

What is Denali?

Denali Water Solutions LLC is an Arkansas-based company operating in many states across the country. Thanks to public records requests submitted by MCE and our partners, we found that **Denali contracts with waste-producing entities including food processing facilities, wastewater treatment plants, and sites that produce animal waste and offal**, to dispose of their waste. **They combine many waste streams from many sources into large lagoons, then land-apply that product as “fertilizer.”** This material is sometimes referred to as “sewage sludge” or “biosolids.”

For years, Denali successfully exploited regulatory loopholes to be exempted from minimum design standards, construction permits, and operating permits for their lagoons. Residents living near Denali’s lagoons report strong odors that impact their day to day lives, and concerns about contamination of their water supply from groundwater contamination and runoff from over-application of this waste on agricultural land.

Recent developments in accountability for Denali:

Recently in Arizona and California, Denali lost a lawsuit and had to pay damages after **they were found to be in violation of the federal Clean Water Act through over-application of their waste product**, exceeding safe nitrogen thresholds.

Last year, with the help of our partners and allies, **we successfully persuaded the legislature to pass HB 2134 into law, closing key loopholes and regulating businesses like Denali.** Specifically, the new law forces companies like Denali to adhere to minimum design standards and operation requirements, and allows DNR to create rules to regulate these companies’ land application of sludge, establish setback requirements, and require sampling for certain pollutants.

TIMELINE OF REGULATORY AND LEGISLATIVE ACTION

June 2022 - Feb 2023

Local news coverage by the Cassville Democrat alerts MCE to community and environmental issues related to Denali's operations. Denali has already been operational in the state for at least seven years

October 2023

DNR revokes Denali's land application operating permit after investigating an extreme over-application of waste

December 2023

Pre-filing of HB 2134, a bill written by MCE, sponsored by Sen. Jill Carter (R) and handled in the House of Representatives by Rep. Ed Lewis (R)

July 2024

Governor Parson signs "Denali Bill" (HB 2134) into law

December 2024

DNR is in the midst of the rulemaking process as a result of HB 2134, considering comments on their proposed rules

June 2023

Thanks to advocacy efforts, the Missouri Fertilizer Control Board revokes Denali's Fertilizer License

November 2023

DNR begins enforcing their order for Denali to stop land-applying waste as fertilizer

January 2024

DNR finds Denali to be in violation of the Missouri Clean Water Law (MCWL) and issues an order for Denali to empty their lagoons, telling Denali to transfer waste to facilities that comply with the MCWL

August 2024

Pursuant to HB 2134, DNR proposes a draft rule 10 CSR 20-6.015 to regulate the land application of sludge from companies like Denali

What remains to be done:

While these new regulations are a huge stride towards holding entities like Denali accountable for the land application and storage of their waste, **there remains more to be done to protect Missourians from dangerous contaminants.** In order to protect Missourians from contamination from pollutants present in these waste products, we need to establish standards that regulate dangerous chemicals.

Several states have discovered and subsequently regulated PFAS, or “forever chemicals,” in the land application of wastewater sludge, or biosolids. Due to the ubiquity of these chemicals and the multiple waste streams that contribute to sludge from wastewater treatment residuals, **we suspect significant PFAS contamination to be present in the biosolids.** In addition to testing for PFAS contamination as is required in DNR’s draft regulations, **we must set standards to limit the land application of sludge contaminated with PFAS.**

Sources:

<https://www.cassville-democrat.com/tag/denali/>

<https://www.epa.gov/newsreleases/denali-water-solutions-llc-pay-610k-alleged-illegal-sewage-sludge-application>

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<https://dnr.mo.gov/water/business-industry-other-entities/technical-assistance-guidance/land-application-wastewater>

<https://dnr.mo.gov/document-search/denali-water-solutions-llc-abatement-order-consent-2024-wpcb-1875>

<https://moenvironment.org/blog/pfaswebinar2024/>