



SANITARY DISTRICT OF HIGHLAND

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Highland, Indiana 46322
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Incorporated in
1910

January 28, 2026

EES Case Management Unit
Environment and Natural Resources Division
U.S. Department of Justice
P.O. Box 7611
Washington, D.C. 20044-7611

Chief, Water Enforcement and Compliance
Assurance Branch (WC-15J)
U.S. Environmental Protection Agency,
Region V
77 W. Jackson Boulevard
Chicago, IL 60604

Chief, Environmental Section
Office of The Attorney General
Indiana Government Center South, 5th Floor
402 West Washington Street
Indianapolis, IN 46204

Chief, Compliance Branch
Office of Water Quality, Mail Code 65-40
Indiana Department of Environmental
Management
100 N. Senate Avenue
Indianapolis, IN 46204-2251

Office of Legal Counsel
Mail Code 60-01
100 North Senate Street
Indianapolis, IN 46204-2251

RE Sanitary District of Highland
Consent Decree
Civil Action No. 2:22-cv-00086
January 2026 Semi-Annual Report

ATTN: United States Department of Justice
U.S. Environmental Protection Agency, Region 5
Indiana Attorney General
Indiana Department of Environmental Management

Pursuant to Section VIII of the above captioned Consent Decree (Decree) entered December 09, 2022, the Sanitary District of the Town of Highland, Indiana (Highland) hereby submits its Semi-Annual Report (Report) through January 31, 2026.

Describe the work, and associated deadlines, that Highland completed under the Decree during the preceding six-month period and include documentation (e.g. as-built diagrams, photographs, etc.) of the work and the deadlines met:

1. SECTION VI: CIVIL PENALTY

Within 60 days after the Effective Date, Highland shall pay a civil penalty in the amount of \$87,500 to the United States and \$87,500 to the State for the violations alleged against Highland in the Complaint, together with interest from the Date of Lodging of the Decree accruing at the rate specified in 28 U.S.C. § 1961 as of the Date of Lodging.

Deadline: February 7, 2023

Highland has complied with the penalty requirement.

2. SECTION VII: COMPLIANCE REQUIREMENTS

A. Implementing SSO Remedial Measures

Within 30 Days of the Effective Date, Highland shall begin implementing the SSO Remedial Measures Plan, as provided in Appendix A of the Decree.

SSO Remedial Measures Plan

Phase 1, Division A Project

Consent Decree Completion Date: February 28, 2025

As noted in the January 31, 2025 Semi-Annual Report, the Phase 1, Division A project reached substantial completion in December 2024. The Phase 1, Division A project is fully complete.

Phase 1, Divisions B & C Projects

Consent Decree Completion Date: August 31, 2027

As noted in the January 31, 2025 Semi-Annual Report, the Phase 1, Divisions B & C Projects reached 30% design on schedule. Highland reported a force majeure event caused by the Hammond Sanitary District's (HSD) revised LTCP implementation schedule, as described in Highland's Force Majeure Report submitted on November 20, 2024. The force majeure event has impacted Highland's ability to stay on schedule with its Phase 1, Divisions B & C Projects per the current consent decree completion date of August 31, 2027.

As stated within Highland's Force Majeure Report, a delay in the design of HSD's cloth media disc filter (CMDf) facility will delay Highland's ability to design Phase 1, Divisions B & C. Highland requires data from HSD and HSD's engineering consultant to continue the design of Phase 1, Divisions B & C. HSD's Quarterly Report #30 indicated that Highland's data request would not be answered until July 10, 2025. To date, Highland has not received feedback or information from HSD related to its data request. HSD's Quarterly Report #31 indicated that

HSD will provide an updated LTCP implementation schedule upon completion of their lawsuit against Munster.

Highland has progressed with the design activities outlined within the January 31, 2025 Semi-Annual Report as much as possible. Highland has recently reached the 60% design milestone; however, several components of the design cannot move forward without data from HSD and HSD's engineering consultant. Exhibit A contains the 60% drawings, 60% contract books, and 60% cost estimates.

Due to HSD's delay, Highland will not be able to meet the proposed modified schedule detailed within Highland's Force Majeure Report. Additionally, Highland will not be able to provide a modified schedule until HSD's revised CSO LTCP implementation schedule has been approved and finalized.

The following items pertaining to the status of the SSO Remedial Measures Plan are attached as **Exhibit A: (PROVIDED AS A LINK TO DOWNLOAD DUE TO SIZE OF THE FILES)**

1. Phase 1 Division B 60% Drawings
2. Phase 1 Division B 60% Contract Book
3. Phase 1 Division B 60% Cost Estimate
4. Phase 1 Division C 60% Drawings
5. Phase 1 Division C 60% Contract Book
6. Phase 1 Division C 60% Cost Estimate

3. SECTION VII: COMPLIANCE REQUIREMENTS

B. SSO Flow Monitoring and Reporting Requirements

SSO Flow Monitors. *Within 30 Days of the Effective Date, or within 30 Days from the date of discovering any additional SSO Location, Highland shall install and operate flow monitoring technology at each SSO Location, if it has not already done so, in order to detect and record when an SSO may occur or actually occurs at each SSO Location and to Measure and record the volume of SSO discharged. To mitigate the adverse effect of any SSO, the flow monitoring device at each SSO Location shall instantaneously and automatically alert Highland to an SSO event. Highland shall install and operate the flow monitoring detailed in Section VII B at Paragraph 23 (a) and (b).*

Deadline: January 9, 2023.

As of the date of this Report, Highland is in compliance with its obligation to install and operate flow monitoring technology at each SSO Location as provided in Section VII of the Decree.

Reporting all SSO's. *Highland shall report all SSO's from its SSCS. This reporting shall include procedure contained in Section VII B at Paragraph 24 (a) and (b).*

As of the date of this Report, Highland is in compliance with its obligation to report all SSO's from its SSCS as provided in Section VII of the Decree.

Semi-Annual Overflow Logs. *By July 31st (for the reporting period of January – June) and January 31st (for the reporting period of July – December) of each year beginning the calendar year after the Decree is lodged, Highland shall submit copies of its final and completed electronic reports to IDEM and EPA using State Form 48373 for each SSO location at which an SSO occurred during the reporting period. Highland shall also complete and submit to IDEM and EPA the SSO reporting Table attached to the Decree as Appendix C for every SSO that occurred during the reporting period.*

Highland’s Semi-Annual Overflow Log for the reporting period of July – December, 2025 is attached as **Exhibit B**. The Semi-Annual Overflow Log has also been posted on the Town website.

4. SECTION VII: COMPLIANCE REQUIREMENTS

C. Miscellaneous Compliance Provisions

Capacity, Management Operation and Maintenance Plan (CMOM). On March 29, 2024, Highland submitted a revised draft CMOM to EPA and IDEM for review and approval. On October 25, 2024, USEPA Region 5 approved Highland’s revised draft CMOM. Highland has begun implementing the approved CMOM Plan. The final approved CMOM has also been posted on the Town website.

Overflow Emergency Response Plan (OERP). On March 25, 2022, Highland was notified by the Department of Justice, via email, that its OERP was approved. Highland has begun implementing the OERP.

5. SECTION IX: PUBLIC WEBSITE

Within 30 days from the Effective Date, Highland shall have an operable Website for the posting of Decree Deliverables and the Consent Decree. Highland shall announce the availability of the Website by a press release, and the Town of Highland’s official homepage, www.highland.in.gov, shall include a link to the Website. The Website may be a part of Highland’s website on the Town of Highland’s official website. All posted Deliverables shall be readily accessible, electronically searchable and accurately labeled. The Website shall include: the Consent Decree; Consent Decree Submissions; SSO Public Notification; and Other Public Presentations and Education Materials.

Deadline: January 9, 2023.

As of the date of this Report, Highland maintains an operable Website which meets the requirements of Section IX of the Decree. The website can be accessed directly at: highland.in.gov/sanitary-district/highland-consent-decree. Highland continues to update the website with Consent Decree Submissions, SSO Public Notifications and Other Public Presentations and Educational Materials.

Describe any non-compliance with any requirement of the Decree, explaining the reasons for any non-compliance and the remedial steps taken, or to be taken, to minimize such non-compliance or prevent its recurrence.

As of the date of the date of this Report, Highland is not aware of any non-compliance with any requirement of the Decree.

I CERTIFY UNDER PENALTY OF LAW THAT THIS DOCUMENT AND ALL ATTACHMENTS WERE PREPARED UNDER MY DIRECTION OR SUPERVISION IN ACCORDANCE WITH A SYSTEM DESIGNED TO ASSURE THAT QUALIFIED PERSONNEL PROPERTY GATHER AND EVALUATE THE INFORMATION SUBMITTED. BASED ON MY INQUIRY OF THE PERSON OR PERSONS WHO MANAGE THE SYSTEM, OR THOSE PERSONS DIRECTLY RESPONSIBLE FOR GATHERING THE INFORMATION, THE INFORMATION SUBMITTED IS, TO THE BEST OF MY KNOWLEDGE AND BELIEF, TRUE, ACCURATE, AND COMPLETE. I HAVE NO PERSONAL KNOWLEDGE THAT THE INFORMATION SUBMITTED IS OTHER THAN TRUE, ACCURATE, AND COMPLETE. I AM AWARE THAT THERE ARE SIGNIFICANT PENALTIES FOR SUBMITTING FALSE INFORMATION, INCLUDING THE POSSIBILITY OF FINE AND IMPRISONMENT FOR KNOWING VIOLATIONS.



Mark Knesek

CC: Highland Sanitary Board
Robert F. Tweedle
Susan Franzetti
Tom Benson – USDOJ
Robert Thompson – USEPA
Keith Middleton – USEPA
Ryan Bahr - USEPA
Beth Admire – IDEM

EXHIBIT A

1. Phase 1 Division B 60% Drawings
2. Phase 1 Division B 60% Contract Book
3. Phase 1 Division B 60% Cost Estimate
4. Phase 1 Division C 60% Drawings
5. Phase 1 Division C 60% Contract Book
6. Phase 1 Division C 60% Cost Estimate

[https://commonwealthengineers.egnyte.com/fl/WwyGY7hWkDHj/60%
25 Submittal](https://commonwealthengineers.egnyte.com/fl/WwyGY7hWkDHj/60%25%20Submittal)

Password: HighlandSSO2026!

EXHIBIT B

SEMI ANNUAL OVERFLOW LOG JULY - DECEMBER 2025

1. SSO Reporting Table (Per Consent Decree Appendix C)

Town of Highland, Indiana
Summary of Sanitary Sewer Overflows and Property Backups
July 1, 2025 – December 31, 2025

Event Number and Type	Date and Time Release Began/Ended	Drainage Basin Location	Location of Release	Description of Area Impacted	Reason for SSO	Amount of Flow Released	Rainfall Information and Classification	Name of Receiving Waters Impacted	Did Highland Follow its Overflow Emergency Response Plan?	Actions Taken to Prevent, Minimize or Mitigate Damage, Including Clean-up and Treatment of Affected Area	Actions Taken or Planned to Prevent Recurrence	Did Highland Exceed its Contractual Peak Flow Rate?	Comments
#1 – SSO	08-17-2025 4:25 AM to 08-17-2025 6:35 AM	5 th Street Basin	MH 1230 on 5 th St Interceptor (near 8220 5 th St)	Reached Receiving Water (At 1 Constructed Overflow out of 5 th St San Sewer into 5 th St Storm Sewer)	Rainfall, Excessive I/I, Under Capacity Sewer	73,863 gal	3-hr, 8.2 Yr. (2.56 inches Rainfall)	Little Calumet River	Yes	Closed valves on LaPorte Street Underground Storage Tank at 4:25 AM on 08/17/2025 to hold back flow from L&J Sanitary Lift Station to minimize volume of overflows. The tank filled to a level of 6.52 feet by 11:30 AM on 08/17/2025, at which time the valves were opened. The tank was empty by 5:52 PM on 08/17/2025.	Highland Sanitary District is implementing its SSO Remedial Action Plan as part of its Consent Decree with IDEM, EPA and DOJ. Phase 1A of the Plan (relief sewer from N. 5 th Lift Station to 81st/Johnston) is complete.	No	
#2 – SSO	08-18-2025 9:36 PM to 08-19-2025 11:36 AM	5 th Street Basin	MH 1001 on 5 th St Interceptor (near N 5 th St Pump Station)	Reached Receiving Water (Bypass Pumping to Storm Sewer)	Rainfall, Excessive I/I, Under Capacity Sewer	2,912,470 gal	72-hr, 45.1 Yr. (6.96 inches Rainfall)	Little Calumet River	Yes	Closed valves on LaPorte Street Underground Storage Tank at 9:15 PM on 08/18/2025 to hold back flow from L&J Sanitary Lift Station to minimize volume of overflows. The tank filled to a peak level of 10.17 feet by 10:03 AM on 08/19/2025. The valves were opened at 8:50 AM on 8/20/2025 and the tank was empty by 11:29 PM on 08/20/2025.	Highland Sanitary District is implementing its SSO Remedial Action Plan as part of its Consent Decree with IDEM, EPA and DOJ. Phase 1A of the Plan (relief sewer from N. 5 th Lift Station to 81st/Johnston) is complete.	No	
#3 – SSO	08-18-2025 9:50 PM to 08-19-2025 10:15 AM	5 th Street Basin	MH 1345 on 5 th St Interceptor (near 8505 5 th St)	Reached Receiving Water (At 1 Constructed Overflow out of 5 th St San Sewer into 5 th St Storm Sewer)	Rainfall, Excessive I/I, Under Capacity Sewer	199,920 gal	72-hr, 45.1 Yr. (6.96 inches Rainfall)	Little Calumet River	Yes	Closed valves on LaPorte Street Underground Storage Tank at 9:15 PM on 08/18/2025 to hold back flow from L&J Sanitary Lift Station to minimize volume of overflows. The tank filled to a peak level of 10.17 feet by 10:03 AM on 08/19/2025. The valves were opened at 8:50 AM on 8/20/2025 and the tank was empty by 11:29 PM on 08/20/2025.	Highland Sanitary District is implementing its SSO Remedial Action Plan as part of its Consent Decree with IDEM, EPA and DOJ. Phase 1A of the Plan (relief sewer from N. 5 th Lift Station to 81st/Johnston) is complete.	No	
#4 – SSO	08-18-2025 10:15 PM to 08-19-2025 9:00 PM	5 th Street Basin	MH 1230 on 5 th St Interceptor (near 8220 5 th St)	Reached Receiving Water (At 1 Constructed Overflow out of 5 th St San Sewer into 5 th St Storm Sewer)	Rainfall, Excessive I/I, Under Capacity Sewer	2,776,446 gal	72-hr, 45.1 Yr. (6.96 inches Rainfall)	Little Calumet River	Yes	Closed valves on LaPorte Street Underground Storage Tank at 9:15 PM on 08/18/2025 to hold back flow from L&J Sanitary Lift Station to minimize volume of overflows. The tank filled to a peak level of 10.17 feet by 10:03 AM on 08/19/2025. The valves were opened at 8:50 AM on 8/20/2025 and the tank was empty by 11:29 PM on 08/20/2025.	Highland Sanitary District is implementing its SSO Remedial Action Plan as part of its Consent Decree with IDEM, EPA and DOJ. Phase 1A of the Plan (relief sewer from N. 5 th Lift Station to 81st/Johnston) is complete.	No	