

CONSENT DECREE UPDATE
Prepared for the MSD Board
November 13, 2006

SIGNIFICANT ACTIVITIES AND ACCOMPLISHMENTS

Planning Activities

- Sewer Overflow Response Protocol (SORP) – Received approval letter on August 22, 2006. Implemented initial training activities and numerous new protocols. The approved document can be viewed on the MSD Project WIN website www.msdlouky.org/projectwin/.
- Capacity, Management, Operations, and Maintenance (CMOM) – Received approval letter on August 22, 2006. Several activities are underway including air release valve and force main inspection procedures and efforts associated with enhancement of a Fats, Oils, and Grease (FOG) program. The approved document can be viewed on the MSD Project WIN website www.msdlouky.org/projectwin/.
- Nine Minimum Controls (NMC) Compliance Audit – Resubmitted the audit on September 15, 2006. United States Environmental Protection Agency (EPA) and Kentucky Department of Environmental Protection (KDEP) have requested clarification of some items. Details are being discussed in weekly conference calls. An addendum will be submitted on Friday, November 17, 2006 that is anticipated to include the information that will satisfy the questions and lead to approval of this document.
- Interim Long Term Control Plan – Resubmitted the audit on September 15, 2006. EPA and KDEP have requested clarification of some items. Details are being discussed in weekly conference calls. An addendum will be submitted on Friday, November 17, 2006 that is anticipated to include the information that will satisfy the questions and lead to approval of this document. This document includes the plan for the completion of the final Long Term Control Plan.
- Updated Sanitary Sewer Overflow Plan (SSOP) – Submitted on February 10, 2006. This document was required under the Consent Decree but does not require approval. No comments have been received.

Construction Activities

- The Real Time Control, Initial Implementation Phase was completed on August 12, 2006.
- The CSO 81 Closure Project was completed on September 7, 2006, thereby eliminating potential discharges from the combined sewer system.

- The CSO 87 Elimination Project was completed on September 18, 2006, thereby eliminating potential discharges from the combined sewer system.
- The Snead's Branch Solids and Floatables Improvements Project was completed on August 30, 2006, thereby increasing the functionality of the solids and floatables capture.
- More than 70 Solids and Floatables devices were installed as reported in the September 15, 2006 submittal of the NMC Compliance Audit. Detailed information of these installations is located in the NMC Compliance Audit Appendix.

Public Outreach and Notification Activities

- Water Quality warning signs were submitted, approved, and installed in along the streams throughout the Combined Sewer System and Sanitary Sewer System service area. More than 600 signs were installed along streams and the Ohio River.
- MSD implemented the Project Waterways Improvement Now (Project WIN) public outreach and public notification prior to September 30, 2006. Specific activities included: developing and mailing information related to Project WIN and the Consent Decree to each MSD customer account, developing and mailing information to the properties adjacent to Beargrass Creek and the Ohio River for the combined sewer area, development and implementation of the website based information and public notification system, development and use of door hangers, television and radio notifications, and press releases.

PENDING ACTIONS AND ONGOING ACTIVITIES

Planning and Outreach Efforts

- Stakeholders Group – Finalization of the list of Stakeholder Group members of the Wet Weather Team. The next Stakeholders Group meeting is scheduled for 4:15 pm on December 5, 2006 at MSD's Central Maintenance Facility.
- Interim Sanitary Sewer Discharge Plan (SSDP) – MSD has continued to review and analyze options and problems associated with the Hikes Point, Beechwood Village, Highgate Springs Pump Station, and Southeastern Diversion Structure. MSD will submit an interim SSDP by September 30, 2007, in accordance with the Consent Decree.
- Interceptor Condition Assessment – The interceptors in the Beargrass Creek Watershed, located in the Morris Forman Wastewater Treatment Plant Sewershed, are aging and many haven't been cleaned recently. This project utilizes a variety of technologies to perform inspection and assessment of these interceptor sewers. The project will include the assessment of approximately 140,000 feet of interceptor sewers ranging in size from 12 inches to 60 inches in diameter. The assessment reports will be utilized to prioritize and develop cleaning and repair

projects. This project will be completed by December 31, 2008, in accordance with the Consent Decree.

- CMOM Activities – The following CMOM related programs have been initiated and are currently ongoing:
 - Fats, Oils, and Grease (FOG) Assessment
 - Air Release Valve / Force Main (ARV/FM) Assessment
 - Greenline Analysis – Reevaluating the start and stop pump elevations or markings for the Beechwood Village and Hikes Point areas.

Construction Activities

Finalization of the Stakeholder Group members of the Wet Weather Team. The next Stakeholders

- CSO 147 Elimination – The CSO 147 elimination project will require the disconnection of downspouts within the area. Previous efforts in the area include constructing a new storm sewer in the project area. CSO 147 currently overflows to South Fork Beargrass Creek. The evaluation and design phases continue. Bids have been received on seven of the nine phases of the downspout disconnections. This project will be completed by September 30, 2007, in accordance with the Consent Decree.
- RTC @ CSO 108 – Part of Phase 2 of the Real Time Control program. This project involves improving the connection between the Beargrass Interceptor and the Beargrass Interceptor Relief and automating the control of flow through these systems and therefore Nightingale Pump Station. This project will be completed by December 31, 2008, in accordance with the Consent Decree.
- RTC @ Southwestern Outfall SWOR2 – Part of Phase 2 of the Real Time Control program. This project involves the installation of an inflatable dam for storage near the upper end of the Southwestern Outfall. Storage will primarily occur in the Upper Dry Run Trunk and the Mill Creek Trunk. The storage will be integrated into the Global Optimization Real Time Control system. This project will be completed by December 31, 2008, in accordance with the Consent Decree.
- Integration of Southwestern Pump Station / Main Diversion Structure / Morris Forman Wastewater Treatment Plant – Part of Phase 2 of the Real Time Control program. This project linking the Southwestern Pump Station, Main Diversion Structure, and the Morris Forman Wastewater Treatment Plant with the Global Optimization Real Time Control system. This project will be completed by December 31, 2008, in accordance with the Consent Decree.
- Integration of Wheeler Basin – Part of Phase 2 of the Real Time Control program. This project includes controls to utilize approximately one million gallons of storage in the trunk line that drains the Wheeler Basin. This project will be completed by December 31, 2008, in accordance with the Consent Decree.