



March 3, 2020

MAYOR CURT SULLIVAN  
CITY OF BONDURANT  
200 2<sup>ND</sup> ST NE  
PO BOX 37  
BONDURANT, IA 50035-0037

SUBJECT: MS4 Storm Water Compliance Inspection  
Iowa NPDES Permit No: 7717002

Dear Honorable Mayor Sullivan and Council:

Enclosed is the report of the recent inspection of the above facility conducted by Anne Hildebrand of the Field Office #5 staff.

We believe you will find the report self-explanatory and strongly encourage you to take action on the requirements and recommendations listed at the end of the report.

By April 15, 2020 please provide a written response to the requirements and recommendations listed at the end of the report.

If you have any comments or questions about the inspection or report, please contact Anne Hildebrand at 515-725-0273 or [anne.hildebrand@dnr.iowa.gov](mailto:anne.hildebrand@dnr.iowa.gov).

Sincerely,

A handwritten signature in blue ink, appearing to read 'Ted Petersen', is written over a light blue horizontal line.

Ted Petersen  
Supervisor, Field Office #5

cc: DNR Records  
DNR – Joe Griffin, Storm Water Coordinator – Des Moines  
John Horton, City of Bondurant, Public Works Director (via email)  
Boyce Bailey, City of Bondurant, Storm Water Coordinator (via email)

<b>IOWA DEPARTMENT OF NATURAL RESOURCES</b> ENVIRONMENTAL SERVICES DIVISION Field Office #5 502 E. 9 <sup>th</sup> St., Des Moines, IA 50319-0034 Phone: (515) 725-0268      FAX: (515) 725-0218		
<b>REPORT OF INSPECTION</b>		
<b>INVESTIGATION DATE</b>	<b>CURRENT:</b> 01/07/2020	<b>LAST:</b> 01/17/2013
<b>TO:</b> City of Bondurant 200 2 <sup>nd</sup> St NE, Bondurant, IA 50035		
<b>SUBJECT:</b> Storm Water MS-4 Compliance Inspection Iowa NPDES Permit No: 77-17-0-02		
<b>PERSONS CONTACTED:</b> Name: Boyce Bailey, Title: Storm Water Coordinator Phone: 515-971-6858		

**Introduction**

The departmental compliance inspection of the City's MS4 program was made on January 7, 2020. The scope of the inspection included an evaluation of the permit requirements, general discussions pertaining to the City's storm water program and on-site visits to GP2 sites, basin sites and storage facilities (vehicle, chemical and salt). John Horton (Public Works Director) and Boyce Bailey (Stormwater Coordinator) were interviewed for the records review. Boyce Bailey accompanied me during the site visits.

**Iowa NPDES Permit**

The City of Bondurant was issued an Iowa NPDES Permit for the discharge of storm water for its Municipal Separate Storm Sewer System (MS4), totaling approximately 9.0 square miles, on October 1, 2019. The permit expiration date is April 3, 2024.

n/a = not applicable, n/o = not observed.

**Part II A. Public Education and Outreach on Storm Water Impacts**

Permit requirements	Yes	No	n/a	n/o
Articles in City Newsletter	X			
Telephone Hotline Number		X		
General Storm Water Educational Materials	X			

**Comments:**

The City of Bondurant published eight articles in the Bondurant Living magazine in the past permit year. The articles were entitled "De-Icer Caution" with information on deicers and the storm water impacts, "Protect Stormwater: Protect Streams and Lakes", "Compost It! Season", "Mosquito Spraying Information", "2019 Fall Clean Up" and "Don't Blow It Into the Street" which was in three newsletters. There were also multiple posts on the City of Bondurant's Facebook page.

The City has a "Report an Issue" link on their storm water website that connects to email for questions or concerns but a telephone hotline number is not provided. A telephone hotline number is also not included in educational materials. A telephone hotline number must be provided on the storm water website and educational materials for the reporting of storm water related problems.

The City mailed a brochure titled "Managing Storm Water in Our Community" to residents in November 2008. Since then, all new residents are given a copy of the brochure when they come in to sign up for their utilities. It is also available in the brochure rack located new to the City Center front desk. Several other pieces of educational material are placed in this rack throughout the year for citizens to access. It is recommended the brochure and other educational materials be put up on the website to increase public access to the information.

**Part II B. Public Involvement and Participation**

Permit requirements	Yes	No	n/a	n/o
Storm Water Advisory Committee		X		
Public Notice Requirements		X		

Comments:

A storm water committee was established May 17, 2017. The committee met on November 14, 2018 at the Bondurant City Center and the annual report included a summary of topics discussed as well as a list of members and the minutes of the meeting. Mr. Bailey stated he had planned on having a meeting at the beginning of January 2020 but that didn't work out and he is now planning on having a meeting at the end of January. No meeting was held during the 2019 calendar year. As required by the NPDES permit, the storm water committee shall have meetings at least once each calendar year.

Although the City is meeting the public notice requirements, no information was included in the report regarding compliance with the public notice requirements. The City shall specify how they are meeting the public notice requirements in future annual reports.

It is recommended that the City expand its public involvement and participation program to increase awareness of storm water related issues to the residents of Bondurant.

**Part II C. Illicit Discharge Detection and Elimination**

Permit requirements	Yes	No	n/a	n/o
Illicit Discharge Prohibition Ordinance	X			
Illicit Discharge Detection and Elimination Program	X			

Comments:

An illicit discharge storm water ordinance was adopted by the City Council for the City of Bondurant on September 19, 2005. An illicit discharge storm water ordinance was adopted by the City Council for the City of Bondurant on September 19, 2005 and was included in the annual report. The City has not found that the ordinance needs to be amended.

The City of Bondurant monitors the outfalls and any source of pollution as part of Public Works daily personnel's activities. Any potential problems are dealt with on a case by case basis. Along with monitoring, 63 outfall locations are GPS mapped and a list of these points has been created. A copy of the City storm sewer system map and a list of mapped outfall locations were included with the annual report. Mr. Bailey stated the outfall locations were last revised in 2013. The NPDES permit requires the City evaluate the illicit discharge detection and elimination program annually to assess the effectiveness of the program and any necessary changes made. It appears this is not occurring due to the fact the outfall locations were last revised in 2013.

The City should also make every effort to educate the public about what illicit discharges are, why it is important to prevent them and how to report them.

**Part II D. Construction Site Runoff Control**

Permit requirements	Yes	No	n/a	n/o
Construction Site Runoff Control Ordinance	X			
Construction Site Review and Inspection Program	X			

Comments:

The ordinance was adopted by the City on July 2, 2007 and a copy was included in the annual report. The ordinance requires coverage under Iowa DNR NPDES General Permit No. 2 to ensure proper soil erosion and sediment control. The ordinance empowers the Storm Water Coordinator with the ability to enter private property for the purpose of compliance with Best Management Practices (BMPs), and to terminate activity on the site. The

ordinance requires a site plan and Storm Water Pollution Prevention Plan (SWPPP) approval prior to the issuance of any City permits. This review is done by the City's engineer (Veenstra & Kimm Inc.) along with the Public Works Department. The ordinance clearly requires compliance with Iowa DNR NPDES General Permit No. 2.

The Storm Water Coordinator inspects all construction sites on a quarterly basis checking for compliance. A Standard Operating Procedure (S.O.P.), is in place for the handling of inspections. The S.O.P., along with a new reporting form, were adopted in April of 2013. The sites are also monitored during the week by the Storm Water Coordinator while performing other duties. The Storm Water Coordinator receives a copy of the developers' inspection reports either weekly or on an "on-demand" basis, and reviews them for problems to be addressed. During this reporting period, 95 quarterly inspections were performed with no Notices of Violation (NOVs) or stop work orders being issued during the reporting period. Mr. Bailey stated that no NOVs were issued because any deficiencies found during the inspections were corrected within 24 hours. Based on the deficiencies observed during the inspection (see below), it appears the City needs to develop a stronger enforcement procedure to deal with noncompliant sites.

The City requires post construction elevations and topsoil reports on every developed lot.

Mr. Bailey showed me four active GP2 sites for residential development: Quail Run (36389-36045), Quail Run (33815-33500), Wolf Creek (33373-33058) and Wolf Creek (32919-32624).

At Quail Run, there are multiple developers building homes. At these sites I observed several violations of Iowa DNR NPDES General Permit No. 2: storm sewer intakes full of sediment, tracking off-site, construction entrances that were not stabilized and downed silt fences. Mr. Bailey shall work with the General Permit No. 2 holder and the individual building companies to ensure compliance with General Permit No. 2.

At Wolf Creek, there are multiple developers building homes. At these sites I observed several violations of General Permit No. 2: storm sewer intakes full of sediment, tracking off-site and construction entrances that were not stabilized. At a Greenland Homes building site, there was a dumpster but it had been filled to capacity. As a result trash was being blown out of the dumpster and was strewn all over the building site. At a Savannah Homes building site, a portable toilet was tipped on its side with sanitary waste spilling onto the ground. Mr. Bailey shall work with the General Permit No. 2 holder and the individual building companies to ensure compliance with General Permit No 2.

**Part II E. Post Construction Storm Water Management**

<b>Permit requirements</b>	<b>Yes</b>	<b>No</b>	<b>n/a</b>	<b>n/o</b>
Post-construction Site Runoff Control Policy Ordinance	X			
Site Plan Review Procedures	X			
Inspection of Runoff Control Devices	X			
Watershed Assessment Program	X			

Comments:

The ordinance was adopted by the City on December 1, 2008 and a copy was included in the annual report.

The City of Bondurant's engineer (Veenstra & Kimm Inc.) reviews all plans for post-construction runoff controls prior to construction, and City staff continue to monitor through the construction phase to make sure the controls meet acceptance criteria.

The City monitors the condition and effectiveness of the municipally owned devices. Mr. Bailey does this as he completes the quarterly inspections. The City's NPDES permit requires that educational materials shall be developed and made available to landowners which outline proper maintenance procedures for runoff control devices. Mr. Bailey said these materials had not been developed. The City shall develop educational materials for their residents which detail the proper procedures for maintaining privately owned runoff control devices. These materials shall then be made available to the public.

Mr. Bailey showed me one dry basin at the Bondurant Fire Station. The fire station's roof and the parking drain into the basin. Mr. Bailey inspects the basin weekly. The basin appeared to be functioning properly and well maintained.

The City of Bondurant is in the process of having a storm water assessment done by an outside company. The City is also an active member of the Mud Creek Watershed Association. The City's goals in storm water management are also contained in the City of Bondurant's Comprehensive Plan.

**Part II F. Pollution Prevention/House Keeping**

This section of the NPDES Permit addresses preventing and reducing pollutant runoff from municipal operations.

Permit requirements	Yes	No	n/a	n/o
Operation and Maintenance of MS4	X			
Pesticide and Fertilizer Management Program	X			
Training Program for Municipal Employees	X			
City Facilities BMPs	X			

**Comments:**

MS4 duties are shared by the Storm Water Coordinator, the Street Department and the rest of the Public Works Department. Upon doing any cleaning maintenance, the Public Works employee records the action taken and passes a copy of the record to the Storm Water Coordinator for his knowledge and record keeping purposes. The City currently has a street sweeper and schedule to sweep all streets twice a year along with spot sweepings throughout the year. A table was provided with the annual report detailing the days and locations of the street cleanings. In order to show how much waste was prevented from entering streams/creeks/rivers, adding a column detailing pounds or cubic feet of waste removed would be beneficial.

The City currently requires any employee or contracted company that applies regulated pesticides and/or fertilizers to be licensed and properly trained with full documentation of such on record. The City also requires documentation of the types and amounts of chemicals applied. The City currently uses two regulated pesticides. One is a pesticide used in the seasonal spraying of mosquitos. The other chemical is a herbicide used to control dandelions and clover on City properties. The number of applications along with the amount of chemical used is documented. All pesticides and herbicides are stored in the City maintenance shop. The pesticides are protected from the weather, spillage and is isolated from any drains. There is a spill kit at this location for containment and absorption of any mishap. The City normally fertilizes its properties only once a year in the spring, but no fertilizer was applied in 2019. Dandelion spray was applied in 2019 but only spot sprayed with a pump hand sprayer. When the City does fertilize, it is stored out of the weather in an enclosed building for a very short time until it can be applied.

Mr. Bailey attended the Iowa Construction Site Pollution Prevention Inspector training on October 13, 2011 and was successfully certified. Mr. Bailey attended a re-certification session on May 19, 2015 that was held in Cedar Falls. All municipal employees with pesticide applicator licenses have also attended the appropriate continuing education to support their respective categories. Copies of licenses and certificates were included with the annual report.

The City of Bondurant has oil/water separators installed in both the east and the west areas of the City maintenance shop. The oil/water separators are cleaned annually by an outside contractor. They were last cleaned on October 21, 2019 by Smith's Sewer Service. Spill kits are available to employees along with a barrel of floor-dry. Spill training is provided by the Bondurant Fire Department. The City's maintenance building is inspected annually. A copy of the maintenance building inspection checklist was included with the annual report. The City does not have fuel storage. Salt is stored in a covered building.

**Part III. Reporting Requirements**

An annual report is to be submitted to the DNR by October 31st of each year.

**Comments:**

Annual report was submitted on October 29, 2019. It is recommended that any attachments to the annual report should be separated into appendices and referenced in the text of the report.





The storm water account was budgeted \$318,815 for the last fiscal year. It ended the period with a remaining balance of \$165,477.26. The City's Stormwater Utility fee was increased to a rate of \$3.25 per month four years ago to help cover the rising cost of managing the Stormwater Utility. This current fiscal year, the City Council approved an additional increase in the City's Stormwater Utility fee to a rate of \$6.59 per month. The increase was necessary to cover the increasing expenses of managing the Utility as well as to fund necessary Capital Projects to improve the overall storm water management of the City. Revenues for the past fiscal year totaled \$169,900, of which \$159,000 came from the Stormwater Utility Fee. This year's budgeted operational expenditures for the Utility total \$183,445 along with \$2,893,037 in Capital Projects. The City is making a significant investment in storm water management over the next couple of years.

**REQUIREMENTS:**

1. The City's storm water website shall specify that the phone number listed is for the reporting of storm water related problems.
2. The storm water advisory committee shall meet annually.
3. The City shall specify how they are meeting the public notice requirements in future annual reports.
4. Evaluate the illicit discharge and detection program annually.
5. The City shall develop educational materials for their residents which detail the proper procedures for maintaining privately owned runoff control devices. These materials shall then be made available to the public.

**RECOMMENDATIONS:**

1. Place brochures and other educational materials on the City's storm water website to increase public access to the information.
2. Quantify and report the amount of waste removed from streets when using the street sweeper.
3. The City should increase their efforts on public education and outreach on storm water impacts.
4. The City should increase their efforts to educate the public on illicit discharges.
5. The City should develop a stronger enforcement procedure.

AUTHENTICATION	
INSPECTOR: Anne Hildebrand, Environmental Specialist 	DATE: 3-3-20
REVIEWER: Dennis Thielen, Environmental Specialist Senior 	DATE: 3-3-20



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**Mayor:**  
Curt Sullivan

**Council Members:**  
Tara Cox  
Doug Elrod  
Wes Enos  
Jen Keeler  
Bob Peffer

**City Administrator:**  
Marketa Oliver

**City Clerk:**  
Shelby Hagan

**Finance Director:**  
Jene Jess

**Fire Chief:**  
Aaron Kreuder

**Public Works  
Director:**  
John Horton

**City Attorney:**  
David Brick

**City Engineer:**  
Bob Veenstra, Jr.

Iowa Department of Natural Resources  
Environmental Services Division  
Field office #5  
502 E. 9<sup>th</sup> St.  
Des Moines, Iowa 50319-0034

Storm Water MS-4 Compliance Inspection Response  
Iowa NPDES Permit No: 77-17-0-02

To Anne Hildebrand,  
(Environmental Specialist)

In response to the recent inspection of the City of Bondurant's MS4 permit.  
Please see response to requirements stated below.

**REQUIREMENTS:**

- 1. The City's storm water website shall specify that the phone number listed is for reporting of storm water related problems.**

The City of Bondurant Website has been updated to include the number for the Cities Storm Water Coordinator.

- 2. The storm water advisory committee shall meet annually.**

As stated during the inspection the City did hold a Storm Water Advisory Committee meeting in November of 2018 which was in the appropriate permit year timeframe. The City attempted to hold a meeting in October of 2019 in which we only had one member in attendance. Due to the current COVID-19 pandemic all public meetings have been suspended. The City is currently trying to schedule a virtual Storm Water Advisory Committee meeting.

- 3. The City shall specify how they are meeting the public notice requirements in future annual reports.**

The City will ensure that this information is included in future reports.

- 4. Evaluate the illicit discharge and detection program annually.**

The City has adopted a procedure to annually review all storm water ordinances to ensure that the City of Bondurant is implementing the best practices in Storm Water Management. The City is also evaluating our inspection procedure process to help catalog and streamline reporting.

- 5. The City shall develop educational materials for their residents which detail proper procedures for maintain privately owned runoff control devices.**

The City is currently working with an engineering firm to develop a Storm Water Master plan for the City and the surrounding watershed area. As a part of the plan we are developing a best practices checklist for homeowners and HOA's that once developed will be made available to the public via the Cities website. That said, the City will be seek the advice of legal counsel on this directive, as developing detailed "proper" procedures for maintaining privately-owned runoff control may create unintended liability.

The City is also working with the Mud/Camp/Spring Watershed Management Authority on a marketing campaign to encourage residents to become more proactive in Storm water Management at the homeowner level though best practices such as Rain Barrels, Rain Gardens and Soil Quality Restoration.

#### **RECOMMENDATIONS:**

- 1. Place brochures and other educational materials on the City's storm water website to increase public access to the information.**

The City is currently in the process of transferring this information to a readable format on the City of Bondurant's new website. We anticipate this to be done by June of 2020.

- 2. Quantify and report the amount of waste removed from streets when using the street sweeper.**

The City has implemented this in our reporting procedures and will include estimated tonnage in future reporting.

- 3. The City should increase their efforts on public education and outreach on storm water impacts.**

As stated in requirement number 5. The City is currently working with an Engineering firm as well as the local WMA to increase public awareness when it comes to storm water impacts.

- 4. The City should increase their efforts to educate the public on illicit discharges.**

The City of Bondurant currently does extensive public outreach of the effects of illicit discharge, and the city does actively enforce illicit discharges that are either reported or discovered by City staff. The City includes information on its website, in its published newsletter, in its electronic newsletter, and in brochures that are distributed at multiple public events.



As a part of the public outreach materials that are under development the City will ensure that illicit discharge is an area of focus.

**5. The City should develop a stronger enforcement procedure.**

As part of the City's ongoing review process we will continue to review our enforcement procedure and adjust our procedures to comply with current regulations.

If there are any further comments or anything that needs to be addressed please reach to either of us below.

Sincerely,



John Horton  
Public Works Director  
[jhorton@cityofbondurant.com](mailto:jhorton@cityofbondurant.com)



Boyce Bailey  
Stormwater Coordinator  
[bbailey@cityofbondurant.com](mailto:bbailey@cityofbondurant.com)

