



701 East Broadway, Columbia, Missouri 65201

Department Source: City Utilities - Solid Waste

To: City Council

From: City Manager & Staff

Council Meeting Date: April 20, 2026

Re: Authorizing an Abatement Order on Consent with Missouri Department of Natural Resources

Impacted Ward: Citywide

Executive Summary

Staff has prepared an ordinance for Council consideration authorizing the City Manager to execute an Abatement Order on Consent (AOC) with the Missouri Department of Natural Resources (DNR). The AOC addresses stormwater discharge violations related to aluminum exceedances at the City of Columbia Sanitary Landfill, which occurred in the third quarter of 2023 and the first quarter of 2024. These violations resulted in a Letter of Warning issued by DNR on April 30, 2025.

Discussion

The proposed Abatement Order on Consent (AOC) issued by the Missouri Department of Natural Resources (MDNR) is a formal administrative action by the state to resolve violations of the Missouri Clean Water Law due to stormwater discharge exceedances of aluminum at the City of Columbia Sanitary Landfill. The exceedances are attributed to naturally occurring aluminum present in the landfill's on-site soils, which makes consistent compliance with the current permit limit difficult under existing regulations. The current Missouri limit for aluminum is based on EPA guidance from 1988 and does not account for naturally occurring aluminum in the site's soils.

As the landfill's current stormwater permit was being developed, it became clear that consistently meeting the aluminum limit would not be practical due to these natural background levels of aluminum in the existing site soils. Since 2018, the City has worked with the MDNR to address this issue; however, a workable solution under the existing standard has not been identified.

In 2018, the EPA updated its aluminum guidance to incorporate site-specific water chemistry, including pH, hardness, and dissolved organic carbon, which influence the bioavailability of aluminum in the receiving stream. However, the State of Missouri has not yet adopted this updated approach. This newer methodology better reflects actual environmental conditions, and sampling data from the landfill indicates that, if adopted by the State, the site would likely be able to demonstrate compliance with aluminum limits.

The City has voluntarily requested the AOC to provide a structured and proactive path forward. The AOC will address the recent violations, help prevent further enforcement escalation, and allow the City to continue operating while collecting data to support potential future permit modifications. It will be necessary for the State to adopt updated EPA

guidance for aluminum for the City to find relief from current regulatory requirements. It also formally addresses the recent Letter of Warning issued by DNR related to aluminum exceedances and helps prevent further escalation. Just as importantly, it provides regulatory certainty and helps protect the City from continued violations and potential designation in Significant Noncompliance, which could lead to more serious enforcement actions.

All monetary penalties identified in the AOC are fully suspended based on the condition that the Landfill does not violate the terms of the AOC including the specific requirements of:

- Submitting timely Discharge Monitoring Reports (DMRs)
- Submit a sampling plan for Hinkson Creek for MDNR review
- Submit a dewatering plan for Outfall No 007 at the Landfill
- Implement the above plans once approved
- Achieve compliance with the aluminum limits 365 days after implementing the operational improvements unless an extended period is approved by MDNR

Costs associated with the above activities are anticipated to be absorbed in the existing operational budget of the landfill at this time, but anticipated to be less than \$10,000 per year.

Fiscal Impact

Short-Term Impact: None
 Long-Term Impact: None

Strategic & Comprehensive Plan Impact

Strategic Plan Impacts:

Primary Impact: Reliable and Sustainable Infrastructure, Secondary Impact: Not Applicable, Tertiary Impact: Not Applicable

Comprehensive Plan Impacts:

Primary Impact: Infrastructure, Secondary Impact: Not applicable, Tertiary Impact: Not Applicable

Legislative History

Date	Action
N/A	N/a

Suggested Council Action

Approve the ordinance.