



Town of Swampscott Department of Public Works

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September 1, 2018

Mr. Neil Handler
Senior Enforcement Officer
Water Technical Unit
U.S. Environmental Protection Agency, Region 1
5 Post Office Square, Suite 100
Mail Code OES04-4
Boston, MA 02109-3912

**SUBJECT: Consent Decree Compliance Report
Period 2/1/2018 to 7/31/2018**

Dear Mr. Handler:

Pursuant to Paragraph 66 of the Consent Decree between the U.S. EPA and the Town of Swampscott, MA, I am providing the following certification statement with regard to the preparation and submittal of: **Compliance Reporting – Period 2/1/2018 to 7/31/2018**

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 the 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.

Gino A. Cresta Jr.
Director of Public Works
Town of Swampscott



MEMORANDUM

TO: Neil Handler | US EPA

CC: Gino Cresta | Town of Swampscott

FROM: David Peterson | Kleinfelder

DATE: September 1, 2018

**SUBJECT: COMPLIANCE REPORTING - CASE 1:15-CV-13388-DJC
SWAMPSCOTT, MASSACHUSETTS**

Purpose:

This Compliance Report is provided pursuant to Paragraph 33 of the subject Consent Decree between the United States of America and the Town of Swampscott, MA. This report covers the reporting period noted below:

Reporting Period: February 1, 2018 through July 31, 2018

Through this reporting period, activities primarily included the Design and bid construction contract for Phase 1B of the sewer rehabilitation within the Stacey's Brook area. The following report summarizes the activities performed during the Reporting Period.

Phase 1B Status Summary

The Phase 1B design of the sewer rehabilitation within the Stacey's Brook area was refined between March – May 2018. The Phase 1B design includes comprehensive sewer rehabilitation in specific neighborhoods in the Stacey's Brook catchment, consisting of cured in place pipe (CIPP) lining of sewer mainlines and laterals, sewer manhole rehabilitation, and split-wall sewer manhole rehabilitation (Type 2 underdrain manholes).

The Phase 1B bid proposal includes a base bid and an additive alternate bid to maximize the scope of the project. The bid tables for the Phase 1B Stacey's Brook sewer rehabilitation contract are provided in Attachment A. The majority of the project scope is the comprehensive rehabilitation of the sewer collection system within the drain catchment that converges at intersection of Stetson Ave and Norfolk Ave. Post construction water quality sampling for enterococcus concentrations will be completed near the intersection of Stetson Avenue and Norfolk Avenue to characterize the water quality of the drainage during both dry weather and wet weather conditions.



The distribution of the Phase 1B Contract Documents to prospective bidders began on June 29, 2018. The bid opening for Phase 1B occurred July 26, 2018 and the Town received a total of three bids. The lowest apparent bidder, Rapid Flow, Incorporated of Revere, MA, submitted a base bid price of \$1,451,094 and an additive alternate bid price of \$147,990 for a total contract bid price of \$1,599,084. The bid tabulation from the bid opening is provided in Attachment B for reference. Kleinfelder completed reference checks after the bid opening and the Award of Contract to Rapid Flow, Incorporated is anticipated to occur in Mid-August. A preconstruction meeting is anticipated to be held at the beginning of September and a proposed construction schedule will be established.

Annual GIS Update

The annual GIS maps were submitted to the EPA on February 1, 2018. This GIS update included:

- Incorporating edits of any MS4 or sewer collection system assets that were identified to be missing or misrepresented in the Town's GIS database.
- Updating attributes of sewer features in the GIS database that were replaced, cleaned or repaired

The maps submitted to the EPA included overviews of the sewer collection system, the MS4, water resources, cleaning and repairs performed in 2017, and the remaining planned capital improvement projects.

Design of Improvements Beyond Stacey's Brook

The deadline for the Town to complete the design of improvements to infrastructure to remove non-stormwater discharge to the MS4 within areas not tributary to Stacey's Brook is April 1, 2019. During the December 13, 2017 meeting between the Town, Kleinfelder and Neil Handler from the EPA, the Town requested the EPA to relax the deadline to focus its resources to the Stacey's Brook Phase 1 sewer rehabilitation project. Neil Handler was receptive of the request and indicated he would discuss with others at the EPA.

On February 3, 2018 Kleinfelder sent an email to Neil Handler requesting an update regarding the proposition from the Town to push back the April 1, 2019 deadline. Kleinfelder reminded Neil that this effort would directly compete with funding for the Phase 1B rehabilitation project. Neil Handler did not respond to the February 3, 2018 email during this reporting period ending July 31, 2018.

On March 5, 2018, Neil Handler and David Peterson discussed the request to push back the April 1, 2019 deadline and Neil Handler was amenable and agreed to respond to the outstanding February 3, 2018 email. To date, no written response has been made. The Town continues to focus its resources on completing the construction improvements in the Phase 1 project area. As evidence of this, the Town increased its project budget for the Phase 1B project.



Tracking Data Tables:

In accordance with Paragraph 33 of the Consent Decree, a series of tracking tables are presented furnishing the information requested.

- a) Chronology of SSO Events Occurring during Reporting Period
- b) Catchment Area Inspections completed during Reporting Period
- c) Percentage of Catchment Area Investigated and Addressed
- d) Listing of Illicit Discharges Verified during Reporting Period
 - i) Illicit Connections
 - ii) Sanitary Sewer Defects
- e) Map of Location of Each Illicit Discharge Verified during Reporting Period
- f) Chart of Inspections Completed and Enforcement Actions Taken during Reporting Period
- g) List of Plans, Reports and other Submissions Required by this Consent Decree made during the Reporting Period
- h) Copies of Sampling Results Received during Reporting Period
- i) Planned Activities during the 6 Months Following the Reporting Period
- j) Summary of Non-Compliance with this Consent Decree during the Reporting Period



a) Chronology of SSO Events Occurring during Reporting Period

Paragraph # -->

i.	i.	x.	ii.	iii.	iii.	iii.	iv.	iv.	v.	vi.	vii.	vii.	viii.	ix.	ix.	xi.	xii.
Date/Time Reported	Date/Time Event Stopped	Date Reported to EPA and DEP	Location	Final Disposition	Property Backup (address)	Receiving Drainage Structure	Receiving Surface Water	Location Release Reached Surface Water	Source of Notification	Cause(s) of Release	Cause = Blockage	Cause = Capacity Issue	Measures Take to Stop Discharge	Volume of Release (Gallons)	Basis of Estimate	Measures Taken to Prevent Future SSOs	Date of Last SSO at this Location
6/6/2018 15:00	6/6/2018 17:00	Devens Road	14 Devens Road	DPW	none	none	none	none	Resident	Pipe Collapse	n/a	n/a	Hired vacuum truck to pump down the manhole and bypassed flows to downstream manhole. Hired contractor to repair sewer main.	50-100	Visual Estimate	None required, as a point repair was completed	none known

xiii. GIS Map Locating each Illicit Discharge and SSO Event along with Illicit discharges reported in Section d) are illustrated on the map in Attachment C.



b) Catchment Area Inspections completed during Reporting Period
c) Percentage of Catchment Area Investigated and Addressed

Note that this reporting is in relation to meeting the Remedial Measures stipulated in Section VII of the consent decree. In order to meet the objectives of the consent decree the Town's scope of work is not specifically following an IDDE Plan, but rather, is directly following the Remedial Measures themselves, and the Scope of Work for the Stacey's Brook drainage area that was submitted to the EPA on 10/26/2015.

33.b.i, ii	Sub-Catchment Area ID	Number of Drain Manholes in Sub-Catchment	Number of Drain Manholes Inspected						Number of Drain Manholes Addressed					
			Previous Reporting Periods		This Reporting Period		To-Date		Previous Reporting Periods		This Reporting Period		To-Date	
			QTY	%	QTY	%	QTY	%	QTY	%	QTY	%	QTY	%
1	Stacey's Brook	236	21	9%	0	0%	21	9%	6	3%	0	0%	6	3%
2	Other	372	47	13%	0	0%	47	13%	0	0%	0	0	0	0
		TOTAL	68		0		68		6		0		6	

33.b.iii, 33.c	Sub-Catchment Area ID	Length of Drain in Sub-Catchment	Length of Drain Inspected						Length of Drain Addressed					
			Previous Reporting Periods		This Reporting Period		To-Date		Previous Reporting Periods		This Reporting Period		To-Date	
			FT	%	FT	%	FT	%	FT	%	FT	%	FT	%
1	Stacey's Brook	55,600	21000	38%	0	0%	21000	38%	650	1%	0	0%	650	1%
2	Other	95,000	0	0	0	0	0	0	0	0%	0	0	0	0
		TOTAL	21000		0		21000		650		0		650	



d) Listing of Illicit Discharges Verified during Reporting Period

									Total Volume Removed (Gallons)								
									Prior Reporting Periods	181,316							
									Reporting Period	100							
									Cumulative To Date	181,416							
Discharge Type	Date Verified	Location / Address	SOURCE: Building Type	SOURCE: Sewer Exfiltration	Estimated Flow (GPM)	Actions Taken to Remove	Date Removed	Cost to Remove	Volume Removed (Reporting Period)	Actively Discharging > 60 Days	Explanation	Schedule for Removal	Private Discharges Persisting > 90 days	Town's Legal Enforcement Actions	Reasons for Delay		
Paragraph->	i.	i.	i.	i.	ii.	iii.	iv.	v.	vi.	vii.	vii.	viii.	ix.	ix.	x.		
Sewer Defect	2/21/2018	Reddington Terrace	n/a	Broken Sewer Main	not estimated	Private contractor performed repair and Town performed cleaning after	2/22/2018	unknown	unknown	No	n/a	completed	No	None	n/a		
Sewer Defect	2/21/2018	800 Humphrey St	n/a	Broken Sewer Main	not estimated	Private contractor performed repair	2/21/2018	unknown	unknown	No	n/a	completed	No	None	n/a		
Sewer Defect	4/27/2018	77 Nason Road	n/a	Broken Sewer Main	not estimated	Private contractor performed repair	4/27/2018	unknown	unknown	No	n/a	completed	No	None	n/a		
Sewer Defect	6/6/2018	14 Devens Road	n/a	Broken Sewer Main	100	Private contractor performed repair	6/6/2018	unknown	100	No	n/a	completed	No	None	n/a		



e) Map of Location of Each Illicit Discharge Verified during Reporting Period

Illicit discharges reported in Section d) are illustrated on the map in Attachment C.

f) Chart of Inspections Completed and Enforcement Actions Taken during Reporting Period

Number of Routine Inspections	Number of Complaint-Response Related Inspections	Number of Total Construction Inspections
0	0	6

Enforcement Actions Taken (Type)	Enforcement Actions Taken (Number)
Notifications to Property Owner	0
Entry To Perform Duties	0
Penalty (Fines)	0
Orders	0
Civil Relief	0
Town Resolved using own means (no enforcement)	0

NOTE: 4 inspections were related to sewer mainline repairs, 1 inspection was related to replacements of existing sewer services and 1 inspection was related to installation of a new sewer service



g) List of Plans, Reports and other Submissions Required by this Consent Decree made during the Reporting Period

Submission Description	Date Completed	Consent Decree Paragraph Reference
Bi-Annual Progress Report	3/1/2018	33
Annual GIS Mapping Update	2/1/2018	26

h) Copies of Sampling Results Received during Reporting Period

No samples were taken during the reporting period.

i) Planned Activities during the 6 Months Following the Reporting Period

During the period August 1, 2018 through January 31, 2019 the following activities are anticipated:

- Complete the construction of Phase 1B improvements. Depending on the schedule of the Contractor, construction may be complete by the end of this upcoming reporting period. The Contractor has until June 2019 to complete the construction of the Phase 1B Contract.
- Perform public outreach related to the Phase 1B Stacey’s Brook sewer rehabilitation including:
 - One (1) meeting with the Town of Swampscott Board of Selectmen to report to the Board the upcoming activities related to the execution and construction of the Phase 1B project.
 - One (1) meeting with the abutters and neighbors of the Phase 1B project to communicate the schedule, activities and expectations regarding the project.
 - One (1) Meeting with the Board of Selectmen to report the results from the post-monitoring activities.
- Receive direction from EPA about the schedule for the IDDE in areas not tributary to Stacey’s Brook and then take responsive action.



j) Summary of Non-Compliance with this Consent Decree during the Reporting Period

There has been no non-compliance during this report period.



ATTACHMENT A

Stacey's Brook Phase 1B Sewer Rehabilitation Bid Tables



Base Bid

Item #	Item Description	Unit	Total Quantity
1	Mobilization / Demobilization (Should not exceed 5% of total bid)	LS	1
2	Heavy Cleaning 6" to 12" Pipeline	LF	1,700
3a	6" Cured-in-Place Pipeline	LF	100
3b	8" Cured-in-Place Pipeline	LF	13,480
3c	10" Cured-in-Place Pipeline	LF	3,080
3d	12" Cured-in-Place Pipeline	LF	700
4	Point Repair within Town Right-of-Way (Mainline and Service Laterals)	EA	30
5	Cutting Intruding Laterals	EA	18
6	Service Lateral Cured-in-Place Pipeline Set-up (first 10 lf)	EA	182
7	Service Lateral Cured-in-Place Pipeline	LF	5,500
8	Point Repair within Private Property (Service Laterals)	EA	20
9	Heavy Cleaning of Service Lateral	LF	1,000
10	Service Lateral Clean Out	EA	5
11	Type 2 Underdrain Manhole Rehabilitation	EA	16
12a	Manhole Cementitious Lining - Brick	VF	1,100
12b	Manhole Cementitious Lining - Precast	VF	110
12c	Manhole Chimney Seal	EA	153
12d	Inside Drop Manhole Rehabilitation	EA	2
12e	Manhole Frame and Cover - Raise to Grade	EA	1
12f	Sewer Manhole Frame and Cover	EA	14

Additive Alternative Bid

Item #	Item Description	Unit	Total Quantity
A1	Service Lateral Cured-In-Place Pipeline Set-up (first 10 lf)	EA	37
A2	Service Lateral Cured-In-Place Pipeline	LF	1,100
A3	Point Repair within Private Property (Service Laterals)	EA	3
A4	Point Repair within Right-of-Way (Mainline and Service Laterals)	EA	3
A5	Heavy Cleaning Service Laterals	EA	150
A6	Manhole Cementitious Lining - Brick	VF	70
A7	Manhole Chimney Seal	EA	9



ATTACHMENT B

Stacey's Brook Phase 1B Sewer Rehabilitation Bid Tabulation



Stacey's Brook Sewer System Rehabilitation Project – Phase 1B
Bid Tabulation
Town of Swampscott, MA
BID DATE: 7/26/18

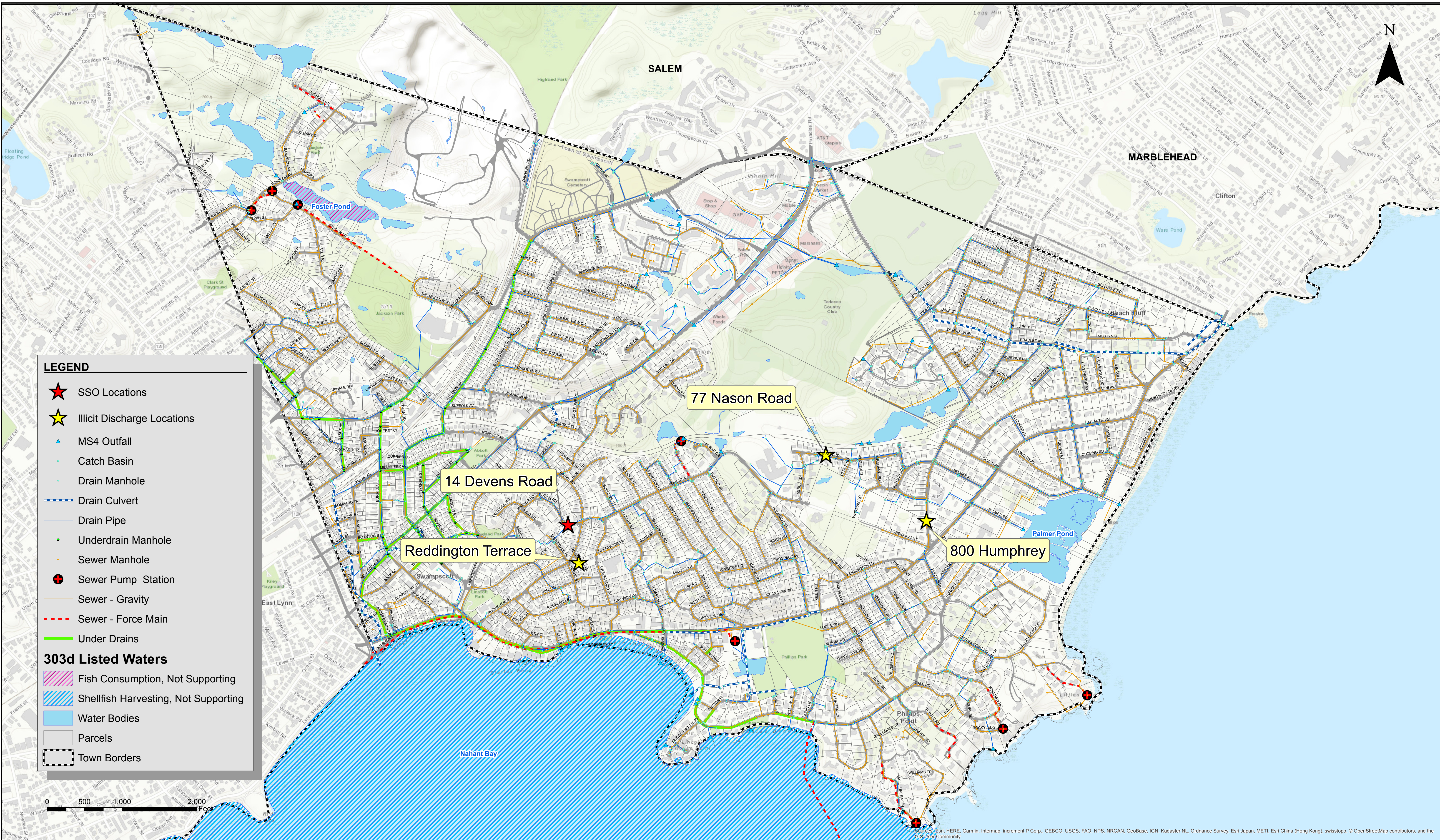
Item #	Item Description	Unit	Total Quantity	Rapid Flow, Inc.		National Water Main Cleaning Company		BLD Services, LLC	
				Unit Price	Total Amount	Unit Price	Total Amount	Unit Price	Total Amount
1	Mobilization / Demobilization (Should not exceed 5% of total bid)	LS	1	\$23,774.00	\$23,774.00	\$24,600.00	\$24,600.00	\$90,000.00	\$90,000.00
2	Heavy Cleaning 6" to 12" Pipeline	LF	1,700	\$3.00	\$5,100.00	\$10.00	\$17,000.00	\$5.00	\$8,500.00
3a	6" Cured-in-Place Pipeline	LF	100	\$160.00	\$16,000.00	\$66.00	\$6,600.00	\$50.00	\$5,000.00
3b	8" Cured-in-Place Pipeline	LF	13,480	\$23.00	\$310,040.00	\$29.30	\$394,964.00	\$30.00	\$404,400.00
3c	10" Cured-in-Place Pipeline	LF	3,080	\$31.00	\$95,480.00	\$31.40	\$96,712.00	\$32.00	\$98,560.00
3d	12" Cured-in-Place Pipeline	LF	700	\$38.00	\$26,600.00	\$54.50	\$38,150.00	\$40.00	\$28,000.00
4	Point Repair within Town Right-of-Way (Mainline and Service Laterals)	EA	30	\$500.00	\$15,000.00	\$7,847.50	\$235,425.00	\$5,500.00	\$165,000.00
5	Cutting Intruding Laterals	EA	18	\$250.00	\$4,500.00	\$100.00	\$1,800.00	\$350.00	\$6,300.00
6	Service Lateral Cured-in-Place Pipeline Set-up (first 10 lf)	EA	182	\$2,000.00	\$364,000.00	\$3,300.00	\$600,600.00	\$3,750.00	\$682,500.00
7	Service Lateral Cured-in-Place Pipeline	LF	5,500	\$50.00	\$275,000.00	\$1.00	\$5,500.00	\$20.00	\$110,000.00
8	Point Repair within Private Property (Service Laterals)	EA	20	\$500.00	\$10,000.00	\$4,783.75	\$95,675.00	\$4,500.00	\$90,000.00
9	Heavy Cleaning of Service Lateral	LF	1,000	\$5.60	\$5,600.00	\$25.00	\$25,000.00	\$5.00	\$5,000.00
10	Service Lateral Clean Out	EA	5	\$2,000.00	\$10,000.00	\$250.00	\$1,250.00	\$4,500.00	\$22,500.00
11	Type 2 Underdrain Manhole Rehabilitation	EA	16	\$300.00	\$4,800.00	\$1,350.00	\$21,600.00	\$1,300.00	\$20,800.00
12a	Manhole Cementitious Lining - Brick	VF	1,100	\$120.00	\$132,000.00	\$125.00	\$137,500.00	\$125.00	\$137,500.00
12b	Manhole Cementitious Lining - Precast	VF	110	\$120.00	\$13,200.00	\$125.00	\$13,750.00	\$125.00	\$13,750.00
12c	Manhole Chimney Seal	EA	153	\$750.00	\$114,750.00	\$250.00	\$38,250.00	\$250.00	\$38,250.00
12d	Inside Drop Manhole Rehabilitation	EA	2	\$1,500.00	\$3,000.00	\$1,500.00	\$3,000.00	\$2,100.00	\$4,200.00
12e	Manhole Frame and Cover - Raise to Grade	EA	1	\$1,250.00	\$1,250.00	\$787.50	\$787.50	\$4,500.00	\$4,500.00
12f	Sewer Manhole Frame and Cover	EA	14	\$1,500.00	\$21,000.00	\$1,202.50	\$16,835.00	\$2,500.00	\$35,000.00
	Subtotal Base Bid				\$1,451,094.00		\$1,774,998.50		\$1,969,760.00
Item #	Additive Alternative Bid								
A1	Service Lateral Cured-In-Place Pipeline Set-up (first 10 lf)	EA	37	\$2,000.00	\$74,000.00	\$3,300.00	\$122,100.00	\$3,750.00	\$138,750.00
A2	Service Lateral Cured-In-Place Pipeline	LF	1,100	\$50.00	\$55,000.00	\$1.00	\$1,100.00	\$20.00	\$22,000.00
A3	Point Repair within Private Property (Service Laterals)	EA	3	\$500.00	\$1,500.00	\$4,783.75	\$14,351.25	\$4,500.00	\$13,500.00
A4	Point Repair within Right-of-Way (Mainline and Service Laterals)	EA	3	\$500.00	\$1,500.00	\$7,847.50	\$23,542.50	\$5,500.00	\$16,500.00
A5	Heavy Cleaning Service Laterals	EA	150	\$5.60	\$840.00	\$25.00	\$3,750.00	\$5.00	\$750.00
A6	Manhole Cementitious Lining - Brick	VF	70	\$120.00	\$8,400.00	\$125.00	\$8,750.00	\$125.00	\$8,750.00
A7	Manhole Chimney Seal	EA	9	\$750.00	\$6,750.00	\$250.00	\$2,250.00	\$250.00	\$2,250.00
	Subtotal Additive Alternative Bid				\$147,990.00		\$175,843.75		\$202,500.00
	Subtotal Base Bid + Additive Alternative Bid				\$1,599,084.00		\$1,950,842.25		\$2,172,260.00

*Additive Alternate Bid unit price for item A5, Heavy Cleaning Service Laterals, was incorrectly submitted in accordance with the project specifications by BLD Services, Inc. The unit price for base bid item 9, Heavy Cleaning of Service Laterals, was used in Bid Tabulation for Additive Alternative Bid item A5.



ATTACHMENT C

Map of SSOs and Illicit Discharge Locations
During Reporting Period



LEGEND

- ★ SSO Locations
- ★ Illicit Discharge Locations
- ▲ MS4 Outfall
- Catch Basin
- Drain Manhole
- Drain Culvert
- Drain Pipe
- Underdrain Manhole
- Sewer Manhole
- ⊕ Sewer Pump Station
- Sewer - Gravity
- - - Sewer - Force Main
- Under Drains

303d Listed Waters

- ▨ Fish Consumption, Not Supporting
- ▨ Shellfish Harvesting, Not Supporting
- Water Bodies
- Parcels
- ⊔ Town Borders



The information included on this graphic representation has been compiled from a variety of sources and is subject to change without notice. It is not intended to be used as a legal document or to be used in any way that would create a liability for the user of this information. This document is the property of the City of Salem and is not to be distributed or used in any way without the express written consent of the City of Salem.



PROJECT NO.	20172822
DRAWN:	8/23/2018
DRAWN BY:	DS
CHECKED BY:	DTP
FILE NAME:	Compliance Reporting

ATTACHMENT C
ILLICIT DISCHARGE & SSO LOCATIONS
REPORTING PERIOD: 2/1/18 to 7/31/18
EPA Consent Decree Swampscott, Massachusetts