



CITY OF OAKLAND

## MEMORANDUM

**TO:** HONORABLE MAYOR &  
CITY COUNCIL

**FROM:** Brooke A. Levin  
Director, OPW

**SUBJECT:** Landmark Clean Water Act Agreement  
with U.S. EPA

**DATE:** July 28, 2014

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City Administrator

Date

Approval

/s/ **Donna Hom**

**7/28/14**

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### INFORMATION

The purpose of this Information Memorandum is to provide information related to the Sewer Consent Decree (CD), which was lodged in the U.S. District Court, Northern District of California on July 28, 2014.

The CD is a regional agreement with the U.S. Environmental Protection Agency (EPA), The State and Regional Water Quality Control Boards, the East Bay Municipal Utility District (EBMUD), the City of Oakland, and six other East Bay cities, which will significantly improve aging sewer infrastructure and protect the San Francisco Bay from sewage discharges and spills.

During periods of heavy rainfall, flows often exceed the capacity of EBMUD's sewage treatment plant, discharging partially treated sewage into the Bay. In addition, aging sewage pipes within the sewage collection system clog due to grease, roots, and other obstructions, resulting in local overflows of raw sewage.

The CD outlines required work intended to eliminate discharges from EBMUD wet-weather facilities and reduce sewer overflows from the collection system. These two goals are planned to be achieved by: 1) rehabilitating both the aging public and private sewer pipes; 2) disconnecting storm-water connections to the sewer system wherever found; and 3) improving and increasing system cleaning and inspection activities. The CD is expected to take effect in fall 2014 and will be a 22-year agreement. Major components of the required work elements are listed below. It is estimated these elements will add annually \$13 million to the City of Oakland's current expenses, and is fully covered in the current budget and funded through sewer service fee increases which were adopted in 2010. No additional fee increases are anticipated for the next five years.

In years 2022 and 2030, work progress and discharge reduction goals will be assessed, and modifications to work elements may be needed if results are not on target to reduce discharges from EBMUD facilities. The work elements of the CD include:

- Rehabilitate 13 miles of sewer pipes per year
- Clean the entire sewer system by 2018 and 140 miles per year thereafter
- Inspect 92 miles of sewer pipes per year
- Root foam 50 miles of sewer pipes per year
- Renovate all 7 sewer pump stations by 2022
- Eliminate high priority storm water inflow sources within two years wherever found
- Repair acute defects in pipes within one year
- Inspect and clean sewer hot spots annually
- Require Private Sewer Lateral (PSL) rehabilitation (initiated in 2012)
- Report defective sewer laterals owned by local, state, or federal entities to EPA
- Rehabilitate sewer laterals owned by the City within 10 years at targeted locations
- Notify owners of private-property defective sewer laterals within 90 days
- Enforce repairs on high priority defective sewer laterals
- Assist EBMUD in development of sewer lateral education program
- Formalize the previously implemented fat, oil, and grease control (FOG) program
- One-time civil penalty to EPA in the amount of \$850,000
- Share in a regional payment of legal fees (\$310,000) to the NGOs and the State
- Various stipulated penalties for non-compliance with work requirements

Respectfully submitted,

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**BROOKE A. LEVIN**  
Director, Oakland Public Works

For questions please contact Gus Amirzehni, Principal Civil Engineer, at 238-6601.