



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 7
901 NORTH 5TH STREET
KANSAS CITY, KANSAS 66101

MEMORANDUM

SUBJECT: Adams Dairy Landing – Blue Springs, MO
Expedited Settlement Agreement -- CWA-07-2010-0008

FROM: Sarah LaBoda, Office of Regional Counsel *SL 4/20/10*

THRU: Leslie Humphrey, Chief, Office of Regional Counsel - Water Branch

TO: Kathy Robinson, Regional Hearing Clerk

In November 2009, EPA issued an Expedited Settlement Offer (“ESO”) to “Blue Springs Development LLC,” the documented permit holder for the Adams Dairy Landing site located in Blue Springs, Missouri. When the Respondent signed the ESO Agreement and returned it to EPA, they hand wrote in their name as “Blue Springs Development *Two* LLC” on the ESO Agreement.

I contacted their attorney and she indicated that there must have been an error in the permitting process as Blue Springs Development, LLC is a completely unrelated entity with no affiliation to Blue Springs Development Two, LLC. The Secretary of State records verify that Blue Springs Development Two, LLC is a distinct and unrelated corporate entity with no relation to Blue Springs Development, LLC.

EPA contacted MDNR to attempt to remedy the error on the permit; however, MDNR has indicated that there is not an available mechanism to change the name on a general land disturbance permit. The Respondent would need to terminate permit coverage and reapply along with payment of a \$300 administrative fee.

EPA is aware of the handwritten change to the agreement and concurs that Blue Springs Development Two, LLC is the operator of the Adams Dairy Landing site. Despite the discrepancy between these two similar names, the permit reflects the proper address and contact information for Blue Springs Development Two, LLC. The Respondent has already submitted payment for the ESO Agreement.