

STATE OF INDIANA

INDIANA UTILITY REGULATORY COMMISSION

IN THE MATTER OF THE PETITION  
OF THE TOWN OF WINFIELD, LAKE  
COUNTY, INDIANA, FOR APPROVAL  
OF A REGULATORY ORDINANCE  
ESTABLISHING A SERVICE  
TERRITORY FOR THE TOWN'S  
MUNICIPAL SEWER SYSTEM  
PURSUANT TO IND. CODE § 8-1.5-6 *ET  
SEQ.*

CAUSE NO. 45992

AMENDED AND RESTATED PREFILED DIRECT TESTIMONY AND EXHIBITS  
OF JEREMY C. LIN

Amended and Restated

Prefiled Direct Testimony of Jeremy C. Lin

Petitioner's Exhibit 11

Preliminary Layout of Future Expansion to WWTP

Petitioner's Exhibit 12

IDEM Permit Approving Current Expansion

Petitioner's Exhibit 13

IDEM Approval of Future Expansion

Petitioner's Exhibit 14

Respectfully submitted,



J. Christopher Janak, Atty. No. 18499-49

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Jacob Antrim, Atty No. 36762-49

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*Counsel for the Town of Winfield, Lake County,  
Indiana*

**STATE OF INDIANA**

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*ET SEQ.***

**CAUSE NO. 45992**

**AMENDED AND RESTATED PREFILED DIRECT TESTIMONY**

**OF**

**JEREMY C. LIN**

**ON BEHALF OF**

**THE TOWN OF WINFIELD, LAKE COUNTY, INDIANA**

**I.**  
**INTRODUCTION**

1  
2  
3 **Q1. PLEASE STATE YOUR NAME AND BUSINESS ADDRESS.**

4 A My name is Jeremy C. Lin and my business address is Lintech Engineering, Inc., 8052  
5 Monticello Avenue, Suite 207, Skokie, IL 60076.

6 **Q2. MR. LIN, HOW ARE YOU EMPLOYED?**

7 A I am a registered professional engineer with Lintech Engineering, Inc., a consulting  
8 engineering firm located in Skokie, Illinois. I currently serve as the President of Lintech  
9 Engineering, Inc.

10 **Q3. HOW LONG HAVE YOU WORKED FOR LINTECH ENGINEERING, INC.?**

11 A I founded Lintech Engineering, Inc. in 1998 and have worked there since that time.

12 **Q4. PLEASE DESCRIBE YOUR EDUCATIONAL BACKGROUND, EXPERIENCE,**  
13 **AND PROFESSIONAL STATUS.**

14 A I received a Master's and Bachelor's in Civil Engineering from Kansas State. After  
15 receiving my Master's in 1998, I worked at a national engineering firm, Camp, Dresser and  
16 McKee, in Kansas City, Missouri, for one year. I then worked at a regional firm, Baxter  
17 and Woodman, in Crystal Lake, Illinois, for another year. I then became a partner of  
18 Lintech Engineering and am the President of the company. I am a registered professional  
19 engineer in the States of Indiana and Illinois and a Board Certified Environmental  
20 Engineer. I have been in the wastewater treatment field for almost thirty (30) years.

21 **Q5. PLEASE PROVIDE YOUR PROFESSIONAL EXPERIENCE.**

22 A My professional experience includes municipal engineering, consulting, and design of  
23 wastewater treatment plants, lift stations, sanitary sewers, water and sewer master planning,

1 water treatment plants, and storage tanks. My expertise includes wastewater process  
2 design, advanced biological treatment, sludge digestion and dewatering, chemical  
3 precipitation, disinfection processes, and overall plant control strategy.

4 **Q6. HAVE YOU PREVIOUSLY TESTIFIED BEFORE THE INDIANA UTILITY**  
5 **REGULATORY COMMISSION (“COMMISSION”)?**

6 A No.

7 **Q7. PLEASE DESCRIBE THE TYPES OF ORGANIZATIONS WHICH YOUR FIRM**  
8 **TYPICALLY REPRESENTS?**

9 A My firm typically represents municipalities, private developers, mobile home parks, and  
10 industrial companies.

11 **Q8. WHAT IS THE NATURE OF YOUR INVOLVEMENT WITH THE TOWN OF**  
12 **WINFIELD, LAKE COUNTY, INDIANA (“WINFIELD” OR “TOWN”),**  
13 **INCLUDING YOUR INVOLVEMENT IN THIS PROCEEDING?**

14 A I have provided engineering services to Winfield for nearly six (6) years. In Winfield, I  
15 typically work cooperatively with utility staff, the Town Manager, Mr. Nick Bellar, and  
16 another professional engineer, Mr. Michael Duffy with DLZ Indiana, LLC. My duties are  
17 generally divided with Mr. Duffy such that I provide engineering services related to  
18 Winfield's treatment plant and related processes and Mr. Duffy provides engineering  
19 services with respect to Winfield's transmission and collection facilities. In this case, I  
20 will provide testimony and exhibits regarding the status of the Town's current and planned  
21 wastewater treatment facilities.

1 **Q9. ARE YOU THE SAME JEREMY C. LIN WHO PREVIOUSLY PROVIDED**  
2 **DIRECT TESTIMONY AND EXHIBITS IN THIS CAUSE.**

3 A Yes, I am. On December 26, 2023, Winfield prefiled my direct testimony and exhibits in  
4 this Cause.

5 **Q10. IS YOUR TESTIMONY AND EXHIBITS TODAY INTENDED TO AMEND AND**  
6 **REPLACE YOUR 2023 TESTIMONY?**

7 A Yes, it is. This amended and restated prefiled direct testimony and exhibits will amend and  
8 replace my December 26, 2023 testimony.

9 **Q11. WHAT IS THE PURPOSE OF YOUR TESTIMONY?**

10 A The purpose of my testimony is two-fold. First, I will discuss the ability of Winfield to  
11 provide wastewater treatment service to the proposed service territory ("Winfield Service  
12 Territory") as described in Ordinance No. 358 (attached to the Petition as Exhibit 1).  
13 Second, I will discuss the potential impact of the Winfield Service Territory (if it is  
14 approved) on current and future economic development in the area.

15 **II.**  
16 **ABILITY OF WINFIELD TO SERVE THE WINFIELD SERVICE TERRITORY**

17 **Q12. BASED ON YOUR BACKGROUND AND EXPERIENCE WITH WINFIELD AND**  
18 **ITS MUNICIPAL SEWER SYSTEM, DO YOU BELIEVE THAT WINFIELD**  
19 **WILL BE ABLE TO TREAT THE ANTICIPATED FLOWS FROM THE**  
20 **WINFIELD SERVICE TERRITORY?**

21 A Yes, I do. Consistent with the testimony from Mr. Zachary Beaver, Mr. Mike Duffy, and  
22 Ms. Jennifer Wilson, Winfield has planned, designed, obtained regulatory approval for,  
23 financed, awarded bids, established rates and charges, and will soon complete the

1 construction of an expansion to its wastewater treatment plant. In fact, Winfield will be  
2 substantially complete with the wastewater treatment expansion in approximately six (6)  
3 weeks (on June 1, 2025). Upon completion, the expansion will double the rated treatment  
4 capacity of the existing plant from .80 million gallons per day ("mgd") to 1.6 mgd. Based  
5 on our analysis, we believe this capacity will be sufficient to serve the flows from both the  
6 current and future economic development within the Town's existing municipal limits and  
7 the Winfield Service Territory for the foreseeable future.

8 **Q13. MR. LIN, PLEASE EXPAIN THE CURRENT AVERAGE FLOWS AT THE**  
9 **WINFIELD WASTEWATER TREATMENT PLANT ("WINFIELD WWTP") AND**  
10 **THE AVAILABLE CAPACITY BOTH BEFORE AND AFTER THE CURRENT**  
11 **EXPANSION.**

12 A Winfield currently has a daily average flow of 0.41 mgd (average of last twelve (12)  
13 calendar months) to the Winfield WWTP which leaves Winfield with a current reserve  
14 capacity of 0.39 mgd. On an average day, Winfield is currently using about 50% of its  
15 capacity. Once the expansion is complete on June 1, 2025, the Winfield's WWTP will be  
16 rerated to 1.6 mgd, which will result in reserve capacity for Winfield and its customers of  
17 1.19 mgd. As I have previously noted, Winfield will monitor the flows from its plant as  
18 new development occurs to determine when the next expansion should be initiated,  
19 designed, financed, and completed.

20 **Q14. HAS WINFIELD ALSO PLANNED FOR A FUTURE EXPANSION TO THE**  
21 **WINFIELD WWTP, IF AND WHEN NEEDED?**

22 A Yes, it has. In addition to its current expansion to 1.6 mgd, Winfield has already planned  
23 for the next expansion of the Winfield WWTP from 1.6 mgd to 4.0 mgd. In fact, I have

1 prepared a proposed layout for what I refer to as the Phase III improvements to the Winfield  
2 WWTP. For the Commission's reference, I am attaching as Petitioner's Exhibit 12 a copy  
3 of the layout of the future expansion of the Winfield WWTP to 4.0 mgd (i.e. the Phase III  
4 improvements).

5 **Q15. HOW LONG WOULD IT REQUIRE WINFIELD TO EXPAND THE WINFIELD**  
6 **WWTP TO 4.0 MGD?**

7 A Unlike Winfield's neighboring city, the City of Crown Point, Indiana ("Crown Point"),  
8 Winfield does not need to construct a new plant and satisfy the antidegradation rules and  
9 the other requirements associated with building a new plant when expanding the Winfield  
10 WWTP. Instead, Winfield will be able to expand its existing plant from 1.6 mgd to 4.0  
11 mgd on the following timeline based on the needs of Winfield and the proposed  
12 development in its service territory:

- 13 • The engineering design would require 5 months
- 14 • The permitting through the Indiana Department of Environmental
- 15 Management ("IDEM") would require 2 months
- 16 • Soliciting and receiving bids will require 2 months
- 17 • Construction would require 18 months
- 18

19 Based on the above timeline, the total time required to expand the Winfield WWTP to 4.0  
20 mgd would require a little over two (2) years to complete (i.e. approximately 27 months).

21 Depending on the needs of Winfield and its constituents, the 4.0 mgd expansion could also  
22 be phased in in smaller increments to reduce the overall cost to Winfield and its customers.

23 In other words, instead of immediately expanding Winfield WWTP from 1.6 mgd to 4.0  
24 mgd, Winfield has the flexibility of expanding in 500,000 or 1,000,000 gallon increments.

1 **Q16. HAS IDEM PRELIMINARILY APPROVED THIS EXPANSION?**

2 A Yes, it has. Not only has IDEM issued Preliminary Effluent Limitations and a Construction  
3 Permit approving the expansion of the Winfield WWTP from 0.8 mgd to 1.6 mgd (see  
4 Petitioner's Exhibit 13, IDEM Permit), IDEM has also issued Preliminary Effluent  
5 Limitations for Winfield's next expansion to 4.0 mgd, noting "As the proposed activities  
6 would not result in a significant lowering of water quality, the Antidegradation Standards  
7 and Implementation Procedures do not apply." For the Commission's reference, I am  
8 attaching as Petitioner's Exhibit 14 a copy of IDEM's preliminary approval of the  
9 expansion of Winfield WWTP to 4 mgd.

10 **Q17. WHEN DOES WINFIELD PLAN TO EXPAND THE WINFIELD WWTP TO 4**  
11 **MGD?**

12 A As I testified above, Winfield anticipates that the current expansion (i.e. from 0.8 mgd to  
13 1.6 mgd) will meet the anticipated flows from current and future economic development  
14 in Winfield's existing service territory and the Winfield Service Territory for the  
15 foreseeable future. However, Winfield, Mr. Duffy, and I continue to monitor the flows  
16 from all parts of Winfield's service territory to determine when it is appropriate to begin  
17 final design, permitting, financing, and construction of the next phase of the wastewater  
18 treatment plant expansion. While no one knows for sure how development will occur in  
19 the Winfield Service Territory, I, along with officials from Winfield, are anticipating  
20 beginning the preliminary planning for the next wastewater treatment plant expansion  
21 within the next two (2) years.



1 **Q18. DO YOU BELIEVE THAT WINFIELD CAN EXPAND THE WINFIELD WWTP**  
2 **BEYOND THE CURRENT 4 MGD OF CAPACITY AT ITS CURRENT**  
3 **LOCATION?**

4 A While future regulatory requirements are not certain, I see no insurmountable hurdles or  
5 impediments at this time which would prevent Winfield from expanding beyond 4 mgd of  
6 treatment capacity at its current wastewater treatment site. Again, I must reiterate, that  
7 Winfield will have almost 1.2 million gallons of excess capacity in approximately six (6)  
8 weeks. Winfield also has preapproval to expand the Winfield WWTP to 4 mgd and can do  
9 so within a little more than two (2) years after starting the process. If this expansion were  
10 to occur, Winfield would have almost 3.2 mgd of extra capacity to provide service to new  
11 customers both inside and outside its municipal limits.

12 At some point in the future, it may become necessary for Winfield to expand its plant  
13 beyond the 4.0 mgd of capacity. If that is the case, I anticipate that Winfield will follow  
14 the same path as it has to this point. Winfield will seek pre-approval to expand the Winfield  
15 WWTP and can complete such expansion in a little more than two (2) years. By design,  
16 Winfield has designed and constructed the Winfield WWTP such that not all the capacity  
17 needs be constructed at one time (i.e. it can be phased or gradually increased up to 4.0 mgd  
18 or beyond). The phasing of future capacity should allow Winfield to balance the needs of  
19 prospective customers needing service with the goal of maintaining competitive rates and  
20 charges.

1 **Q19. BASED ON YOUR ENGINEERING EXPERIENCE, DO YOU BELIEVE**  
2 **WINFIELD HAS THE FINANCIAL, TECHNICAL, AND MANAGERIAL**  
3 **CAPABILITY TO SERVE THE WINFIELD SERVICE TERRITORY?**

4 A Yes, I wholeheartedly agree with the conclusions of Mr. Duffy and Ms. Wilson on this  
5 issue. While I am not Winfield's financial advisor, it has been my experience that Winfield  
6 has the financial wherewithal to make the improvements necessary to the Winfield WWTP  
7 to ensure that it complies with all state and federal guidelines. From an operational and  
8 day-to-day management perspective, Winfield interviewed and ultimately hired a private  
9 third-party contractor, Utility Services Corporation, to manage and operate Winfield's  
10 wastewater facilities. As part of its contract, Utility Services Corporation provides: (i)  
11 licensed wastewater operators with an aggregate of over fifty (50) years of experience; (ii)  
12 a full functioning laboratory; (iii) operations equipment; and (iv) the equipment necessary  
13 to make most routine repairs.

14 **Q20. WHAT HAS BEEN YOUR PERSONAL EXPERIENCE WITH THE OPERATIONS**  
15 **AND DAY-TO-DAY MANAGEMENT FOR WINFIELD'S SEWER SYSTEM?**

16 A My experience with Utility Service Corporation has been very positive. I have found their  
17 staff and management to be very capable and informed. They have been responsive and  
18 able to address issues in a timely manner. At the same time, I have found the Town  
19 Council, the legislative body that oversees the ownership and operation of the Utility, to  
20 be responsive to the Utility's needs and has made funds available to make the necessary  
21 extensions and replacements. Overall, I believe the Winfield Wastewater Utility is poised  
22 to provide service to current growth both inside its municipal boundaries and in the  
23 Winfield Service Territory.

1 **Q21. TO THE EXTENT THERE ARE PROPERTIES WITH SEPTIC ISSUES IN AND**  
2 **AROUND THE WINFIELD SERVICE TERRITORY, DOES WINFIELD**  
3 **CURRENTLY HAVE TREATMENT CAPACITY TO PROVIDE SERVICE TO**  
4 **THESE PROPERTIES?**

5 A Yes, it does. As I testified above, Winfield currently has the treatment capacity necessary  
6 to treat 0.39 mgd of wastewater from prospective customers, including those customers  
7 that may have failing septic tanks. Once the expansion to the Winfield WWTP is complete  
8 in approximately six (6) weeks, Winfield will have even more capacity to serve customers  
9 in need. From a cost perspective, I would assume that individuals with failing septic  
10 would much prefer to connect to Winfield than Crown Point as Winfield's user rates and  
11 connection fees are significantly lower than those of Crown Point.

12 **III.**

13 **PRESENT AND FUTURE ECONOMIC DEVELOPMENT**  
14 **IN THE WINFIELD SERVICE TERRITORY**

15 **Q22. WILL APPROVAL OF WINFIELD'S REGULATORY ORDINANCE HAVE AN**  
16 **IMPACT ON CURRENT AND FUTURE ECONOMIC DEVELOPMENT IN THE**  
17 **WINFIELD SERVICE TERRITORY?**

18 A Yes, I believe it will have a positive impact. At this point, the Town has planned, designed,  
19 permitted, obtained regulatory approval for, and financed construction of treatment  
20 facilities with sufficient capacity to serve the anticipated needs of the Winfield Service  
21 Territory for the foreseeable future. As explained by Mr. Duffy, this treatment capacity  
22 will be made available to the Winfield Service Territory by extending Winfield's existing  
23 nearby facilities which should, in turn, facilitate economic growth in the area. As  
24 development occurs both inside and outside its boundaries and in the Winfield Service

1 Territory, Winfield will monitor flows and then construct improvements to ensure capacity  
2 is available when needed. By approving the regulatory ordinance and authorizing Winfield  
3 to be the exclusive provider to the Winfield Service Territory, Winfield will be able to  
4 spread its fixed costs of operating its treatment plant over a greater number of customers  
5 and thereby have the financial ability to maintain its competitive rates. Undeniably, the  
6 ready availability of sewer service at half the monthly rates of Crown Point will encourage  
7 economic development in the area.

8 **Q23. HAS THE CITY CONSISTENTLY INFORMED DEVELOPERS, INCLUDING**  
9 **LBL DEVELOPMENT, INC. ("LBL"), OF ITS ABILITY TO PROVIDE SEWER**  
10 **SERVICE TO THE WINFIELD SERVICE TERRITORY?**

11 A To the best of my knowledge, I believe Winfield has always stated that it would be able to  
12 serve the Winfield Service Territory. To this end, the Town and I monitor the Winfield  
13 Service Territory to stay abreast of economic development plans in the area to ensure that  
14 the Town will be in a position to provide sewer service when called upon. I am not aware  
15 of a single instance in which the Town informed any developer, including LBL, that the  
16 Town cannot serve the area.

17 **Q24. TO FOLLOW UP ON YOUR STATEMENT REGARDING COMPETITIVE**  
18 **RATES, ARE YOU FAMILIAR WITH WINFIELD'S RATES?**

19 A Yes, I am. Winfield has adopted rates which provide for a flat sewer fee of approximately  
20 \$59.75 per month.

1 **Q25. DO YOU ANTICIPATE THAT NEW AND ADDITIONAL RATE REVENUES**  
2 **WILL BE NEEDED IN ORDER TO COVER THE CONSTRUCTION AND**  
3 **ASSOCIATED COSTS OR THE COST OF OPERATING AND MAINTAINING**  
4 **THE WINFIELD WWTP EXPANSION TO 1.6 MGD?**

5 A No, I do not. The Town has already financed the construction and other costs associated  
6 with this expansion to the Winfield WWTP and implemented rates that are sufficient to  
7 pay for the principal and interest payments on the debt associated with such expansion.  
8 Winfield's financial advisor, Jennifer Wilson, can explain in more detail, but I understand  
9 that the Town has sufficient funds to operate and maintain the current plant facilities  
10 without any near-term rate adjustments. As new customers are added on to the system and  
11 new capacity is needed, I anticipate that the new revenues from these customers will help  
12 offset and potentially negate the need for any rate increases in the near future.

13 **Q26. ARE YOU FAMILIAR WITH THE PROPOSED RATES FOR CROWN POINT IN**  
14 **THE WINFIELD SERVICE TERRITORY?**

15 A Yes, I am. I understand that Crown Point's user rates will be more than double Winfield's  
16 existing rates and its connection charges are more than \$2,500 more expensive than  
17 Winfield's. Considering that Winfield has constructed much of the improvements  
18 necessary to serve the Winfield Service Territory, I do not anticipate significant capital  
19 costs for the Winfield WWTP for many years. Therefore, the significant difference  
20 between Winfield's and Crown Point's rates should continue for the foreseeable future. In  
21 my opinion, Crown Point's much higher rates would be a deterrent to present and future  
22 economic development in the Winfield Service Territory.

1 **Q27. WHY SHOULD WINFIELD BE THE EXCLUSIVE PROVIDER IN THE**  
2 **WINFIELD SERVICE TERRITORY?**

3 A As an initial matter, I believe it is a question of fairness. Winfield has planned, designed,  
4 financed, and obtained specific regulatory approval to expand its facilities with sufficient  
5 capacity to serve the area in and around Winfield, including the Winfield Service Territory.  
6 From my perspective, it makes sense (and is fair) that Winfield be authorized to be the  
7 exclusive provider in order to provide families, businesses, and others the benefits of  
8 Winfield's twenty years of planning to serve this area—rates half those of Crown Point's  
9 rates; a wastewater treatment plant with currently-available excess capacity, more excess  
10 capacity coming online in June 2025 (the costs of which are already covered by current  
11 rates and chares), IDEM preapproval to more than double the June 2025 capacity, and the  
12 ability to increase treatment plant capacity in timely and incremental steps; the ease and  
13 relatively low-cost of connecting the Winfield Service Territory (including the Disputed  
14 Area) to Winfield's sewer system); and comprehensive one-stop provision of utility  
15 services. As the exclusive provider, Winfield would also have the assurance to make the  
16 future investments necessary to its treatment facilities so that treatment capacity is  
17 available when needed by users in the Winfield Service Territory.

18 I am familiar with the Town's sewer transmission and collection facilities, and I do agree  
19 with Mr. Duffy that the Winfield Service Territory is a logical extension of Winfield's  
20 existing service territory. By approving the regulatory ordinance and authorizing Winfield  
21 to be the exclusive provider, it should be a seamless process for developers and other  
22 stakeholders in the Winfield Service Territory to simply extend and interconnect with  
23 Winfield's nearby facilities. The ease of connection, the ready availability of treatment

1 capacity, and the lack of potential confusion caused by duplicative facilities support a  
2 finding that Winfield should be the exclusive provider to the Winfield Service Territory.

3 **Q28. ARE YOU FAMILIAR WITH THE DEVELOPMENT BEING CURRENTLY**  
4 **PROPOSED BY LBL?**

5 A Yes, I am generally aware of the proposed development.

6 **Q29. DOES WINFIELD HAVE SUFFICIENT CAPACITY TO PROVIDE SERVICE TO**  
7 **THE PROPOSED LBL DEVELOPMENT?**

8 A Yes, Winfield can meet the needs of the LBL through the reserve capacity at the Winfield  
9 WWTP and subsequent phased expansion of the plant, if necessary. As previously stated,  
10 the WWTP has approximately 1.19 mgd of reserve capacity in June 2025. The planning  
11 and design of future expansion to the plant would occur over the next couple of years to  
12 maintain adequate reserve capacity in the plant so that LBL will have service when it is  
13 needed.

14 **Q30. ARE YOU AWARE THAT CROWN POINT IS ALSO SEEKING TO PROVIDE**  
15 **SERVICE TO A PORTION OF THE LBL DEVELOPMENT?**

16 A Yes, I am. I understand that a portion of LBL's proposed development is within the  
17 existing municipal limits and the remaining portion is within the Winfield Service  
18 Territory. I also understand that Crown Point is trying to serve that portion of the LBL  
19 development that is within the Winfield Service Territory. If this were to occur, there  
20 would be two different sewer providers within the same subdivision or development. In  
21 my professional opinion, such a result would be duplicative, unnecessary, confusing to  
22 developers, and frustrating to future customers, especially when considering the

significance difference in rates and charges between the two providers. Quite frankly, having two different sewer providers in the same subdivision does not make sense to me.

## V. CONCLUSION

**DOES THIS CONCLUDE YOUR TESTIMONY?**

Yes, it does.



**VERIFICATION**

I affirm under the penalties for perjury that the foregoing testimony is true to the best of my knowledge, information, and belief.

A handwritten signature in black ink, appearing to read 'JCL', is positioned above a horizontal line.

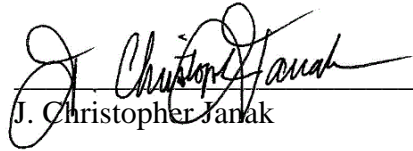
Jeremy C. Lin, Professional Engineer

## **CERTIFICATE OF SERVICE**

I certify that a copy of the foregoing was served upon the following by electronic mail this 21st day of April, 2025:

**Indiana Office of Utility Consumer Counselor**

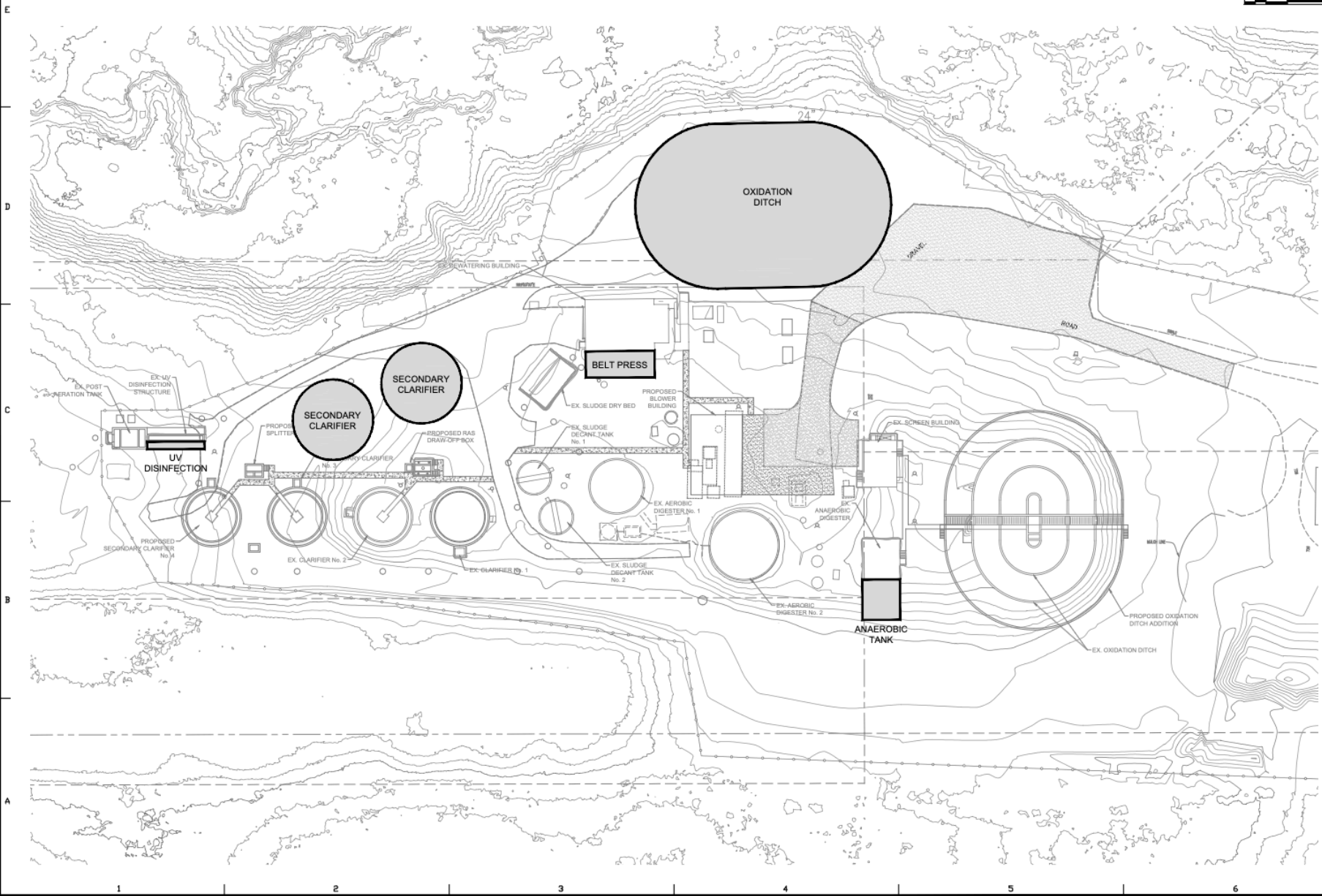
[infomgt@oucc.in.gov](mailto:infomgt@oucc.in.gov)

  
\_\_\_\_\_  
J. Christopher Janak

4976120.1

# **Petitioner's Exhibit 12**

# WINFIELD WWTP PHASE 3 IMPROVEMENTS - EXPANSION TO 4.0 MGD



NO.	DATE	REVISIONS

8052 MONTICELLO AVENUE SUITE 207  
SKOKIE, IL 60076  
TEL: 847-309-2590  
FAX: 847-594-6185  
STATE OF ILLINOIS  
COMMUNAL ENGINEERING  
LICENSE NO. 18-0581



TOWN OF WINFIELD, INDIANA  
WASTEWATER TREATMENT PLANT  
PHASE 2 IMPROVEMENTS  
OVERALL SITE PLAN



PROJECT MANAGER

PROJECT MANAGER	JCL
PROJECT ENGINEER	JCL
DRAWN BY	RJH
CHECKED BY	JCL
DATE	12-18-20
SCALE	AS NOTED

SHEET  
**EX**

(Users/Projects/Drawings/Winfield WWTP 4.0 MGD.dwg - EX-1  
DATE: 12-18-20 10:01 AM  
USER: RJH/2020)

# **Petitioner's Exhibit 13**



# 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](http://www.idem.IN.gov)

**Eric J. Holcomb**  
*Governor*

**Brian C. Rockensuess**  
*Commissioner*

February 21, 2023

## VIA ELECTRONIC MAIL

Mr. Gerald T. Stiener, Council President  
Town of Winfield  
10645 Randolph Street  
Winfield, Indiana 46307

Dear Mr. Stiener:

Re: 327 IAC 3 Construction  
Permit Application  
Winfield WWTP  
Permit Approval No. 24891  
Winfield, Indiana  
Lake 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. 24891), which applies to the construction of the above-referenced proposed water pollution treatment/control facility improvements to be located at the site of the existing treatment facility at 7390 East 112<sup>th</sup> Avenue.

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 Lintech Engineering, Inc., and certified by Jeremy C. Lin, P.E., BCEE, and submitted for review on November 28, 2022, with additional information submitted on January 23, 2023.

Any questions concerning this permit may be addressed to Charity Dudley, P.E., of our staff, at 317/233-6683.

Sincerely,

A handwritten signature in black ink that reads "Kevin D. Czerniakowski". The signature is written in a cursive, slightly slanted style.

Kevin D. Czerniakowski, P.E.  
Section Chief  
Facility Construction and  
Engineering Support Section  
Office of Water Quality

Project No. P-25666

Enclosures

cc: Lake County Health Department

Jeremy C. Lin, P.E., BCEE, Lintech Engineering

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
AUTHORIZATION FOR CONSTRUCTION OF  
WATER POLLUTION TREATMENT/CONTROL FACILITY  
UNDER 327 IAC 3

DECISION OF APPROVAL

The Town of Winfield, 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 improvements to be located at the site of the existing treatment facility at 7390 East 112<sup>th</sup> Avenue. 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 one year from the date of issuance of this 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.

Issued on February 21, 2023, for the Indiana Department of Environmental Management.



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Kevin D. Czerniakowski, P.E.  
Section Chief  
Facility Construction and  
Engineering Support Section  
Office of Water Quality



WATER POLLUTION TREATMENT/CONTROL FACILITY DESCRIPTION

The Town of Winfield currently operates a Class II, 0.8 MGD activated sludge treatment facility consisting of a mechanical fine screen, anaerobic tank to facilitate phosphorus removal (receives screened sewage and RAS), a dual-ring oxidation ditch, chemical phosphorus reduction, two (2) secondary clarifiers, ultraviolet disinfection facilities, and fine bubble diffused post-aeration followed by a 120° V-notch weir effluent flow meter. Sludge is transported to two (2) aerobic digesters then two (2) decanting tanks before dewatering utilizing a belt filter press. The sludge is then disposed of by landfill via a licensed third-party contract hauler. The collection system is comprised of 100% separate sanitary sewers by design with no overflow or bypass points.

The previous Phase 1 of the expansion project increased the capacity of the plant from 0.4 MGD to 0.8 MGD in anticipation of future development in the area. This project is Phase 2 of the expansion and will expand the capacity of the WWTP from 0.8 MGD to 1.6 MGD. This includes the addition of a second mechanical fine screen, a third ring on the existing oxidation ditch, two (2) new secondary clarifiers, plant blower replacement, and a new chemical phosphorus removal system.

The improvements will be phased during construction to not affect the treatment capability of the plant.

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. Any local permits required for this project, along with zoning or easement acquisition, shall be obtained before construction is initiated.

3. If pollution or nuisance conditions are created, immediate corrective action will be taken by the permittee.
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. The sewage treatment plant must be capable of providing the same degree of treatment during construction as prior to 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.

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

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>.

# **Petitioner's Exhibit 14**



# 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](http://www.idem.IN.gov)

Eric J. Holcomb  
Governor

Brian C. Rockensuess  
Commissioner

**November 28, 2023**

## **VIA ELECTRONIC MAIL**

**Mr. Jeremy Lin, P.E., Engineer  
Lintech Engineering  
8052 Monticello Avenue, Suite 207  
Skokie, Illinois 60076**

**Dear Mr. Lin:**

**Re: Preliminary Effluent Limitations for Expansion  
of the Town of Winfield  
Wastewater Treatment Plant  
Permit No. IN0058343  
Lake County**

This letter is in response to your request for Preliminary Effluent Limitations (PELs) for a proposed expansion of the Town of Winfield Wastewater Treatment Plant (WWTP). As indicated in your request, the upgrade will consist of modifying the 0.40 MGD activated sludge plant to a 4.0 MGD oxidation ditch type treatment plant with ultraviolet light disinfection. The facility would continue to discharge via the existing outfall location to an unnamed tributary to Deer Creek. The  $Q_{7,10}$  low flow of the receiving stream at the point of discharge is considered to be 0 cfs.

A Wasteload Allocation (WLA002740) analysis was performed by this Office's staff on November 1, 2023 for the proposed facility upgrades. The following effluent limits are appropriated for the aforementioned modified treatment facility with an average design flow of 4.0 MGD with continuous discharge to the unnamed tributary to Deer Creek.

**Table 1**

Parameter	Summer		Winter		Units
	Monthly Average	Weekly Average	Monthly Average	Weekly Average	
CBOD <sub>5</sub>	10	15	25	40	mg/l
TSS	12	18	30	40	mg/l
Total Nitrogen	Report	----	Report	----	mg/l
Phosphorus	1.0	----	1.0	----	mg/l

**Table 2**

Parameter	Daily Minimum	Monthly Average	Daily Maximum	Units
pH	6.0	----	9.0	s. u.
Dissolved Oxygen				
Summer	6.0	----	----	mg/l
Winter	5.0	----	----	mg/l
<i>E. coli</i>	----	125	235	count/100mL

**Table 3**

Parameter	Summer		Winter		Units
	Monthly Average	Daily Maximum	Monthly Average	Daily Maximum	
Ammonia-N	1.2	2.9	1.2	3.1	mg/l

327 IAC 2-1.3 outlines the state's Antidegradation Standards and Implementation Procedures. According to 327 IAC 2-1.3-1(b), the procedures apply to a proposed new or increased loading of a regulated pollutant to surface waters of the state from a deliberate activity subject to the Clean Water Act, including a change in process or operation, that will result in a significant lowering of water quality. As the proposed activities would not result in a significant lowering of water quality, the Antidegradation Standards and Implementation Procedures do not apply.

For the above referenced discharge scenario, the following requirements will apply: Flow must be measured. The mass limits for parameters are calculated by multiplying the average design flow (in MGD) by the corresponding concentration value and by 8.345. Summer effluent limitations apply from May 1 through November 30 of each year. Winter effluent limitations apply December 1 through April 30 of each year.

The effluent limitations for *E. coli* are 125 count/100 mis as a monthly average calculated as a geometric mean and 235 count/100 mis as a daily maximum. The *E.coli* limits apply from April 1 through October 31 of each year.

The water quality-based limits set forth in this letter are based on the Indiana water quality standards in effect at this time and may not be the final limits once the NPDES permit is issued. If the water quality standards are modified by the Water Pollution Control Board and new water quality standards become effective prior to the date the NPDES permit for your facility is actually issued, then the IDEM is required by law to issue the NPDES permit with limits based on the new standards.

Also, note that these preliminary effluent limitations are based upon a wasteload allocation analysis which mainly evaluated the typical conventional pollutants. Since the wastestream has not been fully characterized, IDEM reserves the right to establish



effluent limitations for additional pollutant parameters as deemed necessary. This letter does not guarantee the approval of any permits.

In addition, Indiana Code 13-18-26 requires the permit applicant to certify that the following documents have been prepared and completed for new facilities and/or facility expansions with a design capacity above 0.10 MGD:

- A Life Cycle Cost-Benefit Analysis, as described in IC 13-18-26-3;
- A Capital Asset Management Plan, as described in IC 13-18-26-4; and
- A Cybersecurity Plan, as described in IC 13-18-26-5.

The certification of completion must be submitted to IDEM along with the permit application, and must be notarized. IDEM will not issue a permit to an applicant that is subject to IC 13-18-26 if the required certification is not included with the application packet, as required by IC 13-18-26-1(b).

The plans and analyses must be reviewed and revised (as necessary) at least once every five years. A new certification must be submitted to IDEM (with the NPDES renewal application) if any plan or analysis is revised during the five-year review.

If you have any questions regarding construction permits associated with the proposed facility upgrade, please contact Ms. Missy Nunnery at 317-232-5579. The NPDES permit modification will not be issued to reflect the upgrade until the construction permit is finalized. At a minimum, the modification request should be submitted at least 180 days prior to completion of the upgrade activities. Please be advised that the modification request must be accompanied by a \$50.00 fee in accordance with IC 13-18-20-12.

If there are any questions regarding the antidegradation requirements or NPDES permit requirements, please feel free to contact John Donnellan at [jdonnell@idem.in.gov](mailto:jdonnell@idem.in.gov) or 317/234-0865.

Sincerely,



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

Enclosures

cc: Tim Clayton, Town Council President