

FILED

December 4, 2025

8:16AM

**U.S. EPA REGION 7
HEARING CLERK**

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 7
11201 RENNER BLVD.
LENEXA, KANSAS 66219

BEFORE THE ADMINISTRATOR

IN THE MATTER OF)	
)	Docket No. CWA-07-2026-0003
Capital Materials, LLC,)	
)	Administrative Order on Consent
Respondent)	
)	
Proceedings under Section 309(a)(3) of the)	
Clean Water Act, 33 U.S.C. § 1319(a)(3))	
_____)	

Preliminary Statement

1. The following Administrative Order on Consent (“Order”) is issued pursuant to Section 309(a)(3) of the Clean Water Act (“CWA”), 33 U.S.C. § 1319(a)(3). This Authority has been delegated by the Administrator of the U.S. Environmental Protection Agency (“EPA”), to the Regional Administrator, EPA Region 7 and further delegated to the Director of Region 7’s Enforcement and Compliance Assurance Division with the concurrence of the Regional Counsel.

2. Respondent in this case is Capital Materials, LLC, (“Respondent” or “Capital Materials”).

3. It is the Parties’ intent through entering into this Order to address the Respondent’s noncompliance with the terms and conditions of its National Pollutant Discharge Elimination System (“NPDES”) permits. As set forth in this Order, the Parties have reached agreement regarding the timeframes for the Capital Materials to attain compliance with the CWA and its NPDES permit.

General Provisions

4. For this proceeding only, Respondent admits each jurisdictional allegation set forth in this Order.

5. Respondent agrees not to contest the jurisdiction of EPA with respect to the execution or enforcement of this Order.

6. The provisions of this Order shall apply to and be binding upon the Respondent and its officers, directors, employees, contractors, agents, trustees, successors and assigns of the Respondent.

7. Respondent shall bear its own costs and attorney's fees in connection with this proceeding and associated with the implementation or enforcement of this Order, including any costs related to resolution of any dispute arising regarding this Order.

8. This Order does not constitute a waiver or modification of the terms or conditions of any permit issued to Respondent. Nothing in this Order shall relieve Respondent of its obligation to comply with all applicable provisions of federal, state, or local laws and regulations, nor shall it restrict EPA's authority to seek compliance with any applicable laws or regulations, nor shall it be construed to be a ruling on the validity of any federal, state, or local permit. This Order does not constitute a waiver, suspension, or modification of the requirements of the Act, 33 U.S.C. §§ 1251 et seq., or any regulations promulgated thereunder.

9. Respondent waives all remedies, claims for relief and otherwise available rights to judicial or administrative review that Respondent may have with respect to any issue of fact or law set forth in this Order, including any right of judicial review pursuant to Chapter 7 of the Administrative Procedure Act, 5 U.S.C. §§ 701-706.

10. The undersigned representative of Respondent certifies that he or she is fully authorized by the party represented to enter the terms and conditions of this Order and to execute and legally bind the party and consents to personal service by electronic mail.

11. By signing this Order, Respondent acknowledges that this Order may be available to the public and represents that, to the best of Respondent's knowledge and belief, this Order does not contain any confidential business information or personally identifiable information from Respondent.

12. Respondent certifies that any information or representation it has supplied or made to EPA concerning this matter was, at the time of submission, true, accurate, and complete and that there has been no material change regarding the truthfulness, accuracy or completeness of such information or representation. EPA shall have the right to institute further actions to recover appropriate relief if EPA obtains evidence that any information provided and/or representations made by Respondent to the EPA, regarding matters relevant to this Order, are false or, in any material respect, inaccurate. This right shall be in addition to all other rights and causes of action that EPA may have, civil or criminal, under law or equity in such event. Respondent and its officers, directors and agents are aware that the submission of false or misleading information to the United States government may subject a person to separate civil and/or criminal liability.

13. Terms used in this Order that are defined in the CWA or EPA regulations promulgated under the CWA have the meanings assigned to them in the CWA or those regulations, unless otherwise provided in this Order.

Statutory and Regulatory Framework

14. Section 301(a) of the CWA, 33 U.S.C. § 1311(a), prohibits the discharge of pollutants except in compliance with, *inter alia*, Section 402 of the CWA, 33 U.S.C. § 1342. Section 402 of the CWA provides that pollutants may be discharged only in accordance with the terms of an NPDES permit issued pursuant to that Section.

15. The CWA prohibits the discharge of “pollutants” from a “point source” into a “navigable water” of the United States, as these terms are defined by Section 502 of the CWA, 33 U.S.C. § 1362.

16. Section 502(7) of the CWA, 33 U.S.C. § 1362(7), defines “navigable waters,” as “the waters of the United States, including the territorial seas.”

17. Section 402(p) of the CWA, 33 U.S.C. § 1342(p), sets forth requirements for the issuance of NPDES permits for the discharge of stormwater. Section 402(p) of the CWA requires, in part, that a discharge of stormwater associated with an industrial activity must comply with the requirements of an NPDES permit issued pursuant to Section 402 of the CWA.

18. Pursuant to Section 402(p) of the CWA, the EPA promulgated regulations setting forth the NPDES permit requirements for stormwater discharges at 40 C.F.R. § 122.26.

19. 40 C.F.R. §§ 122.26(a)(1)(ii) and 122.26(c) require dischargers of stormwater associated with industrial activity to apply for an individual permit or to seek coverage under a promulgated stormwater general permit.

20. In part, 40 C.F.R. § 122.26(b)(14)(iii) defines “industrial activity” as including “Facilities classified as Standard Industrial Classifications 10 through 14 (mineral industry).”

21. The Missouri Department of Natural Resources (“MoDNR”) is the state agency with the authority to administer the federal NPDES program in Missouri pursuant to Section 402 of the CWA. EPA maintains concurrent enforcement authority with authorized states for violations of the CWA.

Factual Background

22. Respondent is a “person” as defined by Section 502(5) of the CWA, 33 U.S.C. § 1362(5) and includes but is not limited to an individual, corporation, and partnership.

23. At all times relevant to this action, Respondent owned, operated, or otherwise controlled two facilities: Linn Creek North Quarry at 1369 Business Park Rd and Linn Creek South Quarry at 1410 Business Park Rd, Linn Creek, Missouri. Both facilities process wastewater, mine/pit dewatering, and/or generate stormwater discharges from quarry operations.

24. Stormwater, snow melt, surface drainage, and runoff water leaves Respondent’s North Quarry and discharges to an unnamed tributary to North Fork Linn Creek and North Fork

Linn Creek, a perennial water body with year-round flow. The South Quarry discharges to an unnamed tributary to North Fork Linn Creek and into North Fork Linn Creek. The confluence of the North Fork Linn Creek and South Fork Linn Creek form Linn Creek which flows into the Lake of the Ozarks which is a “traditionally navigable water” within the meaning of Section 502(7) of the CWA, 33 U.S.C. § 1362(7).

25. The runoff and drainage from Respondent’s facilities is “stormwater” as defined by 40 C.F.R. § 122.26(b)(13).

26. Both facilities have “stormwater discharges associated with industrial activity” as defined by 40 C.F.R. § 122.26(b)(14) and are each a “point source” as defined by Section 502(14) of the CWA, 33 U.S.C. § 1362(14).

27. Stormwater from these facilities contain “pollutants” as defined by Section 502(6) of the CWA, 33 U.S.C. § 1362(6).

28. The unnamed tributary to the North Fork Linn Creek, the North Fork Linn Creek, the South Fork Linn Creek, and Linn Creek are “waters of the United States” as is defined by Section 502(7) of the CWA, 33 U.S.C. § 1362(7).

29. Stormwater runoff from Respondent’s industrial activity at both facilities result in the addition of pollutants from point sources to navigable waters and thus is the “discharge of a pollutant” as defined by CWA Section 502(12), 33 U.S.C. § 1362(12).

30. Respondent’s discharge of pollutants associated with an industrial activity, as defined by 40 C.F.R. § 122.26(b)(14), require permits issued pursuant to Section 402 of the CWA, 33 U.S.C. § 1342.

31. MDNR implemented General Permit MO-GP4900000 for the discharge of stormwater under the NPDES, on May 1, 2022. The permit governs stormwater discharges from limestone and other rock quarries, concrete, glass and asphalt industries. Respondent applied for and was issued NPDES Permit Authorization #MOG490238 for the South Quarry and # MOG490110 for the North Quarry.

32. Respondent always operated under the referenced Permits relevant to this Order.

33. On February 26, 2025, EPA performed Industrial Stormwater Compliance Evaluation Inspections at both the Linn Creek North and Linn Creek South Quarries under the authority of Section 308(a) of the CWA, 33 U.S.C. § 1318(a), to evaluate Respondent’s compliance with its NPDES permits and the CWA. During this inspections, EPA’s Inspector identified several violations of the Respondent’s NPDES permits.

Findings of Violation
Linn Creek North Quarry

34. The paragraphs above are restated and herein incorporated.

Count 1
(SWPPP Deficiencies)

35. NPDES General Permit MO-GP4900000, Part V.2 requires the development and implementation of a Stormwater Pollution Prevention Plan (“SWPPP”).

36. NPDES General Permit MO-GP4900000, Part V.4 states facilities must include in the SWPPP the following:

- a. Part V.4.(b) A list of potential contaminants; and an annual estimate of amounts.
- b. Part V.4.(c) A list of BMPs; and narrative for each BMP; and details on BMP maintenance, repair, and replacement schedules.
- c. Part V.4.(d) A description of wash water or a note that wash water is not produced.
- d. Part V.4.(e)(4) A site map that includes the location of all structural BMPs and other stormwater control measures.
- e. Part V.4.(e)(6) A site map that includes the location of potential stormwater pollutant sources.
- f. Part V.4.(e)(8)(i) A site map that includes locations of fueling stations.
- g. Part V.4.(e)(8)(v) A site map that includes locations used for treatment, storage or disposal of wastes.
- h. Part V.4.(e)(8)(viii) A site map that includes locations of processing and storage areas.
- i. Part V.4.(g) of the permit the facility must review the SWPPP and BMPs to determine what improvements or additional controls are needed to reduce the pollutant concentrations in the facility’s future stormwater discharges. Any corrective action required as a result of Quarterly Visual Assessments must be documented and maintained with the SWPPP.

37. EPA’s inspection identified the following SWPPP deficiencies:

- a. Failure to include potential contaminants from a waste dumpster, stockpiled asphalt shingles, stockpiled shredded shingles, a tote of anti-strip asphalt additive, roofing nails, and an outdoor used oil tank.
- b. Failure to include a complete list of Best Management Practices (“BMPs”), a narrative for each BMP, and details on maintenance of each BMP on site.
- c. Failure to include site-specific practices for wash water or a note that wash water is not produced.
- d. Failure to include the location of all structural BMPs and other stormwater control measures (i.e. gravel berms, settling basin, secondary containment, etc.).
- e. Failure to include the location of potential stormwater pollutant sources (i.e. dumpsters, used oil container, stockpiles, etc.).
- f. Failure to include locations of fueling stations.
- g. Failure to identify locations used for treatment, storage or disposal of wastes (i.e. dumpster, nails, etc.).

- h. Failure to identify locations of processing and storage areas (i.e. shingle shredding, rock crushing/sorting, stockpiles, etc.).
- i. Failure to review the SWPPP and BMPs to determine what improvements or additional controls are needed to reduce the pollutant concentrations in quarters one, three, and four of 2024 and subsequently provide updated BMPs.
- j. Failure to mark Outfall 001.

38. Respondent's identified failures to develop and implement a SWPPP are violations of the terms and conditions of Respondent's NPDES permit and the CWA.

Count 2
(Failure to Implement BMPs)

39. NPDES General Permit MO-GP4900000, Part VI.1 states the following minimum BMPs must be implemented at all facilities:

- (a) Collection facilities shall be provided on-site and arrangements made for proper disposal of waste products, including but not limited to petroleum waste products, solid waste, de-icing products, and solvents, which may be exposed to stormwater. Keep storage bins for waste products covered to minimize contact with and contamination of precipitation, where possible.

40. EPA's inspection identified the following areas missing BMPs at Respondent's facility:

- a. An uncovered dumpster containing waste from the shingle shredding operation and other construction waste.
- b. A 300-gallon half-full tote, identified as anti-strip asphalt additive, located in the same area.
- c. Shredded plastic, shingles, and other waste on the ground in the area around the dumpster.
- d. Uncontrolled piles of rusted roofing nails and other metals near Outfall 001.
- e. Metal parts for recycling gathered in a 300-gallon tote.
- f. Waste shingles and other waste in the interior berms.

41. Respondent's identified failures to implement BMPs are violations of the terms and conditions of Respondent's NPDES permit and the CWA.

Count 3
(Failure to Inspect and/or Document Inspections)

42. NPDES General Permit MO-GP4900000, Part V.4 states that facilities must conduct, and document, and keep records of monthly site inspections

43. The EPA inspector requested monthly site inspections, and the facility failed to provide monthly site inspection reports from February 2022 to December 2023.

44. Respondent's failure to conduct and document monthly site inspections is a violation of the terms and conditions of Respondent's NPDES permit and the CWA.

Linn Creek South Quarry

45. The paragraphs above are restated and herein incorporated.

Count 4
(SWPPP Deficiencies)

46. NPDES General Permit MO-GP4900000, Part V.2 requires the development and implementation of a SWPPP.

47. NPDES General Permit MO-GP4900000, Part V.4 states facilities must include in the SWPPP the following:

- a. Part V.4.(b) A list of potential contaminants; and an annual estimate of amounts
- b. Part V.4.(c) A list of BMPs; and narrative for each BMP; and details on BMP maintenance, repair, and replacement schedules
- c. Part V.4.(d) A description of wash water or a note that wash water is not produced
- d. Part V.4.(e)(4) A site map that includes the location of all structural BMPs and other stormwater control measures and outfalls
- e. Part V.4.(e)(6) A site map that includes the location of potential stormwater pollutant sources
- f. Part V.4.(e)(8)(i) A site map that includes locations of fueling stations
- g. Part V.4.(e)(8)(v) A site map that includes locations used for treatment, storage or disposal of wastes
- h. Part V.4.(e)(8)(viii) A site map that includes locations of processing and storage areas
- i. Part V.4.(g) of the permit the facility must review the SWPPP and BMPs to determine what improvements or additional controls are needed to reduce the pollutant concentrations in the facility's future stormwater discharges. Any corrective action required as a result of Quarterly Visual Assessments must be documented and maintained with the SWPPP.

48. EPA's inspection identified the following SWPPP deficiencies:

- a. The SWPPP did not include an Alternatives Analysis.
- b. The SWPPP did not list items observed during the visual inspection of the facility, including potential contaminants from crushing/sorting operation equipment, heavy equipment, dumpsters, and totes of drag/slat cleaner and diesel exhaust fluid. The SWPPP included figures of BMPs such as silt fencing, diversion dikes, drainage swales, sediment traps, rock check dams, and pipe slope drains. With exception of the sediment trap, the EPA inspector did not observe those BMPs at the facility and they were not displayed on the facility's SWPPP map.
- c. The SWPPP did not include a description of wash water or a note that wash water is not produced. Section 3.5 and 3.6 of the SWPPP generally discusses what the permit allows but does not have a description of site-specific practices.

d. The facility site map does not show all items required by the permit including: the location of gravel berms; settling basins; sediment traps; secondary containment; spill kits; dumpsters; diesel tank; rock crushing/sorting stockpiles.

e. The visual assessment on July 18, 2023, documented poor clarity in the discharge, but a review was not documented.

f. The facility did not conduct a visual assessment in the third quarter of 2024.

g. All locations where stormwater is exposed to industrial activities and drains from the site are not identified including area eroding under the concrete barriers in the lower stockpile area; and overburden disposal area.

49. Respondent's identified failures to develop and implement an adequate SWPPP is a violation of the terms and conditions of Respondent's NPDES permit and the CWA.

Count 5
(Failure to Implement BMPs)

50. NPDES General Permit MO-GP4900000, Part VI.1 states the following minimum BMPs must be implemented at all facilities:

a. Collection facilities shall be provided on-site and arrangements made for proper disposal of waste products, including but not limited to petroleum waste products, solid waste, de-icing products, and solvents, which may be exposed to stormwater. Keep storage bins for waste products covered to minimize contact with and contamination of precipitation, where possible. Solid waste must not be allowed to enter waters of the state.

b. Prevent the spillage or loss of fluids, oil, grease, fuel, etc. from vehicle maintenance, equipment cleaning, or warehouse activities and thereby prevent the contamination of stormwater from these substances. This might include, for example, utilizing drip pans under vehicles and equipment stored outdoors, covering fueling areas, using dry clean-up methods, and use of absorbents for spills/leaks.

c. Store all paints, solvents, salts, petroleum products, petroleum waste products, and storage containers (such as drums, cans, or cartons) so they are not exposed to stormwater or provide other prescribed BMPs such as plastic lids and/or portable spill pans to prevent the commingling of stormwater with container contents. Water commingled with container contents may not be discharged under this permit. Provide spill prevention, control, and countermeasures to prevent any spill of these pollutants from leaving the site or entering waters of the state. Any containment system used to implement this requirement shall be constructed of materials compatible with the substances contained and shall prevent the contamination of groundwater.

d. Provide sediment and erosion control sufficient to prevent sediment loss off of the property, pollution of waters of the state, and to comply with the conditions of this permit, Missouri Clean Water Law, and the CWA. Ensure that all erosion and sediment controls remain in effective operating condition.

51. EPA's inspection identified the following areas missing BMPs at Respondent's facility:

- a. did not make arrangements for proper disposal of waste products in multiple locations including the used oil dry by the AC oil tank, and dirty absorbent pads used to clean up petroleum waste outside of the southwest corner of secondary containment.
- b. did not prevent the spillage or loss of fluids in two areas including the off-road diesel fueling station and the AC oil dispenser area.
- c. did not provide proper storage of petroleum waste and did not cover storage bins for waste products in several locations including: two open buckets near the AC oil; one bucket under unidentified material handling equipment outside of containment; one bucket under another piece of unidentified material handling equipment outside of containment.
- d. did not provide proper storage of one open tote of Ingevity Evoflex CA-4.
- e. did not install sediment and erosion control in all portions of the overburden disposal area.
- f. did not properly maintain the secondary containment structure in the asphalt plant.

52. Respondent's failure to properly operate and maintain all BMPs is a violation of the conditions of the Respondent's NPDES Permit and the CWA.

Order for Compliance

Based on the factual allegations and Findings of Violation set forth above, and pursuant to the authority of Sections 309(a) of the CWA, 33 U.S.C. § 1319(a), Respondent AGREES and is hereby ORDERED to take the actions described below.

53. Within sixty (60) days of the Effective Date, Respondent shall submit to EPA a Compliance Plan that includes:

- a. A description of actions taken or to be taken to correct the deficiencies and eliminate and prevent recurrence of the alleged violations identified in this Order, and to come into compliance with all applicable requirements of its Permit, including, as necessary, revisions to the SWPPP.
- b. A schedule, subject to EPA approval, for implementation of each of the proposed actions.

Reports/Submissions

54. *Quarterly Reporting.* In addition to the report required above, Respondent shall submit quarterly reports describing the actions it has taken to ensure continued compliance with the terms of its Permit and this Order. These reports are due beginning three (3) months from the Effective Date and every three (3) months for the first year and then annually until the Order is terminated. Each report shall include, at a minimum:

- a. A description of implementation and/or revision of the SWPPP during the previous three (3) month period;
- b. A description of work and other actions taken to construct structural controls and/or implement other controls, in the previous three (3) month period; and

- c. Copies of all relevant documentation regarding the activities described pursuant to subparagraphs (a) and (b), including, but not limited to, inspection reports and monitoring records, formal and informal enforcement actions, etc.

55. *Submittals.* All documents and other information required to be submitted to EPA by this Order shall be submitted by electronic mail to:

darcia.delia@epa.gov
Delia Garcia, Ph.D.
U.S. Environmental Protection Agency Region 7
Enforcement and Compliance Assurance Division
11201 Renner Boulevard
Lenexa, Kansas 66219.

56. Electronic submissions to the EPA will be deemed submitted on the date they are transmitted electronically. Any report, notification, certification, or other communication that cannot be submitted electronically to the EPA shall be submitted in hard copy to the address provided above.

All documents required to be submitted pursuant to this Order shall also be submitted to MDNR to the address provided below:

John Hoke
Deputy Director
Division of Environmental Quality
Missouri Department of Natural Resources
john.hoke@dnr.mo.gov

Mike Carroll, Director
MDNR, Kansas City Regional Office
Missouri Department of Natural Resources
Mike.carroll@dnr.mo.gov

57. After review of the schedule required by paragraph 53 of this Order, EPA may approve or disapprove the schedule, in whole or in part. EPA shall approve the schedule or any portion so long as the submission fulfills the requirement under this Order. Upon EPA approval, the schedule by Respondent is incorporated and enforceable as part of this Order. If the EPA does not respond within sixty (60) days of receipt, the schedule shall be deemed approved. Respondent shall implement the Compliance Plan required by paragraph 53 according to the approved schedule.

58. If EPA disapproves the schedule, EPA will notify Respondent in writing, which may include notice by email, and EPA may require Respondent to supplement or modify its schedule. Within 30 days following receipt of written notice of EPA's disapproval, Respondent must submit a corrected schedule to EPA for approval. If Respondent's modified schedule is

disapproved in whole or in part by EPA, EPA may require Respondent to correct the deficiencies or EPA may determine that the schedule fails to meet the requirements of this Order.

59. Notwithstanding the receipt of a notice of disapproval pursuant to paragraph 58, above, Respondent must proceed to take all actions and provide all submissions required under this Order, including any actions required under any non-deficient portion(s) of its submission if such action can be undertaken independent of the deficient portion of Respondent's submission.

Effect of Compliance with the Terms of this Order for Compliance

60. Compliance with the terms of this Order shall not relieve Respondent of liability for, or preclude EPA from, initiating an administrative or judicial enforcement action to recover penalties for any violations of the CWA, or to seek additional injunctive relief, pursuant to Section 309 of the CWA, 33 U.S.C. § 1319.

61. Failure to comply with this Order may subject Respondent to penalties up to \$68,445 per day for each violation pursuant to Section 309(d) of the CWA, 33 U.S.C. § 1319(d), and 40 C.F.R. Part 19.

Access and Requests for Information

62. Nothing in this Order shall limit EPA's right to obtain access to, and/or to inspect Respondent's facility, and/or to request additional information from Respondent, pursuant to the authority of Section 309 of the CWA, 33 U.S.C. § 1319 and/or any other authority.

Severability

63. If any provision or authority of this Order, or the application of this Order to Respondent, is held by federal judiciary authority to be invalid, the application to Respondent of the remainder of this Order shall remain in full force and effect and shall not be affected by such a holding.

Modifications

64. Any request to modify the terms of, or parties to, this Order shall be submitted, in writing, by Respondent to EPA and shall be subject to review and approval by EPA, in its sole and unreviewable discretion. Respondent's submission of a written request for modification of this Order shall not relieve Respondent of any obligation under this Order and shall have no effect on EPA's statutory or regulatory authority to enforce the terms of this Order, in its sole and unreviewable discretion. All deadlines for performance under this Order may be extended upon written approval by EPA, at its sole discretion, without formal amendment to the Order.

Effective Date

65. The terms of this Order shall be effective and enforceable against Respondent on the Effective Date, which is the date this Order is signed by EPA.

Termination

66. Upon EPA's determination that Respondent has completed all tasks required pursuant to this Order, Respondent shall submit to EPA a Certification of Compliance and Request for Termination of this Order. Such certification and request shall include:

- a. a certification that Respondent has maintained compliance with this Order for the term of this Order; and
- b. all necessary documentation, including photo documentation as appropriate, to support a finding that Respondent has complied with this Order.

67. If, following review of any Certification of Compliance and Request for Termination of this Order, the EPA determines that any requirement has not been completed and implemented in accordance with this Order, the EPA will notify Respondent in writing, provide a written summary of deficiencies, and require Respondent to modify its actions as appropriate to correct such deficiencies. If so required, EPA may also require Respondent to submit a revised Certification of Compliance and Request for Termination of this Order.

68. If, following review of any Certification of Compliance and Request for Termination of this Order, EPA agrees that Respondent has adequately complied with all requirements of this Order, then EPA may, in its unreviewable discretion, provide written notification of termination of this Order.

69. Notwithstanding any of the above, the EPA may terminate this order upon written notice issued by an authorized representative of the EPA.

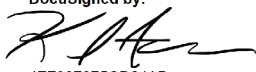
Issued this _____ day of _____, 2025.

Dave Cozad
Director
Enforcement and Compliance Assurance Division

Kristina Gonzales
Office of Regional Counsel

For the Respondent, Capital Materials, LLC:

DocuSigned by:



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Signature

12/2/2025

Date

Michael K. Farmer, Jr.

Name

CEO

Title

CERTIFICATE OF SERVICE

I certify that on the date noted below I sent a copy of the final filed Order by electronic mail, return receipt requested, to the following:

For the State:

Mr. John Hoke, Deputy Director
Division of Environmental Quality
Missouri Department of Natural Resources
john.hoke@dnr.mo.gov

Heather Peters, Director
Water Protection Program
Missouri Department of Natural Resources
heather.peters@dnr.mo.gov

For the Respondent: Chalegne O'Brien
General Counsel
221 Bolivar St. Suite 400
Jefferson City, MO 65101
cmo@farmercompanies.com

For the Complainant:
Kristina Gonzales
Gonzales.kristina@epa.gov

Date

Signature