~~Stt~~
Pls review separately
changes

MCO 0450125

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XC: M. McCombs

M.S.

AMERICAN BOTTOMS
REGIONAL WASTEWATER TREATMENT FACILITY
1 AMERICAN BOTTOMS ROAD
SAUGET, ILLINOIS 62201
(618) 337-1710

January 16, 1989

Mr. Mark R. Schroeder
Monsanto Company
500 Monsanto Avenue
Sauget, Illinois 62206-1198

Dear Mr. Schroeder:

We have reviewed your Petition on Appeal from Discharge Permit No. 105 for Monsanto's W. G. Krummrich Plant. The appeal was based on three main considerations: (1) description and outline of specific limitations for Organic Chemicals, Plastics, Synthetic Fibers (OCPSF) National Categorical Pretreatment Standard (NCPS); (2) monitoring location; and (3) State Illinois mercury limitations for indirect dischargers.

In regard to item (1), the permit did not require monitoring of OCPSF parameters until the effective date of the regulation. However, since a change in the limitation conditions is currently anticipated prior to the effective date, numerical limitations have been deleted from the permit and the associated wording regarding the OCPSF monitoring and sampling requirements have been modified accordingly.

In regard to item (2), monitoring location 1-AA is still needed for other current monitoring requirements. However, its designation as a future monitoring location for OCPSF parameters has been deleted as requested since a new monitoring location may be proposed prior to the effective date of the OCPSF regulation.

In regard to item (3), we find, based on information submitted as part of the appeal, that the conditions of 35 Ill. Adm. Code 307.1102 (C) have been satisfied, thereby allowing the alternate numerical limit of 0.003 mg/L. The permit has been revised accordingly to include the approved alternate limitation.

Enclosed are two (2) copies of the revised permit.

If you have any questions or comments, please call.

Very truly yours,
VILLAGE OF SAUGET

By: George R. Schillinger
George R. Schillinger

GRS:ko
Enclosure

MCC 0450126

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xc: E Heumann
M. McCombs
S Smith
? Maechael

VILLAGE OF SAUGET

AMERICAN BOTTOMS REGIONAL WASTEWATER DISCHARGE PERMIT

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MCD 0450127

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VILLAGE OF SAUGET

AMERICAN BOTTOMS REGIONAL WASTEWATER DISCHARGE PERMIT

Permit No. 105

In accordance with all terms and conditions of Ordinance 567 of the Village of Sauget; the 1977 Regional Agreement as amended; Section 46 of the Illinois Environmental Protection Act of 1970 (Ill. Rev. Stat. 1987. Ch. 1111/2, Sec. 1046) as amended; and Ill. Rev. Stat. 1987, Ch. 24, Sec. 11-141-7; permission is hereby granted to:

Monsanto Chemical Company - W.G. Krummrich Plant
(name of industry)

500 Monsanto Avenue
(address)

Sauget, Illinois 62206-1198

Classified Standard Identification Code (SIC) No. 2819, 2842, 2865, 2869

Subject to the National Categorical Pretreatment Standard (NCPS) No.

40 CFR 414

to discharge industrial wastewater into sewer lines tributary to the American Bottoms Regional Wastewater Treatment Plant.

This permit is granted in accordance with the application filed on the 28th day of the month of March, in the year of 1988 in the office of the Regional Plant Manager, #1 American Bottoms Road, Sauget, Illinois 62201, and in conformity with plans, specifications and other data submitted in support of the above application, all of which are filed with and considered as a part of this permit, together with the attached conditions and requirements.

Nothing herein shall be construed as a permit or is permission for the permittee to violate the provisions of any sewer use ordinance in effect within the jurisdiction of any unit of local government in which the permittee's facility is located.

Effective this 1st day of August, 1988

To expire the 1st day of August, 1989

VILLAGE OF SAUGET

By: George R. Schillinger
Regional Plant Manager

MCO 0450128

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PART I - GENERAL CONDITIONS OF PERMIT

1. General - This Wastewater Discharge Permit shall be expressly subject to all provisions of Ordinance 567 of the Village of Sauget and all other applicable regulations, user charges, and fees established by the Village of Sauget. In consideration of the granting of this permit and compliance with the Ordinance, the permittee shall comply with all provisions of the Ordinance, permit conditions, and the Standard Operating Procedures including but not limited to the specific requirements of these General Condition Articles.

2. Prohibitive Standards - The permittee shall comply with all prohibitive discharge standards pursuant to Paragraph 3.2 of the Ordinance and all Local, State, and Federal discharge limits as outlined in the Permit.

3. Monitoring Facilities - The permittee shall install and operate monitoring facilities and afford the POTW access thereto; pursuant to Paragraph 4.5 of the Ordinance.

4. Inspection of Facilities and Records - The permittee shall allow the POTW or its representatives ready access upon presentation of credentials at reasonable times to all parts of its premises in which a discharge source or treatment system is located or in which records required by this Ordinance are kept for the purposes of inspection, sampling, examination and photocopying of said records and for the performance of any of their duties; pursuant to Paragraph 4.6.1 of the Ordinance.

5. Retention of Records - The permittee shall retain for a minimum of three years any records of monitoring activities and results relating to wastewater discharge and for affording the POTW access to said records; pursuant to Paragraphs 4.6.3, 4.6.4 of the Ordinance.

6. Change in Conditions - The permittee shall provide advance notification to the POTW of any material and substantial change in the type, quality, or volume of the wastewater constituents being introduced into the wastewater treatment system; pursuant to Paragraph 4.2.6 of the Ordinance.

7. Prohibition of Improper Dilution - Improper dilution shall be prohibited pursuant to Paragraph 3.8 of the Ordinance.

8. Spill Containment and Unlawful Discharge - Spill Containment procedures and notification of slug, accidental and/or deliberate discharges shall be required pursuant to Paragraph 3.9 of the Ordinance.

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9. Transfer - Wastewater Discharge Permits are issued to a specific Significant Industrial User for the process activity specified in the permit. A Wastewater Discharge permit shall not be assigned, transferred or sold to a new owner or new user in different premises or to a new or changed operation in the same or different premises without the approval of the Village of Sauget; pursuant to Paragraph 4.2.9 of the Ordinance.

10. Permit Modifications - The terms and conditions of this permit may be subject to modifications by the Village of Sauget during the term of this permit; pursuant to Section 4.2.8 of the Ordinance.

11. Pretreatment - The permittee shall comply with all necessary pretreatment requirements pursuant to Paragraph 3.7 of the Ordinance.

12. Additional Information - The permittee shall furnish any additional information as may be reasonably requested by the Village of Sauget from time to time.

PART 2 - GENERAL REPORTING REQUIREMENTS

1. General - The General Pretreatment Regulations of 40 CFR 403.12 and Ordinance 567 have set forth basic reporting requirements that apply to Significant Industrial Users (SIUs). Reporting requirements include the following General Reporting Requirements.

2. Periodic Compliance Report - The permittee shall submit to the Village of Sauget during the months of June and December for the preceding two calendar quarters unless required more frequently in the Pretreatment Standard or by the POTW or IEPA, a certified report indicating the nature and concentration of pollutants in the effluent which are limited by such applicable Pretreatment Standards. In addition, this report shall include a record of measured or estimated average and maximum daily flows for the reporting period. The requirements of this reporting are described in Paragraph 4.4.3 of the Ordinance and the Standard Operating Procedures, Part III, Paragraph 3.4.3.

3. Incremental Compliance Report - This report is required should the Baseline Monitoring Report (if applicable) or the Periodic Compliance Report reflect that the Significant Industrial User is not in compliance with its pretreatment standards and/or its compliance schedule. The requirements for this report are described in the Standard Operating Procedures, Part III, Paragraph 3.4.4 and Paragraph 4.4.2.

4. Notice of Unlawful Discharge - The permittee shall submit to the Village of Sauget an oral report detailing any unlawful discharge and a follow-up written report as described in Paragraph 3.9 of the Ordinance and Part III, Paragraph 3.4.6 of the Standard Operating Procedures.

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5. Monitoring Reports - Monitoring results obtained shall be summarized and reported on a monthly basis. The report is due on or before 45 days after the sampling was performed. The report shall indicate the nature and concentration of all pollutants in the wastewater discharges which are regulated by the standards set forth in this Permit and include measured maximum and average daily flows.

6. Baseline Monitoring Report - The permittee shall submit to the Village of Sauget, a report that indicates whether the industrial user meets their particular categorical standard. The specific elements of the report are contained in Paragraph 4.4.1 of the Ordinance and Part III, Paragraph 3.4.2 of the Standard Operating Procedures.

7. Categorical Deadline Report - The permittee shall submit to the Village of Sauget, a report on forms provided by the Village of Sauget indicating the nature and concentration of all limited pollutants in the regulated discharges and the average and maximum daily flow for these discharges. The report also must indicate whether the pretreatment standards are being met consistently.

8. Report Submittal - All reports required by this Permit shall be submitted in triplicate to:

   Village of Sauget
   c/o American Bottoms Regional Wastewater Treatment Facility
   #1 American Bottoms Road
   Sauget, Illinois 62201
   Attn: Pretreatment Coordinator

PART 3 - SAMPLING AND TESTING REQUIREMENTS

Section 1 - General

A. The sampling responsibilities of all Significant Industrial Users (SIUs) have two parts: 1) an initial pollutant screening; and 2) compliance sampling. The monitoring facilities designated by this permit are shown on Figure 1.

B. The initial pollutant screening is a comprehensive sampling and testing for priority organic pollutants, metals, cyanide, and phenols, and conventional pollutants. Pollutants, frequencies, sample type and schedule for the initial screening are outlined in Section 2. The permittee shall initiate the initial pollutant screening by August 15, 1988.

   Sampling schedule may be adjusted by POTW if it appears that certain organic fractions are not relevant. "X" indicates that sampling and testing needs to be performed for that particular month. "N.A."

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indicates that sampling and testing is not applicable for a particular organic fraction in a particular month. All organic fractions that require monitoring shall be sampled in the same twenty-four (24) hour time period as the composite sample. The testing for priority organic pollutants shall be conducted utilizing gas chromatograph/mass spectrometer (GC/MS) methods and procedures.

C. Compliance sampling addresses the sampling and testing requirements to demonstrate continued compliance with pretreatment standards. Compliance sampling relates to pollutants for which local, state, and national categorical limits exist, and any other parameters identified by the Village of Sauget in this permit. First year SIU sampling frequencies for compliance sampling are based on the average total wastewater flow to the Village of Sauget during the previous twelve (12) month period. First year sampling frequency for compliance sampling are given below and they apply to all parameters which the SIU is subject to specific limitation.

Flow (GPD)	Conventional Pollutants Metals, Cyanide, and Phenols	Organics
0 - 10,000	one/month	two/year
10,0001 - 50,000	one/month	two/year
50,0001 - 100,000	two/month	four/year
100,000 - 240,000	one/week	six/year
over 240,000	one/week	one/month

D. Compliance monitoring results and frequencies shall be reviewed annually by the Village of Sauget and appropriate adjustments made to frequencies and parameters in an updated Wastewater Discharge Permit. Pollutants and frequencies for compliance sampling are cited hereafter. The SIU shall submit a monitoring schedule to the Village of Sauget for review and approval. The schedule shall identify the dates that are proposed for sampling.

E. All handling and preservation of collected samples and laboratory analyses shall be performed in accordance with procedures contained in 40 CFR Part 136 and amendments thereto unless specified otherwise in the monitoring conditions of this permit. Composite sampling, where called for, shall be performed over a twenty-four (24) hour period by flow or time proportionate methods. The test procedures for all samples shall conform to one of the approved test methods which provides the most sensitive detection limits for the pollutant under investigation listed in the current issue of the Code of Federal Regulations, and the most recent addendum published by the Federal Register. Grab samples will be required once every twenty-four (24) hour period for testing of Volatile Organic Compounds; Fecal Coliforms; Oil and Grease; and pH, in the same twenty-four (24) hour period as the composite sampling is performed. Other procedures may be exercised, pursuant to Section 4.6.2 of the Ordinance.

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F. The appropriate flow measurement devices and methods consistent with approved scientific practices shall be selected and used to ensure the accuracy and reliability of measurements of the volume of monitored discharges. The devices shall be installed, calibrated and maintained to ensure that the accuracy of the measurements are consistent with the accepted capability of that type of device. Devices selected shall be capable of measuring flows with a maximum deviation of less than 10% from true discharge rates throughout the range of expected discharge volumes.

G. For each measurement or sample taken pursuant to the requirements of this permit, the permittee shall maintain and submit records which include:

1. The date, exact place, method and time of sampling;
2. The names of the person or persons taking the samples;
3. The dates analyses were performed;
4. Who performed the analyses;
5. The analytical techniques/methods used; and
6. The results of such analyses.
7. The average daily and maximum daily flows.

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SECTION 2 - INITIAL POLLUTANT SCREENING

	Parameters	Sampling Schedule AUG 88	OCT 88	DEC 88	Frequency	Sample Type
1.	Priority Organic Pollutants (See Table 1)					
	Acid Compounds	X	X	X	1/Month	Composite
	Base/Neutral	X	X	X	1/Month	Composite
	Pesticides	X	X	X	1/Month	Composite
	Volatiles	X	X	X	1/Month	Grab
2.	Conventional Pollutants (See Table 2)	X	X	X	1/Week	Composite[1]
3.	Metals, Cyanide, and Phenols (See Table 3)	X	X	X	1/Week	Composite
4.	Other Parameters requested by POTW					
	Ammonia Nitrogen	X	X	X	1/Week	Composite
	Organic Nitrogen	X	X	X	1/Week	Composite

MCO 0450134

[1] Grab samples required for pH, Fecal Coliform, Oil and Grease.

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TABLE 1

PRIORITY ORGANIC POLLUTANTS
(40 CFR 122, App. D, Tbl. II)

Acid Compounds

2-chlorophenol
2,4-dichlorophenol
2,4-dimethylphenol
4,6-dinitro-o-cresol
2,4-dinitrophenol
2-nitrophenol
4-nitrophenol
p-chloro-m-cresol
pentachlorophenol
phenol
2,4,6-trichlorophenol

Base/Neutral

acenaphthene
acenaphthylene
anthracene
benzidine
benzo(a)anthracene
benzo(a)pyrene
3,4-benzofluoranthene
benzo(ghi)perylene
benzo(k)fluoranthene
bis(2-chloroethoxy)methane
bis(2-chloroethyl)ether
bis(2-chloroisopropyl)ether
bis (2-ethylhexyl)phthalate
4-bromophenyl phenyl ether
butylbenzyl phthalate
2-chloronaphthalene
4-chlorophenyl phenyl ether
chrysene
dibenzo(a,h)anthracene
1,2-dichlorobenzene
1,3-dichlorobenzene
1,4-dichlorobenzene
3,3'-dichlorobenzidine
diethyl phthalate
dimethyl phthalate
di-n-butyl phthalate
2,4-dinitrotoluene
2,6-dinitrotoluene
di-n-octyl phthalate
1,2-diphenylhydrazine (as azobenzene)
fluroranthene
fluorene
hexachlorobenzene
hexachlorobutadiene
hexachlorocyclopentadiene
hexachloroethane
indeno(1,2,3-cd)pyrene
isophorone
napthalene
nitrobenzene
N-nitrosodimethylamine
N-nitrosodi-n-propylamine
N-nitrosodiphenylamine
phenanthrene
pyrene
1,2,4-trichlorobenzene

Volatiles

acrolein
acrylonitrile
benzene
bromoform
carbon tetrachloride
chlorobenzene
chlorodibromomethane
chloroethane
2-chloroethylvinyl ether
chloroform
dichlorobromomethane
1,1-dichloroethane
1,2-dichloroethane
1,1-dichloroethylene
1,2-dichloropropane
1,3-dichloropropylene
ethylbenzene
methyl bromide
methyl chloride
methylene chloride
1,1,2,2-tetrachloroethane
tetrachloroethylene
toluene
1,2-trans-dichloroethylene
1,1,1-trichloroethane
1,1,2-trichloroethane
trichloroethylene
vinyl chloride

Pesticides

aldrin
alpha-BHC
beta-BHC
gamma-BHC
delta-BHC
chlordane
4,4'-DDT
4,4'-DDE
4,4'-DDD
dieldrin
alpha-endosulfan
beta-endosulfan
endosulfan sulfate
endrin
endrin aldehyde
heptachlor
heptachlor epoxide
PCB-1242
PCB-1254
PCB-1221
PCB-1232
PCB-1248
PCB-1260
PCB-1016
toxaphene

MCO 0450135

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TABLE 2

CONVENTIONAL POLLUTANTS
(40 CFR 401.1b)

Biochemical oxygen demand (BOD)
Total suspended solids (nonfilterable) (TSS)
pH
Fecal Coliform
Oil and Grease

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TABLE 3

METALS, CYANIDE, PHENOLS
(40 CFR 122, App. D, Tbl. III)

Antimony, Total
Arsenic, Total
Beryllium, Total
Cadmium, Total
Chromium, Total
Copper, Total
Lead, Total
Mercury, Total
Nickel, Total
Selenium, Total
Silver, Total
Thallium, Total
Zinc, Total
Cyanide, Total
Phenols, Total

MCO 0450137

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SECTION 3 - COMPLIANCE SAMPLING

A. Effluent Discharge Limits

1. Local Limits: The Village of Sauget reserves the right, by Ordinance 567, to establish limitations or requirements on discharges to the wastewater disposal system if deemed necessary to comply with the objectives presented in Section 1.1 of the Ordinance.

Parameter	Limitations
N.A.	

2. State Limits: These limits are stated in 35 Ill. Adm. Code Part 307. This Part 307 places restrictions on the types, concentrations, and quantities of contaminants which can be discharged into sewer systems in the State.

Parameter	Limitations
Mercury	0.003 (mg/L)[1] (Max. Month Avg.)
Cyanide (Total)	10.0 (mg/L)[2] (Max. Grab)

3. National Categorical Pretreatment Standards (NCPS): NCPS are standards published by USEPA and contain numerical limits for the discharge of pollutants from specified industrial categories. These categorical standards have been or will be developed for industrial categories determined to be the most significant sources of pollutants. Your operations are subject to 40 CFR 414 which includes the following parameters:

---

1 Alternate limitation based on 35 Il. Adm. Code 307.1102(c).

2 Provided any sample tested shall not release more than 2 mg/L of cyanide when tested at a pH of 4.5 and at a temperature of 66 C (150 F) for a period of 30 minutes.

MCO 0450138

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40 CFR 414 Organic Pollutants:

Acenaphthene
Benzene
Carbon Tetrachloride
Chlorobenzene
1,2,4-Trichlorobenzene
Hexachlorobenzene
1,2-Dichloroethane
1,1,1-Trichloroethane
Hexachlorethane
1,1-Dichloroethane
1,1,2-Trichloroethane
Chloroethane
Chloroform
1,2-Dichlorobenzene
1,3-Dichlorobenzene
1,4-Dichlorobenzene
1,1-Dichloroethylene
1,2-Trans-Dichloroethylene
1,2-Dichloropropane
1,3-Dichloropropylene
2,4-Dimethylphenol
Ethylbenzene
Fluoranthene
Methylene Chloride
Methyl Chloride
Hexachlorobutadiene
Naphthalene
Nitrobenzene
2-Nitrophenol
4-Nitrophenol
4,6-Dinitro-o-cresol
Phenol
Bis(2-ethylhexyl) phthalate
Di-n-butyl phthalate
Diethyl phthalate
Dimethyl phthalate
Anthracene
Fluorene
Phenanthrene
Pyrene
Tetrachloroethylene
Toluene
Trichloroethylene
Vinyl Chloride

40 CFR 414 Other Pollutants:

Total Cyanide
Total Lead
Total Zinc

The permittee shall prepare a calculation of applicable limitations and/or alternate limitations, based on its compliance methodology, which shall be submitted to the Village of Sauget no later than 90 days before the federal regulatory deadline for compliance. The Village of Sauget will impose specific limitations for all applicable OCPSF chemicals relevant to permittee for the applicable time period of the permit, and the permittee shall be in compliance with OCPSF limitations by the federal regulatory deadline.

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B. Monitoring Requirements

The compliance monitoring requirements for Mercury and Cyanide are required as of the effective date of this permit. Compliance monitoring requirements for Organic Pollutants and Other Pollutants will be required by the federal regulatory deadline of the OCPSF Standards.

	Limitations		
Parameters	1 Day Max.	Max. Month Avg.	Max. Grab
Mercury[1]	0.006 (mg/L)	0.003 (mg/L)	0.015 (mg/L)
Cyanide (Total)	--	--	10.0 (mg/L)[2]

C. Monitoring Schedule

The monitoring schedule requirements for Mercury, Cyanide, and Flow are required as of the effective date of this permit. A monitoring schedule for Organic Pollutants and Other Pollutants will be required by the federal regulatory deadline of the OCPSF Standards.

Parameter (Units)	Monitoring Location[3]	Frequency	Sample Type
Mercury (mg/L)	1-AA	1/Week	Composite
Cyanide (mg/L)	1-AA	1/Week	Composite
Flow (mgd)	1-AA	Daily	Meter

---

1 Alternate limitation based on 35 Il.Adm. Code 307.1102(c).

2 Provided any sample tested shall not release more than 2 mg/L of cyanide when tested at a pH of 4.5 and at a temperature of 66 C (150 F) for a period of 30 minutes.

3 See attached diagram - Figure 1.

MCO 0450140

[Revised 12-22-88]

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PART 4 - COMPLIANCE SCHEDULE

A. General:

Authority Citation: Section 4.2.5, Village of Sauget Pretreatment Ordinance No. 567.

Permit No. 105

Industry Name: Monsanto Chemical Company

B. Compliance Schedule:

Event	Complete By No Later Than
Define project premises	3/01/89
Complete project scope/estimates appropriation requests	12/01/89
Project designs	6/01/90
Project constructions	9/01/90
Startup facilities	11/05/90

Compliance schedule based on June 7, 1988 Baseline Monitoring Report (BMR) and the current OCPSF regulations published November 5, 1987.

C. Compliance Schedule Reporting: No later than 14 days following each date in the above schedule, the permittee shall submit to the POTW a progress report including, at a minimum, whether or not it complied with the increment of progress to be met on such date and, if not, the date on which it expects to comply with the increment of progress, the reasons for delay, and the steps being taken to return the project to the schedule established.

MCO 0450141

[Revised 12-22-88]

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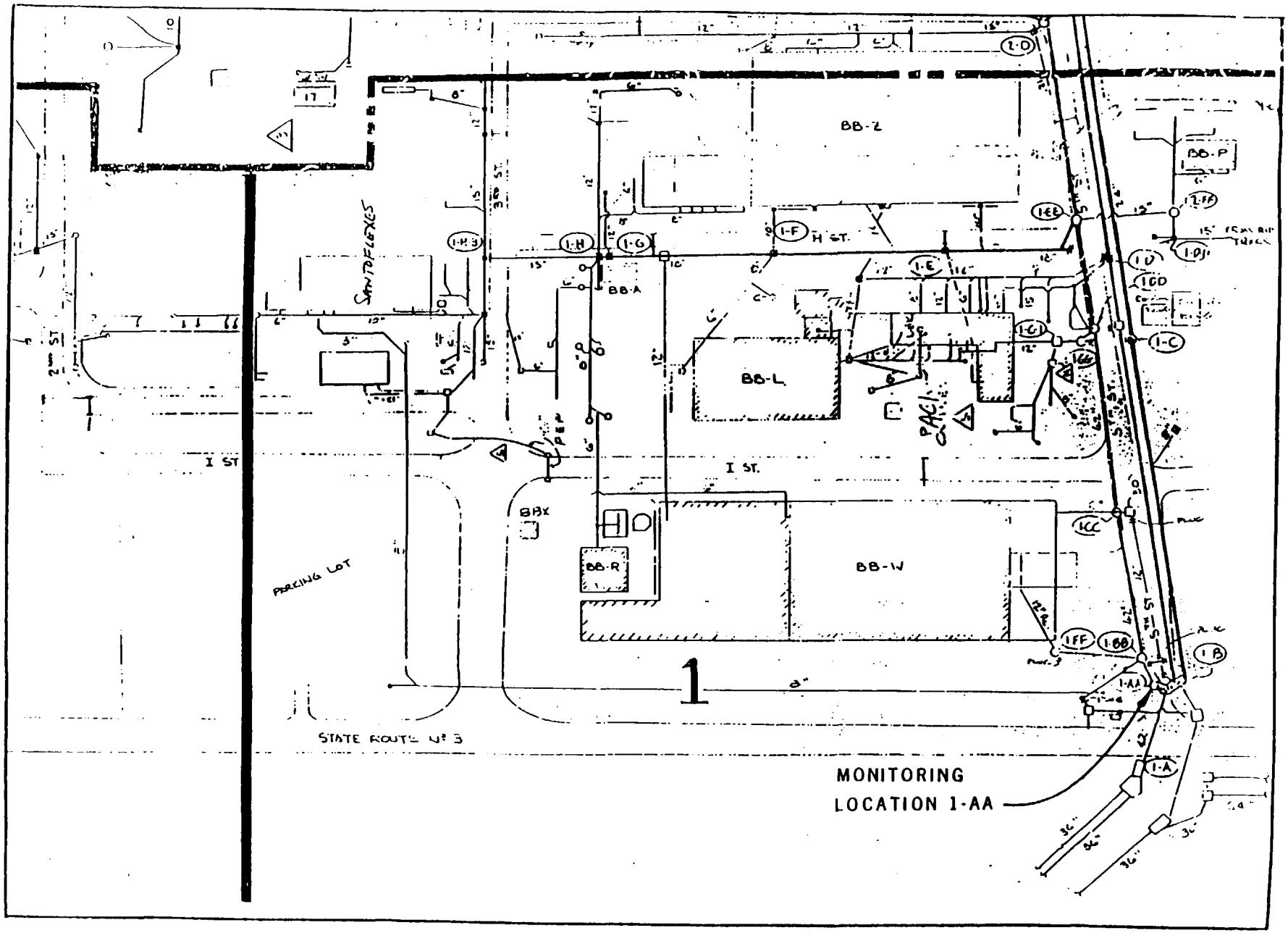

MONITORING LOCATION PLAN

FIGURE 1

MCO 0450142

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Monsanto

Monsanto Chemical Company
500 Monsanto Ave
Sauget, Illinois 62206-1198
Phone: (618) 271-5835

October 24, 1988

Retained by Velsicol to handle permit appeal & mc.

Mr. Tom Thompson
Horner & Shifrin
5200 Oakland Ave.
St. Louis, MO 63110

RE: PETITION ON APPEAL FROM DISCHARGE PERMIT NO. 105

Tom:

Attached is the Petition on Appeal from the Discharge Permit for Monsanto's W. G. Krummrich Plant. If you should have any questions in regards to this submittal, please contact Paul J. Haechrel at (618) 271-5835, Ext. 2622.

Regards,

William J. Boyle, Jr.
Plant Manager

/dm

Enc.

cc: G. Schillinger - American Bottoms Treatment Facility

bcc: P. J. Haechrel
S. D. Smith
P. H. Smith - E2NK
M. W. McCombs
H. M. Sheldon, Attorney at Law

MCO 0450333

EPA/CERRO COPPER/EIL/PCB ATTORNEY WORK PRODUCT / ATTORNEY CLIENT PRIVILEGE

BEFORE THE VILLAGE OF SAUGET

On Appeal from Discharge)
Permit No. 105, Monsanto)
Company, W.G. Krummrich Plant)

PETITION ON APPEAL

MONSANTO COMPANY, pursuant to Ordinance No. 567, submits the following supporting facts, circumstances and authorities in support of its permit appeal concerning the W.G. Krummrich Plant Discharge Permit received from the American Bottoms Regional Treatment Facility on August 1, 1988. MONSANTO COMPANY requests an amended permit, based on these considerations.

I. Inclusion of Specific Limitations for Categorical Pretreatment Standards Permit (Section 3)

Monsanto Company fully recognizes that the USEPA has issued National Categorical Pretreatment Standards for Organic Chemicals, Plastics and Synthetic Fibers, 40 CFR Part 414, 52 Fed. Reg. 42521 (November 5, 1987). These will apply to a significant number of manufacturing facilities at the Krummrich Plant, and are generally effective November 5, 1990.

Monsanto requests deletion of the numerous specific numerical limitations on chemical parameters set forth in

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Section 3(A)(3) of the Permit, for each of the following reasons:

(a) The OCPSF guidelines have not formally been adopted by Sauget in its Ordinance No. 567, to our knowledge. Therefore, they are not enforceable at this time. Moreover, Monsanto and others have sought judicial review of the contents of the OCPSF guidelines. They are thus subject to change.

(b) This Permit would expire <u>before</u> the November 5, 1990 date for compliance with the OCPSF guidelines. Any issues on specific limitations may most conveniently and practicably be administratively deferred until the months immediately prior to the federal regulatory deadline for compliance, as suggested below.

(c) Monsanto is still in the development phase of the design and installation of necessary pretreatment controls. Depending upon where pretreatment is applied and where samples to determine compliance are taken in our complex processes and/or plant, differing Alternate Limitations may apply. It is premature to apply limitations until a pretreatment system(s) and its design(s) are decided upon and installed.

(d) The effluent limitations imposed are inaccurate, because they incorrectly interpret and

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apply data on concentrations in Monsanto's process wastewater. Ultimately, OCPSF compliance will require calculation of limitations based on mass discharges from a given process. The permit inappropriately imposes general concentration limits. Furthermore, since our processes and product mix will change, the permit does not now reflect pertinent conditions, nor can it do so now.

We respectfully request the deletion of the specific limitations at page 13 and 14 of the permit, for "40 CFR §414 Organic Pollutants." We would be pleased to accept an insertion of alternative phraseology inserted at the end of the list of Parameters such as:

> The permittee shall prepare a calculation of applicable limitations and/or alternate limitations, based on its compliance methodology, which shall be submitted to the Village of Sauget no later than 90 days before the federal regulatory deadline for compliance. The Village of Sauget will impose specific limitations for all applicable OCPSF chemicals relevant to permittee for the applicable time period of the permit, and the permittee shall be in compliance with OCPSF limitations by the federal regulatory deadline.

We also note that the monitoring reports and categorical deadline reports (e.g. Part 2, paras. 5, 7) in the Permit should not be deemed applicable to any chemicals regulated by the Permit solely because of the applicability of OCPSF regulation to those chemicals, until the deadline for compliance with the federal OCPSF regulation. We object to any

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requirements to monitor or report on such chemicals prior to the deadline.

II. Measuring Point.

Monsanto objects to and requests deletion of identification of Outfall 1AA, shown on Figure 1 as the Monitoring Location, which is the final outfall from the Krummrich premises. This requirement presently appears to be indicated by Part 3, Section 1(A) of the Permit. USEPA regulations generally require samples to be taken immediately downstream of pretreatment facilities, with additional measurements where combined waste streams are involved. Federal regulations, 40 CFR § 403.12(b)(5)(v), states:

> Samples should be taken immediately downstream from pretreatment facilities if such exist, or immediately downstream from the regulated process if no pretreatment exists.

III. Mercury Limitations.

Monsanto believes it is eligible for a 0.003 mg/l limitation on Mercury discharge, because its discharges comply with the conditions for applicability of that limitation under Illinois Pollution Control Board Rules, 35 Ill. Admin. Code, § 307.1102(c). Furthermore, the American Bottoms Treatment Facility has consistently complied with mercury limitations in its discharges, thus no need for the tighter restriction exists. Our detailed documentation in support of this request is set out as an Appendix to this Petition on Appeal. A copy

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of the Appendix hereof is being submitted to the Illinois E.P.A. for their review.

Conclusion

Monsanto Company is working diligently toward compliance with the forthcoming OCPSF limitations. The entry of numerical limitations and monitoring location is inaccurate in the present permit and is premature. Also, Monsanto is eligible for an alternate, less stringent Mercury limitation, under Illinois law, as noted above.

Monsanto requests an opportunity for a hearing with the Village of Sauget in presenting this Appeal, which would include the opportunity to present additional detailed evidence should the foregoing not be fully acceptable to the Village.

Respectfully submitted,

MONSANTO COMPANY

By: William J. Boyle, Jr.
William J. Boyle, Jr.
Plant Manager

MCO 0450338

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APPLICATION FOR MERCURY LIMIT EXCEPTION

FOR MONSANTO'S W. G. KRUMMRICH PLANT

DISCHARGING INTO AMERICAN BOTTOMS REGIONAL

WASTE WATER FACILITY (DISCHARGE PERMIT NO.

105) UNDER 35 ILL. ADM. CODE 307.1102(c).

APPENDIX

MCO 0450339

This application for a mercury limit exception to Monsanto's Discharge Permit No. 105 is submitted under 35 Illinois, Subtitle C, Section 307.1102(c). As per this section, exception to the 0.0005 mg/l mercury limit shall be granted if all of the following conditions are met:

1. The discharger does not use mercury; or the discharger uses mercury and this use cannot be eliminated; or, the discharger uses mercury only in chemical analysis or in laboratory or other equipment and takes reasonable care to avoid contamination of waste water; and

2. The discharge mercury concentration is less than 0.003 mg/l as determined by application of the averaging rules of 35 Ill. Adm. Code 304.104(a); and

3. The discharger is providing the best degree of treatment consistent with technological feasibility, economic reasonableness and sound engineering judgment. This may include no treatment for mercury; and

4. The discharger has an inspection and maintenance program likely to reduce or to prevent an increase in the level of mercury discharges.

The Monsanto's W. G. Krummrich Plant meets each of the conditions as explained below:

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1. The W. G. Krummrich Plant does not use mercury as a raw material in its processes. The use of mercury in measurement and analytical procedures and equipment is limited to certain items. Equipment is maintained and analytical procedures performed in such a manner as to avoid contamination of the waste water. If breakage and resultant spillage of mercury should occur, plant procedures require that the plant's environmental group be notified and that clean up of the spill occur to avoid contamination of the waste water.

2. Data for mercury concentration in the plant's waste water effluent are shown on Exhibit A for the past six months. Excluding the five days in which excursions occurred, all daily mercury levels were less than the daily maximum of 0.006 mg/l (as determined by application of averaging rules of 35Ill. Adm. Code 304.104(a)). Each excursion incident was thoroughly investigated. These excursions are believed to be caused by one or more of the following events: (1) washout of mercury contaminated caustic tanks, (2) sewer cleanouts, or (3) breakage of mercury manometer. Management controls will minimize or prevent the recurrance of mercury excursions due to these causes.

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3. The monthly averages of the daily composites are 0.0012, 0.0008, 0.0007, 0.0029, 0.0046 and 0.0018 mg/l for the respective months of April, May, June, July, August, and September, 1988. Excluding the outlier data point of August 31, 1988, the August monthly average of 0.0017 mg/l would be in compliance with the 0.003 mg/l mercury limitation. These data show compliance with the regulated limit of 0.003 mg/l as specified in 35 Ill. Adm. Code § 307.1102(c).

4. Based on technological feasibility, economic reasonableness and sound engineering judgment, no treatment for mercury is required for Monsanto's W. G. Krummrich Plant. The plant wastewater discharge to the American Bottoms Regional Treatment Facility ranges from 2000 to 5000 gpm. Monsanto is aware of no economically feasible proven technology that can remove trace levels of mercury at this flow rate.

5. The plant already minimizes the use of instruments or measuring devices containing mercury. The use of mercury containing instruments or measuring devices will be inventoried and reevaluated for possible substitute. If an adequate replacement is available, the individual mercury source will be eliminated and properly disposed of.

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In the event that a breakage and spillage should occur, the environmental group is notified. The plant has a mercury cleanup procedure which includes proper notification, cleanup, and disposal following a mercury spill. This procedure will reduce or prevent any mercury contamination affecting the wastewater effluent. Prior notification of anticipated caustic tank and sewer cleaning will be required in order to assess and further limit, if practicable, the possible impact of these activities on mercury discharge levels. Practicable management controls will be implemented.

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EXHIBIT A

PLANT WASTEWATER EFFLUENT
MERCURY CONCENTRATION

Day	April 1988 Hg. Conc. (mg/L)	May 1988 Hg. Conc. (mg/L)	June 1988 Hg. Conc. (mg/L)
1	0.0006	0.0007	0.0009
2	0.0005	0.0006	0.0013
3	0.0010	0.0013	0.0010
4	0.0004	0.0017	-
5	0.0011	0.0004	0.0010
6	0.0014	0.0008	0.0003
7	0.0007	0.0007	0.0008
8	0.0009	0.0008	0.0025
9	0.0006	0.0001	0.0009
10	0.0006	0.0019	0.0001
11	0.0007	0.0009	0.0008
12	0.0006	0.0008	0.0004
13	0.0006	0.0006	0.0005
14	0.0044	0.0004	0.0004
15	0.0020	0.0006	0.0007
16	0.0019	0.0008	0.0008
17	0.0017	0.0004	0.0007
18	0.0038	0.0009	0.0005
19	0.0019	0.0010	0.0005
20	0.0009	0.0006	-
21	0.0009	0.0006	0.0011
22	0.0007	0.0012	0.0004
23	0.0004	0.0011	0.0006
24	0.0002	0.0005	0.0009
25	0.0015	0.0008	0.0005
26	0.0022	0.0003	0.0004
27	0.0009	0.0003	0.0004
28	0.0006	0.0006	0.0003
29	0.0006	0.0009	0.0008
30	0.0009	0.0009	0.0003
31	-	0.0006	-
Ave.	0.0012	0.0008	0.0007

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EXHIBIT A (cont'd)

Day	July 1988 Hg. Conc. (mg/L)	August 1988 Hg. Conc. (mg/L)	September 1988 Hg. Conc. (mg/L)
1	0.0009	0.0019	0.0053
2	0.0006	0.0016	0.0028
3	0.0009	0.0010	0.0007
4	0.0011	0.0028	0.0003
5	0.0008	0.0027	0.0010
6	0.0012	0.0022	0.0015
7	0.0029	0.0011	0.0028
8	0.0059	0.0015	0.0017
9	0.0006	0.0016	-
10	0.0011	0.0017	-
11	0.0011	0.0009	0.0073 (1)
12	0.0022	0.0005	0.0017
13	0.0009	0.0052	0.0025
14	0.0007	0.0009	0.0059
15	0.0007	0.0038	0.0028
16	0.0007	0.0008	0.0033
17	0.0020	0.0009	0.0001
18	0.0004	0.0014	-
19	0.0011	0.0007	0.0014
20	0.0021	0.0007	0.0001
21	0.0182 (1)	0.0005	0.0004
22	0.0060	0.0014	0.0001
23	0.0025	0.0044	0.0005
24	0.0028	0.0042	0.0002
25	0.0165 (1)	0.0009	0.0002
26	0.0033	0.0013	0.0009
27	0.0081 (1)	0.0017	0.0007
28	0.0005	0.0008	0.0032
29	0.0014	0.0016	0.0007
30	0.0026	0.0010	
31	0.0008	0.0895 (1)	MCO 0450345
Ave.	0.0029	0.0046 0.0017 (2)	0.0018

NOTES:
1. Excursions are believed to be caused by one or more of the following events: (1) the washout of mercury contaminated caustic tanks, (2) sewer cleanout, and (3) mercury manometer breakage. Management controls will prevent or minimize recurrence of these excursions.
2. Monthly average excluding August 31, 1988 outlier data point.

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

DATE: October 25, 1988

SIGNATURE: W J Boyle, Jr.

W. J. BOYLE, JR.
PLANT MANAGER

MCO 0450346

Monsanto

LAW DEPARTMENT

Monsanto Company
800 N. Lindbergh Boulevard
St. Louis, Missouri 63167
Phone: (314) 694-1000

August 29, 1988

HAND DELIVERED

Village Clerk
Village of Sauget
2897 Falling Springs Rd.
Sauget, IL 62206

Re: Monsanto Company, Permit Appeal
of Permit No. 105

Dear Madam:

Pursuant to instructions transmitted to Monsanto Company with the captioned permit, Monsanto hereby files the enclosed appeal.

Please indicate the receipt of this appeal by signing the enclosed copy of this letter.

Yours very truly,

Peter H. Smith

Peter H. Smith
Environmental Attorney

cc: Harold G. Baker, Jr.
William J. Boyle, Jr.
George R. Schillinger

1740

Attachment

RECEIVED: Betty Long Wilson

DATE: 8-29-88

MCO 0450347

lw/EL70/081

Monsanto

LAW DEPARTMENT P. H. Smith E2NK 4-8506

August 29, 1988

W. G. Krummrich Plant -
Pretreatment Permit Appeal
MWM to MRF/PHS 8/12/88

TO M. W. McCombs 1740

W. J. Boyle, Jr.	1740
W. C. Engman	1740
M. R. Foresman	G4WT
B. J. Gilhousen	E2NK
P. J. Haechrel	1740
G. L. Jones	1740
M. A. Pierle	G4WT
S. D. Smith	1740

Here is a copy of Monsanto's appeal of the plant's August 1, 1988, wastewater discharge permit to be filed today pursuant to the Village Pretreatment Ordinance. Brent Gilhousen and I reviewed the required form of the appeal with Jay Baker in a telephone conversation on August 27, 1988, and the notice format is based upon guidance from Mr. Baker.

I strongly recommend that one person immediately be assigned responsibility for handling technical and administrative matters connected with follow-up of the appeal with the Village Board of Trustees. The issues involved are complex and will require substantial technical time and effort to provide adequate support.

Pete

Peter H. Smith

Attachments

MCO 0450348

N 10C REV 2 78)

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Monsanto

LAW DEPARTMENT

Monsanto Company
800 N. Lindbergh Boulevard
St. Louis, Missouri 63167
Phone: (314) 694-1000

August 29, 1988

HAND DELIVERED

Village Clerk
Village of Sauget
2897 Falling Springs Rd.
Sauget, IL 62206

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of Permit No. 105

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Peter H. Smith

Peter H. Smith
Environmental Attorney

cc: Harold G. Baker, Jr.
William J. Boyle, Jr. 1740
George R. Schillinger

Attachment

RECEIVED: _____

DATE: _____

lw/EL70/081

MCO 0450349

Monsanto

LAW DEPARTMENT

Monsanto Company
800 N. Lindbergh Boulevard
St. Louis, Missouri 63167
Phone: (314) 694-1000

August 29, 1988

HAND DELIVERED

Village Clerk
Village of Sauget
2897 Falling Springs Rd.
Sauget, IL 62206

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of Permit No. 105

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Please indicate the receipt of this appeal by signing the enclosed copy of this letter.

Yours very truly,

Peter H. Smith

Peter H. Smith
Environmental Attorney

cc: Harold G. Baker, Jr.
William J. Boyle, Jr. 1740
George R. Schillinger

Attachment

MCO 0450350

lw/EL70/081

Monsanto

LAW DEPARTMENT

Monsanto Company
800 N. Lindbergh Boulevard
St. Louis, Missouri 63167
Phone (314) 694-1000

August 29, 1988

President and Board of Trustees
of the Village of Sauget
2897 Falling Springs Road
Sauget, IL 62206

Re: Monsanto Company, Permit Appeal
of Permit No. 105

Gentlemen:

Monsanto, through its attorney, objects to one or more conditions or limits of Permit No. 105 issued under authority of the Village of Sauget Pretreatment Ordinance No. 567 and requests a review by the Village Board. Monsanto further requests that the Village Board stay the effect of the permit conditions and limits during the pendency of the Appeal.

Monsanto reserves the right to supplement this request for review with other evidence and matters.

Yours very truly,

Peter H. Smith

Peter H. Smith
Environmental Attorney

lw/EL70/079

MCO 0450351

AMERICAN BOTTOMS
REGIONAL WASTEWATER TREATMENT FACILITY
1 AMERICAN BOTTOMS ROAD
SAUGET, ILLINOIS 62201
(618) 337-1710
FAX (618) 337-8919

VILLAGE OF SAUGET

AMERICAN BOTTOMS REGIONAL WASTEWATER TREATMENT FACILITY

WASTEWATER DISCHARGE PERMIT

for

MONSANTO COMPANY

PERMIT NO. 92-105

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VILLAGE OF SAUGET
AMERICAN BOTTOMS REGIONAL WASTEWATER TREATMENT FACILITY
WASTERWATER DISCHARGE PERMIT NO. 92-105

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AMERICAN BOTTOMS
REGIONAL WASTEWATER TREATMENT FACILITY
1 AMERICAN BOTTOMS ROAD
SAUGET, ILLINOIS 62201
(618) 337-1710
FAX (618) 337-8919

September 1, 1992

Monsanto Company - W.G. Krummrich Plant
500 Monsanto Avenue
Sauget, Illinois 62206-1198

Wastewater Discharge Permit No. 92-105

Dear Sirs:

In accordance with all the terms and conditions of Ordinance 632 of the Village of Sauget; the 1977 Regional Agreement as amended; Section 46 of the Illinois Environmental Protection Act of 1970 (Ill. Rev. Stat. 1987. Ch. 1111/2, Sec. 1046) as amended; and Ill. Rev. Stat. 1987, Ch 24, Sec. 11-141-7; permission is hereby granted to Monsanto Company, operating under the Standard Industrial Classification (SIC) Code Nos. 2819, 2842, 2865, and 2869, and subject to the National Categorical Pretreatment Standard (NCPS) No. 40 CFR 414, Subparts G and H, to discharge industrial wastewater into sewer lines tributary to the American Bottoms Regional Wastewater Treatment Plant in accordance with and subject to the provisions of attached American Bottoms Regional Wastewater Discharge Permit No. 92-105 ("Permit").

This Permit is granted in response to the application filed on the 7th day of February, in the year 1992 in the office of the General Manager, #1 American Bottoms Road, Sauget, Illinois 62201, and in conformity with plans, specifications and other data submitted in support of the above application, all of which are filed with and considered as a part of this Permit, together with the attached conditions and requirements.

Nothing herein shall be construed as a permit or as permission for the permittee to violate the provisions of any sewer use ordinance in effect within the jurisdiction of any unit of local government in which the permittee's facility is located.

This Permit will take effect on the 1st day of September in the year 1992, and will expire on the 1st day of September in the year 1994.

VILLAGE OF SAUGET

By: George R Schellmann Jr
General Manager

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PART 1 - GENERAL CONDITIONS OF PERMIT

A. General - This Wastewater Discharge Permit shall be expressly subject to all provisions of Ordinance 632 of the Village of Sauget (hereinafter "the Ordinance") and all other applicable regulations, user charges,and fees established by the Village of Sauget. In consideration of the granting of this Permit, the permittee shall comply with all provisions of the Ordinance, Permit conditions, and the Implementation procedures including, but not limited to the specific requirements of these General Condition Articles. Any Permit noncompliance constitutes a violation of the Ordinance, and is grounds for enforcement action.

B. Prohibitive Standards - The permittee shall comply with all prohibitive discharge standards pursuant to Section 3.2 of the Ordinance and all Local, State, and Federal discharge limits set forth in the Permit.

C. Prohibition of Improper Dilution - Improper dilution shall be prohibited pursuant to Section 3.6 of the Ordinance.

D. Duration - This Permit is issued effective September 1, 1992, and shall expire on September 1, 1994.

E. Transfer - Pursuant to Section 4.11 of the Ordinance, this Wastewater Discharge Permit may be reassigned or transferred, in whole or in part, to a new owner and/or operator only if the permittee gives at least thirty (30) days advance notice to the POTW and the POTW approves the Wastewater Discharge Permit transfer. The notice to the POTW must include a written certification by the new owner and/or operator which:

1. States that the new owner and/or operator has no immediate intent to change the facility's operations and processes;

2. Identifies the specific date on which the transfer is to occur; and

3. Acknowledges full responsibility for complying with the Wastewater Discharge Permit.

F. Change in Conditions - Pursuant to Section 4.7 of the Ordinance, in the event the type, quality, character or volume of Pollutants in a Discharge, including the listed or characteristic hazardous wastes for which the permittee has

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submitted initial notification under Section 4.13.5 of the Ordinance, is expected to substantially change as reasonably determined by the permittee or POTW, the permittee or his assignee (see paragraph E. above) shall give sixty (60) days advance notice in writing to the POTW and shall make a new application to the POTW and the Sewer System Owner prior to said change. No permittee shall substantially change the type, quality, character or volume of its Wastewater beyond that allowed by this Permit without prior approval of the Sewer System Owner and the POTW.

G. Access - Pursuant to Section 4.15 of the Ordinance, persons or occupants of premises in which a Discharge source or treatment system is located or in which records are kept shall allow the POTW or its representative ready access upon presentation of credentials at reasonable times to all parts of said premises for the purposes of inspection, sampling, examination and photocopying of records required to be kept by the Ordinance and this Permit, and in the performance of any of their duties. The POTW shall have the right to set up on the permittee's property such devices as are necessary to conduct sampling, monitoring and metering operations.

H. Retention of Records - Pursuant to Section 4.15 of the Ordinance, the permittee shall maintain records of all information resulting from any monitoring activities required by this Ordinance and shall include:

1. The date, exact place, method and time of sampling and the names of the Person or Persons taking the samples;

2. The dates analyses were performed;

3. Who performed the analyses;

4. The analytical techniques/methods used; and

5. The results of such analyses.

The permittee shall maintain for inspection by the POTW, IEPA or USEPA such records for a minimum of three (3) years. This period of retention shall be extended during the course of any unresolved litigation regarding the Discharge of Pollutants by the permittee or operation of the POTW Pretreatment program or when requested by the Regional Administrator of USEPA or the Director of IEPA.

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I. Analytical Methods - All measurements, sampling, tests, and analyses to which reference is made in this Permit shall be determined and performed in accordance with the procedures established by the Administrator of the United States Environmental Protection Agency (hereafter "Administrator") pursuant to Section 304(g) of the Act and contained in 40 CFR Part 136 and amendments thereto or with any other test procedures approved by the Administrator. Sampling shall be performed in accordance with the techniques approved by the Administrator. Where 40 CFR Part 136 does not include sampling or analytical techniques for the Pollutants in question, or where the Administrator determines that the Part 136 sampling and analytical techniques are inappropriate for the Pollutant in question, sampling and analyses shall be performed using validated analytical methods or any other sampling and analytical procedures, including procedures suggested by the POTW or other parties, approved by the Administrator.

J. Pretreatment Facilities - The permittee shall provide necessary Wastewater Pretreatment as required to comply with the Ordinance and shall achieve compliance with all applicable Pretreatment Requirements and Standards within the time limitations as specified by appropriate statutes, regulations, and the Ordinance. Any facilities required to pretreat Wastewater to a level acceptable to the POTW shall be provided, properly operated and maintained at the permittee's expense. Such Pretreatment facilities shall be under the control and direction of an IEPA certified Wastewater Treatment Operator.

K. Spill Containment - Pursuant to Section 3.7 of the Ordinance, any permittee having the ability to cause Interference or Pass-Through of the POTW or to violate the regulatory provisions of the Ordinance shall provide protection from Accidental or Slug Discharges to the POTW of prohibited materials or other substances regulated by the Ordinance. Any facilities required to prevent Accidental or Slug Discharge of prohibited materials shall be provided and maintained at the permittee's own cost and expense.

L. Permit Modifications - The terms and conditions of this Permit may be modified by the POTW during the term of the Permit for good cause including, but not limited to, the following: to incorporate any new or revised Federal, State, or local Pretreatment Standards or Requirements; to address significant alterations or additions to the permittee's operation, processes, or Wastewater volume or charac-

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ter since the time of Wastewater Discharge Permit issuance; a change in the POTW that requires either a temporary or permanent reduction or elimination of the authorized Discharge; misrepresentation or failure to fully disclose all relevant facts in the Wastewater Discharge Permit application or in any required reporting; revision of or a grant of variance from Categorical Pretreatment Standards pursuant to 40 CFR 403.13; to correct typographical errors in the Wastewater Discharge Permit; or to reflect a transfer of the facility ownership and/or operation to a new owner/operator (as provided in paragraph E. above). The permittee shall be informed of any proposed changes in its Permit at least 30 days prior to the effective date of any modification, and shall have all rights of appeal as provided in Section 4.12 of the Ordinance.

M. Civil and Criminal Penalties - Pursuant to Part 6 of the Ordinance, any permittee who is found to have violated an Order of the POTW or who has failed to comply with any provision of the Ordinance, and the orders, rules, and regulations and Wastewater Discharge Permits issued thereunder, may be fined by appropriate suit at law in an amount not less than one hundred dollars ($100) nor more than one thousand dollars ($1000) per day for each violation. In addition to the penalties provided herein, the POTW may recover reasonable attorney's fees, court costs, court reporter fees and other expenses of litigation by appropriate suit at law against the Person found to have violated this Ordinance or the orders, rules, regulations and Permits issued thereunder.

Any Person who knowingly makes any false statements, representation or certification in any application, record, report, plan or other document filed or required to be maintained pursuant to the Ordinance or Wastewater Discharge Permit, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under the Ordinance, shall in addition be guilty of a misdemeanor and upon conviction, be punished by a fine of $500 to $1,000, for each offense.

N. Additional Information - The permittee shall furnish any additional information as may be reasonably requested by the Village of Sauget from time to time.

O. Upset - Pursuant to Section 3.8 of the Ordinance, the permittee shall have an affirmative defense to an action brought for noncompliance with National Categorical Pre-

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treatment Standards provided that the conditions of Section 3.8.3 of the Ordinance are met. In any enforcement proceeding, the permittee seeking to establish the occurrence of an Upset shall have the burden of proof.

P. Bypass - Bypass provisions pursuant to Section 3.9 of the Ordinance are applicable to this Permit and are hereby incorporated by reference.

Q. Resampling - Pursuant to Section 4.13.3.7 of the Ordinance, if sampling performed by the permittee indicates a violation, the permittee shall notify the POTW within 24 hours of becoming aware of the violation. The permittee shall also repeat the sampling and analysis and submit the results of the repeat analysis to the POTW within 30 days after becoming aware of the violation, except the permittee is not required to resample if:

1. The POTW performs sampling at the permittee at a frequency of at least once per month, or

2. The POTW performs sampling at the permittee between the time when the permittee performs its initial sampling and the time when the permittee receives the results of this sampling.

Resampling is only required for those parameters for which the violation has been identified.

R. Notifications - The following verbal and written notifications are required:

1. Pursuant to Section 4.13.3.7 of the Ordinance, if sampling performed by the permittee indicates a violation of any requirements of the Ordinance or this Permit, the permittee shall notify the POTW within 24 hours of becoming aware of the violation. Such notification may be made orally by telephone.

2. Pursuant to Section 3.7.4 of the Ordinance, in the case of an Accidental or Slug Discharge of Pollutants which may cause Interference at the POTW or may Pass Through the POTW or violate any other requirements of the Ordinance or this Permit, it shall be the responsibility of the permittee to immediately telephone and notify the POTW and the Sewer System Owner of the incident. The notification shall include name of caller, location and time of Discharge, type of Wastewater, estimated concentration and volume. For

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permittees discharging to the P-Chem Plant, notice to the POTW only is required.

3. Within five days following an Accidental Discharge, the permittee shall submit to the POTW and the Sewer System Owner a detailed written report describing the cause of the Accidental Discharge and the measures to be taken by the permittee to prevent similar future occurrences.

4. A permittee wishing to establish the affirmative defense of Upset for noncompliance with National Categorical Pretreatment Standards shall, in addition to the 24-hour verbal notification required in 1. above, and under Section 3.8.3.3 of the Ordinance, provide a written submission containing the information required by Section 3.8.3.3 of the Ordinance within five days of becoming aware of the Upset.

5. Pursuant to Section 3.9.2.1 of the Ordinance, if the permittee knows in advance of the need for a Bypass, it shall submit prior written notice to the POTW, if possible at least ten days before the date of the Bypass.

6. Pursuant to Section 3.9.2.2 of the Ordinance, the permittee shall submit oral notice of an unanticipated Bypass that exceeds applicable Pretreatment Standards or Requirements to the POTW within 24 hours from the time the permittee becomes aware of the Bypass. A written submission meeting the requirements of Section 3.9.2.2 of the Ordinance shall also be provided to the POTW within 5 days of the time the permittee becomes aware of the Bypass.

7. Pursuant to Section 4.13.5.3 of the Ordinance, 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 permittee must notify the POTW, the EPA Regional Waste Management Division Director, and the State hazardous waste authorities of the Discharge of such substance within 90 days of the effective date of such regulations.

S. Report Submittal - All reports and/or notifications required by this Permit shall be submitted to:

Pretreatment Coordinator
American Bottoms Regional
Wastewater Treatment Facility
#1 American Bottoms Road
Sauget, Illinois 62201

Telephone: (618) 337-1710
Facsimile: (618) 337-8919

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PART 2 - GENERAL AND SPECIFIC REPORTING REQUIREMENTS

A. General - The General Pretreatment Regulations of 40 CFR 403.12 and Ordinance 632 have set forth basic reporting requirements that apply to the permittee.

B. Specific - The specific reporting requirements of this Permit include the following reporting requirements:

1. Monitoring Reports - Monitoring results obtained shall be summarized and reported on a monthly basis. The report is due on or before 45 days after the end of the month in which the sampling was performed. The report shall indicate the nature and concentration of all pollutants in the wastewater discharges which are regulated by the standards set forth in this Permit and include measured maximum and average daily flows. These reports will satisfy the requirement for the Periodic Compliance Report, provided they contain all the information and certifications required pursuant to Section 4.13.3 of the Ordinance.

2. Compliance Deadline Report - Pursuant to Section 4.13.2 of the Ordinance, within ninety (90) days following the date for final compliance with any applicable Pretreatment Standards, or in the case of a New Source, within ninety (90) days following commencement of the Discharge of Wastewater into the POTW, any permittee subject to any Pretreatment Standards shall submit a report on compliance with any applicable Pretreatment Standards in a form prescribed and furnished by the POTW. This report shall contain information as described in Section 4.13.2.2 of the Ordinance.

3. Quarterly Supplemental Progress Report - Monsanto shall continue to administer their existing program for identifying the principal causes of remaining color in the American Bottoms Regional Wastewater Treatment Facility effluent, and for assessing possible color controls.

Documentation of the continued administration of this program shall be submitted in the form of a "Quarterly Supplemental Progress Report" (QSPR) which shall contain, as a minimum, available sampling results which have been received since the preparation of the previous quarterly submittal and to the extent reasonably feasible at the time of reporting, an assessment of the

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effectiveness and implementability of any further color controls identified as a result of this program.

Submittal of the QSPR identified above for quarterly periods ending the last day of February, May, August, and November shall be required on the last business day during the month immediately following the end of the reporting period (i.e. March, June, September, and December).

PART 3 - GENERAL SAMPLING AND TESTING REQUIREMENTS

A. The permittee is responsible for compliance sampling. The monitoring facilities designated by this Permit are shown on Figure 1.

B. Compliance monitoring results and frequencies may be reviewed annually by the Village of Sauget and appropriate adjustments made to frequencies and parameters in a modified or revised Wastewater Discharge Permit.

C. All handling and preservation of collected samples and laboratory analyses shall be performed in accordance with procedures contained in 40 CFR Part 136 and amendments thereto unless specified otherwise in the monitoring conditions of this Permit. Composite sampling, where called for, shall be performed over a twenty-four (24) hour period by flow or time proportionate methods.

The test procedures for all samples shall conform to one of the USEPA approved test methods which provides the most sensitive detection limits for the pollutant under investigation listed in the current issue of the Code of Federal Regulations, and the most recent addendum published by the Federal Register. The testing for priority organic pollutants shall be conducted utilizing gas chromatograph/mass spectrometer (GC/MS) methods and procedures. Other test procedures may be approved by the USEPA, pursuant to Section 4.15.2 of the Ordinance.

D. The appropriate flow measurement devices and methods consistent with approved scientific practices shall be selected and used to ensure the accuracy and reliability of measurements of the volume of monitored discharges. The devices shall be installed, calibrated and maintained to ensure that the accuracy of the measurements are consistent with the accepted capability of that type of device. Devices select-

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ed shall be capable of measuring flows with a maximum deviation of less than 10% from true discharge rates throughout the range of expected discharge volumes.

E. For each measurement or sample taken pursuant to the requirements of this Permit, the permittee shall maintain and submit records which include:

1. The date, exact place, method and time of sampling;
2. The names of the person or persons taking the samples;
3. The dates analyses were performed;
4. Who performed the analyses;
5. The analytical techniques/methods used;
6. The results of such analyses; and
7. The average daily and maximum daily flows.

F. In the event of a sampling failure, including, but not limited to, failure of sampling equipment, or sample damage, contamination, or breakage, sampling shall be repeated as soon as possible at all applicable required monitoring locations for those parameters for which the analysis of the original sample(s) was intended.

G. The 30 day resampling requirement of Part 1.Q. of this Permit shall apply to all monitoring locations identified in this Permit. Where a violation of a plant mass limitation has occurred, all sites which contribute to the calculation of the plant mass shall be resampled concurrently. Only those parameters for which the violation has been identified are required to be analyzed as part of the resampling.

H. Where agreed upon in advance by both parties, the POTW may perform monitoring and testing for a parameter(s) regulated by this permit and such POTW monitoring shall satisfy the self-monitoring requirement for the subject parameter(s).

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PART 4 - EFFLUENT LIMITATIONS, SAMPLING AND TESTING REQUIREMENTS

A. Local Limits: The Village of Sauget reserves the right, in Ordinance 632, to establish limitations or requirements on discharges to the wastewater disposal system if deemed necessary to comply with the objectives presented in Section 1.4 of the Ordinance.

Parameter	Limitations	Effective date
Ammonia nitrogen	8,700 lbs/day monthly average	May 26, 1992
Ammonia nitrogen	4,300 lbs/day monthly average	July 13, 1993
Ammonia nitrogen	1,000 lbs/day monthly average	July 13, 1996

B. State Limits: These limits are stated in 35 Ill. Adm. Code Part 307. This Part 307 places restrictions on the types, concentrations, and quantities of contaminants which can be discharged into sewer systems in the State.

	Limitations(mg/l)	
Parameters	1 Day Max.	Max. Month Avg.
Mercury	0.006	0.003
Cyanide (Total)	10.0	--

Any sample tested shall not release more than 2 mg/l of cyanide when tested at a pH of 4.5 and at a temperature of 66°C (150°F) for a period of 30 minutes.

The mercury limitation shown is the alternate limitation based on 35 Illinois Adm. Code 307.1102(c). Subject to the averaging rule of Ill Adm. Code 304.104, the monthly average shall be the numerical average of all daily composites taken during a calendar month. A monthly average must be based on at least three daily composites.

C. National Categorical Pretreatment Standards (NCPS): Monsanto's operations are subject to 40 CFR 414 - Organic Chemicals, Plastics, and Synthetic Fibers (OCPSF), Subpart G

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(Bulk Organic Chemicals) and Subpart H (Specialty Organic Chemicals), which has a final compliance date for Pretreatment Standards for Existing Sources (PSES) of November 5, 1990. Sources must comply with 40 CFR Part 403 and achieve discharges not exceeding the quantity (mass) determined by multiplying the process wastewater flow subject to the OCPSF regulation times the concentration listed in the regulation, subject to application of the Combined Wastestream Formula pursuant to 40 CFR part 403.6(e), as appropriate. The Village of Sauget, as the local Control Authority, hereby exercises its discretion to calculate and apply a fixed alternative mass limit applicable to all regulated and unregulated process flows as set forth below. The applicable regulatory concentration reference values and the mass limits for your facility, determined by using average flow data you have previously provided, are set forth as follows:

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Parameter	Regulatory Concentration Reference Values		Mass Limits:	
	Maximum Monthly Average (ug/l)	Maximum One-day (ug/l)	Maximum Monthly Average (lbs/d)	Maximum One-day (lbs/d)
Methyl Chloride	110	295	2.05	5.51
Vinyl Chloride	97	172	1.8	3.21
Chloroethane	110	295	2.05	5.51
Methylene Chloride	36	170	0.67	3.17
1,1-Dichloroethene	22	60	0.41	1.1
1,1-Dichloroethane	22	59	0.41	1.1
1,2-trans-Dichloroethene	25	66	0.47	1.2
Chloroform	111	325	2.07	6.07
1,2-Dichloroethane	180	574	3.36	10.7
1,1,1-Trichloroethane	22	59	0.41	1.1
Carbon Tetrachloride	142	380	2.65	7.09
1,2-Dichloropropane	196	794	3.66	14.8
1,3-Dichloropropene	196	794	3.66	14.8
1,1,2-Trichloroethane	32	127	0.60	2.37
Benzene	57	134	1.1	2.50
Tetrachloroethene	52	164	0.97	3.06
Toluene	28	74	0.52	1.4
Chlorobenzene	142	380	2.65	7.09
Ethylbenzene	142	380	2.65	7.09
1,3-Dichlorobenzene	142	380	2.65	7.09
1,4-Dichlorobenzene	142	380	2.65	7.09
1,2-Dichlorobenzene	196	794	3.66	14.8
Hexachlorethane	196	794	3.66	14.8
Nitrobenzene	2237	6402	41.75	119.5
2-Nitrophenol	65	231	1.2	4.31
1,2,4-Trichlorobenzene	196	794	3.66	14.8
Hexachlorobutadiene	142	380	2.65	7.09
4-Nitrophenol	162	576	3.02	10.7
4,6-Dinitro-o-cresol	78	277	1.5	5.17
Hexachlorobenzene	196	794	3.66	14.8
Trichloroethylene	26	69	0.49	1.3
Total Cyanide	1200	420	--	--
Total Lead	690	320	--	--
Total Zinc	2610	1050	--	--

1. The Regulatory Concentration Reference Values are included in this Permit for reference purposes only. An exceedance of a Regulatory Concentration Value, without an

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exceedance of the corresponding mass limit, shall not be deemed a violation of this Permit.

2. The mass limits are based on a maximum monthly average flow of 1554 GPM.

3. Cyanide, lead and zinc are not regulated at Monsanto due to the absence of cyanide and metal-bearing waste streams as listed in 40 CFR 414.

4. Compliance with each OCPSF parameter standard will be determined by adding the mass loadings contributed by individual processes at ten (10) locations (designated as 1 to 10 in Part 4 - Section D.5. of this Permit) and comparing the composite plant mass loading to the corresponding mass limits.

5. The monthly average shall be the numerical average of the results of all sampling events during a calendar month. If only one sampling event occurs during a given month, the monthly average limits will apply to the results of that single sampling event.

6. Mass limits are subject to change based on changes in process flows. The regulated facility shall notify the POTW in writing at least sixty (60) days prior to any proposed material and/or substantial changes in process flows to allow for the calculation of revised limits.

D. Monitoring Schedule

1. The monitoring schedule requirements are required as of the effective date of this Permit.

2. Monitoring locations are indicated in the attached diagram - Figure 1.

3. Monitoring frequencies:

Parameter (Units)	Monitoring Location	Monitoring Frequency	Sample Type
Ammonia nitrogen (mg/L)	1-AA	See 4. below	Composite
Mercury (mg/L)	1-AA	1/month	Composite
Cyanide (mg/L)	1-AA	1/month	Grab
Flow (mgd)	1-AA	daily	Meter

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4. Compliance with the ammonia nitrogen local limit will be determined by sampling and testing performed by the POTW. Permittee self-monitoring for ammonia is not required.

5. Monitoring frequencies for OCPSF regulated monitoring locations and parameters are as follows:

OCPSF Parameters (lb/day)	Sample Type	Monitoring Locations/ Frequencies 1	2	3	4	5	6	7	8	9	10
Benzene	grab	M	M	C	C	M	C	C	C	C	C
Carbon Tetrachloride	grab	M	M	C	C	M	C	C	C	C	C
Chlorobenzene	grab	M	M	C	C	M	C	C	C	C	C
1,2,4-Trichlorobenzene	comp.	M	M	C	C	M	C	C	C	C	C
Hexachlorobenzene	comp.	M	M	C	C	M	C	C	C	C	C
1,2-Dichloroethane	grab	M	M	C	C	M	C	C	C	C	C
1,1,1-Trichloroethane	grab	M	M	C	C	M	C	C	C	C	C
Hexachlorethane	comp.	M	M	C	C	M	C	C	C	C	C
1,1-Dichloroethane	grab	M	M	C	C	M	C	C	C	C	C
1,1,2-Trichloroethane	grab	M	M	C	C	M	C	C	C	C	C
Chloroethane	grab	M	M	C	C	M	C	C	C	C	C
Chloroform	grab	M	M	C	C	M	C	C	C	C	C
1,2-Dichlorobenzene	comp.	M	M	C	C	M	C	C	C	C	C
1,3-Dichlorobenzene	comp.	M	M	C	C	M	C	C	C	C	C
1,4-Dichlorobenzene	comp.	M	M	C	C	M	C	C	C	C	C
1,1-Dichloroethylene	grab	M	M	C	C	M	C	C	C	C	C
1,2-Trans-Dichloroethylene	grab	M	M	C	C	M	C	C	C	C	C
1,2-Dichloropropane	grab	M	M	C	C	M	C	C	C	C	C
1,3-Dichloropropylene	grab	M	M	C	C	M	C	C	C	C	C
Ethylbenzene	grab	M	M	C	C	M	C	C	C	C	C
Methylene Chloride	grab	M	M	C	C	M	C	C	C	C	C
Methyl Chloride	grab	M	M	C	C	M	C	C	C	C	C
Hexachlorobutadiene	comp.	M	M	C	C	M	C	C	C	C	C
Nitrobenzene	comp.	M	M	C	C	M	C	C	C	C	C
2-Nitrophenol	comp.	M	M	C	C	M	C	C	C	C	C
4-Nitrophenol	comp.	M	M	C	C	M	C	C	C	C	C
4,6-Dinitro-o-cresol	comp.	M	M	C	C	M	C	C	C	C	C
Tetrachloroethylene	grab	M	M	C	C	M	C	C	C	C	C
Toluene	grab	M	M	C	C	M	C	C	C	C	C
Trichloroethylene	grab	M	M	C	C	M	C	C	C	C	C
Vinyl Chloride	grab	M	M	C	C	M	C	C	C	C	C

Monitoring locations are identified as follows:

1 - MCB/DCB Pretreatment process
2 - NCB Pretreatment process
3 - NCB - Acid dehy pad area
4 - NCB - Water separator
5 - ONA/PNA - Pretreatment process
6 - ONA/PNA - Central trench
7 - 4NDPA - Sump
8 - 4ADPA/Santoflex - Sump
9 - Santoflex pastilles - Trench
10 - Laboratory - Box 5P east pipe

KEY
M = Monthly
C = Flow proportioned composite from seven (7) locations on a monthly basis. The seven locations to be composited include 3, 4, 6, 7, 8, 9, and 10.

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PART 5 - COMPLIANCE SCHEDULE

A. General:

Authority Citation: Section 4.13 Village of Sauget Pre-treatment Ordinance No. 632.

Permit No. 92-105

Industry Name: Monsanto Company

B. Final Compliance Date: November 5, 1990 for OCPSF

C. Compliance Schedule for Ammonia-Nitrogen:

Limitations	Effective date
8,700 lbs/day monthly average	May 26, 1992
4,300 lbs/day monthly average	July 13, 1993
1,000 lbs/day monthly average	July 13, 1996

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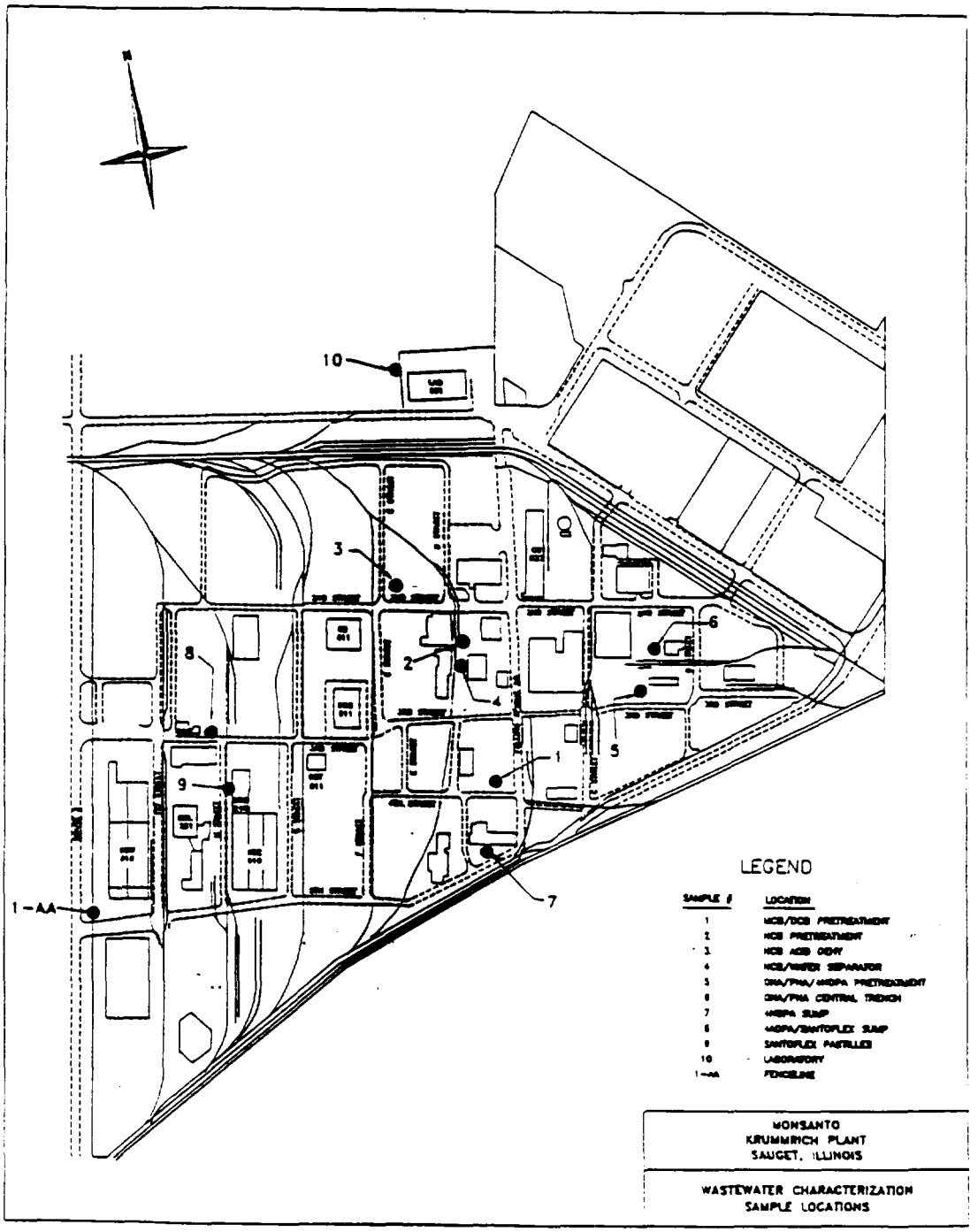
FIGURE 1 - MONITORING LOCATION



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