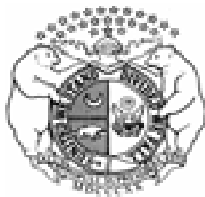


STATE OF MISSOURI  
**DEPARTMENT OF NATURAL RESOURCES**

MISSOURI CLEAN WATER COMMISSION



**MISSOURI STATE OPERATING PERMIT**

GENERAL PERMIT

In compliance with the Missouri Clean Water Law, (Chapter 644 R.S. Mo. as amended, hereinafter, the Law), and the Federal Water Pollution Control Act (Public Law 92-500, 92<sup>nd</sup> Congress) as amended,

Permit No. < MO-R109xxx >

Owner: < name >  
Address: < address >

Continuing Authority: < name, or Same as above >  
Address: < address, or Same as above >

Facility Name: < name >  
Facility Address: < physical address >

Legal Description: ¼, ¼, ¼, Sec. xx, TxxN, RxxW, < county > County

Receiving Stream: < receiving stream > < (U, C, P, L1, L2, L3) >  
First Classified Stream and ID: < 1<sup>st</sup> classified stream > < (U, C, P, L1, L2, L3) > < (ID number) >  
USGS Basin & Sub-watershed No.: < (USGS HUC14 #) >

is authorized to discharge from the facility described herein, in accordance with the effluent limitations and monitoring requirements as set forth herein:

**FACILITY DESCRIPTION**

All Outfalls

Construction or land disturbance activity (e.g., clearing, grubbing, excavating, grading, and other activity that results in the destruction of the root zone and/or land disturbance activity that is reasonably certain to cause pollution to waters of the state). Construction or land disturbance activity near valuable resource waters.

This permit authorizes only wastewater, including storm waters, discharges under the Missouri Clean Water Law and the National Pollutant Discharge Elimination System; it does not apply to other regulated areas. This permit may be appealed in accordance with Section 644.051.6 of the Law.

March 8, 2007

Effective Date

\_\_\_\_\_  
Issue Date

A handwritten signature in black ink, appearing to read "Doyle Childers".

\_\_\_\_\_  
Doyle Childers, Director, Department of Natural Resources  
Executive Secretary, Clean Water Commission

March 7, 2012

Expiration Date  
MO 780-1481 (7-94)

\_\_\_\_\_  
Edward Galbraith, Director of Staff, Clean Water Commission

## APPLICABILITY

1. This general permit authorizes the discharge of storm water and certain non-storm water discharges from land disturbance sites that disturb a cumulative total of one (1) or more acres over the life of the project or which is part of a larger common plan of development or sale that will disturb a cumulative total of one or more acres over the life of the project. This general permit also authorizes the discharge of storm water and certain non-storm water discharges from smaller projects where the department has exercised its discretion to require a permit [10 CSR 20-6.200 (1)(B)].

A Missouri State Operating Permit that specifically identifies the project must be issued before any site vegetation is removed or the site disturbed.

Any site owner/operator subject to these requirements for storm water discharges and who disturbs land prior to permit issuance from MDNR is in violation of both State and Federal laws.

The legal owner of the property on which the site is located is ultimately responsible for compliance with this permit.

2. This permit authorizes non-storm water discharges from the following activities provided that these discharges are addressed in the permittee's specific Storm Water Pollution Prevention Plan (SWPPP) required by this general permit:
  - a. De-watering activities if there are no contaminants other than sediment present in the discharge,
  - b. Flushing water hydrants and potable water lines,
  - c. Water only (i.e., without detergents or additives) rinsing of streets and buildings, and,
  - d. Site watering to establish vegetation.
3. This general permit does not authorize the placement of fill materials in flood plains, the obstruction of stream flow, directing storm waters across private property not owned or operated by the permittee, or changing the channel of a defined drainage course. This general permit is intended to address only the quality of the storm water runoff and minimize off-site migration of sediments and other water contaminants.
4. This general permit does not authorize any discharge to waters of the state of sewage, wastewaters, or pollutants such as:
  - a. Hazardous substances or petroleum products from an on-site spill or improper handling and disposal practices,
  - b. Wash and/or rinse waters from concrete mixing equipment including ready mix concrete trucks. Such pollutants can and should be adequately treated and addressed in the Storm Water Pollution Prevention Plan, but they cannot be discharged to waters of the state,
  - c. Wastewater generated from air pollution control equipment or the containment of scrubber water in lined ponds, or
  - d. Domestic wastewaters, including gray waters.
5. MDNR reserves the right to deny coverage under this general permit to applicants for storm water discharges from land disturbance activities at sites that have contaminated soils that will be disturbed by the land disturbance activity or where such materials are brought to the site to use as fill or borrow. Such activities are normally covered by a site-specific permit.
6. If at any time the Missouri Department of Natural Resources determines that the quality of waters of the state may be better protected by requiring the owner/operator of the permitted site to apply for a site specific permit, the Department may require any person to obtain a site specific operating permit [10 CSR 20-6.010 (13) and 10 CSR 20-6.200(5)].

The Department may require the permittee to apply for and obtain a site specific or different general permit if:

- a. The permittee is not in compliance with the conditions of this general permit,
- b. The discharge no longer qualifies for this general permit due to changed site conditions and regulations, or
- c. Information becomes available that indicates water quality standards have been or may be violated.

The permittee will be notified in writing of the need to apply for a site-specific permit or a different general permit. When a site specific permit or different general permit is issued to the authorized permittee, the applicability of this general permit to the permittee is automatically terminated upon the effective date of the site specific or different general permit, whichever the case may be. The permittee shall submit the appropriate forms to the Department to terminate the permit that has been replaced.

#### **APPLICABILITY (continued)**

7. Any owner/operator authorized by a general permit may request to be excluded from the coverage of the general permit and apply for a site-specific permit [10 CSR 20-6.010 (13) and 10 CSR 20-6.200(5)].
8. This permit does not authorize land disturbance activity in jurisdictional waters of the U. S. as defined by the Army Corps of Engineers, unless the permittee has obtained the required 404/401 permits.
9. This permit does not authorize land disturbance activities in violation of the Historic Preservation Act or the Endangered Species Act.
10. This permit is not transferable to other owners or operators.

#### **APPLICABILITY TO VALUABLE RESOURCE WATERS**

1. Storm water discharges as described below in 1.a, 1.b, and 1.c shall be considered discharges to “valuable resource waters”.
  - a. Storm water discharges within 1000 stream feet of:
    - i. Streams identified as a losing stream\*,
    - ii. Streams or lakes listed as an outstanding national or state resource water\*,
    - iii. Reservoirs or lakes used for public drinking water supplies\*; or
    - iv. Streams, lakes or reservoirs identified as critical habitat for endangered species\*;
    - v. Streams, lakes, or reservoirs listed as impaired for sediment and/or an unknown pollutant by standard MDNR methodology\*.
  - b. Storm water discharges:
    - i. Within 100 stream feet of a permanent stream (class P) or major reservoir (class L2)\*, or
    - ii. Within two stream miles upstream of biocriteria reference locations\*.
  - c. Storm water discharges where:
    - i. Any of the disturbed area is defined as a wetland (Class W), by 10 CSR 20-7.031(1)(F)7\*;or
    - ii. The storm water discharges to a sinkhole or other direct conduit to groundwater.
2. This permit applies to discharges to valuable resource waters.

(For the purpose of this permit, the term “stream feet” shall mean the distance in feet following the nearest drainage channel from the land disturbance to the valuable resource water.)

#### **EXEMPTIONS FROM PERMIT REQUIREMENTS**

1. Facilities that discharge all storm water runoff directly to a combined sewer system are exempt from storm water permit requirements.
2. Land disturbance activity as described in 10 CSR 20-6.200,(1)(B)8, where water quality standards are not exceeded.
3. Sites that disturb less than one acre of total land area that are not part of a common plan or sale and that do not cause any violations of water quality standards and are not otherwise designated by the Department as requiring a permit where water quality standards are not exceeded.
4. Agricultural storm water discharges and irrigation return flows. Animal Feeding Operations (AFO) are not included in the agricultural exemption.

\* Streams and stream segments that meet these criterion are identified and/ or defined in 10 CSR 20, Chapter 7. These regulations are available at many libraries and may be purchased from MDNR by calling the Water Protection Program at (573) 751-1300. The regulations are also available from the Missouri Secretary of States Office.

## REQUIREMENTS

**Note: These requirements do not supersede nor remove liability for compliance with county and other local ordinances.**

1. The discharge of storm water from these facilities shall not cause a violation of the state water quality standards, 10 CSR 20-7.031, which states, in part, that no water contaminant, by itself or in combination with other substances, shall prevent the waters of the state from meeting the following conditions:
  - a. Waters shall be free from substances in sufficient amounts to cause the formation of putrescent, unsightly or harmful bottom deposits or prevent full maintenance of beneficial uses;
  - b. Waters shall be free from oil, scum and floating debris in sufficient amounts to be unsightly or prevent full maintenance of beneficial uses;
  - c. Waters shall be free from substances in sufficient amounts to cause unsightly color or turbidity, offensive odor or prevent full maintenance of beneficial uses;
  - d. Waters shall be free from substances or conditions in sufficient amounts to have a harmful effect on human, animal or aquatic life;
  - e. There shall be no significant human health hazard from incidental contact with the water;
  - f. There shall be no acute toxicity to livestock or wildlife watering;
  - g. Waters shall be free from physical, chemical or hydrologic changes that would impair the natural biological community; or
  - h. Waters shall be free from used tires, car bodies, appliances, demolition debris, used vehicles, or equipment and solid waste as defined in Missouri's Solid Waste Law, Section 260.200, RSMo, except as the use of such materials is specifically permitted pursuant to Section 260.200 to 260.247 RSMO.
2. Good housekeeping practices shall be maintained on the site to keep solid waste from entry into waters of the state.
3. All fueling facilities present on the site shall adhere to applicable federal and state regulations concerning underground storage, above ground storage, and dispensers.
4. Hazardous wastes that are transported, stored, or used for maintenance, cleaning or repair shall be managed according to the provisions of the Missouri Hazardous Waste Laws and Regulations.
5. An individual shall be designated by the permittee as responsible for environmental matters. The individual responsible for environmental matters shall have a thorough and demonstrable knowledge of the site's SWPPP and sediment and erosion control practices in general. The individual responsible for environmental matters or a designated inspector knowledgeable in erosion, sediment, and stormwater control principles, shall inspect all structures that function to prevent pollution of waters of the state. These inspections shall be conducted in accordance with paragraph 10 of the Requirements.
6. All paint, solvents, petroleum products and petroleum waste products, and storage containers (such as drums, cans, or cartons) shall be stored according to Best Management Practices (BMPs). The materials exposed to precipitation shall be stored in watertight, structurally sound, closed containers. All containers shall be inspected for leaks or spillage during the once per week inspection of Best Management Practices.
7. The primary requirement of this permit is the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP must be submitted to the department with the permit application. A permit must be issued before land disturbance activities may begin. The SWPPP must:
  - a. Incorporate required practices identified below;
  - b. Incorporate erosion control practices specific to site conditions; and
  - c. Provide for maintenance and adherence to the plan.
  - d. Discuss whether or not a 404/401 permit is required for the project.
  - e. Name the person responsible for inspection, operation, and maintenance of BMPs.

Before removing any site vegetation, disturbing earth, or submitting an application, the permittee shall develop a SWPPP that is specific to the land disturbance activities at the site. This plan must be developed before a permit can be issued and made available as specified under the RECORDS section of this permit. A copy of the SWPPP must be retained on the construction site during normal working hours and made available to a department representative upon request.

**REQUIREMENTS** (continued)

The permittee shall fully implement the provisions of the SWPPP required under this part as a condition of this general permit throughout the term of the land disturbance project.

The purpose of the SWPPP is to ensure the design, implementation, management, and maintenance of Best Management Practices (BMPs) in order to reduce the amount of sediment and other pollutants in storm water discharges associated with the land disturbance activities; comply with the Missouri Water Quality Standards; and ensure compliance with the terms and conditions of this general permit.

The permittee shall select, install, use, operate, and maintain appropriate BMPs for the permitted site. The following manuals are acceptable resources for the selection of appropriate BMPs.

***Storm Water Management for Construction Activities: Developing Pollution Prevention Plans and Best Management Practices***, (Document number EPA 832-R-92-005) published by the United States Environmental Protection Agency (USEPA) in 1992. **This manual is available at The USEPA internet site <http://cfpub1.epa.gov/npdes/stormwater/swppp.cfm>; and the latest version of *Protecting Water Quality: A field guide to erosion, sediment and storm water best management practices for development sites in Missouri*, published by the Missouri Department of Natural Resources. This manual is available on the department's internet site at: <http://www.dnr.mo.gov/env/wpp/wpcp-guide.htm>**

The permittee is not limited to the use of these guidance manuals. Other guidance publications may be used to select appropriate BMPs. However, all BMPs should be described and justified in the SWPPP. EPA and DNR continue to update BMP information on their web sites. It is recommended that the permittee review this information when developing a SWPPP.

8. **SWPPP Requirements:** The following information and practices shall be provided for in the SWPPP.

- a. **Site Description:** In order to identify the site, the SWPPP shall include the facility and outfall information provided in the application form. The SWPPP shall have sufficient information to be of practical use to contractors and site construction workers to guide the installation and maintenance of BMPs. Site boundaries and outfalls shall be marked on a site map included as part of the SWPPP.
- b. **Selection of Temporary and Permanent Non-Structural BMPs:** The permittee shall select appropriate non-structural BMPs for use at the site and list them in the SWPPP. The SWPPP shall require existing vegetation to be preserved where practical. The time period for disturbed areas to be without vegetative cover is to be minimized to the maximum extent practicable. For sites that will be inactive six months or more, establishing a vegetative cover is a highly recommended choice for a proper BMP.

Examples of non-structural BMPs which the permittee should consider specifying in the SWPPP include: preservation of trees and mature vegetation, protection of existing vegetation for use as buffer strips (vegetative buffer strips of 50 feet are especially encouraged along drainage courses), mulching, sodding, temporary seeding, final seeding, geotextiles, stabilization of disturbed areas, preserving existing stream channels as overflow areas when channel straightening or shortening is allowed, soil stabilizing emulsions and tackifiers, mulch tackifiers, stabilized site entrances/exits, and other appropriate BMPs.

- c. **Selection of Temporary and Permanent Structural BMPs:** The permittee shall select appropriate structural BMPs for use at the site and list them in the SWPPP. Examples of structural BMPs that the permittee should consider specifying in the SWPPP include: diverting flows from undisturbed areas away from disturbed areas, silt (filter fabric and/or straw bale) fences, earthen diversion dikes, drainage swales, sediment traps, rock check dams, subsurface drains (to gather or transport water for surface discharge elsewhere), pipe slope drains (to carry concentrated flow down a slope face), level spreaders (to distribute concentrated flow into sheet flow), storm drain inlet protection and outlet protection, reinforced soil retaining systems, gabions, temporary or permanent sediment basins, and other appropriate BMPs.
- d. **Description of Best Management Practices:** The SWPPP shall include a description of both structural and non-structural BMPs that will be used at the site. The SWPPP shall provide the following general information for each BMP which will be used one or more times at the site:
  - i. Physical description of the BMP,
  - ii. Site and physical conditions that must be met for effective use of the BMP,
  - iii. BMP installation/construction procedures, including typical drawings, and
  - iv. Operation and maintenance procedures for the BMP.

The SWPPP shall provide the following information for each specific instance where a BMP is to be installed:

- v. Whether the BMP is temporary or permanent,
  - vi. Where, in relation to other site features, the BMP is to be located,
  - vii. When the BMP will be installed in relation to each phase of the land disturbance procedures to complete the project, and
  - viii. What site conditions must be met before removal of the BMP if the BMP is not a permanent BMP.
- e. Disturbed Areas: Slopes for disturbed areas must be defined in the SWPPP. A site map or maps, defining the sloped areas for all phases of the project, must be included in the SWPPP. Where soil disturbing activities cease in an area for 14 days or more, the permittee shall construct BMPs to establish interim stabilization. Interim stabilization shall consist of well established and maintained BMPs that are reasonably certain to protect waters of the state from sediment pollution over an extended period of time. This may require adding more BMPs to an area than is normally used during daily operations. These BMPs may include a combination of sediment basins, check dams, sediment fences, and mulch. The types of BMPs used must be suited to the area disturbed, taking into account the number of acres exposed and the steepness of the slopes. If the slope of the area is greater than 3:1 (3 feet horizontal to 1 foot vertical) or if the slope is greater than 3% and greater than 150 feet in length, then the permittee shall establish interim stabilization within 7 days of ceasing operations on that part of the site.
- f. Installation: The permittee shall ensure the BMPs are properly installed at the locations and relative times specified in the SWPPP. Peripheral or border BMPs to control runoff from disturbed areas shall be installed or marked for preservation before general site clearing is started. Storm water discharges from disturbed areas which leave the site shall pass through an appropriate impediment to sediment movement, such as a sedimentation basin, sediment traps, silt fences, etc. prior to leaving the land disturbance site. A drainage course change shall be clearly marked on a site map and described in the SWPPP. The location of all BMPs must be indicated on a site map, included in the SWPPP.
- g. Sedimentation Basins: The SWPPP shall require a sedimentation basin for each drainage area with 10 or more acres disturbed at one time. The sedimentation basin shall be sized to contain a volume of at least 3600 cubic feet per each disturbed acre draining thereto. Accumulated sediment shall be removed from the basin as needed to ensure the minimum volume of 3600 cubic feet is maintained. Discharges from the basin shall not cause scouring of the banks or bottom of the receiving stream. The SWPPP shall require the basin be maintained until final stabilization of the disturbed area served by the basin.
- Where use of a sediment basin of this size is impractical, the SWPPP shall evaluate and specify other similarly effective BMPs to be employed to control erosion and sediment delivery. These similarly effective BMPs shall be selected from appropriate BMP guidance documents authorized by this permit. The BMPs must provide equivalent protection. The SWPPP shall require both temporary and permanent sedimentation basins to have a stabilized spillway to minimize the potential for erosion of the spillway or basin embankment.
- h. Additional Site Management BMPs: The SWPPP shall address other BMPs, as required by site activities, to prevent contamination of storm water runoff. Such BMPs include:
- i. Solid and hazardous waste management including: providing trash containers and regular site clean up for proper disposal of solid waste such as scrap building material, product/material shipping waste, food containers, and cups; and providing containers and proper disposal of waste paints, solvents, and cleaning compounds, etc.;
  - ii. Provision of portable toilets for proper disposal of sanitary sewage;
  - iii. Storage of construction materials away from drainage courses and low areas; and
  - iii. Installation of containment berms and use of drip pans at petroleum product and liquid storage tanks and containers.
- i. Dewatering: The SWPPP shall require a description of any anticipated dewatering methods, including the anticipated volume of water to be discharged and the anticipated maximum flow discharged from these dewatering activities, expressed in gallons per minute. Maximum flow may be stated in the SWPPP as an estimate based on the type and capacity of equipment being used for dewatering. The SWPPP shall call for specific BMPs designed to treat water pumped from excavations and in no case shall this water be pumped off site without being treated by the specified BMPs.
- j. Roadways: Where applicable, upon installation of or connection to roadways, all efforts should be made to prevent the deposition of earth and sediment onto roadways through the use of proper BMPs. Where sediment is present on roadways all storm water curb inlets shall have inlet protection. Where storm water will flow off the end of where a roadway terminates, a sediment catching BMP (ex. Gravel berm, silt fence, etc.) shall be provided. Roadways and curb inlets shall be cleaned weekly or following a rainfall that generates a run-off. Stabilized construction entrances shall be used to prevent sediment trackout.

9. Amending/Updating the SWPPP: The permittee shall amend and update the SWPPP as appropriate during the term of the land disturbance activity. The permittee shall amend the SWPPP, at a minimum, whenever the:
  - a. Design, operation, or maintenance of BMPs is changed;
  - b. Design of the construction project is changed that could significantly affect the quality of the storm water discharges,
  - c. Permittee's inspections indicate deficiencies in the SWPPP or any BMP,
  - d. MDNR notifies the permittee in writing of deficiencies in the SWPPP,
  - e. SWPPP is determined to be ineffective in significantly minimizing or controlling erosion and sedimentation (e.g., there is visual evidence, such as excessive site erosion or excessive sediment deposits in streams or lakes),
  - f. Total Settleable Solids from a storm water outfall discharging to a valuable resource water shall not exceed 0.5 ml/L/hr. If part of a site discharges to a stream that is not a valuable resource water, the Total Settleable Solids shall not exceed 2.5 ml/L/hr.
  - g. MDNR determines violations of Water Quality Standards may occur or have occurred.
10. Site Inspections Reports: The permittee (or a representative of the permittee) shall conduct regularly scheduled inspections at least once per seven calendar days. These inspections shall be conducted by the person responsible for environmental matters at the site, or a person trained by and directly supervised by the person responsible for environmental matters at the site. For disturbed areas that have not been finally stabilized, all installed BMPs and other pollution control measures shall be inspected for proper installation, operation and maintenance. All storm water outfalls shall be inspected for evidence of erosion or sediment deposition. The receiving stream shall also be inspected for 50 feet downstream of the outfall. Any structural or maintenance problems shall be noted in an inspection report and corrected within seven calendar days of the inspection. If a rainfall causes storm water runoff to occur on site, the BMPs must be inspected within a reasonable time period (not to exceed 48 hours). The SWPPP must explain how the person responsible for erosion control, will be notified when storm water runoff occurs. If weather conditions prevent correction of BMPs within seven calendar days, the reasons for the delay must be documented (including pictures) and there must be a narrative explaining why the work cannot be accomplished within the seven day time period. The documentation must be filed with the regular inspection reports. The permittee shall correct the problem as soon as weather conditions improve. Areas on site that have been finally stabilized must be inspected at least once per month. A log of each inspection and copy of the inspection report shall be kept on-site. The inspection report is to include the following minimum information: inspector's name, date of inspection, observations relative to the effectiveness of the BMPs, actions taken or necessary to correct the observed problem, and listing of areas where land disturbance operations have permanently or temporarily stopped. The inspection report shall be signed by the permittee or by the person performing the inspection if duly authorized to do so.
11. Proper Operation and Maintenance: The permittee shall at all times maintain all pollution control measures and systems in good order to achieve compliance with the terms of this general permit.
12. Notification to All Contractors: The permittee shall be responsible for notifying each contractor or entity (including utility crews and city employees or their agents) who will perform work at the site of the existence of the SWPPP and what action or precautions shall be taken while on site to minimize the potential for erosion and the potential for damaging any BMP. The permittee is responsible for any damage a subcontractor may do to established BMPs and any subsequent water quality violation resulting from the damage.
13. Public Notification: The permittee shall post a copy of the public notification sign described by the MDNR at the main entrance to the site. The public notification sign must be visible from the public road that provides access to the site's main entrance. The public notification sign must remain posted at the site until the permit has been terminated.

## **OTHER DISCHARGES**

1. Hazardous Substance and Oil Spill Reporting: Refer to Section B, #14 of Part I of the Standard Conditions that accompany this permit.
2. Removed substances: Refer to Section B, #6 of Part I of the Standard Conditions that accompany this permit.
3. Change in discharge: In the event soil contamination or hazardous substances are discovered at the site during land disturbance activities, the permittee shall notify the MDNR regional office by telephone as soon as practicable and no later than 24 hours after discovery. The permittee must also notify the MDNR regional office in writing no later than 14 calendar days after discovery.

## **SAMPLING REQUIREMENTS AND EFFLUENT LIMITATIONS**

- 1 Discharges shall not violate Water Quality Standards 10 CSR 20-7.031(3).
- 2 Total Settleable Solids from a storm water outfall discharging to a valuable resource water shall not exceed 0.5 ml/L/hr. If part of a site discharges to a stream that is not a valuable resource water, the Total Settleable Solids shall not exceed 2.5 ml/L/hr.
- 3 There are no regular sampling requirements in this permit. However, the department may require sampling and reporting as a result of illegal discharges, compliance issues, complaint investigations, or other such evidence of off-site contamination from activities at the site. If such an action is needed, the Department will specify in writing any additional sampling requirements, including such information as location, extent, and parameters. MDNR or EPA may take samples as part of a routine site inspection or complaint investigation.

## **RECORDS**

- 1 The permittee shall retain copies of this general permit, the SWPPP and all amendments for the site named in the State Operating Permit, results of any monitoring and analysis, and all site inspection records required by this general permit. The records shall be accessible during normal business hours. The records shall be retained for a period of at least three years from the date of the Letter of Termination.
- 2 The permittee shall provide a copy of the SWPPP to MDNR, USEPA, or any local agency or government representative if they request a copy in the performance of their official duties.
- 3 The permittee shall provide those who are responsible for installation, operation, or maintenance of any BMP a copy of the SWPPP. The permittee, their representative, and/or the contractor(s) responsible for installation, operation, and maintenance of the BMPs shall have a current copy of the SWPPP with them when on the project site.

## **LAND PURCHASE AND CHANGE OF OWNERSHIP**

- 1 Individual Lot or Lots: Federal and Missouri storm water regulations (10 CSR 20-6.200) require a storm water permit and erosion control measures for 1 acre or more of land disturbance that is a part of a common plan or sale. If the permittee sells less than 1 acre of the permitted site to an entity for, commercial, industrial, or residential use, (unless sold to an individual for the purpose of building his/her own private residence) this land remains a part of the common sale and regulated by this permit. Therefore, the permittee is still responsible for erosion control on the sold property until termination of the permit.
- 2 If the permittee sells 1 or more acres of the permitted site to an entity, the new owner of the property must obtain a land disturbance permit for the purchased property. The original permittee must amend the SWPPP to show that the property (one acre or more) has been sold and therefore no longer under the original permit jurisdiction.
- 3 If a lot is sold to an individual for purposes of building his/her own private residence, the permittee is no longer responsible for erosion control on the lot. However, Section 644.051.1(1) RSMO still gives the department the authority to hold the individual owner responsible for erosion control measures on the lot if it is deemed necessary to protect waters of the state.
- 4 Entire Tract: If the entire tract is sold to a single entity, then this permit shall be terminated when the new owner obtains a new land disturbance permit for the site.



## **TERMINATION**

This permit may be terminated when the project is stabilized. The project is considered to be stabilized when perennial vegetation, pavement, buildings, or structures using permanent materials cover all areas that have been disturbed. With respect to areas that have been vegetated, vegetative cover shall be at least 70% of fully established plant density over 100% of the disturbed area.

In order to terminate the permit, the permittee shall notify MDNR by submitting Form H, included with the State Operating Permit. The permittee shall complete Form H and mail it to MDNR at the address noted in the cover letter of this permit.

Page 1 of this permit specifies the expiration date of this permit. The “issue date” is the date the State Operating Permit is issued to the applicant. The “expiration date” may or may not coincide with the date when the authorized project or development is scheduled for completion.

If the project or development completion date will be after the expiration date of this general permit, then the permittee must reapply to the department for the permit to be re-issued. The permittee will receive notification of the expiration date of the permit before the expiration date listed on page 1 of this permit. In order for the permit to be re-issued, the permittee should submit the appropriate application form(s) at least 180 days before the expiration of the permit if land disturbance activity is expected to continue past the expiration date of this general permit.

If the permittee does not apply for the renewal of this permit, this permit will automatically terminate on the expiration date. Continued discharges from a site that has not been fully stabilized are prohibited beyond the expiration date; unless the permit is reissued or the permittee has filed a timely application for the reissuance of this permit.

## **DUTY TO COMPLY**

The permittee shall comply with all conditions of this general permit. Any noncompliance with this general permit constitutes a violation of Chapter 644, Missouri Clean Water Law, and 10 CSR 20-6.200. Noncompliance may result in enforcement action, termination of this authorization, or denial of the permittee’s request for renewal.

## **MAILING ADDRESS**

The permittee shall send all written correspondence and forms, which are to be submitted to MDNR to the address listed in the cover letter that accompanies this permit.



Missouri  
Department of  
Natural Resources

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**STORMWATER DISCHARGES FROM  
THIS LAND DISTURBANCE SITE ARE  
AUTHORIZED BY THE MISSOURI  
STATE OPERATING PERMIT NUMBER:**

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**IF YOU HAVE QUESTIONS OR  
CONCERNS ABOUT STORMWATER  
DISCHARGES FROM THIS SITE,  
PLEASE CONTACT THE MISSOURI  
DEPARTMENT OF NATURAL  
RESOURCES AT**

**1-800-361-4827**