

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA, ET AL.

CIVIL ACTION

VERSUS

CITY OF BATON ROUGE, ET AL.

NO.: 01-00978-BAJ-SCR

ORDER

IT IS ORDERED that the parties' Unopposed Joint Motion of the United States of America and the State of Louisiana to Enter the Revised Second Agreement and Order Regarding Modification of the Consent Decree (Doc. 45) is GRANTED.

IT IS FURTHER ORDERED that the parties' Revised Second Agreement and Order Regarding Modification of the Consent Decree, which is attached to this order, is hereby incorporated by reference, adopted, and made an order of this Court, as requested by the parties.

Baton Rouge, Louisiana, this 17th day of June, 2013.



**BRIAN A. JACKSON, CHIEF JUDGE  
UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF LOUISIANA**

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA and  
STATE OF LOUISIANA,

Plaintiffs,

v.

CITY OF BATON ROUGE and  
PARISH OF EAST BATON ROUGE,

Defendants.

Civil Action  
3:01-cv-00978-BAJ-SCR

**REVISED SECOND AGREEMENT AND ORDER REGARDING  
MODIFICATION OF THE CONSENT DECREE**

Pursuant to the terms of the Consent Decree entered by the Court on March 14, 2002 (“the 2002 Consent Decree”), the Parties have agreed to modify certain provisions of the 2002 Consent Decree as set forth in this Revised Second Agreement and Order Regarding Modification of the Consent Decree (“Revised Second Consent Decree Modification”). As required by the terms of the 2002 Consent Decree, the parties request the approval of the Court for the proposed modifications.

**BACKGROUND**

A. On November 13, 2001, the United States and the State of Louisiana filed their Complaint in this action. In the Complaint, Plaintiffs sought injunctive relief and civil penalties pursuant to Clean Water Act (“CWA”) Sections 301 and 309, 33 U.S.C. §§ 1311 and 1319, for violations of the CWA and National Pollution Discharge Elimination System (“NPDES”) permits issued to the City/Parish for its sewage treatment plants. As set forth in the 2002 Consent Decree, the key violations at issue in the Complaint were:

- i. Violation of NPDES permit requirements which require the permittee to reduce the amount of biochemical oxygen demand (“BOD”) and total suspended solids (“TSS”) such that the thirty (30) day average amount of BOD and TSS in the waste water discharged from the North, Central, and South [sewage treatment] plants is at least eighty-five percent (85%) less than the amount of BOD and TSS in the sewage entering the plant. This requirement is known as the “Eight-Five Percent Rule;”
- ii. Violation of CWA Section 301, 33 U.S.C. § 1311, by discharging untreated sewage to navigable waters from the North, Central, and South plant sewage collection systems. Such overflows are often referred to as “sanitary sewer overflows” or “SSOs;” and
- iii. Violation of NPDES permit requirements related to operation and maintenance by maintaining the North, Central, and South plant sewage collection systems in a condition such that blockages and other failures in the sewage lines caused SSOs.

2002 Consent Decree at page 2.

- B. The stated purposes of the 2002 Consent Decree were:
  - A. To require the City/Parish to achieve and maintain compliance with its NPDES permits and the CWA;
  - B. To require the City/Parish to perform the Work required by this Consent Decree in compliance with the applicable schedules; and
  - C. To further the goals and objectives of the CWA, particularly Sections 101, 301 and 307, 33 U.S.C. §§ 1251, 1311, and 1317.

2002 Consent Decree at ¶ 11.

C. The mechanism by which these purposes were to be attained was implementation by the City/Parish of remedial measures specified in the 2002 Consent Decree. These Remedial Measures were designed, among other things, to bring the City/Parish into compliance with the Eighty-Five Percent Rule and to prevent sanitary sewer overflows. The remedial measures specified in the 2002 Consent Decree included:

Section XII. Collection System Remedial Program: The City/Parish was required to undertake a comprehensive collection system remedial action program. The purpose of this program was to minimize and prevent Unauthorized Discharges from the Collection Systems for the North, Central, and South Plants. At the time the 2002 Consent Decree

was entered, the City/Parish had not made a final decision regarding the program it would implement. Measures common to all the plans under consideration were set forth in a First Remedial Measures Action Plan (“the First RMAP”) attached to the 2002 Consent Decree as Exhibit F. The City/Parish was then required to submit a Second Remedial Measures Action Plan (“the Second RMAP”). In the Second RMAP, the City/Parish was to select a remedial measure to be implemented and provide a detailed analysis of how the selected measure will minimize and prevent Unauthorized Discharges and thereby accomplish the objectives of this Consent Decree. 2002 Consent Decree at ¶ 31. The full remedial program is required to be completed by the deadline specified in Paragraph 34(D).

D. The City/Parish timely submitted a proposed Second Remedial Measures Action Plan (“the 2002 Second RMAP proposal”) on November 19, 2002 in accordance with the requirements of Paragraph 31 of the 2002 Consent Decree. In the 2002 Second RMAP proposal, the City/Parish selected a remedial measure for the collection system that relied upon storage of excess flows prior to treatment. Subsequently, there were discussions between the Parties, and the City/Parish submitted several revisions to the pending Second RMAP proposal. The City/Parish submitted a final version of its proposed Second RMAP in a report to EPA and LDEQ dated November 21, 2006 and titled *Sewer System Model Verification and Revised Second Remedial Action Plan* (“the 2006 Second RMAP proposal”). Pursuant to Paragraph 40(a) of the 2002 Consent Decree, EPA and LDEQ approved the 2006 Second RMAP proposal as the Second RMAP on July 10, 2007. The approved Second RMAP required the City/Parish proposed to complete all construction and achieve fully operational status by January 1, 2015.

E. In July 2008, the City/Parish contacted EPA and LDEQ regarding a potential modification of the approved Second RMAP which would involve decommissioning the Central Wastewater Treatment Plant and rerouting the flow to the South Wastewater Treatment Plant. The Environmental Protection Agency (“EPA”) and the Louisiana Department of Environmental Quality (“LDEQ”) reviewed the City/Parish’s proposal and determined that the proposed

changes were consistent with the objectives of the 2002 Consent Decree, consistent with current industry standards, and provided for completion of all construction and fully operational status achieved by the same deadline set in the approved Second RMAP (i.e. January 1, 2015). On November 10, 2008, the United States and Louisiana lodged, pending solicitation of public comment, a proposed Agreement and Order Regarding Modification of the Consent Decree (Dkt. No. 14) which proposed to modify the Second RMAP to incorporate the changes proposed by the City/Parish. After Plaintiffs filed a Joint Motion to Enter (Dkt. No. 15), the Court entered the Agreement and Order Regarding Modification of the Consent Decree on April 22, 2009 (Dkt. No. 19) (“the First Consent Decree Modification”).

F. By letter dated July 1, 2011, the City/Parish requested an extension of the schedule for completing the work required by the Second RMAP to December 31, 2017. The City/Parish stated that its proposed schedule revisions would defer the lower priority rehabilitation projects and certain capacity projects in the upper reaches of the system while accelerating certain projects at the North Wastewater Treatment Plant and maintaining the schedule for major South Wastewater Treatment Plant projects and critical capacity projects that would effectively reduce sanitary sewer overflows and ensure wastewater treatment plant permit compliance. In addition to modifying the schedule for work required by the Second RMAP, the City/Parish also proposed to add certain projects beyond those required by the 2002 Consent Decree. The additional projects proposed by the City/Parish included implementation of a supervisory control and data acquisition (“SCADA”) system and installation of emergency generators at over 400 pump stations used in the sewage collection system.

G. By letter dated October 23, 2012, the City/Parish requested an extension of the schedule for completing the work required by the Second RMAP to December 31, 2018. The

modifications proposed by the City/Parish were more fully described in an attachment to the October 23, 2012 letter titled *Proposed EPA Compliance Schedule as of October 23, 2012* (“2012 Second RMAP Modification”) (Attachment 1 to this document).

H. EPA and LDEQ have reviewed the 2012 Second RMAP Modification proposed by the City/Parish. EPA and LDEQ determined:

- i. That the proposal maintains the schedule for those projects most critical for reducing SSOs;
- ii. That implementation of work in addition to current requirements of the 2002 Consent Decree, specifically implementation of a SCADA system and installation of emergency generators at pump stations, has the potential to significantly reduce SSOs beyond the reductions that would be achieved under the Second RMAP as amended by the First Consent Decree Modification.

After considering the proposal, EPA and LDEQ determined that they supported the City/Parish’s proposal to modify the Consent Decree as set forth in the 2012 Second RMAP Modification.

I. Paragraph 33 of the 2002 Consent Decree provides:

33. At any time after the Second RMAP is approved by EPA and/or LDEQ pursuant to Section XVII (Review of Submittals), the City/Parish may submit for review and approval pursuant to Section XVII (Review of Submittals) a proposal to modify the remedial measure selected in the Second RMAP. Any proposal to modify the Second RMAP shall be evaluated by EPA and LDEQ for consistency with this Consent Decree, including Section V (Objectives), and industry standards current at the time the proposal is submitted.

....

B. Any proposed modification of the Second RMAP which would extend the schedule for completion of the work or materially alter the selected remedial measure shall require the approval of the Court.

J. Paragraph 119 of the 2002 Consent Decree provides, “Material modifications may be made to this Consent Decree only with written notification to and written approval of each of the Parties and the Court and with an opportunity for public notice and comment in a manner consistent with Paragraphs 122 and 123.”

K. The United States and LDEQ have determined that the modifications set forth in the 2012 Second RMAP Modification would materially alter the selected remedial measure within the meaning of Paragraph 33(B) of the 2002 Consent Decree and constitute material modifications requiring “written approval of each of the Parties and the Court and with an opportunity for public notice and comment” within the meaning of Paragraph 119 of the 2002 Consent Decree.

L. The Assistant Attorney General on behalf of the United States and the undersigned representatives of the City/Parish and the State of Louisiana certify that they are fully authorized to enter into the terms and conditions of this Revised Second Consent Decree Modification of the Consent Decree and to execute and legally bind such party to this document.

By the signatures of their representatives to this document, the Parties to the 2002 Consent Decree hereby approve the modifications set forth below.

NOW THEREFORE, it is hereby ORDERED, ADJUDGED and DECREED as follows:

1. Except as specifically modified herein, all provisions of the 2002 Consent Decree shall remain in full force and effect.

2. The schedule for completing the work required by the Second RMAP (as amended by the First Consent Decree Modification) and the scope of the work to be completed shall be modified as set forth in the 2012 Second RMAP Modification, attached hereto as Attachment 1.

3. This Revised Second Consent Decree Modification shall be lodged with the Court for a period of not less than thirty (30) days for public notice and comment in accordance with Department of Justice policy and described at 28 C.F.R. § 50.7. The United States reserves the right to withdraw or withhold its consent if comments by the public regarding the Revised

Second Consent Decree Modification disclose facts or considerations which indicate that the Consent Decree is inappropriate, improper, or inadequate. This Paragraph does not create any rights exercisable by the City/Parish.

4. The Parties agree and acknowledge that final approval by Plaintiff the State of Louisiana, Department of Environmental Quality, and entry of this Revised Second Consent Decree Modification is subject to the requirements of La. R.S. 30:2050.7, which provides for public notice in the official journal of the Parish of East Baton Rouge, and opportunity for public comment, consideration of any comments, and concurrence by the State Attorney General. This Paragraph does not create any rights exercisable by the City/Parish.

5. The Court shall retain jurisdiction of this case until termination of the 2002 Consent Decree, for the purpose of enabling any of the Parties to apply to the Court for such further order, direction, or relief as may be necessary or appropriate for the construction or modification of this Consent Decree, or to effectuate or enforce compliance with its terms as modified by this Revised Second Consent Decree Modification, or to resolve disputes in accordance with Section XXIV of the 2002 Consent Decree (Dispute Resolution).



**FOR THE UNITED STATES OF AMERICA:**

3/6/13  
Date

Ignacia S. Moreno  
IGNACIA S. MORENO  
Acting Assistant Attorney General  
Environment and Natural Resources Division  
United States Department of Justice

2013-02-15  
Date


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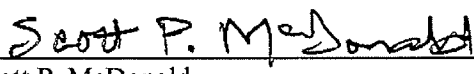
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**FOR THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY:**

3.12.13  
Date

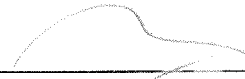
  
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JOHN BLEVINS  
Director  
Compliance Assurance and Enforcement Division  
U.S. Environmental Protection Agency, Region 6

3/11/13  
Date

  
\_\_\_\_\_  
Scott P. McDonald  
Chief  
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Office of Regional Counsel  
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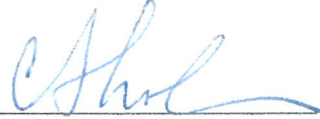
**FOR THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY:**

3-18-13  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
MARK POLLINS  
Director  
Water Enforcement Division (2243A)  
Office of Enforcement and Compliance Assurance  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

**FOR THE STATE OF LOUISIANA, THROUGH THE DEPARTMENT OF ENVIRONMENTAL QUALITY:**

04 March 2013  
Date



CHERYL S. NOLAN  
Assistant Secretary  
Office of Environmental Compliance

March 4, 2013  
Date



TED R. BROYLES, II  
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FOR THE CITY OF BATON ROUGE AND THE PARISH OF EAST BATON ROUGE:

3-13-13

Date

Melvin L. Kip Holden

MELVIN L. "Kip" HOLDEN  
Mayor-President  
City of Baton Rouge, Louisiana  
Parish of East Baton Rouge, Louisiana  
222 St. Louis Street  
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March 12, 2013

Date

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UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA and  
STATE OF LOUISIANA,

Plaintiffs,

v.

CITY OF BATON ROUGE and  
PARISH OF EAST BATON ROUGE,

Defendants.

Civil Action 01-978-BAJ-SCR

**REVISED SECOND AGREEMENT AND ORDER REGARDING  
MODIFICATION OF THE CONSENT DECREE**

Attachment 1

*2012 Second RMAP Modification*

**Attachment 1**

**Proposed EPA Compliance Schedule as of October 23, 2012**

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## Attachment 1 – Proposed EPA Compliance Schedule

This attachment is proposed to replace the City/Parish’s compliance schedule submitted by the City/Parish in the July 1, 2011 Extension Request and the September 2008 [report titled - *Second Remedial Measures Action Plan (RMAP2) Submittal for the Baton Rouge Sanitary Sewer Overflow Control and Wastewater Facilities Program*] which was adopted in the *Agreement and Order Regarding the Modification of Consent Decree* (April 2009) by DOJ, EPA, and LDEQ. This revised EPA milestone compliance schedule is depicted in Tables 1, 2, and 3. **Note that no projects have been added or deleted to these tables; all of the original projects included in the previously approved RMAP2 will still be completed.** Only the lower priority projects that fall into the last 100% Milestone column will extend beyond the original deadline.

The City/Parish is proposing compliance schedule project adjustments to defer lower priority rehabilitation projects and those capacity projects in the upper/outer reaches of the system, while accelerating the needed additional North Wastewater Treatment Plant Master Plan projects (see [Attachment 2 – Proposed Schedule for Additional Projects](#)), and thereby maintaining the compliance schedules for the major wastewater treatment plant projects and critical capacity projects that should most effectively reduce overflows and ensure wastewater treatment plant permit compliance. Estimated construction costs have been included for those projects that fall into the final 100% Construction Milestone of **4<sup>th</sup> Quarter 2018**. There is an estimated \$260 Million dollars of RMAP2 construction projects included in that milestone.

### Category 1: Comprehensive Sewer Basin Rehabilitation

Based on sewer system digital model analysis and flow monitoring, several sub-basins within the collection system require comprehensive rehabilitation. Sewer system comprehensive rehabilitation projects will be implemented to repair or replace components of the system that are defective and permit excessive infiltration and inflow.

Overall, all of the rehabilitation projects were prioritized by working first in the outer areas of the City/Parish and then moving in. However, at the same time those areas with a greater frequency of SSO’s were started in advance of those areas with less frequency, so in some cases projects were started closer to the WWTP first if they have high frequencies of SSOs. This logic was continued with the first draft of extension schedule, so those projects that were adjusted with the extension will be in areas with a lesser frequency of SSO’s.

Table 1 presents the Category 1 comprehensive rehabilitation projects and anticipated delivery milestone schedules. Note that any pump station improvements are included in the projects listed in Category 2, Pump Station and Transmission Improvements on the following pages.



<b>TABLE 1</b>				
<b>Updated EPA Consent Decree RMAP Milestones for Category 1 Projects</b>				
	<b>33% Construction Milestone</b>	<b>66% Construction Milestone</b>	<b>100% Construction Milestone</b>	<b>Estimated Construction Cost</b>
<b>Milestone Date</b>	<b>1<sup>st</sup> QTR 2013</b>	<b>2<sup>nd</sup> QTR 2015</b>	<b>4<sup>th</sup> QTR 2018</b>	<b>Millions</b>
<b>Construction Status</b>	<b>Construction Functionally Complete</b>	<b>Construction Functionally Complete</b>	<b>Construction Functionally Complete</b>	<b>(M)</b>
<b>Project Descriptions RMAP2 Projects</b>				
Jefferson Hwy – HooShooToo Road	✓			
Staring Lane – Boone Drive Area Rehabilitation Project	✓			
Burbank Drive – Gardere Lane Area Rehabilitation Project	✓			
Oak Villa – Choctaw Street Area Rehabilitation Project	✓			
Scotland Avenue – Progress Road Area Rehabilitation Project	✓			
Elm Grove Garden Road – Harding Boulevard Area Rehabilitation Project	✓			
Sharp Road – Florida Boulevard Area Rehabilitation Project	✓			
Kenilworth Boulevard – Boone Drive Area Rehabilitation Project	✓			
Foster Drive - Government Street Area Rehabilitation Project Phase A and B	✓			
Silverleaf Road – Ford Street Area Rehabilitation Project	✓			
Brookstown Road - Evangeline Street Phase I Area Rehabilitation Project	✓			
Brookstown Road – Evangeline Street Phase II Area Rehabilitation Project	✓			
Bluebonnet Blvd – Jefferson Hwy Phase I Area Rehabilitation Project		✓		
Bluebonnet Blvd – Jefferson Hwy Phase II Area Rehabilitation Project		✓		
Highland Road – Washington Street Area Rehabilitation Project		✓		
Standford Avenue – Morning Glory Road Area Rehabilitation Project	✓			
Airline Highway – Goodwood Blvd Phase I Area Rehabilitation Project		✓		
Airline Highway – Goodwood Blvd Phase II Area Rehabilitation Project		✓		
Acadian Thruway – Claycut Road Area Rehabilitation Project		✓		
Acadian Thruway – Perkins Road Area Rehabilitation Project	✓			

<b>TABLE 1</b>				
Updated EPA Consent Decree RMAP Milestones for Category 1 Projects				
	<b>33% Construction Milestone</b>	<b>66% Construction Milestone</b>	<b>100% Construction Milestone</b>	<b>Estimated Construction Cost</b>
<b>Milestone Date</b>	<b>1<sup>st</sup> QTR 2013</b>	<b>2<sup>nd</sup> QTR 2015</b>	<b>4<sup>th</sup> QTR 2018</b>	<b>Millions</b>
<b>Construction Status</b>	<b>Construction Functionally Complete</b>	<b>Construction Functionally Complete</b>	<b>Construction Functionally Complete</b>	<b>(M)</b>
<b>Antioch Road – Chadsford Drive Area Rehabilitation Project</b>		✓		
<b>Jones Creek Road – Tiger Bend Road Area Rehabilitation Project</b>			✓	<b>\$12 M</b>
<b>Scenic Highway – Spanish Town Road Phase I Area Rehabilitation Project</b>			✓	<b>\$9 M</b>
<b>Scenic Highway – Spanish Town Road Phase II Area Rehabilitation Project</b>			✓	<b>\$9 M</b>
<b>Siegen Lane – Interstate 10 Area Rehabilitation Project</b>			✓	<b>\$6 M</b>
<b>Interstate 110 – Hollywood Street Area Rehabilitation Project</b>			✓	<b>\$6 M</b>
<b>Ardenwood Drive – Winbourne Street Area Rehabilitation Project</b>			✓	<b>\$5 M</b>
<b>Flannery Road – Florida Boulevard Area Rehabilitation Project</b>			✓	<b>\$6 M</b>
<b>East Boulevard – Government Street Area Rehabilitation Project</b>			✓	<b>\$6 M</b>
<b>North 38<sup>th</sup> Street – Gus Young Avenue Area Rehabilitation Project</b>			✓	<b>\$8 M</b>
<b>*Note that no projects have changed milestone columns since the original extension request dated July 1, 2011. Only the milestone dates have changed.</b>				

## Category 2: Pump Station and Transmission Improvements

The Infoworks™ digital wastewater model was used to identify necessary increases in capacity of existing gravity trunk sewers, pump stations, and force mains in order to accommodate peak wastewater flows remaining in the rehabilitated collection system. Table 2 presents a list of Category 2 projects with corresponding milestone schedules.

<b>TABLE 2</b>				
Updated EPA Consent Decree RMAP Milestones for Category 2 Projects				
	33% Construction Milestone	66% Construction Milestone	100% Construction Milestone	Estimated Construction Cost
Milestone Date	1 <sup>st</sup> QTR 2013	2 <sup>nd</sup> QTR 2015	4 <sup>th</sup> QTR 2018	Millions
Construction Status	Construction Functionally Complete	Construction Functionally Complete	Construction Functionally Complete	(M)
Project Descriptions RMAP2 Projects				
Capitol Lake – Gayosa Street Area Capacity Improvements	✓			
Gurney Road - Joor Road	✓			
Sullivan Rd./Lovett Rd./Wax Rd. Sewer Upgrades	✓			
Comite Road – Foster Road Sewer Area Upgrades - Phase I	✓			
Foster Road – Hooper Road Sewer Area Upgrade	✓			
Zachary Area Transmission Network Improvements Phase I - 3 Pump Stations and Equalization Basin		✓		
Zachary Area Transmission Network Improvements Phase II – Red Mud Lakes Forcemain to NWWTP		✓		
Zachary Area Transmission Network Improvements Phase III – Forcemain to Highway 964 to Red Mud Lakes		✓		
Zachary Area Transmission Network Improvements Phase IV – Zachary Improvements		✓		
South Boulevard – St. Joseph Street Sewer Area Upgrades	✓			
Downtown Area Pump Station Improvements		✓		
Highland Road – Buchanan Street Sewer Area Upgrades	✓			
Citiplace/Essen Area - PS119 & Forcemain Improvements	✓			
Group Project 1A (Metro Airport Sewer Upgrades)		✓		
Group Project 1B (Metro Airport Sewer Area Pump Station & Forcemain Upgrades)”.		✓		

<b>TABLE 2</b>				
<b>Updated EPA Consent Decree RMAP Milestones for Category 2 Projects</b>				
	<b>33% Construction Milestone</b>	<b>66% Construction Milestone</b>	<b>100% Construction Milestone</b>	<b>Estimated Construction Cost</b>
<b>Milestone Date</b>	<b>1<sup>st</sup> QTR 2013</b>	<b>2<sup>nd</sup> QTR 2015</b>	<b>4<sup>th</sup> QTR 2018</b>	<b>Millions</b>
<b>Construction Status</b>	<b>Construction Functionally Complete</b>	<b>Construction Functionally Complete</b>	<b>Construction Functionally Complete</b>	<b>(M)</b>
Perkins/Old Perkins Area - Booster PS 514 Improvements		✓		
Group Project 2 (Old Perkins – Highland Road Area Upgrades)	✓			
Highland Road – Burbank Drive Capacity Improvements		✓		
Nicholson Drive – Highland Road – Perkins Road Capacity Improvements Phase A		✓		
Nicholson Drive – Highland Road – Perkins Road Capacity Improvements Phase B		✓		
Bayou Duplantier Area Sewer Upgrades		✓		
25th Street - North Acadian Thruway	✓			
Government St - South Acadian Thruway Sewer Area Upgrades		✓		
Plank Road – Kleinpeter Road Sewer Area Upgrades		✓		
O'Neal Lane Pipeline Improvements – Group A		✓		
O'Neal Lane Pipeline Improvements – Group B		✓		
Multiple PS - Nicholson Dr - Brightside Dr		✓		
Pump Station 58 Capacity Improvements		✓		
Staring Lane FM (Phase I - Burbank Drive to Highland Road)	✓			
Staring Lane FM (Phase II - Highland road to Perkins Road)		✓		
Staring Lane FM (Phase III - Perkins to PS58)		✓		
Multiple PS - Jefferson Hwy - Park Forest Dr		✓		
Airline Highway Pipeline Improvements			✓	\$38 M
Multiple PS - Highland Road - Kenilworth Parkway			✓	\$11 M
Florida Boulevard Pump Station Improvements			✓	\$16 M

<b>TABLE 2</b>				
<b>Updated EPA Consent Decree RMAP Milestones for Category 2 Projects</b>				
	<b>33% Construction Milestone</b>	<b>66% Construction Milestone</b>	<b>100% Construction Milestone</b>	<b>Estimated Construction Cost</b>
<b>Milestone Date</b>	<b>1<sup>st</sup> QTR 2013</b>	<b>2<sup>nd</sup> QTR 2015</b>	<b>4<sup>th</sup> QTR 2018</b>	<b>Millions</b>
<b>Construction Status</b>	<b>Construction Functionally Complete</b>	<b>Construction Functionally Complete</b>	<b>Construction Functionally Complete</b>	<b>(M)</b>
<b>Plank Road Pump Station Improvements</b>			✓	<b>\$9 M</b>
<b>Multiple PS - Highway 61 - Plank Road</b>			✓	<b>\$6 M</b>
<b>O'Neal Lane Pump Station Improvements – Group A</b>			✓	<b>\$13 M</b>
<b>O'Neal Lane Pump Station Improvements – Group B</b>			✓	<b>\$10 M</b>
<b>Sherwood Forest Blvd – Goodwood Blvd Pipeline Improvements</b>			✓	<b>\$12 M</b>
<b>Joor Road - Greenwell Springs Road Sewer Area Upgrades</b>			✓	<b>\$7 M</b>
<b>Plank Road - Port Hudson Pride Road Sewer Area Upgrades</b>			✓	<b>\$4 M</b>
<b>Highland Road Pipeline Improvements - Group A</b>			✓	<b>\$8 M</b>
<b>Highland Road Pipeline Improvements - Group B</b>			✓	<b>\$9 M</b>
<b>Oak Villa Boulevard - Monterey Boulevard Sewer Area Upgrades</b>			✓	<b>\$7 M</b>
<b>Lovett Road – Greenwell Springs Road Sewer Area Upgrades – Group A</b>			✓	<b>\$14 M</b>
<b>Lovett Road – Greenwell Springs Road Sewer Area Upgrades – Group B</b>			✓	<b>\$8 M</b>
<b>Hooper Road Pump Station Improvements</b>			✓	<b>\$12 M</b>
<b>Multiple PS - Prescott Rd - Greenwell Springs Rd</b>			✓	<b>\$5 M</b>
<b>Multiple PS - Burbank Drive - Siegen Lane</b>			✓	<b>\$4 M</b>
<b>Pump Station 42</b>		✓		
<b>Pump Station 42 Forcemain - Phase I</b>		✓		
<b>Pump Station 42 Forcemain - Phase II</b>		✓		
<b>Central Consolidated Pump Stations</b>		✓		
<b>Central Consolidated Forcemains</b>		✓		

<b>TABLE 2</b>				
<b>Updated EPA Consent Decree RMAP Milestones for Category 2 Projects</b>				
	<b>33% Construction Milestone</b>	<b>66% Construction Milestone</b>	<b>100% Construction Milestone</b>	<b>Estimated Construction Cost</b>
<b>Milestone Date</b>	<b>1<sup>st</sup> QTR 2013</b>	<b>2<sup>nd</sup> QTR 2015</b>	<b>4<sup>th</sup> QTR 2018</b>	<b>Millions</b>
<b>Construction Status</b>	<b>Construction Functionally Complete</b>	<b>Construction Functionally Complete</b>	<b>Construction Functionally Complete</b>	<b>(M)</b>
<b>**Note that no projects have changed milestone columns since the original extension request dated July 1, 2011. Only the milestone dates have changed.</b>				

### Category 3: Wastewater Treatment and Storage

This category of projects includes wet weather improvements at the City/Parish wastewater treatment plants (WWTP's), as well as storage facilities throughout the service area. The Wastewater Treatment Projects are summarized below:

- Immediate Action Plan (IAP) South WWTP Project that includes screening, trickling filter recirculation pumping, primary treatment improvements, and bio-solids thickening improvements.
- Phase 1 Improvements at the South WWTP for Wet Weather Flow including influent pumping, screening and grit removal for a predicted flow of 345 MGD. Phase 1 also includes 64 million gallons of equalization storage at the South WWTP.
- Phase 2 Improvements at the South WWTP include wet weather flow treatment with a peak capacity of 200 MGD (as previously approved in the November 2006 RMAP2).

In addition, there are two storage projects included in this category that are sized to reduce peak flows to existing North WWTP which are listed below and depicted as well in Table 3. These storage projects are part of the transmission system which permits storage of wet weather peak flows.

- Choctaw Storage Facility
- Hooper Storage Facility

Table 3 presents a list of Category 3 projects with corresponding milestone schedules. No estimated construction costs are included for this category, since none of these projects are included in the 100% Construction Milestone.

Table 3			
Updated EPA Consent Decree RMAP Milestones for Category 3 Projects			
	33% Construction Milestone	66% Construction Milestone	100% Construction Milestone
Milestone Date	1 <sup>st</sup> QTR 2013	2 <sup>nd</sup> QTR 2015	4 <sup>th</sup> QTR 2018
Construction Status	Construction Functionally Complete	Construction Functionally Complete	Construction Functionally Complete
Project Descriptions RMAP2 Projects			
Choctaw Storage and Pump Station Facility		✓	
Hooper Storage Facility		✓	
South WWTP IAP (Consolidated – Screening, Primary Treatment, Trickling Filter Recirculation, Sludge Handling)	✓		
South WWTP IAP (Effluent Pumping Improvements)	✓		
SWWTP Wet Weather Improvements -Phase I		✓	
SWWTP Wet Weather Improvements - Phase II (PDP portion)		✓	

<b>Table 3</b>			
<b>Updated EPA Consent Decree RMAP Milestones for Category 3 Projects</b>			
	<b>33% Construction Milestone</b>	<b>66% Construction Milestone</b>	<b>100% Construction Milestone</b>
<b>Milestone Date</b>	<b>1<sup>st</sup> QTR 2013</b>	<b>2<sup>nd</sup> QTR 2015</b>	<b>4<sup>th</sup> QTR 2018</b>
<b>Construction Status</b>	<b>Construction Functionally Complete</b>	<b>Construction Functionally Complete</b>	<b>Construction Functionally Complete</b>
<p><b>*Note that <u>all</u> of these types of projects are of high priority and are expected to stay in the same milestone categories as previously submitted in the original extension request dated July 1, 2011.</b></p>			



**Attachment 2**  
**Proposed Schedule for Additional Projects**

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KNV/ATTACH2-ADDITIONAL\_PROJECTS\_SCHEDULE\_V3\_10-23-2012

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## Attachment 2 – Proposed Schedule for Additional Projects

This attachment is a listing of the additional projects that the City/Parish has undertaken outside of the Consent Decree. The City/Parish has agreed to implement a number of significant projects that will greatly help improve operation and maintenance of the treatment and collection system beyond the original Consent Decree requirements. These projects include emergency generators at the 400+ pumping stations; and the installation of a state of the art SCADA real time control system to allow the City/Parish to manage wet weather flows to maximize in system storage and treatment to reduce overflows. Other projects that the City/Parish is implementing in addition to the Consent Decree required projects include South Wastewater Treatment Plant (SWWTP) Phase 2 Master Plan Project, the extensive North Wastewater Treatment Plant (NWWTP) Public Project, the extensive NWWTP Master Plan Projects, the NWWTP Odor Control Project, the Choctaw Sewer Collection Maintenance Facility Project, and the Comite Foster Road Phase 2 Project.

### Projects Outside of Consent Decree

This category of projects includes several additional projects not required by the Consent Decree Compliance Schedule. Many of these projects will greatly improve the operation and maintenance of the wastewater collection system, WWTP's, and storage facilities. Also note that both the SCADA Project and the Standby Power Program will help optimize the overall operation of the treatment facilities and pump stations, while minimizing risks associated with SSOs. The projects are summarized below:

- **NWWTP Master Plan Projects** – Based on the *Draft Wastewater Master Plan* (CH2M HILL, 2008) and recent plant inspections, the following items were identified to be addressed at the NWWTP:
  - New raw sewage pumping station
  - New preliminary treatment
  - Comprehensive odor control
  - Plant SCADA system
  - Replace gaseous chlorine with sodium hypochlorite
  - General plant rehabilitation (electrical, mechanical, structural)
  - Standby electrical generators
  - Sludge digestion rehabilitation with gas utilization
- **NWWTP Public Project** - includes purchase of property in order to resolve odor control complaints from nearby residents of the NWWTP. The City/Parish has developed a public project for implementation which would create a buffer zone between the North WWTP and the adjacent residential neighborhood. This buffer zone will include plantings as well as stormwater improvements.
- **SWWTP Phase 2 Master Plan Project** – This project includes Master Plan improvements were outlined in the *Draft Wastewater Master Plan* (CH2M HILL, May 2008). The following are project elements that will be included as additive alternates for the SWWTP Phase 2 construction project:

- Secondary electrical source consisting of on-site engine/generators
  - Improvements to the existing solids thickening and dewatering facilities including new thickened sludge mixing tanks
  - Repair and improvements to existing anaerobic digesters including a new sludge heating system utilizing digester gas and hot water boilers
  - Rehabilitation of existing buildings
  - Construction of a plant SCADA system
  - Construction of new laboratory and administration buildings
- **Stand-by Power Program** – This project will drastically reduce SSOs caused by power outages at the 400+ pump stations in the system, by providing stand-by power at the pump stations. This program consists of installing generators at every wastewater pump station and wastewater treatment facility throughout the City/Parish that can be put in place during power outages, eliminating the risk of overflows from this cause.
  - **Supervisory Control and Data Acquisition (SCADA) Project** - The SCADA Project will provide telemetry and remote monitoring to all existing pump stations, new pump stations, and those pump stations being replaced. The project provides remote monitoring of operations data & alarms that will be communicated via telemetry to a centralized operations center. The centralized operations center will have control capability for major pump stations and storage facilities in the system, allowing flow control to anticipate and reduce the possibility of overflows and/or reduce their severity. The remote monitoring will help City/Parish staff quickly respond to mechanical and electrical problems at the pump stations.
  - **Choctaw Sewer Collection Maintenance Facility** - The Choctaw Administration/Maintenance Facility will consolidate several separate City/Parish facilities to one location. The facility will house the wastewater collections staff, provide warehouse and equipment storage, house the electrical and pump maintenance shops, and include a fueling station for use by City/Parish employees. The site is centrally located in the parish, so the maintenance facility will allow staff to be efficiently deployed to all areas of DPW's sewer network. The pump maintenance shop will include a pump testing pit, which allows the City/Parish to test pumps at the shop rather than testing once installed at the pump station.
  - **NWWTP Odor Control Project** - the NWWTP Odor Control Project is designed to minimize odors from the WWTP headworks building.
  - **Comite Drive – Foster Road Phase 2 Project** - This project includes an upgrade to the existing sewer system that runs along Comite Drive. The current sewer system in this area is individual septic systems that discharge into an open ditch along the road. A new sewer collection system is being installed to eliminate these discharges. The project consists of new sewers, forcemains, and pump stations.

Table 1 below outlines the anticipated schedule and estimated construction cost of the additional projects. Note that the schedule below is based upon time (number or months) from extension approval for the projects involving the NWWTP.

<b>Table 1</b>			
<b>Proposed Schedule for Projects Outside of Consent Decree</b>			
	<b>Scheduled Start</b>	<b>Scheduled Finish</b>	<b>Estimated Construction Cost</b>
<b>NWWTP Master Plan Projects</b>	6 months from Extension approval	Design – 18 months from start Construction – 3 years from design finish	\$50 M
<b>NWWTP Public Project</b>	6 months from Extension approval	Design and Land Purchase – 1 year from start Construction – 1 year from design finish	\$6 M
<b>SWWTP Wet Weather Improvements – Phase II (Master Plan portion)</b>	Project Underway	Proposed completion by 4 <sup>th</sup> quarter 2014	\$22 M
<b>Sewer System and WWTP Stand-by Power Program</b>	Project Underway	Completion of SSO Program	\$30 M
<b>SCADA (Collection System, Operations Data and Control Center)</b>	Project Underway	Completion of SSO Program	\$15 M
<b>Choctaw Sewer Collection Maintenance Facility</b>	Design Complete/ Construction start in early 2013	Early 2015	\$15 M
<b>NWWTP Odor Control Project</b>	Complete	Complete	\$1.5 M
<b>Comite –Foster Road Sewer Area Upgrades - Phase II</b>	Complete	Complete	\$0.9 M