



City of Grand Island

Tuesday, November 22, 2022

Council Session

Item G-12

**#2022-333 - Approving PGS Coal Combustion Residual (CCR)
Groundwater Services Task 20 with HDR**

Staff Contact: Tim Luchsinger, Stacy Nonhof

Council Agenda Memo

From: Timothy G. Luchsinger, Utilities Director
Stacy Nonhof, Assistant City Attorney

Meeting: November 22, 2022

Subject: PGS - Coal Combustion Residual (CCR) Groundwater Services – Task 20

Presenter(s): Timothy G. Luchsinger, Utilities Director

Background

On April 17, 2015, the U.S. Environmental Protection Agency (EPA) published the final rule for the regulation and management of Coal Combustion Residual (CCR) under the Resource Conservation and Recovery Act (RCRA). The rule became effective on October 19, 2015. In general, CCR compliance activities include publication of public information on the web, signage, groundwater sampling, and impoundment structural and safety assessment is required for the Platte Generating Station.

Platte Generating Station personnel reviewed the regulations and determined consulting services were needed to meet the CCR Rule compliance schedule. HDR Engineering was hired as the sole source to ensure timeliness, high quality and consistency among other electric utilities and independent power producers in Nebraska.

Discussion

On September 27th, 2016, Council Approved HDR Engineering to complete Tasks 1-4 to include ground water sampling, review of the Ash land fill closure plan, Post-closure plan, and Run on/run off control system plan for a cost not to exceed \$86,290.

On September 24, 2019, Council approved HDR Engineering to complete Tasks 5-9 to include groundwater sampling, fugitive dust control, alternative source demonstration (ASD) investigation, statistical analysis reporting, and preparation of a conceptual site model of the hydrologic and hydro-geochemical setting of the PGS Ash Landfill including evaluation of the results of the model for a cost not to exceed \$189,960.00.

On October 8, 2019, Council approved HDR Engineering to complete Task 10 to include preparation for the Title 132 Permit Renewal Application and amend the CCR Run-On and Run-Off Control System Plan for a cost not to exceed \$39,970.00. On March 10,

2020, Council approved HDR Engineering to amend Task 10 to address and respond to NDEE regarding the Title 132 Permit Renewal Application revisions and amend the CCR Run-On and Run-Off Control system for an additional cost not to exceed \$14,860.00.

On October 8, 2019, Council approved HDR Engineering to complete Task 11 for the CCR 2019 Annual Landfill Inspection and Fugitive Dust Control Reporting for a cost not to exceed \$12,990.00.

On November 26, 2019, Council approved HDR Engineering to complete Task 12 to meet the next phase of the CCR Rule for finalizing the Assessment of Corrective Measures (ACM) and update the CCR Groundwater Certifications including the upgradient well MW-10, Task 12 for a cost not to exceed \$16,600.00.

On March 10, 2020, Council approved HDR Engineering to complete Task 13 for the CCR Groundwater Monitoring and Reporting, including semi-annual Groundwater Sampling for the First and Second half of 2020, and the 2020 Spring and Fall Groundwater Reports for a cost not to exceed \$47,100.00.

On June 23, 2020, Council approved HDR Engineering to complete Task 14 for the Site Investigation services for the detection of contaminants at an increased level for a cost not to exceed \$25,900.00.

On August 11, 2020, Council approved HDR Engineering to complete Task 15 for the CCR Groundwater Services-NDEE Meeting and Corrective Action for the NDEE Meeting and Corrective Action and Monitoring Plan following the ACM report for a cost not to exceed \$35,600.00.

On September 22, 2020, Council approved HDR Engineering to complete Task 16 for the CCR 2020 Annual Landfill Inspection, Fugitive Dust Control Reporting, and initial Generation and Utilization Report for a cost not to exceed \$13,310.00.

On March 9, 2021, Council approved HDR Engineering to complete Task 17 for the CCR 2021 Groundwater Monitoring and Reporting, including semi-annual field sampling for the first and second half of 2021, and the 2021 Spring and Fall Groundwater reports for a cost not to exceed \$39,900.00.

On December 28, 2021, Council approved HDR Engineering to complete Task 18 for the CCR Annual Landfill Inspection, Fugitive Dust Control report and the annual CCR generation and utilization report for a cost not to exceed \$13,580.00.

On April 26, 2022, Council approved HDR Engineering to complete Task 19 for the CCR 2022 Groundwater Monitoring and Reporting, including semi-annual field sampling for the first and second half of 2022, and the 2022 Spring and Fall Groundwater Reports for a cost not to exceed \$40,000.00.

Task 20 is being presented for the CCR Annual Landfill Inspection, Fugitive Dust Annual Control Report, and CCR Generation and Utilization Annual Report. Task 20 is being presented for a cost not to exceed \$13,890.00.

To ensure the same high quality and consistency for these next phases of the CCR Rule 257.95(g) and NDEE Title 132, it is recommended that HDR Engineering continue with these tasks. HDR is providing state-wide consistency across the state of Nebraska with the NDEE.

In accordance with City procurement code, plant staff recommends that the Council authorize HDR Engineering continue their services as the Consulting Engineer for the Platte Generating Station CCR requirements.

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 Council authorize HDR Engineering, Inc of Omaha, Nebraska, for providing Engineering services to meet the Coal Combustion Residuals program CCR Groundwater Services – Task 20 for a fee not to exceed \$13,890.00.

Sample Motion

Move to approve the resolution with HDR Engineering, Inc, of Omaha, Nebraska for Engineering Services for the Platte Generating Station CCR Groundwater Services –Task 20 for a fee not to exceed \$13,890.00.

TASK ORDER 20

This Task Order pertains to an Agreement by and between the City of Grand Island, NE (City), (“OWNER”), and HDR Engineering, Inc. (HDR), (“ENGINEER”), as attached Master Services, (“the Agreement”). Engineer shall perform services on the project described below as provided herein and in the Agreement. This Task Order shall not be binding until it has been properly signed by both parties. Upon execution, this Task Order shall supplement the Agreement as it pertains to the project described below.

TASK ORDER NUMBER: **20**

PROJECT NAME: **CCR 2022 Annual Inspection & Reports**

PART 1.0 PROJECT DESCRIPTION:

The intent of this Scope of Services is to conduct the annual inspection/report and annual coal combustion residuals (CCR) fugitive dust control report required by the Federal Disposal of Coal Combustion Residuals from Electric Utilities final rule (Federal CCR Rule) for the Platte Generating Station (PGS) Ash Landfill (CCR unit) at the Platte Generating Station in Grand Island, Nebraska. These services also include preparing the annual CCR generation and utilization report required by the Nebraska Department of Environment and Energy (NDEE) permit conditions for the PGS Ash Landfill.

PART 2.0 SCOPE OF SERVICES TO BE PERFORMED BY ENGINEER ON THE PROJECT:

Services to be performed by HDR will include the following activities:

Task 20-100 – CCR Landfill Annual Inspection

1. HDR will conduct the annual inspection for the CCR unit. As required by the Federal CCR rule §257.84., annual inspections are to be conducted to ensure that the design, construction, operation, and maintenance of the CCR unit are consistent with recognized and generally accepted good engineering standards. The annual inspection will be conducted by a qualified professional engineer. Annual inspection will include:
 - Review of available information regarding status and condition of the CCR unit, including weekly inspections, previous annual inspection, PGS work orders, and files available in operating record.
 - Visual inspection to identify signs of distress or malfunction of unit and appurtenant structures.
2. HDR will prepare an annual inspection report for the CCR unit to identify and discuss findings of the inspection as well as discuss potential remedies for addressing any deficiencies discovered during the inspection. The inspection report will include observations of the following:
 - Any changes in geometry of the structure since the previous annual inspection.
 - Approximate volume of CCR contained in the unit at the time of the inspection.
 - Any appearances of actual or potential structural weakness of the CCR unit, in addition to any existing conditions that are disrupting or have the potential to disrupt the operation and safety of the CCR unit.
 - Any other visible change(s) which may have affected the stability or operation of the CCR unit since the previous annual inspection.
3. HDR will send a draft report (electronically) to the City for review and comment. City shall provide comments within ten calendar days. HDR will address comments and provide a final annual inspection report electronically.
4. HDR will provide the City a draft notification letter to NDEE on the availability of the annual inspection report as required by the Federal CCR rule §257.106. The City will put the notification letter on City letterhead, sign and submit to NDEE.

Task Deliverables:

- Draft Annual Inspection Report
- Final Annual Inspection Report

- Draft notification letter for City use

Planned Meetings:

One (1) day site visit for annual inspection.

Key Understandings:

1. One site visit to Platte Generating Station will be conducted by one HDR professional for annual inspection. Site visit is anticipated to occur in November/December 2022 (i.e. should occur when minimal to no snow at the PGS Ash Landfill and date prior to the required deadline for this subsequent annual inspection report).
2. Discussion of potential remedies in the annual inspection report does not include evaluations, analysis or designs of features.
3. Annual Inspection Report and certification will be provided in PDF format. Draft notification letter will be provided in Microsoft Word.
4. The City will post the annual inspection report on their public CCR website and send notification letter to NDEE within 30 days of placement in the facility operating record.

Task Schedule:

Notice to Proceed	November 2022
Annual inspection site visit	before December 17, 2022
Draft Annual Inspection Report	by January 4, 2023
Final Annual Inspection Report	January 14, 2023
PE certification & draft notification letter	January 14, 2023
City place in facility operating record	no later than January 15, 2023
City post to CCR website/NDEE notification	within 30 days of placement in facility operating record

Task 20-200 – Annual CCR Fugitive Dust Control Report

1. HDR will review the amended CCR Fugitive Dust Control Plan (dated December 2019) and previous annual CCR fugitive dust control report. HDR will request and review documentation provided by the City on fugitive dust control measures taken at the Platte Generating Station since the last annual report (i.e., December 17, 2021). We will also review the weekly inspection reports and PGS work orders for CCR fugitive dust and resulting actions. Documentation and input will be obtained from the City on the following for CCR rule compliance:
 - Description of the actions taken by the City to control CCR fugitive dust
 - Record of all citizen complaints
 - Summary of any corrective measures taken

HDR will review the documentation provided, discuss the control measures and corrective actions with the City to confirm the activities (via conference call), and incorporate the summary of information into the draft annual CCR Fugitive Dust Control Report. The draft annual report will be submitted to the City for review and comments.

2. HDR will incorporate City comments and finalize the Annual CCR Fugitive Dust Control Report for the PGS Ash Landfill.
3. HDR will draft the notification letter to NDEE on the availability of the annual CCR fugitive dust control report as required by CCR rule §257.106. The City will put on City letterhead, sign and submit to NDEE.

Task Deliverables:

- Draft CCR Fugitive Dust Control Report
- Final CCR Fugitive Dust Control Report
- Draft notification letter for City use

Planned Meetings: None. Communications will occur via emails and telephone calls.

Key Understandings:

1. HDR will utilize report format developed previously as starting basis for new annual report.
2. Final report will be provided in PDF format. Draft notification letter will be provided in Microsoft Word.
3. The City will post the fugitive dust control report on their public CCR website and notify NDEE within 30 days of placement in the facility operating record.

Task Schedule:

Notice to Proceed	November 2022
Data Received from City	November 30, 2022
Draft Annual CCR Dust Control Report	December 9, 2022
Final Annual CCR Dust Control Report	December 16, 2022
City place in facility operating record	no later than December 17, 2022 (i.e., within 12 months from date of last report)
Draft notification letter	by December 23, 2022
City post to CCR website/NDEE notification	within 30 days of placement in facility operating record

Task 20-300 – Annual CCR Generation & Utilization Report

1. Pursuant to the NDEE Title 132 permit and special permit conditions, the NDEE requires the City to submit an annual report by January 15th of each year that summarizes the generation and utilization of fly ash, bottom ash, and scrubber ash for the previous 12 months. The report will also include the volume of bottom ash and scrubber ash that is currently in storage piles in the PGS Ash landfill.
2. HDR will review the 2022 CCR generation and utilization from the PGS provided by the City. We will evaluate the data along with the survey quantities, summarize the data in table format, and prepare a technical memorandum describing the CCR quantities and trends. Volume information on CCR storage piles within the PGS Ash Landfill will be obtained from the CCR Annual Inspection Report (see Task 20-100). The draft memorandum will be submitted to the City for review and comments.
3. HDR will incorporate City comments and finalize the Annual CCR Generation & Utilization Report for the PGS Ash Landfill. HDR will submit the report to NDEE on behalf of the City.

Task Deliverables:

- Draft memorandum with CCR Generation & Utilization Report
- Final memorandum with CCR Generation & Utilization Report

Planned Meetings: None. Communications will occur via emails and telephone calls.

Key Understandings:

1. HDR will develop summary table and memorandum report format, utilizing the previous report prepared in January 2022 as starting basis.
2. CCR data provided by the City will be used for the table, supplemented with the December 2022 CCR quantities. City will provide the December 2022 data to HDR by January 4, 2023.
3. Final report will be provided in PDF format.

Task Schedule:

Notice to Proceed	November 2022
All 2022 CCR Data received from City	January 4, 2023
Draft memorandum	January 9, 2023
Final memorandum	January 13, 2023
Submit to NDEE	by January 15, 2023

PART 3.0 OWNER'S RESPONSIBILITIES:

1. City will provide copies of all weekly inspections performed, maintenance and corrective actions that have occurred for the PGS Ash Landfill from December 2021 through December 2022. City will identify and make available files in the operating record of PGS work orders, ash trucked out, and other data on the status and condition of the PGS Ash Landfill.
2. City will provide most recent survey and CCR quantities disposed in the existing PGS Ash Landfill since the last survey. Survey files from most recent survey should be provided in AutoCAD format and/or xml file. City will also provide recorded quantities of CCR disposed and removed for beneficial use through the date of the inspection.
3. City will provide monthly CCR generation and utilization quantities for fly ash, bottom ash and scrubber ash from January 1, 2022 through December 31, 2022.
4. City will provide access to the site and all structures and features related to the PGS Ash Landfill. City personnel may accompany HDR during the annual site inspection.
5. City will place the annual inspection report into the facilities' operating record by January 15, 2023. Within 30 days of such placement, City will post the report on the CCR website, and comply with submitting the notification requirements to the NDEE.
6. Any deficiencies or release identified during the annual inspection will be remedied by City as soon as possible. City will need to prepare the documentation detailing the corrective measures taken.
7. City will provide copies of the following information from December 2021 to December 2022:
 - Work orders or other record of the actions taken by the City to control CCR fugitive dust. This should include any periodic assessments performed by the City to assess the effectiveness of the control plan.
 - Record of all citizen complaints (available from the City's procedures to log citizen complaints).
 - PGS Work orders or other record of any corrective measures taken to control CCR fugitive dust.
 - Identification of meetings (dates, agenda and/or minutes) where CCR fugitive dust control discussed.
8. City will place the Annual CCR Fugitive Dust Control Report in the facility operating record by December 17, 2022. Within 30 days of the placement, City will post the report on their CCR web site and submit notification to NDEE.

PART 4.0 PERIODS OF SERVICE:

Services associated with this project will commence upon Notice to Proceed from the City of Grand Island. The schedule for each task is outlined within the tasks above.

PART 5.0 PAYMENTS TO ENGINEER:

Compensation for these Services shall be on a per diem basis with an agreed maximum amount of Thirteen Thousand Eight Hundred Ninety dollars (\$13,890.00) without additional City authorization. The following table contains a breakdown of the estimated fee by task for this project.

Task Description		Estimated Total Fee
Task 20-100	CCR Landfill Annual Inspection	\$8,770
Task 20-200	Annual CCR Fugitive Dust Control Report	\$2,800
Task 20-300	Annual CCR Generation & Utilization Report	\$2,320
TOTALS		\$13,890

Per Diem shall mean an hourly rate equal to Direct Labor Cost times a multiplier of 3.18 to be paid as total compensation for each hour an employee works on the project, plus Reimbursable Expense.

Direct Labor Cost shall mean salaries and wages, (basic and overtime) paid to all personnel engaged directly on the Project.

Reimbursable Expense shall mean the actual expenses incurred directly or indirectly in connection with the Project for transportation travel, meals, equipment rental and field supplies, subconsultants, subcontractors, telephone, telex, shipping and express, and other incurred expenses.

HDR will add ten percent (10%) to invoices received by HDR from subconsultants and subcontractors to cover supervision, administrative, and insurance expenses. No subcontractor is anticipated on these tasks.

This Task Order is executed this _____ day of _____, 2022.

CITY OF GRAND ISLAND, NE

HDR ENGINEERING, INC.

“OWNER”

“ENGINEER”

BY: _____

BY:  _____

NAME: _____

NAME: Matthew B. Tondl

TITLE: _____

TITLE: Senior Vice President

ADDRESS: _____

ADDRESS: 1917 S. 67th Street
Omaha, NE 68106

RESOLUTION 2022-333

WHEREAS, the U.S. Environmental Protection Agency's Rule for the regulation and management of Coal Combustion Residual (CCR) under the Resource Conservation and Recovery Act (RCRA) became effective on October 19, 2015; and

WHEREAS, personal at the Platte Generating Station reviewed the regulations and determined consulting services were needed to meet the CCR Rule Compliance schedule, and HDR Engineering was hired as the sole source to ensure timeliness, high quality and consistency among other electric utilities and independent power producers in Nebraska; and

WHEREAS, on September 27, 2016, Council approved HDR Engineering to complete task 1-4 to include ground water sampling, review of the Ash Landfill Closure Plan, Post-closure Plan, and Run-on/run-off Control System Plan at a cost not to exceed \$86,290.00; and

WHEREAS, on September 24, 2019, Council approved HDR Engineering to complete Tasks #5-9 to allow compliance with the CCR Rule at an amount not to exceed \$189,960.00; and

WHEREAS, on October 8, 2019, Council approved HDR Engineering to complete Task 10 to include preparation for the Title 132 Permit Renewal Application and amend the CCR Run-On and Run-Off Control System Plant at a cost not to exceed \$39,970.00; and Task 11 for the CCR 2019 Annual Landfill Inspection and Fugitive Dust Control Reporting at a cost not to exceed \$12,990.00; and

WHEREAS, on November 26, 2019, Council approved HDR Engineering to completed Task 12, upgradient Well MW-11, at a cost not to exceed \$16,660.00; and

WHEREAS, to ensure continued preparation and to address and respond to NDEE regarding the Title 132 Permit Renewal Application revisions and amend the CCR Run-on and Run-off Control System, Task 10-300, it is recommended that HDR Engineering continue with these tasks. Task 10-300 is being presented at a cost not to exceed \$14,860.00; and

WHEREAS, on March 10, 2020, Council approved Task 13 for the CCR Groundwater Monitoring and Reporting which included semi-annual Groundwater Sampling for the first and second half of 2020, and the 2020 Spring and Fall Groundwater Reports at a cost not to exceed \$47,100.00; and

WHEREAS, on June 23, 2020, Council approved HDR Engineering to complete Task 14 for the Site Investigation Services for the detection of contaminants at an increased level at a cost not to exceed \$25,900.00; and

WHEREAS, on August 11, 2020, Council approved Task 15 for the CCR Groundwater Services – NDEE Meeting and Corrective Action and Monitoring Plan following the ACM report at a cost not to exceed \$35,600.00; and

Approved as to Form	▣ _____
November 18, 2022	▣ City Attorney

WHEREAS, on September 22, 2020, Council approved Task 16 for the CCR Groundwater Services for the CCR Annual Landfill Inspection, Fugitive Dust Control Reporting, and initial Generation and Utilization Report for a cost not to exceed \$13,310.00; and

WHEREAS, on March 9, 2020, Council approved Task 17 for the CCR 2021 Groundwater Monitoring and Reporting, including semi-annual field sampling for the first and second half of 2021, and the 2021 Spring and Fall Groundwater Reports at a cost not to exceed \$39,900.00; and

WHEREAS, on December 28, 2021, Council approved HDR Engineering to complete Task 18 for the CCR Annual Landfill Inspection, Fugitive Dust Control report and the annual CCR generation and utilization report for a cost not to exceed \$13,580.00; and

WHEREAS, on April 26, 2022, Council approved HDR Engineering to complete Task 19 for the CCR 2022 Groundwater Monitoring and Reporting, including semi-annual field sampling for the first and second half of 2022, and the 2022 Spring and Fall Groundwater Reports for a cost not to exceed \$40,000.00; and

WHEREAS, Task 20 is being presented for the CCR Annual Landfill Inspection, Fugitive Dust Annual Control Report, and CCR Generation and Utilization Annual Report for a cost not to exceed \$13,890.00; and

WHEREAS, to ensure the same high quality and consistency for these next phases of the CCR Rule 257.95(g) and NDEE Title 132, it is recommended that HDR Engineering continue with Task 20 for the CCR Annual Landfill Inspection, Fugitive Dust Annual Control Report, and CCR Generation and Utilization Annual Report for a cost not to exceed \$13,890.00.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that HDR Engineering is authorized to continue with Task 20 associated with the CCR Rule and NDEE Title 132 in an amount not to exceed \$13,890.00.

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Adopted by the City Council of the City of Grand Island, Nebraska, November 22, 2022.

Roger G. Steele, Mayor

Attest:

RaNae Edwards, City Clerk

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