

July 15, 2015

Senator Sherrod Brown  
713 Hart Senate Office Building  
Washington, D.C. 20510

Senator Rob Portman  
448 Russell Senate Office Building  
Washington, D.C. 20510

**Re: Opposition to Amendment to Federal Water Pollution Control Act to  
Prohibit CSO Discharges to the Great Lakes**

Dear Senator Brown and Senator Portman,

On behalf of the Northeast Ohio Regional Sewer District (NEORSD), I am writing to express strong opposition to Section 428 of Senate Bill 1645, which seeks to amend the federal Clean Water Act by requiring all publicly-owned wastewater treatment agencies that discharge directly or indirectly to the Great Lakes to eliminate all combined sewer overflows (CSOs). This prohibition also includes those discharges in compliance with a CSO Long Term Control Plan (LTCP), among other onerous requirements, which do not directly apply to NEORSD.

As you are well aware, NEORSD's Project Clean Lake, our \$3 billion LTCP is well underway. Upon completion of the Project in 2036, we will have eliminated nearly 4.5 billion gallons of combined sewer overflows from going into Lake Erie annually and will be at an approximate 98% capture rate for CSOs; one of the highest in the country. We will accomplish this by building seven large tunnels to store flows until they can be treated, in addition to various plant upgrades and green infrastructure and stormwater control measures.

Should Section 428 of Senate Bill 1645 become law, in order for NEORSD to accomplish a zero overflow scenario in a "typical year", we would be relegated to making an addition \$16.5 billion of improvements after completion of Project Clean Lake. And this would not prevent overflow conditions in the "non-typical" year, such as the conditions in which we have found ourselves recently. In that case, NEORSD would be subjected to the \$100,000 fines.

Further, as we complete Project Clean Lake, we will be down to approximately two overflows per typical year. Should the proposal include counting the number of overflows by location, it is projected that NEORSD could still have approximately 178 overflows from discrete locations in our system and our three wastewater plants in a typical year. As we read the proposed law, this could amount to an additional \$18 million

Letter to Senators Sherrod Brown and Rob Portman

Page Two

Opposition to Amendment to Federal Water Pollution Control Act re CSO Discharges

per year in fines – after the ratepayers have paid \$3 billion for completion of Project Clean Lake.

NEORSD too is committed to the health of the Great Lakes, and particularly our beloved Lake Erie. This is demonstrated by our consistent investments since 1972. However, the proposed law seeks to have wastewater entities chase a goal that is essentially unattainable, at a huge expense to ratepayers. We respectfully request your help in ensuring that Section 428 is removed from Senate Bill 1645 because it is simply not the best use of limited taxpayer dollars.

I am happy to provide any additional information you might need regarding this issue.

Sincerely,



Julius Ciaccia  
Executive Director