



HRSD NEWS RELEASE

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HRSD and EPA Reach Agreement on Plan to Minimize Sewer Overflows --Cooperation Avoids Costly Litigation--

The Hampton Roads Sanitation District (HRSD) has reached an agreement with the U.S. Environmental Protection Agency (EPA) regarding a plan to minimize sewer overflows in the region. The federal agreement complements the Special Order by Consent between HRSD, 13 Hampton Roads localities and the Virginia Water Control Board approved in September 2007.

The state order – and now the federal agreement – calls for HRSD to develop a regional plan that would minimize releases of untreated sewage due to pipe breaks, blockages, power outages and other factors including excessive amounts of rainwater entering the system during storms. Both the state and federal agreements call for HRSD and participating localities to monitor, inspect, model and study their sewer systems to determine the most cost-effective solutions to provide long-term sewer service for the region.

The study, which has been underway for almost two years and is now also a requirement of the federal agreement, is funded through HRSD wastewater treatment charges and locality sewer maintenance fees. The study is estimated to cost the region approximately \$100 million. The resulting infrastructure improvements will cost significantly more over the next several decades. A schedule for these improvements will be developed with the regional sewer plan.

“HRSD works to prevent any sewage from being released before being fully treated,” said HRSD general manager Ted Henifin. “Our system, like all mechanical systems, has physical, technical and operational limitations, so a problem from time to time may result in a sewage spill. When these occur, we respond quickly to contain the spill, recover as much as possible, repair the system and restore the impacted area,” said Henifin.

The EPA is responsible for enforcement of the provisions of the Clean Water Act. The EPA considers all unpermitted discharges of sewage violations of the Clean Water Act and has made elimination of these a national enforcement priority. Even HRSD’s modest releases are considered violations of the Clean Water Act by EPA, although the small volume of sewage lost as a result of overflows from the HRSD system has not been identified as a source of the water quality problems in the Hampton Roads area or the Chesapeake Bay. Last year, for example, HRSD had 15 spills and lost less than 23,000 gallons of untreated wastewater while successfully pumping and treating more than 54 billion gallons (150 million gallons each day). This level of system performance is truly outstanding. While HRSD’s system is unlikely to consistently perform at such an astonishingly good level, the regional plan will ensure that HRSD and the Hampton Roads localities will continue to provide world class sewer service for decades to come.

HRSD is in full compliance with the state order two years after it was approved and, accordingly, believes that a federal agreement is unnecessary. However, HRSD worked diligently with EPA for the past two years to carve out an oversight role for EPA in the development of the regional sewer plan. The agreement reached this week includes a \$900,000 penalty assessed for sewer overflows that have occurred over the past seven years. Additionally, HRSD agreed to include \$140,000,000 worth of construction projects for rehabilitation of aging infrastructure in the federal agreement. These projects were taken from HRSD’s current Capital Improvement Plan. While the federal agreement includes a penalty against HRSD, this penalty is substantially smaller than other large utilities have paid, in recognition of HRSD’s excellent record.

Formed by referendum in 1940, HRSD prides itself on being the first grassroots environmental organization in Virginia. With an outstanding record of permit compliance, HRSD has been and continues to be a national leader in environmental protection. HRSD has been playing a leading role in combating excessive nutrients in the Chesapeake Bay, spending more than one-half billion dollars upgrading treatment plants to meet strict state nutrient reduction goals by 2010.

Additional information on HRSD’s progress with the regional planning process for minimizing sewer spills can be found on www.HRSD.com under “Regional Wet Weather Management Plan” in the “What’s New” section of the main page.

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HRSD, a political subdivision of the Commonwealth of Virginia, was created by public referendum in 1940. Our mission is to protect public health and the waters of Hampton Roads by treating wastewater effectively.