

4.6.4.1.3 Application and Review Process/Completing Permit Application Forms/ Attaching Supplemental Information/Additional Construction Permit Requirements/ CAFO Neighbor Notice

Applicability:

This applies to neighbor notices for applications for Concentrated Animal Feeding Operations (CAFOs) construction permits.

Content:

The requirements for neighbor notices can be found at 10 CSR 20-6.300(5)(B). The applicant must submit proof that the notification has been sent. This is most often accomplished through certified mail return receipts from the post office. If the applicant wants to get individual signatures, the signatures should be witnessed and contact information provided to verify the signatures. In some cases the mail is not claimed or the address is not accurate. The applicant should use the current address available with the county assessor's office. We will accept the receipt or label number of the receipt showing that the mail was sent and delivery attempted, even if not received.

All letters including a return address sent to the department during the 30-day comment period must receive a response. This response letter typically goes out at the same time the construction permit is issued. A uniform letter to all "concerned citizens" or personalized letters can be sent. Petition signers do not receive a response letter. The response is usually sent to the petition group leader. The chief of the Agricultural Unit generally signs the response letter. If there is a large amount of public opposition the letter may be signed by the Program or Division Director.

The content of the letters may prompt a site visit, a public meeting or a public hearing. The Public Participation rule at 10 CSR 20-6.020(4)(A)1 states, "The department shall hold a public hearing if there is significant technical merit and concern related to the responsibilities of the Missouri Clean Water Law." The chief of the Agricultural Unit in conjunction with the program director usually makes this determination. The review engineer is responsible for keeping the unit chief updated as to the response from the neighbor notice. In addition, a comment as to how many letters were received, if any, should be included on the permit transmittal.

Legal References:

Code of State Regulations:

- [10 CSR 20-6.020](#) Public Participation, Hearings, and Notice to Government Agencies
- [10 CSR 20-6.300](#) Concentrated Animal Feeding Operations (CAFOs)

Other Links:

[Form F – Application for Approval or Permit for CAFO](#)

Key Words:

Modify, modification, change, review, concentrated animal feeding operation, application

Page ID: 4.6.4.1.3 CAFO Neighbor Notice

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