

Missouri Clean Water Commission
P.O. Box 176, Jefferson City, Missouri 65102

Notice of Open Meeting
Missouri Clean Water Commission

People with disabilities requiring special services or accommodations to attend the meeting can make arrangements by calling the Commission secretary at (573) 751-6721, the division's toll-free number at 1-800-361-4827, or by writing two weeks in advance of the meeting to: Department of Natural Resources, Clean Water Commission Secretary, P.O. Box 176, Jefferson City, MO 65102. Hearing impaired individuals may contact the program through Relay Missouri at 1-800-735-2966.

AGENDA

MISSOURI CLEAN WATER COMMISSION MEETING

Department of Natural Resources
East Elm Street Conference Center
Bennett Springs/Roaring River Conference Rooms
1730 East Elm Street
Jefferson City, MO 65102

May 5, 2010

CLOSED SESSION – Convene 8:30 a.m.

The Missouri Clean Water Commission will go into closed session to discuss legal actions, causes of action or litigation and confidential or privileged matters under Section 610.021(1), RSMo.

OPEN SESSION – Convene 9:00 a.m.

- Call to Order/Introductions

Administrative Matters

1. Approval of the March 3, 2010 Missouri Clean Water Commission Meeting Minutes

Recommended Action: The Missouri Clean Water Commission to vote and approve minutes.

2. **Amendment to 10 CSR 20-7.031, Water Quality Standards, Finding of Necessity**
John Hoke, Water Quality Assessment and Protection

Recommended Action: Staff is requesting the Commission find that an amendment to 10 CSR 20-7.031, Water Quality Standards, is necessary to carry out the purposes of Section 644.026, RSMo.

3. **Administrative Hearing Commission's Recommended Decision Regarding Rodney and Michelle Ozburn Construction Permit No. 3560 Appeal No. 07-0318-CWC**
Jennifer Frazier, Attorney General's Office

4. **Small Borrower Loan Requests – City of Hayti, Village of Bethel and City of New Haven**
Joe Boland, Financial Assistance Center

Recommended Action: Staff recommends that the Commission approve the proposed small borrower loans to the city of Hayti for \$94,163, village of Bethel for \$28,670 and the city of New Haven for \$100,000.

Variations

5. **Center Creek Wastewater Treatment Plant -Variance Request Number CWC-V-2-10**
John Rustige, Permits and Engineering

Recommended Action: Staff recommends approval of the request with the following conditions:

- Staff recommends that the Commission require the Center Creek Board to conduct a complete “industrial waste survey” and “headworks analysis” (as defined by EPA) to be certain of all industrial and large commercial sources of zinc into the collection system. It is recommended that such surveys and analysis be conducted within a year of approval of the variance.
- Staff realizes this is a unique situation where the communities served by the Center Creek Board and Wastewater Treatment Plant (WWTP) own their own portions of the collection system. The Board has no direct authority to address Infiltration and Inflow (I&I) issues in the collection system. Therefore the Board will need time to meet with the cities to develop the necessary inter-municipal agreements between the parties which will involve input from the Center Creek Board, governing bodies of the cities, and their attorneys. The Center Creek Board agrees to submit an I&I reduction plan for Department review and approval within one year of the approval of the variance.
- Staff notes the application clearly indicates the source of the zinc is from I&I due to the mining wastes in the area. Staff therefore recommends that the Commission require the Center Creek Board to provide an I&I reduction plan that will identify I&I sources that contribute zinc to the WWTP influent, which would include at a minimum: funding sources and annual budget for I&I reduction measures; identification of I&I sources;

corrective actions to eliminate as many of the I&I sources as economically feasible; multi-year schedule for implementing the corrective actions, the type and cost of corrective actions underway, or completed, including an estimate of the number of identified I&I sources corrected. Staff recommends that the Commission require the Center Creek Board to submit the I&I reduction plan for Department review and approval within eighteen months of the date the variance is granted. The I&I reduction reports are to be submitted semi-annually, with the first report due one year from the date of Department approval of the I&I reduction plan. The I&I reduction plan and its implementation will be included in the state operating permit and the Center Creek Board agrees not to appeal their permit based on this condition.

- Staff recommends the Commission prohibit the use of any mining waste or tailings in any future construction conducted by the cities or the Center Creek Board, for their sewer collection systems, or anything wastewater related.
- Staff recommends that the variance be approved for a five year period with the conditions noted above.

6. The Empire District Electric Company – Variance Request Number CWC-V-1-10
John Rustige, Permits and Engineering

Recommended Action: Information only.

Staff Updates

7. Permits and Water Quality Review Sheet Update
Refaat Mefrakis, Permits and Engineering

Recommended Action: Information only.

8. Financial Assistance Center Update
Joe Boland, Financial Assistance Center

Recommended Action: Information only.

Presentation

- **Public Comment and Correspondence** - This standing item provides an opportunity for comments on any issue pertinent to the Commission's role and responsibilities. The Commission encourages any and all interested persons to express their comments and concerns.
General Public

Recommended Action: Information only.

- **Missouri Clean Water Commission Meetings**

- July 7, 2010 Commission meeting Department of Natural Resources, East Elm Street Conference Center, 1730 East Elm Street, Jefferson City, MO 65102.
- September 8, 2010 Commission meeting Department of Natural Resources, East Elm Street Conference Center, 1730 East Elm Street, Jefferson City, MO 65102.
- November 3, 2010 Commission meeting Department of Natural Resources, East Elm Street Conference Center, 1730 East Elm Street, Jefferson City, MO 65102.

Recommended Action: Information only.

Closed Meeting - The Clean Water Commission may go into closed session at this meeting if such action is approved by a majority vote of the Commission members who constitute a quorum, to discuss legal, confidential or privileged matters under Section 610.021(1), RSMo (Supp. 1995); personnel actions under Section 610.021(3), RSMo (Supp. 1995); personnel records or applications under Section 610.021(13), RSMo (Supp. 1995) or records under Section 610.021(14), RSMo (Supp. 1995) which are otherwise protected from disclosure by law.

Target Adjournment: 3:00 p.m.

For more information contact:

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