

DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

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Long Term Control Plan Consent Decree Status Report: Quarter No. 4 - 2008

Consolidated Civil Action No. 1:00CV00183TFH

January 2009

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

Long Term Control Plan Consent Decree Status Report Quarter No. 4 - 2008

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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 October through December 2008, which is Quarter No. 4 in 2008.

2. ITEMS REQUIRING GOVERNMENT ACTION

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

	ITEMS REQUIRING GOVERNMENT ACTION						
Dofomonos							
Reference	Requirement	Deadline in CD	Calendar Deadline	Status			
	EPA approval of Anacostia River Projects						
Facility Plan Summary Report and Detailed				Submitted 18-Sept-2008. WASA is waiting for			
p.11, VI.A.9. Implementation Schedule submitted per				EPA approval of the Anacostia River Projects			
and p. 28, X.47	p.11, VI.A.9.	-	-	Facility Plan.			

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	
	None				

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			
	Tunnel From Poplar Point to Northeast			WASA is monitoring the deadlines and based on			
	Boundary			the information currently available, expects to			
p.13, VI.A.13.	Award contract for detailed design	4 years from entry	23-Mar-2009	meet these deadlines			
				WASA is monitoring the deadlines and based on			
	Rock Creek CSO Outfall Separation			the information currently available, expects to			
p.19, VI.C.24.	Award contract for construction	4 years from entry	23-Mar-2009	meet these deadlines			
				WASA is monitoring the deadlines and based on			
	Blue Plains Excess Flow Improvements			the information currently available, expects to			
p.21. VI.D.29.	Award contract for detailed design	4 years from entry	23-Mar-2009	meet these deadlines			

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 work on awarding the construction contract and starting construction.
- 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			
	Submit certification to EPA	60 days after place in operation	22-May-2010	information currently available, expects to meet these deadlines			
p.12, VI.A.12.	Fort Stanton Interceptor						
	Award contract for detailed design	8 years from entry	23-Mar-2013				
	Award contract for construction	11 years from entry	23-Mar-2016	WASA is monitoring the deadlines and based on the			
	Place in operation	13 years from entry	23-Mar-2018	information currently available, expects to meet these			
	Submit certification to EPA	60 days after place in operation	22-May-2018	deadlines			
p.13, VI.A.13.	Tunnel From Poplar Point to Northeast Boundary						
	Award contract for construction	7 years from entry	23-Mar-2012	WASA is monitoring the deadlines and based on the			
	Place in operation	13 years from entry	23-Mar-2018	information currently available, expects to meet these			
	Submit certification to EPA	60 days after place in operation	22-May-2018	deadlines			
p.13, VI.A.14.	Poplar Point Pumping Station						
	Award contract for detailed design	7 years from entry	23-Mar-2012				
	Award contract for construction	10 years from entry	23-Mar-2015	WASA is monitoring the deadlines and based on the			
	Place in operation	13 years from entry	23-Mar-2018	information currently available, expects to meet these			
	Submit certification to EPA	60 days after place in operation	22-May-2018	deadlines			

		Requirements Due Af	ter Next Quarter	
Reference	Requirement	Deadline in CD	Calendar Deadline	Status
p.14, VI.A.15.	Tunnel Parallel to Northeast Boundary Sewer			
	Award contract for detailed design	10 years from entry	23-Mar-2015	
	Award contract for construction	13 years from entry	23-Mar-2018	WASA is monitoring the deadlines and based on the
	Place in operation	20 years from entry	23-Mar-2025	information currently available, expects to meet these
	Submit certification to EPA	60 days after place in operation	22-May-2025	deadlines
p.15, VI.A.16.	NEB Side Tunnels			
	Award contract for detailed design	14 years from entry	23-Mar-2019	
	Award contract for construction	17 years from entry	23-Mar-2022	WASA is monitoring the deadlines and based on the
	Place in operation	20 years from entry	23-Mar-2025	information currently available, expects to meet these
	Submit certification to EPA	60 days after place in operation	22-May-2025	deadlines
p.15, VI.A.17.	Anacostia Outfall Consolidation			
	Award contract for detailed design	8 years from entry	23-Mar-2013	
	Award contract for construction	11 years from entry	23-Mar-2016	WASA is monitoring the deadlines and based on the
	Place in operation	13 years from entry	23-Mar-2018	information currently available, expects to meet these
	Submit certification to EPA	60 days after place in operation	22-May-2018	deadlines
	Potomac River Projects			
p.16, VI.B.18.	,			
1, 1, 1, 1, 1, 1, 1, 1, 1, 1, 1, 1, 1, 1	Start Potomac Facility Plan	10 years from entry	23-Mar-2015	WASA is monitoring the deadlines and based on the
	Submit summary report & detailed implementation schedule	13 years from entry	23-Mar-2018	information currently available, expects to meet these deadlines
	Potomac Tunnel Dewatering Pumping			
p.16, VI.B.20.				
	Award contract for detailed design	15 years from entry	23-Mar-2020	WASA is monitoring the deadlines and based on the
	Award contract for construction	18 years from entry	23-Mar-2023	information currently available, expects to meet these

Place in operation Submit certification to EPA Submit certification to EPA Potromac Storage Tunnel Award contract for detailed design Place in operation Award contract for construction Place in operation Submit certification to EPA Potromac Outfall Consolidation Place in operation Place in operation Submit certification to EPA Award contract for construction Place in operation Submit certification to EPA Potromac Outfall Consolidation Award contract for construction Award contract for detailed design Award contract for construction Place in operation Submit certification to EPA Potromac Outfall Consolidation Award contract for construction Submit certification to EPA Potromac Outfall Consolidation Submit certification to EPA Potromac Outfall Consolidation Place in operation Submit certification to EPA Submit certification to EPA Place in operation Place in operation Submit certification to EPA Place in operation Submit certification to EPA Place in operation Place in operation Submit certification to EPA Place in operation Place in operation Submit certification to EPA Place in operation Place in operation Award contract for construction Award contract for construction Award contract for construction Award contract for construction Of days after place in operation Place in operation schedule Place in operation selected alternative Of days after place in operation selected alternative Of odays after p	Reference	Requirement	Deadline in CD	Calendar Deadline	Status
Submit certification to EPA operation 22-May-2025 p.17, Vl.B.21. Potomac Storage Tunnel Award contract for detailed design 15 years from entry 123-Mar-2021 Place in operation 20 years from entry 23-Mar-2025 p.18, Vl.B.22. Potomac Outfall Consolidation Award contract for construction 6PA operation 22-May-2025 p.18, Vl.B.22. Potomac Outfall Consolidation Award contract for detailed design 13 years from entry 23-Mar-2021 Award contract for obstruction 16 years from entry 23-Mar-2021 Award contract for obstruction 16 years from entry 23-Mar-2021 Bubbit certification to EPA operation 22-May-2025 P.18, Vl.B.22. Potomac Outfall Consolidation 20 years from entry 23-Mar-2021 Award contract for obstruction 60 days after place in operation 22-May-2025 Rock Creek Projects P.18, Vl.C.23. Rock Creek Facility Plan Start Rock Creek Facility Plan Start Rock Creek Facility Plan Place in operation 9P1, Vl.C.24. Rock Creek CSO Outfall Separation Place in operation 60 days after place in operation 60 days after place in operation 9P1, Vl.C.24. Rock Creek CSO Outfall Separation Place in operation 60 days after place in op			20 years from entry	23-Mar-2025	deadlines
p.17, VI.B.21. Potomac Storage Tunnel Award contract for detailed design Award contract for construction Award contract for construction Bubmit certification to EPA Award contract for detailed design Award contract for construction Bubmit certification to EPA Place in operation Submit certification to EPA Place in operation Place in operation Award contract for detailed design Award contract for construction Award contract for construction Award contract for detailed design Award contract for detailed design Award contract for detailed design Award contract for construction Award contract for detailed design Award contract for construction Award contract for detailed design Award contract for construction Award contract for detailed design Award contract for construction Award contra		•			
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Start 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 the deadlines		Submit certification to EPA	operation	22-May-2025	
Start 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 the deadlines		Rock Creek Projects			
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Submit certification to EPA operation 22-May-2011 deadlines p.20, VI.C.27. Monitoring at CSOs 033, 036, 047, 057 2.5 years after award of design contract 22-Mar 2011 Award contract for construction 6 years after EPA approval of plan 04-Oct-2013 Place in operation selected alternative 60 days after place in 60 days after place in 60 days after place		Trace in operation		23-14141-2011	
p.20, VI.C.27. Monitoring at CSOs 033, 036, 047, 057 Award contract for construction Award contract for construction Place in operation selected alternative Od-Oct-2013		Submit certification to EPA		22-May-2011	
Award contract for construction	n 20 VI C 27		орегилоп	22 1/10/ 2011	
Award contract for construction design contract 6 years after EPA approval of plan 60 days after place in 60 days after place in Award contract for construction 6 years after EPA approval of plan 60 days after place in 60 days after place	p.20, VI.C.27.	Womtoring at C503 050, 050, 047, 057	2.5 years after award of		
Place in operation selected alternative Output Outpu		Award contract for construction		22-Mar 2011	
Place in operation selected alternative approval of plan		111/0120 00110100 101 00110120011011		22 1/10/1 2011	
60 days after place in 60 days after place		Place in operation selected alternative	1 2	04-Oct-2013	
					deadlines
		Submit certification to EPA		in operation	
	p.20. VI.C.28.	Piney Branch Storage Tunnel			

		Requirements Due Afte	er Next Quarter	
Reference	Requirement	Deadline in CD	Calendar Deadline	Status
	Award contract for detailed design	14 years from entry	23-Mar-2019	
	Award contract for construction	17 years from entry	23-Mar-2022	WASA is monitoring the deadlines and based on the
	Place in operation	20 years from entry	23-Mar-2025	information currently available, expects to meet these
	Submit certification to EPA	60 days after place in operation	22-May-2025	deadlines
	Blue Plains Projects			
p.21. VI.D.29.	Blue Plains Excess Flow Improvements			
	Award contract for construction	7 years from entry	23-Mar-2012	
	Place in operation	11 years from entry	23-Mar-2016	WASA is monitoring the deadlines and based on the
	Submit certification to EPA	60 days after place in operation	22-May-2016	information currently available, expects to meet these deadlines
	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			
	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
	Place in operation	As part of associated construction project	As part of associated construction project	deadlines
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	 \$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

	Requirements Due After Next Quarter						
Reference	Requirement	Deadline in CD	Calendar Deadline	Status			
		12 mos after place in	12 mos after place in	deadlines			
	Monitoring LID Projects	operation	operation				
		5 yrs after place in	5 yrs after place in				
	Operate & maintain projects	operation	operation				
	Review results and determine if						
	Potomac or Rock Creek tunnel size can	As part of Pot & RC	As part of Pot & RC				
	be reduced	facility plan	facility plan				
p.29.XI	Reporting						
		Quarterly, 28th day of					
		month after calendar		WASA prepares status reports quarterly in			
	Submit quarterly status reports	quarter	Ongoing	accordance with the consent decree.			
				Reports are on WASA's web site at			
				http://www.dcwasa.com/education/css/css_reports.cf			
				m. This report will be posted on WASA's web site			
	Post reports on website	Quarterly	Quarterly	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		
	Anacostia Facility Plan			Completed. WASA initiated the Anacostia Facility Plan on April 4, 2005. Notice to proceed to consultant issued September 22,		
p.11, VI.A.9.	Start Anacostia Facility Plan	6 months from entry	23-Sep-2005	2005.		
	Anacostia Facility Plan Submit summary report & detailed					
p.11, VI.A.9.	implementation schedule	3 yrs 6 mos from entry	23-Sep-2008	Submitted 18-Sept-2008		
p.12,	Separate Fort Stanton			Completed ahead of schedule. Contract awarded March 3, 2006 to Black & Veatch under Agreement No. DCFA #389-WSA, Task Order		
VI.A.11.	Award contract for detailed design	1 year from entry	23-Mar-2006	No. 8.		

	REQUIRE	MENTS COMPLETED IN	PRIOR QUARTERS	S
Reference	Requirement	Deadline in CD	Calendar Deadline	Status
p.12,	Separate Fort Stanton			Completed. Contract awarded February 19,
VI.A.11.	Award contract for construction	3 years from entry	23-Mar-2008	2008 to Sagres Construction Corporation.
p.19,	Rock Creek CSO Outfall Separation Award	2 via aga from antiri	22 May 2007	Completed ahead of schedule. Contract awarded March 15, 2007 to Black & Veatch under Agreement No. DCFA #389-WSA, Task Order
VI.C.24.(2)	contract for detailed design	2 years from entry	23-Mar-2007	No. 25.
p.19,VI.C.25	Monitoring at CSO 033, 036, 047, 057 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	Monitoring at CSO 033, 036, 047, 057 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.	Monitoring at CSOs 033, 036, 047, 057 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.	Monitoring at CSOs 033, 036, 047, 057 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.
p.20, VI.C.27.	Monitoring at 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.
p.22.	Public Notification (Anacostia)	As part of Facility Plans	23-Sep-2008 for	Included in Anacostia Facility Plan submitted
VI.E.30.	Submit plan with details	for each receiving water	Anacostia	18-Sept-2008
p.27. IX.45	Low Impact Development Retrofit 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.

8. PROGRESS REPORT ON ANACOSTIA RIVER PROJECTS

The Facility Plan for the Anacostia River Projects submitted on September 18, 2008 included a detailed implementation schedule. Per the consent decree, the quarterly consent decree status reports are required to include a statement tracking WASA's progress against the detailed implementation schedule. The decree indicates that the deadlines in detailed implementation schedule serve to track and report progress and are not enforceable obligations of the consent decree. The statement tracking progress is provided below:

Contr.			Milestone for	
Div.	Description	Activity	Tracking	Status
	•			WASA's Board of Directors has authorized the execution of contracts that provide for detailed design. The Authority anticipates awarding contracts
	Blue Plains Tunnel	Award Contract for Detailed Design	23-Mar-2009	prior to the indicated milestone.
A	and Main Outfall	Award Contract for Construction	1-May-2011	(1)
	Sewer Diversion	Ready to be Placed in Operation	1-Jul-2015	(1)
		Place in Operation	23-Mar-2018	(1)
	Tingey Street	Award Contract for Detailed Design	1-Oct-2010	(1)
В	Diversion Sewer	Award Contract for Construction	1-Oct-2012	(1)
Ь В	for CSO 013 and	Ready to be Placed in Operation	1-Oct-2014	(1)
	014	Place in Operation	23-Mar-2018	(1)
	GG 010 0 G	Award Contract for Detailed Design	1-Jun-2009	(1)
C	CSO-019 Overflow and Diversion	Award Contract for Construction	1-Mar-2011	(1)
	Structure	Ready to be Placed in Operation	1-Nov-2013	(1)
		Place in Operation	23-Mar-2018	(1)
	Bolling AFB	Award Contract for Detailed Design	1-Oct-2013	(1)
D	Overflow and	Award Contract for Construction	1-Jul-2015	(1)
		Ready to be Placed in Operation	1-Jul-2017	(1)
	Sewer Diversion	Place in Operation	23-Mar-2018	(1)
	74.0 D.	Award Contract for Detailed Design	1-Aug-2009	(1)
E	M Street Diversion Sewer for CSOs 015, 016, and 017	Award Contract for Construction	1-May-2011	(1)
		Ready to be Placed in Operation	1-Nov-2013	(1)
		Place in Operation	23-Mar-2018	(1)
F		Award Contract for Detailed Design	1-Apr-2010	(1)
	Sewer	Award Contract for Construction	2-Jan-2012	(1)
		Ready to be Placed in Operation	1-Jul-2013	(1)

Contr.			Milestone for	
Div.	Description	Activity	Tracking	Status
		Place in Operation	23-Mar-2018	(1)
		Award Contract for Detailed Design	1-Apr-2010	(1)
G	CSOs 005 and 007	Award Contract for Construction	2-Jan-2012	(1)
l G	Diversion Sewer	Ready to be Placed in Operation	1-Jul-2013	(1)
		Place in Operation	23-Mar-2018	(1)
		Award Contract for Detailed Design	1-Nov-2011	(1)
Н	Anacostia River	Award Contract for Construction	1-Nov-2013	(1)
п	Tunnel	Ready to be Placed in Operation	23-Mar-2018	(1)
		Place in Operation	23-Mar-2018	(1)
		Award Contract for Detailed Design	2-Jan-2013	(1)
I	Main Pumping	Award Contract for Construction	2-Jan-2015	(1)
1	Station Diversions	Ready to be Placed in Operation	31-Dec-2017	(1)
		Place in Operation	23-Mar-2018	(1)
		Award Contract for Detailed Design	2-Jan-2019	(1)
J	Northeast	Award Contract for Construction	2-Jan-2021	(1)
]	Boundary Tunnel	Ready to be Placed in Operation	23-Mar-2025	(1)
		Place in Operation	23-Mar-2025	(1)
	N1	Award Contract for Detailed Design	2-Jan-2016	(1)
K	Northeast Boundary Branch	Award Contract for Construction	23-Mar-2018	(1)
K	Tunnels	Ready to be Placed in Operation	1-Jul-2022	(1)
		Place in Operation	23-Mar-2025	(1)
	N	Award Contract for Detailed Design	23-Mar-2014	(1)
L	Northeast Boundary	Award Contract for Construction	23-Mar-2016	(1)
L	Diversions	Ready to be Placed in Operation	23-Mar-2018	(1)
		Place in Operation	23-Mar-2025	(1)
		Award Contract for Detailed Design	2-Jan-2017	(1)
M	Mt. Olivet Road Diversions	Award Contract for Construction	2-Jan-2019	(1)
IVI		Ready to be Placed in Operation	31-Dec-2020	(1)
		Place in Operation	23-Mar-2025	(1)
Y	Blue Plains Tunnel	Award Contract for Detailed Design	1-Apr-2013	(1)
	Dewatering	Award Contract for Construction	1-Jul-2015	(1)
	Pumping Station	Ready to be Placed in Operation	31-Dec-2017	(1)

Contr. Div.	Description	Activity	Milestone for Tracking	Status
	and Enhanced			
	Clarification			
	Facility (ECF)	Place in Operation	23-Mar-2018	(1)
Z	Replacement	Award Contract for Detailed Design	23-Mar-2012	(1)
		Award Contract for Construction	23-Mar-2015	(1)
		Ready to be Placed in Operation	23-Mar-2018	(1)
		Place in Operation	23-Mar-2018	(1)

Notes:

^{1.} WASA is monitoring the deadlines and based on the information currently available, expects to meet these deadlines