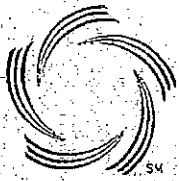


## **2009 AMENDED CONSENT DECREE**

### **EXHIBIT C**

Please reference the Interim Sanitary Sewer Discharge Plan (ISSDP).

Please see the following page to view resubmission cover letter and a link to the full document.



MSD

Louisville and Jefferson County Metropolitan Sewer District  
700 West Liberty Street  
Louisville Kentucky 40203-1911  
502-540-6000  
www.msdlouky.org

March 7, 2007

For entire ISSDP document Click on  
this link.

Chief, Water Programs Enforcement Branch  
Water Management Program  
US EPA Region 4  
Atlanta Federal Center  
61 Forsyth Street SW  
Atlanta, GA 30303

Subject: Interim Sanitary Sewer Discharge Plan  
Resubmittal  
DOJ Case No. 90-5-1-1-08254

Attention Chief:

Please find attached our revised Interim Sanitary Sewer Discharge Plan, prepared in accordance with Paragraph 24.a(2) of our Consent Decree. This plan has been revised in response to review comments received from KDEP and EPA on January 8, 2008.

To aid in your review, we have briefly summarized your comments, and the responses contained in the plan, numbered according to your original sequence.

**Comment 1** addressed the issue of "expeditious schedules".

**Response 1:** The project schedules have been significantly enhanced to clearly illustrate the design, initiation of construction, and completion of construction for each major element. Exhibits 9 through 14 illustrate the revised schedules. In addition, text has been added to Section 3.2 describing the basis for the schedule development. It is important to recognize the inter-relationships between the various elements. Figure 12 has been added to illustrate the order in which project elements must be brought on line to result in a complete and operable system that achieves the performance requirements of the Consent Decree.

**Comment 2** addressed the definition of secondary treatment as it relates to wet weather sidestream treatment.

**Response 2:** After clarifying discussions with EPA and KDEP technical staff, Section 2.5 has been modified. This section now reflects MSD's commitment to provide wet weather treatment that fully meets the definition of secondary treatment, including the requirement for an 85% monthly average removal of BOD5 and TSS, calculated based on the actual days of operation during wet weather. Process modeling has been initiated to confirm unit process sizing and removal efficiency of the original 2 treatment alternatives. In addition, a third alternative has been added that represents an expansion of current secondary treatment processes, and this Alternative 3 is also being modeled at this time. Results of process modeling for all three alternatives will be submitted to KDEP and EPA as part of the Preliminary Engineering Report scheduled for completion in August, 2008. Preliminary modeling results confirm that proper sizing of Alternatives 1 and 3 will result in facilities that are able to meet all the performance parameters that define secondary treatment. Modeling of Alternative 2 has not been completed, but we are less certain of that Alternative's ability to meet all the



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requirements as we now understand them. If Alternative 2 cannot be proven to achieve the performance required, it will be eliminated from further consideration. Figures 9 through 11 are schematic flow charts illustrating the processes currently being evaluated.

**Comment 3** states "The Interim SSDP indicates in Section 1, page 7, that most of the problematic service laterals in the Beechwood Village areas have been reconstructed, but the Interim SSDP should also include what steps will be taken to address those which are remaining"

**Response 3:** The text and word tense has been rewritten to more clearly communicate that it is referring to a past project described for background purposes. Also, the "Beechwood Village Sanitary Sewer Replacement" component of Section 3.2 requires the replacement of all the existing service laterals in Beechwood Village. Therefore the proposed project will remedy any problematic service laterals remaining from previous projects.

**Comment 4** requests that "The Interim SSDP should discuss temporary pollution control measures (i.e., filtration and disinfection, etc.) at the overflow points that will be in place while the interim SSDP proposals are being implemented (Sect 2 pg 8)".

**Response 4:** MSD will continue to execute their existing procedures at the overflow locations in accordance with the approved SORP while the interim SSDP proposed projects are implemented. Completion of the Interim SSDP projects will prevent further overflows at these locations. No temporary pollution control measures are planned other than those described in the approved SORP.

**Comment 5** requests that "The rehabilitation mentioned on pages 5 and 9 in Section 1 should further be described, as well as all other rehabilitation projects outlined in the report".

**Response 5:** The text and word tense has been edited at several locations to more clearly communicate that the described projects have been completed. These are not part of the ISSDP response described in Section 2, but descriptions of these projects were included as historical background for the current Interim SSDP.

**Comment 6** requests list of acronyms.

**Response 6:** A list of acronyms has been included following the Table of Contents.

**Comment 7** requests a discussion of any follow-up testing to be conducted for assurance of projects' success, and a description of any further remediation steps that may be implemented if there is still a problem at these SSO discharge locations.

**Response 7:** Section 3.3 describes the post-construction project assessments to be conducted, including wet weather observation, flow monitoring and modeling, and treatment plant testing. As described in Section 2, the proposed solutions are expected to eliminate discharges at these locations, and no remediation steps have been developed at this time. Remediation steps, if required, will be developed based on the nature of the problem causing them.

**Comment 8** requested a solution schematic for the SSO problem in the Carson Way and Ribble Road neighborhood, similar to Figure 3 in Section 1.

**Response 8:** Figure 7 has been added to Section 2, illustrating the Carson Way and Ribble Road project.

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 assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering such 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.

If you have questions or need additional information, please contact Angela Akridge at (502) 540-6136 or Brian Bingham at (502) 649-3850.

Sincerely,



W. Brian Bingham  
Regulatory Services Director

cc: H. J. Schardein, Jr.

Paula Purifoy

Laurence J. Zielke