

# SANITARY SEWER OVERFLOWS: REGIONAL CONSENT ORDER

**Presentation to Hampton Roads Planning  
District Commission**

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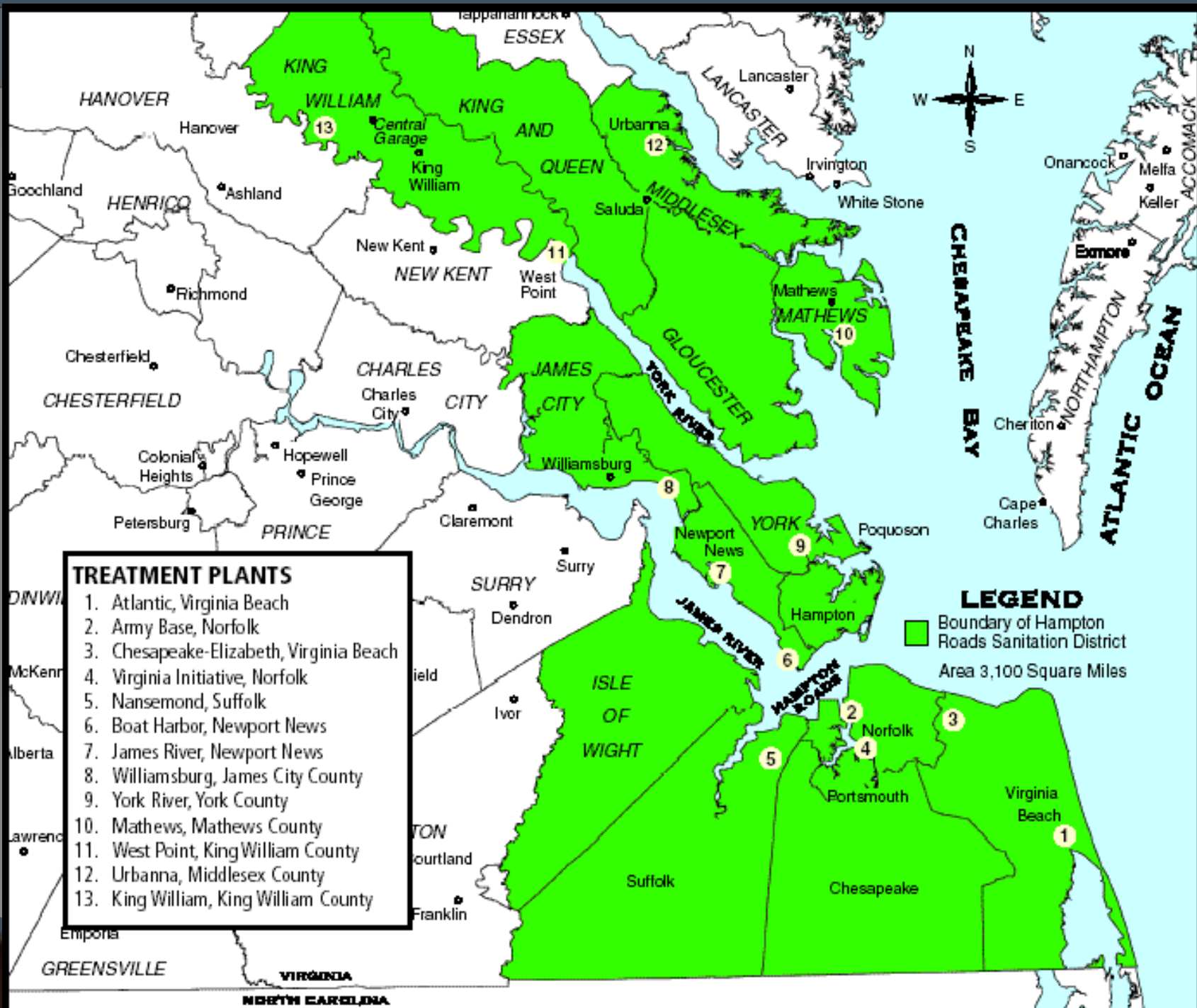
**January 17, 2007**

# WHAT ARE THE DRIVERS?

- Clean Water Act
- State Water Control Law
- EPA National Wet Weather Enforcement Policy

# REQUIREMENTS

- Non-permitted discharge of pollutants to either waters of the U.S. or waters of the state is prohibited
- “Minimize sanitary sewer overflows”
- Enter into Consent Orders, which will detail the requirements that must be met
- EPA – HRSD Consent Decree v. DEQ – Region (HRSD & Localities) Consent Order



# IMPLICATIONS TO HAMPTON ROADS

- Potential penalties under federal consent decree
- Differences in federal decree v. state order
- Increased capital costs for wastewater systems
- Increased operating and maintenance costs for wastewater systems
- Competition for consultants and contractors may lead to increased costs
- Impacts on wastewater rates

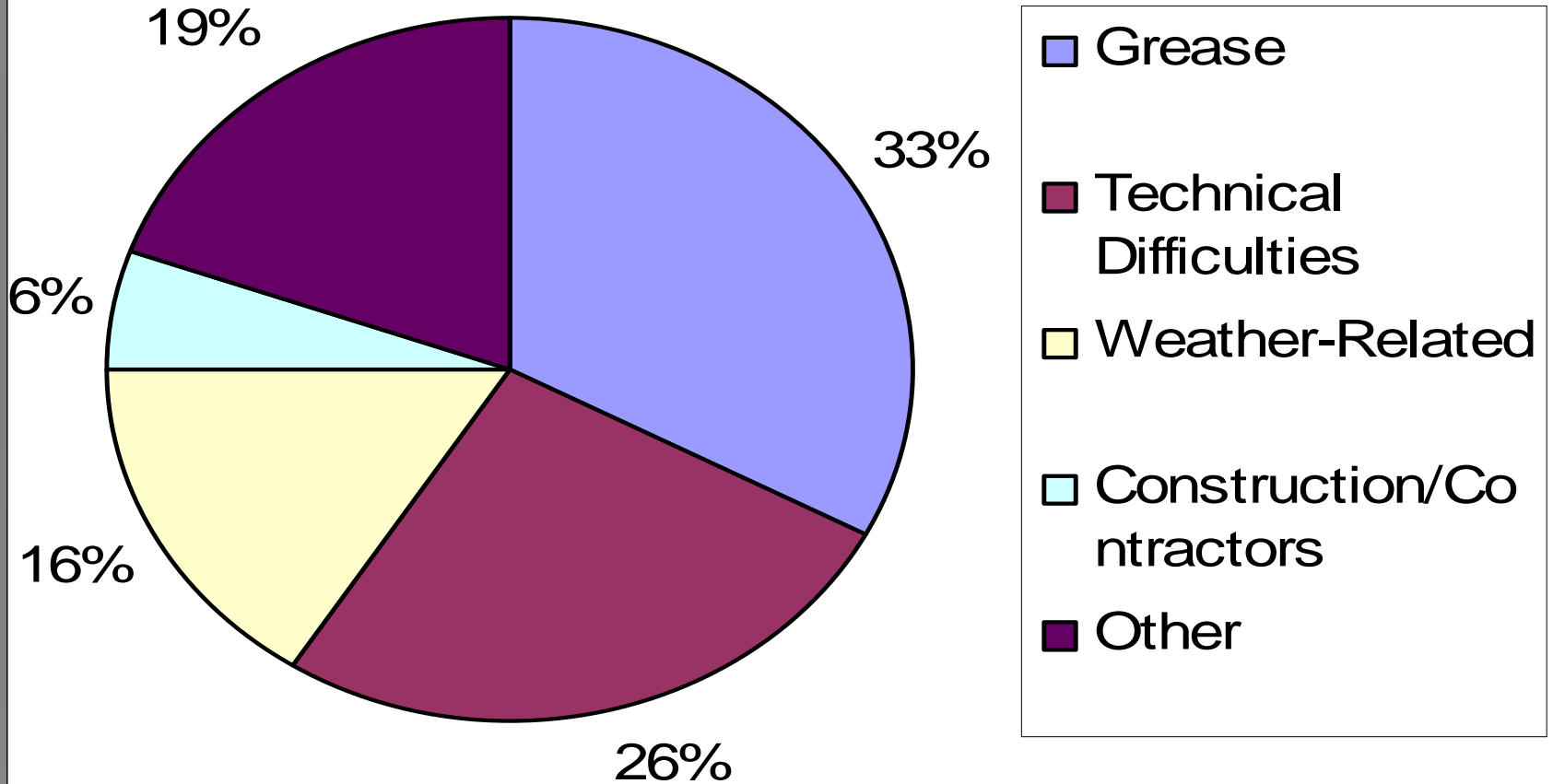
# REGIONAL RESPONSE

- HRPDC Regional Wastewater Program
  - Directors of Utilities Committee
  - Capacity Team
- Prior Accomplishments
  - SSO Reporting Protocol and Guidance - 2003
  - Hampton Roads Sanitary Sewer Overflow Reporting System – October 2004
  - HRPDC Endorsement of regional approach to addressing issue – December 2005
  - HR FOG Education Program
  - Safe Harbor Legislation – Endorsed by HRPDC on October 18, 2006

# REGIONAL RESPONSE (cont.)

- Ongoing Development of Regional Consent Order
  - State Order v. Federal Decree & State Order
- Ongoing Development of Technical Document for meeting the Order
  - Regional Design Guidelines
  - Technical Standards and Criteria
  - System Evaluation Procedures
  - Monitoring & Modeling Requirements
  - Reporting
- Development of a Memorandum of Agreement

# SSOs in Hampton Roads 1/1/05 - 12/1/05





# PARTICIPANTS ACTIVITIES AND ROLES

- Hampton Roads Planning District Commission
- Directors of Utilities Committee
- Hampton Roads Sanitation District
- Regional Capacity Team
- Regional Legal Team
- Department of Environmental Quality
- U.S. Environmental Protection Agency, including technical contractor - SAIC

# SCHEDULE OF MAJOR ACTIVITIES

- July 2005 – Process Begins
- Directors of Utilities –
  - Monthly (min.) meetings
  - Process Discussions
  - Regional Capacity Team Established
- July 2006 - Consent Order Format
- October 2006 – Regional Capacity Policy
- January 2007 – SSES Criteria

# SCHEDULE OF MAJOR ACTIVITIES (Cont.)

- Spring 2007 – Draft Hampton Roads Consent Order (Regional push for February 2007)
- September 2007 – SWCB Approval of Hampton Roads Consent Order
- November 2009 – Annual Report #1
- Flow Monitoring Installation
- December 2012 – Flow Analysis Completed
- December 2012 – SSES Completed
- December 2012 – Regional Wet Weather Management Plan

# OTHER MAJOR ACTIVITIES

Dates: Ongoing & To Be Determined

- Develop/Refine Integrated Wastewater System Model
- Revisit Regional Capacity Policy
- Develop Regional Prioritization Process
- “Find and Fix” Solutions
- Enhance SSO Reporting – HRSSORS
- Education & Training
- HR FOG

# COMMISSION ACTION

- Continue support of Regional Order with DEQ involving all localities and HRSD
- At appropriate time, in coming months:
  - Support the Regional Consent Order
  - Approve the Memorandum of Agreement