



Metropolitan Water Reclamation District of Greater Chicago

Press Release

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Federal Judge George M. Marovich Enters Consent Decree between MWRD, Dept. of Justice

Marovich: TARP is “impressive, not unreasonable”

More than two years after the United States District Court and Metropolitan Water Reclamation District of Greater Chicago (MWRD) reached an agreement on the MWRD’s long-term control plan, Judge George M. Marovich has approved and entered the consent decree.

Originally filed in Dec. 2011, there were two groups of intervenors that opposed the entry of the proposed consent decree. Two of the issues raised by these groups were the length of the Tunnel and Reservoir Plan (TARP) construction schedule and the amount of green infrastructure included in the decree.

The Judge’s opinion concluded that the consent decree is in the public’s best interest. The Judge recognized that “Tremendous public-works projects can take a significant amount of time—even decades—to complete. TARP is no small project. It has involved creating more than 100 miles of tunnels and mining rough holes that will eventually be large enough to hold 17.5 billion gallons of water. By the time TARP is finished, MWRD will have added an average of 323,000,000 gallons of storage capacity per year, which is an average of 885,000 gallons per day of additional storage capacity. That is impressive, not unreasonable.”

One section of the consent decree is designed to foster the use of green infrastructure (GI) controls. GI controls are relatively new technologies that help reduce the amount of stormwater that flows into the sewer system during a storm. The MWRD will implement GI controls that capture, on a per storm event basis, 2 million gallons of capacity 5 years after the effective date, 5 million gallons 10 years after the effective date and 10 million gallons 15 years after effective date. The opinion recognizes that green infrastructure projects are not mandated as part of the TARP plan and are not required by any law. The Judge states, in fact, “The green infrastructure plan is icing on the TARP cake, a bonus.”

The consent decree provides an enforceable schedule for implementing the MWRD’s TARP which will result in a significant decrease in the volume of water discharged to the waterways from combined sewer overflows in Cook County, along with dramatically reducing the potential for flooding. MWRD is committed to executing this work as quickly as possible.

The MWRD, along with state and local officials, conceived TARP in the early 1970s as the appropriate means to control CSOs, mitigate flooding, and to protect water quality in the Chicagoland area. The plan was conceived before current laws requiring CSO controls went into effect. The TARP plan was enacted decades before its time and remains a model for cities throughout the U.S. and the world.

MWRD Executive Director David St. Pierre said, “This is a great day for our constituents as we can move forward on many initiatives that have been held in check because of pending litigation. These include green infrastructure, storm controls and a comprehensive evaluation of the District’s real estate portfolio.”

A full copy of the court’s opinion and order to enter can be found at:
www.mwrdd.org/irj/portal/anonymous/Announcements.

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Our Water Environment: Take it personally.

Established in 1889, the MWRD (www.mwrdd.org) is an award-winning, special purpose government agency responsible for wastewater treatment and stormwater management in Cook County, Illinois.