

## 2.3.6.2 Permitting Framework and Scope/ Permit Program Areas/ Exemptions and Waivers/Operating Permit

### **Applicability:**

A listing of the exemptions from the operating permit requirements as specified in the Construction and Operating Permit Rule, 10 CSR 20-6.010.

### **Content:**

All persons who operate, use maintain point sources, water contaminant sources or wastewater treatment facilities must apply for and be issued an operating permit (NPDES Permit). There are, however, eight exemptions to this requirement. The basic permitting requirement and the exemptions from it are specified at 10 CSR 20-6.010(1)(A) and (B), respectively.

The following are exempt from the permit regulations:

- Nonpoint source discharges,
- Service connections to wastewater sewer systems,
- Internal plumbing and piping or other water handling structures within a factory or mine unless they discharge to waters of the state,
- Discharges resulting from routine maintenance or repair of existing wastewater facilities,
- Single family residences,
- Discharges from environmental emergency clean-ups under MDNR or U.S. EPA control provided violation of water quality standards does not occur,
- Discharge of water used in well construction and maintenance, and
- Small-scale pilot or demonstration projects that do not last more than one year.

The Missouri Water Protection Program, Water Pollution Control Branch operates the NPDES Program under the requirements specified in the federal Water Pollution Control Act and the Code of Federal Regulations. In addition to exemptions specifically covered in the state rule, the federal rules exempt from NPDES permitting: 1) the discharges of sewage from vessels and the release of other water from properly functioning marine devices, 2) the discharge of material regulated under Section 404 of the federal Act, and 3) return flows from irrigated agriculture.

### **Legal References:**

*Missouri Clean Water Law, Chapter 644*

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|-------------------------------|---|
| <a href="#">644.026.1(13)</a> | Powers and duties of commission--rules, procedure.  |
| <a href="#">644.051.2</a>     | Prohibited acts--permits required, when, fee--bond required of permit holders, when--permit application procedures--rulemaking--limitation on use of permit fee moneys. |

*Code of State Regulations:*

- |                                 |  |
|---------------------------------|--|
| <a href="#">10 CSR 20-2.010</a> | Definitions                                  |
| <a href="#">10 CSR 20-</a>      | Construction and Operating Permits - General |

[6.010\(1\)](#)

*Code of Federal Regulations*

[40 CFR Part  
122.3](#)

EPA Administered Programs: The NPDES - Exclusions.

**Other Links:**

[2.3.6.1 Construction Permit Exemptions](#)

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