

**Date:** March 20, 2023

**Amount:**

**Account Number:**

**EXPLANATION TO COUNCIL BILL**

**ORIGINATING DEPARTMENT:** Public Works & Transportation

**PURPOSE:** To amend Sections 29-131 "Definitions", 29-132 "Abbreviations" and 131-57 "Specific Prohibitive Discharge Limitations" of Chapter 29 "Utilities" of the Code of Ordinances to update industrial metals loadings limits from concentration based to mass based.

**REMARKS:** Water Protection is required to do a Technically Based Local Limits (TBLL) evaluation during every 5-year NPDES permit cycle. This process evaluates the limits outlined in City code and ensures they allow the wastewater treatment facility to remain in compliance with ever-changing regulatory limitations.

Water Protection produces unrestricted use fertilizer/soil conditioner pellets through the operation of the bio solids dryer and maintains a fertilizer license in the state of Missouri. To maintain the unrestricted use designation, the pellets must meet exceptional quality sludge standards for metals outlined in 40 CFR(Code of Federal Regulations) Part 503.Changing the limits from concentration based to mass based will give our industrial partners maximum flexibility in meeting the more strict limits. Each permitted industry has been allocated a pounds per day (PPD) loading limit for each metal that will be outlined in their next permit issued by Water Protection. Water Protection staff analyzed historical data for each industry while developing this allocation and ensured that, historically, permitted industries have been below their new allocation.

The Water Protection Division reached out to affected industrial users before proposing this modification. Each industrial user was sent a letter stating its proposed metals allocations and various follow-up meetings were conducted to discuss user concerns and limits. In some instances, user limits were adjusted to accommodate industrial user concerns.