

MSD Overflow Abatement Plan Meeting Held May 14, 2013
Fern Creek High School
Questions and Answers

- 1. Question - Why do you let 400 hundred houses be built on a pump station originally built for only 200 houses? This question pertains to a pump station on Chenoweth Run below Saratoga Woods Subdivision.**

MSD reviews sewer and pump station capacity for peaked dry weather flows from requests for new capacity. If the system is deemed to have capacity, the request is approved. If not, the request is approved conditionally, with downstream system improvements required before new flow can be introduced. In many instances, pump stations have been upgraded from their initial design, which may be the case in the situation.

- 2. Question – When will the Lake of the Wood Treatment Plant be eliminated?**

The Lake of the Woods Water Quality Treatment Center will be taken off line either later this year or early 2014.

- 3. Question – How do I dispose of different kinds of used paints?**

Paints should not be disposed into the sewer or storm drains. There is a hazardous waste pickup at several facilities across the county.

- 4. Question – How do I dispose of used cooking oil?**

The easiest disposal method is to let the oil cool to room temperature and then dispose of into the trash can. You can actually get money for recycling cooking oil if you know someone who will recycle it and convert it to a diesel use.

- 5. Question – How do I get reduced rate forms?**

The forms were available at the meeting along with information about the sewer line replacement service. The information is also available by calling MSD Customer Relations at 502-587-0603.

- 6. Question – Who is responsible for tree roots in a sewer system?**

It really depends on which side of the private/public sewer line the roots occur. MSD maintains sewers in the street and to the edge of the right-of-way. If the sewer is in a backyard or an easement, MSD maintains the sewer to the edge of the easement. The difficulty is determining where the blockage or roots have entered the sewer. The property owner should first call MSD to determine the location of the problem. If the problem is within the public section of the sewer, MSD will fix the problem at no expense to the property owner. Don't call a plumber first because you will be charged by the plumber even if the blockage is on MSD's portion of

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the sewer. If the problem is on the property owner's portion of the sewer, then the responsibility falls on the property owner to fix the problem.

7. Question – When sewer rates increase, will drainage rates increase as well?

Yes, when sewer rates increase, drainage rates will increase as well. Other than the 2007 33% increase to jump start the Consent Decree capital project work, all rate increases affect both the sewer and drainage rates.

8. Question – Once construction is complete, can MSD plant something other than fescue? Native grasses and wildflowers are beneficial to wildlife and require less mowing which is beneficial to the environment.

MSD is currently in discussions with community stakeholders about how MSD might more effectively deal with this situation. MSD's standard protocol is to plant fescue. This is in MSD's Standard Specifications. There is an increase in cost if MSD changes the specifications to include native grasses, trees and wildflowers. To keep rates low, MSD uses the most cost effective way to establish a ground cover, which is the minimal control under the local Erosion Prevention and Sediment Control Ordinance.

9. Question – We have property that borders a creek near Highview Park. Are there regulations governing the upkeep of that property?

There aren't specific regulations that MSD would enforce regarding the upkeep of the property unless you are doing work or clearing the riparian buffer adjacent to the creek. If the riparian buffer is being impacted by any type of land disturbing activity, then a permit from MSD is required. Also, MSD is the administering agency of the local Erosion Prevention and Sediment Control Ordinance and the local Floodplain Ordinance.

10. Question – When the Jeffersontown Water Quality Treatment Center is eliminated, will that make the Fairmount Road plant overworked?

Yes, in the long run it will over tax the Fairmount Road Pump Station. That is why we added that additional storage project near the Fairmount Road Pump Station was added.

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11. Question – Are there issues with capacity of the Fairmount Road Pump Station force main?

The sanitary storage basin proposed will eliminate the need to upgrade the force main at this time. There may be an issue 10 or 15 years down the road, but for now the pump station, force main and Cedar Creek Water Quality Treatment Center (WQTC) will not have to be upgraded. The storage basin is a sanitary-only basin and the stored sewage will not go to the creek.

12. Question – Are you sending notices and advice to rental property occupants?

MSD uses a property database, sending information and meeting invitations to the property occupant.

13. Question – If people 65 or older and making \$35,000 or less are allowed to pay less, won't those of us who aren't part of that group be forced to pay more?

The answer to that question is yes. MSD's Senior Citizen discount has been in place for about 5 years. MSD's current Board is going to evaluate this program and make the determination if that is a policy MSD will want to continue, because if you give a reduced fee to one customer class it does mean that another customer class will pay more. Approximately 5% of MSD's customer base receives the Senior Citizen discount.

Follow Up – Person in audience asked about the exemption for government properties as well.

Schools are not exempt, but city and county government is exempt. Per an agreement with Jefferson County Public Schools (JCPS) established decades ago, there is a discount for JCPS because they grant MSD all necessary sewer and drainage easements at no cost across the District and because they have onsite detention on many of their campuses. MSD's Board will be taking a look at all of MSD current rate making policies.

Follow Up – Person in audience asked if Metro Parks get free water because they are owned by the city.

The free water side of the bill is a statutory requirement that goes back to 1854. It is not a Board policy. 21st Century Park, since it is a private park, is not eligible for free water. But public parks, because they are owned by the City of Louisville, are eligible for free water.

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14. Question – Pumps at the Six Mile Lane and Breckenridge Lane underpass / overpass were out again on Friday, May 10th. Why can't these be kept in working order all the time? Flooding occurs.

This particular pumping station was put in by the Highway Department about 30 years ago. MSD will contact District 5 of the Highway Department regarding issue. Technically this is not the responsibility of MSD.

Follow Up – Property owner has issues with the hydroplaning at the viaduct when the pumps aren't working. It's a dangerous situation. The water can be a foot deep.

It is important to MSD to get this resolved. He asked the property owner to write down the location and MSD will follow up with the appropriate entity.

15. Question – How does the regional sewer authority affect property owners? What fees will be charged in addition to MSD fees? Will this be under the public service commission?

Senator Dan Seum held a meeting May 13, 2013. History – In 2011 legislation was passed which allowed the creation of a regional sewer commission, which would include Jefferson, Hardin, Meade, Bullitt and Oldham counties (other counties could join at a later date). The commission has not yet been created. If the commission is created, they would be tasked with accessing the infrastructure needs of the un-sewered areas of those counties. Those who benefit from the infrastructure would be accessed a fee, similar to what MSD does now. This will not be an additional fee for those who are currently served by MSD. This is all very preliminary since the commission has not yet been created. MSD is involved because many of the streams in the adjacent counties flow into Jefferson County, impacting Jefferson County water quality. The intent is to address the growth in the region.

Follow Up – A member of the audience voiced concern that the Regional Sewer Commission is not under the Public Service Commission.

The Public Service Commission does not regulate MSD. MSD rate increases are regulated by MSD's Board if under 7%. Rate increases above 7% are regulated by Metro Council. Mr. Heitzman stated that he believed local regulation is better than state or federal regulation since we know our rate payers needs better than someone outside of the county or state. Greg stated that he would be willing to compare the rates of the Louisville Water Company and MSD to any regulated entity outside the county. Louisville water and sewer rates are lower.

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Follow Up – A member of the audience voiced concern about a meeting that took place the previous day.

The meeting the previous day on regional sewer service included the following groups – Metro Council, county judges from the adjacent counties, MSD, and developers. MSD did not call this meeting, Mr. Heitzman’s attendance was at the invitation of State Senator Dan Seum. Mr. Heitzman stated that it is his goal to have environmental groups, regulators (EPA and KyDOW), developers, engineering community, etc at future meetings. This will be an open process.

16. Question – Some of the package treatment plants were built in the 50’s, 60’s and 70’s?

The package plants were built prior to MSD expanding the sewer system into the outlying areas. Most of these package plants are well beyond their useful life and require capital improvements as they age. Though most package plants will be eliminated, MSD will have 5 regional plants that will be in service for a very long time.

Follow Up – Followup from the audience about MSD’s aging infrastructure.

MSD has gone from 300 WQTCs with a goal of getting to just 5 WQTCs by the end of 2015. MSD has inherited a lot of aging infrastructure. It is MSD’s responsibility as an environmental steward to invest capital and upgrade these existing facilities.

17. Question – Will the elevated monthly sewer rates remain after the Consent Decree terms are satisfied in 2024?

The deadline for completing all Consent Decree related projects is 2020 in the combined sewer system and 2024 in the separate sewer system. Even when those projects have been completed, the rates will not decrease for awhile since the projects have been funded by long term bonds as well as the rate increases. It is similar to buying a home. You borrow money to buy the home. Even though you owe against it, you are allowed to live in it and over time (20 or 30 years) you slowly pay it off. Some bonds are for 20 years, but others are for 30 or 40 years. The Consent Decree line item on the bill will remain there for the foreseeable future until the bonds are paid off.

Follow Up – Person in the audience stating that he owns rental property and cannot recover the additional Consent Decree rates because he is unable to raise the rental rates.

Affordability has become a big issue and has been addressed with EPA officials. MSD is looking at ways to be fair and equitable to low income and fixed income individuals. Again, if you subsidize one customer class then the other classes pay more. The Louisville Water

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Company allocates 10% of revenue from the Water Company's Service Line Protection program which is voluntary, and directs that revenue to subsidize an affordability program for individuals with low and fixed income. MSD will look at similar creative solutions. This is a concern that will be addressed by MSD Board.