

Wastewater Enforcement: Missouri Department of Natural Resources and Russellville, Missouri Enter into Abatement Order on Consent



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The Missouri Department of Natural Resources (“DNR”) and Russellville, Missouri (“City”) entered into a July 21st Abatement Order on Consent (“Order”) addressing alleged violations of a Missouri State Operating Permit. See Order No. 2017-WPCB-1399.

The City is described as a fourth class municipality that owns and operates a wastewater treatment facility (“facility”) consisting of a three-cell lagoon as primary aeration and sludge retained in the lagoon.

The facility operates pursuant to the terms and conditions of Missouri State Operating Permit No. MO-0106348 (“Permit”). Treated effluent from the facility is stated to discharge from Outfall No. 001 to a tributary to Roark Branch (a Class Stream).

The Order describes various permit terms (i.e., effluent limits and monitoring obligations) along with recent events such as:

- Studies assessing the possibility of converting the facility into a land application system
- Completion of a flow study
- DNR Municipal Sanitary Sewer Overflow compliance inspection
- DNR issuance of a Notice of Violation for alleged failure to upgrade the facility
- Recommendation that the City construct a moving bed biological reactor

The Order identifies alleged violations by the facility which include:

- Failure to comply with the SOC as required in Part “B,” Standard Conditions, and Part “F,” SOC, of the Permit to meet final effluent limits for Ammonia as Nitrogen by August 21, 2012, in violation of Sections 644.076.1, RSMo, and 10 CSR 20-6.010(7)
- Failure to comply with the effluent limits for Ammonia as Nitrogen contained in Table A of the Permit during the months of May, June and July 2014; May and September 2015; and July and August 2016, in violation of Sections 644.051.1(3) and 644.076., RSMo
- Caused pollution of a tributary to Roark Branch, waters of the state, or placed or caused or permitted to be placed water contaminants in a location where it is reasonably certain to cause pollution of waters of the state, in violation of Sections 644.051.1(1) and 644.076.1, RSMo

Order assesses an administrative penalty in the amount of \$6,000. However, DNR and the City agree that the \$6,000 is suspended for a period of two years from the effective date of the Order on the condition that the City complies with the conditions and requirements of the Order.

The Order also describes a series of upgrades that must be undertaken by the City to address alleged facility deficiencies over a set time period, addressing:

- Wastewater treatment facility operations and upgrades
- Wastewater collection system rehabilitation

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