



## Modified Consent Decree Public Information Session Summary January 23, 2020



The City of Baltimore's Modified Consent Decree Public Information Session was held on Thursday, January 23, 2020, in the first-floor conference room at the Maryland Department of the Environment (1800 Washington Blvd, Baltimore, MD 21230). The Baltimore City Department of Public Works' (DPW) Acting Head of the Bureau of Water and Wastewater, Yosef Kebede opened the meeting and welcomed attendees. He then introduced Paul De Santis, DPW's Chief of Legal & Regulatory Affairs, who gave a presentation on the Modified Consent Decree for the Sanitary Sewer System and an update on the City's progress under the Decree over the past 12 months.

Following the presentation, attendees were encouraged to visit learning stations around the room to engage directly with subject matter experts from different divisions of DPW. The learning stations highlighted the primary activities of the Modified Consent Decree and the City's progress in each of these areas. Citizens were encouraged to ask questions of the team and/or to provide written comments throughout the session.

Below is a summary of each learning station and the questions/comments received.

### **Learning Station 1. Communications and Community Engagement**

The primary focus of this learning station and its content was to ensure effective and accurate communications with the public, get feedback, and help the public navigate information on the DPW website. This station was also developed to ensure the public understands the City's ongoing efforts and program developed to support small business development. The learning station included representatives from the DPW Division of Communications and Community Affairs.

Questions/comments posed at station:

- **[The City should] engage communities during the planning phase.**
  - City is looking for better ways to communicate and involve the communities in MCD related projects earlier in the process. On the current projects under design, the City is starting community outreach at 70% design stage, which is when project impacts are identified.
- **How can groups coordinate with DPW to see utility conflicts?**
  - City departments meet internally to discuss potential utility conflicts on a monthly basis and uses an online tool for coordination of utility project conflicts.
- **Good Program. Would have preferred a Q and A session following the talk by P. DeSantis.**
  - We appreciate your comment. To clearly answer the variety of questions we expected to receive, we elected instead to set up Seven (7) learning stations around the room to allow specific responses to be provided to any questions.



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### Learning Station 2. Collection System and Tools

The primary focus of this learning station and its content was to educate the public about the City's Collection and Transmission System, Sanitary Sewer Overflow (SSO) structures, and the hydraulic model and its application to the design, rehabilitation, and operation of the Collection System. The learning station also highlighted the implementation of Paragraph 9 construction projects. Finally, the learning station discussed the benefits of the level of protection and reduction in SSO volume once improvement projects are completed. The station included the City's hydraulic modeler and engineer who oversee the Consent Decree design and construction projects.

Questions/comments posed at station:

- **What coordination is the County doing with the City on these County projects?**
  - Baltimore County coordinates with the City of Baltimore each time there are projects within the County and near the City/County boundary line that would potentially alter the amount and peak sewage flow released to the City. The City, in addition to monitoring all flows from the County, will evaluate and assess the impact of these projects on the downstream utilities and properties before agreeing to the construction of these projects.
- **There is a lot of development in Towson. Is the County searching out for capacity amendment for sewer flow?**
  - This question should be directed to the County for an accurate response.
- **I would like to understand the capacity and usage levels for the neighborhoods between Lake Avenue and Falls Road to Cold Spring Lane and Falls Road.**
  - The City is implementing various rehabilitation and hydraulic improvement projects throughout the City including the collection system near Lake Avenue and Falls Road. These projects, when put in place, are expected to provide the required level of protection stipulated in the Modified Consent Decree (MCD).
- **What is the status of [the] project on Wabash Avenue?**
  - The contractor has been issued the notice to proceed on Nov 12, 2019.
- **Can you let me know the status of [the] Back River Waste[water] Treatment Plant project?**
  - The Headworks project is progressing to meet the technical compliance date of 12/31/2020 and the final completion date of 10/31/2021. However, recently some of the installed large diameter buried steel pipes and differential settlement couplings did not pass the initial pipe pressure test as specified. The CMAR team and their subcontractors are working on an engineered fix/ replacement solution. The recovery schedule and impact analysis are still under development (i.e., no revised dates yet).
- **What is the status of construction?**



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- Based on the schedule, we have completed 67.71% of the project to date. Based on total cost allocated, we have completed 67.71% of the project to date.

### Learning Station 3. Collection System Operation and Maintenance

The primary focus of this learning station and its content was to inform the public about the Collection System, maintenance and inspection activities happening as a result of the DPW Office of Asset Management (OAM) programs and the DPW Utility Maintenance Division (UMD). These programs ensure that the Collection System is operated and maintained appropriately. In addition, the station highlighted some “do’s and don’ts” for customers to help the Collection System operate properly. The learning station included the Chief of OAM and the Division Chief of UMD.

Questions/comments posed at station:

- **What is average daily flow coming into the plant?**
  - The plant operates 24-hours a day, year-round and is designed to treat 180 million gallons per day (MGD) of wastewater from Baltimore City and Baltimore County.
- **How do we estimate flow in non-standard overflows?**
  - There are a variety of procedures used to estimate the flow. Some factors that may be considered include the flow rate, debris observed, infiltration and/or inflow into the system, and runoff.
- **How is [the] City capturing and improving wet weather SSOs?**
  - The City has installed flow monitors to monitor SSO’s at known SSO locations. These monitors capture the amount of flow that was released from the system.

### Learning Station 4. Compliance

The primary focus of this learning station and its content was to provide information on water quality monitoring, sanitary discharges of unknown origin (SDUOs), and illegal connection enforcement performed by DPW. The station walked citizens through water quality data available online and provided an overview of how these compliance actions are reported in the City’s Quarterly Calendar Report and the City’s Municipal Separate Storm Sewer System (MS4) Annual Report. The Chief and a Pollution Control Analyst of the DPW Office of Compliance and Laboratories were on-hand to answer questions and engage directly with citizens.

Questions/comments posed at station:

- **Is [the] County paying [any part] of SSO fines?**
  - No, County currently not paying any part of the SSO fines.
- **How is the City monitoring the SSOs?**



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- The City has installed flow monitors to monitor the SSO's at the known SSO locations.
- **What, if any, extent do you participate in new construction approvals?**
  - The City receives plans and permit applications for all new development proposed in the City. Based on the findings for impacts to the sewer infrastructure, the City may elect to include conditions and costs to address impacts to the sanitary sewer system.
- **Is there an available map showing the sewer system?**
  - The utility data is sensitive and is not available to the public. Specific requests can be made on a case-by-case basis to Department of Public Works but may not be able to be shared.

### Learning Station 5. Facilities

The primary focus of this learning station and its content was to provide information on the Back River Wastewater Treatment Plant (WWTP) Headworks Project. The Headworks project includes facilities for equalization storage, an influent pumping station, fine screening, and grit removal. The project will alleviate the flow backup currently caused in the Collection System by a hydraulic restriction originating at the Back River WWTP. The project is also projected to reduce SSO volume by a considerable amount. The learning station included the DPW Acting Chief for the Bureau of Water & Wastewater, the Facilities section lead, and the project manager for the Back River WWTP Headworks Project.

Questions/comments posed at station:

- **[What are the] plans to reduce wet weather overflows?**
  - The City has identified 15 additional Sanitary Sewer Overflow (SSO) Structures, following the initial listing of SSO Structures in the 2002 Consent Decree, and six (6) of those Structures have been eliminated. The City has also submitted corrective action plans for the newly discovered SSO Structures. Flow monitoring is ongoing and rainfall data continues to be collected from eleven (11) citywide.
- **How is [the] City capturing and improving wet weather SSOs?**
  - See previous answer.

### Learning Station 6. Regulatory Requirements

The primary focus of this learning station and its content was to provide an overview of the City's response to sanitary sewer overflows (SSOs) and building backups, new resources to assist residential customers, and steps customers can take to reduce SSOs and backups. The learning station included representatives from the DPW Office of Legal and Legislative Affairs and DPW's Consent Decree Program Management Team.

Questions/comments posed at station:



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- **What are the repair costs for laterals?**
  - The repair costs may vary based upon the type and extent of damage to the lateral. You may wish to call your home insurance provider to determine whether your policy covers lateral repair. You may also elect to hire a professional directly. If you decide to hire a contractor, you may wish to contact the Consumer Protection Division of the Maryland Attorney General's Office [www.marylandattorneygeneral.gov/Pages/CPD/default.aspx](http://www.marylandattorneygeneral.gov/Pages/CPD/default.aspx) or call 410-576-6550 between 9am and 3pm and ask if the contractor has a complaint history file. Keep copies of any receipts or invoices for your files
- **How do we determine SSO volume?**
  - The City has installed flow monitors to monitor the SSO's at the known SSO locations.
- **How do crews calculate active SSOs?**
  - The City has installed flow monitors to monitor the SSO's at the known SSO locations to capture the amount of sewage that was released from the system.
- **Does the City do anything for [the] private side of lateral?**
  - The City of Baltimore has partnered with HomeServe to offer residents with coverage plans that can protect them from the expense and inconvenience of exterior home plumbing repairs.
- **[What does] HomeServe offer and [what is the] coverage?**
  - All the details are available online at the website <https://www.homeserve.com/sc/partners/city-of-baltimore>
- **What happens when a home has backup and no clean out?**
  - If a problem occurs in the house connection and an exterior cleanout is not available, you must hire a licensed plumber to assess and resolve the problem.
- **Who has to replace the private lateral?**
  - The resident is responsible for the lateral on the private side.
- **Do we [the City] have a lateral program?**
  - See previous response.

### **Learning Station 7. Office of Boards and Commissions / Small Business Development Program**

This learning station and its content were organized to introduce business owners to the processes necessary to do work with the City. This learning station also included information about the DPW's Small Business Development Program (SBDP). The learning station informed citizens about the opportunities provided by Baltimore City for certified Minority, Woman and Disadvantaged Business Enterprises. This learning center explained how to join the program in order to learn how to compete for contract opportunities in Baltimore City.



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Questions/comments posed at station:

- N/A

### General Questions / Comments posed by stakeholders.

- **Is the PowerPoint [presentation] that was shown at the public meeting available online?**
  - The presentation that was shared at the meeting has been posted to the website. It can be found here <https://publicworks.baltimorecity.gov/2020-sanitary-consent-decree-public-meeting>
- **Is the City participating in the management/fiscal study that is just starting? Was the contract awarded yet and to whom?**
  - This is outside of the scope of the MCD, but the City will be participating in that review.
- **Does the City have the ability/power to restrict increases in flows from the County?**
  - No, the City cannot restrict the increase in flows from the County. The City and County are working together to reduce inflow into their systems with the hope that these measures will minimize the flow coming into the City.
- **What are the City's views regarding proposals to create a regional water and sewer authority?**
  - There are on-going conversations with regional partners about many aspects of inter-agency relationships, but no official position to communicate at this time.
- **How is the City integrating climate change into its plans and designs? If so, what changes are being made in "traditional" design parameters so the systems can cope with the increases from heavier peak and total flows resulting from rainfall events?**
  - The 20-year period that is being used to evaluate the system includes a number of large storm events like the ones that have occurred recently. We will assess this information to determine if any changes need to be made.
- **Should a portion of the fines be paid by the County?**
  - The County has an independent consent decree addressing wet weather sanitary sewer overflows with its own penalties and remedial projects.
- **Does the City believe that MDE and EPA critically evaluate the [Consent Decree] CD required reports, or do they seem to simply accept the analysis provided by [the] City?**
  - The City is not privy to the reviews conducted by MDE and EPA, and thus, is not in a position to comment on the quality of their evaluations.
- **What peak flow factors does the City use for designing conveyance facilities?**
  - The city is required to provide 10-year level of protection City wide and 5-year level of protection in sensitive areas under Modified Consent Decree.