Wastewater Enforcement: U.S. Environmental Protection Agency and City of Dixon, Missouri, Enter into Consent Agreement

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The United States Environmental Protection Agency ("EPA") and City of Dixon, Missouri, entered into a January 23rd Complaint and Consent Agreement/Final Order ("CA"). See Docket No. CWA-07-2022-0117.

The CA provides that Dixon, Missouri, is a municipality organized under the laws of Missouri and owns and operates a wastewater treatment facility and associated sewer collection and transmission systems ("POTW").

The POTW operates pursuant to a Clean Water Act National Pollutant Discharge Elimination System ("NPDES") permit issued by the Missouri Department of Natural Resources ("DNR") for discharges to an unnamed tributary to the Maries River.

DNR is stated to have inspected the Dixon POTW on October 22, 2020. The agency issued a Notice of Violation for allowing discharge from a sludge holding basin in a location when it was reasonably certain to cause pollution of the waters of the state and failing to submit an annual sludge report covering the year 2019.

An EPA representative is stated to have performed a Compliance Sampling Inspection on August 17 and 18 of 2021 of the POTW.

The inspector is stated to have identified the following violations:

1. The biosolids holding basins were nearly full and were covered by a three to six inch mat of vegetation;
2. WWTF operators stated that minimal amounts of biosolids were being wasted from the clarifiers to the basins, and instead, most activated sludge was returned to the oxidation ditch;
3. A WWTF employee stated that biosolids had not been land applied since 2017, although the permit stated that land application was the method of disposal;
4. Discharged biosolids were present in the receiving stream and were visible for approximately 100 yards downstream of Outfall 001; and
5. The most recent Annual Biosolids Report covered the year of 2017, and reports for the years 2018 2019, and 2020 were unavailable. A WWTF employee stated that reports had not been prepared for those yearS.

Therefore, EPA alleged in the Complaint the following Counts:

- Count 1: Failure to Properly Waste Biosolids
- Count 2: Failure to Land Apply Biosolids
- Count 3: Presence of Biosolids in Receiving Stream
- Count 4: Failure to Prepare biosolids Annual Reports
- Count 5: Failure to Comply with Effluent Limitations

Dixon is stated to neither admit nor deny the factual allegations and legal conclusions asserted by EPA in its Complaint and the CA.

The CA assesses a civil penalty of $22,200.

A copy of the CA can be downloaded here.