

4.1.8.1 Application and Review Process/Permit Process/ Terminations/Overview

Applicability:

Discusses requests for termination of State Operating Permits and General Permits and actions taken in response.

Content:

Permits Termination Procedure

- A. Site Specific State Operating Permit – Upon receiving Form J, Request for Termination of a State Operating Permit, staff must prepare a Termination Transmittal Form (MO 780-0457), if termination is appropriate. The information on the form should be verified prior to issuance of a termination letter signed by the Water Protection Program Director or the appropriate Regional Director. A sample termination letter is in the Permit Library.

If the facility is properly closed and demolished or removed, the situation is finished when the termination letter is written.

If the facility is not in use, but not properly closed, demolished or removed, the permit can be terminated only if there is no possibility of a discharge into waters of the state. If the owner/operator of the facility plans reopening it within the near future (two years can be used as the cut-off point), the permit should not be terminated unless there is good reason to do so. Lagoons that are out of service for more than two years are considered final sludge disposal sites under federal regulations and, if to remain in place, will require a sludge disposal permit.

Landfill permits for which the Solid Waste Management Program has approved closure may be terminated only if all leachate storage and disposal facilities, including land application systems, have been properly closed and/or removed. As long as leachate is generated or disposed of, a WPP permit is required.

- B. General Operating Permit – Upon receiving Form H, Request for Termination of a General Permit, staff must prepare a Termination Transmittal Form (MO 780-0457), if termination is appropriate. The information on the form should be verified prior to issuance of a termination letter signed by the Water Protection Program Director or the appropriate Regional Director. A sample termination letter is in the Permit Library.

If the facility or site is properly closed or completed, the situation is finished when the termination letter is written.

If the facility is not in use, but not closed, then the permit can only be terminated if there is no possibility of a discharge into waters of the state.

If the facility has a new owner, and the permit is not transferrable, the original owner must submit a Form H, and the new owner must submit a new application for a permit.

Legal References:

Code of State Regulations:

[10 CSR 20-6.010\(12\)](#)

Construction and operating Permits - Closure of Treatment Facilities

Other Links:

Operating Permit Termination (proposed letter)

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[Form H](#) -- Request for Termination of a General Permit

[Form J](#) – Request for Termination of a State Operating Permit

Termination Transmittal Form (MO 780-0457)

Key Words:

Termination, General

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