Comprehensive Collection System Remedial Measures

Planning Activities

- The Board has met the requirements for Collection System Evaluation Studies in all nine basins, as set forth in Section XV, Paragraphs 34, 35 and 36, of the Consent Decree.

Design Activities

- Design, bid and award activities for the following contracts were disrupted by Hurricane Katrina; work has been postponed per Board communication with the EPA:

  – Contract No. 3975, Ninth Ward Area Sewer Rehabilitation – Point Repair No. 2
  – Phase 1 Capacity Contract No. 3829, Force Main in Read Boulevard from Dwyer Road to Almonaster Avenue, Force Main in Old Gentilly Road from SPS McCoy to Read Boulevard, and Force Main in Michoud Boulevard from Willowbrook Drive to Chef Menteur Highway
  – Phase 1 Capacity Contract No. 3871, East Bank Pump Stations Physical Improvements No. 5
  – Phase 1, 2, 3, 4, and 5 Capacity projects

- Final design for the Mid-City, Lower Ninth Ward, and Carrollton Basins resumed during the first quarter of 2009.

- Preliminary design for the New Orleans East Basin resumed during the first quarter of 2009.

- Preliminary design for the South Shore Basin was initiated during the first quarter of 2009.

- The bid award for the following contracts, which were disrupted by Hurricane Katrina, were cancelled by the Board during the first quarter of 2009; this work will be included in future construction contracts:

  – Contract No. 3976, Ninth Ward Area Sewer Rehabilitation – Point Repair No. 3
  – Contract No. 3977, Ninth Ward Area Sewer Rehabilitation – Point Repair No. 4
  – Contract No. 3990, Carrollton Area Sewer Rehabilitation – Point Repair No. 1

- The Board has approved change orders that will allow for the recommencement of the following contracts which had not been initiated due to the occurrence of Hurricane Katrina:

  – Contract No. 3969, Mid-City Area Sewer Rehabilitation – Sewer Rehabilitation No. 11

- Contract No. 3970, Mid-City Area Sewer Rehabilitation – Sewer Rehabilitation No. 12
- Contract No. 3971, Mid-City Area Sewer Rehabilitation – Sewer Rehabilitation No. 13
- Contract No. 3974, Ninth Ward Area Sewer Rehabilitation – Point Repair No. 1

Construction Activities

- The original End Construction milestone for the Mid-City Basin was December 31, 2006. Following Hurricane Katrina, the Board invoked the force majeure provision of the Consent Decree and engaged with the EPA in re-negotiation of the remaining milestones, including the completion of the Mid-City Basin.

- Construction activities for the following contracts were disrupted by Hurricane Katrina; work has been postponed per Board communication with the EPA:

  - Contract No. 3960, Mid-City Area Sewer Rehabilitation – Sewer Rehabilitation No. 4
  - Contract No. 3967, Mid-City Area Sewer Rehabilitation – Sewer Rehabilitation No. 9

- Construction activities continue in the Mid-City Basin for Contract No. 3647, Manhole-to-Manhole Sanitary Sewer Main Replacement at Various Locations throughout Orleans Parish.

- The original End Construction milestone for the Ninth Ward Basin was December 31, 2007. Following Hurricane Katrina, the Board invoked the force majeure provision of the Consent Decree and engaged with the EPA in re-negotiation of the remaining milestones, including the completion of the Ninth Ward Basin.

- The original End Construction milestone for the Carrollton Basin was December 31, 2008. Following Hurricane Katrina, the Board invoked the force majeure provision of the Consent Decree and engaged with the EPA in re-negotiation of the remaining milestones, including the completion of the Carrollton Basin.

- Construction activities continue in the Carrollton Basin for Contract No. 3647, Manhole-to-Manhole Sanitary Sewer Main Replacement at Various Locations throughout Orleans Parish.

- The original Begin Construction milestone for the New Orleans East Basin was January 1, 2007. Following Hurricane Katrina, the Board invoked the force majeure provision of the Consent Decree and engaged with the EPA in re-negotiation of the remaining milestones, including initiation of construction in the New Orleans East Basin.

- Pursuant to the ongoing Modified Consent Decree negotiations, the Board achieved the "Resume Construction" milestone for the New Orleans East Basin by performing work under Contract No. 3708, New Orleans East Area Sewer Rehabilitation – Manhole Rehabilitation No. 1. The Resume Construction milestone was achieved ahead of schedule on February 23, 2009.

- The Board reached the 33% milestone completion for work in the New Orleans East Basin under Contract No. 3708, New Orleans East Area Sewer Rehabilitation – Manhole Rehabilitation No. 1, ahead of schedule on March 27, 2009.

- The original Begin Construction milestone for the South Shore Basin was January 1, 2008. Following Hurricane Katrina, the Board invoked the force majeure provision of the Consent Decree and engaged with the EPA in re-negotiation of the remaining milestones, including initiation of construction in the South Shore Basin.

- Construction activities for Phase 1 Capacity Contract No. 3870, East Bank Pump Stations Physical Improvements No. 6, was disrupted by Hurricane Katrina; work has been postponed per Board communication with the EPA.

Supplemental Environmental Project

- The Consent Decree requirements for completion of the Supplemental Environmental Project (SEP) were completed during the second quarter of 2003.

- The Consent Decree requirements for completion of the Supplemental Environmental Project (SEP) were completed during the second quarter of 2003. The Department of Justice "confirmed" the SEP completion report in a March 11, 2008 letter from Arnold Rosenthal to Henry Diamond, which stated: "[t]he Consent Decree does not provide that the United States approve your completion report for the SEP. That said, the United States finds your report satisfactory and, as we've said before, is very pleased that the project was a success."

Total Retained Cross Connections	**112**
• **Retained Cross Connections inspected and secure**	**89**
• **Retained Cross Connections permanently sealed prior to the first quarter of 2009**	**18**
• **Retained Cross Connections permanently sealed in the first quarter of 2009**	**0**
• **Connections - Drain-to-drain, thus not requiring inspection**	**3**
• **Connections - Sewer-to-sewer, thus not requiring inspection**	**2**
• **Retained Cross connections not secured or inspected**	**0**
Total Retained Cross Connections	**112**

Cross Connections Discovered	
• Cross Connections discovered	0
• Cross Connections sealed	0
Cross Connections Opened	**0**

Operation and Maintenance of the Fluidized Bed Incinerator

- The supplemental report on the operation and maintenance of the Fluidized Bed Incinerator (Appendix D, tab 5) addresses the items specific to the Consent Decree, Paragraph 61 c:

    1. Periodic Inspection of Monitoring Devices
    2. Periodic Calibration of Monitoring Devices
    3. Inspection of the Wet Scrubber
    4. Verification of Operation in Accordance with the Approved O&M Plan
    5. Continuous Emissions Monitoring Equipment (CEM) On-line Reliability

The FBI was severely damaged during the flooding and devastating winds associated with Hurricane Katrina. The FBI repair work began on September 24, 2007 and returned to service on August 8, 2008, well ahead of the established December 15, 2008 deadline. An initial 180-day start up period is allowed under our existing air permit #2140-00089-02 general condition VIII and IX.

A successful Emission Compliance Test (FBI stack test) was completed on January 27, 2009 satisfying all conditions of the Louisiana Department of Environmental Quality's air permit #2140-00089-02. The test was conducted using EPA methods 1-5, 6C, 7E, 10, 25A & 29.

Consent Decree Accomplishments

During the First Quarter, 2009 the following actions occurred under Consent Decree – Civil Action No. 93-3212. All Consent Decree accomplishments are listed in Appendix E of this report.

Paragraph 25

Request Modification of PM Plan

District:	Citywide
Scheduled Date:	03/01/09
Actual Date:	02/27/09

Paragraph 44

Begin Construction: New Orleans East

Contract 3708	New Orleans East Rehabilitation-Manhole Rehabilitation #1
District:	E
Scheduled Date:	04/01/09
Actual Date:	02/23/09

Paragraph 45

Set 33% / 66% Milestones: Contract 3708

Contract 3708	New Orleans East Rehabilitation-Manhole Rehabilitation #1
District:	E
Scheduled Date:	12/19/08
Actual Date:	01/09/09

33% Completion: Contract 3708

Contract 3647	New Orleans East Rehabilitation-Manhole Rehabilitation #1
District:	E
Scheduled Date:	05/30/09
Actual Date:	03/27/09

Consent Decree Accomplishments

Paragraph 61

4th Quarter Consent Decree Report

District:	Citywide
Scheduled Date:	02/01/09
Actual Date:	01/29/09

Paragraph 62

2009 Annual Consent Decree Report

District:	Citywide
Scheduled Date:	03/01/09
Actual Date:	02/27/09

Paragraph 65

Milestone Completion Report: Begin Construction- New Orleans East

Contract 3708	New Orleans East Rehabilitation-Manhole Rehabilitation #1
District:	E
Scheduled Date:	03/16/09
Actual Date:	03/06/09

Milestone Completion Report: 33% Completion Contract 3708

Contract 3708	New Orleans East Rehabilitation-Manhole Rehabilitation #1
District:	E
Scheduled Date:	04/17/09
Actual Date:	03/27/09