

Department of Environmental Services



City of Baton Rouge  
Parish of East Baton Rouge

222 St Louis, 8th Floor  
Baton Rouge LA 70802

July 21, 2015

CERTIFIED-RETURN RECEIPT REQUESTED

Mr. Michael T. Donnellan  
U.S. Department of Justice  
P.O. Box 7611  
Washington, D.C. 20044-7611

Re: City of Baton Rouge and Parish of East Baton Rouge  
Consent Decree-Civil Action No. 01-978-B-M3  
Achievement of 66% Milestone

Gentlemen:

Pursuant to Paragraph 53 of the Consent Decree, the City of Baton Rouge and Parish of East Baton Rouge (collectively the "City/Parish") hereby submits this achievement of the 66% milestone for the RMAP2 projects.

On March 14, 2002, the City of Baton Rouge, Louisiana and the Parish of East Baton Rouge, Louisiana (collectively "the City/Parish") entered into a Consent Decree with the United States and the State of Louisiana. Since that time an Agreement and Order Regarding the Modification of the Consent Decree was lodged with the court in late 2008, and was approved by the Department of Justice (DOJ), Environmental Protection Agency (EPA), and the Louisiana Department of Environmental Quality (LDEQA) in April 2009. This 2009 Consent Decree Modification specifically adopts the City/Parish's September 2008 Second Remedial Measures Action Plan (RMAP2). In addition, in late 2012 the City/Parish submitted a request for compliance schedule extension which was approved by the DOJ, EPA and LDEQ on June 16, 2013 in the *Revised Second Agreement and Order Regarding the Modification of the Consent Decree* (aka *Revised Second Consent Decree Modification*) which was included as *Attachment 1: Revised Second Agreement and Order Regarding the Modification of the Consent Decree* at the end of the 45<sup>th</sup> Quarterly EPA Report. Schedule milestones were established for the RMAP2 projects in the *Revised Second Consent Decree Modification* for 33%, 66% and 100% functional completion of construction.

The 66% milestone date for the Remedial Measures Action Plan 2 (RMAP2) projects as provided in the June 18, 2013 Consent Decree Extension was June 30, 2015. A status summary for both the RMAP2 milestone projects and the overall Program milestones projects as specified in Consent Decree paragraph 34(C) follows.

Overall Program Completion	Extension Schedule Phase	Project Status and Comment	% of overall budget, 2008/2015	Date Completed
14%	RMAP1	14 functionally complete, 13 on or ahead of schedule	5.0% / 4.5%	2 <sup>nd</sup> Quarter, 2010
40%	RMAP2, 33%	26 functionally complete, 26 on or ahead of schedule for both the overall Program and Extension Schedules.	85.9% / 76.5%	1 <sup>st</sup> Quarter, 2013
68%	RMAP2, 66%	62 projects identified in the Extension document were functionally complete as of 6.30.15. The Overall Program Completion 66% Milestone in 34(C) included 65 projects total; 3 projects are still in construction. Of those identified in the RMAP2 66% schedule, 6 projects are still in construction. All projects are scheduled to be complete by the end of the 4 <sup>th</sup> quarter, 2015.	96.7% / 90.7%	2 <sup>nd</sup> Quarter 2015*
100%	RMAP2, 100%	Currently all projects are on schedule for functional completion prior to the 100% milestone date for both the Program and the RMAP2 schedule from the extension.	112.2% / 100%	4 <sup>th</sup> Quarter, 2018

**Project Specific Listing**

The following is the project specific listing for the 66% RMAP2 milestone projects per the 2013 Extension. A status summary is provided for each project.

REHABILITATION PROJECTS				
	33% Construction Milestone	66% Construction Milestone	100% Construction Milestone	Project Status Summaries
Milestone Date	1 <sup>st</sup> QTR 2013	2 <sup>nd</sup> QTR 2015	4 <sup>th</sup> QTR 2018	
Construction Status	Construction Functionally Complete	Construction Functionally Complete	Construction Functionally Complete	
Project Descriptions RMAP2 Projects				
Bluebonnet Blvd – Jefferson Hwy Phase I Area Rehabilitation Project		✓		Project completed – 4 <sup>th</sup> quarter 2012.
Bluebonnet Blvd – Jefferson Hwy Phase II Area Rehabilitation Project		✓		Project completed – 1 <sup>st</sup> quarter 2013.
Highland Road – Washington Street Area Rehabilitation Project		✓		Project completed—3 <sup>rd</sup> quarter 2013.
Airline Highway – Goodwood Blvd Phase I Area Rehabilitation Project		✓		Project completed-3 <sup>rd</sup> quarter 2014.
Airline Highway – Goodwood Blvd Phase II Area Rehabilitation Project		✓		Project completed – 2 <sup>nd</sup> quarter 2015.
Acadian Thruway – Claycut Road Area Rehabilitation Project		✓		Project completed – 1 <sup>st</sup> quarter 2013.

<b>REHABILITATION PROJECTS</b>				
	<b>33% Construction Milestone</b>	<b>66% Construction Milestone</b>	<b>100% Construction Milestone</b>	<b>Project Status Summaries</b>
<b>Milestone Date</b>	<b>1<sup>st</sup> QTR 2013</b>	<b>2<sup>nd</sup> QTR 2015</b>	<b>4<sup>th</sup> QTR 2018</b>	
<b>Construction Status</b>	<b>Construction Functionally Complete</b>	<b>Construction Functionally Complete</b>	<b>Construction Functionally Complete</b>	
<b>Antioch Road – Chadsford Drive Area Rehabilitation Project</b>		✓		<b>Project completed – 2<sup>nd</sup> quarter 2015.</b>
<b>Scenic Highway – Spanish Town Road Phase I Area Rehabilitation Project</b>		✓		<b>Project completed – 2<sup>nd</sup> quarter 2015.</b>

<b>CAPACITY AND PUMP STATION PROJECTS</b>				
	<b>33% Construction Milestone</b>	<b>66% Construction Milestone</b>	<b>100% Construction Milestone</b>	<b>Project Status Summaries</b>
<b>Milestone Date</b>	<b>1<sup>st</sup> QTR 2013</b>	<b>2<sup>nd</sup> QTR 2015</b>	<b>4<sup>th</sup> QTR 2018</b>	
<b>Construction Status</b>	<b>Construction Functionally Complete</b>	<b>Construction Functionally Complete</b>	<b>Construction Functionally Complete</b>	
<b>Zachary Area Transmission Network Improvements Phase I - 3 Pump Stations and Equalization Basin</b>		✓		<b>Project completed - 1<sup>st</sup> quarter 2013.</b>
<b>Zachary Area Transmission Network Improvements Phase II – Red Mud Lakes Forcemain to NWWTP</b>		✓		Construction approximately 92% complete. Various environmental issues have greatly impacted the schedule for this project; major delays are anticipated. <b>Project suspended due to backwater flooding; this project is included in the previously submitted Force Majeure Event Notification, Mississippi River Flood Event. Currently critical path work is unavailable until the river level falls and soils at the site stabilize.</b>
<b>Zachary Area Transmission Network Improvements Phase III – Forcemain to Highway 964 to Red Mud Lakes</b>		✓		<b>Project completed - 4<sup>th</sup> quarter 2014.</b>
<b>Zachary Area Transmission Network Improvements Phase IV – Zachary Improvements</b>		✓		<b>Project completed - 4<sup>th</sup> quarter 2011.</b>
<b>Downtown Area Pump Station Improvements</b>		✓		<b>Project completed - 3<sup>rd</sup> quarter 2012.</b>
<b>Group Project 1A (Metro Airport Sewer Upgrades)</b>		✓		<b>Project completed - 2<sup>nd</sup> quarter 2013.</b>
<b>Group Project 1B (Metro Airport Sewer Area Pump Station &amp; Forcemain Upgrades)</b>		✓		Construction approximately 98% complete and ongoing. Schedule impacts are being monitored and mitigation efforts are ongoing.
<b>Perkins/Old Perkins Area - Booster PS 514 Improvements</b>		✓		<b>Project completed - 2<sup>nd</sup> quarter 2013.</b>

<b>CAPACITY AND PUMP STATION PROJECTS</b>				
	<b>33% Construction Milestone</b>	<b>66% Construction Milestone</b>	<b>100% Construction Milestone</b>	<b>Project Status Summaries</b>
<b>Milestone Date</b>	<b>1<sup>st</sup> QTR 2013</b>	<b>2<sup>nd</sup> QTR 2015</b>	<b>4<sup>th</sup> QTR 2018</b>	
<b>Construction Status</b>	<b>Construction Functionally Complete</b>	<b>Construction Functionally Complete</b>	<b>Construction Functionally Complete</b>	
<b>Highland Road – Burbank Drive Capacity Improvements</b>		✓		Construction is approximately 99% complete and ongoing. The final components of this project have been incorporated into another project currently underway due to City-Parish initiating default proceeding against the contractor. Work is being closely monitored for schedule impacts.
<b>Nicholson Drive – Highland Road – Perkins Road Capacity Improvements Phase A</b>		✓		<b>Project completed - 1<sup>st</sup> quarter 2012.</b>
<b>Nicholson Drive – Highland Road – Perkins Road Capacity Improvements Phase B</b>		✓		<b>Project completed - 1<sup>st</sup> quarter 2015.</b>
<b>Bayou Duplantier Area Sewer Upgrades</b>		✓		<b>Project completed--3<sup>rd</sup> quarter 2013.</b>
<b>Plank Road – Kleinpeter Road Sewer Area Upgrades</b>		✓		Construction is approximately 91% complete and ongoing. Contractor experiencing labor issues. Schedule impacts are being monitored and mitigation efforts are ongoing.
<b>O’Neal Lane Pipeline Improvements – Group A</b>		✓		<b>Project completed- 4<sup>th</sup> quarter 2014.</b>
<b>O’Neal Lane Pipeline Improvements – Group B</b>		✓		<b>Project completed – 2<sup>nd</sup> quarter 2015.</b>
<b>Multiple PS - Nicholson Dr - Brightside Dr</b>		✓		<b>Project completed – 2<sup>nd</sup> quarter 2015.</b>
<b>Pump Station 58 Capacity Improvements</b>		✓		<b>Project completed – 1<sup>st</sup> quarter 2015.</b>
<b>Staring Lane FM (Phase II - Highland road to Perkins Road)</b>		✓		<b>Project completed-4<sup>th</sup> quarter 2013.</b>
<b>Staring Lane FM (Phase III - Perkins to PS58)</b>		✓		<b>Project completed-3<sup>rd</sup> quarter 2013.</b>
<b>Multiple PS - Jefferson Hwy - Park Forest Dr</b>		✓		<b>Project completed - 3<sup>rd</sup> quarter 2012.</b>

<b>CAPACITY AND PUMP STATION PROJECTS</b>				
	<b>33%</b> Construction Milestone	<b>66%</b> Construction Milestone	<b>100%</b> Construction Milestone	<b>Project Status Summaries</b>
<b>Milestone Date</b>	<b>1<sup>st</sup> QTR 2013</b>	<b>2<sup>nd</sup> QTR 2015</b>	<b>4<sup>th</sup> QTR 2018</b>	
<b>Construction Status</b>	<b>Construction Functionally Complete</b>	<b>Construction Functionally Complete</b>	<b>Construction Functionally Complete</b>	
<b>Pump Station 42 Improvements</b>		✓		Construction is approximately 95% complete and ongoing. Project being closely monitored and issues that may seriously impact schedule are being mitigated. <b>Currently critical path work is unavailable due to the Corps of Engineers Order regarding the Mississippi River Flood levels and project specific permit conditions. This project was included in the Force Majeure Event notification.</b>
<b>Pump Station 42 Forcemain - Phase I</b>		✓		<b>Project complete-3<sup>rd</sup> quarter 2014.</b>
<b>Pump Station 42 Forcemain - Phase II</b>		✓		<b>Project complete-2<sup>nd</sup> quarter 2014.</b>
<b>Central Consolidated Pump Stations</b>		✓		<b>Project complete—4<sup>th</sup> quarter 2014.</b>
<b>Central Consolidated Forcemains – Phase I</b>		✓		<b>Project complete--3<sup>rd</sup> quarter 2013.</b>
<b>Central Consolidated Forcemains – Phase II</b>		✓		<b>Project complete-3<sup>rd</sup> quarter 2014.</b>

<b>WASTEWATER STORAGE AND TREATMENT</b>				
	<b>33%</b> Construction Milestone	<b>66%</b> Construction Milestone	<b>100%</b> Construction Milestone	<b>Project Status Summaries</b>
<b>Milestone Date</b>	<b>1<sup>st</sup> QTR 2013</b>	<b>2<sup>nd</sup> QTR 2015</b>	<b>4<sup>th</sup> QTR 2018</b>	
<b>Construction Status</b>	<b>Construction Functionally Complete</b>	<b>Construction Functionally Complete</b>	<b>Construction Functionally Complete</b>	
<b>Project Descriptions RMAP2 Projects</b>				
<b>Choctaw Storage and Pump Station Facility</b>		✓		<b>Project completed – 3<sup>rd</sup> quarter 2013.</b>
<b>Hooper Storage Facility</b>		✓		Construction approximately 89% complete and ongoing. Project being closely monitored for issues that are impacting schedule; mitigation efforts are underway.
<b>SWWTP Wet Weather Improvements - Phase I</b>		✓		<b>Project completed - 2<sup>nd</sup> quarter 2013.</b>
<b>SWWTP Wet Weather Improvements - Phase II (PDP portion)</b>		✓		<b>Project completed - 2<sup>nd</sup> quarter 2015.</b>

Sincerely,



Karen M. Khonsari  
Director of Environmental Services

cc: Honorable Melvin L. "Kip" Holden, Mayor-President  
Mr. William B. Daniel, IV, P.E., Chief Administrative Officer  
Mr. Bobby Mayweather, LDEQ  
Ms. Peggy Hatch, LDEQ  
Ms. Mona Tate, U.S. EPA Region 6  
Mr. Carlos Zequeira (6RC-EA)  
Ms. Gladys Gooden-Jackson (6EN-WC)  
Ms. Mary Roper  
Mr. Adam Smith, PE, EBR DES  
Ms. Amy Schulze, PE, EBR DES  
Ms. Cheryl Berry, PE, EBR DES  
Mr. Mitch O'Brien, EBR DES  
Mr. Mark LeBlanc, EBR  
Mr. Joshua Crowe, CH2M  
Ms. Susan Douglas, CH2M