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Sanitary Sewer System Capacity Assurance Program (CAP)


PROGRESS UPDATE TO COUNCIL
Lexington-Fayette Urban County Government
Division of Water Quality

August 14, 2012

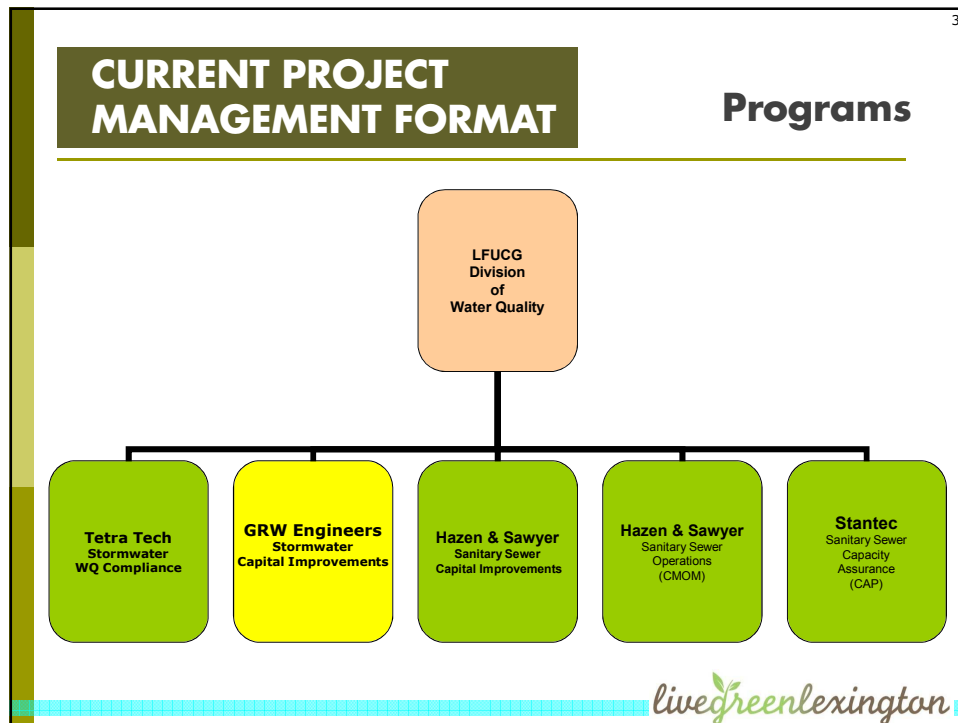
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AGENDA

- **CAP Overview**
- **EPA Deadlines**
- **Council Decisions**
- **CAP Task Force**
- **Progress Update**
- **Schedule**
- **Questions**



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CAP OVERVIEW


General
Concept

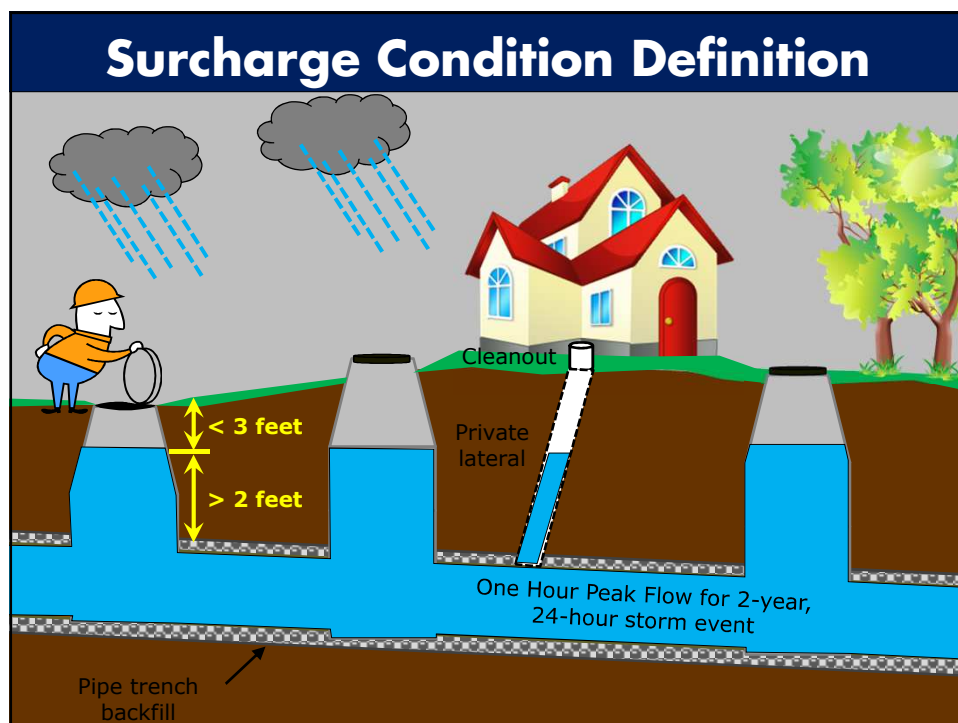
- ❑ The Consent Decree requires that LFUCG must certify there is **adequate capacity** in sanitary sewer system before authorizing any new connections (flow increases).
- ❑ Certification necessary to verify that *new flow* plus *existing flow* and previously *approved flow* will not result in a surcharge condition, SSO, or unpermitted bypass for the 2-year, 24-hour design storm.
- ❑ If adequate capacity cannot be certified, then a **banked credits system** may be used in lieu of certification.
- ❑ Credits are earned by improvements to LFUCG's sanitary sewer system. Earned credits (expressed in gallons per day of flow removed) can be used to offset flow from new connections.

CAP OVERVIEW

Adequate Capacity

- ▣ Adequate capacity must be certified in the collection system (gravity sewers), transmission system (pump stations and force mains), and treatment systems (West Hickman and Town Branch plants).
- ▣ **Surcharge condition** is defined in Consent Decree as when water level in manhole rises 24 inches above top of pipe or within 3 feet of the top of the manhole lid.





CAP OVERVIEW

Banked Credit System

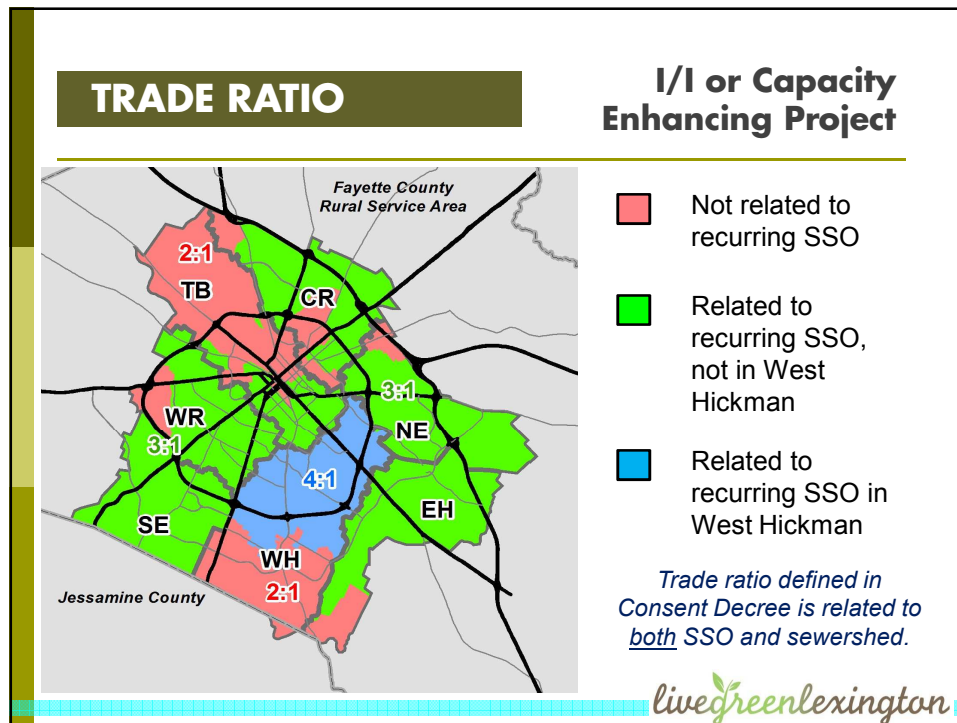
- Flow removal needed to offset new flow is made at the trade ratio defined in the CD.
 - **Trade ratios: (Removed Flow : Added Flow)**
 - Off-line Storage and/or Removal Connections
 - 1.5 to 1 (West Hickman)
 - 1 to 1 (Other Sewersheds)
 - I/I or Capacity Enhancing Projects *related to a Recurring Sanitary Sewer Overflow (SSO)*
 - 4 to 1 (West Hickman)
 - 3 to 1 (Other Sewersheds)
 - I/I or Capacity Enhancing Projects *not related to a Recurring SSO*
 - 2 to 1 (All Sewersheds)

TRADE RATIO

Storage/Removal of Connections

- Not in West Hickman
- West Hickman

Trade ratio is defined in the Consent Decree for each sewer shed.



CAP OVERVIEW

EPA Deadline

- The CAP is mandated in the Consent Decree
- CAP Plan must be submitted to EPA by January 3, 2013
- No later than 30 days after approval, LFUCG shall commence implementation of the CAP.

January						
			1	2	3	
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31



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COUNCIL DECISIONS	Two types
<u>Plan Related Decisions</u> (EPA Approval Required)	<u>Implementation Decisions</u> (No EPA Approval Required)
<ul style="list-style-type: none">□ How will capacity credits be banked?□ How will LFUCG deal with sewer tap permits issued but not used prior to 2013?□ What is LFUCG's schedule for CAP implementation?□?	<ul style="list-style-type: none">□ Will capacity/credit allocations have an expiration date?□ Will there be a fee for capacity determinations or credits?□ How early will developer be able to request capacity?□?


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CAP TASK FORCE	Voting Members
<ul style="list-style-type: none">□ Chair – Tom Blues (2nd District)□ Task Force<ul style="list-style-type: none">■ Linda Gorton (Vice Mayor)■ Chuck Ellinger (At-large)■ Steve Kay (At-large)■ Peggy Henson (11th District)■ Kevin Stinnett (6th District)■ Derek Paulsen (Commissioner of Planning)	

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CAP STAKEHOLDERS	To provide insight/feedback
<ul style="list-style-type: none">□ LFUCG□ CAP Consultant Team□ Stakeholders<ul style="list-style-type: none">■ Fayette County Public Schools■ University of Kentucky■ Home Builders Association■ Commerce Lexington■ Fayette Alliance■ Fayette County Neighborhood Council■ General Public	
	

CAP TASK FORCE	Objective
<ul style="list-style-type: none">□ Task Force established to...<ul style="list-style-type: none">■ Provide perspective and input during CAP development■ Identify opportunities for the overall improvement of LFUCG's current and proposed sanitary sewer extension policies and tap-on permit issuance process	
<p><i>Establishment of the Task Force is voluntary and not mandated by EPA.</i></p>	
	

CAP TASK FORCE	Deliverable
<ul style="list-style-type: none">□ A final report detailing Task Force recommendations with respect to policies for:<ul style="list-style-type: none">■ Approving sanitary sewer extensions■ Tap-on permit issuance and processes■ Allocation of hydraulic capacity■ Allocation of capacity credits■ The return, purchase or trading of allocated capacity or capacity credits■ All related recommendations of the Task Force	
<p><i>(Report will be prepared by CAP Consultant.)</i></p>	
	

CAP TASK FORCE	Meetings
<ul style="list-style-type: none">□ Location: Council Chambers	
<ul style="list-style-type: none">□ Time: 9 am – 11 am	
<ul style="list-style-type: none">□ Future Dates:	
<ul style="list-style-type: none">■ May 3rd	<ul style="list-style-type: none">■ August 7th
<ul style="list-style-type: none">■ May 24th	<ul style="list-style-type: none">■ August 9th
<ul style="list-style-type: none">■ June 14th	<ul style="list-style-type: none">■ August 23rd
<ul style="list-style-type: none">■ June 28th	<ul style="list-style-type: none">■ Sept. 6th
<ul style="list-style-type: none">■ July 12th	<ul style="list-style-type: none">■ Sept. 20th
	

CAP PROGRESS

Work Completed

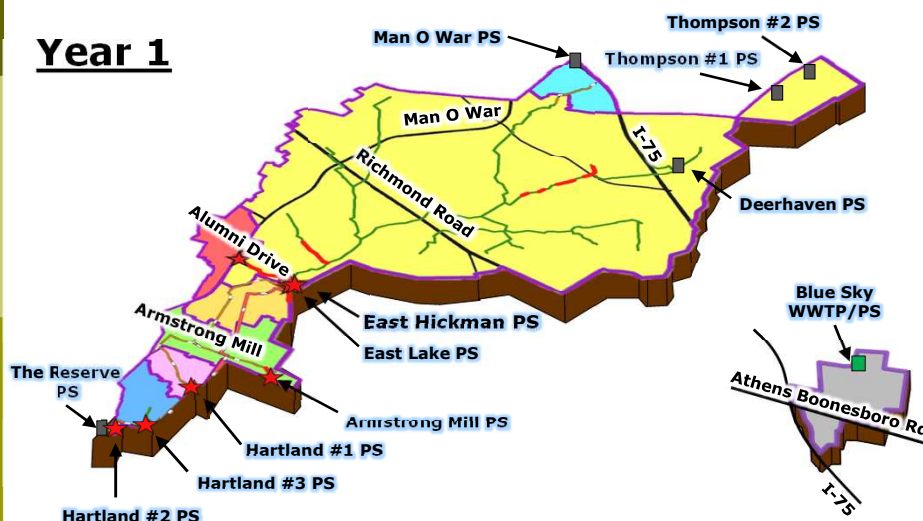
- To date, Task Force has adopted recommendations on the following CAP decision items:
 - **Banking Unit**
Geographic unit where credits will be banked.
 - **Credit Harvest Date**
Date that LFUCG will negotiate with EPA to begin counting earned credits (flow removal) from sewer improvements.
 - **Use of Record**
Sewage usage (gallons per day) assigned to property from existing land use.
 - **Essential Services**
Exemption available to public schools, health care facilities, and public safety facilities.
 - **3rd Party Trading**

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CAP BANK MAP

East Hickman

Year 1




CAP PROGRESS

Work
Remaining

- Upcoming Task Force CAP decision items:
 - Developer Earned Credit Program *
 - Credit Allocation Priority *
 - Grandfathering *
 - CAP Entry Point into Land Development Process *
 - Review Time for Capacity Determinations
 - Review Fees and/or Deposits
 - Schedule for Full Implementation of CAP

* On the Agenda for August 7th Task Force Meeting.



SCHEDULE


Task Force

Event	Schedule
Last CAP Task Force Meeting	Sept. 20, 2012
Present Draft CAP Plan to Council	October, November, & December 2012
Present Draft CAP Plan to Planning Commission	November 29, 2012
Submit CAP Plan to EPA	January 3, 2013
Earliest date EPA could require CAP Implementation to commence	February 3, 2013
Full CAP Implementation	TBD by Council



QUESTIONS

Ask them.



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