

1 PUBLIC
2 INFORMATIONAL MEETING
3 regarding the
4 EPA CONSENT DECREE
5 and Sewer Overflows
6 *****
7 Holiday Inn Pittsburgh - North Hills
8 4859 McKnight Road
9 Pittsburgh, PA 15237
10 *****
11 October 10, 2007
12 10:00 a.m - 12:00 p.m.
13 *****
14 Presentation by:
15 Arletta Scott Williams,
16 Executive Director of Alcosan
17 and
18 Jan Oliver
19 Director of Regional Conveyance
20 *****
21 Reported by:
22 Nancy E. Frost,
23 Court Reporter

24

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1 PROCEEDINGS

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3 MS. SCOTT WILLIAMS: Good morning,
4 folks. I'm Arletta Williams. I'm the Executive
5 Director at Alcosan. When we do get to the point
6 where you're asking questions on the record, we
7 would ask that you go to the mike and identify who
8 you represent and where you are from. I also need
9 you to you spell your last name for the
10 stenographer.

11 Let's get started. This has been up in
12 front of you for a while. I'm sure you've read it
13 several times. This is what I'm trying to
14 accomplish today, to give you a feel for Alcosan,
15 who the organization is, and for those people who
16 are not familiar with Alcosan, to talk about the wet
17 weather issue, to try to frame it for you. I don't
18 want to come in here and say the consent decree is
19 going to solve all these problems, when perhaps some
20 of you really aren't sure what all the problems are.

21 I'm going to talk about the consent decree and what
22 that all means. I'm going to talk about the
23 financial implications.

24 I am not coming in here today to tell you
25 what your rates are going to be for the next 10

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1 years, for the next 20 years. I'm not even going to
2 tell you what your rates are going to be for the
3 next 3 to 5 years. That is all yet to be
4 determined, but we are going to talk about money.

5 And, lastly, we will respond to any of your
6 questions. Let me introduce Jan Oliver. She is our
7 Director of Regional Conveyance. If I falter, if I
8 fail, she will jump up and take my place. Know that
9 you are well protected today.

10 Alcosan, what is Alcosan? Alcosan is the
11 acronym for the Allegheny County Sanitary Authority,
12 just the name itself. What do we do? We are a
13 waste water treatment service provider. We are not
14 the potable water provider. We do not treat the
15 water that comes directly to your home. We treat
16 the sewage that leaves your homes, that leaves

17 businesses, commercial institutions, industrial
18 outlets. We treat waste.
19 We are not the garbage collector. People
20 sometimes call us thinking we collect garbage as
21 well because of that "sanitary" in the name. No.
22 We treat waste water and we do it in this way. Cost
23 effectively we are very environmentally conscience,
24 and we are always doing everything we can to protect
25 the environment to keep the cost down. So there is

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1 the potential for reuse of the natural resources
2 that we deal with; water, soil and air. So this can
3 be an issue.
4 I want to go back into a little bit of the
5 history of the authority in talking about who we
6 are. Many people are not aware that waste water
7 treatment has not been around this region for very
8 long. Back in 1945 the State Water Board issued
9 orders to 102 communities and 90 industries, saying
10 "You are going to have to stop polluting the
11 waterways of the Commonwealth. Stop, cease, and
12 desist." Well, 74 of those communities said, "We
13 can't handle this by ourselves." They went to the

14 county and petitioned the county to form an
15 authority so that this issue could be dealt with in
16 a unified manner by one entity; hence, the formation
17 of Alcosan.

18 In 1946, with the understanding that by June
19 of that year, plans were going to have to be
20 submitted to the State Board that would identify
21 what the treatment plant was going to provide, what
22 it would consist of, construction plans, all those
23 documents had to be submitted by June.

24 And the intent was to have this new
25 authority deal with the interceptor system. Those

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1 are the large pipes that bring the sewage from the
2 municipal sewers to the treatment facility. So all
3 those sewers within the communities that were
4 sending all of that raw sewage and dilute sewage
5 sometimes to the rivers, the streams and the creeks,
6 there was no responsibility for that with this new
7 authority. The communities retained responsibility
8 for all that infrastructure within the
9 municipalities.

10 Out of the 74 that petitioned, it's not
11 unreasonable to think that they won't all actually
12 join the party. Fifty six joined and we went into
13 operation in 1959.

14 Today we are an independent municipal
15 authority. Don't be misled by the name. Allegheny
16 County Sanitary Authority does not mean we are a
17 county department. We are not a county authority.
18 We are actually a state authority, but our board is
19 appointed by the city and the county.

20 The last slide was simply telling you who we
21 are, where we are today. As I said, we are an
22 independent municipal authority. We receive no tax
23 dollars. We are funded solely by user fees. We
24 would prefer to have some outstanding funding
25 assistance, but the funding that we had from the

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1 state has been eliminated. We are the largest
2 facility in Allegheny County.

3 Let's go back to the last slide. I can see
4 I'm talking and you're looking like, "What in the
5 world is she talking about?" Again, we are the
6 largest facility in Allegheny County, one of the

7 largest in the Ohio Valley. We are in no way the
8 only sewage treatment facility in Allegheny County.
9 There are upwards of 20, but you can see relative
10 sizes. In McKeesport there are 11 million gallons a
11 day. Duquesne 2-. We are 250 million gallons a
12 day. We are a very, very large facility.

13 The governing body, the Alcosan board, as I
14 said, we're an independent municipal authority. So
15 we are governed by the Alcosan board. Initially it
16 was a 5 member board appointed by the county when
17 the county was petitioned back in 1945 and formed in
18 1946, 5 county members. By 1956 the City of
19 Pittsburgh actually joined the authority. When they
20 joined they brought \$2.5 million to the table. So
21 if you can understand the value of \$2.5 million
22 today, think of what it was worth in 1956. The
23 board was reconfigured and the city ended up with 3
24 board appointments, the county with 2. By 1988 the
25 board was completely reconfigured to 7 total

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1 members, 3 appointed by the county, 3 appointed by
2 the city, 1 joint appointment. That joint

3 appointment, although it was established in 1988, it
4 wasn't filled for the first time until 1996. So
5 that gives you a feel for how long it took to come
6 to a consensus. But we do have a fully functioning
7 7 member board today.

8 Who do we serve? Our service area is 83
9 communities, of course, including the City of
10 Pittsburgh. It's 310 square miles. A little under
11 900,000 people are served, and around 122
12 industries.

13 When I talked a little bit go about the
14 formation of the authority and the municipalities
15 retaining responsibility for the sewers within the
16 communities, I should also point out that there are
17 three components to managing waste water, to
18 managing sewage no matter where you are and how you
19 are doing it.

20 There is the collection that's coming from
21 the home, those municipal sewers systems, and then
22 there is the conveyance system, the interceptor,
23 which is ours, and the treatment facility, which
24 again in this case is ours. In most major cities
25 those three components are managed by one entity.

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1 Obviously that is not the case here.

2 In Allegheny County we are responsible for
3 conveyance and treatment. Again, that's the large
4 interceptor pipes. Because this is a football city,
5 I think everybody can understand interceptors and
6 intercepting. The interceptors were the large pipes
7 laid to intercept that flow that has been going into
8 the rivers. That was our responsibility. We have
9 90 miles of interceptors.

10 Along these interceptors there were points
11 designed to permit discharges from those pipes
12 because there was much more flow coming from the
13 communities from those municipal sewer systems than
14 the treatment facility on the downstream end of
15 those large interceptors that handle it. So there
16 are design points that will open and discharge;
17 hence, overflows, which we will obviously talk more
18 about.

19 There's the municipal collection system.
20 There's about 4,000 miles of sewer systems out there
21 that again the municipalities are responsible for.
22 You see the reference to combined sewage, separate
23 sewage here. We are about to get into that.

24 The overflow issue, overflows are those
25 discharges that are coming from that pipe when that

1 interceptor pipe, as I said, when those designed
2 discharge points open and let the flow out;
3 overflows. Overflows are the reason we are here
4 today talking. Overflows are the reason that we
5 negotiated with the EPA and the Department of
6 Justice to come to some resolution to how to deal
7 with overflows.

8 By 1972 the Clean Water Act was regulating
9 all discharges, all discharges to any water body.
10 By 1987 amendments to the Clean Water Act were
11 saying, "We are going to now have to regulate these
12 wet weather overflows."

13 By the time we get to 1993, Alcosan is
14 seeing those regulations in the permit that we are
15 issued for how we operate the treatment facility and
16 what we are allowed to bring through those pipes and
17 let discharge from those gates that are opening. So
18 it's a problem. It's been going on for a while.
19 That again is not just an Alcosan issue. This is
20 across the country, but this is the time line for
21 when we saw the impact.

22 We are talking about the overflow. What is

23 it? I think you are getting a feel for what it is.
24 It is a discharge of untreated sewage. It can come
25 from an SSO, a sanitary sewer overflow from a

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1 separate sewer community, or a CSO from a combined
2 sewer community.

3 CSO, SSO, this is what they look like. This
4 is the gate I was talking about. It flaps open,
5 comes out. This is a little bit different. This is
6 in a stream. The manhole is just bubbling up and
7 over.

8 To more properly talk about a combined sewer
9 overflow, combined sewer communities are the older
10 communities in our region. Those are the older
11 communities that have been around and had their
12 sewers built to collect both the sewage and the rain
13 water. The combination comes into the combined pipe
14 and then comes to the treatment facility, which in
15 this case is Alcosan. That is the sewage coming out
16 of the house. Notice how it's a lovely brown. We
17 try to be correct where we can. And then you have
18 the rain water. Rain water comes through downspouts
19 or it comes through driveway drains or any other way

20 it can come into the system, but it all comes
21 through one large pipe that comes to the treatment
22 facility.

23 What can come to the treatment facility
24 comes to the treatment facility. When it's just
25 sewage, when it's the brown flow, it always comes

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1 straight to the facility, and you are treating that
2 sewage. When you have this extra flow, it comes out
3 and discharges.

4 Combined sewer overflows, these discharges
5 are legal, but they need to be reduced. They have
6 to be minimized. We have entirely too many of them.
7 And there are national policies now that say, "You
8 are going to have to restrict and reduce the amount
9 of the flow coming from combined sewers."

10 Sanitary sewer overflows, the distinction,
11 those two pipes that were coming into one line
12 before, now go to two separate pipes. The sewage
13 goes straight to the treatment facility. It never
14 touches. It's not supposed to. It never touches
15 the pipe that is taking all this rain water, all

16 this extra flow. It takes it right out. That
17 should be clean water. It is always allowed to
18 discharge into the river, the stream, the creek.
19 These communities are newer communities,
20 typically 1940 and after communities. You notice
21 the difference in the pipe size. This pipe is sized
22 much smaller to take sewage, just sewage. This pipe
23 much larger to take all that extra rain water.
24 There are many circumstances where this flow is
25 getting into this line which is completely

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1 unacceptable. Actually it's the other way around.
2 Where you are discharging an SSO that has sewage,
3 that's unacceptable and that is illegal. It has to
4 be stopped. It has to be eliminated. So you have
5 competing issues, but they are all part of the same
6 problem, overflows. One has to be reduced. One has
7 to be eliminated.

8 What causes the overflows in the first
9 place? Of course, rain water, if you have heavy
10 rain water or heavy rain, but you can also have
11 overflows from excessive snow. Snow is built up, in
12 some cases a few feet. When it melts and it's

13 coming into the system, it can cause overflows.
14 Flooding in this line, if you have cracks in
15 the line or you have groundwater coming in,
16 infiltration, that can cause an overflow. And, of
17 course, the only time you have overflows should be
18 when there is wet weather, when there's rain, when
19 there is some type of excessive water coming into
20 the system, but there are also circumstances where
21 you have dry weather discharges. Those are
22 terrible. You never want to have a dry weather
23 discharge. But power failure, you have a blockage
24 in a pipe, the sewage can't move through the pipe if
25 you have a blockage. If the pipe breaks, those are

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1 all reasons for overflows.
2 What's the impact of all of this? There are
3 the obvious impacts. There is impact to public
4 health, impacts to the environment, impacts to
5 economic development as you go along the way. For
6 most people for the most part, these overflows do
7 not pose a significant risk, a significant health
8 risk, but there are a lot of people walking around

9 today who due to advancements in medical technology
10 have very compromised immune systems and they can't
11 afford to be exposed to even dilute sewage.

12 Sometimes you can have these backups into a
13 basement. That's definitely not good. If the
14 sewage is not able to make it into the line, into
15 the pipe, into the system, it can actually back up
16 in that community system into the homes. And, of
17 course, because all of our potable water is drawn
18 from these waterways, there is definitely an impact
19 to public drinking water.

20 Economic impacts, if you look on a national
21 level, just basically you've got impacts
22 recreationally, you've got impacts to the food and
23 fishing industry, certainly tourism, but locally
24 river front revitalization and recreation. If you
25 look down here, this is the Majestic (indicating).

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1 The usages that we have of our local waterways could
2 be very negatively impacted if we do not resolve our
3 overflow issues.

4 Development, real estate, you can't build
5 homes. You can't build anything. If there's

6 already too much sewage in the line, you are not
7 going to be permitted to add sewage to that line.
8 So there are significant impacts. And believe me,
9 we do not want to be the agency to say, "Don't
10 build, don't develop." Jan would be talking to you
11 next time. And after she said it, Art would be
12 talking to you and so on and so forth. We all want
13 to have a nice, healthy, happy retirement.

14 Again going back to the service area, now
15 that you have a better feel for overflows, the
16 310 miles, how does it map out? There about 50
17 square miles of combined sewer area. It looks like
18 the main issue is the separate sewer, you would
19 think, based on that geography is 145 miles
20 separate. But when you look at the population it's
21 about 50/50 because the combined sewer communities
22 are more densely populated. So don't get the
23 impression that one is more important, one has
24 priority over the other.

25 When we go back to how the system was

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2 designs for the interceptor system and the treatment
3 plant, a study in the '40s indicated there was a lot
4 of flow entering both systems. It didn't make any
5 difference whether it was a combined system or a
6 separate system when it was rain. So the systems
7 were designed the same way. They were accepted by
8 the regulatory agencies. They were permitted that
9 way. It was an acceptable design in the '40s.
10 Obviously things have changed. That's not the case.

11 But again the fact that the same types of
12 flows were being seen in both areas indicated that
13 even in those separate systems, there was a lot of
14 excess water that was getting in. So the systems
15 were designed the same way.

16 Again, the Alcosan service area. The black
17 line is the service area. If you look at the shaded
18 areas, the pink is combined. The lighter color is
19 separate. This is a separate sewer. And these
20 lightest colors out here are those areas that just
21 aren't contributing. They're on septic systems.
22 They are not really putting anything into the
23 system.

24 But as you can see, even with that 50/50
25 percentage of the population contributing combined

1 or separate flow, there are a lot of combined sewer
2 outfalls, a heck of a lot of CSOs in our service
3 area. It's a major issue, and it's one of the
4 largest CSO systems in the country. If you look
5 across the country, who has the most CSOs? Well,
6 sometimes it's good to be at the top of the bunch,
7 but sometimes it isn't. There we are right there
8 (indicating). If you look relatively from 1 to 10
9 how far it drops, we have an awful lot of CSOs.

10 Again that doesn't mean the CSO issue is any more
11 critical than the SSO issue. It's a joint venture
12 here.

13 Again, it is a national issue, not just an
14 Alcosan issue. Everybody has either faced it or is
15 facing it. As it gained more prominence, the EPA
16 with their counsel, the Department of Justice, went
17 to major cities and started to bring enforcement
18 action to deal with the overflow issue. Enforcement
19 action indicates penalties at the end of the day.

20 Again, we are not alone. If you look at
21 some of the major cities that are under a consent
22 decree, it speaks for itself. Do you see where they
23 are more heavily concentrated? We are right in the
24 pack.

25 Do we have to have a consent decree? I'm

1 going to talk more about what a consent decree is.
2 I think over the last ten years or so people have
3 heard a lot about "consent decrees," period, because
4 of the variety of those orders that have been in the
5 news. But for us the consent decree is required
6 because we are considered what is a major permittee.
7 I told you we have a permit for how we can
8 discharge, how we treat sewage. Because of our
9 permit and the fact that we have so many CSOs, as
10 you also saw from the slides, we fall into that
11 category that says under the policy, "To deal with
12 these matters, we have to resolve it through a
13 judicial order." A judicial order is a consent
14 decree. It's not that anybody on either side of the
15 table really preferred that approach. It's just
16 mandated.

17 What about this particular consent decree?
18 This particular consent decree looks good when it's
19 compared to those other areas that you saw on the
20 map. It's very much in keeping with what other
21 people have been tasked with, and it is the best

22 combination of environmental benefit and economic
23 prudence.

24 What's a consent decree? A consent decree
25 again is a judicial order. A consent decree

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1 essentially is an agreement between the bad guy,
2 which would be me in this case, and the good guy,
3 which would be the government in this case, where
4 they have said, "We have committed some violation."
5 In this case overflows, discharges are the
6 violation. We agree that we did. We come up with
7 an agreement as to how we are going to stop doing
8 that and when we are going to stop doing that and
9 what we are going to pay for having done that. But
10 it is a very arduous process of compromise and
11 negotiation. This particular consent decree is
12 based on violations of the Clean Water Act.

13 The status of the document right now, this
14 is a consent decree (indicating). It is a very,
15 very large, very complicated, very prescriptive
16 document that outlines what we are going to do for a
17 long time to come. It will become an official
18 document at the end of this particular process that

19 I'm outlining for you here. We negotiated. We came
20 to an agreement. At that point the document was
21 lodged in Federal Court. That was back in May 31.
22 Once the document was lodged, it entered -- not
23 specifically when it was lodged. That next day,
24 June 14, that was the date of notice, the date that
25 it was published in the Federal Register. From that

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1 point a comment period begins.

2 Now, in this process in coming to an
3 agreement on a consent decree, the parties come to a
4 settlement. They take it to the court. The court
5 then determines whether it is fair, just, right with
6 the land, but the court doesn't do that without
7 receiving comment from the public. So that period
8 in between from June 14 to July 16, the court took
9 comment on this document.

10 There were a few comments received from some
11 of the municipalities. And the court is in the
12 process of determining how to respond to those
13 comments. At the same time, a few of our customer
14 service communities filed an intervention. They

15 took legal action to stop the entry of this document
16 until they had certain matters resolved. That's
17 where the court is at right now. There's no telling
18 how long that will run, but hopefully it will be
19 fairly brief.

20 But we can move onto the very, very
21 important date, DOE, date of the entry. Date of
22 entry is when the clock begins tick for us, when all
23 the requirements of the document we have to begin
24 meeting. The date of entry is a very important date
25 because many things spring from date of entry.

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1 Thirty days from date of entry we have to submit
2 certain reports. Fifty days, 45 days, 180 days, so
3 many years from date of entry is a very critical
4 date.

5 The process itself was, as I said, a very
6 lengthy seven-year process. We received the first
7 draft of the consent decree in September of 2000.
8 We negotiated in earnest until November 2001. As
9 we're going through the process of negotiating with
10 the EPA, the Department of Justice, Pennsylvania DEP
11 and the Allegheny County Health Department, we are

12 trying to impress upon, for the most part, the
13 Federal Government that Alcosan is not, cannot be
14 responsible for all three of those components in
15 that pie chart I showed you, the three components of
16 waste water management. We only have responsibility
17 for two. That third component resides with the
18 municipalities.

19 Their initial approach was to come in and
20 assume that they would be able to hold us
21 responsible for everything. That would be an easy
22 effort. I can certainly understand that. But that
23 doesn't work.

24 So at some point we were able again to
25 impress upon them, "You are going to need to go back

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1 and deal with the communities." By November 2001
2 they did that. They went to negotiate with the
3 communities. The result was either an
4 administrative consent order or a consent order
5 agreement, depending on whether you are a combined
6 community or a separate community. And those orders
7 require the communities to perform certain work to

8 find out more about new systems so that they know
9 where their deficiencies are and the most gross
10 deficiencies, to repair those them as soon as
11 possible. So it's an assessment of what's going on
12 with their systems because there is no way we are
13 going to build something at the end of the day that
14 can accommodate all the flows within our overall
15 service area if we don't know what's going on in the
16 communities. So that was this effort. Once they
17 completed that, you can see that was a fairly
18 lengthy effort. They came back to us in July of
19 2003. And we settled finally again in May.

20 Who's participating? I think I've outlined
21 that for you. For the government, the Federal EPA,
22 their counsel, the Department of Justice, the state,
23 the county, and they have their respective technical
24 staff and legal staff. On my side of the table we
25 were represented by Eckert, Seamans, Cherin &

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1 Mellott. And I had the best staff ever to go into
2 battle with. We had representation across the
3 authority. You can see every area of the authority
4 is represented; engineering, construction, regional

5 conveyance, which is Jan's area, public relations,
6 operations and maintenance, wet weather programs,
7 and our technical consultant, down at the bottom,
8 CDM. As I said and I will repeat many times that
9 it's not just a local issue. It's a national issue.

10 We have a national consultant that has had
11 experience in quite a few places in dealing with
12 this matter. They assisted us in the negotiations
13 and they've assisted us with our compliance program.

14 So what were the negotiating goals? It's a
15 lengthy process, but you have to have goals when you
16 are negotiating. To get the best deal possible,
17 that was the bottom line. That was the directive
18 from the board. I was also tasked with bringing the
19 civil penalty. The civil penalty is the penalty for
20 what already has occurred, for all those overflows
21 and discharges that have occurred in the past, I was
22 charged with bringing that in under \$1 million.

23 We reached an agreement, one of the biggest
24 headlines I've ever seen. It was a good headline,
25 but it was a big headline. And because it was in

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1 the paper, and everything in the paper is
2 believable, it was the best deal possible. So I'm
3 feeling pretty good. It truly was the best deal
4 possible.

5 The guys on my side of the table were just
6 as passionate and protective as the government was
7 on their side. And it was a hard fought battle. We
8 definitely did get the best deal possible, but I
9 didn't get the civil penalty in under \$1 million.
10 It was close, but it wasn't under \$1 million.

11 Again, the civil penalty is for everything
12 that has happened in the past. The civil penalty
13 can be based on a very simple calculation, so many
14 thousands of dollars times how many overflows have
15 occurred within this violating period. Simple math
16 says that the penalty could have been \$1.3 billion
17 if you look at all the overflows over all the time
18 that they occurred. With respect to that,
19 \$1.2 million is an excellent civil penalty. It's to
20 be paid out in three equal payments.

21 Again, you see that all important date of
22 entry. We haven't had to pay anything yet because
23 we don't have a date of entry. But once we do,
24 within 30 days the Federal Government gets theirs,
25 180 days the state, and lastly, the county will get

1 theirs 360 days from date of entry.

2 Now, stipulated penalties. In the future
3 it's penalties going forward because there will be
4 penalties in the future if we do not comply with
5 everything we said we would do in this document. We
6 negotiated a long time to make sure that we were
7 agreeing to something that we could manage. And we
8 believe we can manage it, but if we don't, we incur
9 what will be significant penalties. And you are
10 probably looking at these numbers saying, "What's
11 that compared to this? Big deal." These can be
12 very large numbers because they are per event per
13 day.

14 So you can have numerous, multiple, many
15 events within one day and incur these violations.
16 And you can have them for days and incur these
17 violations. These penalties are not simply for
18 overflows. It can be for overflows, for discharges,
19 but more properly speaking, stipulated penalties are
20 for not being in compliance with the document. If
21 we don't submit a report on time, if we don't
22 monitor something appropriately, if we don't do
23 everything we said we would do in that book, we
24 incur these penalties. So they can add up very

25 quickly. And we are going to do everything we can

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1 to avoid them.

2 There's an ability to offset the penalty.

3 So when we started that 1.3 billion number that

4 nobody believed would be a penalty figure, nobody

5 would ever consider something of that nature, but

6 there are ways that you suppress that penalty. One

7 of the ways you can do that is to agree to perform

8 other environmentally beneficial projects. They

9 can't have anything to do with what you've been

10 charged with. And that certainly makes sense. That

11 wouldn't be a good faith effort if you are being

12 able to write off something that you're being tasked

13 with to begin with.

14 But we've agreed to \$3 million worth of

15 projects that the government has to review, evaluate

16 and sign off on to say they meet the criteria. That

17 was one of the ways that we, again, suppressed the

18 penalty.

19 These projects are called supplemental

20 environmental projects. They supplement whatever

21 else we're dealing with. SEPs, again \$3 million.
22 Across the country we've seen SEPS from as low as
23 half a million to 5.3 million. So we are feeling
24 good about our \$3 million.

25 If you look at a quick comparison across the

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1 country, if you look at the civil penalties, if you
2 will recall our civil penalty is \$1.2 million. Our
3 SEPS are \$3 million. We look fairly good if you
4 make that comparison. If you look at Cincinnati
5 specifically, \$1.2 million, it's the same civil
6 penalty as we have. They're in for \$5.3 million in
7 SEPs. We're only at \$3 million. And our football
8 team is so much better. You got to feel good about
9 that whole thing.

10 What does the consent decree require us to
11 do? It requires us to model, monitor, evaluate,
12 assess everything within the conveyance and
13 treatment service area. It's also holding us to a
14 very, very rigid, very aggressive 20-year planning
15 schedule. We are going to have to complete all of
16 our activities and get things built and in the
17 ground. Specifically, we have to eliminate those

18 sanitary sewer overflows. They've got to go. We
19 have to eliminate dry weather discharges. And we
20 talked about those early on. I told you that you
21 never want to have a dry weather overflow,
22 discharge. They have to be eliminated. We have to
23 minimize the combined sewer overflows to meet the
24 requirements. And then we have to construct and
25 operate everything that we said we would and get

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1 this all done fairly quickly.

2 We have to develop a wet weather plan. The
3 wet weather is going to be the guideline for how we
4 come into compliance. When I say "we," I mean
5 regionally within our service area, the 83
6 communities. It's not just Alcosan. The wet
7 weather plan incorporates what's required in the
8 municipalities as well.

9 We certainly have to work with our
10 municipalities more than we ever have before and
11 provide public outreach, so that you folks know
12 what's going on and have an appreciation that we are
13 doing what is required.

14 The schedule runs out to 2026 or 2027. We
15 have until 2026 to plan, design, and then construct
16 all of the facilities that are required in the
17 consent decree through the wet weather plan. That's
18 not as long as it might appear to be when you're
19 talking about actually getting facilities built and
20 in the ground. So that's the long range.

21 After 2026 whatever we build has to be
22 functional and provide compliance for 20 years
23 beyond that 2026. So it has to be a very extensive
24 and very detailed planning effort going into it.
25 Three years after that 2026 we are going to be

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1 monitoring to determine what the efficiency is of
2 everything that we put in by then. That's the
3 evaluation period.

4 But if you go back to where we are right
5 now, we have ongoing programs, flow monitoring,
6 modeling, assessing the water quality. And I
7 understand that we are fortunate to have the
8 gentleman with us who was involved with the original
9 water quality assessment; is that correct, sir?

10 MR. SHEMA: Yes.

11 MS. SCOTT WILLIAMS: What's your name?

12 MR. SHEMA: Bob Shema.

13 MS. SCOTT WILLIAMS: Could you spell

14 it?

15 MR. SHEMA: S-h-e-m-a.

16 MS. SCOTT WILLIAMS: Thank you.

17 Congratulations for a phenomenal effort. We are
18 doing more of that right now. The communities have
19 had to do their mapping and surveying. This whole
20 effort of wet weather planning, that is a very
21 condensed period that is requiring all of these
22 activities down here at the same time.

23 That wet weather plan that I told you about
24 that is going to provide the framework for
25 everything that is going to be designed and put in

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1 the ground in that period has to be done by 2012.
2 More appropriately it has to be done by 2011 because
3 in 2011 we have to share it with the communities so
4 that we can incorporate their needs. By 2012 it has
5 to be submitted to the agencies. You see the
6 agencies have a review period; the agencies being

7 the EPA, Pennsylvania DEP, and the County Health
8 Department. They have a year to review that plan.
9 So that shows you how complex, how voluminous that
10 plan will be. They have a year to review it. While
11 this is all going on, there will be extensive
12 municipal coordination.

13 I've given you a lot of information. You
14 are probably saying, "What in the world are we going
15 to do?" Really, what does it all mean? What's it
16 going to cost? Who is going to pay for it? How is
17 it going to get done?

18 Again, we are not alone. Because we are not
19 alone, there have been extensive efforts across the
20 country. We can benefit from that. We have
21 benefited from that. We have not just been sitting
22 back waiting for this whole process to catch up with
23 us. We have been working on this for quite some
24 time.

25 In 1989 we knew that the national CSO policy

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1 was going to be coming out. And we were keeping our
2 eye on it. We started to look for a wet weather
3 consultant. The consultant that I told you who

4 worked with us through negotiations has worked on
5 our program. That's Camp, Dresser, McKee. We
6 brought them in in 1991. Between 1992 and 1998 we
7 did quite a bit of assessment, more assessment, more
8 investigation than we had done since the plant was
9 built back in the '50s. We pulled together a lot of
10 information for reporting purposes for these
11 documents (indicating) that you see here, but also
12 because we needed to get a better understanding of
13 what our system was, what our needs were.

14 In 1998 we formed the Three Rivers Wet
15 Weather Demonstration Program which has now evolved
16 into Three Rivers, Incorporated. Three Rivers is an
17 organization that provides funding to the
18 communities to initially help them deal with the
19 excessive flows within their municipal boundaries.

20 We knew that based on all this that we were
21 in for a major program that was going to require a
22 lot of money, incredible sums of money. And there
23 was really no way to bring it to this region because
24 we had very tense and strained relations with our
25 municipalities. At the same time, we knew that we,

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1 the authority, could not go out and lobby for these
2 huge amounts of money to come to Alcosan. The best
3 effort would be in placing that responsibility with
4 somebody else. We would lobby, which we did. Jan
5 has been very instrumental in lobbying over the last
6 ten years, the state government, the Federal
7 Government for funding. But again, the Executive
8 Director at that time and Jan realized the money
9 can't come to Alcosan. It has to go to the
10 communities.

11 So along with the Health Department, an
12 incredible agency, we formed Three Rivers to funnel
13 that money to the communities. Right now I think we
14 are sending about 23-, \$24 million that has come in.
15 I have heard people complain that that's not a lot
16 of money. It's certainly not enough money. I beg
17 to differ. We have received the lion's share of the
18 money that has been available within the time frame
19 that we have been lobbying for it. It is quite a
20 bit of money, and it has been used very effectively.

21 We started out using it to demonstrate
22 technology and approaches, again, to reducing the
23 flows within the communities, so that there would be
24 less flow to deal with on our end. It evolved into
25 a program that assisted the communities with dealing

1 with that negotiating process when the EPA, the
2 Department of Justice, the state and the county went
3 to negotiate with them in that November 2001 time
4 frame.

5 Three Rivers helped coordinate that effort
6 to bring them together, so that they could negotiate
7 effectively, which they did. Had it not been for
8 Three Rivers, they probably would not have come to a
9 resolution as quickly and peacefully as they did.

10 Between '98 and 2000 we held numerous
11 informational meetings with the EPA to give them a
12 better understanding of what our system is, what our
13 requirements are, what we can and cannot do, trying
14 to educate, knowing that the policy was going to
15 require major things of us, trying to get them on
16 board.

17 Again, the document that you see over here
18 (indicating), the first one was in '95. It simply
19 identified what we have in our system, what's in the
20 ground. Then the next one, what are we doing with
21 it? How well is it working? And then in '96 are we
22 doing the best we possibly can?

23 And then this last document, this one is

24 regional long term wet weather control concept plan.

25 That is the document that then took all this

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1 information to say, "Okay, this is our best effort
2 at estimating what will be required to deal with the
3 overflow issue." It was submitted to the agencies
4 in December of 1999. After their review and
5 additional meetings, we ended up in the consent
6 decree negotiating process. And this document is
7 what will be replaced by that wet weather plan that
8 I told you has to be submitted by 2012, the outline,
9 the structure of what we are going to do.

10 What we did find out in this entire effort
11 is we knew there was too much flow in the system.
12 There wouldn't be overflows if there weren't. But,
13 again, understand the system is designed that way.
14 That's the way it's supposed to work.

15 What we found is the municipal systems are
16 collecting about 1 billion gallons a day when
17 there's wet weather. That's a lot of flow. We also
18 found through this investigation that our
19 interceptors, those large pipes that are

20 intercepting the flow, can bring in about
21 875 million gallons a day. That's a nice match-up.
22 That's not too bad. The pinch point was the
23 treatment facility.

24 Once again you have the three components of
25 that waste water pie chart. What's not matching up?

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1 The treatment facility. So we had a much better
2 understanding of what the deficiencies were which
3 then puts us in a position to be able to determine
4 how we deal with it, what programs we should put in
5 place.

6 Essentially there are four basic ways that
7 you are going to deal with this. You can have more
8 treatment, build more treatment plants or you can
9 treat it out in the system along those interceptors
10 before it even gets to the treatment plant. You can
11 add conveyance. That's more of those interceptor
12 pipes or some other mechanism to move more flow.
13 You can go to source reduction which goes back to
14 the communities; less flow in, less flow to treat.
15 Or you can store, large storage tanks that are going
16 to hold the flow until the system subsides to the

17 point where you can bring it in and treat it during
18 dry weather.

19 Are any of one of these any better than the
20 other? No. That's a combination. That's what that
21 this assessment has shown us. It's a combination of
22 the activities.

23 What does it require for wet weather
24 planning? A lot of communication, a lot of
25 coordination, more alternative analysis. A lot of

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1 what we did here, we are going to have to do more of
2 that. We are going to have to do that with the
3 communities; performing affordability analysis, more
4 water quality analysis.

5 Along here some of the facilities that you
6 see are options for dealing with the flows. Some of
7 them are representative of those four circles that
8 you just saw. Right here (indicating) you will
9 notice that it looks like a basketball court,
10 doesn't it? How could that possibly have anything
11 do with treatment?

12 When you are dealing with these matters, you

13 are trying to create incentives to make things as
14 aesthetically pleasing as possible to gain some
15 consensus on where they can be placed. There are
16 facilities under this in areas where they can
17 benefit from some community development. We are
18 eager to talk about opportunities to bring a
19 facility like this, which is sight unseen below
20 ground, but you have some, again, some enhancement
21 above ground.

22 The planning, the service area that I told
23 you about, 310 square miles, we are not just going
24 to jump into it willy-nilly and try to attack it all
25 at once. We have separated the service area into

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1 seven planning basins, and we are retaining
2 consultants to look at improvements within each one
3 of these basins.

4 There is then work by Camp, Dresser, McKee
5 providing oversight to all of this that will
6 coordinate the results of all of those individual
7 efforts, not just our consulting efforts, but what's
8 going on within those communities to bring a plan
9 together for how we move forward.

10 We are tracking this. We have a very high
11 powered computer system, software system. It is the
12 Enterprise Content Management System. If that
13 doesn't impress you, I'll do my impression of James
14 T. Kirk and show you how I am truly in charge of the
15 Enterprise. But it's a very extensive tracking
16 system. You can see a lot of the requirements we
17 have mapped out here. They go out again to 2026.
18 This is one sheet. There are 17 of these sheets.
19 And it's all managed and monitored by people
20 in-house because we have a lot of reporting we have
21 to do. To be in compliance, it's not just a matter
22 of doing something. We have to prove we did it. We
23 have to submit documents and reports that said we
24 did it. This will help us in that effort.

25 What's our overall goals here? It's to

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1 comply with the consent decree. We have to meet the
2 federal requirements. We have to meet the state
3 requirements. Beyond all that, we need to be able
4 to position this region for additional growth
5 capacity and for development.

6 Long term costs, these are numbers for
7 programs across the country. These are separate
8 from the penalty dollars we were talking about.
9 This is cost to implement. You can see
10 \$1.2 billion, \$2 billion, \$900 million. Somebody
11 told them, "I don't want you ever to say a billion.
12 So make sure it's always under a billion." They got
13 a billion dollar program, too.

14 People are spending a lot of money. We are
15 going to spend a lot of money. We are managing it
16 as best we can, but once you get an appreciation
17 that we are right in the hunt, right in the pack.

18 All of those technical evaluations and
19 assessments that I referred to, we are going to do
20 the same thing on the financial side. It's a
21 requirement. It's a requirement of the policy.
22 It's a requirement of the document. That's why
23 right now I can't stand here and tell you that you
24 are going to pay five times as much in ten years.
25 This is what your rate is going to be at this point

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1 in time. It's an evolution.

2 This document, the consent decree, does not

3 say to put this particular facility in the ground at
4 this point at this time. It says evaluate those
5 things. Come up with an approach for how you are
6 going to do that. Once we know that, what we are
7 going to do, then we will be able to assess what the
8 dollars are.

9 And funding is very important. We are going
10 to continue to press for funding. We are never
11 going to let up on that. There's a lot of competing
12 requests out there, but we are always going to be at
13 the table. And at that point we will also have the
14 ability to look at different ways to charge. Right
15 now we have a very uniform rate structure. In the
16 future there's an opportunity to look at varying
17 ways of charging the end user.

18 Where are we right now with respect to
19 rates? Just so you understand what's being paid
20 right now, right now the basic rate is \$2.98 per
21 1,000 gallons. I say per 1,000 gallons because we
22 bill based on water consumption. So whatever your
23 water provider is telling us you are using in terms
24 of consumption, that's what we are going to bill you
25 on.

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1 We estimate about 18,000 gallons per quarter
2 for the average user. Based on that you are
3 spending about \$240 a year on your Alcosan rates.
4 That can be separate from what you're paying for
5 your sewer system within your community.

6 Right now we have two ways of billing end
7 users; a direct bill, that's where we send the bill
8 directly to you to your home. You pay us. There
9 are not very many communities that still do that.
10 There are five, maybe six at the most. And the
11 reason they don't do that, they choose the lump sum
12 billing option, is because we bill the municipality.
13 And then the municipality has the opportunity to
14 bill you, but when they bill you, they can add fees
15 to that to take care of those sewers within your
16 municipality.

17 Again, most of our communities go the lump
18 sum option because they can't add those fees. But
19 understand, that is not an Alcosan fee. That is not
20 a fee that we suggest or set for them. That's their
21 determination of being able to address their needs.

22 What impacts our rates, our budget? It's
23 the same thing that impacts other people, utility
24 costs. We've seen utility costs increase from 15 to
25 40 percent. We are a very, very large consumer of

1 electricity. We are pumping 250 million gallons a
2 day. That's a lot of electricity. My monthly
3 electric bill is around \$600,000 per month. That's
4 a lot of money that's being spent on utilities.
5 Natural gas, those numbers can be exorbitant.

6 At the same time, we are seeing less
7 billable consumption. Here we have the wet weather
8 issue that plays both sides of the fence on us. Wet
9 weather, while we are trying to deal with it in
10 these other areas, wet weather has an impact because
11 if it's very wet outside, people are not using as
12 much water. If it's a wet spring or summer, they
13 are not watering the lawn or washing the car when
14 it's raining.

15 It seems like little things, but over a
16 310-square mile service area it adds up. It
17 certainly adds up. People aren't topping off the
18 kiddie pool. Kids aren't splashing in the
19 sprinkler, things like that. So we are billing less
20 flow when it's wet outside.

21 At the same time conservation efforts have
22 taken hold. Those low water toilets, flush twice,

23 flush three times. You want to make sure you get as
24 much material to me as possible. Remember that.
25 Conservation has taken hold and we see the results

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1 of that. We again are billing much, much less than
2 we ever have before.

3 And we have a major decline in our largest
4 industrial users. The steel mills, major consumers,
5 housing projects, things you wouldn't think of.
6 Hospitals, there's been a lot of consolidation,
7 closures. All of those hit our bottom line. Even
8 the penitentiary leaving. I'm sorry to say that the
9 penitentiary, even though it's come back, the
10 penitentiary over the last ten years is the only
11 commercial customer to increase in consumption and
12 billing over the last ten years. Every other
13 commercial customer has declined.

14 In addition, we lost state funding back in
15 2003. It's \$5.5 million a year. You hear a lot
16 about the Port Authority, what they lost and what
17 they need to gain. I don't think we want to weigh
18 in on the drink tax, but I think the more people

19 drink, the better for everybody. Drink, flush,
20 drink, flush, drink, flush. Sooner or later we will
21 recoup those costs.
22 Consent decree implementation, a lot of
23 analysis, additional analysis. These books are
24 going to pale in comparison to what we are going to
25 be doing; the jobs that come out of that, new

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1 processes, new equipment.
2 Another headline, Anticipate a Rate Hike
3 after 2008. Unfortunately, we are going to have to
4 have a rate hike in 2008. I'm not sure what it will
5 be right now. We have a consultant working on that,
6 but we are definitely going to incur a rate hike.
7 Again, as I've said repeatedly, it's too
8 early to know what the overall impacts are going to
9 be in 2026. I would love to be able to have that
10 crystal ball. I would love to have that crystal
11 ball for many other reasons. But we will make the
12 best projections we possibly can. That is what we
13 will share with you.
14 We are going to perform a cost of service
15 study in 2008. The cost of service study does just

16 that. It determines what it costs you to provide
17 the service you are providing and nail that down.
18 And that will be used to determine rates going
19 forward. Not going forward with respect to the
20 overall program, but just with respect to what we
21 provide right now, what we are going to provide in
22 the near term.

23 I can tell you also that no matter what we
24 have to do, no matter how much we have to spend, we
25 are always going to do everything we can to minimize

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1 the costs, to minimize the rate increases.
2 Public participation, public participation
3 is mandatory. It's required in the consent decree.
4 It's just good business. And we have had I think a
5 pretty good track record in public participation.
6 That doesn't speak to how we dealt with sharing
7 information with the municipalities. That's a
8 separate issue.

9 Again, we've had good outreach programs.
10 They have been very effective. We are required to
11 continue those. We will be forming a municipal

12 customer advisory committee. We had formed a
13 municipal advisory committee a few years back that
14 was a dismal failure. That won't be the case this
15 time because it's required in the consent decree.
16 If I don't do it, if I don't do it the right way,
17 I'll get those stipulated penalties. You can't have
18 that. This will be a committee to receive updates
19 and information on the consent decree process, our
20 implementation and where we are.

21 There are also opportunities for newsletters
22 for access to information via the web site and a lot
23 of public notifications. So far one of our biggest
24 notification programs has been the CSO flag program.
25 Has anybody seen these out there (indicating)?

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1 These fly on marinas, marinas when we are in a CSO
2 status, a combined sewer overflow status, meaning
3 our system is discharging. We have a cooperative
4 effort with the Health Department to notify marinas
5 to fly these flags. It's very much like the air
6 advisories that you see on TV, ozone action alert
7 day. This is a CSO action alert day. They have
8 been out there for many years. It's an indication

9 of the type of programs that we've been involved in,
10 and you will see more of those in the future.

11 When it comes to public participation
12 outreach and pulling people into the process,
13 nothing is better than the Alcosan open house. Many
14 of you participated in the open house. I thank you
15 for your participation. We hosted 1,802 people
16 through our treatment facility on September 22.

17 And if I go through each one of those
18 slides, there is a great story behind each one of
19 them. They are all educational. These children
20 here are looking at the microbiology of sewage.
21 They are looking through microscopes, looking at
22 what we use, giving them a better appreciation for
23 the efforts that go into treating waste and how it's
24 not just happenstance, how it's not for the older
25 folks among us. It's not Ed Norton in the sewers.

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1 This is some very intense work that we do. And they
2 love it. They get a kick out of it.

3 Here we have children from St. Bedes who
4 were the winners of the Future Cities competition

5 this past year. Future Cities is a competition for
6 children who are interested in technical careers,
7 engineering, science, things of that nature who get
8 to compete.

9 We had local kids who went on the national
10 level. We brought them to our open house. They
11 were in a tent. The children that came and reacted
12 to them, they wanted to know what their project was
13 about and wanted to talk about what some of their
14 aspirations were. It was phenomenal.

15 Here you have people talking specifically
16 about what we are talking about today, what we've
17 done in the past, what we are planning on doing, and
18 how it impacts them.

19 There's the good news. I'm done. The bad
20 news, everything that I've talked about, while it's
21 going to generate major improvements in water
22 quality, it is not going to cure everything. It is
23 not going to completely clean up the local
24 waterways. And I would not want to leave you with
25 the impression that that is going to happen, because

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2 going to be very dismayed saying, "I heard this
3 wonderful presentation about how they're going to
4 walk on water and clean it up at the same time." We
5 are going to make it cleaner. We are not going to
6 make it pristine. There are other impacts to water
7 quality out there; agricultural runoff, acid mine
8 drainage, all kinds of things. Storm water
9 management is a huge issue yet to come.

10 I'm telling you that what we are doing with
11 your help, with your input is going to improve the
12 local waterways, put us in compliance, allow
13 development to continue, and hopefully make
14 everybody happy at the end of the day.

15 With all that, we will take questions. And
16 I will remind you that you need to go to the mike,
17 you need to identify yourself and spell your last
18 name please.

19 MR. BARR: Hello. My name is Jim Barr,
20 B-a-r-r. I live over in Westview Borough. I have
21 so many questions. I'm just going to try to
22 organize it. First of all, I thought that this was
23 a very important issue for Allegheny County and
24 Western Pennsylvania. And I'm really surprised that
25 there's such a small turnout. Is it apathy? People

1 don't understand? It just seems to be such a few
2 amount of people here for what I thought was such an
3 very important issue. Am I correct in assessing
4 there's apathy?

5 MS. SCOTT WILLIAMS: I think you're
6 correct in your assessment that this is a major
7 issue. Obviously I think it's the most important
8 issue facing this region. I think it's the most
9 important issue facing most of the country. I
10 wouldn't say it's apathy. I'd say it's competing
11 interest. And it's not a sexy topic. It's not
12 something that generates that type of response.

13 There are so many other things going on that
14 require much less thought, and, unfortunately, much
15 more "bang for the buck" in terms of gossip, dinner
16 time conversation. For some reason people don't
17 want to talk about this over the dinner table. I
18 can't understand that, but keep going.

19 MR. BARR: What I always thought, and
20 it may be a misconception, was to eliminate
21 everything we are doing here. Just don't drink the
22 river water. Is it that simple? Just don't drink
23 the water out of the river.

24 MS. SCOTT WILLIAMS: I'm not sure how

25 far this bottle is going to go (indicating). What

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1 would be the alternative?

2 MR. BARR: Don't drink the river water.

3 Don't drink any water out of the river.

4 MS. SCOTT WILLIAMS: There is only so
5 much water on earth. The same water that was there
6 then is the same water that's here now. It was all
7 recycled. It is mandatory that we drink the river
8 water after it's cleaned up, of course.

9 MR. BARR: Make sure the water gets
10 processed or -- what's the right word, what
11 treatment plants do with water?

12 MS. SCOTT WILLIAMS: Treat it.

13 MR. BARR: Make sure the water you
14 drink is treated. Is it that simple?

15 MS. SCOTT WILLIAMS: Yes, it is that
16 simple, but it's not that simple. It is simple as,
17 yes, you treat the water that you drink. Potable
18 water is treated. It is treated further from the
19 treatment than we provide before it goes into the
20 river, but you have to have that first stage. A
21 potable water plant would not be able to clean that

22 water to the extent that you could use it for human
23 consumption or human use like that without having
24 all the upfront processes that we have.

25 So if you were simply talking about

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1 eliminating our step, you would have to incorporate
2 it someplace else. You are going to have that level
3 of treatment. I think that's what you're asking me.

4 MR. BARR: What I'm saying is how
5 important is it that this water is treated? They
6 take water right from the river and treat it. Why
7 did this all evolve, this whole waste water
8 treatment? Why did this all evolve?

9 MS. SCOTT WILLIAMS: Why do we have
10 waste water treatment in the first place? Is that
11 what we're going back to?

12 MR. BARR: No. How extensive does it
13 have to be? We already have it right now. Alcosan
14 treats it, right?

15 MS. SCOTT WILLIAMS: Yes.

16 MR. BARR: You take the water out and
17 treat it and provide it for drinking water for

18 consumption?

19 MS. SCOTT WILLIAMS: That's correct.

20 MR. BARR: So how much more do we have
21 to do? The system is already working, right?

22 MS. SCOTT WILLIAMS: The system works,
23 but there are other impacts to the local waterways.
24 When I showed you the pictures of waterfront
25 development, there are areas right now where you've

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1 got sewage that is going into the rivers, the
2 streams, what have you, that is discharging
3 floatables, material that you can see and also
4 bacteria that you cannot see, where people who are
5 making use of the waterways for recreational
6 purposes are coming into contact with that.

7 I don't mean to be too graphic, but
8 everything that you can imagine that may go through
9 the waste stream, that may be flushed down the
10 toilet or go into a catch basin on a street, can't
11 end up in the river. In some cases it stuck to the
12 sides of people's boats. In some places people are
13 jumping in the water to swim in this material. That
14 is aside from the drinking water aspects. There are

15 many other impacts.

16 MR. BARR: So there are violators, the
17 polluters of our water. There's certain people that
18 are violating more so than others. Like myself, I
19 run water down the sink and I take a shower and
20 flush the toilet. Are there other people that are
21 sending solid waste into the rivers and streams?

22 MS. SCOTT WILLIAMS: It all goes into
23 the same system. All this is going into the same
24 system. There is nobody polluting any more than any
25 other. There is nobody that I would say if I take

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1 you out and put you on a septic system that things
2 are going to get better. It's the way systems are
3 designed. That's the way you want systems to
4 operate so it's all coming to one unified point, one
5 treatment facility.

6 MR. BARR: I thought you had just said
7 there are streams that are sending solid waste or
8 debris into the rivers?

9 MS. SCOTT WILLIAMS: Do you remember
10 those pipes that I told you about where the gate

11 opens up on the side. These (indicating), that's an
12 example of where it's coming out. It's designed to
13 operate that way. It had been designed to operate
14 that way with the philosophy that a majority of the
15 sewage was coming to a treatment facility. And the
16 sewage itself does, when it's pure sewage when
17 there's no rain water, this is an issue during wet
18 weather when you have that extra flow in the line.

19 This (indicating), when you got this extra
20 flow, typically everything you're talking about is
21 coming down, going down here, coming to the plant,
22 but there are times when it comes out this way.
23 It's nobody's fault. It's just something that needs
24 to be managed. These were designed to operate that
25 way. But as regulations evolved, as we become wiser

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1 and more able to deal with these things as
2 technology progresses, we have to up the ante.

3 MR. BARR: We've become wiser. You
4 mean we're not drinking polluted water anymore. Is
5 that what you mean by we are becoming wiser?

6 MS. SCOTT WILLIAMS: You were never
7 drinking polluted water. The water was always

8 treated. The water that is going to your homes has
9 been treated in this scenario.

10 MR. BARR: Going back to my original
11 question, why is it so essential that now we clean
12 up the rivers if that's what we are doing? Why is
13 it so essential now that we act.

14 MR. BUTIA: My name is Jeff Butia,
15 B-u-t-i-a. I'm with the Allegheny Health
16 Department. What this gentleman is talking about,
17 Arletta, is part of this issue with the Federal
18 Government. They set designated uses for all of the
19 waterways, swimmable, fishable, drinkable water.

20 Standards have been set by the Federal
21 Government to ensure that it's swimmable, drinkable,
22 fishable. Arletta has standards that she has to
23 meet in discharging into the river. So we are not
24 only protecting the drinking water by setting these
25 standards, but we are allowing people to swim in the

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1 rivers, allowing for aquatic organisms to be able to
2 live and reproduce in the rivers. That has all been
3 set by the Federal Government. That's the big

4 picture here.

5 Arletta is in charge of an agency that is
6 part of that responsibility to ensure that she
7 protects those designated uses. Standards have been
8 set by the federal and state government to ensure
9 that's done.

10 In doing that we are not only protecting the
11 drinking water but the environment, too. As far as
12 the drinking water goes, the Federal Government has
13 set standards for drinking water. When they give
14 you that product in the system, they are obligated
15 to meet certain standards.

16 What can happen here is the more sewage and
17 other pollutants that go into the river, they
18 increase the cost of the drinking water facility.
19 For example, if you get your water from Westview and
20 we have a lot of additional pollution in the river,
21 he would incur additional cost to treat that water
22 to make sure he meets his requirements for the
23 federal standards and the federal and state drinking
24 water law.

25 Again, just protecting the drinking water

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1 supply or if they treat, the Federal Government
2 would still hold these people responsible that
3 discharge into the river to make sure that they meet
4 these designated uses. It all goes back to what the
5 Federal Government has said for designated uses of
6 the waterways.

7 Each river, each stream in the State of
8 Pennsylvania, there's designated uses for each one
9 of those. And in order to meet that, treatment
10 techniques and discharges limits have been set.
11 It's more than just protecting the drinking water.

12 MS. SCOTT WILLIAMS: Thank you, Jeff.
13 Is that helpful?

14 MR. BARR: I don't totally understand
15 other than for recreational purposes, we want
16 cleaner rivers.

17 MR. BUTIA: All our three major rivers,
18 in fact, all our streams are probably designated
19 that they have to be swimmable. In order to meet
20 the primary pollutant to be swimmable, there's a
21 bacteria limit set for that to make sure you are
22 protecting public health. One of the limits that
23 Arletta has to meet in her treatment plants and all
24 points of discharge is a bacteria limit. That limit
25 has been set by the Federal Government. They do a

1 risk analysis to develop a number to be sure they
2 are not discharging limits over that number that
3 would really endanger the public health. And
4 there's a whole set of parameters that they have to
5 meet; biological oxygen demand to ammonia to solids
6 to different chemicals in order to protect its uses.

7 Again, it goes back to the Federal
8 Government who has said that the citizens of the
9 United States have the right to expect that the
10 rivers are fishable, swimmable and the water can be
11 used for drinking water purposes. So that's what we
12 are doing here, to protect those uses. In doing
13 this, one of the ways you protect it is by
14 eliminating sewage discharges in the river.

15 I don't think anyone really wants sewage
16 discharge in the river. If you're down there and
17 you are a boater, or you have a right to swim in the
18 river, even though the Health Department doesn't
19 advocate it, but there are other dangers there, you
20 don't want to be swimming there when the outflows go
21 into overflow. It's just common sense.

22 What this whole project is going towards,
23 and Arletta emphasized that we may not meet the

24 final goals of meeting all these use and
25 attainabilities for the river, but we are going to

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1 make them a helluva lot better in doing the program
2 that's being required by the Federal Government, the
3 State and Allegheny County Health Department.

4 Again, we are looking at the broad picture
5 of making these waterways meet their designated
6 uses, for which drinking water is one.

7 MS. SCOTT WILLIAMS: I would also point
8 out, not to belabor the message here, but the
9 impacts to most of us in coming in contact with that
10 type of dilute sewage in the waterways, it's not
11 very problematic, but there are people that it could
12 be a severe and deadly impact.

13 I think we already remember the firefighter
14 out in Millvale after Hurricane Ivan who came in
15 contact with raw sewage. He ended up losing his
16 life. There were many people who cleaned up after
17 that hurricane. They came in contact with all types
18 of things. It didn't affect them in that way.

19 It may just be a handful of the population.
20 There's more than a handful of the population now

21 that have compromised immune systems because of
22 advances in medical technology. Those people, if
23 they're just taking a dip, anything they come into
24 contact with of that nature could be deadly for
25 them.

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1 MR. BARR: One last question for the
2 gentleman. So you feel that what we are trying to
3 do here, I guess Allegheny County with Alcosan, is
4 advantageous. The overall consent decree, is it an
5 advantageous decree to the residents of our county,
6 our state?

7 MR. BUTIA: It's more than that. It's
8 an obligation under law to meet that. They don't
9 have a choice. That's why the Federal Government
10 stepped in on this, that under the existing federal
11 laws, you have to do this. In order to do this,
12 they had to come up with a plan and schedule in
13 order to attempt to meet these use attainability
14 goals. That's basically what it is. It's federal,
15 state and even local law that requires everyone to
16 do these programs.

17 I guess Arletta said we were the good guys
18 and you were the bad guys. A lot of times it's
19 reversed. It's something that's in the law. And
20 these laws have gone through the regulatory process.
21 And everyone is obligated to meet them.

22 The problem is for many years it was just an
23 extremely tough project to go after because we're
24 talking, if not billions, at least hundreds of
25 millions of dollars here in order to meet these

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1 designated uses. We have a lot of work ahead of us.

2 But it isn't an option. It's not an option.

3 It's the law of the land that they have to meet

4 this. It's as simple as that. Just like the other

5 cities up there where Arletta had the one slide.

6 There's dozens of other cities that are under the

7 same regulatory requirement to meet what comes down

8 to water quality standards.

9 MR. BARR: You are saying that Congress

10 approved this law?

11 MR. BUTIA: Under the Clean Water Act,

12 when you look at the Clean Water Act, look at the

13 broad picture. It protects the uses of rivers. How

14 do you do that is a complicated process. You have
15 to go through risk analysis and come up with
16 standards for it. You could come up with hundreds
17 of documents bigger than that that gets you to that
18 point.

19 Look at the Clean Water Act. It will give
20 you why we are at this point. Actually you might
21 want to get online and look at the consent decree.
22 I think in the front of the consent decree it will
23 explain what's going on with it and what the federal
24 law requires on it. Is that on your web site,
25 Arletta?

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1 MS. SCOTT WILLIAMS: Yes.

2 MR. BUTIA: It's like 250 pages, but
3 look at the introduction and it explains why this
4 action is being taken. You can go from there.

5 MR. BARR: You are saying our
6 Congressmen and people looked into this and approved
7 them?

8 MR. BUTIA: The laws absolutely. It
9 went through the federal regulatory requirement.

10 It's the law of the land. Again, that's why the
11 Justice Department got involved with the EPA. They
12 have an obligation under their requirements to
13 assure that these laws are being implemented as they
14 are in the books. So that's where we are at.

15 MS. OLIVER: Mr. Barr, I did want to
16 encourage you and invite you into the process,
17 because that comment you made, "How clean is clean,"
18 that's a comment that is being echoed across the
19 country. As we begin to design these facilities, we
20 have to decide what areas of pollution we are going
21 to approach because there is so much money. So this
22 is a major component. And we definitely do have
23 things that we have to do, things that have been
24 identified in that document.

25 But as Arletta mentioned, the whole plan is

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1 not described in that document. And we have to
2 develop a plan. So when we get to that point where
3 we are saying we are spending this much money, and
4 there is maybe an overflow that may occur during a
5 very heavy rain fall, are we going to build a larger
6 facility and spend billions of dollars more? So

7 that comment that you made, "How clean is clean"
8 will be extremely prevalent as we move forward.

9 I wanted to encourage you because as we
10 start to develop these basin facilities, planning,
11 there will be an invitation to the public to be
12 involved in that. I really encourage you to take
13 part in that.

14 MR. BARR: I definitely will. I
15 understand the seriousness and most important of all
16 the expense. They are talking billions of dollars.
17 I'm not a wealthy man. I can't afford high sewage
18 rates and all that and whatever else is going to be
19 added on to it. But as far as this consent decree,
20 I wondered who was it that filed the complaint that
21 it went to the judiciary branch of the government?

22 MR. BUTIA: The EPA refers it to the
23 Justice Department for prosecution. The EPA looked
24 at the regulatory requirements and found that
25 Alcosan was not in compliance with the regulatory

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1 requirements. They got into the process where they
2 negotiated a consent decree. The consent decree

3 will lay out the steps they have to do in order to
4 try to come into compliance. That's just the
5 federal process.

6 MR. BARR: That's what I'm questioning
7 here, the federal process.

8 MR. BUTIA: That's the law of the land.
9 If you look at the regulatory requirements of our
10 federal process, that's how it goes. The EPA has
11 been created in order to assure that they protect
12 the public health and the environment. You do that
13 through rules and regulations, for which Alcosan has
14 many obligations.

15 MR. BARR: Two points I want to bring
16 out and then I'll sit down. I'll make that point
17 now. In our community we don't discuss this at the
18 council meetings. We never ever discuss this issue,
19 never unless I bring it up. And that's why I am so
20 alarmed about -- maybe I'm overreacting about the
21 importance of what this issue is. It's never ever
22 discussed at our council meetings in Westview
23 Borough. I just can't understand how such an
24 important issue cannot ever be discussed. So that's
25 why I'm emotionally involved in this.

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1 MR. BUTIA: Let me just point out
2 something. Your community has another enforcement
3 order against the municipality and maybe the
4 authority out there for your conveyance system.
5 Just like there's a consent decree with Alcosan, the
6 treatment provider, there are 82 other enforcement
7 orders against the municipalities either from the
8 state or the Health Department that really tie this
9 whole process together. So I would recommend you
10 talk to your manager out there. He should be aware
11 that there is a regulatory requirement for your
12 municipality. As a citizen you might want to take a
13 look at the document and get involved.

14 MR. BARR: I think I have an
15 understanding, but I can't understand why our 7
16 council members are not concerned about it at all.
17 But my last question is, Westview as a combined
18 system, as a CSO, what is your projection for us
19 maintaining that CSO status in the immediate future?
20 Are we going to be able to keep the combined system?

21 MS. SCOTT WILLIAMS: I can't imagine
22 that your council would consider attempting to
23 separate your sewers to go into the sanitary sewer
24 status. That is just cost prohibitive. So you are
25 going to be what you are for quite some time. That

1 would be my expectation.

2 MR. BARR: Other municipalities I
3 thought were required to divert their storm water
4 out of their sanitariums.

5 MS. SCOTT WILLIAMS: Storm water
6 management is another issue on the horizon. It
7 certainly dovetails into this issue, but nobody
8 right now is telling any community that you need to
9 make that separation.

10 MR. BARR: Are you familiar with our 9
11 minimum controls? Could you explain that? They
12 don't talk about that.

13 MS. SCOTT WILLIAMS: Can I explain how
14 Westview is addressing their 9 minimum controls?

15 MR. BARR: Yes.

16 MS. SCOTT WILLIAMS: Let's go back to
17 this document, the green book that we put together
18 in 1996. That's our assessment of our efforts to
19 deal with the 9 minimum controls. That's our
20 implementation of the 9 minimum controls. The 9
21 minimum controls are a series of ideas that the EPA
22 said, "Here are 9 issues that you can look at where

23 you can get some reduction in your combined sewer
24 overflows." You don't have to spend a lot of money.
25 You don't have to construct anything major, but

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1 these are a quick return on the investment efforts.
2 And there's 9 of them.
3 Pollution prevention is one of the easiest
4 to get your arms around. If you can deal with
5 litter on the street, then there's less possibility
6 for that litter to migrate into the sewer system.
7 And if that litter is not on the street, then it's
8 not going into this system (indicating) where it can
9 get stuck in that gate and hold that gate open.
10 Holding that gate open is bad. So small things like
11 that. Do things to get as much flow as possible to
12 the treatment facility. Jan has more on the 9
13 minimum controls.

14 MS. OLIVER: Maintenance of the system,
15 cleaning, inspecting. There are a number of things.
16 Your municipality was required to develop a report
17 of how they do that; catch basin cleaning, street
18 sweeping as Arletta mentioned, televising your
19 sewers, repairing roots that have invaded the sewer

20 system, removing those, repairing the cracks,
21 removing the sediments that might be in the sewer
22 taking up capacity so that you reduce your overflow.
23 Those are all efforts that are supposed to be, as
24 Arletta said, low cost and things that you do while
25 you are developing that larger plan.

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1 MS. SCOTT WILLIAMS: Let me say as part
2 of the consent decree implementation process, we are
3 required to look at those plans that the
4 municipalities put together for 9 minimum control
5 implementation. So while I can't tell you what your
6 community is doing right now, and it wouldn't be
7 proper for me to tell you what your community is
8 doing, we are required to look at all of those and
9 see how that dovetails into our system.

10 MR. BARR: Your larger plan or
11 Westview's larger plan?

12 MS. OLIVER: Your plan.

13 MS. SCOTT WILLIAMS: We look at your
14 plan to see how it dovetails into our larger plan.

15 MR. BARR: I thought it was inevitable

16 that we were going to have to convert our storm
17 sewers out of our sanitariums.

18 MS. SCOTT WILLIAMS: As I told people,
19 not in my lifetime, not in my son's lifetime. He's
20 seven years old.

21 MR. BARR: It seems like we are given
22 extra problems than the other municipalities right
23 here. That's what happened up in Ross Township
24 along Girty's Run when we have the wet weather.

25 MS. OLIVER: There may be some pocket

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1 separation to sewer systems, but total separation is
2 not anything that we would recommend. It's
3 extremely expensive, as Arletta mentioned. It's
4 extremely disruptive to the community. And you are
5 removing the sewers that actually does have an
6 opportunity as we develop this plan of getting
7 treatment. And there are some pollutants associated
8 with storm water runoff from street runoff, oils and
9 greases. Environmentally combined sewers may end up
10 being the way to go. But if there are little pocket
11 opportunities to separate, then it makes all the
12 sense in the world. But total separation is another

13 story.

14 MR. BARR: The Girty's Run sanitary
15 authority built these gigantic retention tanks to
16 deal with heavy flow. That was very expensive. So
17 I guess I thought that's why they built these tanks
18 to deal with all this extra rain water, storm water.

19 MS. SCOTT WILLIAMS: That is one step
20 in the process. That certainly does not deal with
21 all of the issues in that area.

22 MR. BARR: That's what I thought they
23 built these tanks for because of all of this rain
24 water that was going into a sanitary that was
25 intended to take the worst of the contaminants and

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1 discharge it properly, but you're saying that there
2 may be other reasons that they built these tanks?

3 MS. SCOTT WILLIAMS: No, you're right.
4 I'm just telling you there's more to be done than
5 those tanks.

6 MR. BUTIA: Those tanks were never
7 designed to handle a rain event like Ivan or the
8 flood that you had down there. They are going to

9 overflow. That's the other issue. There's going to
10 be times when we get flooding down there that you
11 are still going to have overflowing manholes. They
12 will never be able to be designed for the ultimate
13 storm.

14 MR. BARR: It will happen.

15 MR. BUTIA: Half of those people built
16 in the flood plain. Once the stream goes in the
17 buildings and goes down floor drains, it overwhelms
18 the sewer. That's an issue with flood control, that
19 they interact with each other, because when you have
20 flooding they go into the municipal system and into
21 the Alcosan system. It's a really complicated issue
22 here. It's just not a combined sewer sanitary
23 sewer. These areas like Millvale and Etna, they get
24 flooded. And that affects our sewer systems, too.
25 It's a big problem.

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1 MR. BARR: Apparently Pennsylvania
2 cannot handle it on their own.

3 MR. BUTIA: I don't know if anyone can
4 afford to pay billions of dollars. And that's what
5 we are doing here. As part of this, everyone is

6 assessing their system. Municipalities even assess
7 their system. Alcosan is in the process. What we
8 hope to have done, we assess the system, come up
9 with a needs analysis, and then you go to your
10 federal and state reps and say, "We can't afford a
11 billion dollars. We need some substantial aid here
12 in order to implement to solve the problem." So I
13 think that's the direction that everyone is going to
14 go. But before you can go to the state and federal,
15 you have to know what the problem is and how much
16 it's going to cost. That's part of the process
17 here.

18 MR. BARR: I'll leave you with this
19 comment. I think Pennsylvania probably could deal
20 with their issues themselves because they are going
21 to pay for it one way or another for what they want
22 to do. I think it should be up to Pennsylvania to
23 decide what they want to do with their sanitary
24 sewer systems. I think Pennsylvania should be able
25 to do that on their own. I don't think they need

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1 any help from anybody else. And then they could use

2 their own money instead of using their own money for
3 the federal project, which is what happens. Do you
4 understand how that works, what I'm implying? I
5 think Pennsylvania can do it on their own.

6 MS. SCOTT WILLIAMS: I understand your
7 comments.

8 MR. BARR: Thank you.

9 MS. SCOTT WILLIAMS: Thank you very
10 much, Mr. Barr. Do we have any other takers? (No
11 comments.) We will be here for a bit. If you want
12 to have some side bar conversation, I would prefer
13 always to get things on the record, but we will work
14 with whatever your style is. I will ask you, ma'am,
15 have you learned much today?

16 MS. MARUCA: I'm Karla Maruca. I have
17 learned a lot. There are things that I think we can
18 do in the community. In respect to Mr. Barr's
19 question on why people aren't really interested in
20 this, from my experience with the civic association,
21 people do not understand the system. That's part of
22 the reason I came here today is because I hear of
23 Girty's Run and all of these different sewer systems
24 and how they all fit into Alcosan. Some of my
25 questions have been answered. A lot of the

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1 questions have been answered.

2 But I would like a copy of your presentation
3 so I can go back. We are having a meeting at the
4 end of the month and I would like to put this on the
5 agenda because my notes didn't keep up with you,
6 unfortunately. But I appreciate the time that you
7 took in coming and answering a lot of the questions.

8 MS. SCOTT WILLIAMS: Thank you very
9 much. And if we can help by coming to your group,
10 we will do that as well. With respect to the
11 presentation, the presentation gets tweaked a little
12 as we go on depending on what the questions and
13 commentary are. It evolves. So by the time we get
14 to the end of the month, I should have the revisions
15 and be able to get it to you.

16 But again, if you would like somebody to
17 come and talk to your group directly so that you
18 don't have to carry the message all by yourself, we
19 will do that.

20 MS. MARUCA: I would like to throw it
21 out there, because depending on whether we can get
22 10 people, 20 people, to have a speaker it's kind of
23 a waste of time. But if I can just throw out some
24 things and make people kind of aware that this is a
25 bigger topic than what they may be thinking.

1 MS. SCOTT WILLIAMS: Great. Thank you
2 very much. We appreciate your stewardship.
3 Councilman.

4 MR. DROZD: I'm County Councilman Matt
5 Drozd. I would like to share any information you
6 made because I have concerns about these culverts.
7 Down in Girty's I see that they're up to about a
8 foot from the top now. I'd like to see if you have
9 any analysis of what you've been tasked to do or
10 that you may be doing to alleviate that flooding
11 issue.

12 MS. SCOTT WILLIAMS: The flooding
13 issue?

14 MR. DROZD: Yes, the flooding issue,
15 how you relate to the flooding issue, what areas you
16 may contribute, I'm not saying you do, that you may
17 contribute to those overflows coming through
18 Millvale, Union Avenue, down through Spruce Run. A
19 lot of the those bed streams all along the valleys
20 got affected by this. Where these issues may be,
21 I'd like to see anything you might have. I know you

22 are doing your best. Don't get me wrong. But
23 anything you might have that would help those
24 people.
25 I get calls every day. People told me

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1 yesterday that four or five times they have been
2 flooded out. Since back in Ivan, they have always
3 been told they were going to get help. These tours
4 go through their areas and say, "Wow, this is
5 something." No one does anything. No one has
6 really been doing anything of any significance. The
7 dredging is not happening. A lot of things are not
8 happening. Anything you might have and what you may
9 be doing to alleviate the situation, or something
10 you may see that someone else has created that could
11 alleviate the situation, whatever might be
12 contributing to this, I would appreciate having that
13 information.

14 MS. SCOTT WILLIAMS: We will be happy
15 to respond to that, sir. But I will tell you that
16 this overall program we are talking about is not
17 designed, not intended to deal with that type of
18 flooding issue, but there certainly are impacts. We

19 will prepare a response for you.

20 MR. DROZD: Thank you very much.

21 MS. SCOTT WILLIAMS: We appreciate your
22 coming back today. Anybody else? (No comments.)
23 Thank you very much. Thank you for your time, your
24 attention, your passion for the matter. We like to
25 see that and any interest that you can generate, if

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1 there's somebody that you can suggest to come to
2 this presentation, this is the last one in the
3 north, but we do have presentations in other areas.
4 There's one tonight in Greentree. There's one
5 tomorrow morning in Greentree. There's one tomorrow
6 evening in the east and one Friday morning in the
7 east. And Tuesday at 10:00 a.m. we will be at the
8 Convention Center downtown which may be the easiest
9 choice for anybody, outside of going to any of those
10 other geographic areas. Tuesday, 10:00 a.m., the
11 David Lawrence Convention Center, we will be there.

12 If there's people that you can twist their
13 arm to get them to come or shame them into coming or
14 just pick them up and bring them with you, if you

15 want to see it again, come on down. Again, thank

16 you for coming today.

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1 CERTIFICATE

2

3 I hereby certify that the proceedings and

4 evidence are contained fully and accurately in the

5 stenographic notes taken by me on the informational

6 meeting of the within cause and that this is a

7 correct transcript of the same.

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Nancy E. Frost

Professional Reporter

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