Scott administration seeks to push back the sewer consent decree deadline from 2030 to 2046 | Baltimore Brew

The Brandon Scott administration says Baltimore will need another 16 years to eliminate sanitary sewer overflows (SSOs) that for years have periodically polluted local waterways and introduced E. coli and other contaminants into the harbor and the Chesapeake Bay.

The information comes by way of a cryptic press release issued late last week by the Department of Public Works before the Labor Day weekend.

The press release says that "detailed modeling" has concluded that elimination of SSOs in the sewage collection system won't be completed until 2046.

"This means the city will not meet the original 2030 deadline set for finishing the consent decree work," the release says.

Baltimore has been under court order since 2002 to upgrade a poorly maintained sewer system that continues to release untreated wastewater through leaks and during storm surges in violation of the 1972 Clean Water Act.

The 2002 decree with the U.S. Environmental Protection Agency (EPA), Maryland Department of the Environment (MDE) and U.S. Department of Justice called for the end of untreated sewage releases from "structured outfalls," or engineered pipes where wastewater can escape, by January 1, 2016.

When the city failed to meet that deadline, EPA and MDE entered into a modified consent decree that extended the improvement program to December 2030.

Spending over $930 million in sewer and treatment plant upgrades in recent years, Baltimore still maintains a dozen structured outfalls and additionally has 104 manholes known to release untreated sewage.

The manholes are found along Western Run Drive and Bonnie View Drive in northwest Baltimore; Chinquapin Park and Herring Run in northeast Baltimore; on Wilkens Avenue, Brunswick Street and Braddish Avenue in West Baltimore; along Sharp-Leadenhall and Warner streets in South Baltimore; and along Eager Street and Ashland Avenue in East Baltimore.

The most active "spewing" manhole, attached to the sewer main that parallels Herring Run, discharged 3.84 million gallons of wastewater north of the Belair Road Bridge in July alone, according to DPW records.

Still Overflowing

A key goal of the modified consent decree was to end such discharges and to cap and close the biggest SSO structures – Outfall 67 at 1801 Falls Road and Outfall 72 at 428 East Preston – that release excess wastewater into the lower Jones Falls that then goes into the Inner Harbor.

The Catherine Pugh administration promised to eliminate those outfalls by mid-2022, but they are still active – releasing 5.4 million gallons of wastewater between January and July of this year.

The city says closing the outfall structures is contingent upon the Stony Run Pump Station, located at 2840 Sisson Street near the Northwest Citizens' Drop-Off Center.

The pump station requires extensive hydraulic improvements and removal of compacted sediment, plus the rehabilitation of three miles of deteriorated sewer mains along and near Stony Run.

In a 100-page technical report sent to EPA and MDE last week, the Department of Public Works also admits it is out of compliance with the consent decree across scores of neighborhoods.

The report lists more than 200 "environmentally sensitive areas" – including day care centers, schools and assisted living facilities – that could be subject to contamination by untreated wastewater that surges up through toilets and basement sewage drains.

DPW says it is looking at 26 construction projects to improve the system's hydraulic capacity between 2030 and 2046, but warned that such improvements could cost up to $674 million.

Noting that residential sewer bills have nearly tripled since 2002, the agency argues that the additional cost of ending all SSOs "will force the utility to overleverage and accumulate debt, which will jeopardize its financial stability and create an environment where it cannot secure necessary funding for capital projects."

Untreated sewage water pours into Herring Run in October 2019 out of a manhole cover north of the Belair Road Bridge. The same manhole recently released 3.8 million gallons of wastewater during summer rain events, according to DPW. (Mark Reutter)

Mixed Results

DPW says that the sewer system, established more than a century ago with an average pipe age of 87 years, was not designed to handle today's population and storm patterns.

Nevertheless, the volume of wet-weather sewage overflows has decreased by 84% since 2002, the agency says, and "E. coli levels in many local watersheds have shown significant reductions over the past six years, demonstrating real progress in reducing pollution."

Blue Water Baltimore, which conducts independent sampling of city streams and the harbor, begs to differ.

Its latest Water Quality Report Card, issued in May, found an "alarming" decline in the overall health of Baltimore Harbor, Tidal Patapsco and the Jones Falls and Gwynns Falls watersheds both short-term and between 2012 and 2024.

Local waterways have experienced a surge in stormwater runoff, which has become more prevalent during heavy rain events and can mix with untreated sewage coming from overflowing manholes and outfalls, according to Alice Volpitta, the nonprofit's Baltimore Harbor Waterkeeper.

"At the end of the day, this is yet another story about needing to get a better handle on the volume and quality of stormwater that's entering our local waterways," she said when the report card was issued.

More recently, the fate of the consent decree has come under question.

The Trump White House is attacking EPA's use of such decrees to enforce environmental laws, and the U.S. Justice Department is reviewing all agreements with an eye toward dismissing those deemed unnecessary or outdated.

For now at least, the decree is in effect, and Baltimore is technically subject to a $15,000 fine for releasing SSOs into the environment.