

**MISSOURI**  
DEPARTMENT OF  
NATURAL RESOURCES

**Michael L. Parson**  
Governor

**Dru Buntin**  
Director

June 9, 2022

NLV Pergola Park, LLC  
3152 SW Grandstand Circle  
Lee's Summit, MO 64081

Dear NLV Pergola Park, LLC:

Pursuant to the Missouri Clean Water Law, we have issued and are enclosing a General Permit for Sewer Extension Construction to Pergola Park Plat 5b. Please review the requirements of your permit.

If you were adversely affected by this decision, you may be entitled to an appeal before the Administrative Hearing Commission (AHC) pursuant to 10 CSR 20-1.020 and Sections 644.051.6 and 621.250, RSMo. To appeal, you must file a petition with the Administrative Hearing Commission 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 Administrative Hearing Commission. Contact information for the AHC is as follows: Administrative Hearing Commission, United States Post Office Building, 131 West High Street, P.O. Box 1557, Jefferson City, MO 65102, Phone: 573-751-2422, Fax: 573-751-5018, Website: [www.oa.mo.gov/ahc](http://www.oa.mo.gov/ahc).

Nothing in this permit removes any obligations to comply with county or other local ordinances or restrictions.

If you have any questions concerning this permit, please do not hesitate to contact the Water Protection Program at P.O. Box 176, Jefferson City, MO 65102, 573-751-1300.

Sincerely,

WATER PROTECTION PROGRAM

Cindy LePage, P.E., Chief  
Engineering Section

CL:rmt

Enclosure

c: Amanda Bagwell, City of Lee Summit  
LBVSD  
Mark Brauer, Schlagel and Associates

STATE OF MISSOURI  
DEPARTMENT OF NATURAL RESOURCES  
MISSOURI CLEAN WATER COMMISSION



## GENERAL PERMIT for SEWER EXTENSION CONSTRUCTION

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

Construction Permit ID: MOGSE0375  
Title of Project: Pergola Park 5b  
Owner: NLV Pergola Park LLC  
Address: 3152 SW Grandstand Circle  
Lee's Summit, MO 64081

The project will also include general site work appropriate to the scope and purpose of the project and will include all the necessary appurtenances to make a complete and usable collection system. The construction of this project will be in the vicinity of the county below and discharge to Receiving Permit ID below:

County: Jackson                      Receiving Permit ID: MO0101087

for the construction of (described construction project):

Pergola Park Plat 5b - Construction of approximately 1,693 lf of 8-inch PVC SDR-26, gravity sewer lines with approximately 13 manholes to serve a 96 PE and a design average flow of 9,620 gpd.

Project is in the vicinity of Pergola Park Drive and Mary Street in Lee Summit, Jackson County and discharges to an existing system to be treated at LBVSD, Atherton WWTF, MO-0101087. David Lilly, PE, District Engineer, with LBVSD provided an acceptance letter dated May 18, 2022. Amanda Bagwell, PE with City of Lee Summit provided a continuing authority letter, dated April 12, 2022.

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.

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

June 09, 2022

Issue Date

Chris Wieberg, Director  
Water Protection Program

June 08, 2024

Expiration Date

## **APPLICABILITY**

1. This permit authorizes the construction of gravity sewer extensions, force mains, and lift stations. Non-earthen flow equalization storage basins at lift stations and inline storage, which flows back into the lift station or collection system, are also included.
2. A site specific sewer extension construction permit may be required by the Department due to compliance and enforcement actions.
3. Projects located within an Approved Sewer Program as noted in the operating permit of the receiving wastewater treatment facility are not required to obtain a construction permit from the Department of Natural Resources (Department).
4. This permit does not apply to:
  - A. Earthen storage basins;
  - B. Exempt projects unless requested by the applicant or required by enforcement.

## **PREREQUISITES:**

1. The General Sewer Extension Construction Permit application, appropriate fee, and documentation in accordance with 10 CSR 20-6.010(5)(G).
2. The plans and specifications each signed and sealed by a professional engineer registered in the State of Missouri in accordance with 10 CSR 20-8 and 10 CSR 20-6.010.
3. The Design Certification form or Engineering Report or Summary of Design signed and sealed by a professional engineer registered in the State of Missouri certifying the design of the system was prepared in accordance with 10 CSR 20-6 and 10 CSR 20-8.
4. A statement from the continuing authority, as defined in 10 CSR 20-6.010, accepting the wastewater for treatment and indicating the permitted treatment facility has the available capacity.
5. A statement from the continuing authority, as defined in 10 CSR 20-6.010, accepting the responsibility for operation and maintenance of these facilities.

## **PERMIT CONDITIONS:**

1. This permit authorizes the activities and scope of work detailed in the plans and specifications submitted with the request.
2. The construction must be in accordance with the final plans and specifications approved by the Department.
3. 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., or through the Online Bypass/SSO Reporting system found at <https://dnr.mo.gov/eservices.htm> under Water Protection.

## PERMIT CONDITIONS: (continued)

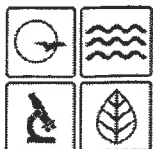
4. Protection of drinking water supplies must meet the requirements of 10 CSR 23-3.010 .
  - A. There shall be no physical connections between a public or private potable water supply system and a sewer, or appurtenance thereto, which would permit the passage of any wastewater or polluted water into the potable supply.
  - B. Sewers shall be laid at least fifty feet (50') in a horizontal direction from any existing or proposed public water supply well or other water supply sources or structures.
5. Manholes shall be located with the top access at or above grade level.
6. In addition to the requirements for a construction permit, see 10 CSR 20-6.200 for land disturbance requirements 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](http://www.dnr.mo.gov/env/wpp/epermit/help.htm).

See [www.dnr.mo.gov/env/wpp/stormwater/sw-land-disturb-permits.htm](http://www.dnr.mo.gov/env/wpp/stormwater/sw-land-disturb-permits.htm) for more information.

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 [www.dnr.mo.gov/env/wpp/401/](http://www.dnr.mo.gov/env/wpp/401/) for more information.

8. If this project eliminates a wastewater treatment facility under the jurisdiction of the Department, then a full closure plan shall be submitted with a Facility Closure Request Form, Form – MO 780-2512 to the Department's appropriate regional office for review and approval. In accordance with 10 CSR 20-6.010(12), the closure plan must meet the requirements outlined in Standard Conditions Part III, of the Missouri State Operating Permit. Closure shall not commence until the submitted closure plan is approved by the Department.
9. If this project is part of a project to resolve an enforcement action or is receiving funding from the Department, submit a statement of work complete following the completion of construction



MISSOURI DEPARTMENT OF NATURAL RESOURCES  
WATER PROTECTION PROGRAM  
**APPLICATION FOR CONSTRUCTION PERMIT –  
SEWER EXTENSION**

FOR DEPARTMENT USE ONLY	
APP NO.	CP NO.
FEES RECEIVED \$300.00	CHECK NO. 25241
DATE RECEIVED 5/26/22	SH

**NOTE ► PLEASE READ THE ACCOMPANYING INSTRUCTIONS BEFORE COMPLETING THIS FORM**

**1.0 APPLICATION INFORMATION** (Note – If any of the questions in this section are answered NO, this application may be considered incomplete and returned.)

- 1.1 Is this a Federal/State funded project? ☐ YES ☒ N/A Funding Agency: Project #:
- 1.2 Has the Department of Natural Resources approved the proposed project's engineering report\*\*?  
☐ YES Date of Approval: ☐ NO ☒ N/A
- 1.3 Is a copy of the appropriate plans\* and specifications\* included with this application? ☒ YES ☐ NO
- 1.4 Is a summary of design\* included with this application? ☒ YES ☐ NO
- 1.5 Is the appropriate fee or JetPay confirmation included with this application? ☒ YES ☐ NO  
See Section 7.0

\* Must be affixed with a Missouri registered professional engineer's seal, signature and date.

**2.0 PROJECT INFORMATION**

2.1 NAME OF PROJECT

Pergola Park, 5th Plat

ADDRESS	CITY	STATE	ZIP CODE	COUNTY
Pergola Park Drive & Mary Street	Lee's Summit	MO	64081	Jackson

2.2 Legal Description: SW ¼, ¼, ¼, Sec. 10, T 47, R 32

2.3 Project Components (check all that apply):

☒ Gravity sewers ☐ Pumping stations ☐ Force mains ☐ Alternative sewer system ☐ Other (Describe below.)

2.4 PROJECT DESCRIPTION

The project consists of installing sanitary sewer including approximately 1,693 LF of 8" PVC-SDR26 pipe, 878 LF of 6" PVC-SDR26 pipe with 13 each standard 4' dia. manholes. The new sewers will have 26 connections and tie into an existing 12" main.

2.5 DESIGN INFORMATION

A. Population or number of lots to be served by this extension: 26

B. Estimated flow to be contributed by this extension: Design Average Flow: 9100 gpd Design Peak Hourly Flow: 1896 gph

C. Industrial Wastes: Type: None Flow: N/A gpd

D. Receiving Sewer: Size: 12 inches Capacity: 942 gpm

**3.0 PROJECT OWNER**

NAME	TELEPHONE NUMBER WITH AREA CODE	EMAIL ADDRESS
NLV Pergola Park, LLC	913-589-4415	rpearson@boxdevco.com


ADDRESS	CITY	STATE	ZIP CODE
3152 SW Grandstand Circle	Lee's Summit	MO	64081

**4.0 CONTINUING AUTHORITY:** A continuing authority is a company, business, entity or person(s) that will be operating the facility 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 operator or analytical laboratory. To access the regulatory requirement regarding continuing authority, 10 CSR 20-6.010(2), please visit <https://s1.sos.mo.gov/cmsimages/adrules/csr/current/10csr/10c20-6.pdf>. A continuing authority's name must be listed exactly as it appears on the Missouri Secretary of State's (SoS's) webpage: <https://bsd.sos.mo.gov/BusinessEntity/BESearch.aspx?SearchType=0>, unless the continuing authority is an individual(s), government, or otherwise not required to register with the SoS.

NAME	TELEPHONE NUMBER WITH AREA CODE	EMAIL ADDRESS
City of Lee's Summit - Water Utilities Department	816-969-1900	amanda.bagwell@cityofls.net

ADDRESS	CITY	STATE	ZIP CODE
1200 SE Hamblen Road	Lee's Summit	MO	64081

4.1 A letter from the continuing authority or the Continuing Authority and Receiving Wastewater Treatment Facility Acceptance form, if different than the owner, is included with this application. ☒ YES ☐ NO ☐ N/A

<b>5.0 ENGINEER</b>			
ENGINEER NAME / COMPANY NAME Mark A. Breuer / Schlagel		TELEPHONE NUMBER WITH AREA CODE 913-492-5158	EMAIL ADDRESS MAB@schlagelassociates.com
ADDRESS 14920 W 107th Street	CITY Lenexa	STATE KS	ZIP CODE 66215
<b>6.0 RECEIVING WASTEWATER TREATMENT FACILITY</b>			
NAME Atherton Wastewater Treatment Plant		TELEPHONE NUMBER WITH AREA CODE (816) 796-7660	EMAIL ADDRESS lilly@lbvad.org
MISSOURI STATE OPERATING PERMIT # MO 0101087		REMAINING CAPACITY (GPD) 22 MGD	
6.1 Has the receiving treatment facility agreed to accept the additional wastewater flow? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO			
6.2 A letter from the receiving wastewater treatment facility, if different than the continuing authority, is included with this application. <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A			
<b>7.0 Application Fee</b>			
<input checked="" type="checkbox"/> Check Number 25241 <input type="checkbox"/> JetPay Confirmation Number			
8.0 PROJECT OWNER: I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.			
PROJECT OWNER SIGNATURE 			
PRINTED NAME Russell Pearson		DATE 5/20/2022	
TITLE OR CORPORATE POSITION		TELEPHONE NUMBER WITH AREA CODE 816-589-4415	EMAIL ADDRESS rpearson@boxdevco.com
Mail completed copy to: MISSOURI DEPARTMENT OF NATURAL RESOURCES WATER PROTECTION PROGRAM P.O. BOX 176 JEFFERSON CITY, MO 65102-0176			