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BEFORE THE MISSOURI CLEAN WATER COMMISSION
STATE OF MISSOURI

PUBLIC HEARING
IN RE: PROPOSED AMENDMENT TO 10 CSR 20-6.010
CONSTRUCTION AND OPERATING PERMITS

JULY 1, 2009

9:00 a.m.

Department of Natural Resources

Drury Lodge

104 Vantage Drive

Cape Girardeau, Missouri 63701

COMMISSIONERS
PRESENT:

Mr. Ron Hardecke, Chair
Mr. Sam Hunter
Mr. Jan Tupper
Mr. William Easley, Jr.
Mr. Frank Shorney

REPORTED BY:

Wanda L. Greenlee, CCR
Missouri CCR #1188
Midwest Litigation Services
711 North Eleventh Street
St. Louis, Missouri 63101
(314) 644-2191

1 on your attendance card.

2 The Commission is holding this hearing to
3 assist the public in commenting on proposed rulemaking.
4 The public comment period will close on July 8th, 2009 at
5 5:00 p.m.

6 When you come forward to present testimony,
7 please speak into the microphone and begin by identifying
8 yourself to the court reporter.

9 I'd ask the court reporter to swear in
10 those wishing to give testimony. All those please stand.

11 (WHEREIN, witnesses sworn.)

12 CHAIRMAN HARDECKE: Okay. John Rustige is
13 going to present for the Department.

14 MR. RUSTIGE: Good morning, Commissioners.

15 CHAIRMAN HARDECKE: Good morning.

16 MR. RUSTIGE: My name is John Rustige. I
17 serve as the Chief of the Wastewater Engineering Unit in
18 the Permits and Engineering section. My work address is
19 P.O. Box 176, Jefferson City, Missouri 65102. I'm here to
20 present a minor revision to 10 CSR 20-6.010, Construction
21 and Operating Permits. The proposed revision was
22 published in the Missouri Register on April 15th.

23 The purpose of the amendment is to provide
24 a mechanism to transfer the ownership of a construction
25 permit. Under the current rule, a new owner has to submit

1 a completely new construction permit application. With
2 the amendment, the process would simply require both
3 parties to agree to the transfer by submitting a properly
4 executed transfer application.

5 The new -- the new permit owner would also
6 have to demonstrate that they'll serve in continuing
7 authority for the operation and ongoing maintenance of the
8 facility, and that they assume responsibility for
9 complying with the terms and conditions of the permit.

10 As I said, it's a simple amendment. I'd be
11 happy to take any questions.

12 CHAIRMAN HARDECKE: Any questions?

13 MR. HUNTER: No.

14 CHAIRMAN HARDECKE: Okay. Thank you.

15 MR. RUSTIGE: Thank you.

16 CHAIRMAN HARDECKE: I have Robert Brundage.

17 MR. BRUNDAGE: Good morning, Commissioners.

18 My name is Robert Brundage. I'm from the law firm Newman,
19 Comley & Ruth in Jefferson City, and I'm here today
20 testifying on behalf of the Missouri Agribusiness
21 Association.

22 I think it was maybe several years ago I
23 submitted a letter to the Commission suggesting that this
24 regulation change be made, because through the years I've
25 come across several situations where people with

1 construction permits who are wanting to either transfer it
2 to a different company -- like, a company that they own,
3 or to somebody else, and they simply couldn't do it. And
4 it really didn't make any sense that somebody else would
5 have to go through the entire construction process again.

6 And I want to thank the Department of
7 Natural Resources for bringing this before the Commission,
8 and I fully support it. And that concludes my testimony.

9 CHAIRMAN HARDECKE: Thank you, Robert.
10 That's all the cards we have. So unless there's someone
11 else that desires to speak?

12 The Commission will receive written
13 testimony on these proposed rule changes until 5:00 p.m.
14 on July 8th, 2009. You may submit this written testimony
15 to John Rustige, Missouri Department of Natural Resources,
16 Water Protection Program, P.O. Box 176, Jefferson City,
17 Missouri, prior to that deadline.

18 On behalf of the Commission, I thank
19 everyone that has participated in this process. This
20 hearing is now closed.

21 (The proceedings were concluded at
22 9:10 a.m. on July 1, 2009.)

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