

CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing *Office of Utility Consumer Counselor Settlement Testimony of James T. Parks* has been served upon the following counsel of record in the captioned proceeding by electronic service on November 28, 2018.

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UTILITIES**
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**TESTIMONY OF OUCC WITNESS JAMES T. PARKS
CAUSE NO. 45132-U
HILLVIEW ESTATES SUBDIVISION UTILITIES, INC.**

I. INTRODUCTION

1 **Q: Please state your name and business address.**

2 A: My name is James T. Parks, P.E., and my business address is 115 W. Washington
3 Street, Suite 1500 South, Indianapolis, IN 46204

4 **Q: By whom are you employed and in what capacity?**

5 A: I am employed by the Office of Utility Consumer Counselor ("OUCC") as a Utility
6 Analyst II in the Water/Wastewater Division. My qualifications and experience are
7 described in Appendix A.

8 **Q: What is the purpose of your testimony?**

9 A: I describe the relief requested by Hillview Estates Subdivision Utilities, Inc.
10 ("HESU", "Applicant" or "Utility"). I provide utility background information by
11 briefly discussing the utility's history. I describe HESU's wastewater facilities. I
12 discuss capital improvements made by HESU that were identified and required by
13 IDEM's inspector. I also provide recommendations on changes that Petitioner
14 should make to plan for and undertake replacement of its existing sewer and
15 treatment plant assets as they reach the end of their useful life.

16 **Q: What relief does the HESU seek in this Cause?**

17 A: HESU seeks a 113.91% across the board increase in its flat monthly wastewater
18 rates. The wastewater rate increase reflects: 1) wastewater system capital upgrades
19 required by IDEM's inspector, 2) increased operating and maintenance costs, and
20 3) increased costs for the contract operator.

1 **Q: Please describe the review and analysis you conducted to prepare your**
2 **testimony.**

3 A: I read Applicant's Small Utility Rate Application in this Cause and conducted a site
4 visit of the wastewater utility on October 17, 2018 with Mr. Merrill S. Henderson,
5 Board President and Mr. Hubert Baker, Board Vice President. Accompanying me
6 on the site visit were Carl Seals and Kristen Willoughby of the OUCC and Marcus
7 Turner of the Indiana Utility Regulatory Commission ("IURC" or "Commission").
8 I reviewed Applicant's 2006 and 2007 annual reports filed with the IURC.
9 Applicant reports that it was unaware that it was regulated by the Commission and
10 so has not filed the required Annual Reports for over ten years. I also reviewed
11 correspondence, monthly reports of operation ("MROs"), inspection reports, and
12 discharge permits with the Indiana Department of Environmental Management
13 ("IDEM").

14 **Q: Are any Attachments submitted with your testimony?**

15 A: Yes. I provide the Attachments listed in Appendix B:

16 **Q: Please describe how your testimony is organized.**

17 A: My testimony is organized into the following sections:

- 18 I. Introduction
- 19 II. Characteristics of Hillview Estates Subdivision Utilities, Inc.
- 20 III. Sewage Collection System Conditions and Recommendations
- 21 IV. Wastewater Treatment Plant Conditions and Recommendations
- 22 V. Customer Comments
- 23 VI. OUCC Conclusions

**II. CHARACTERISTICS OF HILLVIEW ESTATES SUBDIVISION
UTILITIES, INC.**

1 **Q: Please describe Hillview Estates Subdivision Utilities, Inc.**

2 A: Hillview Estates Subdivision Utilities, Inc. is a not for-profit corporation, which
3 owns and operates the small wastewater system serving only the Hillview Estates
4 Subdivision in Bartholomew County. The subdivision, consisting of 67 homes, is
5 located in the southwest corner of Bartholomew county near Mt. Healthy, IN
6 approximately five miles southwest of the southern boundary of Columbus, IN and
7 the I-65 interchange at State Road 58.

8 **Q: When did the wastewater utility begin operation?**

9 A: The subdivision, sewers and wastewater treatment plant were originally constructed
10 in the 1970s. The treatment plant's NPDES permit¹, issued in 1975 by the Indiana
11 Stream Pollution Control Board, referenced the already existing facilities.

12 **Q: Who constructed the subdivision, sewers and wastewater treatment facility?**

13 A: The original utility, Hillview Utilities, Inc., was a for profit corporation which
14 constructed, owned and operated the sanitary sewage system within the legally
15 defined territory described in Certificate of Territorial Authority (CTA) No. 152
16 issued by the Commission on January 22, 1980 under Cause No. 35688.^{2 3}

¹ NPDES stands for National Pollutant Discharge Elimination System. The Indiana Stream Pollution Control Board issued NPDES permit IN 0038938 to Hillview Utilities, Inc. on June 16, 1975. The sewers and wastewater facilities appear to have been constructed prior to 1975 with private funds from the original developer and utility owner, Mr. Lloyd White, President of Hillview Utilities, Inc.

² Final Order, Cause No. 37336, April 17, 1985

³ Engineering Division Report, Hillview Utilities, Inc., Cause No. 38663, March 7, 1989

1 **Q: Please describe the CTA.**

2 A: The CTA area comprises only Hillview Estates, a platted 74 lot subdivision of
3 which 67 lots are occupied by residential homes.⁴

4 **Q: Has the CTA changed or been expanded?**

5 A: No. However, the control and ownership of the utility has changed. In 1984 the
6 Superior Court of Bartholomew County entered an order appointing a receiver for
7 Hillview Utilities, Inc.⁵ Subsequently, in its Emergency Order in Cause No. 38663,
8 approved on November 9, 1988, the Commission approved the transfer of assets
9 from Hillview Utilities, Inc. to Hillview Estates Subdivision Utilities, Inc. on an
10 interim basis and the transfer of the CTA on a temporary basis.⁶ In a subsequent
11 Final Order in Cause No. 38663, approved on May 3, 1989, the Commission
12 approved the sale of assets and transfer of the CTA to the not-for profit Hillview
13 Estates Subdivision Utilities, Inc.⁷

14 **Q: How many customers does HESU have and what is the current tariff?**

15 A: At the end of 2018, HESU served 67 wastewater customers all of which are charged
16 a flat rate.⁸ The \$30.00 monthly flat rate was established in Cause No. 38737 - U
17 on May 31, 1989.

18 **Q: How many employees does HESU have?**

19 A: Hillview Estates Subdivision Utilities, Inc. does not have any employees. The

⁴ See Attachment JTP-1 for a 2015 aerial view of the subdivision and the wastewater treatment facility

⁵ Donald S. Edwards was appointed as receiver for Hillview Utilities, Inc. on August 7, 1984.

⁶ IURC emergency Order of November 9, 1988 under Cause No. 38663. Note that HESU is listed as an investor owned utility ("IOU") on the Commission's website.

⁷ Cause No. 38663

⁸ Applicant's Small U filing.

1 majority of operation and maintenance, accounting, customer service, billing, and
2 management services are provided through contracted services. The Utility is
3 managed by volunteer members of the Board that oversee all utility operations and
4 provide some maintenance services such as grounds labor.

5 **Q: Please describe the Hillview Estates sewage collection system.**

6 A: The Utility's collection system is comprised of 4,000 feet of 8 inch sewer main and
7 1,140 feet of 6 inch sewer main that gravity flows east to the wastewater treatment
8 plant.⁹ The collection system is 100% separate sanitary sewers by design with no
9 bypasses and no overflows. The sanitary sewers are reportedly made of PVC pipe
10 but I was unable to confirm the pipe material.¹⁰ Only two manholes were located
11 by United Consulting Engineers, but additional manholes should exist. *See*
12 Attachment JTP-2 for the Sanitary Sewer Layout.

13 **Q: Please describe Petitioner's wastewater treatment plant.**

14 A: Petitioner owns and operates a Class I, minor semi-public wastewater treatment
15 plant. It was designed to treat an average flow of 35,000 gallons per day. Treatment
16 is by extended aeration followed by clarification and effluent disinfection. Major
17 equipment includes a lift station, comminutor with barscreen bypass, raw sewage
18 submersible pumps, and a flow splitting device that routes flow to the welded steel
19 aboveground package treatment plant. The package plant, originally installed in
20 the early 1970s, consists of a single aeration tank, a single final clarifier and an
21 aerobic sludge digestion / holding tank. Treatment previously included a duplex

⁹ Engineering Division Report, Hillview Utilities, Inc., Cause No. 38663, March 7, 1989

¹⁰ *Preliminary Engineering Report*, United Consulting Engineers, July 31, 2012

1 sand filter with backwash facilities but the filters are no longer operated.
2 Equipment also includes chemical feed for effluent chlorination and dechlorination,
3 final effluent flow metering using a weir, emergency power with an on-site
4 generator and an alarm system. Digested sludge is disposed off-site via hauling to
5 the Columbus municipal wastewater plant (“WWTP”) by a licensed hauler.

6 Treated plant effluent discharges via Outfall 001 to an unnamed intermittent
7 tributary to White Creek which flows to Oathout Ditch which then empties into the
8 East Fork of the White River.¹¹ See Attachment JTP-3 for treatment plant photos
9 taken during the IURC’s and OUCC’s October 19, 2018 site visit.

10 **Q: How much of the utility’s original assets are still in service?**

11 A: The original sewage collection system and nearly all of the original wastewater
12 facilities (e.g. treatment tanks) are still in service today. New pumps, blowers,
13 alarms, meters, disinfection chemical feed systems, standby generator, and building
14 improvements have been added.

15 **Q: Is Hillview Estates Utility, Inc.’s wastewater system under any enforcement**
16 **actions?**

17 A: No.

III. SEWAGE COLLECTION SYSTEM CONDITIONS AND **RECOMMENDATIONS**

18 **Q: How much sewage does HESU treat?**

19 A: In 2017, HESU treated on average 10,000 gallons per day (“gpd”). The treatment
20 plant is operating at less than 30% capacity based on average flows. The 2017 –

¹¹ NPDES Permit IN 0038938, April 25, 1989.

1 2018 reported peak flow was four times higher at 40,000 gpd¹² or nearly 600 gpd
2 per customer. At a typical occupant density of 2.5 persons per home, Petitioner's
3 average daily and peak flows were 60 gallons per capita per day ("gpcd") and 240
4 gpcd, respectively. The peak daily flow was slightly below the US EPA's 275 gpcd
5 criteria used to determine whether infiltration and inflow ("I/I") is excessive.

6 In contrast, Petitioner's minimum reported flow was only 2,000 gpd, which
7 is below 12 gpcd.¹³ Minimum plant flows occur during lower rainfall months such
8 as August, September, January, and February.

9 **Q: What do you observe about HESU's average, peak and minimum flows?**

10 A: HESU's 10,000 gpd annual average flow falls below expected flows based on 100
11 gpcd sewage production¹⁴ roughly divided between 60 to 70 gpcd water usage and
12 a 30 to 40 gpcd I/I allowance. HESU's peak flows indicate high I/I caused by sewer
13 and manhole defects allowing groundwater (infiltration) and probably surface
14 water (inflow) entry. I/I possibly enters the system via sump pumps, foundation
15 drains, and gutter connections. Low flows confirm system defects through which
16 sewage escapes the system whenever the water table drops below the sewers.

17 The peak flow to minimum flow ratio is twenty.¹⁵ This high ratio confirms

¹² Applicant reported peak flows of 40,000 gpd between Jan. 1 – 4, 2018 and April 1 – 5, 2018.

¹³ Calculated as 2,000 gpd minimum flow divided by 67 customers divided by an assumed 2.5 persons per home equals 11.9 gallons per capita per day ("gpcd").

¹⁴ Section 11.243 (a) *Recommended Standards for Wastewater Facilities* (aka Ten States Standards), 2014 Edition, Great Lakes - Upper Mississippi River Board of State and Provincial Public Health and Environmental Managers

¹⁵ The peak flow to minimum flow ratio is calculated as 40,000 gpd peak flow divided by 2,000 gpd minimum flow equals 20.

1 elevated I/I enters the sewers during wet weather and that sewage also leaves the
2 sewers during dry periods through the same collection system defects. The Indiana
3 Department of Environmental Management (“IDEM”) noted high levels of I/I
4 stating that the clear water observed entering the wastewater plant indicates I/I.¹⁶
5 High I/I levels are also confirmed during wet weather by diluted influent ammonia
6 pollutant concentrations below 10 milligrams per liter (“mg/l). HESU’s typical
7 ammonia levels during dry periods range between 25 mg/l to over 40 mg/l.

8 **Q: What are the condition of the existing sanitary sewers and manholes?**

9 A: Sewer and manhole conditions are unknown. HESU does not have an active sewer
10 inspection, cleaning program, or asset condition survey for its collection system.

11 During the OUCC’s and IURC’s site visit, we could not find manholes
12 which should be located where sewers intersect and at sewer direction changes.
13 Typical manhole spacing is every 300 feet to allow inspection and cleaning
14 access.¹⁷ HESU’s manholes might be covered over by vegetation and lawns. I also
15 observed fences, outbuildings such as sheds, vegetation including trees and shrubs,
16 and other encroachments over the sewer lines. Vegetation encroachments can
17 worsen I/I and cause blockages (e.g. due to root intrusion). Encroachments can
18 also hamper access for sewer maintenance and replacement work.

19 **Q: What do you recommend regarding HESU’s collection sewers and manholes?**

20 A: I recommend that HESU institute the following changes to inventory its collection

¹⁶ See Attachment JTP-4 for Inspection Summary / Violation Letters issued by IDEM.

¹⁷ Ten States Standards allows manholes to be spaced up to 400 feet apart on sewer with diameters 15-inches or less and up to 600 feet in special circumstances.

1 system, assess its condition, and budget for sewer maintenance needs:

2 1. Locate all manholes in the sewer system Inspect locations where two or more
3 sewer segments intersect and at major changes in sewer direction. Since
4 manholes have cast iron lids and frames, these hidden manholes can be found
5 with a metal detector.

6 2. Conduct sewer televising Applicant should televise the collection system to
7 assess sewer conditions such as cracked pipes, offset joints, blockages, grease
8 build-ups, sediments in the inverts, and root penetrations and locate manholes.
9 Televising can also help determine the extent of I/I by identifying water entry
10 locations such as cracked pipes, leaking lateral connections, and faulty joints.
11 Sewer televising will also identify all manhole locations. I recommend HESU
12 contact the nearby Columbus wastewater department about possibly partnering
13 on sewer televising to provide an initial look at the sewers and manholes.

14 3. Develop a sewer segment and manhole asset inventory and management
15 program HESU should institute a program to periodically inspect, assess and
16 document conditions of its collection system assets.

17 4. Identify and clear sewer system encroachments HESU should begin the process
18 to remove encroachments over the sewers that prevent or hinder access to the
19 collection system for maintenance and emergency repairs.

20 5. Establish a sewer maintenance and repair budget HESU should budget for
21 routine and emergency sewer maintenance and repairs to have available funds
22 for sewer cleaning, blockage removal, root removal, emergency repairs, and I/I
23 identification and removal. The OUCC recommends increasing HESU's

1 Extensions and Replacements revenue requirement to \$6,162 annually to fund
2 a sewer program.

IV. WASTEWATER TREATMENT PLANT CONDITIONS AND RECOMMENDATIONS

3 **Q: What is the condition of the existing package wastewater treatment plant?**

4 A: The existing steel treatment plant shows its 43+ years of age, having been
5 constructed prior to 1975, but it and the associated equipment and building appear
6 to be in better condition today than previously reported. The current HESU Board
7 and the contract operator, Mr. Jason Combs, have addressed almost all treatment
8 plant issues identified by IDEM.¹⁸ Their actions have extended the service life of
9 the steel package plant. The plant was reported at the end of its service life six
10 years ago.

11 In response to an IDEM enforcement action¹⁹ and based on a 2012 field
12 inspection, United Consulting Engineers (“United”) concluded the “existing
13 treatment plant is in poor condition and has reached the end of its useful design

¹⁸ See Attachment JTP-4 for Inspection Summary / Violations letters issued by IDEM

¹⁹ Agreed Order, Case No. 2009-18684-W, July 8, 2010. The Agreed Order covered the following violations: 1) Discharging sewage sludge to a ditch holding area and the receiving stream; 2) Numerous effluent violations for ammonia, dissolved oxygen, total residual chlorine, and *E. coli*; 3) Out of calibration flow meter; and 4) Operational deficiencies including lack of any alarm system for power or equipment failures, inadequate lift station cleaning, excessive high solids inventory, no back-up emergency power, severe rusting and pipe hanger damage, and a large crack in the wall of the treatment process tank. See Attachment JTP-5, IDEM Commissioner’s Order 2009-18684-W.

1 life.²⁰ United did not specify the useful life of steel package plants.

2 **Q: What did United Consulting Engineers recommend regarding the treatment**
3 **plant?**

4 A: United recommended taking out of service and demolishing the existing package
5 treatment plant but did not provide the basis for their recommendation other than
6 the plant was old. Their \$1,232,500 recommended project alternative included: 1)
7 construction of a new lift station and 33,000 feet long (6.25 miles) 4-inch diameter
8 PVC force main to convey all HESU sanitary sewage flows to the City of Columbus
9 sanitary sewage collection system (Option B) and 2) sanitary sewer system
10 improvements (Option D).²¹

11 **Q: What is the status of the improvements recommended by United Consulting?**

12 A: None were completed and HESU has no plan to demolish the existing package
13 treatment plant or discharge to the Columbus municipal sewage system.

14 **Q: Why didn't HESU construct the new lift station and force main?**

15 A: I believe HESU deemed the monthly cost to customers would have been excessive
16 and unaffordable. United Consulting projected 2012 sewer bills for the
17 improvements constructed without grant funding would have more than tripled
18 from the \$50 per month rate then being charged²² to \$176 per month. With grant
19 funding, the monthly sewer bill would have risen to \$134. *See Attachment JTP-8,*

²⁰ *Preliminary Engineering Report*, United Consulting Engineers, July 31, 2012, page 3. The *PER* was prepared under a \$30,000 Community Development Block Grant ("CDBG") and was filed with IDEM under the 2010 Agreed Order (enforcement). However, the new lift station and force main were not constructed.

²¹ Sewer system improvements proposed but not implemented included 16 new manholes, sewer smoke testing, sewer televising, sewer cleaning and root removal for an estimated cost of \$120,000 (2012 prices).

²² HESU independently raised its flat rate to \$50 per month without Commission approval from the \$30.00 per month flat rate approved under Cause No. 38663 in 1989.

1 *Preliminary Engineering Report*, Addendum #1 for information from 2012 on
2 recommended project capital costs, operation and maintenance expenses,
3 financing, and estimated monthly sewer bills.

4 **Q: What has HESU done instead?**

5 A: HESU has systematically made needed improvements to the existing package
6 treatment plant that have addressed all violations IDEM listed in the Agreed Order
7 and in subsequent IDEM Inspection Summaries / Violation letters. The original
8 package treatment plant remains in service.

9 **Q: What is the status of the Agreed Order with IDEM?**

10 A: HESU developed a Compliance Plan that IDEM approved in 2010 and
11 implemented the plan for the majority of items.²³ IDEM closed out the Agreed
12 Order in 2017.²⁴

13 **Q: Please describe the improvements that HESU made to the treatment plant.**

14 A: HESU calibrated the flow meter and installed an alarm system and back-up power
15 generator to prevent overflows of untreated raw sewage. The raw sewage pumps,
16 blowers, and sludge system have also been repaired to provide reliability and
17 redundancy. The Utility replaced the roof over the control building and installed
18 wooden stairs for safe access to the treatment tanks. HESU also replaced and
19 repaired portions of steel components and gratings of the package plant that had
20 severely rusted. They welded steel patches over holes and cracks in the steel tank

²³ See Attachment JTP-6, Compliance Plan and IDEM approval, September 8, 2010. Construction of a new lift station and force main recommended by United Consulting in the *PER* was not done. Instead the existing steel package treatment plant has been kept in service.

²⁴ See Attachment JTP-7, Agreed Order close-out 2009-18684-W, November 2, 2017.

1 walls that leaked sewage. Operationally, HESU cleaned out the lift station, sludge
2 accumulations from the clarifier and digestion tank, and eliminated the sludge
3 holding ditch adjacent to the creek.

4 **Q: How was the plant operating when you conducted the site visit?**

5 A: The treatment plant appeared to be well operated and producing a clear effluent
6 with no foaming in the receiving creek, no leakage, no odors, and no excessive
7 sludge accumulations. The new contract operator appears to be performing
8 reasonable cleaning and maintenance of the facilities in addition to proper process
9 control, monitoring, and filing Monthly Reports of Operation ("MROs").

10 **Q: Are HESU's operation and maintenance costs reasonable and prudent?**

11 A: Yes. The OUCC agrees with HESU's adjusted request for purchased power,
12 chemicals, materials and supplies, contractual services, insurance and
13 miscellaneous expenses. The OUCC also increased HESU's Repair and
14 Maintenance expense allowance by \$2,064 to provide funds for needed collection
15 system work and treatment plant repairs including repainting.

16 **Q: What does HESU propose for treatment plant capital improvements?**

17 A: HESU is planning to install two new concrete sludge digestion and holding tanks
18 immediately south of the existing package plant. This is because the common steel
19 bulkhead between the existing sludge digestion tank and the adjacent existing
20 aeration basin has rusted through allowing thicker sludge to re-enter the aeration
21 zone and less concentrated mixed liquor to dilute the sludge.²⁵ The dilute sludge

²⁵ This same rusting problem, typical of steel package plants, was also seen at the Apple Valley package plant in Cause No. 44551-U (2015).

1 increases hauling and off-site disposal costs and hampers effective sludge
2 digestion. HESU plans to convert the existing steel sludge digestion and holding
3 tank to aeration thereby increasing the aeration zone volume.

4 HESU also recognizes the need for and indicated they have plans to control
5 rusting of the steel tank by sandblasting and repainting the tank exterior and other
6 accessible surfaces. Tank repainting is a major need.

7 **Q: What are the deficiencies you observed for the treatment plant?**

8 A: The primary problem with the treatment plant is that it consists of only a single
9 treatment tank with no redundancy. This makes inspection, major repairs and tank
10 repainting nearly impossible since the tank cannot easily be taken off-line. Since it
11 cannot be removed from service for any extended period, the tank has not been
12 completely emptied nor had the steel and interior coatings inspected. Since the tank
13 sits on a concrete pad, inspection of the tank bottom is not possible.

14 **Q: What do you recommend regarding HESU's treatment plant?**

15 A: I recommend that HESU take the following steps to prepare for and be able to
16 respond to wastewater treatment tank emergencies and to be able plan for the future
17 addition of a redundant treatment system so that the existing steel package plant
18 can be taken out of service and rehabilitated within the next five to ten years:

- 19 1. Develop a monitoring and emergency response plan HESU should create a plan
20 to monitor tank conditions (including the condition of the steel tank walls and
21 coatings) and to respond to leaks or a crack in the treatment tank walls (as has
22 occurred) that would cause a sewage spill to the receiving stream.
- 23 2. Repaint the exterior and all accessible steel surfaces HESU should plan for and

1 repaint the existing steel package plant within the next two years.

2 3. Develop a long term replacement and repair strategy. I recommend the
3 Commission order HESU to seek assistance from the State Revolving Fund
4 ("SRF"), administered by the Indiana Finance Authority ("IFA") and IDEM's
5 Technical Support Section, to develop a long term strategy and identify funding
6 alternatives for the addition of a redundant wastewater treatment tank so that
7 the existing steel package plant can be rehabilitated. This strategy should be
8 submitted to the Commission and the OUCC as a post order compliance
9 requirement within two years.

10 4. Establish a replacement and repair fund HESU should establish a replacement
11 fund account for the eventual addition of a redundant treatment system and
12 repairs / repainting of the existing steel package plant. Following development
13 of the replacement and repair strategy, HESU should quantify the estimated
14 capital costs and identify funding alternatives for inclusion in its next rate case.

V. CUSTOMER COMMENTS

15 **Q: Did the OUCC receive any customer comments?**

16 **A:** The OUCC received one customer comment opposing the rate increase. *See*
17 Attachment JTP-9 for the customer comment.

VI. OUCC CONCLUSION

1 **Q: Please summarize your conclusions and recommendations.**

2 A: I conclude that HESU has made capital improvements to its wastewater treatment
3 plant in response to IDEM inspections and violation letters and has successfully
4 closed out the Agreed Order with IDEM. HESU has major continuing needs for its
5 collection system and treatment plant. My recommendations are summarized
6 below.

7 HESU should take the following steps regarding its sewage collection system.

- 8 1. Locate all manholes in the sewer system
- 9 2. Conduct sewer televising
- 10 3. Develop a sewer segment and manhole asset inventory and management
11 program
- 12 4. Identify and clear sewer system encroachments
- 13 5. Establish a sewer maintenance and repair budget

14 HESU should take the following steps regarding its wastewater treatment plant.

- 15 6. Develop a monitoring and emergency response plan.
- 16 7. Repaint the exterior and all accessible steel surfaces. HESU should plan for
17 and repaint the existing steel package plant within the next two years.
- 18 8. Develop a long term replacement and repair strategy. I recommend the
19 Commission order HESU to seek assistance from the State Revolving Fund
20 ("SRF"), administered by the Indiana Finance Authority ("IFA") and IDEM's
21 Technical Support Section, to develop a long term strategy and identify funding
22 alternatives for the addition of a redundant wastewater treatment tank so that

1 the existing steel package plant can be rehabilitated. This strategy should be
2 submitted to the Commission and the OUCC as a post order compliance
3 requirement within two years.

4 9. Establish a replacement and repair fund. HESU should quantify the estimated
5 capital costs and identify funding alternatives for inclusion in its next rate case.

6 **Q: Do you have any other recommendations?**

7 A: Yes. The Utility should document the operation and maintenance work it is
8 performing and make this information readily available to its customers. The Board
9 should take additional good governance measures to keep customers informed of
10 its capital needs and the actions it is taking. This includes following the Utility's
11 Rules and Regulations.

12 **Q: Does this conclude your testimony?**

13 A: Yes.

VII. APPENDIX A

1 **Q: Please describe your educational background and experience.**

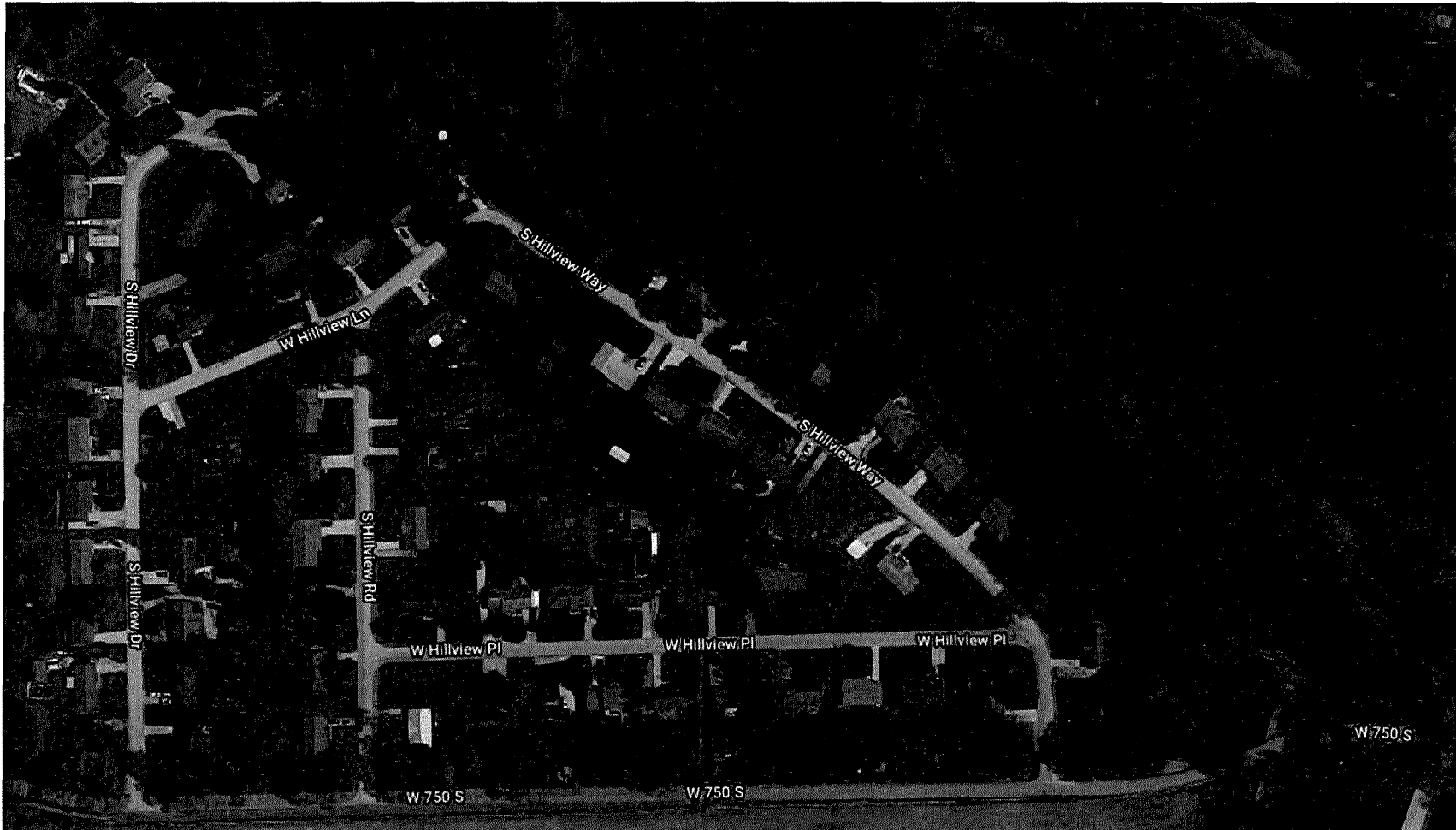
2 A: In 1980 I graduated from Purdue University, where I received a Bachelor of Science
3 degree in Civil Engineering, having specialized in Environmental Engineering. I
4 then worked with the Peace Corps for two years in Honduras as a municipal
5 engineer and as a Project Engineer on self-help rural water supply and sanitation
6 projects funded by the U.S. Agency for International Development (U.S. AID). In
7 1984 I earned a Master of Science degree in Civil Engineering and Environmental
8 Engineering from Purdue University. I have been a Registered Professional
9 Engineer in the State of Indiana since 1986. In 1984, I accepted an engineering
10 position with Purdue University, and was assigned to work as a process engineer
11 with the Indianapolis Department of Public Works at the City's Advanced
12 Wastewater Treatment Plants ("WWTP"). I left Purdue and subsequently worked
13 for engineering consulting firms, first as a Project Engineer for Process Engineering
14 Group of Indianapolis and then as a Project Manager for the consulting firm HNTB
15 in Indianapolis. In 1999, I returned to the Indianapolis Department of Public Works
16 as a Project Engineer working on planning projects, permitting, compliance
17 monitoring, wastewater treatment plant upgrades, and combined sewer overflow
18 control projects.

19 **Q: Have you previously testified before the Indiana Utility Regulatory**
20 **Commission ("Commission")?**

21 A: Yes.

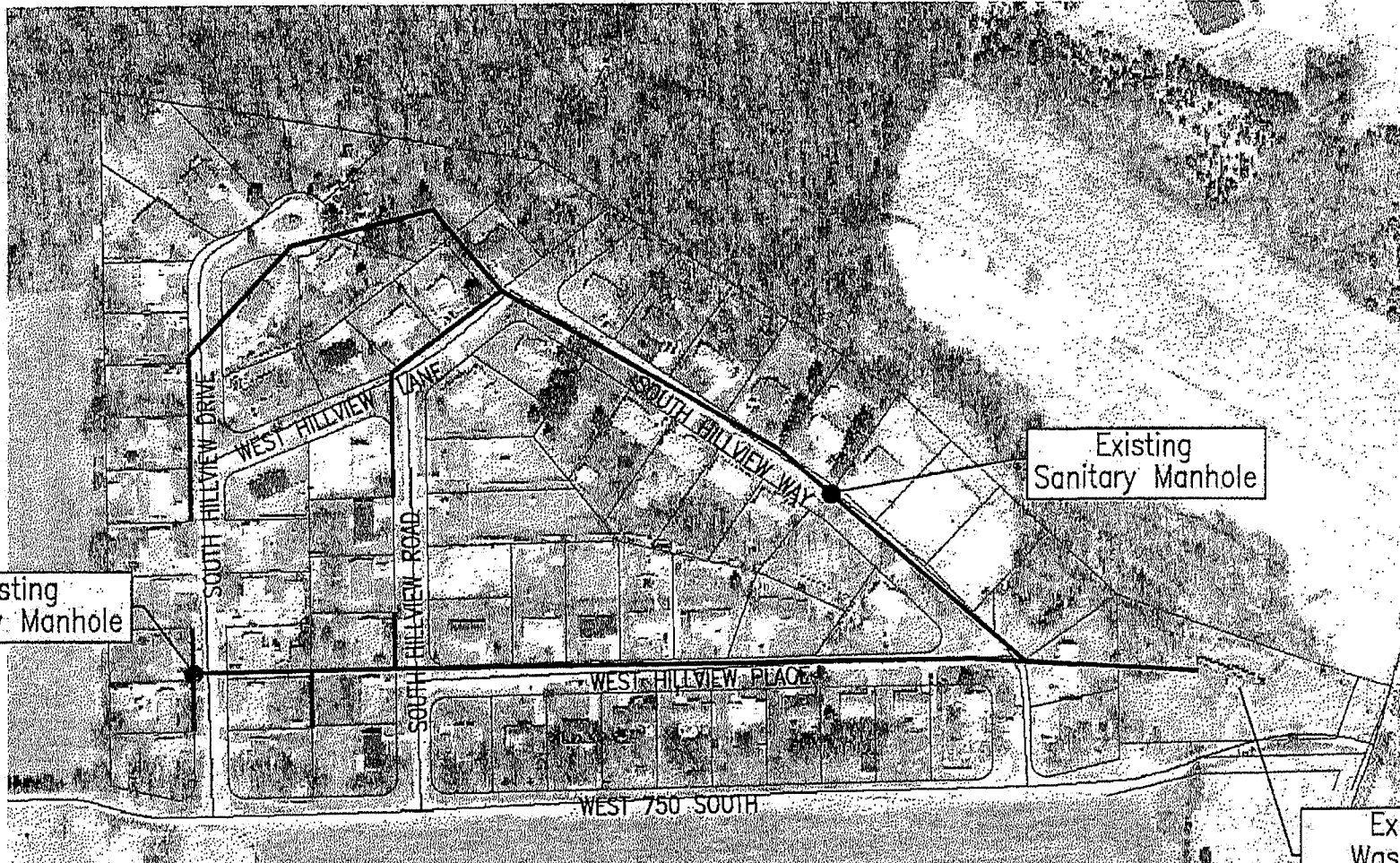
VIII. APPENDIX B - ATTACHMENTS

1	Attachment JTP-1	Aerial photo of the Hillview Estates Subdivision and
2		wastewater treatment plant
3	Attachment JTP-2	Sanitary Sewer Layout and treatment plant flow schematic
4	Attachment JTP-3	October 17, 2018 site visit photos of the wastewater system
5	Attachment JTP-4	Inspection Summaries/Violations/Enforcement Referral
6	Attachment JTP-5	IDEM Commissioner's Order 2009-18684-W
7	Attachment JTP-6	Compliance Plan and IDEM approval September 8, 2010
8	Attachment JTP-7	Agreed Order close-out 2009-18684-W November 2, 2017
9	Attachment JTP-8	<i>Preliminary Engineering Report, Addendum #1</i>
10	Attachment JTP-9	Customer Comment



Hillview Estates Subdivision showing 67 residences on 74 platted lots and the wastewater treatment (package) plant (lower right corner - north of W 750 S and west of State Rd. 58 (not marked)).

File Name: P:\C30\11-917-01_Bardolomew Co Hillview Estates\Exhibits\Exhibit Existing Sewer Combined File.dwg Plot Date: 5/1/2012 5:13:30 PM Plotted By: siple, scott



Existing Sanitary Manhole

Existing Sanitary Manhole

Existing Wastewater Treatment Plant

SCALE: 1" = 200'

EXISTING SANITARY SEWER SCHEMATIC (EXHIBIT E)
HILLVIEW ESTATES SUBDIVISION UTILITIES, INC

LEGEND

— EXISTING SANITARY SEWER



HILLVIEW ESTATES SUBDIVISION UTILITIES
TREATMENT PLANT

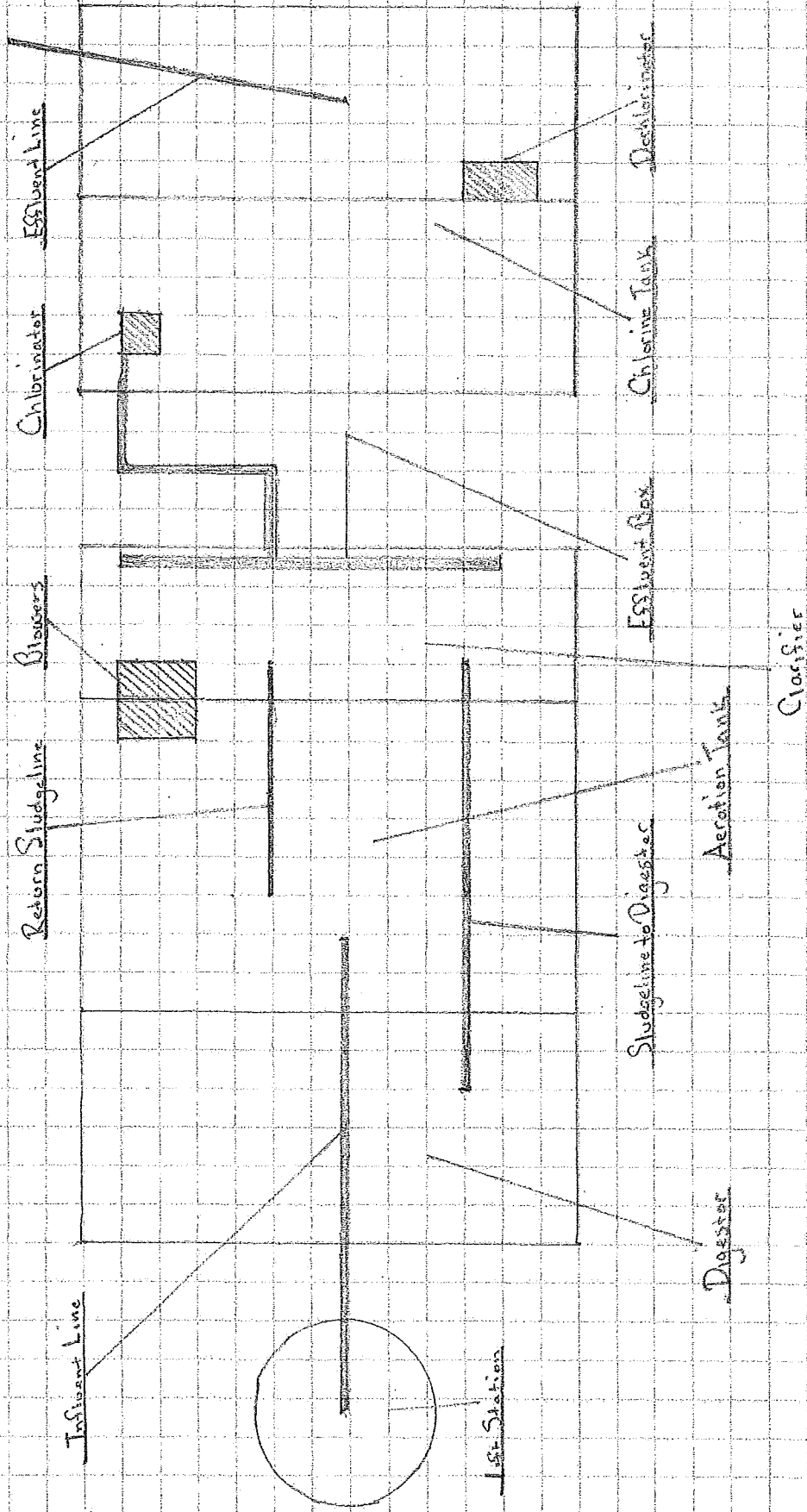




Fig. 1 Manhole on South Hillview Drive.



Fig. 2 Inside of Raw Sewage Pump Station showing rusted steel.



Fig. 3 View west of top of the aeration tank and sludge digester.



Fig. 4 View of Raw Sewage Pump Station (left), Sludge Digester and Aeration Basin (large brown tank), and Control Building (right).



Fig. 5 View of Hillview Estates steel package treatment plant.



Fig. 6 View west of Control Building and out of service filter tank.



Fig. 7 View of out of service filter tank (brown), Control Building, and Aeration Tank (in background).



Fig. 8 View west on top of tanks showing blowers (in foreground).



Fig. 9 View of new access stairs inside Control Bldg. (to top of tanks)



Fig. 10 Chemical feed system for effluent disinfection.



Fig. 11 View of clarifier (left) and new standby power generator.

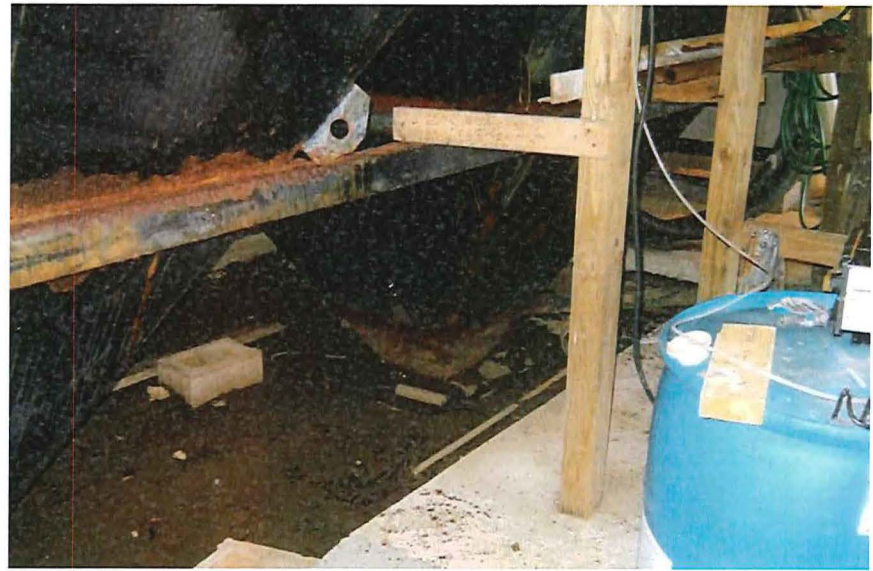


Fig. 12 View of steel condition of the clarifier hopper bottoms.



Fig. 13 View of aerobic sludge digester and holding tank section.

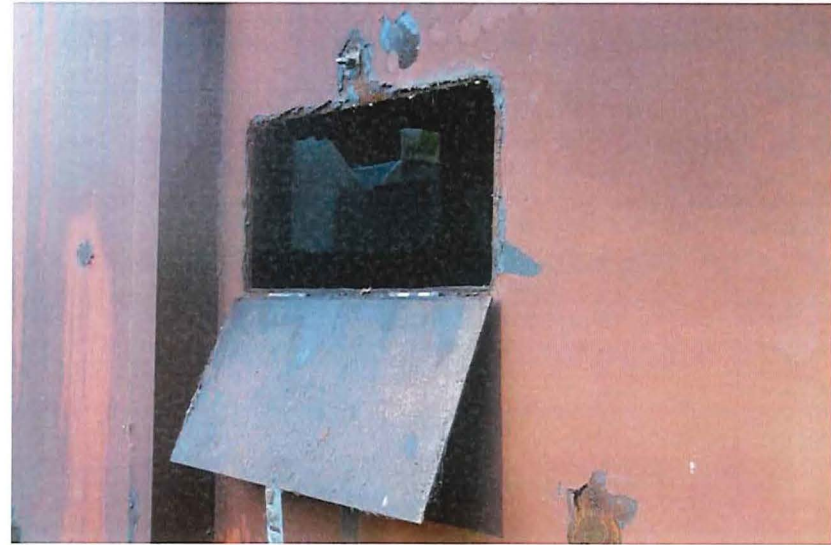


Fig. 14 V-notched weir for flow measuring inside old filter tank.



Fig. 15 View of aeration blower (one of two blowers).



Fig. 16 View of Outfall 001 discharging to unnamed tributary.



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

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Michael R. Pence
Governor

Thomas W. Easterly
Commissioner

7/29/2015

Via Email to: mshduke@yahoo.com
Mr. Merrill Henderson, President
Hillview Estates Subdivision Utilities, Inc.
12563 South Hillview Road
Columbus, Indiana 47201

Dear Mr. Henderson:

Re: Inspection Summary/ Violation Letter
Hillview Estates Subdivision
NPDES Permit No. IN0038938
Columbus, Bartholomew County

An inspection of the above-referenced facility or location was conducted by a representative of the Indiana Department of Environmental Management, Southeast Regional Office, pursuant to IC 13-18-3-9. A summary of the inspection is provided below:

Date(s) of Inspection: June 30, 2015

Type of Inspection: Compliance Evaluation Inspection

Inspection Results: Violations were observed.

IDEM recommends the permittee begin the process of registering for NetDMR. Information on NetDMR can be obtained at <http://www.in.gov/idem/cleanwater/2422.htm>.

The following concerns were noted:

Part II. A. 4 of the permit states, in part, if the permittee wishes to continue an activity regulated by this permit after the expiration date, the permittee must apply for and obtain a renewal of this permit in accordance with 327 IAC 5-2-8(2). The application must be submitted at least 180 days before the expiration date of this permit. The permit was given an overall rating of unsatisfactory because the permit renewal application was not submitted to IDEM by December 2, 2014. The renewal application was submitted on April 29, 2015.

Facility/Site was rated as unsatisfactory due to the lack of an alternative power source. This is a violation of Part II. B. 5 of the permit which states, in part, that in order to maintain compliance with the effluent limitations and prohibitions of the permit, the permittee shall either provide an alternative power source or control the discharge in order to maintain compliance with the effluent limits. There are no alarms in the plant. The facility and equipment appear to be beyond its useful service life. There are safety concerns at the plant. The operator must climb up a ladder with sampling equipment, and go down in the old sand filter tank to collect samples. The walkways are soft due to rust damage, and there is grating missing. Wooden gratings are slick and unsafe. The facility must provide an alternative power source and repair necessary equipment in order to make the facility safe for employees and inspector.

Operation was rated as unsatisfactory. Part II. B. 1 of the permit states, in part, that all waste collection, control, treatment, and disposal facilities shall be operated as efficiently as possible and in a manner which will minimize upsets and discharges of excessive pollutants. At the time of the inspection, the solids holding tank was very full of sludge. Sludge is leaking back into the mixed liquor tank, and there were no aerators in the sludge holding tank to properly digest sludge. At the time of the inspection, the incoming sewage was almost clear indicating inflow or infiltration problems in the collection system.

Maintenance was rated as unsatisfactory due to an inadequate preventative maintenance program. This is a violation of Part II. B. 1 of the permit which states, in part, that all facilities shall be operated and maintained as efficiently as possible and in a manner which will minimize upsets and discharges of excessive pollutants. There is severe rust and corrosion through most of the plant including support members and tank walls. The effluent line has separated from the tank on the north side of the plant. The lift station needs to be cleaned of grease and accumulated solids.

Sludge Disposal was rated as unsatisfactory because the digester/sludge storage is at full capacity and the facility is holding excessive solids throughout the treatment plant. Your facility has no alternative solids handling program in place. The removal of solids, on an as needed basis, is essential for proper operation of the wastewater treatment facility. You must develop and implement a solids handling program to ensure adequate solids removal from the facility. This is a violation of Part II. B. 1 of the permit which requires the permittee to properly remove and dispose of excessive solids and sludges. Also, Part II.B.4. of the permit requires the permittee to maintain records to demonstrate compliance with removal and disposal requirements.

The effluent weir is rusted and should be replaced. The flowmeter has been calibrated within the past year.

The Effluent Limits Compliance area was rated marginal due to the following self-reported violations of the limits detailed in Part I. A. of the NPDES Permit:

Month	Year	Outfall	Parameter	Type	Conc./Loading	Number
Feb	2015	001	Ammonia Nitrogen	Monthly Avg.	Conc.	1
Feb	2015	001	Ammonia Nitrogen	Max. Wkly. Avg.	Conc.	1

Part II. A. 1. of your permit requires you to comply with its terms and conditions. Any noncompliance with the terms of your permit may subject you to an enforcement action which can include the imposition of penalties. You are required to immediately take all necessary measures to comply with the terms and conditions of your NPDES Permit, specifically those violations identified above.

This information is being forwarded to the OWQ Enforcement Section for consideration in conjunction with your Agreed Order, Case No. 2009-18684-W. Please direct any response to this letter and any questions to Kevin Hotz at 812-358-2027 ext. 235 or by email to khotz@idem.IN.gov. A copy of the NPDES Wastewater Facility Inspection Report is enclosed for your records.

Sincerely,



Mark A. Amick, Deputy Director
Southeast Regional Office

Enclosure

Cc: Mary Hoover, Water Enforcement Section Chief



NPDES Wastewater Facility Inspection Report
INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

NPDES Permit Number: IN0038938	Facility Type: Mixed Ownership	Facility Classification: Minor	TEMPO AI ID 527
Date(s) of Inspection: June 30, 2015			
Type of Inspection: Compliance Evaluation Inspection			
Name and Location of Facility Inspected: Hillview Estates Subdivision SR 58 & CR 750 S Columbus IN 47202		Receiving Waters: White Creek	Permit Expiration Date: 5/31/2015 Design Flow: 0.035MGD
County: Bartholomew			
On Site Representative(s):			
First Name	Last Name	Title	Email
Hubert	Baker	Vice President	
Sally	Brown	Operator	wwlab@yahoo.com
			Phone 317-627-5531
Was a verbal summary of findings presented to the on-site representative? Yes			
Certified Operator: Sally Brown	Number: 14805	Class: IV	Effective Date: 7-1-13
			Expiration Date: 6-30-15
			Email: wwlab@yahoo.com
Responsible Official: Mr. Merrill Henderson, President 12563 South Hillview Road Columbus, Indiana 47201		Permittee: Hillview Estates Subdivision Utilities, Inc. Email: mshduke@yahoo.com Phone: 812-342-4216 Fax:	
		Contacted? No	
INSPECTION FINDINGS			
<input type="radio"/> Conditions evaluated were found to be satisfactory at the time of the inspection. (5) <input type="radio"/> Violations were discovered but corrected during the inspection. (4) <input type="radio"/> Potential problems were discovered or observed. (3) <input checked="" type="radio"/> Violations were discovered and require a submittal from you and/or a follow-up inspection by IDEM. (2) <input type="radio"/> Violations were discovered and may subject you to an appropriate enforcement response. (1)			
AREAS EVALUATED DURING INSPECTION			
<i>(S = Satisfactory, M = Marginal, U = Unsatisfactory, N = Not Evaluated)</i>			
S	Receiving Waters	U	Facility/Site
S	Effluent Appearance	U	Operation
U	Permit	U	Maintenance
S	CSO/SSO (Sewer Overflow)	U	Sludge
S		S	Self-Monitoring
		M	Flow Measurement
		S	Laboratory
		M	Records/Reports
		N	Compliance Schedules
		N	Pretreatment
		M	Effluent Limits Compliance
		M	Other: Housekeeping
DETAILED AREA EVALUATIONS			
IDEM recommends the permittee begin the process of registering for NetDMR. Information on NetDMR can be obtained at http://www.in.gov/idem/cleanwater/2422.htm .			
Receiving Waters:			
<u>S</u> 1. The receiving stream is visibly free of excessive deposits of settled solids, floating debris, oil, scum, or billowy foam.			
Comments: The receiving stream was free of notable foam, algae or solids.			
Effluent Appearance:			
<u>S</u> 1. Treated effluent is free of excessive solids, floating debris, oil, scum, or billowy foam.			
Comments: The effluent was clear and free of color at the time of the inspection. The effluent was exceptionally clear.			
Permit:			
<u>S</u> 1. Does the facility have a current copy of the permit available for reference?			
<u>U</u> 2. If the permit expires within 180 days, has a renewal application been submitted?			

- S 3. Receiving waters are accurately described in permit.
- N 4. The permit has been properly transferred if there is a new owner.

Comments:

Part II. A. 4 of the permit states, in part, if the permittee wishes to continue an activity regulated by the permit after the expiration date, the permittee must apply for and obtain a renewal of the permit in accordance with 327 IAC 5-2-8(2). The application must be submitted at least 180 days before the expiration date of the permit. The permit was given an overall rating of unsatisfactory because the permit renewal application was not submitted to IDEM by December 2, 2014. The renewal application was submitted on April 29, 2015.

CSO/SSO:

- N 1. CSO's are adequately monitored and maintained.
- S 2. No unauthorized overflow events in last 12 months.
- N 3. Facility has met SSO and dry weather CSO reporting requirements
- N 4. Any adverse impacts from SSO and CSO events have been properly mitigated.

Comments:

There have been no unauthorized sewer overflow events reported in the last 12 month.

Facility/Site:

- U 1. The facility has standby power or equivalent provision.
- U 2. An adequate alarm or notification system for power or equipment failure is available for the treatment facility and lift stations.
- U 3. Safe and adequate access is provided for inspection of all units and outfalls.
- U 4. Facilities and equipment do not appear beyond their useful life.
- 5. List any safety concerns:

Comments:

Facility/Site was rated as **unsatisfactory** due to the lack of an alternative power source. This is a violation of Part II. B. 5 of the permit which states, in part, that in order to maintain compliance with the effluent limitations and prohibitions of the permit, the permittee shall either provide an alternative power source or control the discharge in order to maintain compliance with the effluent limits.

There are no alarms in the plant. The facility and equipment appear to be beyond its useful service life. There are safety concerns at the plant. The operator must climb up a ladder with sampling equipment, and go down in the old sand filter tank to collect samples. The walkways are soft due to rust damage, and grating is missing. Wooden gratings are slick.

The facility must provide an alternative power source and repair necessary equipment in order to make the facility safe for employees and inspector.

Operation:

- U 1. All facilities and systems necessary for achieving compliance with the terms and conditions of the permit are operated efficiently, including an anticipated bypass report for steps of treatment taken out of service.
- S 2. An adequate, qualified operating staff is provided to carry out the operation of the facility, including:
 - a. Certified Operator's on-site attendance and/or qualified operations personnel attendance is adequate.
 - b. Adequate documentation of operational activities, including system monitoring and cleaning.
 - c. Adequate funding to ensure proper operation.
- U 3. Solids handling procedures include:
 - a. Sufficient solids are wasted from the treatment system, in a timely manner, to maintain process efficiency.
 - b. Wasting of solids is based on appropriate operational targets and valid process control testing.
 - c. Adequate documentation of solids removal, handling, or control is available for review.
- N 4. The facility is operated efficiently during wet weather events.

Comments:

Operation was rated as **unsatisfactory**. Part II. B. 1 of the permit states, in part, that all waste collection, control, treatment, and disposal facilities shall be operated as efficiently as possible and in a manner which will minimize upsets and discharges of excessive pollutants. At the time of the inspection, the solids holding tank was very full of sludge. Sludge is leaking back into the mixed liquor tank, and there were no aerators in the sludge holding tank to properly digest sludge.

At the time of the inspection, the incoming sewage was almost clear. This typically indicates inflow or infiltration problems in the collection system.

Maintenance:

- N 1. A maintenance record system has been established and includes maintenance/repair history and

preventative maintenance plan.

U 2. Facility maintenance activities appear adequate.

M 3. Lift stations are adequately inspected, cleaned, and maintained, with adequate documentation of activities.

N 4. Collection system maintenance activities appear adequate.

Comments:

Maintenance was rated as unsatisfactory due to an inadequate preventative maintenance program. This is a violation of Part II. B. 1 of the permit which states, in part, that all facilities shall be operated and maintained as efficiently as possible and in a manner which will minimize upsets and discharges of excessive pollutants. There is severe rust and corrosion through most of the plant including support members and tank walls. The effluent line has separated from the tank on the north side of the plant. The lift station needs to be cleaned of grease and accumulated solids.

Sludge:

U 1. Sludges, screenings, and slurries are handled and disposed of properly.

Comments:

Sludge Disposal was rated as **unsatisfactory** because the digester/sludge storage is at full capacity and the facility is holding excessive solids throughout the treatment plant. Your facility has no alternative solids handling program in place. The removal of solids, on an as need basis, is essential for proper operation of the wastewater treatment facility. The permittee must develop and implement a solids handling program to ensure adequate solids removal from the facility. This is a violation of Part II. B. 1 of the permit which requires the permittee to properly remove and dispose of excessive solids and sludges. Also, Part II.B.4. of the permit requires the permittee to maintain records to demonstrate compliance with removal and disposal requirements.

Self-Monitoring:

S 1. Samples are taken at pre-designated locations and are representative.

N 2. Flow-proportioned samples are obtained where needed.

S 3. The facility conducts sampling of all waste streams, including type and frequency, as required in the permit.

S 4. Sample collection procedures, including automatic sampling, include:

- a. Samples are refrigerated during compositing.
- b. Proper preservation techniques are used.
- c. Containers and holding times conform to 40 CFR 136.3.

S 5. Sample documentation is adequate and includes:

- a. Dates, times, and locations of sampling.
- b. Name of individual performing sampling.
- c. Instantaneous flow for flow-weighted aliquots.
- d. Chain of Custody records.

N 6. NPDES Permit Whole Effluent Toxicity (WET) testing requirements are being met.

Comments:

The Self Monitoring Program was rated as satisfactory. All sampling practices, including raw and intermediate unit process testing, are conducted accurately and at the frequency required by the permit.

Flow Measurement:

M 1. Flow is properly monitored as required by the permit.

S 2. Flow data and calibration records are available for review.

Comments:

The effluent weir is rusted and should be replaced. The flowmeter has been calibrated within the past year.

Laboratory:

The following laboratory records were reviewed:

Contract Lab Reports CBOD Bench Sheets TSS Bench Sheets

S 1. The laboratory practices and protocol reviewed were adequate, including:

- a. Written laboratory QA/QC manual.
- b. Samples are properly stored.
- c. Approved analytical methods are used.
- d. Calibration and maintenance of instruments is adequate.
- e. QA/QC procedures are adequate.
- f. Dates of analyses. (and times where required)
- g. Name of person performing analyses.

N 2. Review of lab records and/or on-site field testing equipment and protocols was found to be adequate.

Contract Lab Information

Franklin WWTP	Franklin, IN
Sally Brown	

Comments:

The bench sheets reviewed during the inspection appeared to be accurate and complete.

Records/Reports:

The following records/reports were reviewed:

DMRs for the period of January 2015 to May 2015 were reviewed as part of the inspection.

S 1. All facility records for the period including the previous three years were available for review.

S 2. DMRs and MROs are completed properly and accurately including:

- a. "No Ex" column is accurate.
- b. Signatory requirements are met.
- c. Reports are prepared by or under the direction of a certified operator.

N 3. Bypass and Noncompliance reporting are adequate.

Comments:

The requested records were available and appear complete and accurate.

Compliance Schedules:

N 1. The NPDES Permit Schedule of Compliance monitoring and reporting milestones have been met.

N 2. Agreed Order compliance milestones have been met.

Comments:

Pretreatment:

N 1. No evidence of interference from industrial or other sources of toxic substances was noted.

N 2. For both Delegated and Non-Delegated pretreatment programs:

- a. Industrial or commercial dischargers are regulated as required.
- b. The permittee enforces the Sewer Use Ordinance (SOU) and the Enforcement Response Plan (ERP).
- c. The permittee submitted its annual pretreatment report to IDEM by April 1.

N 3. Non-Delegated pretreatment programs have:

- a. Developed the Sewer Use Ordinance and submitted it to IDEM.
- b. Developed the Enforcement Response Plan and submitted it to IDEM.
- c. The permittee submitted sludge monitoring data (Cd, Cu, Pb, Hg, Mo, Ni, Zn) twice per year to IDEM's Pretreatment Group.

N 4. Pretreatment records and procedures were adequate and include:

- a. Inventory of Industrial Waste Contributors/Industrial Survey.
- b. Keeping records of all Industrial User (IU) self-monitoring data.
- c. Conducting compliance monitoring at all Significant Industrial Users (SIUs) for all parameters in the industry's permit.
- d. Conducting annual inspections at all SIUs and documenting them with inspection reports.
- e. For any IU in noncompliance in the past year, the permittee has taken enforcement actions.

N 5. If the non-delegated permittee accepts hauled waste:

- a. Does the POTW provide written permission to haulers?
- b. Does the POTW obtain samples from each hauled waste load and retain them for at least 48 hours?
- c. Does the POTW retain records of each load?

Comments:

Effluent Limits Compliance:

Yes 1. Were DMRs reviewed as part of the inspection?

DMRs for the period of January 2015 to May 2015 were reviewed as part of the inspection.

Yes 2. Were violations noted during the review of DMRs?

The Effluent Limits Violations area was rated marginal due to the following self-reported violations of the limits detailed in Part I. A. of the NPDES Permit:

Month	Year	Outfall	Parameter	Type	Conc./Loading	Number
Feb	2015	001	Ammonia Nitrogen	Monthly Avg.	Conc.	1

Feb	2015	001	Ammonia Nitrogen	Max. Wkly. Avg.	Conc.	1
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Comments:

Other:

Housekeeping

Comments:

The facility has cleaned out much of the junk from the floor of the plant; however, a rodent proof cabinet is needed to store records that are supposed to be kept on site.

IDEM REPRESENTATIVE

Inspector Name:

Kevin Hotz

Email:

khotz@idem.IN.gov

Phone Number:

812-358-2027 ext. 235

IDEM MANAGER REVIEW

IDEM Manager:

Bridget S. Murphy

Date:

7/7/2015

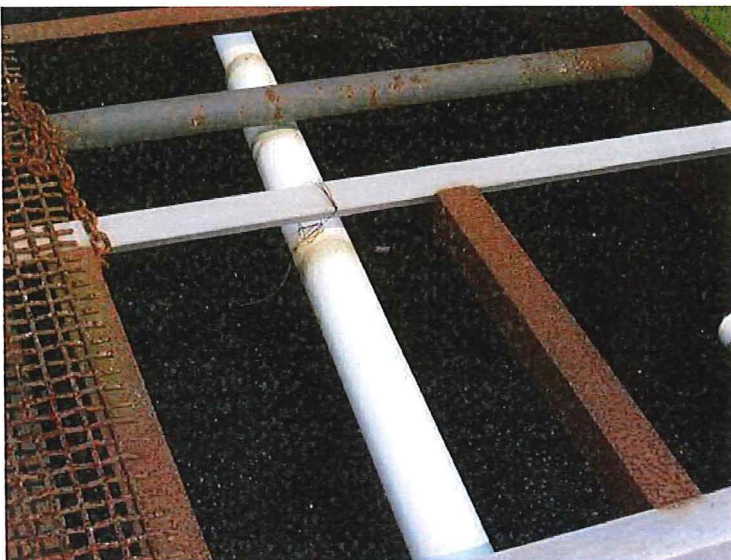
Inspection Photographs



Facility: Hillview Estates Subdivision
Photographer: Kevin Hotz
Date: 6/30/2015 Time:
Others Present:
Location/Description: Rust damage on supports and walls,



Facility: Hillview Estates Subdivision
Photographer: Kevin Hotz
Date: 6/30/2015 Time:
Others Present:
Location/Description: Perforated tank wall



Facility: Hillview Estates Subdivision
Photographer: Kevin Hotz
Date: 6/30/2015 Time:
Others Present:
Location/Description: Full digester and missing grates.

Facility:	Cause No. 45132-U
Hillview Estates Subdivision	
Photographer:	Page 10 of 34
Kevin Hotz	
Date: 6/30/2015	Time:
Others Present:	
Location/Description: No aeration in digester	



Facility:	
Hillview Estates Subdivision	
Photographer:	
Kevin Hotz	
Date: 6/30/2015	Time:
Others Present:	
Location/Description: Rust damage on tank wall	



Facility:	
Hillview Estates Subdivision	
Photographer:	
Kevin Hotz	
Date: 6/30/2015	Time:
Others Present:	
Location/Description: Clear influent wastewater	





Facility: Hillview Estates Subdivision
Photographer: Kevin Hotz
Date: 6/30/2015 Time:
Others Present:
Location/Description: Rust damage



Facility: Hillview Estates Subdivision
Photographer: Kevin Hotz
Date: Time:
Others Present:
Location/Description: Missing grating at clarifier and wooden walkways



Facility: Hillview Estates Subdivision
Photographer: Kevin Hotz
Date: 6/30/2015 Time:
Others Present:
Location/Description: Sludge build up in channel next to creek



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

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Michael R. Pence
Governor

Carol S. Comer
Commissioner

1/15/2016

Via Email to: mshduke@yahoo.com

Mr. Merrill Henderson, President
Hillview Estates Subdivision Utilities
12563 South Hillview road
Columbus, Indiana 47201

Dear Mr. Henderson:

Re: Inspection Summary/ Violation Letter
Hillview Estates Subdivision
NPDES Permit No. IN0038938
Columbus, Bartholomew County

An inspection of the above-referenced facility or location was conducted by a representative of the Indiana Department of Environmental Management, Southeast Regional Office, pursuant to IC 13-18-3-9. A summary of the inspection is provided below:

Date(s) of Inspection: January 04, 2016
Type of Inspection: Reconnaissance Inspection
Inspection Results: Violations were observed.

The following concerns were noted:

Part I. A. 2 of the permit states, in part, the discharge from any and all point sources specified within this permit shall not cause receiving waters, including the mixing zone, to contain substances, materials, floating debris, oil, or scum: 1) that will settle to form putrescent or otherwise objectionable deposits; 2) that are in amounts sufficient to be unsightly or deleterious; 3) that produce color, visible oil sheen, odor, or other conditions in such degree as to create nuisance. The Receiving Waters Appearance was rated as unsatisfactory due to sludge in the receiving stream.

Facility/Site was rated as unsatisfactory due to the lack of an alternative power source. This is a violation of Part II. B. 5 of the permit which states, in part, that in order to maintain compliance with the effluent limitations and prohibitions of the permit, the permittee shall either provide an alternative power source or control the discharge in order to maintain compliance with the effluent limits. Walkways and gratings need to be replaced over the clarifiers and sludge tanks.

Operation was rated as unsatisfactory. Part II. B. 1 of the permit states, in part, that all waste collection, control, treatment, and disposal facilities shall be operated as efficiently as possible and in a manner which will minimize upsets and discharges of excessive pollutants. At the time of the inspection, return sludge pumps were not working, and skimmers were not operating properly. Heavy amount of sludge have built up in the weir troughs. There is heavy grease and trash accumulation in the wet well of the lift station.

Sludge Disposal was rated as unsatisfactory because the digester/sludge storage is at full capacity and the facility is holding excessive solids throughout the treatment plant. Your facility has no alternative solids handling program in place. The removal of solids, on an as needed basis, is essential for proper operation of the wastewater treatment facility. You must develop and implement a solids handling program to ensure adequate solids removal from the facility. This is a violation of Part II. B. 1 of the permit which requires the permittee to properly remove and dispose of excessive solids and sludges. Also, Part II.B.4. of the permit requires the permittee to maintain records to demonstrate compliance with removal and disposal requirements.

Review of records subsequent to the inspection revealed the following concerns:

The November 2015 DMR and MRO was not received. Part I.B.3 of the permit states, in part, that the permittee shall submit monitoring reports postmarked no later than the 28th day of the month following each completed monitoring period. These reports shall include the Discharge Monitoring Report (DMR) and the Monthly Report of Operation (MRO). The November 2015 DMR and MRO must be submitted to this office as soon as possible.

Within 30 days of receipt of this letter, a written detailed response documenting correction of the concerns listed above and/or a plan for assuring future compliance must be submitted to this office. Failure to respond adequately to this letter may result in formal enforcement action. Please direct your response to this letter to the attention of Bridget S. Murphy, at our letterhead address or via email to wwViolationResponse@idem.IN.gov. Any questions should be directed to Kevin Hotz at 812-358-2027 ext. 235 or by email to khotz@idem.IN.gov. Thank you for your attention to this matter.

This information is being forwarded to the OWQ Enforcement Section for consideration in conjunction with your Agreed Order, Case No. 2009-18684-W. Please direct any response to this letter and any questions to Kevin Hotz at 812-358-2027 ext. 235 or by email to khotz@idem.IN.gov. A copy of the NPDES Wastewater Facility Inspection Report is enclosed for your records.

Sincerely,



Mark A. Amick, Deputy Director
Southeast Regional Office

Enclosure



NPDES Wastewater Facility Inspection Report
INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

NPDES Permit Number: IN0038938	Facility Type: Mixed Ownership	Facility Classification: Minor	TEMPO AI ID 527
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Date(s) of Inspection: January 04, 2016

Type of Inspection: Reconnaissance Inspection

Name and Location of Facility Inspected: Hillview Estates Subdivision SR 58 & CR 750 S Columbus IN 47202	County: Bartholomew	Receiving Waters: White Creek	Permit Expiration Date: 6/30/2020 Design Flow: .035MGD
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On Site Representative(s): First Name: Merrill Last Name: Henderson Title: President Email: mshduke@yahoo.com Phone: 812-342-4216
--

Was a verbal summary of findings presented to the on-site representative?

Certified Operator: Sally Brown	Number: 14805	Class: IV	Effective Date: 7-1-15	Expiration Date: 6-30-17	Email: wwlab@yahoo.com
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Responsible Official: Mr. Merrill Henderson, President 12563 South Hillview road Columbus, Indiana 47201	Permittee: Hillview Estates Subdivision Utilities
	Email: mshduke@yahoo.com
	Phone: 812-342-4216
	Fax:
	Contacted? Yes

INSPECTION FINDINGS

- Conditions evaluated were found to be satisfactory at the time of the inspection. (5)
- Violations were discovered but corrected during the inspection. (4)
- Potential problems were discovered or observed. (3)
- Violations were discovered and require a submittal from you and/or a follow-up inspection by IDEM. (2)
- Violations were discovered and may subject you to an appropriate enforcement response. (1)

AREAS EVALUATED DURING INSPECTION

(S = Satisfactory, M = Marginal, U = Unsatisfactory, N = Not Evaluated)

U	Receiving Waters	U	Facility/Site	N	Self-Monitoring	N	Compliance Schedules
S	Effluent Appearance	U	Operation	S	Flow Measurement	N	Pretreatment
S	Permit	N	Maintenance	N	Laboratory	N	Effluent Limits Compliance
N	CSO/SSO (Sewer Overflow)	U	Sludge	N	Records/Reports	N	Other:

DETAILED AREA EVALUATIONS

Receiving Waters:

Comments:

Part I. A. 2 of the permit states, in part, the discharge from any and all point sources specified within this permit shall not cause receiving waters, including the mixing zone, to contain substances, materials, floating debris, oil, or scum: 1) that will settle to form putrescent or otherwise objectionable deposits; 2) that are in amounts sufficient to be unsightly or deleterious; 3) that produce color, visible oil sheen, odor, or other conditions in such degree as to create nuisance. The Receiving Waters Appearance was rated as unsatisfactory due to **sludge** in the receiving stream. In addition, there is a substantial amount of sludge behind the dam in the sludge holding basin.

Effluent Appearance:

Comments:

The effluent was clear and free of color at the time of the inspection.

Permit:

Comments:

The facility has a valid permit and the facility description, including units of treatment and receiving stream, is accurate.

Facility/Site:

Comments:

Facility/Site was rated as **unsatisfactory** due to the lack of an alternative power source. This is a violation of Part II. B. 5 of the permit which states, in part, that in order to maintain compliance with the effluent limitations and prohibitions of the permit, the permittee shall either provide an alternative power source or control the discharge in order to maintain compliance with the effluent limits. Walkways and gratings need to be replaced over the clarifiers and sludge tanks.

Operation:

Comments:

Operation was rated as **unsatisfactory**. Part II. B. 1 of the permit states, in part, that all waste collection, control, treatment, and disposal facilities shall be operated as efficiently as possible and in a manner which will minimize upsets and discharges of excessive pollutants. At the time of the inspection, return sludge pumps were not working, and skimmers were not operating properly. The clarifiers are covered with floating sludge. Heavy amounts of sludge have built up in the weir troughs. There is heavy grease and trash accumulation in the wet well of the lift station. Operation was rated as unsatisfactory due to inadequate certified operator on-site attendance. This is a violation of Part II. A. 14 of the permit and 327 IAC 5-22-3(11) which state, in part, responsible charge means the person responsible for the overall daily operation, supervision, or management of a wastewater facility.

Sludge:

Comments:

Sludge Disposal was rated as **unsatisfactory** because the digester/sludge storage is at full capacity and the facility is holding excessive solids throughout the treatment plant. Your facility has no alternative solids handling program in place. The removal of solids, on an as needed basis, is essential for proper operation of the wastewater treatment facility. You must develop and implement a solids handling program to ensure adequate solids removal from the facility. This is a violation of Part II. B. 1 of the permit which requires the permittee to properly remove and dispose of excessive solids and sludge. Also, Part II.B.4. of the permit requires the permittee to maintain records to demonstrate compliance with removal and disposal requirements.

Flow Measurement:

Comments:

The facility's flow measurement program, including all documentation, is adequate and representative. A new flowmeter and weir box has been installed at the plant.

Effluent Limits Compliance:

No 1. Were DMRs reviewed as part of the inspection?

Comments:

IDEM REPRESENTATIVE

Inspector Name:

Kevin Hotz

Email:

khotz@idem.IN.gov

Phone Number:

812-358-2027 ext. 235

IDEM MANAGER REVIEW

IDEM Manager:

Bridget S. Murphy

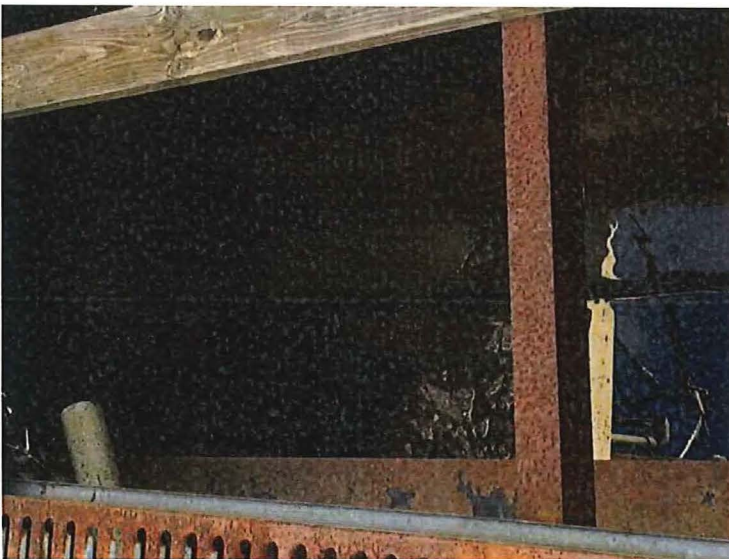
Date:

1/11/2016

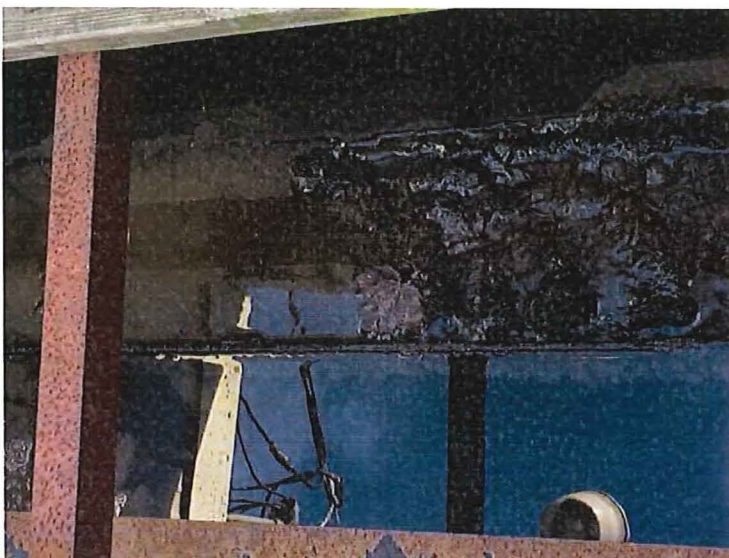
Inspection Photographs



Facility: Hillview Estates Subdivision
Photographer: David Denman
Date: 1/4/2016 Time:
Others Present: Kevin Hotz
Location/Description: Grease and trash in wet well



Facility: Hillview Estates Subdivision
Photographer: David Denman
Date: 1/4/2016 Time:
Others Present: Kevin Hotz
Location/Description: Floating sludge in clarifier



Facility: Hillview Estates Subdivision
Photographer: David Denman
Date: 1/4/2016 Time:
Others Present: Kevin Hotz
Location/Description: Sludge in weir trough



Indiana Department of Environmental Management

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Michael R. Pence
Governor

Carol S. Comer
Commissioner

8/30/2016

Via Email to: mshduke@yahoo.com

Mr. Merrill Henderson, President
Hillview Estates Subdivision Utilities, Inc.
12563 South Hillview Road
Columbus, Indiana 47201

Dear Mr. Henderson:

Re: **Inspection Summary/ Enforcement Referral**
Hillview Estates Subdivision
NPDES Permit No. IN0038938
Columbus, Bartholomew County

An inspection of the above-referenced facility or location was conducted by a representative of the Indiana Department of Environmental Management, Southeast Regional Office, pursuant to IC 13-18-3-9. A summary of the inspection is provided below:

Date(s) of Inspection: August 16, 2016
Type of Inspection: Complaint Investigation
Inspection Results: Violations were observed and will be referred to the Enforcement Section.

The following concerns were noted:

Effluent Appearance was rated as unsatisfactory due to raw sewage discharging directly into White Creek. Part I. A. 2 of the permit states, in part, the discharge from all point sources specified within this permit shall not cause receiving waters, including the mixing zone, to contain substances, materials, floating debris, oil, or scum: (1) that will settle to form putrescent or otherwise objectionable deposits; (2) that are in amounts sufficient to be unsightly or deleterious; (3) that produce color, visible oil sheen, odor, or other conditions in such degree as to create nuisance; (4) which are in amounts sufficient to be acutely toxic to, or to otherwise severely injure or kill aquatic life, other animals, plants, or humans; (5) which are in concentrations or combinations that will cause or contribute to the growth of aquatic plants or algae to such a degree as to create a nuisance, be unsightly, or otherwise impair the designated uses.

The CSO/SSO evaluation generated an unsatisfactory rating. Part II. B. 2 of the permit states, in part, that pursuant to 327 IAC 5-2-8(11) overflows are prohibited. An overflow pipe has been installed in the casing of the lift station wet well. Sewage has also spilled on the ground from a clean out pipe that has been installed next to the wet well.

Facility/Site was rated as unsatisfactory due to the lack of an alternative power source. This is a violation of Part II. B. 5 of the permit which states, in part, that in order to maintain compliance with the effluent limitations and prohibitions of the permit, the permittee shall either provide an alternative power source or control the discharge in order to maintain compliance with the effluent limits. The Facility/Site was rated unsatisfactory for lack of any alarm system for the facility. Part II. B. 1. b. of the permit requires that the facility be operated in a manner which will minimize discharges of excessive pollutants. An adequate alarm system is necessary to alert operators of equipment failure during hours when no attendant is on site.

Maintenance was rated as unsatisfactory due to the facility having the main lift station out of service due to electrical failure. This is a violation of Part II. B. 1 of the permit which states, in part, that all waste collection, control, treatment, and disposal facilities shall be operated as efficiently as possible and in a manner which will minimize upsets and discharges of excessive pollutants, with adequate operating staff which is duly qualified to carry out the operation, maintenance, and testing functions required to ensure compliance with the conditions of this permit.

Kevin Hotz drove by the plant on August 16th, 2016 and noted that there was a large amount of sewage flowing out around the bottom of the plant next to the entry door, and also under the entry door. The lift station cleanout line had also flowed onto the ground, but was no longer discharging. Sewage was flowing east into the ditch on the south side of the plant and into White Creek. IDEM's Emergency Response Staff was contacted and OCS Andrew Naumann was on site. Staff attempted to contact Mr. Merrill Henderson, President of the subdivision. After several attempts, he was finally located, but was unable to respond. Two members of the utilities arrived. It was determined that the lift station pumps were not functioning, and had tripped a breaker during a thunderstorm the previous night. During the time the pumps were out, sewage filled up the wet well. Subsequently, wastewater started flowing out of an overflow pipe in the side of the wet well. The overflow pipe is buried in the ground and exits near the door of the treatment plant where it was flowing out on the ground and into a ditch in front of the plant. When the breaker was reset by the maintenance men, the main lift station started pumping. A pipe in the wet well also had become disconnected and raw sewage was spewing onto the ground for a short time when the pumps were restarted. When the wet well level dropped below the level of the overflow pipe, the discharge ceased. Based on weather conditions and the plant design, the inspector estimates the overflow to be in excess of 25,000 gallons during the incident.

Review of records subsequent to the inspection revealed the following concerns:

The May and June 2016 DMRs and MROs were not received. Part I.B.3 of the permit states, in part, that the permittee shall submit monitoring reports postmarked no later than the 28th day of the month following each completed monitoring period. These reports shall include the Discharge Monitoring Report (DMR) and the Monthly Report of Operation (MRO). **The May and June 2016 DMRs and MROs must be submitted to this office as soon as possible.**

This matter is being referred to the OWQ Enforcement Section for appropriate action. If formal action is initiated, you will be issued a Notice of Violation informing you of how to proceed in resolving this matter. Please direct any questions to Kevin Hotz at

812-358-2027 ext. 235 or by email to khotz@idem.IN.gov. A copy of the NPDES
Wastewater Facility Inspection Report is enclosed for your records.

Sincerely,



Mark A. Amick, Director
Southeast Regional Office

Enclosure

Cc: Dave Tennis, Water Enforcement Section Chief



NPDES Wastewater Facility Inspection Report
INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

NPDES Permit Number: IN0038938	Facility Type: Mixed Ownership	Facility Classification: Minor	TEMPO AI ID 527
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Date(s) of Inspection: August 16, 2016

Type of Inspection: Complaint Investigation

Name and Location of Facility Inspected: Hillview Estates Subdivision SR 58 & CR 750 S Columbus IN 47202	County: Bartholomew	Receiving Waters: White Creek and tributary	Permit Expiration Date: 5/31/2020 Design Flow: .035MGD
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On Site Representative(s): First Name: Hubert Last Name: Baker Title: Vice President	Email:	Phone:
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Was a verbal summary of findings presented to the on-site representative? **Yes**

Certified Operator: Sally Brown	Number: 14805	Class: IV	Effective Date: 7-1-15	Expiration Date: 6-30-17	Email: wwlab@yahoo.com
------------------------------------	------------------	--------------	---------------------------	-----------------------------	---------------------------

Responsible Official: Mr. Merrill Henderson, President 12563 South Hillview Road Columbus, Indiana 47201	Permittee: Hillview Estates Subdivision Utilities, Inc. Email: mshduke@yahoo.com Phone: 812-342-4216 Fax:	Contacted? Yes
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INSPECTION FINDINGS

- Conditions evaluated were found to be satisfactory at the time of the inspection. (5)
- Violations were discovered but corrected during the inspection. (4)
- Potential problems were discovered or observed. (3)
- Violations were discovered and require a submittal from you and/or a follow-up inspection by IDEM. (2)
- Violations were discovered and may subject you to an appropriate enforcement response. (1)

AREAS EVALUATED DURING INSPECTION

(S = Satisfactory, M = Marginal, U = Unsatisfactory, N = Not Evaluated)

N	Receiving Waters	U	Facility/Site	N	Self-Monitoring	N	Compliance Schedules
U	Effluent Appearance	N	Operation	N	Flow Measurement	N	Pretreatment
N	Permit	U	Maintenance	N	Laboratory	N	Effluent Limits Compliance
U	CSO/SSO (Sewer Overflow)	N	Sludge	N	Records/Reports	U	Other: Unpermitted Discharge Complaint

DETAILED AREA EVALUATIONS

Effluent Appearance:

Comments:

Effluent Appearance was rated as **unsatisfactory** due to raw sewage discharging directly into White Creek. Part I. A. 2 of the permit states, in part, the discharge from all point sources specified within this permit shall not cause receiving waters, including the mixing zone, to contain substances, materials, floating debris, oil, or scum: (1) that will settle to form putrescent or otherwise objectionable deposits; (2) that are in amounts sufficient to be unsightly or deleterious; (3) that produce color, visible oil sheen, odor, or other conditions in such degree as to create nuisance; (4) which are in amounts sufficient to be acutely toxic to, or to otherwise severely injure or kill aquatic life, other animals, plants, or humans; (5) which are in concentrations or combinations that will cause or contribute to the growth of aquatic plants or algae to such a degree as to create a nuisance, be unsightly, or otherwise impair the designated uses.

CSO/SSO:

Comments:

The CSO/SSO evaluation generated an **unsatisfactory** rating. Part II. B. 2 of the permit states, in part, that pursuant to 327 IAC 5-2-8(11) overflows are prohibited. An overflow pipe has been installed in the casing of the lift station wet well. Sewage has also spilled on the ground from a clean out pipe that has been installed next to the wet well.

Facility/Site:

Comments:

Facility/Site was rated as **unsatisfactory** due to the lack of an alternative power source. This is a violation of Part II. B. 5 of the permit which states, in part, that in order to maintain compliance with the effluent limitations and prohibitions of the permit, the permittee shall either provide an alternative power source or control the discharge in order to maintain compliance with the effluent limits. The Facility/Site was rated unsatisfactory for lack of any alarm system for the facility. Part II. B. 1. b. of the permit requires that the facility be operated in a manner which will minimize discharges of excessive pollutants. **An adequate alarm system is necessary to alert operators of equipment failure during hours when no attendant is on site.**

Maintenance:

Comments:

Maintenance was rated as **unsatisfactory** due to the facility having the main lift station out of service due to electrical failure. This is a violation of Part II. B. 1 of the permit which states, in part, that all waste collection, control, treatment, and disposal facilities shall be operated as efficiently as possible and in a manner which will minimize upsets and discharges of excessive pollutants, with adequate operating staff which is duly qualified to carry out the operation, maintenance, and testing functions required to ensure compliance with the conditions of this permit.

Effluent Limits Compliance:

No 1. Were DMRs reviewed as part of the inspection?

Comments:

Other:

Unpermitted Discharge Complaint

Comments:

Kevin Hotz drove by the plant on August 16th, 2016 and noted that there was a large amount of sewage flowing out around the bottom of the plant next to the entry door, and also under the entry door. The lift station cleanout line had also flowed onto the ground, but was no longer discharging.

Sewage was flowing east into the ditch on the south side of the plant and into White Creek. IDEM's Emergency Response Staff was contacted and OCS Andrew Naumann was on site. Staff attempted to contact Mr. Merrill Henderson, President of the subdivision. After several attempts, he was finally located, but was unable to respond. Two members of the utilities arrived.

It was determined that the lift station pumps were not functioning, and had tripped a breaker during a thunderstorm the previous night. During the time the pumps were out, sewage filled up the wet well. Subsequently, wastewater started flowing out of an overflow pipe in the side of the wet well. The overflow pipe is buried in the ground and exits near the door of the treatment plant where it was flowing out on the ground and into a ditch in front of the plant. When the breaker was reset by the maintenance men, the main lift station started pumping. A pipe in the wet well also had become disconnected and raw sewage was spewing onto the ground for a short time when the pumps were restarted. When the wet well level dropped below the level of the overflow pipe, the discharge ceased. Based on weather conditions and the plant design, the inspector estimates **the overflow to be in excess of 25,000 gallons during the incident.**

IDEM REPRESENTATIVE

Inspector Name:	Email:	Phone Number:
Kevin Hotz	khotz@idem.IN.gov	812-358-2027 ext. 235
Other staff participating in the inspection:		
Name(s)	Phone Number(s)	
Andrew Naumann	317-409-1573	

IDEM MANAGER REVIEW

IDEM Manager:	Date:
Mark A. Amick	8/27/2016

Inspection Photographs



Facility: Hillview Estates Subdivision
Photographer: Kevin Hotz
Date: 8/16/2016 Time:
Others Present: Andrew Naumann
Location/Description: Sewage coming out of the ground near the garage door.



Facility: Hillview Estates Subdivision
Photographer: Kevin Hotz
Date: 8/16/2016 Time:
Others Present: Andrew Naumann
Location/Description: Sewage coming out of the overflow pipe near the garage door.



Facility: Hillview Estates Subdivision
Photographer: Kevin Hotz
Date: 8/16/2016 Time:
Others Present: Andrew Naumann
Location/Description: Sewage solids on ground flowing into ditch.



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Eric J. Holcomb
Governor

Bruno Pigott
Commissioner

4/10/2017

Via Email to: mshduke@yahoo.com

Mr. Merrill Henderson, President
Hillview Estates Subdivision Utilities
12563 South Hillview Road
Columbus, Indiana 47201

Dear Mr. Henderson:

Re: **Inspection Summary/ Noncompliance Letter**
Hillview Estates Subdivision
NPDES Permit No. IN0038938
Columbus, Bartholomew County

An inspection of the above-referenced facility or location was conducted by a representative of the Indiana Department of Environmental Management, Southeast Regional Office, pursuant to IC 13-18-3-9. A summary of the inspection is provided below:

Date(s) of Inspection: April 06, 2017
Type of Inspection: Compliance Evaluation Inspection
Inspection Results: Violations were observed.

1. Facility/Site was rated unsatisfactory for lack of any alarm system for the facility. Part II. B. 1. b. of the permit requires that the facility be operated in a manner which will minimize discharges of excessive pollutants. An adequate alarm system is necessary to alert operators of equipment failure during hours when no attendant is on site. It was noted that the facility has a standby generator that is tested on a regular basis. The generator is located inside the building and will power the entire plant. Walkways and gratings in some areas of the plant have been replaced, and rails have been welded to the superstructure. A permanent wooden staircase has been added for access to the upper portion of the plant.

Maintenance was rated as unsatisfactory due to an inadequate preventative maintenance program. This is a violation of Part II. B. 1 of the permit which requires all facilities to be operated and maintained as efficiently as possible and in a manner which will minimize upsets and discharges of excessive pollutants. The facility has several points on the aeration tank walls that have rusted completely through. The bulkhead that separates the digester from the mixed liquor tank is extremely deteriorated and has totally rusted through and delaminated. The bulkhead needs to be repaired as soon as possible. There are three aeration headers that are missing and may have fallen into the mixed liquor tank. The headers need to be replaced.

The Effluent Limits Compliance area was rated **unsatisfactory** due to the following self-reported violations of the limits detailed in Part I. A. of the NPDES Permit:

Month	Year	Outfall	Parameter	Type	Conc./Loading	Number
Oct	2016	001	Ammonia Nitrogen	Monthly Avg.	Conc.	1
Oct	2016	001	Ammonia Nitrogen	Max. Wkly. Avg.	Conc.	2
Nov	2016	001	Ammonia Nitrogen	Monthly Avg.	Conc.	1
Nov	2016	001	Ammonia Nitrogen	Max. Wkly. Avg.	Conc.	2
Feb	2017	001	Ammonia Nitrogen	Max. Wkly. Avg.	Conc.	1
Mar	2017	001	Ammonia Nitrogen	Max. Wkly. Avg.	Conc.	1

Review of records subsequent to the inspection revealed the following concerns:

The **August and September 2016** DMRs and MROs have *still* not been submitted. Part I.B.3 of the permit requires the permittee to submit monitoring reports no later than the 28th day of the month following each completed monitoring period. These reports shall include the Discharge Monitoring Report (DMR) and the Monthly Report of Operation (MRO). *The August & September 2016 DMRs and MROs must be submitted in NetDMR as soon as possible.*

Part II. A. 1. of your permit requires you to comply with its terms and conditions. Any noncompliance with the terms of your permit may subject you to an enforcement action which can include the imposition of penalties. You are required to immediately take all necessary measures to comply with the terms and conditions of your NPDES Permit, specifically those violations identified above.

This information is being forwarded to the OWQ Enforcement Section for consideration in conjunction with your Agreed Order, Case No. 2009-18684-W. Please direct any response to this letter and any questions to Kevin Hotz at 812-358-2027 ext. 235 or by email to khotz@idem.IN.gov. A copy of the NPDES Wastewater Facility Inspection Report is enclosed for your records.

Sincerely,



Mark A. Amick, Director
Southeast Regional Office

Enclosure

Cc: Dave Tennis, Water Enforcement Section Chief



NPDES Wastewater Facility Inspection Report
INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

NPDES Permit Number: IN0038938	Facility Type: Mixed Ownership	Facility Classification: Minor	TEMPO AI ID 527
Date(s) of Inspection: April 06, 2017			
Type of Inspection: Compliance Evaluation Inspection			
Name and Location of Facility Inspected: Hillview Estates Subdivision SR 58 & CR 750 S Columbus IN 47202		County: Bartholomew	Receiving Waters: White Creek
			Permit Expiration Date: 6/30/2020 Design Flow: .035MGD
On Site Representative(s): First Name Last Name Title Email Phone Jason Combs Operator combsjb@gmail.com 812-752-4490			
Was a verbal summary of findings presented to the on-site representative? Yes			
Certified Operator: Jason Combs	Number: 17969	Class: III	Effective Date: 7-1-15
			Expiration Date: 6-30-17
			Email: combsjb@gmail.com
Responsible Official: Mr. Merrill Henderson, President 12563 South Hillview Road Columbus, Indiana 47201		Permittee: Hillview Estates Subdivision Utilities Email: mshduke@yahoo.com Phone: 812-371-3541 Fax:	
		Contacted? No	
INSPECTION FINDINGS			
<input type="radio"/> Conditions evaluated were found to be satisfactory at the time of the inspection. (5) <input type="radio"/> Violations were discovered but corrected during the inspection. (4) <input type="radio"/> Potential problems were discovered or observed. (3) <input checked="" type="radio"/> Violations were discovered and require a submittal from you and/or a follow-up inspection by IDEM. (2) <input type="radio"/> Violations were discovered and may subject you to an appropriate enforcement response. (1)			
AREAS EVALUATED DURING INSPECTION			
(S = Satisfactory, M = Marginal, U = Unsatisfactory, N = Not Evaluated)			
S	Receiving Waters	U	Facility/Site
S	Effluent Appearance	S	Operation
S	Permit	U	Maintenance
N	CSO/SSO (Sewer Overflow)	S	Sludge
S		S	Self-Monitoring
S		S	Flow Measurement
S		S	Laboratory
S		S	Records/Reports
S		S	Compliance Schedules
N		N	Pretreatment
N		U	Effluent Limits Compliance
N		N	Other:
DETAILED AREA EVALUATIONS			
Receiving Waters:			
S 1. The receiving stream was visibly free of excessive deposits of settled solids, floating debris, oil, scum, or billowy foam.			
Comments: The receiving stream was free of notable foam, algae or solids. The receiving stream was very high from recent heavy rain.			
Effluent Appearance:			
S 1. Treated effluent was free of excessive solids, floating debris, oil, scum, or billowy foam.			
Comments: The effluent was slightly turbid, but there was no foam or floating debris.			
Permit:			
S 1. Did the facility have a current copy of the permit available for reference?			
N 2. If the permit expires within 180 days, has a renewal application been submitted?			
S 3. Receiving waters were accurately described in permit.			
N 4. The permit has been properly transferred if there is a new owner.			

Comments:

The facility was found to have a valid permit and the facility description, including units of treatment and receiving stream, is accurate.

CSO/SSO:

- N 1. CSO's were found to be adequately monitored and maintained.
- N 2. Evaluation of maintenance-related (clogged or blocked lines) overflow events in last 12 months.
- N 2. Evaluation of hydraulic (I&I) overflow events in last 12 months.
- N 3. Facility has met SSO and dry weather CSO reporting requirements
- N 4. Any adverse impacts from SSO and CSO events have been properly mitigated.

Comments:

Facility/Site:

- S 1. The facility was found to have standby power or equivalent provision.
- U 2. An adequate alarm or notification system for power or equipment failure was available for the treatment facility and lift stations.
- S 3. Safe and adequate access was provided for inspection of all units and outfalls.
- N 4. Facilities and equipment did not appear beyond their useful life.
- 5. List any safety concerns:

Comments:

Facility/Site was rated **unsatisfactory** for lack of any alarm system for the facility. Part II. B. 1. b. of the permit requires that the facility be operated in a manner which will minimize discharges of excessive pollutants. An adequate alarm system is necessary to alert operators of equipment failure during hours when no attendant is on site.

It was noted that the facility has a standby generator that is tested on a regular basis. The generator is located inside the building and will power the entire plant. Walkways and gratings in some areas of the plant have been replaced, and rails have been welded to the superstructure. A permanent wooden staircase has been added for access to the upper portion of the plant.

Operation:

- S 1. All facilities and systems necessary for achieving compliance with the terms and conditions of the permit were operated efficiently, including a report for an anticipated bypass report for steps of treatment taken out of service.
- S 2. An adequate, qualified operating staff was found to be provided to carry out the operation of the facility, including:
 - a. Certified Operator's on-site attendance and/or qualified operations personnel attendance was adequate.
 - b. Adequate documentation of operational activities, including system monitoring and cleaning.
 - c. Adequate funding to ensure proper operation.
- S 3. Solids handling procedures include:
 - a. Sufficient solids wasted from the treatment system, in a timely manner, to maintain process efficiency.
 - b. Wasting of solids based on appropriate operational targets and valid process control testing.
 - c. Adequate documentation of solids removal, handling, or control was available for review.
- S 4. The facility was found to be operated efficiently during wet weather events.

Comments:

All units of treatment appeared to be operating efficiently. There was a minor amount of floating sludge and material wrapped around pipes in the aeration tank. There have been recent reports of the plant overflowing. The bypass point from the raw sewage wet well to the inside of the building has been eliminated. New wiring has been installed in the plant, and the electrical panels and floats in the wet well have been replaced.

Maintenance:

- S 1. A maintenance record system has been established and includes maintenance/repair history and preventative maintenance plan.
- U 2. Facility maintenance activities appeared to be adequate.
- S 3. Lift stations were found to be adequately inspected, cleaned, and maintained, with adequate documentation of activities.
- N 4. Collection system maintenance activities appeared to be adequate.

Comments:

Maintenance was rated as **unsatisfactory** due to an inadequate preventative maintenance program. This is a

violation of Part II. B. 1 of the permit which requires all facilities to be operated and maintained as efficiently as possible and in a manner which will minimize upsets and discharges of excessive pollutants.

The facility has several points on the aeration tank walls that have rusted completely through. The bulkhead that separates the digester from the mixed liquor tank is extremely deteriorated and has totally rusted through and delaminated. The bulkhead needs to be repaired as soon as possible. There are 3 aeration headers that are missing and may have fallen into the mixed liquor tank. The headers need to be replaced.

Sludge:

S 1. Sludges, screenings, and slurries were found to be handled and disposed of properly.

Comments:

A records review during the inspection showed adequate wasting, handling, and disposal of sludge. Sludge has been hauled from the plant four times since September 2016.

Self-Monitoring:

S 1. Samples were found to be taken at pre-designated locations and were found to be representative.

N 2. Flow-proportioned samples were found to be obtained where needed.

S 3. The facility was found to conduct sampling of all waste streams, including type and frequency, as required in the permit.

S 4. Sample collection procedures, including automatic sampling, were found to include:

- a. Samples refrigerated during compositing.
- b. Proper preservation techniques used.
- c. Containers and holding times conformed to 40 CFR 136.3.

S 5. Sample documentation was found to be adequate and included:

- a. Dates, times, and locations of sampling.
- b. Name of individual performing sampling.
- c. Instantaneous flow for flow-weighted aliquots.
- d. Chain of Custody records.

N 6. NPDES Permit Whole Effluent Toxicity (WET) testing requirements were found to be met.

Comments:

The Self Monitoring Program was rated as satisfactory. All sampling practices, including raw and intermediate unit process testing, are conducted accurately and at the frequency required by the permit.

Flow Measurement:

S 1. Flow was found to be properly monitored as required by the permit.

N 2. Flow data and calibration records were available for review.

Comments:

The effluent flow meter was last calibrated in October 2016. A stainless steel channel has been added to the v-notch area, and the entire flow metering and chlorination area has been rebuilt.

Laboratory:

The following laboratory records were reviewed:

Chain-of-Custody Contract Lab Reports

N 1. The laboratory practices and protocol reviewed were adequate, including:

- a. A written laboratory QA/QC manual was available.
- b. Samples were found to be properly stored.
- c. Approved analytical methods were found to be used.
- d. Calibration and maintenance of instruments was found to be adequate.
- e. QA/QC procedures were found to be adequate.
- f. Dates of analyses (and times where required) were recorded.
- g. Name of person performing analyses was recorded.

S 2. Review of lab records and/or on-site field testing equipment and protocols was found to be adequate.

Contract Lab Information

Combs Wastewater Lab	3726 E. Deer Creek Dr. , Marysville 47141
Jason Combs	

Comments:

The bench sheets reviewed during the inspection appeared to be accurate and complete. pH and chlorine test equipment is on site.

Records/Reports:

The following records/reports were reviewed:

DMRs for the period of September 2016 to March 2017 were reviewed as part of the inspection.

- N 1. All facility records for the period including the previous three years were available for review.
- S 2. DMRs and MROs were found to be completed properly and accurately including:
 - a. "No Ex" column was accurate.
 - b. Signatory requirements were met.
 - c. Reports were prepared by or under the direction of a certified operator.
- S 3. Bypass and Noncompliance reporting were found to be adequate.

Comments:

The requested records were available and appeared to be complete and accurate. Records were only checked back to the time when Jason Combs assumed responsibility for the plant.

Compliance Schedules:

- N 1. The NPDES Permit Schedule of Compliance monitoring and reporting milestones have been met.
- S 2. Agreed Order compliance milestones have been met.

Comments:

The facility is current with all milestones in the Agreed Order.

Pretreatment:

- N 1. No evidence of interference from industrial or other sources of toxic substances was noted.
- N 2. For both Delegated and Non-Delegated pretreatment programs:
 - a. Industrial or commercial dischargers were found to be regulated as required.
 - b. The permittee was found to enforce the Sewer Use Ordinance (SOU) and the Enforcement Response Plan (ERP).
- N 3. If the non-delegated permittee accepts hauled waste:
 - a. Does the POTW provide written permission to haulers?
 - b. Does the POTW obtain samples from each hauled waste load and retain them for at least 48 hours?
 - c. Does the POTW retain records of each load?

Comments:

Effluent Limits Compliance:

Yes 1. Were DMRs reviewed as part of the inspection?

DMRs for the period of September 2016 to March 2017 were reviewed as part of the inspection.

Yes 2. Were violations noted during the review of DMRs?

The Effluent Limits Violations area was rated unsatisfactory due to the following self-reported violations of the limits detailed in Part I. A. of the NPDES Permit:

Month	Year	Outfall	Parameter	Type	Conc./Loading	Number
Oct	2016	001	Ammonia Nitrogen	Monthly Avg.	Conc.	1
Oct	2016	001	Ammonia Nitrogen	Max. Wkly. Avg.	Conc.	2
Nov	2016	001	Ammonia Nitrogen	Monthly Avg.	Conc.	1
Nov	2016	001	Ammonia Nitrogen	Max. Wkly. Avg.	Conc.	2
Feb	2017	001	Ammonia Nitrogen	Max. Wkly. Avg.	Conc.	1
Mar	2017	001	Ammonia Nitrogen	Max. Wkly. Avg.	Conc.	1

Comments:

IDEM REPRESENTATIVE

Inspector Name: Kevin Hotz Email: khotz@idem.IN.gov Phone Number: 812-358-2027 ext. 235

IDEM MANAGER REVIEW

IDEM Manager: Bridget S. Murphy Date: 4/8/2017



Indiana Department of Environmental Management

We Protect Hoosiers and Our Environment.

100 N. Senate Avenue • Indianapolis, IN 46204
(800) 451-6027 • (317) 232-8603 • www.idem.IN.gov

Eric J. Holcomb
Governor

Bruno Pigott
Commissioner

March 01, 2018

Via Email to: mshduke@yahoo.com

Mr. Merrill Henderson, President
Hillview Estates Subdivision Utilities
12563 South Hillview
Columbus, Indiana 47201

Dear Mr. Henderson:

Re: Inspection Summary Letter
Hillview Estates Subdivision
NPDES Permit No. IN0038938
Columbus, Bartholomew County

An inspection of the above-referenced facility or location was conducted by a representative of the Indiana Department of Environmental Management, Southeast Regional Office, pursuant to IC 13-18-3-9. A summary of the inspection is provided below:

Date(s) of Inspection: February 26, 2018
Type of Inspection: Compliance Evaluation Inspection
Inspection Results: Potential problems were discovered or observed.

1. The Maintenance portion was rated as marginal. The bulkhead wall between the digester and the mixed liquor tank is in need of repairs. The top of the wall near the sides of the tank are extremely corroded, and in some points has delaminated.

The Effluent Limits Compliance area was rated **marginal** due to the following self-reported violations of the limits detailed in Part I. A. of the NPDES Permit:

Month	Year	Outfall	Parameter	Type	Conc./Loading	Number
Feb	2017	001	Ammonia Nitrogen	Max. Wkly. Avg.	Loading	1

A copy of the NPDES Wastewater Facility Inspection Report is enclosed for your records. Please direct any response to this letter and any questions to Kevin Hotz at 812-358-2027 ext. 235 or by email to khotz@idem.IN.gov.

Sincerely,

A handwritten signature in black ink that reads "Mark A. Amick". The signature is written in a cursive style with a large, prominent initial "M".

Mark A. Amick, Director
Southeast Regional Office

Enclosure



NPDES Wastewater Facility Inspection Report
INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

NPDES Permit Number: IN0038938	Facility Type: Mixed Ownership	Facility Classification: Minor	TEMPO AI ID 527
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Date(s) of Inspection: February 26, 2018

Type of Inspection: Compliance Evaluation Inspection

Name and Location of Facility Inspected: Hillview Estates Subdivision SR 58 & CR 750 S Columbus IN 47202	County: Bartholomew	Receiving Waters: White Creek and tributary	Permit Expiration Date: 6/30/2020 Design Flow: .035MGD
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On Site Representative(s): First Name: Jason Last Name: Combs Title: Operator Email: combsjb@aol.com Phone: 812-820-5149

Was a verbal summary of findings presented to the on-site representative?

Certified Operator: Jason Combs	Number: 16687	Class: III	Effective Date: 7-1-17	Expiration Date: 6-30-19	Email: combsjb@aol.com
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Responsible Official: Mr. Merrill Henderson, President 12563 South Hillview Columbus, Indiana 47201	Permittee: Hillview Estates Subdivision Utilities
	Email: mshduke@yahoo.com
	Phone: 812-342-4216
	Contacted? No

INSPECTION FINDINGS

- Conditions evaluated were found to be satisfactory at the time of the inspection. (5)
- Violations were discovered but corrected during the inspection. (4)
- Potential problems were discovered or observed. (3)
- Violations were discovered and require a submittal from you and/or a follow-up inspection by IDEM. (2)
- Violations were discovered and may subject you to an appropriate enforcement response. (1)

AREAS EVALUATED DURING INSPECTION

(S = Satisfactory, M = Marginal, U = Unsatisfactory, N = Not Evaluated)

S	Receiving Waters	S	Facility/Site	S	Self-Monitoring	S	Compliance Schedules
S	Effluent Appearance	S	Operation	S	Flow Measurement	N	Pretreatment
S	Permit	M	Maintenance	S	Laboratory	M	Effluent Limits Compliance
S	Collection System	S	Sludge	S	Records/Reports	N	Other:

DETAILED AREA EVALUATIONS

Receiving Waters:

S 1. The receiving stream was visibly free of excessive deposits of settled solids, floating debris, oil, scum, or billowy foam.

Comments:

The receiving stream was free of notable foam, algae or solids. The stream was high due to heavy rains.

Effluent Appearance:

S 1. Treated effluent was free of excessive solids, floating debris, oil, scum, or billowy foam.

Comments:

The effluent was clear and free of color at the time of the inspection. The effluent was exceptionally clear.

Permit:

- S 1. Did the facility have a current copy of the permit available for reference?
- N 2. If the permit expires within 180 days, has a renewal application been submitted?
- S 3. Receiving waters were accurately described in permit.
- N 4. The permit has been properly transferred if there is a new owner.

Comments:

The facility was found to have a valid permit and the facility description, including units of treatment and receiving stream, is accurate.

Collection System:

- N 1. CSO's were found to be adequately monitored and maintained.
- S 2. Evaluation of maintenance-related (clogged or blocked lines) overflow events in last 12 months.
- S 2. Evaluation of hydraulic (I&I) overflow events in last 12 months.
- N 3. Facility has met SSO and dry weather CSO reporting requirements
- N 4. Any adverse impacts from SSO and CSO events have been properly mitigated.

Comments:

There have been no sewer overflow event in the last 12 months.

Facility/Site:

- S 1. The facility was found to have standby power or equivalent provision.
- S 2. An adequate alarm or notification system for power or equipment failure was available for the treatment facility and lift stations.
- S 3. Safe and adequate access was provided for inspection of all units and outfalls.
- S 4. Facilities and equipment did not appear beyond their useful life.
- 5. List any safety concerns:

Comments:

It was noted that the facility has a standby generator that is tested on a regular basis.

Operation:

- S 1. All facilities and systems necessary for achieving compliance with the terms and conditions of the permit were operated efficiently, including a report for an anticipated bypass report for steps of treatment taken out of service.
- S 2. An adequate, qualified operating staff was found to be provided to carry out the operation of the facility, including:
 - a. Certified Operator's on-site attendance and/or qualified operations personnel attendance was adequate.
 - b. Adequate documentation of operational activities, including system monitoring and cleaning.
 - c. Adequate funding to ensure proper operation.
- S 3. Solids handling procedures include:
 - a. Sufficient solids wasted from the treatment system, in a timely manner, to maintain process efficiency.
 - b. Wasting of solids based on appropriate operational targets and valid process control testing.
 - c. Adequate documentation of solids removal, handling, or control was available for review.
- S 4. The facility was found to be operated efficiently during wet weather events.

Comments:

All units of treatment appeared to be operating efficiently. Liquid sludge is removed about four times a year. Sludge that was present near the discharge point has been removed, and the area is partially filled with soil.

Maintenance:

- S 1. A maintenance record system has been established and includes maintenance/repair history and preventative maintenance plan.
- M 2. Facility maintenance activities appeared to be adequate.
- S 3. Lift stations were found to be adequately inspected, cleaned, and maintained, with adequate documentation of activities.
- N 4. Collection system maintenance activities appeared to be adequate.

Comments:

The Maintenance portion was rated as **marginal**. The bulkhead wall between the digester and the mixed liquor tank is in need of repairs. The top of the wall near the sides of the tank are extremely corroded, and in some points has delaminated.

Sludge:

- S 1. Sludges, screenings, and slurries were found to be handled and disposed of properly.

Comments:

A records review during the inspection showed adequate wasting, handling, and disposal of sludge. Solids and debris are also pumped from the lift station on regular basis.

Self-Monitoring:

- S 1. Samples were found to be taken at pre-designated locations and were found to be representative.
- N 2. Flow-proportioned samples were found to be obtained where needed.
- S 3. The facility was found to conduct sampling of all waste streams, including type and frequency, as required in the permit.

- S 4. Sample collection procedures, including automatic sampling, were found to include:
 - a. Samples refrigerated during compositing.
 - b. Proper preservation techniques used.
 - c. Containers and holding times conformed to 40 CFR 136.3.
- S 5. Sample documentation was found to be adequate and included:
 - a. Dates, times, and locations of sampling.
 - b. Name of individual performing sampling.
 - c. Instantaneous flow for flow-weighted aliquots.
 - d. Chain of Custody records.
- N 6. NPDES Permit Whole Effluent Toxicity (WET) testing requirements were found to be met.

Comments:

The Self Monitoring Program was rated as satisfactory. All sampling practices, including raw and intermediate unit process testing, are conducted accurately and at the frequency required by the permit.

Flow Measurement:

- S 1. Flow was found to be properly monitored as required by the permit.
- S 2. Flow data and calibration records were available for review.

Comments:

The effluent flow meter was last calibrated on January 4, 2018. At the time of the inspection, the flow was at the maximum range for the flowmeter.

Laboratory:

The following laboratory records were reviewed:

Contract Lab Reports

- N 1. The laboratory practices and protocol reviewed were adequate, including:
 - a. A written laboratory QA/QC manual was available.
 - b. Samples were found to be properly stored.
 - c. Approved analytical methods were found to be used.
 - d. Calibration and maintenance of instruments was found to be adequate.
 - e. QA/QC procedures were found to be adequate.
 - f. Dates of analyses (and times where required) were recorded.
 - g. Name of person performing analyses was recorded.
- S 2. Review of lab records and/or on-site field testing equipment and protocols was found to be adequate.

Contract Lab Information

J. C. Laboratory	3726 E. Deer Creek Dr., Marysville, IN 47141
Jason Combs	812-820-5149

Comments:

pH and dissolved oxygen are performed on site. The lab has participated in the DMR/QA program in the past.

Records/Reports:

The following records/reports were reviewed:

DMRs for the period of January 2017 to December 2017 were reviewed as part of the inspection.

- N 1. All facility records for the period including the previous three years were available for review.
- S 2. DMRs and MROs were found to be completed properly and accurately including:
 - a. "No Ex" column was accurate.
 - b. Signatory requirements were met.
 - c. Reports were prepared by or under the direction of a certified operator.
- S 3. Bypass and Noncompliance reporting were found to be adequate.

Comments:

The requested records were available and appeared to be complete and accurate.

Compliance Schedules:

- N 1. The NPDES Permit Schedule of Compliance monitoring and reporting milestones have been met.
- N 2. Agreed Order compliance milestones have been met.

Comments:

There is no Schedule of Compliance in the current permit, and there is no Agreed Order.

Pretreatment:

- N 1. No evidence of interference from industrial or other sources of toxic substances was noted.
- N 2. For both Delegated and Non-Delegated pretreatment programs:
 - a. Industrial or commercial dischargers were found to be regulated as required.
 - b. The permittee was found to enforce the Sewer Use Ordinance (SOU) and the Enforcement Response Plan (ERP).
- N 3. If the non-delegated permittee accepts hauled waste:
 - a. Does the POTW provide written permission to haulers?
 - b. Does the POTW obtain samples from each hauled waste load and retain them for at least 48 hours?
 - c. Does the POTW retain records of each load?

Comments:

Effluent Limits Compliance:

Yes 1. Were DMRs reviewed as part of the inspection?

DMRs for the period of January 2017 to December 2017 were reviewed as part of the inspection.

Yes 2. Were violations noted during the review of DMRs?

The Effluent Limits Violations area was rated marginal due to the following self-reported violations of the limits detailed in Part I. A. of the NPDES Permit:

Month	Year	Outfall	Parameter	Type	Conc./Loading	Number
Feb	2017	001	Ammonia Nitrogen	Max. Wkly. Avg.	Loading	1

Comments:

IDEM REPRESENTATIVE

Inspector Name: Kevin Hotz	Email: khotz@idem.IN.gov	Phone Number: 812-358-2027 ext. 235
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IDEM MANAGER REVIEW

IDEM Manager: Mark A. Amick	Date: 2/28/2018
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INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
We Protect Hoosiers and Our Environment.

Mitchell E. Daniels, Jr.
Governor

July 13, 2010

100 North Senate Avenue
Indianapolis, Indiana 46204
(317) 232-8603
Toll Free (800) 451-6027
www.idem.IN.gov

Thomas W. Easterly
Commissioner

STATE OF INDIANA)	SS:	BEFORE THE INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
)		
COUNTY OF MARION)		
)		
COMMISSIONER OF THE DEPARTMENT OF ENVIRONMENTAL MANAGEMENT)		
)		
)		
)	Complainant,	
)		
)	v.	Case No. 2009-18684-W
)		
HILLVIEW ESTATES SUBDIVISION UTILITIES, INC.)		
)		
)		
)	Respondent.	

**NOTICE AND ORDER OF THE
COMMISSIONER OF THE INDIANA
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**

Via Certified Mail No.: 91 7190 0005 2710 0006 5667

To: Merrill Henderson, President and
Joe Clipp, Registered Agent
Hillview Estates Subdivision Utilities, Inc.
12395 South Hillview Way
Columbus, IN 47201

This Notice and Order of the Commissioner of the Department of Environmental Management (Order) is issued against Hillview Estates Subdivision Utilities, Inc. (Respondent) pursuant to Indiana Code (IC) 13-30-3-4, IC 13-30-3-10, and IC 13-30-3-11, and is based on violations found during an investigation conducted by the Indiana Department of Environmental Management (IDEM). The investigation revealed that Respondent violated 327 Indiana Administrative Code (IAC), IC, and its National Pollutant Discharge Elimination System (NPDES) Permit No. IN0038938 (Permit), as specified below:

Commissioner's Order: 2009-18684-W
Hillview Estates Subdivision Utilities, Inc.
NPDES IN0038938
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FINDINGS

1. Respondent owns and operates a Class I semi public wastewater treatment plant (WWTP) located at 12412 South Hillview Way in Columbus, Bartholomew County, Indiana (the "Site").
2. Pursuant to 327 IAC 2-1-6(a)(1) and Part I.A.2. of the Permit, all waters at all times and at all places, including the mixing zone, shall meet the minimum conditions of being free from substances, materials, floating debris, oil, or scum attributable to municipal, industrial, agricultural, and other land use practices, or other discharges:
 - a. that will settle to form putrescent or otherwise objectionable deposits;
 - b. that are in amounts sufficient to be unsightly or deleterious;
 - c. that produce color, visible oil sheen, odor, or other conditions in such degree as to create a nuisance;
 - d. which are in amounts sufficient to be acutely toxic to, or to otherwise severely injure or kill aquatic life, other animals, plants, or humans; and
 - e. which are in concentrations or combinations that will cause or contribute to the growth of aquatic plants or algae to such degree as to create a nuisance, be unsightly, or otherwise impair the designated uses.

Pursuant to IC 13-18-4-5, it is unlawful for any person to throw, run, drain, or otherwise dispose into any of the streams or waters of this state, or to cause, permit, or suffer to be thrown, run, drained, allowed to seep, or otherwise disposed into any waters, any organic or inorganic matter that causes or contributes to a polluted condition of any waters, as determined by a rule of the board adopted under IC 13-18-4-1 and IC 13-18-4-3.

Pursuant to IC 13-30-2-1(1), no person may discharge, emit, cause, allow, or threaten to discharge, emit, cause, or allow any contaminant or waste, including any noxious odor, either alone or in combination with contaminants from other sources, into the environment or into any publicly owned treatment works in any form which causes or would cause pollution which violates or which would violate rules, standards, or discharge or emission requirements adopted by the appropriate board under the environmental management laws.

During a facility inspection on December 10, 2007, IDEM observed sludge in a

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Hillview Estates Subdivision Utilities, Inc.
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ditch holding area, prior to the receiving stream. Also, during a facility inspection on March 10, 2009, IDEM observed sludge in the receiving stream and the ditch leading to the receiving stream. These occurrences are in violation of 327 IAC 2-1-6(a)(1) and Part I.A.2. of the Permit, IC 13-18-4-5, and IC 13-30-2-1(1).

3. Pursuant to 327 IAC 5-2-8(1), Respondent is required to comply with all terms and conditions of the Permit. Pursuant to Part I.A.1 of the Permit, Respondent is required to meet flow monitoring requirements and effluent limitations for pH, carbonaceous biochemical oxygen demand, five day (cBOD5), total suspended solids (TSS), ammonia nitrogen (NH3-N), E. coli, total residual chlorine (TCL), and dissolved oxygen (DO) for the Site.

During a facility inspection on March 10, 2007, IDEM observed that the flow meter needed calibration and that the WWTP operator stated that the flow meter sometimes exceeds its range. IDEM records review showed that effluent violations occurred for: NH3-N for the months of January, July, and October 2007; DO for the months of October 2006, and February and July 2007; TRC for the month of July 2007; and E. coli for the months of October 2006 and April 2007. All of these occurrences are in violation of 327 IAC 5-2-8(1) and Part I.A.1 of the Permit.

4. Pursuant to 327 IAC 5-2-8(8) and Part II.B.1. of the Permit, Respondent is required to maintain in good working order and efficiently operate all facilities (and related appurtenances) for collection and treatment that are:
 - a. installed or used by the permittee; and
 - b. necessary for achieving compliance with the terms and conditions of the permit.

During a facility inspection on December 10, 2007, IDEM observed several operational deficiencies, including: lack of any alarm system for power or equipment failure; inadequate lift station cleaning with presence there of excess grease which causes foaming when it reaches the secondary treatment aeration process mixed liquor tank. During a facility inspection on March 10, 2009, IDEM observed several operational deficiencies, including: excessively high solids inventory; no back up emergency power available; severe rusting and pipe hanger damage; large crack in wall of treatment process tank. These conditions are in violation of 327 IAC 5-2-8(8) and Part II.B.1. of the Permit.

5. Pursuant to Part II.B.5. of the Permit, in order to maintain compliance with the effluent limitations and permit conditions, the permittee shall either:
 - a. provide an alternative power source to maintain compliance, or
 - b. shall halt, reduce, or otherwise control all discharge in order to maintain compliance upon the reduction, loss, or failure of one or more of the

Commissioner's Order: 2009-18684-W
Hillview Estates Subdivision Utilities, Inc.
NPDES IN0038938
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primary sources of power.

During facility inspections on December 10, 2007 and March 10, 2009, IDEM observed that no back-up power was available, in violation of 327 IAC 5-2-8(1) and Part II.B.5. of the Permit.

6. Pursuant to Part I.B.8. of the Permit, all records and information resulting from monitoring activities required by the permit shall be retained for a minimum of three (3) years. In cases where the original records are kept at another location, a copy of all such records shall be kept at the permitted facility.

During a facility inspection on December 10, 2007, IDEM observed that operations log books were not available on site, in violation of Part I.B.8. of the Permit.

7. On September 17, 2009, a Notice of Violation was issued, pursuant to IC 13-30-3-3 to Respondent for violation of 327 IAC 2-1-6(a)(1), IC 13-18-4-5, IC 13-30-2-1(1), 327 IAC 5-2-8(1), 327 IAC 5-2-8(8), and the Permit. Respondent received this Notice of Violation on September 17, 2009.
8. The Notice of Violation contained an offer to enter into an Agreed Order containing actions required to correct these violations.
9. More than 60 days have elapsed since Respondent was offered the opportunity to enter into an Agreed Order.
10. Respondent has not entered into an Agreed Order resolving these violations.

ORDER

1. Respondent shall immediately cease and desist violation of 327 IAC 2-1-6(a)(1), IC 13-18-4-5, IC 13-30-2-1(1), 327 IAC 5-2-8(1), 327 IAC 5-2-8(8), and the Permit.
2. Respondent shall, within 30 days of the Effective Date of this Order, comply with all conditions of the Permit, including the following:
 - a. study future needs for WWTP replacement, upgrade and/or expansion, training, and staffing,
 - b. ensure that all WWTP processes, equipment and infrastructure are at all times efficiently operated and maintained in good working order, including repairs and preventative maintenance documentation, and performance of all other monitoring, sampling, testing, and recordkeeping;

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Hillview Estates Subdivision Utilities, Inc.
NPDES IN 0038938
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- c. consistently monitor flow and meet all effluent limits, and report and correct all treatment process bypasses;
 - d. correct all specific deficiencies noted in Findings, above, including:
 - 1) sample the potential released sludge solids materials in the receiving stream, and submit a written report of analytical results;
 - 2) calibrate the flow meter and submit certification to IDEM;
 - 3) install alarm system for power or equipment failure;
 - 4) initiate adequate lift station cleaning with removal of excess grease which causes foaming when it reaches the secondary treatment aeration process mixed liquor tank;
 - 5) maintain only an appropriate solids inventory;
 - 6) provide readily available back up emergency power;
 - 7) repair severe rusting and pipe hanger damage;
 - 8) repair large crack in wall of treatment process tank;
 - 9) make operations log books readily available for inspection, on site;
 - 10) replace and/or repair all leaking or non functioning pipes;
 - 11) implement, and document for IDEM, a routine process for sludge management and disposal.
3. All submittals required by this Order, unless notified otherwise in writing, shall be sent to:

Dave Knox, Enforcement Case Manager
Indiana Department of Environmental Management
Office of Water Quality, Enforcement Section
Mail Code 60-02
100 North Senate Avenue
Indianapolis, IN 46204-2251

Commissioner's Order: 2009-18684-W
Hillview Estates Subdivision Utilities, Inc.
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4. Respondent shall pay a civil penalty of Four Thousand Five Hundred Dollars (\$4,500). This penalty shall be remitted to the IDEM within 30 days of the Effective Date. Checks shall be made payable to the Environmental Management Special Fund, with the Case Number indicated on the checks and mailed to:

Indiana Department of Environmental Management
Cashiers Office – Mail Code 50-10C
100 North Senate Avenue
Indianapolis, IN 46204-2251

5. This Order shall apply to and be binding upon Respondent, its successors and assigns. No change in ownership, corporate, or partnership status of Respondent shall in any way alter its status or responsibilities under this Order.

EFFECTIVE DATE OF ORDER

Pursuant to IC 13-30-3-5, this Order takes effect 20 days following receipt unless you request review of this Order, before the twentieth day after receipt, by filing a written request for review with the Office of Environmental Adjudication, and serving a copy of the request for review upon the Commissioner of the Indiana Department of Environmental Management. You may request that the Office of Environmental Adjudication conduct a hearing to review this Order, under IC 4-21.5, in its entirety, or you may limit your request for review to specific findings of fact and/or orders contained in this Order. Requests for review must be submitted to the Office of Environmental Adjudication and the Commissioner of the Indiana Department of Environmental Management at the following addresses:

Director
Office of Environmental Adjudication
Indiana Government Center North
100 North Senate Avenue, Room 501
Indianapolis, IN 46204

Commissioner
IDEM
Commissioner's Office – Mail Code 50-01
100 North Senate Avenue
Indianapolis, IN 46204-2251

Failure to properly submit a request for review, before the twentieth day following receipt of this Order, waives your right to administrative review of this Order and your right to judicial review of the Order. The petition for administrative review must contain the following information:

1. Name, address, and telephone number of each person filing the petition.
2. Identification of the interest of each petitioner in the subject of the petition.
3. Statement of facts demonstrating that the petitioner is:
 - (A) A person to whom the order is directed;
 - (B) aggrieved or adversely affected by the order; or
 - (C) entitled to review under any law.
4. Statement with particularity the legal issues proposed for consideration in the

Commissioner's Order: 2009-18684-W
Hillview Estates Subdivision Utilities, Inc.
NPDES IN 0038938
Page 7

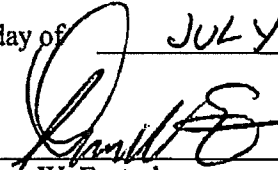
proceedings.

The petition for administrative review should also contain the following information:

1. Identification of any persons represented by the person making the request.
2. Statement identifying the person against whom administrative review is sought.
3. A copy of the notice of the commissioner's action issued by the department of environmental management which is the basis of the petition for administrative review.
4. Statement indicating the identification of petitioner's attorney or other representative.

If you have procedural or scheduling questions regarding your request for review you may contact the Office of Environmental Adjudication at (317) 232-8591.

Dated at Indianapolis, Indiana, this 8TH day of JULY, 2010.



Thomas W. Easterly
Commissioner

cc: Bartholomew County Health Department
<http://www.state.in.us/idem>



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We Protect Hoosiers and Our Environment.

Mitchell E. Daniels, Jr.
Governor

September 8, 2010

Thomas W. Easterly
Commissioner

100 North Senate Avenue
Indianapolis, Indiana 46204
(317) 232-8603
Toll Free (800) 451-6027
www.idem.IN.gov

VIA CERTIFIED MAIL

Merrill Henderson, President
Hillview Estates Subdivision Utilities, Inc.
12412 South Hillview Way
Columbus, IN 47201

Re: Compliance Plan Approval
Hillview Estates Subdivision Utilities, Inc.
Case No. 2009-18684-W

Dear Mr. Henderson:

The Indiana Department of Environmental Management ("IDEM") has completed the review of your proposed Compliance Plan ("CP") received in the Office of Water Quality on September 7, 2010. Pursuant to Section II, Paragraph 4 of the Agreed Order adopted in the above-referenced case, you have provided adequate documentation that the requirements of this item have been satisfactorily completed. The submitted Compliance Plan, including the implementation and completion schedule, is approved.

If you have further questions regarding your compliance status with the Agreed Order, please contact David Knox at 317/233-5975.

Sincerely,

Mark W. Stanifer, Chief
Water Section
Office of Enforcement

Enclosure

cc: Bartholomew County Health Department (w/enclosure)
Vicki Perry (w/enclosure)

COMPLIANCE PLAN

FOR HILLVIEW ESTATES SUBDIVISION UTILITIES, INC.

CASE NO. 2009-18684-W

AS REQUIRED BY THE AGREED ORDER ADOPTED BY IDEM ON JULY 21, 2010

- A. Further actions that Respondent, herein referred to as HESU, will take to study future needs for WWTP uprade and expansion, training, and staffing, in order to comply with all conditions of the Permit:

<i>Action</i>	<i>Timeframe</i>
Procure Grant Administrator to write CDBG Planning Grant and perform income survey	Completed
HESU retains services of certified operator	September 2010
Apply for and obtain Planning Grant	Fall 2010
Procure engineer to complete Preliminary Engineering Report (PER)	Fall 2010
HESU completes RCAP's Small Utility Board Training	Fall 2010
PER Completed, adopted by Board and County	Fall 2011, or no later than one year after grant award
Funds secured to implement PER recommendations	Fall 2012
HESU adopts budget and reviews user fees to ensure revenues cover current and future expenses	January 2011

- B. Actions that HESU will take to ensure that all WWTP processes, equipment and infrastructure are at all times efficiently operated and maintained in good working order, including repairs and preventative maintenance documentation, and performance of all other monitoring, sampling, testing, and recordkeeping:

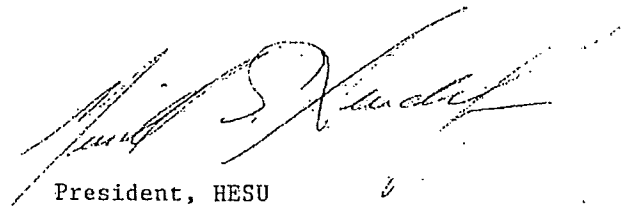
<i>Action</i>	<i>Timeframe</i>
HESU meets with RCAP to learn about proper recordkeeping and	

equipment maintenance best practices	Completed August 10, 2010
HESU meets with current contract O&M/testing service provider to discuss proper recordkeeping and O&M best practices, and create channel of communication between operator and board	August 2010
HESU adopts monthly meeting schedule to review and sign MRO's, other operational reports, and financial reports	September 2010
HESU retains services of certified operator	September 2010
HESU completes RCAP's Small Utility Board Training	Fall 2010

C. Actions that HESU will take to consistently monitor flow and meet all effluent limits, and to report and correct all treatment process bypasses:

<i>Action</i>	<i>Timeframe</i>
Flow meter repaired/replaced	ASAP
HESU meets with current contract O&M/testing service provider to discuss proper recordkeeping and O&M best practices, and create channel of communication between operator and board	August 2010
HESU adopts monthly meeting schedule to review and sign MRO's, other operational reports, and financial reports	September 2010
HESU retains services of certified operator	September 2010
PER completed to identify other needed repairs to ensure Compliance with Permit	Fall 2011

D. An implementation and completion schedule has been completed above for items A-C.



President, HESU
Sept. 7, 2010



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
We Protect Hoosiers and Our Environment.

100 N. Senate Avenue • Indianapolis, IN 46204
(800) 451-6027 • (317) 232-8603 • www.idem.IN.gov

Eric J. Holcomb
Governor

November 2, 2017

Bruno L. Pigott
Commissioner

Via Email to: mshduke@yahoo.com
Mr. Merrill Henderson, President
Hillview Estates Subdivision Utilities
12563 South Hillview Road
Columbus, Indiana 47201

Dear Mr. Henderson:

Re: Case Close-Out
Commissioner, Indiana
Department of Environmental
Management
v.
Hillview Estates Subdivision
Utilities
NPDES No. IN0038938
Case No. 2009-18684-W
Columbus, Bartholomew County

This letter is to advise you that Hillview Estates Subdivision Utilities has complied with the terms of the Agreed Order adopted in the above referenced case number. Therefore, the issues addressed by the Order are considered resolved and the action is hereby closed.

The closure of this action does not relieve you of your obligation to maintain compliance with all applicable rules and regulations. Future noncompliance may result in the initiation of a new enforcement action.

If you have any questions, please contact Brandi Collignon, Case Manager, Water Enforcement Section, at (317) 233-5975 or bcollign@idem.in.gov.

Sincerely,

Samantha Groce, Chief
Enforcement Section
Surface Water, Operations &
Enforcement Branch
Office of Water Quality

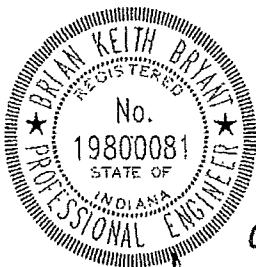
Case Close Out Letter: 2009-18684-W
Hillview Estates Subdivision Utilities
NPDES Permit No. IN0038938
Columbus, Bartholomew County
Page 2

cc: Bartholomew County Health Department
<http://www.in.gov/idem>
Eric Hayes, Lawyer
Jason Combs, Operator
Sierra Alberts, IDEM

Preliminary Engineering Report Addendum #1

Wastewater Utility Plan
September 11, 2012

Hillview Estates Subdivision
Utilities, Inc.
Bartholomew County, Indiana



09/11/12

Brian Keith Bryant

Brian Keith Bryant, P.E.
Reg. Engineer No. 19800081
State of Indiana



09/11/12

Scott Matthew Siple

Scott Matthew Siple, P.E.
Reg. Engineer No. 11100304
State of Indiana

Prepared By:



1625 N. Post Road
Indianapolis, Indiana 46219
Phone: (317) 895-2585
Fax: (317) 895-2596
www.ucindy.com

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1 Estimated Project Construction Cost Impacts on Sewer Use Rates

1.1 Current Revenues and Financial Condition

The HESU currently collects sewer use fees which are used to operate the existing treatment plant. All improvements and/or maintenance are funded by the monthly sewer use fees, which is \$50 dollars per connection. Based upon information from the Utility the HESU, on average, collects approximately \$2,840 in sewer use fees from 63 users. The average monthly expenses total approximately \$2,880. The HESU does not have any other reported revenue streams, no long-term debt and maintains a savings and checking account with a combined balance, as of August 24, 2012, of approximately \$22,070.

1.2 Project Impacts on Sewer Use Rates

Disclaimer: Estimated expenses and rates are preliminary in nature and should be interpreted as such. In order to accurately estimate the impacts of the proposed projects to the current sewer use rate a qualified rate consultant should be acquired to perform a certified rate study.

The HESU users currently pay a monthly sewer use fee of \$50. The following tables describe preliminary estimates of potential rate increases the users in the Hillview Estates Subdivision could expect.

Projects A; Options 1 & 2, Project B and Project C address the existing issues with the wastewater treatment plant. Project D provides for improvements to the existing sanitary collection system. For the purposes of this analysis rate increase estimates are presented with and without Project D. The analysis was also performed with and without potential grant funds.

Table A.1 details estimated impacts to the user's sewer rates for each project. Table A.1 was developed assuming that the HESU has 63 sewer users paying a \$50 monthly sewer use rate, zero grant funds, loan interest rate of 2.5% for 20 year term. Interest rates of 2.5% were used due to market uncertainties and needed debt reserve accounts. The project options assume that the design life for each project is 20 years. Funds have been included to develop a reserve for wastewater treatment plant or lift station equipment replacement. Since the HESU is, on average, not generating enough revenue to meet monthly expenses funds in the HESU savings and checking accounts were not utilized in the analysis.

Table A.2 details estimated impacts to the user's sewer rates for each project with the addition of Project D. Table A.2 was developed assuming that the HESU has 63 sewer users paying a \$50 monthly sewer use rate, zero grant funds, loan interest rate of 2.5% for 20 year term. Interest rates of 2.5% were used due to market uncertainties and needed debt reserve accounts. The project options assume that the design life for each project is 20 years. Funds have been included to develop a reserve for wastewater treatment plant or lift station equipment replacement. Since the HESU is, on average, not generating enough revenue to meet monthly expenses, funds in the HESU savings and checking accounts were not utilized in the analysis.

Table A.3 details estimated impacts to the user's sewer rates for each project assuming grant funds of \$500,000. Table A.3 was developed assuming that the HESU has 63 sewer users paying

a \$50 monthly sewer use rate, loan interest rate of 2.5% for 20 year term., grant funds of \$500,000. Interest rates of 2.5% were used due to market uncertainties and needed debt reserve accounts. The project options assume that the design life for each project is 20 years. Funds have been included to develop a reserve for wastewater treatment plant or lift station equipment replacement. Since the HESU is, on average, not generating enough revenue to meet monthly expenses funds in the HESU savings and checking accounts were not utilized in the analysis.

Table A.4 details estimated impacts to the user's sewer rates for each project with the addition of Project D and assuming grant funds of \$500,000. Table A.4 was developed assuming that the HESU has 63 sewer users paying a \$50 monthly sewer use rate, loan interest rate of 2.5% for 20 year term grant funds of \$500,000. Interest rates of 2.5% were used due to market uncertainties and needed debt reserve accounts. The project options assume that the design life for each project is 20 years. Funds have been included to develop a reserve for wastewater treatment plant or lift station equipment replacement. Since the HESU is, on average, not generating enough revenue to meet monthly expenses funds in the HESU savings and checking accounts were not utilized in the analysis.

Table A.1 - Estimated Sewer Use Rate Increases without grant funds

PROJECT	ESTIMATED CONSTRUCTION COST	ANNUAL O&M	ANNUAL REPLACEMENT FUND COST	ANNUAL EXPENSE TO UTILITY	ESTIMATED SEWER USERS	ANNUAL ESTIMATED SEWER USE RATE	MONTHLY ESTIMATED SEWER USE RATE	CURRENT SEWER USE RATE	ESTIMATED SEWER USE RATE INCREASE
Project A; Option 1	\$883,000	\$74,500	\$16,000	\$147,142	63	\$2,336	\$195	\$50	\$145
Project A; Option 2	\$923,000	\$74,500	\$16,000	\$149,708	63	\$2,376	\$198	\$50	\$148
Project B	\$1,112,500	\$50,000	\$4,000	\$125,364	63	\$1,990	\$166	\$50	\$116
Project C	\$868,000	\$74,500	\$16,000	\$146,180	63	\$2,320	\$193	\$50	\$143

Table A.2 - Estimated Sewer Use Rate Increases without grant funds

PROJECT	ESTIMATED CONSTRUCTION COST	ANNUAL O&M	ANNUAL REPLACEMENT FUND COST	ANNUAL EXPENSE TO UTILITY	ESTIMATED SEWER USERS	ANNUAL ESTIMATED SEWER USE RATE	MONTHLY ESTIMATED SEWER USE RATE	CURRENT SEWER USE RATE	ESTIMATED SEWER USE RATE INCREASE
Project A; Option 1 + Project D	\$1,003,000	\$74,500	\$16,000	\$154,840	63	\$2,458	\$205	\$50	\$155
Project A; Option 2 + Project D	\$1,043,000	\$74,500	\$16,000	\$157,406	63	\$2,499	\$208	\$50	\$158
Project B + Project D	\$1,232,500	\$50,000	\$4,000	\$133,062	63	\$2,112	\$176	\$50	\$126
Project C + Project D	\$988,000	\$74,500	\$16,000	\$153,878	63	\$2,443	\$204	\$50	\$154

Table A.3 - Estimated Sewer Use Rate Increases with grant funds

PROJECT	ESTIMATED CONSTRUCTION COST	ANNUAL O&M	ANNUAL REPLACEMENT FUND COST	ANNUAL EXPENSE TO UTILITY	ESTIMATED SEWER USERS	ANNUAL ESTIMATED SEWER USE RATE	MONTHLY ESTIMATED SEWER USE RATE	CURRENT SEWER USE RATE	ESTIMATED SEWER USE RATE INCREASE
Project A; Option 1	\$383,000	\$74,500	\$16,000	\$115,068	63	\$1,826	\$152	\$50	\$102
Project A; Option 2	\$423,000	\$74,500	\$16,000	\$117,634	63	\$1,867	\$156	\$50	\$106
Project B	\$612,500	\$50,000	\$4,000	\$93,290	63	\$1,481	\$123	\$50	\$73
Project C	\$368,000	\$74,500	\$16,000	\$114,106	63	\$1,811	\$151	\$50	\$101

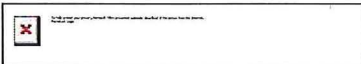
Table A.4 - Estimated Sewer Use Rate Increases with grant funds

PROJECT	ESTIMATED CONSTRUCTION COST	ANNUAL O&M	ANNUAL REPLACEMENT FUND COST	ANNUAL EXPENSE TO UTILITY	ESTIMATED SEWER USERS	ANNUAL ESTIMATED SEWER USE RATE	MONTHLY ESTIMATED SEWER USE RATE	CURRENT SEWER USE RATE	ESTIMATED SEWER USE RATE INCREASE
Project A; Option 1 + Project D	\$503,000	\$74,500	\$16,000	\$122,766	63	\$1,949	\$162	\$50	\$112
Project A; Option 2 + Project D	\$543,000	\$74,500	\$16,000	\$125,332	63	\$1,989	\$166	\$50	\$116
Project B + Project D	\$732,500	\$50,000	\$4,000	\$100,988	63	\$1,603	\$134	\$50	\$84
Project C + Project D	\$488,000	\$74,500	\$16,000	\$121,804	63	\$1,933	\$161	\$50	\$111

Sanders, Alyson K

From: noreply@formstack.com
Sent: Thursday, September 6, 2018 12:01 PM
To: UCC Consumer Info
Subject: 45132-U-Hillview-Nicholson

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Formstack Submission For: [OUCC_Contact_2361](#)

Submitted at 09/06/18 12:01 PM

Title: Mrs.

Name: larry nicholson

Email: sheri@etcserve.com

Address: 12392 S HILLVIEW WAY
columbus, IN 47201

Telephone (Best number to reach you between 8:00 am and 4:30 pm, Eastern Time, Monday through Friday):: (812) 371-6363

Type of phone:: Mobile

If you do not have telephone service,:

If providing comments on a specific case, please indicate the cause number and/or name of utility::

HILLVIEW ESTATE SUBDIVISION UTILITIES INC

Your Comments::

I have lived in this addition since 1975 and am now old enough that I am on a fixed income. The rate increase proposed of 113.91% is awful. Most of the households out in the addition do not make a lot of money and I feel that in my case with just the 2 of us residing in the household that that increase is totally uncalled for. If this increase goes thru then we will be paying more (double) to flush the toilet then what we pay per month on our water bill. I sure hope your legal team review's this request with a fine toothed comb.

Thank you for your time.

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AFFIRMATION

I affirm, under the penalties for perjury, that the foregoing representations are true.



By: James T. Parks
Cause No. 45132-U
Indiana Office of
Utility Consumer Counselor



Date: