CITY OF JOPLIN
COUNCIL AGENDA ITEM

ITEM
Council Bill 2020-149 – Approval for the amending of the City of Joplin's Illicit Discharge Detection and Elimination Ordinance.

MEETING DATE
August 3, 2020

ORIGINATING DEPARTMENT
Public Works – Engineering

ATTACHMENTS
Council Bill 2020-149, IDDE Ordinance

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

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, Division 9, Illicit Discharge Detection and Elimination (IDDE), which includes regulations pertaining to the prohibition of Illicit Discharge and setting a date as to when this amendment to the 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 (MDNR) 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 and maintain 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.

Last year, the City of Joplin successfully completed the renewal process for their current MS4 permit. As part of this renewal process, the City was federally mandated to submit a stormwater management plan which included the 6 Minimum Control Measures (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 MDNR to develop the 6 MCMs which collectively comprise the City's stormwater management plan.

The Illicit Discharge Detection & Elimination ordinance found in Chapter 118 Article 2 Division 9 of the City's code of ordinance was enacted last year in order to comply with the federal requirements associated with the City's MS4 permit, specifically the third MCM of the City's Stormwater Management Plan. MCM #3, Illicit Discharge Detection and Elimination, explicitly prohibits non-stormwater discharges into the MS4. With the ordinance having been in effect for a year, MDNR periodically provides comments to the City in order to update the ordinance to reflect current requirements or clarify language in the existing ordinance. This amendment to the ordinance addresses the latest comments provided to the City by MDNR regarding its Illicit Discharge ordinance. In general, the update consists of clarification of existing language in the ordinance and the addition of definitions for terms used within the ordinance.

RECOMMENDATION

Staff recommends approval of Council Bill 2020-149, amending Chapter 118, Utilities, Article 2, Sewers and Sewage Disposal, Division 9, Illicit Discharge Detection and Elimination, of the City of Joplin's Code of Ordinances which includes regulations pertaining to the prohibition of Illicit Discharge and setting a date as to when this amendment to the ordinance shall become effective on first reading.