DAVENPORT
PUBLIC WORKS
WATER POLLUTION CONTROL

DNR FO6
MAY 01 2023
RECEIVED

April 27, 2023

Iowa DNR Field Office #6
1023 W. Madison
Washington, Iowa 52353

Re: Waste Water Non-Compliance, NPDES Permit # 82-22-0-03

Dear Iowa Department of Natural Resources, Field Office 6 Staff:

The Davenport Water Pollution Control Plant (NPDES Permit #82-22-0-03) has a requirement to report any color pass-through incidents. I was informed on April 25, 2023 at around 7:30am that an operator had observed florescent green color at the primary clarifier tanks. The operator observed the color move through the primaries, secondaries and out the effluent channel overnight. The color had cleared from the treatment plant by the afternoon of April 25th.

I immediately requested that our Pretreatment Supervisor begin an investigation. I called the City of Davenport Sewer department. Ron Hocker stated that his crews had not been dye testing and they were busy with the flood. I called Kris Hatfield from the City of Bettendorf Operations Manager and he state that they had dye tested sewers in Bettendorf yesterday afternoon around 2:00pm. Kris stated he would investigate further.

Kris wrote in an email that Brian Schadt, City of Davenport Engineer was notified by Brian Ballard, Operations Manager for the City of Riverdale, that sewer looking water was appearing in Duck Creek near State Street in Bettendorf.

Kris notified the Sewer Maintenance Supervisor Bettendorf, Todd Hildebrandt to dispatch a crew to investigate. We have dyed those pipes in the past to check for leakage. Unfortunately, the operator assigned to searching for the leak decided to Dye the upstream pipe at Manhole #10852. Instead of asking for help, he chose to add what he thought was an appropriate amount of Dye without his Supervisor being consulted.

Water Pollution Control Plant
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Kris discovered that the Operator Mark Schultz, was instructed by the supervisor to use a one-gallon liquid dye. Instead, he grabbed the powder type.
He took nine (9 ea.) one-pound cans, (the size of the container) and dumped them in the manhole at 2:20 p.m. on April 24.

When these things were brought to my attention, I called and reported to non-compliance. I spoke with Terry Jones at IDNR FO-6 on April 25, 2023 at around 8:50am. I will send this letter in the mail and provide a pdf. Copy with the monthly DMR.

Per our enforcement response plan, Victoria Gleason, City of Davenport Pretreatment Supervisor has provided a letter dated April 26, 2023 to the City of Bettendorf. The letter to explain the violation, cease the actions and prevent future pass-throughs of the WPC Treatment Plant.

The Davenport WPCP's goal is compliance with the NPDES permit and maintaining clean waters in Iowa. I have explained the permit requirements to Kris. We have determined that everyone will monitor the lab data and ensure that all samples and lab data will meet the requirements within our permit.

Please contact me directly with any questions on this matter.

Regards,

Daniel B. Miers

Daniel B. Miers
Davenport WPCP Manager
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April 26th 2023

Mr. Kris Hatfield
City of Bettendorf
1609 State Street
Bettendorf, Iowa 52722

Re: Prohibited discharge to sanitary sewer

Administrative Order to comply with local sewer use regulations

LEGAL AUTHORITY

The following findings are made and notice issued according to the authority given to the Davenport Water Pollution Control Plant Manager under Chapter 13.16.160 of the Municipal Code of Davenport, Iowa. This notice is based on violations of the above wastewater discharge permit issued under Chapter 13.16.115 through 13.16.185 of the Municipal Code of Davenport, Iowa and is required by the U.S. EPA under Part 403.8(f)(1) of the General Pretreatment Regulations.

FINDINGS

Davenport Water Pollution Control is charged with administering an approved Pretreatment Program by federal law 40 CFR 403.8 and by NPDES permit.

The cities of Davenport, Bettendorf, Riverdale, and Panorama Park share a common Publicly Owned Treatment Works (POTW) to which their sanitary sewers are discharged.

On 4/25/2023 at approximately 00:00, the Davenport WPCP operations staff noticed that a green discoloration was entering the plant. A few hours later, the green discoloration had made it through the treatment process and was being discharged from the plant's outfall. This is considered a pollutant which caused pass-through of the POTW.

After investigating the situation, it was determined that the City of Bettendorf conducted dye testing of a sanitary sewer line using a NORLAB powder tracing dye on 4/24/2023 at approximately 1430.

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According to a report issued by the City of Bettendorf regarding the incident, the operator assigned to searching for the leak decided to Dye the upstream pipe at Manhole #10852. Instead of asking for help, he chose to add what he thought was an appropriate amount of Dye without his Supervisor being consulted. Nine one-pound cans of the substance were dumped into the manhole.

This action was in violation of Bettendorf's Municipal Code Chapter 2.B.8-2B-1.B.8:

DISCHARGE OF CERTAIN WATERS OR WASTES PROHIBITED:

A. General Prohibitions: No user shall introduce or cause to be introduced into the POTW any pollutant or wastewater which **causes pass-through** or interference. These general prohibitions apply to all users of the POTW whether or not they are subject to categorical pretreatment standards or any other national, state, or local pretreatment standards or requirements.

B. Prohibited Waters Or Wastes: No user shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:

1-7: Not applicable

8. Any wastewater which imparts color which cannot be removed by the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions, which consequently imparts color to the treatment plant's effluent thereby violating the city's NPDES permit.

Per the Enforcement Response Plan of the City of Davenport WPCP, a 'slug load discharge' with consequences including 'Isolated with known interference, pass-through, or damage' will result in the facility entering 'Significant Non-Compliance (SNC).' **Facilities, organizations, or individuals found to be in SNC will be published in a newspaper(s) of general circulation providing meaningful public notice no less than annually.**

NOTICE

Therefore, based on the above findings, City of Bettendorf is hereby ordered to:

1. Submit a written compliance plan to the Davenport Pretreatment Office by May 26th, 2023 describing all steps that City of Bettendorf will take to prevent reoccurrence of future incidents, including:
    - Documentation of re-training any staff who may conduct dye testing
    - A written procedure for staff to follow when dye testing which includes a plan to notify the Davenport WPCP when dye testing is conducted.
2. Failure to comply with the requirements of this order shall constitute a further violation of the sewer use ordinance and will subject City of Bettendorf to increased enforcement action.
3. Fines may be imposed for continuing violations during implementation of the compliance plan.
4. This order does not constitute a waiver of the Bettendorf City Code requirements which remain in full force and effect. The Davenport Water Pollution Control Plant reserves the right to seek any and all remedies available to it for any violation cited by this order.

5. Failure to comply with the requirements of this order shall constitute a further violation of the sewer use ordinance and will subject City of Bettendorf to increased enforcement action.
6. Per the Enforcement Response Plan of the City of Davenport WPCP, a 'slug load discharge' with consequences including 'Isolated with known interference, pass-through, or damage' will result in the facility entering 'Significant Non-Compliance.'
7. Compliance with the requirements of this order does not excuse previous violations.

The Davenport Water Pollution Control Plant is required by EPA to escalate enforcement action if a response is not received or if violations do not cease.

Regards,

Victoria Gleason - Laboratory Supervisor and Pretreatment Coordinator
Davenport WPCP
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