



michigan municipal league

Liability & Property Pool Workers' Compensation Fund

RISK CONTROL SOLUTIONS

A Service of the Michigan Municipal League Liability and Property Pool and
the Michigan Municipal League Workers' Compensation Fund

PREVENTING SEWER BACKUPS: A CHECKLIST FOR PUBLIC WORKS MANAGERS

OVERVIEW

To the public, efficiently managing runoff during storms proves the municipality's responsiveness to its concerns about property damage from storm water as well as sewer backups and overflows. Nevertheless, many municipalities have experienced storm water problems and sewer backups over the past few years. While some of these events resulted from atypically excessive runoff during heavy storms, many of them resulted from degrading sewer systems and inadequate maintenance.

In some municipalities, these sewer backups have caused significant property damage and have led to legal action against the municipality by its citizens. In many cases, even where the sewer backups and flooding problems have not been traceable to the entity's negligent operation of the systems, the courts have denied governmental immunity and required the municipality to pay damages.

To help defend against such claims, it is important for municipalities to have documented plans in place for maintaining their storm water system. In most communities, the Department of Public Works is responsible for this important task. The department or utility assures proper drainage through monitoring, maintenance and related activities.

THE CHECKLIST

To reduce the risk of litigation, the municipality should develop a formal sewer cleaning and inspection program that documents planned inspection routes and completion dates. The program should include:

- A routine maintenance program. The program should address every area in your community and problem areas more frequently.
- The visual monitoring of lines with TV cameras on a regular, routine schedule.
- A process for documenting and tracking reported incidents to assure that problems receive prompt correction.
- A process for monitoring and gauging rainfall so pump stations and basins have adequate staffing and monitoring during periods of heavy rainfall.
- A requirement that all restaurants and laundromats install grease traps. This requirement should apply to all new or repaired connections.
- A requirement that repairs or improvements use cement pipe or other similar durable materials.

- A requirement that wastewater employees meet all Michigan Department of Health qualifications for licensing and should receive regular updated training.

The greatest operational challenge of wastewater treatment is assuring that collection pipes carry wastewater to the treatment plant without allowing any flows into natural waters and without causing sewer backups on private property. A municipality that experiences complaints of sewer backups should investigate them promptly and fully to determine the cause. An overloaded sanitary sewer needs relief or another sewer to increase capacity and eliminate illegal and non-permitted discharges. If a sewer system leaks or accepts too much groundwater infiltration or too much storm water runoff, it may need extensive repairs or upgrades. If the system suffers from deterioration, the municipality may need to replace it. Ongoing maintenance is necessary to preserve the integrity of the sewer system. Maintenance includes:

- cleaning;
- testing connections and making repairs where necessary; and
- preventing damage to the system from the roots of nearby trees and other vegetation

Finally, a policy statement is an important element of your program for storm water management. The policy statement should cover how the municipality will deal with storms of varying magnitudes, the levels of protection it will provide, and how it will address storm water quality. In addition, the policy should state the municipality's commitment to reducing potential environmental problems through measures that control pollution, erosion, and other problems produced when no management exists.

For more detailed information on storm water as well as wastewater management, request a copy of the document entitled "Storm water and Wastewater Management: A Brief for Municipal Managers" from the League's Loss Control Services.

If you have any questions or if we can help you with other areas of risk management, please contact us.



Important Telephone Numbers

MML Risk Management Services	734/662-3246 or 800/653-2483
Loss Control Services	800/482-0626

Note:

This document is not intended to be legal advice. It does not identify all the issues surrounding the particular topic. Public agencies are encouraged to review their procedures with an expert or an attorney who is knowledgeable about the topic.