CITY OF JOPLIN
COUNCIL AGENDA ITEM

ITEM
Council Bill 2019-122 – Approval for the adoption of the City of Joplin's Illicit Discharge Detection and Elimination Ordinance.

MEETING DATE
May 6, 2019

ORIGINATING DEPARTMENT
Public Works – Engineering

ATTACHMENTS
CB 2019-122, IDDE Ordinance

REVIEWED BY
Director of Public Works: David Hertzberg; Director of Finance: Leslie Haase; City Attorney: Peter Edwards; Interim City Manager; Dan Pekarek.

SUMMARY
This Council Bill approves the amendment to the Joplin City Code of Ordinances by amending Chapter 118, Utilities, Article 2, Sewers and Sewage Disposal, by enacting a new Division 9, Illicit Discharge Detection and Elimination which includes new regulations pertaining to the prohibition of Illicit Discharge and setting a date as to when this ordinance shall become effective.

BACKGROUND
The U.S Environmental Protection Agency's (EPA) National Pollutant Discharge Elimination System (NPDES) storm water permitting program labels municipal separate storm sewer systems (MS4s) as either "small", "medium" or "large" for the purposes of regulation. The City of Joplin, as a regulated small MS4 operator, is required to submit a permit application and obtain coverage under a NPDES storm water permit. Under the permit, the City is required to develop and implement a storm water management program that includes six minimum control measures (MCMs), evaluation /assessment and reporting efforts, and recordkeeping. Furthermore, the permit requires the City to submit best management practices to the Missouri Department of Natural Resources under the direction of the EPA, identify sources of pollution and contamination, and create and enforce programs and ordinances to eliminate or reduce pollutant discharges into stormwater conveyance systems. As a regulated small MS4 operator, the City of Joplin is federally mandated to develop an ordinance, or other regulatory mechanism, prohibiting (to the extent allowable under State or local law) non-stormwater discharges into the MS4 and develop appropriate enforcement procedures and actions.

DISCUSSION
The City of Joplin is currently in the process of renewing their MS4 permit. As part of this renewal process, the City was federally mandated to submit a stormwater management plan which included the 6 MCMs. These 6 MCMs consist of (1) Public education and outreach of stormwater impact, (2) Public involvement and participation, (3) Illicit Discharge Detection and Elimination, (4) Construction site stormwater runoff and control, (5) Post construction stormwater management in New-development and Re-development, and lastly (6) Pollution prevention/Good housekeeping for municipal operations. City staff worked with the MODNR to develop the 6 MCMs which collectively comprise the City's stormwater management plan.

Through coordinated efforts with the MODNR, City staff were able to submit each MCM to MODNR for review, receive feedback on each MCM, adjust and modify each MCM based on those comments, and subsequently resubmit and receive approval from MODNR for each MCM. MCM #3 however, Illicit Discharge Detection and Elimination, was conditionally approved pending the successful passing of an ordinance by the City to explicitly prohibit non-stormwater discharges into the MS4. To comply with this condition for approval, City staff developed the Illicit Discharge Detection and Elimination Ordinance. A public meeting for stakeholders was subsequently held on April 15th, providing affected stakeholders with an opportunity to view the ordinance and provide feedback on it.

RECOMMENDATION

Amending the Joplin City Code of Ordinances by adding a new Division 9, Illicit Discharge Detection and Elimination Ordinance in Chapter 118, Utilities, Article 2, Sewers and Sewage Disposal of the City of Joplin's Code of Ordinances which includes new regulations pertaining to the prohibition of Illicit Discharge and setting a date as to when this ordinance shall become effective.