



MISSOURI DEPARTMENT OF NATURAL RESOURCES
MISSOURI CLEAN WATER COMMISSION
VARIANCE APPLICATION – 644.061 RSMo 1986

FOR DEPARTMENT USE ONLY

DATE RECEIVED

This application must be accompanied by a \$250.00 filing fee. Make your check, money order, or bank draft payable to the State of Missouri. Cash cannot be accepted. Mail to:

Director of Staff
Missouri Clean Water Commission
Missouri Department of Natural Resources
Water Protection Program, Water Pollution Branch
P.O. Box 176
Jefferson City, MO 65102-0176

Please complete and return. Use separate sheets, if necessary.

COUNTY	PHONE WITH AREA CODE	FAX
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ADDRESS	STREET	CITY	STATE	ZIP
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FACILITY NAME

ADDRESS	STREET	CITY	STATE	ZIP
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2. NPDES PERMIT NUMBER (IF APPLICABLE)

MO-

3. POINT OF DISCHARGE

_____ 1/4, _____ 1/4, SEC _____, T _____, R _____, COUNTY _____

NAME OF RECEIVING STREAM

Classification of receiving stream _____ under Missouri Water Quality Standards 10 CSR 20-7.031.

4. CITE SPECIFIC SECTION OF LAW OR REGULATION FOR WHICH A VARIANCE IS SOUGHT.

5. IF VARIANCE PROPOSED A CHANGE OF POLLUTANT LIMITATION, LIST THE TYPE, QUALITY AND QUANTITY OF POLLUTANT AND PROPOSE ALTERNATE LIMITATIONS USING APPROPRIATE LIMITS.

6. DESCRIBE THE WATERWATER FACILITY.

7. STATE THE REASON A VARIANCE IS BEING SOUGHT. BE SPECIFIC.

7a. WILL COMPLIANCE WITH THE APPROPRIATE LAW OR REGULATION RESULT IN UNREASONABLE COST WITHOUT COMPARIABLE PUBLIC BENEFIT?

Yes No

If the answer is yes, provide a cost of the operation:

Complying with the law or regulation \$ _____

Using the proposed limitations \$ _____

Cost Difference \$ _____

Include consultant reports and vendor information supporting these costs.

7b. WILL THE LAW OR REGULATION RESULT IN ECONOMIC HARDSHIP FOR THE INDUSTRY?

Yes No

If yes, attach the following information:

Federal income tax returns for each of the three years immediately preceding the application; or
an annual fiscal report; or
a list of the principal officers and their salaries; or
all income derived from the operation.

This information may be submitted as confidential and the agency shall respect the confidential rights of the applicant.

8. IF THIS IS AN EXISTING DISCHARGE, PROPOSE A COMPLIANCE SCHEDULE TO UPGRADE THIS FACILITY TO MEET THE APPLICABLE LAW OR REGULATION OR TO ELIMINATE THE DISCHARGES(S).

9. FURNISH THE NAMES OF ALL ATTORNEYS, CONSULTANTS, VENDORS, AGENTS AND ALL OTHER PARTIES WHO HAVE RENDERED SERVICE OR FURNISHED INFORMATION. INCLUDE THEIR ADDRESSES, TELEPHONE NUMBER, AND NATURE OF SERVICE OR INFORMATION PROVIDED.

10. I believe that the above information is correct and complete.

SIGNATURE

DATE

NOTARY PUBLIC EMBOSSEER SEAL

STATE OF

COUNTY

SUBSCRIBED AND SWORN BEFORE ME,

DAY OF

YEAR

NOTARY PUBLIC SIGNATURE

MY COMMISSION
EXPIRES

USE RUBBER STAMP IN CLEAR AREA BELOW.

NOTARY PUBLIC NAME (TYPED OR PRINTED)

VARIANCE APPLICATION
Summary of Section 644.061 RSMo 1986

1. Application form is complete.
2. \$250.00 filing fee paid.
3. The Executive Secretary shall investigate and make a recommendation to the Clean Water Commission within sixty days.
 - * Granted – go to 4, then 5.
 - * Denied – go to 4, then 6
4. Notify petitioner of staff decision and send notification to those people on the mailing list from the petitioners county.
5. Recommendations to grant variance:
 - A. The Clean Water Commission may grant the variance without a hearing, at which time a 30 day public notice must be allowed to receive public comments. If a petition is filed against the variance, a hearing must be held. Go to 7.
 - B. The Clean Water Commission may set the matter for hearing. Go to 7.
6. If the staff recommends denial, the petitioner may request a hearing within the 30 day notice period to be held before the Clean Water Commission. Go to 7.
7. A hearing will be held according to Section 644.066 and the Administrative Procedures Act.

CONDITIONS OF A VARIANCE

1. No variance shall be granted where the effect of a variance will permit the continuance of a condition that may unreasonably cause or contribute to adverse health effects on humans or upon fish or other aquatic life or upon game or other wildlife.
2. The commission shall exercise a wide discretion in weighing the equities involved and the advantages and disadvantages to the applicant and to those affected by water contaminants emitted by the applicant.
3. Variances shall be granted for such period of time and under such terms and conditions as shall be specified by the commission.