

Missouri Clean Water Commission Meeting
Lewis and Clark State Office Building
LaCharrette/Nightingale Creek Conference Rooms
1101 Riverside Drive
Jefferson City, Missouri

April 5, 2017

Approval of Minutes

Issue:

Commission to review the Open Session minutes from the February 7, 2017, Missouri Clean Water Commission Teleconference meeting.

Recommended Action:

Commission to approve the Open Session minutes from the February 7, 2017, Missouri Clean Water Commission Teleconference meeting.



DRAFT
MINUTES OF THE
MISSOURI CLEAN WATER COMMISSION TELECONFERENCE MEETING
Lewis and Clark State Office Building
1101 Riverside Drive
Jefferson City, Missouri

February 7, 2017

Present Via Telephone

Buddy Bennett, Chair, Missouri Clean Water Commission
Ashley McCarty, Missouri Clean Water Commission
Wallis Warren, Missouri Clean Water Commission
Todd Parnell, Missouri Clean Water Commission
Dennis Wood, Missouri Clean Water Commission
John Cowherd, Missouri Clean Water Commission
Shawna Bligh, Legal Counsel, Missouri Clean Water Commission

Present in Conference Room

David Lamb, Acting Director of Staff, Missouri Clean Water Commission
Susan Borton, Secretary, Missouri Clean Water Commission

Robert Brundage, Newman, Comley, and Ruth, Jefferson City, Missouri
Joan Doerhoff, Department of Natural Resources, Jefferson City, Missouri
Steve Feeler, Department of Natural Resources, Jefferson City, Missouri
Jodi Gerling, Department of Natural Resources, Jefferson City, Missouri
John Hoke, Department of Natural Resources, Jefferson City, Missouri
Leslie Holloway, Missouri Farm Bureau, Jefferson City, Missouri
Shirley Kidwell, Citizen, Fulton, Missouri
Kevin Perry, REGFORM, Jefferson City, Missouri
Diane Reinhardt, Department of Natural Resources, Jefferson City, Missouri
John Rustige, Department of Natural Resources, Jefferson City, Missouri
Jill Sellenriek, Citizen, Fulton, Missouri
Phil Walsack, Missouri Public Utility Alliance, Columbia, Missouri
Bryan White, Citizen, Neosho, Missouri
Chris Wieberg, Department of Natural Resources, Jefferson City, Missouri
Tammy Wilson, Department of Natural Resources, Jefferson City, Missouri

CALL TO ORDER

Vice-Chair McCarty called the meeting of the Missouri Clean Water Commission to order on February 7, 2017 at 2:07 p.m., at the Lewis and Clark State Office Building, 1101 Riverside Drive, Jefferson City, Missouri.

ADMINISTRATIVE MATTERS

Approval of the October 5, 2016 Missouri Clean Water Commission Closed Meeting Minutes Agenda Item #1

Commissioner Wood moved to approve the October 5, 2016 closed meeting minutes as presented. Commissioner Warren seconded the motion. The motion passed with a roll call vote:

Commissioner Warren: Yes
Commissioner Leake: Not in attendance
Commissioner Cowherd: Yes
Commissioner Wood: Yes
Commissioner Parnell: Abstain
Vice Chair McCarty: Yes
Chair Bennett: Not in attendance (phoned in at 2:12 p.m.)

Approval of the January 11, 2017 Missouri Clean Water Commission Meeting Minutes Agenda Item #2

Commissioner Parnell moved to approve the January 11, 2017 meeting minutes as presented. Vice-Chair McCarty seconded the motion. The motion passed with a roll call vote:

Commissioner Warren: Yes
Commissioner Leake: Not in attendance
Commissioner Cowherd: Abstain
Commissioner Wood: Yes
Commissioner Parnell: Yes
Vice Chair McCarty: Yes
Chair Bennett: Yes (phoned in at 2:12 p.m.)

Final Action on Proposed Amendment to 10 CSR 20-8.500 Secondary Containment for Agrichemical Facilities **Agenda Item #3**

Diane Reinhardt, Water Protection Program, presented the proposed Order of Rulemaking for 10 CSR 20-8.500 Secondary Containment for Agrichemical Facilities, but in the future will be entitled Design Requirements for Agrichemical Facilities. These regulations set forth criteria for the design of primary, secondary, and operational containment at agrichemical facilities. The primary purpose of the rule revision is to retain and clarify existing specific design criteria for agrichemical activities and to remove the construction permitting requirement for these projects from the rule. The rulemaking is in response to the 2013 legislative revision to RSMo 644.051. The requirement for a construction permit will remain for the construction of earthen basins in accordance with the legislation. The amendment adds a requirement for mixing and loading pads for dry, bulk fertilizer; qualifies the applicability of this rule to only new construction or modifications; clarifies what constitutes a deviation; adds to the requirements in an engineering report; and adds that all new operations shall be designed as no-discharge. Written comments were provided and several changes were made to the

rule as a result of these comments. The Department recommends the Commission adopt the proposed Order of Rulemaking for 10 CSR 20-8.500 as presented.

Commissioner Cowherd moved to adopt the proposed Amendments to 10 CSR 20-8.500 Secondary Containment for Agrichemical Facilities as presented. Vice-Chair McCarty seconded the motion. The motion passed with a roll call vote:

Commissioner Warren:	Yes
Commissioner Leake:	Not in attendance
Commissioner Cowherd:	Yes
Commissioner Wood:	Yes (voted after agenda item #4)
Commissioner Parnell:	Yes
Vice Chair McCarty:	Yes
Chair Bennett:	Yes

***Note: Commissioner Wood dropped off the call during the vote on agenda item #3, but was allowed to vote on the Proposed Amendment to the Rulemaking following agenda item #4.**

State Direct Loan for the Village of Silex
Agenda Item #4

Joan Doerhoff, Financial Assistance Center, presented the State Direct Loan for the village of Silex in the amount of \$250,000 to partially fund the costs to upgrade the wastewater treatment system to construct a land application drip irrigation system. The total project is estimated to cost \$1,032,600. The village is eligible to receive \$152,600 Rural Sewer Grant from the Department and a \$500,000 Community Development Block Grant from the Department of Economic Development. In addition, the city also plans to enter into a \$150,000 loan with Missouri Development Finance Board (MDFB). The Department previously brought this project to the Clean Water Commission for approval of a \$100,000 Small Borrower Loan on April 1, 2015. The village had contemplated issuing approximately \$130,000 bonds with a private buyer and entering into the MDFB loan and Small Borrower loan. The state direct loan will reduce the loans for this project from three to two, and will help the village realize lower financing costs and simplify administration on this project. The Department recommends the Commission approve the allocation of funding in the amount of \$250,000 for a state direct loan to the village of Silex. Chair Bennett requested the Department provide more information regarding municipal no-discharge permits either via email or at a future meeting.

Commissioner Parnell moved to approve the allocation of funding in the amount of \$250,000 for a State Direct Loan to the village of Silex as presented. Commissioner Warren seconded the motion. The motion passed with a roll call vote:

Commissioner Warren:	Yes
Commissioner Leake:	Not in attendance
Commissioner Cowherd:	Yes
Commissioner Wood:	Yes
Commissioner Parnell:	Yes
Vice Chair McCarty:	Yes
Chair Bennett:	Yes

At this time, Commissioner Wood noted that his phone cut off during the vote of agenda item #3. Chair Bennett amended the vote to allow Commissioner Wood to vote on the Proposed Amendments to 10 CSR 20-8.500 Secondary Containment for Agrichemical Facilities. Commissioner Wood's vote is noted in agenda item #3.

Public Comment and Correspondence

Phil Walsack, Missouri Public Utility Alliance, provided data in response to Chair Bennett's request for more information on municipal no-discharge permits in agenda item #3 that he asked David Lamb to provide. He stated that there are 57 communities in Missouri that are characterized as municipal governments that use some form of land application systems which covers a total population of 75,498 with a design flow of 7.59 mgd with an actual flow total of 5.314 mgd. Chair Bennett responded that there was now no need for staff to pursue looking into the matter. Mr. Walsack stated that he would share his spreadsheet with the information. He then provided comments and some history regarding the State Revolving Fund Administration fee. He stated that the Administration fee has been a topic since July 2010 and municipal governments have been asking for the reduction of the fee since that moment. He is very interested in seeing the Administration fee reduced at a future meeting.

No action was taken by the Commission.

Missouri Clean Water Commission Meetings

- April 5, 2017, Lewis and Clark State Office Building
- July 12, 2017, Lewis and Clark State Office Building
- October 4, 2017, Lewis and Clark State Office Building

ADJOURNMENT OF MEETING

Commissioner Parnell made a motion the Commission adjourn the meeting. Commissioner Warren seconded the motion. The motion passed with a roll call vote.

Commissioner Warren:	Yes
Commissioner Leake:	Not in attendance
Commissioner Cowherd:	Yes
Commissioner Wood:	Yes
Commissioner Parnell:	Yes
Vice Chair McCarty:	Yes
Chair Bennett:	Yes

Commission adjourned the open meeting at 2:42 p.m.

Respectfully Submitted,

David J. Lamb
Acting Director of Staff