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In west Indianapolis, a fight against a wastewater plant fosters feelings of neglect



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Clark May grew up with industrial businesses on the west side of Indianapolis.

He remembers when the corn field next door became a fenced-in asphalt lot. He recalls the time a bull escaped from the nearby stockyards and charged at him while playing in front of the house at 5 years old, sending him running for his tiny life. He remembers the smell emitting from Reilly Tar and Chemical just a mile and a half away.

Like other lifelong residents of the area, May is accustomed to the factories and accompanying pollutants that sprouted not too far from Little Eagle Creek and the west side of the White River.

“Times change,” May said, standing in the yard of the one-story childhood home he now owns and lives in with his elderly dog, Mookie. “Things get better, things get worse.”

May and other residents are now protesting a planned wastewater treatment plant off of Tibbs Avenue about a mile away from May’s house. The area’s industrial history — and the plant site’s former use as part of the larger Chrysler foundry — doesn’t justify its planned use as a sewage plant, they say.

The plant, planned for a seven-acre parcel just north of I-70, will serve roughly 600 parcels in the Ben Davis Conservancy District — a special taxing district that can manage water resources under state law.

The conservancy’s three-member board of directors says rising wastewater treatment costs from Citizens prompts the need for a new plant that will exclusively serve residents in the district at a lower rate.

“It was the actions of (Citizens Energy Group) that have forced the Ben Davis Conservancy

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CITIZENS, which currently treats the area's wastewater, made two offers to purchase the district's assets, which include its sewer lines, for millions of dollars in a move it says would have stopped the creation of the new plant.

The board declined its first offer, made April 14, but has not yet responded to the second offer dated April 21, according to Citizens.

The issue stems from the city's complicated wastewater history — the conservancy formed in 1949 to provide wastewater to an area with “failing septic systems,” board chair Fred Buckingham said at a Metropolitan Development Commission meeting last month. The district runs along a roughly four-mile stretch of West Washington Street, confined largely from Tibbs Avenue in between old railroad tracks.

Candidate with ties to troubled casino wants Indiana Statehouse seat — again

After sewers were installed in the 1950s, water was sent to the city's treatment plant.

But when the city sold its wastewater services to Citizens in 2011, the contract for the district was renegotiated with a rate increase. The conservancy board estimates the price would cumulatively increase over 1,000% from 2018 to 2026, using projections of rate hikes that are not in line with the rate increase process that the Indiana Utilities Regulatory Commission described to the IndyStar.

Citizens disputes that cost estimate and argues that the proposed plant would not provide the lowest cost of service for conservancy residents.

Residents opposing the plant have been caught in limbo, fighting for a heavily polluted area that they say has been unheard and overlooked by city leaders.

The West Indianapolis Neighborhood Congress group tried in vain to stop the rezoning of the land at 900 S. Tibbs Avenue, arguing that the plant violates quality of life and land use plans for West Indianapolis.

City councilors approved the rezoning of the parcel in April, with two councilors representing the conservancy district and the plant, Kristin Jones and Jared Evans, noting in a news release that the plant will prevent even heavier industrial uses from being developed on the site. The site was previously zoned for heavy industrial use, but the

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discerned no odor. The site off of Tibbs Avenue is part of the former Chrysler foundry, which has been designated a brownfield site with potentially hazardous contaminants.

“It’s a site that sits in between the interstate and elevated train tracks, and it’s a current brownfield,” Evans told IndyStar in a follow-up interview. “I just felt like this was a victory for the community in the sense that we’re not going to allow some ugly industrial-intense thing that can come in.”

Jones, whose district includes the plant and West Indianapolis, did not respond to a request for further comment.

Meanwhile, opponents of the plant are coming to terms with a project that they argue is not even located in the conservancy district it is meant to serve.

“Just because there’s a hole there doesn’t mean you need to fill it,” said Jessica Saenz, vice president of WINC. “I would also say that West Indy is a gateway — it should be treated as such, instead of being treated like a doormat.”

Industrial history

The empty asphalt lot was part of a parcel that at one time featured the largest foundry in Central Indiana, according to the online Encyclopedia of Indianapolis.

The site previously featured a plant used to treat the discharge from the foundry, according to zoning documents submitted to the city.

Down the street is the chemical manufacturer Vertellus, formerly the Reilly Tar and Chemical Corporation site that the Environmental Protection Agency listed on its National Priorities List as a contaminated superfund site in 1984.

Three miles to the east lies a manufacturing plant for Ingredion, a manufacturer of sweeteners, starches and other food ingredients.

A number of other industrial sites are sprinkled throughout the area — including the existing Citizens wastewater treatment plant on Belmont Avenue to the south, and several industrial sites designated as in need of hazardous waste cleanup by the E.P.A.

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Historically, we've been pretty much neglected, marginalized, ignored," said Saenz, a fifth-generation resident. "I mean, I know everybody shouts that, but you can tell by the way it looks around here that I'm not really exaggerating."

The neighborhood group argues that the plant violates the West Indianapolis land use plan, incorporated into the city's long-term comprehensive plan for future development.

The 2011 plan recommends that no development take place in the floodway of Neeld Ditch, a small waterway just north of the plant where the conservancy plans to discharge its treated water.

It is critical that flooding hazard be minimized in the area, the plan states.

But quality-of-life plans, even if certified by the city, serve more as guiding documents, according to the Department of Metropolitan Development. Staff and commissioners would consider the area's land use plan, the department said in a statement, but it is also more of a guiding document that does not solely dictate zoning.

The conservancy says that the effluent from the plant will not flood the ditch, and argues the actual treatment facility site is not located in a floodway.

"The only impact to the Neeld Ditch is the discharge pipe," the board said in its statement.

The neighborhood group also claims the plant violates the West Indianapolis Quality of Life Plan, a community-created plan that can guide city zoning staff and the Metropolitan Development Commission when making development decisions.

Saenz argued that the West Indianapolis Development Corporation was supposed to bridge WINC with city leadership under the plan, but said that the process was well underway by the time the group asked about the process.

The West Indianapolis Development Corporation did not respond to requests for comment.

Evans said there were multiple public notices and meetings about plans for the plant. He did not hear any opposition until this year.

"We've been a little frustrated," he said. "We keep getting told that our community wasn't

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Conservancy would beautify the site

There's also a dispute about what process the Belmont plant uses to prevent foul odors.

The conservancy board and Triad argue that the Belmont plant uses an anaerobic process to break down contaminants — one that does not require air — which is the reason for the smell. The conservancy argues that its new plant would treat waste aerobically, eliminating the odor often associated with treatment plants such as Belmont.

Citizens spokesman Dan Considine, however, said the Belmont plant is aerobic.

The planned plant would treat wastewater using an aerobic process

“Chemicals are not used in the process,” Jim Frazell, who works with the Triad Associates engineering firm developing the plant, told the development commission last month. “We disinfect the effluent with UV light, which is a very, very intense suntan booth, if you will, that discharges or disinfects all the bacteria that’s in the stream.”

The conservancy also says it will beautify the site, providing greenspace, trees, decorative fencing and a berm that will be “a significant improvement to the area.”

“Further, the proposed (plant) will prevent the land from being used for heavy industrial uses such as another foundry, slaughterhouse, etc. and will minimize traffic and noise on S. Tibbs Avenue as compared to the prior use,” the board said in its statement.

Still, WINC’s concerns are not alleviated. The plant will have a backup generator, but the group still worries about a malfunction. Treated water discharged into Neeld ditch must meet stringent requirements set by the state, the conservancy says, but the group still worries about polluting the small waterway.

“We’ve just been overburdened with a preponderance of hazards in the area, and I think we’re just seeking some environmental justice here,” WINC President Priscilla Jackson told the commission last month. “It doesn’t matter to me what the land was necessarily, but more so what it could be. And I don’t think this facility is the answer.”

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will charge residents in the long run.

When Citizens took over the city's wastewater system in 2011, it found that many contracts were decades old and did not provide enough revenue to sustain service, said Citizens spokesman Considine.

Rates were renegotiated through the Indiana Utility Regulatory Commission. Wholesale customers like the conservancy district were given through 2029 to ease into the newer, higher wholesale rate to avoid sticker shock through an agreement unraveled in two phases.

The conservancy and Citizens also have a dispute over the potential cost.

By the beginning of the second phase in 2026, the conservancy board argues, the Citizens treatment cost would be at least \$3.25 per 1,000 gallons of water — a cumulative increase of over 1,000% from 2018.

Citizens, however, projects a lower cost of roughly \$2.68 per 1,000 gallons.

Contacted by IndyStar, the IURC explained the rate increase in a similar way to Citizens. The agency said in a statement that the district will not reach the \$3.25 rate until 2029, provided that there are no increases to the wholesale rate between 2026 and 2029. Any increases added to the rate in that timeframe would be factored into the incremental increases.

But the board said that Citizens' underestimates the conservancy's average flow per day. The board projects 3 million gallons per day, based on the the last 50 years. Citizens projected 2.3 million per day based on the district's average flow for the last two years.

The project would take up to \$24 million in bonds, repaid from user fees that have also helped cover the district's standard operations and maintenance costs. In 2018, that user fee was \$8 per household. Today, it is \$32.

The user fee is in addition to the longtime property tax assessed on each house that the conservancy has used to fund its system — but the property tax has decreased as user fees

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ad valorem property taxes as means of funding the (conservancy) operations and debt service,” the board said.

The multiple costs have left some residents within the conservancy district scratching their heads.

Sharon Coleman and her husband can afford to pay the user fee in addition to the property tax, she said, but she worries about her 92-year-old father in law on social security, or her widowed aunt next door in her 70s.

“Then I’m thinking about all the young people that are trying to buy a house, or buy a house and they’re already paying their mortgage,” she said. “And then they have that added bill once a month.”

Whether the cost will ultimately be cheaper than the Citizens rate remains to be seen, Coleman said.

“I hope that they’re all right. I hope that they’re correct in whatever they’ve decided to do in trying to help us,” she said. “But I don’t know.”

Citizens had made two options in its offer

Citizens' latest offer of purchase presents two options for the district: either a \$10 million purchase price that would be distributed to conservancy freeholders, or a \$15 million price tag that would cover \$1 million worth of customer credits for conservancy residents over 15 years.

Citizens estimates that district customers that use 3,600 gallons a month, a typical amount, would receive a monthly bill of about \$53 a month.

WINC, meanwhile, hopes to oppose the discharge permit that the Indiana Department of Environmental Management must approve. The group is entertaining hiring a lawyer.

Regardless, frustration around the project echoes the longstanding feeling residents have felt for a while: downtrodden, like they’ve been overlooked.

“Our leaders have failed us,” said Marilyn LeMond, who has lived in the neighborhood

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