

## 3.2.5 Overview of the Permit/Site Specific Permits/ Effective Date and Expiration Date

### **Applicability:**

The term (duration) of operating permits is set through the Effective and Expiration Dates.

### **Content:**

Operating permits (NPDES permits) shall be issued for a term (duration) not to exceed 5 years after the date of issuance. The five-year maximum term is a requirement of the federal Clean Water Act, federal regulations, the Missouri Clean Water Law and the state regulations. The most common term for operating permits is five years; however, they may be issued for a period of time less than five years at the discretion of the issuing authority.

The issuance date is the effective date of the operating permit. For a new or reissued operating permit, the issuance date is entered on the first page of the permit in the Effective Date field. The Expiration Date is calculated by adding the permit term (typically 5 years) minus one day to the Effective Date. For example, if a permit is to be issued for 5 years on July 1, 2004, the expiration date will be June 30, 2009.

An operating permit may be modified, revoked and reissued, or terminated during its term as set forth in 10 CSR 20-6.010(8)(A)2 and 3 and 40 CFR 122.62 and 122.64. If a permit is modified within the five-year term, the original Effective and Expiration Dates remain the same and the modification date is placed approximately one inch to the right of the Effective Date on the same line and "Revised Date" is placed underneath the modified date.

The department must receive applications for the renewal of operating permits at least 180 days before the expiration date. If the review of the renewal application proceeds in a normal fashion, the permit typically will be reissued with a new effective date on its anniversary date. The re-issuance of an operating permit should be timed to coincide with the expiration of the preceding permit.

### **Legal References:**

*Missouri Clean Water Law, Chapter 644*

644.051.10 and 13

*Code of State Regulations:*

10 CSR 20-6.010(5)(B) and (C)

10 CSR 20-6.010(8)(A)2 and 3

10 CSR 20-6.010(10)(A)

*Federal Clean Water Act*

402(a)(3) and 402(b)(1)(B)

*Code of Federal Regulations:*

40 CFR 122.5(a)

40 CFR 122.46(a) and (c)

40 CFR 122.62 EPA

40 CFR 122.64 EPA