

SSO Consent Decree San Antonio Water System

NACWA Law 2013
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Background

- SAWS separate legal entity from City
- ~ 5200 miles of pipe in collection system
- Region 6 EPA approached March 2007
- Role of State in negotiations
- Negotiated CD Lodged July 2013
- One set of public comments (EAA)
- CD Entered October 15, 2013
- Term of CD 10-12 years

Key Themes

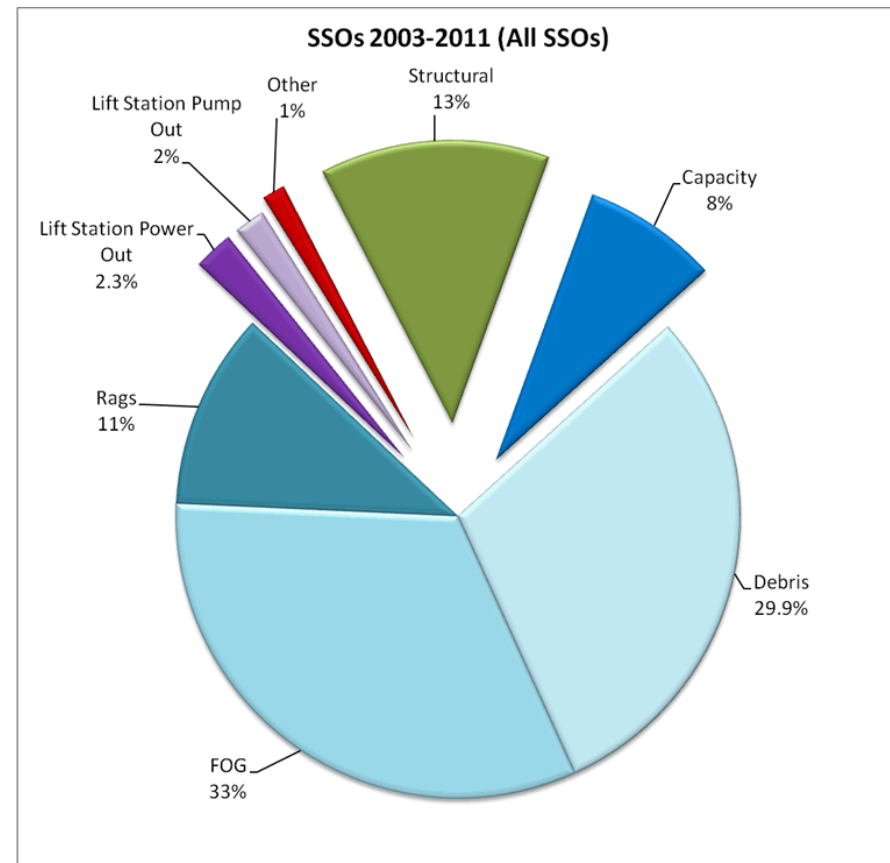
- Focused on SSOs
- Tailored to SAWS SSO Causes
- Retained Decision Making Discretion
- Maximized Flexibility in Conducting Work
- Maximized Certainty of Compliance

SSO Focus

- SAWS SSOs solely in collection system
- Major WWTP upgrades already done or planned per permit requirements
- Result: No WWTP requirements in CD

Tailored to SSO Causes

- SAWS SSOs ~ 75% blockage
 - ~ 8% wet weather
 - ~ 13% condition
- Fix the causes
- Proportionality of remedies



Decision Making Discretion

- “SAWS best professional judgment” ¶ 8
- Practical factors to select and prioritize work: (¶s 30, 31, 40-42)
 - Severity of defects
 - Frequency and history of SSOs
 - Pipe size/age/material
 - Asset grouping for bid packages
 - Scheduling practicalities
 - Balanced annual basis

Decision Making Discretion

- Appendices for Cleaning, Condition and Capacity Programs contain further detail supporting use of SAWS BPJ
 - E.g., Alternatives Analysis in Condition Program
- EPA Review and Comment for Condition and Capacity Assessment Reports ¶ 56
 - Review and Approval for Remedial Measures Plans ¶ 55

Appendix B

Large Diameter Pipes

“SAWS inspection results must indicate that the average depth of debris exceeds twenty percent of that pipe’s diameter. In addition, for any such pipe, SAWS will use its professional judgment to decide whether to clean the pipe if the model indicates that the pipe is able to convey peak flows with the observed debris.”

Appendix C

Category	Example Structural Conditions SAWS Anticipates for Each Category	Likely Outcome
E – Very Poor Condition	Structural collapse, which has or could likely cause SSO; or collapse imminent	Alternatives Analysis
D – Poor Condition	Significant missing material or broken material, severe corrosion with exposed pipe wall reinforcement, or pipe wall deformation greater than 25% from structural deterioration combined with hinge fractures	Alternatives Analysis or Monitoring
C – Fair Condition	Pipe wall deformation less than 25% from structural deterioration combined with hinge cracks, displaced fractures, or moderate corrosion – but no pipe wall reinforcement visible.	Monitoring or Maintenance Analysis
B – Good Condition	Pipe wall deformation from construction impacts or less than 10% of diameter from structural deterioration, minor corrosion, slightly open non-displaced fractures, or other moderate material degradation.	Maintenance Analysis
A – Very Good Condition	Mild defects which may include tight non-displaced cracks or other mild materials degradation.	Maintenance Analysis

Appendix D

Alternatives Analysis

“For each confirmed Capacity Constraint, perform an engineering analysis and collect any necessary additional field data such as:

- Smoke testing
- Dye testing
- Flow metering
- CCTV
- Other data as needed

Use engineering analysis to determine which solution is most likely to resolve the constraint at the lowest possible cost.”

Flexibility in Conducting Work

- Tied closely to decision making discretion
- Modification provisions allow SAWS to:
 - Change planned Remedial Measures that reduce overall scope of work or move to next year
 - Change Appendices
 - Change approved Remedial Measures technique
 - Without advance EPA written approval
 - As long as meet overall objectives and final completion dates

Maximizing Certainty

- Validation process for SSO remedies in Capacity program
- Technical Appendices define what work will meet CD requirements
- Reporting Appendices define what information will meet CD requirements
- Annual Reports
- EPA review process



Thank You!

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