Birchwood Estates Festus/Crystal City WWTF, MO-0080632 Page One

#### **STATE OF MISSOURI**

## **DEPARTMENT OF NATURAL RESOURCES**

MISSOURI CLEAN WATER COMMISSION



# **CONSTRUCTION PERMIT**

The Missouri Department of Natural Resources hereby issues a permit to:

Ryan G'Sell Investments, LLC. Birchwood Estates 1831 W. Main Street Festus, MO 63028

for the construction of (described facilities):

See attached.

Permit Conditions:

See attached.

Construction of such proposed facilities shall be in accordance with the provisions of the Missouri Clean Water Law, Chapter 644, RSMo, and regulation promulgated thereunder, or this permit may be revoked by the Department of Natural Resources (Department).

As the department does not examine structural features of design or the efficiency of mechanical equipment, the issuance of this permit does not include approval of these features.

A representative of the department may inspect the work covered by this permit during construction. Issuance of a permit to operate by the department will be contingent on the work substantially adhering to the approved plans and specifications.

This permit applies only to the construction of water pollution control components; it does not apply to other environmentally regulated areas.

June 21, 2019 Effective Date April 9, 2021 Modification Date

Edward B. Galbraith, Director, Division of Environmental Quality

Chris Wieberg, Director, Water Protection Program

July 1, 2023 Expiration Date

Permit No. CPSE01082

Birchwood Estates Festus/Crystal City WWTF, MO-0080632 Page Two

### **CONSTRUCTION PERMIT**

#### **COLLECTION SYSTEM:**

Birchwood Estates-Construction of approximately 9,000 lf of 8-inch PVC SDR-26 gravity sewer lines with approximately 51 manholes to serve a 178 homes with a design PE of 658 and a design average flow of 65,860 gpd. The receiving sewer is 8 inches. The project will also include general site work appropriate to the scope and purpose of the project.

Project is in the vicinity of West Main Street and Midmeadow Lane in Festus, Jefferson County and discharges to an existing system to be treated at Festus Interim West lagoon, MO-0122777. Festus Interim West currently has a sewer construction permit, MOGC00458, to connect to Festus/Crystal City WWTF, MO-0080632. Mr. Matt Clemens, Public Works Director with the City of Festus provided a continuing authority acceptance letter dated June 19, 2019.

#### **PERMIT CONDITIONS:**

- 1. Contact the department's St. Louis regional office 48 hours prior to starting construction. Contact information can be found at <u>http://dnr.mo.gov/regions/regions.htm</u>.
- 2. This permit authorizes the activities and scope of work detailed in the plans and specifications submitted with the request. This construction permit does not authorize discharge.
- 3. All construction shall be consistent with the plans and specifications signed and sealed by Heneghan and Associates, Inc. and as described in this permit.
- 4. State and Federal Law does not permit bypassing of raw wastewater, therefore steps must be taken to ensure that raw wastewater does not discharge during construction. If a sanitary sewer overflow or bypass occurs, report the appropriate information to the department's regional office per 10 CSR 20-7.015(9)(E)2.
- 5. Protection of drinking water supplies shall be in accordance with 10 CSR 20-8.120(10). "There shall be no physical connections between a public or private potable water supply system and a sewer, or appurtenance thereto which would permit the passage of any wastewater or polluted water into the potable supply. No water pipe shall pass through or come in contact with any part of a sewer manhole."
  - A. Sewers in relation to water works structures shall meet the requirements of 10 CSR 23-3.010 with respect to minimum distances from public water supply wells or other water supply sources and structures.

#### **PERMIT CONDITIONS: (continued)**

- B. Sewer mains shall be laid at least ten feet (10') horizontally from any existing or proposed water main. The distances shall be measured edge-to-edge. In cases where it is not practical to maintain a ten foot (10') separation, the department may allow a deviation on a case-by-case basis, if supported by data from the design engineer. Such a deviation may allow installation of the sewer closer to a water main, provided that the water main is in a separate trench or on an undisturbed earth shelf located on either side of the sewer and at an elevation so the bottom of the water main is at least 18 inches above the top of the sewer. If it is impossible to obtain proper horizontal and vertical separation as described above for sewers, the sewer must be constructed of slip-on or mechanical joint pipe or continuously encased and be pressure tested to 150 pounds per square inch to assure water tightness.
- C. Manholes shall be located with the top access at or above grade level.
- D. Manholes should be located at least ten feet (10') horizontally from any existing or proposed water main.
- E. Sewers crossing water mains shall be laid to provide a minimum vertical distance of 18 inches between the outside of the water main and the outside of the sewer. This shall be the case where the water main is either above or below the sewer. The crossing shall be arranged so that the sewer joints will be equidistant and as far as possible from the water main joints. Where a water main crosses under a sewer, adequate structural support shall be provided for the sewer to maintain line and grade. When it is impossible to obtain proper vertical separation as stipulated above, one of the following methods must be specified:
  - 1) The sewer shall be designed and constructed equal to the water pipe and shall be pressure tested to assure water tightness prior to backfilling; or
  - 2) Either the water main or sewer line may be continuously encased or enclosed in a watertight carrier pipe which extends ten feet (10') on both sides of the crossing, measured perpendicular to the water main. The carrier pipe shall be of materials approved by the department for use in water main construction.
- 6. In addition to the requirements for a construction permit, 10 CSR 20-6.200 requires land disturbance activities of one acre or more to obtain a Missouri State Operating Permit to discharge stormwater. The permit requires Best Management Practices sufficient to control runoff and sedimentation to protect waters of the state. Land disturbance permits will only be obtained by means of the department's ePermitting system available online at www.dnr.mo.gov/env/wpp/epermit/help.htm.

See <u>www.dnr.mo.gov/env/wpp/stormwater/sw-land-disturb-permits.htm</u> for more information.

#### **PERMIT CONDITIONS: (continued)**

7. A United States (U.S.) Army Corps of Engineers (COE) permit (404) and a Water Quality Certification (401) issued by the department or permit waiver may be required for the activities described in this permit. This permit is not valid until these requirements are satisfied. If construction activity will disturb any land below the ordinary high water mark of Jurisdictional Waters of the U.S. then a 404/401 will be required. Since the COE makes determinations on what is jurisdictional, you must contact the COE to determine permitting requirements. You may call the department's Water Protection Program at (573) 751-1300 for more information.

See <u>www.dnr.mo.gov/env/wpp/401/</u> for more information.

- 8. Upon completion of construction:
  - A. The City of Festus will become the continuing authority for operation and maintenance of these facilities;
  - B. Submit an electronic copy of the as builts if the project was not constructed in accordance with previously submitted plans and specifications; and
  - C. Submit the enclosed form Statement of Work Completed to the Department in accordance with 10 CSR 20-6.010(5)(N).

#### **CONSTRUCTION PERMIT MODIFICATION**

This construction permit is being modified upon the request to extend the construction permit schedule. The construction permit will now expire on July 1, 2023.

#### **NOTICE OF RIGHT TO APPEAL**

If you were adversely affected by this decision, you may be entitled to an appeal before the Administrative Hearing Commission (AHC) pursuant to Section 621.250 RSMo. To appeal, you must file a petition with the AHC within 30 days after the date this decision was mailed or the date it was delivered, whichever date was earlier. If any such petition is sent by registered mail or certified mail, it will be deemed filed on the date it is mailed; if it is sent by any method other than registered mail or certified mail, it will be deemed filed on the date it is received by the AHC. Any appeal should be directed to:

Administrative Hearing Commission U.S. Post Office Building, Third Floor 131 West High Street, P.O. Box 1557 Jefferson City, MO 65102-1557 Phone: 573-751-2422 Fax: 573-751-5018 Website: https://ahc.mo.gov Leasue Meyers, EI Engineering Section <u>leasue.meyers@dnr.mo.gov</u>

John Rustige, P.E. Engineering Section john.rustige@dnr.mo.gov

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OPROJECT OWNER       AME       AME     TELEPHONE NUMBER WITH AREA CODE     E-MAIL ADDRESS       Ryan G'Sell Investements LLC     (636) 282-9122     Ryan C Sell Contracting       DDRESS     CITY     STATE     ZIP dobe       516 Imperial Professional Parc     Imperial     MO     63052       .0 CONTINUING AUTHORITY: A continuing authority is a company, business, entity or person(s) that will be operating the facility ind/or ensuring compliance with the permit requirements. A continuing authority is not, however, an entity or individual that is contractually hired by the permittee to sample or operate and maintain the system for a defined time period, such as a certified perator or analytical laboratory. To access the regulatory requirement regarding continuing authority is name must be listed exactly as appears on the Missouri Secretary of State's (SOS's) webpage:       ttps://bid.sos.mo.gov/BusinessEntity/BESearch.aspx?Search1ype=0, unless the continuing authority is an individual(s), overnment, or otherwise not required to register with the SOS.       AME     TELEPHONE NUMBER WITH AREA CODE       City     E-MAIL ADDRESS       City of Festus     TELEPHONE NUMBER WITH AREA CODE       City of Festus     City       Festus     MO	.5 DESIGN INFORMATION A. Population or number of lot 3. Estimated flow to be contrib	ts to be served buted by this ext	by this ex	tension: 178 Lots Design Average				
AME       TELEPHONE NUMBER WITH AREA CODE       E-MAIL ADDRESS         Ryan G'Sell Investements LLC       (G36) 282-9122       Ryan C Sell contracting         DDRESS       CITY       STATE       ZIP dODE         516 Imperial Professional Parc       Imperial       MO       63052 <b>0</b> CONTINUING AUTHORITY: A continuing authority is a company, business, entity or person(s) that will be operating the facility only or individual that is contractually hired by the permit requirements. A continuing authority is not, however, an entity or individual that is ontractually hired by the permittee to sample or operate and maintain the system for a defined time period, such as a certified perator or analytical laboratory. To access the regulatory requirement regarding continuing authority's name must be listed exactly as appears on the Missouri Secretary of State's (SoS's) webpage:         ttps://bsd.sos.mo.gov/EusinessEntity/BESearch.aspx?SearchType=0, unless the continuing authority is an individual(s),         Devernment, or otherwise not required to register with the SoS.         MME       TELEPHONE NUMBER WITH AREA CODE         CitY       STATE         ME       CitY         STATE       ZIP code         Sith of Festus       CitY         STATE       ZIP code         Sith of Festus       CitY         STATE       ZIP code         Sith of Festus       CitY         Festus       MO	5 DESIGN INFORMATION A. Population or number of lot B. Estimated flow to be contrib C. Industrial Wastes: Type:	ts to be served b buted by this ext	by this ex tension: Flor	tension: 178 Lots Design Average w: gpd	Flow: 6			
Ryan G'Sell Investements LLC       (636) 282-9122       Ryan C Sell contracting         DDRESS       CITY       STATE       ZIP dobe         1516 Imperial Professional Parc       Imperial       MO       63052         .0 CONTINUING AUTHORITY: A continuing authority is a company, business, entity or person(s) that will be operating the facility ind/or ensuring compliance with the permit requirements. A continuing authority is not, however, an entity or individual that is ontractually hired by the permittee to sample or operate and maintain the system for a defined time period, such as a certified perator or analytical laboratory. To access the regulatory requirement regarding continuing authority is name must be listed exactly as appears on the Missouri Secretary of State's (SoS's) webpage:         ttps://bsd.sos.mo.gov/Emsimages/adrules/csr/current/10cst/10c20-6.pdf. A continuing authority is an individual(s), overnment, or otherwise not required to register with the SoS.         AME       YELEPHONE NUMBER WITH AREA CODE       E-MAIL ADDRESS         Citry       STATE       ZiP code         Vido Festus       Citry       STATE       ZiP code         Vido N Fifth Street       Festus       MO       63028	<ol> <li>DESIGN INFORMATION</li> <li>Population or number of lot</li> <li>Estimated flow to be contrit</li> <li>Industrial Wastes: Type:</li> <li>Receiving Sewer: Size:</li> </ol>	ts to be served b buted by this ext	by this ex tension: Flor	tension: 178 Lots Design Average w: gpd	Flow: 6			
516 Imperial Professional Parc       Imperial       MO       63052         0 CONTINUING AUTHORITY: A continuing authority is a company, business, entity or person(s) that will be operating the facility ind/or ensuring compliance with the permit requirements. A continuing authority is not, however, an entity or individual that is contractually hired by the permittee to sample or operate and maintain the system for a defined time period, such as a certified perator or analytical laboratory. To access the regulatory requirement regarding continuing authority, 10 CSR 20-6.010(2), please isit. https://s1.sos.mo.gov/cmsimages/adrules/csr/current/10csr/10c20-6.pdf. A continuing authority's name must be listed exactly as appears on the Missouri Secretary of State's (SoS's) webpage:         ttps://bsd.sos.mo.gov/BusinessEntity/BESearch.aspx?SearchType=0, unless the continuing authority is an individual(s).         covernment, or otherwise not required to register with the SoS.         NME       TELEPHONE NUMBER WITH AREA CODE         City of Festus       City         State       City         State       ZIP code         Store       MO         63028	5 DESIGN INFORMATION A. Population or number of lot B. Estimated flow to be contrib C. Industrial Wastes: Type: D. Receiving Sewer: Size: IO PROJECT OWNER	ts to be served b buted by this ext	by this ex tension: Flor	tension: 178 Lots Design Average w: gpd acity: gpm	Flow: 6	5860 gpd	Design Peak Ho	
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50 N Fifth Street Festus MO 63028	<ul> <li><sup>5</sup> DESIGN INFORMATION</li> <li>A. Population or number of lot</li> <li>B. Estimated flow to be contril</li> <li>C. Industrial Wastes: Type:</li> <li>D. Receiving Sewer: Size:</li> <li><b>10</b> PROJECT OWNER</li> <li>AME</li> <li>Ryan G'Sell Investements LLC</li> <li>DDRESS</li> <li>1516 Imperial Professional Pa</li> <li><b>0</b> CONTINUING AUTHORIT</li> <li>nd/or ensuring compliance wi</li> <li>ontractually hired by the permiserator or analytical laborator</li> <li>isit https://s1.sos.mo.gov/cms</li> <li>appears on the Missouri Security</li> </ul>	ts to be served t buted by this ext 8 inches C C TY: A continuing ith the permit rec nittee to sample ry. To access the simages/adrules retary of State's ssentity/BESear	oy this ex tension: Flo Cap Citry Imperial g authorit juiremen or operat s regulata s/osr/curr (SoS's) \ ch.aspx?	tension: 178 Lots Design Average w: gpd acity: gpm TELEPHONE NUMBER (636) 282-9122 I y Is a company, b ts. A continuing a e and maintain th pry requirement re ent/10csr/10c20-( webpage: SearchType=0, u	Flow: 6 n with AR busines uthority te syste egardin 6:pdf. A	EA CODE STATE MO s, entity or p / is not, how om for a defi g continuing	E-MAIL ADDRESS Right Peak Hol 21P CODE 63052 Derson(s) that will ever, an entity or ned time period, s authority, 10 CSJ authority's name	urly Flow: 10977 gph
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		TELEPHONE NUMBER WITH AR	EA CODE	E-MAIL ADDRESS
Heneghan and Associates		(636) 464-3610		igusev@heneghanassoc.com
ADDRESS	CITY		STATE	ZIP CODE
1929 Richardson Road	Arnold		MO	63010
6.0 RECEIVING WASTEW	ATER TREATMENT FACI	LITY		
NAME		TELEPHONE NUMBER WITH AR		E-MAIL ADDRESS
Festus / Crystal City MISSOURI STATE OPERATING PERMIT	Sewage Treatmost Plan	At 436-937-7	444	
MO 00806 3	32	600,000 GH	°D	,
6.1 Has the receiving treatm		pt the additional wastewa	ter flow?	MYES NO
	and the second			authority, is included with this application
	N/A	initian and an and an and	Sommanig	
7.0 Application Fee				
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