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# A Guide to Permit Transfers

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## Introduction

In Missouri's active business climate, it is not unusual for firms to change ownership. We at the Missouri Department of Natural Resources are made aware of scores of ownership changes each year. It is often the case that environmental permits held by the seller may be directly transferred to the buyer without going through the entire permitting process again. However, since ownership change is not a routine occurrence for most companies, there are not many people familiar with the procedures for transferring ownership of environmental permits. This publication is to help the buyer and seller answer many of the initial questions and smooth the overall transfer process.

Specifically, this publication will give information and guidance on which permits can be transferred, the nature of information required, public notice requirements, forms, fees, timing and who to contact. This publication is not intended to replace personal contact with the department, but it will help buyers and sellers early in the process with the information needed to assure continuity of environmental permits.

The publication is set up as a series of tables, each table covering the permits or registrations of a program within the department that can be transferred. Forms that are available on-line will have the appropriate web page citation noted on the tables. Forms not available on-line can be obtained by contacting the program listed on the table. Again, we urge you to contact the appropriate programs for specific details on permit transfer. When you contact them, have the existing permit numbers on hand to allow ready reference.

If you should need basic information on permitting call the department or go on-line for two publications *Environmental Permits and How To Obtain Them*" <http://www.dnr.mo.gov/pubs/pub98.pdf> and *Understanding Environmental Regulations and Permits* <http://www.dnr.mo.gov/pubs/pub595.pdf>. Should you ever require multiple permits, you may contact the department's Field Services Office at 1-800-361-4827 to assist in arranging a one stop pre-application meeting. For a map and list of the department's regional and satellite offices click on: <http://www.dnr.mo.gov/regions/regions.htm> or contact the Field Services Division at 1-800-361-4827.

Permits are a necessary part of the environmental business because it is your first and best shot at assuring environmental protection and compliance. It is the department's goal to make the permitting process as timely, protective and cost effective as possible. If you have suggestions as to how improvements can be made we would certainly like to hear from you.

Good luck in your business and environmental endeavors.

## Permit Transfer Requirements Table

## Air Pollution Control Program (APCP)

TRANSFER REQUIREMENTS	<i>APCP</i> Construction Permit	<i>APCP</i> Operating Permit	<i>APCP</i> Open Burning Permit	<i>APCP</i> Asbestos Contractor Registration	<i>APCP</i> Asbestos Abatement Notification
Permit Transferable	Yes	Yes	No	No	No*
Forms and Other Information Required	Letter of Notification	Letter of Notification			
Inspection Required	No	No			
Public Participation Required	No	No			
Fees Required	No	No			
Transfer Time Frame	Upon receipt of complete transfer information	Upon receipt of complete transfer information			
Reg or Law Cite for Transfer	10 CSR 10-6.060	10 CSR 10-6.065			
Program Contact	Construction Permit Unit, APCP, (573) 751-4817	Operating Permit Unit, APCP, (573) 751-4817	Regional Offices – See R.O. Map for office in your area	Enforcement Section, APCP, (573) 751-4817	Enforcement Section, APCP, (573) 751-4817
Notes					* A ten-day reduction in waiting time is allowed.

## Permit Transfer Requirements Table

## Hazardous Waste Program (HWP)

TRANSFER REQUIREMENTS	HWP Hazardous Waste Management Facility Permit	HWP Hazardous Waste Resource Recovery Certification	HWP PCB Facility Permit	HWP Hazardous Waste Generator Registration	HWP Hazardous Waste Transporter License
Permit Transferable	Yes	Yes	Yes	Yes	No
Forms and Other Information Required	Revised permit application. <a href="http://www.dnr.mo.gov/forms/HWFacPermitApp.pdf">http://www.dnr.mo.gov/forms/HWFacPermitApp.pdf</a> or <a href="http://www.epa.gov/epaoswer/hazwaste/data/fo rm8700/forms.htm">http://www.epa.gov/epaoswer/hazwaste/data/fo rm8700/forms.htm</a> Includes violation history and financial assurance.	Written request 60 days prior to change. May require financial assurance.	Revised permit application. <a href="http://www.dnr.mo.gov/forms/780-1897.pdf">http://www.dnr.mo.gov/forms/780-1897.pdf</a> Includes violation history and financial assurance.	Notification of Requested Waste Activity Form: MO 780-1164 <a href="http://www.dnr.mo.gov/forms/780-1164.pdf">http://www.dnr.mo.gov/forms/780-1164.pdf</a>	
Inspection Required	No	No	No	No	
Public Participation Required	Facility must notify those on facility mailing list.	No	Facility must notify those on facility mailing list.	No	
Fees Required	No	No	No	\$100 Registration fee for new registrations or reactivation	
Transfer Time Frame	90 days prior to change	60 days	90 days prior to change	15 – 30 days	
Reg or Law Cite for Transfer	10 CSR 25-7.270 40 CFR 270.40	10 CSR 25-9.020 (3)(E)1.	10 CSR 25-7.270 40 CFR 270.40	10 CSR 25-5.262 (2)(A)	
Program Contact	Permits Section, HWP, (573) 751-3553	Permits Section, HWP, (573) 751-3553	Permit Section, HWP, (573) 751-3553	Budget & Planning Section, HWP, (573) 751-3176	
Notes	Change of ownership is a class I permit modification with prior director approval		Change of ownership is a class I permit modification with prior director approval		

## Permit Transfer Requirements Table

## Hazardous Waste Program (HWP)

TRANSFER REQUIREMENTS	<i>HWP</i> Underground Storage Tank Registration	<i>HWP</i> Underground Storage Tank House Bill 251 Site Registration	<i>HWP</i> Underground Storage Tank Insurance Policy
Permit Transferable	Yes	N/A. Eligibility is for, and remains with, the site.	Yes
Forms and Other Information Required	Amended Registration form (MO-UST-1) signed by new owner <a href="http://www.dnr.mo.gov/forms/780-1782.pdf">http://www.dnr.mo.gov/forms/780-1782.pdf</a> Proof of Financial Responsibility.		Policy assignment forms (from HWP or Williams & Co. program) Amended Registration form (MO-UST-1) <a href="http://www.dnr.mo.gov/forms/780-1782.pdf">http://www.dnr.mo.gov/forms/780-1782.pdf</a> Proof of ability to cover policy deductible.
Inspection Required	No		No
Public Participation Required	No		No
Fees Required	No		No
Transfer Time Frame	Approximately 30 days for processing.		Must apply within 30 days of change of ownership.
Reg or Law Cite for Transfer	10 CSR 20-10.022; Sections 319.120,.123,.131,.133 RSMo	Section 319.131.9, RSMo	Sections 319.131 and .133, RSMo
Program Contact	Registration Unit, HWP, (573) 751-6822	Williams & Co. 1-800-765-2765	Williams & Co. 1-800-765-2765 or Registration Unit, HWP, (573) 751-6822

## Permit Transfer Requirements Table

## Land Reclamation Program (LRP)

TRANSFER REQUIREMENTS	<i>LRP</i> Industrial Mineral Surface Mining Permit	<i>LRP</i> Industrial Mineral Sand and Gravel Mining Permit	<i>LRP</i> Coal Exploration Permit	<i>LRP</i> Surface Coal Mine and Reclamation Permit	<i>LRP</i> Metallic Mineral Waste Management Permit
Permit Transferable	Yes	Yes	Yes	Yes	Yes, but unusual.
Forms and Other Information Required	<p><b>Permit Transfer</b> form: <a href="http://www.dnr.mo.gov/forms/780-1333.pdf">http://www.dnr.mo.gov/forms/780-1333.pdf</a></p> <p><b>Public Notice to Transfer</b> : <a href="http://www.dnr.mo.gov/forms/OpenPitTransfer.pdf">http://www.dnr.mo.gov/forms/OpenPitTransfer.pdf</a></p> <p><b>Site Information</b> form: <a href="http://www.dnr.mo.gov/forms/780-1036.pdf">http://www.dnr.mo.gov/forms/780-1036.pdf</a>,</p> <p><b>Company Information</b> form: <a href="http://www.dnr.mo.gov/forms/780-1928.pdf">http://www.dnr.mo.gov/forms/780-1928.pdf</a></p> <p><b>Consent To Entry</b> form: <a href="http://www.dnr.mo.gov/forms/780-1329.pdf">http://www.dnr.mo.gov/forms/780-1329.pdf</a> .</p> <p><b>Mine Plan</b> form: <a href="http://www.dnr.mo.gov/forms/780-1327.pdf">http://www.dnr.mo.gov/forms/780-1327.pdf</a></p> <p><b>Financial assurance</b> form:</p> <p><b>Surety Bond</b> form: <a href="http://www.dnr.mo.gov/forms/780-0016.pdf">http://www.dnr.mo.gov/forms/780-0016.pdf</a></p> <p><b>Certificate Of Deposit</b> form: <a href="http://www.dnr.mo.gov/forms/780-0936.pdf">http://www.dnr.mo.gov/forms/780-0936.pdf</a></p> <p><b>Certificate Of Deposit</b> form: <a href="http://www.dnr.mo.gov/forms/780-1342.pdf">http://www.dnr.mo.gov/forms/780-1342.pdf</a></p> <p><b>Letter Of Credit</b> form: <a href="http://www.dnr.mo.gov/forms/780-1472.pdf">http://www.dnr.mo.gov/forms/780-1472.pdf</a></p>	<p><b>Permit Transfer</b> form: <a href="http://www.dnr.mo.gov/forms/780-1333.pdf">http://www.dnr.mo.gov/forms/780-1333.pdf</a></p> <p><b>Public Notice to Transfer Permit</b> form: <a href="http://www.dnr.mo.gov/forms/In-StreamTransfer.pdf">http://www.dnr.mo.gov/forms/In-StreamTransfer.pdf</a></p> <p><b>Site Information</b> form: <a href="http://www.dnr.mo.gov/forms/780-1036.pdf">http://www.dnr.mo.gov/forms/780-1036.pdf</a>,</p> <p><b>Company Information</b> form: <a href="http://www.dnr.mo.gov/forms/780-1928.pdf">http://www.dnr.mo.gov/forms/780-1928.pdf</a></p> <p><b>Consent To Entry</b> form: <a href="http://www.dnr.mo.gov/forms/780-1329.pdf">http://www.dnr.mo.gov/forms/780-1329.pdf</a> .</p> <p><b>Sand and Gravel Excavation Plan</b> form: <a href="http://www.dnr.mo.gov/forms/780-1895.pdf">http://www.dnr.mo.gov/forms/780-1895.pdf</a></p>	<p>Applicant Information Bond</p> <p>Please contact the Land Reclamation Program for forms and information.</p>	<p>Section I of Application Form Bond Liability Insurance Consent to Entry form</p> <p>Please contact the Land Reclamation Program for forms and information.</p>	<p>These permits are issued for the life of the facility, and metallic minerals mines are active for decades. A sale of mines and all property could lead to a request for transfer of the permit.</p> <p>Please contact the Land Reclamation Program for forms and information.</p>

## Permit Transfer Requirements Table

## Land Reclamation Program (LRP)

TRANSFER REQUIREMENTS	<i>LRP</i> Industrial Mineral Surface Mining Permit	<i>LRP</i> Industrial Mineral Sand and Gravel Mining Permit	<i>LRP</i> Coal Exploration Permit	<i>LRP</i> Surface Coal Mine and Reclamation Permit	<i>LRP</i> Metallic Mineral Waste Management Permit
Public Participation Required	45 day public comment period. Public notice published in local newspaper one per week for four consecutive weeks. Notice sent certified mail to all adjacent land owners and county commission.	45 day public comment period. Public notice published in local newspaper one per week for four consecutive weeks. Notice sent certified mail to all adjacent land owners and county commission.	60 day public comment period after publishing in local newspaper. Public hearing if requested. (public notice example included)	60 day public comment period after publishing in local newspaper. Public hearing if requested. (public notice example included)	No specific requirements for transfer.
Fees Required	No	No	\$100	\$100	No
Transfer Time Frame	45 days from receipt of complete application if no hearing requested.	45 days from receipt of complete application if no hearing requested.	90 days from receipt of complete application.	90 days from receipt of complete application.	No set time frame.
Reg or Law Cite for Transfer	10 CSR 40-10.020 and Section 444.772 RSMo	10 CSR 40-10.020 and Section 444.772 RSMo	10 CSR 40-6.090(10) and Section 444.815.2 RSMo	10 CSR 40-6.090(10) and Section 444.815.2 RSMo	No specific citations for transfer. Site specific action.
Program Contact	Metallic and Industrial Minerals Unit, LRP, (573) 751-4041	Metallic and Industrial Minerals Unit, LRP, (573) 751-4041	Coal Permits Unit, LRP, (573) 751-4041	Coal Permits Unit, LRP, (573) 751-4041	Metallic and Industrial Minerals Unit, LRP, (573) 751-4041

### Permit Transfer Requirements Table

### Solid Waste Management Program (SWMP)

TRANSFER REQUIREMENTS	SWMP Solid Waste Disposal Area Permit	SWMP Solid Waste Processing Facility Permit	SWMP Infectious Waste Processing Facility Permit	SWMP Waste Tire Site Permits & Processing Facility	SWMP Waste Tire Hauler Permit
Permit Transferable	Yes	Yes	Yes	No	No
Forms and Other Information Required	Information on transfer of ownership Violation Disclosure Statement Updated operation and design plans A financial assurance instrument	Information on transfer of ownership Violation Disclosure Statement Updated operation and design plans	Information on transfer of ownership Violation Disclosure Statement Updated operation and design plans		
Inspection Required	No	No	No		
Public Participation Required	No	No	No		
Fees Required	No	No	No		
Transfer Time Frame	6 months	6 months	6 months		
Reg or Law Cite for Transfer	Section 260.205.16 RSMo. (Senate Bill 60)	Section 260.205.16 RSMo. (Senate Bill 60)	Section 260.205.16 RSMo. (Senate Bill 60)		
Program Contact	Engineering Section, SWMP, (573) 751-5401	Engineering Section, SWMP, (573) 751-5401	Engineering Section, SWMP, (573) 751-5401	Enforcement Section, SWMP, (573) 751-5401	MoDOT, Motor Carrier Services Unit 573-751- 3358

## Permit Transfer Requirements Table

## Water Protection Program (WPP) Public Drinking Water Branch (PDWB)

TRANSFER REQUIREMENTS	<i>WPP – PDWB</i> Construction Permit	<i>WPP – PDWB</i> Permit to Dispense
Permit Transferable	Yes	Yes
Forms and Other Information Required	None. Letter of notification requested	None. Letter of notification requested
Inspection Required	No	No
Public Participation Required	No	No
Fees Required	No	No
Transfer Time Frame	N/A	N/A. Permit will remain in effect no matter who the owner is until revoked for cause.
Reg or Law Cite for Transfer	No reference to transfers.	No reference to transfers.
Program Contact	Permits Section, PDWB (573) 751-5331	Permits Section, PDWB, (573) 751-5331
Notes	PDWB construction permits are issued to the facility, and are not affected by changes in ownership, officers, etc. Construction permits are effective for two years.	Permits to Dispense are operating permits, are issued to the facility, and are not affected by changes in ownership, officers, etc. If the facility name changes, PDWB re-issues the permit to dispense in the new name of the facility.

## Permit Transfer Requirements Table

## Water Protection Program (WPP) Public Drinking Water Branch (PDWB)

TRANSFER REQUIREMENTS	WPP – PDWB Wellhead Protection Section Water Well Certification and Registration	WPP – PDWB Wellhead Protection Section Oil and Gas Well Drilling Construction/Operating Permit
Permit Transferable	Yes	Existing wells can have operating permit reassigned.
Forms and Other Information Required	Letter of Notification requested	Organizational report (OGC-1) <a href="http://www.dnr.mo.gov/forms/780-0209.pdf">http://www.dnr.mo.gov/forms/780-0209.pdf</a> Bonding form (OGC-2) <a href="http://www.dnr.mo.gov/forms/780-0210.pdf">http://www.dnr.mo.gov/forms/780-0210.pdf</a>
Inspection Required	No	No
Public Participation Required	No	No
Fees Required	No	No
Transfer Time Frame	Immediately upon receipt of request to transfer from the seller to the buyer.	Immediately upon receipt of required information.
Reg or Law Cite for Transfer	Transfers not addressed	10 CSR 50-2.030 (11) 10 CSR 50-2.010 (3) 10 CSR 50-2.020 (1)
Program Contact	Wellhead Protection Section (573) 368-2165	Wellhead Protection Section (573) 368-2165
Notes	Certification and registration are given to the well.	Permits to Dispense are operating permits, are issued to the facility, and are not affected by changes in ownership, officers, etc. If the facility name changes, PDWB re-issues the permit to dispense in the new name of the facility.

## Permit Transfer Requirements Table

## Water Protection Program (WPP) Water Pollution Control Branch (WPCB)

TRANSFER REQUIREMENTS	WPP - WPCB Construction Permit	WPP - WPCB Operating Permit/General	WPP - WPCB Operating Permit / Site Specific	WPP - WPCB Underground Injection Control	WPP - WPCB Confined Animal Feeding Operations
Permit Transferable	No	Yes/No**	Yes	Yes	Yes – except for general permits
Forms and Other Information Required		Application for Transfer of Operating Permit form: <a href="http://www.dnr.mo.gov/forms/780-1517.pdf">http://www.dnr.mo.gov/forms/780-1517.pdf</a>	Application for Transfer of Operating Permit form: <a href="http://www.dnr.mo.gov/forms/780-1517.pdf">http://www.dnr.mo.gov/forms/780-1517.pdf</a>	Application for Transfer of Operating Permit form: <a href="http://www.dnr.mo.gov/forms/780-1517.pdf">http://www.dnr.mo.gov/forms/780-1517.pdf</a>	Form F – Part I <a href="http://www.dnr.mo.gov/forms/780-0725.pdf">http://www.dnr.mo.gov/forms/780-0725.pdf</a>
Inspection Required		No*	No*	No*	No*
Public Participation Required		No	No	No	No
Fees Required		Yes – 25% of annual fee	Yes – 25% of annual fee	Yes – 25% of annual fee	No
Transfer Time Frame		30 days	30 days	30 days	30 days
Reg or Law Cite for Transfer		10 CSR 20-6.010(11)	10 CSR 20-6.010(11)	10 CSR 20-6.070(6) 10 CSR 20-6.090(7)	10 CSR 20-6.010(11)
Program Contact	Appropriate Regional Office <a href="http://www.dnr.mo.gov/regions/regions.htm">http://www.dnr.mo.gov/regions/regions.htm</a>	Permit Section, WPCB, (573) 751-6825	Appropriate Regional Office <a href="http://www.dnr.mo.gov/regions/regions.htm">http://www.dnr.mo.gov/regions/regions.htm</a>	Permit Section, WPCB, (573) 751-6825	Permit Section, WPCB, (573) 751-6825

\* Generally not, unless application form or information known about the site shows a concern or a change in process or waste treatment.

\*\* Those that can not be transferred state so in permit.

**Permit Transfer Requirements Table****Water Resources Center (WRC)**

TRANSFER REQUIREMENTS	WRC Dam and Reservoir Safety Permits
Permit Transferable	Yes
Forms and Other Information Required	Letter of Notification requested
Inspection Required	No
Public Participation Required	No
Fees Required	No
Transfer Time Frame	Immediately upon receipt of request to transfer from the seller to the buyer.
Reg or Law Cite for Transfer	10 CSR 22-2.090
Program Contact	Dam and Reservoir Safety (573) 368-2175
Notes	The permit holder of record will be held responsible for maintaining compliance.