



Legislation Details (With Text)

File #:	20-303	Version:	1	Name:	
Type:	Action Item	Status:		Deferred	
File created:	12/3/2020	In control:		City Council	
On agenda:	12/15/2020	Final action:		12/15/2020	
Title:	Communication from the Mayor and City Manager with a Request to APPROVE a CONSENT DECREE with the UNITED STATES ENVIRONMENTAL PROTECTION AGENCY and the STATE OF ILLINOIS ENVIRONMENTAL PROTECTION AGENCY.				

Sponsors:

Indexes:

Code sections:

Attachments: 1. 20-303 Signed Consent Decree.pdf, 2. CSO-Fact-Sheet-12-9-2020, 3. Peoria GPSD SIGNATURE CD, 4. 2021-03-04 Final Peoria CD as entered by Court(19302898.1) (002)

Date	Ver.	Action By	Action	Result
12/15/2020	1	City Council	approved	Pass
12/8/2020	1	City Council	deferred	Pass

ACTION REQUESTED:

Communication from the Mayor and City Manager with a Request to APPROVE a CONSENT DECREE with the UNITED STATES ENVIRONMENTAL PROTECTION AGENCY and the STATE OF ILLINOIS ENVIRONMENTAL PROTECTION AGENCY.

BACKGROUND: Since 2006, the City of Peoria (City), Greater Peoria Sanitary District (GPSD), United States Environmental Protection Agency (EPA) and the Illinois Environmental Protection Agency (IEPA) have been negotiating a settlement to the agencies' claims that the City and GPSD violated provisions of the Clean Water Act.

Earlier this year, the parties agreed to general terms for a consent decree. Generally, the City will abide by an 18 year timeline for construction of improvements, reliance upon green stormwater infrastructure from the City, coupled with interceptor improvements by GPSD.

In the fall, City staff, our engineering teams, and legal staff met with the USEPA, USDOJ, Illinois Attorney General's Office staff and the IEPA staff to discuss proposed changes to the timelines and penalties necessitated by the pandemic.

The key terms of the consent decree for the City are as follows:

- Civil penalty of \$100,000.
- 18 year timeline for construction of improvements.
- Reliance on green infrastructure to reduce individual discharges and volume reductions.
- Additional modeling and reporting to EPA and IEPA for rainfall and storm flows.
- Public participation in the creation of a CSO Remedial Measures Program.

*****Note that as of the time this document is being submitted for the agenda, the City does not yet have a final copy of the consent decree to attach. This item will be updated as soon as the consent decree is available.*****

NEIGHBORHOOD CONCERNS: Clean water and sustainable infrastructure.

IMPACT IF APPROVED: Reduce outside counsel and engineering costs to negotiating a consent decree. Improve water quality for all citizens. Implement green, sustainable, infrastructure.

IMPACT IF DENIED: Continue outside counsel and engineering costs, potential litigation by the USEPA.

ALTERNATIVES: N/A

EEO CERTIFICATION NUMBER: N/A

WHICH OF THE GOALS IDENTIFIED IN THE COUNCIL'S 2017 - 2032 STRATEGIC PLAN DOES THIS RECOMMENDATION ADVANCE?

1. Financially Sound City

WHICH CRITICAL SUCCESS FACTOR(S) FROM THE COMPREHENSIVE PLAN DOES THIS RECOMMENDATION IMPLEMENT?

1. Invest in our infrastructure and transportation.

DEPARTMENT: Legal