



Request for Council Action

SUBJECT: **Amended Compliance Agreement with the MN Department of Health for City Project No. 2023-03 - Water Treatment Plant Rehabilitation Improvements**

MEETING DATE: May 12, 2025

ITEM TYPE: Consent Agenda

CONTACT: Brian Connolly, Public Works Director, 651.450.2571

ACTION REQUESTED

The Council is asked to adopt the attached Resolution, approving an amended Compliance Agreement with the Minnesota Department of Health related to the City's Water Treatment Plant Rehabilitation (City Project No. 2023-03).

BACKGROUND

In late January of 2023, the City received a notice of violation from the Minnesota Department of Health indicating that radium concentrations in the City's treated water exceeded the Maximum Contamination Level set by the Environmental Protection Agency. On March 26, 2025, the City received a related notice of violation for gross alpha radiation concentrations exceeding the Maximum Contamination Level. Gross alpha is a byproduct of radium degradation, and it is not uncommon for high levels of both contaminants to be present at the same time.

The City previously entered into a Compliance Agreement with the Minnesota Department of Health on June 26, 2023, via Resolution 2023-147, indicating that City Project 2023-03 – Water Treatment Plant Rehabilitation, would be completed by April 1, 2024. Due to the project letting and material procurement schedule for City Project 2023-03, the rehabilitation of the Water Treatment Facility is not anticipated to be completed until the end of 2025. The scope of the existing rehabilitation work for the Water Treatment Facility is intended to reduce gross alpha radiation through the same treatment processes that radium removal is designed to occur.

In an effort to address the additional gross alpha radiation violation, and the current schedule for completion of City Project No. 2023-03, the Minnesota Department of Health has drafted an amended Compliance Agreement. Staff recommend the amended Compliance Agreement as drafted by the Minnesota Department of Health is acceptable and accurately reflects the proposed implementation and schedule of the water treatment plant modifications to address the radium and gross alpha radiation concentration levels in the City's water system, and to bring the system back into compliance with Minnesota Department of Health and Environmental Protection Agency requirements.

FISCAL IMPACT

There is no fiscal impact directly related to the approval of this amended Compliance Agreement. The improvements to the Water Treatment Plant that are already underway will address the issue within the existing scope of that project.

RECOMMENDATION

Staff recommends adoption of the attached Resolution.

ATTACHMENTS

1. Resolution Approving Amended MDH Compliance Agreement
2. Compliance Agreement - Cover Letter (From MDH)
3. Amended Compliance Agreement (From MDH)