

Louisville and Jefferson County Metropolitan Sewer District Wet Weather Team Project Description

June 6, 2006

Background

In 2005, the Louisville and Jefferson County Metropolitan Sewer District (MSD) entered into a Consent Decree with the U.S. Environmental Protection Agency and the Kentucky Environmental and Public Protection Cabinet (EPPC) regarding discharges from MSD's sewer system and alleged violations of the federal Clean Water Act. Like many municipalities nationwide, Louisville has a sewer system that collects rainwater runoff along with sewage and industrial wastewater. During storms and other large wet weather events, the volume of wastewater in the system exceeds the capacity of collection pipes and wastewater treatment plants, resulting in releases of untreated wastewater diluted with stormwater—called combined sewer overflows (CSOs)—directly into nearby water bodies. In addition to CSOs, Louisville has had problems with sanitary sewer overflows (SSOs), which are unintentional discharges of raw sewage from separate sanitary sewers that transport wastewater to treatment plants. SSOs can occur as a result of severe weather events, improper connections to the sewer system, and other sewer operation and maintenance conditions. CSOs and SSOs affect the water quality of local watersheds, can threaten public health, and can cause property damage through, for example, basement back-ups.

Under the terms of the Consent Decree, MSD must develop a Long Term Control Plan for CSOs and a Sanitary Sewer Discharge Plan for SSOs by December 31, 2008. The Consent Decree, with enthusiastic support from MSD, contains a provision for stakeholders to participate in the development and implementation of these plans. This “Wet Weather Team” (WWT) will include MSD personnel as well as community representatives and local elected officials. Under the Consent Decree, the WWT “shall include all entities who have a stake in the program outcome, and should be sufficiently multidisciplinary to address the myriad of engineering, economic, environmental, and institutional issues that will be raised during the implementation of the remedial measures under this Consent Decree.”

Composition and Role of the Wet Weather Team

MSD has structured the WWT to include a subgroup of individual stakeholders recognized as community “opinion leaders” associated with environmental advocacy, business and industry, elected official, local government agency, community neighborhood, recreation, public health, environmental justice, and organized labor interests. WWT stakeholders will not formally represent their specific affiliated organization (formal representation can inhibit the input and timeliness of participation), but rather seek to provide input reflective of the broad interest area in which they lead.

MSD will seek guidance from the WWT stakeholder subgroup on MSD's investment choices in the design of an integrated Wet Weather Program that will comply with all applicable regulatory requirements and will minimize the impacts of wet weather discharges on water quality, aquatic biota, and human health. MSD and the Louisville and Jefferson County community will need to invest substantial amounts of money in wet weather controls and management efforts to meet our compliance obligations under the Consent Decree and the Clean Water Act. The WWT will help to ensure that these investments are made wisely and in ways that best meet the needs of the local community. During the WWT stakeholder process, MSD will also be conducting other activities related to planning and implementation of the Clean Water Act and the Consent Decree, including developing discharge abatement plans, asset management activities, water quality monitoring, and related wet weather control efforts. MSD may ask WWT stakeholders for input regarding these activities.

The Wet Weather Team Stakeholder Process

MSD plans to use a values-based risk management process to obtain input from WWT stakeholders on MSD's investment decisions for the final Long Term Control Plan for CSOs and the final Sanitary Sewer Discharge Plan for the Louisville and Jefferson County area. This structured process will allow WWT members to systematically consider the importance of potentially competing community values and the technical and management options available to achieve compliance and address community needs. This should improve the outcomes of the Wet Weather Program, engender deeper community understanding of local wet weather management challenges, and encourage community support for the costs and benefits that will result from implementation of the program. Prior to submittal of the final plans to EPA and Kentucky EPPC on or prior to December 31, 2008, MSD will need to provide final draft plans to the MSD Board for consideration and adoption. The MSD Board consists of eight citizens appointed to represent the interests of MSD customers in Louisville and Jefferson County.

A neutral third-party facilitation team will support the WWT stakeholder process, while MSD staff and engineering contractors will provide analytic support and other technical resources for the WWT. Although the facilitation team will be under contract to MSD, its "clients" will be the individual members of the WWT and the wet weather planning process as a whole. The WWT stakeholder subgroup will be a "consensus seeking" body, although progress and ultimate MSD decision-making will not be strictly tied to consensus. The facilitation team will ensure that WWT member perspectives—particularly in cases where consensus is lacking—are gathered throughout the plan development process and made available to the MSD Board to ensure a balanced and well-informed final decision process.

Expectations for Wet Weather Team Participants

Under the Wet Weather Consent Decree, MSD faces strict deadlines for producing deliverables and significant penalties for noncompliance. The WWT stakeholder process must, as a result, move forward at a regular, steady pace for it to be successful. It is anticipated that WWT meetings will occur approximately every four to six weeks from June 2006 through May 2008. The majority of meetings will take place from 4:00 PM to 8:00 or 9:00 PM with dinner provided to WWT members.

For More Information

For more information about MSD's Wet Weather Project and the WWT stakeholder process, please contact Rob Greenwood (rob.greenwood@ross-assoc.com) or Jennifer Tice (jennifer.tice@ross-assoc.com) from the facilitation team at 206-447-1805, or Angela Akridge (AKRIDGE@msdlouky.org) at MSD at (502) 540-6136. MSD's website is <http://www.msdlouky.org/>.