

**LRB - RESEARCH AND ANALYSIS SECTION**

**PUBLIC WORKS COMMITTEE**

**JUNE 3, 2009**

**ITEM 17, FILE # 090063**

**ADDITIONAL ANALYSIS**

**File # 090063 is a resolution directing the Commissioner of Public Works to execute an Intergovernmental Cooperation Agreement with the Milwaukee Metropolitan Sewerage District (MMSD) allowing the City to conduct necessary Polychlorinated Biphenols (PCBs) removal in the area of North Humboldt Avenue and East Capitol Drive.**

**Background**

1. In 2008 the Milwaukee Metropolitan Sewerage District (MMSD) determined that sewers in the area of North Humboldt Avenue and East Capitol Drive were contaminated with Polychlorinated Biphenols (PCBs), which constitute a carcinogenic hazard.
2. A portion of the contaminated sewers include 8" sanitary sewers which are owned by the City of Milwaukee.
3. The source of the PCB contamination is believed to have been the facilities of Milwaukee Die Casting Company, Inc., now closed. The sewer laterals at the Milwaukee Die Casting properties have been closed.
4. Remediation of PCB contamination is required by the Wisconsin Department of Natural Resources (DNR) and the United States Environmental Protection Agency (EPA).
5. This matter was referred back to committee by the Common Council on May 27, 2009, to further examine potential costs to the City related to remediation of PCBs in the City's sewers.

**Discussion**

1. This resolution does not expressly authorize expenditure by the Department of Public Works, but does authorize entry into an agreement with MMSD that permits MMSD to invoice Department of Public Works up to \$40,000 for consultant and other costs related to the planned PCB remediation, and to invoice for greater amounts if approved by the City Comptroller. A copy of the proposed agreement is appended to the file. Actual amounts to be paid by the City will not be known until remediation is complete.
2. The proposed agreement expires on December 31, 2010, or upon completion of PCB remediation, whichever occurs later.

**Fiscal Impact**

1. Though the resolution does not authorize an expenditure, the proposed agreement will result in valid claims for payment.
2. Invoiced amounts under the proposed agreement will be payable from the Sewer Maintenance Fund, or reimbursed to the City by the Sewer Maintenance Fund, and will not have an impact on the tax levy.

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