

**From:** [Clements, Samantha](#)  
**To:** [Samuel Fenton](#)  
**Cc:** [samuelfenton@gmail.com](#); [Mike Hinton \(mhintonk@hotmail.com\)](#); [Beheler, Jason](#); [Stephen Fralish](#); [Chapman, Devyn](#); [Stark, Kevin](#); [Denney, Michelle](#)  
**Subject:** RE: Compliance Plan Approval for Shady Hills Utilities  
**Date:** Friday, June 28, 2024 8:23:00 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[image006.png](#)  
[image007.png](#)

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Hello Samuel,

Thank you for the submission of the quarterly progress report. The report is approved. Please be advised that the next progress report for Shady Hills is due on October 10, 2024.

Thank you,



**Indiana Department of  
Environmental Management**

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Samantha Clements  
Water Enforcement Case Manager

- (317) 232-8767
- [sclement@idem.IN.gov](mailto:sclement@idem.IN.gov)

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**From:** Samuel Fenton <samuel.fenton@omnitechgo.com>  
**Sent:** Monday, June 24, 2024 12:29 PM  
**To:** Clements, Samantha <SClement@idem.IN.gov>  
**Cc:** samuelfenton@gmail.com; Mike Hinton (mhintonk@hotmail.com) <mhintonk@hotmail.com>; Beheler, Jason <behelers@gmail.com>; Stephen Fralish <sfralish1@gmail.com>; Chapman, Devyn <devync1996@gmail.com>; Stark, Kevin <KStark@idem.IN.gov>; Denney, Michelle <MiDenney@idem.IN.gov>; Rohr, Kimberly L <KRohr@idem.IN.gov>; HOUSE, JASON <JAHOUSE@idem.IN.gov>

**Subject:** Re: Compliance Plan Approval for Shady Hills Utilities

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Hello Samantha,

I am getting you an early progress report, because I will be out of town later this week and the first week of July.

SHUC 2024 Q2 Progress Report

Exploration and Investigation:

Our engagement with CEG is ongoing with communication with their team, our engineer, and the board. The topics are around the sizing of a lift station, forced main, and our unique situation that might make us a better fit as a wholesale customer. As part of this sizing topic we had a flow meter installed for 30 days for part of April and May to record the treatment plant influent flows to capture a more accurate daily flow rate. Our next meeting with CEG to discuss our topics at hand will be held in late June.

Operations of the WWTP:

Per Astbury recommendation we have agreed to have an automatic chlorine tablet feeder installed to help manage the disinfection process and reduce the number of trips they need to make to the plant. At last report they are waiting for supplies and will get the chlorinator installed as soon as possible.

Thank you,  
Samuel

On Thu, Apr 25, 2024 at 10:32 PM Samuel Fenton <[samuel.fenton@omnitechgo.com](mailto:samuel.fenton@omnitechgo.com)> wrote:

Hello Samantha,

Acknowledged Receipt

Thank you,  
Samuel

On Thu, Apr 18, 2024 at 11:39 AM Clements, Samantha <[SClement@idem.in.gov](mailto:SClement@idem.in.gov)> wrote:

Hello Samuel,

Please find the attached copy of the Compliance Plan Approval for Case No. 2019-25944-W for Shady Hills Utilities.

Please respond to this email to verify your receipt of these documents for our records.

Thank you,



**Indiana Department of  
Environmental Management**

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Samantha Clements  
Water Enforcement Case Manager

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- [sclement@idem.IN.gov](mailto:sclement@idem.IN.gov)

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# Shady Hills Utility Company LLC

## OWQ Enforcement Compliance Plan Development

**Date:** April 8, 2024

**Title:** Shady Hills Utility Company's Compliance Plan

**NPDES Permit No:** IN0043559

**Agreed Order Case No:** 2019-25944-W

### **Actions Implemented:**

Shady Hills Utility Company (SHUC) Board has pursued several actions to investigate our options to connect to Citizens Energy Group (CEG) and update the Wastewater Treatment Plant (WWTP) to meet NPDES permit requirements with our operator Astbury.

1. Q3 and Q4 of 2020, we engaged Triad Associates, Inc. to work on an engineering plan and cost analysis for connecting our existing system to CEG and the decommissioning of the existing WWTP and lagoon. The options presented did not proceed without workable financing.
2. Q1 of 2021, Updates to the WWTP shed structure, additional lighting, and roofing were completed.
3. Q4 of 2022, we engaged CEG with possible interest of the transferring our sanitary assets to CEG from our existing system and the decommissioning of the existing WWTP and lagoon.
4. Q2 of 2023, CEG completed a project planning memorandum and basis of design.
5. Q3 of 2023, CEG and the IFA met with us to discuss the engineering and financial alternatives for the project. Before moving forward, SHUC needs to determine the participation of their current members with the financing options provided by the IFA.
6. October of 2023, SHUC Board hired an independent engineer to evaluate the existing WWTP and assist with understanding the engineering review plan and cost estimations presented by CEG and IFA.

## Shady Hills Utility Company LLC

7. November of 2023, SHUC Board conducted a membership meeting at which we present a high-level review of the options facing the members and neighborhood. The outcome of a member vote was to pursue a future connection to CEG, but the costs per household for the CEG plan were not workable.
8. Q4 of 2023, SHUC Board and our independent engineer began investigating self-directed options of connecting to CEG that would be more financially viable. We have met with IFA to better understand the financing options available, and verified a self-directed approach will not diminish our ability to take advantage of financial assistance.

## Shady Hills Utility Company LLC

### **Summary of Planned Actions:**

The members would like to connect to CEG and be out of the sewer business. We plan to revisit the CEG proposed plan with them, because in its current form, it is not affordable for our neighborhood even with the Indiana Finance Authority (IFA) funding. Preliminary inquiries suggest that a self-directed hookup to CEG may be more cost effective than the current CEG plan. Continuing to maintain our WWTP, as-is or with some improvements, remains a viable option as well.

Over the course of 2024 we plan to:

1. Explore driving the CEG-directed plan costs to an affordable level.
2. Investigate costs and engineering options with a self-directed approach to connect to CEG and decommission the WWTP and lagoon.
3. Organize a member meeting to review the results of our negotiations with CEG and evaluation of a self-directed approach as well as the financing options break down for each. Principally those options will be to:
  - a. Continue operating the WWTP, knowing updates are needed.
  - b. Proceed with a re-negotiated CEG-driven connection plan.
  - c. Proceed with a self-directed connection to CEG where we build, own, and operate a lift station and decommission the WWTP and lagoon.
4. After the members have decided which way to move forward, we will reassess the Compliance Plan and submit a new schedule contingent on receiving detailed plan timelines.

Shady Hills Utility Company LLC

**Schedule:**

Action Description	Start Date	Actual Start Date	Anticipated Completion Date	Actual Completion Date
Triad Associates Connection Evaluation to CEG	11/01/2020	11/10/2020	05/01/2021	05/12/2021
CEG Connection Evaluation to CEG	12/01/2022	12/06/2022	06/01/2023	06/12/2023
SHUC Membership Meeting, Planning, and Surveys	10/01/2023	10/01/2023	11/30/2023	11/30/2023
Revisit CEG Connection Evaluation to CEG	02/01/2024	02/01/2024	03/01/2025	
Self-Directed Connection Evaluation to CEG	02/01/2024	02/01/2024	03/01/2025	
SHUC Membership Meeting, Planning, and Surveys	03/01/2025		05/01/2025	
Reassess the Compliance Plan	05/01/2025		07/01/2025	

**Progress Reports will be sent to IDEM Enforcement Case Manager:**  
Samantha Clements - SClements@idem.in.gov

**This plan is approved by Shady Hills Utility Company and Officers of the Board:**  
**President:** Samuel Fenton - samuelfenton@gmail.com  
**Vice President:** Jason Beheler - jasoncbeheler@gmail.com  
**Secretary:** Micheal Hinton - mhintonk@hotmail.com

