



Small Systems Committee
INDIANA SECTION AWWA

**AWWA SMALL SYSTEMS
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FYI - Small Systems

FYI - Small Systems

May, 2006

FYI

Lots of good things happening with the Small Systems Committee!!

- All of our hard-working dedicated Committee members have decided to volunteer for an other year (thanks, everyone).
- We have received budget approval from the AWWA Executive Board (thank you) to continue publication of FYI-Small Systems and to embark on some new initiatives to assist the water industry in Indiana.
- Our joint American Water Works Association/Indiana Rural Water Association IDEM contract to provide training for grandparented operators is in its second year. We will conduct 48 Indiana Water Operator Training workshops this year, 48 in 2007, and 48 in 2008.

In this issue we hear from IDEM on various issues they have encountered recently, cover the new eminent domain legislation, discuss starting a meter program, continue our "Where Is The Money" series, and provide lots of resources and educational opportunities information. All of the AWWA Districts will have their Spring District Meetings this month. Please take the time to attend these, earn some contact hours, and get to know your colleagues a little better. Additionally, AWWA is offering a certificate for a free registration at its annual conference for each new member (operators only) who joins by July 15. What a deal!!

WHAT'S UP WHAT'S NEW - IDEM

Recently we have had some questions and a few issues regarding the Public Notification Rule. This is a long standing rule. However, revisions to the federal requirement became effective June 5, 2000. Primacy states were to meet these revised requirements by May 6, 2002. Indiana rule is found at 327 IAC 8-2.1-7 through 327 IAC 8-2.1-17. All public water systems (PWS) violating primary drinking water regulations or having situations posing a risk to public health are covered by this rule. If there is a pressure drop, if you fail to monitor and/or report, if there is an exceedance of a maximum contaminant level, if there is a water outage, a treatment technique violation, etc., you are required to issue a public notice. Further you are to provide a copy of the notice to the Commissioner, within ten (10) days of completion of each public notification. The public water system shall submit to the Commissioner a representative copy of each type of notice distributed, published, posted, or made available to the persons served by the system and the media, where appropriate. This includes the cancellation notice. Notices must be sent within 24 hours, 30 days, or one year depending on the tier under which the violation falls. The clock for notification starts when the PWS learns of the violation. Notices must be provided to persons served, not just billing customers.

There are three tier levels of public notices.

Tier 1 is immediate notice. The PWS must notice as soon as practical or within 24 hours via radio, television, hand delivery, posting, or other method specified by IDEM, along with other methods if needed to reach persons served. PWS must also initiate consultation with IDEM within 24 hours. IDEM may establish additional requirements during consultation.

Tier 2 is notice as soon as practical or within 30 days. Repeat notice every three months until violation is resolved. Community water systems must notice via mail or direct delivery. Non-community systems must notice via posting, direct delivery or mail. IDEM may permit alter-

(Continued on page 2)

FYI FROM THE SECTION CHAIR

I am truly honored and humbled to have this opportunity to serve as your Section Chair during the coming year.

Through my years of participation in the Section, I have observed that one of the primary reasons our Section is so strong is that we are in the business of information sharing. It is through that sharing that we gain knowledge and skills that help us perform more effectively and advance in our real jobs.

It doesn't matter if you are the CEO of a construction or utility supply company, the superintendent of a public utility, a professional engineer, or one of our dedicated "water professionals" that backwashes our filters or jumps down in the trenches and guides home those pipe connections. Perhaps you join the Education Committee and help develop an education program, or put on a blue coat and attend a bunch of technical sessions, or spend time learning about new products in the Exhibit Hall, or help one of our district officers plan a local meeting, or work with the Water Utility Council to keep us informed on pending legislation. The fact remains - the knowledge you gain and share in the process will yield benefits. And if you get your co-workers involved, you and your utility, company, firm, regulatory agency or whatever organization you work within, will both benefit - the next time you are called on to solve a problem, plan a project, design a chemical feed system, or repair a main break, you and your co-workers will be able to complete the required tasks more quickly, more safely, and with a greater probability of success. So I urge you to get involved, promote the active participation of others from all levels in your organization, and begin to reap the benefits of information sharing that are available through active participation in our Association.

Stan Diamond
Chair
Indiana Section, AWWA

WHAT'S UP WHAT'S NEW - IDEM (Continued)

(Continued from page 1)

nate methods. All PWS systems must use additional delivery methods reasonably calculated to reach other consumers not notified by the first method.

Tier 3 is notice within 12 months; repeated annually for unresolved violations. Notices for individual violations can be combined into an annual notice including the CCR, if public notification requirements can still be met. Community water systems must notice via mail or direct delivery. Non-community water systems must be noticed via posting, direct delivery, or mail. IDEM may permit alternative methods. All PWS systems must use additional delivery methods reasonably calculated to reach other consumers not notified by the first method. Remember to notify your local health department and critical users such as hospitals, schools and nursing homes individually.

There is language specified in the regulations that each notice must contain. Some language is standard for all public notices. The health effects language of course depends on the contaminant. Issuance of a public notice is a requirement not an option. If you have any questions you can contact your inspector or our compliance section for specific language or sample notices.

We would also like to remind systems that anyone looking to connect to your system, be it developers or large users, may be required to obtain a construction permit. The PWSID number on that permit will be yours if you are supplying the water. You are under an equal obligation to ensure that the construction is done according to the regulations. Before you accept it, you should make sure that it has been properly permitted and constructed. We have recently made

several referrals to our Office of Enforcement for construction that is not in conformance with our regulations and/or permit. The system, in addition to the developer, was named in each of the referrals. Any questions regarding permitting can be directed to our Permits Section. We will be happy to answer any questions. An ounce of prevention is worth a pound of cure.

For any operators wishing to participate, the Association of Boards of Certification (ABC) is conducting a job analysis for drinking water treatment plant operators during 2006. This will involve each participating operator to answer a series of questions about the job tasks they perform. This will allow the Association to get a broad perspective on the tasks involved in treating water. This survey is being offered for the first time this year as an on-line opportunity. There is a link on the ABC website (www.abccert.org) where operators who are interested, may sign up to participate in the job analysis survey.

As you know there has been much discussion about a possible pandemic. This again points to having an adequate response plan on hand and staff trained in the implementation of that plan. If there is a flu pandemic, is your system prepared? If you or your staff becomes ill, who will run the system? Do you have inter-system agreements for help? Do you have a sufficient supply of chemicals and parts in case your provider is also unavailable? Is your critical staff identified? This is just some food for thought. It's never too early to begin planning. Please contact Reggie Baker at 317/308-3332 if you have any questions or need assistance. Further information can be found at www.pandemicflu.gov and www.cdc.gov/business.

UTILITIES COULD BE AFFECTED BY RECENT EMINENT DOMAIN AMENDMENTS

BARNES & THORNBURG, LLP

Recent amendments to Indiana's eminent domain statutes raise implications for any utility in Indiana seeking to exercise eminent domain authority. The Indiana General Assembly passed House Bill 1010 in reaction to the United States Supreme Court's *Kelo v. New London* decision, which upheld a municipality's right to condemn property to make way for private commercial development. This statute was written to restrict an Indiana Municipality's ability to condemn private property for private development. Some of the revisions, however, also affect utilities exercising eminent domain authority.

First, the General Assembly amended Ind. Code § 32-24-1-3 to add a new subsection requiring a utility (and others exercising eminent domain authority) to provide a landowner with an appraisal or other evidence to establish the proposed purchase price. Second, the Uniform Property or Easement Acquisition Offer form set forth in Ind. Code § 34-24-1-5 was amended slightly. Utilities must ensure they are using the most recent form.

Third, the General Assembly added Ind. Code § 32-24-1-5.9 which requires a public utility or pipeline company to initiate a complaint not more than six years after the date on which the written acquisition offer was submitted to the landowner if the landowner rejects an offer to purchase the property. If the complaint is not initiated within the six-year period, the utility or pipeline company is precluded from exercising eminent domain to acquire the parcel for an eight-year period commencing on the date the written acquisition offer was submitted to the landowner. This section defines a .public utility. to mean .a public utility, municipally owned utility, cooperatively owned utility, joint agency created under IC 8-1-2.2, municipal sanitation department operating under IC 36-9-23, sanitary district under IC 36-9-25, or an agency operating as a stormwater utility.

Finally, the Legislature amended Ind. Code § 32-24-1-14 which governs the payment of costs by the utility (or any party seeking to condemn property) if the amount of damages awarded to the landowner exceed the amount specified in the last offer of settlement. Previously, the landowner was entitled to litigation expenses not to exceed \$2,500. The statute has been revised to specify that litigation expenses include reasonable attorney's fees and to change the amount of expenses the landowner may recover to the lesser of \$25,000 or the fair market value of the Defendant's property or easement determined by the court. This revision could reduce the potential exposure for litigation expenses faced by utilities if they are seeking to condemn an easement that is valued at less than \$2,500. Utilities could also face substantially increased exposure if they are attempting to obtain a more valuable property interest.

House Bill 1010 was declared an emergency and therefore became effective on March 24, 2006 when it was signed by Governor Daniels. Because the legislature did not mandate that the amendments are effective retroactively, they do not affect eminent domain procedures that have already been initiated. Thus, if a Uniform Property or Easement Acquisition Offer has been sent to a landowner, eminent domain has been initiated and the amendments should not govern.

This Barnes & Thornburg LLP publication should not be construed as legal advice or legal opinion on any specific facts or circumstances. The contents are intended for general informational purposes only, and you are urged to consult your own lawyer on any specific legal questions you may have concerning your situation.

WHERE IS THE WATER GOING? STARTING A METER PROGRAM

How is your unaccounted water? In Berne, ours was in the low 20% range. We did not have a meter change out program, we just replaced them as needed – so, I took a look at other cities and towns meter change out programs, along with AWWA's recommendations.

The first thing I did was to check the meters at the water plant. You should start at the source, and this was really not that expensive to do. Next, I went to the high end users like factories, nursing homes, and schools. Some of these meters were anywhere from 10 to 20 years old. After testing and replacing these meters, our unaccounted for water dropped to the 18% range.

I then took a proposal to the Clerk-Treasurer to purchase 100 meters. After installing these, I then was able to purchase 300 more. With the installation of these 300 meters, our City will be a quarter of the way done in replacing meters that are 15 to 20 years old. Our unaccounted for water is now down to 12%.

I know replacing meters takes time and money, but it will pay off in the long run. By replacing these meters a little at a time, when we are all done, we can have a rotation so we can just do a little each year in the future. This all still boils down to what the pocketbook can handle; so, if for one year you can only do the high end users, perhaps the revenue generated from the increased accountability can be used to buy some meters for the next year.

Announcing FREE 2007 Indiana Section AWWA Meeting Registration

Join AWWA by July 15, 2006 and receive a certificate good for one free registration at the 2007 Indiana AWWA Section Meeting.

Offer is valid for new memberships by operators only,
received on or before July 15, 2006.

Membership renewals and/or new service provider, vendor, and manufacturer memberships are not eligible.

Certificate must be submitted with pre-conference registration form.

Contact Steve Geschke, AWWA Membership Chair at
574-254-9050 or steveg@pmidwest.com

or any Indiana Section AWWA Executive Board Member for additional information.

WHERE IS THE MONEY III - PUBLIC FUNDING ENVIRONMENTAL INFRASTRUCTURE WORKING GROUP (EIWG)

Does your community have an upcoming infrastructure project? If so, you may want to consider attending an Environmental Infrastructure Working Group (EIWG) meeting. EIWG is a group of representatives from various state and federal agencies that meets with communities to discuss all funding options for water and wastewater infrastructure projects. The group has also reviewed storm water and economic development project funding options.

Meetings are held monthly and are free of charge. Communities request a meeting with EIWG by submitting a two-page In-Take Document to the IRDC. (This document can be found on-line at www.in.gov/irdc.) After reviewing this document, a meeting will be scheduled between EIWG and the community. Project meetings allow communities to collectively meet with agency representatives to evaluate the community's situation and to identify funding and technical assistance options. The project meeting and in-take document process allows communities the opportunity to explore all assistance options at one meeting. It also provides for early coordination of multiple funding sources.

This cooperative inter-agency work group is coordinated by the Indiana Rural Development Council (IRDC) and includes the U.S. Department of Agriculture-Rural Development, Indiana Office of Rural Affairs, State Revolving Fund Loan Programs, U.S. Economic Development Administration, US Army Corps of Engineers, Indiana Rural Community Assistance Program, Indiana Rural Water Association, and Alliance of Indiana Rural Water.

For more information about the EIWG process or other IRDC programs, please contact Phil Anderson, Executive Director, at 317.232.8776 or panderson@ora.in.gov.

METER MADNESS COMPETITION

By: Jeff Morris; Competition Chair

The 2005 Meter Madness Competition was held February 22, 2006 in Indianapolis during AWWA's Annual Conference. The contest was very close again this year. The following participants, representing each of the five districts, competed and won at the district competitions held at the individual fall meetings:

- Anthony Colby, City of Ft. Wayne
- Steve Russell, Logansport Municipal Utilities
- Rick Clark, Indiana American Water (Seymour)
- Guy Hammond, Indiana American Water (Evansville)
- Jerry Smith, Carmel Water
- Tim Sensibaugh, the returning champ from the City of Ft. Wayne Utilities

First place went to Steve Russell of Logansport Municipal Utilities with a time of 1 minute 9.65 seconds; Guy Hammond of Indiana American Water (Evansville) came in 2nd with a time of 1 minute 18.00 seconds; and 3rd place with a time of 1 minute 18.58 seconds was Jerry Smith from Carmel Water.

Steve Russell and Tim Sensibaugh will represent the Indiana Section at the national competition held at AWWA's National Conference in San Antonio, Texas in June of this year.

Thanks to all of the contestants and their supervisors for allowing them to attend the meetings and participate in the competition.

A big thank you also goes to Bob Johnston and Dennis Luck of National Waterworks for supplying the AMCO meters, shirts and outstanding trophies for the 2005/2006 competition.

Thanks, again to everyone involved with this great competition.

MARK YOUR CALENDARS!! (Continued)

(Continued from page 8)

June 7, 2006 – Indiana Rural Water Association Workshop – Competent Person Excavation Safety – Hartford City, Indiana. Contact: Odetta Cadwell at 317-402-7349; MaryJane Miller at 812-988-6631; or visit the IRWA website at www.indianaruralwater.org

June 11 - 15, 2006 – American Water Works Association – National Annual Conference – San Antonio, Texas. Contact: www.awwa.org

July 1, 2006 – Consumer Confidence Reports must be distributed to residents with copies sent to IDEM and the local health department. For information, please contact Jennifer Wingstrom at 317-308-3287 or jwingstr@idem.in.gov

July 26, 2006 – Indiana Section AWWA – Water For People Golf Outing – Eagle Creek Golf Course; Indianapolis, Indiana. Contact: Dan Hood at 800-255-1521 or danhood@mesimpson.com; or visit www.inawwa.org

August 8, 2006 – Indiana Rural Water Association Workshop – Automatic Read Meters (Sensus) -- Monticello, Indiana. Contact: Odetta Cadwell at 317-402-7349; MaryJane Miller at 812-988-6631; or visit the IRWA website at www.indianaruralwater.org

August 24, 2006 – Indiana Section American Water Works Association / Indiana Rural Water Association – Operator Boot Camp – Grissom Aeroplex; Peru, Indiana. Contact: Odetta Cadwell at 317-402-7349; MaryJane Miller at 812-988-6631; or visit the IRWA website at www.indianaruralwater.org

August 28, 2006 – Application to take Wastewater Operator Certification Exam must be postmarked by this date. Contact: Heather Tippey Pierce, Wastewater Certification Coordinator; Indiana Department of Environmental Management; 100 N. Senate Ave - Mail Code 65-42; Indianapolis IN 46204-2251; Phone: 317-233-0479; htippey@idem.in.gov

August 30, 2006 – Indiana Section AWWA – Southwest District Meeting – Washington, Indiana. Contact: Darrell Heisler at 812-853-3356 or dheisler@amwater.com; or visit www.inawwa.org

September 8, 2006 – Indiana Section AWWA – Southeast District Meeting – Connersville, Indiana. Contact: Roger Maynard at 812-218-1512 or maynard@amwater.com; or visit www.inawwa.org

September 14, 2006 – Indiana Section AWWA – Central District Meeting – Greenfield, Indiana. Contact: Dan Hilton at 317-996-2816 or dhilton@ccrtc.com; or visit www.inawwa.org – NOTE: NEW DATE



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 46 LaPorte
 64 Porter

Kirk Kuroiwa
 08 Carroll
 09 Cass
 12 Clinton
 34 Howard
 52 Miami
 54 Montgomery
 80 Tipton
 85 Wabash

Paul Dick
 01 Adams
 02 Allen
 05 Blackford
 27 Grant
 35 Huntington
 38 Jay
 48 Madison
 90 Wells
 92 Whitley

Chris Hoesli
 06 Boone
 29 Hamilton
 30 Hancock
 32 Hendricks
 49 Marion
 67 Putnam

Tamara Roberts
 07 Brown
 11 Clay
 23 Fountain
 28 Greene
 41 Johnson
 53 Monroe
 55 Morgan
 60 Owen
 61 Parke
 77 Sullivan
 83 Vermillion
 84 Vigo

Craig Lawson
 04 Benton
 37 Jasper
 56 Newton
 66 Pulaski
 79 Tippecanoe
 86 Warren
 91 White

Dan Plath
 25 Fulton
 50 Marshall
 57 Noble
 71 St. Joseph
 75 Starke

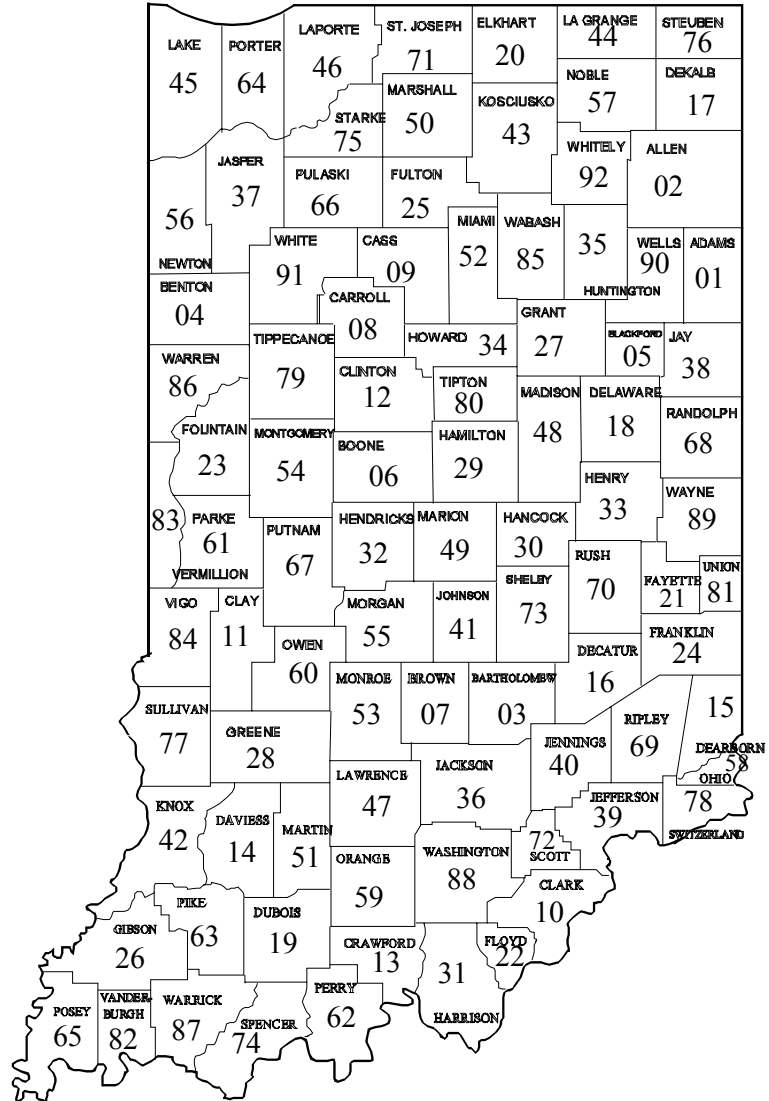
Bill Morgan
 20 Elkhart
 44 LaGrange

Lucio Ternienden
 17 Dekalb
 43 Kosciusko
 76 Steuben

Ken Brown
 03 Bartholomew
 10 Clark
 15 Dearborn
 16 Decatur
 22 Floyd
 24 Franklin
 31 Harrison
 36 Jackson
 39 Jefferson
 40 Jennings
 47 Lawrence
 58 Ohio
 69 Ripley
 72 Scott
 78 Switzerland
 88 Washington

Carolyn Chappell
 18 Delaware
 21 Fayette
 33 Henry
 68 Randolph
 70 Rush
 73 Shelby
 81 Union
 89 Wayne

Shawn Flaningam
 13 Crawford
 14 Daviess
 19 Dubois
 26 Gibson
 42 Knox
 51 Martin
 59 Orange
 62 Perry
 63 Pike
 65 Posey
 74 Spencer
 82 Vanderburgh
 87 Warrick



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Bill Morgan	574-245-4882	Dan Plath	574-245-4885	Lucio Ternienden	574-245-4886
Wayne Brattain	317-308-3311	Larey Conquergood	317-308-3318		
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				IDEM Toll Free	800-451-6027

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Total Coliform Rule (TCR)

Sandra DeCastro	317/308-3295
Bridget Murphy	317/308-3286
Katrina Hamilton	317/308-3322

SOCs, VOCs, Lead and Copper, Waiver Package, Radionuclides and IOCs, Nitrate/Nitrite

Lilia Park	317/308-3297
David Forsee	317/308-3288
Amy Jani	317/308-3139

Interim Enhance Surface Water Treatment Rule (IESWTR) Disinfectants & Disinfection By-Products Rule (DBPR) Surface Water Treatment Rule (SWTR), Total Trihalomethanes (TTHMs), Consumer Confidence Reports (CCRs)

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Mehul Sura	317/308-3303
Laura Spriggs	317/308-3160

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April Swift	317/308-3290
Sara (Fields) Pierson	317/308-3298
Jennifer Wingstrom	317/308-3287
Adrian Lugo-Martinez	317/308-3285

Other Numbers

EPA Safe Drinking Water Hotline	800/426-4791
IDEM Environmental Helpline	800/451-6027

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Small Systems Committee
INDIANA SECTION AWWA

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www.inawwa.org

American Water
Works Association:
www.awwa.org

EPA Drinking
Water Hotline:
www.epa.gov/OGWDW



MARK YOUR CALENDARS!!

To add dates to this section,
contact any Small Systems
Committee Member.

May 3, 2006 – Indiana Section AWWA – Southwest District Meeting – Celestine, Indiana. Contact: Darrell Heisler at 812-853-3356 or dheisler@amwater.com; or visit www.inawwa.org

May 4, 2006 – Water Works Operator Certification Examination. Application must have been postmarked by March 20, 2006. Contact: Ruby Keslar, IDEM, 317-308-3305 or rkeslar@idem.in.gov

May 12, 2006 – Indiana Section AWWA – Southeast District Meeting – Abe Martin Lodge, Brown County State Park, Nashville, Indiana. Contact: Roger Maynard at 812-218-1512 or maynard@amwater.com; or visit www.inawwa.org

May 17, 2006 – Henry P. Thompson Co. – Plant Maintenance Seminar – Loon Lake Lodge; Indianapolis, Indiana. Contact: Monica Jerman at 800-597-5099, Ext. 210 or MJerman@HPThompson.com

May 18, 2006 – Indiana Section AWWA – Central District Meeting – Eagle Creek Golf Course; Indianapolis, Indiana. Contact: Dan Hilton at 317-996-2816 or dhilton@ccrtc.com; or visit www.inawwa.org

May 18, 2006 – Indiana Association of Sewer Companies – Annual Conference – River Glen Country Club; Fishers, Indiana. Contact: Dave McGimpsey at 317-635-8900 or DMcGimpsey@binghammchale.com

May 19, 2006 – Indiana Section AWWA – Northwest District Meeting – Schererville, Indiana. Contact: John Hardwick at 219-642-8412 or jahvwd@netnitco.net; or visit www.inawwa.org

May 25, 2006 – Indiana Section AWWA – Northeast District Meeting – Kendallville, Indiana. Contact: John Mugford at 260-982-2993 or jmugford46962@mchsi.com; or visit www.inawwa.org

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Please visit AWWA's website (www.awwa.org) for additional information regarding continuing education and professional development offerings. Materials and instruction are available through a variety of media, from traditional seminars to online courses, teleconferences, and webcasts.