

Office of the Mayor
Tony T. Yarber, Mayor



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February 27, 2015

Chief, Environmental Enforcement Section
Environment and National Resources Division
U.S. Department of Justice
Box 7611 Ben Franklin Station
Washington, D.C. 20044-7611
Re: DOJ No. 90-5-1-1-09841

Brad Ammons
Environmental Engineer
Clean Water Enforcement Branch
Municipal & Industrial Enforcement Section
U.S. EPA Region 4
61 Forsyth St., SW
Atlanta, GA 30303

Karl Fingerhood
Environmental Enforcement Section
U.S. Department of Justice
Box 7611 Ben Franklin Station
Washington, D.C. 20044-7611

RE: City of Jackson, Mississippi, EPA Consent Decree
CMOM Programs

Dear Gentlemen:

Attached please find the following CMOM Programs required by the Consent Decree and being proposed by the City of Jackson for your review, comment, and approval:

- 1) Inter-jurisdictional Agreement Program;
- 2) Fats, Oils, and Grease (FOG) Control Program;
- 3) Private Lateral Program; and
- 4) Water Quality Monitoring Program.

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering such information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Sincerely,

Tony T. Yarber
Mayor

2015 MAR 04 10:12 CWEL

cc: Les Herrington, P.E., Mississippi Department of Environmental Quality
Gus McCoy, Chief Administrative Officer
Monica Joiner, City Attorney
Kishia L. Powell, P.E., Director, Department of Public Works
Mary D. Carter, Deputy Director of Public Works
Terry Williamson, Consent Decree Manager
Public Depository, Eudora Welty Public Library



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

AUG 12 2016

CERTIFIED MAIL 7015 1730 0002 0524 3563
RETURN RECEIPT REQUESTED

Mr. Jerriot Smash
Interim Director
Department of Public Works
City of Jackson
P.O. Box 17
Jackson, Mississippi 39205-0015

Re: Private Lateral Program Approval
City of Jackson, Mississippi Consent Decree
Case No.: 3:12-cv-790 TSL-JMR

Dear Mr. Smash:

The U.S. Environmental Protection Agency Region 4 has reviewed the Private Lateral Program document dated February 27, 2015. Pursuant to Section V of the subject Consent Decree above, and with consultation with the Mississippi Department of Environmental Quality (MDEQ), the EPA and the MDEQ hereby approve this document.

The EPA expects that the City of Jackson will revise and resubmit (for the EPA's records) the Private Lateral Program document and certification that the program has been fully implemented no later than 12 months of receipt of this letter, pursuant to Paragraph 32 of the Consent Decree. If you should have any questions, please contact Mr. Dennis Sayre at (404) 562-9756 or via email at sayre.dennis@epa.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "D. Sayre", is positioned above the typed name of the sender.

Dennis Sayre, Acting Chief
Municipal & Industrial Enforcement Section
NPDES Permitting and Enforcement Branch

cc: Mr. Les Herrington, P.E.
Mississippi Department of Environmental Quality

Mr. Terry Williamson
City of Jackson

Private Lateral Program



Department of Public Works Wastewater Infrastructure Redevelopment Program

February 28, 2015

City of Jackson
Wastewater Infrastructure Redevelopment
Program

Private Lateral Program

February 28, 2015

Prepared for:

City of Jackson
Department of Public Works
P.O. Box 17
Jackson, MS 39205-0017

Prepared by:

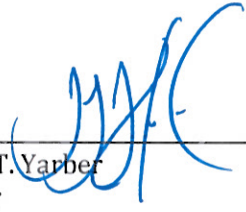
WEI/AJA LLC
143A LeFleurs Square
Jackson, MS 39211

City of Jackson, Mississippi

Private Lateral Program

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering such information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

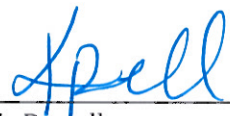




Tony T. Yarber
Mayor

2.27.15

Date



Kishia L. Powell
Director of Public Works

2.27.15

Date

Private Lateral Program

Contents

1.0	Introduction	1
1.1	Consent Decree Requirements.....	1
1.2	Private Lateral Program Elements	2
2.0	Legal Authority Review	3
2.1	Current Legal Authority.....	3
2.2	Proposed Sewer Use Ordinance Revisions.....	4
3.0	Private Lateral Repair/Replacement Process	6
3.1	Definition of Private Lateral.....	6
3.2	Private Lateral I/I.....	6
3.3	Defective Lateral Identification	7
3.4	Property Owner Responsibilities.....	10
4.0	Enforcement Response Guide	12
4.1	Property Owner Notification Process	11
4.2	Enforcement Responses	11
4.3	Waivers and Appeals.....	12
5.0	Private Lateral Program Implementation	16
5.1	Resource Requirements.....	16
5.2	Information Management System	17
5.3	Implementation Schedule	17

List of Figures

Figure

3-1	Private Lateral Definition in Jackson, MS	6
3-2	Typical Private Lateral Defects	7
3-3	Severe Private Lateral Defects from 2000 SSES Smoke Test Results	8
3-4	Typical Private Sewer Lateral Smoke Test Results	9
5-1	Private Lateral Program Implementation Schedule	18

Appendices

Appendix

A	Private Lateral Defect Notification Letter	A-1
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1.0 Introduction

The City of Jackson entered into a Consent Decree with U.S. EPA on March 1, 2013 to address inadequacies of the City's wastewater collection and transportation system (WCTS). This **Private Lateral Program** report fulfills the requirements set forth in Consent Decree § VI (D) 36. Leakage of surface and ground water through defective private sewer laterals is a major contributor of excessive inflow and infiltration into the City of Jackson sewer system. This report describes the program the City will follow to identify and correct defective private sewer laterals.

1.1 Consent Decree Requirements

As stated in the Consent Decree, the Private Lateral Program shall contain the following, at a minimum:

Within twenty-four (24) months after the Date on Entry of the Consent Decree, the City shall submit to EPA for review and approval a Private Lateral Program, including a schedule for full implementation of the program not to exceed twelve(12) months after its approval by EPA. The Private Lateral Program shall include, at a minimum the following:

1. A legal review of the City's sewer use ordinance to ensure that the City has the authority to require customers to repair or replace Private Laterals that may contain defects and/or improper connections that:
 - (a) Are potential sources of I/I to the WCTS that may cause or contribute to SSOs or other violations of the NPDES Permits;
 - (b) Allow for the possible exfiltration of wastewater onto or below the surface of the ground that could then enter the stormwater system; or
 - (c) allow roots and/or debris to enter the WCTS through cracks ,holes, or poorly sealed joints, thus restricting flow and increasing the likelihood of SSOs.
2. If the legal review indicates a need to amend the legal authority in order to assume better control over problems with capacity on the Private Laterals, the Plan shall include the proposed revisions to the ordinance with a schedule for proposing the draft ordinance to the City Council for adoption.
3. An enforcement response guide to address Private Laterals that contain defects and/or improper connections. The enforcement response guide shall:
 - (a) Identify the process that the City will follow to require customers to repair or replace the identified Private Laterals;

- (b) Set forth a series of graduated enforcement responses by the City, which may include termination of services, in the event a customer fails to repair or replace the identified Private Laterals;
 - (c) Describe the notice the City provides to customers to require repair or replacement of identified Private Laterals and the process a customer must follow in order to challenge the City's determination that repair or replacement is necessary or the City's enforcement response, such as termination of services; and
 - (d) Identify the process a customer must follow to request a waiver of any of the obligations to properly operate and maintain Private Laterals imposed by the City's sewer use ordinance and the process the City will use to consider granting and revoking such waivers.
- 4. Establishment of technical and legal staffing to ensure effective implementation of the enforcement response guide.
 - 5. An information management system.

1.2 Private Lateral Program Elements

The legal authority provided in the City's sewer use ordinance pertaining to defective private laterals is described in Section 2, together with limitations in the ordinance and proposed modifications to the legal frame work. Section 3 describes the process Jackson will use to identify defective private laterals and notify homeowners of the need for repair. Section 4 contains the Enforcement Response Guide that describes the process the City will use to enforce private lateral repair provisions in the Sewer Use Ordinance. The resources required and proposed schedule for implementing the City of Jackson ***Private Lateral Program*** are provided in Section 5.

2.0 Legal Authority Review

This section describes the current legal authority pertaining to correction of defective private laterals together with proposed enhancements to the existing City of Jackson sewer use ordinance. Defective private laterals are defined as:

- Laterals that are potential sources of I/I that may contribute to SSOs or NPDES permit violations;
- Laterals that cause exfiltration of wastewater; or
- Laterals that allow roots and/or debris to enter the sewer system through cracks, holes, or poorly sealed joints.
- Laterals with improper connections such as roof drains, basement sump pumps, or area drains.

2.1 Current Legal Authority

Jackson Code of Ordinances, Chapter 122, Article II, Sewage Disposal Standards, contains several provisions that apply directly to control and repair of defective private laterals. These are:

1. Section 122-166 – Prohibits discharge of storm water or surface water to the sanitary sewer system, which includes private laterals. Subsection (a) section states:

No person shall discharge or cause to be discharged any stormwater, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer.

Any extraneous water other than sewage entering a private sewer lateral is therefore prohibited.

2. Section 122-141 – Prohibition on connection of roof downspouts, exterior foundation drains, areaway drains and other sources of runoff to a sanitary sewer. This section states:

No person shall make connection of roof downspouts, exterior foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer.

Consequently, any leaking private sewer lateral is in violation of this provision.

3. Section 122-142 – Requires that building sewers comply with the plumbing code adopted by the City and that connections to the sewer must be gastight and watertight. This section states:

The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code adopted by this Code or other applicable rules and regulations of the city, or the procedures set forth in appropriate specifications of the ASTM and the W.P.C.F. Manual of Practice No. 9. All such connections shall be made gastight and watertight. Any deviation from the prescribed procedures and materials must be approved by the approving authority before installation.

Therefore, any sewer that causes exfiltration or allows root intrusion would be in violation of this Section.

Manual of Practice No. 9 (now Water Environment Federation Manual of Practice FD-5) provides guidelines for design and construction of sanitary sewers. These procedures, if properly followed, will prevent infiltration of stormwater and groundwater. Additionally, the City has adopted the International Plumbing Code which also prohibits draining stormwater into sanitary sewers.

If a private sewer lateral is in violation of the ordinance, penalties or other remedies may be imposed as set forth below.

4. Chapter 1, Section 1-10 (a) – Subsection (a) authorizes the City to impose fines up to \$1,000 for any act declared to be unlawful. This section states:

(a) Whenever in this Code or in any ordinance of the city, any act is prohibited or is made or declared to be unlawful or an offense or the doing of any act is required, or the failure to do any act is declared to be unlawful or a misdemeanor, where no specific penalty is provided therefore, the violation of any such provisions of this Code or ordinance of the city shall be punished by a fine not exceeding \$1,000.00, or by imprisonment up to but not exceeding the maximum allowed under state law, or both such fine and imprisonment. Every day any violation of this Code or any such ordinance shall continue shall constitute a separate offense.

5. Chapter 1, Section 1-10 (b) – Subsection (b) authorizes the City to declare an unresolved violation a public nuisance and take action to correct a deficiency. This section states:

(b) In addition to the penalties provided in subsection (a) of this section, any condition caused or permitted to exist in violation, of any of the provisions of this Code or any ordinance shall be deemed a public nuisance and may be abated by the city, as provided by law, and each day that such condition continues shall be regarded as a new and separate offense.

In summary, the City has the legal authority to require customers to repair or replace defective private laterals or improper connections that are potential sources of I/I.

2.2 Proposed Sewer Use Ordinance Revisions

The current legal authority contained in the City's Sewer Use Ordinance allows basic control over private laterals and provides a framework for enforcing the requirement that laterals be

gas and water tight. This authority is adequate to commence the City's Private Lateral Program and begin the notification process and enforcement of repair or replace directives. While the basic legal authority for the Private Lateral Program is in effect, improvements are needed in the current Sewer Use Ordinance to strengthen the City's ability to carry out the Private Lateral Program as well as other CMOM programs. Accordingly, over the course of the implementation period for the Private Lateral Program, the City will be developing revisions to the Sewer Use Ordinance to address:

- Definition of defective private lateral;
- Notification process for defective private laterals;
- Required corrective actions;
- Graduated enforcement responses;
- Accessing private property for inspection and enforcement;
- Funding mechanisms;
- Placing conditions on issuing of building permits;
- Placing conditions on the transfer of land title;
- Appeal and waiver provisions;
- Civil penalties; and
- Other provisions or revisions deemed required.

It is anticipated that a new comprehensive up-to-date sewer use ordinance will be issued for review by June 1, 2016. The new ordinance will contain desired enhancements to allow the City to better implement and execute all of the CMOM programs currently being developed as well as other requirements of the Consent Decree. This time for developing necessary revisions is required because the entire ordinance needs to be revamped. After the draft ordinance is issued for review, but within six months, the new City of Jackson Sewer Use Ordinance will be adopted by the City.

3.0 Private Lateral Repair/Replacement Process

This section describes the process the City of Jackson will use to identify defective private laterals, notify property owners, and assist in getting defective private laterals repaired or replaced.

3.1 Definition of Private Lateral

A Private Lateral is the portion of a sanitary sewer conveyance pipe that extends from the wastewater main in the public right-of-way to a single-family, multi-family, apartment, or other dwelling unit or commercial or industrial structure to which wastewater service is or has been provided. While maintenance responsibility for private laterals varies from city to city, in Jackson the private lateral is defined as the entire pipe from the building to the public sewer. The homeowner or building owner is responsible for maintaining the lateral located on private property as well as the portion located within the public easement as depicted on **Figure 3-1**.

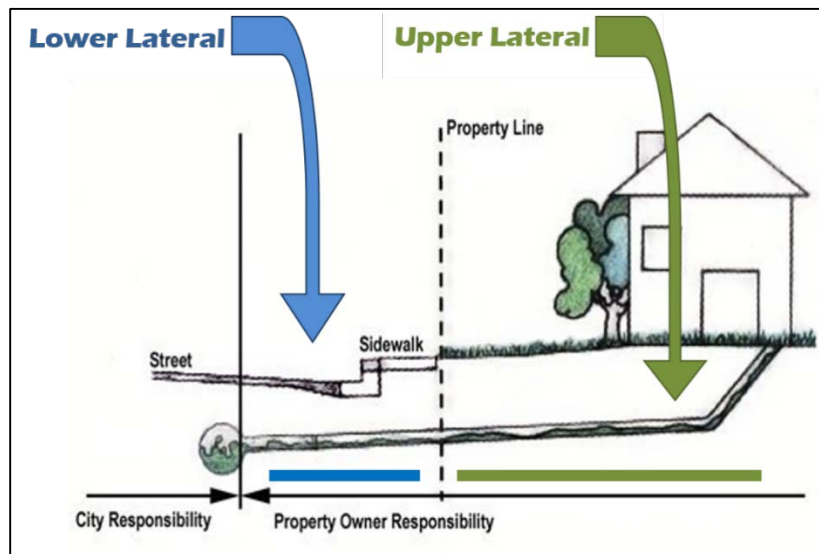


Figure 3-1
Private Lateral Definition in Jackson, MS

3.2 Private Lateral I/I

Without proper and recurring maintenance, private sewer laterals may degrade over time and introduce infiltration and inflow (I/I) of rainwater and storm water runoff into the City's sewer system through pipe defects. These may include defects such as misaligned joints, cracks, damaged or missing cleanout covers, or leaking connections to the main sewer. It also includes any illicit connections to the lateral such as roof downspouts, area drains, driveway drains, and directly connected sump pumps which are prohibited in the Sewer Use Ordinance.

Common defects observed in private laterals are illustrated on **Figure 3-2**. Homeowners are often not aware of their responsibility to provide regular maintenance of the private lateral.

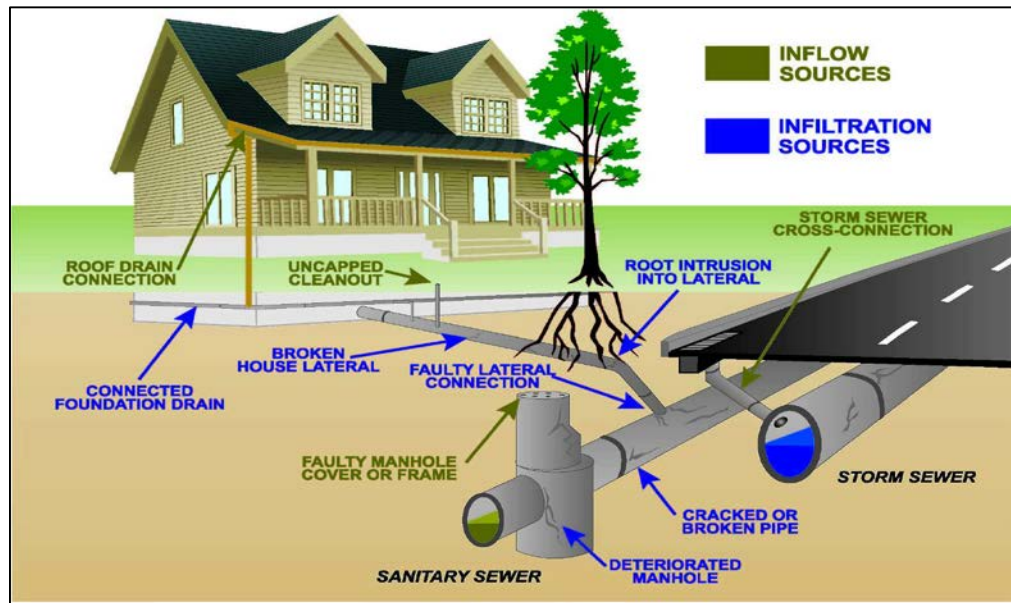


Figure 3-2
Typical Private Lateral Defects

During heavy rain events, the City's sewer system becomes overloaded at times causing sanitary sewer overflows (SSOs). As required by the Consent Decree, substantial efforts are underway to perform corrective actions to prevent SSOs throughout the system. These efforts will include City-wide rehabilitation of sewers and pump stations to provide the conveyance capacity required so that SSOs will not occur. Private laterals comprise about half of the total length of sewers within the City. Accordingly, I/I entering through private laterals can be a significant source of total system I/I. Therefore, for SSO abatement efforts to be successful, repair or replacement of defective private laterals is required to alleviate excessive I/I from these sources. Control of I/I from private laterals is a requirement of the Consent Decree.

3.3 Defective Lateral Identification

In 2000, a City-wide sewer system evaluation survey (SSES) study was performed to assist the City in identifying sewer rehabilitation needs. This survey included smoke testing of most of the sewer system, interior pipe evaluation using closed circuit television (CCTV), and flow monitoring of wastewater flows at strategic locations in the system. As a result of this earlier SSES program, numerous defective private laterals were identified throughout the City. The observed defects were classified as light, moderate, or severe. A map showing locations of severe lateral defects in the 2000 survey is shown on **Figure 3-3**.

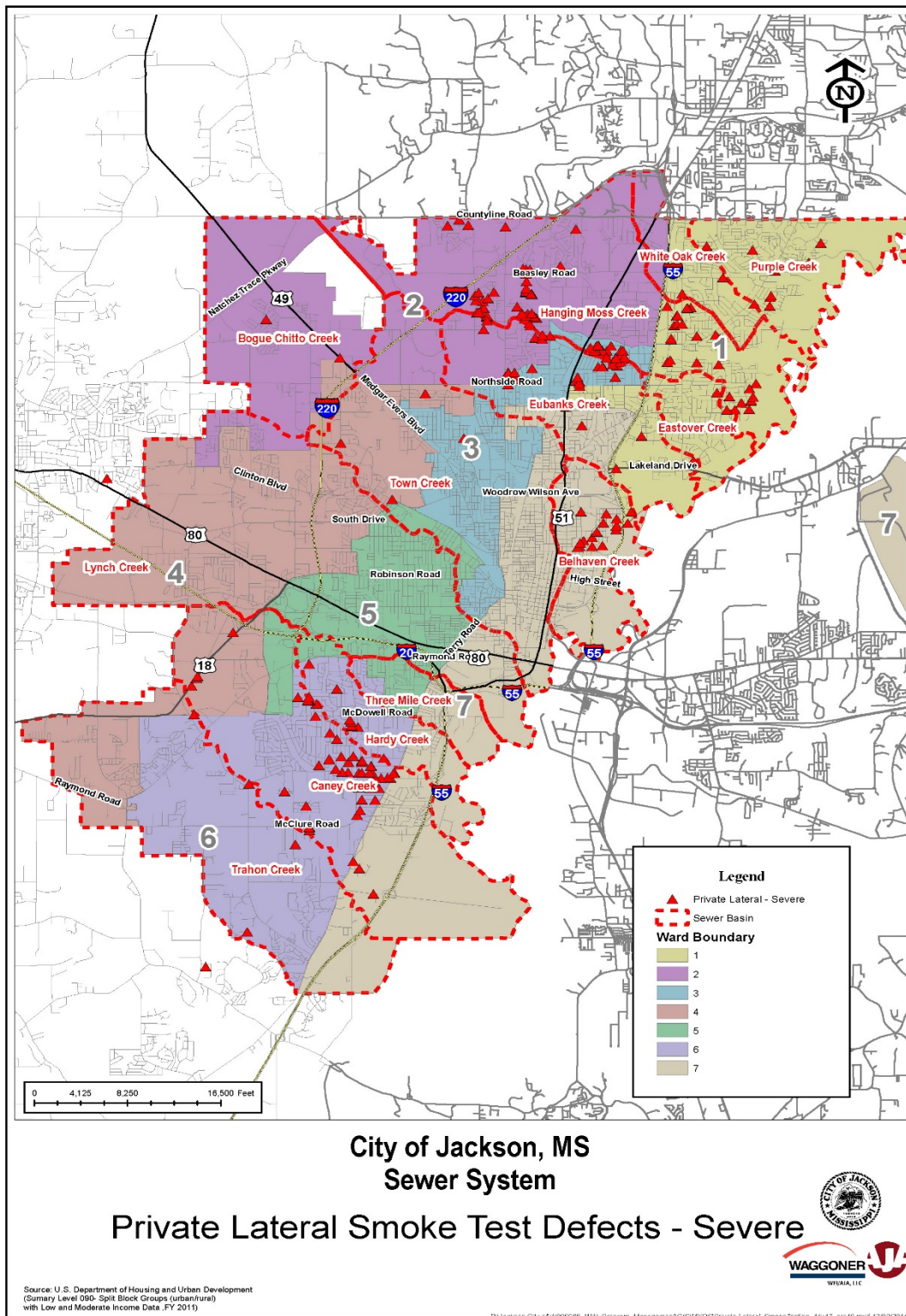


Figure 3-3
▲ Severe Private Lateral Defects 1,023
2000 SSES Smoke Test Results

Results from the 2000 SSES work are currently being used to identify and assist homeowners in low/moderate income areas of the City to repair or replace defective private laterals as part of the Financial Hardship Assistance Program - *Supplemental Environmental Project* formulated as part of the Consent Decree.

For the separate Private Lateral Program, identification of defective private laterals will largely be based on the results of new SSES studies of various sewer basins required by the Consent Decree. These SSES studies will identify I/I sources in both public sewers and private laterals. Where defective private laterals are found, the homeowner or building owner will be required to repair or replace the lateral, and/or remove any illicit connections to the lateral that cause I/I.

The new SSES studies will include smoke testing and/or other investigative techniques such as CCTV inspection, water flooding, and flow monitoring to locate I/I sources.

Smoke Testing

Smoke testing portions of the sanitary sewer involves pumping smoke through the sewer pipes from utility manholes in streets or public easements and observing and documenting where smoke exits. Depending on the specific circumstances, the exiting smoke can indicate the location of a broken pipe or connections of roof or foundation drains. During the testing, smoke will typically appear from roof drains, catch basins, or yard drains connected to the sewer system. The smoke may also appear from cracks in the pavement above the sewer, from landscaping above private laterals, and around homes with foundation drains connected to the sewer. Under some conditions, smoke may also appear in basements through unused floor drains, disconnected or faulty plumbing fixtures, and other direct openings to connecting sewers. Before the scheduled day of smoke testing, residents in the areas to be tested will be given notices and advised to pour one quart of water down all floor drains, sinks or other plumbing fixtures not used regularly. The smoke, manufactured for this purpose, leaves no residuals or stains and has no effects on plant and animal life. The smoke has a distinctive but not unpleasant odor. Visibility and odor last only a few minutes where there is adequate ventilation. The smoke is nontoxic, harmless and creates no fire hazard. Local fire and police authorities are notified prior to any smoke testing. Typical smoke testing results showing private lateral defects are shown in **Figure 3-4**.



Figure 3-4
Typical Private Lateral Smoke Test Results

Other Inspection Methods

In some areas additional sewer inspection techniques may be used to better identify defective private laterals. CCTV of the main line is used to locate I/I sources, including connecting private laterals with apparent excessive flow. CCTV of private laterals is also commonly performed to identify specific pipe defects. In some cases, water flooding (with or without dye) may be used to identify inflow sources from illicit connections, such as roof drains or area drains. Measurements of wastewater flow in the public sewer is also used to identify and measure I/I quantities from specific areas of the sewer system, helping to narrow the investigative focus of smoke tests and other more localized tests.

Inspection Results

As a result of the SSES studies, definitive identification of defective private laterals will be accomplished. Upper lateral broken pipe, offset and/or distorted joints, root intrusion, and lack of cleanouts constitute deficiencies that do not comply with City standards and will require either repair or replacement of the lateral. Lower lateral repair, especially where the private lateral is connected to the city sewer main, may require the City of Jackson Public Works Department or an approved contractor to repair or replace the connection. Lower lateral repairs are generally more complex due to the need to perform deeper excavations within a public street and restore pavement after the repair.

Homeowners or building owners found to have defective private laterals will be notified that repair or replacement of the lateral is required. This work could entail additional confirmation testing by a licensed plumber using CCTV; lateral repair using chemical grouting; trenchless repair with slip lining or cured-in-place pipe; pipe replacement; clean-out installation; main sewer tap repair or replacement; removal of improper connections; and site restoration.

3.4 Property Owner Responsibilities

The property owner is responsible for repairing or replacement of a defective sewer lateral. All work must be performed according to City standards and comply with the International Plumbing Code. If the sewer lateral is shared with other properties or structures, the necessary repairs or separation of the systems will require approval by the City. A plumbing permit must be obtained from the Building Permits Division prior to performing any repairs. The defective private lateral notification process and the City's enforcement responses are described in Section 4.

4.0 Enforcement Response Guide

The City of Jackson Private Lateral Program includes methodology and procedures for identifying defective private laterals, and notifying homeowner of required corrective action to repair or replace the defective lateral. Where compliance is not achieved, a series of enforcement actions will be instigated by the City as described in this section.

4.1 Property Owner Notification Process

Where defective private laterals have been identified, the property owner will be sent a notification letter to inform the owner that the sewer lateral requires repair. The initial notification letters will be issued on a rolling basis as inspections are being conducted in each affected sewershed. The initial notification will alert property owners that their lateral must be repaired. A Notice of Noncompliance, which includes a repair directive and required timeline for repairs, will not be issued until the rehab program in each sewershed is nearing completion. The Notice of Noncompliance will include penalties that may be imposed if repairs are not completed. Available resources to assist the property owner will also be described.

The specific steps the City will use to notify property owners of are listed below.

1. As defective private laterals are identified by the City and/or during sewer system evaluation surveys, each property owner will be sent a notification letter stating that their private lateral is defective and requires repair.
2. When sewer system evaluations and subsequent rehabilitation work on public sewers is nearing completion in each sewershed, if the private lateral has not been repaired the property owner will be mailed a Notice of Noncompliance that requires repair or replacement of the lateral within 90 days. A sample property owner Notice of Noncompliance letter for a defective lateral is provided in the Appendix.
3. Where an improper connection to the wastewater system is identified, the property owner will be mailed a Notice of Noncompliance that requires removal of the improper connection within 90 days.
4. For properties with nonresident or unknown owners, service of the notice may be performed through publication in a local newspaper with general circulation in the service area for a period of three days. Upon completion of the third day of publication, the notice requirement will be satisfied.

Inspectors within the City's Public Works Department will monitor the notified properties to assess compliance with the letter requirements. An enforcement action will be initiated if the work is not performed within the required schedule.

4.2 Enforcement Responses

If the property owner has not performed the necessary corrective action stipulated in the Notice of Noncompliance letter within 90 days, a series of graduated enforcement responses will be applied as listed below.

1. If after 90 days have elapsed and the required work has not been completed OR an application for a plumbing permit has not been submitted to the City, the property owner will be issued a Notice of Violation. The notice will cite the specific provisions in the Sewer Use Ordinance that apply and require immediate steps to correct the violation. The letter will include penalties that will be imposed if the remediation work is not completed. A 90-day compliance period will be allowed before the penalties are enforced. City inspectors will monitor the property location to assess compliance activities.
2. For properties with nonresident or unknown owners, service of the Notice of Violation may be performed through publication in a local newspaper with general circulation in the service area for a period of three days. Upon completion of the third day of publication, the notice requirement will be satisfied.
3. Ninety days from the date the Notice of Violation was issued, if the required corrective action has not been performed OR an application for a plumbing permit has not been submitted to the City, an Administrative Order will be issued by the City Attorney for the property owner to appear at a Show Cause hearing.
4. If the property owner does not appear at the Show Cause hearing or the cause presented is not deemed sufficient, the City may:
 - (1) Terminate water and sewer service to the property;
 - (2) Place a lien upon the property that must be satisfied prior to property transfer;
 - (3) Perform the required repair work using City forces or contractors, entering upon private property to complete the repairs, and invoicing the property owner for the work performed;
 - (4) Impose a fine; or
 - (5) Pursue other remedies deemed in the best interest of the City.

These enforcement provisions will be incorporated into the Sewer Use Ordinance as described in Section 2.

4.3 Waivers and Appeals

Notwithstanding the above enforcement responses, conditions are anticipated where a waiver of the enforcement action may be warranted in special circumstances. Conditions for granting of waivers will be addressed in the new Sewer Use Ordinance. Additionally, provisions for appeal of the enforcement action will also be adopted.

The objective of the enforcement responses is to force the property owner to complete the required repair of defective private laterals or remove improper connections. The City of

Jackson will provide assistance to the property owner to achieve required compliance. The City's program to assist private property owners will be developed during the implementation phase of the Program.

5.0 Private Lateral Program Implementation

This section describes the resources that the City of Jackson will provide to fulfill the requirements of the Private Lateral Program. A schedule for implementation of the program is also provided.

5.1 Resource Requirements

Technical and legal staffing required to carry out the Private Lateral Program are expected to be nominal. The City is anticipating adding staff to the Legal Department as necessary to assist with Consent Decree compliance activities including the Private Lateral Program, updating the existing Sewer Use Ordinance, and supporting the Public Works Department in any enforcement actions required.

For technical staffing, it is estimated that one full-time equivalent staff positions will be required to manage the Private Lateral Program with part time assistance from a data analyst to maintain records. Duties will include:

- Identify defective private laterals based on ongoing SSES studies and from other sources.
- Notify property owners with defective private laterals that repair is required.
- Perform follow-up activities to monitor compliance.
- Initiate enforcement actions where warranted.
- Maintain information management system.
- Perform other duties as may be identified to effectively carry out the program.

The actual resources required for the Private Lateral Program will be determined by the City as the program is developed and implemented. All staff and resources required to effectively administer the Program will be provided.

If funding assistance for repair of private laterals is offered by the City, such as a private lateral insurance program, additional resources will be allocated as necessary to fully administer the program adopted.

5.2 Information Management System

The information management system for tracking the Private Lateral Program will consist of a database of all program related information. The database will include:

- List of properties with identified defective laterals
- List of associated private property owners
- Inspection reports
- Property owner notifications
- Record of follow-up activities and conversations with property owners
- Further compliance actions

- Lateral repair records and certification
- Enforcement actions
- Program resources
 - List of licensed plumbing contractors
 - Forms and fee schedules
 - Assistance available to property owners

The City's Geographic Information System (GIS) will be used to map defective lateral locations and defect classifications (historically, light, moderate or severe). The system will also be used to track applicable data associated with a particular parcel of property i.e., date of smoke test that detected private lateral defect, defect description, defect location, and defect severity.

The information management system will be custom-designed for the Private Lateral Program to encompass all information required to properly administer ongoing activities. Upon completion, it will provide the Department of Public Works with the ability to properly manage all response and repair actions required by the program.

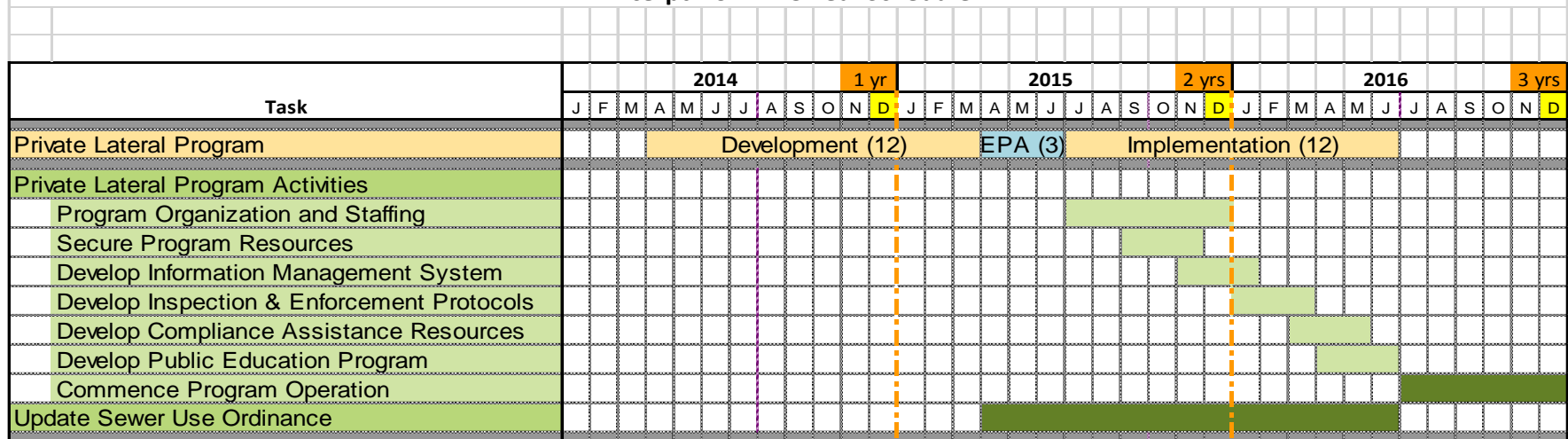
5.3 Implementation Schedule

During the 1-year implementation phase of the program, the City will complete the following:

- Allocate staff to perform required inspection and administration.
- Develop written standards, specifications, and guidance for private property owners.
- Develop inspection protocols, check lists, and repair documentation procedures.
- Develop enforcement mechanisms in conformance to updated Sewer Use Ordinance.
- Develop compliance assistance resources and materials.
- Formulate and promulgate public education program for Private Lateral maintenance.
- Develop information management system.

The above elements will be developed as described in this Private Lateral Program report. A schedule for implementing the program is shown on **Figure 5-1**.

Figure 5-1
City of Jackson, Mississippi
DEQ Agreed Order / EPA Consent Decree
Private Lateral Program
Excerpt from 17.5 Year Schedule



Appendix A
Private Lateral Defect Notification Letter

City of Jackson Letterhead

RE: Defective Private Sanitary Sewer Lateral (Residential Tenant)

Dear Sir/Madam:

We have determined through field investigation that the private sanitary sewer lateral serving the residence in which you reside needs repair. Our records indicate that you are the property owner at the referenced location. However, if you are not the property owner, please call us at (601) 960- _____ and let us know if you are in fact renting the residence and provide us with current contact information for the property owner. ***It is important that the property owner knows that the lateral serving his or her property must be repaired.***

The private sanitary sewer lateral is a pipe that conveys wastewater from your residence to the public sanitary sewer system. The defect(s) we detected indicate rainwater and/or groundwater may be entering the public sanitary sewer system from your lateral. This extraneous flow, known as Infiltration and Inflow (I/I), which occurs in wet weather contributes to sanitary sewer overflows, backups into homes and buildings, loss of sewer capacity for customers, and creates avoidable expense of transporting and treating storm water. Consequently, we must require property owners to maintain their private sanitary sewer laterals in a state of good repair, thus preventing rainwater and groundwater from entering the system.

The City of Jackson uses various methods to determine whether a private lateral needs repair. One method is to force smoke into the sanitary sewer system and identify if the smoke exits the lateral. The exiting smoke indicates a leak in the lateral. Laterals with roots, cracks, separated joints, deteriorated walls, etc. (detected by the camera) are not water tight and allow rainwater and/or groundwater to enter the system.

Accordingly, you are directed to repair your defective sewer lateral within ninety (90) days of the date of this letter. In accordance with the City of Jackson Sewer Use Ordinance, fines or other legal remedies may be applied if the repair work is not performed.

The repair of the sewer lateral can be costly, however the City of Jackson has resources available that may assist you. Please contact the Department of Public Works for more information.

We appreciate your attention to this important matter. If you have any questions, please call (601) 960-_____.

Sincerely,

Department of Public Works