INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
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Eric J. Holcomb
Governor

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Commissioner

June 25, 2024

VIA ELECTRONIC MAIL

The Honorable Jeff Phillips, Mayor
City of Rensselaer
124 S. Van Rensselaer Street
P.O. Box 280
Rensselaer, Indiana 47978

Dear Mayor Phillips:

Re: CSOOP Update Review
City of Rensselaer
NPDES Permit No. IN0024414
Jasper County

The Indiana Department of Environmental Management (IDEM) Office of Water Quality (OWQ) has completed a review of the update to the Combined Sewer Overflow Operational Plan (CSOOP) submitted on October 27, 2023, and revised on June 18, 2024. With this letter, IDEM acknowledges the updates to the CSOOP.

The City of Rensselaer shall maintain a current CSOOP on file at the Publicly Owned Treatment Works (POTW), updated to reflect any new or revised State and/or Federal CSO regulations, policy and guidance material, as well as system modifications. The City shall inform IDEM OWQ of any significant changes. The CSOOP is a requirement of Attachment A of the National Pollutant Discharge Elimination System (NPDES) Permit No. IN0024414.

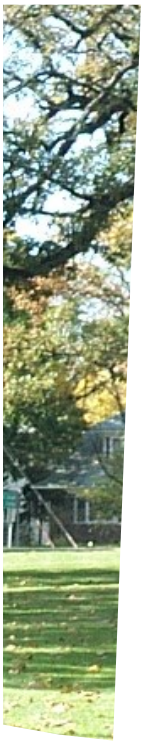
Please contact Dave Tennis at 317/234-9558 or by email at dtennis@idem.in.gov if you have questions regarding this letter.

Sincerely,

Leigh Voss

Leigh Voss, Chief
Municipal NPDES Permits Section
Office of Water Quality

cc: Bryce Black, City of Rensselaer
Maggie Kroeger, IDEM Wastewater Inspector
Brady Dryer, Commonwealth Eng, Inc.



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City of Rensselaer

Combined Sewer Overflow Operational Plan Update

May 2014/Revised November 2019, October 2023

A Wealth of Resources to Master a Common Goal.

 # C13086

CITY OF RENSSELAER

COMBINED SEWER OVERFLOW OPERATIONAL PLAN UPDATE

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SECTION 0

INTRODUCTION

As the operator and owner of a Combined Sewer System (CSS), the City of Rensselaer, Indiana is required by NPDES Permit No. IN0024414 (**Appendix A**) to comply with the following minimum technology-based controls in accordance with the federal Combined Sewer Overflow (CSO) Control Policy:

1. The permittee shall implement proper operation and regular maintenance programs for the sewer system and CSOs. The purpose of the operation and maintenance programs is to reduce the magnitude, frequency and duration of CSOs. The Program shall consider regular sewer inspections; sewer, catch basin and regulator cleaning; equipment and sewer collection system repair or replacement, where necessary, and disconnection of illegal connections.

2. The permittee shall implement procedures that will maximize the use of the collection system for wastewater storage that can be accommodated by the storage capacity of the collection system in order to reduce the magnitude, frequency and duration of CSOs.

3. The permittee shall review and modify, as appropriate, its existing pretreatment program to minimize CSO impacts from non-domestic users. The permittee shall identify all industrial users that discharge to the collection system upstream of any CSO outfalls; this identification shall also include the pollutants in the industrial users' wastewater and the specific CSO outfall(s) that are likely to discharge the wastewater.

4. The permittee shall operate the Publicly Owned Treatment Works (POTW) at the maximum treatable flow during all wet weather flow conditions to reduce the magnitude, frequency and duration of CSOs. The permittee shall deliver all flows to the WWTP within the constraints of the treatment capacity of the POTW.

5. Dry weather overflows from CSO outfalls are prohibited. Each dry weather overflow must be reported to IDEM as soon as the permittee becomes aware of the overflow, it shall begin corrective action immediately. The permittee shall

inspect the dry weather overflow each subsequent day until the overflow has been eliminated.

6. The permittee shall implement measures to control solid and floatable materials in CSO discharges.

7. The permittee shall implement a pollution prevention program focused on reducing the impact of CSOs on receiving waters.

8. The permittee shall implement a public notification process to inform citizens of when and where CSO discharges occur and their impacts. This notification must also be done in accordance with 327 IAC 5-2.1.

9. The permittee shall monitor to effectively characterize CSO impacts and the efficacy of CSO controls.

The Combined Sewer Overflow Operational Plan (CSOOP) was submitted by the City of Rensselaer to the Indiana Department of Environmental Management (IDEM) in December 1991 and approved on April 16th, 1993. The City's CSOOP was revised in 2003 to incorporate CSO Public Notification in accordance with 327 IAC 5-2.1, and was later approved in 2004. Following the 2013 CSO Audit, the CSOOP was revised and approved in 2014. The revised November 2019 CSOOP was prepared as a result of findings from the CSO program audit conducted on September 11, 2019. The revised October 2023 CSOOP was prepared as a result of findings from the most recent CSO program audit conducted September 7, 2023. The revised CSOOP presented herein will include all updates to the plan since the original CSOOP was approved in April 1993.

0.1 Combined Sewer Overflow Locations

As identified in Attachment A of the City of Rensselaer NPDES Permit No. IN0024414, the City has nine (9) permitted CSO overflow locations that discharge to the Iroquois River. These overflows serve to provide hydraulic relief to the collection system during wet weather events and are authorized to discharge as part of **Attachment A** of NPDES Permit No. IN0024414. Additional information on each of the City's CSOs is presented below in **Table 0-1 – Combined Sewer Overflow Outfall Information**.

Table 0-1 – Combined Sewer Overflow Outfall Information

Number	*City Identification*	*NPDES Location*	*Discharge Location*
003	Near Milton St. at Iroquois River	40° 55’ 53’’ N, 87° 08’ 40’’ W	Iroquois River
006	545 Park Avenue	40° 55’ 51’’ N 87° 08’ 40’’ W	Iroquois River
007	Grace St. at Iroquois River	40° 55’ 57’’ N 87° 09’ 07’’ W	Iroquois River
008	Corner of Ruston St. and Front St. at Iroquois River	40° 55' 60" N 87° 09' 07" W	Iroquois River
010	Near Harrison& Front Streets	40° 56' 04" N 87° 09' 10" W	Iroquois River
014	Site of Monitoring Station South of Washington St. West side of Iroquois River	40° 56' 04" N 87° 09' 14" W	Iroquois River
019	At Iroquois River 75’ E of Outfall 026CP	40° 56' 06" N 87° 09' 41" W	Iroquois River
021	West of the corner of Sparling and Milroy Aves	40° 56' 06" N 87° 09' 41" W	Iroquois River
023	Melville St. at Iroquois River	40° 55' 51" N 87° 08' 31" W	Iroquois River
026	Wet Weather Treatment Outfall	40° 56’ 09” N 87° 09’ 31” W	Iroquois River

0.2 Combined Sewer Overflow Long Term Control Plan

The City of Rensselaer was required by NPDES Permit No. IN0024414 and Agreed Judgment Cause No. 37C01-0709-CC391 (**Appendix B**) to develop and submit an approvable Combined Sewer Overflow (CSO) Long Term Control Plan (LTCP) for the purpose of controlling discharges from its Combined Sewer System (CSS). Since implementation of the CSO Operational Plan in 1993, the City has taken significant action toward reducing the volume of CSO to the Iroquois River and reducing the number of CSO locations. Several early action projects have been completed as part of this effort as summarized below in **Table 0-2 – Early Action CSO Project Summary.**

Table 0-2 – Early Action CSO Project Summary

Project Title	*Description*	*Impact on Combined Sewer System*
Norman Tile Service Area Sanitary Sewer and Pumping Station	Constructed approx. 10,400 ft. of sanitary sewer Constructed submersible lift station	Eliminated flow from an 18-inch field tile from CSS Eliminated CSO 025
Charles Street Sanitary Sewer Project	Installed sanitary sewer Installed 660 ft. of 12-in. storm drain	Eliminated 21-inch field tile from CSS
Sparling Avenue Storm Sewer Project	Installed 2,550 ft. of 24-in. to 48-in. storm sewer	Addressed localized drainage issues. Removed stormwater from CSS
McKinley Drain Storm Sewer Project	Installed storm sewer	Removed stormwater from CSS
Ziegler Tile Project	Separated sewers Relocated drainage tile	Disconnected 24-inch field tile from CSS
Leopold Street Storm Water Project	Installed storm tile	Installed storm drain to reduce flow to CSS
Rachel Street Storm Water Project	Installed 10-in. storm drain	Eliminated flooding issues Reduced flow to CSS
Angelica Street Storm Drainage Project	Installed 330 ft. of 12-in. and 120 ft. of 8-in. storm drain	Reduced surface flooding. Reduced flow to CSS
Flow Meter Installation Project	Installation of 9 flow meters	Utilized for CSS characterization
Abigail Street Storm Separation Project	Separated sewers with the installation of 580 ft. of storm sewer	Reduced flow to CSS
Angelica Street Sewer Separation Project	Installed 200 ft. of storm sewers between Clark and Vine Streets	Reduced flow to CSS
Elm Street Sewer Separation Project	Separated sewers with the installation of 400 ft. of 12-in. storm sewer	Reduced flow to CSS
Walnut Street Sewer Separation Project	Installed 300 ft. of 8-in. storm sewer and 60 ft. of 12-in. sewer	Reduced flow to CSS
Wastewater Treatment Plant Improvements Project	Miscellaneous Upgrades and Improvements to the existing WWTP	Increased peak design flow to maximize WWTP facilities to reduce CSO discharge

Initially, the City of Rensselaer submitted the 2002 CSO LTCP that was prepared by HNTB Corporation and later found to be deficient by IDEM. Later, the City of Rensselaer entered into Agreed Judgment Cause No. 37C01-0709-CC391 (**Appendix B**) in September 2007, which required that the CSO LTCP be revised and submitted to IDEM for review by December 23, 2009. The 2009 CSO LTCP utilized previously conducted field investigations of the combined sewer area, flow monitoring at the CSO regulators, and wastewater treatment plant flow data to build and calibrate a hydraulic model of the existing CSS. The revised December 2009 CSO LTCP, also prepared by HNTB Corporation, was again found to be deficient. The City of Rensselaer's CSO LTCP was

revised again in October 2011 by Commonwealth Engineers, Inc. (CEI) for the purpose of evaluating compliance with State and Federal CSO LTCP objectives. The model was reviewed and re-calibrated in 2011 and was again utilized to run "what-if" scenarios (e.g. pipe sizes, storage, treatment, etc.) to mitigate the discharge from the City's CSOs. Through the CSO mitigation alternatives evaluation and Financial Capability Analysis performed as part of the 2011 CSO LTCP, it was determined that controls sized to convey, store, and treat flows associated with a 1 year, 1 hour storm would meet state and federal CSO mitigation requirements. Further, it was determined that controls sized in this fashion would result in approximately four (4) to six (6) untreated overflows in an annual average precipitation year. The City's LTCP and the LTCP implementation schedule were updated again June 2018. The CSO LTCP Update restructured the remaining phases of the CSO LTCP and incorporated the planning, design, and construction of sewer extensions; the replacement of the City's Main Lift Station as it is beyond its useful lifespan; and the addition of phosphorus removal controls as required by Nonrule Policy Document (NPD) Water-019: State Total Phosphorus Treatment Standard for 1 MGD or Greater Sanitary Wastewater Dischargers and NPDES Permit No. IN0024414 (**Appendix A**). Each phase of the approved LTCP is described in **Table 0-3 – Approved City of Rensselaer CSO LTCP Implementation Schedule**.

Table 0-3 – Approved City of Rensselaer CSO LTCP Implementation Schedule

Phase (Duration)	*Project*	*Year*[3]	*Task*
I (2012– 2017)	WWTF Primary Equivalence at CSO 019 (23.5 MGD)	• 2012 • 2013 • 2014-2015 • 2016-March 2017	• Prepare Preliminary Engineering Report/Preliminary Design (Complete) • Evaluate Funding Options (Complete) • Final Design (Complete) • Construction (Complete)
(2018)	Post Construction Monitoring; CSOOP & UAA Review and update as necessary		
IIa (2017 – 2020)	Main Lift Station Replacement Provide Sewer Service to three (3) unsewered areas	• 2018 • 2019 - 2021 • 03/2022 • 03/2022-05/2023	• Evaluate Funding Options (PER Complete) • Design (Complete)[1] • Construction (Complete)
IIb (2021-2026)	WWTP Improvements	• 2023 – 2024 • 2025-2026	• Design & Evaluate Funding Options (PER Complete)[1] • Construction
(2026)	Post Construction Monitoring; CSOOP Review and Update as necessary		

Phase (Duration)	***Project***	***Year[3]***	***Task***
III (2025 – 2027)	Iroquois River Interceptor Improvements: ○ North Interceptor – Connection with South Central Interceptor to Lift Station; Southeast Interceptor with South Central Interceptor; & Melville Street to Connection with Southeast Interceptor ○ West Interceptor – Connect Milroy Street &Sparling Avenue to Lift Station via Siphon ○ South Central Interceptor – Connect Grace Street to CSO 014 to Lift Station via Siphon ○ Southeast Interceptor – Connect Park Avenue & Quarry to North Interceptor via Siphon	• 2025 • 2026 • March 2027 • 2027	• Prepare Preliminary Engineering Report/Evaluate Funding Options[1] • Final Design[1] • 5-Year CSO LTCP Review/Update • Construction Completion
(2028)	Post Construction Monitoring; CSOOP Review and Update as necessary; and Use Attainability Analysis (UAA) Development[2]		
IV (2028-2029)	○ Additional WWTF Primary Equivalence with Disinfection at CSO 019 (23.5 MGD)	• 2028 • 2029	• Design[1] • Construction Completion
(2030)	Post Construction Monitoring; CSOOP Review and Update		

[1]Green infrastructure alternatives will be evaluated during the preparation of the PER and throughout design activities.
[2]The UAA will be completed and submitted to IDEM/EPA during the implementation of the CSO LTCP but no later than 2029
[3]Unless noted otherwise, milestones will be completed by December 31st of the corresponding year.

Throughout the implementation of the CSO LTCP, the City of Rensselaer has provided multiple updates on the completion of LTCP milestones to IDEM via correspondence. These updates have included requests to IDEM OWQ for extensions to the CSO LTCP schedule due to delays in funding, permitting, and bidding. The current CSO LTCP was approved by IDEM OWQ on October 2, 2023. These updates and several other LTCP milestone correspondence documents have been included in **Appendix C.**

0.3 Purpose

Through NPDES Permit No. IN0024414 (**Appendix A**), the IDEM requires the CSOOP is reviewed and revised, as necessary. Based on the 2023 CSO Audit, the construction of the new Main Lift Station and unsewered areas, collection system facilities, and staff operations, the CSOOP was determined to be inadequate, and is updated herein. The CSOOP Update will document measures and summarize activities executed by the City to demonstrate compliance with the CSO Nine Minimum Controls (NMCs) in accordance with the federal CSO Control Policy.

SECTION 1

PROPER OPERATION AND MAINTENANCE PROGRAM

The City of Rensselaer has implemented multiple measures and practices to ensure the proper operation and maintenance of the sanitary, storm and combined sewer infrastructure. This section will outline particular components of the City's collection system and practices that ultimately lead to reducing the magnitude, frequency and duration of CSOs.

1.1 Sanitary, Storm, and Combined Sewer Collection System Inventory

The foundation of any operation and maintenance program is the necessity to have the proper inventory of a City's collection system. The City of Rensselaer actively maintains sanitary, storm and combined collection system mapping that includes relevant features of the collection system such as:

- Sewers (Sanitary, Storm and Combined);
- Storm Sewer Inlets;
- Manholes;
- Pump stations; and
- Overflow locations.

The City's maps are updated with supplemental information when sewer projects are completed. The City of Rensselaer's sanitary, storm, and combined collection system serves approximately 2.9 square miles and a population of approximately 5,733 (2020 census) through 2,593 service connections. The City's sewer system is 75% combined storm and sanitary collection system with nine combined sewer overflow points. The City originally had 21 CSO points; all but 9 have been sealed and verified by IDEM.

1.2 Wastewater Department Staff

The City's Wastewater Department consists of staff devoted to various elements of operations and maintenance including the WWTP, collection system; and laboratory. Staff members are cross-trained and share the responsibilities of both the WWTP and collection system. In general, the staff of the Rensselaer Wastewater Department includes the following positions:

- WWTP Superintendent/Class III Operator of Record (1),
- WWTP Class III Operator (1)
- WWTP Operators (3),

With regard to management and oversight, the WWTP Superintendent supervises the activities of the WWTP operators listed above. In order to ensure that facilities are adequately staffed on holidays and weekends, the WWTP employees rotate on-call duties outside of normal business hours.

1.3 Staff Training

The staff listed above is actively involved with continuing education and cross-training of responsibilities and duties throughout the WWTP and the collection system. The City of Rensselaer's WWTP has two (2) Class III Certified Operators, , and three (3) operators with their water licenses. Indiana Water Environment Association, Alliance of Indiana Rural Water, and Indiana Rural Water Association Conferences are attended by staff to ensure continuing education credits are maintained as needed.

1.4 Sewer Inspection and Cleaning

The City of Rensselaer owns and operates a fleet of five trucks: a street sweeper, two backhoes, and a vactor truck. Additional equipment includes and a leaf vac, a jet rodder, T.V. equipment, and a service truck. The following **Table 1-1 – Cleaning and Maintenance Schedule** describes the planned schedule in effect for maintaining the collection system in proper working order.

Table 1-1 – Cleaning and Maintenance Schedule

Frequency	*Maintenance Task*
Weekly	Lift Station Inspections (main lift station inspected daily)
Daily (5x a week)	CSO Inspections
Yearly	Catchbasin Cleaning
Once Every 4 Years	Manhole Inspections (check for blockages, check cover for integrity)
Once Every 4 Years	Manhole Cleaning
Once Every 4 Years	Flush Sewers, Vacuum, and Jet
12 Times Per Year	Street Cleaning
6 Year Rotation	T.V. Inspection of Entire Sewer System
After Each Precipitation Event	Inspect CSO Diversion Structures and Clean as Necessary
Monthly	Clean solids/debris accumulation in Vortex Separator

1.5 Point Repairs and Additional Maintenance Activities

On an as needed basis, the City of Rensselaer performs point or isolated repairs by replacing small portions of storm, sanitary, and combination sewer lines. Sewer televising and/or smoke testing is performed as needed to help identify problems. These types of repairs may be the result of service requests or areas identified through the regularly performed maintenance schedule previously mentioned.

SECTION 2

MAXIMIZATION OF STORAGE IN THE COLLECTION SYSTEM

Whenever possible, the City of Rensselaer has historically and will continue to maximize the use of the collection system for combined sewage storage by effectively utilizing the capacity of the collection system in order to reduce the frequency and duration of CSOs.

For the City of Rensselaer, the only significant available storage is located in the City's two interceptors, the North Interceptor and the South Interceptor. The North Interceptor, the City's main interceptor, begins east of Melville Street and continues west along the Iroquois River to the Main Lift Station. This interceptor ranges in size from 21-inch to 24-inch with five (5) combined sewer overflow relief points: CSO 023, 003, 008, 010 and 019. The Southern Interceptor begins southwest of the intersection of Milroy Avenue and Sparling Avenue and continues northeast along the Iroquois River. The interceptor continues to the Main Lift Station, passing beneath the river via a siphon adjacent to this lift station. This interceptor is a 12-inch sewer with a single hydraulic relief point, CSO 021. In addition to these interceptor sewers, the City's collection system also contains two (2) trunk sewers, the Southeast Trunk Sewer and the South Central Trunk Sewer. Both of these sewers are upstream of the Northern Interceptor. The Southeast Trunk sewer begins near Park Avenue and the abandoned quarry and continues along the south side of Iroquois River. This trunk sewer is a 21-inch sewer that extends approximately 300 feet west of CSO 006, where the sewer passes beneath the river via a siphon to the Northern Interceptor. The South Central Trunk Sewer begins at the intersection of Grace Street and Park Avenue and continues west along the Iroquois River to a location between Washington Street and College Avenue, where the interceptor flows beneath the river and into the North Interceptor. This trunk sewer is an 8-inch and 12-inch sewer with two (2) hydraulic relief points, CSO 007 and 014.

Essentially, the main flow regulator for each of these interceptors and the trunk sewers is the Main Lift Station; however, operating the lift station to maximize storage is not a viable option due to the size limitations of the interceptor and trunk sewer infrastructure. The enlargement of the North and South Interceptors and Southeast and South Central Trunk Sewers as required by the LTCP will allow the City to further maximize storage once implemented. Following adequate post-construction monitoring of these phases, the CSOOP will be updated at that time to reflect any additional available storage.

At this time, the City of Rensselaer mainly reverts to operations and maintenance strategies to achieve compliance with this NMC. For example, the City routinely checks and lubricates (as needed) the flap gates on the diversion structures to limit inflow from the stream during times of high water. This ensures that storage is maximized in the interceptors, while ensuring that the combined sewer system is not taking on inflow from the river at the CSOs. In addition, weir elevations have been raised to maximize storage within the system while avoiding surcharging into residences and businesses. And finally, CSO Regulator structures are inspected and cleaned, as necessary after each precipitation event.

SECTION 3

REVIEW AND MODIFY PRETREATMENT ORDINANCE

The City of Rensselaer Wastewater Treatment Plant does not have a formal pretreatment program, but the Sewer Use Ordinance contains provisions for prohibition of materials that are detrimental to the collection, treatment system, and the Iroquois River. Additionally, an industrial inventory is maintained so that new development is monitored for potential industrial discharges. This enables the city to determine if discharges industrial or other commercial establishments are having significant impact upon the collection system or CSO discharges.

3.1 Significant Industrial Users Defined

Significant Industrial Users (SIUs) are classified as an Industrial User that:

- Discharges an average of twenty-five thousand (25,000) gallons per day (gpd) or more of process wastewater to the POTW (excluding sanitary, noncontact cooling water and boiler blow down wastewater);
- Contributes a process waste stream which makes up five (5) percent or more of the average dry weather or organic capacity of the POTW WWTP; or
- Is designated as such by the City on the basis that it has a reasonable potential for adversely affecting the POTW's operation or for violating any Pretreatment Standard or Requirement.

The City of Rensselaer does not have any SIUs that discharge to its combined or sanitary collection system.

3.2 Categorical Industrial Users Defined

These SIUs can be further classified into Categorical Industrial Users (CIUs). CIUs are SIUs which are subject to the Categorical Pretreatment Standards under 40 CFR, 403.6 and 40 CFR Chapter I, subchapter N as defined by the EPA. The City of Rensselaer does not have any CIUs that discharge to its combined or sanitary collection system.

3.3 Permitted Industrial User Summary

As stated above, the City of Rensselaer does not have any dischargers that are classified as SIUs or CIUs. The City of Rensselaer's Sewer Use Ordinance CHAPTER 53: SEWERS (**Appendix D**) contains provisions that are needed in the event that a new industrial user customer is obtained.

SECTION 4

OPERATION TO MAXIMIZE TREATMENT

One of the most critical elements as part of the implementing the NMCs is the requirement to maximize the treatment of peak wet weather flow during and following rainfall events. This portion of the CSOOP will review the existing wastewater treatment plant (WWTP) unit capacities, recent upgrades to increase these capacities, and the specific operating scenario utilized to ensure that the maximum amount of combined sewage is treated during peak wet weather flow conditions.

4.1 Wastewater Treatment Plant Process Capacities

The City of Rensselaer currently operates a Class III activated sludge wastewater treatment plant (WWTP) that includes a bar screen, and aerated grit chamber, two earthen extended aeration activated sludge basins (Biolac®-type), four integral clarifiers (two in each basin), ultraviolet (UV) disinfection and a post aeration tank. Sludge handling facilities include a gravity sludge thickener, two aerobic digester/holding tanks and sludge storage lagoon. The City of Rensselaer's WWTP currently has an average design flow of 1.6 MGD and a peak design flow of 4.0 MGD.

The City of Rensselaer's Biolac®- Type aeration WWTP consists of the following components:

- Influent Flow Meter (Ultrasonic Open Channel Flow Meter)
- Effluent Flow Meter
- RAS Flow Meter
- WAS Flow Meter
- Cylindrical Fine Screen (1 @ 4.0 MGD)
- Grit Chamber
- Activated Sludge (Existing Rehabilitated and Modified) (2)
- Nitrification System
- Secondary Clarifiers (4)
- UV Disinfection (2)
- Post-aeration (2 tanks)

Sludge Handling Consists of:

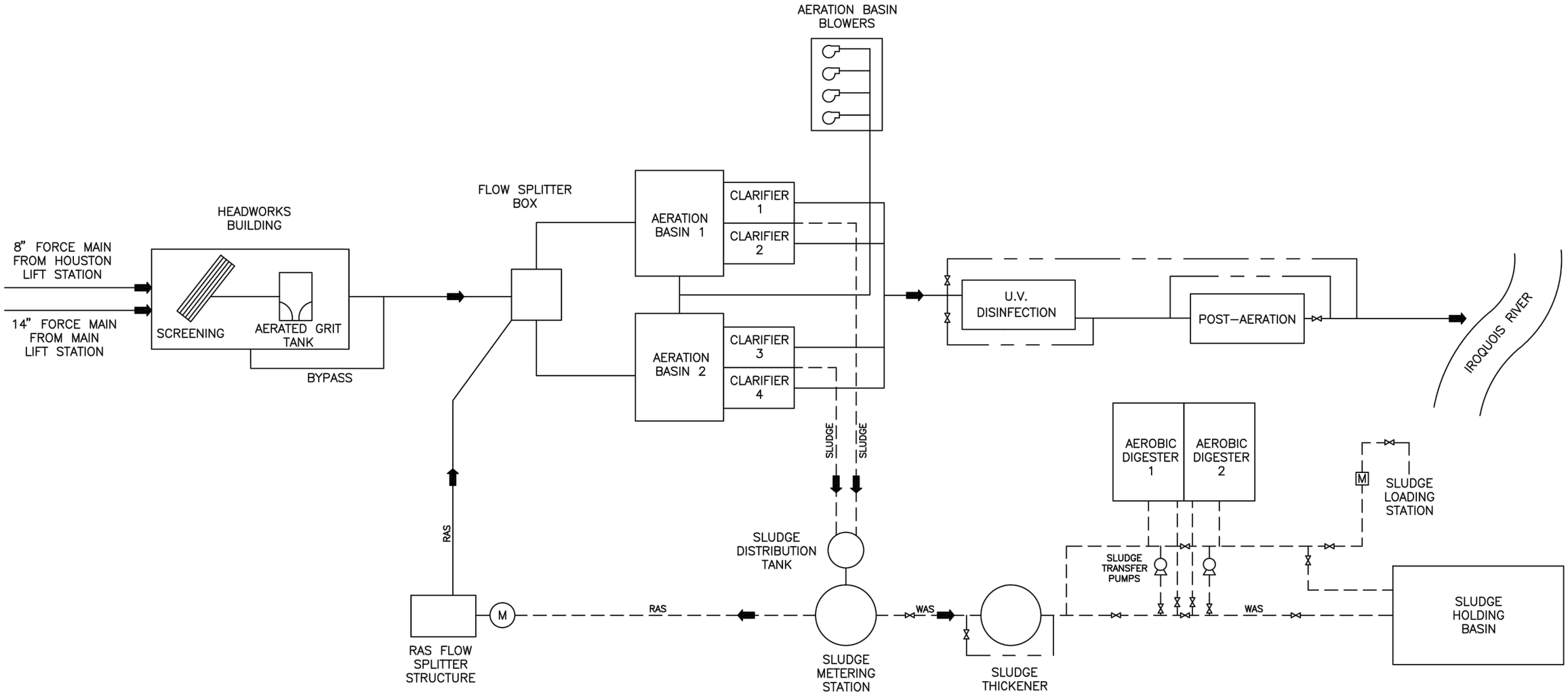
- Gravity Sludge Thickening
- Aerobic Digesters (2)
- Sludge Holding Basin
- Sludge Disposal (hauled off site by 3rd party)
- Plant Drain Pump Station (2)

The WWTP process flow is shown schematically on the following page in **Figure 4-1 – Rensselaer Wastewater Treatment Plant (WWTP) Process Flow Schematic**. The WWTP can also be seen in **Figure 4-2 – Wastewater Treatment Plant Aerial**. The unit capacity of each of these main WWTP components is presented below in **Table 4-1 – Wastewater Treatment Plant Capacities**.

Table 4-1 – Wastewater Treatment Plant Capacities

Process	*Size*	*Qty.*	*Maximum Rated Capacity*
Mechanical Fine Screen	¼ inch Spacing, 35° Incline	1	4.0 MGD
Aerated Grit Tank	4 ft. x 24 ft. x 12 ft. SWD	1	4.0 MGD
Biolac Aeration Basin	124,450 cu. ft.	2	Organic Loading Rate: 5.2 lbs CBOD/1000 cu. ft.
Integral Clarifier	19 ft. x 40 ft. x 12 ft. SWD 120 ft. Total Weir Length	4	Surface Overflow Rate: 526 gpd/sq. ft. @ 1.6 MGD, 1,320 gpd/sq. ft. @ 4.0 MGD Weir Loading Rate: 13,333 gpd/LF @ 1.6 MGD, 33,333 gpd/LF @ 4.0 MGD
UV Disinfection	Channel 2 6 ft. x 16 ft. x 32” SWD	1	7 second contact time a 4.0 MGD Design Dose: 39,500 µWs/cm2
Post-Aeration Tank	12 ft. x 24 ft. x 10.52 ft. SWD and 6 ft. x 13.5 ft. x 10.52 ft. SWD 28,985 gallons total	2	Hydraulic Retention Time: 26 min. @ 1.6 MGD and 10.5 min. @ 4.0 MGD
Sludge Thickener	20 ft. Dia. X 10 ft. – 2 in. SWD	1	4.5 gal/sq/ ft./hr.
Aerobic Digester	36 ft. x 36 ft. x 12 ft. SWD	2	60 days SRT
Sludge Holding Basin	680,000 gallons	1	297 days storage

Mar 30, 2018 - 9:24am



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COMBINED SEWER OVERFLOW OPERATIONAL PLAN UPDATE

WWTP PROCESS FLOW SCHEMATIC

FIGURE

4-1

SCALE: 1"=100'

100' 50' 0 100'

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CITY OF RENSSELAER, INDIANA
JASPER COUNTY

COMBINED SEWER OVERFLOW OPERATIONAL PLAN

WASTEWATER TREATMENT PLANT AERIAL
FIGURE 4–2

4.2 WWTP Upgrades

In 2010, the City of Rensselaer made significant improvements to increase the average daily flow treatment capacities to accommodate future growth, to replace 20-year old equipment and to increase wet weather treatment capabilities. Specifically, the WWTP improvements consisted of the following:

- New headworks building with screening and grit removal facilities and electrical room
- New vactor truck and septage receiving stations
- New Aeration tank baffles and piping modifications for use of both Biolac® basins
- Replacement of floating chains, aeration diffusers, piping valves and cables in both Biolac® basins
- Replacement of existing aeration blowers, piping valves etc. in the blower room
- New clarifier weirs, return sludge air lift pumps and blowers
- New return sludge piping, metering structure and flow splitter structure
- Modification of the existing chlorine contact tank to accommodate a new ultraviolent (UV) disinfection system
- New effluent weir and flow meter in place of parshall flume
- Conversion of an existing dechlorination tank to expand aeration tank capacity
- New yard piping, process piping and HVAC system
- Upgrading/replacement of the plant instrumentation and control/alarm system
- New plant water system and automatic sampler
- Replacement of submersible pumps, piping, valves etc. in the existing plant drain pump station

The projects identified above have served as desired in maximizing wet weather treatment to reduce the frequency and volume of CSO events. In fact, these facility upgrades increased the peak WWTP capacity from 3.0 MGD to 4.0 MGD. This 1.0 MGD increase is believed to reduce the frequency and volume of CSO from CSO 019 and upstream CSOs. If further information is desired, the IDEM Construction Permit for this project is included for review in **Appendix E.**

4.3 Wet Weather Treatment Facility

In March of 2017, the City Completed CSO LTCP Phase I, which included the construction of a 23.5 MGD CSO wet weather treatment facility (WWTF) located at the City's main lift station. The WWTF includes an influent structure with mechanical screening and wet weather pump station, primary vortex separator wet weather treatment system, secondary vortex separator wet weather treatment system, and chlorination/dechlorination disinfection prior to discharge from a newly constructed outfall, CSO 026. A detailed listing of the WWTF components is listed below:

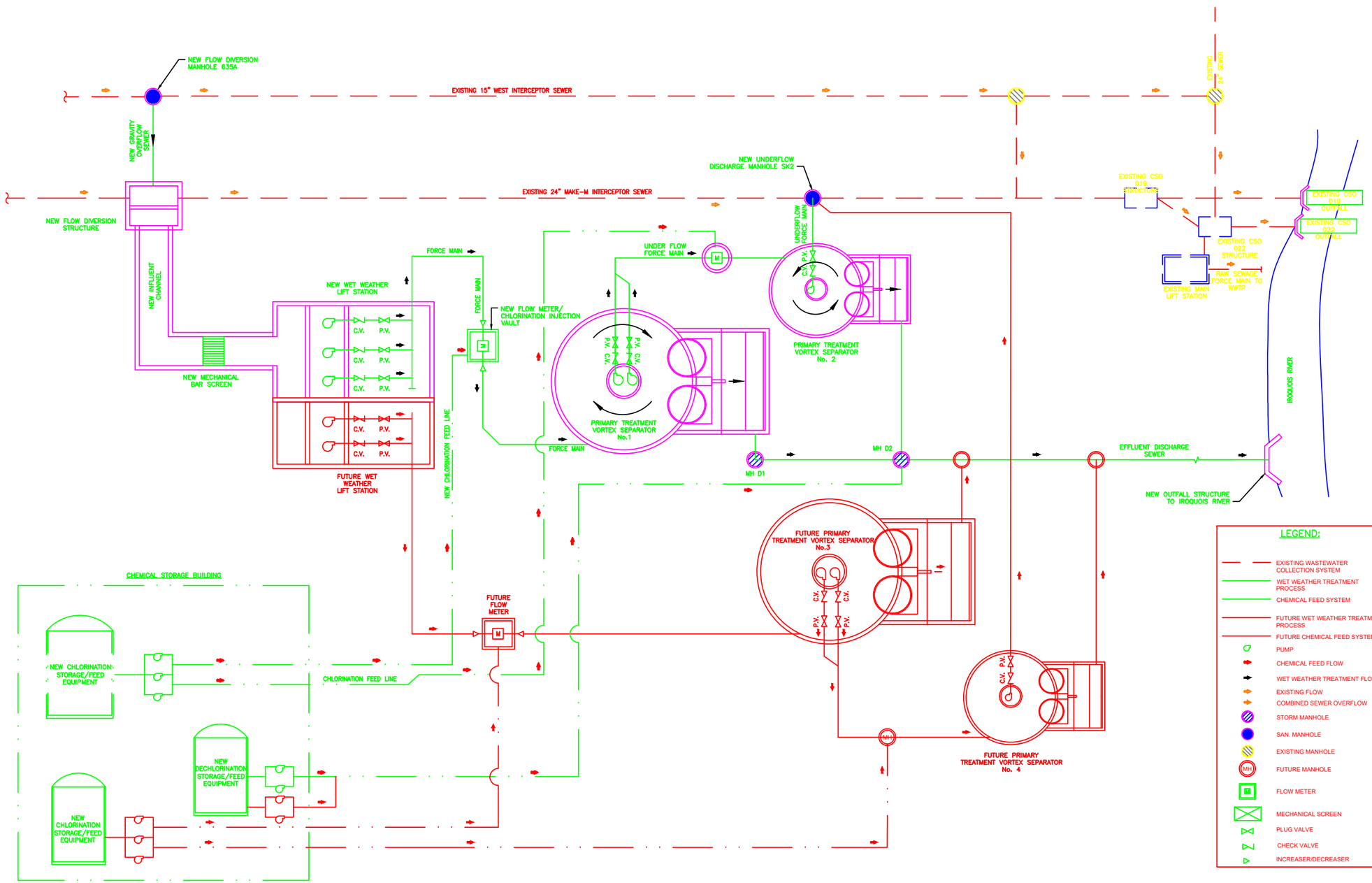
- A CSO Diversion box constructed on the 48" diameter Northeast Interceptor sewer to divert up to 23.5 MGD of flow;
- A new 48" sewer to the CSO Treatment Lift Station which will initially carry up to 23.5 MGD of flow. Ultimately, when excess flow is collected from the North Interceptor Sewer, it will carry up to 47 MGD of flow;
- The CSO Lift Station has been designed for 47 MGD, but has been equipped for a flow of 23.5 MGD for the Phase I project;
- The 36-foot diameter primary vortex unit has been sized for 23.5 MGD and is equipped with a 4 mm screen. This unit will remove solids and some organic matter from the combined sewer overflow;
- The 20-foot diameter secondary vortex unit to process the reject flow stream from the primary vortex unit.
- The chemical treatment facility consists of chemical storage tanks, chemical feed pumps and chemical lines to the vortex units;
- A standby generator to provide power to the CSO Treatment Lift Station and CSO 019 treatment facilities;
- A 12" drain sewer returns reject water to the 15" diameter Northwest sanitary sewer for transport to the City's WWTP; and
- A 48" diameter effluent sewer and outfall (026) to the Iroquois River just downstream of the Main Lift Station.

Table 4-2: WWTF Processes and Capacities contains a detailed summary of capacities of the WWTF. **Figure 4-3 – WWTF Process Flow Schematic** is included to illustrate the process flow of the WWTF. An aerial view of the WWTF is found in **Figure 4-4 – Wet**

Weather Treatment Facility Aerial. If additional details are desired, the WWTF Design Summary is included in **Appendix F**.

Table 4-2: Wet Weather Treatment Facility Capacities

Process	*Size*	*Quantity*	*Max Rated Capacity*
Mechanical Bar Screen	½" spacing at 85 degree slop	1	23.5 mgd
Wet Weather Lift Station	NA	1	23.5 mgd
Primary Storm King/Vortex Separator	36 ft. diameter	1	23.5 mgd
Screens (Aperture Conical) – 1	4 mm opening	2	11.75 mgd
Disinfection – 1	7,600 gallon tank	1	8.4 min
Dechlorination – 1	1,200 gallon tank	1	28 gph
Underdrain Pump Station No. 1	Submersible pumps	2	1,700 gpm @ 38' TDH
Secondary Storm King/Vortex Separator	20 ft. diameter	1	2.5 MGD
Screens (aperture Conical) – 2	4 mm opening	1	2.5 mgd
Disinfection – 2	7,600 gallon tank	1	13.5 min
Dechlorination – 2	1,200 gallon tank	1	28 gph
Underdrain Pump Station No. 2	Submersible pumps	2	350 gpm @ 34' TDH



CSO 11X17 Figures-2.dwg 30

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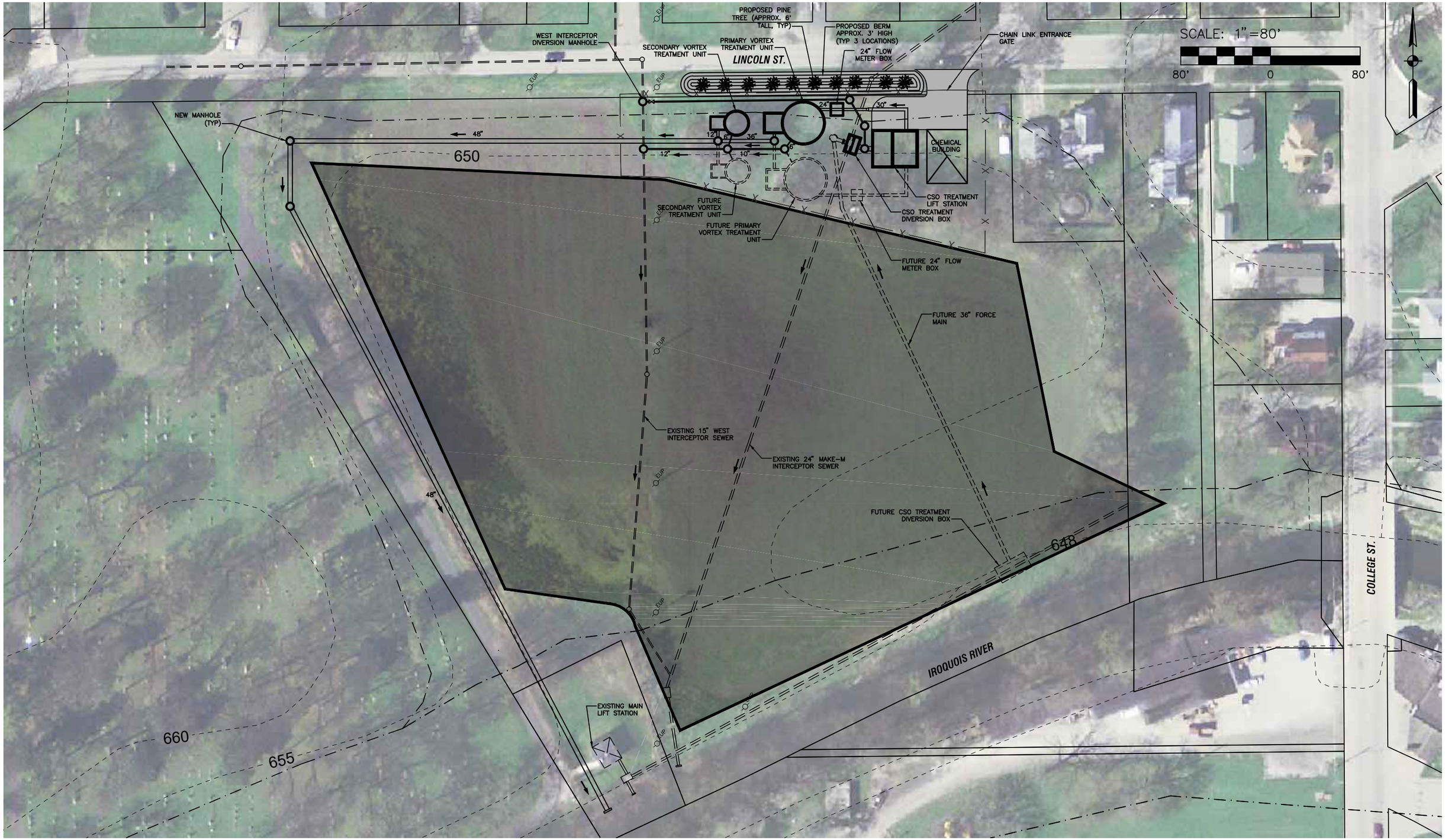
CITY OF RENSSELAER, INDIANA
JASPER COUNTY
COMBINED SEWER OVERFLOW OPERATION PLAN UPDATE
WWTF PROCESS FLOW SCHEMATIC

FIGURE
4-3



LEGEND:

- EXISTING FEATURE
- NEW FEATURE
- FUTURE FEATURE
- NEW FENCE
- AREA OF DELINEATED WETLAND

PLAN VIEW
SCALE: 1"=80'-0"

COMMONWEALTH ENGINEERS, INC.

7256 Company Dr.
Indianapolis, IN 46237
(317) 888-1177

101 Plaza East Blvd. Ste. 200
Evansville, IN 47715
(812) 474-1177

9604 Coldwater Rd., Ste 203
Fort Wayne, IN 46825
(260) 494-3223

CITY OF RENSSELAER, INDIANA
JASPER COUNTY

COMBINED SEWER OVERFLOW OPERATIONAL PLAN

WET WEATHER TREATMENT FACILITY AERIAL

FIGURE
4-4

4.4 LTCP Maximization of Treatment

As referred to in section 0.2, the City of Rensselaer is on an eighteen (18) year schedule to implement the CSO LTCP. Based on the CSO mitigation alternatives evaluation and the Financial Capability Analysis, the City of Rensselaer's LTCP will require increasing the size of the interceptors, trunk sewers and the three (3) siphons to transport the one (1) year one (1) hour storm for the equivalence of primary treatment and disinfection to a location near the Main Lift Station. In addition to the (1) year (1) hour storm event, it was determined that controls sized in this fashion would result in approximately four (4) to six (6) untreated overflows in an annual average precipitation year. Both interceptor and wet weather treatment elements of the LTCP will ensure that both the conveyance of wet weather flows are conveyed and treated to the extent possible. Post construction monitoring of Phase III will determine whether additional WWTF capacity is necessary to meet the proposed Level of Control. **Table 0-3 - Approved City of Rensselaer CSO LTCP Implementation Schedule** is provided in Section 0.2 and describes each phase of the CSO LTCP.

4.5 Wet Weather Operating Procedure

The City of Rensselaer has demonstrated a commitment to ensuring that peak wet weather flow receives treatment via the WWTP to the extent possible and provide primary treatment and disinfection to wet weather flows beyond the capacity of the Main Lift Station and the WWTP. Currently the wet weather operating procedure is as follows:

1. Maximize Main Lift Station to peak capacity of 4.0 MGD
2. Maximize WWTP treatment to 4.0 MGD
3. Divert from Diversion Structure to WWTF
4. Maximize WWTF to the extent possible

Through the implementation and upon completion of the CSO LTCP, the overall intent will be to maximize peak wet weather treatment at the WWTP. This approach is consistent with Phase IIa – Main Lift station Replacement, which conveys all flows to the WWTP. The City of Rensselaer will continue to minimize CSO discharges by maximizing wet weather flow treatment at the WWTP to the extent possible and provide primary treatment and disinfection to wet weather flows beyond the capacity of the Main Lift Station.

SECTION 5

ENSURE THE ELIMINATION OF DRY WEATHER OVERFLOWS

The occurrence of sewage overflows that are not a result of precipitation events is strictly prohibited per Part I. of Attachment A of the City's NPDES Permit No. IN0024414 (**Appendix A**). The City of Rensselaer is fully aware of this prohibition and strives to eliminate any risk of a dry weather overflow from any part of the collection system.

5.1 Means to Eliminate Dry Weather Overflows

The City of Rensselaer believes that the most effective method of reducing the risk of sewer obstructions and dry weather overflows is through the operation and maintenance program previously summarized herein. **Table 1-1** describes the cleaning and maintenance schedule for the collection system, including the CSO structures. The control weirs inside of each CSO have been raised to minimize the risk of CSOs during dry weather. Along with flow metering at the CSO outfalls, the City also performs visual checks of the CSOs. The daily monitoring of the City's lift stations is the primary means of minimizing the occurrence of dry weather overflows. In addition, the sanitary and combined sewer system inspection and flushing program is also critical to the elimination of sewer obstructions that may cause dry weather overflows. Also, the City continues to maintain an aggressive sewer repair schedule by ensuring adequate staffing and equipment are available when sewer collapses are identified.

5.2 Relevant Sewer Use Ordinance Provisions

The City of Rensselaer has codified an effective Sewer Use Ordinance (SUO) that restricts or prohibits certain practices that may cause or contribute to dry weather overflows. Such provisions are necessary for the City to make informed decisions with regard to existing and/or available capacity or to provide a means to reduce the risk of the discharge of substances that may clog sewers or related infrastructure. For example, SUO Chapter 53, Section 53.03 GENERAL PROHIBITIONS (B) and (D) (**Appendix D)** include the following language that support the City's efforts in protecting against the occurrence of dry weather overflows:

> "No person shall discharge or cause to be discharged to any sanitary sewer, either directly or indirectly, any storm water, surface water, ground water, roof runoff, subsurface drainage, cooling water, unpolluted water or unpolluted industrial water."
>
> "No new connection shall be made unless there is capacity available to all downstream sewers, lift stations, force mains and the sewage treatment plant, including capacity for BOD and TSS."

Additional provisions are included in the Sewer Use Ordinance to protect the City's collection system from obstructions that may cause blockages and potentially dry weather overflows. Specifically, SUO Chapter 52, Section 53.08 PROHIBITED DISCHARGES TO PUBLIC SEWERS (A) (4) and (B) (3) (**Appendix D**) includes the following language:

> "Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewage works such as, but not limited to ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch, manure, hair and fleshings, entrails, paper, dishes, cups, milk containers, etc., either whole or ground by garbage grinders."
>
> "Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of ¾ horsepower (0.76 hp metric) or greater shall be subject to the review and approval of the Board."

In addition to the clause above, the City also maintains a surcharge program in cases where average daily discharge concentrations exceed a Total Suspended Solids concentration of 200 mg/l. This provision provides the City an additional means to monitor high concentration discharges that could clog a sewer and lead to a dry weather overflow.

In summary, the City of Rensselaer has the administrative measures in place through its SUO to protect against discharges that have the potential of causing a dry weather overflow due to exceeding the capacity of the collection system and/or sewer clogging.

SECTION 6

CONTROL OF SOLIDS AND FLOATABLES

The control of solids and floatables is critical to improving the water quality in the Iroquois River. This portion of the CSOOP will summarize the City of Rensselaer Wastewater Department's operations and infrastructure intended to reduce the discharge of solids and floatables and in turn, improve the water quality of the receiving stream.

6.1 First Flush Concept and Compliance

Due to the City's past efforts to maximize treatment during wet weather and to modify the CSO structures by raising weir heights to capture the maximum amount of wet weather flow, the City strives to capture the "first flush" of pollutants for full treatment through the WWTP. The improvements required as part of the LTCP will further increase the City's ability to capture the "first flush" of pollutants and provide full treatment. Flows in excess of the first flush will receive the equivalence of primary treatment and disinfection through the Wet Weather Treatment Facility to the extent possible .

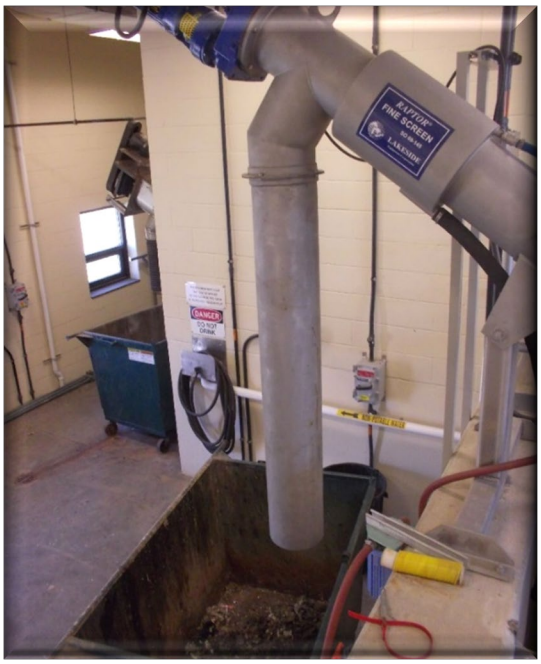
6.2 Wastewater Treatment Plant Equipment and Operations

The City of Rensselaer currently operates a Class III activated sludge wastewater treatment plant (WWTP). The existing wastewater treatment plant (WWTP) consists of a 1.6 million gallon per day (MGD) average design flow and 4.0 MGD peak design flow Bio-lac activated sludge plant. Wastewater flow is transported to the WWTP from the Main Lift Station via a 14-inch force main and enters the WWTP at the influent structure. Once flow passes the WWTP influent structure, it is then de-gritted and screened in the headworks where first flush pollutants are captured. Photographs of the grit collector and fine screen are shown below in **Photographs 6-1 and 6-2**. Additional treatment consists of flow being transferred to one (1) of two (2) earthen aeration basins; once the appropriate detention time is achieved, flow is then transferred to one of the four (4) settling tanks that provide secondary clarification. Flow then overflows the settling tank weirs and enters the Ultraviolet (UV) tank for disinfection. The final step prior to the discharge of treated effluent to the Iroquois River is the transport of flow to the post aeration tank to increase the dissolved oxygen of the effluent. Sludge processing for the WWTP includes a sludge

gravity thickening tank, two (2) aerobic digesters, and a sludge holding basin. The new Main Lift Station (Phase IIa) will include a screen that will further enhance the capture of solids and floatables.

Photograph 6-1 – Raptor In-Line Grit Collector

Photograph 6-2 – Raptor Fine Screen



6.3 Wet Weather Treatment Facility Equipment and Operations

The Wet Weather Treatment Facility uses a mechanical bar screen at its headworks structure. Then flows pass through the chlorination injection vault for disinfection. The flows enter the primary and secondary vortex separator units, which provide additional screening, grit removal, and clarification to wet weather flows when activated. All flows from the vortex separators are also dechlorinated before discharge. In addition, solids debris are cleaned from each vortex separator (primary and secondary) once per month. **Photographs 6-3 and 6-4** show the vertical bar screens installed at the Wet Weather Treatment Facility and the new Main Lift Station which enhance the capture of solids and floatables.

Photograph 6-3 – Muffin Monster Vertical Bar Screen at Wet Weather Treatment Facility

Photograph 6-4 – Muffin Monster Vertical Bar Screen at New Main Lift Station

6.4 Maintenance Practices

The primary maintenance practice that reduces the discharge of solids and floatables through its CSOs is the cleaning and inspecting of sewers, lift stations, and CSO structures. The City of Rensselaer performs a thorough inspection of lift stations at least weekly and CSO structures and flap gates daily. Furthermore, televising, flushing, and smoke testing of lines are performed once every four (4) years with problems areas requiring more frequent inspections and maintenance. Such a robust operation and maintenance program as conducted by the City of Rensselaer Wastewater Department is critical in identifying and removing obstructions that may either prematurely cause a combined sewer overflow or may be discharged during a combined sewer overflow event.

6.4 CSO LTCP Components

As briefly described above, the reduction of the discharge of untreated CSO will be significantly improved through the implementation of CSO LTCP update. Specifically, the WWTF at CSO 019 has and will continue to aid in the reduction of a CSO discharge during a wet weather event. Additionally the updated CSO LTCP for the City of Rensselaer to increase the size of the North Interceptor, West Interceptor, South Central Interceptor, Southeast Interceptor and the three (3) siphons to transport the one (1) year one (1) hour storm to the WWTF will further minimize the discharge of solids and floatables. Also as previously mentioned the new Main Lift Station as part of LTCP Phase IIa will includes screening facilities. Further information on the construction of the New Main Lift Station is included in **Appendix G**.

SECTION 7

IMPLEMENTATION OF POLLUTION PREVENTION MEASURES

The City of Rensselaer continues to implement pollution prevention programs that aid in minimizing the discharge of pollutants to the waterways through the remaining nine (9) CSO outfalls. Ancillary programs, such as the City's recycling program and solid waste pick up, also provide measures that contribute to reducing the discharge of pollutants via the nine (9) remaining CSO structures.

7.1 City and County Programs

The City of Rensselaer educate the public and participate in pollution preventions programs that further reduce the pollutants or concentration of pollutants discharged to the combined sewer system.

- Recycling – The City of Rensselaer has a bi-weekly recycling collection program. This program provides citizens the proper means to recycle materials that may otherwise reach the combined sewer system and have the potential to discharge to local waterways during a CSO event.
- Solid Waste/Trash Pick-Up – For many years, the City of Rensselaer has collected and disposed of residential trash on a weekly basis. This program provides citizens the proper means to dispose materials that may otherwise reach the combined sewer system and have the potential to discharge to local waterways during a CSO event.
- Street Cleaning - The City maintains the cleanliness of the city streets by regular street sweeping and snow removal. These activities ensure that undesirable materials do not unnecessarily enter the combined sewer system where there is the potential for discharge directly into the local waterways. The City's street sweeping occurs 12 times a year in early spring and continue through fall. Snow removal is done on an as needed basis through the winter months.
- Yard Waste Pick-Up – The Street Department collects grass clippings, garden debris, or weeds once per week for each resident. The City requests that residents leave yard waste on the curb as opposed to the street to avoid the blocking of inlets that may flood the street. The weekly frequency of this activity ensures that

yard waste does not unnecessarily enter the combined sewer system and discharge through a CSO.

- Brush Pick-Up – Trimmed brush is also picked up by the City staff on a weekly basis and limbs must be cut to a minimum of four (4) feet in length. Again, this service also eliminates the risk of such materials becoming lodged in sewers or discharged through a CSO.
- Leaf Pick-Up – From the months of October through November of each year, the City provides leaf pick-up for residents of the City. This service ensures that gutters and inlets do not become clogged and that these materials do not enter a combined sewer and subsequently discharge to the Iroquois River.

7.2 Mandated Drinking Water Programs

As required by 327 IAC 8.4-1, the City of Rensselaer Water Department must develop and implement a Wellhead Protection Plan (WHPP) to protect the City's groundwater resources. Given the size of the water utility, the City must review its WHPP every 5 years and update this document if necessary. The initial WHPP was approved on August 26, 2002. The Phase II WHPP, or WHPP Update, was approved by IDEM on August 25, 2009 and updated January 6. 2014.

A WHPP is required since the City of Rensselaer utilizes groundwater as their drinking water source and one relevant portion of the WHPP is to identify potential sources of contamination. These potential sources of contamination may include gas stations or industries that have the potential to threaten the City's drinking water aquifers. This program requires that the City identify such sources and educate these sources on the risk that their operations may impose on the City's drinking water resources. This program also has the advantage of serving as a means to raising awareness of possible threats to surface water resources, such as CSOs.

7.3 Supplemental Regional Water Quality Programs

Supplemental regional water quality programs further aid the City of Rensselaer in protecting water resources. For example, the Upper Iroquois Watershed Initiative (UIWI) is a group of citizens and organizations who are cooperating to develop a watershed management plan (WMP) to accomplish the goal of improving water quality across the watershed. Farmers, homeowners, land owners, county and city/town leaders, and

developers involvement in implementing Best Management Practices (BMPs) and educational outreach will be critical to improving overall water quality of the St. Joseph River and entire watershed.

SECTION 8

IMPLEMENTATION OF A PUBLIC NOTIFICATION PROCESS

In accordance with the CSO Notification Rule 327 IAC 5-21.1, the City was required to submit a Combined Sewer Overflow Public Notification Plan to Indiana Department of Environmental Management (IDEM) in November of 2003, which was later approved by IDEM. The City's Public Notification Plan included the following components:

- Determination of affected waters;
- Mapping of CSOs and affected waters;
- Identification of public access points;
- Identification of any drinking water intakes;
- Education of the public;
- Notification methods; and
- Assignment of responsibilities among city staff.

8.1 CSO Notification Signs

The City of Rensselaer has posted signs at each CSO outfall to alert the public of the CSO outfall. These signs are intended to warn the public of the risks associated with recreating in the waterway near a CSO during and following precipitation events. The CSO notification sign is illustrated on the following page in **Photograph 8-1 – CSO Notification Sign**. These signs state the following:

"Caution-Sewage or Wastewater pollution. Sewage or Wastewater may be in this water during and for several days after periods of rainfall or snow melt. People who swim in, wade in, or ingest this water may get sick. For more information, please call the Wastewater Department at (219) 866-7833 for more information."

Photograph 8-1 – CSO Notification Sign

8.2 Ongoing Public Notice Plan Components

In addition to the posting of the signs referenced above, the City places a legal advertisement in the local newspaper, *The Rensselaer Republican,* annually in March warning of the occurrence of a CSO and public health threat of recreating in waters where a CSO may discharge. Specifically, the following statement is public noticed:

As required by 327 IAC 5-2.1-6(1) (Combined Sewer Overflow Public Notification Rule), the City of Rensselaer Indiana offers local media sources, affected public and other interested persons in and around the City of Rensselaer area to provide information concerning frequency of overflow events that may be triggered by precipitation. Any entity or individual desiring such information is requested to contact the Superintendent, Bryce Black at (219) 866-7833, or, in writing, to the City of Rensselaer Wastewater Department, P.O. Box 280, Rensselaer, IN, 47978.

8.3 Community Involvement and Education

The State of Indiana requires that CSO communities form a Citizen Advisory Committee (CAC) as part of the long-term planning process. The importance of the CAC is stressed in both Federal and State CSO LTCP guidance and is a critical element in the development of this CSO LTCP. The purpose of the CAC is to form a group that serves as public liaisons among the following stakeholders:

- Municipal officials,
- Indiana Department of Environmental Management,
- Indiana Office of Inspector General,
- Environmental Protection Agency, and the
- General Public (including residents of the City, downstream adjacent property landowners, and those who utilize the Iroquois River for recreational purposes).

The City's Citizens Advisory Committee overall goal is to assist the decision-makers of the community to select long term CSO mitigation controls that best achieve the environmental goals of the community in an economically responsible manner. Since the City of Rensselaer has been proactive in reducing CSO discharges through the implementation of the LTCP thus far and the CAC has been instrumental in this effort. In order to ensure that the CSO LTCP is properly implemented, future city government

administrations will continue to be educated by members of the CSO LTCP CAC so that continued compliance with Agreed Judgment Cause No. 37C01-0709-CC-391 (**Appendix B**) and NPDES Permit No. IN0024414 (**Appendix C**) is achieved. **Table 8-1: Citizen Advisory Committee Member Information** below includes the membership names, titles and affiliations.

Table 8-1: Citizen Advisory Committee Member Information

Name	*Title*	*Affiliation*
Stephen A. Wood	Mayor	City of Rensselaer
Russell Overton (At Large)	Council Member	City of Rensselaer
Kevin Armold	1st Ward Council Representative	City of Rensselaer
Noelle Weishaar	2nd Ward Council Representative	City of Rensselaer
George Cover	3rd Ward Council Representative	City of Rensselaer
Ernest Watson Jr.	4th Ward Council Representative	City of Rensselaer
Jerry Lockridge	Project Coordinator	City of Rensselaer
Shelby Keys	Clerk-Treasurer	City of Rensselaer
Matt Anderson	Police Chief	City of Rensselaer
Jeff Richey	Wastewater Plant Operator	City of Rensselaer
Bryce Black	Assistant Street Superintendent	City of Rensselaer
Linda Comingore	Director	City of Rensselaer Chamber of Commerce
Harley Thomlenson	Citizen and Reporter	Rensselaer Republican Newspaper

SECTION 9

MONITOR AND EFFECTIVELY CHARACTERIZE CSO IMPACTS AND THE EFFICACY OF CSO CONTROLS

The purpose of this CSOOP requirement is to determine the effectiveness of the implementation of the NMCs. In addition, this NMC is also intended to determine the efficacy of the required CSO LTCP. The monitoring, reporting and performance of the LTCP improvements project will be summarized in the sections below.

9.1 Regular Monitoring

As stated previously, the City of Rensselaer maintains a rigorous collection system cleaning and maintenance schedule whereby maintenance activities, flow meter logs, and issues encountered are documented. To aid the reporting of CSO events as required by NPDES Permit No. IN0024414 (**Appendix A**) and to determine the effectiveness of the LTCP, all nine (9) CSOs within the collection system are equipped with permanent area-velocity meters that records overflow volume. These flow meters can be monitored via web-based real-time data access. As required, CSO overflow events will be evaluated and reported to IDEM in accordance with Attachment A of NPDES Permit No. IN0024414 (**Appendix A**).

9.2 Post Construction Monitoring

The purpose of the Post-Construction Compliance Monitoring Program is to determine the effectiveness of the CSO controls proposed in the LTCP. Previous studies and sampling programs indicate the Iroquois River does not achieve water quality standards even before it enters the City of Rensselaer; thus, it is not realistic to evaluate the effectiveness of the implementation of proposed CSO controls by evaluating improvement in stream water quality.

A performance-based Post-Construction Compliance Monitoring Program proposed for Rensselaer consists of the following components:

- CSO flow monitoring
- WWTP, WWTF, and Main Lift Station flow monitoring

- Quality assurance and quality control of monitored data
- Record keeping and reporting to ensure compliance with the City's NPDES Permit
- Precipitation data collection capable of monitoring rainfall intensity

The effectiveness of the CSO controls proposed in the LTCP will be evaluated by monitoring the flow meters for the areas that are impacted by the CSO control measures. For the proposed wet weather treatment system, the volume of treated CSO will be documented and compared to previously untreated CSO volumes. With respect to the interceptor, trunk line, and siphon improvements, CSO discharge activation frequency and volume will be compared to pre-project conditions. Previous XPSWMM modeling efforts conducted as part of the CSO LTCP alternative analysis will be revisited to compare actual versus model conditions at each relevant phase throughout the LTCP. This activity, along with XPSWMM updates at prudent intervals throughout the implementation of the CSO LTCP, will ensure the proper sizing of CSO controls and support compliance efforts. Precipitation and Iroquois River elevation will also be utilized for comparative purposes.

Throughout the implementation of the CSO LTCP, the City will continue to submit the NPDES CSO Monthly Report of Operations (MRO). Using this form, the City will continue to record the duration and quantity of each precipitation event that causes an overflow event. For each of these CSOs, the date of the overflow will be listed along with the estimated start time, the event duration, and the estimated event volume. The continual tracking of this data will allow the City and IDEM to track the effectiveness of control measures implemented throughout the implementation of the CSO LTCP.

Appendix A

NPDES Permit No. IN0024414

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

February 4, 2020

VIA ELECTRONIC MAIL

The Honorable Stephen Wood, Mayor
City of Rensselaer
P.O. Box 280
Rensselaer, Indiana 47978

Dear Mayor Wood:

Re: Final NPDES Permit No. IN0024414
City of Rensselaer Wastewater Treatment Plant
Jasper County

Your application for a National Pollutant Discharge Elimination System (NPDES) permit has been processed in accordance with Sections 402 and 405 of the Federal Water Pollution Control Act as amended, (33 U.S.C. 1251, et seq.), and IDEM's permitting authority under IC 13-15. The enclosed NPDES permit covers your discharges to the Iroquois River. All discharges from this facility shall be consistent with the terms and conditions of this permit.

One condition of your permit requires monthly reporting of several effluent parameters. You are required to submit both federal discharge monitoring reports (DMRs) and state Monthly Reports of Operation (MROs) on a routine basis. The MRO form is available on the internet at the following web site: http://www.in.gov/idem/cleanwater/2396.htm.

Once you are on this page, select the "IDEM Forms" page and locate the version of the MRO applicable to your plant under the "Wastewater Facilities" heading. We recommend selecting the "XLS" version as it will complete all of the calculations on the data entered.

All NPDES permit holders are required to submit their monitoring data to IDEM using NetDMR. Please contact Rose McDaniel at (317) 233-2653 or Helen Demmings at (317) 232-8815 if you would like more information on NetDMR. Information is also available on our website at http://IN.gov/idem/cleanwater/2422.htm.

Another condition which needs to be clearly understood concerns violation of the effluent limitations in the permit. Exceeding the limitations constitutes a violation of the permit and may bring criminal or civil penalties upon the permittee. (See Part II.A.1 and II.A.11 of this permit). It is very important that your office and treatment operator understand this part of the permit.

Please note that this permit issuance can be appealed. An appeal must be filed under procedures outlined in IC 13-15-6, IC 4-21.5, and the enclosed public notice. The appeal must be initiated by filing a petition for administrative review with the Office of Environmental Adjudication (OEA) within fifteen (15) days of the emailing of an electronic copy of this letter or within eighteen (18) days of the mailing of this letter by filing at the following addresses:

Director
Office of Environmental Adjudication
Indiana Government Center North
Room N103
100 North Senate Avenue
Indianapolis, Indiana 46204

Commissioner
Indiana Department of Environmental Management
Indiana Government Center North
Room 1301
100 North Senate Avenue
Indianapolis, Indiana 46204

The permit should be read and studied. It requires certain action at specific times by you, the discharger, or your authorized representative. One copy of this permit is also being sent to your operator to be kept at the treatment facility. You may wish to call this permit to the attention of your consulting engineer and/or attorney.

If you have any questions concerning your NPDES permit, please contact Alyce Klein at (317) 233-6728 or aklein@idem.IN.gov. More information on the appeal review process is available at the website for the Office of Environmental Adjudication at http://www.in.gov/oea.

Sincerely,

Jerry Dittmer, Chief
Permits Branch
Office of Water Quality

Enclosures
cc: Bryce Black, Certified Operator
Jerry Lockridge, City Project Coordinator
Brady Dryer, Commonwealth Engineers, Inc.

STATE OF INDIANA

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

AUTHORIZATION TO DISCHARGE UNDER THE

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

In compliance with the provisions of the Federal Water Pollution Control Act, as amended, (33 U.S.C. 1251 et seq., the "Act"), Title 13 of the Indiana Code, and regulations adopted by the Water Pollution Control Board, the Indiana Department of Environmental Management (IDEM) is issuing this permit to the

CITY OF RENSSELAER

hereinafter referred to as "the permittee." The permittee owns and/or operates the **City of Rensselaer Wastewater Treatment Plant**, a major municipal wastewater treatment plant located at 1750 West Daugherty Road, Rensselaer, Indiana, Jasper County. The permittee is hereby authorized to discharge from the outfalls identified in Part I of this permit to receiving waters named the Iroquois River in accordance with the effluent limitations, monitoring requirements, and other conditions set forth in the permit. The permittee is also authorized to discharge from combined sewer overflow outfalls and the partially treated wet weather treatment facility outfall listed in Attachment A of this permit, to receiving waters named the Iroquois River in accordance with the effluent limitations, monitoring requirements, and other conditions set forth in this permit. This permit may be revoked for the nonpayment of applicable fees in accordance with IC 13-18-20.

Effective Date: May 1, 2020.

Expiration Date: April 30, 2025.

In order to receive authorization to discharge beyond the date of expiration, the permittee shall submit such information and application forms as are required by the Indiana Department of Environmental Management. The application shall be submitted to IDEM at least 180 days prior to the expiration date of this permit, unless a later date is allowed by the Commissioner in accordance with 327 IAC 5-3-2 and Part II.A.4 of this permit.

Issued on February 4, 2020, for the Indiana Department of Environmental Management.

Jerry Dittmer, Chief
Permits Branch
Office of Water Quality

TREATMENT FACILITY DESCRIPTION

The permittee currently operates a Class III, 1.6 MGD Bio-lac treatment facility consisting of an influent flow meter, grit removal, Bio-lac basins, settling tanks, ultraviolet light disinfection, and post aeration. Solids are treated by gravity thickening and aerobic digestion, and are land applied in accordance with land application permit INLA000450.

The City also operates a 23.5 MGD Wet Weather Treatment Facility (WWTF) to capture and treat wet weather flow at the City's main lift station. The WWTF includes an influent structure with mechanical screening and wet weather pump station, vortex separator wet weather treatment systems, and chlorination/dechlorination disinfection prior to discharge at Outfall 026.

The collection system is comprised of combined sanitary and storm sewers with three (3) bypass points, nine (9) Combined Sewer Overflow locations and one (1) WWTF outfall. The CSO locations have been identified and permitted with provisions in Attachment A of the permit. The bypass points are identified in and are subject to the provisions contained in Part II.B.2 of the permit.

The mass limits for $CBOD_5$, TSS and ammonia-nitrogen have been calculated utilizing the peak design flow of 4 MGD. This is to facilitate the maximization of flow through the treatment facility in accordance with this Office's CSO policy.

PART I

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

The permittee is authorized to discharge from the outfall listed below in accordance with the terms and conditions of this permit. The permittee shall take samples and measurements at a location representative of each discharge to determine whether the effluent limitations have been met. Refer to Part I.B of this permit for additional monitoring and reporting requirements.

1. Beginning on the effective date of this permit, the permittee is authorized to discharge from Outfall 001, which is located at Latitude: 40° 55' 28" N, Longitude: 87° 10' 55" W. The discharge is subject to the following requirements:

TABLE 1

	Quantity or Loading			Quality or Concentration			Monitoring Requirements	
Parameter	**Monthly Average**	**Weekly Average**	**Units**	**Monthly Average**	**Weekly Average**	**Units**	**Measurement Frequency**	**Sample Type**
Flow [1]	Report	----	MGD	----	----	----	5 X Weekly	24-Hr. Total
$CBOD_5$	834.5	1,335.2	lbs/day	25	40	mg/l	5 X Weekly	24-Hr. Comp.
TSS	1,001.4	1,502.1	lbs/day	30	45	mg/l	5 X Weekly	24-Hr. Comp.
Ammonia-nitrogen								
Summer [2]	80.1	120.2	lbs/day	2.4	3.6	mg/l	5 X Weekly	24-Hr. Comp.
Winter [3]	120.2	180.3	lbs/day	3.6	5.4	mg/l	5 X Weekly	24-Hr. Comp.
Phosphorus [4]								
Interim	Report	----	lbs/day	Report	----	mg/l	Monthly	24-Hr. Comp.
Final	Report	----	lbs/day	1.0	----	mg/l	5 X Weekly	24-Hr. Comp.
Nitrogen, Total (as N) [5]	Report	----	lbs/day	Report	----	mg/l	Monthly	24-Hr. Comp.

TABLE 2

	Quality or Concentration				Monitoring Requirements	
Parameter	**Daily Minimum**	**Monthly Average**	**Daily Maximum**	**Units**	**Measurement Frequency**	**Sample Type**
pH [6]	6.0	----	9.0	s.u.	5 X Weekly	Grab
Dissolved Oxygen [7]						
Summer [2]	6.0	----	----	mg/l	5 X Weekly	4 Grabs/24-Hrs.
Winter [3]	5.0	----	----	mg/l	5 X Weekly	4 Grabs/24-Hrs.
E.coli [8]	----	125 [9]	235 [10]	cfu/100 ml	5 X Weekly	Grab

[1] Effluent flow measurement is required per 327 IAC 5-2-13. The flow meter(s) shall be calibrated at least once every twelve months.

[2] Summer limitations apply from May 1 through November 30 of each year.

[3] Winter limitations apply from December 1 through April 30 of each year.

[4] Refer to the Schedule of Compliance in Part I.D. of this permit.

[5] Total Nitrogen shall be determined by testing Total Kjeldahl Nitrogen (TKN) and Nitrate + Nitrite and reporting the sum of the TKN and Nitrate + Nitrite results (reported as N). Nitrate + Nitrite can be analyzed together or separately. Monitoring for Total Nitrogen is required in the effluent only.

The following EPA methods are recommended for use in the analysis of TKN and Nitrate + Nitrite. Alternative approved 40 CFR 136 methods may be utilized.

Parameter	Method
TKN	350.1, 351.1, 351.2
Nitrate	300.0, 300.1, 352.1
Nitrite	300.1, 353.2
Nitrate + Nitrite	300.0, 300.1, 353.2

[6] If the permittee collects more than one grab sample on a given day for pH, the values shall not be averaged for reporting daily maximums or daily minimums. The permittee must report the individual minimum and the individual maximum pH value of any sample during the month on the Monthly Report of Operation forms.

[7] The daily minimum concentration of dissolved oxygen in the effluent shall be reported as the arithmetic mean determined by summation of the four (4) daily grab sample results divided by the number of daily grab samples. These samples are to be collected over equal time intervals.

[8] The effluent shall be disinfected on a continuous basis such that violations of the applicable bacteriological limitations (*E. coli*) do not occur from April 1 through October 31, annually.

The *Escherichia coli* (*E. coli*) limitations apply from April 1 through October 31 annually. IDEM has specified the following methods as allowable for the detection and enumeration of *Escherichia coli* (*E. coli*):

1. Coliscan MF® Method
2. EPA Method 1603 Modified m-TEC agar
3. mColi Blue-24®
4. Colilert® MPN Method or Colilert-18® MPN Method

[9] The monthly average *E. coli* value shall be calculated as a geometric mean. Per 327 IAC 5-10-6, the concentration of *E. coli* shall not exceed one hundred twenty-five (125) cfu or mpn per 100 milliliters as a geometric mean of the effluent samples taken in a calendar month. No samples may be excluded when calculating the monthly geometric mean.

[10] If less than ten samples are taken and analyzed for *E. coli* in a calendar month, no samples may exceed two hundred thirty-five (235) cfu or mpn as a daily maximum. However, when ten (10) or more samples are taken and analyzed for *E. coli* in a calendar month, not more than ten percent

(10%) of those samples may exceed two hundred thirty-five (235) cfu or mpn as a daily maximum. When calculating ten percent, the result must not be rounded up. In reporting for compliance purposes on the Discharge Monitoring Report (DMR) form, the permittee shall record the highest non-excluded value for the daily maximum.

2. Minimum Narrative Limitations

At all times the discharge from any and all point sources specified within this permit shall not cause receiving waters:

a. including the mixing zone, to contain substances, materials, floating debris, oil, scum or other pollutants:

(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 a 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.

b. outside the mixing zone, to contain substances in concentrations which on the basis of available scientific data are believed to be sufficient to injure, be chronically toxic to, or be carcinogenic, mutagenic, or teratogenic to humans, animals, aquatic life, or plants.

B. MONITORING AND REPORTING

1. Representative Sampling

Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge flow and shall be taken at times which reflect the full range and concentration of effluent parameters normally expected to be present. Samples shall not be taken at times to avoid showing elevated levels of any parameters.

2. Data on Plant Operation

The raw influent and the wastewater from intermediate unit treatment processes, as well as the final effluent shall be sampled and analyzed for the pollutants and operational parameters specified by the applicable Monthly Report of Operation Form, as appropriate, in accordance with 327 IAC 5-2-13. Except where the permit specifically states otherwise, the sample frequency for the raw influent and intermediate unit treatment process shall be at a minimum the same frequency as that for the final effluent. The measurement frequencies specified in each of the tables in Part I.A. are the minimum frequencies required by this permit.

3. Reporting per Monitoring Period

The permittee shall submit accurate monitoring reports to the Indiana Department of Environmental Management containing results obtained during each monitoring period and shall be submitted no later than the 28th day of the month following each completed monitoring period. Each monitoring period report shall be submitted no less than annually and no more than monthly, as per parameter measurement frequency listed. These reports shall include, but not necessarily be limited to, the Discharge Monitoring Report (DMR) and the Monthly Report of Operation (MRO). Permittees with combined sewer overflow discharges must also submit the CSO Monthly Report of Operation to IDEM by the 28th day of the month following each completed monitoring period. All reports shall be submitted electronically by using the NetDMR application, upon registration, receipt of the NetDMR Subscriber Agreement, and IDEM approval of the proposed NetDMR Signatory. Access the NetDMR website (for initial registration and DMR/MMR submittal) via CDX at: https://cdx.epa.gov/. The Regional Administrator may request the permittee to submit monitoring reports to the Environmental Protection Agency if it is deemed necessary to assure compliance with the permit.

A calendar week will begin on Sunday and end on Saturday. Partial weeks consisting of four or more days at the end of any month will include the remaining days of the week, which occur in the following month in order to calculate a consecutive seven-day average. This value will be reported as a weekly average or seven-day average on the MRO for the month containing the partial week of four or more days. Partial calendar weeks consisting of less than four days at the end of any month will be carried forward to the succeeding month and reported as a weekly average or a seven-day average for the calendar week that ends with the first Saturday of that month.

4. Definitions

a. Calculation of Averages

Pursuant to 327 IAC 5-2-11(a)(5), the calculation of the average of discharge data shall be determined as follows: For all parameters except fecal coliform and *E. coli*, calculations that require averaging of sample analyses or measurements of daily discharges shall use an arithmetic mean unless otherwise specified in this permit. For fecal coliform, the monthly average discharge and weekly average discharge, as concentrations, shall be calculated as a geometric mean. For *E. coli*, the monthly average discharge, as a concentration, shall be calculated as a geometric mean.

b. Terms

(1) "Monthly Average" -The monthly average discharge means the total mass or flow-weighted concentration of all daily discharges during a calendar month on which daily discharges are sampled or measured, divided by the number of daily discharges sampled and/or measured during such calendar month. The monthly average discharge limitation is the highest allowable average monthly discharge for any calendar month.

(2) "Weekly Average" - The weekly average discharge means the total mass or flow weighted concentration of all daily discharges during any calendar week for which daily discharges are sampled or measured, divided by the number of daily discharges sampled and/or measured during such calendar week. The average weekly discharge limitation is the maximum allowable average weekly discharge for any calendar week.

(3) "Daily Maximum" - The daily maximum discharge limitation is the maximum allowable daily discharge for any calendar day. The "daily discharge" means the total mass of a pollutant discharged during the calendar day or, in the case of a pollutant limited in terms other than mass pursuant to 327 IAC 5-2-11(e), the average concentration or other measurement of the pollutant specified over the calendar day or any twenty-four hour period that represents the calendar day for purposes of sampling.

(4) "24-hour Composite" - A 24-hour composite sample consists of at least four (4) individual flow-proportioned samples of wastewater, taken by the grab sample method over equal time intervals during the period of operator attendance or by an automatic sampler, and which are combined prior to analysis. A flow proportioned composite sample shall be obtained by:

(a) recording the discharge flow rate at the time each individual sample is taken,

(b) adding together the discharge flow rates recorded from each individual sampling time to formulate the "total flow value,"

(c) dividing the discharge flow rate of each individual sampling time by the total flow value to determine its percentage of the total flow value, and

(d) multiplying the volume of the total composite sample by each individual sample's percentage to determine the volume of that individual sample which will be included in the total composite sample.

Alternatively, a 24-hour composite sample may be obtained by an automatic sampler on an equal time interval basis over a twenty-four hour period provided that a minimum of 24 samples are taken and combined prior to analysis. The samples do not need to be flow-proportioned if the permittee collects samples in this manner.

(5) $CBOD_5$: Five-day Carbonaceous Biochemical Oxygen Demand

(6) TSS: Total Suspended Solids

(7) *E. coli*: *Escherichia coli* bacteria

(8) The "Regional Administrator" is defined as the Region V Administrator, U.S. EPA, located at 77 West Jackson Boulevard, Chicago, Illinois 60604.

(9) The "Commissioner" is defined as the Commissioner of the Indiana Department of Environmental Management, located at the following address: 100 North Senate Avenue, Indianapolis, Indiana 46204-2251.

(10) Limit of Detection or LOD is defined as a measurement of the concentration of a substance that can be measured and reported with 99% confidence that the analyte concentration is greater than zero (0) for a particular analytical method and sample matrix. The LOD is equivalent to the Method Detection Level or MDL.

(11) Limit of Quantitation or LOQ is defined as a measurement of the concentration of a contaminant obtained by using a specified laboratory procedure calibrated at a specified concentration above the method detection level. It is considered the lowest concentration at which a particular contaminant can be quantitatively measured using a specified laboratory procedure for monitoring of the contaminant. This term is also called the limit of quantification or quantification level.

(12)Method Detection Level or MDL is defined as the minimum concentration of an analyte (substance) that can be measured and reported with a ninety-nine percent (99%) confidence that the analyte concentration is greater than zero (0) as determined by the procedure set forth in 40 CFR Part 136, Appendix B. The method detection level or MDL is equivalent to the LOD.

5. Test Procedures

The analytical and sampling methods used shall conform to the version of 40 CFR 136 incorporated by reference in 327 IAC 5. Different but equivalent methods are allowable if they receive the prior written approval of the Commissioner and the U.S. Environmental Protection Agency. When more than one test procedure is approved for the purposes of the NPDES program under 40 CFR 136 for the analysis of a pollutant or pollutant parameter, the test procedure must be sufficiently sensitive as defined at 40 CFR 122.21(e)(3) and 122.44(i)(1)(iv).

6. Recording Results

For each measurement or sample taken pursuant to the requirements of this permit, the permittee shall record and maintain records of all monitoring information on activities under this permit, including the following information:

a. The exact place, date, and time of sampling or measurements;

b. The person(s) who performed the sampling or measurements;

c. The dates and times the analyses were performed;

d. The person(s) who performed the analyses;

e. The analytical techniques or methods used; and

f. The results of all required analyses and measurements.

7. Additional Monitoring by Permittee

If the permittee monitors any pollutant at the location(s) designated herein more frequently than required by this permit, using approved analytical methods as specified above, the results of such monitoring shall be included in the calculation and reporting of the values required in the Monthly Discharge Monitoring Report and on the Monthly Report of Operation form. Such increased frequency shall also be indicated on these forms. Any such additional monitoring data which indicates a violation of a permit limitation shall be followed up by the

permittee, whenever feasible, with a monitoring sample obtained and analyzed pursuant to approved analytical methods. The results of the follow-up sample shall be reported to the Commissioner in the Monthly Discharge Monitoring Report.

8. Records Retention

All records and information resulting from the monitoring activities required by this permit, including all records of analyses performed and calibration and maintenance of instrumentation and recording from continuous monitoring instrumentation, 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. The three-year period shall be extended:

a. automatically during the course of any unresolved litigation regarding the discharge of pollutants by the permittee or regarding promulgated effluent guidelines applicable to the permittee; or

b. as requested by the Regional Administrator or the Indiana Department of Environmental Management.

C. REOPENING CLAUSES

In addition to the reopening clause provisions cited at 327 IAC 5-2-16, the following reopening clauses are incorporated into this permit:

1. This permit may be modified or, alternately, revoked and reissued after public notice and opportunity for hearing to incorporate effluent limitations reflecting the results of a wasteload allocation if the Department of Environmental Management determines that such effluent limitations are needed to assure that State Water Quality Standards are met in the receiving stream.

2. This permit may be modified due to a change in sludge disposal standards pursuant to Section 405(d) of the Clean Water Act, if the standards when promulgated contain different conditions, are otherwise more stringent, or control pollutants not addressed by this permit.

3. This permit may be modified, or, alternately, revoked and reissued, to comply with any applicable effluent limitation or standard issued or approved under section 301(b)(2)(C), (D) and (E), 304(b)(2), and 307(a)(2) of the Clean Water Act, if the effluent limitation or standard so issued or approved:

a. contains different conditions or is otherwise more stringent than any effluent limitation in the permit; or

b. controls any pollutant not limited in the permit.

D. SCHEDULE OF COMPLIANCE FOR PHOSPHORUS

1. The permittee shall submit a written progress report to the Compliance Data Section, Office of Water Quality (OWQ) six (6) months from the effective date of the permit. The progress report shall include, among other items, a description of the method(s) selected for meeting the final requirements for phosphorus. The final effluent limitations for phosphorus are deferred for the term of this compliance schedule, unless the final effluent limitations can be met at an earlier date. The permittee shall notify the Compliance Data Section of OWQ as soon as the final effluent limitations for phosphorus can be met. Upon receipt of such notification by OWQ, the final limitations for phosphorus will become effective, but no later than thirty-six (36) months from the effective date of this permit. Monitoring and reporting of effluent phosphorus is required during the interim period.

2. If construction is required, a construction permit application (including Plans and Specifications) for complying with final requirements shall be submitted (if required by 327 IAC 3-2) within fourteen (14) months from the effective date of the permit. The permittee shall submit a written progress report to the Compliance Data Section, Office of Water Quality at this time.

3. Initiation of construction, if necessary, shall commence not later than the twenty-three (23) months from the effective date of the permit. The permittee shall submit a written progress report to the Compliance Data Section, Office of Water Quality at this time.

4. The permittee shall submit a written progress report to the Compliance Data Section, Office of Water Quality thirty-two (32) months from the effective date of the permit.

5. Construction shall be completed within thirty-five (35) months from the effective date of the permit. The permittee shall submit a written progress report to the Compliance Data Section, Office of Water Quality when construction has been completed.

6. The permittee shall comply with all final requirements no later than thirty-six (36) months from the effective date of the permit.

7. If the permittee fails to comply with any deadline contained in the foregoing schedule, the permittee shall, within fourteen (14) days following the missed deadline, submit a written notice of noncompliance to the Compliance Data

Section of the Office of Water Quality stating the cause of noncompliance, any remedial action taken or planned, and the probability of meeting the date fixed for compliance with final effluent limitations.

PART II

STANDARD CONDITIONS FOR NPDES PERMITS

A. GENERAL CONDITIONS

1. Duty to Comply

The permittee shall comply with all terms and conditions of this permit in accordance with 327 IAC 5-2-8(1) and all other requirements of 327 IAC 5-2-8. Any permit noncompliance constitutes a violation of the Clean Water Act and IC 13 and is grounds for enforcement action or permit termination, revocation and reissuance, modification, or denial of a permit renewal application.

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of the permit.

2. Duty to Mitigate

In accordance with 327 IAC 5-2-8(3), the permittee shall take all reasonable steps to minimize or correct any adverse impact to the environment resulting from noncompliance with this permit. During periods of noncompliance, the permittee shall conduct such accelerated or additional monitoring for the affected parameters, as appropriate or as requested by IDEM, to determine the nature and impact of the noncompliance.

3. Duty to Provide Information

The permittee shall submit any information that the permittee knows or has reason to believe would constitute cause for modification or revocation and reissuance of the permit at the earliest time such information becomes available, such as plans for physical alterations or additions to the facility that:

a. could significantly change the nature of, or increase the quantity of, pollutants discharged; or

b. the Commissioner may request to evaluate whether such cause exists.

In accordance with 327 IAC 5-1-3(a)(5), the permittee must also provide any information reasonably requested by the Commissioner.

4. Duty to Reapply

If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must obtain and submit a renewal of this permit in accordance with 327 IAC 5-3-2(a)(2). It is the permittee's responsibility to obtain and submit the application. In accordance with 327 IAC 5-2-3(c), the owner of the facility or operation from which a discharge of pollutants occurs is responsible for applying for and obtaining the NPDES permit, except where the facility or operation is operated by a person other than an employee of the owner in which case it is the operator's responsibility to apply for and obtain the permit. The application must be submitted at least 180 days before the expiration date of this permit. This deadline may be extended if:

a. permission is requested in writing before such deadline;

b. IDEM grants permission to submit the application after the deadline; and

c. the application is received no later than the permit expiration date.

As required under 327 IAC 5-2-3(g)(1) and (2), POTWs with design influent flows equal to or greater than one million (1,000,000) gallons per day and POTWs with an approved pretreatment program or that are required to develop a pretreatment program, will be required to provide the results of whole effluent toxicity testing as part of their NPDES renewal application.

5. Transfers

In accordance with 327 IAC 5-2-8(4)(D), this permit is nontransferable to any person except in accordance with 327 IAC 5-2-6(c). This permit may be transferred to another person by the permittee, without modification or revocation and reissuance being required under 327 IAC 5-2-16(c)(1) or 16(e)(4), if the following occurs:

a. the current permittee notified the Commissioner at least thirty (30) days in advance of the proposed transfer date.

b. a written agreement containing a specific date of transfer of permit responsibility and coverage between the current permittee and the transferee (including acknowledgment that the existing permittee is liable for violations up to that date, and the transferee is liable for violations from that date on) is submitted to the Commissioner.

c. the transferee certifies in writing to the Commissioner their intent to operate the facility without making such material and substantial alterations or additions to the facility as would significantly change the nature or quantities

of pollutants discharged and thus constitute cause for permit modification under 327 IAC 5-2-16(d). However, the Commissioner may allow a temporary transfer of the permit without permit modification for good cause, e.g., to enable the transferee to purge and empty the facility's treatment system prior to making alterations, despite the transferee's intent to make such material and substantial alterations or additions to the facility.

d. the Commissioner, within thirty (30) days, does not notify the current permittee and the transferee of the intent to modify, revoke and reissue, or terminate the permit and to require that a new application be filed rather than agreeing to the transfer of the permit.

The Commissioner may require modification or revocation and reissuance of the permit to identify the new permittee and incorporate such other requirements as may be necessary under the Clean Water Act or state law.

6. Permit Actions

In accordance with 327 IAC 5-2-16(b) and 327 IAC 5-2-8(4), this permit may be modified, revoked and reissued, or terminated for cause, including, but not limited to, the following:

a. Violation of any terms or conditions of this permit;

b. Failure of the permittee to disclose fully all relevant facts or misrepresentation of any relevant facts in the application, or during the permit issuance process; or

c. A change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge controlled by the permittee (e.g., plant closure, termination of the discharge by connecting to a POTW, a change in state law or information indicating the discharge poses a substantial threat to human health or welfare).

Filing of either of the following items does not stay or suspend any permit condition: (1) a request by the permittee for a permit modification, revocation and reissuance, or termination, or (2) submittal of information specified in Part II.A.3 of the permit including planned changes or anticipated noncompliance.

The permittee shall submit any information that the permittee knows or has reason to believe would constitute cause for modification or revocation and reissuance of the permit at the earliest time such information becomes available, such as plans for physical alterations or additions to the permitted facility that:

1. could significantly change the nature of, or increase the quantity of, pollutants discharged; or

2. the commissioner may request to evaluate whether such cause exists.

7. Property Rights

Pursuant to 327 IAC 5-2-8(6) and 327 IAC 5-2-5(b), the issuance of this permit does not convey any property rights of any sort or any exclusive privileges, nor does it authorize any injury to persons or private property or an invasion of rights, any infringement of federal, state, or local laws or regulations. The issuance of the permit also does not preempt any duty to obtain any other state, or local assent required by law for the discharge or for the construction or operation of the facility from which a discharge is made.

8. Severability

In accordance with 327 IAC 1-1-3, the provisions of this permit are severable and, if any provision of this permit or the application of any provision of this permit to any person or circumstance is held invalid, the invalidity shall not affect any other provisions or applications of the permit which can be given effect without the invalid provision or application.

9. Oil and Hazardous Substance Liability

Nothing in this permit shall be construed to relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject to under Section 311 of the Clean Water Act.

10. State Laws

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable state law or regulation under authority preserved by Section 510 of the Clean Water Act or state law.

11. Penalties for Violation of Permit Conditions

Pursuant to IC 13-30-4, a person who violates any provision of this permit, the water pollution control laws; environmental management laws; or a rule or standard adopted by the Environmental Rules Board is liable for a civil penalty not to exceed twenty-five thousand dollars ($25,000) per day of any violation.

Pursuant to IC 13-30-5, a person who obstructs, delays, resists, prevents, or interferes with (1) the department; or (2) the department’s personnel or

designated agent in the performance of an inspection or investigation performed under IC 13-14-2-2 commits a class C infraction.

Pursuant to IC 13-30-10-1.5(e), a person who willfully or negligently violates any NPDES permit condition or filing requirement, or any applicable standards or limitations of IC 13-18-3-2.4, IC 13-18-4-5, IC 13-18-12, IC 13-18-14, IC 13-18-15, or IC 13-18-16, commits a Class A misdemeanor.

Pursuant to IC 13-30-10-1.5(i), an offense under IC 13-30-10-1.5(e) is a Level 4 felony if the person knowingly commits the offense or knows that the commission of the offense places another person in imminent danger of death or serious bodily injury. An offense under IC 13-30-10-1.5(e) is a Level 3 felony if it results in serious bodily injury to any person, and a Level 2 felony if it results in death to any person.

Pursuant to IC 13-30-10-1.5(g), a person who willfully or recklessly violates any applicable standards or limitations of IC 13-18-8 commits a Class B misdemeanor.

Pursuant to IC 13-30-10-1.5(h), a person who willfully or recklessly violates any applicable standards or limitations of IC 13-18-9, IC 13-18-10, or IC 13-18-10.5 commits a Class C misdemeanor.

Pursuant to IC 13-30-10-1, a person who knowingly or intentionally makes any false material statement, representation, or certification in any NPDES form, notice, or report commits a Class B misdemeanor.

12. Penalties for Tampering or Falsification

In accordance with 327 IAC 5-2-8(10), the permittee shall comply with monitoring, recording, and reporting requirements of this permit. The Clean Water Act, as well as IC 13-30-10-1, provides that any person who knowingly or intentionally (a) destroys, alters, conceals, or falsely certifies a record, (b) tampers with, falsifies, or renders inaccurate or inoperative a recording or monitoring device or method, including the data gathered from the device or method, or (c) makes a false material statement or representation in any label, manifest, record, report, or other document; all required to be maintained under the terms of a permit issued by the department commits a Class B misdemeanor.

13. Toxic Pollutants

If any applicable effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is established under Section 307(a) of the Clean Water Act for a toxic pollutant injurious to human health, and that standard or prohibition is more stringent than any

limitation for such pollutant in this permit, this permit shall be modified or revoked and reissued to conform to the toxic effluent standard or prohibition in accordance with 327 IAC 5-2-8(5). Effluent standards or prohibitions established under Section 307(a) of the Clean Water Act for toxic pollutants injurious to human health are effective and must be complied with, if applicable to the permittee, within the time provided in the implementing regulations, even absent permit modification.

14. Operator Certification

The permittee shall have the wastewater treatment facilities under the responsible charge of an operator certified by the Commissioner in a classification corresponding to the classification of the wastewater treatment plant as required by IC 13-18-11-11 and 327 IAC 5-22. In order to operate a wastewater treatment plant the operator shall have qualifications as established in 327 IAC 5-22-7. The permittee shall designate one (1) person as the certified operator with complete responsibility for the proper operations of the wastewater facility.

327 IAC 5-22-10.5(a) provides that a certified operator may be designated as being in responsible charge of more than one (1) wastewater treatment plant, if it can be shown that he will give adequate supervision to all units involved. Adequate supervision means that sufficient time is spent at the plant on a regular basis to assure that the certified operator is knowledgeable of the actual operations and that test reports and results are representative of the actual operations conditions. In accordance with 327 IAC 5-22-3(11), “responsible charge” means the person responsible for the overall daily operation, supervision, or management of a wastewater facility.

Pursuant to 327 IAC 5-22-10(4), the permittee shall notify IDEM when there is a change of the person serving as the certified operator in responsible charge of the wastewater treatment facility. The notification shall be made no later than thirty (30) days after a change in the operator.

15. Construction Permit

Except in accordance with 327 IAC 3, the permittee shall not construct, install, or modify any water pollution treatment/control facility as defined in 327 IAC 3-1-2(24). Upon completion of any construction, the permittee must notify the Compliance Data Section of the Office of Water Quality in writing.

16. Inspection and Entry

In accordance with 327 IAC 5-2-8(8), the permittee shall allow the Commissioner, or an authorized representative, (including an authorized contractor acting as a

representative of the Commissioner) upon the presentation of credentials and other documents as may be required by law, to:

a. Enter upon the permittee's premises where a point source, regulated facility, or activity is located or conducted, or where records must be kept pursuant to the conditions of this permit;

b. Have access to and copy, at reasonable times, any records that must be kept under the terms and conditions of this permit;

c. Inspect at reasonable times any facilities, equipment or methods (including monitoring and control equipment), practices, or operations regulated or required pursuant to this permit; and

d. Sample or monitor at reasonable times, any discharge of pollutants or internal wastestreams for the purposes of evaluating compliance with the permit or as otherwise authorized.

17. New or Increased Discharge of Pollutants

This permit prohibits the permittee from undertaking any action that would result in a new or increased discharge of a bioaccumulative chemical of concern (BCC) or a new or increased permit limit for a regulated pollutant that is not a BCC unless one of the following is completed prior to the commencement of the action:

a. Information is submitted to the Commissioner demonstrating that the proposed new or increased discharges will not cause a significant lowering of water quality as defined under 327 IAC 2-1.3-2(50). Upon review of this information, the Commissioner may request additional information or may determine that the proposed increase is a significant lowering of water quality and require the submittal of an antidegradation demonstration.

b. An antidegradation demonstration is submitted to and approved by the Commissioner in accordance with 327 IAC 2-1.3-5 and 327 IAC 2-1.3-6.

B. MANAGEMENT REQUIREMENTS

1. Facility Operations, Maintenance, and Quality Control

a. In accordance with 327 IAC 5-2-8(9), the permittee shall at all times maintain in good working order and efficiently operate all facilities and systems (and related appurtenances, i.e., equipment used for measuring and determining compliance) for collection and treatment that are:

(1) installed or used by the permittee; and

(2) necessary for achieving compliance with the terms and conditions of the permit.

Neither 327 IAC 5-2-8(9), nor this provision, shall be construed to require the operation of installed treatment facilities that are unnecessary for achieving compliance with the terms and conditions of the permit. This provision also does not prohibit taking redundant treatment units off line, provided that the permittee is at all times: maintaining in good working order and efficiently operating all facilities and systems; providing best quality effluent; and achieving compliance with the terms and conditions of the permit.

b. The permittee shall operate the permitted facility in a manner which will minimize upsets and discharges of excessive pollutants. The permittee shall properly remove and dispose of excessive solids and sludges.

c. The permittee shall provide an 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.

d. Maintenance of all waste collection, control, treatment, and disposal facilities shall be conducted in a manner that complies with the bypass provisions set forth below.

e. Pursuant to 327 IAC 5-22-10(1), the permittee is responsible for providing adequate funding for and oversight of the wastewater treatment plant and collection system to ensure proper operation, maintenance, management, and supervision.

f. Any extensions to the sewer system must continue to be constructed on a separated basis. Plans and specifications, when required, for extension of the sanitary system must be submitted to the Facility Construction and Engineering Support Section, Office of Water Quality in accordance with 327 IAC 3-2-2. There shall also be an ongoing preventative maintenance program for the sanitary sewer system.

2. Bypass of Treatment Facilities

Pursuant to 327 IAC 5-2-8(12):

a. Terms as defined in 327 IAC 5-2-8(12)(A):

(1) “Bypass” means the intentional diversion of a waste stream from any portion of a treatment facility.

(2) “Severe property damage” means substantial physical damage to property, damage to the treatment facilities which would cause them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

b. Bypasses, as defined above, are prohibited, and the Commissioner may take enforcement action against a permittee for bypass, unless:

(1) The bypass was unavoidable to prevent loss of life, personal injury, or severe property damage, as defined above;

(2) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass that occurred during normal periods of equipment downtime or preventive maintenance; and

(3) The permittee submitted notices as required under Part II.B.2.d; or

(4) The condition under Part II.B.2.f below is met.

c. Bypasses that result in death or acute injury or illness to animals or humans must be reported in accordance with the “Spill Response and Reporting Requirements” in 327 IAC 2-6.1, including calling 888/233-7745 as soon as possible, but within two (2) hours of discovery. However, under 327 IAC 2-6.1-3(1), when the constituents of the bypass are regulated by this permit, and death or acute injury or illness to animals or humans does not occur, the reporting requirements of 327 IAC 2-6.1 do not apply.

d. The permittee must provide the Commissioner with the following notice:

(1) If the permittee knows or should have known in advance of the need for a bypass (anticipated bypass), it shall submit prior written notice. If possible, such notice shall be provided at least ten (10) days before the date of the bypass for approval by the Commissioner.

(2) The permittee shall orally report an unanticipated bypass within 24 hours of becoming aware of the bypass event. The permittee must also provide a written report within five (5) days of the time the permittee becomes aware of the bypass event. The written report must contain a description of the noncompliance (i.e. the bypass) and its cause; the period of

noncompliance, including exact dates and times; if the cause of noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate and prevent recurrence of the bypass event. If a complete email submittal is sent within 24 hours of the time that the permittee became aware of the unanticipated bypass event, then that report will satisfy both the oral and written reporting requirement.

e. The Commissioner may approve an anticipated bypass, after considering its adverse effects, if the Commissioner determines that it will meet the conditions listed above in Part II.B.2.b. The Commissioner may impose any conditions determined to be necessary to minimize any adverse effects.

f. The permittee may allow any bypass to occur that does not cause a violation of the effluent limitations in the permit, but only if it also is for essential maintenance to ensure efficient operation. These bypasses are not subject to the provisions of Part II.B.2.b., d and e of this permit.

g. The wastewater treatment facility has the following outfalls which have been identified as a bypass, the use of which is prohibited except in compliance with the above provisions:

Outfall No.	Location	Receiving Stream
101	In-plant bypass for the ultraviolet light tank, used only for maintenance and seasonal disinfection	Iroquois River via Outfall 001
201	In-plant bypass of reaeration basin, used only for maintenance	Iroquois River via Outfall 001
301	In-plant bypass of the ultraviolet light tank, Parshall flume, reaeration basin, used only for maintenance	Iroquois River via Outfall 001

3. Upset Conditions

Pursuant to 327 IAC 5-2-8(13):

a. “Upset” means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

b. An upset shall constitute an affirmative defense to an action brought for noncompliance with such technology-based permit effluent limitations if the requirements of Paragraph c of this subsection, are met.

c. A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs or other relevant evidence, that:

(1) An upset occurred and the permittee has identified the specific cause(s) of the upset;

(2) The permitted facility was at the time being operated in compliance with proper operation and maintenance procedures;

(3) The permittee complied with any remedial measures required under “Duty to Mitigate”, Part II.A.2; and

(4) The permittee submitted notice of the upset as required in the “Incident Reporting Requirements,” Part II.C.3, or 327 IAC 2-6.1, whichever is applicable. However, under 327 IAC 2-6.1-3(1), when the constituents of the discharge are regulated by this permit, and death or acute injury or illness to animals or humans does not occur, the reporting requirements of 327 IAC 2-6.1 do not apply.

d. In any enforcement proceeding, the permittee seeking to establish the occurrence of an upset has the burden of proof pursuant to 40 CFR 122.41(n)(4).

4. Removed Substances

Solids, sludges, filter backwash, or other pollutants removed from or resulting from treatment or control of wastewaters shall be disposed of in a manner such as to prevent any pollutant from such materials from entering waters of the State and to be in compliance with all Indiana statutes and regulations relative to liquid and/or solid waste disposal.

a. Collected screenings, slurries, sludges, and other such pollutants shall be disposed of in accordance with provisions set forth in 329 IAC 10, 327 IAC 6.1, or another method approved by the Commissioner.

b. The permittee shall comply with existing federal regulations governing solids disposal, and with applicable provisions of 40 CFR Part 503, the federal sludge disposal regulation standards.

c. The permittee shall notify the Commissioner prior to any changes in sludge

use or disposal practices.

d. The permittee shall maintain records to demonstrate its compliance with the above disposal requirements.

5. Power Failures

In accordance with 327 IAC 5-2-10 and 327 IAC 5-2-8(14) in order to maintain compliance with the effluent limitations and prohibitions of this permit, the permittee shall either:

a. provide an alternative power source sufficient to operate facilities utilized by the permittee to maintain compliance with the effluent limitations and conditions of this permit, or

b. shall halt, reduce or otherwise control all discharge in order to maintain compliance with the effluent limitations and conditions of this permit upon the reduction, loss, or failure of one or more of the primary sources of power to facilities utilized by the permittee to maintain compliance with the effluent limitations and conditions of this permit.

6. Unauthorized Discharge

Any overflow or release of sanitary wastewater from the wastewater treatment facilities or collection system that results in a discharge to waters of the state and is not specifically authorized by this permit is expressly prohibited. These discharges are subject to the reporting requirements in Part II.C.3 of this permit.

C. REPORTING REQUIREMENTS

1. Planned Changes in Facility or Discharge

Pursuant to 327 IAC 5-2-8(11)(F) and 5-2-16(d), the permittee shall give notice to the Commissioner as soon as possible of any planned alterations or additions to the facility (which includes any point source) that could significantly change the nature of, or increase the quantity of, pollutants discharged. Following such notice, the permit may be modified to revise existing pollutant limitations and/or to specify and limit any pollutants not previously limited. Material and substantial alterations or additions to the permittee's operation that were not covered in the permit (e.g., production changes, relocation or combination of discharge points, changes in the nature or mix of products produced) are also cause for modification of the permit. However those alterations which constitute total replacement of the process or the production equipment causing the discharge converts it into a new source, which requires the submittal of a new NPDES application.

2. Monitoring Reports

Pursuant to 327 IAC 5-2-8(10), 327 IAC 5-2-13, and 327 IAC 5-2-15, monitoring results shall be reported at the intervals and in the form specified in “Data On Plant Operation”, Part I.B.2.

3. Incident Reporting Requirements

Pursuant to 327 IAC 5-2-8(11) and 327 IAC 5-1-3, the permittee shall orally report to the Commissioner information on the following incidents within 24 hours from the time permittee becomes aware of such occurrence. If the incident meets the emergency criteria of item b (Part II.C.3.b) or 327 IAC 2-6.1, then the report shall be made as soon as possible, but within two (2) hours of discovery. However, under 327 IAC 2-6.1-3(1), when the constituents of the discharge are regulated by this permit, and death or acute injury or illness to animals or humans does not occur, the reporting requirements of 327 IAC 2-6.1 do not apply.

a. Any unanticipated bypass which exceeds any effluent limitation in the permit;

b. Any emergency incident which may pose a significant danger to human health or the environment. Reports under this item shall be made as soon as the permittee becomes aware of the incident by calling 317/233-7745 (888/233-7745 toll free in Indiana). This number should only be called when reporting these emergency events;

c. Any upset (as defined in Part II.B.3 above) that exceeds any technology-based effluent limitations in the permit;

d. Any release, including basement backups, from the sanitary sewer system (including satellite sewer systems operated or maintained by the permittee) not specifically authorized by this permit. Reporting of known releases from private laterals not caused by a problem in the sewer system owned or operated by the permittee is not required under Part II.C.3, however, documentation of such events must be maintained by the permittee and available for review by IDEM staff; or

e. Any discharge from any outfall from which discharge is explicitly prohibited by this permit as well as any discharge from any other outfall or point not listed in this permit.

The permittee can make the oral reports by calling 317/232-8670 during regular business hours and asking for the Compliance Data Section, or by calling (317/233-7745) (888/233-7745 toll free in Indiana) during non-business hours.

A written submission shall also be provided within five (5) days of the time the permittee becomes aware of the circumstances. The written submission shall contain: a description of the event and its cause; the period of occurrence, including exact dates and times, and, if the event has not concluded, the anticipated time it is expected to continue; and steps taken or planned to reduce, mitigate and eliminate the event and steps taken or planned to prevent its recurrence. The Commissioner may waive the written report on a case-by-case basis if the oral report has been received within 24 hours. Alternatively the permittee may submit a "Bypass Overflow/Incident Report" (State Form 48373) or a "Noncompliance Notification Report" (State Form 54215), whichever is appropriate, to IDEM at wwreports@idem.IN.gov. If a complete submittal is sent within 24 hours of the time that the permittee became aware of the occurrence, then that report will satisfy both the oral and written reporting requirements.

4. Other Noncompliance

Pursuant to 327 IAC 5-2-8(11)(D), the permittee shall report any instance of noncompliance not reported under the "Incident Reporting Requirements" in Part II.C.3 at the time the pertinent Discharge Monitoring Report is submitted. The written submission shall contain: a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and, if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate and prevent the noncompliance.

5. Other Information

Pursuant to 327 IAC 5-2-8(11)(E), where the permittee becomes aware that it failed to submit any relevant facts or submitted incorrect information in a permit application or in any report to the Commissioner, the permittee shall promptly submit such facts or corrected information to the Commissioner.

6. Signatory Requirements

Pursuant to 327 IAC 5-2-22 and 327 IAC 5 2 8(15):

a. All reports required by the permit and other information requested by the Commissioner shall be signed and certified by a person described below or by a duly authorized representative of that person:

(1) For a corporation: by a principal executive defined as a president, secretary, treasurer, any vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy-making functions for the corporation or the manager of one or more manufacturing, production, or operating facilities employing more than two

hundred fifty (250) persons or having gross annual sales or expenditures exceeding twenty-five million dollars ($25,000,000) (in second quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

(2) For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or

(3) For a federal, state, or local governmental body or any agency or political subdivision thereof: by either a principal executive officer or ranking elected official.

b. A person is a duly authorized representative only if:

(1) The authorization is made in writing by a person described above.

(2) The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of plant manager, operator of a well or a well field, superintendent, or position of equivalent responsibility. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.); and

(3) The authorization is submitted to the Commissioner.

c. Electronic Signatures. If documents described in this section are submitted electronically by or on behalf of the NPDES-regulated facility, any person providing the electronic signature for such documents shall meet all relevant requirements of this section, and shall ensure that all of the relevant requirements of 40 CFR part 3 (including, in all cases, subpart D to part 3) (Cross-Media Electronic Reporting) and 40 CFR part 127 (NPDES Electronic Reporting Requirements) are met for that submission.

d. Certification. Any person signing a document identified under paragraphs a and b of this section, shall make the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

7. Availability of Reports

   Except for data determined to be confidential under 327 IAC 12.1, all reports prepared in accordance with the terms of this permit shall be available for public inspection at the offices of the Indiana Department of Environmental Management and the Regional Administrator. As required by the Clean Water Act, permit applications, permits, and effluent data shall not be considered confidential.

8. Penalties for Falsification of Reports

   IC 13-30 and 327 IAC 5-2-8(15) provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or noncompliance, shall, upon conviction, be punished by a fine of not more than $10,000 per violation, or by imprisonment for not more than 180 days per violation, or by both.

9. Progress Reports

   In accordance with 327 IAC 5-2-8(11)(A), reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than fourteen (14) days following each schedule date.

10. Advance Notice for Planned Changes

    In accordance with 327 IAC 5-2-8(11)(B), the permittee shall give advance notice to IDEM of any planned changes in the permitted facility, any activity, or other circumstances that the permittee has reason to believe may result in noncompliance with permit requirements.

11. Additional Requirements for POTWs and/or Treatment Works Treating Domestic Sewage

    a. All POTWs shall identify, in terms of character and volume of pollutants, any significant indirect discharges into the POTW which are subject to pretreatment standards under section 307(b) and 307 (c) of the CWA.

    b. All POTWs must provide adequate notice to the Commissioner of the following:

       (1) Any new introduction of pollutants into the POTW from an indirect discharger that would be subject to section 301 or 306 of the CWA if it

were directly discharging those pollutants.

(2) Any substantial change in the volume or character of pollutants being introduced into that POTW by any source where such change would render the source subject to pretreatment standards under section 307(b) or 307(c) of the CWA or would result in a modified application of such standards.

As used in this clause, "adequate notice" includes information on the quality and quantity of effluent introduced into the POTW, and any anticipated impact of the change on the quantity or quality of the effluent to be discharged from the POTW.

c. This permit incorporates any conditions imposed in grants made by the U.S. EPA and/or IDEM to a POTW pursuant to Sections 201 and 204 of the Clean Water Act, that are reasonably necessary for the achievement of effluent limitations required by Section 301 of the Clean Water Act.

d. This permit incorporates any requirements of Section 405 of the Clean Water Act governing the disposal of sewage sludge from POTWs or any other treatment works treating domestic sewage for any use for which rules have been established in accordance with any applicable rules.

e. POTWs must develop and submit to the Commissioner a POTW pretreatment program when required by 40 CFR 403 and 327 IAC 5-19-1, in order to assure compliance by industrial users of the POTW with applicable pretreatment standards established under Sections 307(b) and 307(c) of the Clean Water Act. The pretreatment program shall meet the criteria of 327 IAC 5-19-3 and, once approved, shall be incorporated into the POTW's NPDES permit.

12. Electronic Reporting

IDEM is currently developing the technology and infrastructure necessary to allow compliance with the EPA Phase 2 e-reporting requirements per 40 CFR 127.16 and to allow electronic reporting of applications, notices, plans, reports, and other information not covered by the federal e-reporting regulations.

IDEM will notify the permittee when IDEM's e-reporting system is ready for use for one or more applications, notices, plans, reports, or other information. This IDEM notice will identify the specific applications, notices, plans, reports, or other information that are to be submitted electronically and the permittee will be required to use the IDEM electronic reporting system to submit the identified application(s), notice(s), plan(s), report(s), or other information.

See Part I.B.3., Monthly Reporting, for the electronic reporting requirements for the monthly monitoring reports such as the Discharge Monitoring Report (DMR), Monthly Report of Operation (MRO) and Monthly Monitoring Report (MMR).

D. ADDRESSES

1. Municipal NPDES Permits Section

Indiana Department of Environmental Management
Office of Water Quality – Rm 1255
Municipal NPDES Permits Section
100 N. Senate Avenue
Indianapolis, Indiana 46204-2251

The following correspondence shall be sent to the Municipal NPDES Permits Section:

a. NPDES permit applications (new, renewal or modifications) with fee

b. Preliminary Effluent Limits request letters

c. Comment letters pertaining to draft NPDES permits

d. NPDES permit transfer of ownership requests

e. NPDES permit termination requests

f. Notifications of substantial changes to a treatment facility, including new industrial sources

g. Combined Sewer Overflow (CSO) Operational Plans

h. CSO Long Term Control Plans (LTCP)

i. Stream Reach Characterization and Evaluation Reports (SRCER)

j. Streamlined Mercury Variance Annual Reports

2. Facility Construction and Engineering Support Section

   Indiana Department of Environmental Management
   Office of Water Quality – Rm 1255
   Facility Construction and Engineering Support Section
   100 N. Senate Avenue
   Indianapolis, Indiana 46204-2251
   The following correspondence shall be sent to the Facility Construction and Engineering Support Section:

   a. Construction permit applications with fee

3. Compliance Data Section

   Indiana Department of Environmental Management
   Office of Water Quality – Rm 1255
   Compliance Data Section
   100 N. Senate Avenue
   Indianapolis, Indiana 46204-2251

   The following correspondence shall be sent to the Compliance Data Section:

   a. Discharge Monitoring Reports (DMRs)

   b. Monthly Reports of Operation (MROs)

   c. Monthly Monitoring Reports (MMRs)

   d. CSO MROs

   e. Gauging station and flow meter calibration documentation

   f. Compliance schedule progress reports

   g. Completion of Construction notifications

   h. Whole Effluent Toxicity (WET) Testing reports

   i. Notification of two (2) consecutive failed WETTs and the intent to begin implementation of a TRE

   j. Notification of initiation of a TRE

   k. TRE plans and progress reports

l. TRE final report

m. Bypass/Overflow Reports

n. Anticipated Bypass/Overflow Reports

4. Pretreatment Group

Indiana Department of Environmental Management
Office of Water Quality – Rm 1255
Compliance Data Section – Pretreatment Group
100 N. Senate Avenue
Indianapolis, Indiana 46204-2251

The following correspondence shall be sent to the Pretreatment Group:

a. Organic Pollutant Monitoring Reports

b. Significant Industrial User (SIU) Quarterly Noncompliance Reports

c. Pretreatment Program Annual Reports

d. Sewer Use Ordinances

e. Enforcement Response Plans (ERP)

f. Sludge analytical results

ATTACHMENT A

Precipitation Related Combined Sewer Overflow Discharge Authorization Requirements

I. Discharge Authorization

Combined Sewer Overflows are point sources subject to both technology-based and water quality-based requirements of the Clean Water Act and state law. The permittee is authorized to have wet weather discharges from outfalls listed below subject to the requirements and provisions of this permit, including Attachment A.

Outfall	Location	Receiving Water
003	Near Milton Street at Iroquois River 40° 55' 53" N 87° 08' 40" W	Iroquois River
006	545 Park Avenue 40° 55' 51" N 87° 08' 40" W	Iroquois River
007	Grace Street at Iroquois River 40° 55' 57" N 87° 09' 07" W	Iroquois River
008	Corner of Ruston Street & Front Street at Iroquois River 40° 56' 00" N 87° 09' 08" W	Iroquois River
010	Near Harrison & Front Streets 40° 56' 04" N 87° 09' 10" W	Iroquois River
014	Site of monitoring station south of Washington Street on west side of Iroquois River 40° 56' 04" N 87° 09' 14" W	Iroquois River

019	At flow recorder station approximately 250' east northeast of lift station 40° 56' 06" N 87° 09' 41" W	Iroquois River
021	West of the corner of Sparling & Milroy Avenues 40° 56' 06" N 87° 09' 41" W	Iroquois River
023	Melville Street at Iroquois River 40° 55' 51" N 87° 08' 31" W	Iroquois River

Monitoring for the purpose of reporting on the CSO Monthly Report of Operation (State Form 50546 (R4/9-15)) shall be conducted at a location representative of untreated CSO discharges. Monitoring from a CSO regulator structure contributing flow to the CSO outfall is acceptable provided flows at this location are representative and comprised of untreated CSO flows ultimately discharged through the CSO outfall. Monitoring at the CSO outfall is considered representative except in those instances where non-CSO flows (treated effluents, separate stormwater, etc.) are also discharged through a common outfall. All non-CSO flows shall be excluded from reporting on the CSO Monthly Report of Operation.

II. Wet Weather Treatment Facility Effluent Limitations and Monitoring Requirements

A. The permittee is authorized to discharge treated combined sewage from Outfall 026 when influent flows exceed the Wastewater Treatment Plant (WWTP) peak hourly design rate. Wet weather flow is diverted from the main lift station (near CSO 019) to the wet weather treatment facility (WWTF), and is discharged via Outfall 026. Outfall 026 is located at Latitude: 40° 56' 09" N, Longitude: 87° 09' 31" W and discharges to the Iroquois River. Any discharge from Outfall 026 is subject to the requirements and provisions of this permit including the following requirements:

TABLE 1

	Quantity or Loading			Quality or Concentration			Monitoring Requirements	
Parameter [8]	**Daily Maximum**	**Monthly Average**	**Units**	**Daily Maximum**	**Monthly Average**	**Units**	**Measurement Frequency**	**Sample Type**
Flow [1]	Report	Report	MGD	----	----	----	Daily	24-Hr. Total
$CBOD_5$	----	----	----	Report	Report	mg/l	Daily	Composite [7]
TSS	----	----	----	Report	Report	mg/l	Daily	Composite [7]

TABLE 2

	Quality or Concentration				Monitoring Requirements	
Parameter [8]	**Daily Minimum**	**Monthly Average**	**Daily Maximum**	**Units**	**Measurement Frequency**	**Sample Type**
pH [2]	Report	----	Report	s.u.	Daily	Grab
TRC [3] [4]	----	0.01	0.02	mg/l	Daily	Grab
E. coli [5] [6]	----	125	235	cfu/100 ml	Daily	Grab

[1] Effluent flow measurement is required per 327 IAC 5-2-13. The flow meter(s) shall be calibrated at least once annually.

[2] If the permittee collects more than one grab sample on a given day for pH, the values shall not be averaged for reporting daily maximums or daily minimums. The permittee must report the minimum or maximum pH value of any individual sample during the month on the Discharge Monitoring Report forms.

[3] The effluent shall be disinfected on a continuous basis such that violations of the applicable bacteriological limitations do not occur from April 1 through October 31, annually. If the permittee uses chlorine for any reason, at any time including the period from November 1 through March 31, then the limits and monitoring requirements in Table 2 for Total Residual Chlorine (TRC) shall be in effect whenever chlorine is used.

[4] In accordance with 327 IAC 5 2 11.1(f), compliance with this permit will be demonstrated if the measured effluent concentrations are less than the limit of quantitation (0.06 mg/l). If the measured effluent concentrations are above the water quality-based permit limitations and above the Limit of Detection (LOD) specified by the permit in any of three (3) consecutive analyses or any five (5) out of nine (9) analyses, the permittee is required to reevaluate its chlorination/dechlorination practices to make any necessary changes to assure compliance with the permit limitation for TRC. These records must be retained in accordance with the record retention requirements of Part I.B.8 of this permit.

Effluent concentrations greater than or equal to the LOD but less than the Limit of Quantitation (LOQ) shall be reported on the discharge monitoring report forms as the measured value. A note must be included with the DMR indicating that the value is not quantifiable. Effluent concentrations less than the limit of detection shall be reported on the discharge monitoring report forms as less than the value of the limit of detection. For example, if a substance is not detected at a concentration of 0.01 mg/l, report the value as < 0.01 mg/l. At present, two methods are considered to be acceptable to IDEM, amperometric and DPD colorimetric methods, for chlorine concentrations at the level of 0.06 mg/l.

Parameter	LOD	LOQ
Chlorine	0.02	0.06

Case-Specific MDL

The permittee may determine a case-specific Method Detection Level (MDL) using one of the analytical methods specified above, or any other test method which is approved by IDEM prior to use. The MDL shall be derived by the procedure specified for MDLs contained in 40 CFR Part 136, Appendix B, and the limit of quantitation shall be set equal to 3.18 times the MDL. Other methods may be used if first approved by the U.S. EPA and IDEM.

[5] The *E. coli* limitations and monitoring requirements apply from April 1 through October 31 annually. The monthly average *E. coli* value shall be calculated as a geometric mean. IDEM has specified the following methods as allowable for the detection and enumeration of Escherichia coli (*E. coli*):

1. Coliscan MF® Method
2. EPA Method 1603 Modified m-TEC agar
3. mColi Blue-24®
4. Colilert® MPN Method or Colilert-18® MPN Method

[6] For *E. coli*, the daily maximum shall be the geometric mean of all grab samples on any discharge day, provided that three (3) or more grab samples are collected. If less than three (3) grab samples are taken then the arithmetic mean shall be reported. The *E. coli* monthly average shall be the geometric mean of all grab samples collected during the month, provided that five (5) or more grab samples are collected. The goal of the effluent monitoring program is to collect at least three (3) grab samples during each discharge event, and the samples shall be collected at shorter intervals at the onset of the event, if the permittee estimates that the event duration may be less than six (6) hours.

If there are discharges on four (4) or more days, then the monthly average shall be reported on the Discharge Monitoring Report (DMR). For discharges of four (4) or more days during a calendar month, then the monthly average *E. coli* value shall be calculated as a geometric mean of all grab samples collected and reported on the DMR.

[7] Effluent composite sampling, either by automatic sampler collecting samples at set intervals or by grab samples collected during discharges from the wet weather treatment component, shall be representative of the discharge and of sufficient quantity to ensure that the parameters of Table 1 of Attachment A can be measured; shall be initiated within 30 minutes from the beginning of a discharge event; and shall continue at intervals determined by the permittee, but no less than every two (2) hours during the duration of the event. If an event lasts for more than 24 hours a new sampling period shall be initiated. Analysis for the parameters identified in Table 1 of Attachment A shall be from the composite sample collected as described above.

[8] For purposes of reporting on a discharge event which lasts less than 24 hours, but occurs during two calendar days, the pollutant concentrations for the event shall be reported as daily values on the day when the majority of the discharge occurred.

B. At all times the discharge from any and all CSO outfalls herein shall not cause receiving waters:

1. including the mixing zone, to contain substances, materials, floating debris, oil, scum, or other pollutants:

   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 a degree as to create a nuisance;
   d. which are in amounts sufficient to be acutely toxic to, or otherwise severely injure or kill aquatic life, other animals, plants, or humans;
   e. 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.

2. outside the mixing zone, to contain substances in concentrations which on the basis of available scientific data are believed to be sufficient to injure, be chronically toxic to, or be carcinogenic, mutagenic, or teratogenic to humans, animals, aquatic life, or plants.

C. Dry weather discharges from any portion of the sewer collection system, except WWTP outfall No. 001, are prohibited. If such a prohibited discharge should occur, the permittee is required to report the discharge in accordance with the provisions in Part II.C.3 of this permit.

III. Monitoring and Reporting Requirements

The permittee shall complete and submit accurate monitoring reports to the Indiana Department of Environmental Management. The permittee shall submit data specified on the CSO Monthly Report of Operation (MRO) for untreated CSO events (State Form 50546 (R4/9-15)), including but not limited to, WWTP data, precipitation data, and performance data for all discharges from untreated CSO Outfalls identified in Part I of this Attachment A. Submitted CSO MROs shall contain results obtained during each month (a monitoring period) and shall be submitted no later than 28 days following each completed monitoring period. All NPDES permit holders are now required to submit their monitoring data to IDEM using NetDMR.

The permittee shall monitor discharges from Outfall 026 in accordance with both Discharge Monitoring Report (DMR) forms and Monthly Monitoring Report (MMR) for WWTF forms provided by IDEM (State Form 56109). Submitted DMRs and MMRs shall contain results obtained during each month (a monitoring period) and shall be submitted no later than 28 days following each completed monitoring period. Discharge data from Outfall [###] shall not be included on the CSO MRO form for untreated CSO events (State Form 50546 (R4/9-15)).

IV. CSO Operational Plan

A. The permittee shall comply with the following minimum technology-based controls, in accordance with EPA's National CSO Control Policy:

1. The permittee shall implement proper operation and regular maintenance programs for the sewer system and the CSOs. The purpose of the operation and maintenance programs is to reduce the magnitude, frequency and duration of CSOs. The programs shall consider regular sewer inspections; sewer, catch basin, and regulator cleaning; equipment and sewer collection system repair or replacement, where necessary; and disconnection of illegal connections.
2. The permittee shall implement procedures that will maximize the use of collection system for wastewater storage that can be accommodated by the storage capacity of the collection system in order to reduce the magnitude, frequency and duration of CSOs.
3. The permittee shall review and modify, as appropriate, its existing pretreatment program to minimize CSO impacts from non-domestic users. The permittee shall identify all industrial users that discharge to the

collection system upstream of any CSO outfalls; this identification shall also include the pollutants in the industrial user's wastewater and the specific CSO outfall(s) that are likely to discharge the wastewater.

4. The permittee shall operate the POTW at the maximum treatable flow during all wet weather flow conditions to reduce the magnitude, frequency and duration of CSOs. The permittee shall deliver all flows to the treatment plant within the constraints of the treatment capacity of the POTW.
5. Dry weather overflows from CSO outfalls are prohibited. Each dry weather overflow must be reported to IDEM as soon as the permittee becomes aware of the overflow. When the permittee detects a dry weather overflow, it shall begin corrective action immediately. The permittee shall inspect the dry weather overflow each subsequent day until the overflow has been eliminated.
6. The permittee shall implement measures to control solid and floatable materials in CSO discharges.
7. The permittee shall implement a pollution prevention program focused on reducing the impact of CSOs on receiving waters.
8. The permittee shall implement a public notification process to inform citizens of when and where CSO discharges occur and their impacts. This notification must also be done in accordance with 327 IAC 5-2.1.
9. The permittee shall monitor to effectively characterize CSO impacts and the efficacy of CSO controls.

B. The permittee's implementation of each of the minimum controls in Part III.A of this Attachment A shall be documented in its approved CSO Operational Plan (CSOOP). The permittee shall update the CSOOP, as necessary, to reflect changes in its operation or maintenance practices; changes to measures taken to implement the above minimum requirements; and changes to the treatment plant or collection system, including changes in collection system flow characteristics, collection system or WWTP capacity or discharge characteristics (including volume, duration, frequency and pollutant concentration). All updates to the CSOOP must be submitted to IDEM, Office of Water Quality, Municipal NPDES Permits Section for approval.

   The CSOOP update(s) shall include a summary of the proposed revisions to the CSOOP as well as a reference to the page(s) that have been modified. Any CSOOP updates shall not result in:

   1. a lower amount of flow being sent to and through the plant for treatment, or
   2. more discharges (measured either by volume, duration, frequency, or pollutant concentration) occurring from the CSO outfalls.

The permittee shall maintain a current CSO Operational Plan, including all approved updates, on file at the POTW.

V. Sewer Use Ordinance Review/Revision and Enforcement

The permittee's Sewer Use Ordinance must contain provisions which: (1) prohibit introduction of inflow sources to any sanitary sewer; (2) prohibit construction of new combined sewers outside of the existing combined sewer service area; and (3) provide that for any new building the inflow/clear water connection to a combined sewer shall be made separate and distinct from sanitary waste connection to facilitate disconnection of the former if a separate storm sewer subsequently becomes available. The permittee shall continuously enforce these provisions.

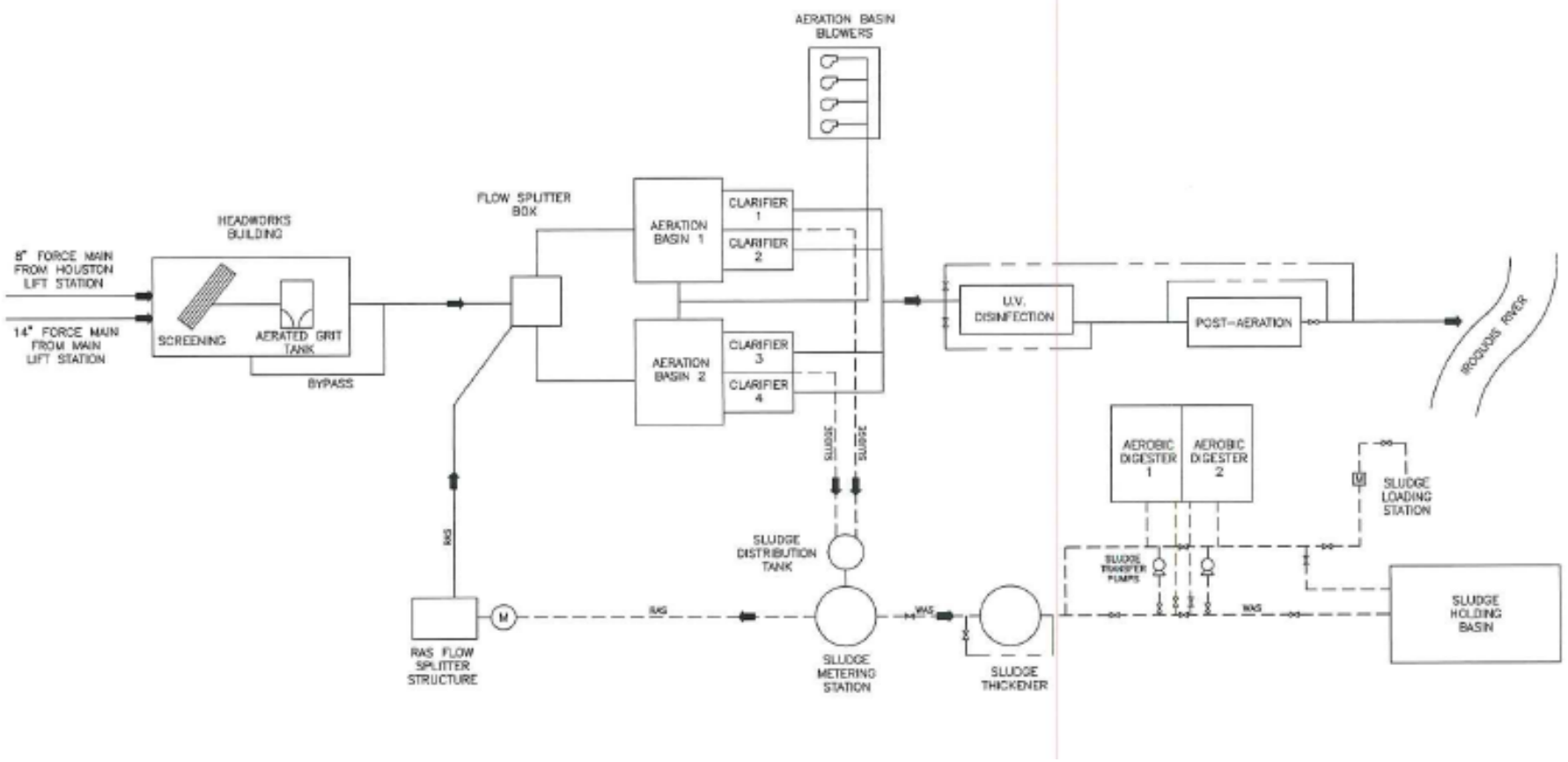
VI. Reopening Clauses

A. This permit may be reopened to address changes in the EPA National CSO Policy or state or federal law.
B. The permit may be reopened, after public notice and opportunity for hearing, to incorporate applicable provisions of IC 13-18.

National Pollutant Discharge Elimination System
Fact Sheet for the
City of Rensselaer Wastewater Treatment Plant
Draft: November 2019
Final: January 2020

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

Permittee:	City of Rensselaer The Honorable Stephen Wood, Mayor P.O. Box 280 Rensselaer, Indiana 47978 mayorwood@cityofrensselaerin.com; (219) 866-5212
Existing Permit Information:	Permit Number: IN0024414 Expiration Date: April 30, 2020
Facility Contact:	Mr. Jerry Lockridge, City Project Coordinator jlockridge@cityofrensselaerin.com; (219) 866-7833
Facility Location:	1750 West Daugherty Road Rensselaer, Indiana 47978 Jasper County
Receiving Stream:	Iroquois River
GLI/Non-GLI:	Non-GLI
Proposed Permit Action:	Renewal
Date Application Received:	October 1, 2019
Facility Category	NPDES Major Municipal
Permit Writer:	Alyce Klein, Permit Manager aklein@idem.in.gov; (317) 233-6728


AERATION BASIN BLOWERS
HEADWORKS BUILDING
8" FORCE MAIN FROM HOUSTON LIFT STATION
14" FORCE MAIN FROM MAIN LIFT STATION
SCREENING
AERATED GRIT TANK
BYPASS
FLOW SPLITTER BOX
AERATION BASIN 1
AERATION BASIN 2
CLARIFIER 1
CLARIFIER 2
CLARIFIER 3
CLARIFIER 4
U.V. DISINFECTION
POST-AERATION
IROQUOIS RIVER
AEROBIC DIGESTER 1
AEROBIC DIGESTER 2
SLUDGE LOADING STATION
SLUDGE TRANSFER PUMPS
SLUDGE HOLDING BASIN
SLUDGE DISTRIBUTION TANK
SLUDGE METERING STATION
SLUDGE THICKENER
RAS FLOW SPLITTER STRUCTURE
RAS
WAS
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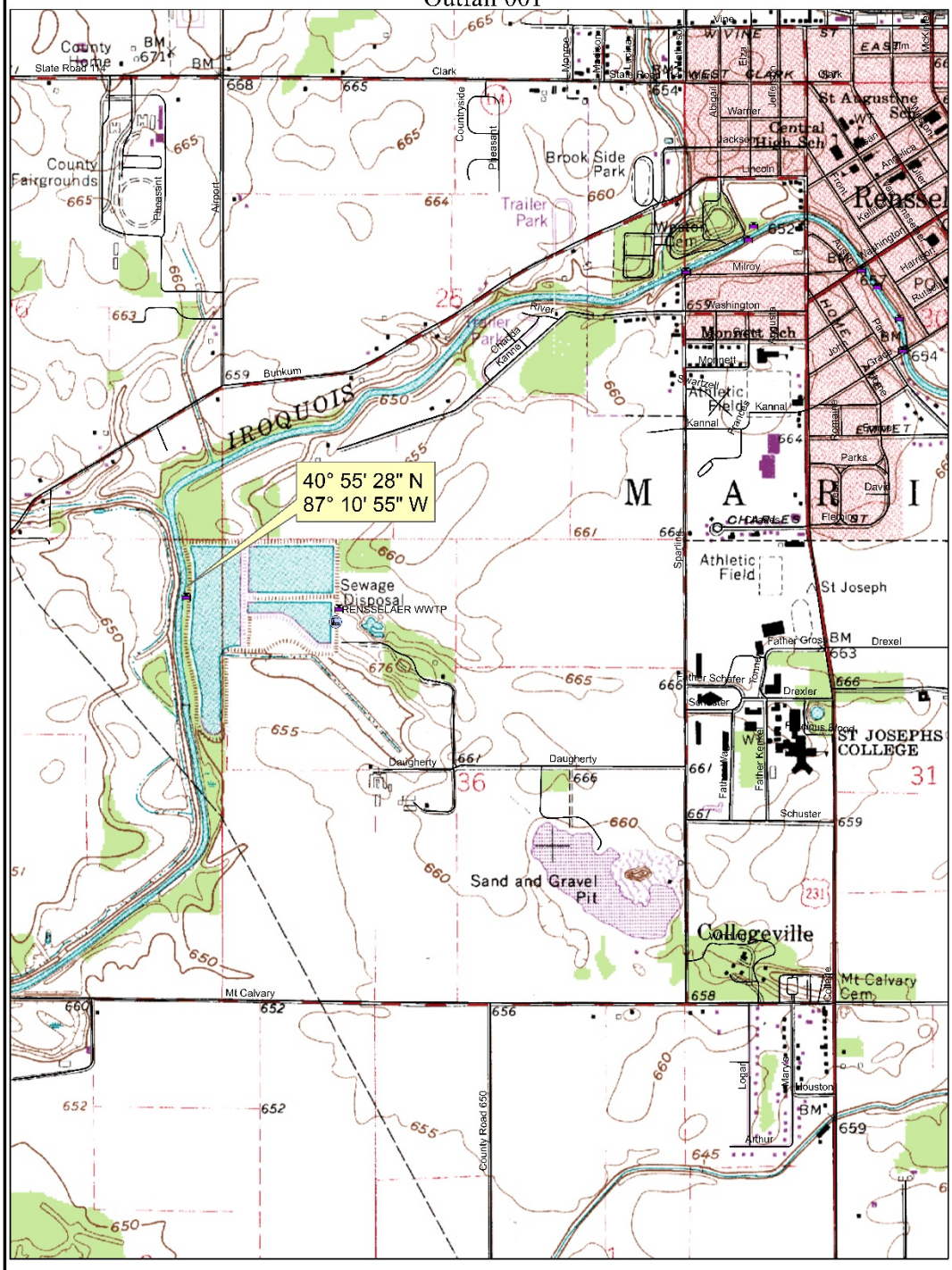
City of Rensselaer
Outfall 001



This map is intended to serve as an aid in graphic representation only. This information is not warranted for accuracy or other purposes.

Mapped By:
Alyce Klein, Office of Water Quality
Date: 10/25/2019

Sources:
Non Orthophotography
Data - Obtained from the State of Indiana Geographical Information Office Library
Orthophotography - Obtained from Indiana Map Framework Data (www.indianamap.org)
Map Projection: UTM Zone 16 N **Map Datum:** NAD83

Legend

GIO.STATE GISRDS INDOT

IDEM

Outfall Location* Latitude: 40° 55' 28" N
Longitude: 87° 10' 55" W

* The coordinates for the outfall differ from those included in the previous permit, as well as those provided in the current application. They have been changed to match maps and corrected coordinates provided by the permittee.

NPDES Permit No. IN0024414

Background

This is the proposed renewal of the NPDES permit for the City of Rensselaer Wastewater Treatment Plant which was issued on January 29, 2015, and has an expiration date of April 30, 2020. A modification was issued on March 29, 2017, to reflect the addition of a wet weather treatment facility and its associated partially treated Combined Sewer Overflow (CSO) outfall (026). The permittee submitted an application for renewal which was received on October 1, 2019. The permittee currently operates a Class III, 1.6 MGD Bio-lac treatment facility consisting of an influent flow meter, grit removal, Bio-lac basins, settling tanks, ultraviolet light disinfection, and post aeration. Solids are treated by gravity thickening and aerobic digestion, and are land applied in accordance with land application permit INLA000450.

The City also operates a 23.5 MGD Wet Weather Treatment Facility (WWTF) to capture and treat wet weather flow at the City's main lift station. The WWTF includes an influent structure with mechanical screening and wet weather pump station, vortex separator wet weather treatment systems, and chlorination/dechlorination disinfection prior to discharge at Outfall 026.

Collection System

The collection system is comprised of combined sanitary and storm sewers with three (3) bypass points, nine (9) Combined Sewer Overflow (CSO) locations (003, 006, 007, 008, 010, 014, 019, 021 and 023), and one (1) WWTF outfall (026). The bypass points are identified in and are subject to the provisions contained in Part II.B.2 of the permit. The CSO locations and WWTF outfall have been identified and permitted with the provisions in Attachment A of the permit.

Bypass Points:

Outfall No.	Location	Receiving Stream
101	In-plant bypass for the ultraviolet light tank, used only for maintenance and seasonal disinfection	Iroquois River via Outfall 001
201	In-plant bypass of reaeration basin, used only for maintenance	Iroquois River via Outfall 001
301	In-plant bypass of the ultraviolet light tank, Parshall flume, reaeration basin, used only for maintenance	Iroquois River via Outfall 001

CSO Locations:

Outfall	Location	Receiving Water
003	Near Milton Street at Iroquois River 40° 55' 53" N 87° 08' 40" W	Iroquois River
006	545 Park Avenue 40° 55' 51" N 87° 08' 40" W	Iroquois River
007	Grace Street at Iroquois River 40° 55' 57" N 87° 09' 07" W	Iroquois River
008*	Corner of Ruston Street & Front Street at Iroquois River 40° 56' 00" N 87° 09' 08" W	Iroquois River
010	Near Harrison & Front Streets 40° 56' 04" N 87° 09' 10" W	Iroquois River
014	Site of monitoring station south of Washington Street on west side of Iroquois River 40° 56' 04" N 87° 09' 14" W	Iroquois River

019	At flow recorder station approximately 250' east northeast of lift station 40° 56' 06" N 87° 09' 41" W	Iroquois River
021	West of the corner of Sparling & Milroy Avenues 40° 56' 06" N 87° 09' 41" W	Iroquois River
023	Melville Street at Iroquois River 40° 55' 51" N 87° 08' 31" W	Iroquois River

*Within Attachment A of the renewal permit, information for CSO 008 has been changed from the previous permit. The location of this outfall has not changed; however, the location information has been changed in the renewal to provide a more accurate description of the outfall location based on information received from the permittee.

CSO Statutory or Regulatory Basis for Permit Provisions

CSOs are point sources subject to NPDES permit requirements, including both technology-based and water quality-based requirements of the CWA and state law. Thus the permit contains provisions IDEM deems necessary to meet water quality standards, as well as technology-based treatment requirements, operation and maintenance requirements, and best management practices. This permit is based on various provisions of state and federal law, including (1) Title 13 of the Indiana Code; (2) the water quality standards set forth in 327 IAC 2-1.5; (3) the NPDES rules set forth in 327 IAC 2 and 327 IAC 5, including 327 IAC 5-2-8 and 327 IAC 5-2-10; and (4) section 402(q) of the CWA (33 USC § 1342), which requires all permits or orders issued for discharges from municipal CSOs to conform with the provisions of EPA's National CSO Control Policy (58 Fed. Reg. 18688, April 19, 1994). EPA's CSO Policy contains provisions that, among other things, require permittees to develop and implement minimum technological and operational controls and long term control plans to meet state water quality standards. The permit's penalty provisions are based in large part on IC 13-30. In addition to the regulatory provisions previously cited, the data collection and reporting requirements are based in part on 327 IAC 5-1-3, 327 IAC 5-2-13 and section 402(q) of the CWA. The long term control plan provisions were included to ensure compliance with water quality standards.

Explanation of Effluent Limitations and Conditions

The effluent limitations set forth in Part I of Attachment A are derived in part from the narrative water quality standards set forth in 327 IAC 2-1-6. The narrative standards are minimum standards that apply to all waters at all times, and therefore are applicable to all discharges of pollutants. Because EPA has not issued national effluent limitation guidelines for this category of discharges, the technology-based BAT/BCT provisions are based on best professional judgment (BPJ) in addition to section 402(q) of the CWA.

(CSO discharges are not subject to the secondary treatment requirements applicable to publicly owned treatment works because overflow points have been determined to not be part of the treatment plant. Montgomery Environmental Coalition v. Costle, 646 F.2d 568 (D.C. Cir. 1980).)

CSO Long Term Control Plan Requirements

IDEM's Office of Water Quality (OWQ) approved the City of Rensselaer's Combined Sewer Overflow (CSO) Long Term Control Plan (LTCP) in 2012. The City's approved LTCP alternative involves up-sizing interceptor sewers along the Iroquois River to transport wet weather flow to a new 23.5 MGD (primary equivalent) wet weather treatment facility at CSO 019. The LTCP proposes an implementation schedule of 18 years following IDEM approval and is expected to result in a statistical level of control of four (4) untreated CSO events, with a maximum of six (6) untreated CSO events, during a typical year.

The approved LTCP implementation schedule is enforceable in accordance with the City's NPDES permit and Agreed Judgment Cause No. 37C01-0709-CC-391.

Spill Reporting Requirements

Reporting requirements associated with the Spill Reporting, Containment, and Response requirements of 327 IAC 2-6.1 are included in Part II.B.2.c. and Part II.C.3. of the NPDES permit. Spills from the permitted facility meeting the definition of a spill under 327 IAC 2-6.1-4(15), the applicability requirements of 327 IAC 2-6.1-1, and the Reportable Spills requirements of 327 IAC 2-6.1-5 (other than those meeting an exclusion under 327 IAC 2-6.1-3 or the criteria outlined below) are subject to the Reporting Responsibilities of 327 IAC 2-6.1-7.

It should be noted that the reporting requirements of 327 IAC 2-6.1 do not apply to those discharges or exceedances that are under the jurisdiction of an applicable permit when the substance in question is covered by the permit and death or acute injury or illness to animals or humans does not occur. In order for a discharge or exceedance to be under the jurisdiction of this NPDES permit, the substance in question (a) must have been discharged in the normal course of operation from an outfall listed in this permit, and (b) must have been discharged from an outfall for which the permittee has authorization to discharge that substance.

Solids Disposal

The permittee is required to dispose of its sludge in accordance with 329 IAC 10, 327 IAC 6.1, or 40 CFR Part 503. The permittee maintains a land application permit (INLA000450) for the disposal of solids.

Receiving Stream

The facility discharges to the Iroquois River via Outfall 001. The receiving water has a seven day, ten year low flow ($Q_{7,10}$) of 7.1 cubic feet per second (4.6 MGD) at the outfall location. This provides a dilution ratio of receiving stream flow to treated effluent of 2.9:1.

The receiving stream is designated for full body contact recreational use and shall be capable of supporting a well-balanced warm water aquatic community in accordance with 327 IAC 2-1.

The outfall enters the receiving stream in assessment unit identification (AU_ID) INK0235_04, and watershed Hydrological Unit Code (HUC-12) 071200020305. The receiving stream at this AU_ID is on the 2018 303(d) list of impaired waters for Polychlorinated Biphenyls (PCBs) in fish tissue. Additionally, the facility is listed in the Kankakee/Iroquois Watershed Total Maximum Daily Load (TMDL) study for *Escherichia coli* (*E. coli*), approved by the US EPA on September 29, 2009. The implementation of the permittee's Long Term Control Plan (LTCP) for the combined sewers addresses the *E.coli* concerns of the TMDL. As a result, this assessment unit for the receiving stream is characterized as a Category 4A stream reach for *E.coli*, but remains a Category 5B stream reach for PCBs (fish tissue).

Industrial Contributions

There is no industrial flow to the wastewater treatment plant. This NPDES permit does not authorize the facility to accept industrial contributions until the permittee has provided the Indiana Department of Environmental Management with a characterization of the waste, including volume amounts, and this Office has determined whether effluent limitations are needed to ensure the State water quality standards are met in the receiving stream.

Antidegradation

Indiana's Antidegradation Standards and Implementation procedures are outlined in 327 IAC 2-1.3. The antidegradation standards established by 327 IAC 2-1.3-3 apply to all surface waters of the state. The permittee is prohibited from undertaking any deliberate action that would result in a new or increased discharge of a bioaccumulative chemical of concern (BCC) or a new or increased permit limit for a regulated pollutant that is not a BCC unless information is submitted to the commissioner demonstrating that the proposed new or increased discharge will not cause a significant lowering of water quality, or an antidegradation demonstration submitted and approved in accordance 327 IAC 2-1.3-5 and 2-1.3-6.

This permit includes new or increased permit limitations for phosphorus. In accordance with 327 IAC 2-1.3-1(b), the new or increased permit limitations are not subject to the Antidegradation Implementation Procedures in 327 IAC 2-1.3-5 and 2-1.3-6 as the new or increased permit limitations are not the result of a deliberate activity taken by the

permittee. The phosphorus limit has been added in response to IDEM's current Nonrule policy (WATER-019-NPD) which applies phosphorus reduction requirements to all POTWs with average design flows greater than or equal to 1 MGD.

Effluent Limitations and Rationale

The effluent limitations proposed herein are based on Indiana Water Quality Standards, NPDES regulations, and Wasteload Allocation (WLA) analyses performed by this Office's Permits Branch staff in November 1988 and on July 13, 2007. These limits are in accordance with antibacksliding regulations specified in 327 IAC 5-2-10(a)(11)(A). Monitoring frequencies are based upon facility size and type. IDEM has waived the 85% removal requirement for $CBOD_5$ and TSS under the provisions of 40 CFR 133.103(a). The periodic improvements required under the permittee's LTCP would make the percent removal level a dynamic measurement and any limitation based on percent removal impractical.

The final effluent limitations to be limited and/or monitored include: Flow, Carbonaceous Biochemical Oxygen Demand ($CBOD_5$), Total Suspended Solids (TSS), Ammonia-nitrogen (NH_3-N), phosphorus, total nitrogen, pH, Dissolved Oxygen (DO) and *Escherichia coli* (*E. coli*).

Final Effluent Limitations

The summer monitoring period runs from May 1 through November 30 of each year and the winter monitoring period runs from December 1 through April 30 of each year. The disinfection season runs from April 1 through October 31 of each year.

The mass limits for $CBOD_5$, TSS and ammonia-nitrogen have been calculated utilizing the peak design flow of 4 MGD. This is to facilitate the maximization of flow through the treatment facility in accordance with this Office's CSO policy.

Influent Monitoring

The raw influent and the wastewater from intermediate unit treatment processes, as well as the final effluent shall be sampled and analyzed for the pollutants and operational parameters specified by the applicable Monthly Report of Operation Form, as appropriate, in accordance with 327 IAC 5-2-13 and Part I.B.2 of the permit. Except where the permit specifically states otherwise, the sample frequency for the raw influent and intermediate unit treatment process shall be at a minimum the same frequency as that for the final effluent. The measurement frequencies specified in each of the tables in Part I.A. are the minimum frequencies required by the permit.

Flow

Flow is to be measured five (5) times weekly as a 24-hour total. Reporting of flow is required by 327 IAC 5-2-13.

$CBOD_5$

$CBOD_5$ is limited to 25 mg/l (834.5 lbs/day) as a monthly average and 40 mg/l (1,335.2 lbs/day) as a weekly average.

Monitoring is to be conducted five (5) times weekly by 24-hour composite sampling. The $CBOD_5$ concentration limitations included in this permit are set in accordance with the Wasteload Allocation (WLA) analysis performed by this Office's Permits Branch staff in November 1988, as referenced in the Briefing Memo of the permit issued in 1989. The limitations are the same as the concentration limitations found in the facility's previous permit.

TSS

TSS is limited to 30 mg/l (1,001.4 lbs/day) as a monthly average and 45 mg/l (1,502.1 lbs/day) as a weekly average.

Monitoring is to be conducted five (5) times weekly by 24-hour composite sampling. The TSS concentration limitations included in this permit are set in accordance with the Wasteload Allocation (WLA) analysis performed by this Office's Permits Branch staff in November 1988, as referenced in the Briefing Memo of the permit issued in 1989. The limitations are the same as the concentration limitations found in the facility's previous permit.

Ammonia-nitrogen

Ammonia-nitrogen is limited to 2.4 mg/l (80.1 lbs/day) as a monthly average and 3.6 mg/l (120.2 lbs/day) as a weekly average during the summer monitoring period. During the winter monitoring period, ammonia-nitrogen is limited to 3.6 mg/l (120.2 lbs/day) as a monthly average and 5.4 mg/l (180.3 lbs/day) as a weekly average.

Monitoring is to be conducted five (5) times weekly by 24-hour composite sampling. The ammonia-nitrogen concentration limitations included in this permit are set in accordance with antibacksliding regulations specified in 327 IAC 5-2-10(a)(11)(A), and with limitations from the Wasteload Allocation (WLA) analysis performed by this Office's Permits Branch staff in November 1988, as referenced in the 1989 permit's Briefing Memo. The limitations are the same as the concentration limitations found in the facility's previous permit.

Phosphorus

Consistent with IDEM's current Nonrule policy (WATER-019-NPD) which applies phosphorus reduction requirements to POTWs with average design flows greater than or equal to 1 MGD, monitoring requirements and an effluent limitation for phosphorus have been included in the permit renewal. Phosphorus is limited to 1.0 mg/l as a monthly average. Monitoring is to be conducted five (5) times weekly by 24-hour composite sampling. The permittee has provided sufficient justification for, and has therefore been granted, a thirty-six (36) month schedule of compliance to achieve the 1 mg/l limit. During this thirty-six (36) month interim period, monthly monitoring of phosphorus is required.

Total Nitrogen

Nutrient pollution is one of our Nation's top environmental challenges and considerations for addressing it continue to be a priority for IDEM. Nutrient pollution can lead to public health issues and impacts the economy and is of particular concern with regard to harmful algal blooms in the State of Indiana and harmful algal blooms and hypoxia problems in further downstream waters. Of particular concern in further downstream waters is the loadings of the nutrient nitrogen.

In response to the nutrient pollution concerns, the U.S. EPA released a memorandum on September 22, 2016 entitled "Renewed Call to Action to Reduce Nutrient Pollution and Support Incremental Actions to Protect Water Quality and Public Health", which can be found at the following web address: https://www.epa.gov/sites/production/files/2016-09/documents/renewed-call-nutrient-memo-2016.pdf. EPA recommends all major sanitary dischargers begin monitoring for total nitrogen. To begin the process of total nitrogen data collection, IDEM is proposing that all major sanitary dischargers with average design flow ratings of 1.0 MGD or greater begin monitoring for total nitrogen.

The permit requires that total nitrogen be monitored and report at a minimum of one (1) time monthly. Both the concentration and associated loading values must be reported. Total nitrogen shall be determined by testing for Total Kjeldahl Nitrogen (TKN) and Nitrate + Nitrite Nitrogen and reporting the sum of the TKN and Nitrate + Nitrite results (reported as N). Nitrate + Nitrite can be analyzed together or separately.

pH

The pH limitations have been based on 40 CFR 133.102 which is cross-referenced in 327 IAC 5-5-3.

To ensure conditions necessary for the maintenance of a well-balanced aquatic community, the pH of the final effluent must be between 6.0 and 9.0 standard units in accordance with provisions in 327 IAC 2-1-6(b)(2).

pH must be measured five (5) times weekly by grab sampling. These pH limitations are the same as the limitations found in the facility's previous permit.

Dissolved Oxygen

Dissolved oxygen shall not fall below 6.0 mg/l as a daily minimum average during the summer monitoring period. During the winter monitoring period, dissolved oxygen shall not fall below 5.0 mg/l as a daily minimum average.

These dissolved oxygen limitations are based on the Wasteload Allocation (WLA) analysis performed by this Office's Permits Branch staff on July 13, 2007, and are the same as the concentration limitations found in the facility's previous permit. Dissolved oxygen measurements must be based on the average of four (4) grab samples taken within a 24-hr. period. This monitoring is to be conducted five (5) times weekly.

E. coli

The *E. coli* limitations and monitoring requirements apply from April 1 through October 31, annually. *E. coli* is limited to 125 count/100 ml as a monthly average, and 235 count/100 ml as a daily maximum. The monthly average *E. coli* value shall be calculated as a geometric mean. This monitoring is to be conducted five (5) times weekly by grab sampling. These *E. coli* limitations are set in accordance with regulations specified in 327 IAC 5-10-6.

Whole Effluent Toxicity Testing

The permittee submitted a Whole Effluent Toxicity Tests (WETT) with the renewal application as required in 327 IAC 5-2-3(g). The effluent was neither chronically nor acutely toxic to either of the tested species at any concentration.

Backsliding

None of the concentration limits included in this permit conflict with antibacksliding regulations found in 327 IAC 5-2-10(a)(11)(A), therefore, backsliding is not an issue.

Reopening Clauses

Three (3) reopening clauses were incorporated into the permit in Part I.C. One clause is to incorporate effluent limits from any further wasteload allocations performed; a second clause is to allow for changes in the sludge disposal standards; and a third clause is to incorporate any applicable effluent limitation or standard issued or approved under section 301(b)(2)(C), (D) and (E), 304(b)(2), and 307(a)(2) of the Clean Water Act.

Compliance Status

The permittee has no enforcement actions at the time of this permit preparation.

Expiration Date

A five-year NPDES permit is proposed.

STATE OF INDIANA
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
PUBLIC NOTICE NO: 2020 – 2B – F
DATE OF NOTICE: FEBRUARY 4, 2020

The Office of Water Quality issues the following NPDES FINAL PERMIT:

MAJOR – RENEWAL

RENSSELAER (city) WWTP, Permit No. IN0024414, JASPER COUNTY, 1750 W Daugherty Rd, Rensselaer, IN. This municipal facility discharges 1.6 million gallons daily of treated sanitary wastewater into the Iroquois River. Permit Manager: Alyce Klein, 317/233-6728, aklein@idem.in.gov.

Notice of Right to Administrative Review [Permits]

If you wish to challenge this Permit, you must file a Petition for Administrative Review with the Office of Environmental Adjudication (OEA), and serve a copy of the Petition upon IDEM. The requirements for filing a Petition for Administrative Review are found in IC 4-21.5-3-7, IC 13-15-6-1 and 315 IAC 1-3-2. A summary of the requirements of these laws is provided below.

A Petition for Administrative Review must be filed with the Office of Environmental Adjudication (OEA) within fifteen (15) days of the issuance of this notice (eighteen (18) days if you received this notice by U.S. Mail), and a copy must be served upon IDEM. Addresses are:

Director
Office of Environmental Adjudication
Indiana Government Center North
100 North Senate Avenue - Room N103
Indianapolis, Indiana 46204

Commissioner
Indiana Department of Environmental Management
Indiana Government Center North
100 North Senate Avenue - Room 1301
Indianapolis, Indiana 46204

The Petition must contain the following information:

1. The name, address and telephone number of each petitioner.
2. A description of each petitioner's interest in the Permit.
3. A statement of facts demonstrating that each petitioner is:
    a. a person to whom the order is directed;
    b. aggrieved or adversely affected by the Permit;
    c. entitled to administrative review under any law.
4. The reasons for the request for administrative review.
5. The particular legal issues proposed for review.
6. The alleged environmental concerns or technical deficiencies of the Permit.
7. The Permit terms and conditions that the petitioner believes would be appropriate and would comply with the law.
8. The identity of any persons represented by the petitioner.
9. The identity of the person against whom administrative review is sought.
10. A copy of the Permit that is the basis of the petition.
11. A statement identifying petitioner's attorney or other representative, if any.

Failure to meet the requirements of the law with respect to a Petition for Administrative Review may result in a waiver of your right to seek administrative review of the Permit. Examples are:

1. Failure to file a Petition by the applicable deadline;
2. Failure to serve a copy of the Petition upon IDEM when it is filed; or
3. Failure to include the information required by law.

If you seek to have a Permit stayed during the Administrative Review, you may need to file a Petition for a Stay of Effectiveness. The specific requirements for such a Petition can be found in 315 IAC 1-3-2 and 315 IAC 1-3-2.1.
Pursuant to IC 4-21.5-3-17, OEA will provide all parties with Notice of any pre-hearing conferences, preliminary hearings, hearings, stays, or orders disposing of the review of this action. If you are entitled to Notice under IC 4-21.5-3-5(b) and would like to obtain notices of any pre-hearing conferences, preliminary hearings, hearings, stays, or orders disposing of the review of this action without intervening in the proceeding you must submit a written request to OEA at the address above. More information on the appeal review process is available on the website for the Office of Environmental Adjudication at http://www.in.gov/oea.

Appendix B

Agreed Judgement Cause No. 37C01-0709-CC-391

STATE OF INDIANA	)	IN THE JASPER CIRCUIT COURT
	) SS:	
COUNTY OF JASPER	)	CAUSE NO.

COMMISSIONER, INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT,	)	37CO1-0709-CC-391
Plaintiff,	)	
v.	)	
CITY OF RENSSELAER,	)	
Defendant.	)	

FILED
SEP 26 2007
Kara Fishburn
Clerk of the Jasper Circuit Court

AGREED JUDGMENT

WHEREAS, concurrent with the filing of this Agreed Judgment, Plaintiff, the Commissioner of the Indiana Department of Environmental Management ("IDEM") has filed a complaint (the "Complaint") in this civil action against the Defendant, the City of Rensselaer ("City"), in connection with the City's operation of its municipal wastewater and sewer system. The Complaint alleges that the City is in noncompliance with Title 13 of the Indiana Code, Title 327 of the Indiana Administrative Code Articles 2 and 5, and its National Pollutant Discharge Elimination System permit, including Attachment A (hereinafter collectively referred to as the "NPDES Permit") issued by IDEM pursuant to the Clean Water Act ("CWA"). IDEM seeks injunctive relief for the noncompliance.

WHEREAS, the City denies any liability to IDEM arising out of the transactions or occurrences alleged in the Complaint.

WHEREAS, the City has made progress toward returning to compliance with Title 13 of the Indiana Code, Title 327 of the Indiana Administrative Code Articles 2 and 5, NPDES Permit, and the CWA, through projects that have been completed over the last several years.

07-02418/sc

WHEREAS, the City owns and operates a wastewater collection system comprised of combined and sanitary sewers, which includes nine (9) combined sewer overflow ("CSO") outfalls, and the Rensselaer municipal wastewater treatment plant located at 1750 West Daugherty Road in Rensselaer, Indiana.. The City is authorized by NPDES Permit No. IN0024414 to discharge wastewater to the receiving waters, Iroquois River, in accordance with effluent limitations, monitoring requirements, and other conditions contained in the NPDES Permit.

WHEREAS, the NPDES Permit identifies nine (9) CSO outfalls in the City's sewage collection system, identified as Outfall Nos. 003, 006, 007, 008, 010, 014, 019, 021 and 023.

WHEREAS, IDEM records for the last three (3) years indicate that the City has reported discharges from CSO Outfalls listed in the NPDES Permit. Such discharges were not provided with treatment, and therefore threatened to violate the narrative effluent limitations contained in the NPDES Permit.

WHEREAS, Pursuant to its NPDES Permit, the City submitted to IDEM on June 12, 2002, a CSO Long-Term Control Plan ("LTCP") that contains, among other elements, the following:

a. a description of the control/treatment measures that will be implemented by the City in order to ensure that discharges from its CSO outfalls comply with the water quality based and technology based requirements of the CWA and State law, along with a schedule, that includes specific milestone dates, for implementation of the control/treatment measures; and

b. a description of the post-construction compliance monitoring program that will be implemented by the City in order to determine whether the control/treatment measures, upon implementation, are adequate to ensure compliance with the water quality-based and technology

-based requirements of the CWA and State law, along with a schedule, that includes specific milestone dates for implementation of the post-construction compliance monitoring program.

WHEREAS, the City initiated its LTCP using the "Presumptive" approach, which is an approach identified in EPA's national CSO policy. The City completed a LTCP and submitted the LTCP to IDEM on June 12, 2002.

WHEREAS, the City has submitted to IDEM, for approval, a Work Plan, included as Attachment 1 to this Agreed Judgment. The Work Plan contains tasks and a schedule for revising the LTCP and submitting a final LTCP.

WHEREAS, the Parties agree and the Court, by entering this Agreed Judgment, finds, that settlement of these matters, without protracted litigation, is fair, reasonable, and in the public interest.

NOW THEREFORE, before the taking of any testimony, without any admission by the City of any facts beyond those that the Parties have explicitly agreed to in this Agreed Judgment, and with the consent of the Parties, it is hereby ORDERED:

BACKGROUND

Since implementation of the CSO Operational Plan in 1992, the City has taken significant action toward reducing the volume of CSO to the Iroquois River and reducing the number of CSO locations. Several projects have been completed as part of this effort as summarized below:

- The Norman Tile Service Area Sanitary Sewer and Pumping Station Project consisted of construction of approximately 10,400 feet of sanitary sewer and a submersible lift station to provide sanitary sewer service to the area previously served by Norman Tile. Construction of the project was completed in August 1995 at a cost of approximately $1,300,000 and was financed entirely with local funds. This project resulted in the elimination of flow from an 18-inch field tile from the combined sewer system (CSS) and removal of CSO No. 025.

- The Charles Street sanitary sewer project was constructed to eliminate another field tile connection from the sewer system and to remedy an unsanitary condition in that area. The design and construction cost of this project was approximately $120,000. Additionally, this

project involved installing 660 feet of 12-inch storm drain at an approximate cost of $4,000. The project resulted in the disconnection of a 21-inch field tile from the CSS.

- The Sparling Avenue storm sewer project was completed in 1996 to provide drainage for a developing area and to reduce the amount of stormwater entering the CSS in this area. The project involved the installation of 300 feet of 24-inch, 400 feet of 30-inch, 750 feet of 36-inch, 750 feet of 42-inch, and 350 feet of 48-inch storm sewer discharging to the Iroquois River. The cost of this project was approximately $400,000.

- The City's share of the 1994 Mckinley drain storm sewer project, developed by Jasper County, was approximately $55,000. This project resulted in reducing the amount of storm water entering the Rensselaer CSS.

- The Zeigler Tile Project resulted in separation of sewers in the Zeigler Tile Area at an approximate cost of $25,000. This project resulted in the disconnection of a 24-inch field tile from the CSS.

- The Leopold Street storm water project was completed in 1992 to eliminate the surface water from the area. The project was installed by City forces and consisted of 260 feet of 8-inch plastic storm drain at an approximate cost of $2,000.

- The Rachel Street storm water project was completed by City forces in 1993 to eliminate the surface water from the Rachel Street area. The project consisted of installing 360 feet of 10-inch storm drain at an approximate cost of $2,500.

- The Angelica Street storm drainage project was completed by City forces in 1994. The project consisted of installing 330 feet of 12-inch and 120 feet of 8-inch storm drain at a cost of approximately $12,000.

- On June 15, 2005, the City of Rensselaer installed flow meters on all nine (9) active Combined Sewer Overflows. This allows the City to report time, date, flow, and duration accurately.

- Jefferson & Jackson added catch basin, storm drain: $3,000.

- Replaced 300' of 8" sewage main at N Scott & Cherry Sts: $6,000.

- 500 block of Fleming: Added 130' of 8" storm drainage, two manholes: $5,000

The City's sewer system currently contains nine (9) CSOs. The above described major construction projects, as well as increased maintenance activities over the past fifteen (15) years, have resulted in the permanent elimination of fourteen (14) of the twenty-three (23) CSOs previously listed on the City's NPDES permit.

The City has completed the design of the first phase of a proposed sewer separation along Melville Street, in the eastern portion of the city. Approximately 7,000 linear feet of storm sewer will be installed in Melville Street from the railroad south to the river. The construction of this project is scheduled to begin in the spring of 2008 and has an estimated project cost of $5.9 million.

JURISDICTION AND VENUE

1. This Court has jurisdiction over the subject matter of this action pursuant to Ind. Code §§ 13-30-4-1 and 13-14-2-6. The Complaint states claims upon which relief can be granted under Title 327 of the Indiana Administrative Code, Articles 2 and 5. Venue is proper in this Court as the City of Rensselaer is located in Jasper County.

APPLICABILITY

2. The provisions of this Agreed Judgment shall apply to and be binding upon the State of Indiana, and the City and its officers, directors, agents, employees, successors, contractors and assigns and any person having notice of this Agreed Judgment who is, or will be acting on behalf of or in concert or participation with the City. The City shall provide a copy of this Agreed Judgment to any successor in interest at least thirty (30) days prior to transfer of that interest, and simultaneously shall verify in writing to IDEM that such notice has been given. Any sale or transfer of the City's interests in its wastewater treatment facilities shall not in any manner relieve the City of its responsibilities for meeting the terms and conditions of this Agreed Judgment. In any action to enforce this Agreed Judgment, the City shall not raise as a defense the failure by any of its officers, directors, agents, employees, successors, assigns or contractors to take actions necessary to comply with the Agreed Judgment.

OBJECTIVE

3. All plans, measures, reports, construction, maintenance, operational requirements and other obligations in this Agreed Judgment or resulting from the activities required by this Agreed Judgment shall have the objective of causing the City to achieve and maintain full compliance with applicable State law and the terms and conditions of the City's NPDES Permit.

REVISION OF LONG TERM CONTROL PLAN

4. The City shall revise and implement a LTCP. The LTCP shall provide for the construction and implementation of all facility and sewer system improvements and other measures necessary to ensure that CSO discharges from all CSO discharge outfalls comply with the technology based and water quality based requirements of the CWA, state law and regulation, and the City's NPDES Permit. Alternatively, in the instance where conditions dictate that the City cannot implement such improvements, the City may pursue completion of a Use Attainability Analysis ("UAA").

5. The City shall revise a LTCP in accordance with the schedule set forth in Attachment 1, which is a Work Plan prepared by the City and approved by IDEM. The Work Plan describes plans and schedules for revising and submitting for approval and implementation a LTCP. The City may seek to amend or revise the Work Plan in accordance with applicable laws, rules, policy and this Agreed Judgment. Upon the City's receipt of IDEM's approval of any amendment or revision to the Work Plan, or upon resolution of any disputes pursuant to this Agreed Judgment, Dispute Resolution, concerning a proposed revision to the Work Plan, the revised Work Plan (including any additional post-construction monitoring and modeling) shall supersede the schedule contained in Attachment 1, any previously revised Work Plan, or any previously-approved extension of deadlines, and the City shall implement the revised Work Plan

(including any additional post-construction monitoring and modeling) in accordance with the schedule in the approved revised Work Plan.

COMPLIANCE AND IMPLEMENTATION OF THE APPROVED LONG TERM CONTROL PLAN

6. The City shall comply with 327 IAC 5-2-8(1), 327 IAC 2-1-6(a)(1), IC 13-18-4-5, IC 13-30-2-1, and all parts of the NPDES Permit.

7. Beginning on the Effective Date of this Agreed Judgment, and continuing during revision and implementation of the LTCP pursuant to this Agreed Judgment, the City shall, at all times, operate its sewage collection system and wastewater treatment system as efficiently and effectively as possible.

8. Upon approval by IDEM, the City shall implement the LTCP, in accordance with the implementation schedule specified in the approved LTCP. In the event that the implementation schedule determined by the approved LTCP is before October 1, 2029, the date in the approved LTCP shall apply.

9. The City may seek to amend or revise the approved LTCP in accordance with applicable laws, rules, policy and this Agreed Judgment. Upon the City's receipt of IDEM's approval of any amendment or revision to the LTCP, or upon resolution of any disputes pursuant to this Agreed Judgment, Dispute Resolution, concerning a proposed revision to the LTCP, the revised LTCP (including any additional post-construction monitoring and modeling) shall supersede the schedule contained in any previously approved LTCP or revised LTCP, or any previously-approved extension of deadlines, and the City shall implement the revised LTCP (including any additional post-construction monitoring and modeling) in accordance with the schedule in the approved revised LTCP.

IDEM APPROVAL OF SUBMISSIONS

10. The City shall notify IDEM, in writing, within thirty (30) days of completion of each action or milestone contained in the Schedule in Attachment 1 and any task or plan approved by IDEM pursuant to this Agreed Judgment. The notification shall include a description of the action completed and the date it was completed, and a progress report that contains a summary of the activities undertaken to complete the task. The City shall adequately address any IDEM comments regarding the report, within a reasonable timeframe required by IDEM.

11. In the event that the City is unable to complete a task as specified in the Work Plan, the City shall notify IDEM in writing no later than fourteen (14) days prior to the task deadline. This notification shall include a description of the task, justification for why the deadline will be missed and a Task Compliance Plan ("Task CP") that includes a new deadline.

12. The City, upon receipt of written notification from IDEM of approval of the Task CP, shall immediately implement the approved Task CP and adhere to the schedules contained herein. The approved Task CP shall be incorporated into this Agreed Judgment and shall be deemed an enforceable part thereof.

13. Within sixty (60) days after completion of each post-construction monitoring phase of the approved LTCP, the City shall submit to IDEM, for review and approval, a report that contains a summary of the data gathered as a result of the post-construction compliance monitoring and an evaluation of the success of the phase in meeting the goals of the LTCP. The City shall adequately address any IDEM comments regarding the report, within the timeframe required by IDEM.

14. Upon implementation of the LTCP, in the event that data resulting from CSO monitoring or other information indicates that the LTCP is not adequate to ensure compliance with the technological and water quality based requirements of the CWA, the City shall, within ninety (90) days of becoming aware of such inadequacy, develop and submit to IDEM, for approval, a CSO Compliance Plan ("CSO CP") that identifies (a) additional measures that will be implemented by the City; and (b) the post-construction compliance monitoring program that will be implemented by the City in order to determine whether the additional measures, upon implementation, are adequate, along with a schedule, that includes specific milestone dates.

15. The CSO CP is subject to IDEM approval. Following receipt of the CSO CP, IDEM may, in writing (a) approve all of or any portion of the CSO CP; (b) approve all or a portion of the CSO CP upon specified conditions; (c) disapprove of all or any portion of the CSO CP, notifying the City of deficiencies in the CP and granting the City additional time within which to correct the deficiencies; (d) modify the submission to correct deficiencies; or (e) reject all or any portion of the CP.

16. The City, upon receipt of written notification from IDEM of approval of the CSO CP, shall immediately implement the approved CSO CP and adhere to the schedules contained therein. The approved CSO CP shall be incorporated into this Agreed Judgment and shall be deemed an enforceable part thereof.

17. In the event that a UAA is denied, the City shall, within ninety (90) days, develop and submit to IDEM, for approval, a CSO CP as stated above in Paragraphs 14, 15, and 16.

18. The provisions of Order Paragraphs 14, 15, and 16 shall continue to apply until post-construction monitoring indicates to IDEM that water quality standards are being met.

FUNDING

19. The City may seek Federal and State grant funding assistance. However, compliance with the terms of this Agreed Judgment is not conditioned on the receipt of Federal or State funds. In addition, failure to comply is not excused by the lack of Federal or State funds, or by the processing of any applications for the same.

COMMUNICATIONS

20. All submittals required by this Order, unless notified otherwise in writing, shall be sent to:

Cyndi Wagner, Chief, Wet Weather Section
Indiana Department of Environmental Management
Office of Water Quality – Mail Code 65-42
100 North Senate Avenue
Indianapolis, IN 46204-2251

STIPULATED PENALTIES

21. In the event the terms and conditions of the following Judgment paragraphs are violated, the IDEM may assess and the City shall pay a stipulated penalty in the following amount:

Order Paragraph Number	***Violation***	Penalty Amount
5	Failure to develop the LTCP and adhere to the milestone dates set forth in the schedule in Attachment 1.	$500 per each week or part thereof late
8	Failure to implement the LTCP and adhere to the milestone dates set forth in the schedule in the approved LTCP.	$500 per each week or part thereof late
10	Failure to notify IDEM, in writing, within thirty (30) days of completion of each action contained in the LTCP and any plan approved by IDEM pursuant to this Agreed Judgment.	$250 per each week or part thereof late
10	Failure to timely submit report.	$500 per each week or part

		thereof late
10	Failure to timely address any IDEM comments within the timeframe set by IDEM.	$500 per each week or part thereof late
14	Failure to timely submit a complete and sufficient CSO CP.	$500 per each week or part thereof late
15	Failure to timely revise and resubmit the CSO CP in accordance with written notice by IDEM.	$500 per each week or part thereof late
16	Failure to comply with any milestone date contained in the schedule set forth in the approved CSO CP.	$500 per each week or part thereof late

22. Stipulated penalties shall be due and payable within thirty (30) days after the City receives written notice that the IDEM has determined a stipulated penalty is due. Assessment and payment of stipulated penalties shall not preclude the IDEM from seeking any additional relief against the City for violation of the Agreed Judgment. In lieu of any of the stipulated penalties given above, the IDEM may seek any other remedies or sanctions available by virtue of the City's violation of this Agreed Judgment, or Indiana law, including but not limited to civil penalties pursuant to IC 13-30-4.

23. Stipulated penalties are payable by check to the Environmental Management Special Fund. Checks shall include the Case Number of this action and shall be mailed to:

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

24. In the event that any stipulated amount assessed pursuant to Paragraph Nos. 21 and 22 is not paid within thirty (30) days of notice that it is due, the City shall pay interest on the unpaid balance at the rate established by IC 24-4.6-1-101. The interest shall continue to accrue until the stipulated penalty is paid in full.

FORCE MAJEURE

25. If any event occurs that causes or may cause the City to violate any provision or requirement of this Agreed Judgment, the City shall notify IDEM in writing within fourteen (14) days from the date the City first knew, or in the exercise of reasonable diligence should have known, that compliance with the Agreed Judgment would be prevented or delayed. The notice shall reference this Section of the Agreed Judgment and shall describe in detail the anticipated length of time the violation may persist, the precise cause or causes of the violation, the measures taken or to be taken by the City to prevent or minimize the violation and the timetable by which those measures will be implemented. The City shall adopt all reasonable measures to avoid or minimize any such violation. The City shall make all reasonable efforts to identify events that cause or may cause a violation of this Agreed Judgment. Failure by the City to comply with the notice requirements of this Paragraph shall constitute a waiver of the City's rights to obtain an extension of time or other relief under this Section based on such incident.

26. If IDEM agrees that the violation has been or will be caused by circumstances beyond the control of the City or any entity controlled by it, including its consultants and contractors, and that the City could not have prevented such violation, the time for performance of the requirement in question shall be extended for a period not to exceed the actual delay resulting from such circumstance, and stipulated penalties shall not be due for such delay or non-compliance. In the event IDEM does not agree that the violation was caused by circumstances beyond the control of the City and notifies the City of such determination, the City may invoke the dispute resolution provisions in this Agreed Judgment.

27. If the City invokes dispute resolution and IDEM or the Court determines that the violation was caused by circumstances beyond the control of the City or any entity controlled by

it, and that the City could not have prevented such violation, the City shall be excused as to that violation, but only for the period of time the violation continues due to such circumstances.

28. The City shall bear the burden of proving that any delay or violation has been or will be caused by circumstances beyond its control, and that the City could not have prevented such violation, as set forth above. The City shall also bear the burden of establishing the duration and extent of any delay or violation attributable to such circumstances, that such duration or extent is or was warranted under the circumstances and that, as a result of the delay, a particular extension period is appropriate. An extension of one compliance date based on a particular circumstance beyond the City's control shall not automatically extend any subsequent compliance date or dates but shall provide the basis for considering the necessity of extending any subsequent compliance dates, especially when the performance necessary to meet the extended compliance date is reasonably related to the performance necessary to meet the subsequent compliance date. IDEM shall not unreasonably refuse to extend a subsequent compliance date when such a relationship exists.

29. Changed financial circumstances, unanticipated, increased costs or expenses associated with implementation of this Agreed Judgment shall not serve as a basis for excusing violations or granting extensions of time under this Agreed Judgment, except as expressly provided in Force Majeure.

30. Failure to apply for a required permit or approval or to provide in a timely manner all information required to obtain a permit or approval that is necessary to meet the requirements of this Agreed Judgment shall not, in any event, serve as a basis for excusing violations of or granting extensions of time under this Agreed Judgment. However, a permitting authority's

failure to act in a timely manner on an approvable permit application may serve as a basis for an extension under the force majeure provisions of this Agreed Judgment.

31. The City shall make a showing of proof regarding the cause of each delayed incremental step or other requirement for which an extension is sought. The City may petition for the extension of more than one compliance date in a single request.

DISPUTE RESOLUTION

32. This Court shall retain jurisdiction of this matter for the purposes of implementing and enforcing the terms and conditions of this Agreed Judgment and for the purpose of adjudicating all disputes among the Parties that may arise under the provisions of this Agreed Judgment. Any dispute that arises with respect to the meaning, application, implementation, interpretation, amendment or modification of this Agreed Judgment, or with respect to the City's compliance herewith (including the adequacy of the City's performance of the control measures and adequacy of the submittals required by this Agreed Judgment) or any delay hereunder, the resolution of which is not otherwise expressly provided for in this Agreed Judgment, shall in the first instance be the subject of informal negotiations. If any Party believes it has a dispute with any other Party, it shall notify all the other Parties in writing, including notice to the Indiana Attorney General, setting forth the matter(s) in dispute, and the Parties will proceed initially to resolve the matter in dispute by informal means. Such period of informal negotiations shall not exceed thirty (30) days from the date the notice was sent, unless the Parties agree otherwise.

33. If the informal negotiations are unsuccessful, the position of the IDEM shall control unless, within twenty (20) days after the conclusion of the informal negotiation period, the City invokes the formal dispute resolution procedures of this Section by serving on IDEM a

written statement of position on the matter in dispute, including any supporting factual data, analysis, opinion, or documentation.

34. Within thirty (30) days of receiving the City's statement of position under Paragraph 33, the IDEM will serve on the City its written statement of position, including any supporting factual data, analysis, opinion, or documentation.

35. An administrative record of the dispute shall be maintained by IDEM and shall contain all statements of position, including supporting documentation, submitted pursuant to Paragraphs 33 and 34.

36. IDEM's statement of position shall be binding upon the City unless the City files a petition with the Court describing the nature of the dispute and a proposal for its resolution. The City's petition must be filed no more than twenty (20) days after receipt of IDEM's statement of position. IDEM shall then have thirty (30) days to file a response setting forth their position and proposal for resolution. In any such dispute, the petitioner shall have the burden of proof, and the standard of review shall be that provided by applicable law.

37. Submission of any matter to the Court for resolution shall not extend any of the deadlines set forth in this Agreed Judgment, unless the Parties agree to such extension in writing or the Court allows the extension upon motion.

38. Stipulated penalties with respect to any disputed matter (and interest thereto) shall accrue in accordance with Paragraphs 21 and 22; however, payment of stipulated penalties, and any accrued interest, shall be stayed pending resolution of the dispute, as follows:

(a) If the dispute is resolved by informal agreement before appeal to this Court, accrued penalties (and interest), if any, determined to be owed shall be paid within sixty (60) days of the agreement or the receipt of IDEM's final position in writing.

(b) If the dispute is appealed to this Court and the IDEM prevails in whole or in part, the City shall pay all accrued penalties (and interest) determined to be owed within sixty (60) days of the Court's decision or order.

(c) In the event of an appeal, the City shall pay all accrued penalties (and interest) determined to be owed within sixty (60) days after a final decision no longer subject to judicial review has been rendered.

RIGHT OF ENTRY

39. IDEM, and its representatives, contractors, consultants, and attorneys shall have the right of entry into and upon the City's wastewater treatment facility and sewer system, at all reasonable times, upon proper presentation of credentials, for the purposes of:

(a) Monitoring the progress of activities required by this Agreed Judgment;

(b) Verifying any data or information required to be submitted pursuant to this Agreed Judgment;

(c) Obtaining samples and, upon request, splits of any samples taken the City or its consultants. Upon request, the City will be provided with splits of all samples taken by the IDEM; and

(d) Otherwise assessing the City's compliance with this Agreed Judgment, the City's Current Permits, the CWA or applicable State law.

This Section in no way limits or affects any right of entry and inspection held by IDEM pursuant to applicable Federal or State laws, regulations, or permits.

CERTIFICATION

40. Any report, plan, or other submission that the City is required by this Agreed Judgment to submit, including reports, plans or other submissions that the City is also required to

submit by its Current Permits, shall be signed by an official or authorized agent of the City and shall include the following certification:

I certify under penalty of law that the document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

41. The City shall not object to the admissibility into evidence of any report, plan, or other submission prepared in accordance with this Paragraph or the information contained in said reports in any proceeding initiated by any of the Parties to this Agreed Judgment to enforce this Agreed Judgment. Notwithstanding the above, the City may seek in accordance with applicable law to submit any contradictory or other evidence as to any matter affected by the evidence referred to in the preceding section in any proceeding to enforce this Agreed Judgment.

NOT A PERMIT/COMPLIANCE WITH OTHER STATUTES/REGULATIONS

42. This Agreed Judgment is not and shall not be construed as a permit, or a modification of any existing permit, issued pursuant to Section 402 of the CWA, 33 U.S.C. § 1342, or State law, nor shall it in any way relieve the City of its obligations to obtain permits for its wastewater treatment facilities, sewer system, or modifications thereto, and to comply with the requirements of any NPDES permit or with any other applicable Federal or State law or regulation, including the obligation to obtain facility construction permits pursuant to Title 327 of the Indiana Administrative Code, Article 3. Any new permit, or modification of existing permits, must be complied with in accordance with applicable Federal and State laws and regulations.

43. Nothing herein, including IDEM's review or approval of any plans, reports, policies or procedures formulated pursuant to this Agreed Judgment (including any Revised CSO Control Measures Plan), shall be construed as relieving the City of the duty to comply with the CWA, the regulations promulgated there under, and all applicable permits issued there under, or as relieving the City of its duty to comply with applicable state law.

EFFECT OF COMPLIANCE

44. IDEM does not, by its consent to the entry of this Agreed Judgment, warrant or aver in any manner that the City's complete compliance with this Agreed Judgment will result in compliance with the provisions of the CWA, 33 U.S.C. §§ 1251 et seq., applicable state law, or the City's NPDES Permits.

EFFECT OF AGREED JUDGMENT AND NON-WAIVER PROVISIONS

45. Nothing contained in this Agreed Judgment shall be construed to prevent or limit IDEM's rights to obtain penalties or further or additional injunctive relief under State statutes or rules, including, but not limited to, criminal punishment under applicable State laws and rules respectively except as expressly specified herein.

46. This Agreed Judgment resolves the civil claims of IDEM for civil penalties and injunctive relief for the violations alleged in the Complaint filed herein through the date of entry of this Agreed Judgment.

47. IDEM further reserves all rights against the City with respect to any violations by the City that occur after the date of lodging of this Agreed Judgment, and/or for any violations of applicable state law not specifically alleged in the Complaint filed herein, whether they occurred before or after the date of lodging of this Agreed Judgment.

48. The Parties agree that the City is responsible for achieving and maintaining complete compliance with all State laws, rules, and permits, and that compliance with this Agreed Judgment shall be no defense to any actions commenced by IDEM pursuant to said laws, regulations, or permits, except as set forth herein.

49. This Agreed Judgment does not limit or affect the rights of the Parties as against any third parties that are not Parties to this Agreed Judgment. The Parties recognize that this Agreed Judgment resolves only matters between IDEM and the City and that its execution does not preclude the City from asserting any legal or factual position in any action brought against it by any person or entity not a Party to this Agreed Judgment.

50. IDEM reserves any and all legal and equitable remedies available to enforce the provisions of this Agreed Judgment.

51. This Agreed Judgment shall not limit any authority of IDEM under any applicable statute or regulation, including the authority to seek information from the City, to require monitoring, to conduct inspections, or to seek access to the property of the City; nor shall anything in this Agreed Judgment be construed to limit the authority of IDEM to undertake any action against any person, including the City, in response to conditions that may present an imminent and substantial endangerment to the environment or to the public health or welfare.

52. Obligations of the City under the provisions of this Agreed Judgment to perform duties scheduled to occur after the signing, but prior to the date of entry, shall be legally enforceable from the date this Agreed Judgment is signed by the City. Liability for stipulated penalties, if applicable, shall accrue for violation of such obligations and payment of such stipulated penalties may be demanded by the IDEM as provided in this Agreed Judgment. The contempt authority of this Court shall also extend to violations of such obligations.

COSTS OF SUIT

53. Each Party shall bear its own costs and attorneys' fees with respect to matters related to this Agreed Judgment.

MODIFICATION

54. Except as provided below, there shall be no material modification of this Agreed Judgment, Exhibits attached to this Agreed Judgment, or the submittals approved under this Agreed Judgment without written approval by the Parties and the Court. Any non-material modification of this Agreed Judgment, its Exhibits, or approved submittals shall be in writing and signed by the Parties. Any modifications to the attached Exhibits or subsequently approved submittals that are specifically allowed under the terms of those Exhibits or submittals may be made in accordance with the terms of those Exhibits or approved submittals. All modifications, whether material or non-material, shall be deemed an enforceable part of this Agreed Judgment.

CONTINUING JURISDICTION

55. The Court shall retain jurisdiction to enforce the terms and conditions and achieve the objectives of this Agreed Judgment and to resolve disputes arising hereunder as may be necessary or appropriate for the construction, modification, implementation or execution of this Agreed Judgment.

TERMINATION

56. Upon motion filed with the Court by IDEM or the City, the Court may terminate the terms of this Agreed Judgment after each of the following has occurred:

(a) The City has achieved compliance with all provisions contained in this Agreed Judgment, and subsequently has maintained satisfactory compliance with each and every provision for twelve consecutive months;

(b) The City has paid all penalties and other monetary obligations due hereunder and no penalties or other monetary obligations due hereunder are outstanding or owed to IDEM; and

(c) At least one hundred twenty (120) days prior to filing the motion, the City has certified to IDEM that it has complied with the terms of this Agreed Judgment and has provided sufficient documentation to IDEM to support its certification.

SIGNATORIES/SERVICE

57. The Indiana Deputy Attorney General signing this Agreed Judgment, on behalf of the State of Indiana and IDEM, and the undersigned representative of the City each certifies that he or she is authorized to enter into the terms and conditions of this Agreed Judgment and to execute and bind legally such Party to this document.

58. The Parties agree that the City need not file an answer to the Complaint in this action unless or until the Court expressly declines to enter this Agreed Judgment.

FINAL JUDGMENT

59. Upon approval and entry of this Agreed Judgment by the Court, this Agreed Judgment shall constitute the final judgment of the Court between IDEM and the City.

THE UNDERSIGNED PARTIES enter into this Agreed Judgment:

FOR THE STATE OF INDIANA
STEVE CARTER
Attorney General of Indiana

By: Sierra L. Cutts DATED: 9-25-2007

Sierra L. Cutts, Deputy Attorney General
Office of the Attorney General
Indiana Government Center South, 5th Floor
302 West Washington Street
Indianapolis, Indiana 46204

FOR IDEM

DATED: 9/25/2007

THOMAS W. EASTERLY, Commissioner
Indiana Department of Environmental Management
100 North Senate Avenue, IGCN 1301
Indianapolis, Indiana 46204

FOR THE CITY OF RENSSELAER

DATED: SEPTEMBER 19, 2007

Representative of City of Rensselaer

The Court finds there is no just reason for delay and therefore approves and enters this Agreed Judgment as a final judgment.

SO ORDERED this 26 day of Sept., 2007.

John D. Potter

Judge, Jasper Circuit Court

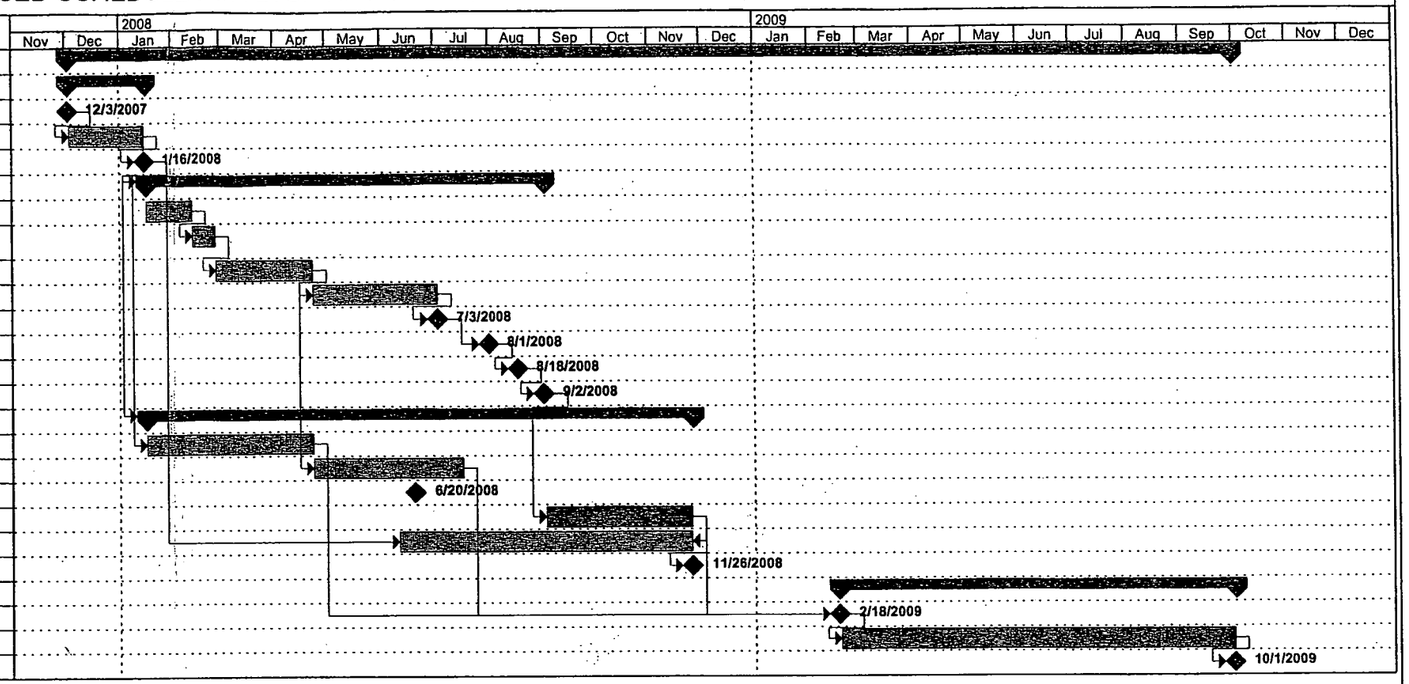
Distribution:

Sierra L. Cutts, Indiana Attorney General's Office, 302 West Washington Street, IGCS, 5th Floor, Indianapolis, Indiana 46204

William T. Sammons, Attorney for the City of Rensselaer, 205 W. Washington St., Rensselaer, Indiana 47978

PROPOSED SCHEDULE FOR LTCP REVISIONS

ID	Task Name
1	**Rensselaer LTCP Update**
2	**IDEM LTCP Revised Comments**
3	IDEM provides revised LTCP comments
4	Analyse and Understand Comments
5	Mtg w/ IDEM to discuss comments
6	**Use Attainability Analysis (UAA) Decision**
7	Estimate CSO Outflow quantity for 1 & 10 yr 1 hr storms
8	Determine Improvements Necessary to Accomplish State Recommended Design Storm Capture (Amount of capture necessary to avoid a UAA)
9	Develop Cost Estimates for Facility Improvements Identified In Task 8
10	Affordability Analysis
11	Mtg w/ City - UAA Go-NoGo
12	Mtg w/ Public (For discussion and input with regard to LTCP / UAA Decision)
13	Deliver UAA Decision Analysis to IDEM
14	Mtg w/ IDEM to Acquire Concurrance on UAA Decision
15	**Prepare Response to IDEM LTCP Revised Comments**
16	Re-visit Sensitive Areas if Required by IDEM
17	Capture Analysis
18	Deliver Preliminary Response To Comments Agreed To By Parties
19	Update Cost Estimates for Recommended CSO Control Program
20	Address Other Comments
21	Deliver Final Comments
22	**LTCP Preparation**
23	Meeting w/ IDEM (Kickoff LTCP Final Revisions)
24	Prepare Updated Plan
25	LTCP Submittal



Project: 09132007FINALLTCPSchedR
Date: Fri 9/14/07

Task | Milestone | Rolled Up Task | Rolled Up Progress | External Tasks | Group By Summary
Progress | Summary | Rolled Up Milestone | Split | Project Summary | Deadline

Prepared by HNTB Corporation
HNTB Job # 33249

Attachment 1 to State Judicial Agreement
City of Rensselaer, Indiana

Appendix C

City of Rensselaer LTCP Correspondence Letters

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

June 11, 2018

VIA ELECTRONIC MAIL

The Honorable Stephen A. Wood, Mayor
City of Rensselaer
124 S. Van Rensselaer Street
Rensselaer, Indiana 47978

Dear Mayor Wood:

Re: Combined Sewer Overflow Program
LTCP 5-Year Review
City of Rensselaer
NPDES Permit No. IN0024414
Agreed Judgement No. 37C01-0709-CC-391
Jasper County

The Indiana Department of Environmental Management (IDEM) Office of Water Quality (OWQ) has received (electronic submittal on March 30, 2018) the City of Rensselaer's 5-year review of their approved Combined Sewer Overflow (CSO) Long Term Control Plan (LTCP). A periodic review of the CSO LTCP is a requirement of IC 13-18-3-2.4, and is to be conducted no less than every five years after original approval of the LTCP. The original LTCP was approved in March 2012 (Rensselaer received enforcement discretion from IDEM to submit the 5-year review by April 1, 2018).

The 5-year review document includes costs, and an adjusted LTCP implementation schedule to account for additional controls necessary to meet a NPDES permit limit for phosphorus at the wastewater treatment plant (WWTP). As a result, Rensselaer proposes to restructure Phases II, III and IV of the approved LTCP Implementation Schedule. Current Phase II projects, involving increasing various interceptor sizes, are proposed to be moved to Phase III of the schedule, while more immediate needs such as replacement of the Main Lift Station, sewer extensions and adding phosphorus controls at the WWTP, are proposed to be incorporated into the LTCP schedule in Phase II. Construction of a second Wet Weather Treatment Facility (WWTF) is proposed to be moved from Phase III to Phase IV in order for post construction monitoring to occur. This will allow for collection of flow monitoring data to be used for sizing of the second WWTF (in order to meet the approved LTCP level of control).

The LTCP 5-year update indicates that the financial indicators affecting the wastewater cost per household indicator and SEIM score will increase due to the additional WWTP projects. However, no changes to the approved LTCP level of control or final implementation schedule are proposed at this time. Based on this information,

IDEM finds Rensselaer's 5-year LTCP review to be acceptable, and approves the proposed LTCP schedule amendment. The amended LTCP implementation schedule (copy enclosed) shall supersede the schedule contained in the previously approved LTCP, and Rensselaer shall implement the LTCP in accordance with the amended LTCP implementation schedule found in the 2018 5-year LTCP update document.

The City of Rensselaer's next CSO LTCP review is due no later than March 1, 2022**.** IC 13-18-3-2.4 is applicable to Rensselaer because the approved LTCP is not expected to result in compliance with water quality standards (i.e. ultimately necessitating completion of the Use Attainability Analysis (UAA) process). Please note that Rensselaer's existing Financial Capability Analysis (FCA) must be updated to be consistent with Federal FCA guidance material prior to submittal of the UAA.

Please contact Dave Tennis at 317/234-9558 or by email at dtennis@idem.in.gov if you have questions regarding this letter.

Sincerely,

Leigh Voss

Leigh Voss, Chief
Municipal NPDES Permits Section
Office of Water Quality

cc: Jerry Lockridge, City of Rensselaer
Brady Dryer, Commonwealth Eng. Inc.
Aaron Deeter, IDEM Wastewater Inspector

Table 0-2: Proposed City of Rensselaer CSO LTCP Implementation Schedule

PHASE (DURATION)	PROJECT	YEAR[3]	TASK	ESTIMATED COST
I (2012 – 2017)	WWTF Primary Equivalence with Disinfection at CSO 019 (23.5 mgd)	2012 2013 2014 - 2015 2016 – March 2017	Prepare Preliminary Engineering Report/Preliminary Design[1] Evaluate Funding Options Final Design/Funding/Bidding Construction	$7,018,000 (Completed Actual Cost)
(2018)	Post Construction Monitoring; CSOOP Review and Update as Necessary			
II a (2018-2020)	Main Lift Station Replacement Provide Sewer Service to Three (3) Unsewered Areas	2018 2019 2020	Evaluate Funding Options (PER Complete) Design[1] Construction	$5,310,000
II b (2021-2023)	WWTP Improvements for Phosphorus, etc.	2021 - 2022 March 2022 April 2023[4]	Design[1] & Evaluate Funding Options (PER Complete)[1] 5-Year CSO LTCP Review/Update Construction Completion[4]	$10,412,000
(2024)	Post Construction Monitoring; CSOOP Review and Update as Necessary			
III (2025 – 2027)	Iroquois River Interceptor Improvements: o North Interceptor – Connection with South Central Interceptor to Lift Station; Southeast Interceptor with South Central Interceptor; & Melville Street to Connection with Southeast Interceptor o West Interceptor – Connect Milroy Avenue & Sparling Avenue to Lift Station via Siphon o South Central Interceptor – Connect Grace Street to CSO 014 to Lift Station via Siphon o Southeast Interceptor – Connect Park Avenue & Quarry to North Interceptor via Siphon tor North Interceptor – Melville Street to Connection with Southeast Interceptor	2025 2026 March 2027 2027	Preliminary Engineering Report1/Evaluate Funding Options Final Design[1] 5-Year CSO LTCP Review/Update Construction Completion	$4,102,000
(2028)	Post Construction Monitoring; CSOOP Review and Update as Necessary; and Use Attainability Analysis (UAA) Development[2]			
IV (2028-2029)	Additional WWTF Primary Equivalence with Disinfection at CSO 019 (23.5 mgd)	2028 2029	Design[1] Construction Completion	$7,934,000
(2030)	Post Construction Monitoring; CSOOP Review and Update as Necessary			

[1]Green infrastructure alternatives will be evaluated during the preparation of the PER and throughout design activities.
[2]The UAA will be completed and submitted to IDEM/EPA during the implementation of the CSO LTCP, but no later than 2029.
[3]Unless noted otherwise, milestones will be completed by December 31st of corresponding year.
[4]Completion date assumes that a 36-Month Schedule of Compliance for Phosphorus Removal is incorporated into NPDES Permit No. IN0024414. The renewed permit would be effective of May 1, 2020 and compliance with the 1.0 mg/l monthly average phosphorous limit would be achieved on or before April 30, 2023.

CITY OF RENSSELAER

RENSSELAER, INDIANA

STEPHEN A. WOOD, *Mayor*
FRIEDA BRETZINGER, *Clerk-Treasurer*

COUNCIL MEMBERS
WILLIAM HOLLERMAN, *First Ward*
RICK L. ODLE, *Second Ward*
GEORGE T. COVER, *Third Ward*
ERNEST WATSON, *Fourth Ward*
SCOTT BARTON, *At-Large*

January 4, 2019

Mr. Dave Tennis, CSO Manager
Municipal Permits Section
Permits Branch
Office of Water Quality
Indiana Department of Environmental Management
100 N. Senate Ave
Indianapolis, IN 46204

RE: City of Rensselaer
Combined Sewer Overflow (CSO) Long Term Control Plan (LTCP) Update
NPDES Permit No. IN0024414
Agreed Judgment Cause No. 37C01-0709-CC-391

Dear Mr. Tennis:

The purpose of this correspondence is to provide a formal update to the Indiana Department of Environmental Management (IDEM) Office of Water Quality (OWQ) regarding the implementation of the City of Rensselaer's CSO LTCP as required by NPDES Permit No. IN0024414 and Agreed Judgment Cause No. 37C01-0709-CC-391.

The City of Rensselaer submitted a 5-Year Review of the CSO LTCP on March 30, 2018 and the CSO LTCP Update was approved by IDEM OWQ on June 11, 2018. The CSO LTCP Update restructured the remaining phases of the CSO LTCP and incorporated sewer extensions, phosphorus removal controls and the replacement of the City's Main Lift Station. The Preliminary Engineering Report (PER) for the replacement of the Main Lift Station and sewer extensions was finalized in 2018 and submitted to the United States Department of Agriculture (USDA) Rural Development (RD) for review and funding consideration. The City has received the USDA RD Letter of Conditions signifying their intent to fund the project and design activities will ensue in 2019.

We trust that this CSO LTCP update satisfies your request. If you have any questions, please feel free to contact Brady Dryer of Commonwealth Engineers, Inc. by email at bdryer@contactcei.com or by phone at (317) 888-1177.

Sincerely,

City of Rensselaer

Stephen A. Wood, Mayor

Cc: Jerry Lockridge, Project Manager – City of Rensselaer
Bryce Black, Wastewater Operator – City of Rensselaer
Aaron Deeter, Wastewater Inspector – IDEM OWQ
Commonwealth Engineers, Inc.

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
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Eric J. Holcomb
Governor

Bruno Pigott
Commissioner

September 20, 2019

VIA ELECTRONIC MAIL

The Honorable Stephen A. Wood, Mayor
City of Rensselaer
122 South Van Rensselaer Street
Rensselaer, Indiana 47978

Dear Mayor Wood:

Re: Combined Sewer Overflow Program
Audit Summary
City of Rensselaer
NPDES Permit No. IN0024414
Jasper County

On September 11, 2019, staff from the Indiana Department of Environmental Management (IDEM) Office of Water Quality (OWQ) conducted an audit of both the approved Combined Sewer Overflow (CSO) Long-Term Control Plan (LTCP) and approved CSO Operational Plan (OP) implementation for the City of Rensselaer. Our appreciation goes out to Jerry Lockridge, Bryce Black, Bret Mattocks, and staff from Commonwealth Engineers for participating in the CSO audit.

The Rensselaer LTCP was originally approved in March 2012. The approved LTCP is designed to meet a level of control of no more than 6 untreated CSO events in the typical year. The LTCP must be implemented in accordance with State Judicial Agreement 37C01-0709-CC-391.

The audit indicated that Rensselaer is in compliance with implementing the approved LTCP schedule. The following LTCP-related observations were made during the audit:

- Rensselaer is scheduled to complete construction of LTCP Phase IIa (sewer service to three unsewered areas and replacement of the main lift station), no later than December 30, 2020.

- Rensselaer's next LTCP 5-year update submittal is scheduled for March 1, 2022.

The following CSO OP-related observation was made during the audit:

- The City of Rensselaer is in compliance with implementing the nine minimum controls from the National CSO Policy through their approved CSO OP, however, the document has not been recently updated.

  Generally, Rensselaer must update the CSOOP, as necessary, to reflect changes in its operation or maintenance practices; changes to measures taken to implement the above minimum requirements; and changes to the treatment plant or collection system, including changes in collection system flow characteristics, collection system or WWTP capacity or discharge characteristics (including volume, duration, frequency and pollutant concentration). Within 60 days from the date of this letter, please provide confirmation that the approved CSO OP was evaluated, and if necessary, provide a schedule for submittal of an update to the document.

  During the audit, IDEM staff noticed the shallow design of Rensselaer's CSO diversion structures. Rensselaer is required to adjust their inspection schedule to ensure these structures remain unobstructed after every CSO event. Such inspections must be documented, and the documentation maintained at the WWTP.

  During the audit, significant solids were observed in the Storm King wet weather treatment structure, which most likely contribute to effluent violations from the unit. Rensselaer must update the CSO OP to include a SOP for cleaning the Storm King structure(s) between activation events. Within 60 days from the date of this letter, please provide a SOP for cleaning the Storm King structure(s) between activation events.

  General comment

- During the audit, Rensselaer discussed their process for sampling the effluent from the Storm King unit; specifically the composite sampling process. Rensselaer indicated that composite samples are taken during wet weather events, and gathered the following day for processing. Data from the samples are then logged on the CSO Monthly Monitoring Report (MMR) form on the day the samples were processed. IDEM requires that Rensselaer immediately begin logging all sample results from the Storm King effluent on the day of discharge. IDEM recommends that bench sheets be utilized to document when the samples were processed.

Please direct any questions regarding this letter to Dave Tennis at 317/234-9558 or by e-mail at dtennis@idem.in.gov.

Sincerely,

Leigh Voss

Leigh Voss, Chief
Municipal NPDES Permits Section
Office of Water Quality

cc: Jerry Lockridge, City of Rensselaer
Bryce Black, Certified Operator
Aaron Deeter, IDEM Wastewater Inspector
Brady Dryer, Commonwealth Engineers, Inc.
Steven Beason, IDEM, OWQ, Compliance

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Eric J. Holcomb
Governor

Bruno Pigott
Commissioner

VIA ELECTRONIC MAIL

The Honorable Stephen A. Wood, Mayor
City of Rensselaer
124 S. Van Rensselaer Street
Rensselaer, Indiana 47978

Dear Mayor Wood:

Re: Combined Sewer Overflow Program Audit
City of Rensselaer
NPDES Permit No. IN0024414
Jasper County

This letter is to confirm the date of September 11, 2019, for a Combined Sewer Overflow (CSO) Program Audit to be conducted by the Indiana Department of Environmental Management (IDEM) Office of Water Quality (OWQ). I have coordinated the date and time of the audit with Mr. Jerry Lockridge. The audit will begin at 9:30a Eastern, at the Rensselaer wastewater treatment plant, located at 1750 West Dougherty Road in Rensselaer. This audit will be a comprehensive review of all aspects of the CSO Long Term Control Plan (LTCP), the CSO Operational Plan (OP), and their implementation status.

Please ensure the following documents will be available on-site to expedite the audit:

1. CSO LTCP;
2. CSO OP;
3. CSO MROs;
4. Post-Construction Monitoring data; and
5. Operation & Maintenance documentation.

Please complete the enclosed CSO Program Audit Form to the best of your ability. Please forward it to me at IDEM, Office of Water Quality – Mail Code 65-42, 100 North Senate Avenue, Indianapolis, IN 46204-2251, by September 4, 2019. The document can also be e-mailed to the address below.

If you have any questions, please feel free to contact me at 317/234-9558 or by e-mail at dtennis@idem.in.gov.

Sincerely,

Dave Tennis, CSO Project Manager
Municipal NPDES Permits Section
Office of Water Quality

Enclosures

cc: Aaron Deeter, IDEM Wastewater Inspector
Jerry Lockridge, City of Rensselaer

CITY OF RENSSELAER

RENSSELAER, INDIANA

STEPHEN A. WOOD, *Mayor*
FRIEDA BRETZINGER, *Clerk-Treasurer*

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ERNEST WATSON, *Fourth Ward*
SCOTT BARTON, *At-Large*

December 20, 2019

Mr. Dave Tennis, CSO Manager
Municipal Permits Section
Permits Branch
Office of Water Quality
Indiana Department of Environmental Management
100 N. Senate Ave
Indianapolis, IN 46204

RE: City of Rensselaer
Combined Sewer Overflow (CSO) Long Term Control Plan (LTCP) Update
Phase IIa Schedule Extension Request
NPDES Permit No. IN0024414
Agreed Judgment Cause No. 37C01-0709-CC-391

Dear Mr. Tennis:

The purpose of this correspondence is to provide a formal update to the Indiana Department of Environmental Management (IDEM) Office of Water Quality (OWQ) regarding the implementation of the City of Rensselaer's CSO LTCP as required by NPDES Permit No. IN0024414 and Agreed Judgment Cause No. 37C01-0709-CC-391. This correspondence will also serve as a formal CSO LTCP request to extend the Phase IIa: Main Lift Station Replacement and Sewer Extension construction commencement from January 2020 to December 2020.

The United States Department of Agriculture (USDA) Rural Development (RD) Letter of Conditions, which contains financing details, was issued to the City on November 26, 2018. The initiation of design activities was delayed due to the procurement process for engineering services. The procurement process consumed the first several months of 2019 and requires a public notice request for proposals, adequate time for engineering consultants to prepare, City review and consultant selection. Commonwealth Engineers, Inc. (CEI) was selected and the engineering services contract with CEI was approved at the Board of Public Works and Safety meeting on July 8, 2019. The design kick-off meeting was held with CEI on August 14, 2019 and the 50% design was completed in November 2019. Design and permitting activities will continue through June 2020, with bidding and award of contract to follow upon USDA approval; therefore, we expect to be in construction on or before December 31, 2020. A 365-day duration of construction is anticipated with completion in December 2021. The proposed Phase IIa: Main Lift Station/Sewer Extension delays are not anticipated to impact the Phase IIb: WWTP Improvements Design and Evaluate Funding Options scheduled for 2021 to 2022.

We hope that this CSO LTCP implementation update and Phase IIa schedule extension request is adequate. If you have any questions, please feel free to contact Brady Dryer of Commonwealth Engineers, Inc. by email at bdryer@contactcei.com or by phone at (317) 888-1177.

Sincerely,

City of Rensselaer

Stephen A. Wood, Mayor

Cc: Jerry Lockridge, Project Manager – City of Rensselaer
Bryce Black, Wastewater Operator – City of Rensselaer
Aaron Deeter, Wastewater Inspector – IDEM OWQ
Commonwealth Engineers, Inc.

CITY OF RENSSELAER

RENSSELAER, INDIANA

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FRIEDA BRETZINGER, *Clerk-Treasurer*

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GEORGE T. COVER, *Third Ward*
ERNEST WATSON, *Fourth Ward*
RUSSELL OVERTON, *At-Large*

December 18, 2020

Mr. Dave Tennis, CSO Manager
Municipal Permits Section
Permits Branch
Office of Water Quality
Indiana Department of Environmental Management
100 N. Senate Ave
Indianapolis, IN 46204

RE: City of Rensselaer
Combined Sewer Overflow (CSO) Long Term Control Plan (LTCP) Update
Phase IIa Schedule Extension Request
NPDES Permit No. IN0024414
Agreed Judgment Cause No. 37C01-0709-CC-391

Dear Mr. Tennis:

The purpose of this correspondence is to provide a formal update to the Indiana Department of Environmental Management (IDEM) Office of Water Quality (OWQ) regarding the implementation of the City of Rensselaer's CSO LTCP as required by NPDES Permit No. IN0024414 and Agreed Judgment Cause No. 37C01-0709-CC-391. This correspondence will also serve as a formal CSO LTCP request to extend the Phase IIa: Main Lift Station Replacement and Sewer Extension construction commencement from on or before December 31, 2020 to July 2021.

Like most municipalities in the State of Indiana, 2020 has presented many challenges that resulted in our inability to initiate construction on the Phase IIa project as required by our CSO LTCP. In summary, our progress has been limited due to the following:

- Main Lift Station Location Modification – through planning and 50% design activities, the Main Lift Station was proposed to be located adjacent to the existing facility. Design evaluation and review meetings with Commonwealth Engineers, Inc. resulted in the evaluation of an alternate location near the High Rate Clarification (HRC) facility provides the following benefits:
    - Access to facility during high flow events when the Iroquois River is at or beyond flood stage.
    - Avoidance of Indiana Department of Natural Resources Construction in a Floodway Permitting.
    - Avoidance of regulated waters (e.g. wetlands) impacts due to 2020 on-site delineation that proved new location would not impact areas previously delineated as wetlands prior to 50% design activities; and

CITY OF RENSSELAER

RENSSELAER, INDIANA

STEPHEN A. WOOD, *Mayor*
FRIEDA BRETZINGER, *Clerk-Treasurer*

COUNCIL MEMBERS
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NOELLE WEISHAAR, *Second Ward*
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ERNEST WATSON, *Fourth Ward*
RUSSELL OVERTON, *At-Large*

- Hydraulic benefits related to proximity to future interceptor improvements and proximity to HRC.

- Rate Impacts and City Council Approval – as the City progressed with the evaluation of rate impacts associated with the Phase IIa with its Financial Advisor, financial shortcomings within the Wastewater Department were identified. This deficit, along with the proposed projects result in an 11% rate increase. In 2019, the utility experienced a significant reduction in cash due to two factors working together. Firstly, revenue from customers has declined 5% in the last 3 years, which may be expected given the changes on the large user front and the general trend toward greater conservation by most users. At the same time operating disbursements are up 17%. These two factors have reduced funds available for debt service for the City's existing wastewater loans and resulted in the need to increase rates even without the new planned projects.

- COVID-19 City Council and Board of Works Meetings – while the City did conduct public meetings via zoom during the stay-at-home order and beyond, impactful agenda items such as utility rate presentations and decisions, along with the approval of contracts and amendments were postponed until in-person meetings resumed late summer 2020.

- Easement Agreements – the Phase IIa project also includes sewer extensions to currently unsewered areas and obtaining easements will be required. This process was initially scheduled to begin in the spring of 2020; however, the City and Commonwealth collectively decided to postpone field work and on-site meetings with homeowners due to COVID-19.

Based on our design, easement, and bidding schedule, we expect to be in construction on or before July 31, 2021. A 365-day duration of construction is anticipated with completion in July 2022. The Design and Evaluation of Funding Options scheduled for the Phase IIb: WWTP Improvements will remain on track for 2021 – 2022 and we do not anticipate adverse impacts to our schedule as a result of the aforementioned Phase IIa delays.

We hope that this CSO LTCP implementation update and Phase IIa schedule extension request is adequate. If you have any questions, please feel free to contact Brady Dryer of Commonwealth Engineers, Inc. by email at bdryer@contactcei.com or by phone at (317) 888-1177.

Sincerely,

City of Rensselaer

Stephen A. Wood

Stephen A. Wood, Mayor

Cc: Jerry Lockridge, Project Manager – City of Rensselaer
Bryce Black, Wastewater Operator – City of Rensselaer
Aaron Deeter, Wastewater Inspector – IDEM OWQ
Commonwealth Engineers, Inc.

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
We Protect Hoosiers and Our Environment.
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Eric J. Holcomb
Governor

Bruno Pigott
Commissioner

January 22, 2021

VIA ELECTRONIC MAIL

The Honorable Stephen A. Wood, Mayor
City of Rensselaer
124 S. Van Rensselaer Street
P.O. Box 280
Rensselaer, Indiana 47978

Dear Mayor Wood:

Re: Long Term Control Plan Amendment Review
City of Rensselaer
NPDES Permit No. IN0024414
Agreed Judgement No. 37C01-0709-CC-391
Jasper County

The Indiana Department of Environmental Management (IDEM) Office of Water Quality (OWQ) has conducted a substantive review of Rensselaer's Long-Term Control Plan (LTCP) update dated December 18, 2020.

The LTCP update requests a schedule revision for project Phase IIa: Main Lift Station Replacement and Sewer Extension. The rationale for this request includes changes to the project design and COVID-19 related delays in approval of contracts and obtaining easements. The request proposes to begin construction on or before July 31, 2021, and complete construction by July 31, 2022.

The LTCP update does not change the original level of control of no more than 6 untreated CSO events in the typical year, and states that no other project in the LTCP implementation schedule is expected to be affected as a result of this change. Based on this information, IDEM has determined that the schedule revision in the plan update is acceptable. The amended LTCP implementation schedule (attached) shall supersede the schedule contained in the previously approved LTCP, and Rensselaer shall implement the LTCP in accordance with the amended LTCP implementation schedule.

Please contact Dave Tennis at 317/234-9558 or by e-mail at dtennis@idem.in.gov if you have questions regarding this letter.

Sincerely,

Leigh Voss

Leigh Voss, Chief
Municipal NPDES Permits Section
Office of Water Quality

cc: Jerry Lockridge, City of Rensselaer
Brady Dryer, Commonwealth Engineers, Inc.
Aaron Deeter, IDEM Wastewater Inspector
Sierra Alberts, IDEM OLC

CITY OF RENSSELAER

RENSSELAER, INDIANA

STEPHEN A. WOOD, *Mayor*
FRIEDA BRETZINGER, *Clerk-Treasurer*

COUNCIL MEMBERS
WILLIAM HOLLERMAN, *First Ward*
NOELLE WEISHAAR, *Second Ward*
GEORGE T. COVER, *Third Ward*
ERNEST WATSON, *Fourth Ward*
RUSSELL OVERTON, *At-Large*

March 30, 2022

Mr. Dave Tennis, CSO Manager
Municipal Permits Section
Permits Branch
Office of Water Quality
Indiana Department of Environmental Management
100 N. Senate Ave
Indianapolis, IN 46204

RE: City of Rensselaer
Combined Sewer Overflow (CSO) Long Term Control Plan (LTCP)
Phase IIa Extension Request/Construction Commencement Notification
Phase IIb Project Update
5-Year CSO LTCP Update
NPDES Permit No. IN0024414
Agreed Judgment Cause No. 37C01-0709-CC-391

Dear Mr. Tennis:

In accordance with NPDES Permit No. IN0024414 and Agreed Judgment Cause No. 37C01-0709-CC-391 and as required by the Indiana Department of Environmental Management (IDEM) Office of Water Quality (OWQ), the purpose of this correspondence to provide notification of the commencement of construction for the Phase IIa: Main Lift Station Replacement and Sewer Extension, request additional time for the completion of Phase IIa, provide a Phase IIb: Wastewater Treatment Plant (WWTP) Improvements project update, and provide documentation of the required 5-Year CSO LTCP review.

On March 24th, 2022, the United States Department of Agriculture (USDA) Rural Development (RD) loan closing and pre-construction meetings for the Phase IIa projects occurred whereby Notice to Proceed signifying construction commencement occurred. The initiation of construction was delayed due to financing as additional funds were necessary to implement this project resulting in the need for extensive coordination among the project team, including a request to bridge the financial gap to the National USDA RD office. Now that the project is in the construction phase, we must request an extension to the Phase IIa construction completion date to June 2023. Attached you will find a revised CSO LTCP schedule inclusive of the modified Phase IIa construction completion date. The completion of the Phase IIa projects will not hinder Phase IIb: WWTP Improvements progress as we continue to vet funding options and we anticipate design to begin by the end of 2022. Once the Phase IIb: WWTP Improvements financing is in place and design is underway, we will coordinate with you/your office to modify the design completion and construction start/completion dates.

Regarding the 5-year CSO LTCP Update, the City of Rensselaer prepared a major revision to the LTCP in 2018 to incorporate the Phase IIa projects and the Phase IIb project that consists of $10,412,000 in WWTP improvements inclusive of phosphorus removal facilities that are required by the NPDES Permit No. IN0024414 Schedule of Compliance. These projects increased the total 2011 CSO LTCP costs from $19,970,000 to $34,776,000 as presented in the 2018 CSO LTCP Update. In addition, the total Phase IIa project cost increased from the estimated $5,310,000 in 2018 to

$8,904,000 in 2022, yielding an implemented project and projected total CSO LTCP cost of $38,370,000. While $1,749,000 was provided in USDA RD grant for the Phase IIa project, the average residential wastewater bill will be in excess of $50 per month following the current series of rate increases and an additional $22,448,000 of CSO LTCP projects remain. While the City's median household income has increased to $48,989 using the most recent American Community Survey (ACS) 5-year survey from $43,056 that was utilized the 2018 CSO LTCP Update, the CSO LTCP burden on the City's ratepayers remains consistent with the Financial Capability Analysis (FCA) included in the 2018 CSO LTCP update due to the aforementioned project cost increases. The City remains committed to the implementation of the CSO LTCP and achieving compliance with the approved level of control of no more than six (6) untreated overflows in a typical year.

We hope that you find this Phase IIa construction commencement notification, Phase IIa schedule extension request, Phase IIb project update, and 5-year CSO LTCP Update documentation to be adequate. If you have any questions, please feel free to contact Brady Dryer of Commonwealth Engineers, Inc. by email at bdryer@contactcei.com or by phone at (317) 888-1177.

Sincerely,
City of Rensselaer

Stephen A. Wood, Mayor

Cc: Jerry Lockridge, Project Manager – City of Rensselaer
Bryce Black, Wastewater Operator – City of Rensselaer
Aaron Deeter, Wastewater Inspector – IDEM OWQ
Commonwealth Engineers, Inc.

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Eric J. Holcomb
Governor

Brian C. Rockensuess
Commissioner

April 19, 2022

VIA ELECTRONIC MAIL

The Honorable Stephen A. Wood, Mayor
City of Rensselaer
124 S. Van Rensselaer Street
P.O. Box 280
Rensselaer, Indiana 47978

Dear Mayor Wood:

Re: Long Term Control Plan Periodic Review and the Long Term Control Plan Amendment Review
City of Rensselaer
NPDES Permit No. IN0024414
State Judicial Order No. 37C01-0709-CC-391
Jasper County

The Indiana Department of Environmental Management (IDEM) Office of Water Quality (OWQ) has received Rensselaer's review of the approved Combined Sewer Overflow (CSO) Long Term Control Plan (LTCP) dated March 30, 2022. A periodic review of the CSO LTCP is a requirement of IC 13-18-3-2.4, and is to be conducted no less than every five years after original approval of the LTCP. The original LTCP was approved in 2012.

Rensselaer's submittal included a review of the LTCP and financial indicators that affect a community's Financial Capability Analysis (FCA). Based on the review, the City indicated there are no changes to the financial indicators that positively affect the wastewater cost per household indicator and SEIM score. Therefore, no changes to the approved LTCP are proposed at this time. Based on this information, IDEM finds the review of the LTCP to be acceptable. The City's next CSO LTCP review is due no later than March 1, 2027.

Additionally, IDEM's OWQ has reviewed Rensselaer's request, received March 30, 2022, for an extension of time for completing Project IIa outlined in the approved CSO LTCP implementation schedule. The aforementioned project is to be completed by July 31, 2022, however, the City has determined that this deadline will not be achieved. The City has requested the extension due to financing issues. Specifically, additional funds are necessary to implement this project resulting in the need for extensive coordination among the project team, including a request to bridge the financial gap to the National USDA RD office.

The requested extension does not change the approved level of control of no more than six (6) untreated CSO events in the typical year, nor does the extension change the final LTCP implementation date of December 30, 2029. Based on this information, IDEM has determined that the requested extension of time for completion of Project IIa is acceptable.

The amended LTCP implementation schedule (attached) shall supersede the schedule contained in the previously approved LTCP, and Rensselaer shall implement the LTCP in accordance with the amended LTCP implementation schedule.

Please contact Dave Tennis at 317/234-9558 or by email at dtennis@idem.in.gov if you have questions regarding this letter.

Sincerely,

Leigh Voss

Leigh Voss, Chief
Municipal NPDES Permits Section
Office of Water Quality

cc: Jerry Lockridge, City of Rensselaer
Brady Dryer, Commonwealth Engineers, Inc.
Sierra Alberts, IDEM OLC
Aaron Deeter, IDEM Wastewater Inspector

Table 0-2: Proposed City of Rensselaer CSO LTCP Implementation Schedule

PHASE (DURATION)	PROJECT	YEAR[3]	TASK	ESTIMATED COST
I (2012 – 2017)	WWTF Primary Equivalence with Disinfection at CSO 019 (23.5 mgd)	2012 2013 2014 - 2015 2016 – 03/2017	Prepare Preliminary Engineering Report/Preliminary Design[1] Evaluate Funding Options Final Design/Funding/Bidding Construction	$7,018,000 (Completed Actual Cost)
(2018)	Post Construction Monitoring; CSOOP Review and Update as Necessary			
II a (2018-2020)	Main Lift Station Replacement Provide Sewer Service to Three (3) Unsewered Areas	2018 2019 - 2021 03/2022 - 06/2023	Evaluate Funding Options (PER Complete) Design[1] Construction	$5,310,000
II b (2021-2023)	WWTP Improvements for Phosphorus, etc.	2021 - 2022 03/2022 04/2023[4]	Design[1] & Evaluate Funding Options (PER Complete)[1] 5-Year CSO LTCP Review/Update Construction Completion[4]	$10,412,000
(2024)	Post Construction Monitoring; CSOOP Review and Update as Necessary			
III (2025 – 2027)	Iroquois River Interceptor Improvements: ○ North Interceptor – Connection with South Central Interceptor to Lift Station; Southeast Interceptor with South Central Interceptor; & Melville Street to Connection with Southeast Interceptor ○ West Interceptor – Connect Milroy Avenue & Sparling Avenue to Lift Station via Siphon ○ South Central Interceptor – Connect Grace Street to CSO 014 to Lift Station via Siphon ○ Southeast Interceptor – Connect Park Avenue & Quarry to North Interceptor via Siphon tor North Interceptor – Melville Street to Connection with Southeast Interceptor	2025 2026 03/2027 2027	Preliminary Engineering Report/Evaluate Funding Options[1] Final Design[1] 5-Year CSO LTCP Review/Update Construction Completion	$4,102,000
(2028)	Post Construction Monitoring; CSOOP Review and Update as Necessary; and Use Attainability Analysis (UAA) Development[2]			
IV (2028-2029)	Additional WWTF Primary Equivalence with Disinfection at CSO 019 (23.5 mgd)	2028 2029	Design[1] Construction Completion	$7,934,000
(2030)	Post Construction Monitoring; CSOOP Review and Update as Necessary			

[1]Green infrastructure alternatives will be evaluated during the preparation of the PER and throughout design activities.
[2]The UAA will be completed and submitted to IDEM/EPA during the implementation of the CSO LTCP, but no later than 2029.
[3]Unless noted otherwise, milestones will be completed by December 31st of corresponding year.
[4]Completion date assumes that a 36-Month Schedule of Compliance for Phosphorus Removal is incorporated into NPDES Permit No. IN0024414. The renewed permit would be effective of May 1, 2020 and compliance with the 1.0 mg/l monthly average phosphorous limit would be achieved on or before April 30, 2023.

CITY OF RENSSELAER

RENSSELAER, INDIANA

STEPHEN A. WOOD, *Mayor*
SHELBY E. KEYS, *Clerk-Treasurer*

COUNCIL MEMBERS
KEVIN M. ARMOLD, *First Ward*
NOELLE WEISHAAR, *Second Ward*
GEORGE T. COVER, *Third Ward*
ERNEST WATSON, *Fourth Ward*
RUSSELL OVERTON, *At-Large*

July 27, 2023

Mr. Dave Tennis, CSO Manager
Municipal Permits Section
Permits Branch
Office of Water Quality
Indiana Department of Environmental Management
100 N. Senate Ave
Indianapolis, IN 46204

RE: City of Rensselaer
Combined Sewer Overflow (CSO) Long Term Control Plan (LTCP) Update
Phase IIa Completion
Phase IIb Design Initiation Extension Request
CSO LTCP Schedule Amendment Request
NPDES Permit No. IN0024414
Agreed Judgment Cause No. 37C01-0709-CC-391

Dear Mr. Tennis:

The purpose of this correspondence is to provide a formal update to the Indiana Department of Environmental Management (IDEM) Office of Water Quality (OWQ) regarding the implementation of the City of Rensselaer's CSO LTCP as required by NPDES Permit No. IN0024414 and Agreed Judgment Cause No. 37C01-0709-CC-391. Specifically, this correspondence will provide a construction completion update for the Phase IIa - Main Lift Station/Sewer Extension project, request an extension to the Phase IIb - Wastewater Treatment Plant (WWTP) Improvements project design phase, and set forth an amended CSO LTCP schedule.

Firstly, we are pleased to report that substantial completion for Phase IIa Main Lift Station Replacement and Sewer Service to Three (3) Unsewered Areas was May 15, 2023 and facilities are fully operational. Secondly, the City has proceeded with the evaluation of funding options for the Phase IIb - WWTP Improvements project by updating the Preliminary Engineering Report alternatives/costs, preparing Clean Water State Revolving Loan Fund (CWSRF) funding application, and submitting the same to the Indiana Finance Authority for consideration. It should be noted that the total cost of the WWTP improvements project has escalated from around $10M in 2018 to almost $15M in 2023 as a result of the current bidding environment. The application scored 31st on the CWSRF Project Priority List (PPL) and only the top eleven (11) projects were considered in the fundable range. The City is continuing to coordinate with the IFA SRF program to determine alternative funding pathways that may include the pooled financing program and/or evaluating other funding sources (i.e. USDA RD). Regardless of the lack of firm financial pathway in place for Phase IIb, the City intends to authorize Commonwealth Engineers, Inc. (CEI) to proceed with survey, geotechnical evaluation, and preliminary design within the next sixty (60) days; therefore, Phase IIb design will be underway by the end of 2023.

As you may recall, the City was under a 36-month NPDES Permit Schedule of Compliance (SOC) to meet the 1.0 mg/l monthly average phosphorus limitation on or before May 1, 2023 and it was previously our intent to implement Phase IIb in accordance with both the Phosphorus SOC and the current CSO LTCP Schedule. As we encountered delays with permitting (i.e. wetlands), financing

approval, bidding and construction of the Phase IIa project, we fell further behind on both schedules. Through discussions with CEI and IDEM OWQ Compliance staff, we realized that an interim Phosphorus removal project inclusive of a chemical storage building, storage tanks, feed equipment and associated electrical/control equipment would be necessary or Significant Non-Compliance for phosphorus exceedances and/or an additional enforcement action would likely result. In late 2022/early 2023, the City contracted with CEI to design and permit the phosphorus removal facility for the current WWTP configuration. The Construction Permit #L0713 was received on June 22, 2023 and our team is currently working with the Phase IIa contractor, Thieneman Construction, on a Change Order to construct the system. Including construction and non-construction costs, this project will cost the City close to $1M that was previously planned to be addressed as part of the larger Phase IIb WWTP Improvements project. We are pleased to inform you/your office that this system is anticipated to be fully operational in November 2023.

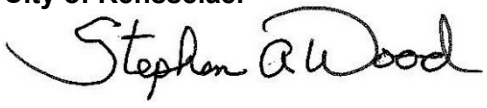
Furthermore, the City is currently under construction on a $7M Water Utility project that includes a new water tower, backup generator, water main, and lead service line replacement. The generators are a critical need following the dissolution of the City's electric power generation capability that was previously able to provide backup water system power in the event of an emergency in conjunction with a second rural utility power connection. The water main replacements were also deemed critical as these pipe segments were determined to be beyond their useful life and the lead service line replacement portion of the project was required for compliance with the Federal Revised Lead and Copper Rule Revision (LCRR).

In summary, both the Phosphorus removal project and the Water Utility project have required significant monetary and labor resources that have caused delays in the progress with the Phase IIb WWTP Improvements project. As previously stated, design of the Phase IIb WWTP Improvements will be underway in the next few months and is scheduled to continue through next year with construction commencing in 2025. An amended CSO LTCP schedule is attached for your consideration that combines the final Phase III - Iroquois River Interceptor and Phase IV - Additional WWTF Primary Equivalence with Disinfection at CSO 019 projects into one phase. Please note that the construction completion date of December 31, 2029 remains unchanged. Two additional minor changes have been made, including an update to the estimated Phase IIb cost from $10,412,000 to $14,469,500 and the deletion of the footnote that correlated the 36-month Phosphorus SOC with the CSO LTCP schedule.

We hope that you find this Phase IIa completion notice, Phase IIb design phase schedule extension request, and amended CSO LTCP schedule to be satisfactory. If you have any questions, please feel free to contact Brady Dryer of Commonwealth Engineers, Inc. by email at bdryer@contactcei.com or by phone at (317) 888-1177.

Sincerely,

City of Rensselaer



Stephen A. Wood, Mayor

Cc: Jerry Lockridge, Project Manager – City of Rensselaer
Bryce Black, Wastewater Operator – City of Rensselaer
Commonwealth Engineers, Inc.

Table 0-2: Proposed City of Rensselaer CSO LTCP Implementation Schedule

PHASE (DURATION)	PROJECT	YEAR[3]	TASK	ESTIMATED COST
I (2012 – 2017)	WWTF Primary Equivalence with Disinfection at CSO 019 (23.5 mgd)	2012 2013 2014 - 2015 2016 – 03/2017	Prepare Preliminary Engineering Report/Preliminary Design (Complete)[1] Evaluate Funding Options (Complete) Final Design/Funding/Bidding (Complete) Construction (Complete)	$7,018,000 (Completed Actual Cost)
(2018)	Post Construction Monitoring; CSOOP Review and Update as Necessary			
IIa (2018-2020)	Main Lift Station Replacement Provide Sewer Service to Three (3) Unsewered Areas	2018 2019 - 2021 03/2022 03/2022 - 05/2023	Evaluate Funding Options (PER Complete) Design (Complete)[1] 5-Year CSO LTCP Review/Update (Complete) Construction (Complete)	$5,310,000 (Completed Actual Cost)
IIb (2021-2026)	WWTP Improvements	2023-2024 2025 - 2026	Design[1] & Evaluate Funding Options (PER Complete)[1] Construction	$14,469,500
(2026)	Post Construction Monitoring; CSOOP Review and Update as Necessary			
III & IV (2026 – 2029)	Iroquois River Interceptor Improvements & Additional WWTF Primary Equivalence with Disinfection at CSO 019 ○ North Interceptor – Connection with South Central Interceptor to Lift Station; Southeast Interceptor with South Central Interceptor; & Melville Street to Connection with Southeast Interceptor ○ West Interceptor – Connect Milroy Avenue & Sparling Avenue to Lift Station via Siphon ○ South Central Interceptor – Connect Grace Street to CSO 014 to Lift Station via Siphon ○ Southeast Interceptor – Connect Park Avenue & Quarry to North Interceptor via Siphon ○ Additional WWTF Primary Equivalence with Disinfection at CSO 019 (23.5 mgd)	2026 2027 - 2028 03/2027 2028 - 2029	Preliminary Engineering Report/Evaluate Funding Options[1] Design[1] 5-Year CSO LTCP Review/Update Construction	$12,036,000
(2029)	Use Attainability Analysis (UAA) Development[2]			
(2030)	Post Construction Monitoring; CSOOP Review and Update as Necessary			

[1]Green infrastructure alternatives will be evaluated during the preparation of the PER and throughout design activities.
[2]The UAA will be completed and submitted to IDEM/EPA during the implementation of the CSO LTCP, but no later than 2029.
[3]Unless noted otherwise, milestones will be completed by December 31st of corresponding year.

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
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Eric J. Holcomb
Governor

Brian C. Rockensuess
Commissioner

October 2, 2023

VIA ELECTRONIC MAIL

The Honorable Stephen A. Wood, Mayor
City of Rensselaer
124 S. Van Rensselaer Street
P.O. Box 280
Rensselaer, Indiana 47978

Dear Mayor Wood:

Re: Combined Sewer Overflow Program
Audit Summary
City of Rensselaer
State Judicial Agreement
No. 37C01-0709-CC-391
NPDES Permit No. IN0024414
Jasper County

On September 7, 2023, staff from the Indiana Department of Environmental Management (IDEM) Office of Water Quality (OWQ) conducted an audit of both the approved Combined Sewer Overflow (CSO) Long Term Control Plan (LTCP) and approved CSO Operational Plan (CSOOP) implementation in Rensselaer. Our appreciation goes out to Bryce Black, and Ryan Ritter for participating in the CSO audit.

The Rensselaer LTCP was approved in 2012. The approved LTCP includes a 17-year schedule to implement projects designed to result in no more than 6 untreated CSO events in the typical year. As summarized below, Rensselaer has requested a schedule revision for their LTCP. IDEM is in the process of approving the requested revision for Phase IIb., (design and construction dates related to the new wastewater treatment plant (WWTP)). Once approved Rensselaer will be in compliance with implementing the approved LTCP schedule. The following observations were made during the audit:

- Rensselaer has requested an extension to both Phase IIb, and Phase III (multiple interceptor projects), even though the current start date for Phase III is not until December 2025. IDEM is in the process of issuing Rensselaer a letter approving the schedule revision request for Phase IIB. This approval will not apply to the scheduled completion date for Phosphorus controls at the WWTP. Terms of the Phosphorus schedule of compliance within the NPDES permit for Rensselaer remain unchanged.

  Given that the current start date for Phase III of the LTCP is over two years from now, IDEM is unable to grant an extension for an additional three years for this

Phase. During the audit IDEM and Rensselaer staff discussed the possibility of implementing the more critical interceptor projects under this Phase either early or within the currently approved timeframe, while proposing to push-back implementation of less critical interceptor projects. Rensselaer will consider this approach.

- IDEM pointed out the need for Rensselaer to include the monthly average and daily maximum total residual chlorine limits found in Attachment A of the NPDES permit on the first page of their Monthly Monitoring Report (MMR) form. These limits must be added to the MMR form in lieu of using the word report.

- Phase IV of the LTCP (addition of a second wet weather treatment train at CSO 019) was discussed. A second Storm King unit is currently discussed within the LTCP, however, IDEM clarified that Rensselaer is allowed to propose other forms of wet weather treatment.

- IDEM discussed the correlation between WWTP influent flows and CSO activations during reported precipitation events, and questioned whether the current configuration of intensity rain gauges in Rensselaer is sufficient. Rensselaer stated that since completion of the main lift station incidents of CSOs discharging prior to the WWTP reaching its peak hourly flow of 4.0 MGD has been greatly reduced. However, Rensselaer agreed to evaluate whether their current rain gauge coverage is sufficient.

- It was confirmed during the audit that Rensselaer logs all sample results from the Storm King effluent on the day of discharge. Historically such samples were incorrectly logged on the CSO MMR on the day the samples were processed.

Rensselaer has an approved CSOOP. The audit indicated that Rensselaer is in compliance with implementing the approved plan. Rensselaer's implementation of each of the minimum controls in Attachment A of NPDES Permit No. IN0024414 shall be documented in its approved CSO Operational Plan (CSOOP). Rensselaer shall update the CSOOP, as necessary, to reflect changes in its operation or maintenance practices; changes to measures taken to implement the above minimum requirements; and changes to the treatment plant or collection system, including changes in collection system flow characteristics, collection system or WWTP capacity or discharge characteristics (including volume, duration, frequency and pollutant concentration). All updates to the CSOOP must be submitted to IDEM, Office of Water Quality, Municipal NPDES Permits Section for approval.

- During the audit Rensselaer staff confirmed that a CSOOP update will be developed and submitted to IDEM for approval by the end of 2023.

No response to this letter is required. Please direct any questions regarding this letter to Dave Tennis at 317/234-9558 or by e-mail at dtennis@idem.in.gov.

Sincerely,

Leigh Voss

Leigh Voss, Chief
Municipal NPDES Permits Section
Office of Water Quality

cc: Jerry Lockridge, City of Rensselaer
Bryce Black, City of Rensselaer
Brady Dryer, Commonwealth Eng, Inc.
Margaret Kroeger, IDEM Wastewater Inspector

Appendix D

City of Rensselaer Sewer Use Ordinance Chapter 53

CHAPTER 53: SEWERS

Section

Sewer Use

Sewer Rates

SEWER USE

§ 53.01 DEFINITIONS.

For the purpose of this subchapter the following definitions shall apply unless the context clearly indicates or requires a different meaning. Any terms not defined herein, but defined in § 53.40, shall have the same meaning herein.

AMMONIA (NH_3-N). Shall mean the same as ammonia nitrogen measured as nitrogen. The laboratory determinations shall be made in accordance with procedures set forth in "Standard Methods" as defined in this section.

BIOCHEMICAL OXYGEN DEMAND (BOD). As applied to sewage, sewage effluent, polluted waters or industrial wastes shall mean the quantity of dissolved oxygen in milligrams per liter required during stabilization of the decomposable organic matter by aerobic biochemical action under standard laboratory procedures for five days at 20° C. The laboratory determinations shall be made in accordance with procedures set forth in "Standard Methods."

BOARD. The Board of Public Works of the city or any duly authorized officials or boards acting in its behalf.

BUILDING (HOUSE) DRAIN. The lowest horizontal piping of a building drainage system which receives the discharge from waste and other drainage pipes inside the walls of the building and conveys it to a point approximately five feet outside the foundation wall of the building.

BUILDING DRAIN, SANITARY. A building drain which conveys sanitary or industrial sewage only.

BUILDING DRAIN, STORM. A building drain which conveys storm water or other clean water drainage, but no wastewater.

BUILDING (or HOUSE) LATERAL SEWER. The extension from the building drain to the sewerage system or other place of disposal (also called ***HOUSE CONNECTIONS.***)

BUILDING SEWER, SANITARY. A building sewer which conveys sanitary or industrial sewage only.

BUILDING SEWER, STORM. A building sewer which conveys storm water or other clean water drainage, but no wastewater.

CARBONACEOUS BIOCHEMICAL OXYGEN DEMAND (CBOD). Five-day measure at a pollutant parameters of Carbonaceous Biochemical Oxygen Demand.

CHEMICAL OXYGEN DEMAND (COD). As applied to sewage, sewage effluent, polluted waters or industrial wastes is a measure of the oxygen equivalent of that portion of organic matter in a sample that is susceptible to oxidation by a strong chemical oxidant. The laboratory determination shall be made in accordance with procedures set forth in "Standard Methods."

COMBINED SEWER. A sewer intended to receive both wastewater and storm or surface water.

COMPATIBLE POLLUTANT. Biochemical Oxygen Demand, suspended solids, pH and fecal coliform bacteria, plus additional pollutants identified in the NPDES permit if the treatment works was designed to treat such pollutants and in fact does remove such pollutants to a substantial degree. The term substantial degree is not subject to precise definition, but generally contemplates removals in the order of 80% or greater. Minor incidental removals in the order of 10% to 30% are not considered substantial. Examples of the additional pollutants which may be considered compatible include:

(1) Chemical Oxygen Demand;

(2) Total organic carbon;

(3) Phosphorus and phosphorus compounds;

(4) Nitrogen and nitrogen compounds; or

(5) Fats, oils and greases of animal or vegetable origin (except as prohibited where these materials would interfere with the operation of the treatment works).

EASEMENT. An acquired legal right for the specific use of land owned by others.

FECAL COLIFORM. Any of a number of organisms common to the intestinal tract of man and animals, whose presence in sanitary sewage is an indicator of pollution.

FLOATABLE OIL. Oil, fat or grease in a physical state such that will separate by gravity from wastewater by treatment in a pretreatment facility approved by the city.

GARBAGE. Any solid wastes from the preparation, cooking or dispensing of food and from handling, storage or sale of produce.

INCOMPATIBLE POLLUTANT. Any pollutant that is not defined as a compatible pollutant, including nonbiodegradable dissolved solids, and as further defined in Regulation 40 CFR Part 403.

IDEM. Indiana Department of Environmental Management.

INDUSTRIAL WASTES. Any solid, liquid or gaseous substances or form of energy discharged, permitted to flow or escape from an industrial, manufacturing, commercial or business process or from the development, recovery or processing of any natural resource carried on by a person and shall further mean any waste from an industrial sewer.

INFILTRATION. The water entering a sewer system, including building drains and sewers, from the ground, through such means as, but not limited to defective pipes, pipe joints, connections or manhole walls. (Infiltration does not include and is distinguished from inflow).

INFILTRATION/INFLOW. The total quantity of water from both infiltration and inflow without distinguishing the source.

INFLOW. The water discharged into a sewer system, including building drains and sewers, from such sources as, but not limited to roof leaders, cellars, yard and area drains, foundation drains, unpolluted cooling water discharges, drains from springs and swampy areas, manhole covers, cross connections from storm sewers, and combined sewers, catch basins, storm waters, surface runoff, street wash waters or drainage. (*INFLOW* does not include, and is distinguishable from infiltration.)

INSPECTOR. The person or persons duly authorized by the city through its Board of Public Works to inspect and approve the installation of building sewers and their connection to the public sewer system.

MAJOR CONTRIBUTOR. A contributor that:

(1) Has a flow of more than 50,000 gallons per average workday;

(2) Has in its waste a toxic pollutant in toxic amounts as defined in Section 307(a) of the Federal Act or state statutes and rules;

(3) Has a flow greater than 5% of flow carried by the municipal system receiving the waste.

(4) Is found by the city, State Control Agency or the U.S. Environmental Protection Agency (USEPA) to have significant impact, either singly or in connection with other contributing industries, on the wastewater treatment system, the quality of sludge, the system's effluent quality, or air emissions generated by the system.

NPDES PERMIT. National Pollutant Discharge Elimination System Permit setting forth conditions for the discharge of any pollutant or combination of pollutants to the navigable waters of the United States pursuant to Section 402 of Public Law 95-217.

NATURAL OUTLET. Any outlet, including storm sewers and combined sewer overflows, into a watercourse, pond, ditch, lake or other body of surface or ground water.

NORMAL DOMESTIC SEWAGE. Shall have the same meaning as defined in § 53.40.

pH. The reciprocal of the logarithm of the hydrogen ion concentration. The concentration is the weight of hydrogen ions, in grams per liter of solution.

PERSON. Any and all persons, natural or artificial, including any individual, firm, company, municipal or private corporation, partnership, copartnership, joint stock company, trust, estate, association, society, institution, enterprise, governmental agency, the State of Indiana, the United States of America, or other legal entity, or their legal representatives, agents, or assigns. The masculine gender shall include the feminine and the singular shall include the plural where indicated by the context.

PHOSPHORUS (or P). The chemical element phosphorus, total. The laboratory determinations shall be made in accordance with procedures set forth in "Standard Methods" as defined this section.

PRETREATMENT. The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater to a less harmful state prior to or in lieu of discharging or otherwise introducing such pollutants into a POTW. The reduction or alteration can be obtained by physical, chemical or biological processes, process changes or by other means, except as prohibited by 40 CFR Section 403.6(d); and shall include all applicable rules and regulations contained in the Code of Federal Regulations as published in the Federal Register, under Section 307 of Public Law 95-217, under regulation 40 CFR Part 403 pursuant to the Act, and amendments.

PRIVATE SEWER. A sewer which is not owned by public authority.

PROPERLY SHREDDED GARBAGE. The wastes from the preparation, cooking and dispensing of food that has been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than ½ inch in any dimension.

PUBLIC SEWER. A sewer which is owned and controlled by the public authority and will consist of the following increments:

(1) ***COLLECTOR SEWER.*** A sewer whose primary purpose is to collect wastewaters from individual point source discharges.

(2) ***FORCE MAIN.*** A pipe in which wastewater is carried under pressure.

(3) ***INTERCEPTOR SEWER.*** A sewer whose primary purpose is to transport wastewater from collector sewers to a treatment facility.

(4) ***PUMPING STATION.*** A station positioned in the public sewer system at which wastewater is pumped to a higher level.

SANITARY SEWER. A sewer which carries sanitary and industrial wastes, and to which storm, surface and ground water are not intentionally admitted.

SEWAGE. The combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants and institutions (including polluted cooling water). The three most common types of sewage are:

(1) ***COMBINED SEWAGE.*** Wastes including sanitary sewage, industrial sewage, storm water, infiltration and inflow carried to the wastewater treatment facilities by a combined sewer.

(2) ***INDUSTRIAL SEWAGE.*** A combination of liquid and water-carried wastes, discharged from any industrial establishment, and resulting from any trade or process carried on in that establishment (this shall include the wastes from pretreatment facilities and polluted cooling water).

(3) ***SANITARY SEWAGE.*** The combination of liquid and water-carried wastes discharged from toilet and other sanitary pumping facilities.

SEWAGE WORKS. The structures, equipment and processes to collect, transport and treat domestic and industrial wastes and dispose of the effluent and accumulated residual solids.

SEWER. A pipe or conduit for carrying sewage.

SLUG. Any discharge of water or wastewater which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than five minutes more than five times the average 24 hour concentration of flow during normal operation and which adversely affects the sewage works.

STANDARD METHODS. The laboratory procedures set forth in the latest edition, at the time of analysis, of "Standard Methods for the Examination of Water and Wastewater" prepared and published jointly by the American Public Health Association, the American Water Works Association and The Water Pollution Control Federation.

STORM SEWER. A sewer for conveying water, ground water or unpolluted water from any source and to which sanitary and/or industrial wastes are not intentionally admitted.

SUPERINTENDENT. The Superintendent of the city sewage works, or his authorized deputy, agent or representative.

SUSPENDED SOLIDS (or S.S.). Solids which either float on the surface of or are in suspension in water, sewage or other liquid and which are removable by laboratory filtration. Their concentration shall be expressed in milligrams per liter. Quantitative determination shall be made in accordance with procedures set forth in "Standard Methods."

TOTAL SOLIDS. The sum of suspended and dissolved solids.

TOXIC AMOUNT. Concentrations of any pollutant or combination of pollutants which upon exposure to or assimilation into any organism will cause adverse effects, such as cancer, genetic mutations and physiological manifestations, as defined in standards issued pursuant to the Clean Water Act (Public Law 95-217).

UNPOLLUTED WATER. Water of quality equal to or better than the effluent criteria in effect, or water that would not cause violation of receiving water quality standards and would not be benefited by discharge to the sanitary sewers and wastewater treatment facilities provided.

VOLATILE ORGANIC MATTER. The material in the sewage solids transformed to gases or vapors when heated to 550°C. for 15 to 20 minutes.

WASTEWATER. Water in which sewage has been discharged.

WATERCOURSE. A natural or artificial channel for the passage of water either continuously or intermittently.
(Ord. 3-89, passed 2-27-89)

§ 53.02 AUTHORITY OF CITY TO REGULATE.

(A) The city may make and enforce such bylaws and regulations as may be deemed necessary for the safe, economical and efficient management of the city's sewage system, pumping stations and sewage treatment works, for the construction and use of house sewers and connections to the sewage treatment works, the sewage collection system and for the regulation, collection and rebating and refunding of such rates and charges.

(B) The city is hereby authorized to prohibit dumping of wastes into the city's sewage system which, in its discretion, are deemed harmful to the operation of the sewage treatment works of the city, or to require method affecting pretreatment of said wastes to comply with the pretreatment standards included in the National Pollutant Discharge Elimination System (NPDES) permit issued to the sewage works or as contained in the EPA General Pretreatment Regulations, 40 CFR Part 403 and any amendments thereto, or the city's Pretreatment Program Plan. (Ord. 2-89, passed 2-13-89)

§ 53.03 GENERAL PROHIBITIONS.

(A) It shall be unlawful for any person to place, deposit or permit to be deposited in any unsanitary manner on public or private property within the city or in any area under the jurisdiction of the said city, any human excrement, garbage or other objectionable waste.

(B) No person shall discharge or cause to be discharged to any sanitary sewer, either directly or indirectly, any storm water, surface water, ground water, roof runoff, subsurface drainage, cooling water, unpolluted water or unpolluted industrial water.

(C) Storm water, surface water, ground water, roof runoff, subsurface drainage, cooling water, unpolluted water or unpolluted industrial process water may be admitted to storm sewers which have adequate capacity for their accommodation. No person shall use such sewers, however, without the specific permission of the city.

(D) No new connection shall be made unless there is capacity available to all downstream sewers, lift stations, force mains and the sewage treatment plant, including capacity for BOD and S.S.

(E) No person shall place, deposit or permit to be deposited in any unsanitary manner on public or private property within the jurisdiction of the city, any wastewater or other polluted water except where suitable treatment has been provided in accordance with provisions of this ordinance and the NPDES permit.

(F) No person shall discharge or cause to be discharged to any natural outlet any wastewater or other polluted water except where suitable treatment has been provided in accordance with provisions of this subchapter and the NPDES permit.

(G) Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage.

(H) For the installation of new sewers, the construction of any storm sewer shall be separate and distinct from any sanitary or combined sewers.

(I) For any construction tributary to the combined sewer system, the additional stormwater contribution to the existing combined sewer system shall be minimized or delayed to reduce the impact of the additional stormwater on the existing combined sewer system.
(Ord. 3-89, passed 2-27-89; Am. Ord. 23-92, passed 10-26-92) Penalty, see § 10.99

§ 53.04 TOILET FACILITIES, CONNECTION TO SEWER REQUIRED.

The owner of all houses, buildings or properties used for human occupancy, employment, recreation or other purposes, situated within the city and abutting on any street, alley or right-of-way in which there is now located a public sanitary or combined sewer of the city is hereby required at his expense to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this ordinance, within 90 days after date of official notice to do so, provided that said public sewer is within 100 feet of the property line.
(Ord. 3-89, passed 2-27-89)
Statutory reference:
Authority to require connection, see I.C. 36-9-23-30

§ 53.05 PRIVATE SEWAGE DISPOSAL SYSTEM.

(A) Where a public sanitary or combined sewer is not available under the provisions of § 53.04, the building sewer shall be connected to a private sewage disposal system complying with the provisions of this article.

(B) Before commencement of construction of a private sewage disposal system, the owner shall first obtain a written permit signed by the Superintendent. A permit and inspection fee of $300 shall be paid to the city at the time the application is filed.

(C) A permit for private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the Superintendent. He shall be allowed to inspect the work at any stage of construction and, in any event, the applicant for the permit shall notify the Superintendent when the work is ready for final inspection, and before any underground portions are covered. The inspection shall be made within _____ hours of the receipt of notice by the Superintendent.

(D) The type, capacities, location and layout of a private sewage disposal system shall comply with all recommendations of the IDEM. No permit shall be issued for any private sewage disposal system employing subsurface soil absorption facilities where the area of the lot is less than _____ square feet. No septic tank or cesspool shall be permitted to discharge to any natural outlet.

(E) At such time as a public sewer becomes available to a property served by a private sewage disposal system as provided in division (D), a direct connection shall be made to the public sewer in compliance with this ordinance, and any septic tanks, cesspools and similar private sewage disposal facilities shall be abandoned and filled with suitable material.

(F) The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, at no expense to the city.

(G) When a public sewer becomes available, the building sewer shall be connected to said sewer within ___ days and the private sewage disposal system shall be cleaned of sludge and filled with clean bank-run gravel or dirt.

(H) No statement contained in this article shall be construed to interfere with any additional requirements that may be imposed by the Health Officer.
(Ord. 3-89, passed 2-27-89)

§ 53.06 SEWER PERMITS.

(A) No unauthorized person shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Clerk Treasurer.

(B) There shall be two classes of building sewer permits: For residential and commercial service, and for service to establishments producing material wastes. In either case, the owner or his agent shall make application on a special form furnished by the said city. The permit application shall be supplemented by any plans, specifications or other information considered pertinent in the judgment of the Inspector. A permit and inspection fee of $5 for a residential or commercial building permit and $15 for an industrial building sewer permit shall be paid to the Clerk-Treasurer at the time the application is filed.
(Ord. 3-89, passed 2-27-89) Penalty, see § 10.99
Statutory reference:
Authority, I.C. 36-9-22-4

§ 53.07 BUILDING SEWER REQUIREMENTS.

(A) All costs and expenses incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the city from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

(B) A separate and independent building sewer shall be provided for every building; except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court yard or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer.

(C) Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the said Inspector, to meet all requirements of this ordinance.

(D) The size, slope, alignment, materials of construction of a building sewer and the methods to be used in excavating, placing of the pipe, jointly testing and backfilling the trench, shall all conform to the requirements of the building and plumbing code or other applicable rules and regulations of the city. In the absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the A.S.T.M. and W.P.C.F. Manual of Practice No. 9 shall apply.

(E) Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.

(F) No person shall make connection of roof downspouts, basement drains, sump pumps, exterior foundation drains, areaway drains or other sources of surface runoff or ground water to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer.

(G) The connection of a building sewer into the public sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the city, or the procedures set forth in appropriate specifications of A.S.T.M. and the W.P.C.F. Manual of Practice No. 9. All such connections shall be made gas tight and water tight. Any deviation from the prescribed procedures and materials must be approved by the Superintendent before installation.

(H) The applicant for the building sewer permit shall notify the said Inspector when the building sewer is ready for inspection and connection to the public sewer. The construction shall be made under the supervision of the said Inspector or his representative.

(I) All excavations for building sewer installation must be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the city.

(J) For any new building, the stormwater drainage connection to a combined sewer shall be constructed separate and distinct from the sanitary waste connection in order to facilitate disconnection of the stormwater pipe if a separate storm sewer subsequently becomes available.
(Ord. 3-89, passed 2-27-89; Am. Ord. 23-92, passed 10-26-92)

§ 53.08 PROHIBITED DISCHARGES TO PUBLIC SEWERS.

(A) No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:

(1) Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid, solid or gas.

(2) Any waters or wastes containing toxic or poisonous solids, liquids or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance or create any hazard in the receiving waters of the sewage treatment plant.

(3) Any waters or wastes having a pH lower than 5.5 or having any other corrosive property capable of causing damage or hazard to structure, equipment and personnel of the sewage works, or that interferes with any treatment process.

(4) Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewage works such as, but not limited to ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch, manure, hair and fleshings, entrails, paper, dishes, cups, milk containers, etc., either whole or ground by garbage grinders.

(5) Any wastewater containing toxic pollutants in sufficient quantity, either singly or by interaction with other pollutants, to injure or interfere with any wastewater treatment process, constitute a hazard to humans or animals, create a toxic effect in the receiving waters of the wastewater works, or to exceed the limitations set forth in the applicable Federal Categorical Pretreatment Standards or other pretreatment standards or regulations issued by USEPA or the IDEM. A toxic pollutant identified pursuant to Section 307(a) of the Federal Water Pollution Control Act, as amended.

(B) No person shall discharge or cause to be discharged the following described substances, materials or wastes if it appears likely in the opinion of the Board that such wastes can harm either the sewers, sewage treatment process or equipment, have an adverse effect on the receiving stream, or can otherwise endanger life, limb, public property or constitute a nuisance. In forming its opinion as to the acceptability of these wastes, the Board will give consideration to the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant and other pertinent factors. The substances prohibited are:

(1) Any liquid or vapor having a temperature higher than 150°F or 65°C.

(2) Any water or waste containing fats, wax, grease, or oils, whether emulsified or not, in excess of 100 mg/l or containing substances which may solidify or become viscous at temperatures between 32° and 150°F or 0° and 65°C.

(3) Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of ¾ horsepower (0.76 hp metric) or greater shall be subject to the review and approval of the Board.

(4) Any waters or wastes containing strong acid iron pickling wastes or concentrated plating solutions whether neutralized or not.

(5) Any waters or wastes containing iron, chromium, copper, zinc and similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement, to such degree that any such material received in the composite sewage at the sewage treatment works exceeds the limits established by the Superintendent for such materials.

(6) Any waters or wastes containing phenols or other taste or odor producing substances, in such concentrations exceeding limits which may be established by the Board as necessary, after treatment of the composite sewage, to meet the requirements of the State, Federal or other public agencies of jurisdiction for such discharge to the receiving waters.

(7) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Board in compliance with applicable State or Federal regulations.

(8) Any waters or wastes having a pH in excess of 9.5.

(9) Materials which exert or cause:

(a) Unusual concentrations of inert S.S. (such as, but not limited to, Fullers earth, lime slurries and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate).

(b) Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions).

(c) Unusual S.S., CBOD, BOD, Ammonia, Ammonia-Nitrogen, Phosphorus, or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works.

(d) Unusual volume of flow or concentration of wastes constituting "slugs" as defined herein.

(10) Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed, or are amenable to treatment only to such degree that the sewage treatment plant effluent can not meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

(11) It shall be unlawful for any person to place, deposit, permit to be deposited, or discharged in any manner whatsoever, any substance into a sewer at a point different than the proposed sewer connection to the sanitary sewer system.
(Ord. 3-89, passed 2-27-89) Penalty, see § 10.99

§ 53.09 BOARD AUTHORITY WITH REGARD TO HARMFUL WASTE.

(A) If any waters or wastes are discharged, or are proposed to be discharged, to the public sewers, which waters contain the substances or possess the characteristics enumerated in this article, and which in the judgment of the Board may have a deleterious effect upon the sewage works, processes, equipment or receiving waters, or otherwise create a hazard to life or constitute a public nuisance, the Board may:

(1) Require new industries or industries with significant increase in discharges to submit information on wastewater characteristics and obtain prior approval for discharges.

(2) Reject the wastes in whole or in part for any reason deemed appropriate by the city.

(3) Require pretreatment of such wastes to within the limits of normal sewage as defined.

(4) Require control of flow equalization of such wastes so as to avoid any "slug" loads or excessive loads that may be harmful to the treatment works.

(5) Require payment of a surcharge on any excessive flows or loadings discharged to the treatment works to cover the additional costs of having capacity for and treating such wastes. If the Board permits the pretreatment or equalization of waste flows, the design and installation of the plant and equipment shall be subject to the review and approval of the Board and subject to the requirements of all applicable codes, ordinances and laws.

(B) Where preliminary treatment or flow-equalizing facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.
(Ord. 3-89, passed 2-27-89)

§ 53.10 SUPERINTENDENT MAY REQUIRE MANHOLE.

When required by the Superintendent, the owner or any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole, together with such necessary meters and other appurtenances in the building sewer, to facilitate observation, sampling and measurement of the wastes. Such manhole, when required, shall be accessibly and safely located, and shall be constructed in accordance with plans approved by the Superintendent. The manhole shall be installed

by the owner at his expense, and shall be maintained by him so as to be safe and accessible at all times. Agents of the city, the State Water Pollution Control Agencies and the USEPA shall be permitted to enter all properties for the purpose of inspection, observation, measurement, sampling and testing.
(Ord. 3-89, passed 2-27-89)

§ 53.11 MEASUREMENTS, TESTS, ANALYSES.

All measurements, tests and analyses of the characteristics of water and wastes to which reference is made in this ordinance shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater," published by the American Public Health Association, and shall be determined at the control manhole provided, or upon suitable samples taken at said control manhole, except for application for NPDES permits and report thereof such shall be conducted in accordance with rules and regulations adopted by the USEPA, 40 CFR Part 136 and any subsequent revisions subject to approval by the city. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazards to life, limb and property. (The particular analysis involved will determine whether a 24 hour composite of all outfalls of a premises is appropriate or whether a grab sample or samples should be taken. Normally, but not always, BOD and S.S. analyses are obtained from 24 hour composites of all outfalls whereas pHs are determined from periodic grab samples.
(Ord. 3-89, passed 2-27-89)

§ 53.12 SPECIAL AGREEMENTS FOR INDUSTRIAL WASTE.

No statement contained in this chapter shall be construed as preventing any special agreement or arrangement between the city and any industrial concern whereby an industrial waste or unusual strength or character may be accepted by the city for treatment, subject to payment therefore, by the industrial concern, at such rates as are compatible with the rate ordinance.
(Ord. 3-89, passed 2-27-89)

§ 53.13 PRETREATMENT REGULATIONS.

Pretreatment of industrial wastes from major contributing industries prior to discharge to the treatment works is required and is subject to the Rules and Regulations adopted by the USEPA (40 CFR Part 403), and "Guidelines Establishing Test Procedures for Analysis of Pollutants" (40 CFR Part 136), in addition to any more stringent requirements established by the city and subsequent State or Federal Guidelines and Rules and Regulations.
(Ord. 3-89, passed 2-27-89)

§ 53.14 PRETREATMENT FACILITIES.

Plans, specifications and any other pertinent information relating to pretreatment of control facilities shall be submitted for approval of the city and no construction of such facilities shall be commenced until approval in writing is granted. Where such facilities are provided, they shall be maintained continuously in satisfactory and effective operating order by the owner at his expense and shall be subject to periodic inspection by the city to determine that such facilities are being operated in conformance with the applicable Federal, State and local laws and permits. The owner shall maintain operating records of the influent and effluent to show the performance of the treatment facilities and for comparison against city monitoring records.
(Ord. 3-89, passed 2-27-89)

§ 53.15 DISCHARGE OF CERTAIN UNPOLLUTED WATERS.

Unpolluted water from air conditioners, cooling, condensing systems or swimming pools shall be discharged to a storm sewer, where it is available, or to a combined sewer approved by the city. Where a storm sewer is not available, discharge may be to a natural outlet approved by the city and by the State of Indiana. Where a storm sewer, combined sewer or natural sewer is not available, such unpolluted water may be discharged to a sanitary sewer pending written approval by the city.
(Ord. 3-89, passed 2-27-89)

§ 53.16 DISCHARGE OF INDUSTRIAL COOLING WATER.

Industrial cooling water, which may be polluted with insoluble oils or grease or suspended solids, shall be pretreated for removal of pollutants and the resultant clear water shall be discharged in accordance with the above section.
(Ord. 3-89, passed 2-27-89)

§ 53.17 CITY MAY REQUIRE INFORMATION ON WASTE WATER FLOW.

The city may require users of the treatment works, other than residential users, to supply pertinent information on wastewater flow characteristics. Such measurements, tests and analyses shall be made at the users' expense. If made by the city, an appropriate charge may be assessed to the user at the option of the city.
(Ord. 3-89, passed 2-27-89)

§ 53.18 SAMPLING OF WASTEWATER STRENGTH.

The strength of wastewaters shall be determined, for periodic establishment of charges provided for in the Sewer Rate Ordinance, from samplings taken at the aforementioned structure at any period of time and of such duration and in such manner as the city may elect, or at any place mutually agreed

upon between the user and the city. Appropriate charges for sampling and analysis may be assessed to the user at the option of the city. The results of routine sampling and analysis by the user may also be used for determination of charges after verification by the city.
(Ord. 3-89, passed 2-27-89)

§ 53.19 GREASE, OIL AND SAND INTERCEPTORS.

(A) Grease, oil and sand interceptors or traps shall be provided when, in the opinion of the city, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand or other harmful ingredients, except that such interceptors or traps will not be required for private living quarters or dwelling units. All interceptors or traps shall be of a type and capacity approved by the city and shall be located so as to be readily accessible for cleaning and inspection. They shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperatures and shall be of substantial construction, be gas tight and equipped with easily removable covers. Where installed, all grease, oil and sand interceptors or traps shall be maintained by the owner, at his expense, in continuously efficient operation at all times.

(B) Specifications for grease, oil, and sand interceptors shall be in accordance with Sections 711, 712, 713, of the Indiana Plumbing Rules, 1981 Edition, (660 IAC 9) originally published as (4 IR 2398), which identifies, amends, and incorporates therein the Uniform Plumbing Code, 1979 Edition. Copies of the aforementioned Code and Rules, Regulations and Codes adopted herein by reference are on file as required by law in the office of the Clerk-Treasurer.
(Ord. 3-89, passed 2-27-89)

§ 53.20 NOTICE OF UNUSUAL FLOWS REQUIRED.

Users of the treatment works shall immediately notify the city of any unusual flows or wastes that are discharged accidentally or otherwise to the sewer system.
(Ord. 3-89, passed 2-27-89)

§ 53.21 STATE AND FEDERAL LAW.

All provisions of this chapter and limits set herein shall comply with any applicable State and/or Federal requirements now, or projected to be, in effect.
(Ord. 3-89, passed 2-27-89)

§ 53.22 TAMPERING WITH SEWAGE WORKS UNLAWFUL.

No unauthorized person shall maliciously, willfully or negligently break, damage, uncover, deface or tamper with any structure, appurtenance or equipment which is a part of the municipal sewage works.
(Ord. 3-89, passed 2-27-89)

§ 53.23 CITY INSPECTIONS.

(A) The Superintendent, Inspector and other duly authorized employees of the city bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling and testing in accordance with the provisions of this ordinance. The Superintendent or his representative shall have no authority to inquire into any processes including metallurgical, chemical, oil, refining, ceramic, paper or other industries beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterways or facilities for waste treatment.

(B) While performing the necessary work on private properties referred to in Division (A) above, the Superintendent or duly authorized employees of the city shall observe all safety rules applicable to the premises established by the company and the company shall be held harmless for injury or death to the city employees and the city shall indemnify the company against loss or damage to its property by city employees and against liability claims and demands for personal injury or property damage asserted against the company and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions as required in § 52.10.

(C) The Superintendent and other duly authorized employees of the city bearing proper credentials and identification shall be permitted to enter all private properties through which the city holds a duly negotiated easement for the purpose of, but not limited to, inspection, observation, measurement, sampling, repair and maintenance of any portion of the sewage works lying within said easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.
(Ord. 3-89, passed 2-27-89)

§ 53.24 VIOLATIONS.

(A) Any person found to be violating any provisions of this ordinance shall be served by the city with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

(B) Any person who shall continue any violation beyond the time limit provided for in Division (A) shall be guilty of a violation and on conviction thereof shall be penalized as provided in § 10.99. Each day in which any violation shall continue shall be deemed a separate offense.

(C) Any person violating any of the provisions of this ordinance shall become liable to the city for any expense, loss or damage occasioned by the city by reason of such violation.
(Ord. 3-89, passed 2-27-89) Penalty, see § 10.99

§ 53.25 RIGHT TO ADMINISTRATIVE RELIEF.

Any person who believes himself aggrieved through the enforcement of this ordinance has the right to seek administrative relief before the city.
(Ord. 3-89, passed 2-27-89)

SEWER RATES

§ 53.40 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

AMMONIA (or NH_3-N). See § 53.01 for definition.

BIOCHEMICAL OXYGEN DEMAND (BOD). See § 53.01 for definition.

BOARD. The Board of Public Works of the city, or any duly authorized officials acting in its behalf.

CARBONACEOUS BIOCHEMICAL OXYGEN DEMAND (CBOD). See § 53.01 for definition.

CHEMICAL OXYGEN DEMAND (COD). See § 53.01 for definition.

CITY. The city of Rensselaer acting by and through the Board of Public Works.

DEBT SERVICE COSTS. The average annual principal and interest payments on all proposed revenue bonds or other long-term capital debt.

EXCESSIVE STRENGTH SURCHARGE. An additional charge which is billed to users for treating sewage wastes with an average strength in excess of "normal domestic sewage."

INDUSTRIAL WASTES. The wastewater discharges from industrial, trade or business processes as distinct from employee wastes or wastes from sanitary conveniences.

NPDES PERMIT. See definition in § 53.01.

NORMAL DOMESTIC SEWAGE.

(1) For the purpose of determining surcharges shall mean wastewater or sewage having an average daily concentration as follows:

(a) S.S. of not more than 200 mg/l

(b) BOD of not more than 200 mg/l

(c) Ammonia not more than 20 mg/l

(2) As defined by origin, wastewaters from segregated domestic and/or sanitary conveniences as distinct from industrial processes.

OPERATION AND MAINTENANCE COST. Includes all costs direct and indirect, necessary to provide adequate wastewater collection, transport and treatment on a continuing basis and produce discharges to receiving waters that conform with all related federal, state and local requirements (These costs include replacement).

OTHER SERVICE CHARGES. Tap charges, connection charges, area charges, and other identifiable charges other than excessive strength surcharges.

PERSON. Any and all persons, natural or artificial, including any individual, firm, company, municipal or private corporation, association, society, institution, enterprise, governmental agency or other entity.

PHOSPHORUS. See § 53.01 for definition.

REPLACEMENT COSTS. The expenditures for obtaining and installing equipment, accessories or appurtenances which are necessary during the useful life of the treatment works to maintain the capacity and performance for which such works were designed and constructed.

SHALL is mandatory; ***MAY*** is permissive.

SEWAGE. See § 53.01 for definition.

SEWER USE ORDINANCE. A separate and companion enactment to this subchapter, which regulates the connection to and use of public and private sewers. (§§ 53.01 through 53.25)

SUSPENDED SOLIDS (S.S.) See § 53.01 for definition.

USER CHARGES. A charge levied on users of the wastewater treatment works for the cost of operation and maintenance of such works pursuant to Section 204(b) of Public Law 92-500.

USER CLASS. The division of wastewater treatment customers by source, function, waste characteristics, and process or discharge similarities, (i.e. residential, commercial, industrial, institutional, and governmental in the User Charge System).

(1) ***COMMERCIAL USER.*** Any establishment involved in a commercial enterprise, business or service which based on a determination by the city discharges primarily segregated domestic wastes or wastes from sanitary conveniences.

(2) *GOVERNMENTAL USER.* Any federal, state or local governmental user of the wastewater treatment works.

(3) *INDUSTRIAL USER.* Any manufacturing or processing facility that discharges industrial waste to a wastewater treatment works.

(4) *INSTITUTIONAL USER.* Any establishment involved in a social, charitable, religious, and/ or educational function which, based on a determination by the city discharges primarily segregated domestic wastes or wastes from sanitary conveniences.

(5) *RESIDENTIAL USER.* A user of the treatment works whose premises or building is used primarily as a residence for one or more persons, including all dwelling units, etc.
(Ord. 12-93, passed 7-26-93)

§ 53.41 RATES AND CHARGES.

(A) Every person whose premises are served by said sewage works shall be charged for the service provided. These charges are established for each user class, as defined, in order that the sewage works shall recover, for each user and user class, revenue which is proportional to its use of the treatment works in terms of volume and load, user charges are levied to defray the cost of operation and maintenance (including replacement) of the treatment works. User charges shall be uniform in magnitude within a user class.

(B) User charges are subject to the rules and regulations adopted by the U.S. Environmental Protection Agency published in the Federal Register February 17, 1984 (40 CFR 35.2140).

(C) Replacement costs, which are recovered through the system of user charges, shall be based upon the expected useful life of the sewage works equipment. The various classes of user of the treatment works for the purpose of this subchapter, shall be as follows:

Class I	*Class II*	*Class III*	*Class IV*
Residential	Wholesale	Residential	Wholesale
Commercial		Commercial	
Governmental		Governmental	
Institutional		Institutional	
Industrial		Industrial	

(D) For the use of the service rendered by sewage works, rates and charges shall be collected from the owners of each and every lot, parcel of real estate or building that is connected with the city sanitary system or otherwise discharges sanitary sewage, industrial wastes, water or other liquids, either directly or indirectly, into the sanitary sewage system of the city. Such rates and charges include I/I charges, user charges, debt service costs, excessive strength surcharges and other service charges, which rates and charges shall be payable as hereinafter provided and shall be in an amount determined as follows:

(1) *Class I and Class III Users.*

(a) The sewage rates and charges shall be based on the quantity of water used on or in the property or premises subject to such rates and charges as the same is measured by the water meter installed except as herein otherwise provided. For the purposes of billing and collecting the charges for sewage service, the water meters shall be read monthly. In situations where it is impracticable for a meter to be read, the monthly reading may be estimated and reconciled with the next meter reading. The users shall be billed each month (or period equaling a month). The water usage schedule on which the amount of said rates and charges shall be determined is as follows:

1. Treatment rate per 100 cubic feet of usage per month:

User	*I/I*	*User Charge*	*Debt Service*	*Total*
Class I	$0.28	$1.14	$0.33	$1.75
Class III	$0.35	$1.42	$0.41	$2.18

2. Base rate per month:

Water Meter Size	*Class I Users*	*Class III Users*
5/8" - ¾"	$7.40	$9.25
1"	17.05	21.30
1¼" - 1½"	38.25	47.80
2"	65.15	81.45
3"	180.45	225.55
4"	264.00	330.00
6"	591.25	739.10
8"	1,053.10	1,316.35

(b) For Class I and III users of the sewage works that are unmetered water users or accurate meter readings are not available, the monthly charge shall be determined by equivalent single family dwelling units, except as herein provided. Sewage service bills shall be rendered once each month (or period equaling a month). The schedule on which said rates and charges will be determined is as follows:

Monthly Rate			
User	*User Charge*	*Debt Service*	*Total*
Class I	$15.04	$4.00	$19.04
Class III	$18.79	$5.00	$23.79

(c) For the service rendered to the city, the city shall be subject to the same rates and charges established in harmony therewith.

(d) In order to recover the cost of monitoring industrial wastes, the city shall charge the user not less than $75 per sampling event plus the actual cost for collecting and analyzing the sample as determined by the city or by an independent laboratory. This charge will be reviewed on the same basis as all other rates and charges in this subchapter.

(e) All Class I users charges shall be the rates and charges so established for customers within the city limits of the city, and for those customers who are established customers as of May 24, 1993. Class I Users shall use the rates and charges hereto known as city rates for established customers. However, if an established customer relocates to an area outside the city limits of the city, whether or not area has been serviced by the city before May 24, 1993, the customer will not be considered an established customer of the area of his new residence. Thus, the customer will be charged in accordance to the rates and charges for Class III users, known as rural rates.

(f) All Class III users charges shall be the rates and charges so established for all new customers outside the city limits of the city, who were not established customers as of May 24, 1993 of any area outside the city limits. Class III users shall use the rates and charges hereto known as rural rates.

(2) *Class II and IV Users.*

(a) Class II and Class IV users shall be those users who own and maintain their own collection system, do not make use of the city's collection system and whose billable flow is determined by a meter located at a point so as to record all of the Class II and Class IV user's inflow and filtration.

(b) The sewage rates and charges shall be based on the quantity of flow generated by the user. For the purpose of billing and collecting the charges for sewage service, the meter shall be read

monthly. In situations where it is impracticable for a meter to be read, the monthly reading may be estimated and reconciled with the next meter reading. The users shall be billed each month (or period equaling a month). The usage schedule on which the amount of said rates and charges shall be determined is as follows:

1. Treatment rate per 1,000 gallons of usage per month:

User	*User Charge*	*Debt Service*	*Total*
Class II	$1.59	$0.45	$2.04
Class IV	$1.99	$0.56	$2.55

2. Monthly billing rate:

Monthly Rates	
Class II Users	$18.95
Class IV Users	$23.70

(c) All Class II users charges shall be the rates and charges so established for customers within the city limits of the city and for those customers who are established customers as of May 24, 1993. Class II users shall use the rates and charges hereto known as Wholesale City Rates for Established Customers. However, if an established customer relocates to an area outside the city limits of the city, whether or not area has been serviced by the city prior to May 24, 1993, the customer will not be considered an established customer of the area of his new residence. Thus, the customer will be charged in accordance to the rates and charges for Class IV users, known as Wholesale Rural Rates.

(d) All Class IV users charges shall be the rates and charges so established for all new customers outside the city limits of the city, who were not established customers as of May 24, 1993 of any area outside the city limits, Class IV users shall use the rates and charges hereto known as Wholesale Rural Rates.
(Ord. 12-93, passed 7-26-93; Am. Ord. 7-04, passed 3-22-04; Am. Ord. 11-04, passed 6-14-04)

§ 53.42 CHARGES RELATED TO SPECIAL USE CONSIDERATIONS.

(A) The quantity of water discharged into the sanitary sewage system and obtained from sources other than the utility that serves the city shall be determined by the city in such manner as the city shall reasonably elect, and the sewage service shall be billed at the above appropriate rates; except as

hereinafter provided in this section, the city may make proper allowances in determining the sewage bill for quantities of water shown on the records to be consumed, but which are also shown to the satisfaction of the city that such quantities do not enter the sanitary sewage system.

(B) In the event a lot, parcel of real estate or building other than a single family dwelling unit discharging sanitary sewage, industrial wastes, water or other liquids into the city's sanitary sewage system, either directly or indirectly, is not a user of water supplied by the water utility serving the city, and the water used thereon or therein is not measured by a water meter, or is measured by a water meter not acceptable to the city, then the amount of water used shall be otherwise measured or determined by the city. In order to ascertain the rate or charge provided in this subchapter, the owner or other interested party shall, at his expense, install and maintain meters, weirs, volumetric measuring devices or any adequate and approved method of measurement acceptable to the city for the determination of sewage discharge.

(C) In the event a lot, parcel of real estate or building discharging sanitary sewage, industrial wastes, water or other liquids into the city's sanitary sewage system, either directly or indirectly is a user of water supplied by the water utility serving the city, and in addition, is a user of water from another source which is not measured by a water meter or is measured by a meter not acceptable to the city, then the amount of water used shall be otherwise measured or determined by the city. In order to ascertain the rates or charges, the owner or other interested parties shall, at his expense, install and maintain meters, weirs, volumetric measuring devices or any adequate and approved method of measurement acceptable to the city for the determination of sewage discharge.

(D) In the event two or more residential lots, parcels of real estate, or buildings discharging sanitary sewage, water or other liquids into the city's sanitary sewage system, either directly or indirectly, are users of water and the quantity of water is measured by a single water meter, then in each such case, for billing purposes, the quantity of water used shall be averaged for each user and the base charge and the flow rates and charges shall apply to each of the number of residential lots, parcels of real estate or buildings served through the single water meter.

(E) In the event two or more dwelling units such as mobile homes, apartments or housekeeping rooms discharging sanitary sewage, water or other liquids into the city's sanitary sewage system, either directly or indirectly, are users of water and the quantity of water is measured by a single water meter, then in such case, billing shall be for a single service in the manner set out elsewhere herein, except that the minimum bill shall be in the amount of $7.40 per month per dwelling unit served through the single water meter. In the case of mobile home courts, the number of dwelling units shall be computed and interpreted as the total number of mobile home spaces available for rent plus any other dwelling units served through a meter. A dwelling unit shall be interpreted as a room or rooms or any other space or spaces in which cooking facilities are provided.

(F) In the event a lot, parcel of real estate or building discharging sanitary sewage, industrial wastes, water or other liquids into the city's sanitary sewage system, either directly or indirectly, and uses water in excess of 10,000 gallons per month, and it can be shown to the satisfaction of the city that a portion of water as measured by the water meter or meters does not and can not enter the

sanitary sewage system, then the owner or other interested party shall, at his expense, install and maintain meters, weirs, volumetric measuring devices or any adequate and approved method of measurement acceptable to the city for the determination of sewage discharge.
(Ord. 12-93, passed 7-26-93; Am. Ord. 11-04, passed 6-14-04)

§ 53.43 CHARGES RELATED TO STRENGTH AND CHARACTER OF WASTES.

(A) In order that the rates and charges may be justly and equitable adjusted to the service rendered to users, the city shall base its charges not only on the volume, but also on strength and character of the stronger-than-normal domestic sewage and wastes which it is required to treat and dispose of. The city shall require the user to determine the strength and content of all sewage and wastes discharged, either directly or indirectly into the sanitary sewage system, in such manner, by such method and at such times as the city may deem practicable in light of the conditions and attending circumstances of the case, in order to determine the proper change. The user shall furnish a central sampling point available to the city at all times.

(B) Normal sewage domestic waste strength should not exceed ammonia in excess of 20 mg/l of fluid, suspended solids in excess of 200 mg/l of fluid, or biochemical oxygen demand in excess of 200 mg/l of fluid. Additional charges for treating stronger-than-normal domestic waste shall be made on the following basis:

(1) *Rate surcharge based upon suspended solids.* There shall be an additional charge of $0.18 per pound of suspended solids for suspended solids received in excess of 200 mg/l of fluid.

(2) *Rate surcharge based upon BOD.* There shall be an additional charge of $0.18 per pound of biochemical oxygen demand for BOD received in excess of 200 mg/l of fluid.

(3) *Rate surcharge based upon ammonia.* There shall be an additional charge of $0.73 per pound of ammonia received in excess of 20 mg/l of fluid.

(C) The determination of suspended solids, biochemical oxygen demand, and ammonia contained in the waste shall be in accordance with the latest copy of "Standard Methods for the Elimination of Water, Sewage and Industrial Wastes," as written-by the American Public Health Association, the American Water Works Association and the Water Pollution Control Federation, and in accordance with "Guidelines Establishing Test Procedures for Analysis of Pollutants," 40 CFR Part 136.
(Ord. 12-93, passed 7-26-93)

§ 53.44 BILLING PROCEDURES.

(A) Such rates and charges shall be prepared, billed and collected by the city in the manner provided by law and ordinance.

(B) The rates and charges for all users shall be prepared and billed monthly. Annually, each user shall be notified of the portion of the total billing charged for operation, maintenance and replacement for that user during the preceding year.

(C) The rates and charges may be billed to the tenant or tenants occupying the properties served, unless otherwise requested in writing by the owner, but such billing shall in no way relieve the owner from the liability in the event payment is not made as herein required. The owners or properties served, which are occupied by a tenant or tenants, shall have the right to examine the collection records of the city for the purpose of determining whether bills have been paid by such tenant or tenants, provided that such examination shall be made at the office at which such records are kept and during the hours that such office is open for business.

(D) As is provided by statute, all rates and charges not paid by the 15th day following billing are hereby declared to be delinquent and a penalty of 10% of the amount of the rates and charges shall thereupon attach hereto.
(Ord. 12-93, passed 7-26-93)

§ 53.45 STUDIES TO DETERMINE FAIRNESS OF RATES.

(A) In order that the rates and charges for sewage services may remain fair and equitable and be in proportion to the cost of providing services to the various users of user classes, the city shall cause a study to be made within a reasonable period of time following the first two years of operation, following the date on which this subchapter goes into effect. Such study shall include, but not be limited to, an analysis of the cost associated with the treatment of excessive strength effluents from industrial users, or user classes, the financial position of the sewage works and the adequacy of its revenue to provide reasonable funds for the operation and maintenance, replacements, debt service requirements and capital improvements to the wastewater treatment systems.

(B) Thereafter, on a biennial basis, within a reasonable period of time following the normal accounting period, the city shall cause a similar study to be made for the purpose of reviewing the fairness, equity and proportionality of the rates and charges for sewage services on a continuing basis. The studies shall be conducted by officers or employees of the city or by a firm of certified public accountants, or a firm of consulting engineers which firms shall have experience in such studies, or by such combination of officers, employees, certified public accountants or engineers as the city shall determine to be best under the circumstances. The city shall, upon completion of said study revise and adjust the rates and charges, as necessary, in accordance therewith in order to maintain the proportionality and sufficiency of the rates.
(Ord. 12-93, passed 7-26-93)

§ 53.46 AUTHORITY TO MAKE AND ENFORCE REGULATIONS.

(A) The city may make and enforce such bylaws and regulations as may be deemed necessary for the safe, economical and efficient management of the city's sewage system, pumping stations and

sewage treatment works, for the construction and use of house sewers and connections to the sewage treatment works, the sewage collection system and for the regulation, collection and rebating and refunding of such rates and charges.

(B) The city is hereby authorized to prohibit dumping of wastes into the city's sewage system which, in its discretion, are deemed harmful to the operation of the sewage treatment works of the city, or to require method affecting pretreatment of said wastes to comply with the pretreatment standards included in the National Pollutant Discharge Elimination System (NPDES) permit issued to the sewage works or as contained in the EPA General Pretreatment Regulations, 40 CFR Part 403 and any amendments thereto or the city's Pretreatment Program Plan.
(Ord. 12-93, passed 7-26-93)

§ 53.47 CONNECTION CHARGE.

(A) The owner of any lot, parcel of real estate or building connecting to the sewage works shall, prior to being permitted to make a connection, pay a connecting charge in the amount of $300 for each connection. The Board of Public Works now finds such a connection charge to be a reasonable and equitable pro rata cost of construction of a local or lateral sewer adequate to serve the property so connecting and the cost of providing a connection to the sewer, excavation, backfilling, pavement replacement and installation of a sewer line from the sewer to the property line.

(B) Provided, however, no connection charge will be required of any customer connecting to a local or lateral sewer within 180 days of the date on which said sewer was available for connection. Connection charges will be imposed on any connection and on all connections made to future extensions of the system.
(Ord. 12-93, passed 7-26-93)

§ 53.48 APPEAL PROCEDURE.

The rules and regulations promulgated by the city, after approval by the Board of Public Works shall, among other things, provide for an appeal procedure whereby a user shall have the right to appeal a decision of the administrator of the sewage system and user charge system to the Board of Public Works and that any decision concerning the sewage system or user charges of the Board of Public Works may be appealed to the circuit court of the county under appeal procedures provided for in the Indiana Administrative Adjudication Act.
(Ord. 12-93, passed 7-26-93)

§ 53.49 AUTHORITY FOR SPECIAL RATE CONTRACTS.

The Board is hereby further authorized to enter into special rate contracts with customers of the sewage works where clearly definable reduction in cost to the sewage works can be determined, and such reduction shall be limited to such reduced costs.
(Ord. 12-93, passed 7-26-93)

§ 53.50 RIGHT TO ADMINISTRATIVE RELIEF.

Any person who believes himself aggrieved through the enforcement of this ordinance has the right to seek administrative relief before the city.
(Ord. 12-93, passed 7-26-93)

ORDINANCE NO. 15-2011

AN ORDINANCE ESTABLISHING A SCHEDULE OF RATES AND CHARGES TO BE COLLECTED BY THE CITY OF RENSSELAER FROM THE OWNERS OF PROPERTY SERVED BY THE SEWAGE WORKS OF SAID CITY AND OTHER MATTERS CONNECTED THEREWITH.

WHEREAS, the City has heretofore constructed and has in operation sewage works for the purpose of collecting and disposing of the sewage of the City in a sanitary manner; and

WHEREAS, it is necessary to establish a new schedule of rates and charges so as to produce sufficient revenue to pay expenses of maintenance operation, and to provide funds for necessary replacements and improvements to the sewage works, and to pay the principal and interest on the existing and proposed revenue bonds in accordance with the applicable bond ordinance; now therefore,

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF RENSSELAER, INDIANA

Section 1. Unless the context specifically indicates otherwise, the meaning of terms used in this ordinance shall be as follows:

(A) "Ammonia" (or NH_3-N) shall have the same meaning as defined in the Sewer Use Ordinance.

(B) "Board" shall mean the Board of Public Works of the City of Rensselaer, or any duly authorized officials acting in its behalf.

(C) "BOD" (or Biochemical Oxygen Demand) shall have the same meaning as defined in the Sewer Use Ordinance.

(D) "CBOD" (or Carbonaceous Biochemical Oxygen Demand) shall have the same meaning as defined in the Sewer Use Ordinance.

(E) "COD" (or Chemical Oxygen Demand) shall have the same meaning as defined in the Sewer Use Ordinance.

(F) "City" shall mean the City of Rensselaer acting by and through the Board of Public Works.

(G) "Debt Service Costs" shall mean the average annual principal and interest payments on all proposed revenue bonds or other long-term capital debt.

(H) "Excessive Strength Surcharge" shall mean an additional charge which is billed to users for treating sewage wastes with an average strength in excess of "normal domestic sewage".

(I) "Industrial Wastes" shall mean the wastewater discharges from industrial, trade, or business processes as distinct from employee wastes or wastes from sanitary conveniences.

(J) "NPDES" (National Pollutant Discharge Elimination System) Permit shall have the same meaning as defined in the Sewer Use Ordinance.

(K) "Normal Domestic Sewage" (for the purpose of determining surcharges) shall mean wastewater or sewage having an average daily concentration as follows:

S.S. nor more than 200 mg/l
BOD nor more than 200 mg/l
Ammonia not more than 20 mg/l

As defined by origin, wastewaters from segregated domestic and/or sanitary conveniences as distinct from industrial processes.

(L) "Operation and Maintenance Costs" include all costs, direct and indirect, necessary to provide adequate wastewater collection, transport, and treatment on a continuing basis and produce discharges to receiving waters that conform with all related Federal, State, and local requirements. (These costs include replacement.)

(M) "Other Service Charges" shall mean tap charges, connection charges, area charges, and other identifiable charges other than excessive strength surcharges.

(N) "Person" shall mean any and all persons, natural or artificial, including any individual, firm, company, municipal or private corporation, association, society, institution, enterprise, government agency, or other entity.

(O) "Phosphorus" shall have the same meaning as defined in the Sewer Use Ordinance.

(P) "Replacement Costs" shall mean the expenditures for obtaining and installing equipment, accessories, or appurtenances which are necessary during the useful life of the treatment works to maintain the capacity and performance for which such works were designed and constructed.

(Q) "S.S." (or suspended solids) shall have the same meaning as defined in the Sewer Use Ordinance.

(R) "Shall" is mandatory; "May" is permissive.

(S) "Sewage" shall have the same meaning as defined in the Sewer Use Ordinance.

(T) "Sewer Use Ordinance" shall mean a separate and companion enactment to this Ordinance, which regulates the connection to and use of public and private sewers.

(U) "User Charges" shall mean a charge levied on users of the wastewater treatment works for the cost of operation and maintenance of such works pursuant to Section 204(b) of Public Law 92-500.

(V) "User Class" shall mean the division of wastewater treatment customers by source, function, waste characteristics, and process or discharge similarities, (i.e., residential, commercial, industrial, institutional, and governmental in the User Charge System.

Residential User – shall mean a user of the treatment works whose premises or building is used primarily as a residence for one or more persons, including all dwelling units, etc.

Commercial User – shall mean any establishment involved in a commercial enterprise, business, or service which based on a determination by the City discharges primarily segregated domestic wastes or wastes from sanitary conveniences.

Institutional User – shall mean any establishment involved in a social, charitable, religious, and/or educational function, which based on a determination by the City discharges primarily segregated domestic wastes or wastes from sanitary conveniences.

Governmental User – shall mean any Federal, State, or local governmental user of the wastewater treatment works.

Industrial User – shall mean any manufacturing or processing facility that discharges industrial waste to a wastewater treatment works.

Section 2. Every person whose premises are served by said sewage works shall be charged for the service provided. These charges are established for each user class, as defined, in order that the sewage works shall recover, for each user and user class, revenue which is proportional to its use of the treatment works in terms of volume and load, user charges are levied to defray the cost of operation and maintenance (including replacement) of the treatment works. User charges shall be uniform in magnitude within a user class.

(A) User Charges are subject to the rules and regulations adopted by the U.S. Environmental Protection Agency published in the Federal Register February 17, 1984 (40 CFR 35.2140). Replacement costs, which are recovered through the system of user charges, shall be based upon the expected useful life of the sewage works equipment. The various classes of user of the treatment works for the purpose of this Ordinance shall be as follows:

Class I - Residential Commercial Governmental Institutional Industrial	Class III - Residential Commercial Governmental Institutional Industrial
Class II - Wholesale	Class IV - Wholesale

Section 3. For the use of the service rendered by the sewage works, rates and charges shall be collected from the owners of each and every lot, parcel of real estate, or building that is connected with the City's sanitary system or otherwise discharges sanitary sewage, industrial wastes, water, or other liquids, either directly or indirectly, into the sanitary sewage system of the City of Rensselaer. Such rates and charges shall include I/I charges, user charges, debt service costs, excessive strength surcharges, and other service charges, which rates and charges shall be payable as hereinafter provided and shall be in an amount determined as follows:

(A) Class I and Class III Users

(1) The sewage rates and charges shall be based on the quantity of water used on or in the property or premises subject to such rates and charges as the same is measured by the water meter there in use, plus a base charge based on the size of water meter installed except as herein otherwise provided. For the purposes of billing and collecting the charges for sewage service, the water meters shall be read monthly. In situations where it is impracticable for a meter to be read, the monthly reading may be estimated and reconciled with the next meter reading. The users shall be billed each month (or period equaling a month). The water usage schedule on which the amount of said rates and charges shall be determined is as follows:

(a) Treatment rate per 100 cubic feet of usage per month:

	Class I Users	Class III Users
I/I Charges	$ .45	$ .55
User Charge	1.90	2.40
Debt Service	.55	.70
Totals	$ 2.90	$ 3.65

Plus

(b) Base rate per month:

Water Meter Size	Class I Users	Class III Users
5/8" – 3/4"	$ 12.35	$ 15.45
1"	28.45	35.55
1 1/4" – 1 1/2"	63.80	79.75
2"	108.65	135.80
3"	300.95	376.20
4"	440.20	550.30
6"	985.95	1,232.40
8"	1,756.00	2,195.00

(2) For Class I and Class III users of the sewage works that are unmetered water users or accurate meter readings are not available, the monthly charge shall be determined by equivalent single family dwelling units, except as herein provided. Sewage service bills shall be rendered once each month (or period equaling a month). The schedule on which said rates and charges will be determined is as follows:

	Class I Users	Class III Users
User Charge	$ 25.00	$ 31.35
Debt Service	6.70	8.30
Totals	$ 31.70	$ 39.65

(3) For the service rendered to the City of Rensselaer, said City shall be subject to the same rates and charges established in harmony therewith.

(4) In order to recover the cost of monitoring industrial wastes, the City shall charge the user not less than $75.00 per sampling event plus the actual cost for collecting and analyzing the sample as determined by the City or by an independent laboratory. This charge will be reviewed on the same basis as all other rates and charges in this ordinance.

(5) That all Class I user charges shall be the rates and charges so established for customers within the City limits of the City of Rensselaer, Indiana, and for those customers who are ESTABLISHED customers as of May 24, 1993. Class I users shall use the rates and charges hereto known as the City Rates for Established Customers. However, if an established customer relocates to an area outside the City limits of the City of Rensselaer, Indiana, whether or not the area has been serviced by the City of Rensselaer before May 24, 1993, the customer WILL NOT be considered an established customer of the area of his new residence. Thus, the customer will be charged in accordance to the rates and charges for Class III Users, known as the Rural Rates.

(6) That all Class III user charges shall be the rates and charges established for all new customers OUTSIDE the City limits of the City of Rensselaer, Indiana, who were NOT established customers as of May 24, 1993 of any

area outside the City limits. Class III users shall use the rates and charges hereto known as Rural Rates.

(7) In addition to the rates and charges under Sections (A)(1)(a) and (b) and Section (A)(2) above, customers located in the City's West Side Sanitary Sewer Area and West Side Annexation territory pursuant to Ordinance __-2011 located along SR 114 on the east side of the interchange with I-65 in Jasper County and the sewer force main along SR 114 east to CR 850 West and along CR 600 South and Bunkum Road and who connect to said West Side Sanitary Sewer shall pay a debt service charge to assist in defraying the costs of furnishing such service. The charge shall be effective upon commencement of construction and continue until either December 31, 2021 or upon payoff of the Bonds associated with the project, whichever is sooner. The debt service charge shall be determined as follows:

	Monthly Rate
Rate per equivalent dwelling unit	$ 75.30

(B) Class II and IV Users

(1) Class II and Class IV users shall be those users who own and maintain their own collection system, do not make use of the City's collection system, and whose billable flow is determined by a meter located at a point so as to record all of the Class II and Class IV users' inflow and infiltration.

(2) The sewage rates and charges shall be based on the quantity of flow generated by the user. For the purpose of billing and collecting the charges for sewage service, the meter shall be read monthly. In situations where it is impracticable for a meter to be read, the monthly reading may be estimated and reconciled with the next meter reading. The users shall be billed each month (or period equaling a month). The usage schedule on which the amount of said rates and charges shall be determined is as follows:

(a) Treatment rate per 1,000 gallons of usage per month:

	Class II Users	Class IV Users
User Charge	$ 2.65	$ 3.30
Debt Service	.75	.95
Totals	$ 3.40	$ 4.25

(b) Monthly billing rate:

	Class II Users	Class IV Users
User Charge	$ 31.60	$ 39.50

(3) That all Class II user charges shall be the rates and charges so established for customers WITHIN the City limits of the City of Rensselaer, Indiana, and for those customers who are ESTABLISHED customers as of May 24, 1993. Class II users shall use the rates and charges hereto known as Wholesale City Rates for Established Customers.

However, if an established customer relocates to an area Outside the City limits of the City of Rensselaer, Indiana, whether or not the area has been serviced by the City of Rensselaer prior to May 24, 1993, the customer WILL NOT be considered an established customer of the area of his new residence. Thus, the customer will be charged in accordance to the rates and charges for Class IV Users, known as Wholesale Rural Rates.

(4) That all Class IV user charges shall be the rates and charges so established for all new customers OUTSIDE the City limits of the City of Rensselaer, Indiana, who were NOT established customers as of May 24, 1993, of any area outside the City limits, Class IV users shall use the rates and charges hereto known as Wholesale Rural Rates.

Section 4. The quantity of water discharged into the sanitary sewage system and obtained from sources other than the utility that serves the City shall be determined by the City in such manner as the City shall reasonably elect, and the sewage service shall be billed at the above appropriate rates; except as hereinafter provided in this section, the City may make proper allowances in determining the sewage bill for quantities of water shown on the records to be consumed, but which are also shown to the satisfaction of the City that such quantities do not enter the sanitary sewage system.

(A) In the event a lot, parcel of real estate, or building other than a single family dwelling unit discharging sanitary sewage, industrial wastes, water, or other liquids into the City's sanitary sewage system, either directly or indirectly, is not a user of water supplied by the water utility serving the City, and the water used thereon or therein is not measured by a water meter, or is measured by a water meter not acceptable to the City, then the amount of water used shall be otherwise measured or determined by the City. In order to ascertain the rate or charge provided in this ordinance, the owner of other interested party shall, at his expense, install and maintain meters, weirs, volumetric measuring devices, or any adequate and approved method of measurement acceptable to the City for the determination of sewage discharge.

(B) In the event a lot, parcel of real estate, or building discharging sanitary sewage, industrial wastes, water, or other liquids into the City's sanitary sewage system, either directly or indirectly, is a user of water supplied by the water utility serving the City, and in addition, is a user of water from another source which is not measured by a water meter or is measured by a meter not acceptable to the City, then the amount of water used shall be otherwise measured or determined by the City. In order to ascertain the rates or charges, the owner or other interested party shall, at his expense, install and maintain meters, weirs, volumetric measuring devices, or any adequate and approved method of measurement acceptable to the City for determination of sewage discharge.

(C) In the event two (2) or more residential lots, parcels of real estate, or buildings discharging sanitary sewage, water, or other liquids into the City's sanitary sewage system, either directly or indirectly, are users of water and the quantity of water is measured by a single water meter, then in each such case, for billing purposes, the quantity of water used shall be averaged for each user and the base charge and the flow rates and charges shall apply to each of the number of residential lots, parcels of real estate, or buildings served through the single water meter.

(D) In the event two (2) or more dwelling units such as mobile homes, apartments, or housekeeping rooms discharging sanitary sewage, water, or other liquids into the City's sanitary sewage system, either directly or indirectly, are users of water and the quantity of water is measured by a single water meter, then in each such case, billing shall be for a single service in the manner set out elsewhere herein, except that the minimum bill shall be in the amount of $12.35 per month per dwelling unit served through the single water meter. In the case of mobile home courts, the number of dwelling units shall be computed and interpreted as the total number of mobile home spaces available for rent plus any other dwelling units served through a meter. A dwelling unit shall be interpreted as a room or rooms or any other space or spaces in which cooking facilities are provided.

(E) In the event a lot, parcel of real estate, or building discharging sanitary sewage, industrial wastes, water, or other liquids into the City's sanitary sewage system, either directly or indirectly, and uses water in excess of 10,000 gallons per month, and it can be shown to the satisfaction of the City that a portion of water as measured by the water meter or meters does not and cannot enter the sanitary sewage system, then the owner or other interested party shall, at his expense, install and maintain meters, weirs, volumetric measuring devices, or any adequate and approved method of measurement acceptable to the City for the determination of sewage discharge.

Section 5. In order that the rates and charges may be justly and equitably adjusted to the service rendered to users, the City shall base its charges not only on the volume, but also on the strength and character of the stronger-than-normal domestic sewage and wastes which it is required to treat and dispose of. The City shall require the user to determine the strength and content of all sewage and wastes discharged, either directly or indirectly into the sanitary sewage system, in such manner, by such method, and at such times as the City may deem practicable in light of the conditions and attending circumstances of the case, in order to determine the proper charge. The user shall furnish a central sampling point available to the City at all times.

(A) Normal sewage domestic waste strength should not exceed ammonia in excess of 20 milligrams per liter of fluid, suspended solids in excess of 200 milligrams per liter of fluid, or biochemical oxygen demand in excess of 200 milligrams per liter of fluid. Additional charges for treating stronger-than-normal domestic waste shall be made on the following basis:

(1) Rate Surcharge Based Upon Suspended Solids
There shall be an additional charge of 26 cents per pound of suspended solids for suspended solids received in excess of 200 milligrams per liter of fluid.

(2) Rate Surcharge Based Upon BOD
There shall be an additional charge of 26 cents per pound of biochemical oxygen demand for BOD received in excess of 200 milligrams per liter of fluid.

(3) Rate Surcharge Based Upon Ammonia
There shall be an additional charge of $1.05 per pound of ammonia received in excess of 20 milligrams per liter of fluid.

(B) The determination of Suspended Solids, Biochemical Oxygen Demand, and Ammonia contained in the waste shall be in accordance with the latest copy of "Standard Methods for the Elimination of Water, Sewage, and Industrial Wastes" as written by the American Public Health Association, the American Water Works Association, and the Water Pollution Control Federation, and in accordance with "Guidelines Establishing Test Procedures for Analysis of Pollutants", 40 CFR Part 136.

Section 6. Such rates and charges shall be prepared, billed, and collected by the City in the manner provided by law and ordinance.

(A) The rates and charges for all users shall be prepared and billed monthly. Annually, each user shall be notified of the portion of the total billing charged for operation, maintenance, and replacement for that user during the preceding year.

(B) The rates and charges may be billed to the tenant or tenants occupying the properties served, unless otherwise requested in writing by the owner, but such billing shall in no way relieve the owner from the liability in the event payment is not made as herein required.

The owners of properties served which are occupied by a tenant or tenants shall have the right to examine the collection records of the City for the purpose of determining whether bills have been paid by such tenant or tenants, provided that such examination shall be made at the office at which such records are kept and during the hours that such office is open for business.

(C) As is provided by statute, all rates and charges not paid by the 15th day following billing are hereby declared to be delinquent and a penalty of ten percent (10%) of the amount of the rates and charges shall thereupon attach hereto.

Section 7. In order that the rates and charges for sewage services may remain fair and equitable and be in proportion to the cost of providing services to the various users of user classes, the City shall cause a study to be made within a reasonable period of time following the first two years of operation, following the date on which this ordinance goes into effect. Such study shall include, but not be limited to, an analysis of the cost associated with the treatment of

excessive strength effluents from industrial users or user classes, the financial position of the sewage works, and the adequacy of its revenue to provide reasonable funds for the operation and maintenance, replacements, debt service requirements, and capital improvements to the wastewater treatment systems.

Thereafter, on a biennial basis, within a reasonable period of time following the normal accounting period, the City shall cause a similar study to be made for the purpose of reviewing this fairness, equity, and proportionality of the rates and charges conducted by officers or employees of the City or by a firm of certified public accountants, or a firm of consulting engineers, which firms shall have experience in such studies, or by such combination of officers, employees, certified public accountants, or engineers as the City shall determine to be best under the circumstances. The City shall, upon completion of said study, revise and adjust the rates and charges as necessary in accordance therewith in order to maintain the proportionality and sufficiency of the rates.

Section 8. The City may make and enforce such by-laws and regulations as may be deemed necessary for the safe, economical, and efficient management of the City's sewage system, pumping stations, and sewage treatment works, for the construction and use of house sewers and connections to the sewage treatment works, the sewage collection system, and for the regulation, collection, and rebating and refunding of such rates and charges. The City is hereby authorized to prohibit dumping of wastes into the City's sewage system which, in its discretion, are deemed harmful to the operation of the sewage treatment works of the City, or to require method affecting pretreatment of said wastes to comply with the pretreatment standards included in the NPDES Permit issued to the sewage works or as contained in the EPA General Pretreatment Regulation, 40 CFR Part 403 and any amendments thereto, or the City's Pretreatment Program Plan.

Section 9. The owner of any residential lot, parcel of real estate, or building connecting to the sewage works shall, prior to being permitted to make a connection, pay a connection charge in the amount of One Thousand Two Hundred Dollars ($1,200) for each connection. The Council, acting as Utility Board, now finds such a connection charge to be reasonable and equitable pro rata cost of construction of a local or lateral sewer adequate to serve the property so connecting and the cost of providing a connection to the sewer, excavation, backfilling, pavement replacement, and installation of a sewer line from the sewer to the property line. All commercial, institutional, governmental, and industrial users will be charged actual time and material for the installation of a sewage tap, with the minimum fee being One Thousand Two Hundred Dollars ($1,200). The Utility Board now finds that such a method of charging said users is just and reasonable, as this class of users often times has unique requirements not found with residential taps that result in greater overall cost to construct and connect the tap. Provided, however, no connection charge will be required of any customer connecting to a local or lateral sewer within 180 days of the date on which said sewer was available for connection. Connection charges will be imposed on any connection and on all connections made to future extensions of the system.

Section 10. That the rules and regulations promulgated by the City, after approval by the Utility Board shall, among other things, provide for an appeal procedure whereby a user shall have the right to appeal a decision of the administrator of the sewage system and user charge system to the Utility Board, and that any decision concerning the sewage system or user charges

of the Utility Board may be appealed to the circuit court of the county under appeal procedures provided for in the Indiana Administrative Adjudication Act.

Section 11. The invalidity of any section, clause, sentence, or provision of this ordinance shall not affect the validity of any other part of this ordinance which shall be given effect without such invalid part or parts.

Section 12. The Board is hereby further authorized to enter into special rate contracts with customers of the sewage works where clearly definable reduction in cost to the sewage works can be determined, and such reduction shall be limited to such reduced costs.

Section 13. The rates and charges as herein set forth shall become effective on the first full billing period occurring after the adoption of this ordinance.

Section 14. Any person who believes himself aggrieved through the enforcement of this ordinance has the right to seek administrative relief before the City.

Section 15. This ordinance shall be in full force and effect from and after its passage, approval, recording, and publication as provided by law.

PASSED AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF RENSSELAER, INDIANA, ON THE _____ DAY OF _____, 2011.

AYE	NAY
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
Council Member	Council Member

ATTEST:
Presented by me to the Mayor of the City of Rensselaer, Indiana, on the _____ day of _____, 2011, at _____ o'clock p.m.

_____
Frieda Bretzinger, Clerk-Treasurer

Approved by me this _____ day of _____, 2011.

_____
Herbert H. Arihood, Mayor
City of Rensselaer

Appendix E

City of Rensselaer Construction Permits February 25, 2009

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

Mitchell E. Daniels, Jr.
Governor

Thomas W. Easterly
Commissioner

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

February 25, 2009

VIA CERTIFIED MAIL 7002 0510 0003 0022 0718
7002 0510 0003 0022 0534-mailed 3/5/09

Mr. Mike Murphy, WWTP Superintendent
City of Rensselaer
1750 West Daugherty Road
Rensselaer, Indiana 47978

Dear Mr. Murphy:

Re: 327 IAC 3 Construction
Permit Application
Plans and Specifications for
City of Rensselaer Wastewater Treatment
Plant Improvements/Expansion
SRF Loan No. WW07083701
Rensselaer, Indiana
Jasper County

The application, plans and specifications, and supporting documents for the above-referenced project have been reviewed and processed in accordance with rules adopted under 327 IAC 3. Enclosed is the Construction Permit (Approval No. L-0290), which applies to the construction of the above-referenced proposed water pollution treatment/control facility to be located at 1750 West Daugherty Road, Rensselaer, Indiana.

Please review the enclosed permit carefully and become familiar with its terms and conditions. In addition, it is imperative that the applicant, consulting architect/engineer (A/E), inspector, and contractor are aware of these terms, conditions, and reporting and testing requirements. You will note the Attachment 1 to the permit must be signed and returned by the authorized official for the project applicant as named on Attachment 1. (We do not need signed copies from other persons receiving copies of this permit).

It should be noted that any person affected or aggrieved by the agency's decision in authorizing the construction of the above-referenced facility may, within fifteen (15) days from date of mailing, appeal by filing a request with the Office of Environmental Adjudication for an adjudicatory hearing in accordance with IC 4-21.5-3-7 and IC 13-15-6. The procedure for appeal is outlined in more detail in Part III of the attached construction permit.

The approval applies to the technical and operational acceptability of the submitted plans

The approval applies to the technical and operational acceptability of the submitted plans and does not imply that the entire project is eligible for SRF financing or that funds are available.

Plans and specifications were prepared by HNTB Corporation, certified by Mr. Guido J. Borgnini, P.E., and submitted for review on December 15, 2008, with additional information submitted on February 2, February 9, and February 10, 2009.

Any technical/engineering questions concerning this permit may be addressed to Mr. Dharmendra Parikshak of our staff, at 317/232-8660. Questions concerning appeal procedures should be addressed to the Office of Environmental Adjudication, at 317/232-8591.

Sincerely,

Dale T. Schnaith, Chief
Facility Construction and Engineering
Support Section
Office of Water Quality

DDP/pb
Project No. SRF-0316
Enclosures
cc: Jasper County Health Department
Jasper County Commissioner
Jerry Dittmer, IDEM
Cyndi Wagner, IDEM
Mr. Guido J. Borgnini, HNTB Corporation
Ruth L. Kanne
Cynthia Ann Wright
Ronald W. & Judith C. Gelcott
Remington Farms
St. Joseph College

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
AUTHORIZATION FOR CONSTRUCTION OF
WATER POLLUTION TREATMENT/CONTROL FACILITY
UNDER 327 IAC 3

DECISION OF APPROVAL

City of Rensselaer, in accordance with the provisions of IC 13-15 and 327 IAC Article 3 is hereby issued a permit to construct the water pollution treatment/control facility to be located at 1750 West Daugherty Road, Rensselaer, Indiana. The permittee is required to comply with requirements set forth in Parts I, II and III hereof. The permit is effective pursuant to IC 4-21.5-3-4(d). If a petition for review and a petition for stay of effectiveness are filed pursuant to IC 13-15-6, an Environmental Law Judge may be appointed for an adjudicatory hearing. The force and effect of any contested permit provision may be stayed at that time.

NOTICE OF EXPIRATION DATE

This permit and the authorization to initiate construction of this pollution treatment/control facility shall expire at midnight April 1, 2010. In order to receive authorization to begin construction beyond the date of expiration, the permittee shall submit such information and forms as are required by the Indiana Department of Environmental management at least sixty (60) days prior to the expiration date.

Signed this 25th day of February, 20 09 for the Indiana Department of Environmental Management.

Dale T. Schnaith, Chief
Facility Construction and
Engineering Support Section
Office of Water Quality

WATER POLLUTION TREATMENT/CONTROL FACILITY DESCRIPTION

Rensselaer currently operates a 1.17 mgd Biolac®-type extended aeration treatment plant with a bar screen, an aerated grit chamber, two earthen extended aeration activated sludge basins (Biolac®-type), four integral clarifiers (two in each basin), a chlorine contact tank, a dechlorination tank and a post aeration tank. Sludge handling facilities include a gravity sludge thickener, two aerobic digester/holding tanks and a sludge storage lagoon.

The WWTP improvements are needed to increase average and peak treatment capacities to accommodate future growth, to replace 20-year old equipment and to increase wet weather treatment capability.

The proposed WWTP expansion/improvements include:

- New headworks building with screening and grit removal facilities and electrical room
- New vactor truck and septage receiving stations
- New Aeration tank baffles and piping modifications for use of both Biolac® basins
- Replacement of floating chains, aeration diffusers, piping valves and cables in both Biolac® basins
- Replacement of existing aeration blowers, piping, valves etc. in the blower room
- New clarifier weirs, return sludge air lift pumps and blowers
- New return sludge piping, metering structure and flow splitter structure
- Modification of the existing chlorine contact tank to accommodate new ultraviolet (UV) disinfection
- New effluent weir and flow meter in place of parshall flume
- Conversion of an existing dechlorination tank to expand reaeration tank capacity
- New yard piping, process piping and HVAC system
- Upgrading/replacement of the plant electrical system
- Upgrading/replacement of the plant instrumentation and control/alarm systems
- New plant water system and automatic sampler
- Replacement of submersible pumps, piping, valves etc. in the existing plant drain pump station

The proposed improvements would expand the WWTP average design capacity to 1.6 mgd and peak design capacity to 4.0 mgd. The City will continue its current practice of land application of digested sludge.

CONDITIONS AND LIMITATIONS TO THE AUTHORIZATION FOR CONSTRUCTION OF WATER POLLUTION TREATMENT/CONTROL FACILITY

During the period beginning on the effective date of this permit and extending until the expiration date, the permittee is authorized to construct the above described water pollution treatment/control facility. Such construction shall conform to all provisions of State Rule 327 IAC 3 and the following specific provisions:

PART I

SPECIFIC CONDITIONS AND LIMITATIONS TO THE CONSTRUCTION PERMIT

Unless specific authorization is otherwise provided under the permit, the permittee shall comply with the following conditions:

1. Additional treatment facilities shall be installed if the proposed facilities prove to be inadequate or cannot meet applicable federal or state standards.

2. All local permits, including zoning, shall be obtained before construction is begun on this project.

3. Roof drains, foundation drains, and other clean water connections to the sanitary sewer shall be prohibited by enforcement of legally adopted rules regulating the use of sanitary sewers.

4. As-built plans shall be submitted to this office pursuant to 327 IAC 3-3-1.

5. After construction, this agency shall be given advance notice of the start-up of the facilities.

6. If pollution or nuisance conditions are created, immediate corrective action will be taken by the permittee.

7. If construction is located within a designated floodway, a permit may also be required from the Department of Natural Resources prior to start of construction. It is the permittee's responsibility to coordinate with that agency and obtain any required approvals if applicable. Questions may be directed to the Technical Services Section, Division of Water at 317/232-4160.

8. If this project includes a change in design flow, addition of new treatment unit(s), or modification/removal of existing treatment unit(s), an NPDES Permit modification will likely be required. This would include any CSO treatment addition/modification. Questions may be directed to the NPDES Permit Section,

Office of Water Quality at 317/233-0469

9. After construction and before start up of the sewage treatment facilities, the Commissioner shall be notified of the date of start up and the name of the properly certified operator in responsible charge.

10. City of Rensselaer must submit an application for a National Pollutant Discharge Elimination System permit at least 180 days in advance of any discharge.

11. The sewage treatment plant must be capable of providing the same degree of treatment during construction as prior to expansion of the existing facilities. If this is not feasible, the plans for reduced degree of treatment must be submitted to the Department of Environmental Management for consideration of approval.

12. Plans and specifications for construction of buildings must be submitted to the Department of Fire and Building Services for consideration of approval.

13. Additional treatment facilities will be installed if the proposed facilities fail to provide adequate control or if necessary for compliance with more stringent Federal or State standards or requirements promulgated subsequent to the date of this approval.

14. All gravity sewer pipe must be leak tested using either a hydrostatic test or air test in accordance with 327 IAC 3-6-19(d). If using a hydrostatic test, the rate of exfiltration or infiltration shall not exceed 200 gallons per inch of pipe diameter per linear mile per day. Air tests shall be as prescribed.

15. The results of the gravity sewer leakage test and/or force main leakage test on the completed sewer must be submitted to this office within three months of completion of construction.

Failure to submit test results within the allotted time period or failure to meet guidelines as set forth in the above conditions could be subject to enforcement proceedings as provided by 327 IAC 3-5-3.

This construction permit shall be considered void if Attachment 1 to this letter is not signed by the permittee on the space provided affirming that all conditions are expressly agreed to and will be complied with fully, and returned to the undersigned by certified mail within 30 days of the date of this letter.

PART II

GENERAL CONDITIONS

1. No significant or material changes in the scope of the plans or construction of this project shall be made unless the following provisions are met:

   a. Request for permit modification is made 60 days in advance of the proposed significant or material changes in the scope of the plans or construction;

   b. Submit a detailed statement of such proposed changes;

   c. Submit revised plans and specifications including a revised design summary; and

   d. Obtain a revised construction permit form this agency.

2. This permit may be modified, suspended, or revoked for cause including, but not limited to the following:

   a. Violation of any term or conditions of this permit;

   b. Obtaining this permit by misrepresentation or failure to disclose fully all relevant facts.

3. Nothing herein shall be construed as guaranteeing that the proposed water pollution treatment/control facility shall meet standards, limitations or requirements of this or any other agency of state or federal government, as this agency has no direct control over the actual construction and/or operation of the proposed project.

PART III

APPEALS PROCEDURE

Anyone wishing to challenge this agency's decision for authorizing the construction of this facility may do so, provided that a petition for administrative review is filed as required by IC 4-21.5-3-7. The petition must be submitted within fifteen (15) days of the date of mailing of this permit notification. The petition must include facts demonstrating that you are either the applicant, a person aggrieved or adversely affected by this decision, or otherwise entitled to review by law. Additionally, IC 13-15-6-2 requires that your petition include:

1. The name and address of the person making the request;

2. The interest of the person making the request;

3. Identification of any persons represented by the person making the request;

4. The reasons, with particularity, for the request;

5. The issues, with particularity, proposed for consideration at the hearing; and

6. Identification of the permit terms and conditions which, in the judgement of the person making the request, would be appropriate in the case in question to satisfy the requirements of the law governing permits of the type granted or denied by the Assistant Commissioner's action.

7. Pursuant to IC 4-21.5-3-1(f), any document serving as a petition for review or review and stay must be filed with the Office of Environmental Adjudication. Filing of such a document is complete on the earliest of the following dates:

    a. The date on which the petition is delivered to the Office of Environmental Adjudication, Indiana Government Center North, 100 North Senate Avenue, Room N501E, Indianapolis, Indiana 46204;

    b. The date of the postmark on the envelope containing the petition, if the petition is mailed by United States mail; or

    c. The date on which the petition is deposited with a private carrier, as shown by a receipt issued by the carrier, if the petition is sent by private carrier.

ATTACHMENT 1

I hereby certify that I have received Construction Permit No. L-0290 issued February 25, 2009, for Project No. SRF-0316, and expressly agree to comply fully with all conditions contained therein.

_____
Signature of Authorized Official

Mr. Mike Murphy, WWTP Superintendent
City of Rensselaer

Please sign and return this attachment via certified mail to the Indiana Department of Environmental Management, Attention: Office of Water Quality, Facility Construction Section, Mail Code 65-42, 100 North Senate Avenue, Room N1255, Indianapolis, Indiana 46204-2251. Return only this page. Only the authorized official needs to sign and return this letter.

Checklist for Construction Project
Design Summary

I. GENERAL

1. Applicant: City of Rensselaer, Jasper County

2. Project Name and Location: Wastewater Treatment Plant Improvements

3. Project Number: SRF-0316

4. Engineer (Consultant): HNTB Corporation

5. NPDES Permit Number: IN0024414

   A. Date of Final Permit Issuance: April 08, 2005

   B. Expiration Date: April 30, 2010

6. Remarks:

   A. Description of Present Situation: Rensselaer currently operates a 1.17 MGD Biolac®-type extended aeration treatment plant with a bar screen, an aerated grit chamber, two earthen extended aeration activated sludge basins (Biolac® type), four integral clarifiers (two in each basin), a chlorine contact tank, a dechlorination tank and a post aeration tank. Sludge handling facilities include a gravity sludge thickener, two aerobic digester/holding tanks and a sludge storage lagoon.

   The WWTP improvements are needed to increase average and peak treatment capacities to accommodate future growth, to replace 20-year old equipment and to increase wet weather treatment capability.

   B. Description of Proposed Facilities: The proposed wastewater treatment plant improvements include the following:

   - New headworks building with screening and grit removal facilities and electrical room
   - New vactor truck and septage receiving stations
   - New Aeration tank baffles and piping modifications for use of both Biolac® basins
   - Replacement of floating chains, aeration diffusers, piping, valves and cables
   - Replacement of existing aeration blowers, piping, valves etc. in the blower room

- New clarifier weirs, return sludge air lift pumps and blowers
- New return sludge piping, metering structure and flow splitter structure
- Modification of the existing chlorine contact tank to accommodate new ultraviolet (UV) disinfection
- New effluent weir and flow meter in place of parshall flume
- Conversion of an existing dechlorination tank to expand reaeration tank capacity
- New yard piping, process piping and HVAC system
- Upgrading/replacement of the plant electrical system
- Upgrading/replacement of the plant instrumentation and control/alarm systems
- New plant water system and automatic sampler
- Replacement of submersible pumps, piping, valves etc. in the existing plant drain pump station

The proposed improvements would expand the WWTP average design capacity to 1.6 mgd and peak design capacity to 4.0 mgd. The City will continue its current practice of land application of digested sludge.

7. Estimated Project Cost:

   A. Total Cost: $5,000,000

   B. SRF Request: $5,000,000

II. DESIGN DATA

1. Current Population: 6,260

2. Design Year and Population: year 2028 and 8,060

3. Design P.E: 7,965 (based on 1,354 lbs per day BOD5/0.17 lbs. per capita)

4. Design Flow: 1.6 MGD

   A. Domestic: 0.54 MGD

   B. Industrial/Commercial: 0.44 MGD

   C. Infiltration/Inflow: 0.62 MGD

5. Average Design Peak Flow: 4.0 MGD

6. Maximum Plant Flow Capacity: 4.0 MGD

7. Design Waste Strength

   A. CBOD: 101.5 mg/l (1,354 lbs/day)

   B. TSS: 132.9 mg/l (1,773 lbs/day)

   C. NH_3-N: 14.5 mg/l (193 lbs/day)

8. NPDES Permit Limitation on Effluent Quality:

   A. CBOD: 25 mg/l

   B. TSS: 30 mg/l

   C. NH_3-N: 2.4 mg/l (summer), 3.6 mg/l (winter)

   D. E. coli: 235 count/100 ml (daily maximum)
      125 count/100 ml (monthly average)

   E. pH: 6.0 – 9.0 s.u.

   F. D.O. (daily maximum): 6.0 mg/l (summer), 5.0 mg/l (winter)

   G. Mercury: Report

9. Receiving Stream:

   A. Name: Iroquois River

   B. Tributary to: Wabash River

   C. Stream Uses: Full Body Contact Recreational Use and Warm Water Aquatic Life

   D. 7-day, 1-in-10 year low flow: 6.3 CFS

III. TREATMENT UNITS

Influent Flow Meter (New)

1. Type: Ultrasonic Open Channel Flow Meter

2. Location: In the grit tank upstream of the effluent channel

3. Indicating, recording and totalizing: Yes

Effluent Flow Meter (New, replace existing)

1. Type: Ultrasonic Open Channel Flow Meter
2. Location: After UV disinfection
3. Indicating, recording and totalizing: Yes

RAS Flow Meter (New)

1. Type: Magnetic Meter
2. Location: On 18-inch RAS piping
3. Indicating, recording and totalizing: Yes

WAS Flow Meter (Existing)

1. Type: Clamp-on Doppler Meter
2. Location: In the manhole on a WAS pipe to Gravity Thickener
3. Indicating, recording and totalizing: Yes

Screens (New)

1. Type: Cylindrical Fine Screen
2. Number and capacity: One @ 4.0 MGD
3. Bar spacing and slope: ¼ inch and 35 degree
4. Method of cleaning: Automatic Mechanical Cleaning
5. Disposal of screenings: To dumpster for landfill disposal

Grit Chamber (New, replace existing)

1. Type of grit chamber: Aerated tank
2. Number of units: One
3. Size of unit: 24' L x 4' W x 12' SWD (V-shape)
4. Method of aeration control: Manual
5. Aeration in the chamber: Two, 17 SCFM blowers
6. Drain provided: No, portable pump will be used to drain
7. Flow restrictions: None
8. Facilities to isolate: Stop gates and bypass piping
9. Disposal of Grit: Washed and dewatered grit to landfill

Activated Sludge (Existing Rehabilitated and Modified)

1. Type of activated sludge process: Earthen Basin Extended Aeration (Biolac®) with new aeration baffle walls to reduce active portion volume
2. Number and size of units: Two, 126,349 cu.ft. each (active portion 78,331 cu.ft. each)
3. Detention time (hrs): 17.55 hrs. @ 1.6 MGD average (active portion only), 28.35 hrs. @ 1.6 MGD average (based on the entire volume of both basins)
4. Organic loading (lb BOD /1000 cf): 5.4 lbs BOD/1000 cu.ft. average (based on the entire volume of both basins)
5. Type of aeration equipment: Fine bubble independently floated submerged diffusers (new), 189 diffusers (135 in active portion) in each basin (based on number of aeration head assemblies times number of air diffuser assemblies times number of air diffusers)
6. Type and size of blowers: Four, 964 SCFM each
7. Air required (itemize, cfm): Biolac (1,239 SCFM average, 2,292 SCFM peak)
8. Provisions for speed adjustment: No, Manual

9. Air provided: 2,892 SCFM with three blowers (includes air required for re-aeration tanks)

10. Ventilation in the blower room: Yes, existing

11. Number and capacity of return sludge pump: Four, 492 gpm each

12. Method of return sludge rate control: Air flow throttling (Three, 240 SCFM blowers each, for air lift)

13. Return sludge rate as % of design flow: 44% to more than 150%

14. Provisions for return rate metering: Yes, Magnetic meter

15. Location of return sludge discharge: Existing flow splitter structure to aeration basins

16. Facilities to isolate units: Yes, existing

17. Facilities for flow split control: Yes, existing

18. Groundwater Protection: Existing HDPE liner

Nitrification System (Existing Rehabilitated and Modified)

1. Type of nitrification system: Earthen Basin Extended Aeration (Biolac®) with new aeration baffle walls to reduce active portion volume

2. Ammonia loading: 193 lbs/day

3. Additional oxygen demand: 888 lbs O2/day

4. Air supply system: Fine bubble independently floated submerged diffusers (See Activated Sludge Section)

5. Hydraulic detention time: See Activated Sludge Section

6. Mean cell residence time (days): 23.5 days @ 1500 mg/l MLSS (based on the entire volume of both basins)

Secondary Clarifiers (Existing Modified)

1. Type of clarifiers: Integral in aeration basins
2. Number and size of units: Four, 40' x 19' x 12' SWD
3. Surface settling rate (gpd/SF):
   a. at the design flow: 526.3 gpd/SF
   b. at the peak flow rate: 1,316 gpd/SF
4. Detention time (hrs): 5.1 hrs @ 1.6 MGD (average)
   2.0 hrs @ 4.0 MGD (peak)
5. Type of sludge removal mechanism: Suction pipe
6. Weir overflow rate: 13,333 gpd/LF @ 1.6 MGD (average)
   33,333 gpd/LF @ 4.0 MGD peak
7. Disposal of scum: Manually removed from clarifiers
8. Facilities for unit isolation: Yes, existing
9. Facilities for flow split control: Yes, existing

UV Disinfection (New, Replace Chlorination/Dechlorination)

1. Type: Open Channel
2. Location: UV channel in modified chlorine contact tank
3. Size of channel: Two, 6' L x 16" W x 32" SWD (319 gallons total)
4. Contact time: 7 (seven) seconds @ 4.0 MGD
5. Dosage: 39,500 microwatts-sec/ cm2
6. Bypass: Bypass piping provided
7. Safety equipment: Yes, safety goggles
8. Cleaning equipment: Yes, self cleaning wipers
9. Intensity monitoring: Yes

Post-aeration (Existing plus additional capacity in the converted dechlorination tank)

1. Type of aeration: Diffused aeration (29 existing and 8 new diffusers @ 2.2 SCFM/diffuser)

2. Number of units: Two tanks, one existing and one converted tank

3. Size of units: Existing tank (24' L x 12' W x 10.52' SWD or 22,663 gallons) and a converted tank (13.5' L x 6' W x 10.52' SWD or 6,374 gallons)

4. Aeration provided: 81.4 SCFM

5. Expected effluent D.O.: 6 mg/l

Gravity Sludge Thickening (Existing)

1. Number and size of thickeners: One, 20' diameter (314 SF surface area) and 10' SWD

2. Type of sludge thickeners: Gravity (Mechanical)

3. Hydraulic loading: 1.85 gal/SF/hr based on 0.5% solids in WAS

4. Solids loading: 1.85 lbs/SF/day

5. Provisions to chlorinate: No

Aerobic Digesters (Existing)

1. Number and size of units: Two, 36' L x 36' W and 12' SWD each, 31,104 cu.ft. or 232,658 gallons combined volume

2. Detention time: 66.7 days based on 2% solids

3. Organic loading: 0.02 lbs VSS/cu.ft./day

4. Air supply: Two, submersible mechanical aerators (one in each tank)
   2.2 lbs O2/hp-hr

5. Decanting method: Telescoping Valve

Sludge Holding Basin (Existing)

1. Number and size: One, 235' L by 110' W @ grade (187' L by 62' W @ the bottom) with 6' SWD

2. Holding Time: > 90 days

3. Groundwater Protection: Existing HDPE liner

Sludge Disposal (Existing)

1. Ultimate disposal method of sludge: Land Application

2. Expected solids content of sludge (by the principal method of disposal): 3%-5%

3. Location of disposal site: Farmland adjacent to WWTP (Jasper County, Marion Township, T28N, R7W, Sections 01 and 02)

4. Ownership of the disposal site: Mr. John Overbeck

5. Availability of sludge transport equipment: Existing

Plant Drain Pump Station (Replace Existing Pumps)

1. Type of pump: Submersible, non-clog

2. Number of pumps: Two

3. Constant or variable speed: Constant

4. Capacity of pumps: 210 gpm @ 22' TDH (3 HP)

5. RPM: 3,520

7. Volume of the wet well: Existing

8. Detention time in the wet well: variable

9. A plug valve and a check valve in the discharge line: Yes

10. A gate valve on suction line: No

11. Ventilation: No

12. Standby power: Yes

13. Alarm: No

14. Bypass or overflow: No

IV. MISCELLANEOUS

A. Laboratory equipment: Existing on-site laboratory

B. Safety equipment: Yes

C. Plant site fence: Existing fence

D. Handrail for the tanks: Yes

E. Units, unit operation, and plant bypasses: Yes

F. Flood elevation (10, 25, or 100 year flood): 25-year flood elevation @ 649.5

G. Provisions to maintain the same degree of treatment during construction: Yes

H. Standby power equipment: Existing on-site emergency generator

I. Site inspection: Yes, HNTB Corporation and the City

J. Statement in the specifications as to the protection against any adverse environmental effect (e.g., dust. noise, soil erosion) during construction: Yes

K. Hoists for removing heavy equipment: Yes

L. Adequate sampling facilities: Yes

M. Hydraulic Gradient: Yes

N. Septage receiving facilities

1. Screening: Yes
2. Location of discharge: Plant drain pump station

P. Structural work proposed on buildings (including rehab): New Headworks Building

DDP

SRF. 0316
2/25/09

ATTACHMENT 1

I hereby certify that I have received Construction Permit No. L-0290 issued February 25, 2009, for Project No. SRF-0316, and expressly agree to comply fully with all conditions contained therein.

Signature of Authorized Official

Mr. Mike Murphy, WWTP Superintendent
City of Rensselaer

Please sign and return this attachment via certified mail to the Indiana Department of Environmental Management, Attention: Office of Water Quality, Facility Construction Section, Mail Code 65-42, 100 North Senate Avenue, Room N1255, Indianapolis, Indiana 46204-2251. Return only this page. Only the authorized official needs to sign and return this letter.

Appendix F

City of Rensselaer Construction Permits April 29, 2015

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

Michael R. Pence
Governor

Thomas W. Easterly
Commissioner

April 29, 2015

VIA CERTIFIED MAIL 91 7190 0005 2710 0040 1120

Mr. Jerry Lockridge, Project Coordinator
City of Rensselaer
820 East Walnut Street
Rensselaer, Indiana 47978

Dear Mr. Lockridge:

Re: 327 IAC 3 Construction
Permit Application
Plans and Specifications for
Rensselaer New Wet Weather
Treatment Facilities Project
Permit Approval No. 21339
Rensselaer, Indiana
Jasper County

The application, plans and specifications, and supporting documents for the above-referenced project have been reviewed and processed in accordance with rules adopted under 327 IAC 3. Enclosed is the Construction Permit (Approval No. 21339), which applies to the construction of the above-referenced proposed water pollution treatment/control facility to be located on the south side of Lincoln Street between Elza Street and Jefferson Street in Rensselaer, Indiana.

Please review the enclosed permit carefully and become familiar with its terms and conditions. In addition, it is imperative that the applicant, consulting architect/engineer (A/E), inspector, and contractor are aware of these terms and conditions.

It should be noted that any person affected or aggrieved by the agency's decision in authorizing the construction of the above-referenced facility may, within fifteen (15) days from date of mailing, appeal by filing a request with the Office of Environmental Adjudication for an adjudicatory hearing in accordance with IC 4-21.5-3-7 and IC 13-15-6. The procedure for appeal is outlined in more detail in Part III of the attached construction permit.

Plans and specifications were prepared by Commonwealth Engineers, Inc., and certified by Joshua L. Harner, P.E., and submitted for review on March 19, 2015, with additional information submitted on March 31, 2015.

Any questions concerning this permit may be addressed to Kevin D. Czerniakowski, P.E., of our staff, at 317/234-8226. Questions concerning appeal procedures should be addressed to the Office of Environmental Adjudication, at 317/232-8591.

Sincerely,

Dale T. Schnaith, Chief
Facility Construction and
Engineering Support Section
Office of Water Quality

Project No. P-21861
Enclosures
cc: Jasper County Health Department
Jasper County Commissioner
Commonwealth Engineers, Inc.
Marty Blake, INDOT
Jack Delaney, Chicago Airports District Office

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
AUTHORIZATION FOR CONSTRUCTION OF
WATER POLLUTION TREATMENT/CONTROL FACILITY
UNDER 327 IAC 3

DECISION OF APPROVAL

The City of Rensselaer, in accordance with the provisions of IC 13-15 and 327 IAC 3 is hereby issued a permit to construct the water pollution treatment/control facility to be located on the south side of Lincoln Street between Elza Street and Jefferson Street in Rensselaer, Indiana. The permittee is required to comply with requirements set forth in Parts I, II and III hereof. The permit is effective pursuant to IC 4-21.5-3-4(d). If a petition for review and a petition for stay of effectiveness are filed pursuant to IC 13-15-6, an Environmental Law Judge may be appointed for an adjudicatory hearing. The force and effect of any contested permit provision may be stayed at that time.

NOTICE OF EXPIRATION DATE

Authorization to initiate construction of this pollution treatment/control facility shall expire at midnight June 1, 2016. In order to receive authorization to initiate construction beyond this date, the permittee shall submit such information and forms as required by the Indiana Department of Environmental Management. It is requested that this information be submitted sixty (60) days prior to the expiration date to initiate construction. This permit shall be valid for a period of five (5) years from the date below for full construction completion.

Signed this _____ day of _____, 20___, for the Indiana Department of Environmental Management.

Dale T. Schnaith, Chief
Facility Construction and
Engineering Support Section
Office of Water Quality

WATER POLLUTION TREATMENT/CONTROL FACILITY DESCRIPTION

The City of Rensselaer currently operates a 1.6 MGD average design capacity and 4.0 MGD peak design capacity extended aeration wastewater treatment plant (WWTP). Flow is conveyed to the WWTP via the Main Lift Station with a peak design pumping capacity of 4.0 MGD. Combined Sewer Overflows are located upstream of the Main Lift Station to provide relief for Rensselaer's combined sewer system.

It is proposed to construct a new 23.5 MGD wet weather treatment facility to capture and treat wet weather flow at CSO 019. The wet weather treatment facility will include an influent structure with mechanical screening and wet weather pump station, two (2) vortex separator wet weather treatment systems, and chlorination/dechlorination prior to discharge.

CONDITIONS AND LIMITATIONS TO THE AUTHORIZATION FOR CONSTRUCTION OF WATER POLLUTION TREATMENT/CONTROL FACILITY

During the period beginning on the effective date of this permit and extending until the expiration date, the permittee is authorized to construct the above described water pollution treatment/control facility. Such construction shall conform to all provisions of State Rule 327 IAC 3 and the following specific provisions:

PART I

SPECIFIC CONDITIONS AND LIMITATIONS TO THE CONSTRUCTION PERMIT

Unless specific authorization is otherwise provided under the permit, the permittee shall comply with the following conditions:

1. All local permits shall be obtained before construction is begun on this project.

2. If pollution or nuisance conditions are created, immediate corrective action will be taken by the permittee.

3. Additional treatment facilities shall be installed if the proposed facilities prove to be inadequate or cannot meet applicable federal or state requirements.

4. If construction is located within a floodway, a permit may also be required from The Department of Natural Resources prior to the start of construction. It is the permittee's responsibility to coordinate with that agency and obtain any required approvals if applicable. Questions may be directed to the Technical Services Section, Division of Water at 317/232-4160.

5. If this project includes a change in design flow, addition of new treatment unit(s), or modification/removal of existing treatment unit(s), an NPDES Permit modification will likely be required. This would include any CSO treatment addition/modification. Questions may be directed to the NPDES Permit Section, Office of Water Quality at 317/233-0469.

6. After construction and before start up of the sewage treatment facilities, the Commissioner shall be notified of the date of start up and the name of the properly certified operator in responsible charge.

Failure to meet guidelines as set forth in the above conditions could be subject to enforcement proceedings as provided by 327 IAC 3-5-3.

PART II

GENERAL CONDITIONS

1. No significant or material changes in the scope of the plans or construction of this project shall be made unless the following provisions are met:

   a. Request for permit modification is made 60 days in advance of the proposed significant or material changes in the scope of the plans or construction;

   b. Submit a detailed statement of such proposed changes;

   c. Submit revised plans and specifications including a revised design summary; and

   d. Obtain a revised construction permit from this agency.

2. This permit may be modified, suspended, or revoked for cause including, but not limited to the following:

   a. Violation of any term or conditions of this permit;

   b. Obtaining this permit by misrepresentation or failure to disclose fully all relevant facts.

3. Nothing herein shall be construed as guaranteeing that the proposed water pollution treatment/control facility shall meet standards, limitations or requirements of this or any other agency of state or federal government, as this agency has no direct control over the actual construction and/or operation of the proposed project.

PART III

APPEALS PROCEDURE

Anyone wishing to challenge this agency's decision for authorizing the construction of this facility may do so, provided that a petition for administrative review is filed as required by IC 4-21.5-3-7. The petition must be submitted within fifteen (15) days of the date of mailing of this permit notification. The petition must include facts demonstrating that you are either the applicant, a person aggrieved or adversely affected by this decision, or otherwise entitled to review by law. Additionally, IC 13-15-6-2 requires that your petition include:

1. The name and address of the person making the request;

2. The interest of the person making the request;

3. Identification of any persons represented by the person making the request;

4. The reasons, with particularity, for the request;

5. The issues, with particularity, proposed for consideration at the hearing; and

6. Identification of the permit terms and conditions which, in the judgment of the person making the request, would be appropriate in the case in question to satisfy the requirements of the law governing permits of the type granted or denied by the Assistant Commissioner's action.

7. Pursuant to IC 4-21.5-3-1(f), any document serving as a petition for review or review and stay must be filed with the Office of Environmental Adjudication. Filing of such a document is complete on the earliest of the following dates:

    a. The date on which the petition is delivered to the Office of Environmental Adjudication, Indiana Government Center North, 100 North Senate Avenue, Room 501, Indianapolis, Indiana 46204;

    b. The date of the postmark on the envelope containing the petition, if the petition is mailed by United States mail; or

    c. The date on which the petition is deposited with a private carrier, as shown by a receipt issued by the carrier, if the petition is sent by private carrier.

Design Summary for
Wastewater Treatment Facility Construction Permit

I. GENERAL

1. Applicant: City of Rensselaer
2. Project Name and Location: New Wet Weather Treatment Facilities Project
3. Project Number: P-21861
4. Engineer (Consultant): Commonwealth Engineers, Inc.
5. NPDES Permit Number: IN0024414
   A. Permit Effective Date: May 1, 2015
   B. Permit Expiration Date: April 30, 2020
6. Remarks:
   A. Description of Present Situation: The City of Rensselaer currently operates a 1.6 MGD average design capacity and 4.0 MGD peak design capacity extended aeration wastewater treatment plant (WWTP). Flow is conveyed to the WWTP via the Main Lift Station with a peak design pumping capacity of 4.0 MGD. Combined Sewer Overflows are located upstream of the Main Lift Station to provide relief for Rensselaer's combined sewer system.
   B. Description of Proposed Facilities: It is proposed to construct a new 23.5 MGD wet weather treatment facility to capture and treat wet weather flow at CSO 019. The wet weather treatment facility will include an influent structure with mechanical screening and wet weather pump station, two (2) vortex separator wet weather treatment systems, and chlorination/dechlorination prior to discharge.
7. Estimated Project Cost: $7,000,000

II. DESIGN DATA

1. Current Population: 5,859 (as of 2010)
2. Design Year and Population: Population 8,060 in year 2028
3. WWTP Design P.E.: 7,967 (based on 0.17 lb BOD/capita)
4. WWTP Design Flow: 1.6 MGD
   A. Domestic: 0.54 MGD
   B. Industrial/Commercial: 0.44 MGD
   C. Infiltration/Inflow: 0.62 MGD
5. WWTP Average Design Peak Flow: 4.0 MGD
6. WWTP Maximum Plant Flow Capacity: 4.0 MGD

7. WWTP Design Waste Strength
   A. CBOD: 101.5 mg/l
   B. TSS: 132.9 mg/l
   C. NH_3-N: 14.5 mg/l

8. NPDES Permit Limitation on WWTP Effluent Quality:
   A. CBOD: 25 mg/l
   B. TSS: 30 mg/l
   C. NH_3-N: 2.4 mg/l (Summer); 3.6 mg/l (Winter)
   D. pH: 6 to 9 s.u.
   E. D.O.: 6.0 mg/l minimum (Summer), 5.0 mg/l minimum (Winter)
   F. *E. coli*: 235 colonies/100ml (daily maximum)
      125 colonies/100 ml (monthly average)

9. NPDES Permit Limitation on Wet Weather Treatment:
   A. CBOD: Report
   B. TSS: Report
   C. NH_3-N: Report
   D. pH: Report
   E. D.O.: Report
   F. *E. coli*: 235 colonies/100ml (daily maximum)
      125 colonies/100 ml (monthly average)
   G. Chlorine Residual: 0.02 mg/l (daily maximum)
      0.01 mg/l (monthly average)

9. Receiving Stream:
   A. Name: Iroquois River
   B. Tributary to: Wabash River
   C. Stream Uses: Full Body Contact Recreational Use
   D. 7-day, 1-in-10 year low flow: 6.3 cfs

III. TREATMENT UNITS

Screens – Proposed

1. Type: Mechanical Bar Screen
2. Number and capacity: One at 23.5 MGD
3. Bar spacing and slope: ½" spacing at 85° slope
4. Method of cleaning: Mechanical rake
5. Disposal of screenings: Dumpster to Landfill

Wet Weather Lift Station – Proposed

1. Location: Wet Weather Treatment Facility Influent Structure
2. Type of pump: Submersible Centrifugal
3. Number of pumps: Three
4. Constant or variable speed: Variable
5. Capacity of pumps: Each rated for 8,500 gpm at 37' TDH
6. RPM: 705 rpm
7. Volume of the wet well: 33,575 gallons
8. Detention time in the wet well: Varies
9. A plug valve and a check valve in the discharge line: Yes
10. A gate valve on suction line: N/A
11. Ventilation: Yes
12. Standby power: Yes
13. Alarm: Yes
14. Breakwater tank: N/A
15. Bypass or overflow: To existing CSO

Flow Meters – Proposed

1. Type: Magnetic Flow Meters
2. Sizes and Locations: 24" meter on Vortex No. 1 influent
   8" meter on Vortex No. 2 influent
   4" meter on Vortex No. 2 Underflow force main
3. Indicating, recording and totalizing: Yes

Storm King®/Vortex Separator No. 1 (New, 36-foot diameter, 23.5 MGD, 16 gpm/sf surface loading rate, 8.4 minutes contact time for chlorination using sodium hypochlorite)

Screens

1. Type: Aperture Conical, non-powered
2. Number and capacity: Two, 11.75 MGD each (screen weir @ 660.59')
3. Opening size: 4 mm
4. Method of cleaning: Self-cleaning
5. Disposal of screenings: to underdrain pump wet well

Disinfection

1. Type of disinfectant used: Liquid Sodium Hypochlorite (one 7,600-gallon tank with alternate bid for second tank)
2. Size of contact tank: Using vortex separator as a chamber
3. Contact time: 8.4 minutes
4. Type of disinfectant feeders: Metering pumps
5. Capacity of the feeders: three pumps up to 257 gph each
6. Disinfectant dosage: 30 mg/l maximum expected, will determine as needed
7. Type of diffuser: 1" solution tubing
8. Diffuser location: 24-inch influent line to Storm King® in metering structure C-1
9. Equipment location: In the Chemical Building
10. Scum control baffle: N/A
11 Source of the disinfectant feed water: Non-Potable Water
12. Breakwater tank for the feed water: N/A
13. Bypass: No
14. Drain for tank: Yes
15. Ventilation in chlorine room: Yes
16. Safety equipment: Yes

De-Chlorination

1. Chemical used: Liquid Sodium Bisulfite (one 1,200-gallon tank)
2. Type of feeders: Metering pumps
3. Capacity of feeders: two pumps, each 28 gph peak flow
4. Dosage: 7 mg/l maximum expected, will determine as needed
5. Type of diffuser: 1" solution tubing
6. Diffuser location: 66-inch effluent line from Storm King®
7. Equipment location: In the Chemical Building
8. Ventilation provided: Yes
9. Safety equipment: Yes

Underdrain Pump Station No. 1

1. Location: Inside Storm King® No. 1
2. Type of pump: Submersible
3. Number of pumps: Two
4. Constant or variable speed: Variable
5. Capacity of pumps: 1,700 gpm @ 38' TDH

Note: Underflow (settled solids) from Storm King No. 1 is pumped to Storm King No. 2 for additional treatment

Storm King®/Vortex Separator No. 2 (New, 20-foot diameter, 2.5 MGD, 5.5 gpm/sf surface loading rate, 13.5 minutes contact time for chlorination using sodium hypochlorite)

Screens

1. Type: Aperture Conical, non-powered
2. Number and capacity: One, 2.5 MGD (screen weir @ 659.08')
3. Opening size: 4 mm
4. Method of cleaning: Self-cleaning
5. Disposal of screenings: to underdrain pump wet well

Disinfection

1. Type of disinfectant used: Liquid Sodium Hypochlorite (one 7,600-gallon tank with alternate bid for second tank)
2. Size of contact tank: Using vortex separator as a chamber
3. Contact time: 13.5 minutes
4. Type of disinfectant feeders: Metering pumps
5. Capacity of the feeders: three pumps up to 257 gph each
6. Disinfectant dosage: 30 mg/l maximum expected, will determine as needed
7. Type of diffuser: 1" solution tubing
8. Diffuser location: 24-inch influent line to Storm King® in metering structure C-1
9. Equipment location: In the Chemical Building
10. Scum control baffle: N/A
11 Source of the disinfectant feed water: Non-Potable Water
12. Breakwater tank for the feed water: N/A
13. Bypass: No
14. Drain for tank: Yes
15. Ventilation in chlorine room: Yes
16. Safety equipment: Yes

De-Chlorination

1. Chemical used: Liquid Sodium Bisulfite (one 1,200-gallon tank)
2. Type of feeders: Metering pumps
3. Capacity of feeders: two pumps, each 28 gph peak flow
4. Dosage: 7 mg/l maximum expected, will determine as needed
5. Type of diffuser: 1" solution tubing
6. Diffuser location: 66-inch effluent line from Storm King®
7. Equipment location: In the Chemical Building
8. Ventilation provided: Yes
9. Safety equipment: Yes

Underdrain Pump Station No. 2

1. Location: Inside Storm King® No. 2
2. Type of pump: Submersible
3. Number of pumps: Two
4. Constant or variable speed: Variable
5. Capacity of pumps: 350 gpm @ 34' TDH

Note: Underflow (settled solids) from Storm King No. 2 is pumped to existing lift station within collection system for conveyance to wastewater treatment plant.

IV. SEWER COLLECTION SYSTEM – N/A

V. MISCELLANEOUS

A. Laboratory equipment: At WWTP

B. Safety equipment: Yes

C. Plant site fence: Yes

D. Handrail for the tanks: Yes

E. Units, unit operation, and plant bypasses: N/A

F. Flood elevation (10, 25, or 100 year flood): 100-year flood – 652.90

G. Consistency with EPA Reliability Technical Bulletin: Yes

H. Provisions to maintain the same degree of treatment during construction: Yes

I. Standby power equipment: New on-site diesel generator

J. Site inspection: Yes

K. Statement in the specifications as to the protection against any adverse environmental effect (e.g., dust. noise, soil erosion) during construction: Yes

L. Hoists for removing heavy equipment: Yes

M. Adequate sampling facilities: Yes, automatic sampler

N. Hydraulic Gradient: Yes

Appendix G

City of Rensselaer Construction Permits May 28, 2021

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

May 28, 2021

VIA CERTIFIED MAIL 7018 1130 0001 7979 4064

Mr. Jerry Lockridge, Project Coordinator
City of Rensselaer
124 S. Van Rensselaer Street
Rensselaer, Indiana 47978

Dear Mr. Lockridge:

Re: 327 IAC 3 Construction
Permit Application
Sanitary Sewer
New Main Lift Station and
Unsewered Areas Project
Permit Approval No. 23990
Rensselaer, Indiana
Jasper County

The application, plans and specifications, and supporting documents for the above-referenced project have been reviewed and processed in accordance with rules adopted under 327 IAC 3. Enclosed is the Construction Permit (Approval No. 23990), which applies to the construction of the above-referenced proposed sanitary sewer system to be located throughout the City of Rensselaer. A new main lift station will be constructed along the south side of Lincoln Street near the intersection Abigail Street. Sanitary sewer construction will also occur near the intersection of Wood Road and Owen Street, along Washington Street near the west side of the intersection with Sparling Avenue and along Clark Street near the east side of the intersection with CR S 850 West.

Please review the enclosed permit carefully and become familiar with its terms and conditions. In addition, it is imperative that the applicant, consulting architect/engineer (A/E), inspector, and contractor are aware of these terms, conditions, and reporting and testing requirements.

It should be noted that any person affected or aggrieved by the agency's decision in authorizing the construction of the above-referenced facility may, within fifteen (15) days from date of mailing, appeal this permit by filing a request with the Office of Environmental Adjudication for an adjudicatory hearing in accordance with IC 4-21.5-3-7 and IC 13-15-6. The procedure for appeal is outlined in more detail in Part III of the attached construction permit.

Plans and specifications were prepared by Commonwealth Engineers, Inc., certified by Mr. Joshua L. Harner, P.E., and submitted for review on April 21, 2021, with additional information submitted on April 30, and May 20, 2021.

Any questions concerning this permit may be addressed to Mr. Mike Miles, P.E., of our staff, at 317/232-6548.

Sincerely,

Paul Higginbotham
Deputy Assistant Commissioner
Office of Water Quality

Project No. M-24784
Enclosures
cc: Jasper County Health Department
Commonwealth Engineers, Inc.

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
AUTHORIZATION FOR CONSTRUCTION OF
SANITARY SEWER SYSTEM
UNDER 327 IAC 3

DECISION OF APPROVAL

City of Rensselaer, in accordance with the provisions of IC 13-15 and 327 IAC 3 is hereby issued a permit to construct the sanitary sewer system to be located throughout the City of Rensselaer. A new main lift station will be constructed along the south side of Lincoln Street near the intersection with Abigail Street. Sanitary sewer construction will also occur near the intersection of Wood Road and Owen Street, along Washington Street near the west side of the intersection with Sparling Avenue and along Clark Street near the east side of the intersection with CR S 850 West.

The permittee is required to comply with requirements set forth in Parts I, II and III hereof. The permit is effective pursuant to IC 4-21.5-3-4(d). If a petition for review and a petition for stay of effectiveness are filed pursuant to IC 13-15-6, an Environmental Law Judge may be appointed for an adjudicatory hearing. The force and effect of any contested permit provision may be stayed at that time.

NOTICE OF EXPIRATION DATE

Authorization to initiate construction of this sanitary sewer system shall expire at midnight one year from the date of issuance of this construction permit. In order to receive authorization to initiate construction beyond this date, the permittee shall submit such information and forms as required by the Indiana Department of Environmental Management. It is requested that this information be submitted sixty (60) days prior to the expiration date to initiate construction. This permit shall be valid for a period of five (5) years from the date below for full construction completion.

Signed this 28 day of May, 2021, for the Indiana Department of Environmental Management.

Paul Higginbotham
Deputy Assistant Commissioner
Office of Water Quality

SANITARY SEWER SYSTEM DESCRIPTION

The proposed project shall consist of the construction of improvements to the City's combined storm-sanitary sewer system located along Lincoln Street. There are no new sanitary sewer connections in the proposed combined sewer project and there is no expected increase in the existing dry weather sewer system flow in the project area. The proposed project is a necessary part of the City of Rensselaer's approved Long Term Control Plan (LTCP) to reduce the wet weather overflows to the Iroquois River. The overall project design is based on a hydraulic model of the combined sewer system and a peak wet weather flow of 4.0 MGD.

The proposed combined sewer system improvements project shall consist of the following construction:

- A new main lift station with three (3) variable speed submersible pumps. The new lift station will replace an existing lift station that will be demolished. The maximum capacity of one (1) lift station pump is 1,500 GPM at 61 feet of total dynamic head (TDH). The combined capacity of two (2) pumps in operation is 3,000 GPM at 140 feet of TDH.

- A flow diversion structure and a mechanical screen with a bypass channel to be connected to the new main lift station.

- Approximately 351 feet of 54-inch diameter combined sewer pipe to reroute the sewer system flow to the new main lift station. The new sewer pipe will be PVC ASTM F679 or CCFRPM ASTM D3262 or GRP ASTM D3262.

- Approximately 80 feet of 42-inch diameter ductile iron (D.I. AWWA C151) combined sewer pipe to be connected to the new main lift station.

- Approximately 222 feet of 36-inch diameter combined sewer pipe to be connected to the new main lift station. The new sewer pipe will be PVC ASTM F679 or D.I. AWWA C151.

- Approximately 181 feet of 24-inch diameter combined sewer pipe to be connected to the new main lift station. The new sewer pipe will be PVC ASTM F679 or D.I. AWWA C151.

- Approximately 173 feet of 15-inch diameter combined sewer pipe to be connected to the new main lift station. The new sewer pipe will be PVC (ASTM (D3034 SDR-35) or D.I. AWWA C151.

- Approximately 614 feet of 14-inch diameter force main to connect the new main lift station to an existing 14-inch diameter force main. The new force main will be PVC (AWWA C900 DR-21) or PVC (ASTM D2241 SDR-21) or D.I. (AWWA C151, 200 PSI minimum).

- Approximately 145 feet of 6-inch diameter D.I. (AWWA C151, 200 PSI) force main to reroute an existing force main to the new main lift station.

The proposed project shall consist of the following construction to provide service to 21 single-family homes located near the intersection of Wood Road and Owen Street:

- Approximately 3,454 feet of 8-inch diameter PVC (ASTM D3034 SDR-35) or PVC (ASTM D2241 SDR-21) sanitary sewer. The new sanitary sewer will be connected to a new manhole on an existing 8-inch diameter sanitary sewer located near 1670 Owen Street.

- A duplex grinder pump station (LS 1) to be located along the east side of Matheson Street near the south side of the intersection with Wood Road. Each pump in the duplex pump station will have a capacity of 61 GPM at 41 feet of TDH.

- Approximately 1,375 feet of 3-inch small diameter HDPE (ASTM D3035 DR-11, 200 PSI) sanitary sewer force main. The new force main will connect LS 1 to a manhole on the new 8-inch diameter PVC SDR-35 sanitary sewer located along Wood Road.

The proposed project shall consist of the following construction to provide service for 8 single-family homes located along Washington Street near the west side of the intersection with Sparling Avenue:

- Approximately 535 feet of 8-inch diameter PVC SDR-35 sanitary sewer.

- A duplex grinder pump station (LS 2) to be located along the north side of Washington Street near the west side of the intersection with Sparling Avenue. Each pump will have a capacity of 67 GPM at 27 feet of TDH.

- Approximately 564 feet of 3-inch small diameter HDPE (ASTM D3035 DR-11) force main. The new force main will connect LS 2 to an existing manhole on a 12-inch diameter sanitary sewer located near 928 West Washington Street.

The proposed project shall also consist of the following construction to provide service for 13 single-family homes located along Clark Street near the east side of the intersection with CR S 850 West:

- Approximately 6,390 feet of 2-inch small diameter HDPE (ASTM D3035 DR-11, 200 PSI) low-pressure sewer. The low-pressure sewer will be connected to an existing manhole on an 8-inch diameter sanitary sewer located at the intersection of Clark Street and CR S 850 West.

- 13 simplex grinder pump stations to be installed and maintained by the City of Rensselaer.

The following alternates to the Technical Standards are approved per 327 IAC 3-6-32 at the request of Commonwealth Engineers, Inc., and the City of Rensselaer:

- The installation of the 54-inch diameter CCFRPM ASTM D3262 or GRP ASTM D3262 combined sewer pipe.

- The horizontal directional drilling (HDD) installation of the 3-inch small diameter HDPE (ASTM D3035 DR-11) force mains connected to duplex lift stations LS 1 and LS 2.

- The HDD installation of the 2-inch small diameter HDPE (ASTM D3035 DR-11) low-pressure sewer located along Clark Street.

Inspection during construction of the new main lift station, duplex and simplex grinder pump stations, 8-inch diameter PVC sanitary sewer and force mains will be provided by Commonwealth Engineers, Inc. Maintenance after completion of construction will be provided by the City of Rensselaer. Wastewater treatment will be provided by the City of Rensselaer Wastewater Treatment Plant.

CONDITIONS AND LIMITATIONS TO THE AUTHORIZATION FOR CONSTRUCTION OF SANITARY SEWERS

During the period beginning on the effective date of this permit and extending until the expiration date, the permittee is authorized to construct the above described sanitary sewer system. Such construction shall conform to all provisions of State Rule 327 IAC 3 and the following specific provisions:

PART I

SPECIFIC CONDITIONS AND LIMITATIONS TO THE CONSTRUCTION PERMIT

Unless specific authorization is otherwise provided under the permit, the permittee shall comply with the following conditions:

1. Any local permits required for this project, along with easement acquisition, shall be obtained before construction is begun on this project.

2. If pollution or nuisance conditions are created, immediate corrective action will be taken by the permittee.

3. The separation of sanitary sewers from water mains and drinking water wells must comply with 327 IAC 3-6-9.

4. All gravity sewer pipe must be leak tested using either a hydrostatic test or air test in accordance with 327 IAC 3-6-19(d). If using a hydrostatic test, the rate of exfiltration or infiltration shall not exceed 200 gallons per inch of pipe diameter per linear mile per day. Air test shall be as prescribed.

5. The results of the gravity sewer leakage test and/or force main leakage test on the completed sewer shall be submitted to this office within three months of completion of construction.

6. Deflection tests must be performed on all flexible* pipe after the final backfill has been in place at least 30 days. No pipe shall exceed a vertical deflection of 5%. Deflection test results shall be submitted with the infiltration/exfiltration test results. (*The following are considered nonflexible pipes: vitrified clay pipe, concrete pipe, ductile iron pipe, cast iron pipe, asbestos cement pipe.)

7. Manholes shall be air tested in accordance with ASTM C1244-93, Standard Test Method for Concrete Sewer Manholes by the Negative Air Pressure (Vacuum) Test. The manhole test results shall be submitted with the gravity sewer leakage test results.

8. A drop pipe must be provided for all sewers entering a manhole at an elevation of 24 inches or more above the manhole invert.

9. Air relief valves shall be installed at high points in a new force main.

10. All new force mains must be pressure and leak tested in accordance with 327 IAC 3-6-19(e).

11. An audio-visual alarm shall be installed at the proposed main lift station, duplex and simplex grinder pump stations.

Failure to submit test results within the allotted time period or failure to meet guidelines as set forth in the above conditions could be subject to enforcement proceedings as provided by 327 IAC 3-5-3.

PART II

GENERAL CONDITIONS

1. No significant or material changes in the scope of the plans or construction of this project shall be made unless the following provisions are met:

   a. Request for permit modification is made 60 days in advance of the proposed significant or material changes in the scope of the plans or construction;

   b. Submit a detailed statement of such proposed changes;

   c. Submit revised plans and specifications including a revised design summary; and

   d. Obtain a revised construction permit from this agency.

2. This permit may be modified, suspended, or revoked for cause including, but not limited to the following:

   a. Violation of any term or conditions of this permit:

   b. Obtaining this permit by misrepresentation or failure to disclose fully all relevant facts.

3. Nothing herein shall be construed as guaranteeing that the proposed sanitary sewer system shall meet standards, limitations or requirements of this or any other agency of state or federal government, as this agency has no direct control over the actual construction and/or operation of the proposed project.

PART III

NOTICE OF RIGHT TO ADMINISTRATIVE REVIEW

Anyone wishing to challenge this construction permit must do so by filing a Petition for Administrative Review with the Office of Environmental Adjudication (OEA), and serving a copy of the petition upon IDEM. The requirements for filing a Petition for Administrative Review are found in IC 4-21.5-3-7, IC 13-15-6-1 and 315 IAC 1-3-2. A summary of the requirements of these laws is provided below.

A Petition for Administrative Review must be filed with the Office of Environmental Adjudication (OEA) within fifteen (15) days of the issuance of this notice (eighteen (18) days if notice was received by U.S. Mail), and a copy must be served upon IDEM. Addresses are:

Director
Office of Environmental Adjudication
Indiana Government Center North
Room 103
100 North Senate Avenue
Indianapolis, Indiana 46204

Commissioner
Indiana Department of Environmental Management
Indiana Government Center North
Room 1301
100 North Senate Avenue
Indianapolis, Indiana 46204

The petition must contain the following information:

1. The name, address and telephone number of each petitioner.
2. A description of each petitioner's interest in the permit.
3. A statement of facts demonstrating that each petitioner is:
   a. a person to whom the order is directed;
   b. aggrieved or adversely affected by the permit; or
   c. entitled to administrative review under any law.
4. The reasons for the request for administrative review.
5. The particular legal issues proposed for review.
6. The alleged environmental concerns or technical deficiencies of the permit.
7. The permit terms and conditions that the petitioner believes would be appropriate and would comply with the law.
8. The identity of any persons represented by the petitioner.
9. The identity of the person against whom administrative review is sought.
10. A copy of the permit that is the basis of the petition.
11. A statement identifying petitioner's attorney or other representative, if any.

Failure to meet the requirements of the law with respect to a Petition for Administrative Review may result in a waiver of the Petitioner's right to seek administrative review of the permit. Examples are:

1. Failure to file a Petition by the applicable deadline;
2. Failure to serve a copy of the Petition upon IDEM when it is filed; or
3. Failure to include the information required by law.

If Petitioner seeks to have a permit stayed during the administrative review, he or she may need to file a Petition for a Stay of Effectiveness. The specific requirements for such a Petition can be found in 315 IAC 1-3-2 and 315 IAC 1-3-2.1.

Pursuant to IC 4-21.5-3-17, OEA will provide all parties with notice of any pre-hearing conferences, preliminary hearings, hearings, stays, or orders disposing of the review of this action. Those who are entitled to notice under IC 4-21.5-3-5(b) and would like to obtain notices of any pre-hearing conferences, preliminary hearings, hearings, stays, or orders disposing of the review of this action without intervening in the proceeding must submit a written request to OEA at the address above.

More information on the review process is available at the website for the Office of Environmental Adjudication at http://www.in.gov/oea.