

E Environment Committee

Meeting date: July 24, 2007

For the Metropolitan Council Meeting of August 8, 2007

ADVISORY INFORMATION	
Date:	July 12, 2007
Subject:	Ratification of Declaration of Emergency for Removal and Disposal of Alkaline Stabilized Sludge
District(s), Member(s):	All
Policy/Legal Reference:	Council Policy 3-3 Expenditures
Staff Prepared/Presented:	Richard Halsted 651-602-1038
Division/Department:	MCES c/o William G. Moore 651-602-1162

Proposed Action/Motion

That the Metropolitan Council ratify the attached *Justification for and Declaration of Emergency* for removal and disposal of Alkaline Stabilized Sludge.

Issue(s)

- With the loss of one of three fluidized bed reactors at the Metro Plant there is reduced capacity to process sludge, which will require transporting stabilized sludge to SKB Landfill in Rosemount, Minnesota. If the plant cannot adequately process the daily sludge that is produced the ability to meet regulatory permit conditions will be affected.

Overview and Funding

The Metropolitan Council has delegated authority to the Regional Administrator to declare emergencies on behalf of the Council when the health, safety, or welfare of the public is compromised or potentially compromised, and immediate action is required to address the emergency. The emergency declaration is then presented to the appropriate implementation committee for approval, and placed on the following Council consent list for formal ratification.

The cost of removal and disposal is estimated at \$130,000. Funding will be from the annual operating budget.

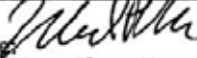
Justification for and Declaration of Emergency

<p><i>"A declared public emergency is an emergency situation in which the health, safety or welfare of the public or the safety of Metropolitan Council employees or facilities is compromised or potentially compromised and requires immediate action to correct."</i></p>	
<p>I REQUEST THAT A PUBLIC EMERGENCY BE DECLARED, BASED UPON THE FOLLOWING:</p>	
<p>Describe the nature of the emergency situation:</p>	<p>At the Metro Plant, one of the three fluidized bed reactors that process sewage sludge is unavailable due to extensive repairs on it. Current projections estimate the repairs will take three weeks to complete. Needed sludge processing capacity will be lost during this time.</p>
<p>Explain why this situation is a present, immediate, and existing emergency:</p>	<p>With the lost incineration capacity the plant's ability to reliably process the sludge that is continuously produced as part of the treatment process is compromised. The plant's sludge storage facilities provide limited reserve storage space. It's anticipated the storage space will be filled well before the completion of the repairs if additional sludge processing operations are not initiated.</p>
<p>Explain how this emergency does or will affect the healthy, safety, or welfare of the public or the safety of Metropolitan Council employees or facilities:</p>	<p>If the plant is incapable of keeping up with it's daily sludge production, eventually the treatment process degrades to the point where effluent permit conditions could be violated and receiving waters impacted.</p>
<p>(Complete reverse side of form and sign)</p>	

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<p>Describe the supplies or services which must be acquired to remedy this emergency situation, including the estimated cost:</p>	<p>1. Hire contractor to transport and dispose of loaded out stabilized sludge at landfill for two weeks; \$130K</p> <p>Estimated cost: \$130,000</p>
<p>Identify how you chose the contractor(s) (Emergency Contractors List, vendor database, etc.):</p>	<p>Took quotes from contractors that have performed load out operations at Metro before.</p>
<p>Quotes are not required in declared emergencies. If quotes were obtained, describe your efforts to obtain them:</p>	<p>Obtained quotes from contractors experienced in Metro load out operations. Selected contractor with lowest quote. Selected price is equal to unit cost obtained from same contractor from a recent bid situation.</p>
<p>List the other vendors, if any, that have expressed an interest in providing goods or services relating to this emergency:</p>	<p>None</p>

I hereby certify that the information presented on this form is accurate and complete to the best of my knowledge and belief.

Requestor's Signature:  Title: Manager SSBC Date: 7/11/07

Signature:  General Manager/Division Director Date: 7/12/07

Based on the above information, an emergency situation exists within the meaning of the Council Procurement Policy. Carrying out the competitive bidding process and the technical requirements of the Council's Procurement Policy, and awaiting Council declaration of an emergency and approval for the purchase of materials or supplies or the making of emergency repairs would significantly and unacceptably delay the commencement of repair work on the above-referenced project. The Metropolitan Council, by its Procurement Policy, has delegated authority to the Regional Administrator to declare an emergency on behalf of the Council in such cases. Therefore, I declare on behalf of the Metropolitan Council, that an emergency exists as described above and that the emergency situation requires the immediate purchase of materials or supplies or the making of emergency repairs. I authorize the General Manager/Division Director named above to let appropriate contracts and make payments for the purchase of materials or supplies or the making of repairs necessary to meet the emergency situation without advertising for bids, without meeting other technical requirements of Council Procurement Policy, and without prior approval of the Council. If the costs to correct the emergency situation total \$25,000 or more, I direct that this emergency declaration and any such contracts and/or payments be presented to the Metropolitan Council for formal ratification at its next meeting.

Signature:  Regional Administrator Date: 7-12-07