

**UTILITIES SERVICE BOARD MEETING
11/07/2022**

Utilities Service Board meetings are available at CATSTV.net.

CALL TO ORDER

Board President Ehman called the regular meeting of the Utilities Service Board to order at 5:00 p.m.

The meeting took place in the Utilities Service Boardroom at the City of Bloomington Utilities Service Center, 600 East Miller Drive, Bloomington, Indiana.

Board members present: Amanda Burnham, Jean Capler, Seth Debro, Jeff Ehman, Megan Parmenter, Jim Sherman, Kirk White, ex officio Scott Robinson, ex officio Jim Sims

Staff present: James Hall, Matt Havey, Dan Hudson, Vic Kelson, Hector Ortiz-Sanchez, Phil Peden, LaTreana Teague, Chris Wheeler, Katherine Zaiger

Guests present: Michael Hobbs

MINUTES

Board member Burnham moved, and Board Member Debro seconded the motion to approve the minutes of the October 24 meeting. Motion carried, seven ayes.

CLAIMS

Burnham moved, and Debro seconded the motion to approve the Standard Invoices: Vendor invoices included \$220,466.42 from the Water Fund, \$183,444.31 from the Wastewater Fund, \$11,769.11 from the Stormwater Fund, and \$2,793.90 from the Stormwater Construction Fund.

Motion carried, seven ayes. Total claims approved: \$418,473.74.

Burnham moved, and Debro seconded the motion to approve the Utility Bills:

Invoices included \$6,028.04 from the Water Fund and \$4,903.63 from the Wastewater Fund.

Motion carried, seven ayes. Total claims approved: \$10,931.67.

Burnham moved, and Debro seconded the motion to approve the Wire Transfers, Fees, and Payroll for \$403,308.64. Motion carried, seven ayes.

Burnham moved, and Debro seconded the motion to approve the Customer Refunds: Customer refunds included \$21.33 from the Water Fund and \$289.52 from the Wastewater Fund.

Motion carried, seven ayes. Total refunds approved: \$310.85.

CONSENT AGENDA

CBU Director Kelson presented the following items recommended by staff for approval:

- a. Potomac Electrical Services, Inc., \$13,550, High voltage circuitry and automatic transfer switch repairs at Blucher Poole WWTP.
- b. Heflin Industries, Inc., \$10,000, First amendment to increase on-call services agreement
- c. Commercial Service of Bloomington, Inc., \$10,000, First amendment to increase on-call services agreement.

The agreements were approved, as no items were removed from the Consent Agenda. Total contracts approved: \$33,550.00.

REQUEST FOR APPROVAL OF AN AGREEMENT WITH BUILDING ASSOCIATES, INC.

Capital Projects Manager Hudson presented an agreement for the Monroe WTP filter media replacement project. The project includes the repair of the concrete ceiling, replacement of the lighting, and the air handling system for \$2,104,900.00.

Board member Sherman commented the project seemed expensive.

Hudson said the air handling is the expensive part. We thought it would be a minor part when we first started, but the increase in supplies and equipment in the last six months skyrocketed the price. So that is the majority of the cost.

Board member Burnham asked when bids were opened on this project.

Hudson answered the bids were opened two weeks ago and were the second bid.

Burnham clarified that this project went out for a second bid.

Hudson said the first bid came in high, and we had to rethink the design of it. We changed the air handling and lowered the cost.

White asked if the fan system was part of the exhaust operation system to protect employees. Hudson confirmed that it was. There was a long process where we sampled the air to determine if it met OSHA regulations, and we found one criterion that did not meet OSHA regulations. So we had to go forward with the replacement of the exhaust system.

Burnham asked when they anticipate starting the project. Hudson said it was planned to begin next month.

Ex Officio Sims commented that the project says not-to-exceed, but we have had several that were also not-to-exceed and exceeded those. What is the idea for bids that we have that are not-to-exceed but end up paying more?

City Attorney Wheeler said every agreement that the City of Bloomington enters into is required to say not-to-exceed. That requirement is one that the Office of the Controller has requested of City Legal to make sure that it is in every contract. However, that does not mean that from time to time, once we get into a project, things that might have been assumed are incorrect or something that we did not know about pops up. As a result, it becomes necessary for us to amend an agreement and increase the cost by a new not-to-exceed amount. Sometimes, even though we agree that it is not to exceed, we end up amending agreements and going beyond that cost. The reason for the not-to-exceed is to ensure that if we do not like the way something is going, we can simply say no, and we are not going to pay more than what we have agreed to pay. We

have had situations like that, but this board has never had the benefit of seeing those things because it has never reached the point of being a lawsuit.

Burnham moved, and Debro seconded the motion to approve the agreement with Building Associates, Inc. Motion carried, seven ayes.

OLD BUSINESS: None

NEW BUSINESS: None

SUBCOMMITTEE REPORTS: None

STAFF REPORTS:

Assistant Director - T&D Hall recognized CBU employee Mike Hobbs, who recently retired after 36 years of service.

Kelson followed up with USB members to tour the CBU plants and Winston Thomas property.

Kelson reported the council has taken up the proposed amendments to the sewer and stormwater rates and fees. The first reading was last week, and it was not assigned to a subcommittee, so it will not be heard in committee this week as we expected. Instead, it will go straight to a public hearing on November 16 at 6:30 p.m. There will be a public hearing and final action that night.

Kelson said Sam Frank, former USB president, visited the Dillman WWTP.

Burnham asked what happened with the process and extra work that happened in the last week with CBU staff in identifying the issue with gasoline.

Kelson said a week ago yesterday, one of the operators at the Dillman plant smelled what smelled like gasoline fumes in the influent at the Dillman plant. The operator phoned the superintendent, and they immediately shut down the pumps and started redirecting all the flow up to the equalization basin. Assistant Director - Operations Ortiz-Sanchez, Assistant Director - Environmental Programs Zaiger, and the Monroe Fire District were out that night, and the Indiana Department of Environmental Management showed up at midnight. We went out to see where we could find it. That night, we thought somebody had poured it down a drain, and we could not find anything. The next day the fumes were in a higher concentration in the main than they had been the night before. One of the T&D assistant superintendents was near the gas station near the doughnut shop and smelled the gas, and noticed bags on the pumps, and that is when it was all triggered. Bloomington Fire Department was there, and a contractor for IDEM immediately started trying to pump the gasoline out of the tanks. But there was free product in the creek that was blocked by booms. Kelson thanked CBU staff, the Monroe Fire District, and IDEM for their work. Chief Moore was instrumental in running the incident command as there was a fear of fire at that point.

White said the response was complicated and required lots of different agencies. Do we have a Standard Operating Procedure with checklists, or do we rely on the expertise of you, the plant managers, and others with this experience?

Kelson said we had done incident training here in the past, and we have yet to do it since we have the new assistant directors here, so we should go through that again. Chief Moore mentioned the need for an after-action review, and we will do that in the next week or two. Kelson said what would have been helpful on that first night would have been to call BFD. When we called the fire department at Dillman, we were not in

the city, so when the plant called the fire department, they got the Monroe Fire District. We assumed that the issue was closer to the plant at that point, so we were focused on that. It would have been useful to have BFD there that first night.

White said he would be happy to attend the after-action review if a group is called together.

Burnham asked to confirm that this was nothing that CBU did and nothing that happened on our end of this project. Kelson confirmed that it did not occur on our end.

She said her estimation from the press release was it was negligence on the owner of the gas station's part that caused this spill. That was unfortunate because it has taken its toll on our staff, the police department, and the fire department. What is going to happen long-term with the gasoline that is in the soil? Kelson said he was hesitant to say negligence and said a failure at the gas station led to this spill.

Wheeler said there would be ongoing discussion and investigation as to the cause of this, and at this point, it would be inappropriate for us to speculate on what level of issues it might have been and who did wrong or right. Nothing on the city's side played a role in causing any of the issues that occurred. Burnham asked whose responsibility it was to follow up with that business owner. Wheeler said IDEM is involved in dealing with the company that owns the property that owns the gas station. The City of Bloomington and the legal and risk teams are looking into it.

Board member Ehman said he was interested in the plumbing and how we ended up with gasoline in our creek and sewer system. He also said he was interested in how other stations are configured and if we would anticipate if they had a spill if it would go to one place or another. Kelson said there is quite a bit of older vitrified clay pipe in that area in the sewer. Some of them are 12-15 inches in diameter. If gasoline makes it into the gravel surrounding that pipe, it will get into it if it finds a crack. It was not like we got a large amount of gasoline at the wastewater plant, there was some gasoline, and there may have been floating gasoline in a small portion of the pipe that led to vapor which is what we smelled at the other end. The concentration of benzene, toluene, ethylbenzene, and xylene (BTEX), a term for some of the chemicals that come in gasoline, got up to around 500 parts per million (ppm) in the water coming to the Dillman plant that we captured. The effluent from the plant was below the detection limit, so it was treated away at the plant. The water we collected in the queue was eventually processed back to the plant. We guess there was a crack in the pipe or a loose joint, and when the gasoline came in contact with the pipe, some of it found its way in. In the storm system, in the creek, nobody saw any gasoline flowing across the surface, so it had to have gotten into subsurface material, probably cracks in the bedrock, and flowed down into cracks and flowed down into where the creek was. The emergency portion of this whole operation ended when it got to the point where we were not sampling any gasoline in the sewers anywhere, any vapor. And that came late on Tuesday last week, and the previous two locations where gasoline vapor in the utility holes was right next to the creek. Close by the service station, maybe a couple of blocks south. There were two utility holes close to the creek; they were the last to show any vapor. Our guess is that it is the usual inflow and infiltration (I&I), small leaks in the system, and when gasoline was present, it got in there. Regarding other gas stations, we should look at or identify where we have major infrastructure, major sewer, or stormwater infrastructure near the existing gas station so we can be on the lookout.

Ehman said it is an infiltration issue in this case, not inflow, and we would assume that for other gas stations, we would not have that occurring. If it occurred, it would be infiltration. So he wanted to understand that it was not a direct inflow to the sewer system. Kelson said it would be worse if we had 50 gallons of it coming down the pike.

Ehman asked if there were any natural resource damages noticed on Clear Creek. Zaiger said the Department of Natural Resources assessed fish kill there, and they said it was fairly on par with what they would expect.

Parmenter asked how many gallons we expect leaked out. Kelson said the estimate was at least 8,100 gallons had leaked out. On the first day, IDEM's contractor recovered over 4,500 gallons.

Burnham thanked the staff for all of their hard work.

Robinson thanked Kelson and the staff at Dillman for the open house.

PETITIONS AND COMMUNICATIONS: None

ADJOURNMENT: Burnham moved to adjourn; the meeting adjourned at 5:29 p.m.

Jeff Ehman, President

Date