



Le Sueur County, MN

Tuesday, February 27, 2018

Board Meeting

Item 6

9:25 a.m. Darrell Pettis, County Administrator

RE: West Jefferson Update

Staff Contact:

February 22, 2018

Darrell Pettis
88 South Park Avenue
Le Center, MN 56057

RE: West Jefferson Lake Sanitary Collection System
Plans and Specification Approval
Facility Plan Final Approval
Project No. 280366

Dear Darrell Pettis:

The Minnesota Pollution Control Agency (MPCA) is pleased to inform you that we are hereby granting final approval of the facility plan and plans and specifications. The approved proposal is for the construction and operation of a Class SD wastewater collection system which is designed to serve a total of 140 homes. The wastewater will pump to and be treated by the city of Cleveland's wastewater treatment plant (WWTP). The approval is pursuant to Minn. Stat. chs. 115 and 116, as amended. The legal description of the location of the proposed facility is Sections 3, 4, 21, 28, 33 and 34, Township 109 North, Range 25 West, Cleveland and Washington Township, Le Sueur County.

The final plans and specifications and related information indicate that the project will consist of a low pressure collection system with individual grinder pumps that will pump to a primary lift station that will pump the wastewater to the city of Cleveland's WWTP for final treatment. The project is further described in the facility plan by Bolton & Menk, Inc. dated March 3, 2016, and amended on July 16, 2016. The project is described in detail in the plans and specifications titled, West Jefferson Sanitary Collection System, city project number M15.111340, signed and dated on February 16, 2018.

Effective January 17, 2014, all projects seeking funding through the Clean Water Revolving Fund must meet the requirements of the American Iron and Steel (AIS) provision established in the Federal Consolidated Appropriations Act of 2014. It appears that the contract documents for this project address these provisions but it is ultimately the project owner's responsibility that these requirements are met. For further information about the AIS requirements, please visit <http://mn.gov/deed/government/public-facilities/funds-programs/index.jsp>.

The following items are not considered loan fundable for the reasons stated:

1. Portions of street, curb and gutter, and sidewalks that are not a result of the construction of sanitary sewers. Reconstruction fundability should be limited to the width of the pipe trench necessary to install the sanitary sewer.

This constitutes a formal decision in accordance with Minn. R. 7077.2000. Any request for review or reconsideration of this decision must be submitted within 45 days of the date of this letter. For clarification concerning Disputes Procedures, please contact your review engineer.

The MPCA's officers, employees and agents review, comment upon, and approve plans and specifications for the limited administrative purpose of determining whether there is reasonable assurance that the treatment system when constructed, will comply with the regulations and criteria of the MPCA.

The MPCA reviews and comments upon the advertisement for bids, information for bidders, contract, and other front-end documents which provide the basis for this approval solely for the limited administrative purpose of determining whether there is reasonable assurance that these documents are in conformance with Minn. R. 7077.0274.

This approval shall not in any way relieve the Permittee or the engineer of responsibility, nor shall it make the MPCA responsible for the technical adequacy of the engineer's work. This approval shall not relieve the Permittee from complying with all conditions and requirements of the NPDES/SDS Permit and shall be retained by the Permittee with the permit.

The Permittee is responsible for obtaining an NPDES Storm Water Permit, separate from the above-mentioned wastewater discharge permit, for any construction project which disturbs a surface area of one acre or more. To obtain a copy of the construction storm water permit application, go to the MPCA website and the stormwater program webpage at:

<http://www.pca.state.mn.us/water/stormwater/stormwater-c.html> or to request a paper application call the MPCA Front Desk at 651-296-6300 or 800-657-3864 and ask to speak to the Construction Stormwater Administrative Lead.

Any alterations or additions to the treatment system's approved plans and specifications must be submitted to the MPCA as a Plan and Specification Addendum and be approved by the MPCA prior to bid opening. Significant alterations or additions to the treatment system's approved plans and specifications, proposed after the award of the contract, must be submitted as a change order and approved by the MPCA. Significant change orders are defined as contract deviations which:

1. substantially alter the type of treatment process, or its efficiency, versatility, or reliability; and/or
2. alter the approved project schedule affecting the initiation of operation date.

Significant change orders require prior approval, from the MPCA, before the work can be done. Verbal approval may be agreed to if the work is of an emergency nature.

All change orders shall be retained by the Permittee for review by the MPCA. Each change order shall include an execution date, a complete description of the change, and signatures from the Permittee's authorized representative, the engineer, and the contractor.

Regulations may change regarding administrative requirements in effect at the time of this approval.

At least 60 days before the scheduled contract date for completion of construction, the municipality must submit to the MPCA:

- a. Evidence that the Permittee has hired a wastewater treatment operator with a valid state certificate for the classification of the treatment system;
- b. An operation and maintenance manual for MPCA's approval or a completed O&M manual Certificate of Completion form (located on the MPCA website at www.pca.state.mn.us/water/wastewater.html#operation).

A final inspection of the treatment facility shall be performed by the MPCA staff when all construction is complete except for minor weather-related components. The Permittee should request in writing that a final inspection be performed when it believes construction is complete.

One year after the initiation of operation of the project, the Permittee must submit to the MPCA the following items, as appropriate for the project:

- a. A certification on a form prescribed by MPCA, signed by a professional engineer registered in the state of Minnesota stating that the project meets the following performance standards:
 - 1) The project has been completed in according to approved construction plans and specifications and change orders.
 - 2) The Permittee has a sufficient number of trained and capable personnel, including a wastewater treatment facility operator having a valid state certificate, to provide adequate operation and maintenance of the project, and the project requires only the operation and maintenance as is outlined as normal and routine in the approved operation and maintenance manual.
 - 3) Nonresidential wastewater discharges to the treatment system do not interfere with the operation of the project, disposal, or use of septage or municipal sludges, and do not degrade the groundwater or surface water.
 - 4) The project meets the requirements in the approved plans and specifications for the prevention of contamination of underground drinking water sources beyond the property boundary.

The certification form submittal shall also include one copy of "as-built" plans and specifications, also known as record drawings. The as-built documents must be submitted in a format approved by the MPCA. The factsheet titled: "Wastewater Treatment Facility Construction Record Documents, As-built Submittal Requirements" contains specific information regarding the required format of the submittal.

The document is located on the MPCA web page at:

<http://www.pca.state.mn.us/index.php/view-document.html?gid=15492>.

A revised operation and maintenance manual or a completed Operation and Maintenance manual Certificate of Completion form (located on the MPCA website at www.pca.state.mn.us/water/wastewater.html#operation).

- b. Documentation that the Permittee is collecting sufficient funds to provide for operation and maintenance and equipment replacement costs in conformance with the approved operation and maintenance manual on a form prescribed by the MPCA.

Any questions regarding this approval should be directed to me at 507-206-2603.

Sincerely,



Corey J. Hower
Engineer
Municipal Wastewater Section
Municipal Division

cc: Richard Walter, Mayor
Derek Olinger, P.E., Bolton & Menk
Anita Gallentine, PFA
Hailey Gorman, Southeast Minnesota Wastewater Initiative
Bill Dunn, MPCA