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Wastewater Enforcement: Missouri Department of Natural Resources and City of Humansville Enter into Abatement Order on Consent

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The Missouri Department of Natural Resources ("MDNR") and the City of Humansville, Missouri ("City") entered into a March 26th Abatement Order on Consent ("Consent"). See Order No. 2020-WPCB- 1573.

The Consent provides that the City is a fourth class municipality with a population of approximately 1,048 residents.

City is stated to own and operate a wastewater treatment facility ("Facility"). The Facility consists of a three-cell partially-aerated lagoon. It is stated to have design population equivalent of 1,300. Further, it is stated to have a design flow of \$160,800 gallons per day and an actual flow of \$120,000 gallons per day.

Treated effluent discharges through Outfall No. 001 of the Facility to Brush Creek, subject to the conditions and requirements of Missouri State Operating Permit No. MO-0025739 ("Permit").

The Consent provides that the Permit requires that the Facility collect representative samples of effluent discharge from the Outfall. Also, it is required to analyze the sample for contaminants listed in Part "A" every quarter. In addition, the Facility's effluent is required to comply with the limitations contained in Part A of the Permit and to submit results of the analysis to MDNR on quarterly Discharge Monitoring Reports ("DMRs") by the 28th day of the month following the reporting period.

The Permit also requires that all bypasses be reported to MDNR within 24 hours of becoming aware of an event.

All test procedures are required to conform to reference methods listed in 10 CSR 20-7.015. The permittee must also retain:

- Records of all monitoring information (including all calibration and maintenance records)
- All original strip chart recordings for continuous monitoring instrumentation
- Copies of all reports required by the Permit
- Records of all data used to complete the application for the Permit

Such documents are required to be retained for at least three years from the date of the sample, measurement, report, or application.

The Consent provides that on July 19, 2018, in preparation for a compliance inspection of the Facility MDNR conducted a record review of DMRs submitted to the agency by the City. It allegedly determined

that the effluent discharge from the Facility failed to comply with effluent limitations contained in the Permit.

MDNR staff are stated to have observed during the compliance inspection that one of the three aerators was out of service as well as remnants of a bypass on the riprap below the emergency overflow structure. A bypass is stated to have been referenced by representatives of the City that occurred in the Spring of 2018. Such bypass is stated to have not been reported to MDNR. MDNR staff is also stated to have observed that the Facility failed to check and calibrate a pH meter with valid pH buffers and certified thermometer. Records of quality assurance and quality control measures taken at the Facility are stated to have not been provided as required by the Permit.

The Consent alleges that the following violations occurred:

- Violated permitted effluent limitations contained in Part "A" of the Permit, in violation of Sections 644.051.1(3) and 644.076.1, RSMo, and Missouri Clean Water Commission Regulation 10 CSR 20-7.015;
- Failed to provide proper notification to the Department of all bypasses as required by the standard conditions of the Permit, in violation of Section 644.076.1, RSMo; and
- Failed to operate and maintain facilities to comply with the MCWL and applicable permit conditions, in violation of Sections 644.051.1(3) and 644.076.1, RSMo.

A civil penalty of \$4,000 is assessed. Further, within 60 days of the effective date of the Consent (if the Facility is utilizing batch discharge as part of operational procedures) it agrees to submit a request for an operating permit modification as described in this document.

Within 90 days of the Consent City agrees to develop and implement a written standard operating procedure for the Facility and propose operational changes that may help achieve compliance with permitted effluent limitations. Certain recommendations are also provided to the Facility in the Consent.

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