Construction & Operating Permits Workgroup (10 CSR 20-6.010)

John Rustige, PE
Leasue Meyers
10 CSR 20-6.010

(1) General
(2) Continuing Authority
(3) Antidegradation
(4) Construction Permits
(5) Supervised Authority
(6) Operating Permits
(7) Terms & Conditions
(8) Prohibitions
(9) Renewal & Expiration
(10) Permit Transferable
(11) Closure
(12) Reserved
(13) General Operating Permits
(14) Permit by Rule
(15) Variances
(1) Permits-General

• Cost of Compliance
  – Required under RSMO 644.145.2 the adoption of procedures

• Integrated Planning
  – Language being updated to allow additional flexibility and not as prescriptive

• Electronic Reporting
  – Electronic submittal of DMRs and other required permits required
  – Has a fiscal cost to DNR and the public
  – Waivers allowed for religious communities
(2) Continuing Authority

- Addition of not for profits (393s)
- Definition of Availability
  - Waiver from higher level
  - Cost of Connection vs. Cost to upgrade
  - Distance
- How to obtain Level 2 Authority from CWC
  - Capital Improvements Plan
  - Public Hearing held by the utility
  - Public notice the request
(3) Antidegradation

- Complete Antidegradation application requirements
  - Fees
  - Geohydrological Evaluation
  - Evaluation of no-discharge systems
  - Social economic conditions discussion
(4) Construction Permits

- Complete Application
  - Electronic submittal of 1 copy

- Exemptions from Construction Permitting

- Sewer Extension General Permit
  - MOGC has been in effect since April 2015
    

- Default 2 year Construction Permits

- Statement of Work Complete
  - Removal of Letters of Approval
  - SOWC form
(5) Supervised Authority

- Sewer Extension Authority established in existing rule
  - 9 existing communities
- Treatment Plant Authority established by statute
- Reevaluate Authority at Operating Permit Renewal every 5 years
- Details what needs submitted for a new program and what needs at the renewal
(6-10) Operating Permits

• Details what is a complete application
• Corrects conflict between statute and existing rule for general permits
• Update connection language to match operating permits and references back to Continuing Authority
• For long expired operating permits, ability to request an updated application
• Transferring permits added language from federal rules for expired permits
(11) Closure of Treatment Facilities

- Lagoon & Mechanical Closure
- Closure Plan required to be submitted & approved before closing
- Plans need to include discussion of: sludge removal, concrete removal, site grading, & vegetated growth
- Closure Plan Factsheet: http://dnr.mo.gov/pubs/pub2568.htm
- Closure Plan Form: http://dnr.mo.gov/forms/780-2512-f.pdf
(13) General Operating Permits

- The department may require a facility to have coverage under a general permit unless the facility provides reason why it is not desiring coverage under the general permit.
(14) Permit by Rule

- Hydrostatic Testing
  - pH change from 6.0 to 6.5 to reflect the change in Water Quality Standards in 2010
  - Removal of the fee amount, replace with reference to the statute
  - Removal of the requirement to petition the CWC to reopen the Hydrostatic Testing requirement every 5 years
(15) Variances

- Established in Statute
  - General Variances:
  - Provisional Variances:

- Identifies the procedure and the required documents to present a variance request to the CWC

- Provisional Variances- events beyond the control of the permittee for a short term, time limited event and can only be extended up to 90 days in a calendar year
Questions

• Please send comments, suggestions, questions to:

Leasue Meyers

leasue.meyers@dnr.mo.gov

PO Box 176, Jefferson City, MO 65109

(573)751-7906