

STAKEHOLDER: PLEASE INDIVIDUALIZE THIS LETTER TO BEST REFLECT YOUR VIEW AND SUPPORT OF THE ALTERNATIVE PROJECTS, AND PLEASE PRINT ON YOUR AGENCY'S LETTERHEAD.

<Add Date>

Assistant Attorney General
Environment and Natural Resources
U.S. DOJ – ENRD
P.O. Box 7611
Washington, D.C. 20044-7611

**PLEASE NOTE THAT THE LETTERS CAN BE SUBMITTED BY E-MAIL TO:
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PLEASE PROVIDE A COPY TO AKRON BY WAY OF E-MAIL TO:
Pgsellman@akronohio.gov**

Re: *United States v. City of Akron, Ohio, et al., D.J. Ref. No. 90-5-1-1-3144/2*

Dear Assistant Attorney General:

This letter is being submitted in response to the above referenced public notice, which was published in the Federal Register on February 17, 2023, and to expresses support for the Third Amendment to Consent Decree (Third Amendment) between the City of Akron, the United States and the State of Ohio, which was lodged with the United States District Court for the Northern District of Ohio in Case No. 5:09-cv-00272 February 13, 2023. The Third Amendment provides for several specific benefits to our community and to the Cuyahoga River.

The proposed Third Amendment will allow the City of Akron to substitute the currently required 24-ft diameter (23 million gallons) Northside Interceptor Tunnel with a smaller 16-ft diameter (10.3 million gallons) tunnel along with the separation of the CSO Rack 34 drainage area.

- Akron has demonstrated through its extensive flow monitoring and advanced modeling, that reflects the completion of previous projects, that the smaller 16-ft diameter Northside Tunnel (10.3 million gallons) exceeds the performance required to achieve no CSO overflows in the modeled typical year.
- Akron also determined that a portion of the sewer drainage area (CSO Rack 34) could be effectively separated (building new storm sewer and rehabilitating the combined sewer to a sanitary sewer). This will eliminate all overflows in this CSO Rack 34 area.

Additional benefits to the Third Amendment include:

- Earlier reductions in combined sewer overflows
- Upgrades to the Rack 34 drainage area sewers that will result in reductions in clean water connections to the sewer.
- Reduction in the risk of construction delays with the smaller tunnel and tunnel connections.
- In the areas of construction for the CSO Rack 34 area, drinking water lead service connections will be removed.
- Based on the most recent detailed design, the difference between the two tunnels sizes has an **estimated construction cost savings of around \$66 million**. This cost savings will provide some relief to the rate payers that are bearing the significant cost of the remaining Consent Decree requirements.

Sincerely,

<Add Stakeholder Name and Signature>

c: City of Akron, 166 S. High St., Room 701, Akron, OH 44308 Attn: Patrick Gsellman, Senior Advisor AWR