

3.1.6 Overview of the Permit/Types of Permits/ Construction Permits

Applicability:

Construction permits are required prior to the construction, installation or modification of any sewer system or of any water contaminant source, point source or wastewater treatment facility.

Content:

Construction permits are required by the Missouri Clean Water Law and related regulations. Section 644.051.2, RSMo, states that:

“It shall be unlawful for any person to build, erect, alter, replace, operate, use or maintain any water contaminant or point source in this state that is subject to standards, rules or regulations promulgated pursuant to the provisions of sections 644.006 to 644.141 unless such person holds a permit from the commission, subject to such exceptions as the commission may prescribe by rule or regulation. However, no permit shall be required of any person for any emission into publicly owned treatment facilities or into publicly owned sewer systems tributary to publicly owned treatment works.”

This requirement from the Clean Water Law is echoed in the rules at 10 CSR 20-6.010(1)(A) and (4)(A).

Persons who are constructing, installing or modifying wastewater facilities must submit an application for each sewer system or treatment plant. However, construction permits are not required for facilities discharging into publicly owned treatment works (POTWs), separate storm sewer systems, on-site domestic wastewater disposal systems regulated by the Department of Health and Senior Services and certain other facilities as provided in the rules.

A person must submit an application for a construction permit at least 180 days before construction is to begin. The application must be on a form provided by the department and, typically, includes an engineering report, plans and specifications, a location map and the appropriate fee. The proposed construction permit for a treatment facility, but not for a sewage collection system, is placed on public notice before issuance. Construction permits normally expire one year from date of issuance; extensions may be granted. Longer, initial permit periods can be granted for large-scale projects.

Legal References:

Missouri Clean Water Law, Chapter 644

[644.026.1](#) Powers and duties of commission--rules, procedure.
[\(12\) and \(13\)](#)

[644.051.2](#) Prohibited acts--permits required, when, fee--bond required of permit holders, when--
[and 3](#) permit application procedures--rulemaking--limitation on use of permit fee moneys.

Code of State Regulations:

[10 CSR 20-2.010](#) Definitions

[10 CSR 20-6.010\(1\), \(2\), \(3\), \(4\), \(6\)](#) Construction and Operating Permits -
(1) General
(2) Permit Applications
(3) Continuing Authorities

(4) Construction Permits (CP)
(6) Sewer Extensions

Code of Federal Regulations

[40 CFR Part 122.28](#) EPA Administered Programs: The NPDES - General Permits

Other Links:

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

Key Words:

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