

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI**

In the Matter of Missouri-American Water Company)
For a Certificate of Convenience and Necessity)
Authorizing it to Install, Own, Acquire, Construct,)
Operate, Control, Manage and Maintain a Sewer)
System in an area of Clinton County, Missouri)
(Clinton Estates))

File No. SA-2020-0132

**ORDER DIRECTING NOTICE, SETTING DATE FOR INTERVENTION,
AND ORDERING STAFF RECOMMENDATION**

Issue Date: November 12, 2019

Effective Date: November 12, 2019

On November 8, 2019, Missouri-American Water Company (the Company) filed its application for a certificate of convenience and necessity (CCN) and for a waiver. The Company has applied for a CNN authorizing it to install, own, acquire, construct, operate, control, manage and maintain a sewer system in Clinton County, Missouri, in a subdivision known as Clinton Estates. The Company has requested a waiver of the 60-day notice requirements of 20 CSR 4240-4.017(1).

The Commission will direct notice of the application be given to the county commission of Clinton County, local newspapers, and members of the General Assembly representing residents of Clinton County. The Commission will issue notice, set a deadline for intervention requests, and direct the filing of a recommendation by the Staff of the Commission.

THE COMMISSION ORDERS THAT:

1. The Commission’s Data Center shall provide a copy of this order and the Application to the county commission of Clinton County, Missouri.

2. The Commission's Public Policy and Outreach Department shall make notice of this order available to the members of the General Assembly representing Clinton County, Missouri and to the media serving that county.

3. Any person wishing to intervene in this matter shall file an application to intervene no later than November 27, 2019. The application shall be filed in the Commission's Electronic Filing and Information System (EFIS) or with the Secretary of the Commission. Comments on the Application may also be made in EFIS. Applications to intervene shall be filed with:

Secretary
Missouri Public Service Commission
P.O. Box 360
Jefferson City, Missouri 65102

4. No later than January 10, 2020, the Staff of the Missouri Public Service Commission shall file a recommendation regarding the Application of Missouri-American Water Company

5. This Order shall be effective when issued.



BY THE COMMISSION

A handwritten signature in black ink that reads "Morris L. Woodruff".

Morris L. Woodruff
Secretary

Paul T. Graham, Regulatory
Law Judge, by delegation of authority
under Section 386.240, RSMo 2016.

Dated at Jefferson City, Missouri,
on this 12th day of November, 2019.

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI**

In the Matter of Missouri-American)
Water Company for a Certificate of)
Convenience and Necessity Authorizing)
it to Install, Own, Acquire, Construct,) File No. _____
Operate, Control, Manage and Maintain)
a Sewer System in an area of Clinton)
County, Missouri (Clinton Estates).)

**APPLICATION AND
MOTION FOR WAIVER**

COMES NOW Missouri-American Water Company pursuant to Sections 393.140 and 393.170, RSMo and 20 CSR 4240-2.060, 20 CSR 4240-3.305, and 4 CSR 240-4.020(2)(B), and for its Application and Motion for Waiver, states as follows to the Missouri Public Service Commission:

BACKGROUND

1. This Application is to obtain a certificate of convenience and necessity for MAWC to install, own, acquire, construct, operate, control, manage and maintain a sewer system in Clinton County, Missouri in a subdivision known as Clinton Estates.

2. MAWC is a Missouri corporation with its principal office and place of business at 727 Craig Road, St. Louis, Missouri 63141. MAWC is a Missouri corporation in good standing. A certified copy of MAWC's certificate of good standing was submitted in Case No. SA-2007-0316 and is incorporated by reference. MAWC currently provides water service to the public in and around the cities of St. Joseph, Joplin, Brunswick, Mexico, Warrensburg, Parkville, Riverside, Jefferson City, and parts of Cole, St. Charles, Warren, Jefferson, Morgan, Pettis, Benton, Barry, Stone, Greene, Taney, Christian, and Platte Counties, and most all of St. Louis County, Missouri.

MAWC currently provides water service to approximately 457,300 customers. MAWC provides sewer service to approximately 13,221 customers in Callaway, Jefferson, Pettis, Cole, Morgan, Platte, Taney, Stone, Christian, and Warren Counties, Missouri. MAWC is a “water corporation,” a “sewer corporation” and a “public utility” as those terms are defined in Section 386.020 RSMo, and is subject to the jurisdiction and supervision of the Commission as provided by law. MAWC has no overdue Commission annual reports or assessment fees. There is no pending action or final unsatisfied judgment or decision against MAWC from any state or federal agency or court which involves customer service or rates, which action, judgment or decision has occurred within three years of the date of this Application other than cases pending before this Commission – Cases Nos. WO-2018-0373 (ISRS), WC-2019-0004 (Thirty and 141, LP), WM-2019-0018 (Acquisition), WC-2019-0028 (Jones) and WT-2019-0054 (CIAC Tariff).

3. Communications respecting this Application should be addressed to the undersigned counsel and:

Melisha Billups
Manager Business Development – Proposal & Integration
Missouri American Water
727 Craig Rd
St. Louis, MO 63141
O: 314.996.2215
M: 314.440.9236
E: melisha.billups@amwater.com

CERTIFICATE

4. MAWC requests permission, approval and a Certificate of Convenience and Necessity to install, own, acquire, construct, operate, control, manage and maintain a sewer system for the public in an area of Clinton County, Missouri, as set forth on the map attached to

this Application as **Appendix A**. This area is generally known as the Clinton Estates subdivision. There are approximately 61 wastewater customers at this time.

5. A legal description of the area sought to be certificated for sewer service is attached to this Application as **Appendix B**.

6. Attached hereto and marked as **Appendix C-C** is a list of ten residents or land owners within the proposed service area. Appendix C-C has been identified as Confidential in accordance with Commission Rule 20 CSR 4240-2.135(2)(A)1, as it contains customer specific information.

7. Attached hereto and marked as **Appendix D-C** is a feasibility study for the sewer systems, including estimated expenses and revenues during the first three years of operation by MAWC. The system is already built out. Thus, no new construction is planned. However, Appendix D-C includes an estimate of the original construction cost of the system as constructed. No external financing is anticipated. Appendix D-C has been identified as Confidential in accordance with Commission Rule 20 CSR 4240-2.135(2)(A)4 and 6, as it contains market specific information and information representing strategies employed in contract negotiations.

8. MAWC will not require any franchises or permits from municipalities, counties, or other authorities in connection with the proposed systems.

9. To provide service to the proposed area, MAWC will purchase a sewer collection system from the Clinton Estates Homeowners Association (Seller). A copy of the Asset Purchase Agreement governing this transaction is attached hereto as **Appendix E-C** (Agreement). Appendix E-C has been identified as Confidential in accordance with Commission Rule 20 CSR

4240-2.135(2)(A)4 and 6, as market specific information and information representing strategies employed in contract negotiations.

10. The Clinton Estates sewer collection system has received a Letter of Warning dated July 16, 2019, from the Missouri Department of Natural Resources containing a list of violations and required actions (**Appendix F** attached). The facility was found to be out of compliance with the Missouri Clean Water Law, its implementing regulations, and the facility's state operating permit, to include exceedance of effluent limits and observation of a bypass discharge.

11. MAWC proposes to provide sewer service pursuant to the existing rates, rules, and regulations currently applicable to MAWC's Timber Springs service territory found in P.S.C. MO. No. 26.

12. The grant of the requested certificates (and approval of the underlying transaction) will result in safe and adequate regulated sewer service to be provided to the current and future residents of the Clinton Estates subdivision. The systems would be acquired by MAWC, a Missouri public utility, and be subject to the jurisdiction of the Commission. MAWC has considerable expertise and experience in providing water and sewer utility services to residents of the State of Missouri and is fully qualified, in all respects, to own and operate the sewer system currently being operated in Clinton Estates. MAWC has the technical, managerial and financial qualifications to take the required actions identified by the Missouri Department of Natural Resources and to operate and maintain the Clinton Estates facility on a going-forward basis.

MOTION FOR WAIVER

13. Rule 20 CSR 4240-4.017(1) provides that “(a)ny person that intends to file a case shall file a notice with the secretary of the commission a minimum of sixty (60) days prior to filing such a case.” A notice was not filed 60 days prior to the filing of this Petition, and MAWC seeks a waiver of the 60-day notice requirement.

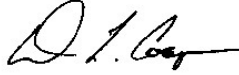
14. Rule 20 CSR 4240-4.017(1)(D) provides that a waiver may be granted for good cause. Good cause exists in this case. MAWC declares (as verified below) that it has had not communication with the office of the Commission (as defined by Commission Rule 20 CSR 4240-4.015(10)) within the prior 150 days regarding any substantive issue likely to be in this case, other than those pleadings filed for record. Accordingly, for good cause shown, MAWC moves for a waiver of the 60-day notice requirement of Rule 20 CSR 4240-4.017(1) and acceptance of this Application.

WHEREFORE, MAWC requests the Commission grant it permission, approval and a Certificate of Convenience and Necessity authorizing MAWC to:

- a) install, acquire, build, construct, own, operate, control, manage and maintain a sewer system for the public within the area referred to above;
- b) acquire the assets identified herein of Clinton Estates Homeowners Association, Inc.; and,
- c) take such other actions as may be deemed necessary and appropriate to accomplish the purposes of the Agreement and the Application and to consummate related

transactions in accordance with the Agreement.

Respectfully submitted,



Dean L. Cooper Mo. Bar 36592
BRYDON, SWEARENGEN & ENGLAND P.C.
312 East Capitol Avenue
P.O. Box 456
Jefferson City, MO 65102-0456
Telephone: (573) 635-7166
Facsimile: (573) 635-0427
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Timothy W. Luft, MBE #40506
Corporate Counsel
MISSOURI-AMERICAN WATER COMPANY
727 Craig Road
St. Louis, MO 63141
(314) 996-2279 telephone
(314) 997-2451 facsimile
timothy.luft@amwater.com


ATTORNEYS FOR MISSOURI-AMERICAN WATER
COMPANY

CERTIFICATE OF SERVICE

I do hereby certify that a true and correct copy of the foregoing document has been sent by electronic mail this 8th day of November, 2019, to:

General Counsel's Office
staffcounsel@psc.mo.gov

Office of the Public Counsel
opcservice@opc.mo.gov



AFFIDAVIT

State of Missouri)
) ss
County of St. Louis)

I, Timothy Luft, having been duly sworn upon my oath, state that I am the Vice-President Legal and Corporate Secretary of Missouri-American Water Company, that I am duly authorized to make this affidavit on behalf of MAWC, that the matters and things stated in the foregoing application and appendices thereto are true and correct of the best of my information, knowledge and belief. Additionally, no representative of MAWC has had any communication with the office of the Missouri Public Service Commission as defined in Commission Rule 20 CSR 4240-4.015(10), within the immediately preceding 150 days regarding the subject matter of this Application.

Tim Luft

Subscribed and sworn before me this 7th day of November, 2019.

Mary Beth Hercules
Notary Public

My Commission Expires April 26, 2020



APPENDICES

Appendix A	Map of Area
Appendix B	Legal Description
Appendix C-C	List of Ten Residents or Land Owners - Confidential
Appendix D-C	Feasibility Study - Confidential
Appendix E-C	Asset Purchase Agreement – Confidential
Appendix F	MDNR Letter of Warning

T54NR33WS15

T54NR33WS14

APPENDIX A

T54NR33WS13

Dicks Creek

Mo-F

T54NR33WS23

T54NR33WS24

T54NR33WS22

169

SW Karen Rd

SW Crystal Ln

Main

Port Arthur St

E Maple St

E Walnut St

Trimble

SW Michaele Rd

1st St

N Main St

Main St

E Oak St

2nd Ave

3rd Ave

Oak St

Dicks Creek

T54NR33WS25

T54NR33WS26

1 inch = 1,000 feet

Legend

 Clinton Estates Certificate Area

 Public Land Survey



Content may not reflect National Geographic's current map policy. Sources: National Geographic, Esri, Garmin, HERE, UNEP-WCMC, USGS, NASA, ESA, METI, NRCAN, GEBCO, NOAA, increment P Corp.

APPENDIX B

Legal Description

A tract of known as **Clinton Estates Subdivision**, according to the plat thereof recorded in The Records of Clinton County, Missouri, located in portions of the East half of the Southwest Quarter and the Southwest quarter of the Southeast Quarter of Section 23, Township 54 North, Range 33 West, of the Fifth Principal Meridian, in the county of Clinton in the State of Missouri and being more particularly described as follows:

Overall Service Area

Beginning at the Southwest corner of the Southeast Quarter of said Section 23; thence **North 89°59'47" West, 817.59'** along the South line of said East half of the Southwest Quarter of Section 23; thence **North 00°04'47 East, 2645.87'** to the North line of said East Half of the Southwest Quarter of Section 23; thence **South 89°32'21" East, 809.95'** along said North line to the Center of said Section 23; thence **South 00°05'13" West, 1319.70'** along the East line of said East Half of the Southwest Quarter of Section 23 to the Northwest corner of said Southwest Quarter of the Southeast Quarter of Section 23; thence **South 89°46'23" East, 999.74'** along the North line of said Southwest Quarter of Southeast Quarter of Section 23; thence **South 00°06'22" East, 971.61'**; thence **North 56°37'39" West, 12.96'**; thence **South 00°00'34" East, 351.00'** to the South line of said Southwest Quarter of the Southeast Quarter of Section 23; thence **South 89°59'06" West, 988.78'** along said South line to the point of beginning, containing 79.5 acres.

APPENDIX C-C

HAS BEEN IDENTIFIED AS

CONFIDENTIAL

IN ITS ENTIRETY

APPENDIX D-C

HAS BEEN IDENTIFIED AS

CONFIDENTIAL

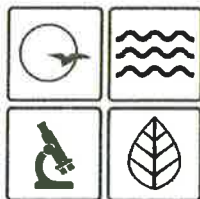
IN ITS ENTIRETY

APPENDIX E-C

HAS BEEN IDENTIFIED AS

CONFIDENTIAL

IN ITS ENTIRETY



Missouri Department of dnr.mo.gov

NATURAL RESOURCES

Michael L. Parson, Governor

Carol S. Comer, Director

JUL 16 2019

Ms. Melinda Fisher
 Clinton Estates Homeowners Association
 P.O. Box 95
 Trimble, Missouri 64492

LETTER OF WARNING RESPONSE REQUIRED

Dear Ms. Fisher:

Staff from the Missouri Department of Natural Resources (Department) conducted an inspection on May 30, 2019, and June 3, 2019, of Clinton Estates located at 7113 Southwest Alexandria Circle in Trimble, Clinton County, Missouri. The entity operates under the authority of MO0129836.

Compliance with the Missouri Clean Water Law was evaluated. The enclosed report is being issued with a Letter of Warning (LOW) for the violations identified in the enclosed report.

Please direct your attention to the **Compliance Determination and Listing of Violations and Required Actions** in the enclosed report. The report documents the findings and the actions that you must take to address the violations. **A written response documenting actions taken to correct the violations is required by the date specified in the report.**

Failure to address the required actions will result in the issuance of a Notice of Violation. If you have any questions or would like to schedule a time to meet with Department staff to discuss compliance requirements, please contact Ms. Suzanne Ward at the Kansas City Regional Office at 816-251-0701, suzanne.ward@dnr.mo.gov, or 500 Northeast Colbern Road, Lee's Summit, Missouri 64086-4710.

KANSAS CITY REGIONAL OFFICE

Karen J. Rouse
 Regional Director

LM/swtb

c: Roger Sparks, Missouri American Water, via mail
Recycled paper

M:\WPC\Clinton\Clinton Estates\MO0129836\190530_NEW_LOW.doc

**Missouri Department of Natural Resources
Kansas City Regional Office, Air Pollution Control
Report of Inspection
Clinton Estates
7113 Southwest Alexandria Circle, Trimble, Clinton
MO0129836**

Introduction

On May 30, 2019, and June 3, 2019, I (Suzanne Ward) of the Missouri Department of Natural Resources' (Department) Kansas City Regional Office (KCRO) conducted a routine operations and compliance inspection of Clinton Estates located at 7113 Southwest Alexandria Circle, Trimble, Clinton County, Missouri. Participants included:

Missouri Department of Natural Resources:

Ms. Suzanne Ward, Environmental Specialist, KCRO
816-251-0701
Suzanne.Ward@dnr.mo.gov

Clinton Estates:

Ms. Melinda Fisher, HOA Board Member
816-809-3348
MFisher18@live.com

Mr. Schmitt, Clinton Estates Homeowners Association Board Member

Ms. Roberta, Clinton Estates Homeowners Association Board Member

Missouri American Water:

Mr. Roger Sparks, P.E.
816-752-8106
Roger.W.Sparks@amwater.com

Mr. Kenneth Boydston, Supervisor Operations
816-676-8241
Kenneth.Boydston@amwater.com

This inspection was conducted to determine the facility's compliance with Missouri State Operating Permit (MSOP) MO0129836, the Missouri Clean Water Commission Regulations, and the Missouri Clean Water Law (MCWL), pursuant to Section 644.026.1, RSMo. This report presents the findings and observations made during the compliance inspection.

Facility Description and History

Prior to the inspection, I reviewed the files for Clinton Estates, including previous inspection reports, correspondence, and the permit conditions of MSOP MO0129836 for familiarization with the requirements specific to this facility.

Clinton Estates' MSOP, MO0129836 was last issued on February 1, 2015, and expires on September 30, 2019. This permit sets forth effluent limitations, monitoring requirements, and permit conditions, both standard and specific, that the permittee is to follow.

Clinton Estates operates a recirculating sand filter with a permitted design flow of 74,000 gallons per day. The facility has two septic tanks (30,000 & 25,000-gallon capacity), a 30,000-gallon recirculation tank, and two filter beds. Residential Sewage Treatment Company is contracted to perform maintenance and repairs. The receiving stream for this facility is the tributary to Dick's Creek in the Platte watershed.

Report of Inspection
Clinton Estates
Page 2 of 5

A Letter of Warning was issued during the last inspection on June 7, 2012, for outfall, fencing, and DMR violations. The facility has exceeded ammonia limits every quarter since March 2017. The Clinton Estates Homeowners Association (HOA) contracted Residential Sewage Treatment Company in hopes that repairs and maintenance would correct the issue. The facility is in now in the process of being purchased by Missouri American Water (MAW), which must be approved by the Missouri Public Service Commission. MAW will conduct the necessary repairs and upgrades following a closed purchase.

Discussion of Inspection and Observations

The inspection was conducted during normal business hours. Prior notification of the inspection was given to ensure timely access to the site. Upon arrival at the facility, I met with Ms. Melinda Fisher, other HOA Board Members, and Missouri American Water representatives. I outlined the purpose and scope of the inspection. Ms. Fisher granted permission to access the site and accompanied me throughout the visual inspection of the facility.

Documents related to operation and maintenance of the wastewater treatment plant are kept in a binder by the HOA. The HOA provided a copy of a report on the operational status of the treatment facility conducted by Residential Sewage Treatment Company. Lab work is conducted by Keystone Laboratories. A log of maintenance and repairs for 2018 and 2019 was provided following the inspection. Form S for sludge reporting has not been submitted, but an invoice from the last sludge removal on May 15, 2018, was provided (Violation #1). We discussed requirements of Standard Conditions Part III including solids testing to calculate dry tons and reporting for mechanical plants.

The tank area, sand filters, outfall, and receiving stream were visually inspected. The access road from the intersection of Southwest Crystal Lane and Southwest Michelle to the wastewater treatment facility was not all-weather (Violation #2). On the day of the inspection, the facility could only be accessed by walking or by an all-terrain utility vehicle due to mud. A gate with a lock was present at the entrance to the wastewater treatment area. The filter beds were secured with a chain link fence and gate. The gate was locked at the time of the inspection and appropriate warning signs were posted on the fence.

Water was standing in the grassy area around the tanks at the time of the inspection. Hoses and pipes were observed running from the tank area to the stream. They were not connected or conveying water at the time of the inspection. The HOA representatives were unsure what the hoses and pipes had been used for in the past. The last inspection on June 7, 2012, indicates that the facility had previously been pumping from the wet well to the stream. The inspector considered that the outfall.

The control panel and risers were not inspected closely due to there being standing water in the area. I was unsure if the standing water was originating from the tanks or from recent heavy precipitation events. A small area of the standing water contained an unknown white substance. Grassy vegetation was observed in both filter beds (Violation #3). The south filter bed had a large area of standing water containing algae (Violation #3). The concrete boundaries of the filter beds appeared structurally sound.

Report of Inspection
Clinton Estates
Page 3 of 5

Sampling was conducted from the flow measurement/sampling station then downstream and upstream from the stream outfall. Violations of the permitted effluent limitations for Ammonia as Nitrogen were documented (Violation #4). See the table in the Sampling and Monitoring section. The outfall at the stream was marked with a sign. Residential Sewage Treatment Company has installed a tablet feeder for dechlorination at the stream outfall, but the facility does not currently conduct chlorination disinfection. No dechlorination tablets were in the feeder at the time of the inspection.

I returned on Monday, June 3, 2019, with verbal authorization from Ms. Fisher to look at the unknown white substance. Standing water in the tank area was somewhat lower than during the initial inspection. I observed water spraying from a riser as the recirculation tank pump was engaged; this water was being discharged before passing through all treatment processes, constituting a bypass (Violation #5). The bypass was not reported to the Department (Violation #6). I observed sludge in the standing water in the tank area. The water was slowly flowing to the receiving stream. I observed a white substance in the moving water. At the stream bank where the bypass was entering the stream, I observed a pink-hued slime. Below that, I observed sludge, worm casings, and blood worms. Violations of Chapter 7 general criteria water quality standards were documented (Violation #7). This point was further upstream than monitoring conducted during the initial inspection.

Sampling and Monitoring

The appropriate sampling materials were taken on the inspection, including a copy of the Missouri Department of Natural Resources' Standard Operating Procedures. Instruments for field monitoring were taken on the inspection that are capable of testing pH, temperature, conductivity, and dissolved oxygen. E. coli tests were conducted at the KCRO. The remaining parameters were sent to the Department's Environmental Services Laboratory for analysis. The results from all water monitoring and sampling are summarized as follows:

	Parameters	Clinton Estates		
		Flow Measurement & Sampling Station	Downstream	Upstream
Monitoring	Time	11:13	11:35	11:49
	pH	7.11	7.35	7.38
	Dissolved Oxygen	9.37 mg/L	5.25 mg/L	6.08 mg/L
	Conductivity	9.3 μ S/cm	314.2 μ S/cm	330.7 μ S/cm
	Temperature	15.3 $^{\circ}$ C	16.3 $^{\circ}$ C	17.1 $^{\circ}$ C
Sampling	Time	11:13	11:35	11:49
	Ammonia as N	3.15 mg/L*	1.66 mg/L	0.036 mg/L
	BOD	5.24 mg/L	n/a	n/a
	TSS	<5 mg/L	n/a	n/a
	E. coli	>2,419.6 mpn/100ml*	n/a	n/a

*Sample results in exceedance of permitted effluent limits for Ammonia as N (1.4 monthly average)

Report of Inspection
Clinton Estates
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Compliance Determination

The facility was found to be out of compliance with the MCWL, its implementing regulations, and MSOP MO0129836, based upon observations made during the inspection.

Listing of Violations and Required Actions

A LOW has been issued for the following violations:

1. **Failure to maintain and submit sludge monitoring and records as required by Standard Conditions Part III of MSOP MO0129836 [RSMO § 644.076.1 and 10 CSR 6.010(8)(A)4].**

Required Action: The facility provided documentation of the most recent sludge removal following the inspection. No follow up is necessary for this violation.

2. **Failure to provide an all-weather access road to the treatment facility, as required by Special Condition 15 of MSOP MO0129836 [RSMO § 644.076.1 and 10 CSR 6.010(8)(A)4].**

Required Action: Construct an all-weather access road from a public right-of-way to the facility gate. In your response, provide photo documentation to the Kansas City Regional Office by August 19, 2019.

3. **Failure to operate and maintain facilities to comply with the Missouri Clean Water Law and applicable permits conditions and regulations [RSMO § 644.076.1 and 10 CSR 6.010(8)(A)4].**

Required Action: Remove vegetation from the filter bed media and complete any necessary repairs to prevent standing water. In your response, provide photo documentation and documentation of work completed to the Kansas City Regional Office by August 19, 2019.

4. **On May 30, 2019, failed to comply with the effluent limits contained in Table A-2 and with the Schedule of Compliance in MSOP MO0129836 [RSMO § 644.051.1(3), 644.076.1, 10 CSR 6.010(8)(A)1, and 10 CSR 7.015(9)(C)].**

Required Action: Take action to correct the unsatisfactory feature and to prevent recurrence in the future. In your response, provide a written statement explaining what actions have been taken to the Kansas City Regional Office by August 19, 2019.

5. **On June 3, 2019, caused the formation of putrescent, unsightly, or harmful bottom deposits in waters of the state, a tributary to Dick's Creek, in violation of Special Condition 5 of MSOP MO0129836 and Chapter 7 General Criteria Water Quality Standards [RSMO § 644.076.1, 10 CSR 6.010(8)(A)4, and 10 CSR 7.031(4)(A)].**

Required Action: Remove sludge deposits from the stream and ensure that no appropriate actions are taken to prevent future deposits. In your response, provide documentation of the clean-up and preventative actions to the Kansas City Regional Office by August 19, 2019.

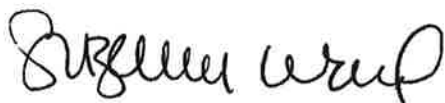
Report of Inspection
Clinton Estates
Page 5 of 5

Recommendations

1. During the second site visit, a bypass discharge was observed at the facility. Bypasses are not authorized at this facility. If a bypass is observed, the facility shall identify and repair the malfunction in the wastewater treatment system, which is causing the bypass. Report bypasses to the Kansas City Regional Office or Environmental Emergency Response orally or via the online MoGEM system (www.dnr.mo.gov/mogem) within 24 hours from the time of awareness of the bypass per 40 CFR 122.41(m)(3)(i), as required by Special Condition 10 and Standard Conditions Part I of MSOP MO0129836. The 24-hour report should be followed up with a 5-day written submission describing the bypass.
2. In October 2015, the U.S. Environmental Protection Agency (USEPA) published the Electronic Reporting Rule (40 CFR Part 127, 80 FR 64064), which requires facilities with monitoring and reporting requirements to submit their discharge monitoring reports (DMRs) electronically. In Missouri, facilities are required to submit DMRs electronically through the Department's eDMR system accessible from the Department's website at <http://www.dnr.mo.gov/env/wpp/edmr.htm>. Facilities not currently set up to use the eDMR system are required to submit an eDMR participation packet. Applications are available under the eDMR heading at <http://dnr.mo.gov/forms/#WaterPollution>. The Department will consider waivers for applicable facilities. Training classes are being provided by the Department for facilities and operators.
3. Please note that pursuant to 10 CSR 20-6.010(1)(A), all persons who build, erect, alter, replace, operate, use, or maintain existing point sources, or intend these actions for a proposed point source, water contaminant sources, or wastewater treatment facilities shall apply to the Department for the construction and operating permits required by the MCWL and its implementing regulations. Applications for construction and operating permits can be downloaded from the Department's website at <http://dnr.mo.gov/forms/#WaterPollution>. Maintenance activities do not require construction permitting and approval, but you must obtain a construction permit from the Department prior to making any modifications that change the treatment process and/or capacity of the facility.

Signatures

SUBMITTED BY:



Suzanne Ward
Environmental Specialist
Kansas City Regional Office

REVIEWED BY:






Adam Paige
Environmental Supervisor
Kansas City Regional Office

SNW/aptb

Attachments

- Attachment # 1 – Photographs (#001 through #018)**
Attachment # 2 – Aerial Maps
Attachment # 3 – Results of Sample Analysis

Attachment 1 – Photographs
Clinton Estates
Page 1 of 6

	<p>Photograph: #001 Taken By: Suzanne Ward Facility: Clinton Estates Facility ID: MO0129836 Location: 7113 Southwest Alexandria Circle, Trimble, Missouri</p> <p>Description: Sand filters and tank field looking southeast.</p> <p>Date Taken: 05/30/2019 Program: WPC Unit</p>
	<p>Photograph: #002 Taken By: Suzanne Ward Facility: Clinton Estates Facility ID: MO0129836 Location: 7113 Southwest Alexandria Circle, Trimble, Missouri</p> <p>Description: Tank field looking southeast.</p> <p>Date Taken: 05/30/2019 Program: WPC Unit</p>
	<p>Photograph: #003 Taken By: Suzanne Ward Facility: Clinton Estates Facility ID: MO0129836 Location: 7113 Southwest Alexandria Circle, Trimble, Missouri</p> <p>Description: Standing water, pipes, and hoses in tank field looking north.</p> <p>Date Taken: 05/30/2019 Program: WPC Unit</p>

Attachment 1 – Photographs
Clinton Estates
Page 2 of 6



Photograph: #004
Taken By: Suzanne Ward
Facility: Clinton Estates
Facility ID: MO0129836
Location: 7113 Southwest Alexandria Circle,
Trimble, Missouri

Description: Unknown white substance observed in standing water in the tank field.

Date Taken: 05/30/2019
Program: WPC Unit



Photograph: #005
Taken By: Suzanne Ward
Facility: Clinton Estates
Facility ID: MO0129836
Location: 7113 Southwest Alexandria Circle,
Trimble, Missouri

Description: South sand filter looking northwest. Standing water with algae around risers on the south side.

Date Taken: 05/30/2019
Program: WPC Unit



Photograph: #006
Taken By: Suzanne Ward
Facility: Clinton Estates
Facility ID: MO0129836
Location: 7113 Southwest Alexandria Circle,
Trimble, Missouri

Description: North sand filter looking northwest.

Date Taken: 05/30/2019
Program: WPC Unit

Attachment 1 – Photographs
Clinton Estates
Page 3 of 6



Photograph: #007
Taken By: Suzanne Ward
Facility: Clinton Estates
Facility ID: MO0129836
Location: 7113 Southwest Alexandria Circle, Trimble, Missouri

Description: Flow measurement sampling station, valve access, and splitter access looking northwest

Date Taken: 05/30/2019
Program: WPC Unit



Photograph: #008
Taken By: Suzanne Ward
Facility: Clinton Estates
Facility ID: MO0129836
Location: 7113 Southwest Alexandria Circle, Trimble, Missouri

Description: Flow measurement & sampling station. Samples were collected here.

Date Taken: 05/30/2019
Program: WPC Unit






Photograph: #009
Taken By: Suzanne Ward
Facility: Clinton Estates
Facility ID: MO0129836
Location: 7113 Southwest Alexandria Circle, Trimble, Missouri




Description: Outfall sign at stream

Date Taken: 05/30/2019
Program: WPC Unit




Attachment 1 – Photographs
Clinton Estates
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	<p>Photograph: #010 Taken By: Suzanne Ward Facility: Clinton Estates Facility ID: MO0129836 Location: 7113 Southwest Alexandria Circle, Trimble, Missouri</p> <p>Description: Tablet feeder for dechlorination installed at stream, but this facility does not have chlorination. No tablets were observed inside the tablet feeder.</p> <p>Date Taken: 05/30/2019 Program: WPC Unit</p>
	<p>Photograph: #011 Taken By: Suzanne Ward Facility: Clinton Estates Facility ID: MO0129836 Location: 7113 Southwest Alexandria Circle, Trimble, Missouri</p> <p>Description: Area of standing water extends from tank area south to the stream. The unmowed grass on the left side of the photo was presumably left unmowed due to wet ground.</p> <p>Date Taken: 06/03/2019 Program: WPC Unit</p>
	<p>Photograph: #012 Taken By: Suzanne Ward Facility: Clinton Estates Facility ID: MO0129836 Location: 7113 Southwest Alexandria Circle, Trimble, Missouri</p> <p>Description: Sludge in standing water in the tank area.</p> <p>Date Taken: 06/03/2019 Program: WPC Unit</p>

Attachment 1 – Photographs
Clinton Estates
Page 5 of 6

	<p>Photograph: #013 Taken By: Suzanne Ward Facility: Clinton Estates Facility ID: MO0129836 Location: 7113 Southwest Alexandria Circle, Trimble, Missouri</p> <p>Description: White residue in bypassing water running from the tank area to the stream.</p> <p>Date Taken: 06/03/2019 Program: WPC Unit</p>
	<p>Photograph: #014 Taken By: Suzanne Ward Facility: Clinton Estates Facility ID: MO0129836 Location: 7113 Southwest Alexandria Circle, Trimble, Missouri</p> <p>Description: Pink hued slime on the stream bank where the bypass enters the stream.</p> <p>Date Taken: 06/03/2019 Program: WPC Unit</p>
	<p>Photograph: #015 Taken By: Suzanne Ward Facility: Clinton Estates Facility ID: MO0129836 Location: 7113 Southwest Alexandria Circle, Trimble, Missouri</p> <p>Description: Pink hued slime (zoomed in) on the stream bank where the bypass enters the stream.</p> <p>Date Taken: 06/03/2019 Program: WPC Unit</p>

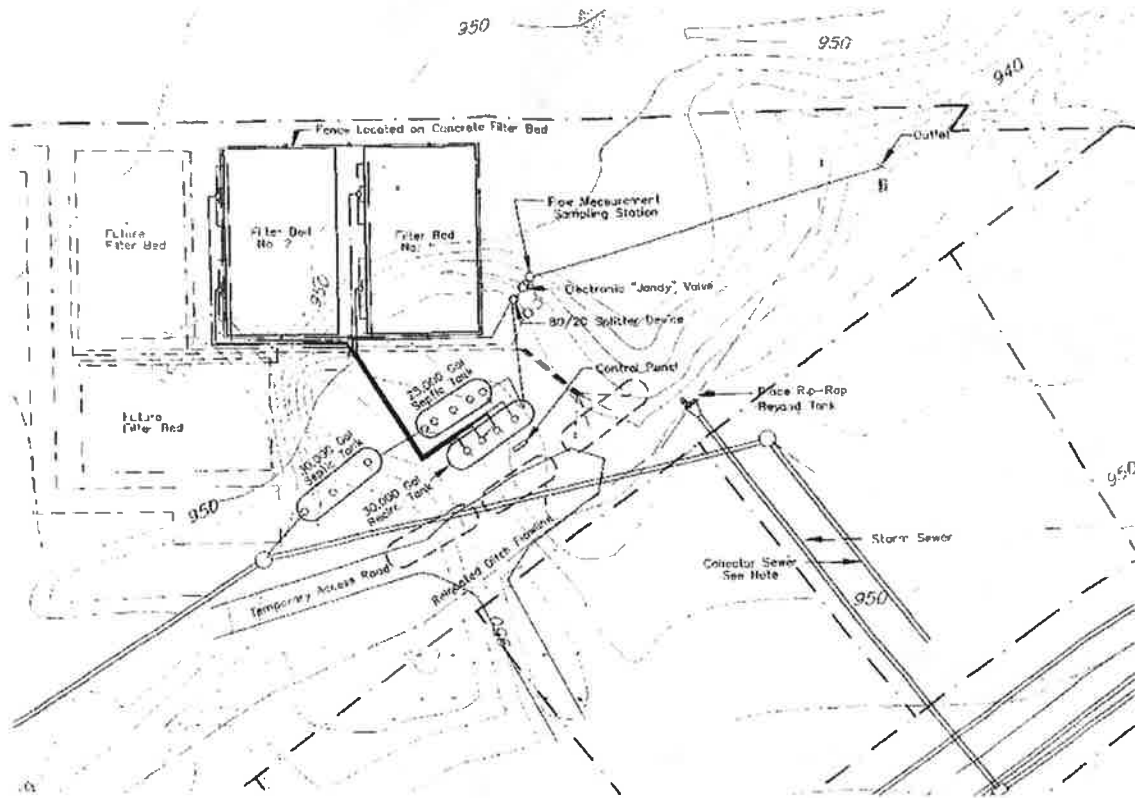
Attachment 1 – Photographs
Clinton Estates
Page 6 of 6

	<p>Photograph: #016 Taken By: Suzanne Ward Facility: Clinton Estates Facility ID: MO0129836 Location: 7113 Southwest Alexandria Circle, Trimble, Missouri</p> <p>Description: Sludge on the stream bank and bed where bypass enters the stream</p> <p>Date Taken: 06/03/2019 Program: WPC Unit</p>
	<p>Photograph: #017 Taken By: Suzanne Ward Facility: Clinton Estates Facility ID: MO0129836 Location: 7113 Southwest Alexandria Circle, Trimble, Missouri</p> <p>Description: Sludge on the stream bank (zoomed in) and bed where bypass enters the stream. Blood worms were observed.</p> <p>Date Taken: 06/03/2019 Program: WPC Unit</p>
	<p>Photograph: #018 Taken By: Suzanne Ward Facility: Clinton Estates Facility ID: MO0129836 Location: 7113 Southwest Alexandria Circle, Trimble, Missouri</p> <p>Description: Bridge over the creek a few feet upstream of the bypass.</p> <p>Date Taken: 06/03/2019 Program: WPC Unit</p>

Attachment #2 – Aerial Image
Clinton Estates
Page 1 of 2



Attachment #2 – Aerial Image
Clinton Estates
Page 2 of 2





Missouri Department of Natural Resources
 Environmental Services Program
 PO Box 176 Jefferson City MO 65102-0176

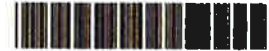
RESULTS OF SAMPLE ANALYSES Addendum

LDPR/Job Code:
 FEINS

Program, Contact:
 WPC Chelsey Distler


Chelsey Distler
 Water Pollution Control Branch

Order ID:
 190531038



Report Date:
 6/18/2019

Sample: AD49720		Facility ID: MO0129836	Customer #: 191576	
		Site: Clinton Estates WWTP	County: Clinton	
Collect Date: 5/30/2019 11:13:00 AM	Collector: SUZANNE WARD	Affiliation: KCRO		
Comments: Grab sample at sampling access point/ manhole prior to Outfall 001.				
Addendum Reason: Changed name per collector.				
Test	Parameter/Method	Result	Units	Qualifier(s)
Ammonia as N	Ammonia as N/L 10-107-06-1-J	3.15	mg/L	
Biochemical Oxygen Demand	Biochemical Oxygen Demand/SM 5210-B	5.24	mg/L	
E. coli - IDEXX	E. coli - IDEXX/SM 9223B	>2419.6	mpn/100ml	
Field Dissolved Oxygen	Field Dissolved Oxygen/SM 4500-O-G	9.37	mg/L	
Field pH	Field pH/EPA 150.1	7.11	pH Units	
Field Specific Conductivity	Field Specific Conductivity/SM 2510	9.3 uS/cm		
Field Temperature	Field Temperature/EPA 170.1	15.3 C		
Total Suspended Solids (TSS) / NFR	Total Suspended Solids (TSS) / NFR/SM 2540-D	<5	mg/L	ND
Sample: AD49721		Facility ID: MO0129836	Customer #: 191577	
		Site: Clinton Estates WWTP	County: Clinton	
Collect Date: 5/30/2019 11:35:00 AM	Collector: SUZANNE WARD	Affiliation: KCRO		
Comments: Grab sample downstream of outfall 001				
Addendum Reason: Changed name per collector.				
Test	Parameter/Method	Result	Units	Qualifier(s)
Ammonia as N	Ammonia as N/L 10-107-06-1-J	1.66	mg/L	
Field Dissolved Oxygen	Field Dissolved Oxygen/SM 4500-O-G	5.25	mg/L	
Field pH	Field pH/EPA 150.1	7.35	pH Units	
Field Specific Conductivity	Field Specific Conductivity/SM 2510	314.2 uS/cm		
Field Temperature	Field Temperature/EPA 170.1	16.3 C		

Sample: AD49722	Facility ID: MO0129836	Customer #: 191578		
	Site: Clinton Estates WWTP	County: Clinton		
Collect Date: 5/30/2019 11:49:00 AM	Collector: SUZANNE WARD	Affiliation: KCRO		
Comments: Grab sample upstream of outfall 001				
Addendum Reason: Changed name per collector.				
Test	Parameter/Method	Result	Units	Qualifier(s)
Ammonia as N	Ammonia as N/L 10-107-06-1-J	0.036	mg/L	08, 05
Field Dissolved Oxygen	Field Dissolved Oxygen/SM 4500-O-G	6.08	mg/L	
Field pH	Field pH/EPA 150.1	7.38	pH Units	
Field Specific Conductivity	Field Specific Conductivity/SM 2510	330.7 uS/cm		
Field Temperature	Field Temperature/EPA 170.1	17.1 C		

The analysis of this sample was performed in accordance with procedures approved or recognized by the U. S. Environmental Protection Agency.



Data Qualifier(s)

05	Estimated value, detected below PQL	08	Analyte present in blank at > ½ reported value
ND	Not detected at reported value		

Kevin Thoenen,
Laboratory Manager
Environmental Services Program
Division of Environmental Quality

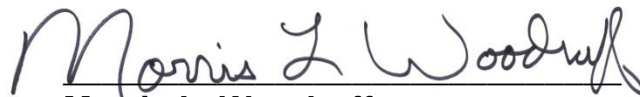
STATE OF MISSOURI

OFFICE OF THE PUBLIC SERVICE COMMISSION

I have compared the preceding copy with the original on file in this office and I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City, Missouri, this 12th day of November 2019.




Morris L. Woodruff
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

November 12, 2019

File/Case No. SA-2020-0132

**Missouri Public Service
Commission**

Staff Counsel Department
200 Madison Street, Suite 800
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Jefferson City, MO 65102
staffcounsel@psc.mo.gov

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County of Clinton, Missouri

County Commission Clerk
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Plattsburg, MO 64477

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**Missouri-American Water
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Timothy W Luft
727 Craig Road
St. Louis, MO 63141
Timothy.Luft@amwater.com

Enclosed find a certified copy of an Order or Notice issued in the above-referenced matter(s).

Sincerely,



**Morris L. Woodruff
Secretary**

Recipients listed above with a valid e-mail address will receive electronic service. Recipients without a valid e-mail address will receive paper service.