

**BEFORE THE
DEPARTMENT OF NATURAL RESOURCES
STATE OF MISSOURI**

IN THE MATTER OF:

City of Diamond
Wastewater Treatment Lagoon

No. 2012-WPCB-1202

SERVE:

The Honorable Shane Hunter, Mayor
City of Diamond

RECEIVED

OCT 31 2012

WATER PROTECTION PROGRAM

ABATEMENT ORDER ON CONSENT

I. NOTICE TO RECIPIENTS OF ABATEMENT ORDERS

The issuance of this Abatement Order on Consent (AOC) number No. 2012-WPCB-1202 by the Missouri Department of Natural Resources (Department) is a formal administrative action by the State of Missouri and is being issued because the wastewater treatment lagoon (lagoon) serving the City of Diamond (City) is in violation of the Missouri Clean Water Law (Law) and its implementing regulations. This AOC is issued under the authorities of Sections 640.130, 640.131, 644.056 and 644.079, RSMo. Failure to comply with this AOC is, by itself, a violation of the Law. Litigation may occur without further notice if there is not compliance with the requirements of this AOC. This AOC does not constitute a waiver or a modification of any requirements of the Law, or its implementing regulations, all of which remain in full force and effect. Compliance with the terms of this AOC shall not relieve the City of liability for, or preclude the Department from, initiating a judicial enforcement action to recover civil penalties for any, including future violations of the Law, or to seek injunctive relief, pursuant to Chapter 644, RSMo.

II. FINDINGS OF FACT

A. The City is a fourth class municipality with a population of approximately 902 people. The City owns and operates a two (2) celled no-discharge lagoon that operates pursuant to Missouri State Operating Permit (MSOP) number MO-0042013. The lagoon is located in the NE ¼, NW ¼, Section 9, Township 26

North, Range 31 West in Newton County, Missouri. The lagoon has a design population equivalent of 1,460, a design flow of 208,000 gallons per day, and an average daily flow of 150,000 gallons per day. Sludge is retained in the lagoon and wastewater is land-applied across 129 acres of available land with stormwater outfalls located in the SE ¼, NW ¼, Section 9, Township 26 North, Range 31 West (Outfall number 002), SE ¼, SW ¼, Section 4, Township 26 North, Range 31 West (Outfall number 003), and SW ¼, SW ¼, Section 4, Township 26 North, Range 31 West (Outfall number 004), in Newton County. The lagoon and application fields are located in an area characterized by karst features (e.g., sinkholes), and are located in the watershed of Carver Branch. The receiving stream for the lagoon's emergency outfall (Outfall number 001) is a losing segment of a tributary to Carver Branch.

- B. Pursuant to MSOP number MO-0042013, the City is authorized to operate a no-discharge wastewater lagoon wherein wastewater shall be stored and land applied during suitable conditions so that there is no discharge from the lagoon or irrigation site. MSOP number MO-0042013 authorizes emergency discharges only when excess wastewater has accumulated above feasible irrigation rates due to precipitation exceeding the 1-in-10 year rainfall event or the 25-year-24-hour rainfall event. Pursuant to MSOP number MO-0042013, the top of the lagoon berm is twelve (12) feet, and the maximum operating level is ten (10) feet. MSOP number MO-0042013 contains effluent limitations for parameters listed in Part "A." Pursuant to MSOP number MO-0042013, the City is required to sample any discharges that may occur from lagoon Outfall number 001 or stormwater Outfall number 002, 003 and 004, and submit quarterly Discharge Monitoring Reports (DMRs) to the Department. Additionally, the City must maintain records and submit to the Department, by January 28 each year, an annual operating report which summarizes maintenance and repair activities, lagoon discharge data, and irrigation data for the previous calendar year.
- C. Pursuant to MSOP number MO-0042013, the City is also required to develop and implement a program for maintenance and repair of the City's collection system, and submit a report semi-annually, in April and October each year, which address measures taken to locate and eliminate sources of inflow and infiltration (I&I) into the City's collection system.
- D. Carver Branch and its tributaries are waters of the state as the term is defined by Section 644.016 (26), RSMo.
- E. Domestic wastewater is a water contaminant as the term is defined in Section 644.016(23), RSMo.
- F. On August 24, 2009, the Department's Southwest Regional Office (SWRO) sent a Letter of Warning (LOW) to the City for exceeding the permitted effluent limitations for Biochemical Oxygen Demand (BOD) and Total Suspended Solids (TSS) reported on the City's April and May 2009 DMRs.

- G. On February 2, 2010, Department staff conducted an investigation at the lagoon in response to an environmental concern received January 22, 2010, reporting that the lagoon was overflowing into a ditch and entering the complainant's property. During the investigation, Department staff observed a discharge from the lagoon's emergency outfall (Outfall number 001). During the inspection, City staff informed Department staff that the lagoon had been discharge since January 21, 2010, and first and second quarter 2010 DMRs submitted by the City report that the lagoon continuously discharged January 21 through April 6, 2010. The City failed to notify the Department of the discharge as required by Part "D," Special Conditions, Section 9 of MSOP number MO-0042013.
- H. On May 25, 2010, the Department sent a LOW to the City for exceeding the permitted effluent limitations for BOD and TSS during the months of January, February, and March 2010. On August 30, 2010, the Department sent a LOW to the City for exceeding the permitted effluent limitations for BOD during the months of April and May 2010, and for TSS during April and June 2010.
- I. On February 28, 2011, the Department conducted an investigation at the lagoon in response to an environmental concern received February 25, 2011, reporting that the lagoon was discharging and potentially causing water quality violations. During the investigation, City personnel informed Department staff that the lagoon began discharging midday February 25, 2011, and Department staff observed that the lagoon was discharging to the receiving stream during the investigation. Department staff collected three (3) water samples from Outfall number 001 for chemical analysis. Concentrations for BOD and TSS exceeded the monthly and weekly average permitted effluent limitations.
- J. On March 28, 2011, the Department conducted an investigation at the lagoon in response to an environmental concern received March 25, 2011, reporting that the lagoon was discharging solids into the receiving stream. During the investigation, Department staff observed that the lagoon was discharging to the receiving stream, but no solids were observed in the discharge or in the stream. Department staff observed that Outfall number 001 did not have a baffle to prevent solids from discharging from the lagoon, there was little to no available freeboard in the second cell of the lagoon, and there was standing water and greener vegetation on the north and southwest sides of the lagoon, indicating that the north and southwest berms were leaking. The receiving stream is located southwest of the lagoon, and standing water was observed between the lagoon and the receiving stream. Department staff collected water samples for analysis from Outfall number 001, a point 50 meters upstream from Outfall number 001, and two (2) points (100 meters and 500 meters) downstream from the Outfall number 001. Concentrations for BOD, TSS, Fecal coliform and *E. coli* in the receiving stream were higher below Outfall number 001 than above it, and the concentrations were highest near the discharge point. DMRs submitted by the City indicated that precipitation for the 2010 calendar year totaled 37.3 inches, plus 15.3 inches of snow, and the largest 24-hour rain event was 3.3

inches in September 2010. This amount of precipitation does not exceed the 1-in-10 year rainfall event or the 25-year-24-hour rainfall event required for an emergency discharge from Outfall number 001.

- K. On April 6, 2011, the Department conducted an investigation at the lagoon in response to environmental concerns received March 10, 15, and 18, 2011, reporting that the lagoon and irrigation fields were discharging to the receiving stream and onto the complainants' properties. During the investigation, Department staff observed that the lagoon was discharging from Outfall number 001 into the receiving stream, and collected water samples from Outfall number 001 for chemical analysis. Concentrations for BOD and TSS exceeded the monthly and weekly average permitted effluent limitations.
- L. On April 28, 2011, the Department sent an inspection report and LOW to the City documenting violations observed during the February 28, March 28, and April 6, 2011, investigations. The LOW required the City to submit to the Department an evaluation of the lagoon with a schedule to eliminate unpermitted discharges.
- M. On May 31, 2011, the Department sent a Notice of Violation (NOV) to the City for exceeding the permitted effluent limitation for BOD and TSS during the 1st quarter of 2011.
- N. On July 15, 2011, the Department conducted an investigation at the lagoon in response to an environmental concern received May 19, 2011, reporting that the lagoon was discharging onto the complainant's property. During the investigation, the lagoon was not discharging. The operator stated that the discharge from Outfall number 001 stopped on or about June 5, 2011.
- O. On December 8, 2011, the Department conducted an investigation at the lagoon in response to three (3) environmental concerns received on that same date reporting that the City was discharging wastewater on the complainants' properties near one of the irrigation fields. During the investigation, Department staff observed that an unpermitted discharge occurred from the City's irrigation system and entered waters of the state. Department staff observed that the flexible delivery line had created a scoured depression in the application field, and water was observed in the depression. Additionally, there was evidence (i.e., puddles and erosional scouring) that water had flowed south and west from the depression and entered a natural drainage way south of the depression. During the investigation, City personnel explained that a clamp on the reel end of the delivery hose of their irrigation system failed, and approximately 30,000 gallons of wastewater was pumped onto the field before the pump was turned off.
- P. On December 15, 2011, the City reported through the Department's Sanitary Sewer Overflow Bypass Event System that the lagoon's irrigation system had been vandalized on the evening of December 14, 2011, resulting in a bypass of approximately 30,000 gallons of wastewater from the irrigation system.

- Q. On January 20, 2012, the Department issued a NOV to the City for violations observed during the December 8, 2011, investigation. The NOV required the City to submit to the Department within fifteen (15) days a response which includes a description of the December 8 and 14, 2011, bypass events, a schedule to replace irrigation system equipment and parts involved in the bypass events, application records since November 1, 2011, and a copy of the City's Operation and Maintenance (O&M) Manual.
- R. On March 14, 2012, the Department conducted an investigation at the lagoon in response to an environmental concern received that same day reporting that a bypass of wastewater was occurring at the lagoon. During the investigation, Department staff observed that the facility's gate was unlocked, the wastewater level in the lagoon was approximately one (1) foot below the top of the berm, there was standing water (not attributable to precipitation) below the south berm of the lagoon, and there was a significant amount of algae in the receiving stream.
- S. On March 20, 2012, the City reported through the Department's Sanitary Sewer Overflow Bypass Event System that a wet-weather sanitary sewer overflow (SSO) occurred on that same date, and resulted in a release of approximately 1,000 gallons of wastewater.
- T. On March 28, 2012, the Department sent a LOW to the City for violations observed during the March 14, 2012, investigation. The LOW required the City to submit a response to the Department within fifteen (15) days receipt.
- U. On April 5, 2012, Department staff conducted a site visit at the lagoon and observed significant algae growth in the receiving stream immediately downstream of Outfall number 001. Microscopic analysis of a sample from the receiving stream revealed a high concentration of diatoms, which indicate a high nutrient load in the receiving stream. Department staff also observed brown, standing water below the south berm of the lagoon indicating a potential leak from the lagoon.
- V. On April 6, 2012, the Department issued the City Construction Permit (CP) number CPSE00482 for sewer system improvements. CP number CPSE00482 expires April 5, 2013. The project consists of construction of a parallel sewer main, installation of a fixed head irrigation system, piping modifications to the City's west lift station, re-alignment of a gravity sewer line, and inflow and infiltration work, including televising the sewer line, repairing 500 linear feet of sewer line, and repairing manholes. The fixed head irrigation system will replace the City's current traveling gun system, and modifications to the west lift station piping shall allow for additional storage in the City's lagoon. The project is being funded by a United States Department of Agriculture loan, and the City increased user rates to cover the cost of the loan.
- W. On April 17, 2012, the Department received I&I Reports from the City that were

due April 28, 2011, and October 28, 2011, and were not previously received. To date, the Department has not received from the City the 2011 annual operating report that was due January 28, 2012.

- X. On May 10, 2012, Department staff conducted a site visit at the lagoon and observed that the lagoon had less than six (6) inches of freeboard whereas the maximum operating level in MSOP number MO-0042013 requires the wastewater level to be at least two (2) feet below the top of the berm.
- Y. On May 11, 2012, the Department received electronic correspondence from the City stating that on May 14, 2012, the City planned to begin collecting bids for a sewer system project to bring the lagoon and its collection system into compliance with MSOP number MO-0042013 and the Law.
- Z. As a result of the above investigations, the Department incurred costs for staff time in the amount of two thousand five hundred thirty dollars and forty-nine cents (\$2,530.49).
- AA. Section 644.096, RSMo, authorizes the State, or any political subdivision or agency, to recover actual damages, including all costs and expenses necessary to establish or collect any sums under Section 644.006 to 644.141, RSMo, and the costs and expenses of restoring any waters of the State to their condition as they existed before the violation, sustained by the State because of the violation.
- BB. Section 644.076.1, RSMo, makes it unlawful to violate the Law and regulations promulgated pursuant thereto and establishes civil penalties of up to ten thousand dollars (\$10,000.00) per day per violation.
- CC. Pursuant to Section 644.145 RSMo, the Department's Affordability Finding addressing the obligations included within this AOC is attached hereto as Exhibit A.

III. CONCLUSIONS OF LAW

Violations of the Law and its implementing regulations alleged herein and found to have been committed by the City at the lagoon are as follows:

1. Failed to comply with effluent limitations contained in Part "A" of MSOP number MO-0042013 in violation of Sections 644.051.1(3) and 644.076.1, RSMo.
2. Failed to submit complete and timely DMRs as required in part "A" of MSOP number MO-0042013 in violation of Section 644.076.1, RSMo, and 10 CSR 20-7.015(9)(A)1.
3. Failed to submit complete and timely I&I Reports and the 2011 annual operating report in violation of Section 644.076.1, RSMo, and 10 CSR 20-7.015(9)(A)1 and 20-6.010(8)(B).
4. On February 2 and 28, March 28, April 6, December 8, 2011, and other dates, failed to report a bypass of untreated sewage, as required by Part I, Section "B" of the

Standard Conditions of MSOP number MO-0042013 in violation of Sections 644.051.1(1) and (2) and 644.076.1, RSMo.

5. On February 2 and 28, March 28, April 6, December 8 and 15, 2011, caused pollution of a tributary to Carver Branch, waters of the state, or placed or caused or permitted to be placed a water contaminant in a location where it is reasonably certain to cause pollution of waters of the state in violation of Sections 644.051.1(1) and 644.076.1, RSMo.
6. On February 2 and 28, March 28, April 6, December 8 and 15, 2011, discharged water contaminants into waters of the state which reduced the quality of such waters below the Water Quality Standards criteria established by the Missouri Clean Water Commission in violation of Sections 644.051.1(2) and 644.076.1, RSMo, and 10 CSR 20-7.031.

IV. AGREEMENT

- A. The Department and the City desire to amicably resolve all claims that might be brought against the City for the violations alleged above in Section III, Conclusions of Law, without the City admitting the validity or accuracy of such claims.
- B. The provisions of this AOC shall apply to and be binding upon the parties executing this AOC, their successors, assigns, agents, subsidiaries, affiliates, and lessees, including the officers, agents, servants, corporations, and any persons acting under, through, or for the parties. Any changes in ownership or corporate status, including but not limited to any transfer of assets or real or personal property, shall not affect the responsibilities of the City under this AOC. If the City sells or otherwise transfers the facility, then the City shall cause as a condition of such sale or transfer, that the buyer will assume the obligations of the City under this AOC in writing. In such event, the City shall provide thirty (30) days prior written notice of such assumption to the Department.
- C. The City, in compromise and satisfaction of the Department's claims relating to the above-referenced violations, agrees, without admitting liability or fault, to pay a civil penalty in the amount of eight thousand dollars and zero cents (\$8,000.00). The entire civil penalty amount shall be suspended for a period of two (2) years upon the condition that the City complies with the terms and conditions of MSOP number MO-0042013 and the Law and its implementing regulations. Upon determination that the City has failed to comply with the terms and conditions of MSOP number MO-0042013 or the Law and its implementing regulations, the Department shall send a written demand for the suspended penalty to the City. The payment shall be in the form of a certified check or cashier's check made payable to "*Newton County School Treasurer, as custodian of the Newton County School Fund.*" The City shall have fifteen (15) days from receipt of the written demand to submit the suspended penalty to:

Accounting Program
Missouri Department of Natural Resources

P.O. Box 477
Jefferson City, MO 65102-0176

- D. The City agrees to pay the state's investigative costs in the amount two thousand five hundred thirty dollars and forty-nine cents (\$2,530.49) in the form of a certified check or cashier's check made payable to the "*State of Missouri*." The check in the amount of two thousand five hundred thirty dollars and forty-nine cents (\$2,530.49) is due and payable upon execution of this AOC by the City. The check shall be delivered to:

Accounting Program
Missouri Department of Natural Resources
P.O. Box 477
Jefferson City, MO 65102-0176

- E. The City agrees to verbally notify the Department within twenty-four (24) hours from the time the City becomes aware of any discharge from the lagoon and submit a written response to the Department within five (5) days from the time the City becomes aware of the discharge explaining the corrective actions taken to eliminate the discharge and prevent future discharges.
- F. The City agrees to operate the lagoon so that the maximum water elevation does not exceed one (1) foot below the overflow point except due to the exceedance of the 1-in-10 year rainfall event or the 25-year-24-hour rainfall event.
- G. The City agrees to provide uniform distribution of irrigated wastewater over the irrigation site, and only land apply wastewater during daylight hours when soil moisture conditions are suitable to allow all wastewater to infiltrate into the soil. The City also agrees to monitor land application equipment so as to detect and correct any malfunctions in the operation of the equipment before any over application of waste occurs at the spreading site.
- H. Within thirty (30) days of the effective date of this AOC, the City agrees to submit the 2011 annual operating report, and June 2011 DMRs for Outfall numbers 002, 003 and 004. The City agrees to submit future DMRs, I&I Reports, and annual operating reports in a complete, accurate, and timely manner pursuant to the requirements and conditions of MSOP number MO-0042013.
- I. Within thirty (30) days of the effective date of this AOC, the City agrees to provide a fence and lockable gate to the lagoon so as to prevent unauthorized access to the facility, and submit to the Department a written report documenting installation of the fence and lockable gate.
- J. Within thirty (30) days of the effective date of this AOC, the City agrees to submit to the Department for review and comment the City's current O&M Manual for the City's waste handling and land application systems. If the Department comments on

the O&M Manual, within (30) days receipt, the City shall respond to and adequately address, to the Department's satisfaction, all of the Department's comments.

- K. The City agrees to complete upgrades or replacement of its lagoon that will enable the lagoon to comply with the Law and its implementing regulations and all conditions and requirements of MSOP number MO-0042013. All required reports, plans and specifications shall be prepared and sealed by a professional engineer licensed to practice in the State of Missouri pursuant to the following schedule:
1. Within sixty (60) days of the effective date of this AOC, the City shall submit to the Department for review and approval an addendum to the facility plan recommending upgrades or replacement of the lagoon that will enable the facility to comply with the Law and its implementing regulations and all conditions and requirements of MSOP number MO-0042013. The addendum must be prepared by a professional engineer licensed to practice in the State of Missouri, and shall be developed pursuant to the requirements contained in 10 CSR 20-8.110. The addendum shall include a detailed plan, including a schedule, to assess the leakage rate of the lagoon and the effluent pipe(s) between the lagoon cells pursuant to 10 CSR 20-8.020(16), followed by submission to the Department of an engineering report detailing the findings of the leakage rate assessment and recommended corrective actions necessary to address the leakage. The schedule to assess the leakage rate of the lagoon and effluent pipe(s) between the lagoon cells, and submittal of the engineering report shall be implemented as approved by the Department and shall become enforceable under this AOC;
 2. Within fifteen (15) days receipt of Department comments on the City's addendum, the City shall respond to and adequately address, to the Department's satisfaction, all of the Department's comments on the addendum;
 3. Within sixty (60) days of the date the Department approves the addendum, the City shall submit to the Department for review and approval, a complete application for a construction permit including plans and specifications signed and sealed by a professional engineer licensed to practice in the State of Missouri for upgrades or replacement of the facility and its collection system which will enable the lagoon to comply with all applicable conditions and requirements contained in MSOP number MO-0042013;
 4. Within fifteen (15) days receipt of Department comments on the City's construction permit application, the City shall respond to and adequately address, to the Department's satisfaction, all of the Department's comments on the construction permit application;
 5. Within one hundred twenty (120) days of issuance of the construction permit, the City shall complete construction of the approved upgrades; and
 6. Within thirty (30) days of completing construction, the City shall submit to the Department a Statement of Work Completed Form, signed, sealed and dated by a professional engineer registered in the State of Missouri certifying that the project has been completed in accordance with the approved plans and specifications, and a complete application with the applicable fee to modify MSOP number MO-0042013.

- L. On or before April 5, 2013, the City agrees to complete construction approved under CPSE00482 and submit to the Department a Statement of Work Completed Form, signed, sealed and dated by a professional engineer registered in the State of Missouri certifying that the project has been completed in accordance with the approved plans and specifications.
- M. Within six (6) months of completing construction approved under CPSE00482, the City shall submit to the Department for review and approval, an engineering report prepared by a professional engineer licensed to practice in the State of Missouri. The engineering report shall compare wet weather and dry weather flows, and shall correlate daily rainfall totals for the same time periods to assess the effectiveness of the collection system repairs. The report shall recommend any further corrective actions necessary to eliminate SSOs and discharges from the lagoon and a schedule to implement the corrective action. The schedule contained in the Department approved engineering report shall become fully enforceable as a condition for compliance with the AOC. Within thirty (30) days receipt of comments from the Department on the engineering report, the City shall respond to and address, to the Department's satisfaction, all of the Department's comments on the engineering report.
- N. Immediately upon becoming aware that a deadline or milestone as set forth in this AOC will not be completed on time, the City shall notify the Department by telephone or electronic mail which i) identifies the deadline that will not be completed; ii) the reason for failing to meet the deadline; and iii) a proposed extension to the deadline. Within five (5) days of notifying the Department, the City shall submit to the Department for review and approval a written request containing the same basic provisions of i, ii, and iii listed above. The Department may grant an extension if it deems appropriate. Failure to submit a written notice to the Department may constitute a waiver of the City's right to request an extension and may be grounds for the Department to deny the City an extension.
- O. Should the City fail to meet the terms of this AOC, including the terms set out in Paragraphs C through M, the City shall pay stipulated penalties in the following amount:

<u>Days of Violation</u>	<u>Amount of Penalty</u>
1 to 30 days	\$500.00 per day
31 to 90 days	\$1,000.00 per day
91 days and above	\$2,500.00 per day

Stipulated penalties will be paid in the form of a certified or cashier's check made payable to "Newton County Treasurer, as custodian of the Newton County School Fund." Any such stipulated penalty shall be paid within ten (10) days of demand by the Department and shall be delivered to:

Accounting Program
Missouri Department of Natural Resources
P.O. Box 477
Jefferson City, MO 65102-0176

- P. No portion of the stipulated penalties paid pursuant to this AOC may be used to reduce the City's federal or state tax obligation.
- Q. Nothing in this AOC forgives the City from future non-compliance with the laws of the State of Missouri, nor requires the Department or State of Missouri to forego pursuing by any legal means any noncompliance with the laws of the State of Missouri. The terms stated herein constitute the entire and exclusive agreement of the parties. There are no other obligations of the parties, be they express or implied, oral or written, except those within are expressly set forth herein. The terms of this AOC supersede all previous memoranda or understanding, notes, conversations, and agreements, express or implied. This AOC may not be modified orally.
- R. By signing this AOC, all signatories assert that they have read and understood the terms of this AOC, and that they have the authority to sign this AOC on behalf of their respective party.
- S. The effective date of the AOC shall be the date the Department signs the AOC. The Department shall send a fully executed copy of this AOC to the City for its records.
- T. The City shall comply with MSOP number MO-0042013, the Law, Chapter 644, RSMo, and its implementing regulations at all times in the future.

V. FINDING OF FINANCIAL AFFORDABILITY

Pursuant to Section 644.145, the Department's Affordability Finding, which addresses the obligations included within this Order, is attached hereto as Exhibit A. This Affordability Finding does not address future improvements that may be necessary to comply with the Missouri Clean Water Law or its implementing regulations. This Order requires the City to complete construction approved under CPSE00482 and submit an engineering report to the Department that includes a schedule for assessing the leakage rate at the lagoon and completing various improvements to the lagoon. The Department intends to prepare an Affordability Finding addressing such improvements in connection with Department approval of the engineering report. The City agrees to provide additional information requested by the Department as is reasonably necessary to assist in developing any required Affordability Finding in the future.

VI. RIGHT OF APPEAL

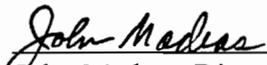
By signing this AOC No. 2012-WPCB-1202, the City consents to its terms and waives any right to appeal, seek judicial review, or otherwise challenge the terms and conditions of this Order, or the affordability finding referenced herein, pursuant to Sections 621.250, 640.010, 644.056.3, 640.013, 644.145, 644.079.2, RSMo, Chapter 536 RSMo, 10 CSR 20-1.020, 10 CSR 20-6.020(5), the Missouri Constitution, or any other source of law.

VI. CORRESPONDENCE AND DOCUMENTATION

Correspondence or documentation with regard to conditions outlined in this AOC shall be directed to:

Ms. Corinne Rosania
Compliance and Enforcement Section
Water Protection Program
Department of Natural Resources
P.O. Box 176
Jefferson City, MO 65102-0176

Agreed to and Ordered this 2nd day of November, 2012



John Madras, Director
Water Protection Program
Missouri Department of Natural Resources

Agreed to and Ordered this 28th day of September, 2012



The Honorable Shane Hunter
Mayor, City of Diamond

Copies of the foregoing served by certified mail to:

The Honorable Shane Hunter CERTIFIED MAIL #
Mayor, City of Diamond
P.O. Box 8
Diamond, MO 64840

c. Ms. Diane Huffman
Chief, NPDES and Facilities Management Branch
Water, Wetlands, and Pesticides Division
U.S. Environmental Protection Agency, Region VII
901 North Fifth Street
Kansas City, KS 66101

Refaat Mefrakis, Chief
Engineering Section
Water Protection Program
Department of Natural Resources
P.O. Box 176
Jefferson City, MO 65102-0176

Janet Pointer, Accounting Specialist
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Cindy Davies, Director
Southwest Regional Office
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Springfield, MO 65807-5912

Dr. Samuel M. Hunter, Chair
Missouri Clean Water Commission
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216 Tanner Street
Sikeston, MO 63801

Mr. Ben A. "Todd" Parnell, III, Vice Chair
Missouri Clean Water Commission
Drury University
900 N. Benton
Springfield, MO 65802

Mr. John Cowherd, Commissioner
Missouri Clean Water Commission
1303 Deer Lane
Mount Vernon, MO 65712

Mr. Samuel D. Leake, Commissioner
Missouri Clean Water Commission
41690 Harrison Trail
Perry, MO 63462

Ms. Wallis Warren, Commissioner
Missouri Clean Water Commission
2671 Jefferiesburg Road
Beaufort, MO 63013

Mr. Dennis Wood, Commissioner
Missouri Clean Water Commission
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284 Lillian Lane
Kimberling City, MO 65686

Mr. Buddy Bennett, Commissioner
Missouri Clean Water Commission
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Higginsville, MO 64037-1527