

KARL F. DEAN
MAYOR



METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

January 30, 2013

DEPARTMENT OF WATER AND SEWERAGE SERVICES
1600 SECOND AVENUE, NORTH
NASHVILLE, TENNESSEE 37208-2206

Chief, Environmental Enforcement Section
Environmental and Natural Resources Division
U. S. Department of Justice
Post Office Box 7611
Washington, D. C. 20044-7611

United States Attorney
Middle District of Tennessee
110 Ninth Avenue, South, Suite A961
Nashville, TN 37203

Chief, Water Programs Enforcement Branch
Water Management Division
U. S. Environmental Protection Agency, Region 4
Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, GA 30303

Mr. Barry Turner, Deputy Attorney General
Office of the Tennessee Attorney General
Environmental Division
P. O. Box 20207
Nashville, TN 37202

Mr. Patrick Parker, Assistant General Counsel
Tennessee Department of Environment and Conservation
6th Floor, L & C Annex
401 Church Street
Nashville, TN 37243

Re: DOJ Case No. 90-5-1-1-09000
Submittal of Annual Report and Quarterly Report

Gentlemen:

In accordance with the provisions of the Consent Decree, Section XIX (Reporting Requirements), Subsection B, herewith we are transmitting the 2012 Annual Report which covers the time period from January 1, 2012 through December 31, 2012.



If you need assistance or accommodations, please contact Metro Water Services,
William E. Coleman, Jr., at (615) 862-4862, 1600 Second Avenue North, Nashville, TN 37208



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In addition, in accordance with the provisions of the Consent Decree, Section XIX (Reporting Requirements), Subsection A, herewith we are transmitting the Quarterly Progress Report which covers the time period from October 1, 2012 through December 31, 2012.

A copy of each of these reports is concurrently being placed in the Public Document Repository (PDR).

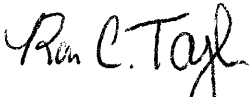
I certify under penalty of law that these documents and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering such information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

If you have any questions concerning these reports please contact me.

Sincerely,



Scott A. Potter, P.E.
Director



Ron C. Taylor, P.E.
Overflow Abatement Program Director
Engineering Division

Cc: Mr. David Tucker, Assistant Director, Operations
Mr. Cyrus Q. Toosi, P.E., Assistant Director / Chief Engineer, Engineering
Mr. Gregory A. Ballard, P.E., Engineer 3
Mr. Thomas G. Cross, Associate Director, Metropolitan Department of Law

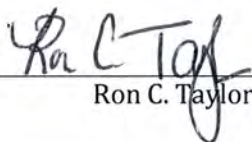
Clean Water Nashville Overflow Abatement Program

Metropolitan Government of Nashville and Davidson County
Department of Water and Sewerage Services

CONSENT DECREE QUARTERLY PROGRESS REPORT

October 1 through December 31, 2012

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering such information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.


Ron C. Taylor, P.E., Program Director

1/29/13

Date

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Section 1

Introduction

On March 12, 2009, the Metropolitan Government of Nashville and Davidson County, Tennessee (Metro), entered into a Consent Decree with the United States and the State of Tennessee. To fulfill the reporting requirements defined in Section XIX.A. of the Consent Decree, Metro has prepared this *Quarterly Progress Report*, which includes the following information:

1. Information on sanitary sewer overflows (SSOs) and dry-weather combined sewer system overflows (CSOs) occurring during the reporting period
2. A description of the work conducted during the reporting period to comply with the requirements of the Consent Decree
3. The anticipated work for the upcoming quarter to comply with the requirements of the Consent Decree
4. Any additional information necessary to demonstrate that Metro is adequately implementing the work

Work, as defined in the Consent Decree, includes all activities that Metro is required to perform under the Consent Decree. For the purposes of this *Quarterly Progress Report*, however, the focus will remain on current and upcoming work related to the *Corrective Action Plan/Engineering Report (CAP/ER)*, the *Long Term Control Plan (LTCP)*, and additional activities to address SSOs and CSOs.

1.1 Additional Programs

Several additional programs, listed below, were also required to be developed or implemented as part of the Consent Decree. Any modifications or updates to these programs will be identified in Section 4 of this report.

- *Spill and Overflow Response Plan (Section VII.C.2)* – Metro continues to operate under the current *Spill and Overflow Response Plan (SORP)*. A review of the SORP will be conducted annually with any proposed changes submitted for EPA review and approval by June 1 each year.
- *Inter-jurisdictional Agreement Program (Section VII.C.3)* – All required inter-jurisdictional agreements are now in place, and Metro will continue to operate under these agreements, including monitoring peak flows received.
- *Capacity Assurance Plan (Section VII.C.4)* – The *Capacity Assurance Plan* will continue to be applied as a tracking/approval tool for new development/flow in the sanitary sewer system (SSS).
- *Pump Station Operation Plan for Power Outages (Section VII.C.5)* – All projects identified in the *Pump Station Operation Plan for Power Outages* were completed prior to the start of the reporting period excluding the Munn Road Pumping Station project. Additional information on the status of this project is discussed in Section 4.

- *Nine Minimum Controls Compliance Plan* (Section VII.D.1) – All elements of the *Nine Minimum Controls Compliance Plan* (NMC) were completed in 2012.
- Supplemental Environmental Projects (Section VIII) – The Supplemental Environmental Projects (SEPs) required in the Consent Decree were completed in 2010.

1.2 Report Organization

This *Quarterly Progress Report* is organized as follows:

Section 1 – Introduction

Section 2 – *Corrective Action Plan/Engineering Report*

Section 3 – *Long Term Control Plan*

Section 4 – Additional Measures to Maintain Consent Decree Compliance

Section 5 – Quarterly SSO and Dry-Weather CSO Report

Section 2

Corrective Action Plan/Engineering Report

To address the conditions causing overflows in their sanitary sewer system, Metro developed a *Corrective Action Plan / Engineering Report (CAP/ER)* that was submitted to EPA and TDEC on September 11, 2011.

The CAP/ER development began with a characterization of Metro's sanitary sewer system through extensive monitoring and modeling to understand the existing system's limitations. The need for improvements to address both current and future sewer capacity needs was then assessed, and potential alternatives were evaluated to select efficient and cost effective solutions. These recommended projects, which include infrastructure rehabilitation, additional conveyance capacity, and storage of wet weather flows, are presented in the CAP/ER.

While EPA and TDEC review the report, Metro continues to move forward with the implementation of several projects presented in the CAP/ER. These projects are described in the following subsections, and a schedule illustrating current and upcoming work on CAP/ER projects is presented as Appendix A.

2.1 Completed CAP/ER Projects

Although no projects listed in the CAP/ER were completed during the current reporting period, the following projects, discussed in the CAP/ER, were completed prior to the start of the 4th Quarter of 2012:

- Dry Creek Wastewater Treatment Plant Optimization
- Smith Springs Equalization Storage
- Barker Road / Omohundro Equalization Storage Phase I
- West Park Equalization Storage Phase I
- Mill Creek 36-inch Trunk Sewer System Rehabilitation
- Rockwood Conveyance Improvements
- Holiday Travel Park Gravity Conversion

2.2 CAP/ER Projects under Construction

The following projects, discussed in the CAP/ER, were under construction during the reporting period:

- Whites Creek Wastewater Treatment Plant (WWTP) Optimization and Disinfection Project

Construction of the improvements to the Whites Creek WWTP to optimize treatment of wet weather flows and increase disinfection capacity began in November 2011. Construction continued throughout the 4th Quarter of 2012. Substantial completion was achieved on

December 21, 2012. Construction closeout activities will continue throughout the upcoming quarter.

- Whites Creek Wastewater Pumping Station

Construction of the improvements to the Whites Creek Wastewater Pumping Station and its associated force main began in February 2012. Construction continued throughout the 4th Quarter of 2012 and is expected to continue throughout the upcoming quarter.

- Dodson Chapel Equalization Tank and Wastewater Pumping Station Expansion

Construction of the Dodson Chapel Equalization Tank and Wastewater Pumping Station Expansion began during the 2nd Quarter of 2012 and has continued throughout the reporting period.

2.3 CAP/ER Projects under Design

The following projects, discussed in the CAP/ER, are under design during the reporting period:

- Lakewood Water and Sewer Replacement

Design of sewer improvements in the Lakewood area is complete; however, the scope of this project was revised to also include improvements to the water and stormwater systems. Incorporation of the design of those elements is nearing completion, and easements and right-of-entry permits are currently being obtained for the project area. Advertisement for bids for construction is anticipated to occur during the upcoming quarter. This project represents the first of two phases of work in the Lakewood area.

- West Park Equalization Facility Phases II and III

In order to minimize impacts to the surrounding neighborhood, Phases II and III of the West Park Equalization Facility were combined into a single design and construction project. Design of this project began in May 2012; however, during preliminary design it was determined that potential flood impacts to adjacent properties may require an alternate site for the equalization tank. Currently, Metro plans to use the adjacent park site to accommodate the required storage volume and anticipates restarting design efforts during the coming quarter. When constructed, the additional improvements at the West Park Equalization Facility are expected to add 21 million gallons of storage and expanded pumping capacity.

- Mill Creek / Opryland Equalization Facility - Phase II

Phase II of the Mill Creek / Opryland Equalization Facility includes the construction of a 15 million gallon storage facility. Design of this project began on August 10, 2012, and it is anticipated that this design work will continue throughout the upcoming quarter.

- Shelby Park Rehabilitation – Area 1 – Virginia Avenue

This rehabilitation project is the first of multiple projects that will be conducted in the Shelby Park Rehabilitation project area. The area to be evaluated for rehabilitation includes approximately 54,400 linear feet of gravity sewer and 280 manholes. Design for this project began on September 11, 2012, and will continue throughout the upcoming quarter.

- Neely's Bend Rehabilitation

Based on the condition assessment data collected in the area adjacent to the defined project area, the area targeted for rehabilitation has been extended to include all gravity sewer that directly drains to the Neely's Bend Pump Station. The project area to be evaluated for rehabilitation now includes approximately 31,400 linear feet of gravity sewer and 150 manholes. Design of these sewer rehabilitation improvements in the Neely's Bend project area began on September 27, 2012, and will continue throughout the upcoming quarter.

- Dodson Chapel Pipe Improvements

Following the completion of the Rockwood Conveyance Improvements and subsequent updates to the hydraulic model in this area, evaluation of the collection system in the Dodson Chapel Pipe Improvements area indicated that the extents of the proposed project could be reduced while still addressing overflows. The current project consists of increasing the conveyance capacity of approximately 3,400 linear feet of sewer. Design of this project began on October 8, 2012, and will continue throughout the upcoming quarter.

2.4 Upcoming CAP/ER Projects

The following projects, discussed in the CAP/ER, are anticipated to begin design during the upcoming quarter:

- Joelton Rehabilitation

The Joelton Rehabilitation project comprises the evaluation of approximately 38,700 linear feet of gravity sewer and 190 manholes for rehabilitation and repair. During the reporting period, the scope of work for this project was finalized, and discussions with the engineering firm scheduled to complete the design were initiated. Design for this project is anticipated to begin in January 2013.

- Cowan / Riverside Rehabilitation – Area 1 – Jones Avenue

This rehabilitation project is the first of multiple projects that will be conducted in the Cowan / Riverside Rehabilitation project area. The area to be evaluated for rehabilitation includes approximately 50,300 linear feet of gravity sewer and 270 manholes. During the reporting period, the scope of work for this project was finalized, and discussions with the engineering firm scheduled to complete the design were initiated. Design for this project is anticipated to begin in February 2013.

- Brick Church Pike Pipe Improvements

The Brick Church Pike Pipe Improvements project consists of increasing the conveyance capacity of the approximately 15,500 linear feet of gravity sewer. A request for proposals for the design of these improvements was issued during the previous quarter with proposals due in January 2013.

- Shelby Park Rehabilitation – Area 2 – Norvel Avenue

This rehabilitation project is the second of multiple projects that will be conducted in the Shelby Park Rehabilitation project area. The area to be evaluated for rehabilitation includes

approximately 57,000 linear feet of gravity sewer and 330 manholes. Design for this project is anticipated to begin late in the 2nd Quarter of 2013.

- Cowan / Riverside Rehabilitation – Area 2 – Dickerson Pike

This rehabilitation project is the second of multiple projects that will be conducted in the Cowan / Riverside Rehabilitation project area. The area to be evaluated for rehabilitation includes approximately 51,400 linear feet of gravity sewer and 290 manholes. Design for this project is anticipated to begin in the 2nd Quarter of 2013.

- Highway 100 / Tyne Boulevard – Trimble Rehabilitation

The Highway 100 / Tyne Boulevard Pipe Improvements Project, as presented in the CAP/ER, consisted of approximately 18,500 linear feet of conveyance improvements to alleviate overflows and surcharging in the existing gravity sewer. A detailed review of the existing sewer route and flows in the area indicated that rehabilitation to reduce wet weather flows in this area may be a viable option to address overflows. Because of this, the Highway 100 / Tyne Boulevard Pipe Improvements Project is being delayed to allow time for the completion of the Highway 100 / Tyne Boulevard – Trimble Rehabilitation project. The area to be evaluated for rehabilitation includes approximately 51,500 linear feet of gravity sewer and 300 manholes. Design for this project is anticipated to begin in the 2nd Quarter of 2013.

In addition to the projects listed above, Metro continues to conduct planning activities for multiple projects including acquiring necessary land to site facilities and collecting sewer condition assessment data.

Section 3

Long Term Control Plan

To reduce the occurrence and impact of combined sewer overflows into the Cumberland River, Metro developed an update to the *Long Term Control Plan* (LTCP), which was submitted to EPA and TDEC on September 11, 2011.

The LTCP followed EPA's *Combined Sewer Overflow Control Policy* in implementing a rigorous process for identifying and evaluating alternatives to reduce combined sewer overflows. Consideration included financial and engineering analyses to develop recommended improvements in conjunction with four key objectives that were established early in the planning process:

- Improve the water quality of the Cumberland River by reducing impacts from combined sewer overflows
- Provide a level of CSO control that results in improvements in water quality that are consistent with the community's use of the Cumberland River
- Align investment in CSO controls to be commensurate with the contribution of CSOs to water quality relative to other sources
- Consider the impact of the overall program cost on the ratepayers in the current economic climate

These goals and objectives were developed based on feedback provided by representatives from MWS, local government, and the community through a public engagement campaign developed to solicit input from affected stakeholders.

Metro met with representatives from EPA and TDEC in October 2012 to receive preliminary feedback on the LTCP. As a result of this meeting, Metro has coordinated with EPA and TDEC to provide additional information pertaining to the proposed LTCP's compliance with Tennessee's water quality criteria.

As review of the LTCP continues, Metro continues to move forward with the implementation of several projects presented in the LTCP. These projects are described in the following subsections, and a schedule illustrating current and upcoming work on LTCP projects is presented as Appendix A.

3.1 Completed LTCP Projects

Although no projects listed in the LTCP were completed during the current reporting period, the following projects, discussed in the LTCP, were completed prior to the start of the 4th Quarter of 2012:

- Broadway Improvements
- Washington CSO Facility Improvements
- Van Buren Improvements

3.2 LTCP Projects under Construction

The following project, discussed in the LTCP, is under construction:

- Driftwood Equalization Basin Expansion

The design of the Driftwood Equalization Basin Expansion was completed during the 2nd Quarter of 2012. Construction of this project commenced on July 10, 2012, and will continue during the upcoming quarter.

3.3 LTCP Projects under Design

There are no LTCP projects currently under design.

3.4 Upcoming LTCP Projects

The following project, discussed in the LTCP, is anticipated to begin design during the upcoming quarter:

- Apex Sewer Corrections

The Apex Sewer Corrections project consists of the replacement or realignment of approximately 1,200 linear feet of gravity sewer in the Washington CSO basin. Design of this project is anticipated to begin during the 2nd Quarter of 2013.

In addition to the project listed above, Metro continues to work on the Central Wastewater Treatment Plant Optimization Study, which will evaluate the feasibility of treating additional wet weather flows at the plant.

Section 4

Additional Measures to Maintain Consent Decree Compliance

In addition to the CAP/ER and LTCP projects described in the previous sections, the measures described in the following subsections are related to Metro's on-going Consent Decree compliance.

4.1 Munn Road Pumping Station

A temporary generator continues to be utilized at the Munn Road Pumping Station where, due to difficulties in obtaining property rights, Metro has been unable to complete the generator installation. Metro continued to negotiate with the impacted property during the past quarter and reached an agreement for the necessary property rights in December 2012. Installation of the permanent generator is anticipated to commence during the upcoming quarter. Until that work is complete, the temporary generator located at this site will continue to receive priority attention for activation, as necessary.

4.2 2011 Collection System Structural Defect Repair Project

The 2011 Collection System Structural Defect Repair Project was developed to address structural defects observed in the Whites Creek Wastewater Treatment Plant service area. For this project, approximately 24 point repairs will be made, and 7,500 feet of 8 to 18-inch diameter sewer will undergo cured-in-place pipe lining. This project was advertised for bids for construction on October 17, 2012, and construction activities are anticipated to begin during the upcoming quarter.

Section 5

Quarterly SSO and Dry Weather CSO Report

During the 4th Quarter of 2012, Metro experienced 43 SSOs, as listed in **Table 5-1**.

No dry-weather CSOs occurred during the reporting period.

Table 5-1 Quarterly SSO Report

Quarterly SSO Report									
October 1 through December 31, 2012									
Event Start Date	Event End Date	Rainfall	Duration (hours)	Overflow Volume (MG)	Overflow Cause	Location Manhole ID	Location	Unpermitted Discharge	Building Backup
03-Oct-12	03-Oct-12	0.00	0.25	0.01	Controller	17609001	Hurricane Creek SPS	Yes	No
07-Oct-12	07-Oct-12	0.00	4.00	0.001	Blockage	13102055	2122 Hillsboro Dr.	Yes	No
11-Oct-12	11-Oct-12	0.00	2.50	0.001	Blockage	04212004	510 Charles Dr.	No	Yes
11-Oct-12	11-Oct-12	0.00	3.00	0.001	Blockage	10408036	1801 20th Ave. S. Alley	Yes	No
23-Oct-12	23-Oct-12	0.00	2.00	0.00001	Blockage	WLS052K062	317 Matterhorn Dr.	No	No
24-Oct-12	24-Oct-12	0.00	1.00	0.00001	Blockage	05014023CO	3206 Sennadale Ln.	No	No
24-Oct-12	24-Oct-12	0.00	3.00	0.00001	Blockage	11608013	4018 Woodmont Blvd.	No	No
25-Oct-12	25-Oct-12	0.00	2.50	0.001	Blockage	14905052	4941 Barclay Square Dr.	Yes	No
28-Oct-12	28-Oct-12	0.00	5.00	0.0001	Blockage	13016034	5618 Hillsboro Pk.	No	No
28-Oct-12	28-Oct-12	0.00	6.50	0.0001	Force Main	10901010	The Lakes SPS	Yes	No
31-Oct-12	31-Oct-12	0.00	10.00	0.001	Force Main	06408003	Woodlake SPS	Yes	No
14-Nov-12	14-Nov-12	0.00	2.00	0.00001	Blockage	10315069	4243 Harding Pike	Yes	No
17-Nov-12	17-Nov-12	0.00	1.50	0.0001	Blockage	16102018	467 Westcrest Drive	No	Yes
20-Nov-12	20-Nov-12	0.00	2.00	0.001	Blockage	07404104	711 Linden Green	Yes	No
21-Nov-12	21-Nov-12	0.00	1.50	0.0001	Blockage	10709099	900 Glastonbury Rd.	No	No
28-Nov-12	28-Nov-12	0.00	4.50	0.0001	Blockage	03313027	835 Fonnice Dr.	Yes	No
05-Dec-12	05-Dec-12	0.00	2.00	0.0001	Blockage	10705083	108 Five Oaks Dr.	No	No
05-Dec-12	05-Dec-12	0.00	1.00	0.001	Blockage	16102025	5242 Edmondson Pk.	No	No
06-Dec-12	06-Dec-12	0.00	2.00	0.001	Blockage	08113005	1234 Schrader Ln.	No	No
09-Dec-12	10-Dec-12	3.15	16.00	0.1	Rainfall	01416001	Joelton SPS	Yes	No
10-Dec-12	10-Dec-12	1.99	4.75	0.081	Rainfall	10210012	Davidson Branch SPS	Yes	No
10-Dec-12	11-Dec-12	1.80	29.59	4.271	Rainfall	06915003	Whites Creek SPS	Yes	No
10-Dec-12	10-Dec-12	0.00	2.00	0.00001	Blockage	10505153	1199 Horton Ave.	No	No
10-Dec-12	10-Dec-12	0.00	1.50	0.001	Blockage	09211074	2300 Leslie Ave.	Yes	No
11-Dec-12	11-Dec-12	0.00	2.50	0.001	Blockage	13316047	299 Penfield Dr.	No	No
11-Dec-12	11-Dec-12	0.00	2.50	0.001	Blockage	10816049	1410 Timber Valley	Yes	No
13-Dec-12	13-Dec-12	0.00	3.75	0.00001	Blockage	07111098CO	1549 Luton St.	No	No
13-Dec-12	13-Dec-12	0.00	2.00	0.001	Blockage	08106097CO	2015 26th Ave. N.	No	Yes
13-Dec-12	13-Dec-12	0.00	0.75	0.0001	Blockage	09306045	127 3rd Ave. S.	Yes	No
16-Dec-12	17-Dec-12	0.00	15.00	0.001	Blockage	16216020	14 Hickory Ct.	No	No
17-Dec-12	18-Dec-12	0.00	3.00	0.00001	Blockage	16206093	173 Tusculum Rd.	No	No
18-Dec-12	18-Dec-12	0.00	4.50	0.001	Blockage	09613013	429 Donelson Pk.	Yes	No

Quarterly SSO Report

October 1 through December 31, 2012

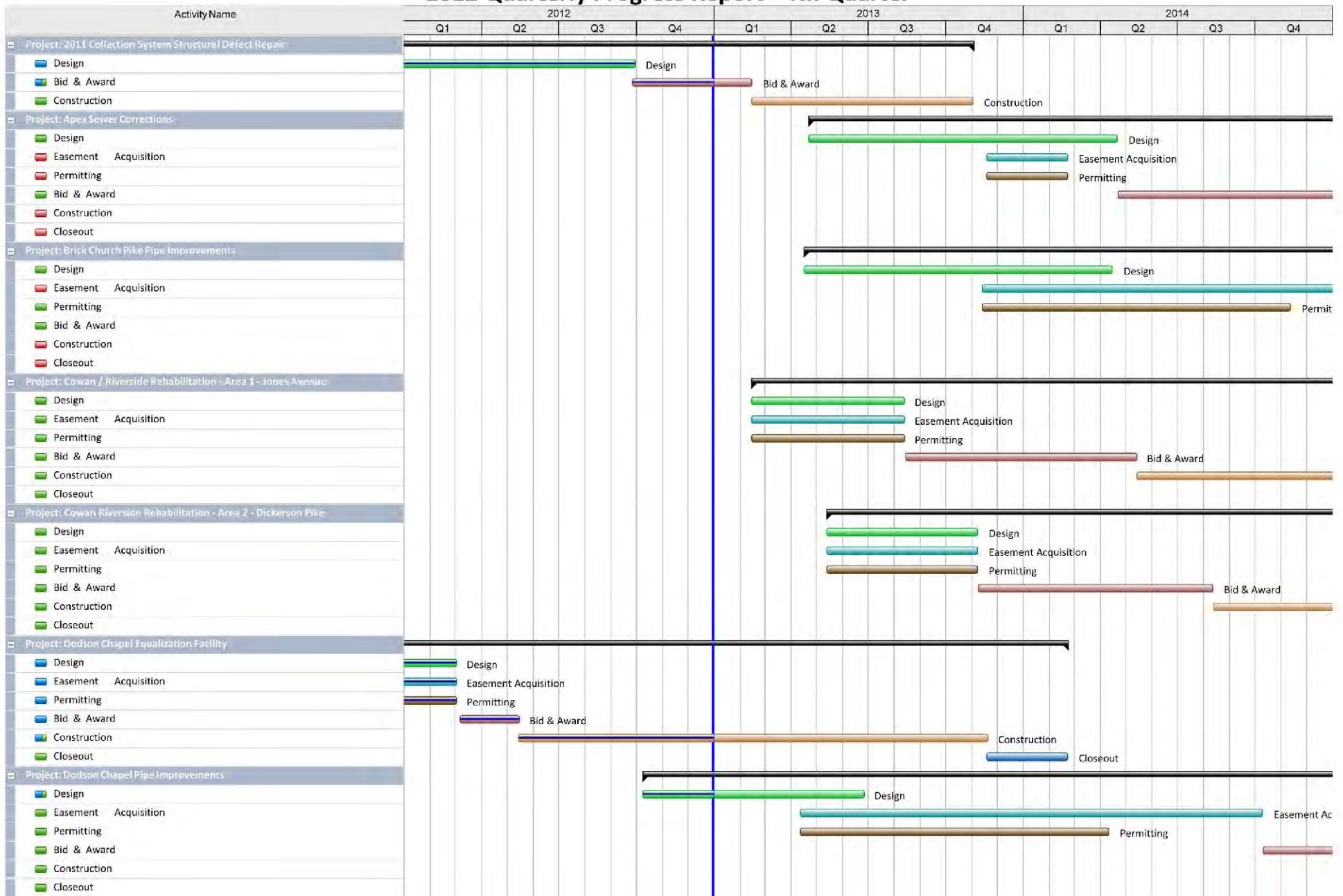
Event Start Date	Event End Date	Rainfall	Duration (hours)	Overflow Volume (MG)	Overflow Cause	Location Manhole ID	Location	Unpermitted Discharge	Building Backup
19-Dec-12	19-Dec-12	0.00	1.00	0.00001	Blockage	12014027	329 Forrester Dr.	No	No
26-Dec-12	26-Dec-12	1.39	1.42	0.102	Rainfall	13609002	Smith Springs SPS	Yes	No
26-Dec-12	26-Dec-12	1.16	6.75	0.3	Rainfall	05216026	Neely's Bend SPS	Yes	No
26-Dec-12	26-Dec-12	0.00	1.50	0.001	Rainfall	09510050	501 Bismark Dr.	Yes	No
26-Dec-12	27-Dec-12	0.92	22.25	3.115	Rainfall	06915003	Whites Creek SPS	Yes	No
26-Dec-12	26-Dec-12	0.91	3.17	0.013	Rainfall	10210012	Davidson Branch SPS	Yes	No
27-Dec-12	27-Dec-12	0.00	2.50	0.0001	Blockage	11605016	212 Olive Branch Rd.	No	No
28-Dec-12	29-Dec-12	1.38	10.00	0.1	Rainfall	01416001	Joelton SPS	Yes	No
29-Dec-12	30-Dec-12	0.85	27.17	3.887	Rainfall	06915003	Whites Creek SPS	Yes	No
29-Dec-12	29-Dec-12	0.94	1.75	0.013	Rainfall	10210012	Davidson Branch SPS	Yes	No
30-Dec-12	30-Dec-12	0.00	1.50	0.001	Blockage	08614062CO	3160 Lake Dr.	Yes	No

Appendix A

Schedule for Current and Upcoming Projects

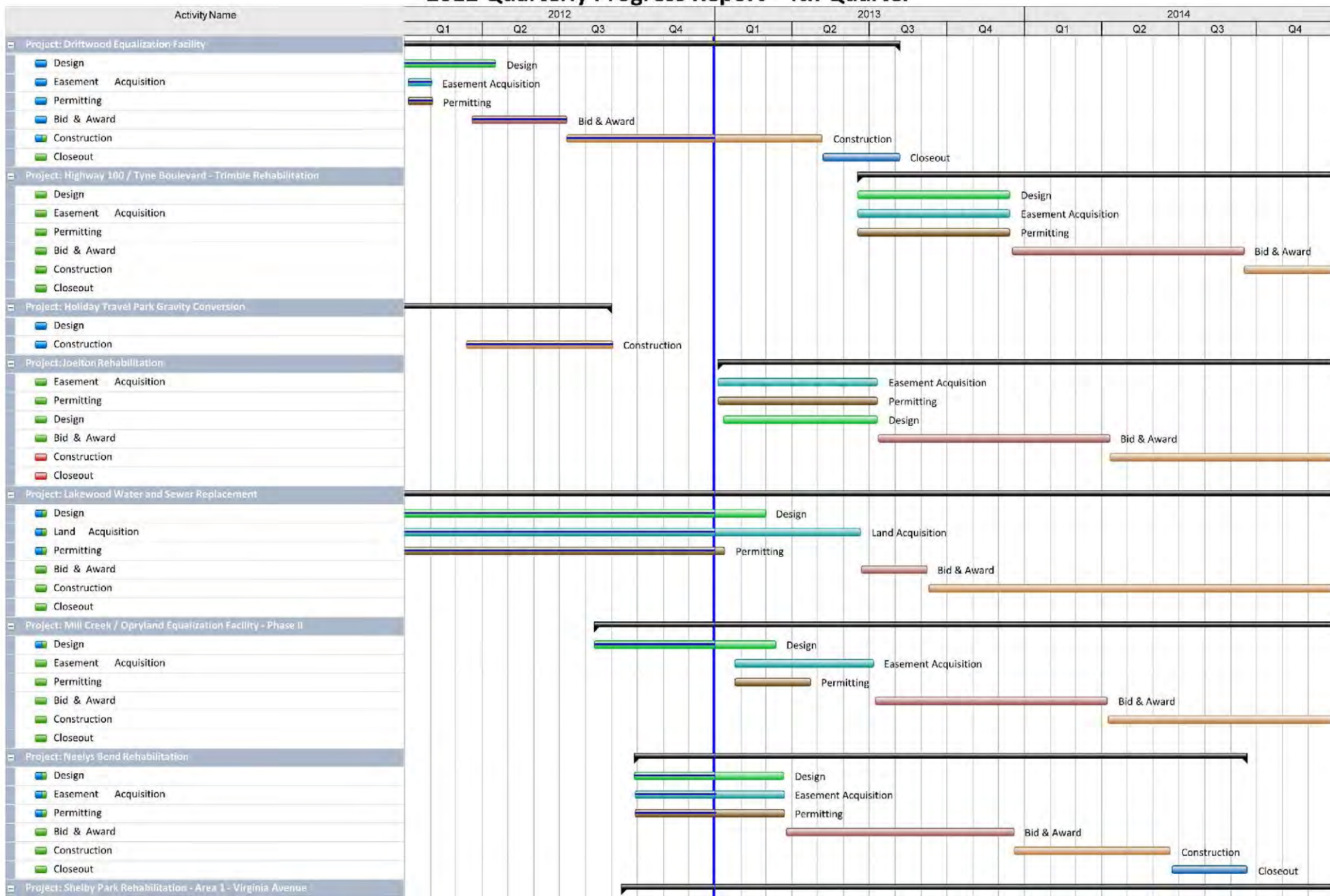
Nashville Overflow Abatement Program 2012 Quarterly Progress Report - 4th Quarter

1/29/13



Nashville Overflow Abatement Program 2012 Quarterly Progress Report - 4th Quarter

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Nashville Overflow Abatement Program 2012 Quarterly Progress Report - 4th Quarter

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