

## 10.2.1.1 Finalizing the Permit/Public Participation Process/Public Notice/ Permits Requiring Public Notice

### **Applicability:**

A public notice of permit pending will be prepared and issued by the department for site-specific operating permits and general permits.

### **Content:**

The Construction and Operating Permits rule at 10 CSR 20-6.010(4)(F) describes a notice of permit pending as a statement that the department intends to issue an operating permit. This paragraph also indicates that the department will issue the public notice of a pending new operating permit for a wastewater treatment facility before it issues the construction permit for that facility. However, a public notice is not required before the issuance of a construction permit for a sewer collection system.

Following the development of a draft permit and any required fact sheet, the department will prepare a public notice of permit pending. All site-specific operating permits, including no-discharge permits, will be the subjects of a public notice. This applies to new permits and existing permits that are being reissued.

The department will prepare a public notice for all new statewide general permits and existing statewide general permits that are being reissued. Public notice of the issuance of a general permit to a specific applicant (facility) is not required, except for:

- Airports,
- Chemical manufacturing,
- Fabricated structural metal,
- Foundries,
- Limestone and rock quarries,
- Lubricant manufacturing,
- Petroleum storage greater than 50,000 gallons,
- Wood treaters,
- The first general permit for a new wastewater treatment facility, and
- A reissuance of a general permit to a facility found to be in significant noncompliance during the previous permit.

As new general permits are created, the need for an individual facility public notice will be determined and identified in the general permit.

### **Legal References:**

*Missouri Clean Water Law, Chapter 644 RSMo*

[644.051.3 and .4](#) Prohibited acts--permits required, when, fee--bond required of permit holders, when--permit application procedures--rulemaking--limitation on use of permit fee moneys.

*Code of State Regulations:*

[10 CSR 20-6.010\(4\)\(F\)](#) Construction and Operating Permits - Construction Permits (CP) - OP Noticed prior to CP Issuance (Notice of Permit Pending)

[10 CSR 20-6.015\(4\)\(A\)](#) No-Discharge Permits - Permits - Application and Processing Procedures

[10 CSR 20-6.020\(1\)\(B\) and \(C\)](#) Public Participation, Hearings and Notice to Government Agencies - Public Participation  
(B)Public Notice of Permit Pending and Issuance Timeframes  
(C)Public Notice for GPs

*Code of Federal Regulations*

[40 CFR 124.10\(a\)\(1\)\(ii\)](#) Procedures for Decisionmaking - Public notice of permit actions and public comment period.

**Other Links:**

[10.2.3 Public Hearings and Public Meetings](#)

**Key Words:**

Public notice, public notice of permit pending, intent to issue permit

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