

VARIANCE REQUEST
Iowa Department of Natural Resources

<p>1. Date: November 3, 2009</p> <p>2. Reviewer/Engr.: Marty Jacobs</p> <p>3. Date Received: October 30, 2009</p> <p>4. Facility Name: City of Atkins</p> <p>5. Facility Number: 6-06-03-0-01</p> <p>6. County Number: 06 (Benton)</p> <p>7. Program Area: CP (Wastewater)</p> <p>8. Facility Type: C01 (Collection/Transport)</p> <p>9. Subject Area: 310 (Sewer Grade)</p> <p>10. Rule Reference: 567-64.2(9)a</p> <p>11. Design Std. Ref.: 12.5.1</p> <p>12. Consulting Engr.: Snyder & Associates, Inc.</p> <p>13. Variance Rule: 567-64.2(9)c</p>	<p>14. Decision: <i>Appd.</i> Date: <i>11/12/09</i></p> <p>15. Appealed: Date:</p>
<p>16. <u>Description of Variance Request:</u> The City of Atkins is requesting a variance from the Iowa Wastewater Facilities Design Standards Chapter 12 – Iowa Standards for Sewer Systems – 12.5.1 – Diameter. The Iowa standards require public sanitary sewers to be eight inches or larger in diameter. The request is to allow the use of a six-inch sewer on a line serving two residences.</p>	
<p>17. <u>Applicant's/Consulting Engineer's Justification:</u> The sewer will never be extended, and there is no possibility more connections will be made to this main. Also, there is a depth and slope issue created by the necessity to construct the sewer below an existing 4'x8' RCP box culvert. Therefore, due to current and future flows being very minimal, and to maintain a depth of cover which will minimize the possibility of freezing (four feet below the box culvert), the design slope in 1.4%. Considering the design slope and design flows, a six inch main was selected to achieve acceptable cleaning velocity. Manholes will be installed at the end of the main, at the 90 degree bend, and at the intersection to the existing main to facilitate cleaning by the City if an issue arises.</p>	
<p>18. <u>Department's Justification:</u> Recommend variance approval. The 6-inch line at 1.4% slope has sufficient capacity to carry the flow from two houses. Both the full flow and 3/4-full velocities are in excess of 2.0 fps. When calculated using Flowmaster, the six-inch line had a slightly higher flow velocity at the average and peak flows reported on Schedule C.</p>	
<p>19. <u>Precedents Used:</u> McGregor WWTP, January 20, 2001 Spring lake Park – Cherokee, February 10, 2004 Luxemburg – April 22, 2003</p>	
<p>20. Staff Reviewer: <i>Marty Jacobs</i></p>	<p>Date: <i>11-3-09</i></p>
<p>21. Supervisor: <i>Letya Champati</i></p>	<p>Date: <i>11-12-09</i></p>
<p>22. Authorized by: <i>Charles C. Conley</i></p>	<p>Date: <i>11/16/2009</i></p>



CHESTER J. CULVER, GOVERNOR
PATTY JUDGE, LT. GOVERNOR

STATE OF IOWA

DEPARTMENT OF NATURAL RESOURCES
RICHARD A. LEOPOLD, DIRECTOR

November 6, 2009

City of Atkins
Attn: Mr. Richard Lange
111 First Street
Atkins, Iowa 52206

Subject: Variance Request from Design Standards Section 12.5.1
Ridgeview Sanitary Sewer Extension Project
Atkins, Iowa

Dear Mr. Lange:

After careful and thorough consideration, the Department has approved your October 20, 2009 request for a variance from Chapter 12.5.1 of the Iowa Wastewater Facilities Design Standards which sets a minimum diameter of eight inches for public sanitary sewers.

Based on the documentation presented by your Engineer, it is the determination of this Department that satisfactory justification has been presented to warrant the granting of variances for the installation of a six-inch diameter sanitary sewer on this project. The requested variance is deemed to be reasonable and necessary pursuant to the Iowa Code section 455B.181.

The facts presented for the project present unique circumstances and the variance is therefore justified to provide the narrowest exception possible to the provisions of the rule in accordance with Rule 561 IAC 10.5. Since the project planning and construction may last more than one year, the variance is considered to be of a permanent nature. The validity of this variance approval shall last for a period of one year from the date of the construction permit in accordance with Rule 567 IAC 10.5.

This decision is based on our review of justification presented to support the request. Our concurrence with the request is based on the Department's finding that the resulting project will provide substantially equivalent effectiveness as would be provided by technical compliance with the design standards on this issue.

This variance approval is subject to the following **conditions and requirements**:

- This sanitary sewer will be limited to two service connections and will not be extended.
- Manholes will be installed at the end of the main, at the 90 degree bend, and at the intersection to the existing main
- The City of Atkins will provide cleaning of the subject sanitary sewers at more frequent intervals as needed to prevent clogging.

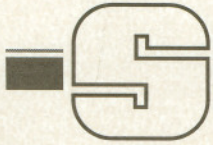
If you have any questions, please contact me at 515-242-6148 or martin.jacobs@dnr.iowa.gov .

Sincerely,

A handwritten signature in black ink, appearing to read "Marty Jacobs", is written over a horizontal line.

Marty Jacobs, P.E.
Wastewater Engineering Section

Cc: DNR Field Office #1
DNR File 6-06-03-0-01
Snyder & Associates, Inc.
DNR Legal Services - Diana Hansen



ENGINEERS & PLANNERS

SNYDER & ASSOCIATESANKENY, IA
(515) 964-2020ATLANTIC, IA
(712) 243-6505CEDAR RAPIDS, IA
(319) 362-9394COUNCIL BLUFFS, IA
(712) 322-3202MARYVILLE, MO
(660) 582-8888ST. JOSEPH, MO
(816) 364-5222

October 20, 2009

Iowa Department of Natural Resources
Wastewater Construction Section
Attn: Marty Jacobs
502 East 9th Street
Des Moines, IA 50319

Re: Wastewater Construction Section – Construction Permit Application
Ridgeview Sanitary Sewer Extension – Variance Request
Atkins, Iowa

Dear Mr. Jacobs:

On behalf of the City of Atkins (Dick Lange, City Clerk, 111 First Street, Atkins, IA 52206, Phone: 319-462-7870), we are herewith submitting a variance request for the installation of a public gravity sewer with a diameter of six (6) inches.

As stated in the Recommended Standards for Wastewater Facilities, "No public gravity sewer conveying raw wastewater shall be less than 8 inches in diameter." We are requesting a permanent variance for the installation of a six inch sanitary sewer which will service two domestic buildings.

As discussed in our phone conversation, the sewer will never be extended and there is no possibility more connections will be made to this main. Also, there is a depth and slope issue created by the necessity to construct the sewer below an existing 4' x 8' RCP box culvert. Therefore, due to our current and future flows being very minimal, and to maintain a depth of cover which will minimize the possibility of freezing (four feet below the box culvert), our design slope is 1.4%. Considering the design slope and design flows, a six inch main was selected to achieve an acceptable cleaning velocity. Manholes have been installed at the end of the main, at the 90 degree bend, and at the connection to the existing main to facilitate cleaning by the City if an issue arises.

At this time, I am unaware of any other contacts between the Department and the City regarding violations, administrative orders, contested case proceedings, or lawsuits within the last five years, any other similar cases, or any other entity that may be adversely affected by granting this petition.

If you have any questions, please feel free to contact either of us at (319) 362-9394.

Thank you,

SNYDER & ASSOCIATES

A handwritten signature in blue ink, appearing to read "David A. Stoklasa".

David A. Stoklasa, P.E.
Project Manager

A handwritten signature in blue ink, appearing to read "Kelli Scott".

Kelli Scott
Project Engineer

cc: Dick Lange, City Clerk



STATE OF IOWA

CHESTER J. CULVER, GOVERNOR
PATTY JUDGE, LT. GOVERNOR

DEPARTMENT OF NATURAL RESOURCES
RICHARD A. LEOPOLD, DIRECTOR

October 16, 2009

Ms. Kelli Scott
Snyder & Associates, Inc.
5005 Bowling Street SW, Suite A
Cedar Rapids, Iowa 52404

Re: Ridgeview Sanitary Sewer Extension Project
Atkins, Iowa
Wastewater Facility No. 6-06-03-0-01
Variance Request

Dear Ms. Scott:

As we discussed on the phone today, the above referenced project will require a variance for the installation of a public gravity sewer with a diameter of six (6) inches. I am sending information on the format for wastewater construction permit variance requests. Depending on the date of your last request, this may be a different format than you have used in the past.

This letter is to inform you that requests for variances are required to be submitted in the form of a petition filed pursuant to 561 Iowa Administrative Code (IAC) Chapter 10, incorporated by reference by 567 IAC Chapter 13. A variance request is required to be submitted in writing and is required to include certain information. If the variance relates to a contested case proceeding, the variance must be filed in the contested case proceeding and state the case number. Otherwise the variance is required to be filed with the Director of this Department. Please send a separate copy of the petition concerning the variance request to my attention.

The following information is required to be provided in the petition when applicable and known to the petitioner.

- 1) The name, address and telephone number of the entity or person for whom a waiver or variance is requested.
- 2) A description and citation of the specific rule from which a waiver or variance is requested.
- 3) The specific waiver or variance requested, including the precise scope and operative period that the waiver or variance will extend.
- 4) The relevant facts that the petitioner believes would justify a waiver or variance. The factual statement is to include a signed statement from the petitioner attesting to the accuracy of the facts provided in the petition and a statement of reasons that the petitioner believes will justify a waiver or variance.
- 4) The history of prior contacts between the Department and the petitioner for the past five years. The history must include a description of each affected permit held by the petitioner and any notices of

violation, administrative orders, contested case proceedings, and lawsuits involving the Department or the petitioner.

- 5) Any information known to the petitioner regarding the Department's treatment of similar cases.
- 6) The name, address, and telephone number of any public agency or political subdivision of the state or federal government which also regulates the activity in question, or might be affected by the granting of a waiver or variance.
- 7) The name, address, and telephone number of any person or entity that would be adversely affected by the granting of the petition.
- 8) The identity of those having knowledge of relevant facts concerning the variance.
- 9) Signed releases authorizing persons with factual knowledge concerning the request to furnish the Department with information relevant to the waiver or variance.

Please submit the petition with the required information within thirty days. You are required to serve notice of the pending petition and a concise summary of its contents upon all persons to whom notice is required by any provision of law by certified mail within thirty days of submission of the petition. The petitioner is required to provide a written statement to the Department attesting that the required notice has been provided. Please send this written statement to my attention.

The variance petition will be reviewed by the Department pursuant to Iowa Code section 455B.181 and under 567 IAC 64.2(9)"c"- "e" to determine if the variance should be granted. You will be notified in writing of the Department's decision concerning the variance.

If you have any questions, you may contact me at (515) 242-6148. The Department may request additional information relative to the petition and surrounding circumstances prior to issuing a decision granting or denying the variance request.

Sincerely,

Marty Jacobs, P.E.
Wastewater Engineering Section

Copy to: DNR Sewage File 6-06-03-0-01