



*Separation*

# STATE OF IOWA

THOMAS J. VILSACK, GOVERNOR  
SALLY J. PEDERSON, LT. GOVERNOR

DEPARTMENT OF NATURAL RESOURCES  
JEFFREY R. VONK, DIRECTOR

July 17, 2001

Honorable Mayor  
City of Toronto  
300 Mill Street, E.  
Toronto, IA 52777

**Subject: City of Toronto Wastewater Treatment Facility.**

Dear Mayor:



The Iowa Department of Natural Resources (IDNR) has received and reviewed the variance request for the Wastewater Treatment Facility for the City of Toronto submitted by the city's consulting engineer and the city's attorney. The request is to construct a new subsurface sand filter facility within 700 feet to a private residence. Iowa Administrative Code (IAC) Chapter 567-64.2(3) requires a minimum of 1000 feet of the inhabitable residence or a signed waiver by the property owner.

Based on the information submitted to support your request we concur that due to the specific location of your proposed sand filter system and the physical nature of the treatment process, substantially equivalent and effectiveness is provided. Your request for a variance from the Iowa Administrative Code (IAC) Chapter 567-64.2(3) has been approved.

If you have any questions or comments contact Suresh Kumar of the IDNR at (515) 281-4527 or e-mail him at [suresh.kumar@dnr.state.ia.us](mailto:suresh.kumar@dnr.state.ia.us).

Sincerely,

  
Jack Riessen, Chief  
Water Quality Bureau

cc:  Engineers  
Iowa 

MA

✓ 9-11-06

## VARIANCE REQUEST

### Iowa Department of Natural Resources

Date:  
Review Engineer: Suresh Kumar  
Date Received: April 9, 2001  
County Number: 23  
Facility Name: Toronto  
Program Area: CP (Wastewater)  
Facility Type: C05  
Subject Area: 308, Site Separation  
Rule Reference: 567-64.2(3)a  
Design Stds Ref: 14.2.3  
Consulting Engr: IIW Engineers  
Variance Rule: 567-64.2(9)c

13. Decision: *Approved*  
Date: *7/18/01*

14. Appeal:  
Date:

#### 5. Description of Variance Request:

The City of Toronto is an unsewered community. The city proposed a centralized collection system and a subsurface sand filtration facility for their wastewater treatment. The city located and purchased a site for the proposed facility. Iowa DNR field office 6 conducted the required site separation distance survey on February 2, 2000. The survey identified 12 residents within the 1000 feet of the proposed site. The city obtained signed waivers from 11 of the residents and submitted to the department.

#### 6. Consulting Engineer's Justifications

- The proposed site lies on the northeast edge of the Toronto community. The community drains to the north toward the Wapsinicon River and allows the proposed gravity sewer collection system to the site appropriate.
- The city lies to the southwest to the proposed site and the prevailing wind direction is from the southwest so that the odors will generally be carried away from the community. The proposed treatment system, subsurface sand filter, generates little or no odor.
- The sand filter will be lined with impervious clay liner to prevent any possible ground water contamination and will be located hydraulically down gradient from the underground water flow path that further eliminates any possible contamination to the upstream wells.
- The facility will be operated by a state of Iowa licensed operator and will comply with the NPDES permit limits.

#### 7. Department's Justifications

We are recommending the variance request to be approved based on the above justifications and the following reasons:

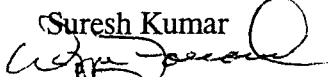

- The site survey identified that there is no private well within the 400 feet of the proposed site.
- The city of Toronto has expended considerable efforts to obtain signed waivers from the 12 residents located within the 1000 feet of the proposed facility and 11 signed waivers were obtained.

3. The only property owner not signed a waiver is Mr. Rex Mess whose residence is located 700 feet from the proposed sand filter. In view of the separation distance provided and the fact that the sand filter will provide adequate secondary treatment, the potential for any possible odors occurring at this residence will be minimal. Also the proposed sand filter being below grade, there should be no objectionable impacts on the Mess' property.
4. The department also made attempts to obtain inputs from Mr. Mess on the site specific issues: On April 11, 2001 a letter was sent to Mr. Mess requesting comments on the city's variance request. May 7, 2001, after several attempts, department contacted Mr. Rex over the telephone to follow up on the April 11, 2001 letter. He informed the department that his attorney Gary Rolfes would contact the department. City's attorney John Peavy on July 16, 2001 told that Mr. Mess has not contacted Mr. Rolfes to this date.
5. If the city of Toronto were required to locate a more remote site, there would be more significant delays in the redesigning and the construction of the new facility. The user fee charge for the proposed facility is \$26.00 per month, to relocate to a new site the user fee charge would be at the least \$34.00 per month, that is a substantial increase.

#### 18. Precedents Used

City of Lake Mills

Approved 8/29/96

19.	Staff Reviewer:	Suresh Kumar	Date: July 17, 2001
20.	Supervisor:		Date: 7/18/01
21.	Authorized by:		7/18/01