

Rules of Department of Natural Resources

Division 60—Public Drinking Water Program

Chapter 3—Permits

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**Title 10—DEPARTMENT OF
NATURAL RESOURCES**
**Division 60—Public Drinking Water
Program Chapter 3—Permits**

10 CSR 60-3.010 Construction Authorization, Final Approval of Construction, Owner-Supervised Program and Permit to Dispense Water

PURPOSE: This rule sets out criteria for acquisition and revocation of a permit to dispense water to the public, including submission of predesign studies and plans and specifications, system operation and reliability of the system.

Editor's Note: The secretary of state has determined that the publication of this rule in its entirety would be unduly cumbersome or expensive. The entire text of the rule has been filed with the secretary of state and may be found at the headquarters of the agency. It is available to any interested person at a cost established by state law.

(1) Community Water System Requirements.

(A) A supplier of water which operates a community water system must obtain written authorization from the department prior to construction, alteration or extension of any community water system, unless the project will be constructed under the provisions of 10 CSR 60-10.010(2)(C)2.

1. Two (2) copies of predesign studies pertaining to the project must be submitted to the department before plans and specifications for new water systems or for significant changes to existing water systems are reviewed for approval.

2. Construction authorization shall be requested by submitting written application and two (2) copies of the plans and specifications, as outlined in 10 CSR 60-10.010(2), for the proposed project to the department for review and approval.

3. Preparation of engineering reports, plans and specifications for community water systems and inspection of construction for the purpose of assuring compliance with drawings and specifications must be done by an engineer as defined by 10 CSR 60-2.015 (2)(E)2.

4. A construction authorization shall be valid for a period of two (2) years from the date of authorization. If construction is not commenced within two (2) years from the date of authorization, a new construction authorization must be obtained from the department.

(B) Final construction approval must be obtained from the department for all projects

for which approval is required before that project is placed into service. A supplier of water which operates a community water system need not obtain construction approval for projects constructed under the provisions of 10 CSR 60-10.010(2)(C)2.

(C) A supplier of water which operates a community water system may establish a supervised construction program as specified in 10 CSR 60-10.010(2)(C)2.

(D) Except as outlined in paragraph (1)(E)5. of this rule, no water may be dispensed or be made available to the public by any person without first applying for and receiving a permit to dispense water.

(E) The department shall issue permits to dispense water under the following terms and conditions:

1. A supplier of water which establishes a new community public water supply in order to obtain a permit to dispense water must—

A. Comply with the requirements of 10 CSR 60-10.010;

B. Present evidence of the ability to produce water meeting applicable maximum contaminant levels;

C. Present evidence of reliable water system operation, consistent with the type of treatment and the degree of automatic control provided; and

D. Complete an emergency operating plan as described in 10 CSR 60-12.010;

2. A supplier of water which operates an existing community water supply holding a valid permit to dispense water at the time these regulations become effective and meeting the Missouri drinking water regulations will be issued a new permit to dispense water;

3. A supplier of water which operates an existing community water supply not holding a valid permit to dispense water must apply to the department in writing for a permit. Water suppliers in this category must—

A. Present evidence to the department of the ability to produce water meeting applicable maximum contaminant levels;

B. Present evidence of reliable water system operation, consistent with the type of treatment and the degree of automatic control provided;

C. Submit, in duplicate, certified plans and specifications describing the water source, any treatment facilities and the distribution system to the department. Certification must be either by the engineer preparing the information or if prepared by the owner, be a properly notarized affidavit;

D. Provide disinfection with an effective contact time for wells used as a source of supply which were constructed prior to Octo-

ber 1, 1979, and which do not meet community water system construction criteria or where construction cannot be verified by the owner; and

E. Complete an emergency operating plan as described in 10 CSR 60-12.010;

4. Water systems serving subdivisions as defined in 10 CSR 60-2.015 (2)(S)8. are public water supplies and must have a permit to dispense water; and

5. A water supply meeting all the following conditions is not considered a public water supply and as such, is not required to have a permit if that water supply—

A. Consists only of distribution and storage facilities;

B. Obtains all of its water from, but is not owned or operated by a public water system to which the regulations apply;

C. Does not sell water to any person; and

D. Is not a carrier which conveys passengers in interstate commerce.

(2) Noncommunity Water System Requirements.

(A) A supplier of water which operates a noncommunity public water supply must apply in writing to the department for a permit to dispense water to the public. Noncommunity public water supply systems must present evidence—

1. To the department of the ability to produce water meeting applicable maximum contaminant levels; and

2. Of reliable water system operation, consistent with the type of treatment and the degree of automatic control provided.

(B) Each supplier of water must notify the department, in advance, of the intent to construct a new or expand an existing water system.

1. Water supplies utilizing surface or ground water under the direct influence of surface water must obtain written authorization from the department prior to construction, alteration or extension of the system, unless the project will be constructed under the provisions of 10 CSR 60-10.010(2)(C)2.

2. Water supplies utilizing groundwater—

A. May be required, at the discretion of the department, to submit plans and specifications for approval;

B. Shall be constructed in accordance with the department's "Standards for Non-community Public Water supplies, 1982"; and

C. Must file with the department, within sixty (60) days of completion, a record of construction for all new or modified wells on forms provided by the department.

(3) Permits to Dispense Water Are Effective Until Revoked. The department may modify or revoke a permit to dispense water subject to the appeal provisions of section 640.130.4., RSMo, upon a finding that any of the following events have occurred:

- (A) The holder of a permit ceases to function as a public water supply;
- (B) The holder of a permit fails to correct an operating deficiency or comply with these regulations within a reasonable time after receipt of notice from the department; or
- (C) The department determines that an emergency condition exists in a water supply which endangers, or could be expected to endanger, the health of a person(s) consuming affected water.

AUTHORITY: section 640.100, RSMo (1994). Original rule filed May 4, 1979, effective Sept. 14, 1979. Amended: Filed April 14, 1981, effective Oct. 11, 1981. Amended: Filed Aug. 13, 1982, effective Dec. 11, 1982. Amended: Filed Aug. 4, 1987, effective Jan. 1, 1988. Amended: Filed July 12, 1991, effective Feb. 6, 1992. Amended: Filed Feb. 1, 1996, effective Oct. 30, 1996.*

**Original authority 1939, amended 1978, 1981, 1982, 1988, 1989, 1992, 1993, 1995.*