



City of Grand Island

Tuesday, December 14, 2021

Council Session

Item F-1

#9865 - Consideration of Amending Chapter 35 of the Grand Island City Code Relative to Groundwater Control Area Boundaries

Staff Contact: Tim Luchsinger

Council Agenda Memo

From: Jerry Janulewicz, City Administrator

Meeting: December 14, 2021

Subject: Ordinance to Amend the Groundwater Control Area No. 3.

Presenter(s): Tim Luchsinger, Utilities Director
Jerry Janulewicz, City Administrator

Background

The Parkview Well Superfund Site is located in the southwestern portion of the City of Grand Island in Hall County, Nebraska. The Site consists of two areas of groundwater contamination and associated source areas that resulted from the historical mismanagement of industrial solvents. The contaminant source areas are located at a facility at 3304 Engleman Road South and one located at a facility at 3445 West Stolley Park Road. Both resulted in groundwater contamination that trended to the east.

Pursuant to recommendations from the United States Environmental Protection Agency, on August 19, 2011, the City Council Approved Ordinance 9310, establishing the boundaries of Groundwater Control Area #3 and adopting institutional controls within the area to prevent human exposure and consumption of contaminated groundwater and prohibit the installation of new wells supplying water for human consumption in the plume areas.

EPA's Remedial Action within the control area started in September 2008, which included private domestic well sampling and alternate water supplies and construction of a groundwater extraction well network and treatment system that was completed on July 15, 2010. The groundwater extraction and treatment system has been operational since August 2, 2010.

In May 2021, the EPA notified the City that reductions of the area of contamination east of Garland Street and Blaine Street would permit that area to be removed from Groundwater Control Area No. 3 and in June 2021, the EPA approved the City's proposed boundary description. Additionally, correspondence recently received from the EPA clarified that recreational use of surface waters is acceptable.

Discussion

The proposed Ordinance would amend City Code Chapter 35, Article VIII, Sec. 35-86 to remove lands east of Garland Street and Blaine Street from Groundwater Control Area #3 and would specify that recreational use of surface waters is not prohibited by city code.

Alternatives

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

City Administration recommends that the City Council approve the ordinance amending Chapter 35, Article VIII, Sec. 35-86 and 35-88 of the Grand Island City Code relative Groundwater Control Area No. 3.

Sample Motion

Move to approve Ordinance 9865.



Legend

- Monitoring Well/Monitoring Well Nest
- Extraction Well
- Municipal Well
- Highways
- Groundwater Control Area No. 3
- Property with Environmental Covenant
- PVA Well screened through multiple zones

Approximate Extent of Groundwater Contamination above Cleanup Goals Prior to RA (Parkview Well Site)

Approximate Extent Case New Holland (CNH) Groundwater Plume (Tetra Tech F-S June 2007)

Parcel Boundary Source:
 City of Grand Island/Hall County, 2012
 Imagery Source:
 City of Grand Island/Hall County, 2011

Scale in Feet:
 0 750 1,500

Parkview Well Site
 Grand Island, Nebraska

Figure 4-2
 IC Boundaries

BLACK & VEATCH
 Building a World of Difference



NOTE: The Environmental Protection Agency does not guarantee the accuracy, completeness, or timeliness of the information shown, and shall not be liable for any injury or loss resulting from reliance upon the information shown.

CJM 5/6/2021
Map 2021

Sources: TetraTech EM Inc., Remedial Investigation Report, Parkview Well Superfund Site OUI2, June 2007
Groundwater Control Area No. 3 updated 2021, EPA Region 7

 Groundwater Control Area No. 3
 Environmental Covenant

Updated 2021
Parkview Well Superfund Site
Grand Island, NE

ORDINANCE NO. 9865

An ordinance to amend Chapter 35, Article VIII, sections 35-86 and 35-88 of the Grand Island City Code pertaining to Groundwater Control Area No. 3; to repeal any ordinance or parts of ordinances in conflict herewith; and to provide for publication and the effective date of this ordinance.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA:

SECTION 1. Chapter 35, Article VIII, section 35-86 of the Grand Island City Code is hereby amended to read as follows:

§ 35-86. Groundwater Control Area Boundaries

The boundaries of Groundwater Control Area No. 3 are described as follows and are shown on the attached map: Commencing at a point of intersection of the north boundary of Husker Highway and the easterly boundary of U.S. Highway 30; thence running easterly along the north boundary of Husker Highway to the intersection of Husker Highway and U.S. Highway 281/U.S. Highway 34; thence continuing easterly running along the north boundary of U.S. Highway 34 to the northwesterly corner of the intersection of Garland Street; thence running northerly and then easterly along the west boundary of Garland Street to the northwesterly corner of the intersection of Garland Street and South Blaine Street; thence running northerly along the west boundary of South Blaine Street to the southwesterly corner of the intersection of South Blaine Street and West Stolley Park Road; thence running westerly along the south boundary of West Stolley Park Road to the southeasterly corner of the intersection of West Stolley Park Road and Old Highway 30; thence running southwesterly along the south boundary of Old Highway 30, merging with

Approved as to Form	☐ _____
December 22, 2021	☐ City Attorney

ORDINANCE NO. 9865 (Cont.)

U.S. Highway 30 and continuing southwesterly along the south boundary of U.S. Highway 30 to the point of beginning.

The boundaries of Groundwater Control Area No. 3 are described as follows and are shown on the attached map: Commencing at the southeasterly corner of the intersection of County Road 27/State Highway 34 and New State Highway 30; thence running easterly along the north boundary of State Highway 34 to the southwesterly corner of the intersection of Garland Street; thence running northerly and then easterly along the west boundary of Garland Street to the northwesterly corner of the intersection of Garland Street and South Blaine Street; thence running northerly along the west boundary of South Blaine Street to the northwesterly corner of the intersection of South Blaine Street and Stagecoach Road; thence running easterly along the north boundary of Stagecoach Road to the intersection of Stagecoach Road and Stagecoach Road; thence running predominately northeasterly along the north boundary of Stagecoach Road to the northwesterly corner of the intersection of Stagecoach Road and South August Street; thence running northerly along the west boundary of South August Street to the southwesterly corner of the intersection of South August Street and West Stolley Park Road; thence running westerly along the south boundary of West Stolley Park Road to the southwesterly corner of the intersection of West Stolley Park Road and Old State Highway 30; thence running southwesterly along the south boundary of Old State Highway 30, merging with New State Highway 30 and continuing southeasterly along the south boundary of New State Highway 30 to the point of beginning. A map of the boundaries of Groundwater Control Area No. 3 shall be maintained in the City's Geographical Information System MapSifter (or any successor application, if any) using information provided by EPA.

ORDINANCE NO. 9865 (Cont.)

SECTION 2. Chapter 35, Article VIII, section 35-88 of the Grand Island City

Code is hereby amended to read as follows:

§35-88. Prohibited Groundwater Uses

(A) Groundwater pumped from wells within Groundwater Control Area No. 3 shall not be used for any domestic use which may result in human exposures. Such uses include drinking, food preparation, washing, bathing, showering, and other household uses which result in human exposures to contaminated groundwater. Because groundwater from wells within Groundwater Control Area No. 3 may be contaminated and presents a hazard to the health, safety, and welfare of persons exposed to such water, any human consumption or prohibited use of groundwater from wells within Groundwater Control Area No. 3 is a violation of this Article and is declared to be a public nuisance subject to abatement as provided in §35-91 of this Article.

(B) No new well with a design capacity of more than 50 gallons per minute (gpm) may be drilled or installed in Groundwater Control Area No. 3 unless and until the party proposing the well installation has demonstrated, by a hydrogeological study performed by a competent environmental consulting firm, that the operation of the well will not cause the movement of the groundwater contamination or adversely affect the remedial action provided for in the RODs for the Site. Any such hydrological study shall be submitted to EPA for review and approval prior to well installation.

(C) This Section on Prohibited Groundwater Uses shall not prohibit: (i) uses of groundwater pumped from wells within Groundwater Control Area No. 3 which do not result in human exposure to contaminated groundwater, including, but not limited to, groundwater monitoring wells, EPA or NDNR remediation wells, wells that produce 50 gpm or less for dewatering purposes, wells used for non-contact cooling water for industrial, commercial or residential uses,

ORDINANCE NO. 9865 (Cont.)

or wells used for watering vegetation not used for human consumption, or (ii) human exposure from recreational and athletic activities occurring at lakes, ponds, rivers, and streams. Discharges from dewatering wells must be appropriately handled and disposed of in accordance with applicable City, State and Federal laws including National Pollution Discharge Elimination System permits under the Clean Water Act.

SECTION 3. Any ordinance or parts of ordinance in conflict herewith are hereby repealed.

SECTION 4. That this ordinance shall be in force and take effect from and after its passage and publication in pamphlet form within fifteen (15) days according to law.

Enacted: December 14, 2021.

Roger G. Steele, Mayor

Attest:

RaNae Edwards, City Clerk