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June 7, 2013

VIA EMAIL ONLY

John Madras  
Water Protection Program  
Missouri Department of Natural Resources  
P.O. Box 176  
Jefferson City, MO 65102-0176  
[john.madras@dnr.mo.gov](mailto:john.madras@dnr.mo.gov)

Re: Continuing Authority

Dear John:

I would ask the Department of Natural Resources seriously reconsider using the term “continuing authority” in its regulations and permits. I do not believe this term is found in any other state regulations. It is certainly not found in EPA regulations which refer to issuing permits to owners or operators. As I have told you before, EPA regulations suggest issuing permits to operators.

The department could revise its regulations to state a preference for issuing permits to operators, and under what limited circumstances permits would be issued to owners, or to an owner and operator jointly. If the department deemed it prudent to list a hierarchy or preferential list of entities that would be considered an appropriate operator to receive a permit, they could do so in a similar fashion to the current regulation that list preferences for continuing authorities. I’m not sure it is necessary.

Sincerely,

By:

A handwritten signature in blue ink that reads 'Robert J. Brundage'.

Robert J. Brundage  
[rbrundage@ncrpc.com](mailto:rbrundage@ncrpc.com)

RJB:la

c: Refaat Mefrakis (via email only)  
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