



engineering and constructing a better tomorrow

June 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 May 26, 2011 and June 24, 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 20<sup>th</sup> 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**

On Thursday, July 7, 2011, a public hearing will be held at the Fulton County Courthouse at 815 Main St. in Rochester, Indiana to decide on whether to approve the creation of the Conservancy District. Certain changes are being made to the sub-district locations within the District from that presented at the community meeting last December to reflect the fact that some property owners south of the Tippecanoe River have elected to opt out of the Conservancy District. The new sub-district areas will be presented at the Court hearing on July 7, 2011.

Following approval of the District by the Court, the next step would be the appointment of the District's Board of Directors by the Fulton County Commissioners, which is anticipated to occur at the Commission's regularly scheduled meeting on July 18, 2011. One property owner from each of the District's sub districts would be appointed to the Board. Once the Board of Directors has been appointed, Textron will develop and submit construction and maintenance plans for the water line for approval by the Natural Resources Commission and the Court, which will occur only after additional public hearings and the opportunity for public comment.

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

Sincerely,  
**MACTEC ENGINEERING AND CONSULTING, INC.**

W. Dwayne Gross  
Staff Geo-Scientist

Paul J. Stork  
Principal Scientist

cc: Kevin Houppert, IDEM