



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

NOV 02 2016

REPLY TO THE ATTENTION OF:
WC-15J

BY ELECTRONIC MAIL AND BY CERTIFIED MAIL 7014 2870 0001 9580 7887
RETURN RECEIPT REQUESTED

Mr. Matthew Wirtz
Deputy Director, Engineering
Citizens Square
200 E. Berry St.
Fort Wayne, Indiana 46802

Subject: Approval of Alternative to Combined Sewer Overflow Control Measure (CSOCM) #9,
for Combined Sewer Overflows (CSOs) #54, #61 and #62
Pursuant to Consent Decree #2:07cv00445-PPS-APR as Modified

Dear Mr. Wirtz:

The U.S. Environmental Protection Agency and Indiana Department of Environmental Management (IDEM) have received and reviewed the City of Fort Wayne's (City's) September 15, 2015 request for the approval of alternative control measures to satellite disinfection for CSOs #54, #61, and #62.

For CSO #54, the proposed alternative consists of the construction of a proposed .20 million gallon storage basin in lieu of satellite disinfection. For CSOs #61 and #62, the proposed alternative consists of the construction of a 54 inch diameter relief sewer from the CSOs to convey those flows to the wastewater wet weather excess flow ponds for full treatment in lieu of satellite disinfection.

EPA and IDEM reviewed the City's request and subsequent technical engineering submittals pursuant to Paragraph M, Page 5 of the Third Consent Decree Modification in *United States of America and State of Indiana v. The City of Fort Wayne, Indiana* (#2:07cv00445-PPS-APR).

Pursuant to Paragraph 103 of the Consent Decree, EPA in consultation with IDEM, approves the City's alternative Control Measure #9 (CM#9) for CSOs #54, #61 and #62 as meeting the obligations set forth in the aforementioned paragraph.

The Design Criteria for Control Measure #9 is:

- For CSO #54, "To construct a .20 million gallon storage basin."
- For CSOs #61 and #62, "To construct a 54 inch diameter relief sewer for conveyance from these CSOs to the wet weather excess flow ponds."

The Performance Criteria for Control Measure #9 remains the same.

The Critical Milestones, are that the City must meet the following dates:

- For CSO 54: Operation - December 31, 2020
- For CSO # 61 and # 62: Operation - December 31, 2018

The City must complete construction and have operational Control Measure #9 consistent with the above Design Criteria, the Performance Criteria as previously agreed and in accordance with the approved Long Term Control Plan and terms of the Consent Decree.

If you have any questions or concerns regarding this letter, contact John "Jack" J. Bajor, Jr., of my staff at 312-353-4633 or via email at bajor.john@epa.gov.

Sincerely,



Christopher Korleski
Director, Water Division

cc: Beth Admire, IDEM (via email)
Lynn Riddle, IDEM (via email)
Leslie Allen, DOJ (via email)
Mark Pollins, OECA (via email)