

W. Burrell Ellis, Jr.
Chief Executive Officer

Board of Commissioners

Elaine Boyer, District 1
Jeff Rader, District 2
Larry Johnson, District 3
Sharon Barnes Sutton, District 4
Lee May, District 5
Kathie Gannon, District 6
Connie Stokes, District 7



DEKALB COUNTY
NEWS RELEASE

PRESS CONTACTS:

Burke Brennan
Interim Chief Communications Officer
Phone: 404-371-6305
Cell: 678-201-7209

Angela Walton
Communications Manager
Phone: 404-371-3688
Cell: 404-964-0357

DECEMBER 13, 2010

FOR IMMEDIATE RELEASE

DeKalb County Reaches Agreement with EPA, EPD

DECATUR – DeKalb County has reached a Clean Water Act settlement in the form of a consent decree with the U.S. Environmental Protection Agency (EPA) and the Georgia Environmental Protection Division (EPD) that formalizes implementation of certain sanitary sewer system programs and improvements, many of which the County is already implementing. These programs and improvements, which focus on the collection and transmission components of the County’s sewers, will ensure long-term protection of public health and the environment, particularly with respect to the rivers and streams in the County. The programs and improvements will also ensure compliance with the federal Clean Water Act and the Georgia Water Quality Control Act, and will improve the viability of the County’s sewers for generations to come. The consent decree provides a road map for working cooperatively with the EPA and EPD.

Under the Clean Water Act and the Georgia Water Quality Control Act, the County is responsible for overflows that are commonly referred to as spills, from its sanitary sewer system that reach or are presumed to reach waters of the state. DeKalb County’s sewer system is one of the largest and oldest in the Southeast United States. With more than 2,600 miles of sewer pipes, a significant portion of which is more than fifty (50) years old, maintaining and operating the sewer system is an enormous task. As the County has grown and the system has aged, certain areas of the sewer system have experienced sewer spills, which are prohibited by federal and state law. The County has recognized that the leading cause of spills from its sewers is fats, oils and grease (“FOG”). As a result, the County began implementing a FOG Management Program following adoption of its FOG ordinance in March, 2007.

In addition, over the last several years, the County has commenced a number of sewer system capacity, management, operation, and maintenance (CMOM) programs including, a Strategic Spill Response Plan to assure expeditious and adequate response to spills, employee training, computer-based hydraulic modeling, flow and rainfall monitoring, sewer mapping, manhole condition assessment, lift station inspections and maintenance, and ongoing sewer system assessment and rehabilitation. The County has already begun to realize some of the benefits of these programs. For instance, the County’s sewer spills have decreased from a high of 256 reported spills in 2006 to 135 in 2009.

The EPA began an audit of the County’s wastewater system in 2006, and began collecting and evaluating data on the numbers of sewer overflows in the wastewater system. As follow-up to that audit, informed the County in January 2009 that because of the existence of sewer spills, and because the County operates one of the larger systems in the Southeast, that Region 4 EPA

believed that it should exercise federal oversight of the County's efforts to eliminate sewer overflows.

Following about fourteen months of negotiations with the EPA and EPD regarding the County's sewer system programs and improvements, the County agreed to enter into a consent decree that formalizes and builds on its ongoing CMOM programs, a major component of which is a continuing sewer assessment and rehabilitation program. The CEO and the Board of Commissioners were briefed periodically in Executive Session on the confidential negotiations with the EPA and EPD. The following is a list of the programs incorporated into the consent decree:

- **Contingency Emergency Response Plan (CERP).** The County's existing strategic spill response plan will be incorporated into a CERP.
- **FOG Program.** The County's existing FOG program will be reviewed for possible improvements.
- **Sewer Mapping Program.** The County's ongoing sewer mapping program will be documented with specific milestones for completion.
- **Maintenance Management Program.** The County's ongoing sewer maintenance management system will be expanded and documented to ensure long-term implementation.
- **Training Program.** The County's ongoing training program will be reviewed for possible improvements. This program ensures that employees are adequately trained to perform their job functions.
- **Flow and Rainfall Monitoring Program.** The County's ongoing flow and rainfall monitoring program will be reviewed for possible improvements.
- **Sewer System Hydraulic Modeling Program.** The County's ongoing sewer system hydraulic modeling program will be documented with specific milestones for completion.
- **Financial Analysis Program.** The County's ongoing financial analysis program will be reviewed for possible improvements.
- **Infrastructure Acquisition Program.** The County's ongoing infrastructure acquisition program will be reviewed for possible improvements.
- **Continuing Sewer Assessment and Rehabilitation Program (CSARP).** The County's ongoing sewer assessment and rehabilitation program will be broken up into two distinct programs: (1) Priority Areas Assessment and Rehabilitation Program (PASARP) and (2) Ongoing Sewer Assessment and Rehabilitation Program (OSARP). The County must complete the assessment and rehabilitation of priority areas identified under the PASARP within 8 ½ years following the date of entry of this consent decree with Federal Court.

These programs will be submitted to the EPA and EPD for review/comment/approval. In addition, under the consent decree, the County will:

- Complete a Supplement Environmental Project (SEP) consisting of a one-time clean up of selected stream segments along the South River, South Fork Peachtree Creek, and Snapfinger Creek. The County has committed to spend at least \$600,000 implementing the SEP.
- Pay a civil penalty to EPA and EPD in the amount of \$226,500 each based primarily on the number of spills that have occurred over the last several years.

- File periodic reports to the EPA and the EPD on progress and other developments during the 8 ½ year consent decree implementation period.

All of the programs contained in the consent decree are included in the County's Department of Watershed Management capital improvement program, which includes drinking water and sanitary sewer system capital improvement projects. While costly, they are needed to enable the County to continue to reduce spills, protect public health and the environment, comply with federal and state laws and regulations, and improve the sewer system for the long-term. Approximately one-third of the \$1.4 Billion proposed five-year Watershed Five-Year CIP is related to the types of wastewater collection system rehabilitation, repair and spill prevention projects called for in the Consent Decree.

DeKalb County remains committed to protecting human health and the environment, as well as providing its citizens with clean water while ensuring that its sanitary sewer system is properly operated and maintained. The County looks forward to working with the EPA and EPD in implementing this consent decree.

###