



engineering and constructing a better tomorrow

May 27, 2011

Theresa Holz
USEPA REGION 5
77 West Jackson Boulevard
Chicago, IL 60604-3507

**RE: Monthly Progress Report – Water Main Design
 TORX Facility – Rochester, Indiana
 MACTEC Project No.: 3359-09-2469**

Dear Ms. Holz:

The purpose of this correspondence is to provide you with a summary of the water main design activities performed between April 28, 2011 and May 26, 2011. The design activities are in support of the proposed municipal water service extension from the City of Rochester, Indiana to the Acument (Torx) facility located at 4366 North Old US Highway 31. The project consists of performing a topographic survey for the project area (existing stubbed connection on the west side of North Old US Highway 31 near the Dean Food facility to the Torx facility), preliminary engineering, construction drawings and specifications, permit preparation, and construction bidding.

ACTIVITIES PERFORMED

The 30% design was completed and submitted to the City of Rochester for review and comment in early November 2009. After comments from the City of Rochester Water Board, the 75% design was completed and presented to the City of Rochester in June 2010. The City of Rochester then recommended a feasibility study be conducted in order to evaluate several other options to supply water to the area property owners. Textron/MACTEC evaluated and presented to the City of Rochester the option of purchasing water from the City of Rochester by attaching a master water meter on the present line at Dean Foods Facility which will provide water to the residents near the TORX Facility. In October 2010, Textron presented a draft water supply agreement to the City of Rochester for review and comment. At various City Water Board hearings since that time the Water Board and the Mayor of Rochester have expressed their support for the master meter concept to provide a water distribution system out to the TORX Facility. Textron and the City have been in the process of finalizing the water supply contract.

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Following a public meeting to update property owners on specific plans for Master Meter approach and creating a conservancy district in December, Textron obtained the required number of property owner signatures in order to be able to file with the Fulton County Circuit Court the petition to establish the Conservancy District.

Following a Court hearing, the Court determined that the statutory requirements for the petition were met for the Conservancy District and by order dated February 16, 2011, referred the matter to the Indiana Natural Resources Commission (NRC). A public hearing before the Indiana NRC staff for the petition was held on April 20, 2011. During the April 20th public hearing, no one spoke in opposition to the formation of the Conservancy District. The Indiana NRC issued its staff report to the NRC recommending the creation of the District. On May 17, 2011 at the Indiana NRC meeting an additional opportunity was provided for the public to comment on the formation of the Conservancy District. At that meeting the NRC voted to approve its staff's report to recommend to the Fulton County Court the creation of the District.

ACTIVITIES TO BE PERFORMED

The Fulton County Circuit Court will hold a public hearing on the Conservancy District, anticipated in July, to approve the creation of the Conservancy District. Following that, there will need to be an appointment of the District's Board of Directors by the Fulton County Commissioners and the creation of a District plan.

If you have any questions or comments regarding this correspondence, please call our office.

Sincerely,
MACTEC ENGINEERING AND CONSULTING, INC.

 *Megan M. Marhelski*
MACTEC Electronic Signature

Megan Marhelski
Senior Geo-Scientist

 *Paul J. Stork*
MACTEC Electronic Signature

Paul J. Stork
Principal Scientist

cc: Kevin Houppert, IDEM