

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

University Plaza Hotel
333 John Q Hammons Parkway
Springfield, Missouri 65806
(417) 864-7333

September 2, 2009

Closed Session Convene at 8:30 a.m.

General Session (Open) Convene at 9:00 a.m.

- Call to Order/Introductions

Administrative Matters

1. Public Hearing – 10 CSR 20-4.040 State Revolving Fund General Assistance Regulations Amendment
Joe Boland, Financial Assistance Center

Recommended Action: Hearing only.

2. Approval of the July 1, 2009 Missouri Clean Water Commission Meeting Minutes

Recommended Action: The Commission to vote and approve minutes.

3. The Administrative Hearing Commission's Recommended Decision Regarding Smith and Company Landfarm Operating Permit MO-0132837 Appeal No. 07-1235-CWC
Jennifer Frazier, Attorney General's Office

Recommended Action: Staff recommends the Commission adopt the Administrative Hearing Commission's recommended decision.

4. The Administrative Hearing Commission's Recommended Decision Regarding Russell Renner, Construction Permit No. 3715 Appeal No. 08-1758-CWC
Jennifer Frazier, Attorney General's Office

Recommended Action: Staff recommends the Commission adopt the Administrative Hearing Commission's recommended decision on the Russell Renner Concentrated Animal Feeding Operation permit appeal.

5. The Administrative Hearing Commission's Recommended Decision Regarding Steve Renner, Construction Permit No. 3716 Appeal No.08-1757-CWC
Jennifer Frazier, Attorney General's Office

Recommended Action: Staff recommends the Commission adopt the Administrative Hearing Commission's recommended decision on the Steve Renner Concentrated Animal Feeding Operation permit appeal.

6. 10 CSR 20-7.015 Effluent Regulations Proposed Amendment
John Rustige, Permits and Engineering

Recommended Action: Staff recommends the Commission approve the filing of the Proposed Rule Amendment to the Department's Effluent Regulations with the Joint Committee on Administrative Rules and the Secretary of State's Office.

7. 10 CSR 20-6.010 Construction and Operating Permits Proposed Rule – Construction Permit Transfer Provision
John Rustige, Permits and Engineering

Recommended Action: Staff recommends the Commission adopt the Order of Rulemaking amending 10 CSR 20-6.010, Construction and Operating Permits.

8. 10 CSR 20-4.061 Storm Water Grant and Loan Regulation Amendment – Order of Rulemaking
Joe Boland, Financial Assistance Center

Recommended Action: Staff recommends the Commission adopt 10 CSR 20-4.061, Storm Water Grant and Loan Regulation Amendment.

9. 10 CSR 20-8.110 Engineering Reports, Plans and Specifications, Public Notice Regulatory Impact Report
Byron Shaw, Financial Assistance Center

Recommended Action: Staff recommends the Commission's approval to public notice the Regulatory Impact Report for public comment.

10. Boone County Sewer District and City of Columbia Regional Level 2 Continuing Authority Request
Rob Morrison, Water Pollution Control Branch
Tom Ratermann, Boone County Regional Sewer District
Steve Hunt, City of Columbia
David Shorr, Lathrop and Gage

Recommended Action: Staff recommends that the Missouri Clean Water Commission designate in accordance with 10 CSR 20-6.010(3)(C), the Boone County Regional Sewer District and the City of Columbia, Missouri as continuing authorities providing sewage collection and treatment service on a regional basis in Boone County pursuant to 10 CSR 20-6.010(3)(B)2. Under this designation, the City will provide regional services inside the City's corporate limits and in any subsequently annexed areas. The District will provide regional services in the unincorporated areas of Boone County as they exist at the date of this Commission's approval.

11. Transform Missouri Intended Use Plan
Joe Boland, Financial Assistance Center

Recommended Action:

- Approve moving the Festus-Crystal City Sewage Commission's Solar Biosolids project (C295641-01) from the Fundable List to the Contingency List.
- Approve the reallocation of funds for the Blue Springs project (C295530-01).
- Approve moving the Columbia wastewater treatment plant project (C295361-08) from the Contingency List to the Fundable List.

12. Update on Missouri State Fiscal Year 2010 Clean Water State Revolving Fund Intended Use Plan (Base Program)
Joe Boland, Financial Assistance Center

Recommended Action: Information only.

Enforcement

13. Mr. Peter Ravindran and Peacock Properties, LLC, MO-0124532, Boone County – Referral to the Attorney General’s Office
Kevin Mohammadi, Compliance and Enforcement

Recommended Action: Staff recommends the Missouri Clean Water Commission refer this matter to the Missouri Attorney General’s Office for appropriate legal action in order to compel compliance, pursue a civil penalty, and seek any other appropriate form of relief.

14. Village Inn Trailer Court, Washington County, MO-0123765 – Referral to the Attorney General’s Office
Kevin Mohammadi, Compliance and Enforcement

Recommended Action: Staff recommends the Missouri Clean Water Commission refer this matter to the Missouri Attorney General’s Office for appropriate legal action in order to compel compliance, pursue a civil penalty, and seek any other appropriate form of relief.

15. Westgate Mobile Home Park, Audrain County, MO-0045519 – Referral to the Attorney General’s Office
Kevin Mohammadi, Compliance and Enforcement

Recommended Action: Staff recommends the Missouri Clean Water Commission refer this matter to the Missouri Attorney General’s Office for appropriate legal action in order to compel compliance, pursue a civil penalty, and seek any other appropriate form of relief.

16. Prairie View Mobile Home Park, Lincoln County, MO-0125172 – Referral to the Attorney General’s Office
Kevin Mohammadi, Compliance and Enforcement

Recommended Action: Staff recommends that the Missouri Clean Water Commission refer this matter to the Missouri Attorney General’s Office for appropriate legal action in order to compel compliance, pursue a civil penalty, and seek any other appropriate form of relief.

17. Rocky Ridge Manor Wastewater Treatment Facility, MO-0035564, Wright County – Referral to the Attorney General’s Office
Kevin Mohammadi, Compliance and Enforcement

Recommended Action: Staff recommends the Missouri Clean Water Commission refer this matter to the Missouri Attorney General’s Office for appropriate legal action in order to compel compliance, pursue a civil penalty, and seek any other appropriate form of relief.

18. Rick McVicker Swine Operation, Macon County, MO-G010548– Referral to the Attorney General’s Office
Kevin Mohammadi, Compliance and Enforcement

Recommended Action: Staff recommends that the Missouri Clean Water Commission refer this matter to the Missouri Attorney General’s Office for appropriate legal action in order to compel compliance, pursue a civil penalty, and seek any other appropriate form of relief.

19. Dan Spanburg, Camden County, NP-0002402 – Referral to the Attorney General’s Office
Kevin Mohammadi, Compliance and Enforcement

Recommended Action: Staff recommends the Missouri Clean Water Commission refer this matter to the Missouri Attorney General’s Office for appropriate legal action in order to compel compliance, pursue a civil penalty, and seek any other appropriate form of relief.

20. Wellington Woods Subdivision, Morgan County, MO-R10C389– Referral to the Attorney General’s Office
Kevin Mohammadi, Compliance and Enforcement

Recommended Action: Staff recommends the Missouri Clean Water Commission refer this matter to the Missouri Attorney General’s Office for appropriate legal action in order to compel compliance, pursue a civil penalty, and seek any other appropriate form of relief.

21. Mr. Don Emmerson and Double E Construction, NP-0002396, Adair County – Referral to the Attorney General’s Office
Kevin Mohammadi, Compliance and Enforcement

Recommended Action: Staff recommends the Missouri Clean Water Commission refer this matter to the Missouri Attorney General’s Office for appropriate legal action in order to compel compliance, pursue a civil penalty, and seek any other appropriate form of relief.

22. Algieri Salvage, LLC, George Algieri: Owner, MO-R60A194, Callaway County – Referral to the Attorney General’s Office
Kevin Mohammadi, Compliance and Enforcement

Recommended Action: Staff recommends the Missouri Clean Water Commission refer this matter to the Missouri Attorney General’s Office for appropriate legal action in order to compel compliance, pursue a civil penalty, and seek any other appropriate form of relief.

Staff Updates

23. Permits and Water Quality Review Sheet Update
Curt Gateley, Permits and Engineering

Recommended Action: Information only.

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

Recommended Action: Information only.

Standing Items

- Legal Report
Jennifer Frazier, Attorney General's Office
- Director's Update
Leanne Tippett Mosby, Acting Director, Water Protection Program

Recommended Action: Information only.

Presentation

- H2Ozarks
Candy Schilling, Environmental Resources Coalition
- 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
 - November 4, 2009 Commission meeting location Courtyard by Marriott Columbia, 3301 Lemone Industrial Blvd., Columbia, Missouri 65201.
 - January 6, 2010 Commission meeting location in St. Louis area.
 - March 3, 2010 Commission meeting location to be determined.
 - May 5, 2010 Commission meeting location to be determined.
 - July 7, 2010 Commission meeting location to be determined.
 - September 1, 2010 Commission meeting location to be determined.
 - November 3, 2010 Commission meeting location to be determined.

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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