



Jeremiah W. (Jay) Nixon, Governor • Mark N. Templeton, Director

DEPARTMENT OF NATURAL RESOURCES

www.dnr.mo.gov

MEMORANDUM

DATE: JUL 24 2009

TO: Alice Geller, Deputy Director
Field Services Division

FROM: Daniel R. Schuette, Director
Division of Environmental Quality

SUBJECT: Acceptance of Discharge Monitoring Reports Submitted via fax or Email.

Recently, questions have risen regarding the ability of the Department to accept electronic (fax and email) submissions of Discharge Monitoring Reports (DMR) due to the lack of an original signature on said accounts.

After discussion with Department legal counsel and review of the Uniform Electronic Transaction Act (Section 432.200-432.295, RSMo), requiring original documents and original signature on paper documents as the only means to accept submission of the DMRs is not necessary or required. The Uniform Electronic Signature Act allows willing parties to conduct transactions by electronic means and further indicates that electronic signatures satisfy laws that require a signature.

However, we still have potential conflicts with EPA's electronic signature rule (CROMERR).

Therefore, electronic submission of DMRs is acceptable provided that hard paper copies are sent via regular mail as a follow-up to the faxed documents. Allowing the electronic submissions will hopefully assist regulated facilities stay in compliance.

If you have any questions, please contact Rob Morrison at (573) 526-0991. Thank you.

DRS:rms

c: Rob Morrison
Marty Miller
Regional Directors
Earl Pabst
Kevin Mohammadi