

## WHY SWEETSER IS CONSTRUCTING ITS OWN WASTEWATER TREATMENT PLANT

### History

In approximately August of 1977 the Town of Sweetser began construction on a sewer collection system that was completed around October of 1978. Marion and Sweetser entered into a Sanitary Sewage Treatment Agreement around February of 1977. This was a 40-year agreement and would terminate in the year 2017. On February 15, 2011 Marion adopted a new schedule of rates and charges increasing rates to Sweetser by 67% initially with further increases each year. On February 18, 2011 Sweetser filed a complaint in the Grant County Superior Court alleging that the new rates violate the terms of the Sanitary Sewer Agreement by charging Sweetser (a separated sanitary and storm water system) with costs associated with separating Marion's sanitary and storm water systems. In August of 2011 Sweetser and Marion reached a settlement. The Settlement Agreement states 1. Sweetser will disconnect from the Marion system within 4 years of the agreement, 2. Sweetser's rate for treatment reverts to the old (contract) rate, 3. If Sweetser is unable to disconnect from Marion within 3 years (August 2014), Sweetser will pay the domestic user treatment rate (higher than the previous contract rate), 4. Sweetser will discontinue all billing and treatment services to 2 customers (CIE and EPCO), 5. Sweetser will sell Marion the sewage line needed for Marion to serve CIE and EPCO.

Sweetser has been abiding by the terms of this agreement and has issued a \$250,000 bond anticipation note to pay the engineering, financial and legal costs associated with constructing its own treatment plant. Construction on the treatment plant was estimated to begin in late 2012, but due to delays in receiving necessary permits from the State, the construction date has been delayed. Sweetser currently expects construction to begin in late December 2013 or early January 2014.

### Impact on Sweetser's Rates and Charges of Building its Own Treatment Capacity

Marion's rate ordinance 11-2010 mandates an increase in rates and charges each year from 2011 to 2026. Additionally, due to the Settlement Agreement between Marion and Sweetser, if Sweetser remains on Marion's system for over 3 years, its treatment charge will change from the Regional Contract Rate to the Domestic User Rate (a higher rate). In 2010 Sweetser paid Marion \$60,413 in treatment fees. Using the Marion approved rate increases, by 2026 this annual charge will have grown to \$488,157. This is a large increase for a small community to absorb.

Sweetser has calculated that it can build its own treatment capacity and treat its own sewage much cheaper than the cost of treatment from Marion.

### Marion Sanitary Sewer System

Marion states, "Almost every time it rains, raw sewage mixed with storm water from combined sewers overflow into the Mississinewa River." Marion's sanitary collection system consists of 75% combined sewers (132 miles of combined sewers). The Marion collection system was built in the 1890's making some of its system well over 100 years old. Currently the Marion system has 7 CSO's. Marion estimates that it discharges 182 million gallons of raw sewage (mixed with rainwater) into the Mississinewa every year.

Marion's Long Term Control plan (a state judicial order) will reduce the amount of overflows from approximately 60 per year to approximately 8 per year within the next 15 years at an estimated cost of \$32,000,000.

Marion has no plans to completely eliminate its untreated discharges into the Mississinewa.

Sampling along the Mississinewa River indicates that E-coli levels are higher than the acceptable standard (235 colonies/100mL) during dry weather and are even higher in wet weather.

### Sweetser Sanitary Collection System

Sweetser is a separated sanitary and storm water system with no CSO's. Sweetser's system was constructed in 1978, meeting current EPA standards and using then modern materials and construction techniques. Historically, Sweetser has sent its sanitary flows to Marion for treatment. This process has resulted in Sweetser's flows being discharged untreated into the waterways along with the Marion flows. According to Marion's LTCP this untreated discharge will continue beyond the 15 year goals of Marion's LTCP. Currently Sweetser is designing its own treatment capacity. This is being done to: 1. Comply with its Settlement Agreement with Marion, 2. To mitigate the costs of sanitary sewer service to Sweetser ratepayers and 3. To eliminate the discharge of its untreated sanitary flows into the Mississinewa River.

As of November 14, 2013, Sweetser has completely designed its treatment plant, has received its construction permits and approvals from the State, and has advertised for and received bids to construct its treatment plant. Sweetser is in the process of closing its loan financing to pay for the treatment plant.

### Environmental Impact of Sweetser Building its Own Treatment Capacity

Sweetser's sanitary sewer collection system is separate from its storm water system. Marion operates a combined sanitary and storm sewer system with multiple overflow points. In a combined sanitary and storm sewer system all rainwater going into the sewer system becomes contaminated by the sanitary flows and require treatment as sanitary flows. If the combined storage and treatment capacity of the sewer system is exceeded by these flows, these excess flows are discharged, untreated, into the waterways.

Water enters a sanitary system from both inflows and infiltration. Inflows for the Marion system would include storm intakes, downspouts and sump pumps. Infiltration would come from cracks and leaks in the sewer main and pipes. The Marion collection system was initially constructed in the 1890's (before most homes had electricity). Older systems typically have more cracks, leaks and infiltration.

The Sweetser collection system was constructed in the late 1970's using more modern materials and construction techniques than were available in the construction of the Marion collection system.

Currently, Sweetser (a noncombined system) sends its sanitary flows to Marion for treatment where they enter the Marion combined sanitary and storm system and add to the Marion overflows in rain events.

Marion has entered into an agreement with IDEM whereby it will minimize (but not eliminate) its CSO's within 15 years.

By not eliminating its CSO's in the next 15 years, Marion will continue to discharge untreated sewage into the Mississinewa during the 15-year implementation time of its LTCP and beyond the 15-year mark. In fact, Marion has no plans to ever stop discharging raw sewage into the Mississinewa River.

When Sweetser completes the construction of its own treatment capacity, Sweetser flows will be compliant with current IDEM and EPA standards and will eliminate the Sweetser sanitary flows from being discharged into the waterways along with Marion's other overflows.

If Sweetser would continue to send its sanitary flows to Marion, these flows will continue to be discharged untreated into the public waterways. Marion's 15-year LTCP does not include eliminating these discharges. Marion has no plans beyond the 15-year mark to eliminate these raw sewage discharges. Sweetser's sanitary flows will be discharged untreated by Marion well past its current 15 year LTCP implementation schedule.

Sweetser building its own treatment capacity represents a real, immediate and permanent benefit to the environment and to the water quality in the waterways of Grant County.

Sweetser building its own treatment capacity will aid and assist Marion in meeting its LTCP by reducing the sanitary flow volumes that Marion must treat and thereby decrease the amount of each Marion overflow and raw sewage discharge by the amount of the Sweetser's sanitary flow.

In 1972, as part of the Clean Water Act (CWA), the EPA made it illegal to construct combined sanitary and storm sewer systems, but did not make it illegal to continue to operate existing systems. The objective of the CWA was to Restore and maintain the chemical, physical and biological integrity of the nation's waters. The CWA had two main goals: 1. Fishable, swimmable water by 1983, and 2. Eliminate point source discharges of pollutants by 1985.

In 1989 the EPA issued its National Combined Sewer Overflow Strategy. This strategy set forth three objectives:

1. Ensure that if CSO's occur, they are only a result of wet weather;
2. Bring all wet weather CSO discharge points into compliance with the technology-based and water-based requirements of the Clean Water Act.
3. Minimize the impact of CSO's on water quality, aquatic biota and human health from CSO's

Sweetser building its own treatment capacity and eliminating its sanitary flows from Marion's untreated discharges fits the goals of objective 3. By eliminating Sweetser's sanitary flow contribution to Marion's untreated discharges, Sweetser treating its own flows minimized the impact of CSO's on water quality, aquatic biota and human health by minimizing untreated sewage discharges at CSO points.

Sweetser building its own treatment capacity also meets objective 1., Ensure that if CSO's occur, they are only the result of wet weather. By eliminating its sanitary flows from Marion's treatment responsibility, the current treatment capacity of the Marion treatment plant is effectively increased and can therefore better handle the sanitary flows from Marion.

Having Sweetser continue to send its sanitary flows to Marion for treatment meets none of the three objectives of the National Combined Sewer Overflow Strategy.

#### Conclusion

The Sweetser Town Council has been working for over 2 years to construct a wastewater treatment plant for the town. The Sweetser Town Council believes that the construction of a wastewater treatment plant for the town will provide an immediate economic benefit to the town's residents (by keeping user fees under the level they would have been if the town continued to use Marion for sewage treatment) and provide an environmental, health and safety benefit to the town residents and the residents of Grant County.