

ATTACHMENT A
AMSA's Focus Questions

Capacity Management, Operation & Maintenance (CMOM) Plans

- (1) How closely does your current operation and maintenance program for your collection system match EPA's CMOM requirements? What areas will present particular challenges for your program? Please specify.
- (2) If you do not own portions of the collection system, what added problems will you face in implementing a CMOM plan?
- (3) For areas of your system where there are particular SSO problems, what legal barriers will you face in addressing the capacity-related provisions of the proposal (i.e., the "System Evaluation and Capacity Assurance Plan" - §122.42(e)(2)(viii))? To what extent do you have the legal authority to get rid of excess inflow and infiltration (I/I) or to increase system capacity throughout your system?
- (4) Are you looking at ways to remove I/I? If so, how?
- (5) It is AMSA's view that incorporating the entire CMOM plan into a POTW's discharge permit will lead to unnecessary enforcement, yet including information only on the capacity portion of the CMOM will help identify the physical limitations of the collection system and lead to a better understanding by regulators and the public of why occasional overflows are unavoidable. Would identifying capacity limitations in your permit give you a level of comfort with enforcement agencies? Should AMSA recommend such an approach in its comments?
- (6) The rule grants exception to various CMOM requirements for "small systems" (i.e., systems with average daily flow of 1.0 MGD or less, or 2.5 MGD or less). Examples of some of the CMOM provisions that would not apply to 1.0 MGD systems include the requirement to:
 - demonstrate proper legal authority (§122.42(e)(2)(iii));
 - provide adequate maintenance facilities and equipment (§122.42(e)(2)(iv)(A));
 - manage information to prioritize appropriate CMOM activities and identifying trends in overflows (§122.42(e)(2)(vi)(C));
 - establish routine preventative operation and maintenance procedures (§122.42(e)(2)(iv)(D));
 - develop a program to address the current capacity of the collection system and treatment facilities (§122.42(e)(2)(iv)(E));
 - identify and prioritize structural deficiencies, and short-term and long-term rehabilitation actions to address deficiencies

- (§122.42(e)(2)(iv)(F));
- provide appropriate training on a regular basis (§122.42(e)(2)(iv)(G));
- conduct equipment and replacement parts inventories (§122.42(e)(2)(iv)(H); and
- establish requirements and standards for new sewer and pipe installation, and procedures and specifications for inspecting and testing new sewers and pumps.

Would you have a problem with these exceptions?

See also the specific exceptions for systems with an average daily flow of 2.5 MGD or less (i.e., §122.42(e)(2)(viii)(4)). Do you have a problem with these? Please describe the types of problems you would face as a result of these exceptions.

- (7) EPA is proposing for comment a table of “recommended deadlines” for key CMOM documentation requirements (see **Table 14**, p. 126 of the preamble), including the requirement to prepare a CMOM Program Summary, the Overflow Emergency Response Plan, the Program Audit Report, and the System Evaluation and Capacity Assurance Plan. The deadlines differ depending upon your system’s average daily flow. Are these deadlines reasonable? If not, how should they be changed to reflect a more reasonable schedule?

Reporting & Recordkeeping

- (8) What do you think of the proposed requirements on reporting, notification and recordkeeping (i.e., §122.42(g))? How much of this type of reporting do you already do? How much additional work will these requirements entail?
- (9) What are some of the practical challenges to reporting and notifying NPDES permit authorities and health officials for SSOs that are either not reaching “waters of the U.S.” or constitute basement backups? Is EPA’s approach feasible?

Estimated Cost of Compliance

- (10) AMSA would like to gather more case examples of the cost impacts of this proposal. For those agencies that have previously prepared cost estimates for complying with this rule, or for controlling SSO in general, we ask that you share your pertinent cost figures. To the extent possible, please correlate your cost estimates to specific requirements within this rule. We expect that this information may not be available to the majority of members, except for those which are already under some type of enforcement action or consent decree.