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

- Contract No. 3975, Lower Ninth Ward Area Sewer Rehabilitation – Point Repair No. 2, was awarded to Wallace C. Drennan, Inc. (Drennan) on July 20, 2005. The Board did not issue a Notice to Proceed due to the occurrence of Hurricane Katrina. The Board and Drennan are negotiating a change order for cost increases since the original bid. A successful negotiation will allow the Board to continue work without the delay of rebidding the project.

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

  – 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 continued during the second quarter of 2009.

- Final design for the New Orleans East Basin was initiated during the second quarter of 2009.

- Preliminary design for the South Shore Basin continued during the second quarter of 2009.

- Contract No. 3982, Lower Ninth Ward Area Sewer Rehabilitation – Sewer Rehabilitation No. 1, advertised for bids starting on May 20, 2009. Bids were received and opened on June 19, 2009; bid evaluation and award procedures are underway.

- Contract No. 3983, Lower Ninth Ward Area Sewer Rehabilitation – Sewer Rehabilitation No. 2, advertised for bids starting on May 20, 2009. Bids were received and opened on June 19, 2009; bid evaluation and award procedures are underway.

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 pursuant to the Force Majeure extension:

  – Contract No. 3960, Mid-City Area Sewer Rehabilitation – Sewer Rehabilitation No. 4
  – Contract No. 3967, Mid-City Area Sewer Rehabilitation – Sewer Rehabilitation No. 9
  – Contract No. 3870, Phase 1 Capacity – East Bank Pump Stations Physical Improvements No. 6

- The Board reached the 33% milestone completion for work in the Mid-City Basin under Contract No. 3969, Mid-City Area Sewer Rehabilitation – Sewer Rehabilitation No. 11, ahead of schedule on June 12, 2009.

- The Board reached the 33% milestone completion for work in the Mid-City Basin under Contract No. 3970, Mid-City Area Sewer Rehabilitation – Sewer Rehabilitation No. 12, ahead of schedule on June 12, 2009.

- The Board reached the 33% milestone completion for work in the Mid-City Basin under Contract No. 3971, Mid-City Area Sewer Rehabilitation – Sewer Rehabilitation No. 13, ahead of schedule on June 5, 2009.

- The original End Construction milestone for the Lower 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 Lower Ninth Ward Basin.

- The Board reached the 33% milestone completion for work in the Lower Ninth Ward Basin under Contract No. 3974, Lower Ninth Ward Area Sewer Rehabilitation – Point Repair No. 1, ahead of schedule on May 29, 2009.

- The Board reached the 66% milestone completion for work in the Lower Ninth Ward Basin under Contract No. 3974, Lower Ninth Ward Area Sewer Rehabilitation – Point Repair No. 1, ahead of schedule on June 26, 2009.

- 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.

- 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.

- The Board reached the 66% 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 April 3, 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.

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 second quarter of 2009**	**18**
• **Retained Cross Connections permanently sealed in the second 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.

DEQ has not finished evaluating these results, but the Board's consultants are engaged with DEQ on this issue and have reported that only slight revisions to the Title V permit might be made. Nevertheless, because the FBI has now been operating for a "full quarter following approval by the State," as specified in Paragraph 56(c) of the draft Modified Consent Decree, the Board has included FBI operation and maintenance reports in Appendix D of this report.

The Board submitted the Interim Fluidized Bed Incinerator Operation & Maintenance Plan on July 31, 2009.

Consent Decree Accomplishments

During the Second 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 45

66% Completion: Contract 3708
Contract 3708 New Orleans East Rehabilitation-Manhole Rehabilitation #1
District: E
Scheduled Date: 07/18/09
Actual Date: 04/03/09

Set 33% / 66% Milestones: Contract 3974 (Revised for Restart, Post Katrina)
Contract 3974 Lower Ninth Ward Area Sewer Rehabilitation-Point Repair #1
District: D & E
Scheduled Date: 04/17/09
Actual Date: 04/14/09

33% Completion: Contract 3974
Contract 3974 Lower Ninth Ward Area Sewer Rehabilitation-Point Repair #1
District: D & E
Scheduled Date: 11/02/09
Actual Date: 05/29/09

33% Completion: Contract 3971
Contract 3971 Mid City Area Sewer Rehabilitation-Sewer Rehabilitation #13
District: A, B, C, D
Scheduled Date: 11/02/09
Actual Date: 06/05/09

Consent Decree Accomplishments

33% Completion: Contract 3970
Contract 3970 Mid City Area Sewer Rehabilitation-Sewer Rehabilitation #12
District: A, B, C, D
Scheduled Date: 11/12/09
Actual Date: 06/12/09

33% Completion: Contract 3969
Contract 3969 Mid City Area Sewer Rehabilitation-Sewer Rehabilitation #11
District: A, B, C, D
Scheduled Date: 11/02/09
Actual Date: 06/12/09

66% Completion: Contract 3974
Contract 3974 Lower Ninth Ward Area Sewer Rehabilitation-Point Repair #1
District: D & E
Scheduled Date: 12/22/09
Actual Date: 06/26/09

Paragraph 61

1st Quarter Consent Decree Report
District: Citywide
Scheduled Date: 05/01/09
Actual Date: 04/29/09

Paragraph 65

Milestone Completion Report: 66% Completion Contract 3708
Contract 3708 New Orleans East Rehabilitation-Manhole Rehabilitation #1
District: E
Scheduled Date: 04/24/09
Actual Date: 04/15/09

Consent Decree Accomplishments

Milestone Completion Report: 33% Completion Contract 3974
Contract 3974 Lower Ninth Ward Area Sewer Rehabilitation-Point Repair #1
District: D & E
Scheduled Date: 06/19/09
Actual Date: 06/03/09

Milestone Completion Report: 33% Completion Contract 3971
Contract 3971 Mid City Area Sewer Rehabilitation-Sewer Rehabilitation #13
District: A, B, C, D
Scheduled Date: 06/26/09
Actual Date: 06/12/09

Milestone Completion Report: 33% Completion Contract 3970
Contract 3970 Mid City Area Sewer Rehabilitation-Sewer Rehabilitation #12
District: A, B, C, D
Scheduled Date: 07/03/09
Actual Date: 06/18/09

Milestone Completion Report: 33% Completion Contract 3969
Contract 3969 Mid City Area Sewer Rehabilitation-Sewer Rehabilitation #11
District: A, B, C, D
Scheduled Date: 07/03/09
Actual Date: 06/18/09

Milestone Completion Report: 66% Completion Contract 3974
Contract 3974 Lower Ninth Ward Area Sewer Rehabilitation-Point Repair #1
District: D & E
Scheduled Date: 07/17/09
Actual Date: 06/30/09