May 10, 2017

Wayne Dillard
Water, Wetlands and Pesticides Division
U.S. Environmental Protection Agency – Region 7
11201 Renner Boulevard
Lenexa, Kansas 66219

KEOKUK, IOWA
CONSENT ORDER
DOCKET NO. CWA-07-2008-0053

LTCP PROJECT SCHEDULE AMENDMENT REQUEST

On December 31, 2010, the Environmental Protection Agency and the City of Keokuk entered into an Administrative Consent Order (Docket Number CWA-07-2008-0053) to address the City's Combined Sewer Overflows and Sanitary Sewer Overflows.

A long term control plan was submitted to EPA and IDNR on February 28, 2013 in accordance with Paragraph 38.a.i of the EPA Order. On February 19, 2013, the City requested that the deadline for this submittal be extended to March 1, 2013. EPA accepted the draft long term control plan as final on April 12, 2013. The long term control plan proposes several projects that will address combined sewer overflows within the City. Paragraph 38.a.iii of the EPA Order requires full implementation of the LTCP as soon as practicable, but no later than December 31, 2030.

The City of Keokuk has been working diligently to meet all requirements set forth in the Order. Since signing the EPA Order, the City has completed all work under paragraphs 38.b.i., 38.b.ii., and 38.b.iii.

These projects can be summarized as follows:

CSO #	Location	Status
004	7th and Soap Creek	Eliminated in 2011
005	5th Street	Eliminated in 2012
006	Victory Park	Eliminated in 2015
011	10th and Soap Creek	Eliminated in 2011
012	B Street	Eliminated by Roquette America
013, 014, 015	Victory Park	Eliminated in 2015

In addition to the CSO elimination projects indicated above, the City has also recently completed improvements to their Water Pollution Control Facility and has upgraded many of the lift stations in the sanitary sewer collection system. An extensive collection system cleaning and televising program was recently completed and an updated map of the collection system was prepared which identified the location of pipe defects and other deficiencies.

The City has been working to complete repairs identified from the collection system inspection. City crews have been performing repairs on segments that can be completed with the equipment they have available. There are many repairs that will require larger equipment, which will be grouped together for public bid letting. A project for the first phase of sewer point repairs was prepared in 2015. The City submitted an application for funding to the Iowa Department of Natural Resources for inclusion on the Intended Use Plan (IUP) and was subsequently added to the 2015 Q4 IUP (CWSRF 1920732-01).

Following inclusion on the IUP, the project was reviewed by IDNR SRF staff for environmental, historical and archaeological concerns. The City contracted with the Office of the State Archaeologist (OSA) in 2015 to review the sewer repair project area as well as the Rand Park Tunnel project and Permeable Paver Sponsored Project areas to identify sensitive areas. The City worked with OSA to complete a Phase I Archaeology Survey for the projects and draft a letter of agreement for on-site monitoring during construction in the sensitive areas identified in their report. The report was submitted to the City on January 19, 2016.

For several of the completed projects listed above, the City has submitted applications to the Iowa Economic Development Authority (IEDA) for the Community Development Block Grant program (CDBG). Based on population, the City is eligible to receive a grant for up to $600,000 per project. These grants are significant since they help reduce the overall cost to the City and the sewer rate payers. The City previously received CDBG funding for the Soap Creek and Victory Park separation projects.

The City has implemented significant sewer rate increases since receiving the EPA Order and is very concerned about the cost for the remaining LTCP projects as well as the sewer rehabilitation projects. The City desires to utilize CDBG funds for any eligible projects to limit sewer rate increases. In 2016, the CDBG program underwent significant changes. Following the January 2016 deadline, applications under the new format were not accepted until after January 2017. The City, with assistance from Southeast Iowa Regional Planning Commission, prepared a CDBG application for the Sanitary Sewer Priority Point Repair project and submitted an application for the first quarter of 2017. This project was selected since it met the readiness requirements for CDBG applications.

Under the new CDBG readiness requirements, the project must be on an approved SRF IUP, have an approved Preliminary Engineering Report letter, have environmental review complete, and should have final design completed or underway in order to be considered or to be competitive in the scoring. In addition, a community cannot submit an application for a different project while the original project is still active and not funded. Further clarification on this requirement indicated that additional applications cannot be submitted in the same 12 month period as a previously funded application.

In order to complete the remaining LTCP projects and sewer repair projects and take full advantage of the CDBG program, the City has developed a schedule that will still meet the December 31, 2030 deadline in Paragraph 38.a.iii of the EPA Order. Under Paragraph 38.a.ii of the EPA Order, any amendments to the LTCP shall be undertaken in the context of NPDES permitting actions and shall be in accordance with the EPA Order. Following submittal of the April 13, 2017 annual report, EPA requested an updated schedule for projects contained within the LTCP and stated that a formal request should be submitted to amend the LTCP to reflect the new schedule.

The following schedule is proposed for the remaining LTCP projects and sewer repair projects:

Fiscal Year	Project Description	Activity
2018	Phase 1 Point Repairs	Design & Construction
2018	Phase IV - Rand Park Tunnel	Design
2019	Phase IV - Rand Park Tunnel	Construction & Admin
2019	Phase 2 Point Repairs	Design
2020	Phase 2 Point Repairs	Construction & Admin
2020	Phase V - Basins 1,2&3 Storm Sewer	Design
2021	Phase V - Basins 1,2&3 Storm Sewer	Construction & Admin
2022	Phase 3 Point Repairs	Design
2023	Phase 3 Point Repairs	Construction & Admin
2023	Phase VI - Basin 7&8 Storm Sewer	Design
2024	Phase VI - Basin 7&8 Storm Sewer	Construction & Admin
2024	Phase 1 Sewer Rehab	Design
2025	Phase 1 Sewer Rehab	Construction & Admin
2025	Phase VII - Basin 4 Storm Sewer	Design
2026	Phase VII - Basin 4 Storm Sewer	Construction & Admin
2028	Phase 2 Sewer Rehab	Design
2029	Phase 2 Sewer Rehab	Construction & Admin
2030	Consent Order Completed	

The proposed schedule will allow the City to apply for CDBG funds for each project and is scheduled to begin construction of the last phase of the LTCP projects in 2026. Allowing a 2 year construction period for Phase VII-Basin 4 Storm Sewer work to be completed would result in completion of the LTCP projects and compliance with the EPA Order by August 2029 which is approximately 16 months prior to the deadline listed in Paragraph 38.a.iii.

In accordance with Paragraph 47 of the EPA Order, the City of Keokuk hereby requests that the LTCP be amended to include the following schedule:

Project Description	Activity	Completion
Phase IV - Rand Park Stormwater Diversion	Construction	December, 2020
Phase V - Basins 1,2&3 Storm Sewer Separation	Construction	August, 2023
Phase VI - Basin 7&8 Storm Sewer Separation	Construction	August, 2026
Phase VII - Basin 4 Storm Sewer Separation	Construction	August, 2029
Consent Order Completed		December 31, 2030

Should you have any questions or concerns, please contact Dave Schechinger of Veenstra & Kimm, Inc. at 319-466-1000 or Mark Bousselot, Keokuk Public Works Director at 319-524-2050 Ext. 106.

CITY OF KEOKUK

Tom Marion

Enclosures
cc: Dennis Ostwinkle, Iowa DNR Field Office #6
Dave Schechinger, P.E., Veenstra & Kimm, Inc.

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing submissions of false information.

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Tom Marion, Mayor
City of Keokuk, Iowa