



Cleveland, Northeast Ohio sewer rates would more than double under deal with federal government

Published: Saturday, October 02, 2010, 4:00 AM



Michael Scott, The Plain Dealer



Joshua Gunter/The Plain Dealer

A 'combined sewer overflow' outlet points directly at Lake Erie on the far west end of Edgewater Park in

Cleveland. The sign says to avoid contact with water after a rain, as it may contain rainwater and sewer runoff. Keeping sewage out of the lake and the Cuyahoga River will likely cost Northeast Ohio ratepayers more than \$200 a quarter within the next six years.

CLEVELAND, Ohio -- Your quarterly sewer bill is quickly heading toward triple figures if you live in Cleveland or 60 of its suburbs.

And it's not stopping there.

Regional sewer officials say they are finally close to reaching a legal settlement with the U.S. Department of Justice -- possibly by November -- that would result in more than doubling the average quarterly sewer bill (now about \$95) in Northeast Ohio to about \$240 by 2016.

The deal, once finalized, would lock the **Northeast Ohio Regional Sewer District** in to a \$3 billion, 20-year program to meet federal clean-water laws.

"The bottom line is that your water and sewer rates, combined, are going to compete with the cost of your other utility rates," said Julius Ciaccia, executive director of the district, which had already announced annual rate increases of about 9 percent through next year.

Sewer bills will begin increasing 18 percent each year beginning in 2012, Ciaccia predicted -- for the next 20 years or as long as waste water pouring into the Cuyahoga River and Lake Erie fails to meet the stringent requirements of the **1972 Clean Water Act**.

The burden on the ratepayers of today, however, is just the payback for the environmental abuse of the past, Ciaccia said.

"Look, they approved the Clean Water Act 40 years ago, put us under notice in the 1990s, and here we are in 2010 and we're still putting 4.7 billion gallons of sewage into the lake," Ciaccia said.

"Legally, it would appear that we certainly have some obligation here -- and not only from an environmental standpoint but from doing our part to make this a viable region."

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That obligation, however, comes with a price tag that will be picked up by the 300,000 ratepayers in the regional district.

Those ratepayers are already on the hook for about \$850 million in fixes over the last two decades, another \$830 million in future projects -- and are facing the possibility of another new fee to pay for treatment of their storm water runoff.

And many of those ratepayers are in Cleveland, ranked again last week as one of the two poorest cities in America. That's a point that local negotiators have tried to make with federal officials, Ciaccia said.

"We've argued that the people in our communities are already under a high burden, according to their standards," Ciaccia said. "We'll find out whether that will have an impact when the final consent decree is made public."

Akron chose to fight EPA mandate

Sewer district officials had faced the choice of agreeing to the EPA's demands (supported by less federal funding) and raising their users' rates -- or fighting back in court.

The city of Akron chose to resist. **Akron was sued in 2009** by the EPA for annually dumping about 2 billion gallons of untreated or partially treated sewage, mostly into the Cuyahoga River, and for generally failing to make progress toward cleanup.

Federal authorities responded by not only asking the court to force Akron to meet environmental requirements -- as in Cleveland -- but also asking for an additional \$100 million in penalties against the city.

Akron officials **this month estimated** that cleanup costs alone will be more than \$650 million by 2028 -- and the average homeowner's bill will go from about \$25 a month -- or \$75 a quarter -- to \$140 by 2028, the final year of its 20-year plan.

"So, the choice for us is: 'Bad or worse than bad,' " Ciaccia said. "One option was to say 'Heck, no,' and let them sue us like what happened with Akron.

"But at the end of the day, you still have to meet the requirements of the Clean Water Act, so we opted instead to try to negotiate the best deal we could -- for the environment and for this region."



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Projected sewer rate increases through 2016.

Sewer costs rise nationwide

That's a reality in Northeast Ohio and in hundreds of other U.S. cities, mostly those with older combined sewer systems.

"This obviously isn't only taking place in Cleveland," said Ken Kirk, executive director of the **National Association of Clean Water Agencies**. "Communities all over the country have either entered into consent decrees years ago or have done it in the last five years or are in the process of doing it now -- and it's mostly related to" **combined sewer overflows**.

In cities with combined sanitary and storm sewers, sewage overflows into rivers, streams and lakes are common during heavy rains, especially if areas are paved over and rain water runs off more rapidly.

Other Ohio cities struggling to pay for sewer improvements include Cincinnati, Columbus and Lakewood. Elsewhere, Indianapolis, Milwaukee, Kansas City and Philadelphia are either fighting the federal mandate or agreeing to a settlement.

A **survey** by the national association of water agencies earlier this year showed that average U.S. sewer rates will go from about \$85 a quarter in 2009 (roughly the same as in Northeast Ohio) to about \$120 a quarter by 2014. By then, if the local consent decree is approved, users here will be paying about \$170 a quarter.

Philadelphia, for example, may be facing \$6 billion in required improvements. The city contends, however, that it can get the job done for half that amount by using "**green technology**." That would include living roofs on buildings and installation of permeable pavement.

The Northeast Ohio sewer agency is also hoping for some credit from the Department of Justice for green projects -- but also hoping for some credit from its ratepayers for addressing a long-standing environmental problem.

"We're trying to be as transparent as we can about this," said sewer district spokeswoman Jean Chapman. "It's not good news because it affects people's pocketbooks, but the good news is that we're taking care of a greater portion of the pollution going into the lake."

Details of deal are being worked out

Details aren't public yet in a pending deal between the U.S. Department of Justice and the Northeast Ohio Regional Sewer District, but local officials said a list of negotiated issues include:

- The length of time -- either 20 or 30 years -- that the federal government will allow for the sewer district to come into compliance with clean water regulations. A longer period would mean lower quarterly bills for consumers, but the feds are highly unlikely to agree to this.
- The ultimate level of pollution control that will be required: Right now some 4.7 billion gallons of sewage annually are still poured into rivers, streams and eventually into Lake Erie -- about half of what it was only a decade ago.

"But how low is low enough?" Ciaccia asked. "That's a big question for us, because when you get to a certain point, it becomes much more expensive to try to get to zero."

- What dollar amount of penalties will be set both for past violations and potential future violations? Regional sewer officials are clearly hoping they'll get some credit for money spent already and a good-faith effort.
- The value of "green" projects. Sewer district negotiators have tried to get federal officials to give them some credit for proposing more-sustainable and less expensive solutions for sewage overflow problems.

An example: Using natural or even human-engineered wetlands in some areas to capture and filter overflows, instead of building multimillion-dollar sewer interceptors.

But regardless of minor details, the bottom line for the regional sewer district that provides services to Cleveland and more than 60 suburbs is likely to be in the \$3 billion range over the next 20 years, Ciaccia said.

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