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October 28, 2015

Mr. Jerry N. Johnson
General Manager/CEO
Washington Suburban Sanitary Commission
14501 Sweitzer Lane
Laurel, Maryland 20707

Subject: Olney Sewage Spill

Dear Mr. Johnson:

The Greater Olney Civic Association (GOCA) represents over 35 homeowner and civic associations, which collectively comprise over 80% of the households in the Olney Master Plan area. For over 30 years, GOCA has promoted the civic, cultural, and economic welfare of the Olney community.

In July and August of this year, a pressurized sewer pipe in Olney experienced multiple breaks resulting in spillage of over 1,000,000 gallons of raw sewage, which affected local lakes and private property. The Lake Hallowell community was heavily impacted by this incident; therefore, at our October 13 meeting GOCA's members voted unanimously to support the following resolution, which was presented by the Lake Hallowell Homeowners' Association:

Recitals

WHEREAS, on or about July 28 and 29th there were two separate breaks in a 20-inch pressurized sewer pipeline in the Lake Hallowell residential section of Olney, Maryland.

WHEREAS, on or about August 12th a third break occurred in the 20-inch pressurized sewer pipeline in the Lake Hallowell residential section of Olney, Maryland (collectively, the "Breaks").

WHEREAS, as a result of the Breaks, Washington Suburban Sanitary Commission ("WSSC") reported that about 1,250,000 gallons of raw sewage escaped onto adjoining property, into a nearby creek, and from there, into the Lake Hallowell (a storm water management body of water and owned by the Montgomery County; the "Lake"), as well as including but not limited to James Creek, Haviland Mill/Browns Bridge, and Hawlings River/New Hampshire.

WHEREAS, in the days following the Breaks, breached sections of pipe were excavated and replaced. In the process, a material amount of landscaping damage occurred along the path of the pipeline, some of which was subsequently repaired, and some of which still requires further remediation.

WHEREAS, in the process of analyzing the root cause of these failures, WSSC, conducted a video inspection of the pipeline and has reported there are additional weaknesses. As a result, WSSC reports (1) they are planning to replace approximately 2,000 feet of the pressurized sewer main,

and (2) they have taken certain steps to reduce the risk of another break in the short-term.

WHEREAS, as a result of the Breaks and related raw sewage flow, residents living/utilizing the areas adjacent to the Lake Hallowell neighborhood creek and the Lake areas reported a stench that persisted through the summer; exacerbated by the persistent drought experienced until recently. Also, many residents reported an uptick (vs. prior years) of mosquitoes, especially concentrated in the slower flowing sections of the Lake. These residents reported these conditions made the path along the creek, Lake and hundreds of homes backing to these bodies of water unusable for walking recreation. Some reported they were unable to utilize their respective backyards and decks due to the stench and fear of contracting illness if bitten by mosquitos from the Lake. After the Breaks, the Lake was fouled by raw sewage, and related stench, mosquitos and a much higher than normal incidence of algae and duckweed. To this day, WSSC signs remain along the creek and Lake warning people to stay away.

WHEREAS, after complaints from area residents, Montgomery County's Department of Environmental Protection (the "MCDEP") became involved in monitoring the situation. Representatives of MCDEP, have observed and sampled many of the impacted water areas, and periodically reported back findings.

WHEREAS, prior to the Breaks, the Lake suffered from a deteriorating overall condition, and earlier this year, Montgomery County's Field Supervisor Storm Water Facility Maintenance told representatives of the Lake Hallowell Homeowners Association the Lake needed to be dredged. He was unable to commit to timing due to his budget/operational constraints. Conditions worsened after the Breaks, when due to the pre-existing impaired flow, combined with over 1,250,000 gallons of raw sewage, and no rain for months to help clear the situation.

Relief Requested

NOW, THEREFORE, the Lake Hallowell Homeowners Association seeks relief as follows:

1. **Fix the Sewer Pipeline.** Notwithstanding the efforts undertaken by WSSC to reduce the risk of another break in the short-term, residents remain highly concerned about further breaks and associated impacts. While WSSC has committed to replace approximately 2,000 feet of the pressurized sewer main, they have declined to be commit of be specific regarding when the project will start/finish. Lake Hallowell Homeowners Association has been patient and willing to work with WSSC, however, Lake Hallowell Homeowners Association is requesting from WSSC timely resolution and definition around when/how the current situation will be ultimately resolved.
2. **Fix the Landscaping.** Similarly, for the Landscaping; WSSC needs to complete their clean-up and restoration of areas currently adversely impacted during the repair of the Breaks. A recent attempt to obtain help along these lines was declined by WSSC in favor of first replacing the approximately 2,000 feet of the pressurized sewer main. The disturbed conditions associated with the Breaks cannot persist and need to be timely addressed. The Lake Hallowell Homeowners Association plans to submit a reimbursement request to replace damaged trees not heretofore replaced, and expects timely reimbursement. If additional damage occurs, then it, too, should be addressed at that time. Lake Hallowell HOA is requesting timely from WSSC resolution and definition around when/how the current situation will be ultimately resolved.
3. **Continue Montgomery County Department of Environmental Protection Monitoring.** Due to the Breaks and series of related adverse events and conditions that haven't cleared; the Lake Hallowell Homeowners Association believes continued testing is warranted. Additionally, on information and belief, soil around the Breaks, where raw sewage emanated and flowed, was treated with lime but not tested and reported by MCDEP, and thus needs to be accordingly expanded. Lake Hallowell HOA is requesting that MCDEP continue and expand periodic monitoring and reporting for the foreseeable

future. Further, in the event of a subsequent Break, Lake Hallowell HOA is requesting MCDEP become contemporaneously involved.

- 4. **Dredge the Lake Hallowell in 2016.** Prior to the Breaks, the Lake's condition had materially deteriorated to the point where Montgomery County's Field Supervisor Storm Water Facility Maintenance told representatives of the Lake Hallowell Homeowners Association it needed to be dredged. The impact of the Breaks materially further degraded the situation. Lake Hallowell Homeowners Association is requesting from Montgomery County that this dredging be made the very highest priority and occur in 2016.*

Basis of Relief

WSSC has an obligation to provide a safe raw sewage pipeline, without repeated incidence of raw sewage escaping into the surrounding environment.

WSSC has an obligation to timely restore property along their easement when they find the necessity to dig and perform maintenance and repairs.

WSSC has the obligation to timely clean-up all adversely impacted creeks, streams and lakes areas when an event such as the Breaks occurs.

Montgomery County has the obligation to maintain Lake Hallowell as an effective storm water management system. By the County's own prior admission, it requires remediation. The situation has become even more desperate with the event of the Breaks.

As the resolution reflects, this summer's sewer pipe break has had a devastating impact on the Olney community, with the Lake Hallowell community bearing the brunt of this impact. GOCA is deeply troubled by the resulting environmental impacts, including the destruction of a once beautiful lake and the recreational pleasure that it provided, the creation of unusable yards, a persistent stench, and health concerns. GOCA is also deeply troubled by the insufficient efforts to date to mitigate the damage. WSSC must quickly produce a specific, concrete plan and timetable to fix the sewer pipeline and restore the surrounding landscape to its pre-spill state. WSSC should actively work with County officials to ensure that Lake Hallowell is dredged in calendar year 2016 and that the County continues periodic monitoring and reporting on the situation for the foreseeable future.

We look forward to your timely response regarding this matter.

Sincerely,

John Webster
President, GOCA

Cc: District 14 Delegation
Montgomery County Council
Lisa Feldt, Director, Department of Environmental Protection