



## Legislation Details (With Text)

**File #:** 2905-2015      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 11/10/2015      **In control:** Rules & Reference Committee

**On agenda:** 12/14/2015      **Final action:** 12/16/2015

**Title:** To amend and enact various sections of Chapter 1145, "Sewer Use Regulations," of the Columbus City Code, in order to establish the City's inflow and infiltration reduction program, and to authorize the Director of Public Utilities to designate those areas served by the City's sanitary sewer system where the program will be implemented as well as to prioritize those areas so designated for implementation.

**Sponsors:** Zach M. Klein

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD. 2905-2015 Ordaining Language, 2. Infiltration\_Inflow\_Impacts 11092015

Date	Ver.	Action By	Action	Result
12/16/2015	1	CITY CLERK	Attest	
12/15/2015	1	MAYOR	Signed	
12/14/2015	1	COUNCIL PRESIDENT	Approved	
12/14/2015	1	COUNCIL PRESIDENT	Signed	
12/14/2015	1	Columbus City Council	Approved	Pass
12/7/2015	1	Columbus City Council	Read for the First Time	

This ordinance amends and enacts sections of the Columbus City Code Chapter 1145, "Sewer Use Regulations," to establish the City's inflow and infiltration reduction program, and to authorize the Director of Public Utilities to designate those areas served by the City's sanitary sewer system where the program will be implemented as well as to prioritize areas so designated for implementation.

**Fiscal Impact:** There is no direct fiscal impact from this legislation. Implementation of the inflow and infiltration program authorized by this legislation will be authorized by additional legislation which will appropriate necessary funds. It is estimated that the program will cost approximately \$1.7 billion over the next twenty years.

To amend and enact various sections of Chapter 1145, "Sewer Use Regulations," of the Columbus City Code, in order to establish the City's inflow and infiltration reduction program, and to authorize the Director of Public Utilities to designate those areas served by the City's sanitary sewer system where the program will be implemented as well as to prioritize those areas so designated for implementation.

**WHEREAS,** under the authority provided in the Ohio Constitution, the Ohio Revised Code and its Charter, the City of Columbus owns and operates a separate sanitary sewer system (the "Sanitary System" or "System") that provides sanitary wastewater collection and treatment services for the City and its inhabitants, and also for certain adjacent areas and the inhabitants in those areas. The City's Sanitary System is designed to convey domestic, commercial and industrial

wastewater to one of the City's wastewater treatment plants for treatment and ultimate discharge; and

**WHEREAS**, the Sanitary System is distinct from the City's municipal storm sewer system, which is designed solely to transport rain runoff from streets and other impervious areas directly to streams and rivers; and

**WHEREAS**, during periods of heavy precipitation, rain water can enter into the Sanitary System, causing it to become overwhelmed; this is known as "inflow and infiltration" or "I/I." Significant I/I causes the Sanitary System to overflow into streams and rivers (which events are known as "sanitary sewer overflows" or "SSOs") and also causes the System to backup into basements (known as "water in basements" or "WIBs"); and

**WHEREAS**, the State of Ohio, in 2002, filed suit against the City for these SSO events, alleging that they violate R.C Chapter 6111, the State's water pollution control law. The City ultimately entered into a Consent Order with the State requiring the City to prepare and implement a System Evaluation and Capacity Assurance Plan ("SECAP") to eliminate SSOs and WIBs; and

**WHEREAS**, the City submitted its SECAP to Ohio EPA in 2005, as part of its Wet Weather Management Plan; and

**WHEREAS**, Ohio EPA subsequently approved the City's SECAP, which calls for construction of two large, deep tunnels to store and ultimately convey all of the flow from the System's collection system to one of the City's wastewater treatment plants for treatment prior to discharge. These tunnels do not address the excessive I/I in the System; they merely capture the excessive I/I for storage, conveyance and treatment. These tunnels are currently estimated to cost \$2.5 billion; and

**WHEREAS**, in 2012, the City obtained permission from Ohio EPA to delay construction of the tunnels in order to re-evaluate its approach to eliminating SSOs and WIBs; and

**WHEREAS**, the City has determined that it can achieve the same SSO and WIB elimination by reducing excessive I/I from the system, thus eliminating most of the tunnels. The revised plan is currently estimated to cost \$1.7 Billion over the next twenty years, which is far less than the original SECAP plan; and

**WHEREAS**, the City has determined that the primary source of excessive I/I in the System is residential areas. Specifically, the majority of the I/I is from leaking and/or deteriorated private sanitary laterals as well as downspouts and foundation drains which are connected to the System; and

**WHEREAS**, the City has also determined that the best method of addressing the contribution from these sources is to rehabilitate or replace these private sanitary laterals as well as to disconnect and/or redirect downspouts away from the perimeter of the house. In addition, the City has determined that a voluntary sump pump program for these same houses will further reduce I/I. This I/I Reduction Program is known as "Blueprint Columbus"; and

**WHEREAS**, SSOs and WIBs allow sewage to escape from the System and potentially allow human contact with the raw sewage. Raw sewage contains many pathogens which are associated with illnesses; and

**WHEREAS**, this Council has determined that excessive I/I which results in SSOs and WIBs are a potential threat to public health, safety and the environment and other natural resources and thereby constitute public nuisances; and

**WHEREAS**, Council has determined that it is necessary and appropriate and in the best interest of the City and its inhabitants to provide for the abatement of the nuisance conditions caused by excessive I/I by rehabilitation and/or replacement of private sanitary laterals and for the disconnection and/ or redirecting of water from downspouts away from the System for the public purposes of addressing conditions deleterious to the public health and safety and the environment and other natural resources, to provide for and enable the environmentally safe and productive use of private lands in the City, abating the public nuisances those conditions present, assisting the City in complying with its consent order with Ohio EPA requirements and protecting the System and promoting its effective and efficient operation; and

**WHEREAS**, this Council has determined to authorize the Director of Public Utilities to designate areas of the City to

implement the I/I Reduction Program, and to prioritize those areas;

**WHEREAS**, the Department of Public Utilities is requesting City Council to amend and enact sections of Chapter 1145, "Sewer Use Regulations" in order to establish the City's inflow and infiltration reduction program at the earliest time available thereby preserving the City's public health, peace, safety, and welfare; **NOW, THEREFORE**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

[see attachment]