

City of Fort Wayne Six-Month Status Report

Consent Decree Case # 2:07 cv 00445

Report #14 (September 1, 2014 – February 28, 2015)



Six-Month Status Report #14 (09/01/14 – 02/28/15)

Report Submitted to the following:	
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From:	
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APPENDIX 1

Summary to include the following:

1. Consent Decree Requirements for Reporting Period (09/01/14 – 02/28/15)
2. General Description of Work Completed during the Reporting Period (09/01/14 – 02/28/15)
3. Description of Projected Work to be Performed in the Next Six-Months (03/01/15 – 08/31/15)

APPENDIX 2 – Reports submitted to IDEM during the Reporting Period

APPENDIX 3 – Operations and Maintenance Report on Collection System Activity

1. CONSENT DECREE COMPLIANCE (Section XII, Paragraph 34 (a))

A statement setting forth (i) the deadlines and other terms that Fort Wayne has been required by this Consent Decree to meet since the date of the last statement; (ii) whether and to what extent Fort Wayne has met those requirements; and (iii) the reasons for any noncompliance.

The attached Appendix 1 includes a summary of the City of Fort Wayne's (the "City's") compliance with applicable Consent Decree deadlines and terms from September 1, 2014 – February 28, 2015 (the "Reporting Period"). The City believes that it has met all Consent Decree deadlines during the Reporting Period. As the agencies are aware, the Consent Decree was modified on January 26, 2015 as agreed by the parties and the U.S. District Court for the Northern District of Indiana. The modified Consent Decree, in part, to modified (and largely accelerated) certain overall CSO Control Measure deadlines. The City believes that it also met other terms required by the Consent Decree, but did experience the discharges described at item 6 below during the Reporting Period. Explanations for those discharges are provided at item 6.

2. GENERAL DESCRIPTION OF WORK (Section XII, Paragraph 34 (b))

(i) A general description of the work completed within the prior six-month period; (ii) to the extent known, a statement as to whether the work completed in that period meets applicable Design Criteria; and (iii) a projection of work to be performed pursuant to this Consent Decree during the next six-month period.

The attached Appendix 1 includes a general description of work completed during the Reporting Period and statements as to whether the completed work met applicable Design Criteria.

Appendix 1 also includes a description of the projected work to be performed in the next six-month period. The described activities are, of course, in addition to the continuing activities of the City under its NPDES permit, CMOM and CSSOP.

3. REQUEST FOR WATER QUALITY STANDARDS REVISION (Section XII, Paragraph 34 (c))

A statement as to Fort Wayne's understanding regarding the status of IDEM's response to the City's request for a revision to water quality standards in accordance with Section 5 of the City's Long-Term Control Plan.

As previously reported, the City held two public participation meetings on February 17, 2010. A 30-day public comment period followed and concluded March 17, 2010. The only written comment received was from a Fort Wayne citizen in support of the proposed UAA.

Subsequently, on May 6, 2010, a final version of the UAA proposal was submitted to IDEM. The submittal was followed by a meeting on June 8, 2010 between the City and IDEM to discuss future steps in the rule change process. On August 30, 2010 IDEM issued the City a letter stating, in relevant part:

“Based on the information contained in the City’s UAA, IDEM finds that Fort Wayne has provided sufficient information to propose changing the designated recreational use for the above mentioned waters from ‘full body contact’ to the ‘Combined Sewer Overflow (CSO) Wet Weather Limited Use’ subcategory of Indiana’s recreational use designation as provided in IC 13-18-3-2.5 during storm events that exceed the level of control in the City’s approved Long-Term Control Plan (LTCP).”

The City met with IDEM again on August 31, 2010 to discuss a schedule to complete the UAA rule change process in 2010. The City understands that IDEM has provided EPA Region V with a draft proposed rule and that EPA is currently evaluating the same.

Notwithstanding EPA’s involvement in the UAA throughout its development, EPA posed new questions regarding the City’s UAA in late 2010 requesting additional information. The City, IDEM and EPA met to discuss EPA’s request on January 11, 2011. Additional meetings and dialog with EPA have followed, including on January 26, 2012, February 21, 2012, June 13, 2012 and February 27, 2013. As required by the Consent Decree, the City submitted a 6-Year Capital Cost Report to EPA and IDEM on December 31, 2013. Further dialog concerning that report and the UAA is expected in 2015.

4. CSO CONTROL MEASURES NOTICE TO PROCEED (Section XII, Paragraph 34 (d))

A description of any notices to proceed for any CSO Control Measure or measures specified in Appendix 3 that Fort Wayne has revoked in the prior six-month period, and a description of the status of Fort Wayne’s compliance with Section XXI.F with regard to issuance of a new notice to proceed.

The City did not revoke a notice to proceed during this reporting period.

5. POST-CONSTRUCTION MONITORING PROGRAM (Section XII, Paragraph 34 (e))

Information generated in accordance with the Post-Construction Monitoring Program.

Ongoing monitoring programs have continued as outlined at Appendix 4 of the Consent Decree.

6. REPORTS SUBMITTED TO IDEM IN PREVIOUS SIX MONTHS (Section XII, Paragraph 35)

Fort Wayne shall also submit, with each written status report, copies (to EPA only) of all Monthly Monitoring Reports and other reports pertaining to CSOs, SSDs, and bypasses that Fort Wayne submitted to IDEM in the previous six months.

The attached Appendix 2 contains numbered copies of monthly monitoring and other reports submitted to IDEM concerning the Reporting Period pertaining to CSOs, discharges from the City's separate sanitary sewer system, and bypasses. Additional information regarding the discharges described on the reports included within Appendix 2 follows.

Many of the reports submitted during the Reporting Period (report numbers 2, 4, 10, 11, 14, 15, 17, 18, 19, 21, 22, 24) concerned small volume discharges which did not reach a regulated waterbody but were reported at IDEM's request for information purposes. Of those twelve, nine (report numbers 2, 4, 10, 14, 17, 18, 19, 21, 24) appear to have concerned basement backup events which were reported in an abundance of caution and at IDEM's request for information purposes even though they may not have arisen due to the City's sewer system.

Other discharges from sanitary sewer system locations are described in reports 3, 7, 8, 9, 12, 13, and 20. All were minor and occurred notwithstanding the City's timely accomplishment of all CMOM requirements, compliance with applicable NPDES permit provisions, and customary best efforts. In addition to responsive activities identified in the submitted reports, the City continues to distribute numerous grease control kits to residents in areas proximate to identified blockages, college residence halls, apartment complexes, and neighborhood associations. The kits include educational materials (translated when appropriate) and lids to facilitate home grease collection.

One report (23) concerned a dry weather event which occurred due to a blockage in an area of the City's combined sewer system and another (16) regarded unexpected and unintended temporary equipment failure during construction activities.

Reports 1, 5, and 6 concerned circumstances caused by a third party contractor.

7. OPERATIONS AND MAINTENANCE REPORT ON COLLECTION SYSTEM ACTIVITY

Although not required by the Consent Decree, the City is pleased to include tables at Appendix 3 respectively depicting the City's general progress towards its operations and maintenance activities goals as well as a listing of completed regulator and lift station inspections September 1, 2014 – February 28, 2015.

8. CERTIFICATION STATEMENT (Section XII, Paragraph 38)

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to ensure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.



Kumar Menon, Director of City Utilities

3/24/15

Date

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APPENDIX 1

Below are general descriptions of the following (I) Consent Decree compliance requirements for Reporting Period; (II) work completed during the Reporting Period; and (III) work anticipated to be performed during the next Reporting Period.

I. CONSENT DECREE COMPLIANCE FOR THIS REPORTING PERIOD

A mutually agreeable modified Consent Decree was entered on January 26, 2015. In part, the modified Consent Decree reflects changes to deadlines concerning CSO Control Measures 7 and 8. The City also timely submitted its “typical year” rainfall selection.

II. WORK CONTEMPLATED BY CONSENT DECREE APPENDIX 3 AND APPENDIX 5 COMPLETED DURING THIS REPORTING PERIOD

CSO Control Measure 2 – Plant Phase III (when combined with other WPCP improvements, this control measure is to provide peak primary treatment capacity of 85 mgd and firm capacity of 74 mgd)

- Construction continued on Effluent Pump Station Project.
- Construction continued on Primary & Secondary Treatment Capacity Improvements project.

CSO Control Measure 6 – CSSCIP – Basins Tributary to Parallel Interceptor – (partial separation projects identified as cost-effective components of the Combined Sewer System Capacity Improvements Program). Note: The below listing includes one or more outfalls which the City is voluntarily working to improve in connection with this CSO Control Measure although such is not required by the Consent Decree.

- CSO Outfalls 007 (phase i) & 056 (phase i) – Construction continued.
- CSO Outfalls 005, 026 (phase i), 027 (phase i), 033 (phase i), 007 (phase ii) & 056 (phase ii) – Final design continued.
- CSO Outfall 013 (K06 290 A portion) - Final design was completed, construction bids were received & construction began.
- CSO Outfalls 026 (phase ii), 027 (phase ii), 033 (phase ii) – Issued RFQ for selection of consultant to perform preliminary and final design.
- CSO Outfalls 021 (phase ii), 024 (phase iii), 025 (phase iii), and 032 (phase iii) – Construction was completed.
- CSO Outfall 048 (although not required by the Consent Decree, the City is voluntarily undertaking additional separation work for this outfall) – Issued RFQ for selection of consultant to perform preliminary and final design for sewer separation.

CSO Control Measures 7 & 8 – Satellite Storage & Disinfection for St. Joseph River CSOs - (St. Joseph Relief Sewers)

- CSO Outfalls 052 - Construction was completed.
- CSO Outfalls 044, 045 & 068 – Final design was completed, bids were received and construction began.
- CSO Outfalls 051 & 053 – Construction continued.
- Construction continued on the St. Joseph Interceptor control structure.

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CSO Control Measure 9 – Satellite Disinfection – (Satellite disinfection facilities)

- CSO Outfall 054 – Advanced facilities planning was completed to optimize final control technologies accounting for flow reductions resulting from implementation of CSSCIP under CSO Control Measure 4.
- CSO Outfalls 061 and 062 – Advanced facilities planning was completed to optimize final control technologies accounting for flow reductions resulting from implementation of CSSCIP under CSO Control Measure 4.
- CSO Outfalls 061 and 062 – Issued RFQ for selection of consultant to perform preliminary and final design.

CSO Control Measures 11 & 12 – Wayne Street & St. Mary’s Parallel Interceptors – (Parallel interceptors to capture combined sewer overflows for conveyance to WPCP/Wet Weather Ponds)

Wayne Street (West of WPCP)/3RPORT

- Public outreach continued.
- Preliminary design continued on 3RPORT.

Wayne Street (East of WPCP)

- Preliminary route study was completed.
- Issued RFQ for selection of consultant to perform preliminary and final design.

CSO Control Measure 13 – Late Floatables Control – (Overflow-specific solids and floatables controls)

- CSO Outfall 004 – Final design continued.
- CSO Outfalls 036 – Completed final design.
- CSO Outfalls 044, 045 & 068 – Final design was completed, bids were received and construction began.
- CSO Outfalls 051 & 053 – Construction continued.
- CSO Outfalls 058, 060, 061 & 062 - Issued RFQ, selected consultant and began preliminary design.

CSO Control Measure 14 – Satellite Storage – (Satellite storage facilities)

- CSO Outfall 064 – Advanced facilities planning continued to optimize final control technologies accounting for flow reductions resulting from implementation of CSSCIP under CSO Control Measure 4.

Warfield SSD System – Outfalls 070 & 071

- Although not required by the Consent Decree, the City is working to further improve the collection system in this area.
- Began construction of sewer and storm improvements in the Hillcrest Neighborhood.
- Completed wet weather manhole inspections.

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Rothman SSD System – Outfalls 072, 073, 074, 075, 076

- Although not required by the Consent Decree, the City is working to further improve the collection system in this area.
- Performed additional manhole rehabilitation I/I removal projects based on previous smoke testing results.

North Maumee SSD System – Outfalls 077 & 078 (criteria to be met by December 31, 2020)

- Advanced facility planning began.

III. WORK CONTEMPLATED BY CONSENT DECREE APPENDIX 3 AND APPENDIX 5 ANTICIPATED FOR COMPLETION DURING THE NEXT REPORTING PERIOD

CSO Control Measure 2 – Plant Phase III (when combined with the rest of the WPCP improvements, provide peak secondary treatment capacity of 85 mgd and firm capacity of 74 mgd)

- Complete construction on Effluent Pump Station Project.
- Continue construction on Primary & Secondary Treatment Capacity Improvements project.

CSO Control Measure 6 – CSSCIP – Basins Tributary to Parallel Interceptor - (Partial separation projects identified as cost-effective components of the Combined Sewer System Capacity Improvement Program) Note: the below listing includes one or more outfalls which the City is voluntarily working to improve in connection with this CSO Control Measure although such is not required by the Consent Decree.

- CSO Outfalls 026 (phase i), 027 (phase i) and 033 (phase i) - Final design to be continued.
- CSO Outfall 005,007 (phase ii) & 056 (phase ii) - Final design to be completed, construction bids to be received and construction to begin.
- CSO Outfall 013 (K06 290 A portion), 007 (phase i) & 056 (phase i) - Construction to be completed.
- CSO Outfalls 026 (phase ii), 027 (phase ii) and 033 (phase ii) - Select consultant and begin preliminary design.
- CSO Outfall 048 – Select consultant and begin preliminary design for sewer separation (this work is not required by the Consent Decree but it being done voluntarily by the City).

CSO Control Measures 7 & 8 – Satellite Storage & Disinfection for St. Joseph River CSOs - (St. Joseph Relief Sewers)

- CSO Outfalls 044, 045, 051, 053 & 068 –Construction to be completed.
- Construction to be completed on the St. Joseph Interceptor control structure.

CSO Control Measure 9 – Satellite Disinfection – (Satellite disinfection facilities)

- CSO Outfalls 061 and 062 – Select consultant and begin preliminary design.

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CSO Control Measure 10 – Morton Street/O10101 Reroute – (Reroute overflow pumps station discharge to Wet Weather Pond 1)

- CSO Outfall 048 – Work anticipated in future reporting periods.

CSO Control Measures 11& 12 – Wayne Street and St. Mary’s Parallel Interceptors – (Parallel interceptors to capture combined sewer overflows for conveyance to WPCP/Wet Weather Ponds)

Wayne Street (West of WPCP)/3RPORT

- Public outreach to continue.
- Preliminary design to be completed and final design to begin on 3RPORT.

Wayne Street (East of WPCP)

- Select consultant and begin preliminary design.

CSO Control Measure 13 – Late Floatables Control – (Overflow-specific solids and floatables controls)

- CSO Outfall 004 – Final design to be completed, bids to be received and construction to begin.
- CSO Outfalls 036 – Bids to be received and construction to begin.
- CSO Outfalls 044, 045, 051, 053 & 068 – Construction to be completed.
- CSO Outfalls 058, 060, 061 & 062 - Complete preliminary design and begin final design.

CSO Control Measure 14 – Satellite Storage – (Satellite storage facilities)

- CSO Outfall 064 – Advanced facilities planning to continue to optimize final control technologies accounting for flow reductions resulting from implementation of CSSCIP under CSO Control Measure 4.

Warfield SSD System – Outfalls 070 & 071

- Continue construction of Hillcrest Neighborhood improvements.

Rothman SSD System – Outfalls 072, 073, 074, 075, 076

- Continue I/I removal projects.
- Analyze performance of existing lift stations.
- Perform additional flow monitoring in the sewer system.
- Evaluate possible additional system improvement projects.

North Maumee SSD System – Outfalls 077 & 078

- Advanced facility planning to continue.