



Missouri House of Representatives

**FOR IMMEDIATE RELEASE:
November 30, 2023**

**CONTACT: Rep. Dirk Deaton
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Rep. Deaton issues statement regarding DNR's withdraw of enforcement discretion to Denali Water Solutions

Jefferson City, MO – Due to the significant public interest regarding certain land application activities and waste storage basins in Southwest Missouri, Rep. Dirk Deaton (R-Noel) is providing the following statement:

On November 29, 2023, the Missouri Department of Natural Resources (DNR) notified Denali Water Solutions LLC (Denali) via letter that it was withdrawing the “enforcement discretion” issued to Denali in a June 30, 2023, letter “in response to an abrupt change in fertilizer licensing by the Missouri Fertilizer Control Board.”

The June 30, 2023, letter made clear that this discretion would only extend insofar as the operations were conducted “pursuant to all operational controls listed in the letter at all times.” On October 3, 2023, DNR investigated the concern of alleged over-application of materials located at a property in McDonald County. During the investigation, DNR “staff observed that the operators for Denali...were not operating pursuant to the operational controls listed in the June 30, 2023, letter.”

This incident on October 3, 2023, follows two prior violations of the Missouri Clean Water Law occurring on August 11, 2022, and March 2, 2023, as documented in an August 2, 2023, Abatement Order on Consent (AOC). As part of the AOC, Denali was ordered to pay a penalty in the amount of \$30,000.00.

As a result, DNR has withdrawn enforcement discretion and directed Denali to cease land application in the State of Missouri until or unless there is a permit exemption, or a permit has been obtained. DNR further directed Denali to “pump and haul the current contents of all storage basins containing process wastewater to a permitted wastewater treatment facility.”

Finally, DNR informed Denali from November 29, 2023, forward, “any unpermitted land application of process wastewater will be cited as intentional violations of the Missouri Clean Water Law.”

For reference, the November 29, 2023, letter is attached. Any questions regarding this letter should be directed to the Missouri Department of Natural Resources.