

4.9.1 Draft Permit Review prior to Public Notice

Applicability:

In an effort to increase communication with permittees and coordination within the department, draft permits may be reviewed internally and/or externally prior to Public Notice. Reviews prior to Public Notice improve communication and allow various entities to coordinate with permit writers allowing for more accurate permit limits and conditions.

Content:

Each site-specific permit is different and, as a result, there are several aspects that may need to be reviewed by different parties. These include but may not be limited to Watershed Protection section staff, Compliance and Enforcement section staff, and permittees and/or their representatives. It is recommended that these reviews be synchronized to expedite the processing of permits.

Total Maximum Daily Load (TMDL) Unit Review

While reviewing a permit application for a permit that is implicated within a TMDL report/study, the permit writer will schedule a one-on-one meeting with TMDL Unit staff to discuss the interpretation of the TMDL's assumptions and requirements pertaining to the affected facility. This meeting will open the lines of communication between the permit writer and TMDL Unit staff. This meeting will be conducted during the technical review of the permit application so as to aid in drafting the permit.

After drafting the permit, the permit writer is to email the draft permit to the TMDL Unit Chief prior to Public Notice. The deadline for draft permit review is five business days unless more time is requested by staff in the TMDL Unit.

Compliance and Enforcement Section Review

When the permittee is under enforcement action, the Compliance and Enforcement Section will review the draft permit prior to Public Notice. The Permit Writer is to email the draft permit to the permittee's case manager within the Compliance and Enforcement Section with a deadline of five business days to review. More time may be requested by the case manager if necessary.

Permittee Review

The permittee will be given a chance to review the draft permit prior to Public Notice. The request is made by checking the appropriate box on the renewal application. The draft permit will be emailed to the facility contact that is listed on the renewal application with a review period of fifteen business days. More time, generally not to exceed 30 days total, may be granted where appropriate and if requested by the permittee.

Courtesy Calls

When the draft permit contains a Schedule of Compliance, the permit writer is to conduct a courtesy phone call to the facility contact that is listed on the renewal application. The call will be made prior to Public Notice. The permit writer will call once and leave a message if no one answers. The purpose of the courtesy call is to discuss the Schedule of Compliance with the

permittee as well as any pertinent information affecting permit limits and requirements such as impaired waters, revised water quality standards, revised regulations, etc.

Legal References:

Missouri Revised Statutes:

§ 640.016.2 RSMo 2015

Other Resources:

Memorandum:

Leanne Tippett Mosby, February 3, 2011, Division of Environmental Quality, Communication and Coordination with Permit Applicants, Permittees and the Public

Key Words:

Pre-Public Notice, 15-day Preview, TMDL, Enforcement, Courtesy Call

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