

Safe Drinking Water Act Enforcement: Missouri Department of Natural Resources Administrative Order on Consent Addressing St. Charles Marina



Walter Wright, Jr.
wwright@mwlaw.com
(501) 688.8839

08/21/2024

The Missouri Department of Natural Resources (“MDNR”) issued an August 8th Administrative Order on Consent (“AOC”) to Gemini Marine, LLC d/b/a Polestar Marina (“Polestar”) addressing alleged violations of the regulations implementing the Missouri Safe Drinking Water Law. See Order No. PDWB-2024-272.

The AOC provides that Polestar owns a transient noncommunity public water system (“System”) and is the supplier of water, as defined by 10 CSR 60-2.015(2)(S)12 and exercises day to day control and management of the System.

The System is denominated Polestar Marina and located in St. Charles, Missouri.

The System is stated to serve water to three service connections seasonally through a distribution system to an estimated 70 people.

The System is stated to consist of:

- Three groundwater wells with treatment systems.
- Three storage tanks.
- A distribution system.

Polestar is stated to have purchased the System in August 2022.

MDNR is stated to have emailed Polestar on February 20th regarding well determinations for Well No. 1 and Well No. 3 in the latest Report of Inspection of the System for review. Polestar is stated to not have a Permit to Dispense (“PTD”) water to the public.

The following violations are alleged:

- Use of a well constructed after July 27, 1987 and prior to June 15, 2007 that does not meet noncommunity water system construction standards.
- Dispensing of water to the public without first obtaining a written Permit to Dispense and continuing to do so.

The AOC provides for certain corrective actions that must be undertaken by Polestar.

In addition, the AOC requires that Polestar:

- Agree to continue use of Well No. 2 only for non-potable use and never for human consumption.

- Agree to not add more connections to Well No. 3.

Stipulated penalties are provided in the event Polestar meets certain deadlines.

A copy of the AOC can be downloaded [here](#).