



# **CONSENT DECREE AND REMEDIAL MEASURES PLAN UPDATE**

*Environmental Quality & Public Works Committee*

*December 3, 2024*

*Charles H. Martin, P.E.*

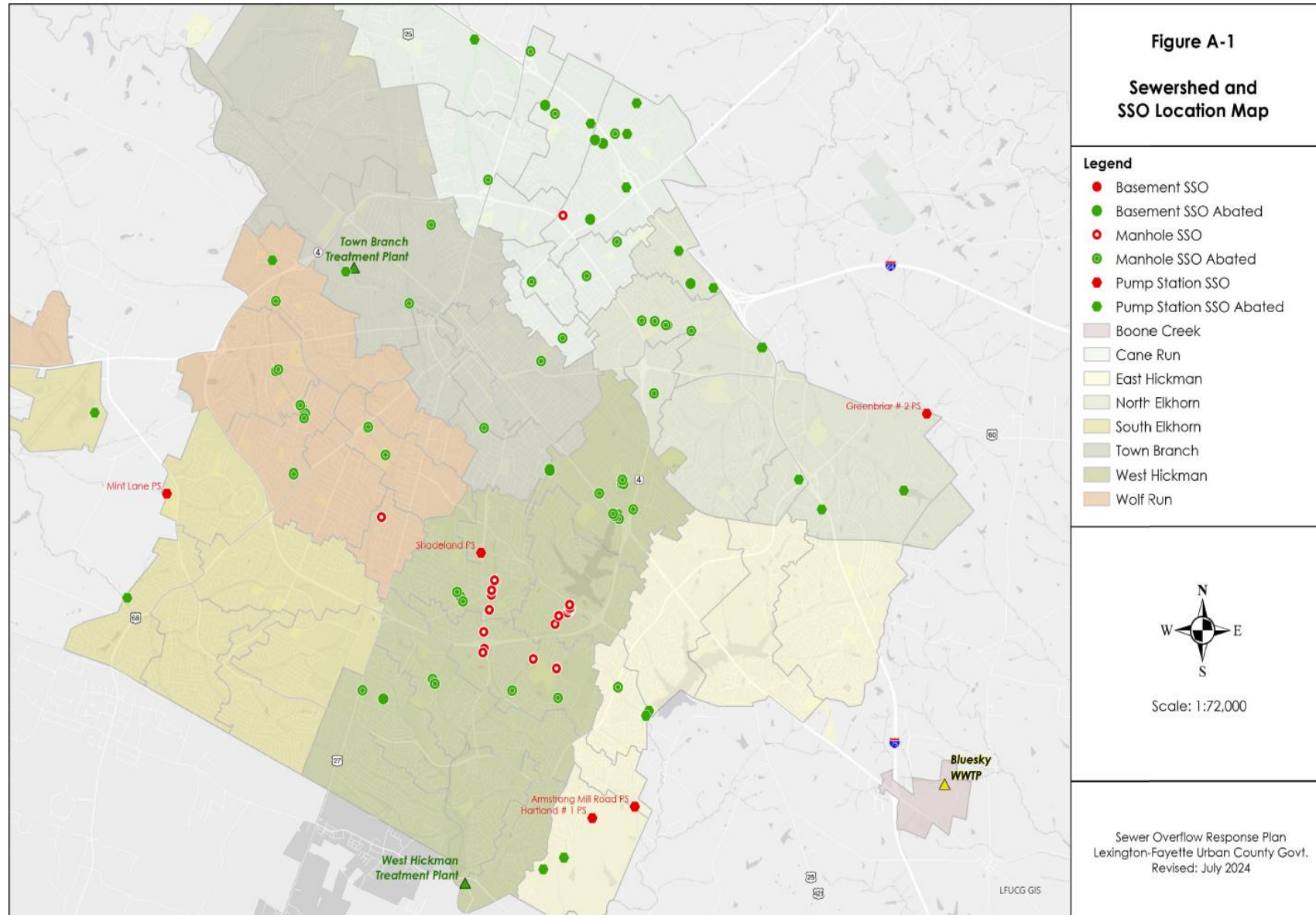




## **AGENDA**

- Overall Consent Decree Status
- Remaining Capital Obligation - Overview
- Active and Upcoming Projects (12-month view)
- Questions







## **OVERALL CONSENT DECREE STATUS**

- All stormwater and supplemental project obligations are complete.
- Capacity, Management, Operations and Maintenance (CMOM) obligations are ongoing / last forever.
- Sanitary Sewer Remedial Measures Plan (RMP) projects continue pending final approval of a revised schedule.





## **SCHEDULE MODIFICATION STATUS**

### **Modification Approved - September 2024**

- Extended the full compliance deadline to 12/31/30.
- Reduced Quarterly Report obligation to Semi – Annual.
- Reporting modification not subject to approval by the courts – electronic submissions (no more hardcopies!)



### **Next Steps**

Submit project specific schedule for review and approval.





## Remaining Capital Obligation Projects

	<b>TOTAL PROJECTS**</b>	<b>COMPLETE</b>	<b>ACTIVE</b>	<b>PENDING</b>
Collection & Conveyance*	80	53	16	11
Treatment Plants	37	23	8	6
<b>TOTAL</b>	<b>117</b>	<b>76</b>	<b>24</b>	<b>17</b>

\* Includes Blenheim Way project not yet on approved list.

\*\* Otherwise as totaled by 2Q2024 report.





## RMP Projects and Cleaner Water Ky Grant Funds

GRANT	PROJECT	BASE \$ AMOUNT	10% ADDED?	CURRENT FUNDING AMOUNT
21CWS027	WWTP UV Disinfection Retrofit	\$11,868,095	\$1,186,810	\$13,054,905
22CWS171	WWTP UV Disinfection Retrofit	\$1,165,178	\$116,518	\$1,281,696
22CWS007	Furlong SW	\$906,645		\$906,645
22CWS008	Town Branch WWTP Dewatering	\$3,725,000		\$3,725,000
22CWS009	Veterans Park SW	\$1,345,000		\$1,345,000
22CWS010	Brownfields	\$2,995,383		\$2,995,383
22CWS011	Armstrong Mill	\$9,497,206		\$9,497,206
21CWS143	Blenheim Way Sanitary Trunk Sewer	\$2,220,000		\$2,220,000
21CWS142	East Hickman PS Phase 2	\$2,780,000		\$2,780,000

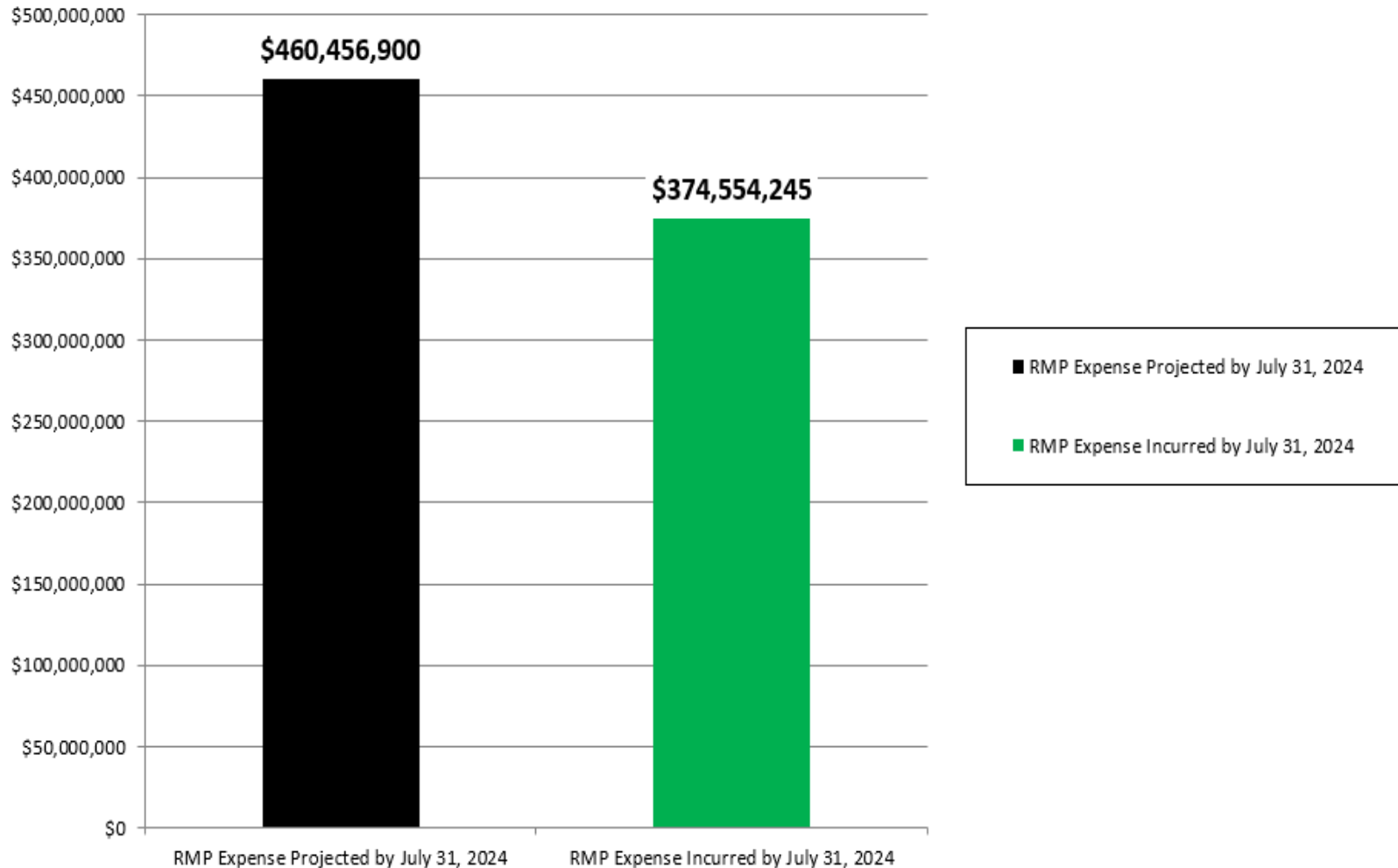
**TOTAL**

**\$37,805,834**





**Consent Decree Sanitary Capital Expense Comparison to Date  
Contractual Projection vs. Contractual Actual  
July 31, 2024**



Projected Verses  
Actual Expense  
August 2024



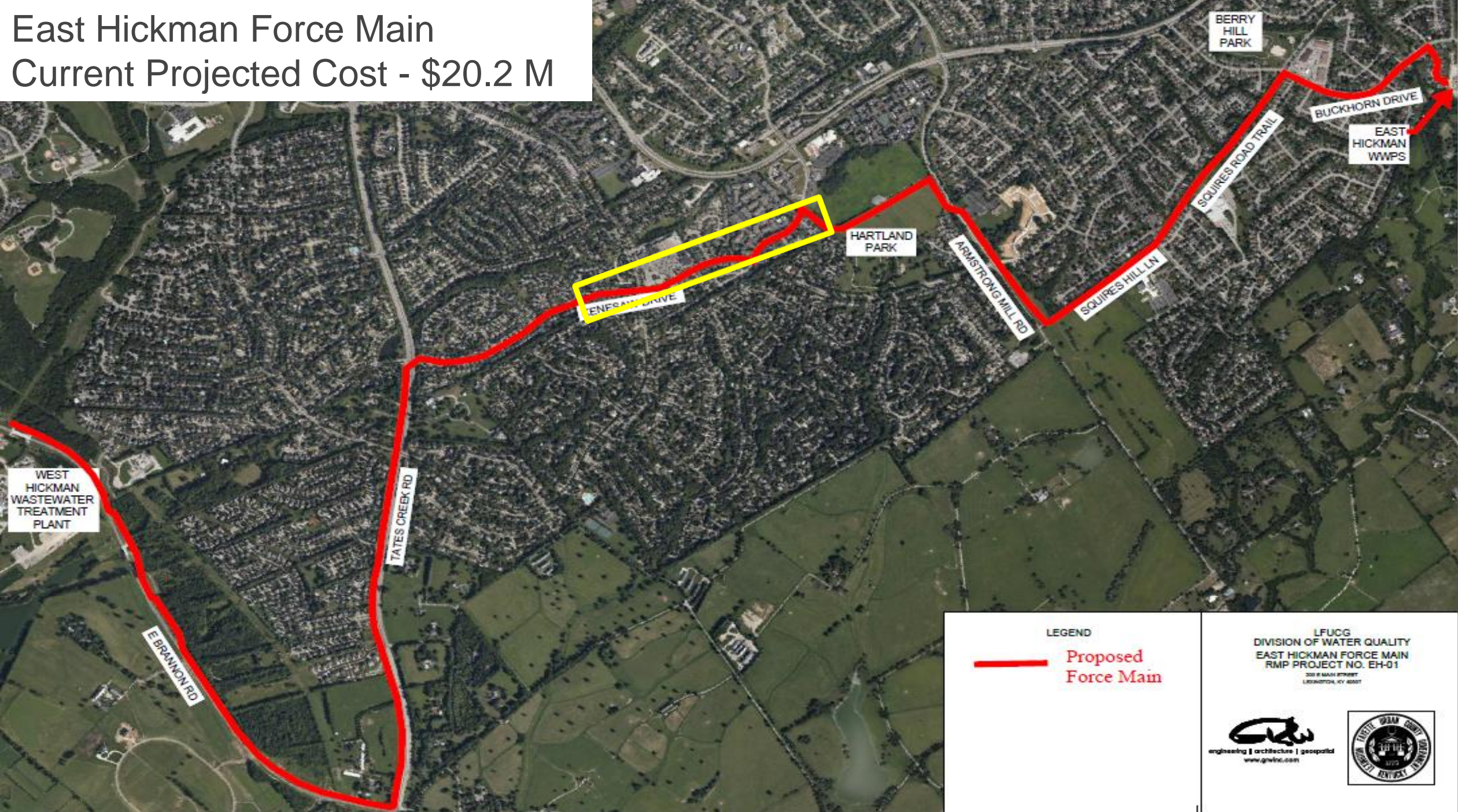





# Active Projects



# East Hickman Force Main

Current Projected Cost - \$20.2 M



<p>LEGEND</p> <p> Proposed Force Main</p>	<p>LFUGG DIVISION OF WATER QUALITY EAST HICKMAN FORCE MAIN RMP PROJECT NO. EH-01 200 W MAIN STREET LEXINGTON, KY 40507</p> <p> engineering   architecture   geospatial www.gwa.com</p> <p></p>
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Delong Road Pump Station  
Active – Completion mid 2025  
Current Projection - \$9.5 M  
(grant funded)





### Wolf Run Trunk F

Active – completion in 2024  
Current Projection - \$6.3 M





# Pending Projects





**Legend**  
 RMP Project Pipe  
 — CR 14 - New Circle Trunk A  
 — CR 15 - New Circle Trunk B

**Begins in early 2025**  
**Bid price - \$12 M**



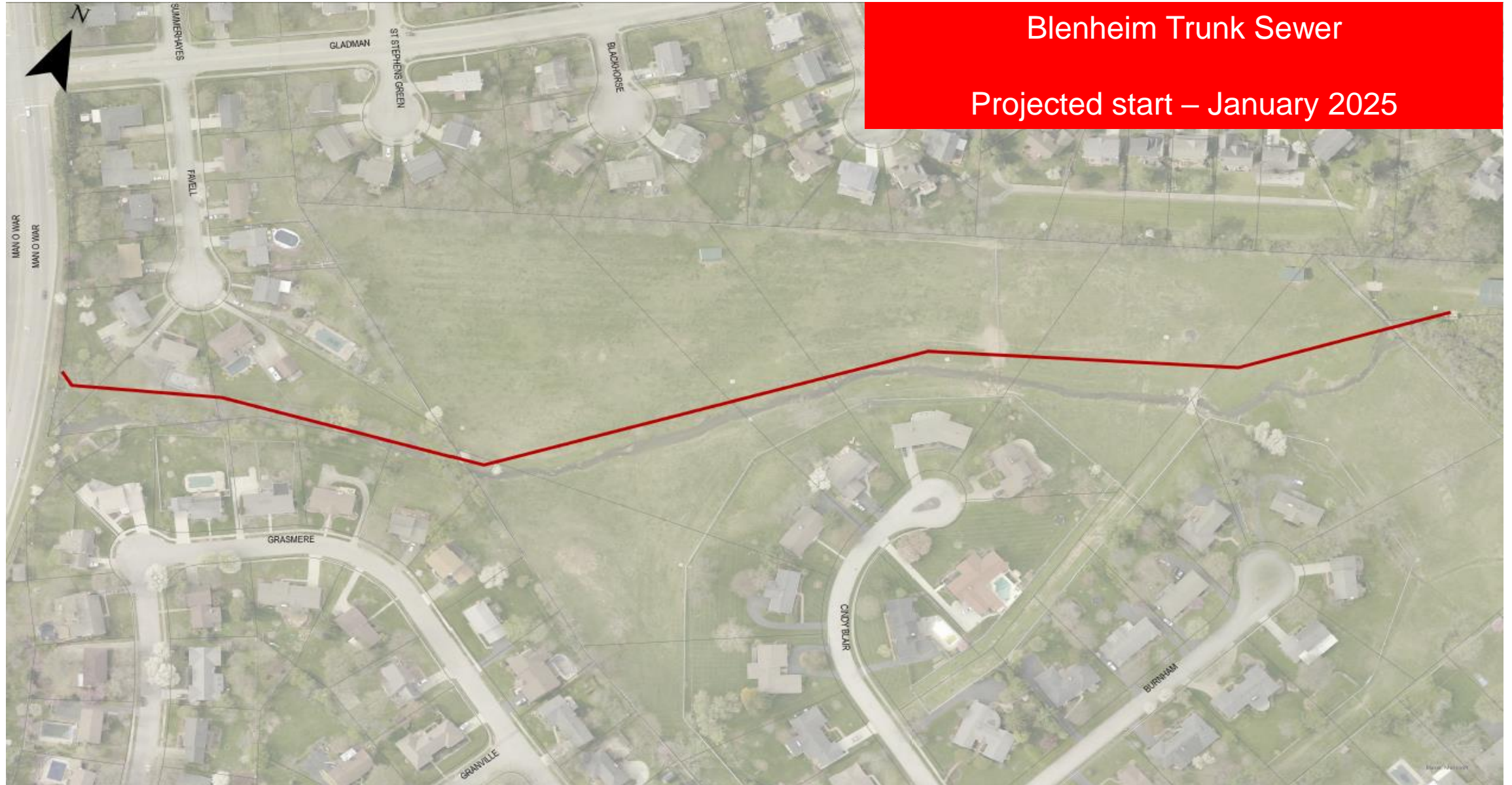
**Hazen**

Print Date: 9/12/2023 1:57 PM  
 Printed By: J. Steimle  
 Review By: K. Zehnder

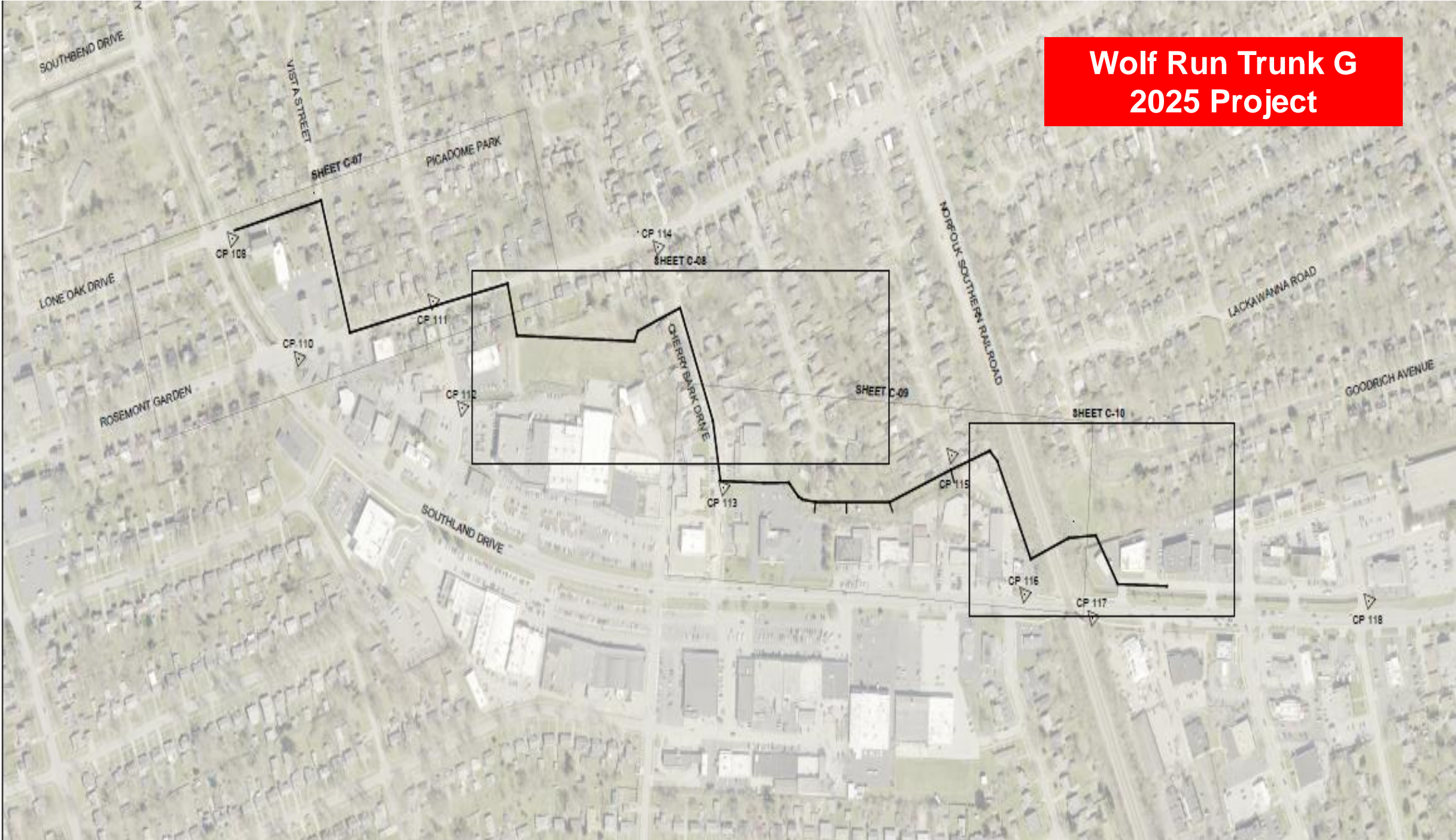
**New Circle Trunk A & B**  
**RMP Project Nos. CR-14/15**

**LFUCG**  
**Division of Water Quality**

**Area Map**



# Wolf Run Trunk G 2025 Project

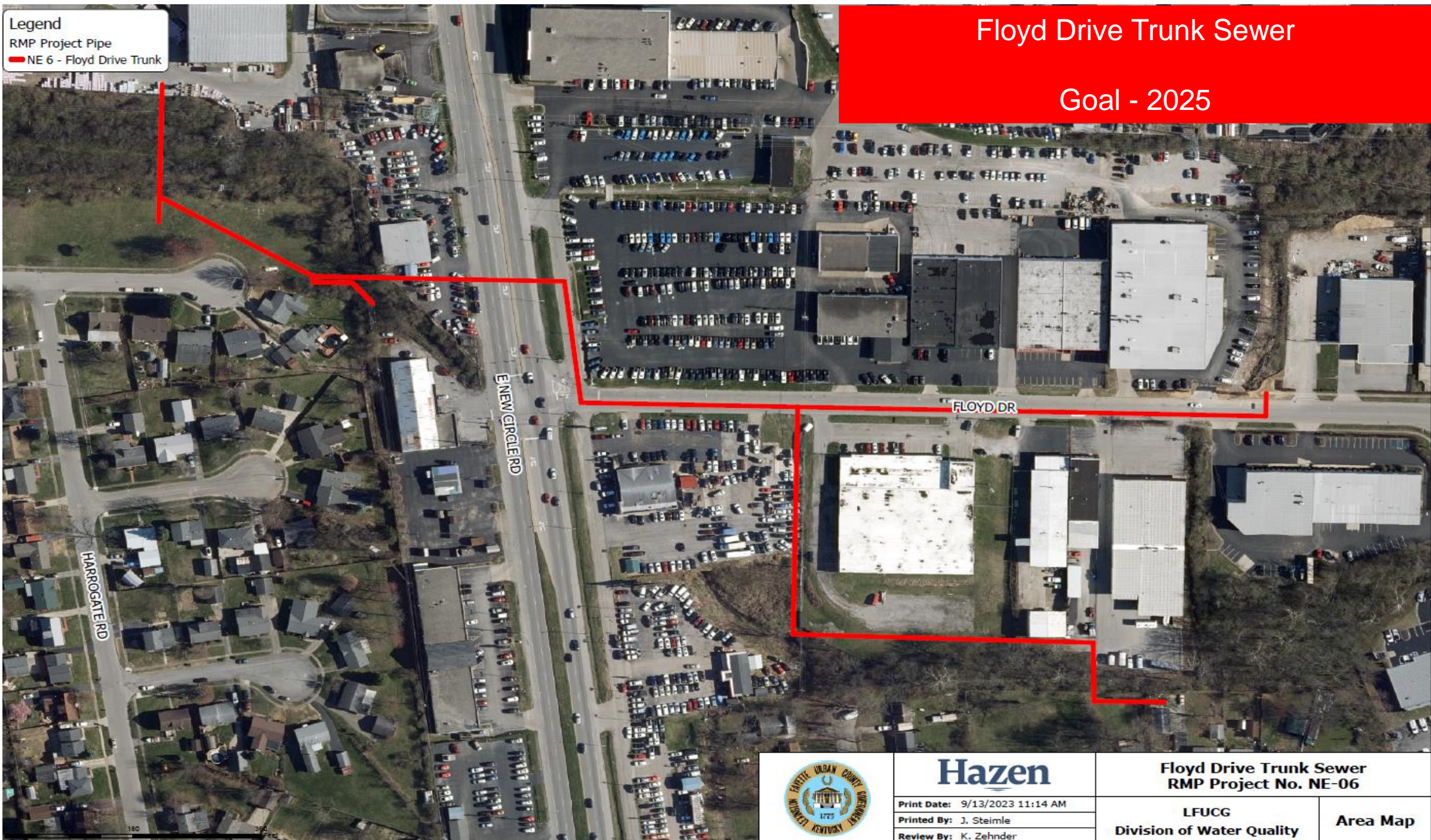





Legend  
RMP Project Pipe  
NE 6 - Floyd Drive Trunk

# Floyd Drive Trunk Sewer

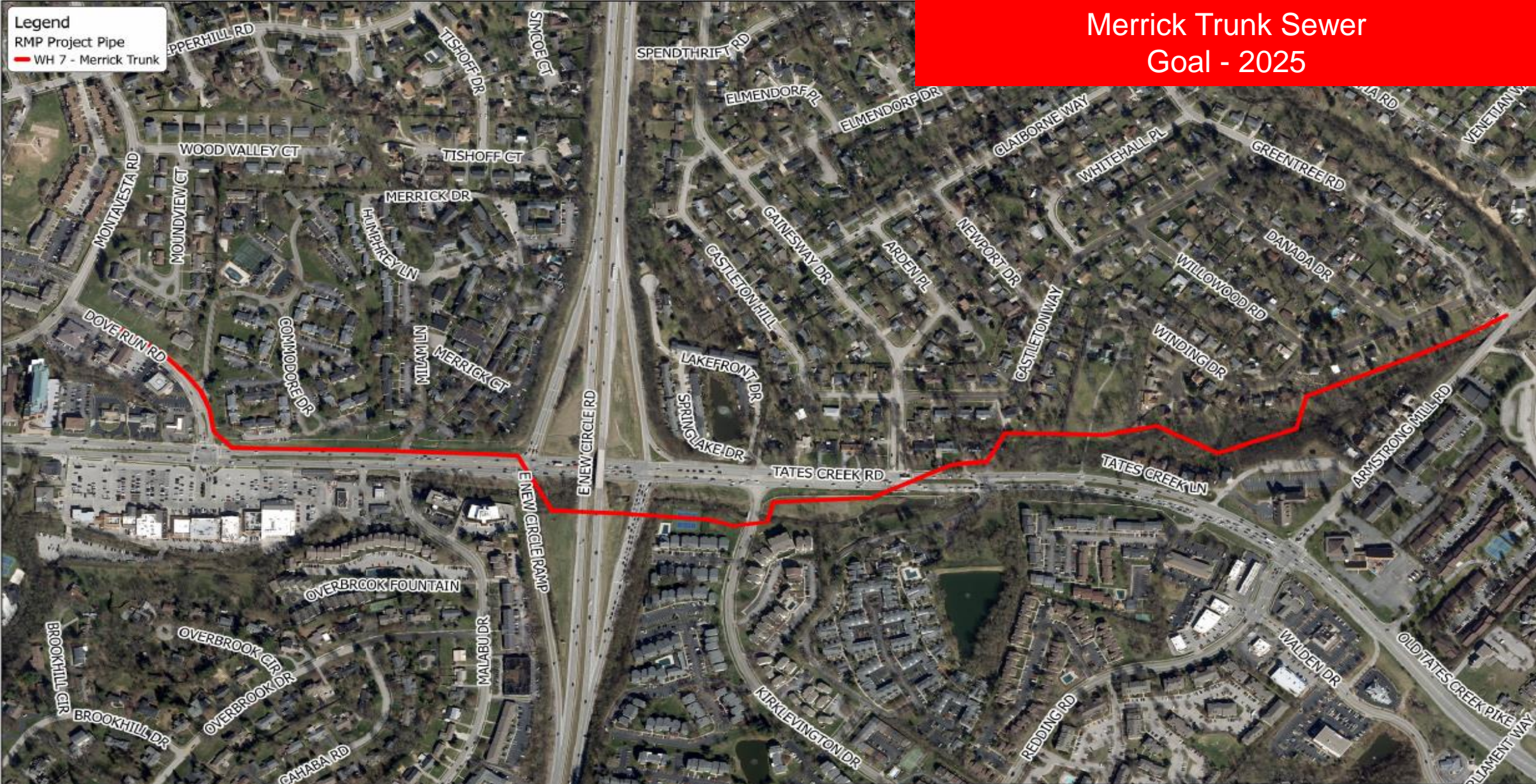
Goal - 2025



	<b>Hazen</b>	<b>Floyd Drive Trunk Sewer</b>	
	Print Date: 9/13/2023 11:14 AM	RMP Project No. NE-06	
	Printed By: J. Steimle	LFUCG	Area Map
Review By: K. Zehnder	Division of Water Quality		

**Legend**  
 RMP Project Pipe  
 — WH 7 - Merrick Trunk

Merrick Trunk Sewer  
 Goal - 2025



**Hazen**

Print Date: 9/19/2023 10:43 AM  
 Printed By: E. Fields  
 Review By: K. Zehnder

Merrick Trunk  
 RMP Project No. WH-07

LFUGG  
 Division of Water Quality

Area Map



## Other Projects “In the Queue”

- West Hickman Trunk F
  - 5<sup>th</sup> District Impact.
  - Residential parcel impacts – easements acquisition challenges.
  
- Plainview Trunk
  - 5<sup>th</sup> District Impact.
  - Easement on one parcel transitions will transition it into construction phase.
  
- East Hickman Pump Station Phase 2
  - Grant funded.
  - Odor control component.





## Summary

- New Consent Decree full compliance deadline – December 31, 2030.
- 65% of capital projects complete / 20% in construction/design/easement phase.
- Consent Decree identified 117 Recurring SSOs. 86 of those locations have been abated.
- Total project cost still trending below the 2014 projection but cost escalation risks remain.



# Questions?



**LEXINGTON**

