

IOWA DEPARTMENT OF NATURAL RESOURCES

ADMINISTRATIVE CONSENT ORDER

IN THE MATTER OF:

CITY OF CORYDON

Wastewater Facility No. 6-93-34-0-04

CONSENT AMENDMENT TO
ADMINISTRATIVE CONSENT
ORDER

~~NO. 2008-WW-07-A2~~ No. 2008-WW-38-A2

To: Mayor and Council
City of Corydon
101 West Jackson Street, P.O. Box 169
Corydon, Iowa 50060-1826

I. SUMMARY

This amended administrative consent order (Amended Consent Order) is entered into between the City of Corydon (City) and the Iowa Department of Natural Resources (Department) for the purpose of amending the required completion dates for wastewater improvements established in Administrative Consent Order No. 2008-WW38-A1 (Original Amendment), which was issued March 19, 2014, as an amendment to Administrative Consent Order No. 2008-WW-38 (Original Order), which was issued August 2, 2008. This Amended Consent Order supersedes the Original Amendment and Original Order. The provisions of the Original Amendment and Original Order, except for those incorporated herein, are rescinded.

Any questions regarding this Amended Consent Order should be directed to:

Relating to technical requirements:

Tom Atkinson, DNR Field Office 5
Iowa Department of Natural Resources
502 E 9th St.
Des Moines, Iowa 50319
515-725-0268

Relating to legal requirements:

Noah Poppelreiter, Attorney for the DNR
Wallace State Office Building
502 East Ninth Street
Des Moines, Iowa 50319
Phone: 515-725-8248

Payment of penalty to:

Director of the Iowa DNR
Wallace State Office Building
502 East Ninth Street
Des Moines, Iowa 50319-0034

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II. JURISDICTION

This Amended Consent Order is issued pursuant to Iowa Code section 455B.175(1), which authorizes the Director to issue any order necessary to secure compliance with or prevent a violation of Iowa Code Chapter 455B, Division III, Part 1 and the rules adopted or permits issued pursuant thereto.

III. STATEMENT OF FACTS

1. The facts established in Section III of the Original Order are incorporated herein.
2. The facts established in Section III of the Original Amendment are incorporated herein.
3. After the implementation of the Original Amendment, updated regulations required a delay in the construction of upgrades to the City's wastewater treatment facility (WWTF) to accommodate new water quality limits.
4. Additionally, the DNR concluded additional time was warranted for the City to explore all viable alternative technologies.
5. The City has been proactive and timely in their efforts to communicate with the DNR and to explore viable alternative technologies.

IV. CONCLUSIONS OF LAW

The Conclusions of Law established in Section IV of the Original Order are incorporated herein.

V. ORDER

Therefore, the Department orders and the City agrees to the following:

1. All construction deadlines contained in the "Order" sections of the Original Order and the Original Amendment are hereby rescinded.
2. All other requirements contained in the "Order" sections of the Original Order and the Original Amendment remain in full effect.
3. The City shall complete construction on upgrades to the WWTF pursuant to the following timeline:

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- A. The City shall submit plans and specifications to the DNR by August 30, 2021.
- B. The City shall issue a contract for the construction of upgrades by December 30, 2021.
- C. The City shall comply with final limits in the City's most current NPDES permit by December 31, 2022.

VI. PENALTY


The terms of the "Penalty" section of the Original Order remains in full effect.

VII. APPEAL RIGHTS

This Order is entered into knowingly and with the consent of the City. For that reason, the City waives its right to appeal this Order or any part thereof.

VIII. NONCOMPLIANCE

Compliance with Section V of this Amended Consent Order constitutes full satisfaction of all requirements pertaining to the violations described in this Amended Consent Order. Failure to comply with this Amended Consent Order may result in the imposition of administrative penalties pursuant to an administrative order or referral to the Attorney General to obtain injunctive relief and civil penalties pursuant to Iowa Code section 455B.191.



KAYLA LYON, DIRECTOR
Iowa Department of Natural Resources

Dated this 11th day of
March _____, 2021



CITY OF CORYDON

Dated this 11 day of
March _____, 2021

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