

2.3.5.5 Permitting Framework and Scope/Permit Program Areas/ Construction Permitting/Industrial Treatment Facilities

Applicability:

- Construction permits are **only** required at industrial facilities for the construction and the replacement or modification of an **earthen storage** structure to hold, convey, contain, store, or treat agricultural, or industrial process wastewater.
- Construction permits are required at industrial facilities for the construction and the replacement or modification of treatment plants that hold, convey, contain, store, or treat **domestic** wastewater.
- All industrial facilities constructing treatment plants to hold, convey, contain, store, or treat domestic, agricultural, or industrial process wastewater shall be designed by a professional engineer registered in Missouri and shall meet applicable 10 CSR 20-8 design requirements.
- All industrial storm water facilities that are subject to the Storm Water Regulations must obtain an operating permit before beginning any new construction (10 CSR 20-6.200(1)(A)).

Content:

- A construction permit **only** required at industrial facilities for the construction and the replacement or modification of an **earthen storage** structure to hold, convey, contain, store, or treat domestic, agricultural, or industrial process wastewater. Construction permits are required at industrial facilities for the construction and the replacement or modification of treatment plants that hold, convey, contain, store, or treat **domestic** wastewater.
- The construction permit application should include:
 - Submit [Construction Permit](#) Application form at least 180 days prior to planned construction beginning.
 - Submit other required supporting documents, including request for operating permit modification.
 - Plans, specifications and engineering documents shall be prepared, signed and sealed by a licensed professional engineer in Missouri.
 - Facility map showing the location of all outfalls.
 - Permitted feature information including locational data for each permitted feature and design flows as well as actual flows.
 - Water Quality Review and Antidegradation Report for all new and expanding facilities as required by 10 CSR 20-7.031(2).
 - A flowchart indicating each process which contributes to an outfall.
 - A geohydrological evaluation conducted by the Missouri Geological Survey
 - An electronic copy of all documents submitted

- If the construction of industrial facilities does not require a construction permit, the facility shall submit a new or modified operating permit application. The application shall contain:
 - Submit Operating Permit application forms at least 180 days prior to initial discharge or construction beginning. Forms submitted, may include [A](#), [C](#), [D](#), [E](#), and [R](#).
 - Submit other required supporting documents,
 - Title page of engineering documents including name and address of the operation, date prepared, name and address of firm preparing the report, seal and signature of the engineer, and a statement indicating the project was designed in accordance with 10 CSR 20-8.
 - Facility map showing the location of all outfalls.
 - Permitted feature information including locational data for each permitted feature and design flows as well as actual flows.
 - Water Quality Review and Antidegradation Report for all new and expanding facilities as required by 10 CSR 20-7.031(2).
 - A flowchart indicating each process which contributes to an outfall.
 - A geohydrological evaluation conducted by the Missouri Geological Survey
- Construction or modification of internal plumbing and piping or other water diversion or retention structures within a manufacturing or industrial plant or mine, which are an integral part of the industrial or manufacturing process or building or mining operation, do not require a construction permit. Routine maintenance activities do not require a construction permit. Activities may include replacement of like equipment, pump repair, electric control equipment repairs or upgrades, and structural repair.
- The Department may require a construction permit application when there is substantial deviation from the commission's design standards; to correct noncompliance; when an unauthorized discharge has occurred or has the potential to occur; or to correct a violation of water quality standards.
- The industrial facility will be required to obtain a land disturbance permit if more than one acre is disturbed. A land disturbance permit is available through the Department's ePermitting process.
- When an industrial application is received, the Department will:
 - Review construction and/or operating permit applications and supporting documents for completeness and for compliance with regulations.
 - Send letter to responsible party and consultant professional engineer confirming that application is complete or requesting additional information.
 - Draft operating permit and send to permittee for 15 day review period.
 - Respond to comments received permittee review.
 - Place draft operating permit on public notice for 30 days

- Following public notice, issue construction or operating permit, and respond to comments on the draft operating permit.
- The Department may conduct site inspection prior to issuance of operating permit.
- When application is complete and complies with regulations, the operating permit can be issued.
- If a construction permit was required, submittal of Statement of Work completed form will trigger issuance of the operating permit.
- For facilities seeking coverage under a general permit, the general permit application should be submitted with the construction permit application. The general operating permit will be issued concurrently with the construction permit.
- The construction permit application and/or permit modification is to be sent to the Water Protection Program in Jefferson City. If it's a construction permit application, attention Engineering Section and if it's a modification, attention Operating Permits Section.

Legal References:

<i>Code of State Regulations:</i>	
10 CSR 20-6.010(4)	Construction and Operating Permits - Construction Permits (CP)
10 CSR 20-6.200(1)(A)	Storm Water Regulations - Storm Water Permits-General – Applicability
10 CSR 20-6.011	Fees
10 CSR 20-7.031(2)	Water Quality Standards-Antidegradation
<i>Missouri Revised Statutes</i>	
644.026(8), (13) and (17)	Powers and duties of commission--rules, procedure.
RSMo 644.051 3	Water Pollution-Prohibited Acts-- permits required, when, fee--bond required of permit holders, when--permit application procedures-- rulemaking--limitation on use of permit fee moneys.
RSMo 327.181	Practice as professional engineer defined

Other Links:

[3.7 Construction Permits](#) (five topics)

[4.7.4.1.2.4 Site-Specific Storm Water](#)

[5.4.2.3 Antidegradation](#)

[Antidegradation](#)

[Request for Geohydrologic Evaluation](#)

[Wastewater Construction Permit Manual](#)

[E-Permitting](#)

Modification Date: 11/20/2002 JFP 11/21/05 LJM 11/4/2013