

THE METROPOLITAN ST. LOUIS SEWER DISTRICT

CEASE AND DESIST ORDER

IN THE MATTER OF

BRIDGETON LANDFILL LLC
13570 St. Charles Rock Road
Bridgeton, MO 63044

LEGAL AUTHORITY

The following findings are made and order issued pursuant to the authority vested in the Executive Director of the Metropolitan St. Louis Sewer District, under Article IX of MSD's Sewer Use Ordinance No. 12559. This order is based on findings of violations of the conditions of MSD's Sewer Use Ordinance No. 12559 and the Industrial Wastewater Discharge Permit No. 0511559802 issued under Article VI of the Ordinance.

FINDINGS

1. Bridgeton Landfill discharges wastewater into the sanitary sewer system of the Metropolitan St. Louis Sewer District.
2. Bridgeton Landfill is a "significant industrial user" as defined by 40 CFR 403.3(t).
3. Bridgeton Landfill is subject to the terms and limitations contained in MSD's Sewer Use Ordinance No. 12559.
4. Bridgeton Landfill is subject to the terms and limitations contained in Industrial Wastewater Discharge Permit No. 0511559802 which has been in full force and effect at all times during the periods referenced below.
5. Pursuant to the above-referenced ordinance and permit, data is routinely collected by or submitted to MSD on the compliance status of Bridgeton Landfill.
6. These data show that, since at least March 7, 2012 and continuing until the present, Bridgeton Landfill has violated the terms of its wastewater discharge permit in the following manner:
 - a. Bridgeton Landfill failed to notify MSD of Bridgeton Landfill's significant increase in the discharge of biochemical oxygen demand (BOD), chemical oxygen demand (COD), and total suspended solids (TSS).

This is in violation of General Condition B of Bridgeton Landfill's permit, and of MSD Ordinance 12559, Article VIII, Section Six.
 - b. Bridgeton's violation by discharging increased BOD's into MSD's system has caused MSD's plant to exceed its discharge limit under MSD's Missouri State Operating Permit. This inhibits or disrupts the District's wastewater system.

This is in violation of MSD Ordinance 12559, Article V, Section One, subsection A, as provided for in General Condition L of Bridgeton Landfill's permit.

ORDER

THEREFORE, BASED ON THE ABOVE FINDINGS, BRIDGETON LANDFILL IS HEREBY ORDERED TO:

1. Within 24 hours of receiving this order, cease the discharge of wastewater into MSD's sanitary sewer containing BOD levels above the average levels discharged by Bridgeton Landfill in the year 2011 and earlier. Bridgeton Landfill's surcharge level for BOD was listed at 79 mg/L in its permit, and last certified at 312 mg/L, per May 6, 2011 letter to Bridgeton Landfill.
2. Submit a letter indicating compliance to MSD's Division of Environmental Compliance not later than seven days following the cessation of discharge of Bridgeton Landfill into MSD's sanitary sewer.

All reports and notices required by this order shall be sent, in writing, to the following address:

Christopher J. Bulmahn
Environmental Engineer
Metropolitan St. Louis Sewer District
10 East Grand Avenue
St. Louis, MO 63147

This order does not constitute a waiver of Bridgeton Landfill's wastewater discharge permit or MSD's Sewer Use Ordinance, which remain in full force and effect. The Metropolitan St. Louis Sewer District reserves the right to seek any and all remedies, including recovery of fines assessed against MSD for violations of its Missouri State Operating Permit, available to it under Article IX of Sewer Use Ordinance No. 12559 for any violation, including those cited in this order.

Failure to comply with the requirements of this order may subject Bridgeton Landfill to having its connection to the sanitary sewer sealed by MSD, and assessed the costs therefor.


Failure to comply with the requirements of this order shall also constitute a further violation of MSD's Sewer Use Ordinance and may subject Bridgeton Landfill to civil or criminal penalties or such other appropriate enforcement response as may be appropriate.

This order, entered this 10th day of January, 2013, shall be effective upon receipt by Bridgeton Landfill.

THE METROPOLITAN ST. LOUIS SEWER DISTRICT

Approved at to Form:


Susan Myers, General Counsel

By 
Jonathan Sprague, Interim Executive Director
2350 Market St.
St. Louis, MO 63103
(314) 768-6200

Verification of Delivery of: Cease and Desist Order to Bridgeton Landfill

Received by: Name: Dusty Smith

Signature: Dusty Smith

Date: _____

Delivered by: Name: Tom Boehm

Signature: [Signature]

Date: 1/10/13