

COUNCIL ACTION FORM

SUBJECT: REVISIONS TO CHAPTER 28 OF THE AMES MUNICIPAL CODE
(UTILITIES)

BACKGROUND:

On October 17, 2017, staff met with the City Council in a workshop session to review a series of proposed changes to Chapter 28 of the Municipal Code. The revisions were subsequently brought back to Council on October 24 for the first of three readings that ultimately led to the adoption of the changes on November 28, 2017.

In the original October 17 workshop, staff indicated its intent to adopt into the Municipal Code, a table that contains the City's Local Limits for the Industrial Pretreatment Program. The Local Limits are numeric discharge limits applicable to all customers, and are based on the calculated loading that the Ames Water Pollution Control Facility can receive and still remain in compliance with its discharge permit.

It is important to note that the Local Limits table being adopted is no more stringent than the current limits that were adopted by the City Council several years ago as a part of the Pretreatment Program document. The only change from the current limits is the elimination of a chloride limit. The chloride limit was added several years ago when it appeared the Iowa DNR was going to add chloride as a limit to the City's discharge permit. That never happened and staff has not been enforcing the limit on industrial customers.

A recent audit of the City's Pretreatment Program by the US EPA instructed the City to either remove the limitation or begin enforcing the limit. Since the chloride limit is not currently being utilized by the City, staff recommends elimination of the local limit for chloride.

The elimination of the chloride limit needs to be adopted by Council, making this an opportune time to move the table into the Municipal Code. This will make the table more prominent to existing industrial customers and more readily available to potential new industries looking to locate in Ames.

Staff was not able to proceed with the adoption of the Local Limits in October due to the Iowa Department of Natural Resources' determination that the elimination of the chloride limit constituted a "significant change" to the City's Industrial Pretreatment Program. Under the State's rules, a public notice and 30-day comment period was required. The public notification and comment period requirements have been met and

the Iowa Department of Natural Resources has given their final approval of the local limits table.

ALTERNATIVES:

1. Approve on first reading an ordinance to amend Chapter 28, thereby incorporating the Local Limits table into a new Section 28.309 of the Ames Municipal Code.
2. Do not approve the amendment to Chapter 28 at this time. The previously adopted Local Limits, including chloride, will remain in the Pretreatment Program. Staff will be expected by the US EPA to begin enforcing the chloride limit on Ames customers covered by the Industrial Pretreatment Program.

MANAGER'S RECOMMENDED ACTION:

The proposed addition to Chapter 28 of the Ames Municipal Code reflects the currently enforced Local Limits and it is important to have the Code reflect these current limits. Staff presented the proposed changes to Council at a workshop on October 17, 2017 and fulfilled the requirements set forth by the Iowa Department of Natural Resources and the US Environmental Protection Agency for a formal Public Notice and comment period. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1 as stated above.

ORDINANCE NO.

AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF AMES, IOWA, BY ENACTING A NEW SECTION 28.309 THEREOF, FOR THE PURPOSE OF ESTABLISHING PRETREATMENT LOCAL LIMITS; REPEALING ANY AND ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT TO THE EXTENT OF SUCH CONFLICT; AND ESTABLISHING AN EFFECTIVE DATE.

BE IT ENACTED, by the City Council for the City of Ames, Iowa, that:

Section One. The Municipal Code of the City of Ames, Iowa shall be and the same is hereby amended by enacting a new Section 28.309 as follows:

“28.309. Pretreatment Local Limits Established.

Pollutant	Local Limit (mg/L)
Arsenic	0.02
Acetone	14.9
Benzene	0.05
BTEX	0.75
Cadmium	0.04
Total Chromium	0.93
Copper	0.57
Cyanide	0.88
Lead	0.89
Mercury	0.01
Molybdenum	0.29
Nickel	11.0
Phenol	2.6
Total Petroleum Hydrocarbons	10.0
Selenium	0.09
Silver	0.05
Sulfide	2.0
Zinc	4.3
Oil & Grease	300
cBOD ₅	1,800
Chemical Oxygen Demand	2,700
Total Suspended Solids	1,600
Ammonia	225
Total Kjeldahl Nitrogen	280
pH	6.0-10.0 Standard Units”

Section Two. All ordinances, or parts of ordinances, in conflict herewith are hereby repealed to the extent of such conflict, if any.

Section Three. This ordinance shall be in full force and effect from and after its passage and publication as required by law.

Passed this _____ day of _____, _____.

Diane R. Voss, City Clerk

John A. Haila, Mayor