



# OZARKS WATER WATCH

## 11th ANNUAL MISSOURI WATER SEMINAR

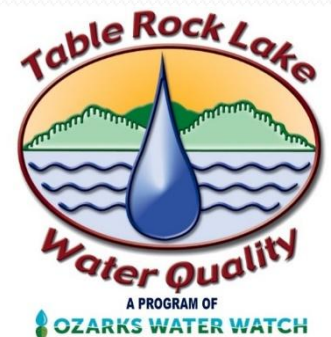
David Casaletto

Continuing Authority and  
New Application Requirements



**Ozarks**  
  
**Environmental  
Services**

**Ozarks  
Clean  
Water  
Company**



# Clean Water Commission Decision:

We disagree whether DNR met its burden of proving that Trenton Farms meets the requirements of 10 CSR 20-6.010(3). The regulation requires "**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**". The phrase "continuing authority" is not defined in this Commission's regulations. We do not disagree that Trenton Farms' compliance with Section 347.037.3, RSMo 2000 shows that it is a permanent organization. But the regulation requires more than just a permanent organization. If duly filed corporate documents were enough, then the sentence would not include the phrase "which will serve as the continuing authority for the operation, maintenance, and modernization of the facility." But it does, and so this Commission determines **DNR must prove that Trenton Farms can operate, maintain, and modernize the CAFO facility it intends to build**. DNR showed only that Trenton Farms is a permanent organization. Therefore, we determine that DNR failed to meet its burden as it pertains to 10 CSR 20-6.010(3).



# \$2 Million Wastewater Treatment Demonstration Project at Table Rock Lake Through the Efforts of Sen. Kit Bond





# Cluster Systems

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# Ozarks Clean Water Company

Nonprofit 501(c)12 corporation

Formed by a water quality group to protect our waters

Owns, operates & maintains wastewater & water systems

Membership in OCWC is voluntary

Relieves members of all water & wastewater liability

Members pay a monthly fee

Similar to a rural electric coop

Very popular with developers & POAs

# Ozarks Clean Water Co.:

- **Active Sewer Systems:**

- Savannah Heights 154
- Sycamore Ridge 82
- Smoke Tree Hills 88
- White Tail Crossing 34
- Pointe Seven 30
- Wildflower 35
- Cedar Falls 5
- Clear Cove 34

- **Active Connections 750**

- **Indirect Customers:**

- Stone Bridge 710
- Meadow Ridge 270  
(Served by OCWC owned pipeline to Branson)

**Total Active and Indirect customers: 1730**















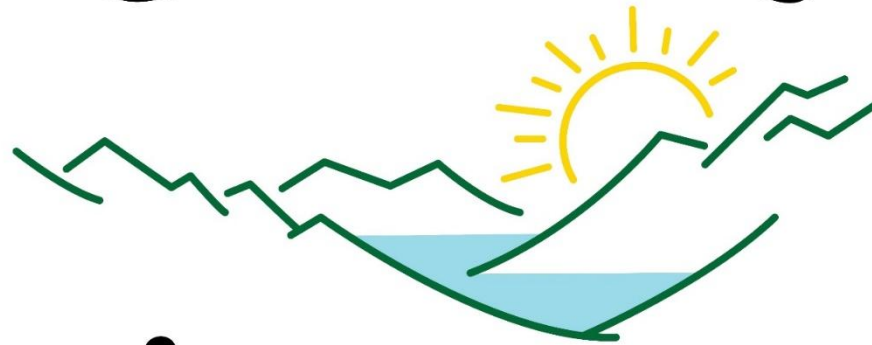
# OCWC Billing & Administration





# OCWC Maintenance Provider

**Ozarks**



**Environmental  
Services**

# Ozarks Environmental Services

- Formed & financed by Ozarks Water Watch
- New non-profit corporation (Formerly White River)
- 11 Employees – fleet of 14 vehicles & backhoe
- Maintains over 100 water & wastewater systems
- Backflow prevention device inspection
- Sales, Service & Installation of E-1 Grinder Pumps
- Total current sales of over \$1.5 million annually





# WHY? Over 16 years:

- Treated 4,700,000,000 gallons of wastewater
- Removed 5,000,000 pounds of solids
- Removed 234,000 pounds of phosphorous
- Solved problems–solutions to tough situations
- Step in, start meeting DNR permit limits when systems are out of compliance
- Provide sustainable funding for OWW



# The CA Problem:

- Developers try to get by as cheaply as possible
- HOAs do not want home owners to pay higher rates
- Neither is overly worried about clean water
- Neither really wants to be in the wastewater business
- Neither usually has a “reserve for repairs”
- Sometimes they cheat
- Sometimes they go bankrupt
- HOAs and Developers may not be the best CA



# Why OCWC works:

- Rates set by a board elected from members
- Exempt from PSC oversight by state statute
- Rates include monthly maintenance, administration, and reserve for repair – no profit motive - nonprofit
- Service is disconnected for nonpayment
- OCWC was formed to protect water quality
- OCWC is a utility – in the water & wastewater business
- But it is not so much OCWC has the finances–money–it is more that OCWC does what is right for clean water

# The answer (in my opinion):

Just requiring a financial statement be submitted as part of a permit application will not satisfy:

*“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”*

And I am not sure “which will SERVE as CA” means they have to have any financial ability to successfully operate, maintain & modernize.... Never has been required before!

At least for the privately owned wastewater facilities, I think the CA may have to be someone other than the developer or the POA. Or they may have to have a performance bond.

I am sure these topics will come up at the “DNR CA Stakeholders Meeting on September 21<sup>st</sup>.”





# OZARKS WATER WATCH

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