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ENFORCEMENT ACTION REQUEST

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DATE: October 5, 2004

TO: Water Pollution Control Branch, Compliance and Enforcement Section

FROM: G. Irene Crawford, Regional Director, Northeast Regional Office

The Northeast Regional Office is requesting enforcement action by the Water Pollution Control Branch on

| Mr. Ken Jaeger, Lost Valley Resort | (name of facility/site/violator) |
|------------------------------------|----------------------------------|
| Residential Housing Development | (primary business) |
| No permit issued | _(site or permit ID#) |
| Ralls County | (city, county) |
| Various Dates | _ (date of violation) |

1. Brief description of violations:

Mr. Ken Jaeger continues to operate without a valid State Operating Permit. An incomplete operating permit application was submitted, but could not be processed due to deficiencies of the application. A valid continuing authority is needed before a state operating permit can be issued.

- 2. The violations (with statute/section or regulation citations) that are documented by the file are as follows:
 - A. Ken Jaeger caused or permitted construction, installation or modification of a sewer system or of any water contaminate source, point source or wastewater treatment facility, without first receiving a construction permit [Sections 644.051.2 and 644.076.1 RSMO, and 10 CSR 20-6.010(1)(A) and (4)(A)].
 - B. Since April 8, 2003, operated, used or maintained a facility for the storage, treatment, or disposal of process wastes, domestic wastewater, without a Missouri State Operating Permit (MSOP) [Sections 644.051.2 and 644.076.1, RSMO and 10 CSR 20-6.015 (2)(A)].

Case No(s). SO - 2008 - 0358

Date 6-23-08 Rptr 45

Enforcement Action Request Mr. Ken Jaeger/Lost Valley Resort October 5, 2004 Page 2

- 3. To settle this issue, it is requested that the following action be taken (corrective action, compliance schedule, etc.):
 - A. Immediate actions to lower the lagoon to minimum operating level.
 - B. Submit an engineering report to identify appropriate and adequate land application areas along with owner legal agreement to provide land.
 - C. Establish a valid continuing authority.
 - D. Retain a certified operator.
 - E. A complete and timely application submittal for a no-discharge lagoon operating permit.
 - F. Upgrade the unpermitted collection system to meet Chapter 8 design guide requirements.
 - G. Place a sewer ban on development until compliance has been achieved.
 - H. Negotiate conditions to ensure future development will be in compliance with regulations.

Technical Review date

Regional Director date

Attachments:

__x_Other - Inspection Report, Letters