

Sanitary Sewer Overflow/Clean Water Act: Missouri Department of Natural Resources and City of Springfield Enter into Abatement Order on Consent



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The City of Springfield, Missouri (“Springfield”) entered into a July 10th Abatement Order on Consent (“Order”) addressing alleged violations of certain Missouri statutory/regulatory water pollution control requirements. See Order No. 2018-WPCB-1551.

The Order states that Springfield owns and operates two publically owned treatment plants (“POTW”).

The North POTW is stated to discharge to Little Sac River pursuant to the conditions and requirements of Missouri State Operating Permit No. MO-0103039 (“Permit”). The Little Sac River is stated to be a water of the state as that term is defined by Section 644.016(27)RSMo.

Springfield notified Missouri Department of Natural Resources (“MDNR”) of a sanitary sewer overflow (“SSO”) that occurred between the evening of October 1, 2016, and the afternoon of October 2, 2016. The SSO is stated to have occurred at a manhole near Grant Street and Pea Ridge Creek. Also reported were the measures instituted to remedy the violation which included the hiring of a contractor to clean portions of Springfield’s collection system.

Springfield stated that the contractor left a steel “trash” basket in the sewer liner. This is stated to have resulted in the SSO.

MDNR staff is stated to have arrived at the previously referenced site on October 2nd and observed brown bottom deposits in Pea Ridge Creek. The staff further is stated to have noted that the water had a cloudy appearance. Dead fish were also stated to have been observed in the stream. They notified Missouri Department of Conservation. Samples taken downstream of the SSO source are stated to have shown a dissolved oxygen (“DO”) concentration of 1.97 mg/L. The minimum required DO is 5 mg/L.

Missouri Department of Conservation staff determined that the SSO resulted in the deaths of approximately 1,027 fish. Such fish are stated to have replacement value of approximately \$270.92. Staffing costs of the state during the fish kill are estimated at \$1,780.17.

The Order states that Springfield, through its contracted agent, violated the Missouri Clean Water Law and its implementing regulations by engaging:

. . . in actions which caused water contaminants to reach Pea Ridge Creek, a water of the state, which reduced the quality of such waters below the Water Quality Standards established by the Missouri Clean Water Commission in violation of Section 644.051.1(1) & (2) and 644.076.1, RSMo, and 10 CSR 20-7.031.

Springfield is assessed an administrative penalty in the amount of \$4,000 which is stated to reflect the City's good faith efforts of reporting the alleged non-compliance and measures to remedy same. Further, Springfield does so without admitting liability or fault.

Springfield is further assessed \$2,051.09 to reimburse investigative costs and alleged damages incurred by the state.

A [copy of the Order](#) can be found here.