

Meeting Agendas/Info

**CITY COUNCIL
COMMUNICATION:**

ITEM _____

**OFFICE OF THE CITY MANAGER
CITY OF DES MOINES, IOWA**

01-290

SYNOPSIS -

AGENDA:

JUNE 4, 2001

SUBJECT:

NPDES DISCHARGE
PERMIT
CONSULTING
SERVICES

The City of Des Moines seeks to hire a consultant to assist with review of a proposed National Pollutant Discharge Elimination System (NPDES) wastewater discharge permit which sets the terms and conditions for the discharge of treated wastewater and certain combined and sanitary sewer overflows into the Des Moines River for a period of two years.

Legal fees associated with the City's relationship with Hall and Associates will be reviewed by the Legal Department. City Council approval will be sought before any expenses in excess of \$10,000 are incurred.

TYPE:

FISCAL IMPACT -

RESOLUTION
ORDINANCE
RECEIVE/FILE

The fiscal impact of incorrect limits and associated penalties in an NPDES permit on the City of Des Moines, the Integrated Community Area (ICA) constituent communities, and businesses using the Des Moines Metropolitan Wastewater Reclamation Facility could exceed \$500,000. The NPDES permit review will be performed for a fee not to exceed \$13,500.

SUBMITTED BY:

WILLIAM STOWE
PUBLIC WORKS
DIRECTOR

RECOMMENDATION -

Approval of consulting contract for review of the proposed NPDES wastewater discharge permit with Hall and Associates, 1101 - 15th Street, N.W., Suite 203, Washington, D.C. 20005-4007.

BACKGROUND -

The City of Des Moines discharges wastewater into the Des Moines River through the Des Moines Metropolitan Wastewater Reclamation Facility and through various combined and sanitary sewer overflows

under conditions set by a wastewater discharge permit from the Iowa Department of Natural Resources (IDNR). The City has discharged under an expired NPDES permit since 1990 when a proposed permit was appealed by the City. This new proposed permit contains changes in pollutant concentrations, monitoring frequency, and removes combined sewer overflows from the permit. Potential issues include whether the permit limits are calculated correctly, the cost of complying with those limits, and whether discharging through a combined sewer overflow not listed in an NPDES permit would be a violation of the Clean Water Act. A detailed technical response to these permit issues must be submitted to IDNR within 45 days. The consequences of incorrect limits, using sewer overflows that are not permitted, and any associated penalties are calculated by staff as up to \$500,000 over the next two years. Hall and Associates, a firm with both engineers and lawyers on staff, is familiar with IDNR's methods of calculating limits having provided a review of those methods to the Iowa Water Pollution Control Association. Further, their exposure to Environmental Protection Agency (EPA) decisions and rulings in other regions will provide a national perspective.
