

#### 4.6.5.3.2 Application and Review Process/Completing Permit Application Forms/ Permit Fees/Site-Specific Permit Fees/Industrial Permit Fees

##### **Applicability:**

Discusses the annual operating permit fees payable to the state of Missouri for industrial facilities that produce and discharge industrial process wastewater or storm water.

An industrial facility that treats and discharges only human sewage (domestic sewage) must pay an annual fee to the department based on the design flow of the sewage treatment plant. These facilities are addressed in topic 4.6.5.3.1 Private Domestic Fees.

##### **Content:**

Persons who produce and discharge industrial process wastewater that requires treatment or industrial storm water and who apply for or possess a site-specific permit must pay annual operating permit fees. The term industrial process wastewater means any water that, during manufacturing and processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, by-product or waste product.

This includes storm water that is regulated under 10 CSR 20-6.200. (See 10 CSR 20-6.011(1)(B)4).

Annual operating permit fees are to be paid by check or money order made payable to the State of Missouri. If the fee payment check is returned to the department marked insufficient funds, the person forwarding the check is notified and given 15 days to correct the situation. If the insufficiency is not corrected, the matter may be referred to the Office of the Attorney General for collection and assessment of a late payment penalty in accord with Section 644.055.

The fees are submitted to the Department of Natural Resources, Receipts and Reporting Program, P.O. Box 477, Jefferson City, Missouri 65102. Each payment should identify the permit number, payment period and permittee's name. Persons responsible for more than one facility can submit one check for all fees owed, but need to include information to allow proper crediting for each permit.

Annual fees are to be paid in full on their due date. The first fee payment for a new facility should accompany the application for the initial operating permit. For existing facilities, and for the second and subsequent years for new facilities, the fee should be submitted each year on the anniversary date of the permit. At the time of permit renewal, the annual fee should not be submitted with the renewal application but on the anniversary date of the permit, typically about 180 days after the application is submitted.

Facilities that discharge intermittently or seasonally must pay a full annual fee on the anniversary date of the permit. Fees for such facilities are not prorated or reduced.

If a facility eliminates the discharge, the permittee is responsible for requesting termination of the permit. If the permit is revoked or denied, the annual fees are forfeited by the permittee or applicant (see 4.1.8 Terminations, 4.19 Revocations and 4.1.10 Denials).

Facilities that have a site-specific permit (not a general permit) and do not normally discharge have annual operating fees based on the design flow of the wastewater being processed. Such facilities include land application (irrigation) facilities, agrichemical facilities, and no-discharge permit facilities. The annual operating fees for sludge or solids disposal facilities that have a site-

specific permit (not a general permit) are based on the combined total design flow of the wastewater treatment facilities from which the sludge or solids are removed.

The following are the annual operating permit fees for industrial facilities:

- \$5000 for a Class IA Concentrated Animal Feeding Operation (CAFO),
- \$3500 for a categorical industry with a design flow less than 1,000,000 gallons per day (1 mgd),
- \$5000 for a categorical industry with a design flow equal to or greater than 1 mgd,
- \$1350 for a site-specific permit solely for industrial storm water with a design flow less than 1 mgd,
- \$2350 for a site-specific permit solely for industrial storm water with a design flow equal to or greater than 1 mgd,
- \$1500 for a site-specific permit for a facility with a design flow less than 1 mgd that is not a categorical industry and the permit is not solely for industrial storm water,
- \$2500 for a site-specific permit for a facility with a design flow equal to or greater than 1 mgd that is not a categorical industry and the permit is not solely for industrial storm water, and
- \$25 for persons operating pursuant to a permit by rule; at present, the only permit by rule applies to hydrostatic testing of new petroleum-related pipelines and storage tanks (see 10 CSR 20-6.010(14)).

Note that 10 CSR 20-6.011(2)(A) does not mention Section 644.052.3 that relates to categorical industries and Class IA CAFOs. In addition, Appendix A of the rule is not consistent with the provisions of Section 644.052.3, .4, .5 and .12 with respect to annual fees for industrial discharges. The inconsistencies are apparently due to inadvertent errors by the Water Protection Program that occurred at the time of rule development in 2000. The provisions of the Clean Water Law should be followed. The fee schedule listed above reflects the Clean Water Law requirements.

## Legal References:

*Missouri Clean Water Law, Chapter 644, RSMo*

[644.052.3](#), .4, .5 and .12 Permit types, fees, amounts--requests for permit modifications--requests for federal clean water certifications.

[644.055](#) Fees, nonpayment--penalty.

*State Health Standards, Chapter 701, RSMo*

[701.025\(12\)](#) Permit types, fees, amounts--requests for permit modifications--requests for federal clean water certifications.

*Code of State Regulations:*

[10 CSR 20-6.011\(1\)](#), (2)(E) and Appendix A Fees -  
(1) Fees - General  
(2)(A) Operating Fees - Annual Fee Due Dates  
(2)(E) Operating Fees - No-Discharge Facilities  
Appendix A - Human sewage discharges—annual fees

## Other Links:

[4.6.5.3.1 Private Domestic Fees](#)

[4.7.4.2.2 Industrial Permits](#)

[5.3.1.3 Limitations for Categorical Industries](#)

[5.3.1.4 Limitations for Primary Industries](#)

[Water Pollution Control Permit Fees](#), summary sheet with examples, revised 11/7/2000

**Key Words:**

Annual fees, industrial permits, industrial permit fees, industrial storm water, industrial storm water fees, permit by rule

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