



## Request for City Council Committee Action From the Department of Public Works

**Date:** May 12, 2009  
**To:** Honorable Sandra Colvin-Roy, Chair Transportation & Public Works  
**Referral:** Honorable Paul Ostrow, Chair Ways & Means Committee  
**Subject:** **Minneapolis Water Works Stipulation Agreement with Minnesota Pollution Control Agency**

**Recommendation:**

Authorize the proper City officials to execute a proposed Stipulation Agreement with the Minnesota Pollution Control Agency and any further agreements necessary to resolve alleged violations of the National Pollutant Discharge Elimination System/State Disposal System permit maintained by the Minneapolis Water Works. The agreement includes payment of a civil penalty.

Penalty will be paid from the Water Enterprise fund, 07400.

**Previous Directives:**

None

**Prepared by:** Annika M. Bankston P.E. Senior Professional Engineer 661.4975

**Approved by:**

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Steven A. Kotke, P.E., City Engineer, Director of Public Works

**Presenters:** Shahin Rezania, Ph. D., P.E., Director - Water Treatment and Distribution

**Reviews**

Permanent Review Committee (PRC): Approval \_\_\_ Date - NA -  
Civil Rights Approval Approval \_\_\_ Date - NA -  
Policy Review Group (PRG): Approval \_\_\_ Date - NA -

**Financial Impact**

No financial impact

**Community Impact**

Neighborhood Notification:  
City Goals:  
Comprehensive Plan:  
Zoning Code:

## **Background/Supporting Information**

Minneapolis Water Works maintains a National Pollutant Discharge Elimination System (NPDES)/State Disposal System (SDS) permit number MN0003247 for treatment and discharge of residuals from its softening and coagulation processes. After treatment, water from the lagoon system is discharged to the Mississippi River. Agricultural liming material is hauled by Contractors and applied as a beneficial soil amendment.

Over the past two years there have been release events attributable to operational errors and equipment failures at the Water Works facilities and to actions of the hauling Contractor. These events resulted in spills of lime solids and treatment residuals that had the potential to cause pollution of waters of the state. Additionally, permit limits were exceeded on five occasions and there were omissions on three monthly discharge monitoring reports in the past three years.

The Minnesota Pollution Control Agency issued a draft Stipulation Agreement describing alleged violations and specifying actions required to address the underlying causes of the releases and to improve response when release events do occur. The City is also to pay a Civil Penalty in the amount of \$13,300. The hauling contractor will reimburse the City for the portion of this penalty attributable to the Contractor's actions.

## **Corrective Actions**

Minneapolis Water Works was addressing areas of concern before the Stipulation Agreement was issued by MPCA. Areas which needed to be addressed included clerical issues in reporting, contract hauling issues, and operational deficiencies.

### **Clerical Issues**

Corrective actions have been taken to add review steps prior to submission of reporting documents. These quality assurance procedures were put in place prior to receipt of the stipulation agreement.

### **Hauling Issues**

Revisions to the lagoon hauling specification were made to ensure the City's Contractor had the ability to provide clean, safe, and efficient hauling for work of the magnitude required. This was done by requiring a large escrow account and payment and performance bonds for the full contract, thus providing significant financial incentives for the contractor to prevent spills. The revised hauling specification had been issued and new bids were received prior to receipt of the stipulation agreement.

### **Operational Deficiencies**

Additional grab sampling prior to any discharges from the lagoon holding membrane treatment residuals has been initiated. And at the lagoon overflow treatment plant, position indicators on valves were added. The position indicators enabled interlocks in the process control such that if water quality approaches the permit limits and the valve to the river is open, the pumps will shut down – preventing any water out of compliance from being discharged.

Further, the Dewatering Plant Improvements project became a top priority for the Water Division in 2009. This project has been identified as a Capital Improvement Project since 2006. Design will be complete by the end of summer 2009 and construction will begin in the fall. The project will replace the solids dewatering and handling equipment that is reaching the end of its useful life and is of insufficient capacity to handle the increased solids resulting from improved softening plant performance. Tanks properly designed to handle solids will be added to provide adequate treatment volume and redundancy. Monitoring of the residuals handling process will be improved. The project will reduce solids loading to the existing lagoons and improve the handling characteristics of the solids to be hauled. All of these features will significantly reduce the likelihood of unintentional releases from the process and further ensure compliance with permit limits.

Attachments: Stipulation Agreement (MN0003247 Minneapolis Stip.pdf)