

STATE OF MISSOURI
DEPARTMENT OF NATURAL RESOURCES

Bob Holden, Governor • Stephen M. Mahfood, Director

www.dnr.state.mo.us

CERTIFIED MAIL
7003 1010 0004 1719 7331

FILED

JUL 8 2008

5.200 Ken Jaeger Lagoon
(Formerly Known as Salt River Opry)
Ralls County

Missouri Public
Service Commission

December 4, 2003

Mr. Ken Jaeger
17805 Bluff View Drive
Center, MO 63436

NOTICE OF VIOLATION

Dear Mr. Jaeger:

The Northeast Regional Office conducted an investigation at your lagoon near the Salt River Resort on November 26, 2003. The investigation was conducted due to citizens' concerns that the lagoon has been discharging and the residential connections being made to the lagoon are unpermitted. The investigation revealed no evidence of a discharge from the lagoon. It was discovered, however, that a lift station and sewer main were built without a construction permit.

According to 10 CSR 20-6.010 (4) (A), no person shall cause or permit the construction, installation or modification of any sewer system or of any water contaminant source, point source or wastewater treatment facility without first receiving a construction permit issued by the department. Therefore, Notice of Violation #WP0010NE is being issued for the construction of the lift station and sewer main for the subdivision without a construction permit. No further sewer extensions can be constructed without first obtaining a construction permit.

To resolve the Notice of Violation for constructing without a permit, submit a complete Construction Permit for Sewer Extension application to the Northeast Regional Office, including the "as built" plans from a professional engineer, by **January 30, 2004**. A construction permit application form is enclosed with this letter.

Integrity and excellence in all we do



OPC-3

OPC Exhibit No. 3
Case No(s) 50-2008-0358
Date 6-23-08 Rptr xf

Mr. Ken Jaeger
December 4, 2003
Page 2

Also during the on-on site investigation of November 26, 2003 it was discussed that a land disturbance permit for the subdivision would be required since the area disturbed is greater than one acre. This is also included in Notice of Violation #WP0010NE. To resolve this violation, a land disturbance permit application must be submitted. Enclosed is a Form O-Application for Land Disturbance Permit. Please complete and submit this application, along with a permit fee of \$300.00, to the Northeast Regional Office by **December 24, 2003**.

According to 10 CSR 20-6.010 (3) (A), all applicants for construction permits or operating permits shall show, as part of their application, that a permanent organization exists which will serve as the Continuing Authority for the operation, maintenance and modernization of the facility for which the application is made. Since there is currently no valid Continuing Authority for the system, a construction permit cannot be issued. A valid continuing authority must be established before a construction or operating permit can be issued. During the on-site investigation you said that you would have more information about a Continuing Authority for the system by December 5, 2003. Please ensure that this information is submitted in writing to the Northeast Regional Office no later than **December 15, 2003**.

During the on-site investigation of November 26, 2003, you said that you planned on working with MECO Engineering to evaluate the current wastewater treatment system and help with the application process. You indicated that you would contact MECO Engineering by December 5, 2003. Please provide the Northeast Regional Office with a letter from MECO Engineering stating that they have been retained for the project. If modifications to the system are necessary, the letter should also indicate a timeframe by which a construction permit will be submitted. If it is determined that the current system is large enough for present and expected wastewater flows, then please indicate when an operating permit will be submitted. The letter from the engineer is due no later than **December 15, 2003**.

Since you are currently operating the wastewater treatment system without a permit, it is imperative that you continue to progress toward obtaining a permit in order to avoid enforcement action by the department. Please ensure that all information is submitted by the indicated due dates. In summary, the Northeast Regional Office requires the following information:


1. Information regarding Continuing Authority for lagoon system – **Due December 15, 2003**.
2. Letter from MECO Engineering containing information for the construction and/or operating permit as requested above – **Due December 15, 2003**.
3. Completed Form O and land disturbance permit fee – **Due December 24, 2003**.
4. A construction permit for sewer extension application for the lift station and sewer main – **Due January 30, 2004**.

Mr. Ken Jaeger
December 4, 2003
Page 3

Should you have additional questions regarding this matter, please contact Brenda Bethel at (660) 385-2129 in the Northeast Regional Office, 1709 Prospect Drive, Macon, MO 63552.

Sincerely,

NORTHEAST REGIONAL OFFICE


G. Irene Crawford
Regional Director

GIC/nhk

Enclosures: Notice of Violation #WP0010NE
Form O-Application for Land Disturbance Permit
Application for Construction Permit-Sewer Extension

c: Water Pollution Control Program

U.S. Postal ServiceTM
CERTIFIED MAILTM RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark Here: 12/9/03

Sent To: Ken Jaeger
Street, Apt. No., or PO Box No.: 17805 Bluff View Dr.
City, State, ZIP+4: Center MO 63436

PS Form 3800, June 2002 See Reverse for Instructions.


7003 1010 0004 1719 7331 NH
PS Form 3811, August 2001 Domestic Return Receipt Kalls Co. 5.200 Ken Jaeger
10255-02-M-1540

SENDER: COMPLETE THIS SECTION

1. Article Addressed to:
Ken Jaeger
17805 Bluff View Dr.
Center, MO 63436

2. Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
Print your name and address on the reverse so that we can return the card to you.
Attach this card to the back of the mailpiece, or on the front if space permits.

COMPLETE THIS SECTION ON DELIVERY

A. Signature: 
B. Receipt by (Print Name): Jaeger
C. Date of Delivery: 12-11-03
D. Is delivery address different from item 1? Yes ☐ No ☒
If YES, enter delivery address below:

3. Sample types of Restricted Mail:
☒ Certified Mail ☐ Registered Mail ☐ Return Receipt for Merchandise ☐ Insured Mail ☐ C.O.D.
4. Restricted Delivery? (Extra Fee) Yes ☐ No ☒

DEC 12 2003



MISSOURI DEPARTMENT OF NATURAL RESOURCES
NOTICE OF VIOLATION

12-11-03
Jr

VIOLATION NUMBER

WP0010NE

DATE AND TIME ISSUED

December 4, 2003

SOURCE (NAME, ADDRESS, PERMIT NUMBER, LOCATION)

Ken Jaeger Lagoon

SW 1/4, SE 1/4, Section 14, Township 55 North, Range 7 West, Ralls County

MAILING ADDRESS

17805 Bluff View Drive

CITY

Center

STATE

MO

ZIP

63436

NAME OF OWNER OR MANAGER

Ken Jaeger

TITLE OF OWNER OR MANAGER

Lagoon Owner

LAW, REGULATION OR PERMIT VIOLATED

(1) Sections 644.051.2 and 644.076.1, RSMo. and 10 CSR 20-6.010 (1) (A) and (4) (A).

(2) Sections 644.051.2 and 644.076.1, RSMo. and 10 CSR 20-6.200 (1) (A).

NATURE OF VIOLATION

DATE(S):

TIME(S):

(1) Ken Jaeger caused or permitted construction, installation or modification of a sewer system without first receiving a construction permit.

(2) Ken Jaeger conducted land disturbance activities on an area greater than one acre in size without first receiving a land disturbance permit.

SIGNATURE (PERSON RECEIVING NOTICE)

Sent Certified Mail

TITLE OR POSITION

SIGNATURE (PERSON ISSUING NOTICE)

TITLE OR POSITION

Environmental Specialist