

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, Missouri 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.

**AMENDED AGENDA**

**MISSOURI CLEAN WATER COMMISSION MEETING**

**Truman Hotel and Conference Center**  
**1510 Jefferson Street**  
**Jefferson City, Missouri 65109**  
**(573) 635-7171**

**September 5, 2012**

**CLOSED SESSION – Convene 8:00 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 July 11, 2012 Missouri Clean Water Commission Meeting Minutes**

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

**2. Administrative Hearing Commission's Recommended Decision Regarding Doua Vang, Great Lion Farm, Construction Permit 00076 Appeal Number 12-1088-CWC**  
Jennifer Frazier, Attorney General's Office

**Recommended Action:** Staff recommends the Commission adopt the Administrative Hearing Commission's recommended decision denying the appeal, and affirming the permit was lawfully issued. The Commission may 1) adopt the Administrative Hearing Commission's recommendation, 2) change findings of fact or conclusions of law or 3) vacate or modify the recommended decision. If the Commission either changes findings of fact or conclusions of law or vacates or modifies the recommended decision, it must state the specific reason(s) in writing for the change(s).

3. **Administrative Hearing Commission's Recommended Decision Regarding Charles J. Malone, M and M Plumbing, Land Application Permit Number MOG821196 Appeal Number 12-0959-CWC**  
Jennifer Frazier, Attorney General's Office

**Recommended Action:** Staff recommends the Commission adopt the Administrative Hearing Commission's recommended decision denying the appeal, and affirming the permit was lawfully issued. The Commission may 1) adopt the Administrative Hearing Commission's recommendation, 2) change findings of fact or conclusions of law or 3) vacate or modify the recommended decision. If the Commission either changes findings of fact or conclusions of law or vacates or modifies the recommended decision, it must state the specific reason(s) in writing for the change(s).

4. **State Fiscal Year 2013 Clean Water State Revolving Fund Intended Use Plan Revisions**  
Doug Garrett, Financial Assistance Center

**Recommended Action:** Staff recommends the Commission: approve moving the Boone County Regional Sewer District and Village of Sunrise Beach projects from the Planning list to the Fundable Contingency list; approve moving the Pierce City project from the Planning list to the Priority Watershed list; and approve removing the Columbia (Upper Hinkson Outfall Phase I) project from the State Fiscal Year 2013 Intended Use Plan.

5. **State Fiscal Year 2013 Clean Water State Revolving Loan Fund Intended Use Plan Transfer**  
Doug Garrett, Financial Assistance Center

**Recommended Action:** Staff recommends that the Commission: accept the transfer of \$18.5 million in federal funds from the Drinking Water State Revolving Fund program and apply these funds to projects currently on the Fundable Contingency List; reserve the ability to transfer an additional \$4.0 million in the future; and based on the available fund balance created by the transfer, and previously approved project list changes, move the following projects from the Fundable Contingency list to the Fundable list:

- Lake Ozark, C295646-02, with an eligible project cost of \$2,722,674;
- Boone County Regional Sewer District (Highway HH Phase I), C295373-13, with an eligible project cost of \$4,901,400;
- Kirksville (Phase 8), C295250-10, with an eligible project cost of \$1,422,000;
- Sunrise Beach, C295540-01, with an eligible project cost of \$6,102,000; and,
- Boone County Regional Sewer District (Rocky Fork Cr.), C295375-12, with an eligible project cost of \$11,431,926.

6. **Amendment to Water Quality Standards Regulation 10 CSR 20-7.031**  
John Hoke, Watershed Protection Section

**Recommended Action:** Information only.

7. **Amendment to Effluent Regulation 10 CSR 20-7.015**  
John Rustige, Operating Permit Section

**Recommended Action:** Information only.

## Enforcement

8. **Outstanding Missouri Operating Permit Fees**  
Debbie Bruns, Fiscal Management Section

**Recommended Action:** The Water Protection Program recommends that the Commission refer these new cases to the Attorney General's Office for appropriate legal action in order collect delinquent permit fees, compel compliance for any other violation of Missouri Clean Water Law and Clean Water Commission regulations, pursue a civil penalty, and/or seek any other appropriate form of relief.

## Administrative Matters Continued

9. **Request of Clean Water Act Section 401 Water Quality Certification Extension for Jameson Island Shallow Water Habitat Project**  
John Madras, Director, Water Protection Program

**Recommended Action:** Staff recommends the Commission grant an additional 60 day extension to November 7, 2012 for additional review.

10. **Administrative Hearing Commission's Recommended Decision Regarding the City of Columbia Appeal Number 12-1496-CWC**  
Jenny Frazier, Attorney General's Office

**Recommended Action:** Staff recommends the Commission adopt the Administrative Hearing Commission's recommended decision to dismiss this case for lack of jurisdiction because the complaint was untimely filed. The Commission may 1) adopt the Administrative Hearing Commission's recommendation, 2) change findings of fact or conclusions of law or 3) vacate or modify the recommended decision. If the Commission either changes findings of fact or conclusions of law or vacates or modifies the recommended decision, it must state the specific reason(s) in writing for the change(s).

## Presentation

- **Director's Update**  
John Madras, Director, Water Protection Program

**Recommended Action:** Information only.

- **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
  - Donovan Larson, Manager, Jefferson County C-1 Water District
  - Russ Taylor, SEWERLOCK

**Recommended Action:** Information only.

- **Missouri Clean Water Commission Meetings**
  - November 7, 2012 Commission meeting, location to be determined.
  - January 9, 2013 Commission meeting, Lewis and Clark State Office Building, 1101 Riverside Dr., Jefferson City, Missouri.
  - March 6, 2013 Commission meeting, location to be determined.
  - May 1, 2013 Commission meeting, Lewis and Clark State Office Building, 1101 Riverside Dr., Jefferson City, Missouri
  - July 10, 2013 Commission meeting, location to be determined.
  - September 11, 2013 Commission meeting, location to be determined.
  - November 6, 2013 Commission meeting, location to be determined.

**Recommended Action:** Information only.

Closed Meeting - The Missouri 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: 12:00 p.m.**

**For more information contact:**

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