

EXECUTIVE COMMITTEE
PRESIDENT

David R. Williams
Director of Wastewater
East Bay Municipal
Utility District
Oakland, CA

VICE PRESIDENT
Suzanne E. Goss

Government Relations Specialist
JEA (Electric, Water & Sewer)
Jacksonville, FL

TREASURER

Julius Ciaccia, Jr.
Executive Director
Northeast Ohio Regional
Sewer District
Cleveland, OH

SECRETARY

Karen L. Pallansch
General Manager
Alexandria Sanitation
Authority
Alexandria, VA

PAST PRESIDENT

Jeff Theerman
Executive Director
Metropolitan St. Louis
Sewer District
Saint Louis, MO

EXECUTIVE DIRECTOR

Ken Kirk

July 3, 2012

Assistant Attorney General
Environment and Natural Resources Division
P.O. Box 7611
U.S. Department of Justice
Washington, DC 20044-7611

Re: *United States and State of Georgia v. City of Atlanta*
D.J. Ref. 90-5-1-1-4430

To Whom It May Concern:

The National Association of Clean Water Agencies (NACWA) appreciates this opportunity to express its strong support for the proposed amendment and schedule extension of the existing wet weather consent decree between the United States, the State of Georgia, and the City of Atlanta. Representing the interests of nearly 300 publicly owned wastewater and stormwater utilities from around the country, including the City of Atlanta, NACWA is a leader in advocating for sustainable environmental policies. NACWA and its municipal utility members are committed to improving water quality and achieving the goals of the Clean Water Act (CWA) in an environmentally and economically responsible manner.

NACWA applauds Atlanta, the U.S. Environmental Protection Agency (EPA), and the U.S. Department of Justice (DOJ) for negotiating the proposed amendment, and recognizes the significant effort on the part of all parties involved to reach this agreement. By extending the end date of the consent decree for 13 years to 2027, the amendment acknowledges the substantial investment of over \$1.5 billion already made by Atlanta to reduce sewer overflows. It will further allow the expenditure of the remaining \$445 million necessary for completion of the consent decree to be done in a manner that appropriately accommodates the challenging financial burdens currently facing the City and its ratepayers. The schedule extension strikes the appropriate balance between making sewer system investments through a cost-effective, prioritized approach while also protecting public health and the environment. NACWA believes the agreement will protect the investments and advancements made by Atlanta in its wastewater system over recent years, while also ensuring a financially sustainable investment strategy going forward.

July 3, 2012

Page 2 of 2

The proposed agreement is also entirely consistent with NACWA's ongoing efforts to secure additional flexibility and prioritization for municipal clean water utilities in meeting their wet weather and CWA mandates. NACWA looks forward to exploring what lessons the cooperative process between Atlanta and its federal and state partners in reaching this agreement may have for other municipal clean water utilities.

Given the many benefits that will flow from the proposed consent decree amendment and schedule extension, NACWA encourages EPA and DOJ to seek approval of the amendment from the United States District Court as soon as possible. NACWA appreciates this opportunity to provide comments, and again applauds all parties for reaching this agreement. Any additional questions or comments regarding this letter can be directed to Nathan Gardner-Andrews, NACWA's General Counsel, at ngardner-andrews@nacwa.org or 202/833-3692.

Sincerely,

A handwritten signature in black ink, appearing to read "K Kirk". The signature is stylized with a large "K" and a cursive "Kirk".

Ken Kirk
Executive Director