

4.7.2 Application and Review Process/Review of the Permit Application/ Completeness Check

Applicability:

This relates to all permit applications that are received for a water pollution control permit.

Content:

10 CSR 20-6.010 (2) specifies that "an application for, or for renewal of, a construction permit or operating permit shall be made on forms provided by the department." In addition, other material such as detailed plans and specifications, copies of 404/401 permits, maps or other drawings, may be necessary in order for the application to be considered as "complete."

It is the responsibility of the person submitting the application to ensure that all items necessary to comprise a "complete" application are submitted together. It is the responsibility of MDNR staff to verify that all necessary items have been submitted.

Depending on the type of permit being applied for, the following items are needed to constitute a "complete" application.

1. Application form(s) (completely filled out)
2. Appropriate Fee (see fee schedule)
3. Location map
4. DGLS geohydrological report
5. Acceptance letter from local continuing authority
6. Engineering report, plans, specifications (construction permits)
7. Engineering certification of work completed
8. Property owner association documents
9. Other information as appropriate

The applicable regulations, in particular 10 CSR 20-6.010 and 6.200, and the permit application forms identify required attachments and supplementary information.

Review of Application Form

Ideally, the application form should be completely filled out with no spaces left blank. In practice, this rarely happens and the person reviewing the application form will have to use judgement to determine what essential information is needed to process the application. If essential information, such as a signature, is not provided, the application may have to be returned to the applicant for correction. In other cases, it may be possible to call or send an e-mail message to the applicant to request the missing information.

It is especially important to review who is submitting the application. Since permits can only be issued to certain classes of Continuing Authorities (see section 4.6.3 and 10 CSR 20-6.010(3)), it

is important to verify that the person or organization listed as owner or continuing authority is the appropriate legal entity.

It is also important to verify the signature on the application is that of a person who has the appropriate authority as specified in 10 CSR 20-6.010(2)(B). An example of inappropriate signature authority would be a consulting engineering firm filling out the application for their client and also signing the application form(s). Other examples include contractors who are not the owners of a site or facility or employees of the applicant who do not meet the requirements of the regulation.

Application Fee

For all construction permits, new operating and general (including land disturbance) permits, an application fee must be submitted with the application. See the fee schedule for the appropriate fees. It is important to log the check amount, who the check is from, and the check number as described in section 4.7.1 Logging and Receipt of Application and Fees.

Construction Permit (CP) Applications

In most situations, applications for construction permits will require engineering plans and specifications to be submitted. These documents must be signed or sealed by a registered professional engineer (PE) licensed in Missouri. In situations involving plans for complex facilities such as treatment plants or lift stations or complex sewer installations, an engineering report is usually needed. Other information such as Water Quality studies or Water Quality Review Sheets, DGLS geohydrological evaluations, soils reports, or other technical information may be needed. Normally, these items should not be given detailed review as a part of the initial completeness check. However, they should receive evaluation as soon as possible to verify if all necessary technical information is available to proceed with the technical review of the application.

CP Applications for Sewer Extensions

In the situation where the applicant is also the owner of the receiving treatment facility and hence the Continuing Authority, a letter stating that the receiving treatment facility has adequate capacity to treat the anticipated volume of sewage should be submitted with the application. The remaining capacity determination should include an estimate of known or probably future connections that have already been authorized but not as yet realized. Although it may not be possible to determine with precision how much capacity remains, reasonable judgement should be used to come up with a good estimate.

If the applicant is not the owner of the receiving treatment plant, the applicant should submit a letter of acceptance from the Continuing Authority indicating:

- (1) willingness to accept and treat the wastewater,
- (2) adequate capacity in the receiving treatment plant, and
- (3) willingness to accept ownership of the sewer lines and serve as the Continuing Authority of the sewer system.

The letter is not required where there is a separate Continuing Authority, such as a public or private sewer district, that has known capability to provide treatment and serve as the continuing authority for the operation and maintenance of the sewer lines.

The person reviewing the application should, if possible, independently verify that the receiving treatment facility has adequate capacity to accept the sewage. If there are known or suspected

capacity problems at the receiving treatment facility, it is advisable to discuss these issues with appropriate Department staff before returning the application as incomplete.

CP Applications for Treatment Plants

If the application is for a proposed new wastewater treatment plant, it is important to determine whether a waiver from a higher level Continuing Authority is needed. Note that the Department can only mandate connection to a higher level Continuing Authority if that authority is "available." Availability is defined on a case-by-case basis and relates to the feasibility, both financial and physical, of connection.

For a new wastewater treatment facility and the developer proposes to utilize a homeowner association for the Continuing Authority, the application is not complete until the applicant submits all of the relevant homeowner association documents including a certificate of incorporation as issued by the Missouri Secretary of State's office. The homeowner association documents should be reviewed for conformance with 10 CSR 20-6.010, in particular section (3)(B)5.

Site-Specific Operating Permit Applications

It is important that the correct forms be used for operating permit applications. It is preferable that all information called for on the form be provided for the application to be considered complete. It is particularly important to have a legible signature, a correct legal description of the site, an up-to-date actual flow number, and a downstream landowner address.

For new facilities where there is no operating history, it will not be possible to submit historical data. However, for applications for permit renewals, the applicant should provide reasonably complete historical operating data as indicated on the application forms.

Site-Specific Operating Permit Transfers

A Request for Transfer of Operating Permit form must be completed by both the former owner (present permit holder) and the new owner (person to whom the permit is being transferred).

Land Disturbance Permit Application

If a Form O is being submitted, it will be necessary to conduct a quick review of the application as soon as possible and to let the applicant know of any shortcomings in the application. Until a corrected Form O is placed on the Department's web page, the Form O that is presently on the web page can be accepted.

If a Form E and G is submitted, a review of the application should be done to make sure that the form is filled out as completely as possible. If the site is a large site (over 10 acres), it is acceptable to request that the applicant submit a Storm Water Pollution Prevention Plan (SWPPP) for review.

It is important to ascertain whether or not an Army Corps of Engineers 404 permit and a corresponding MDNR 401 water quality certification is needed. It will usually be necessary to look at the location map to see if a 404/401 is needed.

In all cases, the applicant should submit a USGS topographic map showing the location of the site. In some situations, maps other than USGS topographic maps may be acceptable. However, the map should clearly show the boundaries of the site, the relation to local roads and streams, and the outfall locations.

Checklists

Checklists have been prepared to aid the person reviewing the application and these are available as follows:

1. Construction Permit - Sewer Extension Checklist
2. Construction Permit – New WWTF Checklist
3. New Site Specific Operating Permit (OP) Checklist
4. OP Reissue Checklist
5. Site Specific OP Modification Checklist
6. Site Specific OP Transfer Checklist
7. Land Disturbance General Permit (GP) Checklist

Legal References:

Code of State Regulations:

[10 CSR 20-6.010](#) Construction and Operating Permits

Other Links:

[Appendix R.1](#) Permit Application Forms A, B, C, D, E, & G

[EPA Permit Application Form 2F](#) – Storm Water Discharges Associated with Industrial Activity

Request for Geological Evaluation of Liquid-Waste Treatment Site - [MO-780-1688](#) PDF

Key Words:

Permit Application, application review, operating permit, general permit, construction permit, sewer extension, storm water permit, continuing authority, no-discharge permit, water quality review sheet

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