

STATE OF MISSOURI
DEPARTMENT OF NATURAL RESOURCES

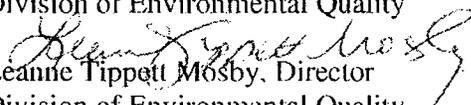
Jeremiah W. (Jay) Nixon, Governor • Sara Parker Pinsky, Director

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MEMORANDUM

DATE: JUL 08 2011

TO: Program Directors and Regional Office Directors
Division of Environmental Quality

FROM: 
Leanne Tippett Mosby, Director
Division of Environmental Quality

SUBJECT: Effort to improve communication regarding facilities undergoing remedial action under Department oversight but still required to comply with other applicable laws and regulations

We have recently become aware of a need to improve communication in situations where one of our environmental programs may have oversight over cleanup or remedial action activities at a site, while another environmental program may have regulatory authority over some aspect of the remedial action being implemented. If active communication is not occurring, we can have situations where a facility that is operating under an approved corrective action plan is cited for violations in another program while carrying out the approved activities.

In an effort to avoid this situation in the future, we are establishing a process for the Hazardous Waste Program (HWP) to compile a list of sites currently in remedial action oversight and to make that list available electronically to all the environmental programs and regional offices. Enclosed with this memo is a copy of the current list of sites in your region. In addition to the region-specific list included with this memo, the HWP also compiled a list of sites in all the regions, which are sorted alphabetically. Both the master list of all sites and the region-specific lists will also be made available on the exchange drive and will be updated on a monthly basis so that both lists are an accurate representation of the universe of facilities that could find themselves in a similar situation. That way, we can identify any potential conflicts before we get to the point where a facility is being cited by one program for doing something they are required to do by another program.

In essence, for all sites or facilities on the list, before issuing a Letter of Warning or Notice of Violation, the program or regional office should coordinate with the appropriate Section Chief in the HWP. The involved programs or regional office, in coordination with the Division as

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necessary, can then determine whether issuing the LOW or NOV is appropriate given the circumstances.

I believe all of us can agree that it is frustrating to receive mixed messages from the same agency or other entity with whom we have to do business. It is my hope that this process will result in better internal communication so that we can convey a consistent message to facilities who are under remedial action oversight but at the same time have to comply with other regulatory requirements.

If you have any other suggestions on how we can make this process more efficient, please do not hesitate to contact me at (573) 751-0763, or David Lamb, HWP Director, at (573) 751-2747.

LTM:dld

Attachment