

February , 2021

Natalie Wigger
Missouri Department of Natural Resources
Water Protection Program
Compliance & Enforcement Sec.
Natalie.Wigger@dnr.mo.gov

Re: City of Republic, MO-0022098
Request for Extension of Voluntary Compliance Agreement/Request for AOC

Dear Ms. Wigger,

I am writing on behalf of the City of Republic ("City"). As you know the City holds a Missouri State Operating Permit (Permit No. MO-0022098), issued September 1, 2020 and effective through March 31, 2024. The MSOP allows discharges from the City's publicly owned treatment works via Outfall 001. Since 2011, the City has also been operating under a Peak Flow Voluntary Compliance Agreement ("VCA"), which regulates wastewater discharges from the stormwater clarifier (Outfall 002). The VCA allowed the City time to eliminate discharges from the peak flow clarifier from Outfall 002. The City requested an extension of the VCA in a letter dated October 3, 2016. MDNR approved the extension in a letter dated October 17, 2016; the VCA is effective until October 4, 2021.

Pursuant to the VCA, the City developed and implemented an approved Bypass Elimination Plan, and put significant time and capital into addressing inflow and infiltration ("I&I"). With this letter, the City requests a voluntary referral to develop an Abatement Order on Consent ("AOC") with a compliance schedule to allow it to eliminate discharges from Outfall 002 for the reasons described below.

Background

Stepping back, a new City Administrator and City team took over in 2016. When they came in, aging water infrastructure was a priority. That said, it was apparent that a thoughtful and deliberate approach was necessary to provide an efficient and well-rounded plan to maximize results and minimize further impact on already-taxed ratepayers. The City reorganized the Public Works department and refocused its efforts on its treatment plant and stormwater. As part of its review, the City quickly retained Burns & McDonnell to assist with development of a Water and Wastewater Master Plan ("Master Plan").

The Master Plan included an 18-month data collection and planning effort and review of both the City's wastewater treatment plant ("WWTF") and the stormwater system. Review of the entire collection system helped the City and its consultants better understand the Outfall 002 discharge

and make recommendations for improvements. This detailed process was done in parallel with City-wide planning and implementation around development/redevelopment, including the Amazon fulfillment center announced in November that will bring hundreds of new jobs (and likely new residents) to the City. This comprehensive approach to both the water system and future community planning allowed City officials to make more informed decisions based on anticipated growth.

With this understanding of its system and recommended improvements, the City initiated a funding process to evaluate funding sources and avoid unnecessary impact on its ratepayers. This included working to expire previous POTW debt to help minimize impact of future rate increases. The City recommended and City Council approved in January 2021 a plan to pursue Certificates of Participation and/or special obligation bonds to fund nearly \$36 million in improvements to its water system. This approach will facilitate faster construction timeframes City intends to issue bonds for rate increases to take effect in July 2021.

Path Forward

The Master Planning exercise included both the WWTP and I&I and resulted in short-term (five-year) and long-term (20-year) plans focused on a goal-based I&I reduction strategy and capital improvement plan. Both short-term and long-term planning was necessary, as the City has focused on identifying and bringing redevelopment opportunities into the area, benefitting both the local and state economies. The City intends to continue implementing actions to achieve compliance now, while positioning its facilities to accommodate anticipated growth.

As it relates to the Outfall 002, consistent with and in addition to its Bypass Elimination Plan, the City uses aggressive efforts to reduce the frequency of wet-weather events from both public and private sources. This includes routine inspections and camera of pipes, manhole inspections, smoke testing, line-flushing, prioritization to facilitate targeted I&I efforts, implementation of grease trap protocols, and public education and outreach targeting private sources.

The Master Plan builds on these existing I&I efforts. Additional recommended projects related to elimination of the Outfall 002 discharge are described in the City's Flow Analysis and Inflow and Infiltration Evaluation, and Existing and Future Conditions Assessment. Some of these items include development and use of an I&I database, increased treatment capacity, prioritized lift station improvements, targeted I&I reduction, increased pipe diameters and pipe slopes. The \$20 million in projects approved by the Council to date are listed below:

Table 0-1: CIP Project Summary

| CIP Project | Description | Phasing Priority | Opinion of Probable Cost |
|--------------------|---|-------------------------|---------------------------------|
| 1 | Database Management | 1 | \$52,000 |
| 2 | I&I Reduction - FM-109 | 1 | \$1,323,000 |
| 3 | LS#4 Lift Station and FM Improvements | 1 | \$1,190,500 |
| 4 | I&I Reduction - FM-112 | 1 | \$280,500 |
| 5 | I&I Reduction - FM-115 | 1 | \$1,440,500 |
| 6 | Lower Brookline Linear Improvements | 1 | \$2,849,500 |
| 7 | McElhany Lift Station Improvements | 1 | \$851,500 |
| 8 | Brookline South Lift Station Improvements | 1/2 | \$1,100,000 |
| 9 | Proposed Gravity Sewer, Lift Station, and Forcemain | 2 | \$9,317,500 |
| 10 | Brookline North Lift Station Improvements | 3 | \$530,000 |
| 11 | LS#2 Lift Station and FM Improvements | 1/2 | \$1,853,000 |

Currently, the City is in the design phase and obtaining bids for the improvements. When that process is completed, the City intends to move forward with a design-build. The City is preparing a timeline to eliminate discharge from Outfall 002 and remove the wet weather outfall; this will include an anticipated construction start-date in Q1 of 2022 (though that is contingent on design and permitting). The City is currently exceeding the consultant's timing expectations, and moving forward with Certificates of Participation to fund and further expedite the improvements. A funding plan approved by the City Council via the attached resolution.

For the reasons described above, the City requests a voluntary referral to negotiate an AOC consistent with examples provided such as the Monroe City order including a schedule of compliance to remove Outfall 002. While a full AOC will have to be negotiated and a final version approved by the City Council before execution, this letter and overarching strategy has been approved by the City Council in hopes of facilitating a smooth and efficient process on our end. The resolution approving the funding is attached hereto. If you have any questions or need additional information, please let me know. The City would like to set up a meeting with MDNR in the coming weeks to discuss the status and path forward. Please let us know your availability and we can find an agreeable date. Thank you for your time and attention to this matter.

Sincerely,