

KARL F. DEAN
MAYOR



METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

July 25, 2012

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

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Nashville, TN 37243

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

Gentlemen and Madam:

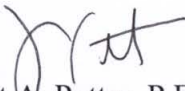
In accordance with the provisions of the Consent Decree, Section XIX (Reporting Requirements), Subsection A, herewith we are transmitting the Quarterly Progress report which covers the time period from April 1, 2012 through June 30, 2012.

A copy of this report is concurrently being placed in the Public Document Repository (PDR).

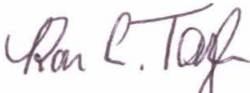
I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage 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.

If you have any questions concerning this report 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

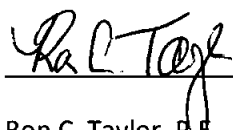
**Metropolitan Government of Nashville
and
Davidson County, Tennessee**

Department of Water and Sewerage Services

**Consent Decree
Quarterly Progress Report**

April 1, 2012 through June 30, 2012

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

7/24/12

Date

**Metropolitan Government of Nashville
and
Davidson County, Tennessee**

Department of Water and Sewerage Services

**Consent Decree
Quarterly Progress Report**

April 1, 2012 through June 30, 2012

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

Date

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 as required by Section XIX.A. of the Consent Decree, Metro has prepared the enclosed Quarterly Progress Report.

As required by the Consent Decree, the report includes the following information:

1. A description of the work completed during the reporting period,
2. Quarterly Overflow Report,
3. The planned work for the upcoming quarter.

Work is defined as all activities Metro is required to perform under the Consent Decree and for the purposes of this Quarterly Progress Report includes the following:

1. Remedial measures for Sanitary Sewer Overflows (SSOs)
 - a. Corrective Action Plan/Engineering Report (CAP/ER) for SSOs
2. Capacity, Management, Operations, and Maintenance (CMOM) programs
 - a. Spill and Overflow Response Plan (SORP)
 - b. Inter-Jurisdictional Agreement Program
 - c. Capacity Assurance Plan
 - d. Pump Station Operation Plan for Power Outages
3. Remedial Measures for Combined Sewer Overflows (CSOs)
 - a. Nine Minimum Controls (NMC) Compliance Plan
 - b. Long Term Control Plan (LTCP)
4. Supplemental Environmental Project (SEP)

The Quarterly Overflow Report includes the information required by the Consent Decree (date, location, duration, volume, cause of each overflow, indication of permitted overflow, and indication if cause was a building backup). Both SSOs and dry weather CSOs are required for the report.

In addition to the information required by the Consent Decree, the report also includes a status summary of all Design/Construction Projects required by the Consent Decree, continuation projects from the previous Overflow Abatement Program (OAP), and early start projects from the CAP/ER and LTCP.

This is the thirteenth Quarterly Progress Report required under the Consent Decree. The report covers the period from April 1, 2012, through June 30, 2012.

The first Quarterly Progress Report covering the period from March 12, 2009, through June 30, 2009, was publicized in the Public Document Repository (PDR) and submitted to EPA and TDEC on July 28, 2009.

The second Quarterly Progress Report covering the period from July 1, 2009, through September 30, 2009, was publicized in the PDR and submitted to EPA and TDEC on October 29, 2009.

The third Quarterly Progress Report covering the period from October 1, 2009, through December 31, 2009, was publicized in the PDR and submitted to EPA and TDEC on January 27, 2010.

The fourth Quarterly Progress Report covering the period from January 1, 2010, through March 31, 2010, was publicized in the PDR and submitted to EPA and TDEC on April 27, 2010.

The fifth Quarterly Progress Report covering the period from April 1, 2010, through June 30, 2010, was publicized in the PDR on July 27, 2010, and submitted to EPA and TDEC on July 28, 2010.

The sixth Quarterly Progress Report covering the period from July 1, 2010, through September 30, 2010, was publicized in the PDR and submitted to EPA and TDEC on October 27, 2010.

The seventh Quarterly Progress Report covering the period from October 1, 2010, through December 31, 2010, was publicized in the PDR and submitted to EPA and TDEC on January 28, 2011.

The eighth Quarterly Progress Report covering the period from January 1, 2011, through March 31, 2011, was publicized in the PDR on April 27, 2011, and submitted to EPA and TDEC on April 28, 2011.

The ninth Quarterly Progress Report covering the period from April 1, 2011, through June 30, 2011, was publicized in the PDR and submitted to EPA and TDEC on July 22, 2011.

The tenth Quarterly Progress Report covering the period from July 1, 2011, through September 30, 2011, was submitted to EPA and TDEC on October 26, 2011, and was publicized in the PDR on October 31, 2011.

The eleventh Quarterly Progress Report covering the period from October 1, 2011, through December 31, 2011, was submitted to EPA and TDEC on January 27, 2012, and was publicized in the PDR on January 30, 2012.

The twelfth Quarterly Progress Report covering the period from January 1, 2012, through March 31, 2012, was submitted to EPA and TDEC on April 25, 2012, and was publicized in the PDR on May 2, 2012.

Section 1 – Summary of Work Completed During the Reporting Period

Force Majeure

As a result of the flooding that occurred in Nashville in May 2010, Metro was granted a six (6) month extension for the submission of the CAP/ER and the LTCP, as well as a twenty-four (24) month extension for completion of the work required in the CAP/ER and the LTCP.

Remedial Measures for SSOs

CAP/ER

Progress this quarter: The CAP/ER was submitted to EPA and TDEC for review during the 3rd Quarter of 2011. During the review period, Metro continues to move forward with the implementation of several projects identified in the CAP/ER as a demonstration of our commitment to the correction of overflows in the separate sewer system (SSS). Specifically, the following projects are underway:

- 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 has continued throughout the 2nd Quarter of 2012.
- 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 has continued throughout the 2nd Quarter of 2012.
- Holiday Travel Park Gravity Conversion: Construction of the gravity sewer to replace the existing Holiday Travel Park pumping station continued throughout the 2nd Quarter of 2012.
- 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 is currently underway. Metro issued a Notice to Proceed to the contractor on May 14, 2012.
- 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 continues. 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. Metro issued a design start notice on May 29, 2012.
- **Mill Creek/Opryland Equalization Facility Phase II:** Metro has solicited proposals for design of Phase II of the Mill Creek/Opryland Equalization Facility. Design proposals were received for this project on May 31, 2012.
- **Dodson Chapel Pipe Improvements:** During the previous quarter, Metro prepared and issued a request for proposals for design of the Dodson Chapel Pipe Improvements project on June 13, 2012.

Metro also continues to refine project scopes and perform additional planning tasks for proposed CAP/ER projects in anticipation of initiating additional design efforts in advance of approval of the CAP/ER.

Consent Decree Completion Date for Report Submittal: September 11, 2011

1st PDR Publication Date: July 27, 2011

Revised PDR Publication Date: September 9, 2011

TDEC/EPA Submittal Date: September 9, 2011

CMOM Programs

Spill and Overflow Response Plan

Progress this quarter: Changes included in the revised SORP, which was approved on August 18, 2009, have been implemented. No changes to that document were proposed for 2012.

Consent Decree Completion Date: If revisions to the SORP are necessary or modifications are desired to be considered, they should be submitted to EPA and TDEC by June 1 each year.

Original Submittal Completion Date: May 4, 2007

1st Revision Completion Date: May 27, 2009

1st Revision PDR Publication Date: May 27, 2009

1st Revision Approval Date: August 18, 2009

Inter-Jurisdictional Agreement Program

Progress this quarter: All required wholesale agreements are in place.

Consent Decree Completion Date: September 12, 2009

TDEC/EPA Submittal Date: September 4, 2009

PDR Publication Date: September 4, 2009

TDEC/EPA Approval Date: August 20, 2010

Capacity Assurance Program

Progress this quarter: The Capacity Assurance Plan has been implemented since the Consent Decree was entered and continues to be applied as a tool to track flows from new and existing customers to the SSS.

Pump Station Operation Plan for Power Outages

Progress this quarter: A total of twenty three (23) stationary backup generators and two (2) automatic transfer switches have been installed. A temporary generator continues to be in place at the Holiday Travel Park Pumping Station. Although there were difficulties in obtaining property rights and delays in the start of construction by the developer/contractor, construction is underway on the trunk sewer which will take the pumping station out of service. A temporary generator also 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 stationary generator installation. A court date for the exercising of Eminent Domain for this property rights acquisition has been established; however, the property owner at this location has filed a lawsuit against the Metropolitan Government related to both existing and proposed property rights at this location. Metro's Department of Law is continuing to negotiate with the property owner's counsel in an attempt to amicably resolve the issues prior to the court date.

Consent Decree Completion Date for Plan Submittal: December 12, 2009

TDEC/EPA Submittal Date: December 8, 2009

PDR Publication Date: December 8, 2009

TDEC/EPA Approval Date: August 20, 2010

Remedial Measures for Combined Sewer Overflows

NMC Compliance Plan

Progress this quarter: With the Washington CSO facility reaching operationally complete status on April 27, 2012, all elements of the NMC Compliance Plan are operationally complete.

Consent Decree Completion Date: September 12, 2009

Original TDEC/EPA Submittal Date: September 4, 2009

Original PDR Publication Date: September 4, 2009

TDEC/EPA Approval in Part: April 26, 2010

TDEC/EPA Submittal Date for Revised Plan: May 25, 2010

TDEC/EPA Approval Date for Revised Plan: July 22, 2010

NMC Compliance Date (with exception of Washington CSO): January 6, 2012

NMC Compliance Date for Washington CSO: June 30, 2012

LTCP

Progress this quarter: The LTCP was submitted to EPA and TDEC for review during the 3rd Quarter of 2011. During the review period, Metro continues to move forward with the implementation of projects identified in the LTCP as a demonstration of our commitment to the correction of overflows in the combined sewer system (CSS). Specifically, the following projects are underway:

- **Driftwood Equalization Basin Expansion:** The design of the Driftwood Equalization Basin Expansion was completed on April 9, 2012. Bids were taken for construction of this project, and the contractor's Notice to Proceed is scheduled for July 9, 2012.

Metro also continues to refine project scopes and perform additional planning tasks for the proposed LTCP projects.

Consent Decree Completion Date for Report Submittal: September 11, 2011

1st PDR Publication Date: July 27, 2011

Revised PDR Publication Date: September 9, 2011

TDEC/EPA Submittal Date: September 9, 2011

Supplemental Environmental Projects

Progress this quarter: The SEP completion report was submitted to EPA and TDEC on December 7, 2010. Metro received approval of this report on March 8, 2011.

Consent Decree Completion Date: December 31, 2010

Section 2 – SSOs and Dry Weather CSOs

Quarterly SSO Report April 1, 2012 through June 30, 2012

Event Start Date	Event End Date	Rainfall	Duration (hours)	Overflow Volume (MG)	Overflow Cause	Location Manhole ID	Location	Unpermitted Discharge	Building Backup
02-Apr-12	02-Apr-12	0.00	0.25	0.025	Controller	09409003	Browns Creek SPS / Visco Dr.	Yes	No
03-Apr-12	03-Apr-12	0.00	4.00	0.00001	Blockage	14513062	1945 Edenbridge Way	No	No
05-Apr-12	06-Apr-12	1.99	4.50	0.1	Rainfall	01416001	Joelton SPS	Yes	No
05-Apr-12	06-Apr-12	1.76	7.58	0.45	Rainfall	10210012	Davidson Branch SPS	Yes	No
06-Apr-12	06-Apr-12	0.00	1.00	0.001	Blockage	07508186	706 Frankfort Dr.	No	No
16-Apr-12	16-Apr-12	0.12	0.50	0.0001	Blockage	14704049	3705 Faulkner Dr.	Yes	No
16-Apr-12	16-Apr-12	0.12	0.50	0.00001	Blockage	16206079	152 Tusculum Rd.	Yes	No
16-Apr-12	16-Apr-12	0.14	0.50	0.0001	Blockage	08413006	149 Barker Rd.	No	No
16-Apr-12	16-Apr-12	0.23	0.50	0.00001	Blockage	09215057	311 23rd Ave. N.	No	No
30-Apr-12	30-Apr-12	0.00	1.00	0.0001	Blockage	16202004	1432 Coleridge Dr.	Yes	No
01-May-12	01-May-12	0.00	1.00	0.0001	Blockage	17308022	5401 Oak Chase Dr.	Yes	No
09-May-12	09-May-12	0.00	5.00	0.0001	Line Break	16003020	5325 Overton Rd.	Yes	No
13-May-12	13-May-12	3.11	5.17	0.024	Rainfall	04312004	Vandiver SPS	Yes	No
13-May-12	13-May-12	3.10	2.50	0.032	Rainfall	09011002	516 Basswood Ave.	Yes	No
13-May-12	13-May-12	1.74	11.00	0.5	Rainfall	06201001	Holiday Travel Park SPS	Yes	No
13-May-12	14-May-12	4.14	26.00	0.2	Rainfall	01416001	Joelton SPS	Yes	No
13-May-12	13-May-12	3.10	5.92	0.238	Rainfall	10210012	Davidson Branch SPS	Yes	No
13-May-12	14-May-12	2.56	16.42	2.482	Rainfall	06915003	Whites Creek SPS	Yes	No
23-May-12	23-May-12	0.00	1.00	0.0001	Blockage	09713013CO	3248 Blackwood Dr.	No	No
29-May-12	29-May-12	0.00	1.00	0.001	Force Main	10901PSFM	The Lakes SPS	No	No
30-May-12	30-May-12	0.00	0.50	0.0001	Air Relief	04316001	River Retreat SPS	No	No
31-May-12	31-May-12	0.00	0.75	0.0001	Blockage	08206002	836 Joseph Ave.	No	No
05-Jun-12	05-Jun-12	0.00	2.00	0.0001	Blockage	09412014	248 Tulip Hill Dr.	No	No
07-Jun-12	07-Jun-12	0.00	1.00	0.0001	Blockage	04205005	860 Old Hickory Blvd.	No	No
12-Jun-12	12-Jun-12	0.00	1.50	0.0001	Blockage	02205018	3525 Old Clarksville Hwy.	No	No
12-Jun-12	12-Jun-12	0.00	2.00	0.0001	Blockage	14904011CO	259 Bell Rd.	No	No
21-Jun-12	21-Jun-12	0.00	1.50	0.0001	Blockage	09515037	25 Century Blvd.	No	No
24-Jun-12	24-Jun-12	0.00	0.25	0.0001	Electrical	16306018	Hickory Hollow SPS	No	No
25-Jun-12	25-Jun-12	0.00	1.50	0.0001	Line Break	08116057	901 Scovel St.	No	No
26-Jun-12	26-Jun-12	0.00	1.00	0.00001	Blockage	05914064	3853 Buena Vista Pk.	No	No

**Quarterly Dry Weather CSO Report
April 1, 2012 through June 30, 2012**

Event Start Date	Event End Date	Rainfall	Duration (hours)	Overflow Volume (MG)	Overflow Cause	Location
There are no dry weather overflows to report during this quarter.						

Section 3 - Planned Work For Upcoming Quarter

Remedial Measure for SSOs

CAP/ER

Planned work for upcoming quarter: The CAP/ER was submitted to EPA and TDEC during the 3rd Quarter of 2011. While the document is under review by the regulatory authorities, Metro will continue with additional planning activities and will continue procuring consulting engineering services for design of the proposed projects. Additionally, the following activities are anticipated during the upcoming quarter:

- Whites Creek Wastewater Treatment Plant (WWTP) Optimization and Disinfection Project: Construction will continue.
- Whites Creek Wastewater Pumping Station: Construction will continue.
- Holiday Travel Park Gravity Conversion: Construction will continue.
- Dodson Chapel Equalization Tank and Wastewater Pumping Station: Construction will continue.
- Lakewood Water and Sewer Replacement: Design should be completed during the upcoming quarter with easement acquisition continuing through early 2013.
- West Park Equalization Facility Phases II and III: Design will continue throughout the upcoming quarter.
- Mill Creek/Opryland Equalization Facility Phase II: Design is anticipated to begin during the 3rd Quarter of 2012.
- Dodson Chapel Pipe Improvements: Design is anticipated to begin during the 3rd Quarter of 2012.

Additional solicitations for design will be initiated during the 3rd Quarter of 2012.

CMOM Programs

Spill and Overflow Response Plan

Planned work for upcoming quarter: Metro will continue to operate under the revised SORP.

Inter-Jurisdictional Agreement Program

Planned work for upcoming quarter: All required agreements are in place, and Metro will continue to operate under these agreements, including monitoring peak flows received.

Capacity Assurance Program

Planned work for upcoming quarter: The Capacity Assurance Plan will continue to be applied as a tracking/approval tool for new development/flow in the SSS.

Pump Station Operation Plan for Power Outages

Planned work for upcoming quarter: Construction of the trunk sewer to eliminate the Holiday Travel Park Pumping Station, which has been delayed due to developer/contractor issues, will continue throughout the upcoming quarter. The resolution of the property rights issues which have delayed the installation of the stationary generator at the Munn Road Pumping Station is anticipated to be completed during 2012. The portable generators currently installed at these sites will receive priority attention for activation, as necessary, until the permanent improvements at each location have been completed.

Remedial Measures for Combined Sewer Overflows

NMC Compliance Plan

Planned work for upcoming quarter: All elements of the NMC Compliance Plan are operationally complete.

LTCP

Planned work for upcoming quarter: The LTCP was submitted to EPA and TDEC during the 3rd Quarter of 2011. While the document is under review by the regulatory authorities, Metro will continue with additional planning activities. Additionally, the following activities are anticipated during the upcoming quarter:

- Driftwood Equalization Basin Expansion: Construction of this project will begin during the upcoming quarter.

Section 4 – Design/Construction Projects

Projects Required by Consent Decree						
Project Number	Project Name	Project Description	Design Start Date	Design End Date	Construction Start Date	Construction End Date
97-SG-8-2&3	Dry Creek Facilities Improvements	Improvements to existing WWTP for optimization of wet weather flows, solids handling, and odor mitigation	3/1/2004	11/19/2004	7/5/2005	12/4/2008
03-SC-136A	Barker Road / Omohundro EQ Basin	Construction of a 15 MG EQ basin and wastewater pump station (WWPS) for the separate sanitary sewer system	2/23/2006	10/2008	2/2/2009	12/21/2009 (operational)

Continuation Projects from Previous Overflow Abatement Program

Project Number	Project Name	Project Description	Design Start Date	Design End Date	Construction Start Date	Construction End Date
94-SG-5F-1	Boscobel CSO – Village Court	Upsized CSS trunk sewer, rehabilitation of sanitary sewer, solids and floatable controls, and appurtenances	10/4/2005	7/1/2007	1/16/2008	10/27/2008
91-SC-36B	28 th Avenue North Sewer Rehabilitation Phases 1 & 2	Rehabilitation of sanitary sewer system	4/6/2006	8/30/2007	3/15/2008	3/12/2009
90-SC-75A	Hurricane Creek WPS Improvements	Replacement of pumps, controllers, and grinders at existing WWPS to improve reliability	12/1/2005	10/23/2006	11/12/2007	9/1/2008
05-SC-33	Basswood / West Park EQ Basin	Construction of a 10 MG EQ Basin and WWPS for the separate sanitary sewer system	6/21/2006	10/2008	2/18/2009	11/17/2010
94-SC-5B	Washington CSO Regulator	Construction of new replacement CSO Regulator to incorporate solids & floatables control and in system storage to reduce CSOs	12/18/2006	3/1/2010	12/1/2010	4/27/2012 (operational)
90-SC-150H	Inglewood Sewer Rehabilitation Phase 4	Rehabilitation of sanitary sewer system	2/7/2006	10/30/2006	7/13/2009	1/8/2010
99-SG-9C	Hermitage Area Sewer Rehabilitation	Rehabilitation of sanitary sewer system	8/2/2006	11/10/2006	7/13/2009	2/7/2010
06-SC-185	Mill Creek 36" Trunk Sewer Repair	Repair / rehabilitation of separated sewer system	7/6/2007	10/6/2007	3/21/2011	9/30/2011
			Design revisions			
			9/1/2009	5/1/2010		

Early Start CAP/ER Projects						
Project Number	Project Name	Project Description	Design Start Date	Design End Date	Construction Start Date	Construction End Date
06-SC-188	Whites Creek WWTP Disinfection / Optimization	Improvements to existing WWTP for optimization of wet weather flows and increased capacity of disinfection system	12/12/2008	10/30/2010	11/21/2011	1/2013 (estimated)
93-SC-34T	Whites Creek Wastewater Pumping Station	Improvements to the Whites Creek Pumping Station, including a new station and force main	11/15/2009	3/25/2011	2/13/2012	12/2013 (estimated)
10-SG-83	Lakewood Water and Sewer Replacement	Replacement of the sewer, water, and stormwater infrastructure	4/12-2010	9/2012 (estimated)	6/2013 (estimated)	12/2014 (estimated)
07-SL-113	Holiday Travel Park Gravity Conversion	Construction of a gravity sewer to allow the removal of the Holiday Travel Park pump station	6/2/2007	8/24/2011	3/13/2012	10/2012 (estimated)
99-SC-009L	Dodson Chapel Equalization Tank and Wastewater Pumping Station Expansion	Improvements to the existing facility including a new duty pump station, expanded wet weather pumping, and 11 MG of additional storage	9/15/2011	3/1/2012	5/14/2012	12/2013 (estimated)
11-SC-101	West Park Equalization Facility Phases II and III	Construction of two additional tanks capable of storing 21-MG (additional) and an upgraded wet weather pump station with a peak pumping capacity of 45 mgd	5/25/2012	4/2013 (estimated)	1/2014 (estimated)	1/2016 (estimated)
11-SC-102	Mill Creek/Opryland Equalization Facility Phase II	Construction of a second 15 MG equalization storage tank adjacent to the existing Barker Road / Omohundro facility	8/2012 (estimated)	7/2013 (estimated)	4/2014 (estimated)	10/2015 (estimated)
11-SC-104	Dodson Chapel Pipe Improvements	Approximately 3,400 linear feet of gravity pipe replacement to increase conveyance capacity	8/2012 (estimated)	8/2013 (estimated)	6/2015 (estimated)	6/2016 (estimated)

Early Start LTCP Projects

Project Number	Project Name	Project Description	Design Start Date	Design End Date	Construction Start Date	Construction End Date
11-SC-067	Driftwood Equalization Basin Expansion	Expansion of the existing CSO detention basin to capture 3.1 MG of additional storage	8/8/2011	4/9/2012	7/9/2012	7/2013 (estimated)