



**DISTRICT OF COLUMBIA
WATER AND SEWER AUTHORITY**
Serving the Public • Protecting the Environment

**Long Term Control Plan Consent Decree
Status Report:
Quarter No. 3 - 2008**

Consolidated Civil Action No. 1:00CV00183TFH

October 2008

DISTRICT OF COLUMBIA
WATER AND SEWER AUTHORITY
Washington, D.C.

*Long Term Control Plan Consent Decree Status Report
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Table of Contents

1. INTRODUCTION
2. ITEMS REQUIRING GOVERNMENT ACTION
3. REQUIREMENTS DUE IN CURRENT QUARTER
4. REQUIREMENTS DUE NEXT QUARTER
5. PROJECTION OF WORK TO BE PERFORMED NEXT QUARTER
6. REQUIREMENTS DUE AFTER NEXT QUARTER
7. REQUIREMENTS COMPLETED IN PRIOR QUARTERS

1. INTRODUCTION

The District of Columbia Water and Sewer Authority (WASA or Authority) entered into a Consent Decree (CD) with the U.S. Government to establish a schedule for implementation of WASA's Long Term Control Plan (LTCP). The CD was entered by the court on March 23, 2005 in Consolidated Civil Action No. 1:CV00183TFH by the United States District Court for the District of Columbia.

The CD requires that WASA submit written status reports to the Environmental Protection Agency (EPA) by the 28th day of the month following the end of each calendar quarter. The CD requires that the following be provided in each status report:

- The deadlines and other terms that WASA is required to meet since the date of the last quarterly statement, whether and to what extent WASA has met these requirements, and the reasons for any noncompliance.
- A statement tracking WASA's progress against the detailed implementation schedules. This is to be completed after completion of facility planning for each receiving water.
- A general description of the work completed in the quarter, and a projection of work to be performed in the next quarter.

This report covers July through September 2008, which is Quarter No. 3 in 2008.

2. ITEMS REQUIRING GOVERNMENT ACTION

The following is a status report for items requiring government action this quarter:

ITEMS RESOLVED BY RECENT GOVERNMENT ACTION				
Reference	Requirement	Deadline in CD	Calendar Deadline	Status
	None			

3. REQUIREMENTS DUE IN CURRENT QUARTER

The following is a status report for requirements due this quarter:

REQUIREMENTS DUE THIS QUARTER				
Reference	Requirement	Deadline in CD	Calendar Deadline	Status
p.11, VI.A.9.	Anacostia Facility Plan			
	Submit summary report & detailed implementation schedule	3 yrs 6 mos from entry	23-Sep-2008	Submitted 18-Sept-2008
p.22. VI.E.30.	Public Notification			
	Submit plan with details	As part of Facility Plans for each receiving water	23-Sep-2008 for Anacostia	Included in Facility Plan submitted 18-Sept-2008
p.20, VI.C.27.	Monitoring at Rock Creek CSOs 033, 036, 047, 057			
	Award contract for detailed design	1 year after EPA approval	04-Oct-2008	Task order executed with Black & Veatch on 22-Sept-2008.

4. REQUIREMENTS DUE NEXT QUARTER

The following is a status report for requirements due in the next quarter:

REQUIREMENTS DUE NEXT QUARTER				
Reference	Requirement	Deadline in CD	Calendar Deadline	Status
	None			

5. PROJECTION OF WORK TO BE PERFORMED NEXT QUARTER

Next quarter, WASA anticipates working on the following items:

- Separate Fort Stanton –work on the construction of this project
- Rock Creek CSO Outfall Separation – continue work on the design for this project
- Low Impact Development Retrofit – continue to investigate methods of procuring and constructing the LID retrofits

6. REQUIREMENTS DUE AFTER NEXT QUARTER

The following are requirements due after next quarter. Only those activities which are not addressed in prior tables are included.

Requirements Due After Next Quarter				
Reference	Requirement	Deadline in CD	Calendar Deadline	Status
	Anacostia River Projects			
p.12, VI.A.11.	Separate Fort Stanton			
	Place in operation	5 years from entry	23-Mar-2010	WASA is monitoring the deadlines and based on the information currently available, expects to meet these deadlines
	Submit certification to EPA	60 days after place in operation	22-May-2010	
p.12, VI.A.12.	Fort Stanton Interceptor			
	Award contract for detailed design	8 years from entry	23-Mar-2013	WASA is monitoring the deadlines and based on the information currently available, expects to meet these deadlines
	Award contract for construction	11 years from entry	23-Mar-2016	
	Place in operation	13 years from entry	23-Mar-2018	

Requirements Due After Next Quarter				
Reference	Requirement	Deadline in CD	Calendar Deadline	Status
	Submit certification to EPA	60 days after place in operation	22-May-2018	
p.13, VI.A.13.	Tunnel From Poplar Point to Northeast Boundary			
	Award contract for detailed design	4 years from entry	23-Mar-2009	WASA is monitoring the deadlines and based on the information currently available, expects to meet these deadlines
	Award contract for construction	7 years from entry	23-Mar-2012	
	Place in operation	13 years from entry	23-Mar-2018	
	Submit certification to EPA	60 days after place in operation	22-May-2018	
p.13, VI.A.14.	Poplar Point Pumping Station			
	Award contract for detailed design	7 years from entry	23-Mar-2012	WASA is monitoring the deadlines and based on the information currently available, expects to meet these deadlines
	Award contract for construction	10 years from entry	23-Mar-2015	
	Place in operation	13 years from entry	23-Mar-2018	
	Submit certification to EPA	60 days after place in operation	22-May-2018	
p.14, VI.A.15.	Tunnel Parallel to Northeast Boundary Sewer			
	Award contract for detailed design	10 years from entry	23-Mar-2015	WASA is monitoring the deadlines and based on the information currently available, expects to meet these deadlines
	Award contract for construction	13 years from entry	23-Mar-2018	
	Place in operation	20 years from entry	23-Mar-2025	
	Submit certification to EPA	60 days after place in operation	22-May-2025	
p.15, VI.A.16.	NEB Side Tunnels			
	Award contract for detailed design	14 years from entry	23-Mar-2019	WASA is monitoring the deadlines and based on the information currently available, expects to meet these deadlines
	Award contract for construction	17 years from entry	23-Mar-2022	
	Place in operation	20 years from entry	23-Mar-2025	
	Submit certification to EPA	60 days after place in operation	22-May-2025	
p.15, VI.A.17.	Anacostia Outfall Consolidation			
	Award contract for detailed design	8 years from entry	23-Mar-2013	WASA is monitoring the deadlines and based on the information currently available, expects to meet these
	Award contract for construction	11 years from entry	23-Mar-2016	

Requirements Due After Next Quarter				
Reference	Requirement	Deadline in CD	Calendar Deadline	Status
	Place in operation	13 years from entry	23-Mar-2018	deadlines
	Submit certification to EPA	60 days after place in operation	22-May-2018	
	Potomac River Projects			
p.16, VI.B.18.	Potomac Facility Plan			
	Start Potomac Facility Plan	10 years from entry	23-Mar-2015	WASA is monitoring the deadlines and based on the information currently available, expects to meet these deadlines
	Submit summary report & detailed implementation schedule	13 years from entry	23-Mar-2018	
p.16, VI.B.20.	Potomac Tunnel Dewatering Pumping Station			
	Award contract for detailed design	15 years from entry	23-Mar-2020	WASA is monitoring the deadlines and based on the information currently available, expects to meet these deadlines
	Award contract for construction	18 years from entry	23-Mar-2023	
	Place in operation	20 years from entry	23-Mar-2025	
	Submit certification to EPA	60 days after place in operation	22-May-2025	
p.17, VI.B.21.	Potomac Storage Tunnel			
	Award contract for detailed design	13 years from entry	23-Mar-2018	WASA is monitoring the deadlines and based on the information currently available, expects to meet these deadlines
	Award contract for construction	16 years from entry	23-Mar-2021	
	Place in operation	20 years from entry	23-Mar-2025	
	Submit certification to EPA	60 days after place in operation	22-May-2025	
p.18, VI.B.22.	Potomac Outfall Consolidation			
	Award contract for detailed design	13 years from entry	23-Mar-2018	WASA is monitoring the deadlines and based on the information currently available, expects to meet these deadlines
	Award contract for construction	16 years from entry	23-Mar-2021	
	Place in operation	20 years from entry	23-Mar-2025	
	Submit certification to EPA	60 days after place in operation	22-May-2025	
	Rock Creek Projects			
p.18, VI.C.23.	Rock Creek Facility Plan			
	Start Rock Creek Facility Plan	11 years from entry	23-Mar-2016	WASA is monitoring the deadlines and based on the information currently available, expects to meet these deadlines
	Submit summary report & detailed implementation schedule	14 years from entry	23-Mar-2019	
p.19, VI.C.24.	Rock Creek CSO Outfall Separation			

Requirements Due After Next Quarter				
Reference	Requirement	Deadline in CD	Calendar Deadline	Status
	Award contract for construction	4 years from entry	23-Mar-2009	WASA is monitoring the deadlines and based on the information currently available, expects to meet these deadlines
	Place in operation	6 years from entry	23-Mar-2011	
	Submit certification to EPA	60 days after place in operation	22-May-2011	
p.20, VI.C.27.	Monitoring at CSOs 033, 036, 047, 057			
	Award contract for construction	2.5 years after award of design contract	22-Mar 2011	WASA is monitoring the deadlines and based on the information currently available, expects to meet these deadlines
	Place in operation selected alternative	6 years after EPA approval of plan	04-Oct-2013	
	Submit certification to EPA	60 days after place in operation	60 days after place in operation	
p.20, VI.C.28.	Piney Branch Storage Tunnel			
	Award contract for detailed design	14 years from entry	23-Mar-2019	WASA is monitoring the deadlines and based on the information currently available, expects to meet these deadlines
	Award contract for construction	17 years from entry	23-Mar-2022	
	Place in operation	20 years from entry	23-Mar-2025	
	Submit certification to EPA	60 days after place in operation	22-May-2025	
	Blue Plains Projects			
p.21. VI.D.29.	Blue Plains Excess Flow Improvements			
	Award contract for detailed design	4 years from entry	23-Mar-2009	WASA is monitoring the deadlines and based on the information currently available, expects to meet these deadlines
	Award contract for construction	7 years from entry	23-Mar-2012	
	Place in operation	11 years from entry	23-Mar-2016	
	Submit certification to EPA	60 days after place in operation	22-May-2016	
	Other Requirements			
p.6, II.3.	General			
	Copy of decree to consultants/contractors	As required	As required	WASA will send copies of the CD to consultants/contractors as they are retained for projects required by the CD.
p.22. VI.E.30.	Public Notification			

Requirements Due After Next Quarter				
Reference	Requirement	Deadline in CD	Calendar Deadline	Status
	Submit plan with details	As part of Facility Plans for each receiving water	As part of Facility Plans for each receiving water	WASA is monitoring the deadlines and based on the information currently available, expects to meet these deadlines
	Place in operation	As part of associated construction project	As part of associated construction project	
p.25. VII.37	Grant Funding			
	Report source, amount, timing to EPA	When WASA learns it will be appropriated or received	When WASA learns it will be appropriated or received	<ul style="list-style-type: none"> • \$6,930,000.00 was received from Congress for FY 2006 for the LTCP • \$8,000,000 was appropriated to WASA for the LTCP for FY2008 in the Consolidated Appropriations Act, 2008 P.L. 110-161
p.27. IX.	Low Impact Development Retrofit			
	Place in operation	6 yrs after EPA approval of plan	18-Mar-2014	WASA is monitoring the deadlines and based on the information currently available, expects to meet these deadlines
	Monitoring LID Projects	12 mos after place in operation	12 mos after place in operation	
	Operate & maintain projects	5 yrs after place in operation	5 yrs after place in operation	
	Review results and determine if Potomac or Rock Creek tunnel size can be reduced	As part of Pot & RC facility plan	As part of Pot & RC facility plan	
p.29.XI	Reporting			
	Submit quarterly status reports	Quarterly, 28th day of month after calendar quarter	Ongoing	WASA prepares status reports quarterly in accordance with the consent decree.
	Post reports on website	Quarterly	Quarterly	Reports are on WASA's web site at http://www.dcwasa.com/education/css/publicinformation.cfm . This report will be posted on WASA's web site after submittal to EPA.

7. REQUIREMENTS COMPLETED IN PRIOR QUARTERS

The following is a summary of requirements completed in prior quarters:

REQUIREMENTS COMPLETED IN PRIOR QUARTERS				
Reference	Requirement	Deadline in CD	Calendar Deadline	Status
p.11, VI.A.9.	<u>Anacostia Facility Plan</u> Start Anacostia Facility Plan	6 months from entry	23-Sep-2005	Completed. WASA initiated the Anacostia Facility Plan on April 4, 2005. Notice to proceed to consultant issued September 22, 2005.
p.12, VI.A.11.	<u>Separate Fort Stanton</u> Award contract for detailed design	1 year from entry	23-Mar-2006	Completed ahead of schedule. Contract awarded March 3, 2006 to Black & Veatch under Agreement No. DCFA #389-WSA, Task Order No. 8.
p.12, VI.A.11.	<u>Separate Fort Stanton</u> Award contract for construction	3 years from entry	23-Mar-2008	Completed. Contract awarded February 19, 2008 to Sagres Construction Corporation.
p.19, VI.C.24.(2)	<u>Rock Creek CSO Outfall Separation</u> Award contract for detailed design	2 years from entry	23-Mar-2007	Completed ahead of schedule. Contract awarded March 15, 2007 to Black & Veatch under Agreement No. DCFA #389-WSA, Task Order No. 25.
p.19, VI.C.25	<u>Monitoring at CSO 033, 036, 047, 057</u> Submit monitoring data	30 days from entry	22-Apr-2005	Completed. WASA submitted the monitoring data on April 15, 2005, and EPA approved the data in a letter dated November 23, 2005.
p.19, VI.C.25	<u>Monitoring at CSO 033, 036, 047, 057</u> Start additional monitoring at Rock Creek CSO 033, 036, 047, 057 if req'd by EPA	60 days after notification by EPA	60 days after notification by EPA	In a letter dated November 23, 2005, EPA indicated that no additional monitoring was required.
p.20, VI.C.27.	<u>Monitoring at CSOs 033, 036, 047, 057</u> Submit report with results of monitoring , selection of control alternative and schedule for design, award of construction contract and placing facilities in operation	6 mos after notification by EPA that monitoring is approved	23-May-2006	Submitted to EPA May 19, 2006. WASA received a letter from EPA on October 4, 2007 approving the proposed CSO controls for these CSOs.
p.20, VI.C.27.	<u>Monitoring at CSOs 033, 036, 047, 057</u> Commence implementation of plan to address these CSOs	Within 90 days of EPA approval of plan	02-Jan-2008	WASA has begun implementation by drafting scopes of work for detailed design of the required CSO controls.

REQUIREMENTS COMPLETED IN PRIOR QUARTERS

Reference	Requirement	Deadline in CD	Calendar Deadline	Status
p.27. IX.45	<u>Low Impact Development Retrofit</u> Submit plan for LID at WASA Facilities	2 years from entry	23-Mar-2007	Submitted to EPA March 23, 2007. WASA received EPA's comments on the plan on October 10, 2007 and provided a response on November 14, 2007. WASA received a letter from EPA on March 18, 2008 approving the plan for LID at WASA facilities.