

BEFORE THE MISSOURI DEPARTMENT OF NATURAL RESOURCES

In the matter of:)
)
Rodney Cook) **Order No. WIS-2024-006**
d/b/a Welker Pump Service)
LLC)
)
Proceeding under the)
Water Well Drillers' Act)

ORDER OF SUSPENSION OF PERMIT

Serve by Certified Mail: 9414 7266 9904 2190 6668 25

To:

Rodney Cook
14487 BCR 446
Leopold, MO 63760

You are hereby notified that on this date, the Missouri Department of Natural Resources (department) has issued this Order of Suspension of Permit (Order) to Rodney Cook, doing business as Welker Pump Service LLC (Responsible Party), Permit #006013, under the Missouri Water Well Drillers' Act, sections 256.600 to 256.640, Revised Statutes of Missouri (RSMo); specifically, Section 256.630.1, RSMo and the Missouri Well Construction Regulations (MWCR) 10 CSR 23-1.075.

Failure to comply with this Order may result in the department pursuing legal action for injunctive relief, criminal penalties, civil penalties of up to five hundred dollars (\$500) per day for each day or part thereof noncompliance, attorney fees and costs, and/or any other remedy authorized by law, including but not limited to Section 256.637, RSMo. Any person who willfully violates any of the provisions of Sections 256.600 to 256.640, RSMo may be found guilty of a class A misdemeanor.

FINDINGS OF FACT

The department finds as follows:

1. Welker Pump Service LLC is a registered business with the Missouri Secretary of State.
2. Rodney Cook does business as Welker Pump Service LLC at the above stated address and is the Responsible Party regarding Permit #006013 for pump installation, issued by the department (the "Permit").
3. The Responsible Party failed to submit pump information reports and pay late fees pursuant to Section 256.614.1, RSMo, and MWCR 10 CSR 23-2.020(1) and MWCR 10 CSR 23-2.010(1)(F).
4. On April 2, 2024, the department issued a Notice of Violation, (NOV) #2409, to the Responsible Party demanding submittal of a pump information reports and late fees for the property owners listed below in paragraph #5, within thirty (30) days. NOV #2409 was issued certified mail and non-certified mail. Certified NOV #2409 was signed for on April 24, 2024.
5. On May 29, 2024, the department sent an email to Responsible Party with copy of below invoice for outstanding pump information reports and late fees owed. Responsible Party did not respond to the email.

Late Fees Owed By Rodney Cook (6013) for NOV #2409

#	Well Reference #	Name	Date Pump Installed	Late Fees
1	11258860	Kyle Welter/April Rhodes	7/1/2022	190.00
2	11262137	Andrew Mothershead	10/1/2022	160.00
				350.00

Total Owed

\$350.00

STATEMENT OF VIOLATIONS

6. The Responsible Party has violated the Missouri Water Well Drillers' Act, Section 256.614.1 RSMo, along with MWCR 10 CSR 23-2.010(1)(F) and 10 CSR 23-2.020(1), by failing to submit pump information reports and late fees.

ORDER

7. The department hereby suspends Responsible Party's Permit pursuant to Missouri Well Drillers' Act, Section 256.630.1 RSMo. This permit will remain suspended until the Responsible Party submits the required pump information reports and late fees.

OTHER PROVISIONS

8. It is a violation of the Water Wells Drillers' Act and supporting regulations for any person to conduct work regulated by the MWCR with a suspended permit. Additional penalties may be assessed for work conducted while the Permit is suspended.

9. The department expressly reserves the right to pursue additional remedies with respect to any violations described herein or otherwise discovered in response to the above-mentioned violations.

10. Any request for an extension of time or to otherwise modify this Order will be considered on a case-by-case basis, if Responsible Party makes a written request to the department within ten (10) business days of this Order, and otherwise provides appropriate justification and/or documentation to the department in a timely manner. Any modification of this Order shall be in writing.

11. This Order shall apply to and be binding upon Responsible Party and any of their agents, subsidiaries, successors, assigns, affiliates, or lessees, including the officers, agents,

servants, corporations, and any persons acting under, through, or for Responsible Party. Any changes in ownership or corporate status, including but not limited to any transfer of assets or real or personal property, shall not relieve Responsible Party of their obligation to comply with this Order.

12. This Order shall be sent by registered or certified mail, return receipt requested, in accordance with Section 256.630.2, RSMo.

NOTICE OF APPEAL RIGHTS: If you were adversely affected by this decision, you may be entitled to pursue an appeal before the Administrative Hearing Commission. To appeal, you must file a petition with the administrative hearing commission within thirty (30) days after the date this decision was mailed or the date it was delivered, whichever date was earlier. If any such petition is sent by registered mail or certified mail, it will be deemed filed on the date it is mailed; if it is sent by any method other than registered mail or certified mail, it will be deemed filed on the date it is received by the Administrative Hearing Commission. Any appeal shall be directed to:

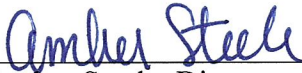
Administrative Hearing Commission
United States Post Office Building
Third Floor
131 West High Street
P.O. Box 1557
Jefferson City, MO 65102-1557

If a written request for appeal is not submitted within thirty (30) days, this order shall become final.

SIGNATURE AUTHORITY

So Ordered this 25th day of June 2024 by:

**MISSOURI DEPARTMENT OF
NATURAL RESOURCES**



Amber Steele, Director
Geological Survey Program

c: Amber Krisp, Legal Counsel