



MISSOURI
DEPARTMENT OF
NATURAL RESOURCES

Requests for Regulatory Relief Due to COVID-19 Impacts

March 24, 2020

In light of the COVID-19 national emergency, and in recognition of Governor Parson's Executive Order 20-02, declaring a state of emergency, the Missouri Department of Natural Resources ("Department") is releasing this statement in an attempt to facilitate continuity of operations for key Missouri industries impacted by a reduced workforce due to COVID-19. The Department recognizes that certain environmental-compliance obligations may become difficult as more employees work from home, staffing is reduced, physical distancing measures are implemented for essential personnel remaining in the workplace, consultants working on behalf of regulated entities may experience travel restrictions, and supply chains face potential disruption.

The Department encourages all regulated entities to develop or continue to develop contingency plans aimed at addressing possible reductions in workforce due to COVID-19, and to pursue all available actions necessary to ensure compliance with environmental regulations and permit requirements.

The Department's compliance-assistance approach remains in effect, and we will continue to work with all entities that demonstrate a sincere commitment to compliance. In the face of limited resources, we acknowledge that entities may need to prioritize their compliance activities. The first priority is always protecting human health and the environment, e.g., ensuring that drinking water is safe, air and water emissions meet permit limits, wastes are handled and disposed of safely, etc.

To the greatest extent possible, you should continue to document compliance, including but not limited to, conducting sampling and analyses, recording monitoring results, keeping accurate and up-to-date records, and completing reports that document ongoing compliance.

While timely reporting is always important, the Department recognizes that timely reporting may be challenging for entities with significantly reduced workforces. We will work with entities to accept alternate reporting schedules, where appropriate.

If you anticipate a compliance issue, contact the appropriate Regional Office or other Department contact immediately for assistance:

Kansas City Regional Office	816-251-0700
Northeast Regional Office (Macon)	660-385-8000
Southeast Regional Office (Poplar Bluff)	573-840-9750
Southwest Regional Office (Springfield)	417-891-4300
St. Louis Regional Office	314-416-2960

In the event noncompliance or delayed compliance during the present crisis is unavoidable, the Department is establishing an email box to accept requests for Department enforcement discretion. Regulated entities should email regulatory.inquiry@dnr.mo.gov with specific information related to the following:

- the nature of the compliance issue, including the affected location(s);
- the anticipated duration of the issue;
- the specific rule citation, permit provision, or the order or decree requirement for which the regulated entity is seeking enforcement discretion;
- the steps taken to avoid the compliance issue (including whether you contacted the Department for assistance) and why the compliance issue was not reasonably avoidable; and
- the connection between the compliance issue and the challenges in responding to COVID-19.

The Department's email box is monitored daily by staff who will ensure the requests are addressed quickly.

The Department encourages regulated entities to identify compliance actions coming due in the April-May timeframe to ensure arrangements are in place to either complete those actions or to seek extensions from the Department. Likewise, if you are not able to timely meet your compliance obligations pursuant to a consent decree, settlement, or other agreement with the Department due to COVID-19 impacts, we encourage you to make an early assessment of the relevant force-majeure provisions and the procedures for invoking those provisions.

Please direct all questions regarding this guidance to regulatory.inquiry@dnr.mo.gov. We will respond in a timely manner.