

**From:** [Caldwell, Mattie](#)  
**To:** [Lee, Sandra](#)  
**Cc:** [Anderson, Emily D](#); [Lutz, Daphne Y](#); [Blanton, Carrie T](#); [Bowen, Allen - RD, Montgomery, AL](#)  
**Subject:** 12672 AL0063657 105 08-28-2018 CORS MFC INJUNCTIVE RELIEF RESPONSE.pdf  
**Date:** Tuesday, August 28, 2018 12:34:36 PM  
**Attachments:** [12672 AL0063657 105 08-28-2018 CORS MFC INJUNCTIVE RELIEF RESPONSE.pdf](#)

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**004942**



Alabama Department of Environmental Management  
adem.alabama.gov

1400 Coliseum Blvd. 36110-2400 ■ Post Office Box 301463  
Montgomery, Alabama 36130-1463  
(334) 271-7700 ■ FAX (334) 271-7950

August 28, 2018

Jamaal Hunter  
Mayor  
City of Uniontown  
P.O. Box 1069  
Uniontown, AL 36786

RE: July 31, 2018, Response to May 23, 2018, Filing  
NPDES Permit No. AL0063657  
Uniontown Lagoon  
Perry County

Dear Mayor Hunter:

The Department has received the July 31, 2018, letter in response to the May 23, 2018, Court Order Granting Additional Injunctive Relief in CV-2012-900021.00.

The Court ordered that the Permittee submit a written plan to the Department detailing a plan of action to reduce increased influent flows to the wastewater collection and treatment system, and to prevent catastrophic breaches of the treatment lagoons and sprayfield. The Permittee's submission cited the February 12, 2018, Engineering Report to ADEM. The Department notes that the February 12, 2018, Engineering Report does include *long term* plans to reduce influent flows. Uniontown's submission also stated that the City of Uniontown would "install emergency overflow pipes at the lagoon for the expressed reason of emergency overflow." Please note that the Department has deemed that the emergency overflow pipes will not meet the bypass requirements specified in ADEM Administrative Code 335-6-6-.12(m). However, the Department understands that for Uniontown to comply with the Court's June 5, 2018, Order, an emergency release may be required to prevent catastrophic breaches of the dikes at the lagoon and sprayfield. The Permittee should ensure that the Department is notified of the construction completion date(s) of any such emergency overflow(s) and should also be notified of release details.

If you have any questions regarding this letter or your permit, please contact Sandra Lee by phone at (334) 274-4223 or by e-mail at [slee@adem.alabama.gov](mailto:slee@adem.alabama.gov).

Sincerely,

*Glenda L. Dean*

Glenda L. Dean, Chief  
Water Division

File: CORS

cc: Daphne Lutz, ADEM  
Emily Anderson, ADEM  
Sandra Lee, ADEM  
Carrie Blanton, ADEM General Counsel  
Ed Morris, Sentell Engineering  
Allen Bowen, USDA



**From:** [Gordon, Nivory - RD, Camden, AL](#)  
**To:** [Hale, Stan - RD, Montgomery, AL](#)  
**Cc:** [Bowen, Allen - RD, Montgomery, AL](#); [Norwood, Rose - RD, Camden, AL](#); [Williams, Melissa - RD, Camden, AL](#); [Givan, Terrika - RD, Camden, AL](#)  
**Subject:** 2018City of Uniontown\_WWProjSumCompleteau.pdf  
**Date:** Tuesday, October 2, 2018 12:50:39 PM  
**Attachments:** [2018City of Uniontown\\_WWProjSumCompleteau.pdf](#)

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**004944**

PROJECT INFORMATION - WATER AND WASTE DISPOSAL PROGRAMS

PROJECT INFORMATION

Customer Name: City of Uniontown

Project Name: Sewage Collection & Treatment Rehab 2018

Customer DUNS: 001630136

CCR Cage #: 5R9J7

CCR Expiration Date: 3/15/2019

A. APPLICANT/BORROWER:

Case Number: 01-053-\*\*\*\*\*1386 Customer Identifier: 835057256

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Address: 100 Front Street

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City/State/Zip: Uniontown, AL 36786-

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County: Perry

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Entity Type: Public Body

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Customer Congressional Districts

AL-07;

Facility Congressional Districts

AL-07;

B. SERVICE TO BE PROVIDED:

Sewer

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(requested / provided depending on application status)

C. FINANCIAL ASSISTANCE

Direct Loans:

Direct Grants:

Grant Amount	Grant Type
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\$23,437,500.00	744 Persistent Poverty (Grant Only) Waste Disposal Only
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**D. LAND AND RIGHTS**

	Fee Simple	Lease	Purchase Price	Present Market Value
Acres to be acquired				
Acres now owned	<b>87.00</b>			<b>86,400.00</b>

**Describe Other Rights: (such as water rights or rights-of-way)**

**Uniontown has the water rights and operates two wells for the city's potable water.**

**E. POPULATION/INCOME DATA**

Population Served by the Project		<u>2826</u>	
Statewide nonmetropolitan median household income		<u>42,352.00</u>	
Median household income of possible service area		<u>15,054.00</u>	
Poverty guideline for State		<u>25,100.00</u>	
Monthly EDU Cost Water	<u>0.00</u>	Percent of MHI (Annual)	<u>0.00 %</u>
Monthly EDU Cost Sewer	<u>22.72</u>	Percent of MHI (Annual)	<u>1.81 %</u>

Comments on MHI Calculations for the Service Area

**MHI is calculated from data entered into RD Apply at the Service Area screen. Agency is using data from 2006-2010 ACS, per AN 4711 dated 3/28/13.**

**1499 customers - Uniontown - \$15,054**

Demographic of the Project Service Area

Ethnicity:	Hispanic or Latino	<u>16</u>
	Non-Hispanic or Latino	<u>2810</u>

Race:

American Indian/Alaskan Native	Asian	Black or African American	Native Hawaiian or Other Pacific Islander	White	Multiple	Other	Total
		<b>2600</b>		<b>216</b>	<b>7</b>	<b>3</b>	<b>2826</b>

**F. Description of Proposed Facility and Existing Facilities Which are to be Used in Connection with Proposed System**

*(Include estimated present market value for existing system.)*

**Existing Facility**

The City of Uniontown operates a three cell lagoon to treat the city's domestic and industrial wastewater. This treated effluent is pumped 4.6 miles south of town and dispersed overland via a spray field for final treatment. The collection system consist of 21 miles of piping and nine pumping stations to the lagoon. The lagoon currently has two major pieces of equipment that cannot be operated. The first is the automatic screen that separates larger particles from the influent and deposits them in a container for disposal. The other is the Ultra Violet Disinfection System. These systems are not operable due to constant flooding shorting out the electronics. The flooding is caused by the collection system essentially draining ground water from the city. The spray field is past its expected usefulness due to excessive amounts of effluent it has experienced. The spray field is very limited to its final treatment capabilities. Due to the excessive influent from the collection system the lagoon overflows its dykes approximately 150 days of the year into Cottonwood Creek.. The spray field overflows its dykes every day of the year into Freetown Creek.

The collection system is comprised mostly of brick manholes connecting the main collection lines. The collection system

was constructed in the late 40's and early 50's according to dates found on some of the manhole lids. The bricks and the mortar between the bricks have deteriorated to the point that there is very little mortar between the joints and bricks have fallen into the bottom of the manholes and have been carried downstream into the sewer lines. The deterioration allows ground water to enter the manholes during wet periods diluting the sewage and creating more effluent for the lagoon to treat. The collection lines are mostly made of "Tera Cotta Clay". These clay pipes have deteriorated to the point that they are comparable to Swiss Cheese. Video data shows that there are numerous cracks, holes, broken sections, and collapses throughout the entire collection system. Uniontown is currently under a consent order from ADEM and a court order from the Perry County Circuit Court to cease discharging unpermitted effluent into Cottonwood Creek and Freetown Creek.

**Proposed Facility**

The collection system will be rehabilitated. The manholes will either be lined with a structural limestone cement or replaced with new concrete manholes. The main sewer lines will be corrected through complete replacement, pipe-bursting, or slip lining. The laterals will be videoed and replaced as needed. The headworks will have a new automatic screen to remove solids from the collection system. The influent from Uniontown's collection system will be pumped to the City of Demopolis for treatment. The existing spray field will be decommissioned and reclaimed. The lagoon will be decommissioned and reclaimed.

Conditions of the funding will include the sewer utility being transferred from the City to an independent utility board, and third-party professional management. -pld

**G. FACILITY CHARACTERISTICS: (Planned Project)**

**WATER SYSTEMS**

Source

Treatment

Distribution

Supply Concerns

Storage Type

**WASTEWATER SYSTEMS**

Discharge

Stream

Treatment

Stabilization Ponds

Collection

Conventional Gravity, Conventional Gravity, Effluent Pumps,

**STORM WATER SYSTEMS**

Discharge

Treatment

Collection

**SOLID WASTE SYSTEMS**

Disposal

Treatment

Collection

**H. FACILITY SITE INFORMATION**

<b>Facility Type</b>	<b>Facility Description</b>	<b>Facility Address</b>
Treatment Plant	Uniontown Lagoon	933 Lucian Street Uniontown, AL
Pump Station	Fish Plant	Cane Break Street Uniontown, AL
Pump Station	Cane Break	Cane Break Street Uniontown, AL
Pump Station	53 Station	Co Rd 53 Utowntown, AL 36786
Pump Station	Air Port Road	Highway 1 Uniontown, AL 36786
Pump Station	Horne Lone Hill	US 80 Uniontown, AL 36786

Pump Station	Rabbit Yard	Old Greensboro Rd Uniontown, AL
Pump Station	65 Station	Highway 65 Uniontown, AL 36786
Pump Station	Old Mitchel Lane	3rd Ave south Uniontown, AL 3678
Pump Station	Leroy Brown	Leroy Brown Rd Uniontown, AL 367
Pump Station	Prison	US 80 Uniontown, AL 36786
Discharge Point	Spray Field	Kelly File Rd Uniontown, AL 3678
Primary Facility Site	Wastewater Treatment Plan Expansion	100 Front Street Uniontown, AL 3

**I. ENVIRONMENTAL REVIEW**

SEE ATTACHED

**K. CONTACTS**

Contact Type	Customer Contact
First Name	Jamaal
Last Name	Hunter
Organization Name	Mayor
Telephone	334-628-2011
Fax	334-628-2028
EMail	(b) (6) gmail.com

Contact Type	Legal Representative
First Name	John
Last Name	Gibbs
Organization Name	Gibbs & Sellers, PC
Telephone	334-641-0341

Contact Type	Engineer
First Name	Gilbert
Last Name	Sentell
Organization Name	Sentell Engineering
Telephone	205-752-5564

Contact Type	Other
First Name	Annesia
Last Name	Bulter
Title	Town Clerk
Organization Name	City of Union Town
Telephone	334-628-2011
EMail	cityofuniontown@outlook.com



RECOMMENDATIONS

A. ORIGINATING OFFICE RECOMMENDATIONS

DOES THE APPLICANT HAVE A WORKABLE PLAN FOR:

- 1. Collection of Delinquent Accounts:  Yes  No
- 2. Establishing Records and Maintaining Management and Audit Reports:  Yes  No
- 3. Facility Maintenance:  Yes  No
- 4. Necessary Operator Training:  Yes  No

Field Office Comments

- 1. The City of Uniontown is a small rural community in Perry County and is considered an underserved area in the RUS program.
- 2. The City of Uniontown is an eligible entity, the project is an eligible project, and is located in an eligible rural area. The CCD population is 2826 and the MHI is \$15,054. See the documentation in the file.
- 3. The City of Uniontown operates a three cell lagoon to treat the city's domestic and industrial wastewater. The lagoon currently has two major pieces of equipment that cannot be operated. The first is the automatic screen that separates larger particles from the influent and deposits them in a container for disposal. The other is the Ultra Violet Disinfection System.
- 4. These systems are not operable due to constant flooding shorting out the electronics.
- 5. The flooding is caused by the collection system essentially draining ground water from the city.
- 6. The spray field is past its expected usefulness due to excessive amounts of effluent it has experienced. The spray field is very limited to its final treatment capabilities. Due to the excessive influent from the collection system the lagoon overflows its dykes approximately 150 days of the year into Cottonwood Creek. The spray field overflows its dykes every day of the year into Freetown Creek.

Prepared by: NIVORY GORDON Digitally signed by NIVORY GORDON Date: 2018.10.02 11:46:46 -05'00' Date: \_\_\_\_\_

B. USDA ARCHITECT/ENGINEER'S WRITTEN ANALYSIS AND RECOMMENDATIONS

The City of Uniontown has been under a consent order since 2008 because of overflowing wastewater treatment lagoons and effluent sprayfield. The city is located on a ridge half way between the Alabama Rive and Tombigbee River. Waterways in the area have a 7Q10 flow of zero. The current wastewater treatment lagoons are frequently washed out and overflow because of excessive I&I. The effluent is currently land applied in a sprayfield. The soils in the area are chalky and do not percolate. The sprayfield often overflows into the creeks. There is a cheese manufacturing plant that has a lagoon system across the creek from the city WWTP. The high nitrogen wastewater in those lagoons produces amines that are associated with wastewater and have a very low odor threshold. The city is often enveloped by noxious odor and the streams do not meet the use classification of Fish and Recreation. Preliminarily artificial wetlands were considered. That idea was eliminated because of citizen objections. The PER evaluates alternatives of two types of tertiary treatment to discharge into Freetown Creek and an alternative to pump the wastewater to Demopolis for treatment. In all alternatives the existing lagoons and sprayfield would be reclaimed. Although having the highest initial cost, the forcemain to Demopolis was selected because of its simplicity, reliability, and efficiency. It also has the lowest present-worth cost. A list of short-lived assets and O&M budget projections is in the PER. The cost estimate appears to be in line with present construction costs. The preliminary design is technically sound and is of modest size, design, and proposed cost. The design can be completed in accordance with sound engineering principles and meets the requirements of all federal, state, and local agencies. Rural Development's design requirements set forth in RD Instruction 1780 Subpart C are also met in the preliminary design. I have reviewed the PER and I concur in this project.

**JOHN TAYLOR** Digitally signed by JOHN TAYLOR  
Date: 2018.09.26 15:17:28 -05'00'

Prepared by:

Date:

**C. PROGRAM DIRECTOR'S RECOMMENDATIONS**

1. The City of Uniontown is located in Perry County in Central Alabama .
2. The MHI is \$15,054 for the area served which is well below the State Non Metro of \$42,352 and the current poverty line of \$25,100. The 2010 census data reports the population to be 2826. I have reviewed and agree with the documentation in file for the MHI and census.
3. The City of Uniontown is eligible for RD Funding and meets the MHI and Population requirements for a CF Grant funds.
4. The area is located in a Persistent Poverty.
5. The \$31,250,000 Grant Funds are needed to complete upgrades that are needed to comply with a consent order.
6. The Grant will be made in accordance with 1780, the Grant Agreement and the Letter of Conditions.
7. The applicant is unable to finance this project through its own resources or other means because the MHI is only \$15,054. This is a very poor community.
8. Due to the lack of proper financial management as outlined in a letter from ARWA discussing the weaknesses, RD is requiring the establishment of a Utilities Board that will operate and manage the day to day operation of both the water and sewer facilities. In addition the board members will be required to attend annual Board training such as that provided by ARWA. this requirement is included in the LOC.
9. The City will pass a resolution requiring any residence and / or business that is within 100 feet of the water and / or sewer line to connect to system or pay a minimum bill. This requirement is included in the LOC.
10. Current average monthly cost is \$18,10, from 8/18 information provided by Alabama Rural Water Association, attached (called Sewer Customer and Flows). This is 1.44% of service area MHI (\$15,054). A 25.52% increase to \$22.72 (1.81% of MHI) will be required just to cash-flow the system's financial obligations, without new debt.  $(22.72 - 18.10 = 4.62 / 18.10)$  A minimum 25% loan of \$7,812,500 would require an average EDU cost of \$33.89, or 2.70% of the service area MHI.
11. Any new debt service will add an excessive burden on the customers. This project is located in a persistent poverty county. The MHI of \$15,054 is only 28.9% of the nationwide MHI of \$51,914 and 35.5% of the State of Alabama's MHI.
12. This project will alleviate a very serious environment hazard and assist a very poor community to establish safe, clean drinking water and sanitary sewer at affordable rates based on the MHI of \$15,054.
13. I recommend approval as submitted.

State Office Staff- Updated on 9/17/2018

**ROBERT BOWEN** Digitally signed by ROBERT BOWEN  
Date: 2018.09.26 15:23:52 -05'00'

Prepared by:

Date:

**From:** [Overman, Carolyn](#)  
**To:** [Bowen, Allen - RD, Montgomery, AL](#)  
**Subject:** ADEM Ltr RE Uniontown Water and Sewer Systems  
**Date:** Wednesday, September 26, 2018 4:56:18 PM  
**Attachments:** [2018-09-26 ADEM RE Uniontown Water and Sewer Systems.pdf](#)

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Mr. Bowen,

Attached is a letter from Glenda Dean regarding Uniontown's Water and Sewer Systems.

Carolyn Overman  
Administrative Assistant  
ADEM Water Division  
334-271-7823

**004952**



Alabama Department of Environmental Management  
adem.alabama.gov

1400 Coliseum Blvd. 36110-2400 ■ Post Office Box 301463  
Montgomery, Alabama 36130-1463  
(334) 271-7700 ■ FAX (334) 271-7950

September 26, 2018

Mr. Allen Bowen  
Director, Community & Business Programs  
USDA Rural Development  
4121 Carmichael Road, Suite 601  
Montgomery, Alabama 36106

RE: Uniontown Water and Sewer Systems

Dear Mr. Bowen,

We have reviewed our records for the Uniontown Utilities Board wellhead protection (WHP) areas, in relation to sanitary sewer infrastructure. Both water supply wells have sewer mains within the WHP areas. Of particular note is an 8" sewer main within 75 feet of Uniontown Well #2. This main has been subject to numerous leakages and breaks over the years and has required repairs in recent months.

Leaking sewer lines in wellhead protection zones may have the potential to impact these wells, depending on subsurface conditions or overland flow. Additionally, if water mains are in close proximity to a failing sewer main, cross contamination can occur if the water main loses pressure. For these reasons, it would be advisable for Uniontown to address these failing sewer lines to prevent any issues that could impact the WHP areas or water mains.

If you have any questions regarding this matter, please feel free to contact me.

Sincerely,

*Glenda L. Dean*

Glenda L. Dean, Chief  
Water Division

GLD/cko



**From:** [Bowen, Allen - RD, Montgomery, AL](#)  
**To:** ["Beeker, Chris - RD, Montgomery, AL \(Chris.Beeker@al.usda.gov\)"](#)  
**Subject:** AL - Perry - 7 (City of Uniontown).pdf  
**Date:** Friday, November 16, 2018 10:24:00 AM  
**Attachments:** [AL - Perry - 7 \(City of Uniontown\).pdf](#)

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**004954**



# Project Announcement

## USDA Rural Development has approved a grant of \$23,437,500.00

Program: Water and Waste Disposal Loans and Grants

State/County: AL/Perry

Congressman: Sewell, Terri (AL 07)

Senators: Jones, Doug (AL), Shelby, Richard (AL)

Recipient: Uniontown, City of

Recipient Contact: Jamaal Hunter (Mayor)

Mailing Address: 100 Front Street Uniontown, AL 36786

Email Address: (b) (6) @gmail.com

Phone Number: 334-628-2011

Project Description: This Rural Development investment will be used to rehabilitate the entire wastewater collection system serving the City of Uniontown. This major infrastructure redesign and rehabilitation includes construction of an interconnection between the City of Uniontown and the City of Demopolis which will pump wastewater to Demopolis for treatment. Once this collection system interconnection is operational, the treatment of wastewater through the City of Uniontown's existing lagoon and spray field system will be eliminated. The lagoons and spray field serving the City of Uniontown will be decommissioned and reclaimed, which will eliminate wastewater overflow and assist the City to better comply with environmental regulatory requirements. Approximately 2,810 customers in the City of Uniontown and surrounding area are served by this wastewater system.

Other Funding: Additional State Assistance, Additional Federal Assistance: \$7,812,500.00



# Project Announcement

Total Project Cost:       \$31,250,000.00

**From:** [Bowen, Allen - RD, Montgomery, AL](#)  
**To:** [Helton, Beverly - RD, Montgomery, AL](#); [Baker, Shelley - RD, Montgomery, AL](#)  
**Subject:** ARWA  
**Date:** Monday, August 27, 2018 3:25:00 PM

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Beverly, I spoke with Kathy this afternoon. We discussed her plans for the meeting Thursday at her office. We discussed starting at 9 am and ending at 10:30 am. She is going to share information about Uniontown, Wilcox County, her circuit rider, program and the relationship with RD and other partners such as ADEM. I told her that ADEM would also be attending.

She mentioned the meeting with the mayor of Uniontown and asked if that had been setup yet. I told her that you were still working on that. I could not remember if you said you wanted ARWA at meeting with the mayor.

Kathy, wanted us to know that the mayor has not really been involved with the application process at all. In fact, they have had to run him down to get him to execute the necessary documents.

Thanks,

*Allen Bowen*

Allen Bowen  
United States Department of Agriculture  
Rural Development  
Community and Business Programs Director  
Office: 334-279-3617  
Cell4-4147  
Fax: 855-304-8457

**004957**



**From:** [Bowen, Allen - RD, Montgomery, AL](#)  
**To:** [Kathy Horne \(khorne@alruralwater.com\)](#); [Robert White](#); [Michael Baumgartner \(mbaumgartner@alruralwater.com\)](#); [Hale, Stan - RD, Montgomery, AL](#); [Williams, Daniel - RD, Montgomery, AL \(Daniel.Williams4@al.usda.gov\)](#); [Taylor, John - RD, Montgomery, AL](#)  
**Subject:** ARWA/Uniontown  
**Importance:** High

---

Discuss PER and application processing.

**004958**

**From:** [Gordon, Nivory - RD, Camden, AL](#)  
**To:** [Taylor, John - RD, Montgomery, AL; emorris@sentell.net; Bowen, Allen - RD, Montgomery, AL](#)  
**Cc:** [F Butler; jamaalhunter5219@gmail.com](#)  
**Subject:** Advertisement waiver  
**Date:** Tuesday, September 11, 2018 11:12:48 AM

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We are granting authorization to use reserve funds for proposed project Uniontown Sewer In the amount of \$15,000 +\_

Ms Butler

Prepare a letter for Mayor Hunter to sign on Thursday during our meeting in Uniontown requesting agency approval.

**004959**

**From:** [Hale, Stan - RD, Montgomery, AL](#)  
**To:** [Bowen, Allen - RD, Montgomery, AL](#)  
**Subject:** Al.com story  
**Date:** Monday, November 19, 2018 9:02:42 AM

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<https://www.al.com/news/2018/11/usda-approves-23m-for-uniontown-sewage-fix.html>

Stan B. Hale  
USDA RURAL DEVELOPMENT  
Community Programs  
State Loan Specialist  
4121 Carmichael Road, Suite 601  
Montgomery, Alabama 36106-3683  
Voice Direct 334-279-3616  
Fax 855-304-8457  
[stan.hale@usda.gov](mailto:stan.hale@usda.gov)

**004960**

**From:** [RDApply@DoNotReply.gov](mailto:RDApply@DoNotReply.gov)  
**Subject:** All Notifications (except Authorized Representative Requests)  
**Date:** Thursday, June 21, 2018 12:11:38 PM

## USDA Rural Development - RD Apply Logo Image



[RD Apply](#)

[Notifications](#)

[RD Home](#)

[USDA.gov](#)

### Recent RD Apply System Notification:

Robert White has created a Water And Environmental Application for City of Uniontown in Perry, Alabama on 06/21/2018 at 11:11 AM. The Application Number is 3005973.

*This is an automatically generated email - **please do not reply to it.** If you have any questions regarding your application, email:*

[RD.HD@STL.USDA.GOV](mailto:RD.HD@STL.USDA.GOV)

If you would like to view your application or manage your subscriptions, please [click here to login to RD Apply.](#)

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**004961**

**From:** [RDApply@DoNotReply.gov](mailto:RDApply@DoNotReply.gov)  
**Subject:** Application Accepted  
**Date:** Thursday, August 16, 2018 9:23:11 AM

## USDA Rural Development - RD Apply Logo Image



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[USDA.gov](#)

### Recent RD Apply System Notification:

City of Uniontown

Application Number 3005629 for City of Uniontown was accepted by Rural Development on 08/16/2018 at 08:22 AM. The confirmation number is 493803377496.

*This is an automatically generated email - **please do not reply to it.** If you have any questions regarding your application, email:*

[RD.HD@STL.USDA.GOV](mailto:RD.HD@STL.USDA.GOV)

If you would like to view your application or manage your subscriptions, please [click here to login to RD Apply.](#)

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**004962**

**From:** [RDApply@DoNotReply.gov](mailto:RDApply@DoNotReply.gov)  
**Subject:** Application Submitted  
**Date:** Tuesday, August 14, 2018 4:49:38 PM

## USDA Rural Development - RD Apply Logo Image



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[USDA.gov](#)

### Recent RD Apply System Notification:

City of Uniontown

Jamaal Hunter submitted a Water And Environmental Application for City of Uniontown in Perry, Alabama on 08/14/2018 at 03:49 PM. The Application Number is 3005629. The confirmation number is 355803377484.

*This is an automatically generated email - **please do not reply to it.** If you have any questions regarding your application, email:*

[RD.HD@STL.USDA.GOV](mailto:RD.HD@STL.USDA.GOV)

If you would like to view your application or manage your subscriptions, please [click here to login to RD Apply.](#)

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**004963**

**From:** [cityofuniontown@outlook.com](mailto:cityofuniontown@outlook.com)  
**To:** [Bowen, Allen - RD, Montgomery, AL](#); [Taylor, John - RD, Montgomery, AL](#)  
**Subject:** BWR and BBC Meeting with City of Uniontown

---

This meeting is scheduled to allow Black Warrior Riverkeeper and BlackBelt Citizens group the opportunity to share their concerns regarding the proposed wastewater system improvement plan. The meeting will take place in Room 204.

Letter invitation to BWR and BBC mailed today to address listed.

**004964**

**From:** [Bowen, Allen - RD, Montgomery, AL](#)  
**To:** ["Beeker, Chris - RD, Montgomery, AL \(Chris.Beeker@al.usda.gov\)"; Beeker, Chris - RD, Montgomery, AL](#)  
**Subject:** Baker Allen  
**Date:** Monday, October 29, 2018 4:35:00 PM  
**Attachments:** Uniontown Sewer Project for Governor.docx  
delivered LOC.pdf  
[Letter of Intent to Meet Conditions.pdf](#)

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Chris, please review before I send this to all parties.

Thanks,

*Allen Bowen*

Allen Bowen  
United States Department of Agriculture  
Rural Development  
Community and Business Programs Director  
Office: 334-279-3617  
Cell: 334-322-4147  
Fax: 855-304-8457

**004965**



## Uniontown Sewer Project

- 1.) The proposed project is twofold. First, the existing collection system will be repair and / or replaced as needed to eliminate, to an acceptable level, the inflow and infiltration that has been overpowering the current treatment system. Second, will be to construct a transmission line to transport the wastewater from Uniontown to Demopolis where it will be treated.
- 2.) Total Cost to construct:

Project Cost Item	User Desc.	Item Cost
Development	Collection System Repair	10,183,000.
Development	Force main to Demopolis	15,241,000.
Contingencies		2,542,400.
Eng. - Predevelopment		263,500.
Eng. - Design	Including Civil & Electrical	1,938,140.
Eng. - Inspection		559,300.
Eng. – Additional Services	Geotechnical	15,000.
Eng. – Additional Services	Property Surveying	64,800.
Eng. – Additional Services	Permits: WWTP, SW, DOT	16,500.
Other	Railroad Fees	45,000.
Other	Advertising	18,710.
Other	ADEM Permit	12,650.
Other	ALDOT Permit	80,000.
Other	Electrical Service	50,000.
Equipment		130,000.
Land & Rights		80,000.
Legal Services	To form a utilities board	10,000.
<b>Total Project Cost</b>		<b>\$31,250,000.</b>

### Projected Operating and Maintenance Cost (less Interest and Depreciation)

O&M Expense Item	User Desc	Annual Expense
Contract Services - Other	Management	60,000.

**004966**

Contract Services - Other	Collection System Maintenance and Operation	70,000.
Repairs/Maintenance	Repairs of equipment	43,000.
Supplies	Materials	15,000.
Utilities Power		15,000.
Contract Waste Treatment	Demopolis Treatment Fees	480,000.

The O&M figures came from RDAApply with the assistance of Alabama Rural Water Association and the project engineer. The current management company, EOS, also provided figures to support the projections; however, these actuals included the cost of managing the water and the wastewater treatment systems including the lagoons and spray field which will be eliminated with this project. The management fee projection included above is based on projections provide by ARWA (see attached email entitled Management Fee Projections). This amount was reviewed and concurred in as an estimate by ARWA. The cost of treating the sewage by Demopolis is difficult to determine because the volume cannot be accurately projected at this time, until the system is in operation after construction. The current collection system has so much inflow and infiltration that it is impossible to accurately account for the true volume. In discussing this projected amount with the operator of the Demopolis sewer plant, he said he projects cost of \$40,000 per month (see attached email entitled Cost of Sewer Treatment). Once the collection system is completely rehabilitated, we will be able to more accurately project total O&M.

- 3.) The platform that RD uses to determine the financial feasibility of a proposed project takes into consideration the income and expenses for each project. The projects are based on current usage. Our calculations require that Gross Revenue be sufficient to do four things:
  - A. Pay all O&M.
  - B. Fund the Debt Service Reserve account as required.
  - C. Fund the Short-Lived Asset account as required.
  - D. Pay all debt service.

By requiring these RD is insuring the sustainability of the project.

- 4.) Sources of funds committed to the project.
  - A. USDA-RD grant \$23,437,500.
  - B. DRA 3,250,000.
  - C. Private investors 1,000,000.
  - D. State of Alabama 3,562,500.

- 5.) None

6.) The type of USDA grant and requirements on the City if they accept the grant.

See the attached documents entitled:

- A. Letter of Conditions
- B. Intent to Comply

7.) The impact on Demopolis's wastewater treatment.

Demopolis will need to update and expand their current system to meet the increase. Funding for this will be accomplished through any combination of the following:

- A. Cash on hand.
- B. USDA-RD funds.
- C. SRLF Program.

Demopolis will work closely with ADEM to insure that the discharge into the river meets or exceeds any and all limits.



Rural Development

September 24, 2018

Camden Area Office

321 Depot Street  
Camden, AL 36726

Voice 334.682.4116  
Fax 855.840.7764

City of Uniontown  
Jamaal Hunter, Mayor  
100 Front Street  
Uniontown, AL 36786

**SUBJECT:** City of Uniontown  
Sewage Collection & Treatment Rehab 2018  
Wastewater Application  
Grant - \$23,437,500.00  
State of Alabama Funds - \$3,287,500.00  
CDBG/HUD - \$325,000.00  
DRA - \$4,200,000.00

Dear Mayor Hunter:

This letter establishes conditions which must be understood and agreed to by you before further consideration may be given to your application. The grant will be administered on behalf of the Rural Utilities Service (RUS) by the State and Area staff of USDA Rural Development, both of which are referred to throughout this letter as the Agency. Any changes in project cost, source of funds, scope of project, or any other significant changes in the project or applicant must be reported to and concurred with by the Agency by written amendment to this letter. If significant changes are made without obtaining such concurrence, the Agency may discontinue processing of the application.

All conditions set forth under Section III – Requirements Prior to Advertising for Bids must be met within 120 days of the date of this letter. If you have not met these conditions, the Agency reserves the right to discontinue the processing of your application.

If you agree to meet the conditions set forth in this letter and desire further consideration be given to your application, please complete and return the following forms within 10 days:

Form RD 1942-46, "Letter of Intent to Meet Conditions"  
Form RD 1940-1, "Request for Obligation of Funds"  
RUS Bulletin 1780-12, "Water and Waste System Grant Agreement"

The grant will be considered approved on the date Form RD 1940-1, "Request for Obligation of Funds," is signed by the approving official. Thus, this letter in itself does not constitute loan and/or grant approval, nor does it ensure that funds are or will be available for the project. When funds are available, the Form 1940-1 will be provided to

you for your signature. After you sign and return the form to the Agency, the request will be processed and grant funds will be approved and obligated.

Extra copies of this letter are being provided for use by your engineer, attorney, bond counsel and accountant. All parties may access information and regulations referenced in this letter at our website located at [www.rd.usda.gov](http://www.rd.usda.gov).

The conditions are as follows:

## **SECTION I - PROJECT DETAIL**

### **1. Project Description** – Funds will be used for Sewage Collection & Treatment Rehab.

Facilities will be designed and constructed in accordance with sound engineering practices and must meet the requirements of Federal, State, and local agencies. The proposed facility design must be based on the Preliminary Engineering Report (PER) as concurred with by the Agency.

### **2. Project Funding** – The Agency is offering the following funding for your project:

Agency Grant -	\$ 23,437,500.00
----------------	------------------

This offer is based upon the following additional funding being obtained.

[State of Alabama] -	\$ [3,287,500.00]
[CDBG/HUD] -	\$ [325,000.00]
[DRA] -	\$ [4,200,000.00]

**TOTAL PROJECT COST - \$ [31,250,000.00]**

This funding is offered based on the amounts stated above. Prior to loan closing, any increase in non-Agency funding will be applied first as a reduction to Agency grant funds, up to the total amount of the grant.

Any changes in funding sources following obligation of Agency funds must be reported to the processing official. Project feasibility and funding will be reassessed if there is a significant change in project costs after bids are received. If actual project costs exceed the project cost estimates, an additional contribution by the Owner may be necessary. Prior to advertisement for construction bids, you must provide evidence of applicant contributions and approval of other funding sources. This evidence should include a copy of the commitment letter. Agency funds will not be used to pre-finance funds committed to the project from other sources.

### **3. American Iron and Steel** – Section 746 of Title VII of the Consolidated Appropriations Act of 2017 (Division A - Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2017) and subsequent statutes mandating domestic

preference applies a new American Iron and Steel (AIS) requirement to obligations made after May 5th, 2017:

- (1) No Federal funds made available for this fiscal year for the rural water, waste water, waste disposal, and solid waste management programs authorized by the Consolidated Farm and Rural Development Act (7 U.S.C. 1926 et seq.) shall be used for a project for the construction, alteration, maintenance, or repair of a public water or wastewater system unless all of the iron and steel products used in the project are produced in the United States.
- (2) The term “iron and steel products” means the following products made primarily of iron or steel: lined or unlined pipes and fittings, manhole covers and other municipal castings, hydrants, tanks, flanges, pipe clamps and restraints, valves, structural steel, reinforced precast concrete, and construction materials.
- (3) The requirement shall not apply in any case or category of cases in which the Secretary of Agriculture (in this section referred to as the “Secretary”) or the designee of the Secretary finds that—
  - (a) applying the requirement would be inconsistent with the public interest;
  - (b) iron and steel products are not produced in the United States in sufficient and reasonably available quantities or of a satisfactory quality; or
  - (c) inclusion of iron and steel products produced in the United States will increase the cost of the overall project by more than 25 percent.”

Owners are ultimately responsible for compliance with AIS requirements and will be responsible for the following:

- (a) Signing loan resolutions, grant agreements and letters of intent to meet conditions which include AIS language, accepting AIS requirements in those documents and in the letter of conditions.
  - (b) Signing change orders (i.e. C-941 of EJCDC) and partial payment estimates (i.e. C-620 of EJCDC) and thereby acknowledging responsibility for compliance with American and Iron Steel requirements.
  - (c) Obtaining the certification letters from the consulting engineer upon substantial completion of the project and maintaining this documentation for the life of the loan.
  - (d) Where the owner provides their own engineering and/or construction services, providing copies of engineers’, contractors’, and manufacturers’ certification letters (as applicable) to the Agency to insert into the Agency file. All certification letters must be kept in the engineer’s project file and on site during construction. For Owner Construction (Force Account), all clauses from Section 17 must be included in the Agreement for Engineering Services.
  - (e) Where the owner directly procures AIS products, including AIS clauses in the procurement contracts and obtaining manufacturers’ certification letters and providing copies to consulting engineers and contractors.
4. **Project Budget** – Funding from all sources has been budgeted for the estimated expenditures as follows:

**Project Costs:**

**Total Budgeted:**

Administration/Legal	[\$10,000.00]
Development/ Construction	[25,424,000.00]
Contingency	[2,542,400.00]
Engineering Fees	[2,857,240.00]
Includes:	
Preliminary Engineering Report	[_____]
Environmental Report	[_____]
PreDevelopment	[263,500.00]
Design	[1,938,140.00]
Construction Administration (Inspection)	[559,300.00]
Additional	[96,300.00]
Equipment	[130,000.00]
Interest - Interim	[_____]
Interest - Agency	[_____]
Land and Rights-of-Way	[80,000.00]
Legal Fees - Local Attorney	[_____]
Legal Fees - Bond Counsel	[_____]
[Electrical Service]	[50,000.00]
[ALDOT Permit]	[80,000.00]
[ADEM Permit]	[12,650.00]
[Advertising]	[18,710.00]
[Railroad Fees]	[45,000.00]
 TOTAL PROJECT COST	 [31,250,000.00]

Obligated loan or grant funds not needed to complete the proposed project will be deobligated prior to start of construction. Any reduction will be applied to grant funds first. An amended letter of conditions will be issued for any changes to the total project budget.

**SECTION II –GRANT TERMS**

**5. Security** – Additional security requirements are contained in RUS Bulletin 1780-12, “Water and Waste System Grant Agreement,” and RUS Bulletin 1780-27, “Loan Resolution (Public Bodies).” A draft of all security instruments, including draft bond resolution, must be reviewed and concurred in by the Agency prior to advertising for bids. The bond resolution and Loan Resolution must be duly adopted and executed prior to loan closing. The Grant Agreement must be fully executed prior to the first disbursement of grant funds.

**6. Construction Completion Timeframe** - All projects must be completed and all funds disbursed within five years of obligation. If funds are not disbursed within five years of obligation, you must submit to the Agency a written request for extension of time with adequate

justification of circumstances beyond your control. Requests for waivers beyond the initial extension will be submitted to the Assistant Administrator for concurrence decision.

**7. Disbursement of Agency Funds** - Agency funds will be disbursed into the borrower's depository account through an electronic transfer system. SF 3881, "ACII Vendor/Miscellaneous Payment Enrollment Form," must be completed and submitted to the Agency prior to advertising for bids.

Any applicant contribution will be the first funds expended, followed by other funding sources. Interim financing or Agency loan funds will be expended after all other funding sources unless a written agreement is reached with all other funding sources on how funds are to be disbursed prior to start of construction or loan closing, whichever occurs first. Interim financing funds or Agency loan funds must be used prior to the use of Agency grant funds. The Grant Agreement must not be closed and funds must not be disbursed prior to loan funds except as specified in RUS Instruction 1780.45(d). In the unlikely event the Agency mistakenly disburses funds, the funds will be remitted back to the Agency electronically.

Grant funds are to be deposited in an interest-bearing account (exception provided below) in accordance with 2 CFR Part 200 and interest in excess of \$500 per year remitted to the Agency. The funds should be disbursed by the recipient immediately upon receipt and there should be little interest accrual on the Federal funds. Recipients shall maintain advances of Federal funds in interest-bearing accounts, unless:

- a. The recipient receives less than \$120,000 in Federal awards per year.
- b. The best reasonably available interest-bearing account would not be expected to earn interest in excess of \$500 per year on Federal cash balances.
- c. The depository would require an average or minimum balance so high that it would not be feasible within the expected Federal and non-Federal cash resources.
- d. A foreign government or banking system prohibits or precludes interest-bearing accounts.

**8. Reserves** – Reserves must be properly budgeted to maintain the financial viability and sustainability of any operation. Reserves are important to fund unanticipated emergency maintenance and repairs, and assist with debt service should the need arise. The following reserves are required to be established as a condition of this loan:

- a. **Debt Service Reserve** – As a part of this Agency proposal, you must establish a debt service reserve fund equal to at least one annual loan installment of the existing loan, General Obligation Sewer Warrant Series 2013, that accumulates at the rate of 10% of one annual payment per year for ten years or until the balance is equal to one annual loan payment. Ten percent of the existing loan installment would equal \$ 991.17 per month; this amount should be deposited monthly until a total of \$ 118,938.00 has accumulated. Prior written concurrence from the Agency must be obtained before funds may be



withdrawn from this account during the life of the loan. When funds are withdrawn during the life of the loan, deposits will continue as designated above until the fully-funded amount is reached.

- b. Short-Lived Asset Reserve** – In addition to the debt service reserve fund, you must establish a short-lived asset reserve fund. Based on the preliminary engineering report, you must deposit at least \$7,987.00 into the short-lived asset reserve fund annually for the life of the loan to pay for repairs and/or replacement of major system assets. It is your responsibility to assess your facility's short-lived asset needs on a regular basis and adjust the amount deposited to meet those needs.

Current assets can also be used to establish and maintain reserves for expected expenses, including but not limited to operation and maintenance, deferred interest during the construction period, and an asset management program.

### **SECTION III – REQUIREMENTS PRIOR TO ADVERTISING FOR BIDS**

**9. Environmental Requirements** – At the conclusion of the proposal's environmental review process, specific action(s) were determined necessary to avoid or minimize adverse environmental impacts. As outlined in the Environmental Report dated August 13, 2018, the following [action is / actions are] required for successful completion of the project and must be adhered to during project design and construction:

The project as proposed has been evaluated to be consistent with the National Environmental Policy Act. Other Federal, State, tribal, and local laws, regulations and or permits may apply or be required. If the project or any project element deviates from or is modified from the originally-approved project, additional environmental review may be required.

This project will be funded using the Programmatic Agreement among the U.S. Department of Agriculture Rural Development Programs, National Conference of State Historic Preservation Officers, Tribal Signatories, and The Advisory Council on historic Preservation for Sequencing Section 106 (NPA). The NPA requires the following conditions be applicable to this obligation:

- a.** No federal funds for construction will be released prior to completion of Section 106 review.
- b.** Agency may de-obligate funding and withdraw awards for an undertaking until completion of the Section 106 review.
- c.** You must initiate Section 106 no later than ninety (90) business days after the announcement of their obligation if they have not done so already; and to notify the appropriate RD agency that Section 106 has been initiated in accordance with 36 CFR Part 800.2(c)(4), and 7 CFR Part 1970.5(b)(2) of the regulations, "Environmental Policies and Procedures" (7 CFR Part 1970).
- d.** You must submit Section 508 of the Rehabilitation Act of 1973 (29 U.S.C. § 794 (d)), as amended in 1998 (508 compliant) hard copy or electronic Section 106 documentation to SHPOs, THPOs, Indian tribes, and NHOs based on the preference of the receiving party.

**10. Engineering Services** – You have been required to complete an Agreement for Engineering Services, which should consist of the Engineers Joint Contract Documents Committee (EJCDC) documents as indicated in RUS Bulletin 1780-26, “Guidance for the Use of EJCDC Documents on Water and Waste Projects with RUS Financial Assistance,” or other approved form of agreement. The Agency will provide concurrence prior to advertising for bids, and must approve any modifications to this agreement.

**11. Contract Documents, Final Plans, and Specifications**

- a. The contract documents must consist of the EJCDC construction contract documents as indicated in RUS Bulletin 1780-26 or other Agency-approved forms of agreement.
- b. The contract documents, final plans, and specifications must comply with RUS Instruction 1780, Subpart C – Planning, Designing, Bidding, Contracting, Constructing and Inspections, and must be submitted to the Agency for concurrence prior to advertising for bids along with an updated cost estimate. The Agency may require another updated cost estimate if a significant amount of time elapses between the original submission and advertising for bids.
- c. The use of any procurement method other than competitive sealed bids must be requested in writing and approved by the Agency.

**12. Legal Services** – You have been required to execute a legal services agreement with your attorney and bond counsel, if applicable, for any legal work needed in connection with this project. The agreement should stipulate an hourly rate for the work, with a “not to exceed” amount for the services, including reimbursable expenses. RUS Bulletin 1780-7, “Legal Services Agreement,” or similar format may be used. The Agency will provide concurrence prior to advertising for bids. Any changes to the fees or services spelled out in the original agreement must be reflected in an amendment to the agreement and have prior Agency concurrence.

**13. Property Rights** - Prior to advertising for bids, you and your legal counsel must furnish satisfactory evidence that you have or can obtain adequate continuous and valid control over the lands and rights-of-way needed for the project. Acquisitions of necessary land and rights must be accomplished in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act. Such control over the lands and rights will be evidenced by the following:

- a. **Right-of-Way Map** – Your engineer will provide a map clearly showing the location of all lands and rights-of-way needed for the project. The map must designate public and private lands and rights and the appropriate legal ownership thereof.
- b. **Form RD 442-20, “Right-of-Way Easement”** – This form may be used to obtain any necessary easements for the proposed project.
- c. **Form RD 442-21, “Right-of-Way Certificate”** – You will provide a certification on this form that all right-of-way requirements have been obtained for the proposed project.

- d. **Form RD 442-22, "Opinion of Counsel Relative to Rights-of-Way"** – Your attorney will provide a certification and legal opinion on this form addressing rights-of-way, easements, and title.
- #c. **Preliminary Title Work (Title Opinion)** When applicable, your attorney will provide a preliminary title opinion for any property related to the facility, currently owned and to be acquired, along with copies of deeds, contracts or options for purchasing said property. Form RD 1927-9, "Preliminary Title Opinion," may be used.
- #e. **Preliminary Title Work – (Title Insurance)** – When applicable, a title insurance binder will be required on all real estate related to the facility now owned and property to be acquired in connection with this project. The policy should name the United States of America, acting through the United States Department of Agriculture, as the proposed insured.

The approving official may waive title defects or restrictions, such as utility easements, that do not adversely affect the suitability, successful operation, security value, or transferability of the facility. Any such waivers must be provided by the approving official in writing prior to closing or the start of construction, whichever occurs first.

You are responsible for the acquisition of all property rights necessary for the project and for determining that prices paid are reasonable and fair. The Agency may require an appraisal by an independent appraiser or Agency employee in order to validate the price to be paid.

**14. System Policies, Procedures, Contracts, and Agreements** The facility must be operated on a sound business plan. You must adopt policies, procedures, and/or ordinances outlining the conditions of service and use of the proposed system. Mandatory connection policies should be used where enforceable. The policies, procedures, and/or ordinances must contain an effective collection policy for accounts not paid in full within a specified number of days after the date of billing. They should include appropriate late fees, specified timeframes for disconnection of service, and reconnection fees. A draft of these policies, procedures, and/or ordinances must be submitted for Agency review and concurrence, along with the documents below, before closing instructions may be issued unless otherwise stated.

- a. **Conflict of Interest Policy** – Prior to obligation of funds, you must certify in writing that your organization has in place an up-to-date written policy on conflict of interest. The policy will include, at a minimum: (1) a requirement for those with a conflict or potential conflict to disclose the conflict/potential conflict; (2) a clause that prohibits interested members of the applicant's governing body from voting on any matter in which there is a conflict, and (3) a description of the specific process by which the governing body will manage identified or potential conflicts.

You must also submit a disclosure of planned or potential transactions related to the use of Federal funds that may constitute or present the appearance of personal or organizational conflict of interest. Disclosure must be in the form of a written letter signed and dated by the applicant's official. A negative disclosure in the same format is required if no conflicts are anticipated.

Sample conflict of interest policies may be found at the National Council of Nonprofits website, <https://www.councilofnonprofits.org/tools-resources/conflict-of-interest>, or in Internal Revenue Service Form 1023, Appendix A, "Sample Conflict of Interest Policy," at <http://www.irs.gov/pub/irs-pdf/i1023.pdf>. Though these examples reference non-profit corporations, the requirement applies to all types of Agency borrowers.

Assistance in developing a conflict of interest policy is available through Agency-contracted technical assistance providers if desired. Grantee must obtain prior written concurrence from USDA on all contractual agreements.

- b. Sewage Treatment Contract** – Any proposals to purchase sewage treatment services must be evidenced by a sewage treatment contract. A draft of the proposed contract must be submitted to the Agency for review and concurrence prior to advertising for bids. The draft contract must meet the requirements of RUS Instruction 1780.62.
- c. Sewer User Agreement** – Projects not involving mandatory connection require users to execute a Sewer Users Agreement. The draft agreement must receive RD concurrence prior to advertising for bids. RUS Bulletin 1780-9, "Water Users Agreement," or similar format may be used.
- d. Contracts for Other Services/Lease Agreement** – Drafts of any contracts or other forms of agreements for other services, including audit, management, operation, and maintenance, or lease agreements covering real property essential to the successful operation of the facility, must be submitted to the Agency for review and concurrence prior to advertising for bids.
- e. Establishment of a Utilities Board** - City of Uniontown must establish a Utilities Board for the operations of the Water and Sewer System. Provide a copy of proposed Articles of Incorporation and By-Laws for Agency review and concurrence.
- f. Mandatory Ordinance for Hook-ups** - Implementation of a mandatory ordinance for hook-ups on water and sewer within city's jurisdiction. This ordinance must be enforced by the city and the newly formed Utilities Board.
- g. On-site Management** - Applicant must advertise for on-site management ( day to day management) on a contractual basis. All contracts must be reviewed and concurred by USDA Rural Development prior to acceptance by the Utilities Board.
- h. Annual Mandatory Training** - All Board members must comply with the Annual Mandatory Training requirement in order to remain a viable board member.
- i. Other agreements** with governments or other entities regarding joint operation of facilities, granting authority to Agency borrower for providing service within another entity's service area, etc. The draft agreement must receive Agency concurrence prior to advertising for bids.

Fully executed copies of any policies, procedures, ordinances, contracts, or agreements must be submitted prior to loan closing, with the exception of the conflict of interest policy, which must be in place prior to obligation of funds.

**15. Closing Instructions** – The Agency will prepare closing instructions as soon as the requirements of the previous paragraphs are complete, as well as a draft of the security instrument(s). Closing instructions must be obtained prior to advertising for bids.

**16. Construction Account** – You must establish a construction account for all funds related to the project. Construction funds will be deposited with an acceptable financial institution or depository that meets the requirements of 31 CFR Part 202. A separate account will not be required for Federal funds and other funds; however, the recipient must be able to separately identify, report, and account for all Federal funds, including the receipt, obligation and expenditure of funds. Financial institutions or depositories accepting deposits of public funds and providing other financial agency services to the Federal Government are required to pledge adequate, acceptable securities as collateral, in accordance with 31 CFR Part 202. All funds in the account will be secured by a collateral pledge equaling at least 100% of the highest amount of funds expected to be deposited in the construction account at any one time. Your financial institution can provide additional guidance on collateral pledge requirements.

Agency funds will be disbursed into the borrower's depository account through an electronic transfer system. SF 3881, "ACH Vendor/Miscellaneous Payment Enrollment Form," must be completed and submitted to the Agency prior to advertising for bids.

**17. System Users** – This letter of conditions is based upon your indication at application that there will be at least [787] residential users, [32] non-residential users on the system when construction is completed.

Before the Agency can agree to the project being advertised for construction bids, you must certify that the number of users indicated at application are currently using the system or signed up to use the system once it is operational.

If the actual number of existing and/or proposed users that have signed up for service is less than the number indicated at the time of application, you must provide the Agency with a written plan on how you will obtain the necessary revenue to adequately cash flow the expected operation, maintenance, debt service, and reserve requirements of the proposed project (e.g., increase user rates, sign up an adequate number of other users, reduce project scope, etc.). Similar action is required if there is cause to modify the anticipated flows or volumes presented following approval.

If you are relying on mandatory connection requirements, you must provide evidence of the authorizing ordinance or statute along with your user certification.

- a. **Sewer User Agreements** – Users will be required to execute a Sewer Users Agreement prior to advertising for construction bids. The amount of cash contributions required will be set by you and concurred with by the Agency. Contributions should be an amount high enough to indicate sincere interest on the part of the potential user, but not so high as to preclude service to low income families, and have a deadline for the contribution to be used or forfeited. RUS Bulletin 1780-9, "Water Users Agreement," or similar agreement may be used.
- b. **Service Declination Statement** – Each potential user who is located along planned lines and declines the offered service will be provided an opportunity to sign a "Service Declination Statement."

**18. Other Funding** – Prior to advertising for bids, you must provide evidence of applicant contributions and approval of other funding sources. This evidence should include a copy of the commitment letter from each source.

**19. Proposed Operating Budget** You must establish and/or maintain a rate schedule that provides adequate income to meet the minimum requirements for operation and maintenance (O&M), debt service, and reserves. Prior to advertising for bids, you must submit a proposed annual operating budget to the Agency which supports the operation, maintenance, debt service, and reserves, as well as your proposed rate schedule. The operating budget should be based on a typical year cash flow after completion of the construction phase and should be signed by the appropriate official of your organization. Form RD 442-7, "Operating Budget," or similar format may be utilized for this purpose. It is expected that O&M will change over each successive year and user rates will need to be adjusted on a regular basis.

Technical assistance is available at no cost to help you evaluate and complete a rate analysis on your system. This assistance is available free to your organization. If you are interested please contact our office for information.

**20. Permits** The owner or responsible party will be required to obtain all applicable permits for the project, prior to advertising for bids. The consulting engineer must submit written evidence that all applicable permits required prior to construction have been obtained with submission to the Agency of the final plans, specifications, and bid documents.

**21. Vulnerability Assessment/Emergency Response Plan (VA/ERP)** – The Agency requires all financed water and wastewater systems to have a VA/ERP in place. Borrowers with existing systems must provide a certification that a VA/ERP has been completed prior to advertising for bids. The VA/ERP documents themselves are not submitted to the Agency. The VA/ERP must address potential impacts from natural disasters and other emergency events. In particular, it should include plans to address impacts of flash flooding in areas where severe drought or wildfires occur. The documents should be reviewed and updated every three years at a minimum.

For new systems, see Section V of this letter of conditions. For VA/ERP requirements throughout the life of the loan, see Section VII. Technical assistance at no cost is available in preparing these documents.

**22. Bid Authorization** - Once all the conditions outlined in Section III of this letter have been met, the Agency will authorize you to advertise the project for construction bids. Such advertisement must be in accordance with applicable State statutes.

#### **SECTION IV - REQUIREMENTS PRIOR TO START OF CONSTRUCTION**

**23. Bid Tabulation** – Immediately after bid opening, you must provide the Agency with the bid tabulation and your engineer's evaluation of bids and recommendations for contract awards. If the Agency agrees that the construction bids received are acceptable, adequate funds are available to cover the total project costs, and all the requirements of Section III of this letter have been satisfied, the Agency will authorize you to issue the Notice of Award.

- a. Cost Overruns. If bids are higher than expected, or if unexpected construction problems are encountered, you must utilize all options to reduce cost overruns. Negotiations, redesign, use of bidding alternatives, rebidding or other means will be considered prior to commitment of subsequent funding by the Agency. Any requests for subsequent funding to cover cost overruns will be contingent on the availability of funds. Cost overruns exceeding 20% of the development cost at time of loan or grant approval or where the scope of the original purpose has changed will compete for funds with all other applications on hand as of that date.
- b. Excess Funds. If bids are lower than anticipated at time of obligation, excess funds must be deobligated prior to start of construction except in the cases addressed in this paragraph. In cases where the original PER for the project included items that were not bid, or were bid as an alternate, the State Office official may modify the project to fully utilize obligated funds for those items. Amendments to the PER, ER, and letter of conditions may be needed for any work not included in the original project scope. In all cases, prior to start of construction, excess funds will be deobligated, with grant funds being deobligated first. Excess funds do not include contingency funds as described in this letter.

**24. Contract Review** – Your attorney will certify that the executed contract documents, including performance and payment, if required, are adequate and that the persons executing these documents have been properly authorized to do so in accordance with RUS Instruction 1780.61(b).

Once your attorney has certified that they are acceptable, the contract documents will be submitted to the Agency for its concurrence. The Notice to Proceed cannot be issued until the Agency has concurred with the construction contracts.

**25. Final Rights-of-Way** – If any of the rights-of-way forms listed previously in this letter contain exceptions that do not adversely affect the suitability, successful operation, security value, or transferability of the facility, the approving official must provide a written waiver prior to the issuance of the Notice to Proceed. For projects involving the acquisition of land, you must provide evidence that you have clear title to the land prior to the issuance of the Notice to Proceed.

**Final Title Work** - Your attorney must furnish a separate final title opinion on all existing real property related to the facility, now owned and to be acquired for this project, as of the day of loan closing or start of construction, whichever occurs first. Form RD 1927-10, "Final Title Opinion" may be used.

**Final Title Work** - Immediately after closing or prior to the start of construction, whichever comes first, a Title Insurance Policy must be provided for all existing real property related to the facility, now owned and to be acquired for this project.

**26. Insurance and Bonding Requirements** - Prior to the start of construction or loan closing, whichever occurs first, you must acquire and submit to the Agency proof of the types of insurance and bond coverage for the borrower shown below. The use of deductibles may be allowed, providing you have the financial resources to cover potential claims requiring payment of the deductible. The Agency strongly recommends that you have your engineer, attorney, and insurance provider(s) review proposed types and amounts of coverage, including any exclusions and deductible provisions. It is your responsibility and not that of the Agency to assure that adequate insurance and fidelity or employee dishonesty bond coverage is maintained.

- a. **General Liability Insurance** -- Include vehicular coverage.
- b. **Workers' Compensation** -- In accordance with appropriate State laws.
- c. **Fidelity or Employee Dishonesty Bonds** -- Include coverage for all persons who have access to funds, including persons working under a contract or management agreement. Coverage may be provided either for all individual positions or persons, or through blanket coverage providing protection for all appropriate workers. During construction, each position should be bonded in an amount equal to the maximum amount of funds to be under the control of that position at any one time. The coverage may be increased during construction based on the anticipated monthly advances. After construction and throughout the life of the loan, the amount of coverage must be for at least the total annual debt service of all outstanding Agency loans. The Agency will be identified in the fidelity bond for receipt of notices. Form RD 440-24, "Position Fidelity Schedule Bond," or similar format may be used.
- d. **National Flood Insurance** - If the project involves acquisition or construction in designated special flood or mudslide prone areas, you must purchase a flood insurance policy at the time of loan closing.
- e. **Real Property Insurance** -- Fire and extended coverage will normally be maintained on all structures except reservoirs, pipelines and other structures if such structures are not normally insured, and subsurface lift stations except for the value of electrical and pumping equipment. The Agency will be listed as mortgagee on the policy when the Agency has a lien on the property. Prior to the acceptance of the facility from the contractor(s), you must obtain real property insurance (fire and extended coverage) on all facilities identified above.

Insurance types described above are required to be continued throughout the life of the loan. See Section VII.

- 27. **Form AD-3031** -- You are required to complete and submit Form AD-3031 "Assurance Regarding Felony Convictions or Tax Delinquent Status for Corporate Applicants."
- 28. **Initial Compliance Review** -- The Agency will conduct an initial compliance review of the borrower prior to loan closing or start of construction, whichever occurs first, in accordance with 7 CFR 1901, Subpart E.

## **SECTION V – REQUIREMENTS PRIOR TO LOAN CLOSING**



**29. Vulnerability Assessment/Emergency Response Plan (VA/ERP)** – The Agency requires all financed water and wastewater systems to have a VA/ERP in place. New water or wastewater systems must provide a certification that an ERP is complete prior to the start of operation, and a certification that a VA is complete must be submitted within one year of the start of operation. Borrowers with existing systems must provide a certification that a VA and ERP are completed prior to authorization to advertise for bids. The VA/ERP documents are not submitted to the Agency. Technical assistance is available in preparing these documents at no cost to you. The VA/ERP must address potential impacts from natural disasters and other emergency events. In particular, it should include plans to address impacts of flash flooding in areas where severe drought or wildfires occur. The documents should be reviewed and updated every three years at a minimum.

**30. Other Requirements** – All requirements contained in the Agency’s closing instructions, as well as any requirements of your bond counsel and/or attorney, must be met prior to loan closing.

- a. **System for Award Management**. You will be required to maintain a Dun and Bradstreet Data Universal Numbering System (DUNS) number and maintain an active registration in the System for Award Management (SAM) database. Renewal can be done on-line at: <http://sam.gov>. This registration must be renewed and revalidated every twelve (12) months for as long as there are Agency funds to be expended. See Appendix A.

To ensure the information is current, accurate and complete, and to prevent the SAM account expiration, the review and updates must be performed within 365 days of the activation date, commonly referred to as the expiration date. The registration process may take up to 10 business days. (See 2 CFR Part 25 and the “Help” section at <http://sam.gov>).

- b. **Litigation**. You are required to notify the Agency within 30 days of receiving notification of being involved in any type of litigation prior to loan closing or start of construction, whichever occurs first. Additional documentation regarding the situation and litigation may be requested by the Agency.
- c. **Certified Operator**. Evidence must be provided that your system has or will have, as defined by applicable State or Federal requirements, a certified operator available prior to the system becoming operational, or that a suitable supervisory agreement with a certified operator is in effect.

## **SECTION VI – REQUIREMENTS DURING CONSTRUCTION AND POST CONSTRUCTION**

**31. Resident Inspector(s)** – Full-time inspection is required unless you request an exception. Such requests must be made in writing and the Agency must concur with the request. Inspection services are to be provided by the consulting engineer unless other arrangements are requested in writing and concurred with by the Agency. A resume of qualifications of any resident inspector(s) will be submitted to the owner and Agency for review and concurrence prior to the

pre-construction conference. The resident inspector(s) must attend the pre-construction conference.

**32. Preconstruction Conference** – A preconstruction conference will be held prior to the issuance of the Notice to Proceed. The consulting engineer will review the planned development with the Agency, owner, resident inspector, attorney, contractor, other funders, and other interested parties, and will provide minutes of this meeting to the owner and Agency.

**33. Inspections** - The Agency requires a pre-construction conference, pre-final and final inspections, and a warranty inspection. Your engineer will schedule a warranty inspection with the contractor and the Agency before the end of the one-year warranty period to address and/or resolve any warranty issues. The Agency will conduct an inspection with you of your records management system at the same time, and will continue to inspect the facility and your records system every three years for the life of the loan. See Section VII of this letter.

**34. Change Orders** – Prior Agency concurrence is required for all Change Orders.

**35. Payments** – Prior Agency concurrence is required for all Invoices and Partial Payment Estimates before Agency funds will be released. Requests for payment related to a contract or service agreement will be signed by the owner, project engineer, and contractor or service provider prior to Agency concurrence. Invoices not related to a construction contract or service agreement will include the owner's written concurrence.

**36. Use of Remaining Funds** – Applicant contribution and connection or tap fees will be the first funds expended in the project, followed by non-Agency sources of funds. Remaining funds may be considered in direct proportion to the amounts obtained from each source and handled as follows:

- a. Remaining funds may be used for eligible loan and grant purposes, provided the use will not result in major changes to the original scope of work and the purpose of the loan and grant remains the same.
- b. Grant funds not expended for authorized purposes will be cancelled (de-obligated) within 90 days of final completion of project. Prior to actual cancellation, you and your attorney and engineer will be notified of the Agency's intent to cancel the remaining funds and given appropriate appeal rights.

**37. Technical, Managerial and Financial Capacity** - It is required that members of the Board of Directors, City Council members, trustees, commissioners and other governing members possess the necessary technical, managerial, and financial capacity skills to consistently comply with pertinent Federal and State laws and requirements. It is recommended members receive training within one year of appointment or election to the governing board, and a refresher training for all governing members on a routine basis. The content and amount of training should be tailored to the needs of the particular individual and the utility system. Technical assistance providers are available to provide this training for your organization, often at no cost. Contact the Agency for information.

### **38. Reporting Requirements Related to Expenditure of Funds**

- a. **Financial Audit**– An annual audit under the Single Audit Act is required if you expend \$750,000 or more in Federal financial assistance per fiscal year. The total Federal funds expended from all sources shall be used to determine Federal financial assistance expended. Expenditures of interim financing are considered Federal expenditures.

All audits are to be performed in accordance with 2 CFR Part 200, as adopted by USDA through 2 CFR Part 400. Further guidance on preparing an acceptable audit can be obtained from the Agency. The audit must be prepared by an independent licensed Certified Public Accountant, or a State or Federal auditor if allowed by State law, and must be submitted within 9 months of your fiscal year end.

If an audit is required, you must enter into a written agreement with the auditor and submit a copy to the Agency prior to the advertisement of bids. The audit agreement may include terms and conditions that the borrower and auditor deem appropriate; however, the agreement should include the type of audit to be completed, the time frame in which the audit will be completed, and how irregularities will be reported.

- b. **Reporting Subawards and Executive Compensation** – You as a recipient of Federal funds and your first-tier contractors are required by 2 CFR Part 170 to report disbursements to subrecipients in accordance with Appendix B of this letter and [www.fsr.gov](http://www.fsr.gov). Your Agency processing office can provide more information.

## **SECTION VII – SERVICING REQUIREMENTS DURING THE TERM OF THE LOAN**

39. **Security/Operational Inspections** – The Agency will inspect the facility and conduct a review of your operations and records management system and conflict of interest policy every three years for the life of the loan. You must participate in these inspections and provide the required information.

40. **Annual Financial Reporting/Audit Requirements** – You are required to submit an annual financial report at the end of each fiscal year. The annual report will be certified by the appropriate organization official, and will consist of financial information and a rate schedule. Financial statements must be prepared on the accrual basis of accounting in accordance with generally accepted accounting principles (GAAP), and must include at a minimum a balance sheet and income and expense statement. The annual report will include separate reporting for each water and waste disposal facility, and itemize cash accounts by type (debt service, short-lived assets, etc.) under each facility. All records, books and supporting material are to be retained for three years after the issuance of the annual report. Technical assistance is available at no cost with preparing financial reports.

The type of financial information that must be submitted is specified below:

- a. **Audits** – An annual audit under the Single Audit Act is required if you expend \$750,000 or more in Federal financial assistance per fiscal year. The total Federal funds expended from all sources shall be used to determine Federal financial assistance expended. Expenditures of interim financing are considered Federal expenditures.

All audits are to be performed in accordance with 2 CFR Part 200, as adopted by USDA through 2 CFR Part 400. Further guidance on preparing an acceptable audit can be obtained from the Agency. It is not intended that audits required by this part be separate and apart from audits performed in accordance with State and local laws. To the extent feasible, the audit work should be done in conjunction with those audits. The audit must be prepared by an independent licensed Certified Public Accountant, or a State or Federal auditor if allowed by State law, and must be submitted within 9 months of your fiscal year end.

If an audit is required, you must enter into a written agreement with the auditor and submit a copy to the Agency prior to the advertisement of bids. The audit agreement may include terms and conditions that the borrower and auditor deem appropriate; however, the agreement should include the type of audit or financial statements to be completed, the time frame in which the audit or financial statements will be completed, what type of reports will be generated from the services provided, and how irregularities will be reported.

- b. **Financial Statements** – If you expend less than \$750,000 in Federal financial assistance per fiscal year, you may submit financial statements in lieu of an audit which include at a minimum a balance sheet and an income and expense statement. You may use Form RD 442-2, “Statement of Budget, Income and Equity,” and 442-3, “Balance Sheet,” or similar format to provide the financial information. The financial statements must be signed by the appropriate borrower official and submitted within 60 days of your fiscal year end.
- c. **Quarterly Reports** – Quarterly Income and Expense Statements will be required until the processing office waives this requirement. You may use Form RD 442-2 or similar format to provide this information, and the reports are to be signed by the appropriate borrower official and submitted within 30 days of each quarter’s end. The Agency will notify you in writing when the quarterly reports are no longer required.

**41. Annual Budget and Projected Cash Flow** - Thirty days prior to the beginning of each fiscal year, you will be required to submit an annual budget and projected cash flow to this office. With the submission of the annual budget, you will be required to provide a current rate schedule, and a current listing of the Board or Council members and their terms. The budget must be signed by the appropriate borrower official. Form RD 442-2 or similar format may be used.

Technical assistance is available at no cost to help you evaluate and complete a rate analysis on your system, as well as completing the annual budget. If you are interested, please contact our office for information.

**42. Vulnerability Assessment/Emergency Response Plan (VA/ERP)** – You will be required to submit a certification to the servicing office every three years that the VA/ERP is current and covers all sites related to the facility. The documents themselves are not submitted to the Agency. The VA/ERP must address potential impacts from natural disasters and other emergency events. In particular, it should include plans to address impacts of flash flooding in areas where severe drought or wildfires occur. The documents should be reviewed and updated every three years at a minimum.

**43. Insurance**. You will be required to maintain insurance on the facility and employees as previously described in this letter for the life of the loan.

**44. Statutory and National Policy Requirements** – As a recipient of Federal funding, you are required to comply with U.S. statutory and public policy requirements, including but not limited to:

- a. Section 504 of the Rehabilitation Act of 1973** – Under Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794), no handicapped individual in the United States shall, solely by reason of their handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Agency financial assistance.
- b. Civil Rights Act of 1964** – All borrowers are subject to, and facilities must be operated in accordance with, Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.) and 7 CFR 1901, Subpart E, particularly as it relates to conducting and reporting of compliance reviews. Instruments of conveyance for loans and/or grants subject to the Act must contain the covenant required by Paragraph 1901.202(e) of this Title.
- c. The Americans with Disabilities Act (ADA) of 1990** – This Act (42 U.S.C. 12101 et seq.) prohibits discrimination on the basis of disability in employment, State and local government services, public transportation, public accommodations, facilities, and telecommunications.
- d. Age Discrimination Act of 1975** This Act (42 U.S.C. 6101 et seq.) provides that no person in the United States shall on the basis of age, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.
- c. Limited English Proficiency (LEP) under Executive Order 13166** - LEP statutes and authorities prohibit exclusion from participation in, denial of benefits of, and discrimination under Federally-assisted and/or conducted programs on the ground of race, color, or national origin. Title VI of the Civil Rights Act of 1964 covers program access for LEP persons. LEP persons are individuals who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English. These individuals may be entitled to language assistance, free of charge. You must take reasonable steps to ensure that LEP persons receive the language assistance necessary to have meaningful access to USDA programs, services, and information your organization provides. These protections are pursuant to Executive Order 13166 entitled, “Improving

Access to Services by Persons with Limited English Proficiency” and further affirmed in the USDA Departmental Regulation 4330-005, “Prohibition Against National Origin Discrimination Affecting Persons with Limited English Proficiency in Programs and Activities Conducted by USDA.”

Agency financial programs must be extended without regard to race, color, religion, sex, national origin, marital status, age, or physical or mental handicap. You must display posters (provided by the Agency) informing users of these requirements, and the Agency will monitor your compliance with these requirements during regular compliance reviews.

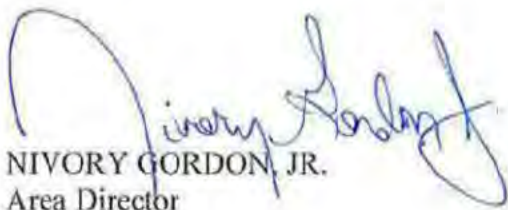
**45. Compliance Reviews and Data Collection** – The Agency will conduct regular compliance reviews of the borrower and its operation in accordance with 7 CFR Part 1901, Subpart E, and 36 CFR 1191, Americans with Disabilities Act (ADA) Accessibility Guidelines for Buildings and Facilities; Architectural Barriers Act (ABA) Accessibility Guidelines. Compliance reviews will typically be conducted in conjunction with the security inspections described in this letter. If beneficiaries (users) are required to complete an application or screening for the use of the facility or service that you provide, you must request and collect data by race (American Indian or Alaska Native, Asian, Black or African American, White); ethnicity (Hispanic or Latino, Not Hispanic or Latino); and by sex. The Agency will utilize this data as part of the required compliance review.

#### **SECTION VIII – REMEDIES FOR NON-COMPLIANCE**

Non-compliance with the conditions in this letter or requirements of your security documents will be addressed under the provisions of 7 CFR 1782 and other applicable regulations, statutes, and policies.

We look forward to working with you to complete this project. If you have any questions, please contact Allen Bowen, Program Director at 334-279-3617 or by e-mail at [allen.bowen@al.usda.gov](mailto:allen.bowen@al.usda.gov).

Sincerely,



NIVORY GORDON, JR.  
Area Director

Attachments

cc: Community Programs Director  
Accountant  
Attorney  
Bond Counsel

Engineer

ACRONYMS:

ABA - Architectural Barriers Act  
ACH – Automated Clearing House  
AD – Agriculture Department  
ADA – Age Discrimination Act  
CFDA - Catalog of Federal Domestic Assistance  
CFR – Code of Federal Regulations  
CPAP – Commercial Programs Application Processing  
DUNS – Dun and Bradstreet Data Universal Numbering System  
EJCDC – Engineers Joint Contract Documents Committee  
ERP – Emergency Response Plan  
GAAP – Generally Accepted Accounting Principles  
LEP – Limited English Proficiency  
OC – Owner Construction  
OPS – Owner-Performed Services  
O&M – Operation and Maintenance  
PER – Preliminary Engineering Report  
RD – Rural Development  
RUS – Rural Utilities Service  
SAM - System for Award Management  
SF – Standard Form  
UCC – Uniform Commercial Code  
USC – United States Code  
USDA – United States Department of Agriculture  
VA – Vulnerability Assessment

FORMS and BULLETINS:

Form AD-3031 "Assurance Regarding Felony Convictions or Tax Delinquent Status for Corporate Applicants" – Item 29  
Internal Revenue Service Form 1023, Appendix A, "Sample Conflict of Interest Policy" - Item 15  
Form RD 440-22, "Promissory Note" – Item 5  
Form RD 440-24, "Position Fidelity Schedule Bond" – Item 28  
Form RD 442-2, "Statement of Budget, Income and Equity" – Items 44 and 45  
Form RD 442-3, "Balance Sheet" – Item 44  
Form RD 442-7, "Operating Budget" – Item 21  
Form RD 442-20, "Right-of-Way Easement" – Item 14  
Form RD 442-21, "Right-of-Way Certificate" – Item 14  
Form RD 442-22, "Opinion of Counsel Relative to Rights-of-Way" – Item 14  
Form RD 1927-9, "Preliminary Title Opinion" – Item 14  
Form RD 1927-10, "Final Title Opinion" – Item 27  
Form RD 1940-1, "Request for Obligation of Funds" – Pages 1 and 2  
Form RD 1942-8, "Resolution of Members or Stockholders" Item 5  
Form RD 1942-46, "Letter of Intent to Mect Conditions" – Page 1  
Form RD 3550-28, "Authorization Agreement for Preauthorized Payments" – Items 6 and 30  
Form UCC-1, "Financing Statement" – Item 5  
Form UCC-1Ad, "UCC Financing Statement Addendum" – Item 5  
SF 3881, "ACH Vendor/Miscellaneous Payment Enrollment Form" – Items 8 and 18  
RUS Bulletin 1780-7, "Legal Services Agreement" – Item 13  
RUS Bulletin 1780-9, "Water Users Agreement" - Items 15 and 19  
RUS Bulletin 1780-12, "Water and Waste System Grant Agreement" – Page 1 and Item 5  
RUS Bulletin 1780-26, "Guidance for the Use of EJCDC Documents on Water and Waste Projects with RUS Financial Assistance" – Items 11 and 12  
RUS Bulletin 1780-27, "Loan Resolution (Public Bodies)" – Item 5  
RUS Bulletin 1780-28, "Loan Resolution Security Agreement" – Item 5



*[The following two appendices are included as required by 2 CFR Parts 25 and 170 and apply to all direct and guaranteed loans and grants]*

*Appendix A*

*2 CFR Part 25*

**SYSTEM FOR AWARD MANAGEMENT AND UNIVERSAL IDENTIFIER  
REQUIREMENTS**

*A. Requirement for System for Award  
Management*

Unless you are exempted from this requirement under 2 CFR 25.110, you as the recipient must maintain the currency of your information in the SAM until you submit the final financial report required under this award or receive the final payment, whichever is later. This requires that you review and update the information at least annually after the initial registration, and more frequently if required by changes in your information or another appendix.

*B. Requirement for unique entity identifier*

If you are authorized to make subawards under this award, you:

1. Must notify potential subrecipients that no entity (*see* definition in paragraph C of this appendix) may receive a subaward from you unless the entity has provided its unique entity identifier to you.
2. May not make a subaward to an entity unless the entity has provided its unique entity identifier to you.

*C. Definitions*

For purposes of this appendix:

1. System for Award Management (SAM) means the Federal repository into which an entity must provide information required for the conduct of business as a recipient. Additional information about registration procedures may be found at the SAM Internet site (currently at <http://www.sam.gov>).

2. Unique entity identifier means the identifier required for SAM registration to uniquely identify business entities.
3. Entity, as it is used in this appendix, means all of the following, as defined at 2 CFR part 25, subpart C:
  - a. A Governmental organization, which is a State, local government, or Indian Tribe;
  - b. A foreign public entity;
  - c. A domestic or foreign nonprofit organization;
  - d. A domestic or foreign for-profit organization; and
  - e. A Federal agency, but only as a subrecipient under an award or subaward to a non-Federal entity.
4. Subaward:
  - a. This term means a legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible subrecipient.
  - b. The term does not include your procurement of property and services needed to carry out the project or program (for further explanation, see 2 CFR 200.330).
  - c. A subaward may be provided through any legal agreement, including an agreement that you consider a contract.
5. Subrecipient means an entity that:
  - a. Receives a subaward from you under this award; and
  - b. Is accountable to you for the use of the Federal funds provided by the subaward.

[75 FR 55673, Sept. 14, 2010, as amended at 79 FR 75879, Dec. 19, 2014; 80 FR 54407, Sept. 10, 2015]

**Appendix B**  
**2 CFR Part 170**

**Reporting Subawards and Executive Compensation**

a. Reporting of first-tier subawards.

1. **Applicability.** Unless you are exempt as provided in paragraph d. of this appendix, you must report each action that obligates \$25,000 or more in Federal funds that does not include Recovery funds (as defined in section 1512(a)(2) of the American Recovery and Reinvestment Act of 2009, Pub. L. 111-5) for a subaward to an entity (see definitions in paragraph e. of this appendix).
2. **Where and when to report.**
  - i. You must report each obligating action described in paragraph a.1. of this appendix to <http://www.fsr.gov>.
  - ii. For subaward information, report no later than the end of the month following the month in which the obligation was made. (For example, if the obligation was made on November 7, 2010, the obligation must be reported by no later than December 31, 2010.)
3. **What to report.** You must report the information about each obligating action listed in the submission instructions posted at <http://www.fsr.gov>.

b. Reporting Total Compensation of Recipient Executives.

1. **Applicability and what to report.** You must report total compensation for each of your five most highly compensated executives for the preceding completed fiscal year, if—
  - i. the total Federal funding authorized to date under this award is \$25,000 or more;
  - ii. in the preceding fiscal year, you received—
    - (A) 80 percent or more of your annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and
    - (B) \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and

- iii. The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/execomp.htm>.)
2. Where and when to report. You must report executive total compensation described in paragraph b.1. of this appendix:
    - i. As part of your registration profile at <https://www.sam.gov>.
    - ii. By the end of the month following the month in which this award is made, and annually thereafter.
- c. Reporting of Total Compensation of Subrecipient Executives.
1. Applicability and what to report. Unless you are exempt as provided in paragraph d. of this appendix, for each first-tier subrecipient under this award, you shall report the names and total compensation of each of the subrecipient's five most highly compensated executives for the subrecipient's preceding completed fiscal year, if—
    - i. in the subrecipient's preceding fiscal year, the subrecipient received—
      - (A) 80 percent or more of its annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and
      - (B) \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts), and Federal financial assistance subject to the Transparency Act (and subawards); and
    - ii. The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/execomp.htm>.)
  2. Where and when to report. You must report subrecipient executive total compensation described in paragraph c.1. of this appendix:
    - i. To the recipient.
    - ii. By the end of the month following the month during which you make the subaward. For example, if a subaward is obligated on any date during the month

of October of a given year (i.e., between October 1 and 31), you must report any required compensation information of the subrecipient by November 30 of that year.

d. Exemptions

If, in the previous tax year, you had gross income, from all sources, under \$300,000, you are exempt from the requirements to report:

- i. Subawards, and
- ii. The total compensation of the five most highly compensated executives of any subrecipient.

e. Definitions. For purposes of this appendix:

1. Entity means all of the following, as defined in 2 CFR part 25:
  - i. A Governmental organization, which is a State, local government, or Indian tribe;
  - ii. A foreign public entity;
  - iii. A domestic or foreign nonprofit organization;
  - iv. A domestic or foreign for-profit organization;
  - v. A Federal agency, but only as a subrecipient under an award or subaward to a non-Federal entity.
2. Executive means officers, managing partners, or any other employees in management positions.
3. Subaward:
  - i. This term means a legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible subrecipient.
  - ii. The term does not include your procurement of property and services needed to carry out the project or program (for further explanation, see Sec. \_\_.210 of the attachment to OMB Circular A-133, "Audits of States, Local Governments, and Non-Profit Organizations").
  - iii. A subaward may be provided through any legal agreement, including an agreement that you or a subrecipient considers a contract.

4. Subrecipient means an entity that:
  - i. Receives a subaward from you (the recipient) under this award; and
  - ii. Is accountable to you for the use of the Federal funds provided by the subaward.
  
5. Total compensation means the cash and noncash dollar value earned by the executive during the recipient's or subrecipient's preceding fiscal year and includes the following (for more information see 17 CFR 229.402(c)(2)):
  - i. Salary and bonus.
  - ii. Awards of stock, stock options, and stock appreciation rights. Use the dollar amount recognized for financial statement reporting purposes with respect to the fiscal year in accordance with the Statement of Financial Accounting Standards No. 123 (Revised 2004) (FAS 123R), Shared Based Payments.
  - iii. Earnings for services under non-equity incentive plans. This does not include group life, health, hospitalization or medical reimbursement plans that do not discriminate in favor of executives, and are available generally to all salaried employees.
  - iv. Change in pension value. This is the change in present value of defined benefit and actuarial pension plans.
  - v. Above-market earnings on deferred compensation which is not tax-qualified.
  - vi. Other compensation, if the aggregate value of all such other compensation (e.g. severance, termination payments, value of life insurance paid on behalf of the employee, perquisites or property) for the executive exceeds \$10,000.

[75 FR 55669, Sept. 14, 2010, as amended at 79 FR 75879, Dec. 19, 2014]

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**LETTER OF INTENT TO MEET CONDITIONS**

Date 09-24-2018

TO: United States Department of Agriculture

USDA, Rural Development

\_\_\_\_\_  
(Name of USDA Agency)

321 Depot Street  
Camden, AL 36726

\_\_\_\_\_  
(USDA Agency Office Address)  
\_\_\_\_\_

We have reviewed and understand the conditions set forth in your letter dated 09-24-2018. It is our intent to meet all of them not later than 01-24-2019.

City of Uniontown

BY Jamaal Hunter (Name of Association)  
Jamaal Hunter, Mayor

\_\_\_\_\_  
(Title)

*According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0575-0015 and 0570-0062. The time required to complete this information collection is estimated to average 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.*

**From:** [Bowen, Allen - RD, Montgomery, AL](#)  
**To:** [Eva Dillard](#)  
**Cc:** [Taylor, John - RD, Montgomery, AL](#)  
**Subject:** Budget.pdf  
**Date:** Friday, December 7, 2018 11:23:00 AM  
**Attachments:** [Budget.pdf](#)

---

Eva, here is the information you requested.

Thanks,

*Allen Bowen*

Allen Bowen  
United States Department of Agriculture  
Rural Development  
Community and Business Programs Director  
Office: 334-279-3617  
Cell: 334-322-4147  
Fax: 855-304-8457

**005003**

## State Engineer's Cost Estimate - Uniontown 2018

Project Cost Item	User Desc	Item Cost
Development	Collection System Repair	10,183,000.
Development	Forcemain to Demopolis	15,241,000.
Contingencies		2,542,400.
Eng - PreDevelopment		263,500.
Eng - Design	Including Civil & Electrical	1,938,140.
Eng - Inspection		559,300.
Eng – Additional Services	Geotechnical	15,000.
Eng – Additional Services	Property Surveying	64,800.
Eng – Additional Services	Permits: WWTP, SW, DOT	16,500.
Other	Railroad Fees	45,000.
Other	Advertising	18,710.
Other	ADEM Permit	12,650.
Other	ALDOT Permit	80,000.
Other	Electrical Service	50,000.
Equipment		130,000.
Land & Rights		80,000.
Legal Services	To form a utilities board	10,000.
Total		31,250,000.

## Short-Lived Assets

Type of Reserve	User Desc	Replacement Cost	Annual Reserve
10 - 15 Years	20 Sewer Pumps in 10 Lift Stations	119,800.	7,987.

**From:** [cityofuniontown@outlook.com](mailto:cityofuniontown@outlook.com)  
**To:** [Taylor, John - RD, Montgomery, AL](#); [Bowen, Allen - RD, Montgomery, AL](#); [Gordon, Nivory - RD, Camden, AL](#); [Jamaal Hunter](#)  
**Subject:** City of Uniontown  
**Date:** Thursday, October 25, 2018 5:56:43 PM

---

Good Evening,

The Mayor and I are discussing this morning meeting notes and have the following questions:

- Will the Utilities Board be managing both water and sewage? Or sewage only?

Emefa

Sent from [Mail](#) for Windows 10

**005005**



**From:** [Givan, Terrika - RD, Camden, AL](#)  
**To:** [Bowen, Allen - RD, Montgomery, AL](#); [Hale, Stan - RD, Montgomery, AL](#); [Williams, Daniel - RD, Montgomery, AL](#); [Baker, Shelley - RD, Montgomery, AL](#)  
**Cc:** [Gordon, Nivory - RD, Camden, AL](#)  
**Subject:** City of Uniontown - Eligibility Letter  
**Date:** Wednesday, September 26, 2018 4:59:38 PM  
**Attachments:** [DOC092618-09262018153313.pdf](#)

---

See attachment.

Terrika L. Givan  
Area Technician  
USDA, Rural Development  
321 Depot Street  
Camden, AL 36726  
Phone: 334-682-4116 Ext. 120  
Fax: 855-840-7764

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**005006**



Rural Development

September 10, 2018

Camden Area Office

321 Depot Street  
Camden, AL 36726

Voice 334.682.4116  
Fax 855.840.7764

City of Uniontown  
Jamaal Hunter, Mayor  
100 Front Street  
Uniontown, AL 36786

RE: Application for Sewer Collection & Treatment Rehab 2018

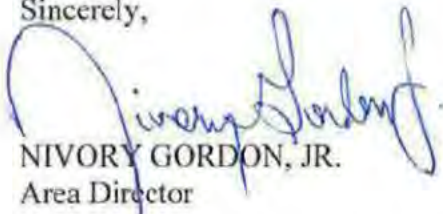
Dear Mayor Hunter:

We are in receipt of your application dated June 21, 2018 for assistance from USDA, Rural Development for your proposed existing sewer upgrade project. The proposed project has been found eligible for funding by this agency.

In your application, you requested \$23,506,500.00 in federal assistance. We are agreeable to consideration of approximately this amount, subject to the availability of funds. The proportion of any grant funding will be discussed with you at a later time once the complete financial analysis and underwriting is completed.

If you have any questions please contact Nivory Gordon, Jr., Area Director at (334) 682-4116, Extension 110 or by email [Nivory.Gordon@al.usda.gov](mailto:Nivory.Gordon@al.usda.gov).

Sincerely,



NIVORY GORDON, JR.  
Area Director

cc: Community Programs Director

**From:** [Taylor, John - RD, Montgomery, AL](#)  
**To:** [Gordon, Nivory - RD, Camden, AL](#)  
**Cc:** [Bowen, Allen - RD, Montgomery, AL](#); [Williams, Daniel - RD, Montgomery, AL](#); [Hale, Stan - RD, Montgomery, AL](#); [Douglas, Penny - RD, Chattanooga, TN](#)  
**Subject:** City of Uniontown - PER Concurrence - Updated 9/11/18, 9:15  
**Date:** Tuesday, September 11, 2018 10:15:20 AM  
**Attachments:** [Budget.pdf](#)

---

I have reviewed and concur in the Preliminary Engineering Report. The State Engineer's estimated project cost is \$31,250,000. A copy of the estimate is attached. This estimate may change when you complete your financial analysis for the project.

The engineer for the project must be notified that the project design work must comply with the appropriate seismic design criteria for the area in which the project will be located.

**You must also notify the applicant that USDA Rural Development will require all of their existing facilities and new construction to be accessible per 7 CFR 15b, Subparts A through C. If financial arrangements for compliance with accessibility need to be addressed in the project, the PAFR cost estimate should be adjusted accordingly. Evidence of the applicant's compliance with accessibility regulations will be required by pre loan closing and must be verified by the Area Office.**

If you have any questions, contact the Community Programs section at (334) 279-3475.

John E. Taylor, P.E.  
Alabama State Engineer & SEC  
USDA Rural Development  
4121 Carmichael Rd. STE 601  
Montgomery, AL 36106  
334-279-3475

**005008**

## State Engineer's Cost Estimate - Uniontown 2018

Project Cost Item	User Desc	Item Cost
Development	Collection System Repair	10,183,000.
Development	Forcemain to Demopolis	15,241,000.
Contingencies		2,542,400.
Eng - PreDevelopment		263,500.
Eng - Design	Including Civil & Electrical	1,938,140.
Eng - Inspection		559,300.
Eng – Additional Services	Geotechnical	15,000.
Eng – Additional Services	Property Surveying	64,800.
Eng – Additional Services	Permits: WWTP, SW, DOT	16,500.
Other	Railroad Fees	45,000.
Other	Advertising	18,710.
Other	ADEM Permit	12,650.
Other	ALDOT Permit	80,000.
Other	Electrical Service	50,000.
Equipment		130,000.
Land & Rights		80,000.
Legal Services	To form a utilities board	10,000.
Total		31,250,000.

## Short-Lived Assets

Type of Reserve	User Desc	Replacement Cost	Annual Reserve
10 - 15 Years	20 Sewer Pumps in 10 Lift Stations	119,800.	7,987.

**From:** [Taylor, John - RD, Montgomery, AL](#)  
**To:** [Gordon, Nivory - RD, Camden, AL](#)  
**Cc:** [Bowen, Allen - RD, Montgomery, AL](#); [Williams, Daniel - RD, Montgomery, AL](#); [Hale, Stan - RD, Montgomery, AL](#); [Douglas, Penny - RD, Chattanooga, TN](#)  
**Subject:** City of Uniontown - PER Concurrence  
**Date:** Monday, September 10, 2018 6:23:00 PM  
**Attachments:** [Budget.pdf](#)

---

I have reviewed and concur in the Preliminary Engineering Report. The State Engineer's estimated project cost is \$31,240,000. A copy of the estimate is attached. This estimate may change when you complete your financial analysis for the project.

The engineer for the project must be notified that the project design work must comply with the appropriate seismic design criteria for the area in which the project will be located.

**You must also notify the applicant that USDA Rural Development will require all of their existing facilities and new construction to be accessible per 7 CFR 15b, Subparts A through C. If financial arrangements for compliance with accessibility need to be addressed in the project, the PAFR cost estimate should be adjusted accordingly. Evidence of the applicant's compliance with accessibility regulations will be required by pre loan closing and must be verified by the Area Office.**

If you have any questions, contact the Community Programs section at (334) 279-3475.

John E. Taylor, P.E.  
Alabama State Engineer & SEC  
USDA Rural Development  
4121 Carmichael Rd. STE 601  
Montgomery, AL 36106  
334-279-3475

**005010**

## State Engineer's Cost Estimate - Uniontown 2018

Project Cost Item	User Desc	Item Cost
Development	Collection System Repair	10,183,000.
Development	Forcemain to Demopolis	15,241,000.
Contingencies		2,542,400.
Eng - PreDevelopment		263,500.
Eng - Design	Including Civil & Electrical	1,937,200.
Eng - Inspection		559,300.
Eng – Additional Services	Geotechnical	15,000.
Eng – Additional Services	Property Surveying	64,800.
Eng – Additional Services	Permits: WWTP, SW, DOT	16,500.
Other	Railroad Fees	45,000.
Other	Advertising	9,650.
Other	ADEM Permit	12,650.
Other	ALDOT Permit	80,000.
Other	Electrical Service	50,000.
Equipment		130,000.
Land & Rights		80,000.
Legal Services	To form a utilities board	10,000.
Total		31,240,000.

## Short-Lived Assets

Type of Reserve	User Desc	Replacement Cost	Annual Reserve
10 - 15 Years	20 Sewer Pumps in 10 Lift Stations	119,800.	7,987.

**From:** [Givan, Terrika - RD, Camden, AL](#)  
**To:** [Bowen, Allen - RD, Montgomery, AL](#); [Hale, Stan - RD, Montgomery, AL](#); [Williams, Daniel - RD, Montgomery, AL](#); [Baker, Shelley - RD, Montgomery, AL](#)  
**Cc:** [Gordon, Nivory - RD, Camden, AL](#); [Norwood, Rose - RD, Camden, AL](#); [Williams, Melissa - RD, Camden, AL](#)  
**Subject:** City of Uniontown Approval Docket  
**Date:** Tuesday, September 25, 2018 2:28:55 PM  
**Attachments:** [DOC092518-09252018132009.pdf](#)  
[DOC092518-09252018132018.pdf](#)

---

See attachments.

Terrika L. Givan  
Area Technician  
USDA, Rural Development  
321 Depot Street  
Camden, AL 36726  
Phone: 334-682-4116 Ext. 120  
Fax: 855-840-7764

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If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at [http://www.ascr.usda.gov/complaint\\_filing\\_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html), or at any USDA office, or call (866) 632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter to us by mail at U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, by fax (202) 690-7442 or email at [program.intake@usda.gov](mailto:program.intake@usda.gov).

This electronic message contains information generated by the USDA solely for the intended recipients. Any unauthorized interception of this message or the use or disclosure of the information it contains may violate the law and subject the violator to civil or criminal penalties. If you believe you have received this message in error, please notify the sender and delete the email immediately.

**005012**



Rural Development

September 25, 2018

Camden Area Office

321 Depot Street  
Camden, AL 36726

Voice 334.682.4116  
Fax 855.840.7764

TO: Chris Beeker III  
State Director

ATTN: Allen Bowen  
Community and Business Programs Director

FROM: Nivory Gordon, Jr.  
Area Director

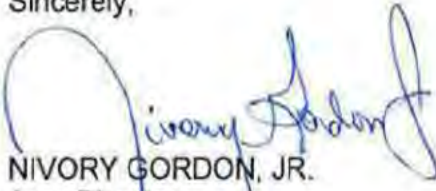
SUBJECT: City of Uniontown  
WEP Grant Approval  
Uniontown, Perry County, Alabama

Enclosed you will find the information listed below submitted for the approval of the above applicant.

1. 1940-1 "Request for Obligation of Funds" (2 copies).

If you have any questions pertaining to these matters please contact Nivory Gordon at (334) 682-4116 extension 110 or via email at [Nivory.Gordon@al.usda.gov](mailto:Nivory.Gordon@al.usda.gov).

Sincerely,



NIVORY GORDON, JR.  
Area Director

Attachments

/tlg



REQUEST FOR OBLIGATION OF FUNDS

<b>INSTRUCTIONS-TYPE IN CAPITALIZED ELITE TYPE IN SPACES MARKED ( )</b> Complete Items 1 through 29 and applicable Items 30 through 34. See FMI.							
<b>1. CASE NUMBER</b> ST CO BORROWER ID 01-053-835057256		<b>LOAN NUMBER</b>		<b>FISCAL YEAR</b> 2018			
<b>2. BORROWER NAME</b> City of Uniontown		<b>3. NUMBER NAME FIELDS</b> 3 (1, 2, or 3 from Item 2)					
100 Front Street		<b>4. STATE NAME</b> Alabama					
Uniontown, AL 36786		<b>5. COUNTY NAME</b> Perry					
<b>GENERAL BORROWER/LOAN INFORMATION</b>							
<b>6. RACE/ETHNIC CLASSIFICATION</b> 1 - WHITE 2 - BLACK 3 - ASIAN 4 - HISPANIC 5 - A/P/I		<b>7. TYPE OF APPLICANT</b> 1 - INDIVIDUAL 2 - PARTNERSHIP 3 - CORPORATION 4 - PUBLIC BODY 5 - ASSOC. OF FARMERS 6 - ORG. OF FARMERS 7 - NONPROFIT-SECULAR 8 - NONPROFIT-FAITH BASED 9 - INDIAN TRIBE 10 - PUBLIC COLLEGE/UNIVERSITY 11 - OTHER		<b>8. COLLATERAL CODE</b> 1 - REAL ESTATE SECURED 2 - REAL ESTATE AND CHATTEL 3 - NOTE ONLY OR CHATTEL ONLY 4 - MACHINERY ONLY 5 - LIVESTOCK ONLY 6 - CROPS ONLY 7 - SECURED BY BONDS 8 - R.F. ACCT		<b>9. EMPLOYEE RELATIONSHIP CODE</b> 1 - EMPLOYEE 2 - MEMBER OF FAMILY 3 - CLOSE RELATIVE 4 - ASSOC.	
<b>10. SEX CODE</b> 1 - MALE 2 - FEMALE 3 - FAMILY UNIT 4 - ORGAN MALE OWNED 5 - ORGAN FEMALE OWNED 6 - PUBLIC BODY		<b>11. MARITAL STATUS</b> 1 - MARRIED 2 - SEPARATED 3 - UNMARRIED (INCLUDES WIDOWED/DIVORCED)		<b>12. VETERAN CODE</b> 1 - YES 2 - NO		<b>13. CREDIT REPORT</b> 1 - YES 2 - NO	
<b>14. DIRECT PAYMENT</b> 2 (See FMI)		<b>15. TYPE OF PAYMENT</b> 2 1 - MONTHLY 2 - ANNUALLY 3 - SEMI-ANNUALLY 4 - QUARTERLY		<b>16. FEE INSPECTION</b> 2 1 - YES 2 - NO			
<b>17. COMMUNITY SIZE</b> 1 - 10,000 OR LESS (FOR SFH AND HPG ONLY) 2 - OVER 10,000		<b>18. USE OF FUNDS CODE</b> (See FMI)					
<b>COMPLETE FOR OBLIGATION OF FUNDS</b>							
<b>19. TYPE OF ASSISTANCE</b> 744 (See FMI)		<b>20. PURPOSE CODE</b> 3		<b>21. SOURCE OF FUNDS</b>		<b>22. TYPE OF ACTION</b> 1 - OBLIGATION ONLY 2 - OBLIGATION/CHECK REQUEST 3 - CORRECTION OF OBLIGATION	
<b>23. TYPE OF SUBMISSION</b> 2 1 - INITIAL 2 - SUBSEQUENT		<b>24. AMOUNT OF LOAN</b>		<b>25. AMOUNT OF GRANT</b> \$23,437,500.00			
<b>26. AMOUNT OF IMMEDIATE ADVANCE</b>		<b>27. DATE OF APPROVAL</b> MO DAY YR		<b>28. INTEREST RATE</b> 0 %		<b>29. REPAYMENT TERMS</b>	
<b>COMPLETE FOR COMMUNITY PROGRAM AND CERTAIN MULTIPLE-FAMILY HOUSING LOANS</b>							
<b>30. PROFIT TYPE</b> 1 - FULL PROFIT 2 - LIMITED PROFIT 3 - NONPROFIT							
<b>COMPLETE FOR EM LOANS ONLY</b>				<b>COMPLETE FOR CREDIT SALE-ASSUMPTION</b>			
<b>31. DISASTER DESIGNATION NUMBER</b> (See FMI)				<b>32. TYPE OF SALE</b> 1 - CREDIT SALE ONLY 2 - ASSUMPTION ONLY 3 - CREDIT SALE WITH SUBSEQUENT LOAN 4 - ASSUMPTION WITH SUBSEQUENT LOAN			
<b>FINANCE OFFICE USE ONLY</b>				<b>COMPLETE FOR FP LOANS ONLY</b>			
<b>33. OBLIGATION DATE</b> MO DA YR				<b>34. BEGINNING FARMER/RANCHER</b> (See FMI)			

If the decision contained above in this form results in denial, reduction or cancellation of USDA assistance, you may appeal this decision and have a hearing or you may request a review in lieu of a hearing. Please use the form we have included for this purpose.

Position 2

ORIGINAL - Borrower's Case Folder    COPY 1 - Finance Office    COPY 2 - Applicant/Lender    COPY 3 - State Office

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0570-0062. The time required to complete this information collection is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

005014

CERTIFICATION APPROVAL

For All Farmers Programs

EM, OL, FO, and SW Loans

This loan is approved subject to the availability of funds. If this loan does not close for any reason within 90 days from the date of approval on this document, the approval official will request updated eligibility information. The undersigned loan applicant agrees that the approval official will have 14 working days to review any updated information prior to submitting this document for obligation of funds. If there have been significant changes that may affect eligibility, a decision as to eligibility and feasibility will be made within 30 days from the time the applicant provides the necessary information.

If this is a loan approval for which a lien and/or title search is necessary, the undersigned applicant agrees that the 15-working-day loan closing requirement may be exceeded for the purposes of the applicant's legal representative completing title work and completing loan closing.

35. COMMENTS AND REQUIREMENTS OF CERTIFYING OFFICIAL

All requirements of the "Letter of Conditions" must be met.

36. I HEREBY CERTIFY that I am unable to obtain sufficient credit elsewhere to finance my actual needs at reasonable rates and terms, taking into consideration prevailing private and cooperative rates and terms in or near my community for loans for similar purposes and periods of time. I agree to use the sum specified herein, subject to and in accordance with regulations applicable to the type of assistance indicated above, and request payment of such sum. I agree to report to USDA any material adverse changes, financial or otherwise, that occur prior to loan closing. I certify that no part of the sum specified herein has been received. I have reviewed the loan approval requirements and comments associated with this loan request and agree to comply with these provisions.

(For FP loans at eligible terms only) If this loan is approved, I elect the interest rate to be charged on my loan to be the lower of the interest rate in effect at the time of loan approval or loan closing. If I check "NO", the interest rate charged on my loan will be the rate specified in Item 28 of this form. YES NO

WARNING: Whoever, in any matter within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals or covers up by any trick, scheme, or device a material fact, or makes any false, fictitious or fraudulent statements or representations, or makes or uses any false writing or document knowing the same to contain any false, fictitious or fraudulent statement or entry, shall be fined under this title or imprisoned not more than five years, or both."

Date September 24, 20 18

Jamaal Hunter, Mayor

(Signature of Applicant)

Date \_\_\_\_\_, 20 \_\_\_\_\_

(Signature of Co-Applicant)

37. I HEREBY CERTIFY that all of the committee and administrative determinations and certifications required by regulations prerequisite to providing assistance of the type indicated above have been made and that evidence thereof is in the docket, and that all requirements of pertinent regulations have been complied with. I hereby approve the above-described assistance in the amount set forth above, and by this document, subject to the availability of funds, the Government agrees to advance such amount to the applicant for the purpose of and subject to the availability prescribed by regulations applicable to this type of assistance.

(Signature of Approving Official)

Typed or Printed Name: CHRIS BEEKER III

Date Approved: \_\_\_\_\_

Title: State Director

38. TO THE APPLICANT: As of this date \_\_\_\_\_, this is notice that your application for financial assistance from the USDA has been approved, as indicated above, subject to the availability of funds and other conditions required by the USDA. If you have any questions contact the appropriate USDA Servicing Office.

005015



Rural Development

Camden Area Office

321 Depot Street  
Camden, AL 36726

Voice 334.682.4116  
Fax 855.840.7764

September 25, 2018

Subject: City of Uniontown  
Sewer Collection and Treatment Rehab 2018  
Uniontown, Perry County, Alabama

To: State Director / CP  
Montgomery, Alabama

Enclosed you will find information submitted for approval of the above subject docket. Please refer to the attachments uploaded into CPAP.

If there are any questions pertaining to these matters please contact Nivory Gordon at this office @ (334) 682-4116 ext. 110 or via email [Nivory.Gordon@al.usda.gov](mailto:Nivory.Gordon@al.usda.gov).

Sincerely,



NIVORY GORDON, JR.  
Area Director

# WEP APPROVAL CHECKLIST EXHIBIT A

## Scanned Documents List

Name of Borrower City of Uniontown Date 9-25-18

What to have before approval:

**(A-G should already be in S/O or Attached to CPAP- Double check that these have been completed/scanned to the project in cpap.)**

- existing borrower*  
*should be in SO*
- OK A. Regional Attorney's Organizational Review
  - OK B. Approved Environmental Assessment
  - OK C. Copy of sheet where A/O checked the borrower's name on website for Debarment
  - OK D. SF 424-2-Application with DUNS number signed and dated prior to obligation including SF 424-A&B or C&D.
  - OK E. The Form RD 2006-38, Civil Rights Impact Analysis Certification from the Environmental file
  - OK F. Copy of Concurrence Letter from ADEM
  - OK G. Applicants Certification of Other Credit
- 
- N/A 1. Proposed Water Purchase Contract (if applicable)
  - OK 2. Certification of Compliance with Federal Requirements/Law
  - OK 3. Copy of confirmation # where CAIVRS was checked the **SECOND** time
  - OK 4. Two RD 1940-1's (**original signatures**) signed and dated by borrower ready for the State Director signature. **FORWARD to the State Office**
  - OK 5. A copy of Form RD 1942-46, Letter of Intent to Meet Conditions
  - OK 6. A copy of the signed Letter of Conditions that was delivered to the borrower
  - OK 7. The Project Information Form (Summary) ready for the Area Directors, the Engineer or Architect's and Program Directors signature. **DO NOT ATTACH TO CPAP**
  - OK 8. A copy of the Underwriting Tool **DO NOT ATTACH TO CPAP**
  - OK 9. Copy of the Grant Agreement if applicable.
  - OK 10. Proof of Publication (Affidavit) - Public Meeting (if a Public Body not required for a Non-Profit)
  - OK 11. A copy of the Minutes of the Public Meeting (if a Public Body not required for a Non-Profit)
  - OK 12. Proof of Publication (Affidavit)-Environmental Notice of Availability and of Final Advertisement has run. (Unless not needed for a Categorical Exclusion with or without the report)
  - OK 13. Exhibit 4-A, LAPAS Contact Information, to this checklist with original signature and date.
  - OK 14. AD3031

**From:** [Givan, Terrika - RD, Camden, AL](#)  
**To:** [Bowen, Allen - RD, Montgomery, AL](#)  
**Cc:** [Gordon, Nivory - RD, Camden, AL](#)  
**Subject:** City of Uniontown DNP  
**Date:** Tuesday, September 18, 2018 11:40:16 AM  
**Attachments:** [DOC091818-09182018103645.pdf](#)

---

Terrika L. Givan  
Area Technician  
USDA, Rural Development  
321 Depot Street  
Camden, AL 36726  
Phone: 334-682-4116 Ext. 120  
Fax: 855-840-7764

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**005018**

SENSITIVE BUT UNCLASSIFIED

Results for SSN/EIN/TIN: 636001386 First Name: Last Name: DUNS Number: Plus 4: Business Name:

1 Results

<input type="checkbox"/>	Count	Data Source Name
<input type="checkbox"/>	0	CREDIT ALERT SYSTEM - as of 09/14/2018
<input type="checkbox"/>	0	LIST OF EXCLUDED INDIVIDUALS AND ENTITIES - PUBLIC - as of 04/10/2018
<input checked="" type="checkbox"/>	1	SAM ENTITY REGISTRATION RECORDS - as of 09/14/2018
<input type="checkbox"/>	0	SAM EXCLUSION RECORDS - RESTRICTED - as of 09/16/2018
<input type="checkbox"/>	0	SSA DEATH MASTER FILE - as of 09/15/2018
<input type="checkbox"/>	0	TREASURY OFFSET PROGRAM DEBT CHECK - as of 09/14/2018

Match Results for Online Search

SAM ENTITY REGISTRATION RECORDS - as of 09/14/2018 1 Result

SHOW: 10 Results

SAM Entity Registration Records	DUNS Number	Code Code	Company Name	DBA (Doing Business As)	City	State	Country	Details
AGTMC - 03/15/2019	01163012E	SR977	UNIONTOWN, CITY OF	CITY HALL	UNIONTOWN	PA	USA	Details

SENSITIVE BUT UNCLASSIFIED

005019

## SAM ENTITY REGISTRATION RECORDS - as of 09/14/2018 Details

**SENSITIVE BUT UNCLASSIFIED**

Registration Status: **ACTIVE**  
 CAGE/NCAGE: **5R9J7**  
 Legal Business Name: **UNIONTOWN, CITY OF**  
 Doing Business As(DBA): **CITY HALL**  
 Division Name: **UNIONTOWN CITY OF**  
 Division Number:  
 Company URL:  
 DUNS: **001630136**  
 DUNS PLUS 4:  
 TIN Number: **636001386**  
 Financial Institution: **(b) (4)**  
 ABA Routing Number: **(b) (4)**  
 Account Number: **(b) (4)**  
 Account Type: **C**

Physical Street Address 1: **100 FRONT ST**  
 Physical Street Address 2:  
 Physical City: **UNIONTOWN**  
 Physical State: **AL**  
 Physical Foreign Province: **AL**  
 Physical Zip/Postal Code: **36786**  
 Physical Country: **USA**

Mailing Name:  
 Mailing Street Address 1: **100 FRONT ST**  
 Mailing Street Address 2:  
 Mailing City: **UNIONTOWN**  
 Mailing State: **AL**  
 Mailing Foreign Province: **AL**  
 Mailing Zip/Postal Code: **36786**  
 Mailing Country: **USA**

Business Start Date: **01/01/2017**  
 Delinquent Federal Debt: **N**

Organization Code: **2A - U.S. GOVERNMENT ENTITY**  
 Party ID: **23500037687**  
 Business Code Description:  
 Party ID:  
 Display Description:  
 Display Value:  
 Party ID:

**005020**

Party ID: 23500037687

Emerging Small Business:

NAICS Code: 921190

NAICS Description: OTHER GENERAL GOVERNMENT SUPPORT

Small Business: N

Party ID:

Product Service Code:

Product Service Code Description:

Federal Supply Classification Code:

Federal Supply Classification Description:

SBA Code:

SBA Description:

Party ID:

NAICS Code: 921190

NAICS Description: OTHER GENERAL GOVERNMENT SUPPORT

Emerging Small Business:

Small Business: N

TIN Number:

Name: ALFREDA

Address 1: P.O. BOX 1069

Address 2:

Address Type Code: ELEC BUS

City: UNIONTOWN

Country: USA

Fax: 3346282028

Foreign Province:

State: AL

US Phone: 3346282011

Zip: 36786

**SENSITIVE BUT UNCLASSIFIED**

OK

**005021**



**From:** [Givan, Terrika - RD, Camden, AL](#)  
**To:** [Bowen, Allen - RD, Montgomery, AL](#)  
**Cc:** [Gordon, Nivory - RD, Camden, AL](#)  
**Subject:** City of Uniontown LOC  
**Date:** Tuesday, September 18, 2018 10:26:46 AM  
**Attachments:** [proposed LOC 2018 .doc](#)  
[image002.png](#)  
[image003.png](#)  
[image005.png](#)  
[image006.png](#)

---

Good Morning Allen,

The City of Uniontown LOC is attached.

Thanks!

Terrika L. Givan  
Area Technician  
USDA, Rural Development  
321 Depot Street  
Camden, AL 36726  
Phone: 334-682-4116 Ext. 120  
Fax: 855-840-7764

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**005022**



Rural Development

September 18, 2018

Camden Area Office

321 Depot Street  
Camden, AL 36726

Voice 334.682.4116  
Fax 855.840.7764

City of Uniontown  
Jamaal Hunter, Mayor  
100 Front Street  
Uniontown, AL 36786

**SUBJECT:** City of Uniontown  
Sewage Collection & Treatment Rehab 2018  
Wastewater Application  
Grant - \$23,506,504.00  
State of Alabama Funds - \$3,287,500.00  
CDBG/HUD - \$325,000.00  
DRA - \$4,200,000.00

Dear Mayor Hunter:

This letter establishes conditions which must be understood and agreed to by you before further consideration may be given to your application. The grant will be administered on behalf of the Rural Utilities Service (RUS) by the State and Area staff of USDA Rural Development, both of which are referred to throughout this letter as the Agency. Any changes in project cost, source of funds, scope of project, or any other significant changes in the project or applicant must be reported to and concurred with by the Agency by written amendment to this letter. If significant changes are made without obtaining such concurrence, the Agency may discontinue processing of the application.

All conditions set forth under Section III – Requirements Prior to Advertising for Bids must be met within 120 days of the date of this letter. If you have not met these conditions, the Agency reserves the right to discontinue the processing of your application.

If you agree to meet the conditions set forth in this letter and desire further consideration be given to your application, please complete and return the following forms within 10 days:

Form RD 1942-46, “Letter of Intent to Meet Conditions”  
Form RD 1940-1, “Request for Obligation of Funds”  
RUS Bulletin 1780-12, “Water and Waste System Grant Agreement”

The grant will be considered approved on the date Form RD 1940-1, “Request for Obligation of Funds,” is signed by the approving official. Thus, this letter in itself does not constitute loan and/or grant approval, nor does it ensure that funds are or will be available for the project. When funds are available, the Form 1940-1 will be provided to

you for your signature. After you sign and return the form to the Agency, the request will be processed and grant funds will be approved and obligated.

Extra copies of this letter are being provided for use by your engineer, attorney, bond counsel and accountant. All parties may access information and regulations referenced in this letter at our website located at [www.rd.usda.gov](http://www.rd.usda.gov).

The conditions are as follows:

**SECTION I - PROJECT DETAIL**

**1. Project Description** – Funds will be used for Sewage Collection & Treatment Rehab.

Facilities will be designed and constructed in accordance with sound engineering practices and must meet the requirements of Federal, State, and local agencies. The proposed facility design must be based on the Preliminary Engineering Report (PER) as concurred with by the Agency.

**2. Project Funding** – The Agency is offering the following funding for your project:

Agency Grant -	\$ 23,506,504.00
----------------	------------------

This offer is based upon the following additional funding being obtained.

[State of Alabama ] -	\$ [3,287,500.00]
[CDBG/HUD ] -	\$ [ 325,000.00 ]
[DRA ] -	\$ [4,200,000.00]

TOTAL PROJECT COST - \$ [31,319.004.00]

This funding is offered based on the amounts stated above. Prior to loan closing, any increase in non-Agency funding will be applied first as a reduction to Agency grant funds, up to the total amount of the grant.

Any changes in funding sources following obligation of Agency funds must be reported to the processing official. Project feasibility and funding will be reassessed if there is a significant change in project costs after bids are received. If actual project costs exceed the project cost estimates, an additional contribution by the Owner may be necessary. Prior to advertisement for construction bids, you must provide evidence of applicant contributions and approval of other funding sources. This evidence should include a copy of the commitment letter. Agency funds will not be used to pre-finance funds committed to the project from other sources.

**3. American Iron and Steel** – Section 746 of Title VII of the Consolidated Appropriations Act of 2017 (Division A - Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2017) and subsequent statutes mandating domestic

preference applies a new American Iron and Steel (AIS) requirement to obligations made after May 5th, 2017:

- (1) No Federal funds made available for this fiscal year for the rural water, waste water, waste disposal, and solid waste management programs authorized by the Consolidated Farm and Rural Development Act (7 U.S.C. 1926 et seq.) shall be used for a project for the construction, alteration, maintenance, or repair of a public water or wastewater system unless all of the iron and steel products used in the project are produced in the United States.
- (2) The term “iron and steel products” means the following products made primarily of iron or steel: lined or unlined pipes and fittings, manhole covers and other municipal castings, hydrants, tanks, flanges, pipe clamps and restraints, valves, structural steel, reinforced precast concrete, and construction materials.
- (3) The requirement shall not apply in any case or category of cases in which the Secretary of Agriculture (in this section referred to as the “Secretary”) or the designee of the Secretary finds that—
  - (a) applying the requirement would be inconsistent with the public interest;
  - (b) iron and steel products are not produced in the United States in sufficient and reasonably available quantities or of a satisfactory quality; or
  - (c) inclusion of iron and steel products produced in the United States will increase the cost of the overall project by more than 25 percent.”

Owners are ultimately responsible for compliance with AIS requirements and will be responsible for the following:

- (a) Signing loan resolutions, grant agreements and letters of intent to meet conditions which include AIS language, accepting AIS requirements in those documents and in the letter of conditions.
- (b) Signing change orders (i.e. C-941 of EJCDC) and partial payment estimates (i.e. C-620 of EJCDC) and thereby acknowledging responsibility for compliance with American and Iron Steel requirements.
- (c) Obtaining the certification letters from the consulting engineer upon substantial completion of the project and maintaining this documentation for the life of the loan.
- (d) Where the owner provides their own engineering and/or construction services, providing copies of engineers’, contractors’, and manufacturers’ certification letters (as applicable) to the Agency to insert into the Agency file. All certification letters must be kept in the engineer’s project file and on site during construction. For Owner Construction (Force Account), all clauses from Section 17 must be included in the Agreement for Engineering Services.
- (e) Where the owner directly procures AIS products, including AIS clauses in the procurement contracts and obtaining manufacturers’ certification letters and providing copies to consulting engineers and contractors.

**4. Project Budget** – Funding from all sources has been budgeted for the estimated expenditures as follows:

**Project Costs:**

**Total Budgeted:**

Administration/Legal	\$[10,000.00]
Development/ Construction	[25,424,000.00]
Contingency	[2,542,400.00]

Includes:

Preliminary Engineering Report	[_____]
Environmental Report	[_____]
PreDevelopment	[263,500.00]
Design	[1,938,140.00]
Construction Administration (Inspection)	[559,300.00]
Additional	[96,300.00]

Equipment	[130,000.00]
Interest - Interim	[_____]
Interest - Agency	[_____]
Land and Rights-of-Way	[ 80,000.00 ]
Legal Fees - Local Attorney	[_____]
Legal Fees - Bond Counsel	[_____]
[Electrical Service]	[50,000.00]
[ALDOT Permit]	[80,000.00]
[ADEM Permit]	[12,650.00]
[Advertising]	[18,710.00]
[Railroad Fees]	[45,000.00]
<b>TOTAL PROJECT COST</b>	<b>[31,250,000.00]</b>

Obligated loan or grant funds not needed to complete the proposed project will be deobligated prior to start of construction. Any reduction will be applied to grant funds first. An amended letter of conditions will be issued for any changes to the total project budget.

**SECTION II –GRANT TERMS**

**5. Security** – Additional security requirements are contained in RUS Bulletin 1780-12, “Water and Waste System Grant Agreement,” and RUS Bulletin 1780-27, “Loan Resolution (Public Bodies).” A draft of all security instruments, including draft bond resolution, must be reviewed and concurred in by the Agency prior to advertising for bids. The bond resolution and Loan Resolution must be duly adopted and executed prior to loan closing. The Grant Agreement must be fully executed prior to the first disbursement of grant funds.

**6. Construction Completion Timeframe** - All projects must be completed and all funds disbursed within five years of obligation. If funds are not disbursed within five years of obligation, you must submit to the Agency a written request for extension of time with adequate

justification of circumstances beyond your control. Requests for waivers beyond the initial extension will be submitted to the Assistant Administrator for concurrence decision.

**7. Disbursement of Agency Funds** - Agency funds will be disbursed into the borrower's depository account through an electronic transfer system. SF 3881, "ACH Vendor/Miscellaneous Payment Enrollment Form," must be completed and submitted to the Agency prior to advertising for bids.

Any applicant contribution will be the first funds expended, followed by other funding sources. Interim financing or Agency loan funds will be expended after all other funding sources unless a written agreement is reached with all other funding sources on how funds are to be disbursed prior to start of construction or loan closing, whichever occurs first. Interim financing funds or Agency loan funds must be used prior to the use of Agency grant funds. The Grant Agreement must not be closed and funds must not be disbursed prior to loan funds except as specified in RUS Instruction 1780.45(d). In the unlikely event the Agency mistakenly disburses funds, the funds will be remitted back to the Agency electronically.

Grant funds are to be deposited in an interest-bearing account (exception provided below) in accordance with 2 CFR Part 200 and interest in excess of \$500 per year remitted to the Agency. The funds should be disbursed by the recipient immediately upon receipt and there should be little interest accrual on the Federal funds. Recipients shall maintain advances of Federal funds in interest-bearing accounts, unless:

- a. The recipient receives less than \$120,000 in Federal awards per year.
- b. The best reasonably available interest-bearing account would not be expected to earn interest in excess of \$500 per year on Federal cash balances.
- c. The depository would require an average or minimum balance so high that it would not be feasible within the expected Federal and non-Federal cash resources.
- d. A foreign government or banking system prohibits or precludes interest-bearing accounts.

**8. Reserves** – Reserves must be properly budgeted to maintain the financial viability and sustainability of any operation. Reserves are important to fund unanticipated emergency maintenance and repairs, and assist with debt service should the need arise. The following reserves are required to be established as a condition of this loan:

- a. **Debt Service Reserve** – As a part of this Agency loan proposal, you must establish a debt service reserve fund equal to at least one annual loan installment of the existing loan, General Obligation Sewer Warrant Series 2013, that accumulates at the rate of 10% of one annual payment per year for ten years or until the balance is equal to one annual loan payment. Ten percent of the existing loan installment would equal \$ **991.17** per month; this amount should be deposited monthly until a total of \$ **118,938.00** has accumulated. Prior written concurrence from the Agency must be obtained before funds may be

withdrawn from this account during the life of the loan. When funds are withdrawn during the life of the loan, deposits will continue as designated above until the fully-funded amount is reached.

- b. **Short-Lived Asset Reserve** – In addition to the debt service reserve fund, you must establish a short-lived asset reserve fund. Based on the preliminary engineering report, you must deposit at least \$7,987.00 into the short-lived asset reserve fund annually for the life of the loan to pay for repairs and/or replacement of major system assets. It is your responsibility to assess your facility’s short-lived asset needs on a regular basis and adjust the amount deposited to meet those needs.

Current assets can also be used to establish and maintain reserves for expected expenses, including but not limited to operation and maintenance, deferred interest during the construction period, and an asset management program.

### **SECTION III – REQUIREMENTS PRIOR TO ADVERTISING FOR BIDS**

9. **Environmental Requirements** – At the conclusion of the proposal’s environmental review process, specific action(s) were determined necessary to avoid or minimize adverse environmental impacts. As outlined in the Environmental Report dated August 13, 2018, the following [action is / actions are] required for successful completion of the project and must be adhered to during project design and construction:

The project as proposed has been evaluated to be consistent with the National Environmental Policy Act. Other Federal, State, tribal, and local laws, regulations and or permits may apply or be required. If the project or any project element deviates from or is modified from the originally-approved project, additional environmental review may be required.

10. **Engineering Services** – You have been required to complete an Agreement for Engineering Services, which should consist of the Engineers Joint Contract Documents Committee (EJCDC) documents as indicated in RUS Bulletin 1780-26, “Guidance for the Use of EJCDC Documents on Water and Waste Projects with RUS Financial Assistance,” or other approved form of agreement. The Agency will provide concurrence prior to advertising for bids, and must approve any modifications to this agreement.

#### **11. Contract Documents, Final Plans, and Specifications**

- a. The contract documents must consist of the EJCDC construction contract documents as indicated in RUS Bulletin 1780-26 or other Agency-approved forms of agreement.
- b. The contract documents, final plans, and specifications must comply with RUS Instruction 1780, Subpart C – Planning, Designing, Bidding, Contracting, Constructing and Inspections, and must be submitted to the Agency for concurrence prior to advertising for bids along with an updated cost estimate. The Agency may require

another updated cost estimate if a significant amount of time elapses between the original submission and advertising for bids.

- c. The use of any procurement method other than competitive sealed bids must be requested in writing and approved by the Agency.

**12. Legal Services** – You have been required to execute a legal services agreement with your attorney and bond counsel, if applicable, for any legal work needed in connection with this project. The agreement should stipulate an hourly rate for the work, with a “not to exceed” amount for the services, including reimbursable expenses. RUS Bulletin 1780-7, “Legal Services Agreement,” or similar format may be used. The Agency will provide concurrence prior to advertising for bids. Any changes to the fees or services spelled out in the original agreement must be reflected in an amendment to the agreement and have prior Agency concurrence.

**13. Property Rights** - Prior to advertising for bids, you and your legal counsel must furnish satisfactory evidence that you have or can obtain adequate continuous and valid control over the lands and rights-of-way needed for the project. Acquisitions of necessary land and rights must be accomplished in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act. Such control over the lands and rights will be evidenced by the following:

- a. **Right-of-Way Map** – Your engineer will provide a map clearly showing the location of all lands and rights-of-way needed for the project. The map must designate public and private lands and rights and the appropriate legal ownership thereof.
- b. **Form RD 442-20, “Right-of-Way Easement”** – This form may be used to obtain any necessary easements for the proposed project.
- c. **Form RD 442-21, “Right-of-Way Certificate”** – You will provide a certification on this form that all right-of-way requirements have been obtained for the proposed project.
- d. **Form RD 442-22, “Opinion of Counsel Relative to Rights-of-Way”** – Your attorney will provide a certification and legal opinion on this form addressing rights-of-way, easements, and title.
- #e. Preliminary Title Work (Title Opinion)** – When applicable, your attorney will provide a preliminary title opinion for any property related to the facility, currently owned and to be acquired, along with copies of deeds, contracts or options for purchasing said property. Form RD 1927-9, “Preliminary Title Opinion,” may be used.
- #e. Preliminary Title Work – (Title Insurance)** – When applicable, a title insurance binder will be required on all real estate related to the facility now owned and property to be acquired in connection with this project. The policy should name the United States of America, acting through the United States Department of Agriculture, as the proposed insured.

The approving official may waive title defects or restrictions, such as utility easements, that do not adversely affect the suitability, successful operation, security value, or transferability of the facility. Any such waivers must be provided by the approving official in writing prior to closing or the start of construction, whichever occurs first.



You are responsible for the acquisition of all property rights necessary for the project and for determining that prices paid are reasonable and fair. The Agency may require an appraisal by an independent appraiser or Agency employee in order to validate the price to be paid.

**14. System Policies, Procedures, Contracts, and Agreements** – The facility must be operated on a sound business plan. You must adopt policies, procedures, and/or ordinances outlining the conditions of service and use of the proposed system. Mandatory connection policies should be used where enforceable. The policies, procedures, and/or ordinances must contain an effective collection policy for accounts not paid in full within a specified number of days after the date of billing. They should include appropriate late fees, specified timeframes for disconnection of service, and reconnection fees. A draft of these policies, procedures, and/or ordinances must be submitted for Agency review and concurrence, along with the documents below, before closing instructions may be issued unless otherwise stated.

- a. **Conflict of Interest Policy** – Prior to obligation of funds, you must certify in writing that your organization has in place an up-to-date written policy on conflict of interest. The policy will include, at a minimum: (1) a requirement for those with a conflict or potential conflict to disclose the conflict/potential conflict; (2) a clause that prohibits interested members of the applicant’s governing body from voting on any matter in which there is a conflict, and (3) a description of the specific process by which the governing body will manage identified or potential conflicts.

You must also submit a disclosure of planned or potential transactions related to the use of Federal funds that may constitute or present the appearance of personal or organizational conflict of interest. Disclosure must be in the form of a written letter signed and dated by the applicant’s official. A negative disclosure in the same format is required if no conflicts are anticipated.

Sample conflict of interest policies may be found at the National Council of Nonprofits website, <https://www.councilofnonprofits.org/tools-resources/conflict-of-interest>, or in Internal Revenue Service Form 1023, Appendix A, “Sample Conflict of Interest Policy,” at <http://www.irs.gov/pub/irs-pdf/i1023.pdf>. Though these examples reference non-profit corporations, the requirement applies to all types of Agency borrowers.

Assistance in developing a conflict of interest policy is available through Agency-contracted technical assistance providers if desired.

- b. **Sewage Treatment Contract** – Any proposals to purchase sewage treatment services must be evidenced by a sewage treatment contract. A draft of the proposed contract must be submitted to the Agency for review and concurrence prior to advertising for bids. The draft contract must meet the requirements of RUS Instruction 1780.62.
- c. **Sewer User Agreement** – Projects not involving mandatory connection require users to execute a Sewer Users Agreement. The draft agreement must receive RD concurrence prior to advertising for bids. RUS Bulletin 1780-9, “Water Users Agreement,” or similar format may be used.

- d. **Contracts for Other Services/Lease Agreement** – Drafts of any contracts or other forms of agreements for other services, including audit, management, operation, and maintenance, or lease agreements covering real property essential to the successful operation of the facility, must be submitted to the Agency for review and concurrence prior to advertising for bids.
- e. **Establishment of a Utilities Board** - City of Uniontown must establish a Utilities Board for the operations of the Water and Sewer System. Provide a copy of proposed Articles of Incorporation and By-Laws for Agency review and concurrence.
- f. **Mandatory Ordinance for Hook-ups** - Implementation of a mandatory ordinance for hook-ups on water and sewer within city’s jurisdiction. This ordinance must be enforced by the city and the newly formed Utilities Board.
- g. **On-site Management** - Applicant must advertise for on-site management ( day to day management) on a contractual basis. All contracts must be reviewed and concurred by USDA Rural Development prior to acceptance by the Utilities Board.
- h. **Annual Mandatory Training** - All Board members must comply with the Annual Mandatory Training requirement in order to remain a viable board member.
- i. **Other agreements** with governments or other entities regarding joint operation of facilities, granting authority to Agency borrower for providing service within another entity’s service area, etc. The draft agreement must receive Agency concurrence prior to advertising for bids.

Fully executed copies of any policies, procedures, ordinances, contracts, or agreements must be submitted prior to loan closing, with the exception of the conflict of interest policy, which must be in place prior to obligation of funds.

**15. Closing Instructions** – The Agency will prepare closing instructions as soon as the requirements of the previous paragraphs are complete, as well as a draft of the security instrument(s). Closing instructions must be obtained prior to advertising for bids.

**16. Construction Account** – You must establish a construction account for all funds related to the project. Construction funds will be deposited with an acceptable financial institution or depository that meets the requirements of 31 CFR Part 202. A separate account will not be required for Federal funds and other funds; however, the recipient must be able to separately identify, report, and account for all Federal funds, including the receipt, obligation and expenditure of funds. Financial institutions or depositories accepting deposits of public funds and providing other financial agency services to the Federal Government are required to pledge adequate, acceptable securities as collateral, in accordance with 31 CFR Part 202. All funds in the account will be secured by a collateral pledge equaling at least 100% of the highest amount of funds expected to be deposited in the construction account at any one time. Your financial institution can provide additional guidance on collateral pledge requirements.

Agency funds will be disbursed into the borrower’s depository account through an electronic transfer system. SF 3881, “ACH Vendor/Miscellaneous Payment Enrollment Form,” must be completed and submitted to the Agency prior to advertising for bids.

**17. System Users** – This letter of conditions is based upon your indication at application that there will be at least [787] residential users, [33] non-residential users on the system when construction is completed.

Before the Agency can agree to the project being advertised for construction bids, you must certify that the number of users indicated at application are currently using the system or signed up to use the system once it is operational.

If the actual number of existing and/or proposed users that have signed up for service is less than the number indicated at the time of application, you must provide the Agency with a written plan on how you will obtain the necessary revenue to adequately cash flow the expected operation, maintenance, debt service, and reserve requirements of the proposed project (e.g., increase user rates, sign up an adequate number of other users, reduce project scope, etc.). Similar action is required if there is cause to modify the anticipated flows or volumes presented following approval.

If you are relying on mandatory connection requirements, you must provide evidence of the authorizing ordinance or statute along with your user certification.

- a. **Sewer User Agreements** – Users will be required to execute a Sewer Users Agreement prior to advertising for construction bids. The amount of cash contributions required will be set by you and concurred with by the Agency. Contributions should be an amount high enough to indicate sincere interest on the part of the potential user, but not so high as to preclude service to low income families, and have a deadline for the contribution to be used or forfeited. RUS Bulletin 1780-9, “Water Users Agreement,” or similar agreement may be used.
- b. **Service Declination Statement** – Each potential user who is located along planned lines and declines the offered service will be provided an opportunity to sign a “Service Declination Statement.”

**18. Other Funding** – Prior to advertising for bids, you must provide evidence of applicant contributions and approval of other funding sources. This evidence should include a copy of the commitment letter from each source.

**19. Proposed Operating Budget** – You must establish and/or maintain a rate schedule that provides adequate income to meet the minimum requirements for operation and maintenance (O&M), debt service, and reserves. Prior to advertising for bids, you must submit a proposed annual operating budget to the Agency which supports the operation, maintenance, debt service, and reserves, as well as your proposed rate schedule. The operating budget should be based on a typical year cash flow after completion of the construction phase and should be signed by the appropriate official of your organization. Form RD 442-7, “Operating Budget,” or similar format may be utilized for this purpose. It is expected that O&M will change over each successive year and user rates will need to be adjusted on a regular basis.

Technical assistance is available at no cost to help you evaluate and complete a rate analysis on your system. This assistance is available free to your organization. If you are interested please contact our office for information.

**20. Permits** –The owner or responsible party will be required to obtain all applicable permits for the project, prior to advertising for bids. The consulting engineer must submit written evidence that all applicable permits required prior to construction have been obtained with submission to the Agency of the final plans, specifications, and bid documents.

**21. Vulnerability Assessment/Emergency Response Plan (VA/ERP)** – The Agency requires all financed water and wastewater systems to have a VA/ERP in place. Borrowers with existing systems must provide a certification that a VA/ERP has been completed prior to advertising for bids. The VA/ERP documents themselves are not submitted to the Agency. The VA/ERP must address potential impacts from natural disasters and other emergency events. In particular, it should include plans to address impacts of flash flooding in areas where severe drought or wildfires occur. The documents should be reviewed and updated every three years at a minimum.

For new systems, see Section V of this letter of conditions. For VA/ERP requirements throughout the life of the loan, see Section VII. Technical assistance at no cost is available in preparing these documents.

**22. Bid Authorization** - Once all the conditions outlined in Section III of this letter have been met, the Agency will authorize you to advertise the project for construction bids. Such advertisement must be in accordance with applicable State statutes.

#### **SECTION IV - REQUIREMENTS PRIOR TO START OF CONSTRUCTION**

**23. Bid Tabulation** – Immediately after bid opening, you must provide the Agency with the bid tabulation and your engineer’s evaluation of bids and recommendations for contract awards. If the Agency agrees that the construction bids received are acceptable, adequate funds are available to cover the total project costs, and all the requirements of Section III of this letter have been satisfied, the Agency will authorize you to issue the Notice of Award.

- a. **Cost Overruns**. If bids are higher than expected, or if unexpected construction problems are encountered, you must utilize all options to reduce cost overruns. Negotiations, redesign, use of bidding alternatives, rebidding or other means will be considered prior to commitment of subsequent funding by the Agency. Any requests for subsequent funding to cover cost overruns will be contingent on the availability of funds. Cost overruns exceeding 20% of the development cost at time of loan or grant approval or where the scope of the original purpose has changed will compete for funds with all other applications on hand as of that date.
- b. **Excess Funds**. If bids are lower than anticipated at time of obligation, excess funds must be deobligated prior to start of construction except in the cases addressed in this paragraph. In cases where the original PER for the project included items that were not bid, or were bid as an alternate, the State Office official may modify the project to fully

utilize obligated funds for those items. Amendments to the PER, ER, and letter of conditions may be needed for any work not included in the original project scope. In all cases, prior to start of construction, excess funds will be deobligated, with grant funds being deobligated first. Excess funds do not include contingency funds as described in this letter.

**24. Contract Review** – Your attorney will certify that the executed contract documents, including performance and payment, if required, are adequate and that the persons executing these documents have been properly authorized to do so in accordance with RUS Instruction 1780.61(b).

Once your attorney has certified that they are acceptable, the contract documents will be submitted to the Agency for its concurrence. The Notice to Proceed cannot be issued until the Agency has concurred with the construction contracts.

**25. Final Rights-of-Way** – If any of the rights-of-way forms listed previously in this letter contain exceptions that do not adversely affect the suitability, successful operation, security value, or transferability of the facility, the approving official must provide a written waiver prior to the issuance of the Notice to Proceed. For projects involving the acquisition of land, you must provide evidence that you have clear title to the land prior to the issuance of the Notice to Proceed.

Final Title Work - Your attorney must furnish a separate final title opinion on all existing real property related to the facility, now owned and to be acquired for this project, as of the day of loan closing or start of construction, whichever occurs first. Form RD 1927-10, “Final Title Opinion” may be used.

Final Title Work - Immediately after closing or prior to the start of construction, whichever comes first, a Title Insurance Policy must be provided for all existing real property related to the facility, now owned and to be acquired for this project.

**26. Insurance and Bonding Requirements** - Prior to the start of construction or loan closing, whichever occurs first, you must acquire and submit to the Agency proof of the types of insurance and bond coverage for the borrower shown below. The use of deductibles may be allowed, providing you have the financial resources to cover potential claims requiring payment of the deductible. The Agency strongly recommends that you have your engineer, attorney, and insurance provider(s) review proposed types and amounts of coverage, including any exclusions and deductible provisions. It is your responsibility and not that of the Agency to assure that adequate insurance and fidelity or employee dishonesty bond coverage is maintained.

- a. **General Liability Insurance** – Include vehicular coverage.
- b. **Workers’ Compensation** – In accordance with appropriate State laws.
- c. **Fidelity or Employee Dishonesty Bonds** – Include coverage for all persons who have access to funds, including persons working under a contract or management agreement. Coverage may be provided either for all individual positions or persons, or through blanket coverage providing protection for all appropriate workers. During construction,

each position should be bonded in an amount equal to the maximum amount of funds to be under the control of that position at any one time. The coverage may be increased during construction based on the anticipated monthly advances. After construction and throughout the life of the loan, the amount of coverage must be for at least the total annual debt service of all outstanding Agency loans. The Agency will be identified in the fidelity bond for receipt of notices. Form RD 440-24, "Position Fidelity Schedule Bond," or similar format may be used.

- d. **National Flood Insurance** - If the project involves acquisition or construction in designated special flood or mudslide prone areas, you must purchase a flood insurance policy at the time of loan closing.
- e. **Real Property Insurance** – Fire and extended coverage will normally be maintained on all structures except reservoirs, pipelines and other structures if such structures are not normally insured, and subsurface lift stations except for the value of electrical and pumping equipment. The Agency will be listed as mortgagee on the policy when the Agency has a lien on the property. Prior to the acceptance of the facility from the contractor(s), you must obtain real property insurance (fire and extended coverage) on all facilities identified above.

Insurance types described above are required to be continued throughout the life of the loan. See Section VII.

27. **Form AD-3031** – You are required to complete and submit Form AD-3031 "Assurance Regarding Felony Convictions or Tax Delinquent Status for Corporate Applicants."

28. **Initial Compliance Review** – The Agency will conduct an initial compliance review of the borrower prior to loan closing or start of construction, whichever occurs first, in accordance with 7 CFR 1901, Subpart E.

## **SECTION V – REQUIREMENTS PRIOR TO LOAN CLOSING**

29. **Vulnerability Assessment/Emergency Response Plan (VA/ERP)** – The Agency requires all financed water and wastewater systems to have a VA/ERP in place. New water or wastewater systems must provide a certification that an ERP is complete prior to the start of operation, and a certification that a VA is complete must be submitted within one year of the start of operation. Borrowers with existing systems must provide a certification that a VA and ERP are completed prior to authorization to advertise for bids. The VA/ERP documents are not submitted to the Agency. Technical assistance is available in preparing these documents at no cost to you. The VA/ERP must address potential impacts from natural disasters and other emergency events. In particular, it should include plans to address impacts of flash flooding in areas where severe drought or wildfires occur. The documents should be reviewed and updated every three years at a minimum.

30. **Other Requirements** – All requirements contained in the Agency's closing instructions, as well as any requirements of your bond counsel and/or attorney, must be met prior to loan closing.

- a. **System for Award Management**. You will be required to maintain a Dun and Bradstreet Data Universal Numbering System (DUNS) number and maintain an active

registration in the System for Award Management (SAM) database. Renewal can be done on-line at: <http://sam.gov>. This registration must be renewed and revalidated every twelve (12) months for as long as there are Agency funds to be expended. See Appendix A.

To ensure the information is current, accurate and complete, and to prevent the SAM account expiration, the review and updates must be performed within 365 days of the activation date, commonly referred to as the expiration date. The registration process may take up to 10 business days. (See 2 CFR Part 25 and the “Help” section at <http://sam.gov>).

- b. **Litigation**. You are required to notify the Agency within 30 days of receiving notification of being involved in any type of litigation prior to loan closing or start of construction, whichever occurs first. Additional documentation regarding the situation and litigation may be requested by the Agency.
- c. **Certified Operator**. Evidence must be provided that your system has or will have, as defined by applicable State or Federal requirements, a certified operator available prior to the system becoming operational, or that a suitable supervisory agreement with a certified operator is in effect.

## **SECTION VI – REQUIREMENTS DURING CONSTRUCTION AND POST CONSTRUCTION**

**31. Resident Inspector(s)** – Full-time inspection is required unless you request an exception. Such requests must be made in writing and the Agency must concur with the request. Inspection services are to be provided by the consulting engineer unless other arrangements are requested in writing and concurred with by the Agency. A resume of qualifications of any resident inspector(s) will be submitted to the owner and Agency for review and concurrence prior to the pre-construction conference. The resident inspector(s) must attend the pre-construction conference.

**32. Preconstruction Conference** – A preconstruction conference will be held prior to the issuance of the Notice to Proceed. The consulting engineer will review the planned development with the Agency, owner, resident inspector, attorney, contractor, other funders, and other interested parties, and will provide minutes of this meeting to the owner and Agency.

**33. Inspections** - The Agency requires a pre-construction conference, pre-final and final inspections, and a warranty inspection. Your engineer will schedule a warranty inspection with the contractor and the Agency before the end of the one-year warranty period to address and/or resolve any warranty issues. The Agency will conduct an inspection with you of your records management system at the same time, and will continue to inspect the facility and your records system every three years for the life of the loan. See Section VII of this letter.

**34. Change Orders** – Prior Agency concurrence is required for all Change Orders.

**35. Payments** – Prior Agency concurrence is required for all Invoices and Partial Payment Estimates before Agency funds will be released. Requests for payment related to a contract or service agreement will be signed by the owner, project engineer, and contractor or service provider prior to Agency concurrence. Invoices not related to a construction contract or service agreement will include the owner’s written concurrence.

**36. Use of Remaining Funds** – Applicant contribution and connection or tap fees will be the first funds expended in the project, followed by non-Agency sources of funds. Remaining funds may be considered in direct proportion to the amounts obtained from each source and handled as follows:

- a. Remaining funds may be used for eligible loan and grant purposes, provided the use will not result in major changes to the original scope of work and the purpose of the loan and grant remains the same.
- b. Grant funds not expended for authorized purposes will be cancelled (de-obligated) within 90 days of final completion of project. Prior to actual cancellation, you and your attorney and engineer will be notified of the Agency’s intent to cancel the remaining funds and given appropriate appeal rights.

**37. Technical, Managerial and Financial Capacity** - It is required that members of the Board of Directors, City Council members, trustees, commissioners and other governing members possess the necessary technical, managerial, and financial capacity skills to consistently comply with pertinent Federal and State laws and requirements. It is recommended members receive training within one year of appointment or election to the governing board, and a refresher training for all governing members on a routine basis. The content and amount of training should be tailored to the needs of the particular individual and the utility system. Technical assistance providers are available to provide this training for your organization, often at no cost. Contact the Agency for information.

**38. Reporting Requirements Related to Expenditure of Funds**

- a. **Financial Audit**– An annual audit under the Single Audit Act is required if you expend \$750,000 or more in Federal financial assistance per fiscal year. The total Federal funds expended from all sources shall be used to determine Federal financial assistance expended. Expenditures of interim financing are considered Federal expenditures.

All audits are to be performed in accordance with 2 CFR Part 200, as adopted by USDA through 2 CFR Part 400. Further guidance on preparing an acceptable audit can be obtained from the Agency. The audit must be prepared by an independent licensed Certified Public Accountant, or a State or Federal auditor if allowed by State law, and must be submitted within 9 months of your fiscal year end.

If an audit is required, you must enter into a written agreement with the auditor and submit a copy to the Agency prior to the advertisement of bids. The audit agreement may include terms and conditions that the borrower and auditor deem appropriate; however,



the agreement should include the type of audit to be completed, the time frame in which the audit will be completed, and how irregularities will be reported.

- b. Reporting Subawards and Executive Compensation** – You as a recipient of Federal funds and your first-tier contractors are required by 2 CFR Part 170 to report disbursements to subrecipients in accordance with Appendix B of this letter and [www.fsrs.gov](http://www.fsrs.gov). Your Agency processing office can provide more information.

## **SECTION VII – SERVICING REQUIREMENTS DURING THE TERM OF THE LOAN**

**39. Security/Operational Inspections** – The Agency will inspect the facility and conduct a review of your operations and records management system and conflict of interest policy every three years for the life of the loan. You must participate in these inspections and provide the required information.

**40. Annual Financial Reporting/Audit Requirements** – You are required to submit an annual financial report at the end of each fiscal year. The annual report will be certified by the appropriate organization official, and will consist of financial information and a rate schedule. Financial statements must be prepared on the accrual basis of accounting in accordance with generally accepted accounting principles (GAAP), and must include at a minimum a balance sheet and income and expense statement. The annual report will include separate reporting for each water and waste disposal facility, and itemize cash accounts by type (debt service, short-lived assets, etc.) under each facility. All records, books and supporting material are to be retained for three years after the issuance of the annual report. Technical assistance is available at no cost with preparing financial reports.

The type of financial information that must be submitted is specified below:

- a. **Audits** – An annual audit under the Single Audit Act is required if you expend \$750,000 or more in Federal financial assistance per fiscal year. The total Federal funds expended from all sources shall be used to determine Federal financial assistance expended. Expenditures of interim financing are considered Federal expenditures.

All audits are to be performed in accordance with 2 CFR Part 200, as adopted by USDA through 2 CFR Part 400. Further guidance on preparing an acceptable audit can be obtained from the Agency. It is not intended that audits required by this part be separate and apart from audits performed in accordance with State and local laws. To the extent feasible, the audit work should be done in conjunction with those audits. The audit must be prepared by an independent licensed Certified Public Accountant, or a State or Federal auditor if allowed by State law, and must be submitted within 9 months of your fiscal year end.

If an audit is required, you must enter into a written agreement with the auditor and submit a copy to the Agency prior to the advertisement of bids. The audit agreement may include terms and conditions that the borrower and auditor deem appropriate; however,

the agreement should include the type of audit or financial statements to be completed, the time frame in which the audit or financial statements will be completed, what type of reports will be generated from the services provided, and how irregularities will be reported.

- b. **Financial Statements** – If you expend less than \$750,000 in Federal financial assistance per fiscal year, you may submit financial statements in lieu of an audit which include at a minimum a balance sheet and an income and expense statement. You may use Form RD 442-2, “Statement of Budget, Income and Equity,” and 442-3, “Balance Sheet,” or similar format to provide the financial information. The financial statements must be signed by the appropriate borrower official and submitted within 60 days of your fiscal year end.
- c. **Quarterly Reports** – Quarterly Income and Expense Statements will be required until the processing office waives this requirement. You may use Form RD 442-2 or similar format to provide this information, and the reports are to be signed by the appropriate borrower official and submitted within 30 days of each quarter’s end. The Agency will notify you in writing when the quarterly reports are no longer required.

**41. Annual Budget and Projected Cash Flow** - Thirty days prior to the beginning of each fiscal year, you will be required to submit an annual budget and projected cash flow to this office. With the submission of the annual budget, you will be required to provide a current rate schedule, and a current listing of the Board or Council members and their terms. The budget must be signed by the appropriate borrower official. Form RD 442-2 or similar format may be used.

Technical assistance is available at no cost to help you evaluate and complete a rate analysis on your system, as well as completing the annual budget. If you are interested, please contact our office for information.

**42. Vulnerability Assessment/Emergency Response Plan (VA/ERP)** – You will be required to submit a certification to the servicing office every three years that the VA/ERP is current and covers all sites related to the facility. The documents themselves are not submitted to the Agency. The VA/ERP must address potential impacts from natural disasters and other emergency events. In particular, it should include plans to address impacts of flash flooding in areas where severe drought or wildfires occur. The documents should be reviewed and updated every three years at a minimum.

**43. Insurance**. You will be required to maintain insurance on the facility and employees as previously described in this letter for the life of the loan.

**44. Statutory and National Policy Requirements** – As a recipient of Federal funding, you are required to comply with U.S. statutory and public policy requirements, including but not limited to:

- a. **Section 504 of the Rehabilitation Act of 1973** – Under Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794), no handicapped individual in the United States shall, solely by reason of their handicap, be excluded from participation in, be denied the

benefits of, or be subjected to discrimination under any program or activity receiving Agency financial assistance.

- b. **Civil Rights Act of 1964** – All borrowers are subject to, and facilities must be operated in accordance with, Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.) and 7 CFR 1901, Subpart E, particularly as it relates to conducting and reporting of compliance reviews. Instruments of conveyance for loans and/or grants subject to the Act must contain the covenant required by Paragraph 1901.202(e) of this Title.
- c. **The Americans with Disabilities Act (ADA) of 1990** – This Act (42 U.S.C. 12101 et seq.) prohibits discrimination on the basis of disability in employment, State and local government services, public transportation, public accommodations, facilities, and telecommunications.
- d. **Age Discrimination Act of 1975** – This Act (42 U.S.C. 6101 et seq.) provides that no person in the United States shall on the basis of age, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.
- e. **Limited English Proficiency (LEP) under Executive Order 13166** - LEP statutes and authorities prohibit exclusion from participation in, denial of benefits of, and discrimination under Federally-assisted and/or conducted programs on the ground of race, color, or national origin. Title VI of the Civil Rights Act of 1964 covers program access for LEP persons. LEP persons are individuals who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English. These individuals may be entitled to language assistance, free of charge. You must take reasonable steps to ensure that LEP persons receive the language assistance necessary to have meaningful access to USDA programs, services, and information your organization provides. These protections are pursuant to Executive Order 13166 entitled, “Improving Access to Services by Persons with Limited English Proficiency” and further affirmed in the USDA Departmental Regulation 4330-005, “Prohibition Against National Origin Discrimination Affecting Persons with Limited English Proficiency in Programs and Activities Conducted by USDA.”

Agency financial programs must be extended without regard to race, color, religion, sex, national origin, marital status, age, or physical or mental handicap. You must display posters (provided by the Agency) informing users of these requirements, and the Agency will monitor your compliance with these requirements during regular compliance reviews.

**45. Compliance Reviews and Data Collection** – The Agency will conduct regular compliance reviews of the borrower and its operation in accordance with 7 CFR Part 1901, Subpart E, and 36 CFR 1191, Americans with Disabilities Act (ADA) Accessibility Guidelines for Buildings and Facilities; Architectural Barriers Act (ABA) Accessibility Guidelines. Compliance reviews will typically be conducted in conjunction with the security inspections described in this letter. If beneficiaries (users) are required to complete an application or screening for the use of the facility or service that you provide, you must request and collect data by race (American Indian or Alaska Native, Asian, Black or African American, White); ethnicity (Hispanic or Latino, Not

Hispanic or Latino); and by sex. The Agency will utilize this data as part of the required compliance review.

**SECTION VIII – REMEDIES FOR NON-COMPLIANCE**

Non-compliance with the conditions in this letter or requirements of your security documents will be addressed under the provisions of 7 CFR 1782 and other applicable regulations, statutes, and policies.

We look forward to working with you to complete this project. If you have any questions, please contact Allen Bowen, Program Director at 334-279-3617 or by e-mail at [allen.bowen@al.usda.gov](mailto:allen.bowen@al.usda.gov).

Sincerely,

NIVORY GORDON, JR.  
Area Director

Attachments

cc: Community Programs Director  
Accountant  
Attorney  
Bond Counsel  
Engineer

ACRONYMS:

ABA - Architectural Barriers Act  
ACH – Automated Clearing House  
AD – Agriculture Department  
ADA – Age Discrimination Act  
CFDA – Catalog of Federal Domestic Assistance  
CFR – Code of Federal Regulations  
CPAP – Commercial Programs Application Processing  
DUNS – Dun and Bradstreet Data Universal Numbering System  
EJCDC – Engineers Joint Contract Documents Committee  
ERP – Emergency Response Plan  
GAAP – Generally Accepted Accounting Principles  
LEP – Limited English Proficiency  
OC – Owner Construction  
OPS – Owner-Performed Services  
O&M – Operation and Maintenance  
PER – Preliminary Engineering Report  
RD – Rural Development  
RUS – Rural Utilities Service  
SAM – System for Award Management  
SF – Standard Form  
UCC – Uniform Commercial Code  
USC – United States Code  
USDA – United States Department of Agriculture  
VA – Vulnerability Assessment

FORMS and BULLETINS:

- Form AD-3031 “Assurance Regarding Felony Convictions or Tax Delinquent Status for Corporate Applicants” – Item 29
- Internal Revenue Service Form 1023, Appendix A, “Sample Conflict of Interest Policy” - Item 15
- Form RD 440-22, “Promissory Note” – Item 5
- Form RD 440-24, “Position Fidelity Schedule Bond” – Item 28
- Form RD 442-2, “Statement of Budget, Income and Equity” – Items 44 and 45
- Form RD 442-3, “Balance Sheet” – Item 44
- Form RD 442-7, “Operating Budget” – Item 21
- Form RD 442-20, “Right-of-Way Easement” – Item 14
- Form RD 442-21, “Right-of-Way Certificate” – Item 14
- Form RD 442-22, “Opinion of Counsel Relative to Rights-of-Way” – Item 14
- Form RD 1927-9, “Preliminary Title Opinion” – Item 14
- Form RD 1927-10, “Final Title Opinion” – Item 27
- Form RD 1940-1, “Request for Obligation of Funds” – Pages 1 and 2
- Form RD 1942-8, “Resolution of Members or Stockholders” – Item 5
- Form RD 1942-46, “Letter of Intent to Meet Conditions” – Page 1
- Form RD 3550-28, “Authorization Agreement for Preauthorized Payments” – Items 6 and 30
- Form UCC-1, “Financing Statement” – Item 5
- Form UCC-1Ad, “UCC Financing Statement Addendum” – Item 5
- SF 3881, “ACH Vendor/Miscellaneous Payment Enrollment Form” – Items 8 and 18
- RUS Bulletin 1780-7, “Legal Services Agreement” – Item 13
- RUS Bulletin 1780-9, “Water Users Agreement” - Items 15 and 19
- RUS Bulletin 1780-12, “Water and Waste System Grant Agreement” – Page 1 and Item 5
- RUS Bulletin 1780-26, “Guidance for the Use of EJCDC Documents on Water and Waste Projects with RUS Financial Assistance” – Items 11 and 12
- RUS Bulletin 1780-27, “Loan Resolution (Public Bodies)” – Item 5
- RUS Bulletin 1780-28, “Loan Resolution Security Agreement” – Item 5

[The following two appendices are included as required by 2 CFR Parts 25 and 170 and apply to all **direct and guaranteed loans and grants**]

*Appendix A*

*2 CFR Part 25*

**SYSTEM FOR AWARD MANAGEMENT AND UNIVERSAL IDENTIFIER  
REQUIREMENTS**

*A. Requirement for System for Award  
Management*

Unless you are exempted from this requirement under 2 CFR 25.110, you as the recipient must maintain the currency of your information in the SAM until you submit the final financial report required under this award or receive the final payment, whichever is later. This requires that you review and update the information at least annually after the initial registration, and more frequently if required by changes in your information or another appendix.

*B. Requirement for unique entity identifier*

If you are authorized to make subawards under this award, you:

1. Must notify potential subrecipients that no entity (*see* definition in paragraph C of this appendix) may receive a subaward from you unless the entity has provided its unique entity identifier to you.
2. May not make a subaward to an entity unless the entity has provided its unique entity identifier to you.

*C. Definitions*

For purposes of this appendix:

1. System for Award Management (SAM) means the Federal repository into which an entity must provide information required for the conduct of business as a recipient. Additional information about registration procedures may be found at the SAM Internet site (currently at <http://www.sam.gov>).

2. Unique entity identifier means the identifier required for SAM registration to uniquely identify business entities.
3. Entity, as it is used in this appendix, means all of the following, as defined at 2 CFR part 25, subpart C:
  - a. A Governmental organization, which is a State, local government, or Indian Tribe;
  - b. A foreign public entity;
  - c. A domestic or foreign nonprofit organization;
  - d. A domestic or foreign for-profit organization; and
  - e. A Federal agency, but only as a subrecipient under an award or subaward to a non-Federal entity.
4. Subaward:
  - a. This term means a legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible subrecipient.
  - b. The term does not include your procurement of property and services needed to carry out the project or program (for further explanation, see 2 CFR 200.330).
  - c. A subaward may be provided through any legal agreement, including an agreement that you consider a contract.
5. Subrecipient means an entity that:
  - a. Receives a subaward from you under this award; and
  - b. Is accountable to you for the use of the Federal funds provided by the subaward.

[75 FR 55673, Sept. 14, 2010, as amended at 79 FR 75879, Dec. 19, 2014; 80 FR 54407, Sept. 10, 2015]



**Appendix B**  
**2 CFR Part 170**

**Reporting Subawards and Executive Compensation**

a. Reporting of first-tier subawards.

1. Applicability. Unless you are exempt as provided in paragraph d. of this appendix, you must report each action that obligates \$25,000 or more in Federal funds that does not include Recovery funds (as defined in section 1512(a)(2) of the American Recovery and Reinvestment Act of 2009, Pub. L. 111-5) for a subaward to an entity (see definitions in paragraph e. of this appendix).
2. Where and when to report.
  - i. You must report each obligating action described in paragraph a.1. of this appendix to <http://www.fsrs.gov>.
  - ii. For subaward information, report no later than the end of the month following the month in which the obligation was made. (For example, if the obligation was made on November 7, 2010, the obligation must be reported by no later than December 31, 2010.)
3. What to report. You must report the information about each obligating action listed in the submission instructions posted at <http://www.fsrs.gov>.

b. Reporting Total Compensation of Recipient Executives.

1. Applicability and what to report. You must report total compensation for each of your five most highly compensated executives for the preceding completed fiscal year, if—
  - i. the total Federal funding authorized to date under this award is \$25,000 or more;
  - ii. in the preceding fiscal year, you received—
    - (A) 80 percent or more of your annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and
    - (B) \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and

- iii. The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/execomp.htm>.)
  2. Where and when to report. You must report executive total compensation described in paragraph b.1. of this appendix:
    - i. As part of your registration profile at <https://www.sam.gov>.
    - ii. By the end of the month following the month in which this award is made, and annually thereafter.
- c. Reporting of Total Compensation of Subrecipient Executives.
  1. Applicability and what to report. Unless you are exempt as provided in paragraph d. of this appendix, for each first-tier subrecipient under this award, you shall report the names and total compensation of each of the subrecipient's five most highly compensated executives for the subrecipient's preceding completed fiscal year, if—
    - i. in the subrecipient's preceding fiscal year, the subrecipient received—
      - (A) 80 percent or more of its annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and
      - (B) \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts), and Federal financial assistance subject to the Transparency Act (and subawards); and
    - ii. The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/execomp.htm>.)
  2. Where and when to report. You must report subrecipient executive total compensation described in paragraph c.1. of this appendix:
    - i. To the recipient.
    - ii. By the end of the month following the month during which you make the subaward. For example, if a subaward is obligated on any date during the month

of October of a given year (i.e., between October 1 and 31), you must report any required compensation information of the subrecipient by November 30 of that year.

d. Exemptions

If, in the previous tax year, you had gross income, from all sources, under \$300,000, you are exempt from the requirements to report:

- i. Subawards, and
- ii. The total compensation of the five most highly compensated executives of any subrecipient.

e. Definitions. For purposes of this appendix:

1. Entity means all of the following, as defined in 2 CFR part 25:
  - i. A Governmental organization, which is a State, local government, or Indian tribe;
  - ii. A foreign public entity;
  - iii. A domestic or foreign nonprofit organization;
  - iv. A domestic or foreign for-profit organization;
  - v. A Federal agency, but only as a subrecipient under an award or subaward to a non-Federal entity.
2. Executive means officers, managing partners, or any other employees in management positions.
3. Subaward:
  - i. This term means a legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible subrecipient.
  - ii. The term does not include your procurement of property and services needed to carry out the project or program (for further explanation, see Sec. \_\_ .210 of the attachment to OMB Circular A-133, “Audits of States, Local Governments, and Non-Profit Organizations”).
  - iii. A subaward may be provided through any legal agreement, including an agreement that you or a subrecipient considers a contract.

4. Subrecipient means an entity that:
  - i. Receives a subaward from you (the recipient) under this award; and
  - ii. Is accountable to you for the use of the Federal funds provided by the subaward.
5. Total compensation means the cash and noncash dollar value earned by the executive during the recipient's or subrecipient's preceding fiscal year and includes the following (for more information see 17 CFR 229.402(c)(2)):
  - i. Salary and bonus.
  - ii. Awards of stock, stock options, and stock appreciation rights. Use the dollar amount recognized for financial statement reporting purposes with respect to the fiscal year in accordance with the Statement of Financial Accounting Standards No. 123 (Revised 2004) (FAS 123R), Shared Based Payments.
  - iii. Earnings for services under non-equity incentive plans. This does not include group life, health, hospitalization or medical reimbursement plans that do not discriminate in favor of executives, and are available generally to all salaried employees.
  - iv. Change in pension value. This is the change in present value of defined benefit and actuarial pension plans.
  - v. Above-market earnings on deferred compensation which is not tax-qualified.
  - vi. Other compensation, if the aggregate value of all such other compensation (e.g. severance, termination payments, value of life insurance paid on behalf of the employee, perquisites or property) for the executive exceeds \$10,000.

[75 FR 55669, Sept. 14, 2010, as amended at 79 FR 75879, Dec. 19, 2014]

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**From:** [Givan, Terrika - RD, Camden, AL](#)  
**To:** [Bowen, Allen - RD, Montgomery, AL](#); [Taylor, John - RD, Montgomery, AL](#); [Hale, Stan - RD, Montgomery, AL](#); [Williams, Daniel - RD, Montgomery, AL](#)  
**Cc:** [Gordon, Nivory - RD, Camden, AL](#)  
**Subject:** City of Uniontown LOC  
**Date:** Friday, September 21, 2018 11:20:38 AM  
**Attachments:** [image002.png](#)  
[image003.png](#)  
[image005.png](#)  
[image006.png](#)  
[proposed LOC 2018 .doc](#)

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Hi,

I have revised the LOC. It includes AIS and NPA language.  
Please review and let me know if any additional changes are needed.

Thanks!

Terrika L. Givan  
Area Technician  
USDA, Rural Development  
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**005056**



Rural Development

September 18, 2018

Camden Area Office

321 Depot Street  
Camden, AL 36726

Voice 334.682.4116  
Fax 855.840.7764

City of Uniontown  
Jamaal Hunter, Mayor  
100 Front Street  
Uniontown, AL 36786

**SUBJECT:** City of Uniontown  
Sewage Collection & Treatment Rehab 2018  
Wastewater Application  
Grant - \$23,506,504.00  
State of Alabama Funds - \$3,287,500.00  
CDBG/HUD - \$325,000.00  
DRA - \$4,200,000.00

Dear Mayor Hunter:

This letter establishes conditions which must be understood and agreed to by you before further consideration may be given to your application. The grant will be administered on behalf of the Rural Utilities Service (RUS) by the State and Area staff of USDA Rural Development, both of which are referred to throughout this letter as the Agency. Any changes in project cost, source of funds, scope of project, or any other significant changes in the project or applicant must be reported to and concurred with by the Agency by written amendment to this letter. If significant changes are made without obtaining such concurrence, the Agency may discontinue processing of the application.

All conditions set forth under Section III – Requirements Prior to Advertising for Bids must be met within 120 days of the date of this letter. If you have not met these conditions, the Agency reserves the right to discontinue the processing of your application.

If you agree to meet the conditions set forth in this letter and desire further consideration be given to your application, please complete and return the following forms within 10 days:

Form RD 1942-46, “Letter of Intent to Meet Conditions”  
Form RD 1940-1, “Request for Obligation of Funds”  
RUS Bulletin 1780-12, “Water and Waste System Grant Agreement”

The grant will be considered approved on the date Form RD 1940-1, “Request for Obligation of Funds,” is signed by the approving official. Thus, this letter in itself does not constitute loan and/or grant approval, nor does it ensure that funds are or will be available for the project. When funds are available, the Form 1940-1 will be provided to

you for your signature. After you sign and return the form to the Agency, the request will be processed and grant funds will be approved and obligated.

Extra copies of this letter are being provided for use by your engineer, attorney, bond counsel and accountant. All parties may access information and regulations referenced in this letter at our website located at [www.rd.usda.gov](http://www.rd.usda.gov).

The conditions are as follows:

**SECTION I - PROJECT DETAIL**

**1. Project Description** – Funds will be used for Sewage Collection & Treatment Rehab.

Facilities will be designed and constructed in accordance with sound engineering practices and must meet the requirements of Federal, State, and local agencies. The proposed facility design must be based on the Preliminary Engineering Report (PER) as concurred with by the Agency.

**2. Project Funding** – The Agency is offering the following funding for your project:

Agency Grant -	\$ 23,506,504.00
----------------	------------------

This offer is based upon the following additional funding being obtained.

[State of Alabama ] -	\$ [3,287,500.00]
[CDBG/HUD ] -	\$ [ 325,000.00 ]
[DRA ] -	\$ [4,200,000.00]

TOTAL PROJECT COST - \$ [31,319.004.00]

This funding is offered based on the amounts stated above. Prior to loan closing, any increase in non-Agency funding will be applied first as a reduction to Agency grant funds, up to the total amount of the grant.

Any changes in funding sources following obligation of Agency funds must be reported to the processing official. Project feasibility and funding will be reassessed if there is a significant change in project costs after bids are received. If actual project costs exceed the project cost estimates, an additional contribution by the Owner may be necessary. Prior to advertisement for construction bids, you must provide evidence of applicant contributions and approval of other funding sources. This evidence should include a copy of the commitment letter. Agency funds will not be used to pre-finance funds committed to the project from other sources.

**3. American Iron and Steel** – Section 746 of Title VII of the Consolidated Appropriations Act of 2017 (Division A - Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2017) and subsequent statutes mandating domestic

preference applies a new American Iron and Steel (AIS) requirement to obligations made after May 5th, 2017:

- (1) No Federal funds made available for this fiscal year for the rural water, waste water, waste disposal, and solid waste management programs authorized by the Consolidated Farm and Rural Development Act (7 U.S.C. 1926 et seq.) shall be used for a project for the construction, alteration, maintenance, or repair of a public water or wastewater system unless all of the iron and steel products used in the project are produced in the United States.
- (2) The term “iron and steel products” means the following products made primarily of iron or steel: lined or unlined pipes and fittings, manhole covers and other municipal castings, hydrants, tanks, flanges, pipe clamps and restraints, valves, structural steel, reinforced precast concrete, and construction materials.
- (3) The requirement shall not apply in any case or category of cases in which the Secretary of Agriculture (in this section referred to as the “Secretary”) or the designee of the Secretary finds that—
  - (a) applying the requirement would be inconsistent with the public interest;
  - (b) iron and steel products are not produced in the United States in sufficient and reasonably available quantities or of a satisfactory quality; or
  - (c) inclusion of iron and steel products produced in the United States will increase the cost of the overall project by more than 25 percent.”

Owners are ultimately responsible for compliance with AIS requirements and will be responsible for the following:

- (a) Signing loan resolutions, grant agreements and letters of intent to meet conditions which include AIS language, accepting AIS requirements in those documents and in the letter of conditions.
- (b) Signing change orders (i.e. C-941 of EJCDC) and partial payment estimates (i.e. C-620 of EJCDC) and thereby acknowledging responsibility for compliance with American and Iron Steel requirements.
- (c) Obtaining the certification letters from the consulting engineer upon substantial completion of the project and maintaining this documentation for the life of the loan.
- (d) Where the owner provides their own engineering and/or construction services, providing copies of engineers’, contractors’, and manufacturers’ certification letters (as applicable) to the Agency to insert into the Agency file. All certification letters must be kept in the engineer’s project file and on site during construction. For Owner Construction (Force Account), all clauses from Section 17 must be included in the Agreement for Engineering Services.
- (e) Where the owner directly procures AIS products, including AIS clauses in the procurement contracts and obtaining manufacturers’ certification letters and providing copies to consulting engineers and contractors.

**4. Project Budget** – Funding from all sources has been budgeted for the estimated expenditures as follows:

**Project Costs:**

**Total Budgeted:**

Administration/Legal	\$[10,000.00]
Development/ Construction	[25,424,000.00]
Contingency	[2,542,400.00]

Includes:

Preliminary Engineering Report	[_____]
Environmental Report	[_____]
PreDevelopment	[263,500.00]
Design	[1,938,140.00]
Construction Administration (Inspection)	[559,300.00]
Additional	[96,300.00]

Equipment	[130,000.00]
Interest - Interim	[_____]
Interest - Agency	[_____]
Land and Rights-of-Way	[ 80,000.00 ]
Legal Fees - Local Attorney	[_____]
Legal Fees - Bond Counsel	[_____]
[Electrical Service]	[50,000.00]
[ALDOT Permit]	[80,000.00]
[ADEM Permit]	[12,650.00]
[Advertising]	[18,710.00]
[Railroad Fees]	[45,000.00]
<b>TOTAL PROJECT COST</b>	<b>[31,250,000.00]</b>

Obligated loan or grant funds not needed to complete the proposed project will be deobligated prior to start of construction. Any reduction will be applied to grant funds first. An amended letter of conditions will be issued for any changes to the total project budget.

**SECTION II –GRANT TERMS**

**5. Security** – Additional security requirements are contained in RUS Bulletin 1780-12, “Water and Waste System Grant Agreement,” and RUS Bulletin 1780-27, “Loan Resolution (Public Bodies).” A draft of all security instruments, including draft bond resolution, must be reviewed and concurred in by the Agency prior to advertising for bids. The bond resolution and Loan Resolution must be duly adopted and executed prior to loan closing. The Grant Agreement must be fully executed prior to the first disbursement of grant funds.

**6. Construction Completion Timeframe** - All projects must be completed and all funds disbursed within five years of obligation. If funds are not disbursed within five years of obligation, you must submit to the Agency a written request for extension of time with adequate

justification of circumstances beyond your control. Requests for waivers beyond the initial extension will be submitted to the Assistant Administrator for concurrence decision.

**7. Disbursement of Agency Funds** - Agency funds will be disbursed into the borrower's depository account through an electronic transfer system. SF 3881, "ACH Vendor/Miscellaneous Payment Enrollment Form," must be completed and submitted to the Agency prior to advertising for bids.

Any applicant contribution will be the first funds expended, followed by other funding sources. Interim financing or Agency loan funds will be expended after all other funding sources unless a written agreement is reached with all other funding sources on how funds are to be disbursed prior to start of construction or loan closing, whichever occurs first. Interim financing funds or Agency loan funds must be used prior to the use of Agency grant funds. The Grant Agreement must not be closed and funds must not be disbursed prior to loan funds except as specified in RUS Instruction 1780.45(d). In the unlikely event the Agency mistakenly disburses funds, the funds will be remitted back to the Agency electronically.

Grant funds are to be deposited in an interest-bearing account (exception provided below) in accordance with 2 CFR Part 200 and interest in excess of \$500 per year remitted to the Agency. The funds should be disbursed by the recipient immediately upon receipt and there should be little interest accrual on the Federal funds. Recipients shall maintain advances of Federal funds in interest-bearing accounts, unless:

- a. The recipient receives less than \$120,000 in Federal awards per year.
- b. The best reasonably available interest-bearing account would not be expected to earn interest in excess of \$500 per year on Federal cash balances.
- c. The depository would require an average or minimum balance so high that it would not be feasible within the expected Federal and non-Federal cash resources.
- d. A foreign government or banking system prohibits or precludes interest-bearing accounts.

**8. Reserves** – Reserves must be properly budgeted to maintain the financial viability and sustainability of any operation. Reserves are important to fund unanticipated emergency maintenance and repairs, and assist with debt service should the need arise. The following reserves are required to be established as a condition of this loan:

- a. **Debt Service Reserve** – As a part of this Agency loan proposal, you must establish a debt service reserve fund equal to at least one annual loan installment of the existing loan, General Obligation Sewer Warrant Series 2013, that accumulates at the rate of 10% of one annual payment per year for ten years or until the balance is equal to one annual loan payment. Ten percent of the existing loan installment would equal \$ 991.17 per month; this amount should be deposited monthly until a total of \$ 118,938.00 has accumulated. Prior written concurrence from the Agency must be obtained before funds may be



withdrawn from this account during the life of the loan. When funds are withdrawn during the life of the loan, deposits will continue as designated above until the fully-funded amount is reached.

- b. **Short-Lived Asset Reserve** – In addition to the debt service reserve fund, you must establish a short-lived asset reserve fund. Based on the preliminary engineering report, you must deposit at least \$7,987.00 into the short-lived asset reserve fund annually for the life of the loan to pay for repairs and/or replacement of major system assets. It is your responsibility to assess your facility’s short-lived asset needs on a regular basis and adjust the amount deposited to meet those needs.

Current assets can also be used to establish and maintain reserves for expected expenses, including but not limited to operation and maintenance, deferred interest during the construction period, and an asset management program.

### **SECTION III – REQUIREMENTS PRIOR TO ADVERTISING FOR BIDS**

9. **Environmental Requirements** – At the conclusion of the proposal’s environmental review process, specific action(s) were determined necessary to avoid or minimize adverse environmental impacts. As outlined in the Environmental Report dated August 13, 2018, the following [action is / actions are] required for successful completion of the project and must be adhered to during project design and construction:

The project as proposed has been evaluated to be consistent with the National Environmental Policy Act. Other Federal, State, tribal, and local laws, regulations and or permits may apply or be required. If the project or any project element deviates from or is modified from the originally-approved project, additional environmental review may be required.

This project will be funded using the Programmatic Agreement among the U.S. Department of Agriculture Rural Development Programs, National Conference of State Historic Preservation Officers, Tribal Signatories, and The Advisory Council on historic Preservation for Sequencing Section 106 (NPA). The NPA requires the following conditions be applicable to this obligation:

- a. No federal funds for construction will be released prior to completion of Section 106 review.
- b. Agency may de-obligate funding and withdraw awards for an undertaking until completion of the Section 106 review.
- c. You must initiate Section 106 no later than ninety (90) business days after the announcement of their obligation if they have not done so already; and to notify the appropriate RD agency that Section 106 has been initiated in accordance with 36 CFR Part 800.2(c)(4), and 7 CFR Part 1970.5(b)(2) of the regulations, “Environmental Policies and Procedures” (7 CFR Part 1970).
- d. You must submit Section 508 of the Rehabilitation Act of 1973 (29 U.S.C. § 794 (d)), as amended in 1998 (508 compliant) hard copy or electronic Section 106 documentation to SHPOs, THPOs, Indian tribes, and NHOs based on the preference of the receiving party.

**10. Engineering Services** – You have been required to complete an Agreement for Engineering Services, which should consist of the Engineers Joint Contract Documents Committee (EJCDC) documents as indicated in RUS Bulletin 1780-26, “Guidance for the Use of EJCDC Documents on Water and Waste Projects with RUS Financial Assistance,” or other approved form of agreement. The Agency will provide concurrence prior to advertising for bids, and must approve any modifications to this agreement.

**11. Contract Documents, Final Plans, and Specifications**

- a. The contract documents must consist of the EJCDC construction contract documents as indicated in RUS Bulletin 1780-26 or other Agency-approved forms of agreement.
- b. The contract documents, final plans, and specifications must comply with RUS Instruction 1780, Subpart C – Planning, Designing, Bidding, Contracting, Constructing and Inspections, and must be submitted to the Agency for concurrence prior to advertising for bids along with an updated cost estimate. The Agency may require another updated cost estimate if a significant amount of time elapses between the original submission and advertising for bids.
- c. The use of any procurement method other than competitive sealed bids must be requested in writing and approved by the Agency.

**12. Legal Services** – You have been required to execute a legal services agreement with your attorney and bond counsel, if applicable, for any legal work needed in connection with this project. The agreement should stipulate an hourly rate for the work, with a “not to exceed” amount for the services, including reimbursable expenses. RUS Bulletin 1780-7, “Legal Services Agreement,” or similar format may be used. The Agency will provide concurrence prior to advertising for bids. Any changes to the fees or services spelled out in the original agreement must be reflected in an amendment to the agreement and have prior Agency concurrence.

**13. Property Rights** - Prior to advertising for bids, you and your legal counsel must furnish satisfactory evidence that you have or can obtain adequate continuous and valid control over the lands and rights-of-way needed for the project. Acquisitions of necessary land and rights must be accomplished in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act. Such control over the lands and rights will be evidenced by the following:

- a. **Right-of-Way Map** – Your engineer will provide a map clearly showing the location of all lands and rights-of-way needed for the project. The map must designate public and private lands and rights and the appropriate legal ownership thereof.
- b. **Form RD 442-20, “Right-of-Way Easement”** – This form may be used to obtain any necessary easements for the proposed project.
- c. **Form RD 442-21, “Right-of-Way Certificate”** – You will provide a certification on this form that all right-of-way requirements have been obtained for the proposed project.

- d. **Form RD 442-22, “Opinion of Counsel Relative to Rights-of-Way”** – Your attorney will provide a certification and legal opinion on this form addressing rights-of-way, easements, and title.
- #e. **Preliminary Title Work (Title Opinion)** – When applicable, your attorney will provide a preliminary title opinion for any property related to the facility, currently owned and to be acquired, along with copies of deeds, contracts or options for purchasing said property. Form RD 1927-9, “Preliminary Title Opinion,” may be used.
- #e. **Preliminary Title Work – (Title Insurance)** – When applicable, a title insurance binder will be required on all real estate related to the facility now owned and property to be acquired in connection with this project. The policy should name the United States of America, acting through the United States Department of Agriculture, as the proposed insured.

The approving official may waive title defects or restrictions, such as utility easements, that do not adversely affect the suitability, successful operation, security value, or transferability of the facility. Any such waivers must be provided by the approving official in writing prior to closing or the start of construction, whichever occurs first.

You are responsible for the acquisition of all property rights necessary for the project and for determining that prices paid are reasonable and fair. The Agency may require an appraisal by an independent appraiser or Agency employee in order to validate the price to be paid.

**14. System Policies, Procedures, Contracts, and Agreements** – The facility must be operated on a sound business plan. You must adopt policies, procedures, and/or ordinances outlining the conditions of service and use of the proposed system. Mandatory connection policies should be used where enforceable. The policies, procedures, and/or ordinances must contain an effective collection policy for accounts not paid in full within a specified number of days after the date of billing. They should include appropriate late fees, specified timeframes for disconnection of service, and reconnection fees. A draft of these policies, procedures, and/or ordinances must be submitted for Agency review and concurrence, along with the documents below, before closing instructions may be issued unless otherwise stated.

- a. **Conflict of Interest Policy** – Prior to obligation of funds, you must certify in writing that your organization has in place an up-to-date written policy on conflict of interest. The policy will include, at a minimum: (1) a requirement for those with a conflict or potential conflict to disclose the conflict/potential conflict; (2) a clause that prohibits interested members of the applicant’s governing body from voting on any matter in which there is a conflict, and (3) a description of the specific process by which the governing body will manage identified or potential conflicts.

You must also submit a disclosure of planned or potential transactions related to the use of Federal funds that may constitute or present the appearance of personal or organizational conflict of interest. Disclosure must be in the form of a written letter signed and dated by the applicant’s official. A negative disclosure in the same format is required if no conflicts are anticipated.

Sample conflict of interest policies may be found at the National Council of Nonprofits website, <https://www.councilofnonprofits.org/tools-resources/conflict-of-interest>, or in Internal Revenue Service Form 1023, Appendix A, “Sample Conflict of Interest Policy,” at <http://www.irs.gov/pub/irs-pdf/i1023.pdf>. Though these examples reference non-profit corporations, the requirement applies to all types of Agency borrowers.

Assistance in developing a conflict of interest policy is available through Agency-contracted technical assistance providers if desired.

- b. Sewage Treatment Contract** – Any proposals to purchase sewage treatment services must be evidenced by a sewage treatment contract. A draft of the proposed contract must be submitted to the Agency for review and concurrence prior to advertising for bids. The draft contract must meet the requirements of RUS Instruction 1780.62.
- c. Sewer User Agreement** – Projects not involving mandatory connection require users to execute a Sewer Users Agreement. The draft agreement must receive RD concurrence prior to advertising for bids. RUS Bulletin 1780-9, “Water Users Agreement,” or similar format may be used.
- d. Contracts for Other Services/Lease Agreement** – Drafts of any contracts or other forms of agreements for other services, including audit, management, operation, and maintenance, or lease agreements covering real property essential to the successful operation of the facility, must be submitted to the Agency for review and concurrence prior to advertising for bids.
- e. Establishment of a Utilities Board** - City of Uniontown must establish a Utilities Board for the operations of the Water and Sewer System. Provide a copy of proposed Articles of Incorporation and By-Laws for Agency review and concurrence.
- f. Mandatory Ordinance for Hook-ups** - Implementation of a mandatory ordinance for hook-ups on water and sewer within city’s jurisdiction. This ordinance must be enforced by the city and the newly formed Utilities Board.
- g. On-site Management** - Applicant must advertise for on-site management ( day to day management) on a contractual basis. All contracts must be reviewed and concurred by USDA Rural Development prior to acceptance by the Utilities Board.
- h. Annual Mandatory Training** - All Board members must comply with the Annual Mandatory Training requirement in order to remain a viable board member.
- i. Other agreements** with governments or other entities regarding joint operation of facilities, granting authority to Agency borrower for providing service within another entity’s service area, etc. The draft agreement must receive Agency concurrence prior to advertising for bids.

Fully executed copies of any policies, procedures, ordinances, contracts, or agreements must be submitted prior to loan closing, with the exception of the conflict of interest policy, which must be in place prior to obligation of funds.

**15. Closing Instructions** – The Agency will prepare closing instructions as soon as the requirements of the previous paragraphs are complete, as well as a draft of the security instrument(s). Closing instructions must be obtained prior to advertising for bids.

**16. Construction Account** – You must establish a construction account for all funds related to the project. Construction funds will be deposited with an acceptable financial institution or depository that meets the requirements of 31 CFR Part 202. A separate account will not be required for Federal funds and other funds; however, the recipient must be able to separately identify, report, and account for all Federal funds, including the receipt, obligation and expenditure of funds. Financial institutions or depositories accepting deposits of public funds and providing other financial agency services to the Federal Government are required to pledge adequate, acceptable securities as collateral, in accordance with 31 CFR Part 202. All funds in the account will be secured by a collateral pledge equaling at least 100% of the highest amount of funds expected to be deposited in the construction account at any one time. Your financial institution can provide additional guidance on collateral pledge requirements.

Agency funds will be disbursed into the borrower’s depository account through an electronic transfer system. SF 3881, “ACH Vendor/Miscellaneous Payment Enrollment Form,” must be completed and submitted to the Agency prior to advertising for bids.

**17. System Users** – This letter of conditions is based upon your indication at application that there will be at least [787] residential users, [33] non-residential users on the system when construction is completed.

Before the Agency can agree to the project being advertised for construction bids, you must certify that the number of users indicated at application are currently using the system or signed up to use the system once it is operational.

If the actual number of existing and/or proposed users that have signed up for service is less than the number indicated at the time of application, you must provide the Agency with a written plan on how you will obtain the necessary revenue to adequately cash flow the expected operation, maintenance, debt service, and reserve requirements of the proposed project (e.g., increase user rates, sign up an adequate number of other users, reduce project scope, etc.). Similar action is required if there is cause to modify the anticipated flows or volumes presented following approval.

If you are relying on mandatory connection requirements, you must provide evidence of the authorizing ordinance or statute along with your user certification.

- a. **Sewer User Agreements** – Users will be required to execute a Sewer Users Agreement prior to advertising for construction bids. The amount of cash contributions required will be set by you and concurred with by the Agency. Contributions should be an amount high enough to indicate sincere interest on the part of the potential user, but not so high as to preclude service to low income families, and have a deadline for the contribution to be used or forfeited. RUS Bulletin 1780-9, “Water Users Agreement,” or similar agreement may be used.
- b. **Service Declination Statement** – Each potential user who is located along planned lines and declines the offered service will be provided an opportunity to sign a “Service Declination Statement.”

**18. Other Funding** – Prior to advertising for bids, you must provide evidence of applicant contributions and approval of other funding sources. This evidence should include a copy of the commitment letter from each source.

**19. Proposed Operating Budget** – You must establish and/or maintain a rate schedule that provides adequate income to meet the minimum requirements for operation and maintenance (O&M), debt service, and reserves. Prior to advertising for bids, you must submit a proposed annual operating budget to the Agency which supports the operation, maintenance, debt service, and reserves, as well as your proposed rate schedule. The operating budget should be based on a typical year cash flow after completion of the construction phase and should be signed by the appropriate official of your organization. Form RD 442-7, “Operating Budget,” or similar format may be utilized for this purpose. It is expected that O&M will change over each successive year and user rates will need to be adjusted on a regular basis.

Technical assistance is available at no cost to help you evaluate and complete a rate analysis on your system. This assistance is available free to your organization. If you are interested please contact our office for information.

**20. Permits** –The owner or responsible party will be required to obtain all applicable permits for the project, prior to advertising for bids. The consulting engineer must submit written evidence that all applicable permits required prior to construction have been obtained with submission to the Agency of the final plans, specifications, and bid documents.

**21. Vulnerability Assessment/Emergency Response Plan (VA/ERP)** – The Agency requires all financed water and wastewater systems to have a VA/ERP in place. Borrowers with existing systems must provide a certification that a VA/ERP has been completed prior to advertising for bids. The VA/ERP documents themselves are not submitted to the Agency. The VA/ERP must address potential impacts from natural disasters and other emergency events. In particular, it should include plans to address impacts of flash flooding in areas where severe drought or wildfires occur. The documents should be reviewed and updated every three years at a minimum.

For new systems, see Section V of this letter of conditions. For VA/ERP requirements throughout the life of the loan, see Section VII. Technical assistance at no cost is available in preparing these documents.

**22. Bid Authorization** - Once all the conditions outlined in Section III of this letter have been met, the Agency will authorize you to advertise the project for construction bids. Such advertisement must be in accordance with applicable State statutes.

#### **SECTION IV - REQUIREMENTS PRIOR TO START OF CONSTRUCTION**

**23. Bid Tabulation** – Immediately after bid opening, you must provide the Agency with the bid tabulation and your engineer’s evaluation of bids and recommendations for contract awards. If the Agency agrees that the construction bids received are acceptable, adequate funds are available to cover the total project costs, and all the requirements of Section III of this letter have been satisfied, the Agency will authorize you to issue the Notice of Award.

- a. Cost Overruns. If bids are higher than expected, or if unexpected construction problems are encountered, you must utilize all options to reduce cost overruns. Negotiations, redesign, use of bidding alternatives, rebidding or other means will be considered prior to commitment of subsequent funding by the Agency. Any requests for subsequent funding to cover cost overruns will be contingent on the availability of funds. Cost overruns exceeding 20% of the development cost at time of loan or grant approval or where the scope of the original purpose has changed will compete for funds with all other applications on hand as of that date.
- b. Excess Funds. If bids are lower than anticipated at time of obligation, excess funds must be deobligated prior to start of construction except in the cases addressed in this paragraph. In cases where the original PER for the project included items that were not bid, or were bid as an alternate, the State Office official may modify the project to fully utilize obligated funds for those items. Amendments to the PER, ER, and letter of conditions may be needed for any work not included in the original project scope. In all cases, prior to start of construction, excess funds will be deobligated, with grant funds being deobligated first. Excess funds do not include contingency funds as described in this letter.

**24. Contract Review** – Your attorney will certify that the executed contract documents, including performance and payment, if required, are adequate and that the persons executing these documents have been properly authorized to do so in accordance with RUS Instruction 1780.61(b).

Once your attorney has certified that they are acceptable, the contract documents will be submitted to the Agency for its concurrence. The Notice to Proceed cannot be issued until the Agency has concurred with the construction contracts.

**25. Final Rights-of-Way** – If any of the rights-of-way forms listed previously in this letter contain exceptions that do not adversely affect the suitability, successful operation, security value, or transferability of the facility, the approving official must provide a written waiver prior to the issuance of the Notice to Proceed. For projects involving the acquisition of land, you must provide evidence that you have clear title to the land prior to the issuance of the Notice to Proceed.

Final Title Work - Your attorney must furnish a separate final title opinion on all existing real property related to the facility, now owned and to be acquired for this project, as of the day of loan closing or start of construction, whichever occurs first. Form RD 1927-10, “Final Title Opinion” may be used.

Final Title Work - Immediately after closing or prior to the start of construction, whichever comes first, a Title Insurance Policy must be provided for all existing real property related to the facility, now owned and to be acquired for this project.

**26. Insurance and Bonding Requirements** - Prior to the start of construction or loan closing, whichever occurs first, you must acquire and submit to the Agency proof of the types of insurance and bond coverage for the borrower shown below. The use of deductibles may be allowed, providing you have the financial resources to cover potential claims requiring payment of the deductible. The Agency strongly recommends that you have your engineer, attorney, and insurance provider(s) review proposed types and amounts of coverage, including any exclusions and deductible provisions. It is your responsibility and not that of the Agency to assure that adequate insurance and fidelity or employee dishonesty bond coverage is maintained.

- a. **General Liability Insurance** – Include vehicular coverage.
- b. **Workers’ Compensation** – In accordance with appropriate State laws.
- c. **Fidelity or Employee Dishonesty Bonds** – Include coverage for all persons who have access to funds, including persons working under a contract or management agreement. Coverage may be provided either for all individual positions or persons, or through blanket coverage providing protection for all appropriate workers. During construction, each position should be bonded in an amount equal to the maximum amount of funds to be under the control of that position at any one time. The coverage may be increased during construction based on the anticipated monthly advances. After construction and throughout the life of the loan, the amount of coverage must be for at least the total annual debt service of all outstanding Agency loans. The Agency will be identified in the fidelity bond for receipt of notices. Form RD 440-24, “Position Fidelity Schedule Bond,” or similar format may be used.
- d. **National Flood Insurance** - If the project involves acquisition or construction in designated special flood or mudslide prone areas, you must purchase a flood insurance policy at the time of loan closing.
- e. **Real Property Insurance** – Fire and extended coverage will normally be maintained on all structures except reservoirs, pipelines and other structures if such structures are not normally insured, and subsurface lift stations except for the value of electrical and pumping equipment. The Agency will be listed as mortgagee on the policy when the Agency has a lien on the property. Prior to the acceptance of the facility from the contractor(s), you must obtain real property insurance (fire and extended coverage) on all facilities identified above.

Insurance types described above are required to be continued throughout the life of the loan. See Section VII.

27. **Form AD-3031** – You are required to complete and submit Form AD-3031 “Assurance Regarding Felony Convictions or Tax Delinquent Status for Corporate Applicants.”

28. **Initial Compliance Review** – The Agency will conduct an initial compliance review of the borrower prior to loan closing or start of construction, whichever occurs first, in accordance with 7 CFR 1901, Subpart E.

## **SECTION V – REQUIREMENTS PRIOR TO LOAN CLOSING**

29. **Vulnerability Assessment/Emergency Response Plan (VA/ERP)** – The Agency requires all financed water and wastewater systems to have a VA/ERP in place. New water or



wastewater systems must provide a certification that an ERP is complete prior to the start of operation, and a certification that a VA is complete must be submitted within one year of the start of operation. Borrowers with existing systems must provide a certification that a VA and ERP are completed prior to authorization to advertise for bids. The VA/ERP documents are not submitted to the Agency. Technical assistance is available in preparing these documents at no cost to you. The VA/ERP must address potential impacts from natural disasters and other emergency events. In particular, it should include plans to address impacts of flash flooding in areas where severe drought or wildfires occur. The documents should be reviewed and updated every three years at a minimum.

**30. Other Requirements** – All requirements contained in the Agency’s closing instructions, as well as any requirements of your bond counsel and/or attorney, must be met prior to loan closing.

- a. **System for Award Management**. You will be required to maintain a Dun and Bradstreet Data Universal Numbering System (DUNS) number and maintain an active registration in the System for Award Management (SAM) database. Renewal can be done on-line at: <http://sam.gov>. This registration must be renewed and revalidated every twelve (12) months for as long as there are Agency funds to be expended. See Appendix A.

To ensure the information is current, accurate and complete, and to prevent the SAM account expiration, the review and updates must be performed within 365 days of the activation date, commonly referred to as the expiration date. The registration process may take up to 10 business days. (See 2 CFR Part 25 and the “Help” section at <http://sam.gov>).

- b. **Litigation**. You are required to notify the Agency within 30 days of receiving notification of being involved in any type of litigation prior to loan closing or start of construction, whichever occurs first. Additional documentation regarding the situation and litigation may be requested by the Agency.
- c. **Certified Operator**. Evidence must be provided that your system has or will have, as defined by applicable State or Federal requirements, a certified operator available prior to the system becoming operational, or that a suitable supervisory agreement with a certified operator is in effect.

## **SECTION VI – REQUIREMENTS DURING CONSTRUCTION AND POST CONSTRUCTION**

**31. Resident Inspector(s)** – Full-time inspection is required unless you request an exception. Such requests must be made in writing and the Agency must concur with the request. Inspection services are to be provided by the consulting engineer unless other arrangements are requested in writing and concurred with by the Agency. A resume of qualifications of any resident inspector(s) will be submitted to the owner and Agency for review and concurrence prior to the pre-construction conference. The resident inspector(s) must attend the pre-construction conference.

**32. Preconstruction Conference** – A preconstruction conference will be held prior to the issuance of the Notice to Proceed. The consulting engineer will review the planned development with the Agency, owner, resident inspector, attorney, contractor, other funders, and other interested parties, and will provide minutes of this meeting to the owner and Agency.

**33. Inspections** - The Agency requires a pre-construction conference, pre-final and final inspections, and a warranty inspection. Your engineer will schedule a warranty inspection with the contractor and the Agency before the end of the one-year warranty period to address and/or resolve any warranty issues. The Agency will conduct an inspection with you of your records management system at the same time, and will continue to inspect the facility and your records system every three years for the life of the loan. See Section VII of this letter.

**34. Change Orders** – Prior Agency concurrence is required for all Change Orders.

**35. Payments** – Prior Agency concurrence is required for all Invoices and Partial Payment Estimates before Agency funds will be released. Requests for payment related to a contract or service agreement will be signed by the owner, project engineer, and contractor or service provider prior to Agency concurrence. Invoices not related to a construction contract or service agreement will include the owner’s written concurrence.

**36. Use of Remaining Funds** – Applicant contribution and connection or tap fees will be the first funds expended in the project, followed by non-Agency sources of funds. Remaining funds may be considered in direct proportion to the amounts obtained from each source and handled as follows:

- a. Remaining funds may be used for eligible loan and grant purposes, provided the use will not result in major changes to the original scope of work and the purpose of the loan and grant remains the same.
- b. Grant funds not expended for authorized purposes will be cancelled (de-obligated) within 90 days of final completion of project. Prior to actual cancellation, you and your attorney and engineer will be notified of the Agency’s intent to cancel the remaining funds and given appropriate appeal rights.

**37. Technical, Managerial and Financial Capacity** - It is required that members of the Board of Directors, City Council members, trustees, commissioners and other governing members possess the necessary technical, managerial, and financial capacity skills to consistently comply with pertinent Federal and State laws and requirements. It is recommended members receive training within one year of appointment or election to the governing board, and a refresher training for all governing members on a routine basis. The content and amount of training should be tailored to the needs of the particular individual and the utility system. Technical assistance providers are available to provide this training for your organization, often at no cost. Contact the Agency for information.

**38. Reporting Requirements Related to Expenditure of Funds**

- a. **Financial Audit**– An annual audit under the Single Audit Act is required if you expend \$750,000 or more in Federal financial assistance per fiscal year. The total Federal funds expended from all sources shall be used to determine Federal financial assistance expended. Expenditures of interim financing are considered Federal expenditures.

All audits are to be performed in accordance with 2 CFR Part 200, as adopted by USDA through 2 CFR Part 400. Further guidance on preparing an acceptable audit can be obtained from the Agency. The audit must be prepared by an independent licensed Certified Public Accountant, or a State or Federal auditor if allowed by State law, and must be submitted within 9 months of your fiscal year end.

If an audit is required, you must enter into a written agreement with the auditor and submit a copy to the Agency prior to the advertisement of bids. The audit agreement may include terms and conditions that the borrower and auditor deem appropriate; however, the agreement should include the type of audit to be completed, the time frame in which the audit will be completed, and how irregularities will be reported.

- b. **Reporting Subawards and Executive Compensation** – You as a recipient of Federal funds and your first-tier contractors are required by 2 CFR Part 170 to report disbursements to subrecipients in accordance with Appendix B of this letter and [www.fsrs.gov](http://www.fsrs.gov). Your Agency processing office can provide more information.

## **SECTION VII – SERVICING REQUIREMENTS DURING THE TERM OF THE LOAN**

**39. Security/Operational Inspections** – The Agency will inspect the facility and conduct a review of your operations and records management system and conflict of interest policy every three years for the life of the loan. You must participate in these inspections and provide the required information.

**40. Annual Financial Reporting/Audit Requirements** – You are required to submit an annual financial report at the end of each fiscal year. The annual report will be certified by the appropriate organization official, and will consist of financial information and a rate schedule. Financial statements must be prepared on the accrual basis of accounting in accordance with generally accepted accounting principles (GAAP), and must include at a minimum a balance sheet and income and expense statement. The annual report will include separate reporting for each water and waste disposal facility, and itemize cash accounts by type (debt service, short-lived assets, etc.) under each facility. All records, books and supporting material are to be retained for three years after the issuance of the annual report. Technical assistance is available at no cost with preparing financial reports.

The type of financial information that must be submitted is specified below:

- a. **Audits** – An annual audit under the Single Audit Act is required if you expend \$750,000 or more in Federal financial assistance per fiscal year. The total Federal funds expended

from all sources shall be used to determine Federal financial assistance expended. Expenditures of interim financing are considered Federal expenditures.

All audits are to be performed in accordance with 2 CFR Part 200, as adopted by USDA through 2 CFR Part 400. Further guidance on preparing an acceptable audit can be obtained from the Agency. It is not intended that audits required by this part be separate and apart from audits performed in accordance with State and local laws. To the extent feasible, the audit work should be done in conjunction with those audits. The audit must be prepared by an independent licensed Certified Public Accountant, or a State or Federal auditor if allowed by State law, and must be submitted within 9 months of your fiscal year end.

If an audit is required, you must enter into a written agreement with the auditor and submit a copy to the Agency prior to the advertisement of bids. The audit agreement may include terms and conditions that the borrower and auditor deem appropriate; however, the agreement should include the type of audit or financial statements to be completed, the time frame in which the audit or financial statements will be completed, what type of reports will be generated from the services provided, and how irregularities will be reported.

- b. **Financial Statements** – If you expend less than \$750,000 in Federal financial assistance per fiscal year, you may submit financial statements in lieu of an audit which include at a minimum a balance sheet and an income and expense statement. You may use Form RD 442-2, “Statement of Budget, Income and Equity,” and 442-3, “Balance Sheet,” or similar format to provide the financial information. The financial statements must be signed by the appropriate borrower official and submitted within 60 days of your fiscal year end.
- c. **Quarterly Reports** – Quarterly Income and Expense Statements will be required until the processing office waives this requirement. You may use Form RD 442-2 or similar format to provide this information, and the reports are to be signed by the appropriate borrower official and submitted within 30 days of each quarter’s end. The Agency will notify you in writing when the quarterly reports are no longer required.

**41. Annual Budget and Projected Cash Flow** - Thirty days prior to the beginning of each fiscal year, you will be required to submit an annual budget and projected cash flow to this office. With the submission of the annual budget, you will be required to provide a current rate schedule, and a current listing of the Board or Council members and their terms. The budget must be signed by the appropriate borrower official. Form RD 442-2 or similar format may be used.

Technical assistance is available at no cost to help you evaluate and complete a rate analysis on your system, as well as completing the annual budget. If you are interested, please contact our office for information.

**42. Vulnerability Assessment/Emergency Response Plan (VA/ERP)** – You will be required to submit a certification to the servicing office every three years that the VA/ERP is current and covers all sites related to the facility. The documents themselves are not submitted to the

Agency. The VA/ERP must address potential impacts from natural disasters and other emergency events. In particular, it should include plans to address impacts of flash flooding in areas where severe drought or wildfires occur. The documents should be reviewed and updated every three years at a minimum.

**43. Insurance.** You will be required to maintain insurance on the facility and employees as previously described in this letter for the life of the loan.

**44. Statutory and National Policy Requirements** – As a recipient of Federal funding, you are required to comply with U.S. statutory and public policy requirements, including but not limited to:

- a. **Section 504 of the Rehabilitation Act of 1973** – Under Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794), no handicapped individual in the United States shall, solely by reason of their handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Agency financial assistance.
- b. **Civil Rights Act of 1964** – All borrowers are subject to, and facilities must be operated in accordance with, Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.) and 7 CFR 1901, Subpart E, particularly as it relates to conducting and reporting of compliance reviews. Instruments of conveyance for loans and/or grants subject to the Act must contain the covenant required by Paragraph 1901.202(e) of this Title.
- c. **The Americans with Disabilities Act (ADA) of 1990** – This Act (42 U.S.C. 12101 et seq.) prohibits discrimination on the basis of disability in employment, State and local government services, public transportation, public accommodations, facilities, and telecommunications.
- d. **Age Discrimination Act of 1975** – This Act (42 U.S.C. 6101 et seq.) provides that no person in the United States shall on the basis of age, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.
- e. **Limited English Proficiency (LEP) under Executive Order 13166** - LEP statutes and authorities prohibit exclusion from participation in, denial of benefits of, and discrimination under Federally-assisted and/or conducted programs on the ground of race, color, or national origin. Title VI of the Civil Rights Act of 1964 covers program access for LEP persons. LEP persons are individuals who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English. These individuals may be entitled to language assistance, free of charge. You must take reasonable steps to ensure that LEP persons receive the language assistance necessary to have meaningful access to USDA programs, services, and information your organization provides. These protections are pursuant to Executive Order 13166 entitled, “Improving Access to Services by Persons with Limited English Proficiency” and further affirmed in the USDA Departmental Regulation 4330-005, “Prohibition Against National Origin

Discrimination Affecting Persons with Limited English Proficiency in Programs and Activities Conducted by USDA.”

Agency financial programs must be extended without regard to race, color, religion, sex, national origin, marital status, age, or physical or mental handicap. You must display posters (provided by the Agency) informing users of these requirements, and the Agency will monitor your compliance with these requirements during regular compliance reviews.

**45. Compliance Reviews and Data Collection** – The Agency will conduct regular compliance reviews of the borrower and its operation in accordance with 7 CFR Part 1901, Subpart E, and 36 CFR 1191, Americans with Disabilities Act (ADA) Accessibility Guidelines for Buildings and Facilities; Architectural Barriers Act (ABA) Accessibility Guidelines. Compliance reviews will typically be conducted in conjunction with the security inspections described in this letter. If beneficiaries (users) are required to complete an application or screening for the use of the facility or service that you provide, you must request and collect data by race (American Indian or Alaska Native, Asian, Black or African American, White); ethnicity (Hispanic or Latino, Not Hispanic or Latino); and by sex. The Agency will utilize this data as part of the required compliance review.

**SECTION VIII – REMEDIES FOR NON-COMPLIANCE**

Non-compliance with the conditions in this letter or requirements of your security documents will be addressed under the provisions of 7 CFR 1782 and other applicable regulations, statutes, and policies.

We look forward to working with you to complete this project. If you have any questions, please contact Allen Bowen, Program Director at 334-279-3617 or by e-mail at [allen.bowen@al.usda.gov](mailto:allen.bowen@al.usda.gov).

Sincerely,

NIVORY GORDON, JR.  
Area Director

Attachments

cc: Community Programs Director  
Accountant  
Attorney  
Bond Counsel  
Engineer

ACRONYMS:

ABA - Architectural Barriers Act  
ACH – Automated Clearing House  
AD – Agriculture Department  
ADA – Age Discrimination Act  
CFDA – Catalog of Federal Domestic Assistance  
CFR – Code of Federal Regulations  
CPAP – Commercial Programs Application Processing  
DUNS – Dun and Bradstreet Data Universal Numbering System  
EJCDC – Engineers Joint Contract Documents Committee  
ERP – Emergency Response Plan  
GAAP – Generally Accepted Accounting Principles  
LEP – Limited English Proficiency  
OC – Owner Construction  
OPS – Owner-Performed Services  
O&M – Operation and Maintenance  
PER – Preliminary Engineering Report  
RD – Rural Development  
RUS – Rural Utilities Service  
SAM – System for Award Management  
SF – Standard Form  
UCC – Uniform Commercial Code  
USC – United States Code  
USDA – United States Department of Agriculture  
VA – Vulnerability Assessment

FORMS and BULLETINS:

- Form AD-3031 “Assurance Regarding Felony Convictions or Tax Delinquent Status for Corporate Applicants” – Item 29
- Internal Revenue Service Form 1023, Appendix A, “Sample Conflict of Interest Policy” - Item 15
- Form RD 440-22, “Promissory Note” – Item 5
- Form RD 440-24, “Position Fidelity Schedule Bond” – Item 28
- Form RD 442-2, “Statement of Budget, Income and Equity” – Items 44 and 45
- Form RD 442-3, “Balance Sheet” – Item 44
- Form RD 442-7, “Operating Budget” – Item 21
- Form RD 442-20, “Right-of-Way Easement” – Item 14
- Form RD 442-21, “Right-of-Way Certificate” – Item 14
- Form RD 442-22, “Opinion of Counsel Relative to Rights-of-Way” – Item 14
- Form RD 1927-9, “Preliminary Title Opinion” – Item 14
- Form RD 1927-10, “Final Title Opinion” – Item 27
- Form RD 1940-1, “Request for Obligation of Funds” – Pages 1 and 2
- Form RD 1942-8, “Resolution of Members or Stockholders” – Item 5
- Form RD 1942-46, “Letter of Intent to Meet Conditions” – Page 1
- Form RD 3550-28, “Authorization Agreement for Preauthorized Payments” – Items 6 and 30
- Form UCC-1, “Financing Statement” – Item 5
- Form UCC-1Ad, “UCC Financing Statement Addendum” – Item 5
- SF 3881, “ACH Vendor/Miscellaneous Payment Enrollment Form” – Items 8 and 18
- RUS Bulletin 1780-7, “Legal Services Agreement” – Item 13
- RUS Bulletin 1780-9, “Water Users Agreement” - Items 15 and 19
- RUS Bulletin 1780-12, “Water and Waste System Grant Agreement” – Page 1 and Item 5
- RUS Bulletin 1780-26, “Guidance for the Use of EJCDC Documents on Water and Waste Projects with RUS Financial Assistance” – Items 11 and 12
- RUS Bulletin 1780-27, “Loan Resolution (Public Bodies)” – Item 5
- RUS Bulletin 1780-28, “Loan Resolution Security Agreement” – Item 5



[The following two appendices are included as required by 2 CFR Parts 25 and 170 and apply to all **direct and guaranteed loans and grants**]

*Appendix A*

*2 CFR Part 25*

**SYSTEM FOR AWARD MANAGEMENT AND UNIVERSAL IDENTIFIER  
REQUIREMENTS**

*A. Requirement for System for Award  
Management*

Unless you are exempted from this requirement under 2 CFR 25.110, you as the recipient must maintain the currency of your information in the SAM until you submit the final financial report required under this award or receive the final payment, whichever is later. This requires that you review and update the information at least annually after the initial registration, and more frequently if required by changes in your information or another appendix.

*B. Requirement for unique entity identifier*

If you are authorized to make subawards under this award, you:

1. Must notify potential subrecipients that no entity (*see* definition in paragraph C of this appendix) may receive a subaward from you unless the entity has provided its unique entity identifier to you.
2. May not make a subaward to an entity unless the entity has provided its unique entity identifier to you.

*C. Definitions*

For purposes of this appendix:

1. System for Award Management (SAM) means the Federal repository into which an entity must provide information required for the conduct of business as a recipient. Additional information about registration procedures may be found at the SAM Internet site (currently at <http://www.sam.gov>).

2. Unique entity identifier means the identifier required for SAM registration to uniquely identify business entities.
3. Entity, as it is used in this appendix, means all of the following, as defined at 2 CFR part 25, subpart C:
  - a. A Governmental organization, which is a State, local government, or Indian Tribe;
  - b. A foreign public entity;
  - c. A domestic or foreign nonprofit organization;
  - d. A domestic or foreign for-profit organization; and
  - e. A Federal agency, but only as a subrecipient under an award or subaward to a non-Federal entity.
4. Subaward:
  - a. This term means a legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible subrecipient.
  - b. The term does not include your procurement of property and services needed to carry out the project or program (for further explanation, see 2 CFR 200.330).
  - c. A subaward may be provided through any legal agreement, including an agreement that you consider a contract.
5. Subrecipient means an entity that:
  - a. Receives a subaward from you under this award; and
  - b. Is accountable to you for the use of the Federal funds provided by the subaward.

[75 FR 55673, Sept. 14, 2010, as amended at 79 FR 75879, Dec. 19, 2014; 80 FR 54407, Sept. 10, 2015]

**Appendix B**  
**2 CFR Part 170**

**Reporting Subawards and Executive Compensation**

a. Reporting of first-tier subawards.

1. Applicability. Unless you are exempt as provided in paragraph d. of this appendix, you must report each action that obligates \$25,000 or more in Federal funds that does not include Recovery funds (as defined in section 1512(a)(2) of the American Recovery and Reinvestment Act of 2009, Pub. L. 111-5) for a subaward to an entity (see definitions in paragraph e. of this appendix).
2. Where and when to report.
  - i. You must report each obligating action described in paragraph a.1. of this appendix to <http://www.fsrs.gov>.
  - ii. For subaward information, report no later than the end of the month following the month in which the obligation was made. (For example, if the obligation was made on November 7, 2010, the obligation must be reported by no later than December 31, 2010.)
3. What to report. You must report the information about each obligating action listed in the submission instructions posted at <http://www.fsrs.gov>.

b. Reporting Total Compensation of Recipient Executives.

1. Applicability and what to report. You must report total compensation for each of your five most highly compensated executives for the preceding completed fiscal year, if—
  - i. the total Federal funding authorized to date under this award is \$25,000 or more;
  - ii. in the preceding fiscal year, you received—
    - (A) 80 percent or more of your annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and
    - (B) \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and

- iii. The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/execomp.htm>.)
  2. Where and when to report. You must report executive total compensation described in paragraph b.1. of this appendix:
    - i. As part of your registration profile at <https://www.sam.gov>.
    - ii. By the end of the month following the month in which this award is made, and annually thereafter.
- c. Reporting of Total Compensation of Subrecipient Executives.
  1. Applicability and what to report. Unless you are exempt as provided in paragraph d. of this appendix, for each first-tier subrecipient under this award, you shall report the names and total compensation of each of the subrecipient's five most highly compensated executives for the subrecipient's preceding completed fiscal year, if—
    - i. in the subrecipient's preceding fiscal year, the subrecipient received—
      - (A) 80 percent or more of its annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and
      - (B) \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts), and Federal financial assistance subject to the Transparency Act (and subawards); and
    - ii. The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/execomp.htm>.)
  2. Where and when to report. You must report subrecipient executive total compensation described in paragraph c.1. of this appendix:
    - i. To the recipient.
    - ii. By the end of the month following the month during which you make the subaward. For example, if a subaward is obligated on any date during the month

of October of a given year (i.e., between October 1 and 31), you must report any required compensation information of the subrecipient by November 30 of that year.

d. Exemptions

If, in the previous tax year, you had gross income, from all sources, under \$300,000, you are exempt from the requirements to report:

- i. Subawards, and
- ii. The total compensation of the five most highly compensated executives of any subrecipient.

e. Definitions. For purposes of this appendix:

1. Entity means all of the following, as defined in 2 CFR part 25:

- i. A Governmental organization, which is a State, local government, or Indian tribe;
- ii. A foreign public entity;
- iii. A domestic or foreign nonprofit organization;
- iv. A domestic or foreign for-profit organization;
- v. A Federal agency, but only as a subrecipient under an award or subaward to a non-Federal entity.

2. Executive means officers, managing partners, or any other employees in management positions.

3. Subaward:

- i. This term means a legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible subrecipient.
- ii. The term does not include your procurement of property and services needed to carry out the project or program (for further explanation, see Sec. \_\_ .210 of the attachment to OMB Circular A-133, “Audits of States, Local Governments, and Non-Profit Organizations”).
- iii. A subaward may be provided through any legal agreement, including an agreement that you or a subrecipient considers a contract.

4. Subrecipient means an entity that:
  - i. Receives a subaward from you (the recipient) under this award; and
  - ii. Is accountable to you for the use of the Federal funds provided by the subaward.
  
5. Total compensation means the cash and noncash dollar value earned by the executive during the recipient's or subrecipient's preceding fiscal year and includes the following (for more information see 17 CFR 229.402(c)(2)):
  - i. Salary and bonus.
  - ii. Awards of stock, stock options, and stock appreciation rights. Use the dollar amount recognized for financial statement reporting purposes with respect to the fiscal year in accordance with the Statement of Financial Accounting Standards No. 123 (Revised 2004) (FAS 123R), Shared Based Payments.
  - iii. Earnings for services under non-equity incentive plans. This does not include group life, health, hospitalization or medical reimbursement plans that do not discriminate in favor of executives, and are available generally to all salaried employees.
  - iv. Change in pension value. This is the change in present value of defined benefit and actuarial pension plans.
  - v. Above-market earnings on deferred compensation which is not tax-qualified.
  - vi. Other compensation, if the aggregate value of all such other compensation (e.g. severance, termination payments, value of life insurance paid on behalf of the employee, perquisites or property) for the executive exceeds \$10,000.

[75 FR 55669, Sept. 14, 2010, as amended at 79 FR 75879, Dec. 19, 2014]

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**From:** [Taylor, John - RD, Montgomery, AL](#)  
**To:** [cityofuniontown@outlook.com](#); "Morris Ed" ([emorris@sentell.net](#)); [edillard@blackwarriorriver.org](#); [gld@adem.state.al.us](#); Robert White; [blackbeltcitizens@gmail.com](#)  
**Cc:** [Gordon, Nivory - RD, Camden, AL](#); [Bowen, Allen - RD, Montgomery, AL](#); [Kathy Horne \(khorne@alruralwater.com\)](#)  
**Subject:** City of Uniontown Sewer Project Stakeholders" meeting Agenda  
**Date:** Thursday, November 15, 2018 4:48:05 PM  
**Attachments:** [Stakeholder Agenda 11-16-18.docx](#)

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All:

Attached is a copy of the agenda for tomorrow's meeting. The stakeholder meetings are to facilitate the sharing of information and ideas for moving forward to a solution for the City of Uniontown's sewage problems. There is no need for, nor time for, non-productive negativity. To facilitate everyone having a chance to present information, each stakeholder will be limited to a maximum of 10 minutes to speak uninterrupted. As in a debate, we will be using a timer and when the time expires, the stakeholder holding the floor will be expected to wrap up within a few seconds. After each stakeholder's comments, there will be a 5 minute opportunity for discussion on the subject. Hopefully, some of the remarks and discussion will be less than the time allowed so that we can adjourn by 12:00.

I look forward to seeing you all tomorrow.

John E. Taylor, P.E.  
Alabama State Engineer & SEC  
USDA Rural Development  
4121 Carmichael Rd. STE 601  
Montgomery, AL 36106  
334-279-3475

**005090**

**AGENDA**  
CITY OF UNIONTOWN  
SEWER SYSTEM PROJECT  
STAKEHOLDERS' MEETING  
NOVEMBER 16, 2018

Introductory Remarks – Allen Bowen, USDA Rural Development Program Director

- Facilities
- Introductions
- Purpose and ground rules of meeting (limited to 5 minutes)

Remarks by each stakeholder

- USDA Rural Development (RD)
  - Remarks (limited to 10 minutes without interruption)
  - Discussion (limited to 5 minutes)
- Alabama Department of Environmental Management (ADEM)
  - Remarks (limited to 10 minutes without interruption)
  - Discussion (limited to 5 minutes)
- Alabama Rural Water Association (ARWA)
  - Remarks (limited to 10 minutes without interruption)
  - Discussion (limited to 5 minutes)
- Black Warrior Riverkeeper (BWR)
  - Remarks (limited to 10 minutes without interruption)
  - Discussion (limited to 5 minutes)
- Black Belt Citizens Fighting for Health & Justice (BBC)
  - Remarks (limited to 10 minutes without interruption)
  - Discussion (limited to 5 minutes)
- Sentell Engineering
  - Remarks (limited to 10 minutes without interruption)
  - Discussion (limited to 5 minutes)
- City of Uniontown
  - Remarks (limited to 10 minutes without interruption)
  - Discussion (limited to 5 minutes)

Open Discussion

Adjourn

**005091**

**From:** [Granskog, Andy - RD, East Lansing, MI](#)  
**To:** [Bowen, Allen - RD, Montgomery, AL](#)  
**Cc:** [Primrose, Edna - RD, Washington, DC](#); [Barringer, Scott - RD, Washington, DC](#); [Francis, Cheryl - RD, Washington, DC](#); [Fritz, James - RD, Washington, DC](#); [Woolard, Susan - RD, Washington, DC](#); [Schindler, Nicole - RD, Washington, DC](#); [Kubena, Kellie - RD, Washington, DC](#); [Cusick, Lauren - RD, Washington, DC](#); [Taylor, John - RD, Montgomery, AL](#)  
**Subject:** City of Uniontown Sewer Rehab and Wastewater Transmission Main, AL  
**Date:** Thursday, September 20, 2018 7:48:40 AM

---

N.O. PER Concurrence memo uploaded to CPAP. Tracker is updated.

Andrew H. Granskog, PE | State Engineer  
Rural Development  
U.S. Department of Agriculture  
3001 Coolidge Rd, Suite 200 | East Lansing, MI 48823  
Phone: 517.324.5209 [www.rd.usda.gov](http://www.rd.usda.gov)

"Committed to the future of rural communities"  
"Estamos dedicados al futuro de las comunidades rurales"

**005092**

**From:** [cityofuniontown@outlook.com](mailto:cityofuniontown@outlook.com)  
**To:** [emorris@sentell.net](mailto:emorris@sentell.net); [khorne@alruralwater.com](mailto:khorne@alruralwater.com); [rwhite@alruralwater.com](mailto:rwhite@alruralwater.com); [mbaumgartner@alruralwater.com](mailto:mbaumgartner@alruralwater.com); [Bowen, Allen - RD, Montgomery, AL](mailto:Bowen.Allen - RD, Montgomery, AL); [Beeker, Chris - RD, Montgomery, AL](mailto:Beeker, Chris - RD, Montgomery, AL); [\(b\) \(6\)@outlook.com](mailto:(b) (6)@outlook.com); [\(b\) \(6\)@att.net](mailto:(b) (6)@att.net); [mavorhunter@vmail.com](mailto:mavorhunter@vmail.com)  
**Subject:** City of Uniontown Wasterwater Project Contact List  
**Date:** Monday, June 18, 2018 8:49:30 PM  
**Attachments:** [City of Uniontown-WasteWater Project Contact List.xlsx](#)

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Good Evening,

On behalf of the City of Uniontown, we appreciate your care and concern. As mentioned today, you are a valuable asset to our ability to finalize a long term solution to our wastewater challenge.

As we maneuver through our partnership, we want to ensure that such open communications continue. Therefore, I have attached the contact information of each involved party and will continue to update as necessary. Please feel free to use this group email to communicate with all parties.

Again, many thanks for your presence today. We are looking forward to celebrating our success.

Best,

Emefa Butler

[\(b\) \(6\)](mailto:(b) (6))

Sent from [Mail](#) for Windows 10

**005093**

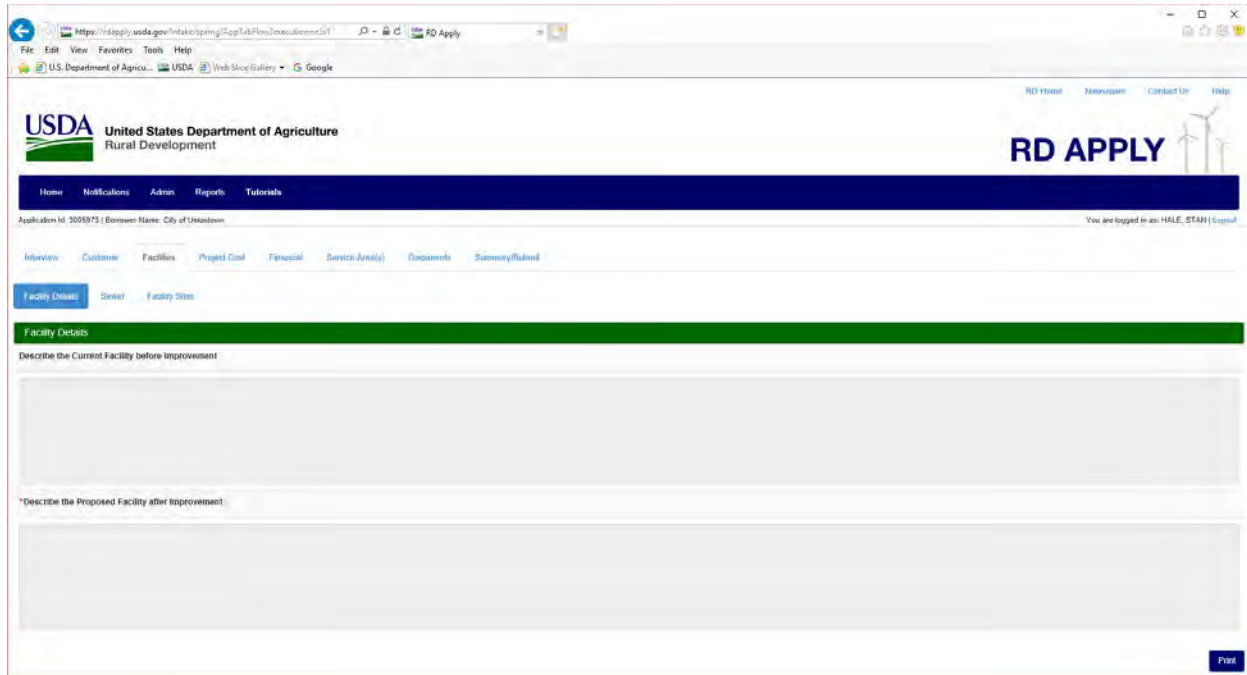


Name	Title/Role	Organization	Cellular	Office	Email
Chris Beeker III	State Director	USDA Rural Development	(b) (6)	334-279-3402	<a href="mailto:chris.beeker@al.usda.gov">chris.beeker@al.usda.gov</a>
Allen Bowen	Director, Community and Business Programs	USDA Rural Development	(b) (6)	334-279-3617	<a href="mailto:allen.bowen@al.usda.gov">allen.bowen@al.usda.gov</a>
Mike Baumgartner	Waster Water Technician	Alabama Rural Water Association	(b) (6)	334-396-5511	<a href="mailto:mibaumgartner@alruralwater.com">mibaumgartner@alruralwater.com</a>
Rob White IV	Deputy Director	Alabama Rural Water Association	(b) (6)	334-396-5511	<a href="mailto:rwhite@alruralwater.com">rwhite@alruralwater.com</a>
Kathy Horne	Executive Director	Alabama Rural Water Association	(b) (6)	334-396-5511	<a href="mailto:khorne@alruralwater.com">khorne@alruralwater.com</a>
Ed Morris	Project Engineer	Sentell Engineering	(b) (6)	205-657-6651	<a href="mailto:emorris@sentell.net">emorris@sentell.net</a>
Emefa Butler	Project Administrator	City of Uniontown	(b) (6)		<a href="mailto:(b) (6)@att.net"> (b) (6) @att.net</a>
Cynthia Maddox	Administrative Assistant	City of Uniontown	(b) (6)	334-628-2011	<a href="mailto:(b) (6)@att.net"> (b) (6) @att.net</a>
Jamaal Hunter	Mayor	City of Uniontown	(b) (6)		<a href="mailto:mayaorhunter@ymail.com">mayaorhunter@ymail.com</a>

From: [Rob Stan - RD, Montgomery, AL](mailto:Rob.Stan@cityofunions.com)  
 To: [rob.stan@unions.com](mailto:rob.stan@unions.com)  
 Cc: [Emily Horak \(USDA\) - rd\\_apply](mailto:Emily.Horak@usda.gov), [Rob.Stan@RD.Montgomery.AL](mailto:Rob.Stan@RD.Montgomery.AL)  
 Subject: City of Uniontown RD Apply application  
 Date: Friday, June 22, 2018, 10:28:14 AM  
 Attachments: [image002.png](#)

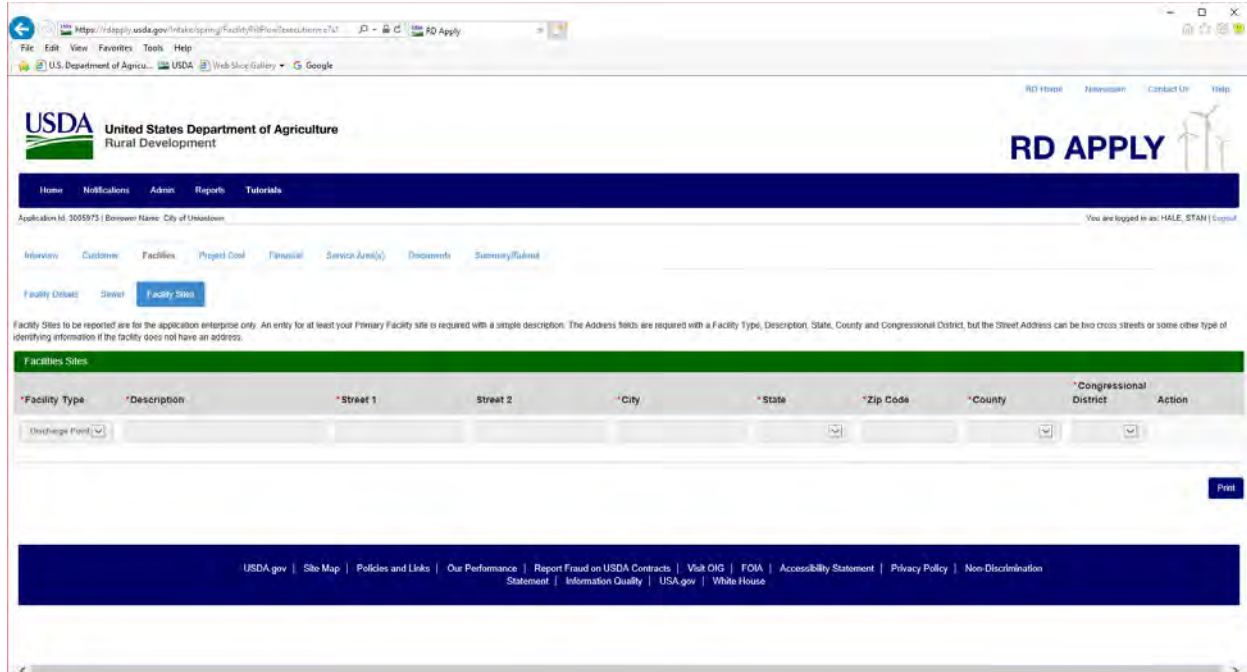
Rob

After our conversation yesterday I looked through Rd apply at what we have now. Here are some example of notes and some of the screens that need to be input for the application.



Describe the Current facility before Improvements; In this box we need something that describes the Waste water treatment system and plant as is.....something pretty simple I ke...Uniontown operates a waste water treatment plant consisting of 3 cell lagoon that discharges in the a spray field. It has "x" number of customers has "x" number of gallons capacity per day or month "x" number of miles of line "x" number of pumps (if you know any of this). And the any further information you have. I would add...The black belt soil creates low permeability. There are current problems with I&I that create short time for treatment due to overloading the treatment facility thus creating a discharge into local creeks that is considered an un permitted discharge. (or however you want to word something like this)

Describe the proposed facility after improvements. Just a couple of sentences here....example Funds will be used to conduct an analysis of the entire waste water treat system. The purpose of the grant will be to look specifically at ways to strengthen the entire waste water system to include col collection, treatment and discharge opt one.



Current discharge point.

**Project Cost Tab.** Pretty easy here. Proposed start date put in July 1 2018 Proposed end date July 31 2018. Date made available to Intergovernmental review process LEAVE BLANK. State Clearing House ID Number LEAVE BLANK  
 Cost Classification—Select the first option. Description: Analyses Cost \$30 000

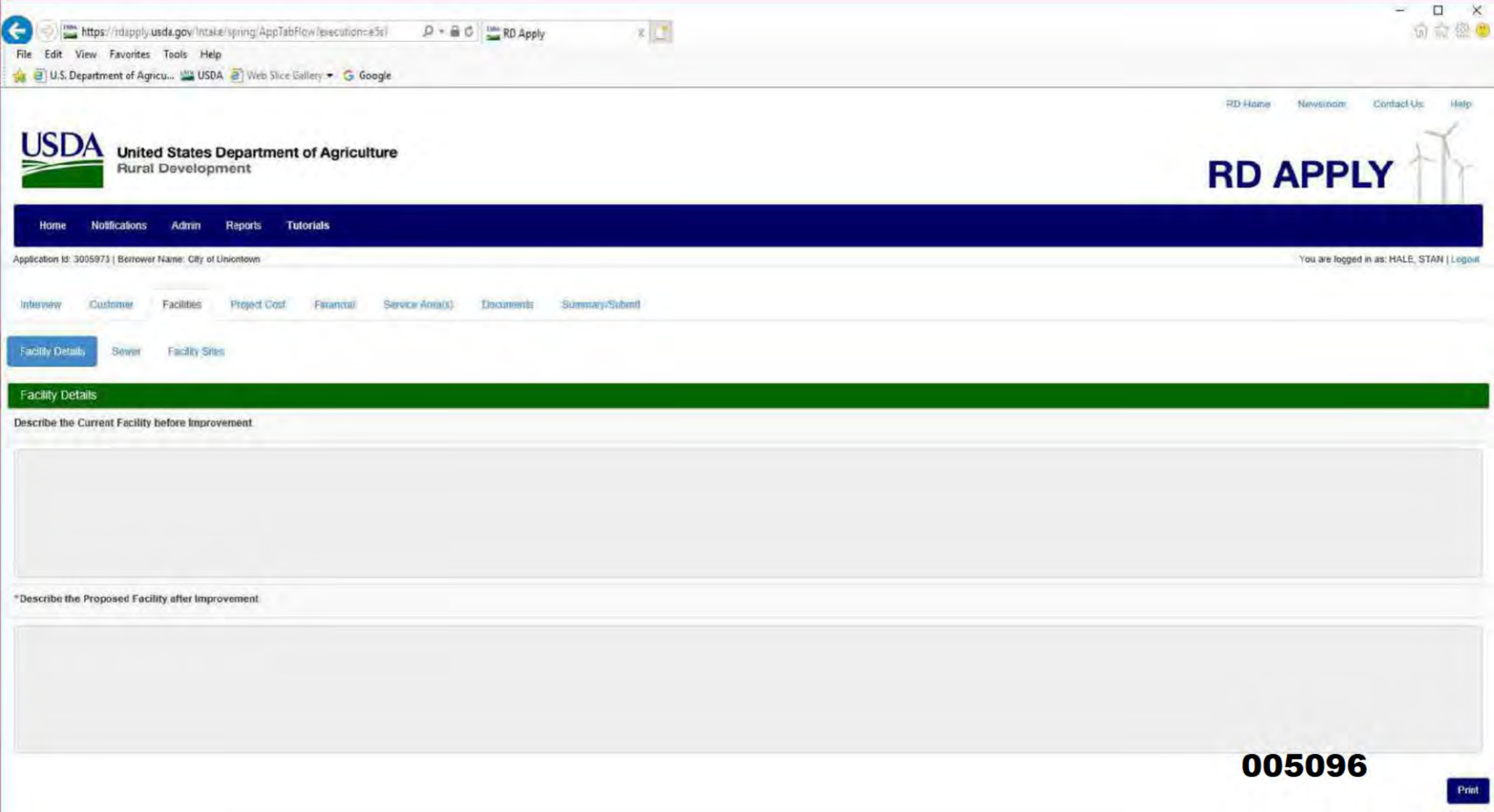
**Financial Tab.** Balance Sheet Section-Pretty easy here. Just input what it is asking for.  
 Proposed Funding Section- RD Amount \$30 000. That's it.

**Service Area Tab.** Enter connections for MHI. If we know the number of connection inside city limits put the number. Outside city limits f any input the number. (call me on this if you need help)

**Documents Tab.** Attachments section—(these need to be uploaded)

**Under Category**

**005095**



Facility Details

Describe the Current Facility before Improvement.

[Empty text input area for describing the current facility]

\*Describe the Proposed Facility after Improvement.

[Empty text input area for describing the proposed facility]

005096

Facilities Sites

*Facility Type	*Description	*Street 1	Street 2	*City	*State	*Zip Code	*County	*Congressional District	Action
Discharge Point									

Print

005097

Application: Notice of intent to file application: **They need to get an ad in the paper that they are going to apply with USDA for a grant.** We can give you some guidance here.

Engineering- Project Narrative and Cost: this is the short paragraph we talked about from the engineer.

Financials. – most recent audit you have and most recent financial statement balance sheet etc.

Certifications Section: all of these need to be signed by the Mayor. He will need a level 2 eauth to get into the application and digitally sign them.

**Summary/Submit tab:**

This is a summary of the entire electronic application and lets you know any items that are missing.

I know this looks like a lot but we can get most of this done pretty quickly.

Let me know when you have some time and we can walk through the application together if needed. Sounds like the biggest hurdle is getting the financial information we need.

Thanks

Stan B. Hale  
USDA RURAL DEVELOPMENT  
Community Programs  
State Loan Specialist  
4121 Carmichael Road Suite 601.  
Montgomery Alabama 36106-3683  
Voice Direct 334-279-3616  
Fax 855-304-8457  
[stan.hale@al.usda.gov](mailto:stan.hale@al.usda.gov)

**005098**

**From:** [Hale, Stan - RD, Montgomery, AL](#)  
**To:** [Bowen, Allen - RD, Montgomery, AL](#)  
**Subject:** City of Uniontown\_WWProjSumComplete.pdf  
**Date:** Wednesday, September 26, 2018 4:20:37 PM  
**Attachments:** [City of Uniontown\\_WWProjSumComplete.pdf](#)

---

With the anticipation of funding.....please digitally sign page 7. Then save and email back to me.

Thanks

**005099**

**PROJECT INFORMATION - WATER AND WASTE DISPOSAL PROGRAMS**

**PROJECT INFORMATION**

Print Date Sep 26, 2018 Page 1 of 7

Customer Name: **City of Uniontown**

Project Name: **Sewage Collection & Treatment Rehab 2018**

Customer DUNS: **001630136**

CCR Cage #: **5R9J7**

CCR Expiration Date: **3/15/2019**

**A. APPLICANT/BORROWER:**

Case Number: **01-053-\*\*\*\*\*1386** Customer Identifier: **835057256**  
Address: **100 Front Street**  
City/State/Zip: **Uniontown, AL 36786-**  
County: **Perry**  
Entity Type: **Public Body**

Customer Congressional Districts

**AL-07;**

Facility Congressional Districts

**AL-07;**

**B. SERVICE TO BE PROVIDED:**

**Sewer**  
(requested / provided depending on application status)

**C. FINANCIAL ASSISTANCE**

Direct Loans:

---

Direct Grants:

**Grant Amount Grant Type**

\$23,437,500.00 744 Persistent Poverty (Grant Only) Waste Disposal Only

**005100**

**D. LAND AND RIGHTS**

	Fee Simple	Lease	Purchase Price	Present Market Value
Acres to be acquired				
Acres now owned	<b>87.00</b>			<b>86,400.00</b>

**Describe Other Rights: (such as water rights or rights-of-way)**

**Uniontown has the water rights and operates two wells for the city's potable water.**

**E. POPULATION/INCOME DATA**

Population Served by the Project		<u>2826</u>	
Statewide nonmetropolitan median household income		<u>42,352.00</u>	
Median household income of possible service area		<u>15,054.00</u>	
Poverty guideline for State		<u>25,100.00</u>	
Monthly EDU Cost Water	<u>0.00</u>	Percent of MHI (Annual)	<u>0.00 %</u>
Monthly EDU Cost Sewer	<u>22.72</u>	Percent of MHI (Annual)	<u>1.81 %</u>

Comments on MHI Calculations for the Service Area

**MHI is calculated from data entered into RD Apply at the Service Area screen. Agency is using data from 2006-2010 ACS, per AN 4711 dated 3/28/13.**

**1499 customers - Uniontown - \$15,054**

Demographic of the Project Service Area

Ethnicity:	Hispanic or Latino	<u>16</u>
	Non-Hispanic or Latino	<u>2810</u>

Race:

American Indian/Alaskan Native	Asian	Black or African American	Native Hawaiian or Other Pacific Islander	White	Multiple	Other	Total
		<b>2600</b>		<b>216</b>	<b>7</b>	<b>3</b>	<b>2826</b>

**F. Description of Proposed Facility and Existing Facilities Which are to be Used in Connection with Proposed System**

*(Include estimated present market value for existing system.)*

**Existing Facility**

The City of Uniontown operates a three cell lagoon to treat the city's domestic and industrial wastewater. This treated effluent is pumped 4.6 miles south of town and dispersed overland via a spray field for final treatment. The collection system consist of 21 miles of piping and nine pumping stations to the lagoon. The lagoon currently has two major pieces of equipment that cannot be operated. The first is the automatic screen that separates larger particles from the influent and deposits them in a container for disposal. The other is the Ultra Violet Disinfection System. These systems are not operable due to constant flooding shorting out the electronics. The flooding is caused by the collection system essentially draining ground water from the city. The spray field is past its expected usefulness due to excessive amounts of effluent it has experienced. The spray field is very limited to its final treatment capabilities. Due to the excessive influent from the collection system the lagoon overflows its dykes approximately 150 days of the year into Cottonwood Creek.. The spray field overflows its dykes every day of the year into Freetown Creek.

The collection system is comprised mostly of brick manholes connecting the main collection lines. The collection system



was constructed in the late 40's and early 50's according to dates found on some of the manhole lids. The bricks and the mortar between the bricks have deteriorated to the point that there is very little mortar between the joints and bricks have fallen into the bottom of the manholes and have been carried downstream into the sewer lines. The deterioration allows ground water to enter the manholes during wet periods diluting the sewage and creating more effluent for the lagoon to treat. The collection lines are mostly made of "Tera Cotta Clay". These clay pipes have deteriorated to the point that they are comparable to Swiss Cheese. Video data shows that there are numerous cracks, holes, broken sections, and collapses throughout the entire collection system. Uniontown is currently under a consent order from ADEM and a court order from the Perry County Circuit Court to cease discharging unpermitted effluent into Cottonwood Creek and Freetown Creek.

**Proposed Facility**

The collection system will be rehabilitated. The manholes will either be lined with a structural limestone cement or replaced with new concrete manholes. The main sewer lines will be corrected through complete replacement, pipe-bursting, or slip lining. The laterals will be videoed and replaced as needed. The headworks will have a new automatic screen to remove solids from the collection system. The influent from Uniontown's collection system will be pumped to the City of Demopolis for treatment. The existing spray field will be decommissioned and reclaimed. The lagoon will be decommissioned and reclaimed.

Conditions of the funding will include the sewer utility being transferred from the City to an independent utility board, and third-party professional management. -pld

**G. FACILITY CHARACTERISTICS: (Planned Project)**

**WATER SYSTEMS**

Source

Treatment

Distribution

Supply Concerns

Storage Type

**WASTEWATER SYSTEMS**

Discharge

Stream

Treatment

Stabilization Ponds

Collection

Conventional Gravity, Conventional Gravity, Effluent Pumps,

**STORM WATER SYSTEMS**

Discharge

Treatment

Collection

**SOLID WASTE SYSTEMS**

Disposal

Treatment

Collection

**H. FACILITY SITE INFORMATION**

<b>Facility Type</b>	<b>Facility Description</b>	<b>Facility Address</b>
Treatment Plant	Uniontown Lagoon	933 Lucian Street Uniontown, AL
Pump Station	Fish Plant	Cane Break Street Uniontown, AL
Pump Station	Cane Break	Cane Break Street Uniontown, AL
Pump Station	53 Station	Co Rd 53 Utowntown, AL 36786
Pump Station	Air Port Road	Highway 1 Uniontown, AL 36786
Pump Station	Horne Lone Hill	US 80 Uniontown, AL 36786

Pump Station	Rabbit Yard	Old Greensboro Rd Uniontown, AL
Pump Station	65 Station	Highway 65 Uniontown, AL 36786
Pump Station	Old Mitchel Lane	3rd Ave south Uniontown, AL 3678
Pump Station	Leroy Brown	Leroy Brown Rd Uniontown, AL 367
Pump Station	Prison	US 80 Uniontown, AL 36786
Discharge Point	Spray Field	Kelly File Rd Uniontown, AL 3678
Primary Facility Site	Wastewater Treatment Plan Expansion	100 Front Street Uniontown, AL 3

**I. ENVIRONMENTAL REVIEW**

SEE ATTACHED

**K. CONTACTS**

Contact Type	Customer Contact
First Name	Jamaal
Last Name	Hunter
Organization Name	Mayor
Telephone	334-628-2011
Fax	334-628-2028
EMail	(b) (6) gmail.com

Contact Type	Legal Representative
First Name	John
Last Name	Gibbs
Organization Name	Gibbs & Sellers, PC
Telephone	334-641-0341

Contact Type	Engineer
First Name	Gilbert
Last Name	Sentell
Organization Name	Sentell Engineering
Telephone	205-752-5564

Contact Type	Other
First Name	Annesia
Last Name	Bulter
Title	Town Clerk
Organization Name	City of Union Town
Telephone	334-628-2011
EMail	cityofuniontown@outlook.com

**RECOMMENDATIONS**

**A. ORIGINATING OFFICE RECOMMENDATIONS**

DOES THE APPLICANT HAVE A WORKABLE PLAN FOR:

- |   |                                     |     |                          |    |
|---|-------------------------------------|-----|--------------------------|----|
| 1. Collection of Delinquent Accounts:                                 | <input checked="" type="checkbox"/> | Yes | <input type="checkbox"/> | No |
| 2. Establishing Records and Maintaining Management and Audit Reports: | <input checked="" type="checkbox"/> | Yes | <input type="checkbox"/> | No |
| 3. Facility Maintenance:  | <input checked="" type="checkbox"/> | Yes | <input type="checkbox"/> | No |
| 4. Necessary Operator Training:                                       | <input checked="" type="checkbox"/> | Yes | <input type="checkbox"/> | No |

**Field Office Comments**

1. The City of Uniontown is a small rural community in Perry County and is considered an underserved area in the RUS program.
2. The City of Uniontown is an eligible entity, the project is an eligible project, and is located in an eligible rural area. The CCD population is 2826 and the MHI is \$15,054. See the documentation in the file.
3. The City of Uniontown operates a three cell lagoon to treat the city's domestic and industrial wastewater. The lagoon currently has two major pieces of equipment that cannot be operated. The first is the automatic screen that separates larger particles from the influent and deposits them in a container for disposal. The other is the Ultra Violet Disinfection System.
4. These systems are not operable due to constant flooding shorting out the electronics.
5. The flooding is caused by the collection system essentially draining ground water from the city.
6. The spray field is past its expected usefulness due to excessive amounts of effluent it has experienced. The spray field is very limited to its final treatment capabilities. Due to the excessive influent from the collection system the lagoon overflows its dykes approximately 150 days of the year into Cottonwood Creek. The spray field overflows its dykes every day of the year into Freetown Creek.

\_\_\_\_\_

Prepared by: \_\_\_\_\_ Date: \_\_\_\_\_

**B. USDA ARCHITECT/ENGINEER'S WRITTEN ANALYSIS AND RECOMMENDATIONS**

The City of Uniontown has been under a consent order since 2008 because of overflowing wastewater treatment lagoons and effluent sprayfield. The city is located on a ridge half way between the Alabama Rive and Tombigbee River. Waterways in the area have a 7Q10 flow of zero. The current wastewater treatment lagoons are frequently washed out and overflow because of excessive I&I. The effluent is currently land applied in a sprayfield. The soils in the area are chalky and do not percolate. The sprayfield often overflows into the creeks. There is a cheese manufacturing plant that has a lagoon system across the creek from the city WWTP. The high nitrogen wastewater in those lagoons produces amines that are associated with wastewater and have a very low odor threshold. The city is often enveloped by noxious odor and the streams do not meet the use classification of Fish and Recreation. Preliminarily artificial wetlands were considered. That idea was eliminated because of citizen objections. The PER evaluates alternatives of two types of tertiary treatment to discharge into Freetown Creek and an alternative to pump the wastewater to Demopolis for treatment. In all alternatives the existing lagoons and sprayfield would be reclaimed. Although having the highest initial cost, the forcemain to Demopolis was selected because of its simplicity, reliability, and efficiency. It also has the lowest present-worth cost. A list of short-lived assets and O&M budget projections is in the PER. The cost estimate appears to be in line with present construction costs. The preliminary design is technically sound and is of modest size, design, and proposed cost. The design can be completed in accordance with sound engineering principles and meets the requirements of all federal, state, and local agencies. Rural Development's design requirements set forth in RD Instruction 1780 Subpart C are also met in the preliminary design. I have reviewed the PER and I concur in this project.

**JOHN TAYLOR** Digitally signed by JOHN TAYLOR  
Date: 2018.09.26 15:17:28 -05'00'

Prepared by: \_\_\_\_\_

Date: \_\_\_\_\_

**C. PROGRAM DIRECTOR'S RECOMMENDATIONS**

1. The City of Uniontown is located in Perry County in Central Alabama .
2. The MHI is \$15,054 for the area served which is well below the State Non Metro of \$42,352 and the current poverty line of \$25,100. The 2010 census data reports the population to be 2826. I have reviewed and agree with the documentation in file for the MHI and census.
3. The City of Uniontown is eligible for RD Funding and meets the MHI and Population requirements for a CF Grant funds.
4. The area is located in a Persistent Poverty.
5. The \$31,250,000 Grant Funds are needed to complete upgrades that are needed to comply with a consent order.
6. The Grant will be made in accordance with 1780, the Grant Agreement and the Letter of Conditions.
7. The applicant is unable to finance this project through its own resources or other means because the MHI is only \$15,054. This is a very poor community.
8. Due to the lack of proper financial management as outlined in a letter from ARWA discussing the weaknesses, RD is requiring the establishment of a Utilities Board that will operate and manage the day to day operation of both the water and sewer facilities. In addition the board members will be required to attend annual Board training such as that provided by ARWA. this requirement is included in the LOC.
9. The City will pass a resolution requiring any residence and / or business that is within 100 feet of the water and / or sewer line to connect to system or pay a minimum bill. This requirement is included in the LOC.
10. Current average monthly cost is \$18.10, from 8/18 information provided by Alabama Rural Water Association, attached (called Sewer Customer and Flows). This is 1.44% of service area MHI (\$15,054). A 25.52% increase to \$22.72 (1.81% of MHI) will be required just to cash-flow the system's financial obligations, without new debt.  $(22.72 - 18.10 = 4.62 / 18.10)$  A minimum 25% loan of \$7,812,500 would require an average EDU cost of \$33.89, or 2.70% of the service area MHI.
11. Any new debt service will add an excessive burden on the customers. This project is located in a persistent poverty county. The MHI of \$15,054 is only 28.9% of the nationwide MHI of \$51,914 and 35.5% of the State of Alabama's MHI.
12. This project will alleviate a very serious environment hazard and assist a very poor community to establish safe, clean drinking water and sanitary sewer at affordable rates based on the MHI of \$15,054.
13. I recommend approval as submitted.

State Office Staff- Updated on 9/17/2018

Prepared by: \_\_\_\_\_

Date: \_\_\_\_\_

**From:** [Bowen, Allen - RD, Montgomery, AL](#)  
**To:** [Hale, Stan - RD, Montgomery, AL](#)  
**Subject:** City of Uniontown\_WWProjSumCompleteau.pdf  
**Date:** Wednesday, September 26, 2018 4:24:00 PM  
**Attachments:** [City of Uniontown\\_WWProjSumCompleteau.pdf](#)

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**PROJECT INFORMATION - WATER AND WASTE DISPOSAL PROGRAMS**

**PROJECT INFORMATION**

Print Date Sep 26, 2018 Page 1 of 7

Customer Name: **City of Uniontown**

Project Name: **Sewage Collection & Treatment Rehab 2018**

Customer DUNS: **001630136**

CCR Cage #: **5R9J7**

CCR Expiration Date: **3/15/2019**

**A. APPLICANT/BORROWER:**

Case Number: **01-053-\*\*\*\*\*1386** Customer Identifier: **835057256**

---

Address: **100 Front Street**

---

City/State/Zip: **Uniontown, AL 36786-**

---

County: **Perry**

---

Entity Type: **Public Body**

---

Customer Congressional Districts

**AL-07;**

Facility Congressional Districts

**AL-07;**

**B. SERVICE TO BE PROVIDED:**

**Sewer**

---

(requested / provided depending on application status)

**C. FINANCIAL ASSISTANCE**

Direct Loans:

Direct Grants:

<u>Grant Amount</u>	<u>Grant Type</u>
---------------------	-------------------

\$23,437,500.00	744 Persistent Poverty (Grant Only) Waste Disposal Only
-----------------	---

**005108**

**D. LAND AND RIGHTS**

	Fee Simple	Lease	Purchase Price	Present Market Value
Acres to be acquired				
Acres now owned	<b>87.00</b>			<b>86,400.00</b>

**Describe Other Rights: (such as water rights or rights-of-way)**

**Uniontown has the water rights and operates two wells for the city's potable water.**

**E. POPULATION/INCOME DATA**

Population Served by the Project		<u>2826</u>	
Statewide nonmetropolitan median household income		<u>42,352.00</u>	
Median household income of possible service area		<u>15,054.00</u>	
Poverty guideline for State		<u>25,100.00</u>	
Monthly EDU Cost Water	<u>0.00</u>	Percent of MHI (Annual)	<u>0.00 %</u>
Monthly EDU Cost Sewer	<u>22.72</u>	Percent of MHI (Annual)	<u>1.81 %</u>

Comments on MHI Calculations for the Service Area

**MHI is calculated from data entered into RD Apply at the Service Area screen. Agency is using data from 2006-2010 ACS, per AN 4711 dated 3/28/13.**

**1499 customers - Uniontown - \$15,054**

Demographic of the Project Service Area

Ethnicity:	Hispanic or Latino	<u>16</u>
	Non-Hispanic or Latino	<u>2810</u>

Race:

American Indian/Alaskan Native	Asian	Black or African American	Native Hawaiian or Other Pacific Islander	White	Multiple	Other	Total
		<b>2600</b>		<b>216</b>	<b>7</b>	<b>3</b>	<b>2826</b>

**F. Description of Proposed Facility and Existing Facilities Which are to be Used in Connection with Proposed System**

*(Include estimated present market value for existing system.)*

**Existing Facility**

The City of Uniontown operates a three cell lagoon to treat the city's domestic and industrial wastewater. This treated effluent is pumped 4.6 miles south of town and dispersed overland via a spray field for final treatment. The collection system consist of 21 miles of piping and nine pumping stations to the lagoon. The lagoon currently has two major pieces of equipment that cannot be operated. The first is the automatic screen that separates larger particles from the influent and deposits them in a container for disposal. The other is the Ultra Violet Disinfection System. These systems are not operable due to constant flooding shorting out the electronics. The flooding is caused by the collection system essentially draining ground water from the city. The spray field is past its expected usefulness due to excessive amounts of effluent it has experienced. The spray field is very limited to its final treatment capabilities. Due to the excessive influent from the collection system the lagoon overflows its dykes approximately 150 days of the year into Cottonwood Creek.. The spray field overflows its dykes every day of the year into Freetown Creek.

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was constructed in the late 40's and early 50's according to dates found on some of the manhole lids. The bricks and the mortar between the bricks have deteriorated to the point that there is very little mortar between the joints and bricks have fallen into the bottom of the manholes and have been carried downstream into the sewer lines. The deterioration allows ground water to enter the manholes during wet periods diluting the sewage and creating more effluent for the lagoon to treat. The collection lines are mostly made of "Tera Cotta Clay". These clay pipes have deteriorated to the point that they are comparable to Swiss Cheese. Video data shows that there are numerous cracks, holes, broken sections, and collapses throughout the entire collection system. Uniontown is currently under a consent order from ADEM and a court order from the Perry County Circuit Court to cease discharging unpermitted effluent into Cottonwood Creek and Freetown Creek.

**Proposed Facility**

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**G. FACILITY CHARACTERISTICS: (Planned Project)**

**WATER SYSTEMS**

Source

Treatment

Distribution

Supply Concerns

Storage Type

**WASTEWATER SYSTEMS**

Discharge

Stream

Treatment

Stabilization Ponds

Collection

Conventional Gravity, Conventional Gravity, Effluent Pumps,

**STORM WATER SYSTEMS**

Discharge

Treatment

Collection

**SOLID WASTE SYSTEMS**

Disposal

Treatment

Collection

**H. FACILITY SITE INFORMATION**

<b>Facility Type</b>	<b>Facility Description</b>	<b>Facility Address</b>
Treatment Plant	Uniontown Lagoon	933 Lucian Street Uniontown, AL
Pump Station	Fish Plant	Cane Break Street Uniontown, AL
Pump Station	Cane Break	Cane Break Street Uniontown, AL
Pump Station	53 Station	Co Rd 53 Utowntown, AL 36786
Pump Station	Air Port Road	Highway 1 Uniontown, AL 36786
Pump Station	Horne Lone Hill	US 80 Uniontown, AL 36786

Pump Station	Rabbit Yard	Old Greensboro Rd Uniontown, AL
Pump Station	65 Station	Highway 65 Uniontown, AL 36786
Pump Station	Old Mitchel Lane	3rd Ave south Uniontown, AL 3678
Pump Station	Leroy Brown	Leroy Brown Rd Uniontown, AL 367
Pump Station	Prison	US 80 Uniontown, AL 36786
Discharge Point	Spray Field	Kelly File Rd Uniontown, AL 3678
Primary Facility Site	Wastewater Treatment Plan Expansion	100 Front Street Uniontown, AL 3

**I. ENVIRONMENTAL REVIEW**

SEE ATTACHED

**K. CONTACTS**

Contact Type	Customer Contact
First Name	Jamaal
Last Name	Hunter
Organization Name	Mayor
Telephone	334-628-2011
Fax	334-628-2028
EMail	(b) (6) gmail.com

Contact Type	Legal Representative
First Name	John
Last Name	Gibbs
Organization Name	Gibbs & Sellers, PC
Telephone	334-641-0341

Contact Type	Engineer
First Name	Gilbert
Last Name	Sentell
Organization Name	Sentell Engineering
Telephone	205-752-5564

Contact Type	Other
First Name	Annesia
Last Name	Bulter
Title	Town Clerk
Organization Name	City of Union Town
Telephone	334-628-2011
EMail	cityofuniontown@outlook.com

**RECOMMENDATIONS**

**A. ORIGINATING OFFICE RECOMMENDATIONS**

DOES THE APPLICANT HAVE A WORKABLE PLAN FOR:

- |   |                                     |     |                          |    |
|---|-------------------------------------|-----|--------------------------|----|
| 1. Collection of Delinquent Accounts:                                 | <input checked="" type="checkbox"/> | Yes | <input type="checkbox"/> | No |
| 2. Establishing Records and Maintaining Management and Audit Reports: | <input checked="" type="checkbox"/> | Yes | <input type="checkbox"/> | No |
| 3. Facility Maintenance:  | <input checked="" type="checkbox"/> | Yes | <input type="checkbox"/> | No |
| 4. Necessary Operator Training:                                       | <input checked="" type="checkbox"/> | Yes | <input type="checkbox"/> | No |

**Field Office Comments**

1. The City of Uniontown is a small rural community in Perry County and is considered an underserved area in the RUS program.
2. The City of Uniontown is an eligible entity, the project is an eligible project, and is located in an eligible rural area. The CCD population is 2826 and the MHI is \$15,054. See the documentation in the file.
3. The City of Uniontown operates a three cell lagoon to treat the city's domestic and industrial wastewater. The lagoon currently has two major pieces of equipment that cannot be operated. The first is the automatic screen that separates larger particles from the influent and deposits them in a container for disposal. The other is the Ultra Violet Disinfection System.
4. These systems are not operable due to constant flooding shorting out the electronics.
5. The flooding is caused by the collection system essentially draining ground water from the city.
6. The spray field is past its expected usefulness due to excessive amounts of effluent it has experienced. The spray field is very limited to its final treatment capabilities. Due to the excessive influent from the collection system the lagoon overflows its dykes approximately 150 days of the year into Cottonwood Creek. The spray field overflows its dykes every day of the year into Freetown Creek.

\_\_\_\_\_

Prepared by: \_\_\_\_\_ Date: \_\_\_\_\_

**B. USDA ARCHITECT/ENGINEER'S WRITTEN ANALYSIS AND RECOMMENDATIONS**

The City of Uniontown has been under a consent order since 2008 because of overflowing wastewater treatment lagoons and effluent sprayfield. The city is located on a ridge half way between the Alabama Rive and Tombigbee River. Waterways in the area have a 7Q10 flow of zero. The current wastewater treatment lagoons are frequently washed out and overflow because of excessive I&I. The effluent is currently land applied in a sprayfield. The soils in the area are chalky and do not percolate. The sprayfield often overflows into the creeks. There is a cheese manufacturing plant that has a lagoon system across the creek from the city WWTP. The high nitrogen wastewater in those lagoons produces amines that are associated with wastewater and have a very low odor threshold. The city is often enveloped by noxious odor and the streams do not meet the use classification of Fish and Recreation. Preliminarily artificial wetlands were considered. That idea was eliminated because of citizen objections. The PER evaluates alternatives of two types of tertiary treatment to discharge into Freetown Creek and an alternative to pump the wastewater to Demopolis for treatment. In all alternatives the existing lagoons and sprayfield would be reclaimed. Although having the highest initial cost, the forcemain to Demopolis was selected because of its simplicity, reliability, and efficiency. It also has the lowest present-worth cost. A list of short-lived assets and O&M budget projections is in the PER. The cost estimate appears to be in line with present construction costs. The preliminary design is technically sound and is of modest size, design, and proposed cost. The design can be completed in accordance with sound engineering principles and meets the requirements of all federal, state, and local agencies. Rural Development's design requirements set forth in RD Instruction 1780 Subpart C are also met in the preliminary design. I have reviewed the PER and I concur in this project.

**JOHN TAYLOR** Digitally signed by JOHN TAYLOR  
Date: 2018.09.26 15:17:28 -05'00'

Prepared by:

Date:

**C. PROGRAM DIRECTOR'S RECOMMENDATIONS**

1. The City of Uniontown is located in Perry County in Central Alabama .
2. The MHI is \$15,054 for the area served which is well below the State Non Metro of \$42,352 and the current poverty line of \$25,100. The 2010 census data reports the population to be 2826. I have reviewed and agree with the documentation in file for the MHI and census.
3. The City of Uniontown is eligible for RD Funding and meets the MHI and Population requirements for a CF Grant funds.
4. The area is located in a Persistent Poverty.
5. The \$31,250,000 Grant Funds are needed to complete upgrades that are needed to comply with a consent order.
6. The Grant will be made in accordance with 1780, the Grant Agreement and the Letter of Conditions.
7. The applicant is unable to finance this project through its own resources or other means because the MHI is only \$15,054. This is a very poor community.
8. Due to the lack of proper financial management as outlined in a letter from ARWA discussing the weaknesses, RD is requiring the establishment of a Utilities Board that will operate and manage the day to day operation of both the water and sewer facilities. In addition the board members will be required to attend annual Board training such as that provided by ARWA. this requirement is included in the LOC.
9. The City will pass a resolution requiring any residence and / or business that is within 100 feet of the water and / or sewer line to connect to system or pay a minimum bill. This requirement is included in the LOC.
10. Current average monthly cost is \$18,10, from 8/18 information provided by Alabama Rural Water Association, attached (called Sewer Customer and Flows). This is 1.44% of service area MHI (\$15,054). A 25.52% increase to \$22.72 (1.81% of MHI) will be required just to cash-flow the system's financial obligations, without new debt.  $(22.72-18.10= 4.62/18.10)$  A minimum 25% loan of \$7,812,500 would require an average EDU cost of \$33.89, or 2.70% of the service area MHI.
11. Any new debt service will add an excessive burden on the customers. This project is located in a persistent poverty county. The MHI of \$15,054 is only 28.9% of the nationwide MHI of \$51,914 and 35.5% of the State of Alabama's MHI.
12. This project will alleviate a very serious environment hazard and assist a very poor community to establish safe, clean drinking water and sanitary sewer at affordable rates based on the MHI of \$15,054.
13. I recommend approval as submitted.

State Office Staff- Updated on 9/17/2018

**ROBERT BOWEN** Digitally signed by ROBERT BOWEN  
Date: 2018.09.26 15:23:52 -05'00'

Prepared by:

Date:

**From:** [Bowen, Allen - RD, Montgomery, AL](#)  
**To:** [LeFleur, Lance R](#)  
**Subject:** Comments from Riverkeepers  
**Date:** Friday, October 5, 2018 9:30:00 AM  
**Attachments:** [Riverkeepers response.pdf](#)

---

*Allen Bowen*

Allen Bowen  
United States Department of Agriculture  
Rural Development  
Community and Business Programs Director  
Office: 334-279-3617  
Cell: 334-322-4147  
Fax: 855-304-8457

**005115**



September 26, 2018

Alabama State Office  
4121 Carmichael Road  
Suite 601, Sterling Centre  
Montgomery, AL 36106  
  
Voice 334-279-3615  
Fax 855-304-8457  
  
www.rd.usda.gov/al

Black Warrior RIVERKEEPER®  
712 37th Street South  
Birmingham, AL 35222

Re: Environmental Assessment for Proposed City of Uniontown Sewer Project

*Via electronic mail only to [jkinney@blackwarriorriver.org](mailto:jkinney@blackwarriorriver.org)*

Dear Sirs and Madam:

Thank you for your letter of September 21, 2018 in response to the Environmental Assessment. Your letter brings up many important subjects that deserve to be studied and considered in the pre-design phase of the project. Although these are important subjects to consider, the only one related to the NEPA (National Environmental Policy Act) Environmental Assessment was in regard to Environmental Justice.

I will provide a short response to each of the four numbered sections in your letter:

1. *The Role of Industrial Dischargers Must Be Accurately Assessed and Understood.*  
We agree that more study and evaluation must be done before moving to design of the transmission line. Meanwhile, evaluation and rehabilitation of the collection system can proceed.
2. *The Demopolis Plant Must Be Upgraded and its Treatment Capacity Increased.*  
Demopolis is evaluating what needs to be done to their plant. They intend to fund those upgrades, if necessary, with other funding. They are waiting for data for quantity and characteristics of the Uniontown effluent.
3. *Many Uniontown Residents Must Have Financial Help to Tie into the System.*  
The connection or repair of service connections is planned to be at no cost to homeowners. No loan is proposed.
4. *Past Mistakes by Sentell Should Disqualify it from Working on this Project.*  
USDA has no authority to require an applicant/client to use or not use a particular firm unless a proposed firm has been excluded from receiving Federal contracts, certain subcontracts, and certain types of Federal financial and non-financial assistance and benefits. Sentell Engineering, Inc. has not been excluded.

USDA Rural Development welcomes the opportunity to have stakeholder involvement in the project planning stages. We look forward to discussing this important project with stakeholders in the early stages after funding is secured.

Sincerely,

ALLEN BOWEN  
Community Facilities and Business Programs Director

cc: Mr. Nivory Gordon, Camden Office

**From:** [Bowen, Allen - RD, Montgomery, AL](#)  
**To:** [Schindler, Nicole - RD, Washington, DC \(Nicole.Schindler@wdc.usda.gov\)](#); [Taylor, John - RD, Montgomery, AL](#)  
**Subject:** Conference call Uniontown

---

Call 334-279-3617

**005117**



**From:** [Taylor, John - RD, Montgomery, AL](#)  
**To:** ["Morris Ed" \(emorris@sentell.net\)](#); [Gordon, Nivory - RD, Camden, AL](#)  
**Cc:** [Bowen, Allen - RD, Montgomery, AL](#); [Norwood, Rose - RD, Camden, AL](#); [cityofuniontown@outlook.com](#)  
**Subject:** Copy of FONSI  
**Date:** Thursday, October 11, 2018 11:38:30 AM  
**Attachments:** [Uniontown FONSI 181011.pdf](#)

---

John E. Taylor. P.E.  
Alabama State Engineer & SEC  
USDA Rural Development  
4121 Carmichael Rd. STE 601  
Montgomery, AL 36106  
334-279-3475

**005118**

# FINDING OF NO SIGNIFICANT IMPACT

Sanitary Sewer Collection and Treatment Facility Rehabilitation  
Perry County, Alabama

Rural Development  
U.S. Department of Agriculture

City of Uniontown

Prepared by:  
John Taylor, Staff  
USDA Rural Development

October 2018

**005119**

## A. INTRODUCTION

City of Uniontown plans to submit a financing request to the U.S. Department of Agriculture, Rural Development (RD) to construct the proposed Sanitary Sewer Collection and Treatment Facility Rehabilitation (Project) in Perry County, Alabama. RD is considering this financing request. Prior to taking a federal action (i.e., providing financial assistance), RD is required to complete an environmental impact analysis in accordance with the National Environmental Policy Act of 1969 (NEPA) (U.S.C. 4231 et seq.), the Council on Environmental Quality's (CEQ) regulations for implementing NEPA (40 CFR Parts 1500-1508), and RD's NEPA implementing regulations, Environmental Policies and Procedures (7 CFR Part 1970). After completing an independent analysis of an environmental report prepared by City of Uniontown and its consultant, RD concurred with its scope and content. In accordance with 7 CFR § 1970.102, RD adopted the report and issued it as the Agency's Environmental Assessment (EA) for the proposed Project. RD finds that the EA is consistent with federal regulations and meets the standards for an adequate assessment. City of Uniontown published a newspaper notice, announcing the availability of the EA for public review, in accordance with 7 CFR § 1970.102. In addition, RD considers the proposed Project an undertaking subject to review under Section 106 of the National Historic Preservation Act (NHPA), 16 USC 470(f), and its implementing regulation, "Protection of Historic Properties" (36 CFR Part 800).

## B. PROJECT DESCRIPTION AND PURPOSE/NEED

The need for this project is based on the current state of the wastewater collection system, which is in dire need of repair due to the excess inflow of wastewater into the lagoon that cannot be adequately treated and discharged into the sprayfield. The purpose of the proposed project is to get the existing wastewater collection system functional and help to eliminate the impermissible discharges through the following proposed phases: CCTV monitoring, flow monitoring, collection system rehabilitation (including cured-in-place pipe (CIPP), pipe replacement, and manhole lining and replacement), flow monitoring after collection system rehabilitation, and development of infrastructure to support the use of the treatment facility in Demopolis to treat wastewater from Uniontown. The overall purpose of the Project is to rehabilitate the city's wastewater collection system and construct facilities for ultimate treatment and discharge of the effluent. RD has reviewed the purpose and need for the Project and determined that the proposal will meet the present and future needs of City of Uniontown.

## C. ALTERNATIVES EVALUATED

1. No Action – Under the No Action Alternative, RD would not provide financial assistance to City of Uniontown, and/or the proposed Project would not be constructed. This alternative would not assist City of Uniontown in decreasing inflow and infiltration and eliminating unpermitted discharges into Cottonwood Creek and Freeman Creek.
2. Action Alternative (Preferred Alternative) – Under the Action Alternative, RD would consider financing the proposed Project, and City of Uniontown would construct the Project. The proposed project would rehabilitate the city's wastewater collection system to eliminate Inflow and Infiltration (I&I) to the extent practicable, gather data regarding the wastewater from industrial users, and design and construct facilities to achieve treatment and discharge of the effluent in compliance with foreseeable regulatory requirements as per 1780.1(g) "Water and waste facilities will be designed, installed, and operated in accordance with applicable laws which include but are not limited to the Safe Drinking Water Act, Clean Water Act and the

Resource Conservation and Recovery Act". The process will involve the development and negotiation of State Indirect Discharge (SID) permit limits for industrial users to ensure the aggregated untreated wastewater is within the design parameters of the treatment system. Currently, based on assumptions that the remedy of I&I and working with the industrial dischargers will result in adequate flow and pollutant reductions, the course of action planned is to construct screening facilities, pump stations, and a force main to transport the wastewater to the City of Demopolis for treatment at their wastewater treatment plant. The existing treatment lagoons and effluent spray field would be decommissioned and reclaimed. When the existing WWTP and spray field permits are no longer in force, they will be regulated by ADEM as unpermitted landfills. Remediation will be as required by ADEM Administrative Code Chapter 335-13-1-.13.

The ultimate course of action will be determined following the I&I study and the various phases of project implementation. After employing each strategy/process stage, we will evaluate whether the preferred alternative remains the most effective approach to ensure system functionality and compliance.

The Agency will evaluate the results of data obtained from the I&I study, observed wet weather flows after collection system rehabilitation, the capability of the Demopolis Wastewater Treatment Plant to treat the sewage, and the estimated cost to construct and operate the facility. If the Agency determines to modify the scope of the project outside that anticipated in the Environmental Assessment, the Agency would supplement the Environmental Assessment to evaluate the impacts of the modified scope of the project and inform the public.

- 3 Other Alternatives Considered – In addition to the No Action Alternative and Action Alternative, the City of Uniontown considered two types of tertiary biological/physical treatment plants that would be built on the site of the current spray field. A treatment plant located at this site would discharge into Freeman Creek. The treated effluent would have to meet the standards for Fish and Wildlife as defined at ADEM Administrative Code Chapter 335-6-10-.9(5). This alternative was deemed technically feasible and would have a lower cost of construction than the Action Alternative. However, the high operating cost was prohibitive for the City of Uniontown.

#### D. SUMMARY OF ENVIRONMENTAL EFFECTS

The analyses in the EA documented that the proposed Project would have no adverse effects to Land Use, Floodplains, Wetlands, Water Resources, Coastal Resources, Biological Resources, Cultural Resources, Aesthetics, Air Quality, Socio-Economic Impact/Environmental Justice, Noise, Transportation, and Human Health and Safety.

#### E. PUBLIC AND AGENCY INVOLVEMENT

The City of Uniontown published a newspaper notice, announcing the availability of the EA for public review, in accordance with 7 CFR § 1970.102. In addition, RD considers the proposed Project an undertaking subject to review under Section 106 of the National Historic Preservation Act (NHPA), 16 USC 470(f), and its implementing regulation, "Protection of Historic Properties" (36 CFR Part 800). Pursuant to 36 CFR 800.8, and 36 CFR 800.2(d)(3) and in order to coordinate RD's responsibilities for public participation under NHPA with those of NEPA, the published newspaper notice also satisfies RD's responsibilities for public involvement under the NHPA. The notice was published on September 13, 14

and 15, 2018, in Selma Times Journal of Dallas County, Alabama. A copy of the EA was available for public review at the RD Area office at 321 Depot Street, Camden, Alabama. The 14-day comment period ended on September 26, 2018.

RD received one letter from Black Warrior Riverkeeper (BWR), a non-profit organization. Comments in the letter expressed concern over engineering capacity of systems in Uniontown and Demopolis, the role of industrial discharges, and the affordability of rates for Uniontown residents following the upgrades to the wastewater collection system. The comments did not challenge conclusions made in the EA about impacts to environmental resources. The BWR letter mentioned environmental justice regarding residents' ability to pay to connect to the sewer and the higher rates that might result from a loan from RD. Under the preferred alternative, Uniontown residential rates are not anticipated to increase significantly. In the letter's conclusion, BWR requested "...that USDA allow stakeholders ... a seat at the table to ensure all pertinent information is meaningfully considered." In RD's response, major points of the letter were addressed including that the connection or repair of service lines would be at no cost to homeowners and that no loan was contemplated for the project as proposed. RD also agreed to allow ongoing stakeholder involvement in the project planning stages. Additionally, RD has ensured that an impartial onsite inspector from the Alabama Rural Water Association will assist in the project.

The known stakeholder organizations are: The City of Uniontown (and their engineer(s)), RD, BWR, and Black Belt Citizens Fighting for Health & Justice. Details of future stakeholder meetings have not been negotiated at the time of publication of this FONSI. RD anticipates many meetings to share information and ideas at mutually agreed upon milestones.

Additionally, a petition of 41 names was hand delivered to the Camden, Alabama RD office. The statement at the top of the petition said the undersigned are not satisfied with the EA, feel there will be severe environmental impacts associated with the project and requested an Environmental Impact Statement be prepared without the particular consulting engineer hired by the city. The petition did not identify deficiencies in the EA nor offer more details on the severe environmental impacts anticipated by the petitioners. The petition did not bear a return address or point-of-contact for the petition, so RD was unable to respond directly to the petition.

#### F. FINDING OF NO SIGNIFICANT IMPACT

Based on its EA, RD has concluded that the proposed Project would have no significant effects to Land Use, Floodplains, Wetlands, Water Resources, Coastal Resources, Aesthetics, Air Quality, Noise, Transportation, and Human Health and Safety. The proposed Project will utilize the Nationwide Programmatic Agreement Among the U.S. Department of Agriculture Rural Development Programs, National Conference of State Historic Preservation Officers and The Advisory Council on Historic Preservation for Sequencing Section 106 (NPA) to achieve compliance with the National Historic Preservation Act and formally determine effects on historic properties listed or eligible for listing on the National Register of Historic Places. The proposed Project will have no effects to federally listed species or designated critical habitat. The proposed Project would not disproportionately affect minority or low-income populations.

In accordance with the National Environmental Policy Act, as amended (42 U.S.C. 4321 et seq.), the Council on Environmental Quality Regulations (40 CFR 1500–1508), and USDA Rural Development's Environmental Policies and Procedures (7 CFR Part 1970), RD has determined that the environmental

impacts of the proposed Project have been adequately addressed and that no significant impacts to the quality of the human environment would result from construction and operation of the proposed Project. Any final action by RD related to the proposed Project will be subject to, and contingent upon, compliance with all relevant federal and state environmental laws and regulations. Because RD's action will not result in significant impacts to the quality of the human environment, RD will not prepare an Environmental Impact Statement for its potential federal action associated with the proposed Project.

#### G. RD LOAN REVIEW AND RIGHT OF ADMINISTRATIVE REVIEW

This FONSI is not a decision on a loan application and therefore not an approval of the expenditure of federal funds. Issuance of the FONSI and its notices concludes RD's environmental review process. The ultimate decision on loan approval depends upon conclusion of this environmental review process in addition to financial and engineering reviews. Issuance of the FONSI and publication of notices will allow for these reviews to proceed. The decision to provide financial assistance also is subject to the availability of loan funds for the designated purpose in RD's budget. There are no provisions to appeal this decision (i.e., issuance of a FONSI). Legal challenges to the FONSI may be filed in Federal District Court under the Administrative Procedures Act.

#### H. APPROVAL

This Finding of No Significant Impact is effective upon signature.

Dated: October 11, 2018



ALLEN BOWEN  
Director of Community and Business Programs  
Water and Waste Program  
Rural Utility Service

Contact Person

For additional information on this FONSI and EA, please contact John Taylor at 334-279-3475.

**From:** [Gordon, Nivory - RD, Camden, AL](#)  
**To:** [Bowen, Allen - RD, Montgomery, AL](#)  
**Cc:** [Hale, Stan - RD, Montgomery, AL](#); [Taylor, John - RD, Montgomery, AL](#); [Norwood, Rose - RD, Camden, AL](#); [Givan, Terrika - RD, Camden, AL](#); [Williams, Melissa - RD, Camden, AL](#)  
**Subject:** DOC092718-09272018080540.pdf  
**Date:** Thursday, September 27, 2018 9:12:47 AM  
**Attachments:** [DOC092718-09272018080540.pdf](#)

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Enclosed you will find the FONSI on Uniontown Sewer Proposal

John,

I have not received any negative comments on this project

**005124**

# THE Selma Times-Journal

SERVING SELMA AND THE BLACK BELT SINCE 1827

50 CENTS IN NEWSSTANDS

THURSDAY, SEPTEMBER 27, 2018



WWW.SELMATIMESJOURNAL.COM

## Officers, Wade put on paid leave

## BUDGET PASSED

### Selma City Council passes \$17.4 million budget

By James Jones  
*The Selma Times-Journal*

The Selma City Council approved a \$17.4 million budget for the 2019 fiscal year on Wednesday at city hall.

It's the first time since 2016 that a budget was passed. Last year, the city operated with the 2016-2017 amended budget.

million budget proposal to the council last month, but it was rejected.

Council President Corey Bowie, councilmen Sam Randolph and Carl Bowline, councilwomen Susan Youngblood, Miah Jackson, Angela Benjamin and Jannie Thomas voted to pass the budget. Councilmen John Leashore and Michael Johnson both abstained.

"I'd like to thank each one of my council members for working on this budget," Bowie said. "There were trying times, but working on this budget made us more unified."

The public safety needs for the Selma Police Department and Selma Fire Department were helped with a \$1.4 million



DEPARTMENT OF AGRICULTURE  
Rural Development

City of Uniontown: Notice of Finding of No Significant Impact

AGENCY: Rural Utility Service, USDA

ACTION: Notice of Finding of No Significant Impact.

SUMMARY: The Rural Utility Service (RUS) has made a Finding of No Significant Impact (FONSI) with respect to a request for possible financing assistance to City of Uniontown for the construction of the Sanitary Sewer Collection and Treatment Facility Rehabilitation in Perry County, Alabama.

FURTHER INFORMATION: To obtain copies of the EA and FONSI, or for further information, contact: Nivory Gordon, Jr., Area Director at USDA, RD, 321 Depot Street, Camden, AL 36726, 334-682-4116 Ext. 110 or via email at [Nivory.gordon@al.usda.gov](mailto:Nivory.gordon@al.usda.gov). The EA and FONSI are also available for public review at Uniontown City Hall.

SUPPLEMENTARY INFORMATION: The City of Uniontown proposes to rehabilitate the city's wastewater collection system and construct screening facilities, pump stations and a force main to transport the wastewater to the City of Demopolis for treatment at their wastewater treatment plant. The existing treatment lagoons and effluent spray field would be decommissioned and reclaimed. Alternatives considered by RUS and City of Uniontown include: No action and two types of treatment systems that would discharge into Free-town Creek. The alternatives are discussed in the EA. The RUS has reviewed and approved the EA for the proposed project.

The availability of the EA for public review was announced via notice in the Selma Times-Journal on September 13, 14, and 15, 2018. A 14-day comment period was announced in the newspaper notice. The EA was also available for public review at the USDA Rural Development office as well as City of Uniontown's city hall offices. No comments pertaining to environmental concerns with the proposed project were received.

Based on its EA, commitments made by City of Uniontown, and public comments received, RUS has concluded that the project would have no significant impact (or no impacts) to water quality, wetlands, floodplains, land use, aesthetics, transportation, or human health and safety.

The proposed Project will utilize the Nationwide Programmatic Agreement Among the U.S. Department of Agriculture Rural Development Programs, National Conference of State Historic Preservation Officers and The Advisory Council on historic Preservation for Sequencing Section 106 (NPA) to achieve compliance with the Nation Historic Preservation Act and formally determine effects on historic properties listed or eligible for listing on the National Register of Historic Places. The Agency has concluded that the proposed project is not likely to affect federally listed threatened and endangered species or designated critical habitat thereof. The proposed project would not disproportionately affect minority and/or low income populations.

No other potential significant impacts resulting from the proposed project have been identified. Therefore, RUS has determined that this FONSI fulfills its obligations under the National Environmental Policy Act, as amended (42 U.S.C. 4321 et seq.), the Council on Environmental Quality Regulations (40 CFR §§ 1500-1508), and USDA Rural Development's Environmental Policies and Procedures (7 CFR Part 1970) for its action related to the project.

RUS is satisfied that the environmental impacts of the proposed project have been adequately addressed. RUS's federal action would not result in significant impacts to the quality of the human environment, and as such it will not prepare an Environmental Impact Statement for its action related to the proposed project.

Dated: September 27, 2018w

005126

**From:** [Taylor, John - RD, Montgomery, AL](#)  
**To:** [Bowen, Allen - RD, Montgomery, AL](#)  
**Subject:** DRA Uniontown memo  
**Date:** Tuesday, October 23, 2018 9:59:59 AM

---

DRA is welcome to review the Environmental Assessment and Finding of No Significant Impact. It may be noteworthy that RD is utilizing its Nationwide Programmatic Agreement with ACHP that allows us to obligate funds prior to conclusion of Section 106. Section 106 consultations must be initiated no later than ninety (90) business days after the announcement of the obligation. Section 106 must be completed prior to construction.

John E. Taylor, P.E.  
Alabama State Engineer & SEC  
USDA Rural Development  
4121 Carmichael Rd. STE 601  
Montgomery, AL 36106  
334-279-3475

**005127**

**From:** [Becker, Chris - RD, Montgomery, AL](#)  
**To:** [Bowen, Allen - RD, Montgomery, AL](#)  
**Subject:** DRA  
**Date:** Thursday, August 30, 2018 6:24:41 PM

---

We need to reach out to (b) (6) tomorrow about Uniontown.

Chris Beeker III  
State Director | Alabama State Office  
Rural Development  
U.S. Department of Agriculture  
4121 Carmichael Road, Suite 601 | Montgomery, AL 36106  
Phone: 334-279-3402 | Fax: 855-304-8456  
[www.rd.usda.gov](http://www.rd.usda.gov) "Committed to the future of rural communities"

USDA is an equal opportunity provider, employer and lender

**005128**

**From:** [Brooks McCants](#)  
**To:** [Beeker, Chris - RD, Montgomery, AL](#); [Bowen, Allen - RD, Montgomery, AL](#)  
**Cc:** "Jay Reynolds"; (b) (6) [@demopoliswaterworks.com](#)  
**Subject:** Demopolis Waste Water Treatment Cost Analysis  
**Date:** Thursday, November 29, 2018 3:29:32 PM  
**Attachments:** [Scanned from a Xerox Multifunction Printer.pdf](#)

---

Chris/Allen,

Attached is the Waste Water Treatment Cost Analysis you requested. Carey and I took yearly flow data from 2017 and performed the analysis two different ways. One we took into account debt service and one without debt service. Keep in mind these are our costs without putting money aside for capital replacement. Also for political reasons, we do not need to charge Uniontown lower sewer rates than what we charge the Demopolis customers. If you all have any questions please let us know.

Thanks,

Brooks McCants | General Manager  
Demopolis Water Works & Sewer Board  
P.O. Box 350, Demopolis, AL 36732  
Phone (334)289-3328 | Fax (334)289-3381  
Cell (b) (6)

005129

DEMOPOLIS WATER WORKS & SEWER BOARD WASTE WATER TREATMENT COST ANALYSIS

Thousand gallons per day obtained from 2017 average daily flow 2213

YEARLY SEWER EXPENSES

	w/ debt service	w/out debt service
Sewer expenses	(b) (4)	(b) (4)
Admin expenses	(b) (4)	(b) (4)
Maintenance expenses	(b) (4)	(b) (4)
Capital on sewer	(b) (4)	(b) (4)
Insurance	(b) (4)	(b) (4)
2014 note payable	(b) (4)	(b) (4)
2017 note payable	(b) (4)	(b) (4)
Total	(b) (4)	(b) (4)
Total per day	(b) (4)	(b) (4)
Total per day per 1,000 gallons	(b) (4)	(b) (4)

Est. daily flow fr  
Uniontown

(b) (4)

est. cost per day

est. monthly revenue considering debt service

est. monthly revenue without considering debt service

**From:** [Robert White](#)  
**To:** [Bowen, Allen - RD, Montgomery, AL](#); [Kathy Home](#)  
**Cc:** [Hale, Stan - RD, Montgomery, AL](#); [Gordon, Nivory - RD, Camden, AL](#)  
**Subject:** EOS - Uniontown Contract - 2016 - 2019  
**Date:** Tuesday, July 17, 2018 11:58:17 AM  
**Attachments:** [image001.png](#)  
[eos-uniontown-contract-2016-07132018142731.pdf](#)

---

Please find attached a copy of the contract discussed during the phone meeting today.

Let me know if I may be of further service.

Thanks!

Rob White IV



Deputy Director

Alabama Rural Water Association  
Office – (334) 396-5511  
Fax – (334) 396-7090  
Cell – (b) (6)  
Email – [rwhite@alruralwater.com](mailto:rwhite@alruralwater.com)

Celebrate 40 years of ARWA service with us in  
Mobile on March 18 – 21, 2018. Learn more at  
<http://alruralwater.com/WFB/conference/index.asp>

**005131**



**WATER AND WASTEWATER SYSTEMS SERVICE AGREEMENT  
UNIONTOWN, AL**

This Service Agreement (hereinafter referred to as "the Service Contract") entered into this the 16 day of August, 2016, by and between the City of Uniontown, Alabama (hereinafter referred to as "City"), and EOS Utility Services, LLC (hereinafter referred to as "Service Provider"), and together referred to as "the Parties".

**WHEREAS**, the City presently owns, self-operates, maintains and manages or subcontracts the operation and maintenance of their Water and Wastewater Systems (hereinafter referred to as "Systems"); and

**WHEREAS**, the City is seeking a private firm for the operation, maintenance and management of these Systems; and

**WHEREAS**, by simultaneously executing this Service Contract, the City shall cease responsibilities for the operation, maintenance and management of the Systems on the date the Agreement is executed by the City (Commencement Date) and the Service Provider shall commence operation, maintenance and management of the Systems as set forth herein on the same date.

**NOW, THEREFORE** in consideration of the foregoing premises, and the mutual conditions and covenants contained herein, the Parties hereto, intending to be legally bound, do hereby agree as follows:

**ARTICLE I - OBLIGATIONS OF THE PARTIES**

- 1.1 General Obligations of Service Provider: Service Provider shall:
  - 1.1.1 Operate, maintain, and manage the Systems on a 24-hour per day, 7 day per week basis as outlined in Attachment A - Scope of Services.
- 1.2 Obligations of the City: City shall:
  - 1.2.1 Assist the Service Provider in the operation, maintenance, and management of the Systems as outlined in Attachment A - Scope of Services.



## ARTICLE II - RATES AND CHARGES

2.1 **Basic Services:** Monthly fees to the Service Provider for the services outlined in the attached Scope of Services shall be (b) (4)/month per metered water customer assuming a minimum of 1,415 water meters. This amount shall be adjusted annually in January of each subsequent year (first in 2017) based upon the previous year's average Consumer Price Index (CPI) and the published CPI-U for that January. If the number of service meters falls below (b) (4) the monthly charge per meter of (b) (4) shall be increased proportionally (i.e. (b) (4) /# meters), such that the monthly minimum fee to the Service Provider is (b) (4).

2.2 **Additional Services:** Additional Services shall include any capital improvements and all services or materials provided by the Service Provider that are requested by the City incorporated permanently into the Systems (or required for their installation) that are not included as Basic Services in Attachment A. For these Additional Services, the City shall pay the Service Provider a mutually agreeable lump sum or hourly basis from revenues or the established Operation and Maintenance Fund as described in Attachment A.

2.3 **Services and Materials Charged Directly to the City:** If sufficient monies are not available from revenues or the Operation and Maintenance Fund to purchase needed materials for incorporation into the Systems, the Service Provider may provide these materials to the City as reimbursable expenses. Such material expenses (including but not limited to; piping, backfill, asphalt repairs, grassing, valves, hydrants, manholes, meters, pumps, instrumentation, electrical components, etc.) shall be billed directly to the City at cost plus ten percent (10%).

2.4 **Billing and Payment Procedures:** Payments to the Service Provider for the Basic and Additional Services outlined in 2.1 and 2.2 above shall be made from revenues as described in Attachment A. If required, invoices for materials as described in 2.3 above will be made on a monthly basis to the City for the actual expenses incurred + 10% and payment made from revenues.

## ARTICLE III - TERM

3.1 This contract shall take effect on the Commencement Date and remain in effect for thirty six (36) months. Either party may terminate this Agreement without cause by providing 60 days prior written notice to the other party.

## ARTICLE IV - INSURANCE AND INDEMNIFICATION

4.1 **Insurance:** During the term of this Service Contract the Service Provider and City will comply with the insurance requirements as set forth herein. The Service Provider's Certificate of Insurance complying with the following requirements will be provided to the City prior the Commencement Date:





- Statutory Worker's Compensation Insurance.
- Commercial General Liability and Automobile Insurance in the amount of at least \$1,000,000 combined single limit for bodily injury, death or property damages, per occurrence and in the aggregate.

The City agrees to remain solely responsible for maintaining all necessary insurance policies for the Systems and properties under their ownership.

In the event of a material change or cancellation of coverage, the affected party shall notify the other party in writing within thirty (30) days of receipt of notice of a material change or cancellation and shall present a plan to obtain the required coverage through another firm or by another policy that is acceptable to both parties. Failure to maintain the insurance shall be a basis for termination of the Service Contract, unless both parties agree otherwise in writing. Either party may maintain such additional policies and coverage, as it deems prudent and necessary.

4.2 Indemnification: Subject to the next-to-last sentence of this Subsection, during the term of this Service Contract, Service Provider shall indemnify and hold harmless the City, its officers, directors, employees, agents, successors and assigns, from and against any claims, suits, actions, causes of actions, judgments, administrative penalties, reasonable attorneys' fees, and fines, and any loss caused by any injury to any person, including death, and damage to property, and costs of operating the Premises, arising out of Service Provider's gross negligence or willful misconduct in its performance of its obligations under this Service Contract. Notwithstanding the foregoing, in the event the indemnification liability of the City is limited by any constitutional, statutory or regulatory provision, or any judicial decision of any court of competent jurisdiction, to a maximum amount, the indemnification liability of Service Provider shall be limited to a like amount, as increased by the amount of any insurance proceeds available to Service Provider. Notwithstanding the foregoing, Service Provider shall be liable only to the amount of the collectable insurance, for any and all regulatory fines which may be imposed against Service Provider by any legally constituted authority having competent jurisdiction over Service Provider for acts or omissions over which the Service Provider has sole control.

4.2.2 During the term of this Service Contract the City shall indemnify and hold harmless Service Provider, its officers, directors, employees, agents, successors and assigns, its parent company and its shareholders, directors, officers, employees, agents, representatives, subcontractors, successors and assigns, from and against any claims, suits, actions, causes of actions, judgments, administrative penalties, reasonable attorneys' fees, and fines, and any loss caused by any injury to any person, including death, and damage to property, and costs of operating the Premises, arising out of the gross negligence or willful



misconduct of the City (or any employee, subcontractor, agent or representative thereof) in its performance of its obligations under this Service Contract.

4.2.3 Neither party shall be liable to the other party for any punitive, exemplary, consequential, incidental or indirect damages related to or arising from this Service Contract.

4.2.4 During the term of this Service Contract the City shall indemnify and hold harmless Service Provider, its officers, directors, employees, agents, successors and assigns, its parent company and its shareholders, directors, officers, employees, agents, representatives, subcontractors, successors and assigns, from and against any claims, suits, actions, causes of actions, judgments, administrative penalties, reasonable attorneys' fees, and fines, and any loss caused by any injury to any person, including death, and damage to property, and pollution arising from or out of the operation of the Systems or theft by employees. The City is exclusively responsible for permit procurement and compliance and any and all damage or injury caused or occasioned by malfunction, leakage, seepage or overflow of the Systems.

4.2.5 Limitation of Liability: In recognition of the relative risks and benefits of this Agreement to both the City and the Service Provider, the City agrees to limit the liability of the Service Provider for any and all claims, losses, costs, damages of any nature whatsoever or claims for expenses from any cause or causes, so that the total aggregate liability of the Service Provider shall not exceed the amount of the collectible insurance. Such claims and causes include, but are not limited to negligence, professional error or omissions, strict liability, and breach of contract warranty.

## ARTICLE V - DEFAULT AND TERMINATION

5.1 Default by Service Provider: If Service Provider shall fail to comply with any of the material covenants, terms, conditions or limitations of this Service Contract ("Default"), then the City may give written Notice of Default (the "Default Notice"), specifying the nature of the Default and making demand that same be cured. Service Provider shall have thirty (30) days after its receipt of the written Default Notice to cure the Default; provided that if said Default cannot reasonably be cured within thirty (30) days, Service Provider may commence to cure within said 30-day period, and the time for curing the Default shall thereupon be extended for a mutually agreed term. If Service Provider fails to cure the Default within the time permitted by the foregoing sentence, the City shall have the right to terminate this Service Contract. Upon termination of this Service Contract due to Default of the Service Provider, the City shall utilize the established Operations and Maintenance Fund to correct deficiencies and select a new Service Provider.



5.2 Default by the City: If the City shall fail to comply with any of the material covenants, terms, conditions or limitations of this Service Contract, then Service Provider may give a written Default Notice, specifying the nature of the Default and making demand that same be cured. The City shall have thirty (30) days after its receipt of the written Default Notice to cure the Default; provided that if said Default cannot reasonably be cured within thirty (30) days, the City may commence to cure within said 30-day period, and the time for curing the Default shall thereupon be extended for a mutually agreed term. If the City fails to cure the Default within the time permitted by the foregoing sentence, Service Provider shall have the right to terminate this Service Contract and exercise such other legal or equitable remedies as shall be available to it.

## ARTICLE VI - MISCELLANEOUS

6.1 Governing Law and Legal Construction: This Service Contract shall be construed and interpreted in accordance with the laws of the State of Alabama, without regard to any conflicts of laws principles. The descriptive headings of the several Articles, Sections, Subsections and Paragraphs contained in this Service Contract are inserted for convenience only, and shall not control or affect the meaning or construction of any of the provisions hereof Where required for proper interpretation, words in the singular shall include the plural; and the masculine gender shall include the neuter and the feminine and vice versa.

6.2 Survival of Representations and Warranties: All representations, warranties, covenants and agreements made by the parties in or pursuant to this Service Contract shall survive the execution of this Service Contract.

6.3 Amendments: This Service Contract may be amended by the parties in such manner and as may be agreed upon, only by a written instrument executed by both parties.

6.4 Severability: All the terms, provisions and conditions of this Service Contract shall be deemed to be severable in nature. If any term or provision hereof is finally adjudged to be unlawful, void or unenforceable by an arbitrator or court of competent jurisdiction, such part shall be deemed deleted, but such adjudication shall not affect the enforceability of any other part of this Service Contract, and all such other parts shall remain unaltered and shall continue in full force and effect.

6.5 Execution in Counterparts: This Contract may be executed in two or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

6.6 Assignments: This Service Contract may not be assigned by either party



without the prior written permission of the other party.

6.7 Entire Agreement: This Service Contract constitutes the entire understanding and agreement between the parties relating to the subject matter hereof, and supersedes any and all prior negotiations, understandings or agreements in regard thereto.

6.8 No Third Party Beneficiaries: There are no third-party beneficiaries to this Service Contract. No resident or citizen shall have standing to enforce the terms of this Service Contract, which shall be enforceable only by the Parties executing this Service Contract.

IN WITNESS WHEREOF, the parties hereto, acting through their duly authorized representatives, have executed this Service Contract on the dates appearing adjacent to their respective signatures.

("City")  
City of Uniontown, Alabama  
By: J. P. [Signature]  
Title: Mayor  
Date: 8-16-16

("Service Provider")  
EOS  
By: (b) (6)  
Title: Operations Manager  
Date: 8/16/16



## **ATTACHMENT A: SCOPE OF SERVICES**

### **INTENT OF CONTRACT**

We recognize that the contract language does not fully address all obligations and/or responsibilities of EOS or the City. As such, we herein provide further commentary on our intent and philosophy regarding the implementation of our operations and maintenance duties.

First, we intend to utilize local resources including existing water and wastewater maintenance staff and equipment. We will continue to use the current staff we have in place. We also intend to use the existing "operator of record" in his current role as a contract operator. We have included labor costs (including benefits, payroll taxes, insurance, etc.) to facilitate the labor force needs for a system of this size. A graphical depiction of the various duties and the party responsible for the costs of each duty is provided on the following page.

### **OPERATIONS AND MAINTENANCE FUND**

As currently being administered, we require an Operations and Maintenance Fund (Fund) be established for the expressed purpose of supporting the needs of the system. This fund will be used to pay laboratory costs, vendors, procure materials and products to be installed in the system, sewer collection system cleaning, and other system expenses not included within our costs and necessary to sustain a reliable and compliant system. The monies in this fund will remain an asset of the City; however, EOS shall have the authority to draw from this account to serve the needs of the system. The balance remaining at the expiration of the contract term would be returned to the City or continued to be used as described.

We propose that the Operating and Maintenance Fund be established with incoming revenues until a balance of \$50,000 is achieved. This account will be funded in the initial months of this contract by diverting a portion of the disbursement to the City to this account until the minimum balance is reached. We would propose that approximately half of the money available for disbursement would be transferred to the fund so that the City would still have some income from the water/wastewater revenues to conduct City business. Once the minimum balance is reached, the account will be replenished as needed and all excess revenue will be passed through to the City.

# Uniontown Water + Wastewater Scope of Services

<b>LABOR AND BENEFITS</b>				
Management Staff				
Office Staff				
Contract Operator				
Field Staff				
<b>INVENTORY AND EQUIPMENT</b>				
Inventory (Parts and Material)				
Trucks				
Dump Truck				
Backhoe				
Trencher				
Trailer				
Boring Machine				
Service Line				
Other Specialized Equipment				
<b>MISCELLANEOUS SUPPLIES</b>				
Software				
Computers				
Monthly software Fee				
Uniforms				
<b>MONTHLY EXPENSES</b>				
Office Rent				
Office Utilities				
System Utilities				
Phone/Internet				
Copyer & supplies				
EOS Insurance (As stipulated)				
Insurance on City's Assets (Infrastructure & Facilities)				
Fuel				
Vehicle/Equipment Maintenance (Service Provider Owned)				
Vehicle/Equipment Maintenance (City Owned)				
Chemicals				
Small Tools				
Billing and Collections				
Accounting and Bookkeeping				
Misc Supplies				
Lab Analysis - Water				
Lab Analysis - Sewer				
<b>REPAIRS &amp; MAINTENANCE</b>				
Routine Daily Maintenance				
Possible Cleaning of Sewer Collection System				
Equipment and Material Replacements in System				
Major Repair/Replacement or Capital Improvements				
<b>NOTES</b>				
<ol style="list-style-type: none"> <li>1. Principle and Manager will be assigned duties as necessary. These positions will not be solely dedicated to this project</li> <li>2. Required parts and materials which will be used in the system will be purchased and installed as necessary for reliable service. The operations and maintenance fund will be used for this purpose.</li> <li>3. City owned equipment will be available for our use to serve the repair and maintenance needs of the system. Upkeep of the City owned equipment will be paid out of the operations and maintenance fund.</li> <li>4. Any non-routine services or equipment rental will be paid out of the operations and maintenance fund at cost + 10%. Equipment purchased through the O &amp; M fund will remain the property of the City</li> <li>5. We have assumed that the existing system tracking software is adequate for our use. Therefore, we intend to utilize the City's software and have not included this in our costs.</li> <li>6. We have assumed that the City will provide an office for our use for the duration of the contract.</li> <li>7. The City agrees to solely responsible for maintaining all necessary insurance policies for the Systems, equipment, vehicles and properties under their ownership. Any related property taxes shall be paid directly by the City.</li> <li>8. Major repair/replacement or Capital Improvements can not be anticipated and may require additional funds. EOS will work with the City to identify a cost effective solution and may assist in arranging financing for the work. These costs will be paid from the O &amp; M fund or assumed by the City.</li> </ol>				

**From:** [Lutz, Daphne Y](#)  
**To:** [Bowen, Allen - RD, Montgomery, AL](#)  
**Subject:** Ed Morris - Sentell Engineering  
**Date:** Tuesday, May 1, 2018 4:12:46 PM  
**Attachments:** [Ed Morris.vcf](#)

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Daphne Y. Lutz, P.E.  
Industrial / Municipal Branch, Chief  
Water Division  
Alabama Department of Environmental Management  
[dlutz@adem.alabama.gov](mailto:dlutz@adem.alabama.gov) (Please Note New Email Address)  
(334) 270-5602



*Did you know you can submit your DMRs and SSOs online using our newly enhanced E2 DMR/SSO Reporting System? To sign up and learn more, please visit the Department's E2 Reporting System webpage [here](#).*

**005140**

**From:** [Taylor, John - RD, Montgomery, AL](mailto:Taylor, John - RD, Montgomery, AL)  
**To:** (b) (6) @gmail.com  
**Cc:** [Gordon, Nivory - RD, Camden, AL](mailto:Gordon, Nivory - RD, Camden, AL)  
**Subject:** Environmental Certification  
**Date:** Thursday, September 20, 2018 5:47:15 PM  
**Attachments:** [Applicant NPA Certification.pdf](#)  
[USDA Rural Development Programs Nationwide Programmatic Agreement.pdf](#)

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Mr. Hunter:

Our National Office reviewers of our Environmental Assessment noted that aboriginal tribes had not been contacted for Cultural Resources consultation (Section 106). Fortunately we have a new National Programmatic Agreement that allows us to obligate funds prior to completing Section 106. When Nivory Gordon brings you the Letter of Conditions, he will also be asking you to sign the attached certification that you understand the city's responsibilities under the NPA. I'm going to go over it in this email so you will know what you're being asked to sign.

- Number 1 is pretty self-explanatory. We will be doing this on your behalf.
- Number 2 says you will provide the organizations with paper or electronic documentation as they wish. We will also be doing this on your behalf.
- Number 3 says that we may deobligate the funding if Section 106 is not concluded. See the attached copy of the NPA Stipulation II on page 5.
- Number 4 says you understand your responsibilities under the NPA. You should read Stipulation III.L starting on page 8.
- Number 5 says you are aware we have template letters. Again, we will be using these on your behalf.

Let me know if you have questions.

John E. Taylor, P.E.  
Alabama State Engineer & SEC  
USDA Rural Development  
4121 Carmichael Rd. STE 601  
Montgomery, AL 36106  
334-279-3475

**005141**





## NPA Applicant Awareness Certification

**Project Name:** Sanitary Sewer Collection and Treatment Facility Rehabilitation

**Borrower Name:** City of Uniontown, Alabama

**Program:** Water and Environmental Program

**Fiscal Year:** 2018

**Calendar Year:** 2018

1. As the applicant I understand that to use the NPA I must “initiate Section 106 no later than ninety (90) business days after the announcement of my obligation if I have not done so already; and to notify the appropriate RD agency that Section 106 has been initiated in accordance with 36 CFR Part 800.2(c)(4), and 7 CFR Part 1970.5(b)(2) of the regulations, “Environmental Policies and Procedures” (7 CFR Part 1970)”, per Stipulation I.C of the NPA.
2. As the applicant I understand that to use the NPA I need to “to submit Section 508 of the Rehabilitation Act of 1973 (29 U.S.C. § 794 (d)), as amended in 1998 (508 compliant) hard copy or electronic Section 106 documentation to SHPOs, THPOs, Indian tribes, and NHOs based on the preference of the receiving party”, per Stipulation I.D of the NPA.
3. As the applicant I certify that I have been made aware of Stipulation II (Deobligation of Funding) of the NPA.
4. As the applicant I certify that I have been made aware of my responsibilities under Stipulation III.L (Roles and Responsibilities) of the NPA.
5. As the applicant I certify that I have been made aware of the RD template letters and guide available to help me through the Section 106 process.

**Name/Title:**

**Signature:**

**Date:**

**NATIONWIDE PROGRAMMATIC AGREEMENT AMONG THE U.S.  
DEPARTMENT OF AGRICULTURE RURAL DEVELOPMENT  
PROGRAMS, NATIONAL CONFERENCE OF STATE HISTORIC  
PRESERVATION OFFICERS, AND THE ADVISORY COUNCIL ON  
HISTORIC PRESERVATION FOR SEQUENCING SECTION 106**

**WHEREAS**, the United States Department of Agriculture's (USDA) Rural Development (RD) programs offer low interest loans, grants, and loan guarantees to support essential services such as housing, economic development, health care, first responder services and equipment, and water, electric, and telecommunications infrastructure; and promote economic development by supporting loans to businesses through banks, credit unions, and community-managed lending pools; and

**WHEREAS**, RD has a loan portfolio of more than \$220 billion to bring enhanced economic opportunity to the Nation's rural communities; and

**WHEREAS**, RD is authorized under the Rural Electrification Act of 1936, as amended; the Consolidated Farm and Rural Development Act of 1961, as amended; the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act of 2000; the Agriculture Risk Protection Act of 2000, as amended; the Farm Security and Rural Investment Act of 2002, as amended; the Food, Conservation, and Energy Act of 2008; the Agricultural Act of 2014; the Food Security Act of 1985; the Housing Act of 1949, as amended; and 7 U.S.C. §§ 2008u, 8103, 8104, 8105, and 8107 to carry out 59 programs and services in support of its borrower or applicant's (applicant) activities, by providing financial assistance in rural America that provides much-needed infrastructure or infrastructure improvements to rural communities, in the areas of business-cooperative services, housing, water and waste treatment, electric power, and telecommunications services; and

**WHEREAS**, RD is divided into the Rural Utilities Service, Rural Business-Cooperative Service, and Rural Housing Service with unique missions to bring prosperity and opportunity to rural areas; and

**WHEREAS**, the USDA Rural Utilities Service (RUS) administers programs that provide much-needed infrastructure or infrastructure improvements to rural communities. These programs include water and waste treatment through the Water and Environmental Programs (WEP), electric power (Electric) and telecommunications (Telecom) services. All of these services play a critical role in helping to expand economic opportunities and improve the quality of life for rural residents; and

**WHEREAS**, the USDA Rural Business–Cooperative Service (RBS) offers programs to support business development and job training opportunities for rural residents. RBS programs help provide capital, technical support, educational opportunities, and entrepreneurial skills that can help rural residents start and grow businesses or access jobs in agricultural markets and in the bio–based economy. RBS programs connect rural residents to the global economy by: supporting business growth and development; facilitating sustainable renewable energy development; developing regional food systems; generating and retaining jobs through recreation and natural resource restoration, conservation, and management; and increasing access to broadband. These investments support the nation’s long–term prosperity by ensuring that rural communities are self–sustaining, repopulating, and thriving economically; and

**WHEREAS**, the USDA Rural Housing Service (RHS) offers a variety of programs to build or improve housing and essential community facilities in rural areas. RHS offers loans, grants, and loan guarantees for facilities such as single– and multi–family housing, child care centers, fire and police stations, hospitals, libraries, nursing homes, schools, first responder vehicles and equipment, and housing for farm laborers. RHS provides technical assistance loans and grants in partnership with non–profit organizations, Indian tribes, state and federal government agencies, and local communities; and <sup>1</sup>

**WHEREAS**, RD has determined that projects receiving financial assistance under RD programs are undertakings subject to review under Section 106 of the National Historic Preservation Act (NHPA), 54 U.S.C. § 300101 et seq., and its implementing regulations (36 CFR Part 800); and

**WHEREAS**, due to the distinct nature of RD’s three (3) main agencies RUS, RHS, and RBS, and those RD agencies and programs with similar mission areas that may be amended or added in the future, the appendices have been divided by each agency for undertakings, programs, and services that do not have the potential to cause effects on historic properties, based upon consultation with the signatories of this agreement, assuming such historic properties were present. These appendices will address program efficiencies, tribal engagement, public outreach, and the conclusion of the Section 106 four step process; and

**WHEREAS**, the appendices are separated as follows: RUS (Appendix A); RBS (Appendix B); RHS (Appendix C); and

**WHEREAS**, each appendix will be completed in consultation with the appropriate RD Federal Preservation Officer (FPO), Advisory Council on Historic Preservation (ACHP), National

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<sup>1</sup> Rural Development may hold title to foreclosed properties but reserves the right, in consultation with the Secretary and the Advisory Council on Historic Preservation, to determine the extent of federal ownership and control for the reasonable application of 36 CFR 800.5(a)(2)(vii).

Conference of State Historic Preservation Officers (NCSHPO), Indian tribes and Native Hawaiian organizations as appropriate, and other consulting parties, to make an amendment to the executed Nationwide Programmatic Agreement (NPA). This consultation for the appendices will occur subsequently following the execution of the NPA. Until these appendices are approved as an amendment to the NPA, the activities and programs that they address will follow the four step Section 106 process as set forth in 36 CFR Part 800, or as outlined in existing state agreements; and

**WHEREAS**, the resulting consultations on the appendices will only cover the information in a given appendix; and

**WHEREAS**, each appendix will be developed and completed by 2020; and

**WHEREAS**, the nature of RD funding means that costs for environmental reviews such as for the National Environmental Policy Act (NEPA) and NHPA, are incurred by RD applicants and passed to their customers in utility/usage costs, and are limited to the allocation of the overall project budget; and

**WHEREAS**, RD defines “obligation” as the approval of financial assistance and each RD program has the authority to de-obligate funding prior to or after award or construction if certain conditions are not met in the RD program’s legally binding agreement documents; and

**WHEREAS**, the schedule for RD projects may span one to five years or longer, and can be composed of multiple projects that are rarely staked or precisely located, and the nature of the undertaking is often unclear, prior to the obligation of funds; and

**WHEREAS**, RD applicants often do not have the financial wherewithal to fund Section 106 reviews, or the analysis of alternatives, without some level of confidence that RD’s low interest funding or grants will be available to assist them; and

**WHEREAS**, RD applicants are legally bound to apply project funding as stipulated by the conditions of the loan or grant; and

**WHEREAS**, the current sequencing of the Section 106 process necessitates that RD execute a NPA pursuant to 36 CFR 800.14(b), to obligate funds for borrower assurance prior to the completion of the Section 106 process and to tailor the process to better align with the timing of obligation and completion of the program’s Section 106 review, which does not typically synchronize with the normal four step Section 106 process as set forth in 36 CFR Parts 800.3 through 800.7; and

**WHEREAS**, RD has delegated authority to their applicants pursuant to 36 CFR § 800.2(c)(4) and 7 CFR § 1970.5(b)(2) of the regulations, “Environmental Policies and Procedures” (7 CFR

Part 1970), to comply with the 4 step Section 106 process and advocates for the direct interaction between its borrowers and the State Historic Preservation Officer (SHPO) and Tribal Historic Preservation Officer (THPO), and Indian tribes, including federally recognized Indian tribes, Native Hawaiian organizations, and Alaska Native Corporations (Indian tribe) to support and encourage the consideration of impacts to historic properties early in project planning; and

**WHEREAS**, Indian tribe means an Indian tribe, band, nation, or other organized group or community, including a native village, regional corporation, or village corporation, as those terms are defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602), which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians; and

**WHEREAS**, Native Hawaiian organization (NHO) means any organization which serves and represents the interests of Native Hawaiians; has as a primary and stated purpose in the provision of services to Native Hawaiians; and has demonstrated expertise in aspects of historic preservation that are significant to Native Hawaiians; and

**WHEREAS**, this delegation does not include tribal consultation where the tribe specifically asks for government-to-government consultation with RD; and

**WHEREAS**, Industry, NCSHPO, THPOs, Indian tribes, NHOs, and other stakeholders are invited to be consulting parties, and sign the NPA as an Invited signatory or Concurring party, as appropriate; and <sup>2</sup>

**WHEREAS**, the public outreach process has been coordinated through information on RD program/agency websites and to RD applicant's communities via their newsletters, and other outlets etc.; and

**WHEREAS**, RD uses and coordinates the National Environmental Policy Act public participation requirements under 7 CFR Part 1970.14(b) to assist the agency in satisfying the public involvement requirements under Section 106 of the NHPA pursuant to 36 CFR Part 800.2(d)(3); and

**NOW, THEREFORE**, RD, NCSHPO, the ACHP, and others agree that RD will comply with the provisions of this NPA in order to take into account the effects of these undertakings on historic properties and afford the ACHP an opportunity to comment.

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<sup>2</sup> Industry means Telecommunications, Electric, Water, Housing and Business applicants and the groups that represent them.

## STIPULATIONS

RD, in coordination with its applicants, will ensure that the following stipulations are carried out by someone who meets Secretary of the Interior's (SOI) Professional Qualification Standards (62 FR 33707, June 20, 1997) where appropriate:

### I. Conditions of Obligation

RD may approve financial assistance (obligate) for undertakings as defined in 36 CFR 800.16(y) covered by this NPA and its appendices prior to completion of Section 106 review so long as RD agrees to:

- A. Condition obligations in RD program's legally binding agreement documents, to ensure that no federal funds for construction are released prior to completion of Section 106 review.
- B. Retain the ability to de-obligate RD funding and withdraw RD awards for an undertaking until completion of the Section 106 review.
- C. Require applicants to initiate Section 106 no later than ninety (90) business days after the announcement of their obligation if they have not done so already; and to notify the appropriate RD agency that Section 106 has been initiated in accordance with 36 CFR Part 800.2(c)(4), and 7 CFR Part 1970.5(b)(2) of the regulations, "Environmental Policies and Procedures" (7 CFR Part 1970).
- D. Require applicants to submit Section 508 of the Rehabilitation Act of 1973 (29 U.S.C. § 794 (d)), as amended in 1998 (508 compliant) hard copy or electronic Section 106 documentation to SHPOs, THPOs, Indian tribes, and NHOs based on the preference of the receiving party.
- E. Encourage RD applicants to initiate consultation early in the planning process when the greatest number of options are available to avoid historic properties.
- F. Ensure applicants comply with the anticipatory demolition requirements, as set forth in Section 110(k) of NHPA as failure to comply may lead to the de-obligation of RD funds.

### II. Deobligation of Funding

- A. It is imperative that applicants who intend to receive funding from RD do not engage in activities that could be interpreted to be in violation of Section 110(k) of the NHPA. Violation of Section 110(k) applies to any applicant who, with the intent to avoid the requirements of Section 106, has intentionally, significantly adversely affected a historic property to which the grant or loan would relate, or having the legal power to prevent it, allowed such significant adverse effects to occur.

- B. Violation of Section 110k includes anticipatory demolition. Anticipatory demolition occurs when an applicant intentionally destroys a historic property in order to avoid compliance with Section 106 of NHPA. Section 110(k) of the NHPA that was adopted in 1992 to discourage anticipatory demolition by prohibiting Federal agencies from providing grants, loans, permits, or other assistance to any applicant who intentionally destroys a historic property in order to avoid compliance with Section 106 of NHPA, unless the agency consulted with the Council to determine whether such assistance was nevertheless justified. If the applicant is in violation of Section 110(k) of the NHPA, their RD funding may be revoked and the applicant may be unable to receive RD funds to reimburse them for project activities that were done upfront.

### **III. Roles and Responsibilities**

- A. The SHPO shall follow those roles and responsibilities established through the NHPA and 36 CFR Part 800.2. The SHPO shall work with RD applicants who contact them through RD's delegation of authority pursuant to 36 CFR § 800.2(c)(4) and 7 CFR § 1970.5(b)(2) of the regulations, "Environmental Policies and Procedures" (7 CFR Part 1970) (Appendix D). The applicant should refer to RD's applicant guidance as well as the respective SHPO guidance regarding submissions to consulting parties.
- B. THPOs, Indian tribes, and NHOs shall follow those roles and responsibilities established through the NHPA and 36 CFR Part 800.2. The THPO, Indian tribes, and NHOs are encouraged to coordinate with RD applicants who contact them through our delegation of authority pursuant to 36 CFR § 800.2(c)(4) and 7 CFR § 1970.5(b)(2) of the regulations, "Environmental Policies and Procedures" (7 CFR Part 1970) to engage tribes and NHOs early in the planning process and so that THPOs, Indian tribes, and NHOs shall be engaged in the Section 106 process in the same manner that SHPOs are engaged. The delegation of authority set out in RD's Environmental Policies and Procedures 7 CFR § 1970.5(b)(2) allows RD applicants to coordinate, not consult, with THPOs and does not include tribal consultation where the tribe specifically asks for government-to-government consultation with RD.
1. RD recognizes that THPOs, Indian tribes, and NHOs have consultative roles in the Section 106 process pursuant to 36 CFR 800.2(c)(2).
  2. RD acknowledges that THPOs, Indian tribes, and NHOs may prefer to work with the identified RD agency contact person(s) rather than RD applicants.

- C. The ACHP shall provide technical guidance, participate in dispute resolution, and monitor the effectiveness of this agreement, as appropriate, pursuant to the NHPA, 54 U.S.C. § 300101 et seq. and 36 CFR 800.2(b).
- D. RD Loan Technicians and Specialists generally work with RD applicants in the RUS–WEP, RBS, and RHS programs to do loan originating, processing, and servicing. They may also assist the applicant in their outreach.
- E. RD State Engineers, are responsible for controlling program costs, managing risks, assisting applicants and borrowers to develop and maintain technical capabilities and project sustainability, and ensuring regulatory requirements like modesty in size, cost, and design are met where required.<sup>3</sup>
- F. RD State Architects, review projects for architectural design logic, harmony and integration of all building design and construction elements, compliance with regulations, building construction codes, handicap accessibility and standards applicable to the specific building type, program/scope of project and location /site. Project reviews include a review of all phases of the project from conception to completion.
- G. RD State Environmental Coordinators (SECs) are responsible for the state environmental review processes for RUS–WEP, RBS, and RHS. The SEC may often also be the State Engineer or Architect. The environmental review includes Section 106 consultation with the SHPO and engagement with THPOs, Indian tribes, NHOs and other consulting parties as appropriate.
- H. RD General Field Representatives (GFRs) provide information and support relating to the programs to a broad range of existing and potential borrowers in assigned areas within the RUS Electric and Telecom programs on a regional level.
- I. The Engineering and Environmental Staff (EES) are responsible for reviewing all RUS–Electric and RUS Telecom program projects and RUS WEP projects that meet certain internal criteria. The EES staff includes the RUS FPO, Archaeologists, and Environmental Protection Specialists, and Scientists.
- J. The Program Support Staff (PSS) completes environmental reviews and provides expert management and technical consulting services to continuously improve the effectiveness of RD business functions which create prosperity and self–sustainability for all rural Americans. The FPOs for both RHS and RBS work within PSS.

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<sup>3</sup> The titles of the RD staff and their duties are subject to change.



- K. As National Office staff, which includes the agencies FPOs and other staff that also meets the Secretary of the Interior's (SOI) Professional Qualification Standards for Archaeology and Historic Preservation is responsible for overseeing their respective programs administration at the regional, state, and local level. In accordance with 36 CFR 800, RD recognizes they are responsible for conducting government-to-government consultation for their programs. The responsibility of government-to-government consultation may not be delegated to any other staff, nor carried out on behalf of RD by an applicant, or another federal agency. This does not preclude an applicant from early coordination with Indian tribes if they agree to participate in such discussions. Further, in accordance with 36 CFR 800.2(c)(2)(ii)(E), a tribal nation can enter into a two party agreement with RD to establish tribal consultation protocols with their nation.
- L. The applicant is the party submitting an application for financial assistance from RD. The applicant shall provide technical historic property information to RD for use in Section 106 findings and determinations, after appropriate consultations with the SHPO, engagement with Indian tribes and NHOs, and discussions with the landowner. RD will provide the applicant with Section 106 template documents and guidance to ensure they know what Section 106 information should be submitted to consulting parties.
1. Applicants may use professional cultural resources contractors or consultants who meet the SOI Professional Qualification Standards to prepare Section 106 information, analyses, and recommendations and contact and submit information on their behalf per the delegation of authority pursuant to 36 CFR § 800.2(c)(3) and (4) and 7 CFR § 1970.5(b)(2).
  2. RD applicants must involve the FPO for the RD program which they are applying when:
    - i. The project crosses Federal land so RD can coordinate with that agency.
    - ii. The project crosses tribal lands so RD can coordinate with the THPO or Cultural Resources staff.
    - iii. The SHPO and RD agree there will be adverse effects to historic properties or a program alternative needs to be created.
    - iv. The SHPO, THPO, Indian tribe, and/or NHO disagrees with a recommended effect finding or determination of eligibility.
    - v. A THPO or Indian tribe requests government-to-government consultation.

- vi. An inadvertent discovery is made.

#### **IV. Professional Qualifications and Documentation Standards**

- A. RD shall ensure that identification, evaluation, treatment, assessment and resolution of adverse effects are carried out by persons meeting the SOI Professional Qualification Standards in the appropriate discipline.
- B. Indian tribes and NHOs have special expertise in identifying historic properties that may possess religious and cultural significance to them (36 CFR § 800.4(c)(1)), and the National Register of Historic Places (NRHP) considers the information obtained from a tribe or NHO's recognized expert to be a valid line of evidence in considering determinations of significance and eligibility. Therefore, the requirements for SOI Professional Qualification Standards may be waived or amended in recognition of this special expertise.
- C. Submissions from applicants must identify the RD agency and contact. Submissions should follow the project description and APE guidelines provided in RD National Office guidance.

#### **V. Lead Federal Agency**

- A. For any undertaking, as defined in 36 CFR 800.19(y), that has multiple Federal agencies excluding land managing agencies, RD is the designated lead federal agency for compliance with the requirements of Section 106 pursuant to 36 CFR 800.2(a)(2) and the ACHP's [\*Frequently Asked Questions About Lead Federal Agencies in Section 106 Review\*](#). RD staff shall follow the terms of this NPA.
- B. In cases where RD agency is not the lead agency, but is funding the project in whole or in part, RD funds may be obligated under the terms of this NPA prior to the completion of the Section 106 review and consistent with Stipulation I on state and private lands.

#### **VI. Use of the NPA by Other Federal Agencies**

- A. For any undertaking where a federal agency other than RD is considering funding, permitting, licensing or approving a portion of a project funded in whole or in part by RD, that agency may use the terms of this NPA to obligate funds or grant a permit, license, or other approval prior to the completion of Section 106 review when the agency has the authority to de-obligate or retract the permit, license, or approval through regulation or a letter of conditions.

- B. If a federal agency determines it is appropriate for the terms of this NPA to apply to their actions, they will notify the RD, FPOs, SHPOs, THPOs, Indian tribes, NHOs, and the ACHP.
- C. If the federal agency decides to use only portions of the NPA rather than the document in its entirety, the federal agency will consult with RD, the respective SHPO, THPOs, Indian tribes, and the ACHP to develop an MOA or PA. The federal agency will circulate the MOA or PA for signature as an amendment to the NPA as appropriate in accordance with Stipulation XIV.

## **VII. Consultation on Federal Lands**

- A. The terms of this NPA do not apply to undertakings which will be located or constructed on federally managed lands, including national parks, wildlife refuges, forests, conservation areas, monuments, wildernesses, historic sites, memorials, military parks, battlefields, battlefield sites, recreation sites, wild and scenic rivers, seashores, lakeshores, and trails.
- B. Federal Land managing agencies who act as the lead federal agency, other than RD, may use the full terms of this NPA to obligate funds before Section 106 is complete for an RD funded undertaking if the agency has the authority to de-obligate or retract funding either through regulation or a letter of conditions.
- C. If a federal land managing agency, determines it is appropriate for the terms of this NPA to apply to actions on their managed lands, they will notify the RD, FPOs, SHPOs, THPOs, Indian tribes, NHOs, and the ACHP in writing that they agree to adhere to the terms of the NPA.

## **VIII. Consultation on Tribal Lands**

- A. The terms of this NPA do not apply to undertakings that will be located or constructed on tribal lands as defined pursuant to 36 CFR § 800.16(x).
- B. If an Indian tribe, determines it is appropriate for the terms of this NPA to apply to actions on those lands, the THPO or official representative of the tribe will notify the RD FPOs and the ACHP.
- C. If the Indian tribe, chooses, they may sign a two party agreement which uses as a basis, this NPA and RD will submit it to the ACHP for their records. This allows the agreement to be tailored to tribal protocols 36 CFR § 800.2(c)(ii)(E).
  - 1. If the tribe has no THPO designated pursuant to 101(d)(2) of NHPA, the SHPO office located in the state of their tribal office, may execute the agreement on

behalf of the tribe pursuant to 36 CFR 800.2(c)(2)(b), and RD will submit it to the ACHP.

2. Indian tribes and THPOS as appropriate will participate in inadvertent discovery situations.

## **IX. Emergency and Disaster Management Procedures (Response to Emergencies)**

RD agencies will follow the procedures set forth in 36 CFR 800.12 and 7 CFR 1970.18 in responding to emergencies.

- A. RD agencies shall follow established state, tribal, county, and/or local procedures related to emergency and disaster management.
- B. RD agencies shall coordinate with other federal agencies to assist in the Unified Federal Review (UFR) process when applicable for emergencies and disaster management activities.
- C. RD shall adhere to these provisions when carrying out emergency activities under supplemental appropriations provided to RD agencies under The Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act).
- D. Expedited review for emergency undertakings
  1. Determining need for expedited review
    - i. Pursuant to 36 CFR § 800.12(d), RD may conduct expedited review of emergency undertakings within thirty (30) days from the beginning of the incident period.
    - ii. Should RD determine that it is necessary to extend the expedited review period for emergency undertaking beyond the initial thirty (30) days, RD shall, in thirty (30)-day increments, as needed, notify in writing the applicant, SHPO and ACHP.
  2. Conducting expedited reviews:
    - i. If the emergency undertaking is an immediate rescue and salvage operation conducted in response to an event to preserve life and property, RD has no Section 106 consultation responsibilities in accordance with 36 CFR § 800.12(d); or

- ii. If the emergency undertaking meets one or more of the exemptions in Appendices A–C of this Agreement, RD shall consider the Section 106 review process complete.
- iii. If RD determines that the undertaking would adversely affect a historic property during this expedited review period:
  1. To the extent practicable RD shall propose treatment or mitigation measures that would address adverse effects to historic properties during implementation, and request the comments of the SHPO and appropriate THPOs, Indian tribes, and NHOs within three (3) business days of receipt of this information unless RD determines the nature of the emergency warrants a shorter time period.
  2. RD may provide this information through written requests, telephone conversations, meetings, or electronic media. In all cases, RD shall clarify that an “expedited review” is being requested for the undertaking.
  3. RD shall take into account any timely comments provided by the SHPO, appropriate THPOs, Indian tribes, and NHOs in making a decision on how to proceed.
  4. Should the SHPO and appropriate THPOs, Indian tribes, and NHOs not comment within three (3) business days, RD shall complete Section 106 for the undertaking based on the available information.
  5. RD shall notify the SHPO and appropriate THPOs, Indian tribes, or NHOs of the final decision, indicating how any comments received were considered in reaching that decision.

## **X. Training**

- A. RD shall require its staff who have active roles in the Section 106 review process to take Section 106 training through the National Office, ACHP webinars and other on-site training, e-learning, or other reputable sources.
- B. RD shall provide training and guidance to each program to develop their appendices and use the NPA.

- C. RD shall continue to provide guidance and training to new and continuing staff regarding RD environmental review processes and working with SHPO, Indian tribe, and NHO staffs.
- D. RD shall prepare a training on the release of funds under the terms of the NPA.
- E. RD may invite the SHPOs, Indian tribes, NHOs or staff to participate in presentations at agency classrooms or field trainings.
- F. RD shall encourage all personnel conducting or overseeing cultural resources work to take additional specialized training provided by the SHPO, Indian tribes, NHOs, the ACHP, National Park Service, or other agencies, as feasible and relevant.
- G. RD shall work on a training that collects and presents case studies and best management practices.

## **XI. Dispute Resolution**

Should any signatory or concurring party to this NPA object at any time to any actions proposed or the manner in which the terms of this NPA or how Section 106 review is implemented for undertakings covered under this NPA, RD shall consult with such party to resolve the objection. If RD determines that such objection cannot be resolved, RD will:

- A. Forward all relevant documentation of the dispute, including RD's proposed resolution, within 30 business days to the ACHP. The ACHP shall provide RD with its advice on the resolution of the objection within 30 business days of receiving adequate documentation. Prior to reaching a final decision on the dispute, RD shall prepare a written response within 30 business days that takes into account any timely advice or comments regarding the dispute from the ACHP. Signatories, invited signatories, and concurring parties will be provided a copy of the written response from RD. RD may then proceed with the undertaking in accordance with their final decision.
- B. If the ACHP does not provide its advice regarding the dispute within the 30 business days, RD may make a final decision on the dispute and proceed accordingly. Prior to reaching such a final decision, RD shall prepare a written response that takes into account any timely comments regarding the dispute from the signatories, invited signatories, and concurring parties to the NPA. A copy of the written response will be provided to all consulting parties and the ACHP.
- C. RD's responsibilities to carry out all other actions subject to the terms of this NPA that are not the subject of the dispute remain unchanged.

## **XII. Duration of Programmatic Agreement**

This NPA will be in effect for 10 years from the date of execution, and can be extended an additional 10 years by amending the NPA in accordance with Stipulation XI, if signatories agree in writing.

## **XIII. Reporting and Monitoring**

- A. RD will submit an annual report to the signatories, National Association of Tribal historic Preservation Officers (NATHPO) and the National Trust, which summarizes the number of projects reviewed under this NPA by state within that calendar year, a summary of metrics and public-private partnerships and effect determinations; disputes; two party agreements and interagency work; number of cases where funds will be deobligated; the number of projects that fell under each of the Appendices A, B, and C; as well as the number of activities that resulted in adverse effects to historic properties. The annual report also will indicate whether any agreements regarding the applicability of this NPA on tribal lands have been developed in the past calendar year, and which THPOs and Indian tribe(s) is a signatory. Annual reports will be submitted January 15<sup>th</sup> of each year, commencing in 2019.
- B. RD will schedule a meeting to discuss the yearly report if any signatory requests one.

## **XIV. Amendment**

- A. This NPA may be amended if agreed to in writing by all signatories within 30 business days or other agreed upon time period. The amendment will be effective on the date the document is signed by all of the signatories, including RD, NCSHPO, THPOs, Indian tribes, or NHOs as appropriate, and the ACHP.
- B. Amendments to add the appendices will not reopen consultation on the main body of the PA.
- C. Consultation to amend the NPA to add the appendices may begin without requiring the written notification of all of the signatories. RD should notify the ACHP, however.

## **XV. Termination.**

- A. If within 30 business days, or other time period agreed upon by the signatories, an amendment cannot be agreed upon, any signatory or the ACHP may terminate the agreement upon written notification to the other signatories. Once the NPA is terminated, RD must either 1) execute another NPA pursuant to 36 CFR 800.14(b); 2) proceed in accordance with any applicable alternative process under 36 CFR 800.14 or 3) proceed in accordance with 36 CFR 800.3 through 800.7 on a project by project basis and cannot use

the efficiencies outlined in this PA. RD shall notify the other signatories, NCSHPO, NATHPO, and consulting parties as to the course of action they will pursue.

- B. If the NPA is terminated after the completion of the appendices, the terms of the appendices may be converted to be used as a statewide protocol if agreed to in writing by the respective SHPO and RD. RD will be responsible for notifying all consulting parties.
- C. If this NPA is terminated, or expires without being extended via the amendment process described above, and prior to continuing work on any undertaking, RD shall comply with the requirements of 36 CFR Part 800 for all individual undertakings covered by the NPA.

Execution of this NPA and implementation of its terms is evidence that RD has taken into account the effects of RD federally-funded or assisted undertakings on historic properties and afforded the ACHP an opportunity to comment on them.

Signatory Pages follow.



**SIGNATORY PAGE**

**NATIONWIDE PROGRAMMATIC AGREEMENT AMONG THE U.S. DEPARTMENT  
OF AGRICULTURE RURAL DEVELOPMENT PROGRAMS, NATIONAL  
CONFERENCE OF STATE HISTORIC PRESERVATION OFFICERS, AND THE  
ADVISORY COUNCIL ON HISTORIC PRESERVATION FOR SEQUENCING  
SECTION 106**

**Signatory**

UNITED STATE DEPARTMENT OF AGRICULTURE –RURAL UTILITIES SERVICE

Signature: *Kellie M. Kubena* Date: 7/2/18  
Kellie M. Kubena  
Director, Engineering and Environmental Staff, RUS

**SIGNATORY PAGE**

**NATIONWIDE PROGRAMMATIC AGREEMENT AMONG THE U.S. DEPARTMENT  
OF AGRICULTURE RURAL DEVELOPMENT PROGRAMS, NATIONAL  
CONFERENCE OF STATE HISTORIC PRESERVATION OFFICERS, AND THE  
ADVISORY COUNCIL ON HISTORIC PRESERVATION FOR SEQUENCING  
SECTION 106**

**Signatory**

UNITED STATE DEPARTMENT OF AGRICULTURE – RURAL BUSINESS-  
COOPERATIVE SERVICE AND RURAL HOUSING SERVICE

Signature: EDWARD DUVAL Digitally signed by EDWARD DUVAL  
Date: 2018.07.02 14:48:49 -04'00'  
Edward G. Duval  
Director, Program Support Staff, RBS and RHS

Date: \_\_\_\_\_

SIGNATORY PAGE

NATIONWIDE PROGRAMMATIC AGREEMENT AMONG THE U.S. DEPARTMENT  
OF AGRICULTURE RURAL DEVELOPMENT PROGRAMS, NATIONAL  
CONFERENCE OF STATE HISTORIC PRESERVATION OFFICERS, AND THE  
ADVISORY COUNCIL ON HISTORIC PRESERVATION FOR SEQUENCING  
SECTION 106

Signatory

NATIONAL CONFERENCE OF STATE HISTORIC PRESERVATION OFFICERS

Signature: mark wolfe Date: 7/2/18  
Mark Wolfe  
President, NCSHPO

SIGNATORY PAGE

NATIONWIDE PROGRAMMATIC AGREEMENT AMONG THE U.S. DEPARTMENT  
OF AGRICULTURE RURAL DEVELOPMENT PROGRAMS, NATIONAL  
CONFERENCE OF STATE HISTORIC PRESERVATION OFFICERS, AND THE  
ADVISORY COUNCIL ON HISTORIC PRESERVATION FOR SEQUENCING  
SECTION 106

Signatory

ADVISORY COUNCIL ON HISTORIC PRESERVATION

Signature: John M. Fowler Date: 7/3/18  
John M. Fowler  
Executive Director, ACHP

## APPENDIX A: RURAL UTILITIES SERVICE (RUS) PROGRAM EFFICIENCIES

The NPA and this appendix cover the following RUS programs and those that may be amended or added in the future.

### **Rural Utilities Service – Telecommunications Programs**

- [Community Connect Grants](#)
- [Distance Learning & Telemedicine Grants](#)
- [Farm Bill Broadband Loans & Loan Guarantees](#)
- [Telecommunications Infrastructure Loans & Guarantees](#)

### **Rural Utilities Service – Electric Programs**

- [Denali Commission High Energy Cost Grants](#)
- [Distributed Generation Energy Project Financing](#)
  - [Electric Infrastructure Loan & Loan Guarantee Program \(FFB\)](#)
  - [Energy Efficiency & Conservation Loans](#)
  - [High Energy Cost Grants](#)
  - [Rural Energy Savings Program](#)
  - [State Bulk Fuel Revolving Loan Fund](#)
  - [Energy Resource Conservation](#)

### **Rural Utilities Service – Water & Environmental Programs**

- [Circuit Rider Program](#)
- [Emergency Community Water Assistance Grants](#)
- [Grants for Rural and Native Alaskan Villages](#)
- [Household Water Well System Grants](#)
- [Individual Water & Wastewater Grants](#)
- [SEARCH – Special Evaluation Assistance for Rural Communities and Households](#)
- [Solid Waste Management Grants](#)
- [Water & Waste Disposal Grants to Alleviate Health Risks on Tribal Lands and Colonias](#)
- [Water & Waste Disposal Loans & Grants](#)
- [Water & Waste Disposal Loan Guarantees](#)
- [Water & Waste Disposal Predevelopment Planning Grants](#)
- [Water & Waste Disposal Revolving Loan Funds](#)
- [Water & Waste Disposal Technical Assistance & Training Grants](#)

## APPENDIX B: RURAL BUSINESS–COOPERATIVE SERVICE (RBS) PROGRAMS EFFICIENCIES

The NPA and this appendix cover the following RBS programs and those that may be amended or added in the future.

### **Rural Business–Cooperatives Service**

- [Business & Industry Loan Guarantees](#)
- [Intermediary Relending Program](#)
- [Rural Business Development Grants](#)
- [Rural Business Investment Program](#)
- [Rural Economic Development Loan & Grant Program](#)
- [Rural Microentrepreneur Assistance Program](#)
- [Socially–Disadvantaged Groups Grants](#)
- [Value Added Producer Grants](#)
- [Delta Health Care Services Grants](#)
- [Rural Cooperative Development Grants](#)
- [Advanced Biofuel Payment Program](#)
- [Repowering Assistance Program](#)
- [Biorefinery, Renewable Chemical, and Biobased Product Manufacturing Assistance Program](#)
- [Rural Energy for America Program \(REAP\) Energy Audits & Renewable Energy Development Grants](#)
- [Rural Energy for America Program \(REAP\) Renewable Energy & Energy Efficiency Loans & Grants](#)
- [Strategic Economic and Community Development](#)

## APPENDIX C: RURAL HOUSING SERVICE (RHS) PROGRAMS EFFICIENCIES

The NPA and this appendix cover the following RBS programs and those that may be amended or added in the future.

### **Rural Housing Service – Community Facilities**

- [Community Facilities Direct Loans & Grants](#)
- [Community Facilities Loan Guarantees](#)
- [Community Facilities Relending Program](#)
- [Community Facilities Technical Assistance and Training Grant](#)
- [Economic Impact Initiative Grants](#)
- [Rural Community Development Initiative Grants](#)
- [Tribal College Initiative Grants](#)

### **Rural Housing Service – Multi-Family Housing**

- [Farm Labor Direct Loans & Grants](#)
- [Housing Preservation & Revitalization Demonstration Loans & Grants](#)
- [Housing Preservation Grants](#)
- [Multi-Family Housing Direct Loans](#)
- [Multi-Family Housing Loan Guarantees](#)
- [Multi-Family Housing Rental Assistance](#)
- [Rural Housing Site Loans](#)

### **Rural Housing Service – Single-Family Housing**

- [Mutual Self-Help Housing Technical Assistance Grants](#)
- [Single Family Housing Direct Home Loans](#)
- [Single Family Housing Home Loan Guarantees](#)
- [Single Family Housing Repair Loans & Grants](#)

## APPENDIX D: 7 CFR 1970

### RD 1970 Environmental Policies and Procedures

- 1970-A Environmental Policies
- 1970-B NEPA Categorical Exclusions
- 1970-C NEPA Environmental Assessments
- 1970-D NEPA Environmental Impact Statements
- 1970-E Guidance for Conducting Environmental Justice and Socioeconomic Analyses
- 1970-F Floodplain Management
- 1970-G Wetland Protection
- 1970-H Historic and Cultural Resources
- 1970-I Intergovernmental Review
- 1970-J Environmental Risk Management
- 1970-L Land Use and Formally Classified Land
- 1970-N Biological Resources
- 1970-O Miscellaneous Resources



**From:** [Bowen, Allen - RD, Montgomery, AL](#)  
**To:** ["Beeker, Chris - RD, Montgomery, AL \(Chris.Beeker@al.usda.gov\)"](#)  
**Subject:** FONSI Uniontown  
**Date:** Tuesday, October 23, 2018 2:48:00 PM  
**Attachments:** Uniontown FONSI 181011 2nd ad.pdf

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Here you go!

*Allen Bowen*

Allen Bowen  
United States Department of Agriculture  
Rural Development  
Community and Business Programs Director  
Office: 334-279-3617  
Cell: 334-322-4147  
Fax: 855-304-8457

**005166**

# FINDING OF NO SIGNIFICANT IMPACT

Sanitary Sewer Collection and Treatment Facility Rehabilitation  
Perry County, Alabama

Rural Development  
U.S. Department of Agriculture

City of Uniontown

Prepared by:  
John Taylor, Staff  
USDA Rural Development

October 2018

**005167**

## A. INTRODUCTION

City of Uniontown plans to submit a financing request to the U.S. Department of Agriculture, Rural Development (RD) to construct the proposed Sanitary Sewer Collection and Treatment Facility Rehabilitation (Project) in Perry County, Alabama. RD is considering this financing request. Prior to taking a federal action (i.e., providing financial assistance), RD is required to complete an environmental impact analysis in accordance with the National Environmental Policy Act of 1969 (NEPA) (U.S.C. 4231 et seq.), the Council on Environmental Quality's (CEQ) regulations for implementing NEPA (40 CFR Parts 1500-1508), and RD's NEPA implementing regulations, Environmental Policies and Procedures (7 CFR Part 1970). After completing an independent analysis of an environmental report prepared by City of Uniontown and its consultant, RD concurred with its scope and content. In accordance with 7 CFR § 1970.102, RD adopted the report and issued it as the Agency's Environmental Assessment (EA) for the proposed Project. RD finds that the EA is consistent with federal regulations and meets the standards for an adequate assessment. City of Uniontown published a newspaper notice, announcing the availability of the EA for public review, in accordance with 7 CFR § 1970.102. In addition, RD considers the proposed Project an undertaking subject to review under Section 106 of the National Historic Preservation Act (NHPA), 16 USC 470(f), and its implementing regulation, "Protection of Historic Properties" (36 CFR Part 800).

## B. PROJECT DESCRIPTION AND PURPOSE/NEED

The need for this project is based on the current state of the wastewater collection system, which is in dire need of repair due to the excess inflow of wastewater into the lagoon that cannot be adequately treated and discharged into the sprayfield. The purpose of the proposed project is to get the existing wastewater collection system functional and help to eliminate the impermissible discharges through the following proposed phases: CCTV monitoring, flow monitoring, collection system rehabilitation (including cured-in-place pipe (CIPP), pipe replacement, and manhole lining and replacement), flow monitoring after collection system rehabilitation, and development of infrastructure to support the use of the treatment facility in Demopolis to treat wastewater from Uniontown. The overall purpose of the Project is to rehabilitate the city's wastewater collection system and construct facilities for ultimate treatment and discharge of the effluent. RD has reviewed the purpose and need for the Project and determined that the proposal will meet the present and future needs of City of Uniontown.

## C. ALTERNATIVES EVALUATED

1. No Action – Under the No Action Alternative, RD would not provide financial assistance to City of Uniontown, and/or the proposed Project would not be constructed. This alternative would not assist City of Uniontown in decreasing inflow and infiltration and eliminating unpermitted discharges into Cottonwood Creek and Freeman Creek.
2. Action Alternative (Preferred Alternative) – Under the Action Alternative, RD would consider financing the proposed Project, and City of Uniontown would construct the Project. The proposed project would rehabilitate the city's wastewater collection system to eliminate Inflow and Infiltration (I&I) to the extent practicable, gather data regarding the wastewater from industrial users, and design and construct facilities to achieve treatment and discharge of the effluent in compliance with foreseeable regulatory requirements as per 1780.1(g) "Water and waste facilities will be designed, installed, and operated in accordance with applicable laws which include but are not limited to the Safe Drinking Water Act, Clean Water Act and the

Resource Conservation and Recovery Act". The process will involve the development and negotiation of State Indirect Discharge (SID) permit limits for industrial users to ensure the aggregated untreated wastewater is within the design parameters of the treatment system. Currently, based on assumptions that the remedy of I&I and working with the industrial dischargers will result in adequate flow and pollutant reductions, the course of action planned is to construct screening facilities, pump stations, and a force main to transport the wastewater to the City of Demopolis for treatment at their wastewater treatment plant. The existing treatment lagoons and effluent spray field would be decommissioned and reclaimed. When the existing WWTP and spray field permits are no longer in force, they will be regulated by ADEM as unpermitted landfills. Remediation will be as required by ADEM Administrative Code Chapter 335-13-1-.13.

The ultimate course of action will be determined following the I&I study and the various phases of project implementation. After employing each strategy/process stage, we will evaluate whether the preferred alternative remains the most effective approach to ensure system functionality and compliance.

The Agency will evaluate the results of data obtained from the I&I study, observed wet weather flows after collection system rehabilitation, the capability of the Demopolis Wastewater Treatment Plant to treat the sewage, and the estimated cost to construct and operate the facility. If the Agency determines to modify the scope of the project outside that anticipated in the Environmental Assessment, the Agency would supplement the Environmental Assessment to evaluate the impacts of the modified scope of the project and inform the public.

- 3 Other Alternatives Considered – In addition to the No Action Alternative and Action Alternative, the City of Uniontown considered two types of tertiary biological/physical treatment plants that would be built on the site of the current spray field. A treatment plant located at this site would discharge into Freeman Creek. The treated effluent would have to meet the standards for Fish and Wildlife as defined at ADEM Administrative Code Chapter 335-6-10-.9(5). This alternative was deemed technically feasible and would have a lower cost of construction than the Action Alternative. However, the high operating cost was prohibitive for the City of Uniontown.

#### D. SUMMARY OF ENVIRONMENTAL EFFECTS

The analyses in the EA documented that the proposed Project would have no adverse effects to Land Use, Floodplains, Wetlands, Water Resources, Coastal Resources, Biological Resources, Cultural Resources, Aesthetics, Air Quality, Socio-Economic Impact/Environmental Justice, Noise, Transportation, and Human Health and Safety.

#### E. PUBLIC AND AGENCY INVOLVEMENT

The City of Uniontown published a newspaper notice, announcing the availability of the EA for public review, in accordance with 7 CFR § 1970.102. In addition, RD considers the proposed Project an undertaking subject to review under Section 106 of the National Historic Preservation Act (NHPA), 16 USC 470(f), and its implementing regulation, "Protection of Historic Properties" (36 CFR Part 800). Pursuant to 36 CFR 800.8, and 36 CFR 800.2(d)(3) and in order to coordinate RD's responsibilities for public participation under NHPA with those of NEPA, the published newspaper notice also satisfies RD's responsibilities for public involvement under the NHPA. The notice was published on September 13, 14

and 15, 2018, in Selma Times Journal of Dallas County, Alabama. A copy of the EA was available for public review at the RD Area office at 321 Depot Street, Camden, Alabama. The 14-day comment period ended on September 26, 2018.

RD received one letter from Black Warrior Riverkeeper (BWR), a non-profit organization. Comments in the letter expressed concern over engineering capacity of systems in Uniontown and Demopolis, the role of industrial discharges, and the affordability of rates for Uniontown residents following the upgrades to the wastewater collection system. The comments did not challenge conclusions made in the EA about impacts to environmental resources. The BWR letter mentioned environmental justice regarding residents' ability to pay to connect to the sewer and the higher rates that might result from a loan from RD. Under the preferred alternative, Uniontown residential rates are not anticipated to increase significantly. In the letter's conclusion, BWR requested "...that USDA allow stakeholders ... a seat at the table to ensure all pertinent information is meaningfully considered." In RD's response, major points of the letter were addressed including that the connection or repair of service lines would be at no cost to homeowners and that no loan was contemplated for the project as proposed. RD also agreed to allow ongoing stakeholder involvement in the project planning stages. Additionally, RD has ensured that an impartial onsite inspector from the Alabama Rural Water Association will assist in the project.

The known stakeholder organizations are: The City of Uniontown (and their engineer(s)), RD, BWR, and Black Belt Citizens Fighting for Health & Justice. Details of future stakeholder meetings have not been negotiated at the time of publication of this FONSI. RD anticipates many meetings to share information and ideas at mutually agreed upon milestones.

Additionally, a petition of 41 names was hand delivered to the Camden, Alabama RD office. The statement at the top of the petition said the undersigned are not satisfied with the EA, feel there will be severe environmental impacts associated with the project and requested an Environmental Impact Statement be prepared without the particular consulting engineer hired by the city. The petition did not identify deficiencies in the EA nor offer more details on the severe environmental impacts anticipated by the petitioners. The petition did not bear a return address or point-of-contact for the petition, so RD was unable to respond directly to the petition.

#### F. FINDING OF NO SIGNIFICANT IMPACT

Based on its EA, RD has concluded that the proposed Project would have no significant effects to Land Use, Floodplains, Wetlands, Water Resources, Coastal Resources, Aesthetics, Air Quality, Noise, Transportation, and Human Health and Safety. The proposed Project will utilize the Nationwide Programmatic Agreement Among the U.S. Department of Agriculture Rural Development Programs, National Conference of State Historic Preservation Officers and The Advisory Council on Historic Preservation for Sequencing Section 106 (NPA) to achieve compliance with the National Historic Preservation Act and formally determine effects on historic properties listed or eligible for listing on the National Register of Historic Places. The proposed Project will have no effects to federally listed species or designated critical habitat. The proposed Project would not disproportionately affect minority or low-income populations.

In accordance with the National Environmental Policy Act, as amended (42 U.S.C. 4321 et seq.), the Council on Environmental Quality Regulations (40 CFR 1500–1508), and USDA Rural Development's Environmental Policies and Procedures (7 CFR Part 1970), RD has determined that the environmental

impacts of the proposed Project have been adequately addressed and that no significant impacts to the quality of the human environment would result from construction and operation of the proposed Project. Any final action by RD related to the proposed Project will be subject to, and contingent upon, compliance with all relevant federal and state environmental laws and regulations. Because RD's action will not result in significant impacts to the quality of the human environment, RD will not prepare an Environmental Impact Statement for its potential federal action associated with the proposed Project.

#### G. RD LOAN REVIEW AND RIGHT OF ADMINISTRATIVE REVIEW

This FONSI is not a decision on a loan application and therefore not an approval of the expenditure of federal funds. Issuance of the FONSI and its notices concludes RD's environmental review process. The ultimate decision on loan approval depends upon conclusion of this environmental review process in addition to financial and engineering reviews. Issuance of the FONSI and publication of notices will allow for these reviews to proceed. The decision to provide financial assistance also is subject to the availability of loan funds for the designated purpose in RD's budget. There are no provisions to appeal this decision (i.e., issuance of a FONSI). Legal challenges to the FONSI may be filed in Federal District Court under the Administrative Procedures Act.

#### H. APPROVAL

This Finding of No Significant Impact is effective upon signature.

Dated: October 11, 2018



ALLEN BOWEN  
Director of Community and Business Programs  
Water and Waste Program  
Rural Utility Service

Contact Person

For additional information on this FONSI and EA, please contact John Taylor at 334-279-3475.

**From:** [Bowen, Allen - RD, Montgomery, AL](#)  
**To:** [Primrose, Edna - RD, Washington, DC](#)  
**Subject:** FW: 12672\_AL0063657\_105\_02-20-2018\_ENGR\_MFC\_53-CV2012-900021.pdf  
**Date:** Wednesday, May 2, 2018 12:37:00 AM  
**Attachments:** [12672\\_AL0063657\\_105\\_02-20-2018\\_ENGR\\_MFC\\_53-CV2012-900021.pdf](#)

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*Allen Bowen*

Allen Bowen  
United States Department of Agriculture  
Rural Development  
Community and Business Programs Director  
Office: 334-279-3617  
Cell: 334-322-4147  
Fax: 855-304-8457

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**From:** Lutz, Daphne Y [mailto:DLutz@adem.alabama.gov]  
**Sent:** Tuesday, May 1, 2018 3:07 PM  
**To:** Bowen, Allen - RD, Montgomery, AL <Allen.Bowen@al.usda.gov>  
**Subject:** 12672\_AL0063657\_105\_02-20-2018\_ENGR\_MFC\_53-CV2012-900021.pdf

**005172**

**THE CITY OF UNIONTOWN, PERRY COUNTY, ALABAMA**

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**ENGINEERING REPORT**

**February 12, 2018**





Report For

**THE CITY OF UNIONTOWN, PERRY COUNTY, ALABAMA**

**ENGINEERING REPORT**

February 12, 2018

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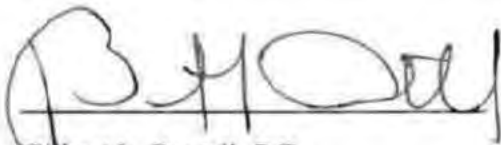
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### Engineer's Certification

I hereby certify that the engineering portions of this report were prepared by me or someone under my direct supervision using good engineering practices and that the findings contained herein are, to the best of my knowledge, true, accurate, and correct. Furthermore, I certify that I am a duly registered Professional Engineer in the state of Alabama as witnessed by my hand and seal below.



Gilbert L. Sentell, P.E.

Alabama Reg. No. 10503

Date: 02/20/18

## 1. EXISTING SYSTEM

The City of Uniontown ("Uniontown") is located approximately 20 miles south of the City of Greensboro in southwestern Perry County, Alabama. According to the U.S. Census Bureau data from the 2010 Census, Uniontown's population is 1612. Of these approximately 1000 residences are connected to Uniontown's sewer system.

To treat municipal sewage from the City, Uniontown operates a Waste Water Treatment Facility ("WWTF"). The system is a lagoon consisting of three cells that discharge to a spray field located 4.6 miles south of the WWTF. The lagoon's surface area is 13.56 acres. The lagoon's capacity is around 20 million gallons. There are two main feeder lines entering the headworks where the large solids are removed. Baffles have been added to the lagoons to promote the greatest retention time for treatment. There are six aerators in the first two cells. The flow enters the first cell at the east end of the cell and exits the west end of the cell. The flow then enters the second cell at the east end and exits the cell at the west end. The flow then enters the third cell also referred to as the polishing cell at the east end and exits at the south east end to be pumped to the spray field.

The city owned collection system consist of approximately 21 miles of main sanitary sewer lines and manholes. The lines are primarily 8 inches in diameter and made from Terracotta clay. There are approximately 300 manholes that are primarily made from bricks.

## 2. COURT ORDER ISSUES

On November 20, 2015 a court order filed on addressing Consent Order of August 12, 2008 for Uniontown from the Alabama Department of Environmental Management ("ADEM") addressing compliance issues with discharges from the lagoon. The lagoon operates under a NPDES permit issued by ADEM and discharges into a spray field.

The order primarily focuses on parametric compliance for three basic pollutants of interest and unpermitted discharge of waste water into Cottonwood Creek located next to the WWTF and unpermitted discharges into Freetown Creek at the spray field.

Uniontown, at the request of the court, is herewith making comments on specific items of interest contained within the order. These comments are made in a good- faith effort by Uniontown to resolve the compliance issues and continue with an on-going plan to correct the waste water treatment system.

## 3. BACKGROUND

Uniontown has a long history of compliance failures. Multiple system failures contributed the current status. The collection system has deteriorated over the years with only repairs when there was a noticeable problem such as a back up to a residence, an overflow of a manhole, or a washed out area from a collapsed pipe. This was a largely common practice throughout the country. Unfortunately the collection system has a multitude of these failures that have not been externally seen. Until fairly recently the technology to videoing sewer lines were not available and/or affordable. The only indication that the collection system had major problems was the excessive flow to the lagoon.

The first two lagoons were full of sludge which did not allow for much treatment. The spray field was designed for 500,000 gallons per day and has been receiving as much as the pumps could deliver during rain events. This process oversaturated the spray field to the point that the only treatment from the spray field was transpiration and evaporation. Transpiration was not very efficient because a lot of the plants drowned. The quality of the effluent was extremely poor.

The 2013 project installed headworks with an automatic screen and flow meter. The first two lagoons were de-sludged and deepened from five feet to ten feet and eight feet respectively. The flow was redirected from a parallel

system to a series system. Baffle curtains were added to all three lagoons for maximum retention time. Fine bubble aeration was added to the first two lagoons. The pumps to the spray field were replaced. U.V. disinfection was added prior to discharge. Approximately 40 percent of the collection system was investigated with smoke testing and video recordings. The most grievous structural problems found were repaired to the extent funds would allow. City wide water meters were replaced with new radio read meters.

This project improved greatly the quality of effluent discharged to the spray field. The collection system repairs only marginally improved the amount of flow to the lagoon. The flow into the lagoon can range from .250 MGD to 4.40 MGD. Flow into the lagoon is greater than the pumps and the force main can deliver to the spray field during heavy rains. This causes the lagoon to fill to overflowing and spills into Cottonwood Creek. This also causes flooding of the headworks and U.V. structure. The flooding short circuits the automatic screen, flow meter, and U. V. system. The force main from the lagoon to the spray field breaks frequently. The spray field is saturated to the extent that effluent continuously flows into Freetown Creek.

The following are the current permit limits for the spray field:

**TABLE #1 Existing Spray Field NPDES Limits**

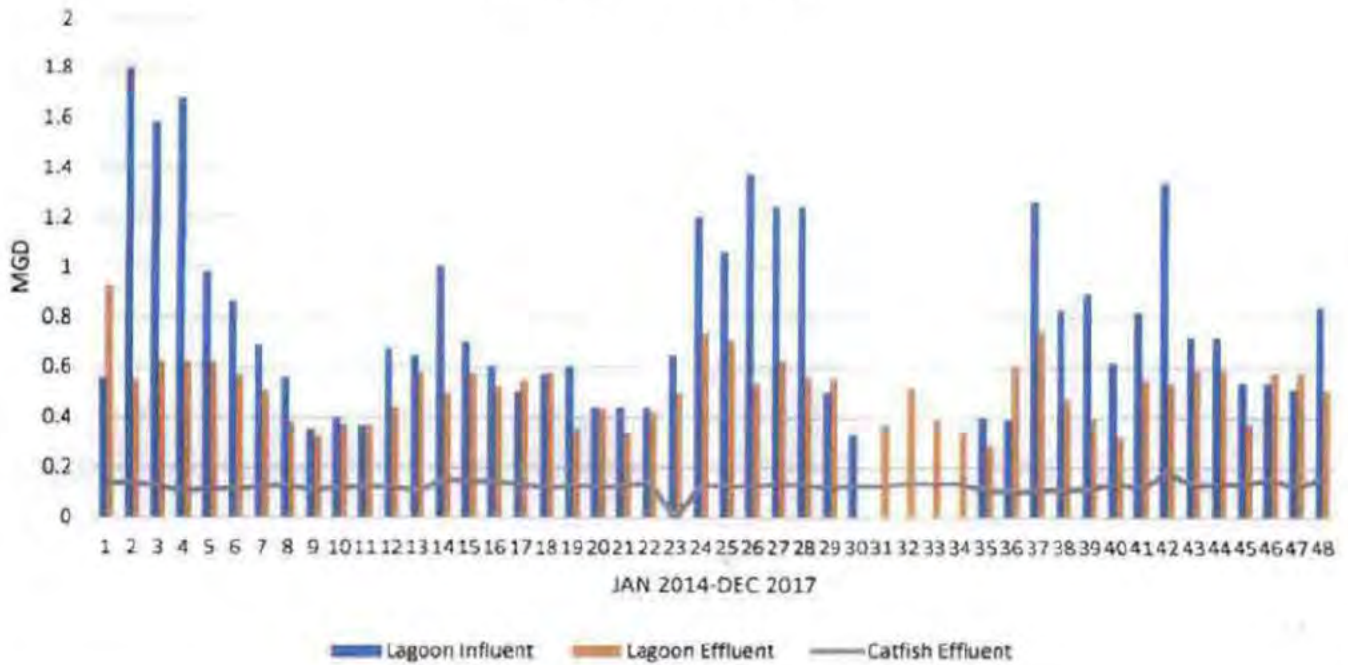
PARAMETER	Quantity/ Loading		Quality /Concentration			
	Monthly Average	Weekly Average	Monthly Average	Weekly Average	Daily Minimum	Daily Maximum
BOD, 5-DAY (20 Deg. C) Effluent	Report lbs/day	Report lbs/day	45.0 mg/l	67.5 mg/l		
BOD, 5-DAY (20 Deg. C) Influent	Report lbs/day	Report lbs/day	Report mg/l	Report mg/l		
PH - Effluent					6.0 S.U.	9.0 S.U.
Solids. Total Suspended Raw Influent	Report lbs/day	Report lbs/day	Report mg/L	Report mg/L		
Solids. Total Suspended Effluent	Report lbs/day	Report lbs/day	90.0 mg/L	135.0 mg/L		
Nitrogen, Total (AS N) Effluent	Report lbs/day	Report lbs/day	Report mg/l	Report mg/l		
Nitrogen, Ammonia (AS N) Effluent	Report lbs/day	Report lbs/day	Report mg/l	Report mg/l		
Nitrogen, Nitrate Total (AS N) Effluent	Report lbs/day	Report lbs/day	Report mg/l	Report mg/l		
Nitrogen, Kjeldahl Total (AS N) Effluent	Report lbs/day	Report lbs/day	20.0 mg/L	30.0 mg/L		
Phosphorus, Total (AS N) Effluent	Report lbs/day	Report lbs/day	Report mg/l	Report mg/l		
Flow, in conduit Raw Influent	Report MGD					Report MGD
Flow, in conduit Effluent	Report MGD					Report MGD
Coliform, Fecal General Effluent			2000 col/100mL			4000 col/100mL

### 3.1 HYDRAULIC LOADING

It is known that the existing system receives a large volume of inflow from Uniontown's collection system. Portions of the system were recently upgraded; however, the problems still exist. The collection system will increase from .350mgd to 2.0mgd with a 1 inch rain event. It usually takes two to three days of no rain to recede back to the average flow.

The previous graphs were taken from the effluent flow data logs. The waste water operator had noticed that the flow meter was inaccurate and had calculated flow from the pump run times. The following data is taken from the DMR's. The data does not take into account the additional overflows at the lagoon. The effluent data from Alabama Catfish was adjusted by 55% according to measured data previously not available.

## MONTHLY FLOW AVERAGES



### 3.2 COLLECTION SYSTEM

The collection system has 110,265 known linear feet of piping. There are 9056 linear feet of force main piping in the system. The following is a chart of the known existing gravity sewer.

EXISTING LINEAR FEET OF GRAVITY SEWER				
	TOTAL ( FT)	PVC (FT)	CLAY (FT)	CIPP (FT)
6" PIPE	5,238	416	4,822	0
8" PIPE	75,473	8,721	63,756	2,996
10" PIPE	6,006	0	2,838	3,168
12" PIPE	2,982	0	1,133	1,849
18" PIPE	11,510	3,561	7,949	0
<b>TOTAL</b>	<b>101,209</b>	<b>12,698</b>	<b>80,498</b>	<b>8,013</b>

City of Uniontown has video documentation that provides a very good estimate to repair the collection system. There are still 21,868 known linear feet that has not been videoed. From reviewing the data that has been videoed it would not be prudent to average the repair cost and apply it to the remaining 21,868 linear feet. There are no discernable

patterns that govern the failures of the clay pipes in the system and they range from a cost of \$5,000 per hundred feet to \$20,000 per hundred feet. This disparaging difference in structural integrity occurs inconsistently and adjacent to one another but trends to have more structural defects than not.

The majority of manholes are made of brick and mortar. The manholes are a large source of the inflow due to the deterioration of the mortar between the bricks. The system is old and brittle and allows a large amount of water and debris through the collection system to the lagoon. During the last video project the 18 inch pipes show a lot of bricks and debris throughout the pipes that came from dilapidated manholes.

This excess flow and debris entering the lagoon is only one problematic issue in a sewer system. The other main problem is that if water and debris can get into the collection system, then sewage can get out of the collection system and go where the voids are that allow the water into the system. This allows sewage to pool in yards around cleanout plugs, manholes, and get into the storm water system depositing sewage along the ditches beside the roads and through residential neighborhoods. This type of sewage overflow is not readily recognized because it is diluted and does not usually come from manhole overflows but from breaks in pipes close to ditches and in yards from the houses to the main.

Uniontown spent approximately 1 million dollars in investigating, repairing, and replacing the worst areas identified in 2013. There were 8,013 linear feet of clay pipes repaired by a process called Cured In Place Pipe Lining (CIPP). In order to use this technology the existing pipe would need to be intact enough to maintain the original shape. Therefore, some of the pipes required point repairs prior to the CIPP process. The remaining repairs in the system were point repairs as well as complete replacement of the line segments between manholes. They also raised over 50 manholes to prevent inflow through the top of the manhole.

The previous project prioritized only major inflow problems such as collapsed pipes, holes in pipes, deformed pipes with cracks, and large root ball intrusions. The funding allotted for the collection system was not substantial enough to address all the major structural deficiencies. The project also did not address minor leaks between joints, multiple cracks in the pipes that did not currently have large leaks through them, and lateral entrances that are not sealed. These infractions also add up to a good bit of inflow and will become worse as time progresses.

The inflow data shows that the collection system can allow up to 209,523 gallons of water through each mile of sewer line per day due to the poor condition of the collection system. There is currently 21 miles of sewer lines in Uniontown. When it rains, the amount of influent entering the lagoons is greater than the pumps can send to the spray field. This creates sewage to build up in the lagoons, and back up into the collection system exacerbating the amount of flow forced out of the collection system and into ditches and low lying areas. The hydraulics of the lagoon cannot keep the amount of excess inflow in check and the lagoon will overflow the dykes during moderately large rain events. The lagoon will keep overflowing several days after the rain event has stopped. Basically the collection system is funneling a lot of the City's storm water into the lagoon.

#### 4. CONSENT ORDER RESPONSE ITEMS

The main issue the system faces is inflow and infiltration from the collection system. The amount of effluent that the city must treat to maintain its existence is economically devastating. It is also a foregone conclusion that the City cannot continue to discharge to the existing spray field. The spray field has continuously discharged unpermitted effluent into Freetown Creek throughout the year of 2017. The NPDES permit for Uniontown's spray field is operating on an administrative order and will not be renewed to be discharged over land. The requirement for Uniontown is to find a means of treatment and discharge that will meet and exceed the limits to be imposed upon the option selected. The following options have been evaluated for effectiveness, quality of treatment, environmental

impact, operation & maintenance cost, and capability of Uniontown to operate, maintain, and retain qualified personnel to manage the facility.

The following data are options that Uniontown has explored to correct the permit violations.

**Option # 1**

Build a Wetlands Facility and discharge to Freetown Creek. See Cost Estimate #1

**Option #2**

Upgrade the Lagoon with a Floating Wetland System and discharge to the Black Warrior River. See Cost Estimate #2

**Option #3**

Build a Mechanical Plant and discharge to Freetown Creek. See Cost Estimate #3

**Option #4**

Build a Mechanical Plant and discharge to the Black Warrior River. See Cost Estimate #4

**Option #5**

Build a Mechanical Plant and discharge to Cottonwood Creek. See Cost Estimate #5

**Potential Waste Load Allocation Summary for the Black Warrior River**

1.25 MGD Annual Effluent Limits

CBOD5 (25mg/L)

NH3-N (17mg/L)

Additional limitations not available until a discharge permit is requested.

**Potential Waste Load Allocation Summary for Cottonwood Creek**

1.25 MGD Annual Effluent Limits

CBOD5 (1.33 mg/L)

NH#-N (0.11mg/L)

Additional limitations not available until a discharge permit is requested.



TABLE #2

## Potential Waste Load Allocation Freetown Creek @ 1.25MGD

PARAMETER	Quantity/ Loading		Quality /Concentration			
	Monthly Average	Weekly Average	Monthly Average	Weekly Average	Daily Minimum	Daily Maximum
Dissolved Oxygen					7.0 mg/l	
PH - Effluent					6.0 S.U.	8.5 S.U.
Solids. Total Suspended Raw Influent	Report ppd	Report ppd	Report mg/l	Report mg/l		
Solids. Total Suspended Effluent	938 ppd	1407 ppd	90 mg/L	135 mg/L		
Ammonia as Nitrogen (summer)	10.4 ppd	15.6 ppd	1.0 mg/L	1.5 mg/L		
Ammonia as Nitrogen (winter)	19.8 ppd	29.7 ppd	1.9 mg/L	2.8 mg/L		
CBOD-5 (summer)	62.5 ppd	93.8 ppd	6.0 mg/L	9.0 mg/L		
CBOD-5 (winter)	93.8 ppd	140 ppd	9.0 mg/L	13.5 mg/L		
CBOD-5 (influent)	Report ppd	Report ppd	Report mg/L	Report mg/L		
Nitrate + Nitrite	Report ppd	Report ppd	Report mg/L	Report mg/L		
Nitrogen, Kjeldahl Total (AS N) Effluent	Report ppd	Report ppd	Report mg/L	Report mg/L		
Phosphorus, Total (AS N) Effluent	Report ppd	Report ppd	Report mg/L	Report mg/L		
TSS % Removal			65.0 % (MIN)			
CBOD-5 % Removal			85.0 % (MIN)			
Flow, Effluent			Report (MGD)			Report (MGD)
E-Coli (May-October)			126 col/100mL			298 col/100mL
E-Coli (November-April)			548 col/100mL			2507 col/100mL

Additional limitations not available until a discharge permit is requested.

## 4.1 OPTION #1

### Wetlands Facility Discharge to Freetown Creek

#### WETLANDS

This option will consistently meet and exceed the expected limits including those in Table II for Freetown Creek. The wetlands facility will consist of eleven cells with a surface area of 28.23 acres. The cells will have a general operating volume of 31.94 million gallons with a surge capacity of an additional 5.17 million gallons. The first cell will be aerated by mechanical aerators. The effluent will be disinfected by low maintenance U V with a non-effluent/bulb contact system. A backup generator will be added to keep the UV System operating if the power fails. A cascade system will be added to the wetlands for final aeration prior to discharge. The flow design will be 1.25 MGD monthly average. There will be a maintenance building for grounds equipment and a cover over the UV System. Dirt work for the maintenance building is part of the wetlands layout. The 8 inch force main to the existing spray field will be replaced with a 12 inch force main to the wetlands first cell.

#### EXISTING LAGOON

The third cell of the existing lagoons will be raised to make the berm equal on all sides. Gravel will be added to the roads around the lagoons for better maintenance of facility. The pumping station will be modified and larger pumps installed to prevent overflows to Cottonwood Creek. The force main between the lagoon and the wetlands will be increased from an eight inch pipe to a twelve inch pipe. Plumbing will be added to allow a one foot surge capacity in each lagoon. Plumbing will also be added to allow valve restricted bypass flow for each lagoon for emergency repairs. Treatment during these times will flow through two lagoons instead of three. Plumbing will also be added to the final lagoon for emergency overflow protection and discharge into Cottonwood Creek. The overflow protection will be placed at one foot below the top of the dyke and have a V notch for measuring the amount of flow. Any use of the bypass piping shall be detailed in the NPDES permit. A new automatic screen will be installed in the headworks. Changes in the plumbing and increased size of the force main will alleviate the flooding of the headworks. The flooded UV System will be removed from the lagoon and a different designed UV System will be installed at the wetland facility. A backup generator will be added to operate the pumping station if the power fails. The collection system will be rehabilitated to eliminate I&I to a like new status.

See: Engineer's Estimate of Probable Construction Cost (Option #1)

#### Pros:

1. Environmentally friendly, No chemicals or large increase in power consumption. Similar facility Town of Berry has a monthly \$2000.00 power bill for Pumping to the Facility, UV, and Aeration.
2. Low maintenance of facility, increase in man hours is 10hrs/week for mainly grounds keeping.
3. No change in the level of operator required.
4. Most economic capital outlay, operation, and maintenance cost of the options.
5. Utilization of existing 60 acre spray field property.
6. Ability to meet and exceed parametric limits with very little active effort.

#### Cons:

1. Need to be vigilant in keeping fences in good condition and keeping varmints out of facility.
2. Additional large surface area to keep mowed and dikes in good condition.
3. Will require new mowing equipment.

## 4.2 OPTION #2

### Upgrade Lagoon with Floating Wetlands-Discharge to Black Warrior River

This option will add a floating wetlands system to the third lagoon forcing all the effluent through the system prior to being pumped to the Black Warrior River. The wetland system will consist of sixty (7.5'X13'X4 Layer) wetland islands with fine bubble aeration, baffle curtains, and high floatation structures between the islands for ease of maintenance. This will require 20 miles of 14 inch force mains from the pumping station to the Black Warrior River. The mobilization and erosion control for this portion of the project will be greater due to the 20 miles of construction along state roads.

### EXISTING LAGOON

The third cell of the existing lagoons will be raised to make the berm equal on all sides. Gravel will be added to the roads around the lagoons for better maintenance of facility. Plumbing will be added to allow a one foot surge capacity in each lagoon. Plumbing will also be added to allow valve restricted bypass flow for each lagoon for emergency repairs. Treatment during these times will flow through two lagoons instead of three. Plumbing will also be added to the final lagoon for emergency overflow protection and discharge into Cottonwood Creek. The overflow protection will be placed at one foot below the top of the dyke and have a V notch for measuring the amount of flow. Any use of the bypass piping shall be detailed in the NPDES permit. A new automatic screen will be installed in the headworks. The new UV system will be installed prior to the pumping station. A new pumping station with three 100 HP pumps will be required to send the effluent to the Black Warrior River. Pumping station is itemized as #21 in Lagoon Upgrades cost estimate. A backup generator will be added to operate the pumping station, and other equipment if the power fails. There is not a control building required and therefore no dirt work required either.

The collection system will be rehabilitated to eliminate I&I to a like new status. The increase in man hours would require approximately two hours daily. The extra man hours are to inspect the force main for obvious breaks in the system. The other extra time is the needed to trim the wetland plants three to four times a year.

See: Engineer's Estimate of Probable Construction Cost (Option #2)

#### **Pros:**

1. Additional treatment required will be environmentally friendly and require minimal maintenance.
2. No change in the level of operator required.
3. Able to meet and exceed the parametric limits with minimal additional maintenance.

#### **Cons:**

1. Large capital investment for the pumping station and 20 miles of force main.
2. Increase in power cost to operate the pumps to propel the effluent 20 miles.
3. Acquire easements to the Black Warrior River to install the force main.
4. Large area to monitor for breaks in the line and possible large unpermitted discharge should a break occur.
5. Wetlands will need to be clipped three times a year and plant numbers maintained. Maintenance contract is approximately \$ 17,000/ Year for the wetland plants.

### 4.3 OPTION #3

#### **Mechanical Plant Discharge to Freetown Creek**

This option will be able to consistently meet and exceed the expected limits including the ones in Table #2. All requirements will not be known until an NPDES permit is obtained. This option would consist of building a mechanical plant at the existing spray field and discharge to Freetown Creek. This would require, providing three phase power to the spray field site, purchasing a system like Kubota (AO) process with two MBR trains in a layout of 72 feet by 55 feet, constructing concrete basins to contain the footprint of the plant, building a control process building at a minimum of 500 square feet, and replacing the 8 inch force main with a 12 inch force main 4.6 miles from the lagoon to the spray field site. A new UV System will be added prior to discharge into Freetown Creek. A backup generator will be added to operate the facility in case of power failures. A paved drive and parking lot will be required due to personnel being at the site continually. The paving estimate is covered under item #17 for the mechanical plant site.

#### **EXISTING LAGOON**

The third cell of the existing lagoons will be raised to make the dyke equal on all sides. The work on the dyke is covered in item #18 of the lagoon upgrade estimate. Gravel will be added to the roads around the lagoons for better maintenance of facility. The gravel is covered under item #15 in the lagoon upgrades estimate. The pumping station will be modified and larger pumps installed to prevent overflows to Cottonwood Creek. The pumping station is listed as Item # 7 of the Lagoon Upgrades cost estimate. Plumbing will be added to allow a one foot surge capacity in each lagoon. Plumbing will also be added to allow valve restricted bypass flow for each lagoon for emergency repairs. Treatment during these times will flow through two lagoons instead of three. Plumbing will also be added to the final lagoon for emergency overflow protection and discharge into Cottonwood Creek. The overflow protection will be placed at one foot below the top of the dyke and have a V notch for measuring the amount of flow. Any use of the bypass piping shall be detailed in the NPDES permit. The automatic screen will be replaced. The changes in the plumbing and increased size of the force main will elevate the flooding of the headworks. A backup generator will be added to operate the pumping station if the power fails. The collection system will be rehabilitated to eliminate I&I to a like new status.

Engineers of the South stated that a Grade III operator would be required to be on site 8 hours per day 5 days per week with a Grade II on site the other 2 days per week. Estimated additional cost for salaries, insurance, taxes, etc. would be about \$180,000 per year. This would not include increased lab cost, power, etc. Kubota estimates power consumption of 3391 kWh/d.

See: Engineer's Estimate of Probable Construction Cost (Option #3)

#### **Pros:**

1. Utilization of existing 60 acre spray field property for construction of mechanical plant.
2. Able to meet and exceed the parametric limits.

#### **Cons:**

1. Large capital investment for mechanical plant.
2. Large increase in maintenance and operational cost of plant.
3. Large increase in manpower and level of operator required.
4. Chemicals are required for operation.

5. Difficulty in obtaining and retaining skilled personnel required to operate the plant.
6. Sludge disposal.

#### **4.4 OPTION #4**

##### **Mechanical Plant Discharge to Black Warrior River**

This option will consistently meet and exceed the expected limits. A NPDES permit would be required prior to knowing all limitations. This option would consist of purchasing land adjacent to the existing lagoon and building a mechanical plant to discharge to the Black Warrior River and purchasing a system like Kubota (AO) process with two MBR trains in a layout of 72 feet by 55 feet. Land purchase is itemized in the administration portion of the estimate. It would also consist of constructing concrete basins to contain the footprint of the plant, building a process building at a minimum of 500 square feet, installing 20 miles of 14 inch force mains. This option would require a new pumping station with three 100hp pumps. The pump station cost is listed as item #1 of the lagoon upgrades estimate. The automatic screen will be replaced. The existing lagoon will only be used as a backup surge facility and will not need to be completely rehabilitated. A paved drive and parking lot will be required due to personnel being at the site continually. A large backup generator will be added to operate the plant if the power fails. The collection system will be rehabilitated to eliminate I&I to a like new status.

Engineers of the South stated that a Grade III operator would be required to be on site 8 hours per day 5 days per week with a Grade II on site the other 2 days per week. They estimated the additional cost for salaries, insurance, taxes, etc. would be about \$180,000 per year. This would not include increased lab cost, power, etc. Kubota estimates power consumption of 3391 kWh/d.

See: Engineer's Estimate of Probable Construction Cost (Option #4)

##### **Pros:**

1. Able to meet the parametric limits.
2. Able to use the lagoons for surge capabilities and sludge deposits.

##### **Cons:**

1. The largest capital, operation and maintenance expense of the four options.
2. Chemicals are required for operation.
3. Sludge disposal.
4. Acquire easements to the Black Warrior River to install the force main and purchase property at the existing lagoon site.
5. Large area to monitor for breaks in the line and possible large unpermitted discharge should a break occur.
6. Large increase in manpower and level of operator required.
7. Difficulty in obtaining and retaining skilled personnel required to operate the plant.

## 4.5 OPTION #5

### **Mechanical Plant Discharge to Cottonwood Creek**

This option can meet the expected limits at optimum conditions. This would consist of purchasing land adjacent to the existing lagoon and building a mechanical plant to discharge to the Cottonwood Creek and purchasing a system like Kubota (AO) process with two MBR trains and a tertiary filter in a layout of 72 feet by 55 feet. It would also consist of constructing concrete basins to contain the footprint of the plant, building a process building at a minimum of 500 square feet. Treatment will require Pre-chlorination, chlorination, and dechlorinating. There will not be a need for UV Disinfection. A paved drive and parking lot will be required due to personnel being at the site continually. The land purchase is itemized under the administration portion of the construction estimate.

The existing lagoon will need to be used as preliminary treatment. The third cell of the existing lagoons will be raised to make the berm equal on all sides. Gravel will be added to the roads around the lagoons for better maintenance of facility. Plumbing will be added to allow a one foot surge capacity in each lagoon. Plumbing will also be added to allow valve restricted bypass flow for each lagoon for emergency repairs. Treatment during these times will flow through two lagoons instead of three. Plumbing will also be added to the final lagoon for emergency overflow protection and discharge into Cottonwood Creek. The overflow protection will be placed at one foot below the top of the dyke and have a V notch for measuring the amount of flow. Any use of the bypass piping shall require ADEM notification. The automatic screen will be replaced. A large backup generator will be added to operate the plant if the power fails. Mobilization/Demobilization, and erosion control cost will include the work of the Lagoon Upgrades since they will be at the same site and be constructed simultaneously.

The collection system will be rehabilitated to eliminate I&I to a like new status. Engineers of the South stated that a Grade III operator would be required to be on site 8 hours per day 5 days per week with a Grade II on site the other 2 days per week. They estimated the additional cost for salaries, insurance, taxes, etc. would be about \$180,000 per year. This would not include increased lab cost, power, etc. Kubota estimates power consumption of 3391 kWh/d.

See: Engineer's Estimate of Probable Construction Cost (Option #5)

#### **Pros:**

1. Meet the basic parametric limits.

#### **Cons:**

1. The large capital, operation and maintenance expense.
2. Chemicals are required for operation.
3. Require additional land to be purchased.
4. Large increase in manpower and level of operator required.
5. Difficulty in obtaining and retaining skilled personnel required to operate the plant.
6. A very low probability in consistently meeting parametric limits. Mechanical Plant will have to be adjusted frequently and have a good laboratory on site to be able to achieve compliance.

**5. DESIGN DECISIONS:**

The design criteria for the waste load allocation flow was based on the McGraw-Hill series text book Environmental Engineering. The design started with the water sold to sewer customers. Let's assume that all of the water sold ends up in the sewer system. The expected amount of inflow from a collection system varies from 1,000- 30,000 gallons/mile depending on the age and material of the system. There is approximately 21 miles of the existing collection system.

The peak monthly average of water sold in Uniontown for 2015 was 686,211 gallons per day. Assuming the worst case of 30,000 gallons per mile multiplied by 21 miles equals 630,000 additional gallons per day. This would be a peak month of 1,316,211 gallons per day. The average flow design is 1,250,000 gallons per day. The system has a 50% safety factor built in to be able to treat 1,875,000 gallons per day.

EPA "Water Sense" partnership estimates that 30 to 60 percent of water use in the southern states is consumed for outdoor purposes. The City of Uniontown sold an average of 621,548 gallons of water per day in 2014 and 686,211 gallons of water per day in 2015. The peak purchase of water was for the month of May during 2015. The peak amount of water sold was 1,463,225 gallons/day. Using a conservative estimate of outdoor usage of 15 percent (219,483) the flow to the treatment facility would be 1,243,742 gallons per day. The average flow design for the facility is 1,250,000 gallons per day. Peak treatment capacity is 1,875,000 gallons per day.

*Expected flow from the system post rehabilitation is as follows.* Post rehabilitation I&I expectations is 5,000 gallons per mile. 21 miles of sewer lines allows 105,000 gallons per day I&I. New recorded data reveals that Alabama Catfish uses 55% of the water sold to them by the city and discharges 45% into the sewer system. Average monthly flow for Alabama Catfish is 149,850 gallons per day/ 5days a week = 107,036 gallons per day. Outdoor use of water purchased especially during the peak flow months is at least 30 percent of water purchased. The following table shows expected flow for the lagoon with percent of outdoor use from 15-60 percent.

EXPECTED AVERAGE DAILY FLOWS TO LAGOON POST REHABILITATION							
PERCENT OUTDOOR WATER USE	(A) AVERAGE MONTHLY WATER SOLD (GAL/DAY)	(B) AVERAGE MONTHLY WATER SOLD TO ALABAMA CATFISH (GAL/DAY)	(C) AVERAGE MONTHLY WATER SOLD TO THE REMAINDER OF THE CITY (GAL/DAY)	(D) AVERAGE MONTHLY OUTDOOR USE WATER TO REMAINDER OF CITY	(E) 5000 GAL/MILE INFLOW AND INFILTRATION (GAL/DAY)	(F) FLOW TO LAGOON FROM ALABAMA CATFISH (GAL/DAY)	TOTAL FLOW TO LAGOON = (C)-(D)+(E)+(F) (GAL/DAY)
15	686,211	301,000	385,211	-57,782	105,000	107,036	539,465
30	686,211	301,000	385,211	-115,563	105,000	107,036	481,684
45	686,211	301,000	385,211	-173,345	105,000	107,036	423,902
60	686,211	301,000	385,211	-231,127	105,000	107,036	366,120



**Surge Capacity Design** assumes a five inch day rain event.

**Surge Capacity**

Fish Plant Lagoon	5" Rain = 603,072 gallons collected	
Existing Uniontown Lagoons	5" Rain = 1,838,437 gallons collected	4,229,236 gallons capacity
Surge Pond at Wetlands	5" Rain = 1,016,583 gallons collected	5,170,729 gallons capacity
5,000 gallons per mile collection I&I	= <u>105,000</u> gallons	
	<b>Total</b> 2,960,026 gallons	<b>Total</b> 9,399,965 gallons capacity

Assume that the flow to the system reaches the capacity of the surge storage. There will still be room in both facilities (Uniontown Lagoon, and the Surge Pond) to store an additional five inches of water and still have two feet and seven inches of freeboard. This design will meet the flow requirements for a conservative estimation of expected flow.

Alabama Catfish did not have any method of monitoring the discharge to Uniontown. For design purposes we used the amount of water that they purchased from the city. Alabama Catfish now has an effluent meter. The average effluent flow from Alabama Catfish has a 55% reduction from the original assumption.

Alabama Catfish daily flow of 107,036 gallons per day, assuming 385,211 gallons per day from the residences with a 30 % decrease for outside consumption, and daily rainfall data from NOAA was used for the input in design of the wetlands.

The data used in calculations for the wetlands was gathered from national data published and data gathered on DMR's from Uniontown, and five other lagoons in the state with designs from .5 MGD to 1.6 MGD. Effluent BOD ranged from 5 mg/L to 35 mg/L and TKN ranged from 1.5 mg/L to 10mg/L.

Design parameters chosen were a BOD value of 35 mg/L and a TKN of 9 mg/L. The original design for 1.25 MGD worked well with these parameters. After adjusting the flow data to the reductions from Alabama Catfish, the design for 1.25 MGD failed at a 50% safety factor. The BOD input data had to be increased to at least 75mg/L to meet the safety factor. The data indicates that the bacteria were being starved for food and were dying off. Data does not support having a BOD influent to the wetlands greater than 35mg/L for the expected flow.

The design was recalculated using a flow of 1 MGD and using the waste load summary of 1.25MGD. Decreasing the flow by .250 MGD decreased the BOD from 75mg/L back to 35mg/L. We requested a new Waste Load Allocation Summary from ADEM.

The new waste load summary parameters for Freetown Creek at a 1.0 MGD were applied to the design program. The results improved to include an increase in the safety factor from 50% to 100%. The size of the wetlands will accommodate growth to the city of 250,000 gallons per day. Should the city see additional growth the permit could easily be increased to 1.25 MGD. The wetlands program supports this increase with an accompanying increase in strength of influent.

The voids listed in the calculations is the area that the plants will occupy in the wetlands. The SWD designation in the calculations is the surge water design needed. The calculations show that a surge water design for the wetlands is seven inches, and the surge water design for the main holding pond is one inch. The design of the effluent weir from the main holding pond will provide the surge storage in the holding pond for maximum retention time in the wetlands.

The following chart shows the Waste Load Allocation Summary for Freetown Creek @ 1MGD

FREETOWN 1.0MGD

PARAMETER	Quantity/ Loading		Quality /Concentration			
	Monthly Average	Weekly Average	Monthly Average	Weekly Average	Daily Minimum	Daily Maximum
Dissolved Oxygen					7.0 mg/l	
PH - Effluent					6.0 S.U.	8.5 S.U.
Solids. Total Suspended Raw Influent	Report ppd	Report ppd	Report mg/l	Report mg/l		
	750	1125		135		
Solids. Total Suspended Effluent	ppd	ppd	90 mg/L	mg/L		
Ammonia as Nitrogen (summer)	8.3 ppd	12.5 ppd	1.0 mg/L	1.5 mg/L		
Ammonia as Nitrogen (winter)	25.0 ppd	37.5 ppd	3.0 mg/L	4.5 mg/L		
CBOD-5 (summer)	50.0 ppd	75.0 ppd	6.0 mg/L	9.0 mg/L		
CBOD-5 (winter)	75.0 ppd	112 ppd	9.0 mg/L	13.5 mg/L		
CBOD-5 (influent)	Report ppd	Report ppd	Report mg/l	Report mg/l		
Nitrate + Nitrite	Report	Report	Report	Report		
Nitrogen,Kjeldahl Total (AS N)	Report	Report	Report	Report		
Phosphorus, Total (AS N) Effluent	Report	Report	Report	Report		
TSS % Removal			65.0%			
CBOD-5 % Removal			85.0%			
Flow, Effluent			Report			Report
E.Coli (Summer)			126 col/100mL			289 col/100mL
E-Coli (Winter)			548 col/100ml			2507 col/100ml

The following charts are calculations from the Wetlands Design Program

City of Uniontown

NPDES Permit AL0063657 EXPECTED LIMITS

Parameter	Monthly Average	Units	Weekly Average	Units	Monthly Average	Units	Weekly Average	Units	Daily Min.	Units	Daily Max.	Units
<b>November - March</b>												
D.O.									7.00	S.U.		
Effluent CBOD	75.00	lbs/day	112.00	lbs/day	9.00	mg/L	13.50	mg/L				
pH									8.00	S.U.	8.50	S.U.
Effluent TSS	750.00	lbs/day	1125.00	lbs/day	90.00	mg/L	135.00	mg/L				
Effluent NH3-N	25.00	lbs/day	37.50	lbs/day	3.00	mg/L	4.50	mg/L				
E-Coli (November - April)					548.00	col/dl					2507.00	col/dl
CBOD % Removal	85%											
TSS % Removal	65%											
<b>April - October</b>												
D.O.									7.00	S.U.		
Effluent CBOD	50.00	lbs/day	75.00	lbs/day	6.00	mg/L	9.00	mg/L				
pH									8.00	S.U.	8.50	S.U.
Effluent TSS	750.00	lbs/day	1125.00	lbs/day	90.00	mg/L	135.00	mg/L				
Effluent NH3-N	8.30	lbs/day	12.50	lbs/day	1.00	mg/L	1.50	mg/L				
E-Coli (May-October)					128.00	col/dl					298.00	col/dl
CBOD % Removal	85%											
TSS % Removal	65%											

**City of Uniontown  
Sanitary Wastewater Lagoon System**

**BOD LOADING  
35.00 mg/L**

**Faculative Pond System Design by Areal Loading**

Month	Tuscaloosa Average Daily Temperature °F	Converted Temperature °C	Seasonal Average °C	Min. Loading Rate, lbs BOD <sub>5</sub> /acre-day <sup>-1</sup>	Max. Loading Rate, lbs BOD <sub>5</sub> /acre-day <sup>-1</sup>
December	46.0	8.1	7.9	20	40
January	44.3	6.8			
February	47.7	8.7			
March	54.4	12.4	17.4	ADEM Recommended: Primary Cell	50
April	64.2	17.9			
May	71.5	21.9			
June	78.5	25.8	26.7	2ndary Cell	—
July	81.0	27.2			
August	80.6	27.0			
September	75.5	24.2	17.8		
October	64.1	17.8			
November	52.8	11.4			
Minimum	6.8 °C				

Parameter	Calculated Value	Units	Converted Value	Units
Design Population	1,000.00	Customers		
Design Hydraulic Loading per Capita	1,000.00	gal/day		
Total Design Daily Hydraulic Loading	1,000,000.00	gal/day		
Estimated BOD <sub>5</sub> Concentration	35.00	mg/L		
Estimated BOD <sub>5</sub> Loading	292.08	lbs/day	132.48	kg/day

<b>Primary Cell Design</b>				
BOD <sub>5</sub> Loading Rate for Primary Cell	37.84	lbs/ac/day	17.07	kg/day
Primary Cell Surface Area Required	7.76	ac	338,012.41	ft <sup>2</sup>
Cell Wall Side Slopes	33%	3	to	1
<b>Cell Water Depth</b>	<b>10.00</b>	<b>ft</b>		
Aspect Ratio	38%	2.8	to	1
<b>Width of Primary Cell Surface</b>	<b>360.56</b>	<b>ft</b>		
<b>Length of Primary Cell Surface</b>	<b>937.46</b>	<b>ft</b>		
<b>Total Area of Lagoon at Surface</b>	<b>338,012.41</b>	<b>ft<sup>2</sup></b>	<b>7.76</b>	<b>ac</b>
<b>Width of Cell at Bottom</b>	<b>300.56</b>	<b>ft</b>		
<b>Length of Cell at Bottom</b>	<b>877.46</b>	<b>ft</b>		
<b>Total Area of Lagoon at Bottom</b>	<b>263,731.07</b>	<b>ft<sup>2</sup></b>	<b>6.05</b>	<b>ac</b>
Volume of Primary Cell	3,008,717.39	ft <sup>3</sup>	22,505,206	gal
Retention Time in Primary Cell	22.51	days		NG
<b>Primary Cell Retention Time</b>	<b>22.51</b>	<b>days</b>		

### Faculative Pond System Design by Linvil Rich Model

Month	Mean Daily Maximum Surface Temperature °F	Converted Temperature °C	Mean Sludge Temperature °C	BOD <sub>5</sub> Conversion to Gas kg/m <sup>3</sup> -day	Monthly BOD <sub>5</sub> Conversion to Gas kg/m <sup>3</sup>	Pond Decay Constant, day <sup>-1</sup>
December	46.8	8.1	7.2	0.0000	0	0.1338
January	44.2	6.8	6.2	0.0000	0	0.1200
February	47.7	8.7	7.7	0.0000	0	0.1407
March	54.4	12.4	10.6	0.0000	0.000	0.1906
April	64.2	17.9	14.8	0.0000	0.000	0.2971
May	71.5	21.9	17.9	0.0185	0.554	0.4136
June	78.5	25.8	21.0	0.0374	1.123	0.5681
July	81.0	27.2	22.0	0.0442	1.327	0.6362
August	80.6	27.0	21.9	0.0431	1.294	0.6248
September	75.6	24.2	19.7	0.0293	0.879	0.4959
October	64.1	17.8	14.7	0.0000	0.000	0.2958
November	52.6	11.4	9.8	0.0000	0.000	0.1756
Minimum	6.8 °C			Σ	5.178	

### Faculative Pond System Design by Linvil Rich Model

Maximum Loading, lbs/day	71,236	77,234	68,604	54,063	37,284	27,859	20,876	18,798	18,117	23,648	37,430	57,716
	51,000	50,000	51,000	52,000	54,000	55,000	55,000	56,000	58,000	65,000	54,000	52,000
Flow at Maximum Loading, mgd	0.980	0.960	0.980	1.000	1.040	1.080	1.080	1.080	1.080	1.060	1.040	1.000
Maximum Concentration, mg/L	8.711	9.641	8.389	6.479	4.296	3.149	2.360	2.086	2.121	2.673	4.313	6.916
Average Loading, lbs/day	49,897	54,267	47,982	37,501	25,594	19,004	14,172	12,742	12,961	16,084	25,697	40,121
Wetland Loading Rate, lbs/ac/day	35	35	35	35	35	35	35	35	35	35	35	35
Required Wetland Size, ac	2.04	2.21	1.96	1.54	1.07	0.60	0.60	0.54	0.56	0.68	1.07	1.65

### Faculative Pond System Performance

7.76 Acres

Month	Mean Daily Maximum Surface Temperature °F	Converted Temperature °C	Mean Sludge Temperature °C	Reaction Rate at Surface Temp, day <sup>-1</sup>	Plug Flow Model Expected Effluent BOD <sub>5</sub> , mg/L	Reaction Rate Constants	
December	40.6	8.1	7.2	0.024897833	19.99		
January	44.2	6.8	6.2	0.022195225	21.24	b[0]	-0.011471185
February	47.7	8.7	7.7	0.026244197	19.39	b[1]	3.50E-03
March	54.4	12.4	10.8	0.036169544	15.51	b[2]	-4.81E-05
April	64.2	17.9	14.8	0.057824186	9.53	b[3]	2.50E-07
May	71.5	21.9	17.9	0.082015279	5.53		
June	78.5	25.8	21.0	0.114668006	2.65		
July	81.0	27.2	22.0	0.129247904	1.91		
August	80.6	27.0	21.9	0.126796279	2.02		
September	75.6	24.2	19.7	0.099328416	3.74		
October	64.1	17.8	14.7	0.057548006	9.59		
November	52.6	11.4	9.8	0.033183068	16.59		
Minimum	6.8 °C						
<b>Primary Cell Performance</b>							
Influent BOD <sub>5</sub> Concentration			35.00	mg/L			
Loading Rate to Primary Cell			37.64	lbs/ac-day <sup>-1</sup>	42.20		kg/ha-day <sup>-1</sup>
Reaction Rate Constant at 20°C			0.07	day <sup>-1</sup>			
Critical Temperature, T <sub>crit</sub>			6.78	°C			
Reaction Rate at T <sub>crit</sub>			0.02	day <sup>-1</sup>			
Primary Cell Retention Time			22.51	days			
<b>Effluent BOD<sub>5</sub> Concentration</b>			<b>21.24</b>	<b>mg/L</b>			
<b>Primary Cell Performance for Nitrogen Removal</b>							
Parameter	Calculated Value	Units	Converted Value	Units			
Design Population	1,000.00	Customers					
Hydraulic Loading per Capita	1,000.00	gal/day					
Total Average Daily Hydraulic Loading	1,000,000.00	gal/day					
Influent TKN Concentration	9.00	mg/L					
Influent TKN Loading	75.11	lbs/day	9.68	lbs/ac-day			
% Total N as NH <sub>3</sub> -N	67%						
Detention Time at Q <sub>design</sub>	22.51	days					
<b>Effluent TKN Concentration</b>	<b>7.01</b>	<b>mg/L</b>	<b>58.46</b>	<b>lbs/day</b>			
<b>Effluent NH<sub>3</sub>-N Concentration</b>	<b>4.67</b>	<b>mg/L</b>	<b>38.97</b>	<b>lbs/day</b>			

Plug Flow Model

US Army COE

Month	Mean Daily Maximum Surface Temperature °F	Converted Temperature °C	Reaction Rate Constant at Mean Temperature, K <sub>r</sub>	Mean Estimated pH, S.U.	Removal Ratio	TKN Effluent Conc., mg/L	TKN Effluent Limit, mg/L
December	46.0	8.1	0.0040611	7.3	0.7682	6.91	13.43
January	44.2	6.8	0.0038591	7.3	0.7784	7.01	13.43
February	47.7	8.7	0.0041571	7.3	0.7635	6.67	13.43
March	54.4	12.4	0.0047934	7.3	0.7326	6.59	13.43
April	64.2	17.9	0.0059034	7.3	0.6816	6.13	13.43
May	71.5	21.9	0.0068943	7.3	0.6392	5.75	1.49
June	78.5	25.8	0.0080003	7.3	0.5949	5.35	1.49
July	81.0	27.2	0.0084369	7.3	0.5782	5.20	1.49
August	80.8	27.0	0.0083654	7.3	0.5809	5.23	1.49
September	75.5	24.2	0.0075060	7.3	0.6143	5.53	1.49
October	64.1	17.8	0.0058909	7.3	0.6822	6.14	1.49
November	52.6	11.4	0.0046134	7.3	0.7412	6.67	1.49
Minimum	6.8 °C		Maximum December - April		0.778	7.01	

## Wetland Design

Parameter	Calculated Value	Units	Converted Value	Units
Design Population	1,000.00	Customers		
Design Hydraulic Loading per Capita	1,000.00	gal/day		
Total Design Daily Hydraulic Loading	1,000,000.00	gal/day		
Influent BOD <sub>5</sub> Concentration	21.24	mg/L		
Effluent BOD <sub>5</sub> Concentration Needed	10.00	mg/L		
Influent TSS Concentration	100.00	mg/L		
Effluent TSS Concentration Needed	90.00	mg/L		
Influent TKN Concentration	7.01	mg/L		
Effluent TKN Concentration Needed	1.49	mg/L		
<b>Design for BOD<sub>5</sub> Removal</b>				
Average Flow	1,000,000.00	gal/day	3,785.44	m <sup>3</sup> /day
Concentration Reduction Ratio	0.47			
Reaction Rate Constant at 20°C	0.0057	day <sup>-1</sup>		
Critical Temperature, T <sub>crit</sub>	6.78	°C		
Reaction Rate at T <sub>crit</sub>	0.0016	day <sup>-1</sup>		
Surface Area for Microbial Growth	15.70	m <sup>2</sup> /m <sup>3</sup>		
Void Fraction in Wetland	0.50			
Design Slope	0.003%			
<b>Design Depth</b>	<b>6.00</b>	inches	0.15	m
Area Required	5,066.29	m <sup>2</sup>	54,533.59	ft <sup>2</sup>
Aspect Ratio	10%	70	to	7
<b>Width of Cell</b>	<b>73.85</b>	ft		
<b>Length of Cell</b>	<b>738.47</b>	ft		
<b>Size of Wetland for BOD Removal</b>	<b>1.25</b>	ac		
<b>Area Loading Check</b>	<b>141.57</b>	lbs/ac/day		
<b>Design for TSS Removal</b>				
Average Flow	1,000,000.00	gal/day	3,785.44	m <sup>3</sup> /day
TSS Loading for Wetland	834.50	lbs/day		
Allowable TSS Effluent Loading	751.05	lbs/day		
TSS Removed by Wetland	83.45	lbs/day		
EPA Allowed Area Loading Rate	44.5973	lbs/ac/day	50.00	kg/ha-day-1
Estimated Removal	1.87	ac		
<b>Size of Wetland for TSS Removal</b>	<b>1.87</b>	ac		



<b>Design for TKN Removal</b>				
Average Flow	1,000,000.00	gal/day	3,785.44	m <sup>3</sup> /day
Mass of TKN into System	58.46	lbs/day		
Mass of TKN Allowed From System	12.46	lbs/day		
Mass to be Removed, M <sub>w</sub>	46.00	lbs/day		
Maximum Specific TKN Removal Rate, N <sub>max</sub>	18.00	lbs/ac/day	20.18	kg/ha-day <sup>-1</sup>
TKN Half Saturation Constant, K <sub>n</sub>	16.00	lbs/ac/day		
Area Required	8.51	ac	370,489.63	ft <sup>2</sup>
Aspect Ratio	10%	10	to	?
Width of Primary Cell Surface	192.48	ft		
Length of Primary Cell Surface	1,924.81	ft		
<b>Size of Wetland for TKN Removal</b>	<b>8.51</b>	<b>ac</b>		
<b>Area Loading Check</b>	<b>6.87</b>	<b>lbs/ac/day</b>		
<b>Hydraulic Design</b>				
Average Flow	1,000,000.00	gal/day	3,785.44	m <sup>3</sup> /day
Maximum Required Surface Area	8.51	ac		
Design Factor of Safety	100%			
Surface Area for Design	18.00	ac	784,080.00	ft <sup>2</sup>
Aspect Ratio	10%	10	to	?
<b>Width of Primary Cell Surface</b>	<b>280.01</b>	<b>ft</b>		
<b>Length of Primary Cell Surface</b>	<b>2,800.14</b>	<b>ft</b>		
<b>Mean Cell Depth</b>	<b>12.00</b>	<b>inches</b>	0.30	m
Mean Cell Volume	784,080.00	ft <sup>3</sup>	5,864,918	gal
Retention Time	5.86	days		
<b>Size of Wetland for Hydraulics</b>	<b>18.00</b>	<b>ac</b>		

System Parameters	Value	Units	Evaporation Constants		
Design Flow	1,000,000	gal	3rd Order Regression Coefficients	Period	
Pond Surface Area	338,012	ft <sup>2</sup>		.July - Dec	Dec - July
Pond Operating Volume	22,505,206	gal			
Maximum Storage	272,327	gal	b[0]	4.063484114	0.732559832
Total Pond Volume	22,777,533	gal	b[1]	-0.015687301	-2.09E-04
SWD for Storage	0.1	ft	b[2]	-2.27E-04	9.60E-05
Wetland Surface Area	880,125	ft <sup>2</sup>	b[3]	1.22E-06	-9.56E-08
Wetland Water Volume	7,000,000	gal	r <sup>2</sup>	0.998120246	0.997970125
Net Maximum Storage	2,466,965	gal	See note flags for explanation of rational		
Total Net Wetland Volume	9,466,965	gal			
Average Voids	59%				
Wetland Design Flow	1,000,000	gpd			
SWD for Storage	0.6	ft			

Estimated Total Cuts and Fills			
Pond	225,565	cu-yds	
Wetland	69,321	cu-yds	
Total	294,885		
Unit Cost	\$ 2.00	cu-yds	
Projected	\$ 589,770.90		
Pond Minimum HRT	23	days	
Pond Maximum HRT	143	days	
Maximum Area Loading	44.26	lbs/ac/day	
Wetland Minimum HRT	7	days	
Wetland Maximum HRT	97	days	
Maximum Area Loading	15.59	lbs/ac/day	GOOD

		Month	Month	Decay Constant, $d^{-1}$
Curve 1:		January	1	0.1200
BOD Conc	column 3:	February	2	0.1407
Coefficients:		March	3	0.1906
b[0]	2.301029996	April	4	0.2971
b[1]	-0.766437348	May	5	0.4136
$r^2$	0.299153613	June	6	0.5681
		July	7	0.6362
		August	8	0.6248
		September	9	0.4959
		October	10	0.2958
		November	11	0.1756
		December	12	0.1338

## 6. REPAIRING THE COLLECTION SYSTEM

The existing video data has given the City a lot of information about how to repair and or replace manholes and line segments. The areas that have been identified to be repaired will have to be videoed just prior to the repair process chosen for each segment. This will be required to confirm the condition of the line segment and also to clean the line segment so the repair can be accomplished. The different types of repair will be *Cured in Place Pipe (CIPP)*, *Pipe Burst Process*, and *Point repair with PVC material*. The replacement options will be with PVC or Ductile Iron pipe. CIPP will be with a fiberglass base material and or a PVC based material. These options will depend on cost and structural requirements for the section to be repaired. Pipe Burst will be used when the existing pipe structure has deteriorated to the point the CIPP process is not sufficient. The advantages of this process is that the entire street will not have to be cut open to repair the pipes. Each section of pipe repaired will have to be post videoed as proof of repair quality. Some areas can be point repaired with a section of PVC pipe and then use the CIPP process to complete the repair. The laterals will be sealed to the appropriate repair process. Each lateral will be tested to determine if it is in current use. Laterals that are not in current use will be sealed at the main or capped at the ROW according to the Uniontown designated supervisor.

The brick manholes in the system will either be replaced or repaired with a Cementous spray on liner that seals the manhole and adds structural strength to the manhole. Concrete manholes that need repair in the system will either be replaced or sealed with a Cementous liner. All manholes will be raised at least four inches above the ground or level with the pavement.

## 7. RECOMMENDED OPTION

Sentell Engineering recommends choosing Option #1(Constructed Wetlands) finishing treatment following the existing lagoons to bring the system into compliance. The design process to bring Uniontown Sanitary Sewer System into compliance is multifocal. The collection system must be returned to a like new condition prior to building the wetlands.

This option is the best one for Uniontown due to the fact that this system is the most environmentally friendly, efficient, economical, and simplest process available. The site of the existing spray field will be used to build the wetlands. There will be a two foot compacted clay liner added to the wetland cells. The treatment is accomplished by planting nutrient and water hungry plants called CATTAIL (*Typha sp.*) and BULRUSH (*Scirpus sp.*) in shallow ponds. Due to the fact that the ponds are shallow, wide, and long allows evaporation, and transpiration to operate at maximum capacity. The effluent will be discharged into Freetown Creek.

Uniontown does not have a vast economy to provide a staff exclusively for the waste water treatment system. The maintenance required for this system will only increase the man hours by 10 hours per week. Most of the man hours will be spent on grounds upkeep. The system is mostly operated by gravity and nature. There will only be three types of additional machinery to oversee. These will be the aerators at the first cell of the wetlands, the UV system, and the backup generator. The final aeration will be accomplished by a Cascade system. The existing plant operator will still be able to oversee the plant process without any additional professional training or licensure.

Currently the composite sampler for laboratory analysis of the parameters is located in the pumping station from the lagoon to the spray field. After completion of the project the sampler will be located in the wetlands facility at the cascade aerator. The cost of the composite sampler is included in the monthly sampling reports from TTL.

The laterals from the customer's building to the ROW will be the customer's responsibility to prove them structurally sound or have it repaired. The total estimated cost to repair all of the laterals from City customers to the main sewer lines is \$3,449,355. Due to the low income of the majority of the residences in Uniontown, the City will need to apply for ADECA grants to accomplish this for residences that qualify. ADECA has given the City **verbal** assurances

that they will fund the projects for the residencies that qualify as low to moderate income. The yearly amounts that ADECA will fund will allow the City to select approximately one tenth of the laterals each year to repair. Limitations for receiving the money each year require close out of the previous year's construction by March 31 of the following year. There are a lot of variables that prevent close out of projects in time to apply for the next cycle of funding.

Uniontown has applied for a \$200,000.00 DRA grant to raise the dyke of the third lagoon, add piping and effluent structures for better operational control of the lagoon. Uniontown also submitted a \$388,817.02 CDBG grant to repair and or replace laterals from residences to the main collection system. These grants were not approved for the 2018 grant cycle.

Due to ADECA'S limitations and the length of time needed for repairs with their normal funding cycles, the laterals need to be added to the total funding of the project to be completed in order to bring the system into a like new status.

The City of Uniontown recently passed a motion accepting option #1 the wetlands treatment system. Uniontown has met with representatives from Congresswoman Sewell's office to work toward finding other funding for the collection system and the wetlands. They have a preliminary set of plans showing each line segment of the collection system and the structural deficiencies of each one that has been videoed. They also have the preliminary plans for the wetland system and the upgrades needed for the lagoon. Follow up meetings are being planned.

Option #1 construction period.

Collection System will take two years to complete from notice to proceed. The lagoon upgrades will take six months to complete from notice to proceed. The lagoon upgrades can run simultaneously with the collection system. The wetlands construction will take 16 months to complete from notice to proceed. Beginning of the wetland construction can start the last four months of completion of the collection system. Total construction time should be three years.

## **8. EPA Comment Response**

- 1) Uniontown has documentation showing four times the design flow entering the lagoon from a one inch rain event. There is also documentation of existing flows into the lagoon of nine times the design capacity. During these events, the existing pumps cannot deliver the quantity of effluent to the spray fields to prevent flooding of the headworks, U.V., and overflowing the lagoon dykes. The new design will assure the level of the lagoons are lower than the headworks with new plumbing and adequate pumps.
- 2) The collection system will be rehabilitated to a like new status. The lagoon will operate at a normal level with an additional foot of surge protection. There will be three feet of freeboard above the surge elevation. The dyke that has an uneven crest will be built up to the correct elevation. The existing pumping station and the force main will be upgraded to pump twice the new design flow to prevent overflowing of the lagoon.
- 3) The only reason that a bypass pipe to protect the lagoon would be needed is if the pumping station were to be incapacitated. There will be a standby automatic generator at the pumping station in case of power failure. To be able to meet state law with a bypass pipe at the existing lagoon the effluent would have to be of sufficient quality to meet the limits of Cottonwood Creek. This discharge pipe would also have to have an NDPES permit. The limits required at Cottonwood Creek are too stringent for the lagoon to meet these limits. The probability of an overflow at the lagoon after the rehabilitation of the collection system and the lagoon would be very remote.
- 4) Each of the lagoons will have an adjustable weir to allow one foot of additional capacity according to the operator's needs.

- 5) There will be two automatic backup generators. One at the existing lagoon operating all of the electrical apparatus. The other generator will operate the U.V. System and the flow meter at the wetlands. The mechanical aerators at the wetlands will not be placed on temporary backup power.
- 6) The existing U.V. System is inoperable due to frequent flooding just prior to the pumping station. The U.V. System that will replace the existing system will be placed at the wetlands just prior to the Cascade Aerator.
- 7) The existing permit monitoring point of the lagoons is at the pumping station to the spray field. The monitoring point for the wetlands will be at the cascade aerator just past the U.V. System.
- 8) This U.V. System does not have the normal potential of effluent exposure to the lights. The effluent is directed into multiple translucent polyurethane tubes. The tubes use the turbulence as a self-cleaning mechanism and maximum exposure to U.V. transmittance. Cleaning expectancy of these units from experience is once or twice a year. The U.V. Bulbs are arranged between, above, and below the effluent tubes. The tubes and the bulbs are encased in a temperature controlled stainless steel case that reflects the U.V. Light in all directions. Due to the concerns expressed by EPA of issues with U.V. Systems not working in lagoons, we increased the transmittance for this project by 10 percent above the normal 65%. Our experience with this U.V. System in lagoons is excellent. We have installed two of these units in lagoons. The only instance in four years where the limit of E-Coli failed was due to a lightning strike.
- 9) The wetlands cells will have a two foot clay liner and will be barrel tested for assurance of impermeability. We have received environmental concurrences from state and federal agencies required to construct the wetlands. The only other permit requirement will be the NPDES permit from ADEM.
- 10) Due to the level of qualified City personnel, Uniontown will be required to outsource the operation and maintenance to a professional wastewater operation company.
- 11) A sub-surface constructed wetland would require a good bit more maintenance due to the plugging of the gravel. The expense of placing that much gravel would also be much more expensive to construct.
- 12) See the attached schematic of the lagoons and the wetlands.
1. The collection system will be restored to a like new status. The design flow allows 30,000 gallons of I & I per mile which is conservative according to the statistical upper expected limits for modern material.
2. Currently there is not a written plan as to procedures for sanitary sewer overflows or for backing up into residences or business. ADEM requires reporting criteria for Sanitary Sewer Overflows.
3. The operations company will be responsible for developing and submitting written plans for:
  - Maintenance for WWTF Equipment
  - Maintenance of Gravity Sewer
  - Maintenance of Pump Stations
  - Maintenance of Force Mains
  - Maintenance of Root Control
  - Response for Sanitary Sewer Overflows/Backups
4. The Collection system will be repaired prior to converting the spray field to a wetlands.

**Engineer's Estimate of Probable Construction Cost**

**UNIONTOWN SANITARY COLLECTION AND TREATMENT IMPROVEMENTS**

**Option #1**

Uniontown, Alabama

Sentell Engineering, Inc

2/12/2018

<b>Item</b>	<b>Quantity</b>	<b>Unit</b>	<b>Description</b>	<b>Unit Cost</b>	<b>Total</b>
<b>Wetland Facility</b>					
1	1	LS	Mobilization/Demobilization	\$40,000.00	\$40,000.00
2	1	LS	Erosion Control	\$25,000.00	\$25,000.00
3	361	LF	24" DI	\$150.00	\$54,150.00
4	333	LF	24" PVC	\$100.00	\$33,300.00
5	5	EA	24" Gate Valve	\$45,000.00	\$225,000.00
6	1,810	LF	18" DI Pipe	\$110.00	\$199,100.00
7	7	EA	18" MJ Gate Valve & Box	\$26,000.00	\$182,000.00
8	830	LF	12" DI Pipe	\$85.00	\$70,550.00
9	8	EA	12" MJ Gate Valve & Box	\$5,500.00	\$44,000.00
10	24,727	LF	12" PVC Force Main Pipe	\$36.00	\$890,172.00
11	6	EA	12" Air Release Valves	\$8,845.00	\$53,070.00
12	20	EA	Splash Pads	\$300.00	\$6,000.00
13	4	EA	Microbubble Aerators	\$17,000.00	\$68,000.00
14	1	EA	Cascade Aerator	\$15,000.00	\$15,000.00
15	68	EA	Concrete Pipe Supports	\$3,000.00	\$204,000.00
16	8	EA	Manholes	\$4,500.00	\$36,000.00
17	13	EA	Effluent Structures	\$8,500.00	\$110,500.00
18	1	EA	UV System	\$150,000.00	\$150,000.00
19	1	EA	Maintenance Building	\$100,000.00	\$100,000.00
20	6,944	LF	6' Chain Link Fence	\$15.00	\$104,160.00
21	1	EA	Parshall Flume	\$14,000.00	\$14,000.00
22	1	EA	Ultrasonic Flow Meter	\$10,000.00	\$10,000.00
23	1	EA	Discharge Structure	\$14,000.00	\$14,000.00
24	1	LS	Clearing & Grubbing	\$40,000.00	\$40,000.00
25	1,638	SY	Concrete Slope Paving	\$40.00	\$65,520.00
26	1	LS	Placing Topsoil & Seeding	\$63,000.00	\$63,000.00
27	1	LS	Aggregate Road Surfacing	\$75,715.00	\$75,715.00
28	1	LS	Unclassified Excavation(172,519CY)	\$350,000.00	\$350,000.00
29	1	LS	Borrow Material (242754CY)	\$450,000.00	\$450,000.00
30	1	LS	Unclassified Clay Liner(65,303 CY)	\$200,000.00	\$200,000.00
31	1	LS	Electrical Service	\$133,265.00	\$133,265.00
35	1	LS	Electrical Equipment/ Generator	\$90,000.00	\$90,000.00
36	1	LS	Micro-Agro-Filter System (Plants)	\$150,000.00	\$150,000.00
				Subtotal	\$4,265,502.00
<b>Lagoon Upgrades</b>					
1	1	LS	Mobilization/Demobilization	\$25,000.00	\$25,000.00
2	1	LS	Erosion Control	\$14,000.00	\$14,000.00
3	1,346	LF	18" DI Pipe	\$110.00	\$148,060.00
4	7	EA	18" MJ Gate Valve & Box	\$26,000.00	\$182,000.00
5	48	LF	12" DI Pipe	\$85.00	\$4,080.00
6	1	EA	12" MJ Gate Valve & Box	\$5,500.00	\$5,500.00
7	1	EA	Emergency Discharge Structure	\$14,000.00	\$14,000.00

**Engineer's Estimate of Probable Construction Cost**

**UNIONTOWN SANITARY COLLECTION AND TREATMENT IMPROVEMENTS**

Option # 2

Uniontown, Alabama

Sentell Engineering, Inc

2/12/2018

Item	Quantity	Unit	Description	Unit Cost	Total
<b>Forcemain to River</b>					
1	1	LS	Mobilization/Demobilization	\$66,000.00	\$66,000.00
2	1	LS	Erosion Control	\$40,000.00	\$40,000.00
3	115,000	LF	14" HDPE Pressure Force Main	\$31.00	\$3,565,000.00
4	1	LS	14" "H" River Diffuser	\$125,000.00	\$125,000.00
5	200	LF	Highway Crossing Bore w Casing	\$325.00	\$65,000.00
6	420	LF	Road Crossing Bore w Casing	\$200.00	\$84,000.00
7	1	LS	Traffic Control (Per ALDOT)	\$15,000.00	\$15,000.00
8	51	AC	Seeding Mulch and Fertilizer	\$900.00	\$45,900.00
9	52	EA	14" Air Release Valve	\$3,500.00	\$182,000.00
10	1	LS	14" Connection to Pump Station	\$28,934.86	\$28,934.86
11	100	LF	Railroad Bore w Casing	\$350.00	\$35,000.00
12	240	LF	City Road Open Cut with Casing	\$60.00	\$14,400.00
13	1,680	LF	Gravel Driveways Open cut with Casings	\$40.00	\$67,200.00
14	3,510	LF	Creek Crossing Bore	\$90.00	\$315,900.00
15	220	LF	Asphalt Driveways Open cut w Casings	\$50.00	\$11,000.00
16	61	LF	Concrete Driveways Open cut w Casings	\$60.00	\$3,660.00
17	10	LF	Flume Crossing	\$60.00	\$600.00
18	220	LF	Gas Line Crossing	\$90.00	\$19,800.00
				<b>Subtotal</b>	<b>\$4,684,394.86</b>
<b>Lagoon Upgrades</b>					
1	1	LS	Mobilization/Demobilization	\$25,000.00	\$25,000.00
2	1	LS	Erosion Control	\$14,000.00	\$14,000.00
3	130	EA	Floating Wetlands System	\$5,286.00	\$687,180.00
4	1,346	LF	18" DI Pipe	\$110.00	\$148,060.00
5	7	EA	18" MJ Gate Valve & Box	\$26,000.00	\$182,000.00
6	48	LF	12" DI Pipe	\$85.00	\$4,080.00
7	1	EA	12" MJ Gate Valve & Box	\$5,500.00	\$5,500.00
8	1	EA	Emergency Discharge Structure	\$14,000.00	\$14,000.00
9	3	EA	Splash Pads	\$300.00	\$900.00
10	4	EA	Concrete Pipe Supports	\$3,000.00	\$12,000.00
11	5	EA	Manholes	\$4,500.00	\$22,500.00
12	4	EA	Effluent Structures	\$10,000.00	\$40,000.00
13	1,000	LF	6' Chain Link Fence Repair	\$15.00	\$15,000.00
14	1	LS	UV System	\$150,000.00	\$150,000.00
15	1	LS	Parshall Flume	\$25,000.00	\$25,000.00
16	1	EA	Ultrasonic Flow Meter	\$10,000.00	\$10,000.00
17	1	LS	Placing Topsoil & Seeding	\$18,000.00	\$18,000.00
18	1	LS	Aggregate Road Surfacing	\$23,500.00	\$23,500.00
19	1	LS	Electrical Service	\$366,530.00	\$366,530.00
20	1	LS	Electrical Equipment/Generator	\$240,600.00	\$240,600.00
21	1	LS	Effluent Structure & Pumps	\$900,000.00	\$900,000.00
22	1	LS	Lagoon Dyke Repair	\$80,000.00	\$80,000.00

23	1	LS	Headworks Repair	\$120,000.00	\$120,000.00
				<b>Subtotal</b>	<b>\$3,103,850.00</b>
<b>COLLECTION SYSTEM</b>					
1	1	LS	City Collection System Repair	\$7,458,813.00	\$7,458,813.00
2	1	LS	Residential Lateral Repair	\$3,449,355.00	\$3,449,355.00
				<b>Subtotal</b>	<b>\$18,696,412.86</b>
<b>Engineering Cat. "D"</b>				<b>5% contingency</b>	<b>\$934,820.64</b>
<b>Administration Cost</b>				<b>Construction Cost</b>	<b>\$19,631,233.50</b>
WWTP Permit	\$7,500.00	Interest	\$956,652.00	<b>Engineering Cost</b>	<b>\$1,864,967.18</b>
Environmental	\$3,500.00	Legal	\$50,000.00	<b>Construction Observation</b>	<b>\$1,374,186.35</b>
Soil Drill	\$12,000.00	RR Fees	\$45,000.00		
Prop. Survey	\$25,000.00	Equipment	\$130,000.00	<b>Engineering Cat. "D"</b>	<b>\$101,928.00</b>
SW Permit	\$3,500.00	ADEM Per	\$28,660.00	<b>Administration</b>	<b>\$1,317,312.00</b>
ALDOT Permit	\$5,500.00	Land/Ease	\$40,000.00		
Mussel Fee	\$8,500.00	ALDOT Per	\$9,500.00		
Elec Eng.	\$36,428.00	Power Co.	\$50,000.00		
Sub Total	\$101,928.00	Advertise	\$7,500.00		
		Sub Total		\$1,317,312.00	
				<b>TOTAL COST</b>	<b>\$24,289,627.03</b>



**Engineer's Estimate of Probable Construction Cost  
MECHANICAL PLANT AT FREETOWN CREEK**

**Option #3**

Uniontown, Alabama

Sentell Engineering, Inc

2/12/2018

Item	Quantity	Unit	Description	Unit Cost	Total
<b>Mechanical Plant</b>					
1	1	LS	Mobilization/Demobilization	\$40,000.00	\$40,000.00
2	1	LS	Erosion Control	\$14,000.00	\$14,000.00
3	240	LF	24" Ductile Iron	\$150.00	\$36,000.00
4	1	LS	Kubota MBR Equipment	\$2,200,000.00	\$2,200,000.00
5	1	LS	Concrete Structure 72'x55'x15.5'	\$864,500.00	\$864,500.00
6	26,137	LF	12" PVC Force Main	\$36.00	\$940,932.00
7	6	EA	12" Air Release Valves	\$8,845.00	\$53,070.00
8	2	EA	Manholes	\$4,500.00	\$9,000.00
9	1	EA	UV System	\$150,000.00	\$150,000.00
10	1	EA	Control Building & Equipment	\$450,000.00	\$450,000.00
11	300	LF	6' Chain Link Fence	\$15.00	\$4,500.00
12	1	EA	Parshall Flume	\$25,000.00	\$25,000.00
13	1	EA	Ultrasonic Flow Meter	\$10,000.00	\$10,000.00
14	1	EA	Discharge Structure	\$14,000.00	\$14,000.00
15	1	LS	Clearing & Grubbing	\$13,380.00	\$13,380.00
16	1	LS	Placing Topsoil & Seeding	\$6,000.00	\$6,000.00
17	1	LS	Road & Surfacing	\$120,000.00	\$120,000.00
18	1	LS	Electrical Service	\$366,530.00	\$366,530.00
19	1	LS	Electrical Equipment/Generator	\$240,600.00	\$240,600.00
				Subtotal	\$5,557,512.00
<b>Lagoon Upgrades</b>					
1	1	LS	Mobilization/Demobilization	\$25,000.00	\$25,000.00
2	1	LS	Erosion Control	\$14,000.00	\$14,000.00
3	1,346	LF	18" DI Pipe	\$110.00	\$148,060.00
4	7	EA	18" MJ Gate Valve & Box	\$26,000.00	\$182,000.00
5	48	LF	12" DI Pipe	\$85.00	\$4,080.00
6	1	EA	12" MJ Gate Valve & Box	\$5,500.00	\$5,500.00
7	1	LS	Effluent Structure & Pumps	\$400,000.00	\$400,000.00
8	1	EA	Emergency Discharge Structure	\$14,000.00	\$14,000.00
9	3	EA	Splash Pads	\$300.00	\$900.00
10	4	EA	Concrete Pipe Supports	\$3,000.00	\$12,000.00
11	5	EA	Manholes	\$4,500.00	\$22,500.00
12	4	EA	Effluent Structures	\$10,000.00	\$40,000.00
13	1,000	LF	6' Chain Link Fence	\$15.00	\$15,000.00
14	1	LS	Placing Topsoil & Seeding	\$18,000.00	\$18,000.00
15	1	LS	Aggregate Road Surfacing	\$23,500.00	\$23,500.00
16	1	LS	Electrical Service	\$133,265.00	\$133,265.00
17	1	LS	Electrical Equipment/Generator	\$150,600.00	\$150,600.00
18	1	LS	Lagoon Dyke Repair	\$80,000.00	\$80,000.00
19	1	LS	Headworks Repair	\$120,000.00	\$120,000.00
				Subtotal	\$1,408,405.00
<b>Collection</b>					

1	I	LS	Collection System Repair	\$7,458,813.00	\$7,458,813.00
2	I	LS	Residential Lateral Repair	\$3,449,355.00	\$3,449,355.00
				<b>Subtotal</b>	\$17,874,085.00
<b>Engineering Cat. "D"</b>				<b>5% contingency</b>	\$893,704.25
				<b>Construction Cost</b>	\$18,767,789.25
				<b>Engineering Cost</b>	\$1,782,939.98
Geotechnical	\$9,500.00	Interest	\$909,322.00	<b>Construction Observation</b>	\$1,313,745.25
Environmental	\$3,500.00	Legal	\$50,000.00	<b>Engineering Cat. "D"</b>	\$95,960.00
Prop. Survey	\$25,000.00	Equipment	\$70,000.00	<b>Administration</b>	\$1,127,482.00
SW Permit	\$4,500.00	ADEM Per	\$28,660.00		
Elec Eng.	\$53,460.00	Advertise	\$9,500.00		
Sub Total	\$95,960.00	Al. Power	60,000		
		Sub Total	\$1,127,482.00		
				<b>TOTAL COST</b>	\$23,087,916.48

**Engineer's Estimate of Probable Construction Cost**

**UNIONTOWN SANITARY COLLECTION AND TREATMENT IMPROVEMENTS**

Option # 4

Uniontown, Alabama

Sentell Engineering, Inc

2/12/2018

**Forcemain to River**

1	1	LS	Mobilization/Demobilization	\$66,000.00	\$66,000.00
2	1	LS	Erosion Control	\$40,000.00	\$40,000.00
3	115,000	LF	14" HDPE Pressure Force Main	\$31.00	\$3,565,000.00
4	1	LS	14" "H" River Diffuser	\$125,000.00	\$125,000.00
5	200	LF	Highway Crossing Bore w Casing	\$325.00	\$65,000.00
6	420	LF	Road Crossing Bore w Casing	\$200.00	\$84,000.00
7	1	LS	Traffic Control (Per ALDOT)	\$15,000.00	\$15,000.00
8	51	AC	Seeding Mulch and Fertilizer	\$900.00	\$45,900.00
9	52	EA	14" Air Release Valve	\$3,500.00	\$182,000.00
10	1	LS	14" Connection to Pump Station	\$28,934.86	\$28,934.86
11	100	LF	Railroad Bore w Casing	\$350.00	\$35,000.00
12	240	LF	City Road Open Cut with Casing	\$60.00	\$14,400.00
13	1,680	LF	Gravel Driveways Open cut with Casings	\$40.00	\$67,200.00
14	3,510	LF	Creek Crossing Bore	\$90.00	\$315,900.00
15	220	LF	Asphalt Driveways Open cut w Casings	\$50.00	\$11,000.00
16	61	LF	Concrete Driveways Open cut w Casings	\$60.00	\$3,660.00
17	10	LF	Flume Crossing	\$60.00	\$600.00
18	220	LF	Gas Line Crossing	\$90.00	\$19,800.00
			<b>Subtotal</b>		\$4,684,394.86
			<b>Mechanical Plant</b>		
1	1	LS	Mobilization/Demobilization	\$25,000.00	\$25,000.00
2	1	LS	Erosion Control	\$14,000.00	\$14,000.00
3	1	LS	Kubota MBR Equipment	\$2,200,000.00	\$2,200,000.00
4	1	LS	Concrete Structure 72'X55'x15.5'	\$864,500.00	\$864,500.00
5	1	EA	Control Building & Equipment	\$450,000.00	\$450,000.00
6	300	LF	Chain Link Fence	\$15.00	\$4,500.00
7	1	LS	New UV	\$150,000.00	\$150,000.00
8	1	LS	Clearing & Grubbing	\$10,000.00	\$10,000.00
9	1	LS	Topsoil & Seeding	\$6,000.00	\$6,000.00
10	1	LS	Road & Surfacing	\$370,000.00	\$370,000.00
11	1	LS	Electrical Service	\$366,530.00	\$366,530.00
12	1	LS	Electrical Equipment/Generator	\$240,600.00	\$240,600.00
13	1	LS	Magnetic Effluent Meter	\$21,000.00	\$21,000.00
			<b>Subtotal</b>		\$4,722,130.00
			<b>Lagoon Upgrades</b>		
1	1	LS	Effluent Structure & Pumps	\$900,000.00	\$900,000.00
2	1,000	LF	Chain Link Fence	\$15.00	\$15,000.00
3	1	EA	Effluent Structure	\$10,000.00	\$10,000.00
4	1	LS	Headworks Repair	\$120,000.00	\$120,000.00
5	1	LS	Dirt work for Control Building	\$80,000.00	\$80,000.00
6	3	EA	Manholes	\$4,500.00	\$13,500.00
			<b>Subtotal</b>		\$1,138,500.00
			<b>Collection</b>		

1	1	LS	Collection System	\$7,458,813.00	\$7,458,813.00
2	1	LS	Residential Lateral Repair	\$3,449,355.00	\$3,449,355.00
				<b>Subtotal</b>	<b>\$21,453,192.86</b>
<b>Engineering Cat. "D"</b>		<b>Administration Cost</b>		<b>5% contingency</b>	<b>\$1,072,659.64</b>
		Interest	\$1,099,314.00	<b>Construction Cost</b>	<b>\$22,525,852.50</b>
		Legal	\$50,000.00	<b>Engineering Cost</b>	<b>\$2,139,955.99</b>
Environmental	\$3,500.00	RR Fees	\$45,000.00	<b>Construction Observation</b>	<b>\$1,576,809.68</b>
Prop. Survey	\$25,000.00	Equipment	\$130,000.00	<b>Engineering Cat. "D"</b>	<b>\$83,428.00</b>
SW Permit	\$4,500.00	ADEM Per	\$14,500.00	<b>Administration</b>	<b>\$1,585,814.00</b>
ALDOT Permit	\$5,500.00	Land/Ease	\$180,000.00		
Mussel Fee	\$8,500.00	ALDOT Per	\$9,500.00		
Elec Eng.	\$36,428.00	Power Co.	\$50,000.00		
Sub Total	\$83,428.00	Advertise	\$7,500.00		
		Sub Total		\$1,585,814.00	
				<b>TOTAL COST</b>	<b>\$27,911,860.17</b>

Engineer's Estimate of Probable Construction Cost					
UNIONTOWN SANITARY COLLECTION AND TREATMENT IMPROVEMENTS					
Option # 5					
Uniontown, Alabama					
Sentell Engineering, Inc					2/12/2018
			<b>Mechanical Plant</b>		
1	1	LS	Mobilization/Demobilization	\$40,000.00	\$40,000.00
2	1	LS	Erosion Control	\$14,000.00	\$14,000.00
3	1	LS	Tertiary Filter	\$245,000.00	\$245,000.00
4	1	LS	Kubota MBR Equipment	\$2,200,000.00	\$2,200,000.00
5	1	LS	Concrete Structure 72'X55'x15.5'	\$864,500.00	\$864,500.00
6	1	EA	Control Building & Equipment	\$450,000.00	\$450,000.00
7	300	LF	Chain Link Fence	\$15.00	\$4,500.00
8	1	LS	Pre-Chlorination, Chlorination, Dechlorinate	\$360,250.00	\$360,250.00
9	1	LS	Parshall Flume	\$25,000.00	\$25,000.00
10	1	LS	Discharge Structure	\$14,000.00	\$14,000.00
11	1	LS	Clearing & Grubbing	\$13,380.00	\$13,380.00
12	1	LS	Topsoil & Seeding	\$5,000.00	\$5,000.00
13	1	LS	Road & Surfacing	\$370,000.00	\$370,000.00
14	1	LS	Electrical Service	\$366,530.00	\$366,530.00
15	1	LS	Electrical Equipment/Generator	\$240,600.00	\$240,600.00
16	1	LS	Ultrasonic Effluent Meter	\$10,000.00	\$10,000.00
				TOTAL	\$4,913,760.00
			<b>Lagoon Upgrades</b>		
1	1,346	LF	18" DI Pipe	\$110.00	\$148,060.00
2	7	EA	18" MJ Gate Valve & Box	\$26,000.00	\$182,000.00
3	48	LF	12" DI Pipe	\$85.00	\$4,080.00
4	1	EA	12" MJ Gate Valve & Box	\$85.00	\$85.00
6	1	EA	Emergency Discharge Structure	\$14,000.00	\$14,000.00
7	3	EA	Splash Pads	\$300.00	\$900.00
8	4	EA	Concrete Pipe Supports	\$3,000.00	\$12,000.00
9	5	EA	Manholes	\$4,500.00	\$22,500.00
10	4	EA	Effluent Structures	\$10,000.00	\$40,000.00
11	1,000	LF	6' Chain Link Fence	\$15.00	\$15,000.00
12	1	LS	Placing Topsoil & Seeding	\$24,000.00	\$24,000.00
13	1	LS	Aggregate Road Surfacing	\$23,500.00	\$23,500.00
14	1	LS	Lagoon Dyke Repair	\$80,000.00	\$80,000.00
15	1	LS	Headworks Repair	\$120,000.00	\$120,000.00
16	1	LS	Dirt work for Control Building	\$80,000.00	\$80,000.00
				TOTAL	\$766,125.00
			<b>Collection</b>		
1	1	LS	Collection System	\$7,458,813.00	\$7,458,813.00
2	1	LS	Residential Lateral Repair	\$3,449,355.00	\$3,449,355.00
				Subtotal	\$16,588,053.00
<b>Engineering Cat. "D"</b>		<b>Administration Cost</b>		<b>5% contingency</b>	\$829,402.6
				<b>Construction Cost</b>	\$17,417,455.6
WWTP Permit	\$7,500.00	Interest	\$853,795.00	<b>Engineering Cost</b>	\$1,654,658.2

Environmental	\$3,500.00	Legal	\$50,000.00	Construction Observation	\$1,219,221.90
Soil Drill	\$12,000.00	RR Fees	\$45,000.00		
Prop. Survey	\$9,500.00	Equipment	\$130,000.00	Engineering Cat. "D"	\$86,428.00
SW Permit	\$3,500.00	ADEM Per	\$14,500.00	Administration	\$1,300,295.00
ALDOT Permit	\$5,500.00	Land purchase	\$140,000.00		
Mussel Fee	\$8,500.00	ALDOT Per	\$9,500.00		
Elec Eng.	\$36,428.00	Power Co.	\$50,000.00		
Sub Total	\$86,428.00	Advertise	\$7,500.00		
		Sub Total		\$1,300,295.00	
				<b>TOTAL COST</b>	<b>\$21,678,058.83</b>

**From:** [Bowen, Allen - RD, Montgomery, AL](#)  
**To:** [Gordon, Nivory - RD, Camden, AL](#)  
**Subject:** FW: ADEM Letter to Mayor Hunter - E-Transmittal  
**Date:** Friday, April 6, 2018 12:05:00 PM  
**Attachments:** 12672 AL0063657 105 04-06-2018 CORS CKO BREACHES AND OVERFLOWS.pdf

---

Nivory, please read the attached letter from ADEM to Uniontown. I have a question, is Engineers of the South still managing the water and sewer as required in the LOC of the project funding?

Thanks,

*Allen Bowen*

Allen Bowen  
United States Department of Agriculture  
Rural Development  
Community and Business Programs Director  
Office: 334-279-3617  
Cell: 334-322-4147  
Fax: 855-304-8457

---

**From:** Overman, Carolyn [mailto:coverman@adem.alabama.gov]  
**Sent:** Friday, April 6, 2018 9:59 AM  
**To:** 'mayorhunter@ymail.com' <mayorhunter@ymail.com>  
**Cc:** Lee, Sandra <SLee@adem.alabama.gov>; Lutz, Daphne Y <DLutz@adem.alabama.gov>; Anderson, Emily D <EDAnderson@adem.alabama.gov>; Blanton, Carrie T <carrie.blanton@adem.alabama.gov>; 'Sherry.Bradley@adph.state.al.us' <Sherry.Bradley@adph.state.al.us>; 'emorris@sentell.net' <emorris@sentell.net>; 'mike@eosutilityservices.com' <mike@eosutilityservices.com>; Bowen, Allen - RD, Montgomery, AL <Allen.Bowen@al.usda.gov>; 'jgibbs@gibbsandsellers.com' <jgibbs@gibbsandsellers.com>; 'gsentell@sentell.net' <gsentell@sentell.net>  
**Subject:** ADEM Letter to Mayor Hunter - E-Transmittal

April 6, 2018

Attached is an electronic copy of a letter from Glenda Dean, ADEM Water Division Chief to Jamaal Hunter, Mayor of Uniontown.

The letter was sent certified mail and placed in the US mail today.

Carolyn Overman  
Administrative Assistant  
Water Division  
334-271-7823



**005212**

Alabama Department of Environmental Management  
adem.alabama.gov

1400 Coliseum Blvd. 36110-2400 ■ Post Office Box 301463  
Montgomery, Alabama 36130-1463  
(334) 271-7700 ■ FAX (334) 271-7950

April 6, 2018

**Certified Mail 91 7199 9991 7033 1575 0775**  
**Return Receipt Requested**

Jamaal Hunter, Mayor  
City of Uniontown  
P O Box 1069  
Uniontown, AL 36786

RE: Sprayfield Berm Breaches and Lagoon Overflows  
NPDES Permit Number AL0063657  
Uniontown Lagoon  
Perry County (105)

Dear Mayor Hunter:

During February and March 2018, the City of Uniontown reported increased and more significant unpermitted discharges of wastewater from berm breaches at the sprayfield and additional overflows at the treatment lagoons. As previously communicated during legal proceedings and conversations with the City's engineering consultant, the Department has very serious concerns regarding these issues. The breaches of the sprayfield berm and overflows from the lagoons are chronic issues that appear to be increasing in number, volume, frequency, and severity. Exacerbating chronic issues with the wastewater collection and treatment system, information provided to the Department indicates a significant increase in influent flow to the system. Potential sources for the increased influent flow have been identified as broken drinking water lines, as well as other possible contributing sources (e.g., a stream flowing into the collection system).

The City should take immediate steps to determine and resolve the issues contributing to the significant increase in influent flow to the system. Additionally, in order to promptly identify issues, the City should conduct daily observations of the lagoons and sprayfield for overflows and breaches. The City should make every effort to minimize and mitigate the breaches and overflows, as well as the risk of catastrophic failures at the treatment lagoons and sprayfield.

A review of the City's most recent Engineering Report indicates there were failures of the force main from the lagoon to the sprayfield. Please note that these leaks are violations of your NPDES permit and require corrective action. Furthermore, in the future they should be reported as Sanitary Sewer Overflows (SSOs) as required by the NPDES Permit.

Given the deteriorating conditions at the wastewater collection, wastewater treatment system and sprayfield, the City's immediate attention is warranted, and the Department requests the City provide a written response within 14 days of receipt of this letter addressing the corrective measures taken by the City to minimize and mitigate increased





overflows and the risk of catastrophic failures of the system. Also, in light of the deteriorating conditions, the City should be particularly vigilant to ensure that any notifiable SSO is noticed to the public, the County Health Department, and any other affected entity such as public water systems.

As you are aware, the Department holds monthly status calls with the City's consultants. The Department strongly encourages your participation in these calls. If you have questions regarding this matter, please contact the area engineer Ms. Sandra Lee either by email at [slee@adem.alabama.gov](mailto:slee@adem.alabama.gov) or by phone at (334) 274-4223.

Sincerely,

*Glenda L. Dean*

Glenda L. Dean, Chief  
Water Division

cc: Sandra Lee/ADEM  
Daphne Lutz/ADEM  
Emily Anderson/ADEM  
Carrie Blanton/ADEM  
Sherry Bradley/ADPH  
Ed Morris/Sentell Engineering  
Mike Walraven/EOS  
Allen Bowen/USDA  
John Gibbs/Gibbs and Sellers, PC  
Gilbert Sentell/Sentell Engineering

**005214**

**From:** [Barringer, Scott - RD, Washington, DC](#)  
**To:** [Bowen, Allen - RD, Montgomery, AL](#)  
**Subject:** FW: Alabama water project - Latest info  
**Date:** Tuesday, May 1, 2018 3:23:55 PM  
**Attachments:** [image001.png](#)

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It was Uniontown.

Scott Barringer  
Deputy Assistant Administrator, Rural Utilities Service  
Water and Environmental Programs  
Rural Development  
United States Department of Agriculture  
1400 Independence Ave., S.W. | Washington, D.C. 20250  
Phone: (202)720-9643 | Fax: (202)690-0649  
[www.rd.usda.gov](http://www.rd.usda.gov) | "Committed to the future of rural communities"

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**From:** Primrose, Edna - RD, Washington, DC  
**Sent:** Monday, April 30, 2018 3:14 PM  
**To:** Barringer, Scott - RD, Washington, DC <[Scott.Barringer@wdc.usda.gov](mailto:Scott.Barringer@wdc.usda.gov)>; Evans, Kent - RD, Washington, DC <[Kent.Evans@wdc.usda.gov](mailto:Kent.Evans@wdc.usda.gov)>; Saulnier, Stephen - RD, Washington, DC <[Stephen.Saulnier@wdc.usda.gov](mailto:Stephen.Saulnier@wdc.usda.gov)>; Francis, Cheryl - RD, Washington, DC <[Cheryl.Francis@wdc.usda.gov](mailto:Cheryl.Francis@wdc.usda.gov)>; Schindler, Nicole - RD, Washington, DC <[Nicole.Schindler@wdc.usda.gov](mailto:Nicole.Schindler@wdc.usda.gov)>  
**Subject:** Fwd: Alabama water project - Latest info

Will need bullet points on Uniontown for meeting with Ken and Randi - thanks

Sent from my iPhone

Begin forwarded message:

**From:** "Safian, Janet - OGC" <[JANET.SAFIAN@OGC.USDA.GOV](mailto:JANET.SAFIAN@OGC.USDA.GOV)>  
**Date:** April 30, 2018 at 2:36:07 PM EDT  
**To:** "Peterson, Dana - RD, Washington, DC" <[Dana.Peterson@wdc.usda.gov](mailto:Dana.Peterson@wdc.usda.gov)>  
**Cc:** "Beeker, Chris - RD, Montgomery, AL" <[Chris.Beeker@al.usda.gov](mailto:Chris.Beeker@al.usda.gov)>, "Wheat, Marie - RD, Washington, DC" <[Marie.Wheat@wdc.usda.gov](mailto:Marie.Wheat@wdc.usda.gov)>, "Johnson, Ken - RD, Washington,

**005215**

DC" <[KenL.Johnson@wdc.usda.gov](mailto:KenL.Johnson@wdc.usda.gov)>, "Hutchinson, Randi - RD, Washington, DC"  
<[Randi.Hutchinson@wdc.usda.gov](mailto:Randi.Hutchinson@wdc.usda.gov)>, "Primrose, Edna - RD, Washington, DC"  
<[Edna.Primrose@wdc.usda.gov](mailto:Edna.Primrose@wdc.usda.gov)>

**Subject: RE: Alabama water project**

The \$500M no year funding is flexible; however, RUS first needs to decide how it will use those funds and issue a funding announcement.

I would be glad to meet with them to come up with a plan.



Janet H. Safian  
Assistant General Counsel  
Food Assistance, Int'l and Rural Division  
Office of the General Counsel  
U.S. Department of Agriculture  
1400 Independence Ave., S.W., Rm. 4343-S  
Washington, DC 20250-1400  
☎ 202-720-2923 (Voice)  
202-430-8949 (Mobile)  
✉ [janet.safian@ogc.usda.gov](mailto:janet.safian@ogc.usda.gov)

---

**From:** Peterson, Dana - RD, Washington, DC

**Sent:** Monday, April 30, 2018 12:34 PM

**To:** Safian, Janet - OGC <[JANET.SAFIAN@OGC.USDA.GOV](mailto:JANET.SAFIAN@OGC.USDA.GOV)>; Wheat, Marie - RD, Washington, DC <[Marie.Wheat@wdc.usda.gov](mailto:Marie.Wheat@wdc.usda.gov)>; Johnson, Ken - RD, Washington, DC <[KenL.Johnson@wdc.usda.gov](mailto:KenL.Johnson@wdc.usda.gov)>; Hutchinson, Randi - RD, Washington, DC <[Randi.Hutchinson@wdc.usda.gov](mailto:Randi.Hutchinson@wdc.usda.gov)>

**Cc:** Beeker, Chris - RD, Montgomery, AL <[Chris.Beeker@al.usda.gov](mailto:Chris.Beeker@al.usda.gov)>

**Subject:** Alabama water project

Janet, Marie, Ken & Randi,

Last week Anne learned about one of our water projects, this one in Uniontown, AL. We have a loan-grant combo from 2014 with the municipality and the project didn't work so they have a court order to fix a sewage issue for their residents. I talked with Marie, Ken and Randi this morning following staff meeting; Ken & Randi are going to look up the project details and Marie will communicate with Hill staff. The Alabama State Director is Chris Beeker and is aware of the situation, he is copied here so we can all be on the same page.

Janet, we'd like to find out what sort of flexibility we have with the \$500 million in General Provisions from the 2018 Omnibus bill to Water to help this community fix their problem. State staff is looking into their options as well.

Maybe we can circle the wagons on a call later this week?

Thanks team!

Dana

**005216**

Dana Peterson, Policy Advisor  
USDA Rural Development  
Room 244-E  
Direct: 202-260-8468

**From:** [Beeker, Chris - RD, Montgomery, AL](#)  
**To:** [Bowen, Allen - RD, Montgomery, AL](#); [Gordon, Nivory - RD, Camden, AL](#)  
**Subject:** FW: Alabama water project  
**Date:** Monday, April 30, 2018 5:06:23 PM  
**Attachments:** [image001.png](#)  
[image003.png](#)  
[image004.png](#)  
[image006.png](#)  
[image007.png](#)  
[image008.png](#)

---

Chris Beeker III  
State Director | Alabama State Office  
Rural Development  
U.S. Department of Agriculture  
4121 Carmichael Road, Suite 601 | Montgomery, AL 36106  
Phone: 334-279-3402 | Fax: 855-304-8456  
[www.rd.usda.gov](http://www.rd.usda.gov) "Committed to the future of rural communities"

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**From:** Safian, Janet - OGC  
**Sent:** Monday, April 30, 2018 1:36 PM  
**To:** Peterson, Dana - RD, Washington, DC <Dana.Peterson@wdc.usda.gov>  
**Cc:** Beeker, Chris - RD, Montgomery, AL <Chris.Beeker@al.usda.gov>; Wheat, Marie - RD, Washington, DC <Marie.Wheat@wdc.usda.gov>; Johnson, Ken - RD, Washington, DC <KenL.Johnson@wdc.usda.gov>; Hutchinson, Randi - RD, Washington, DC <Randi.Hutchinson@wdc.usda.gov>; Primrose, Edna - RD, Washington, DC <Edna.Primrose@wdc.usda.gov>  
**Subject:** RE: Alabama water project

The \$500M no year funding is flexible; however, RUS first needs to decide how it will use those funds and issue a funding announcement.

I would be glad to meet with them to come up with a plan.



Janet H. Safian  
Assistant General Counsel  
Food Assistance, Int'l and Rural Division  
Office of the General Counsel  
U.S. Department of Agriculture  
1400 Independence Ave., S.W., Rm. 4343-S  
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202-430-8949 (Mobile)  
✉ [janet.safian@ogc.usda.gov](mailto:janet.safian@ogc.usda.gov)

**005218**

---

**From:** Peterson, Dana - RD, Washington, DC  
**Sent:** Monday, April 30, 2018 12:34 PM  
**To:** Safian, Janet - OGC <[JANET.SAFIAN@OGC.USDA.GOV](mailto:JANET.SAFIAN@OGC.USDA.GOV)>; Wheat, Marie - RD, Washington, DC <[Marie.Wheat@wdc.usda.gov](mailto:Marie.Wheat@wdc.usda.gov)>; Johnson, Ken - RD, Washington, DC <[KenL.Johnson@wdc.usda.gov](mailto:KenL.Johnson@wdc.usda.gov)>; Hutchinson, Randi - RD, Washington, DC <[Randi.Hutchinson@wdc.usda.gov](mailto:Randi.Hutchinson@wdc.usda.gov)>  
**Cc:** Beeker, Chris - RD, Montgomery, AL <[Chris.Beeker@al.usda.gov](mailto:Chris.Beeker@al.usda.gov)>  
**Subject:** Alabama water project

Janet, Marie, Ken & Randi,

Last week Anne learned about one of our water projects, this one in Uniontown, AL. We have a loan-grant combo from 2014 with the municipality and the project didn't work so they have a court order to fix a sewage issue for their residents. I talked with Marie, Ken and Randi this morning following staff meeting; Ken & Randi are going to look up the project details and Marie will communicate with Hill staff. The Alabama State Director is Chris Beeker and is aware of the situation, he is copied here so we can all be on the same page.

Janet, we'd like to find out what sort of flexibility we have with the \$500 million in General Provisions from the 2018 Omnibus bill to Water to help this community fix their problem. State staff is looking into their options as well.

Maybe we can circle the wagons on a call later this week?

Thanks team!  
Dana

Dana Peterson, Policy Advisor  
USDA Rural Development  
Room 244-E  
Direct: 202-260-8468

**005219**

**From:** [Williams, Daniel - RD, Montgomery, AL](#)  
**To:** [Bowen, Allen - RD, Montgomery, AL](#)  
**Subject:** FW: City of Uniontown  
**Date:** Wednesday, August 29, 2018 10:30:19 PM  
**Attachments:** [USDA EDU Form.pdf](#)

---

Allen,

FYI... Please see the email below. I reached out to my contact at Union Town for some additional information. I also reviewed the new comments from the National Office underwriter and she wants me to add/adjust some of my comments. I will begin making those updates and follow up in the morning.

Thank you,

Daniel Williams  
USDA RURAL DEVELOPMENT  
Community Programs  
State Loan Specialist  
4121 Carmichael Road, Suite 601  
Montgomery, Alabama 36106-3683  
Voice Direct 334-279-3445  
Fax 855-304-8457  
[Daniel.Williams4@AL.USDA.gov](mailto:Daniel.Williams4@AL.USDA.gov)

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-----Original Message-----

From: Williams, Daniel - RD, Montgomery, AL  
Sent: Wednesday, August 29, 2018 8:46 PM  
To: 'cityofuniontown@outlook.com' <[cityofuniontown@outlook.com](mailto:cityofuniontown@outlook.com)>  
Subject: RE: City of Uniontown

Hello Emefa,

The attached document is a breakdown of water residential/commercial users and gallons. I need the same breakdown for sewer users. If possible I need this as soon as possible. Thanks in advance and I look forward to hearing from you.

Thanks again,

Daniel Williams  
USDA RURAL DEVELOPMENT  
Community Programs  
State Loan Specialist  
4121 Carmichael Road, Suite 601  
Montgomery, Alabama 36106-3683  
Voice Direct 334-279-3445  
Fax 855-304-8457  
[Daniel.Williams4@AL.USDA.gov](mailto:Daniel.Williams4@AL.USDA.gov)

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**005220**



**USDA EDU Form**

**Fax # 334-396-7090**

**Phone # 334-396-5511**



System Name - Uniontown Utilities Board

PWSID - 0001100 Date - 8/23/2018

Number of Active Residential Connections - 787

Number of Active Commercial Connections - 33

**System Type Information**

GWUDI = Ground Water Under the Direct Influence of Surface Water  
*(check all that apply)*

My System **Produces** -

Groundwater    Surface Water    GWUDI

My System **Purchases** -

Groundwater    Surface Water    GWUDI

**System Billing Information**

**\*\*Please attach a copy of your current water rates\*\***

Average Residential Usage per Customer (Gallons) 2,591,425

Average Commercial Usage per Customer (Gallons) 7,336,094

Average Monthly Residential Bill \$63.86

WE AT THE ARWA APPRECIATE YOUR ASSISTANCE AND SUPPORT WITH THIS EFFORT.

**005221**



-----Original Message-----

From: cityofuniontown@outlook.com <cityofuniontown@outlook.com>

Sent: Wednesday, August 29, 2018 3:38 PM

To: Williams, Daniel - RD, Montgomery, AL <Daniel.Williams4@al.usda.gov>

Subject: City of Uniontown

Daniel

I received a message to give "Daniel of USDA State Office a call". You're the only one I know so please give me a call on my cell phone (b) (6) if it was you who called.

Emefa

Sent from my iPhone

**005222**

**From:** [Bowen, Allen - RD, Montgomery, AL](#)  
**To:** [Taylor, John - RD, Montgomery, AL](#)  
**Subject:** FW: City of Uniontown - NOA Advertisement  
**Date:** Wednesday, September 19, 2018 3:40:00 PM  
**Attachments:** [DOC091918-09192018130632.pdf](#)

---

Allen Bowen

Allen Bowen  
United States Department of Agriculture  
Rural Development  
Community and Business Programs Director  
Office: 334-279-3617  
Cell: 334-322-4147  
Fax: 855-304-8457

-----Original Message-----

From: Norwood, Rose - RD, Camden, AL  
Sent: Wednesday, September 19, 2018 1:11 PM  
To: Bowen, Allen - RD, Montgomery, AL <[Allen.Bowen@al.usda.gov](mailto:Allen.Bowen@al.usda.gov)>  
Cc: Gordon, Nivory - RD, Camden, AL <[Nivory.Gordon@al.usda.gov](mailto:Nivory.Gordon@al.usda.gov)>  
Subject: City of Uniontown - NOA Advertisement

Please verify receipt.

Rose Norwood  
Area Specialist  
USDA, Rural Development  
321 Depot Street  
Camden, AL 36726  
334-682-4116 Ext 105  
855-840-7764 (Fax)

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-----Original Message-----

**005223**

DEPARTMENT OF AGRICULTURE  
Rural Development

City of Uniontown: Notice of Availability of an Environmental Assessment

**AGENCY:** Rural Utility Service, USDA

**ACTION:** Notice of Availability of an Environmental Assessment

**SUMMARY:** Notice is hereby given that the Rural Utility Service (RUS), as required by the National Environmental Policy Act, is issuing an environmental assessment (EA) in connection with possible impacts related to a project proposed by the City of Uniontown, Alabama. The proposal is for rehabilitation of the city's wastewater collection system and construction of pump stations and a force main. The City of Uniontown has submitted an application to RUS for funding of the proposal.

**FOR FURTHER INFORMATION CONTACT:** Nivory Gordon, Jr., Area Director at USDA, RD, 321 Depot Street, Camden, AL 36726, 334-682-4116 Ext. 110 or via email at [Nivory.gordon@al.usda.gov](mailto:Nivory.gordon@al.usda.gov).

**SUPPLEMENTARY INFORMATION:** The City of Uniontown proposes to rehabilitate the city's wastewater collection system and construct screening facilities, pump stations and a force main to transport the wastewater to the City of Demopolis for treatment at their wastewater treatment plant. The existing treatment lagoons and effluent spray field would be decommissioned and reclaimed.

Sentell Engineering, Inc., an environmental consultant, prepared an environmental assessment for RUS that describes the project, assesses the proposed project's environmental impacts, and summarizes as applicable any mitigation measures used to minimize environmental effects. RUS has conducted an independent evaluation of the environmental assessment and believes that it accurately assesses the impacts of the proposed project. No significant impacts are expected as a result of the construction of the project.

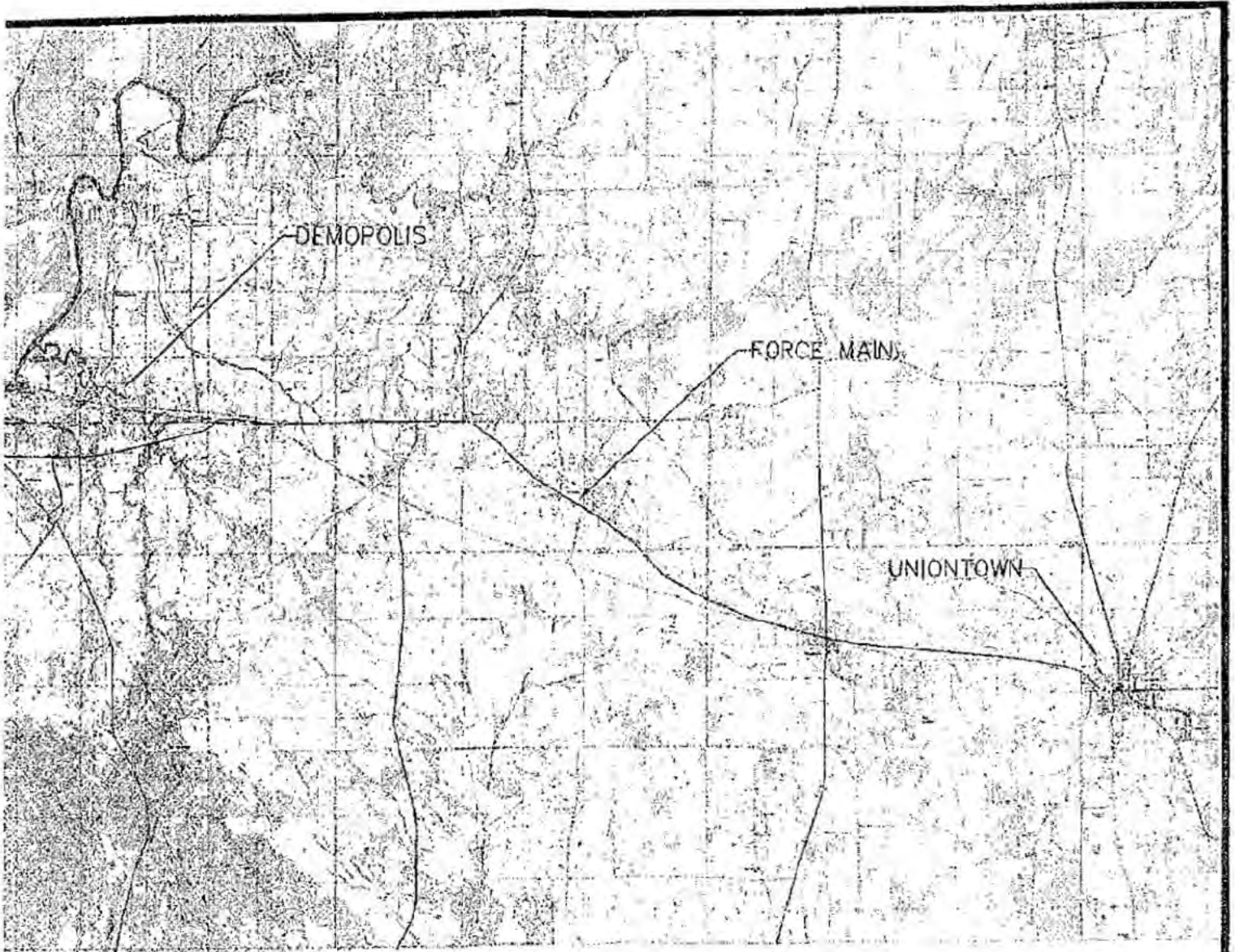
Questions and comments should be sent to RUS at the address provided. RUS will accept questions and comments on the environmental assessment for 14 days from the date of publication of this notice.

Any final action by RUS related to the proposed project will be subject to, and contingent upon, compliance with all relevant Federal environmental laws and regulations and completion of environmental review procedures as prescribed by 7 CFR Part 1970, Environmental Policies and Procedures.

A general location map of the proposal is shown below

Dated: September 8, 2018

005224



UNIONTOWN EAST QUADRANGLE  
 S: 8,17,18 T: 17N R: 6E

UNIONTOWN WEST QUADRANGLE  
 S: 6-13,17,18,19&30 T: 17N R: 5E&6E

GALLION QUADRANGLE  
 S: 1,27,28,34,35 T: 17N&18N R: 4E

OLD SPRING HILL QUADRANGLE  
 S: 29,32 T: 17N R: 3E

DEMOPOLIS QUADRANGLE  
 S: 23,26,27,28,29 T: 18N R: 3E

CASEMORE QUADRANGLE  
 S: 25,28,29,30 T: 18N R: 3E&4E  
 7.5 MINUTE SERIES TOPOGRAPHIC MAP

ALABAMA



Vicinity of Project



Scale 1" = 13,000 ft



From: ALCAMDEN-RD@one.usda.gov <ALCAMDEN-RD@one.usda.gov>

Sent: Wednesday, September 19, 2018 3:07 PM

To: Bowen, Allen - RD, Montgomery, AL <Allen.Bowen@al.usda.gov>; Gordon, Nivory - RD, Camden, AL <Nivory.Gordon@al.usda.gov>; Norwood, Rose - RD, Camden, AL <Rose.Norwood@al.usda.gov>

Subject: Send data from MFP11303004 09/19/2018 13:06

Scanned from MFP11303004

Date:09/19/2018 13:06

Pages:2

Resolution:200x200 DPI

---

**005226**

**From:** [Williams, Daniel - RD, Montgomery, AL](#)  
**To:** [Bowen, Allen - RD, Montgomery, AL](#)  
**Subject:** FW: City of Uniontown  
**Date:** Wednesday, August 29, 2018 10:31:11 PM

---

Allen,

FYI.. Union Town has responded to the email request. See below...

Thank you,

Daniel Williams  
USDA RURAL DEVELOPMENT  
Community Programs  
State Loan Specialist  
4121 Carmichael Road, Suite 601  
Montgomery, Alabama 36106-3683  
Voice Direct 334-279-3445  
Fax 855-304-8457  
[Daniel.Williams4@AL.USDA.gov](mailto:Daniel.Williams4@AL.USDA.gov)

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-----Original Message-----

From: [cityofuniontown@outlook.com](mailto:cityofuniontown@outlook.com) <[cityofuniontown@outlook.com](mailto:cityofuniontown@outlook.com)>  
Sent: Wednesday, August 29, 2018 9:01 PM  
To: Williams, Daniel - RD, Montgomery, AL <[Daniel.Williams4@al.usda.gov](mailto:Daniel.Williams4@al.usda.gov)>  
Cc: [berneataharris@yahoo.com](mailto:berneataharris@yahoo.com); Jamaal Hunter <[jamaalhunter5219@gmail.com](mailto:jamaalhunter5219@gmail.com)>  
Subject: Re: City of Uniontown

Hello

We will work on getting this to you tomorrow

Emefa

Sent from my iPhone

> On Aug 29, 2018, at 8:48 PM, Williams, Daniel - RD, Montgomery, AL <[Daniel.Williams4@al.usda.gov](mailto:Daniel.Williams4@al.usda.gov)> wrote:  
>  
> Hello Emefa,  
>  
> The attached document is a breakdown of water residential/commercial users and gallons. I need the same  
> breakdown for sewer users. If possible I need this as soon as possible. Thanks in advance and I look forward to  
> hearing from you.  
>  
> Thanks again,  
>  
> Daniel Williams  
> USDA RURAL DEVELOPMENT  
> Community Programs  
> State Loan Specialist  
> 4121 Carmichael Road, Suite 601

**005227**

- > Montgomery, Alabama 36106-3683
- > Voice Direct 334-279-3445
- > Fax 855-304-8457
- > Daniel.Williams4@AL.USDA.gov
- >
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- >

**From:** [Taylor, John - RD, Montgomery, AL](#)  
**To:** [Bowen, Allen - RD, Montgomery, AL](#)  
**Subject:** FW: City of Uniontown LOC  
**Date:** Monday, October 22, 2018 4:32:44 PM  
**Attachments:** [proposed LOC 2018 .doc](#)  
[image002.png](#)  
[image003.png](#)  
[image005.png](#)  
[image006.png](#)

---

John E. Taylor, P.E.  
Alabama State Engineer & SEC  
USDA Rural Development  
4121 Carmichael Rd. STE 601  
Montgomery, AL 36106  
334-279-3475

---

**From:** Givan, Terrika - RD, Camden, AL  
**Sent:** Friday, September 21, 2018 11:04 AM  
**To:** Taylor, John - RD, Montgomery, AL <[john.taylor@al.usda.gov](mailto:john.taylor@al.usda.gov)>; Bowen, Allen - RD, Montgomery, AL <[Allen.Bowen@al.usda.gov](mailto:Allen.Bowen@al.usda.gov)>; Hale, Stan - RD, Montgomery, AL <[Stan.Hale@al.usda.gov](mailto:Stan.Hale@al.usda.gov)>; Williams, Daniel - RD, Montgomery, AL <[Daniel.Williams4@al.usda.gov](mailto:Daniel.Williams4@al.usda.gov)>  
**Cc:** Gordon, Nivory - RD, Camden, AL <[Nivory.Gordon@al.usda.gov](mailto:Nivory.Gordon@al.usda.gov)>  
**Subject:** RE: City of Uniontown LOC

This is the final revision. Everything is aligned including budgeted amounts.

Terrika L. Givan  
Area Technician  
USDA, Rural Development  
321 Depot Street  
Camden, AL 36726  
Phone: 334-682-4116 Ext. 120  
Fax: 855-840-7764

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**005229**





Rural Development

September 18, 2018

Camden Area Office

321 Depot Street  
Camden, AL 36726

Voice 334.682.4116  
Fax 855.840.7764

City of Uniontown  
Jamaal Hunter, Mayor  
100 Front Street  
Uniontown, AL 36786

**SUBJECT:** City of Uniontown  
Sewage Collection & Treatment Rehab 2018  
Wastewater Application  
Grant - \$23,506,504.00  
State of Alabama Funds - \$3,287,500.00  
CDBG/HUD - \$325,000.00  
DRA - \$4,200,000.00

Dear Mayor Hunter:

This letter establishes conditions which must be understood and agreed to by you before further consideration may be given to your application. The grant will be administered on behalf of the Rural Utilities Service (RUS) by the State and Area staff of USDA Rural Development, both of which are referred to throughout this letter as the Agency. Any changes in project cost, source of funds, scope of project, or any other significant changes in the project or applicant must be reported to and concurred with by the Agency by written amendment to this letter. If significant changes are made without obtaining such concurrence, the Agency may discontinue processing of the application.

All conditions set forth under Section III – Requirements Prior to Advertising for Bids must be met within 120 days of the date of this letter. If you have not met these conditions, the Agency reserves the right to discontinue the processing of your application.

If you agree to meet the conditions set forth in this letter and desire further consideration be given to your application, please complete and return the following forms within 10 days:

Form RD 1942-46, “Letter of Intent to Meet Conditions”  
Form RD 1940-1, “Request for Obligation of Funds”  
RUS Bulletin 1780-12, “Water and Waste System Grant Agreement”

The grant will be considered approved on the date Form RD 1940-1, “Request for Obligation of Funds,” is signed by the approving official. Thus, this letter in itself does not constitute loan and/or grant approval, nor does it ensure that funds are or will be available for the project. When funds are available, the Form 1940-1 will be provided to

you for your signature. After you sign and return the form to the Agency, the request will be processed and grant funds will be approved and obligated.

Extra copies of this letter are being provided for use by your engineer, attorney, bond counsel and accountant. All parties may access information and regulations referenced in this letter at our website located at [www.rd.usda.gov](http://www.rd.usda.gov).

The conditions are as follows:

**SECTION I - PROJECT DETAIL**

**1. Project Description** – Funds will be used for Sewage Collection & Treatment Rehab.

Facilities will be designed and constructed in accordance with sound engineering practices and must meet the requirements of Federal, State, and local agencies. The proposed facility design must be based on the Preliminary Engineering Report (PER) as concurred with by the Agency.

**2. Project Funding** – The Agency is offering the following funding for your project:

Agency Grant - \$ 23,506,504.00

This offer is based upon the following additional funding being obtained.

[State of Alabama ] - \$ [3,287,500.00]  
[CDBG/HUD ] - \$ [ 325,000.00]  
[DRA ] - \$ [4,200,000.00]

TOTAL PROJECT COST - \$ [31,319.004.00]

This funding is offered based on the amounts stated above. Prior to loan closing, any increase in non-Agency funding will be applied first as a reduction to Agency grant funds, up to the total amount of the grant.

Any changes in funding sources following obligation of Agency funds must be reported to the processing official. Project feasibility and funding will be reassessed if there is a significant change in project costs after bids are received. If actual project costs exceed the project cost estimates, an additional contribution by the Owner may be necessary. Prior to advertisement for construction bids, you must provide evidence of applicant contributions and approval of other funding sources. This evidence should include a copy of the commitment letter. Agency funds will not be used to pre-finance funds committed to the project from other sources.

**3. American Iron and Steel** – Section 746 of Title VII of the Consolidated Appropriations Act of 2017 (Division A - Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2017) and subsequent statutes mandating domestic

preference applies a new American Iron and Steel (AIS) requirement to obligations made after May 5th, 2017:

- (1) No Federal funds made available for this fiscal year for the rural water, waste water, waste disposal, and solid waste management programs authorized by the Consolidated Farm and Rural Development Act (7 U.S.C. 1926 et seq.) shall be used for a project for the construction, alteration, maintenance, or repair of a public water or wastewater system unless all of the iron and steel products used in the project are produced in the United States.
- (2) The term “iron and steel products” means the following products made primarily of iron or steel: lined or unlined pipes and fittings, manhole covers and other municipal castings, hydrants, tanks, flanges, pipe clamps and restraints, valves, structural steel, reinforced precast concrete, and construction materials.
- (3) The requirement shall not apply in any case or category of cases in which the Secretary of Agriculture (in this section referred to as the “Secretary”) or the designee of the Secretary finds that—
  - (a) applying the requirement would be inconsistent with the public interest;
  - (b) iron and steel products are not produced in the United States in sufficient and reasonably available quantities or of a satisfactory quality; or
  - (c) inclusion of iron and steel products produced in the United States will increase the cost of the overall project by more than 25 percent.”

Owners are ultimately responsible for compliance with AIS requirements and will be responsible for the following:

- (a) Signing loan resolutions, grant agreements and letters of intent to meet conditions which include AIS language, accepting AIS requirements in those documents and in the letter of conditions.
- (b) Signing change orders (i.e. C-941 of EJCDC) and partial payment estimates (i.e. C-620 of EJCDC) and thereby acknowledging responsibility for compliance with American and Iron Steel requirements.
- (c) Obtaining the certification letters from the consulting engineer upon substantial completion of the project and maintaining this documentation for the life of the loan.
- (d) Where the owner provides their own engineering and/or construction services, providing copies of engineers’, contractors’, and manufacturers’ certification letters (as applicable) to the Agency to insert into the Agency file. All certification letters must be kept in the engineer’s project file and on site during construction. For Owner Construction (Force Account), all clauses from Section 17 must be included in the Agreement for Engineering Services.
- (e) Where the owner directly procures AIS products, including AIS clauses in the procurement contracts and obtaining manufacturers’ certification letters and providing copies to consulting engineers and contractors.

**4. Project Budget** – Funding from all sources has been budgeted for the estimated expenditures as follows:

**Project Costs:**

**Total Budgeted:**

Administration/Legal	\$[10,000.00]
Development/ Construction	[25,424,000.00]
Contingency	[2,542,400.00]
Engineering Fees	[2,857,240.00]
Includes:	
Preliminary Engineering Report	[_____]
Environmental Report	[_____]
PreDevelopment	[263,500.00]
Design	[1,938,140.00]
Construction Administration (Inspection)	[559,300.00]
Additional	[96,300.00]
Equipment	[130,000.00]
Interest - Interim	[_____]
Interest - Agency	[_____]
Land and Rights-of-Way	[80,000.00]
Legal Fees - Local Attorney	[_____]
Legal Fees - Bond Counsel	[_____]
[Electrical Service]	[50,000.00]
[ALDOT Permit]	[80,000.00]
[ADEM Permit]	[12,650.00]
[Advertising]	[18,710.00]
[Railroad Fees]	[45,000.00]
<b>TOTAL PROJECT COST</b>	<b>[31,250,000.00]</b>

Obligated loan or grant funds not needed to complete the proposed project will be deobligated prior to start of construction. Any reduction will be applied to grant funds first. An amended letter of conditions will be issued for any changes to the total project budget.

**SECTION II –GRANT TERMS**

**5. Security** – Additional security requirements are contained in RUS Bulletin 1780-12, “Water and Waste System Grant Agreement,” and RUS Bulletin 1780-27, “Loan Resolution (Public Bodies).” A draft of all security instruments, including draft bond resolution, must be reviewed and concurred in by the Agency prior to advertising for bids. The bond resolution and Loan Resolution must be duly adopted and executed prior to loan closing. The Grant Agreement must be fully executed prior to the first disbursement of grant funds.

**6. Construction Completion Timeframe** - All projects must be completed and all funds disbursed within five years of obligation. If funds are not disbursed within five years of obligation, you must submit to the Agency a written request for extension of time with adequate

justification of circumstances beyond your control. Requests for waivers beyond the initial extension will be submitted to the Assistant Administrator for concurrence decision.

**7. Disbursement of Agency Funds** - Agency funds will be disbursed into the borrower's depository account through an electronic transfer system. SF 3881, "ACH Vendor/Miscellaneous Payment Enrollment Form," must be completed and submitted to the Agency prior to advertising for bids.

Any applicant contribution will be the first funds expended, followed by other funding sources. Interim financing or Agency loan funds will be expended after all other funding sources unless a written agreement is reached with all other funding sources on how funds are to be disbursed prior to start of construction or loan closing, whichever occurs first. Interim financing funds or Agency loan funds must be used prior to the use of Agency grant funds. The Grant Agreement must not be closed and funds must not be disbursed prior to loan funds except as specified in RUS Instruction 1780.45(d). In the unlikely event the Agency mistakenly disburses funds, the funds will be remitted back to the Agency electronically.

Grant funds are to be deposited in an interest-bearing account (exception provided below) in accordance with 2 CFR Part 200 and interest in excess of \$500 per year remitted to the Agency. The funds should be disbursed by the recipient immediately upon receipt and there should be little interest accrual on the Federal funds. Recipients shall maintain advances of Federal funds in interest-bearing accounts, unless:

- a. The recipient receives less than \$120,000 in Federal awards per year.
- b. The best reasonably available interest-bearing account would not be expected to earn interest in excess of \$500 per year on Federal cash balances.
- c. The depository would require an average or minimum balance so high that it would not be feasible within the expected Federal and non-Federal cash resources.
- d. A foreign government or banking system prohibits or precludes interest-bearing accounts.

**8. Reserves** – Reserves must be properly budgeted to maintain the financial viability and sustainability of any operation. Reserves are important to fund unanticipated emergency maintenance and repairs, and assist with debt service should the need arise. The following reserves are required to be established as a condition of this loan:

- a. **Debt Service Reserve** – As a part of this Agency loan proposal, you must establish a debt service reserve fund equal to at least one annual loan installment of the existing loan, General Obligation Sewer Warrant Series 2013, that accumulates at the rate of 10% of one annual payment per year for ten years or until the balance is equal to one annual loan payment. Ten percent of the existing loan installment would equal \$ **991.17** per month; this amount should be deposited monthly until a total of \$ **118,938.00** has accumulated. Prior written concurrence from the Agency must be obtained before funds may be

withdrawn from this account during the life of the loan. When funds are withdrawn during the life of the loan, deposits will continue as designated above until the fully-funded amount is reached.

- b. Short-Lived Asset Reserve** – In addition to the debt service reserve fund, you must establish a short-lived asset reserve fund. Based on the preliminary engineering report, you must deposit at least \$7,987.00 into the short-lived asset reserve fund annually for the life of the loan to pay for repairs and/or replacement of major system assets. It is your responsibility to assess your facility’s short-lived asset needs on a regular basis and adjust the amount deposited to meet those needs.

Current assets can also be used to establish and maintain reserves for expected expenses, including but not limited to operation and maintenance, deferred interest during the construction period, and an asset management program.

### **SECTION III – REQUIREMENTS PRIOR TO ADVERTISING FOR BIDS**

**9. Environmental Requirements** – At the conclusion of the proposal’s environmental review process, specific action(s) were determined necessary to avoid or minimize adverse environmental impacts. As outlined in the Environmental Report dated August 13, 2018, the following [action is / actions are] required for successful completion of the project and must be adhered to during project design and construction:

The project as proposed has been evaluated to be consistent with the National Environmental Policy Act. Other Federal, State, tribal, and local laws, regulations and or permits may apply or be required. If the project or any project element deviates from or is modified from the originally-approved project, additional environmental review may be required.

This project will be funded using the Programmatic Agreement among the U.S. Department of Agriculture Rural Development Programs, National Conference of State Historic Preservation Officers, Tribal Signatories, and The Advisory Council on historic Preservation for Sequencing Section 106 (NPA). The NPA requires the following conditions be applicable to this obligation:

- a.** No federal funds for construction will be released prior to completion of Section 106 review.
- b.** Agency may de-obligate funding and withdraw awards for an undertaking until completion of the Section 106 review.
- c.** You must initiate Section 106 no later than ninety (90) business days after the announcement of their obligation if they have not done so already; and to notify the appropriate RD agency that Section 106 has been initiated in accordance with 36 CFR Part 800.2(c)(4), and 7 CFR Part 1970.5(b)(2) of the regulations, “Environmental Policies and Procedures” (7 CFR Part 1970).
- d.** You must submit Section 508 of the Rehabilitation Act of 1973 (29 U.S.C. § 794 (d)), as amended in 1998 (508 compliant) hard copy or electronic Section 106 documentation to SHPOs, THPOs, Indian tribes, and NHOs based on the preference of the receiving party.

**10. Engineering Services** – You have been required to complete an Agreement for Engineering Services, which should consist of the Engineers Joint Contract Documents Committee (EJCDC) documents as indicated in RUS Bulletin 1780-26, “Guidance for the Use of EJCDC Documents on Water and Waste Projects with RUS Financial Assistance,” or other approved form of agreement. The Agency will provide concurrence prior to advertising for bids, and must approve any modifications to this agreement.

**11. Contract Documents, Final Plans, and Specifications**

- a. The contract documents must consist of the EJCDC construction contract documents as indicated in RUS Bulletin 1780-26 or other Agency-approved forms of agreement.
- b. The contract documents, final plans, and specifications must comply with RUS Instruction 1780, Subpart C – Planning, Designing, Bidding, Contracting, Constructing and Inspections, and must be submitted to the Agency for concurrence prior to advertising for bids along with an updated cost estimate. The Agency may require another updated cost estimate if a significant amount of time elapses between the original submission and advertising for bids.
- c. The use of any procurement method other than competitive sealed bids must be requested in writing and approved by the Agency.

**12. Legal Services** – You have been required to execute a legal services agreement with your attorney and bond counsel, if applicable, for any legal work needed in connection with this project. The agreement should stipulate an hourly rate for the work, with a “not to exceed” amount for the services, including reimbursable expenses. RUS Bulletin 1780-7, “Legal Services Agreement,” or similar format may be used. The Agency will provide concurrence prior to advertising for bids. Any changes to the fees or services spelled out in the original agreement must be reflected in an amendment to the agreement and have prior Agency concurrence.

**13. Property Rights** - Prior to advertising for bids, you and your legal counsel must furnish satisfactory evidence that you have or can obtain adequate continuous and valid control over the lands and rights-of-way needed for the project. Acquisitions of necessary land and rights must be accomplished in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act. Such control over the lands and rights will be evidenced by the following:

- a. **Right-of-Way Map** – Your engineer will provide a map clearly showing the location of all lands and rights-of-way needed for the project. The map must designate public and private lands and rights and the appropriate legal ownership thereof.
- b. **Form RD 442-20, “Right-of-Way Easement”** – This form may be used to obtain any necessary easements for the proposed project.
- c. **Form RD 442-21, “Right-of-Way Certificate”** – You will provide a certification on this form that all right-of-way requirements have been obtained for the proposed project.

- d. **Form RD 442-22, “Opinion of Counsel Relative to Rights-of-Way”** – Your attorney will provide a certification and legal opinion on this form addressing rights-of-way, easements, and title.
- #e. **Preliminary Title Work (Title Opinion)** – When applicable, your attorney will provide a preliminary title opinion for any property related to the facility, currently owned and to be acquired, along with copies of deeds, contracts or options for purchasing said property. Form RD 1927-9, “Preliminary Title Opinion,” may be used.
- #e. **Preliminary Title Work – (Title Insurance)** – When applicable, a title insurance binder will be required on all real estate related to the facility now owned and property to be acquired in connection with this project. The policy should name the United States of America, acting through the United States Department of Agriculture, as the proposed insured.

The approving official may waive title defects or restrictions, such as utility easements, that do not adversely affect the suitability, successful operation, security value, or transferability of the facility. Any such waivers must be provided by the approving official in writing prior to closing or the start of construction, whichever occurs first.

You are responsible for the acquisition of all property rights necessary for the project and for determining that prices paid are reasonable and fair. The Agency may require an appraisal by an independent appraiser or Agency employee in order to validate the price to be paid.

**14. System Policies, Procedures, Contracts, and Agreements** – The facility must be operated on a sound business plan. You must adopt policies, procedures, and/or ordinances outlining the conditions of service and use of the proposed system. Mandatory connection policies should be used where enforceable. The policies, procedures, and/or ordinances must contain an effective collection policy for accounts not paid in full within a specified number of days after the date of billing. They should include appropriate late fees, specified timeframes for disconnection of service, and reconnection fees. A draft of these policies, procedures, and/or ordinances must be submitted for Agency review and concurrence, along with the documents below, before closing instructions may be issued unless otherwise stated.

- a. **Conflict of Interest Policy** – Prior to obligation of funds, you must certify in writing that your organization has in place an up-to-date written policy on conflict of interest. The policy will include, at a minimum: (1) a requirement for those with a conflict or potential conflict to disclose the conflict/potential conflict; (2) a clause that prohibits interested members of the applicant’s governing body from voting on any matter in which there is a conflict, and (3) a description of the specific process by which the governing body will manage identified or potential conflicts.

You must also submit a disclosure of planned or potential transactions related to the use of Federal funds that may constitute or present the appearance of personal or organizational conflict of interest. Disclosure must be in the form of a written letter signed and dated by the applicant’s official. A negative disclosure in the same format is required if no conflicts are anticipated.



Sample conflict of interest policies may be found at the National Council of Nonprofits website, <https://www.councilofnonprofits.org/tools-resources/conflict-of-interest>, or in Internal Revenue Service Form 1023, Appendix A, "Sample Conflict of Interest Policy," at <http://www.irs.gov/pub/irs-pdf/i1023.pdf>. Though these examples reference non-profit corporations, the requirement applies to all types of Agency borrowers.

Assistance in developing a conflict of interest policy is available through Agency-contracted technical assistance providers if desired.

- b. Sewage Treatment Contract** – Any proposals to purchase sewage treatment services must be evidenced by a sewage treatment contract. A draft of the proposed contract must be submitted to the Agency for review and concurrence prior to advertising for bids. The draft contract must meet the requirements of RUS Instruction 1780.62.
- c. Sewer User Agreement** – Projects not involving mandatory connection require users to execute a Sewer Users Agreement. The draft agreement must receive RD concurrence prior to advertising for bids. RUS Bulletin 1780-9, "Water Users Agreement," or similar format may be used.
- d. Contracts for Other Services/Lease Agreement** – Drafts of any contracts or other forms of agreements for other services, including audit, management, operation, and maintenance, or lease agreements covering real property essential to the successful operation of the facility, must be submitted to the Agency for review and concurrence prior to advertising for bids.
- e. Establishment of a Utilities Board** - City of Uniontown must establish a Utilities Board for the operations of the Water and Sewer System. Provide a copy of proposed Articles of Incorporation and By-Laws for Agency review and concurrence.
- f. Mandatory Ordinance for Hook-ups** - Implementation of a mandatory ordinance for hook-ups on water and sewer within city's jurisdiction. This ordinance must be enforced by the city and the newly formed Utilities Board.
- g. On-site Management** - Applicant must advertise for on-site management ( day to day management) on a contractual basis. All contracts must be reviewed and concurred by USDA Rural Development prior to acceptance by the Utilities Board.
- h. Annual Mandatory Training** - All Board members must comply with the Annual Mandatory Training requirement in order to remain a viable board member.
- i. Other agreements** with governments or other entities regarding joint operation of facilities, granting authority to Agency borrower for providing service within another entity's service area, etc. The draft agreement must receive Agency concurrence prior to advertising for bids.

Fully executed copies of any policies, procedures, ordinances, contracts, or agreements must be submitted prior to loan closing, with the exception of the conflict of interest policy, which must be in place prior to obligation of funds.

**15. Closing Instructions** – The Agency will prepare closing instructions as soon as the requirements of the previous paragraphs are complete, as well as a draft of the security instrument(s). Closing instructions must be obtained prior to advertising for bids.

**16. Construction Account** – You must establish a construction account for all funds related to the project. Construction funds will be deposited with an acceptable financial institution or depository that meets the requirements of 31 CFR Part 202. A separate account will not be required for Federal funds and other funds; however, the recipient must be able to separately identify, report, and account for all Federal funds, including the receipt, obligation and expenditure of funds. Financial institutions or depositories accepting deposits of public funds and providing other financial agency services to the Federal Government are required to pledge adequate, acceptable securities as collateral, in accordance with 31 CFR Part 202. All funds in the account will be secured by a collateral pledge equaling at least 100% of the highest amount of funds expected to be deposited in the construction account at any one time. Your financial institution can provide additional guidance on collateral pledge requirements.

Agency funds will be disbursed into the borrower’s depository account through an electronic transfer system. SF 3881, “ACH Vendor/Miscellaneous Payment Enrollment Form,” must be completed and submitted to the Agency prior to advertising for bids.

**17. System Users** – This letter of conditions is based upon your indication at application that there will be at least [787] residential users, [33] non-residential users on the system when construction is completed.

Before the Agency can agree to the project being advertised for construction bids, you must certify that the number of users indicated at application are currently using the system or signed up to use the system once it is operational.

If the actual number of existing and/or proposed users that have signed up for service is less than the number indicated at the time of application, you must provide the Agency with a written plan on how you will obtain the necessary revenue to adequately cash flow the expected operation, maintenance, debt service, and reserve requirements of the proposed project (e.g., increase user rates, sign up an adequate number of other users, reduce project scope, etc.). Similar action is required if there is cause to modify the anticipated flows or volumes presented following approval.

If you are relying on mandatory connection requirements, you must provide evidence of the authorizing ordinance or statute along with your user certification.

- a. Sewer User Agreements** – Users will be required to execute a Sewer Users Agreement prior to advertising for construction bids. The amount of cash contributions required will be set by you and concurred with by the Agency. Contributions should be an amount high enough to indicate sincere interest on the part of the potential user, but not so high as to preclude service to low income families, and have a deadline for the contribution to be used or forfeited. RUS Bulletin 1780-9, “Water Users Agreement,” or similar agreement may be used.
- b. Service Declination Statement** – Each potential user who is located along planned lines and declines the offered service will be provided an opportunity to sign a “Service Declination Statement.”

**18. Other Funding** – Prior to advertising for bids, you must provide evidence of applicant contributions and approval of other funding sources. This evidence should include a copy of the commitment letter from each source.

**19. Proposed Operating Budget** – You must establish and/or maintain a rate schedule that provides adequate income to meet the minimum requirements for operation and maintenance (O&M), debt service, and reserves. Prior to advertising for bids, you must submit a proposed annual operating budget to the Agency which supports the operation, maintenance, debt service, and reserves, as well as your proposed rate schedule. The operating budget should be based on a typical year cash flow after completion of the construction phase and should be signed by the appropriate official of your organization. Form RD 442-7, “Operating Budget,” or similar format may be utilized for this purpose. It is expected that O&M will change over each successive year and user rates will need to be adjusted on a regular basis.

Technical assistance is available at no cost to help you evaluate and complete a rate analysis on your system. This assistance is available free to your organization. If you are interested please contact our office for information.

**20. Permits** –The owner or responsible party will be required to obtain all applicable permits for the project, prior to advertising for bids. The consulting engineer must submit written evidence that all applicable permits required prior to construction have been obtained with submission to the Agency of the final plans, specifications, and bid documents.

**21. Vulnerability Assessment/Emergency Response Plan (VA/ERP)** – The Agency requires all financed water and wastewater systems to have a VA/ERP in place. Borrowers with existing systems must provide a certification that a VA/ERP has been completed prior to advertising for bids. The VA/ERP documents themselves are not submitted to the Agency. The VA/ERP must address potential impacts from natural disasters and other emergency events. In particular, it should include plans to address impacts of flash flooding in areas where severe drought or wildfires occur. The documents should be reviewed and updated every three years at a minimum.

For new systems, see Section V of this letter of conditions. For VA/ERP requirements throughout the life of the loan, see Section VII. Technical assistance at no cost is available in preparing these documents.

**22. Bid Authorization** - Once all the conditions outlined in Section III of this letter have been met, the Agency will authorize you to advertise the project for construction bids. Such advertisement must be in accordance with applicable State statutes.

#### **SECTION IV - REQUIREMENTS PRIOR TO START OF CONSTRUCTION**

**23. Bid Tabulation** – Immediately after bid opening, you must provide the Agency with the bid tabulation and your engineer’s evaluation of bids and recommendations for contract awards. If the Agency agrees that the construction bids received are acceptable, adequate funds are available to cover the total project costs, and all the requirements of Section III of this letter have been satisfied, the Agency will authorize you to issue the Notice of Award.

- a. Cost Overruns. If bids are higher than expected, or if unexpected construction problems are encountered, you must utilize all options to reduce cost overruns. Negotiations, redesign, use of bidding alternatives, rebidding or other means will be considered prior to commitment of subsequent funding by the Agency. Any requests for subsequent funding to cover cost overruns will be contingent on the availability of funds. Cost overruns exceeding 20% of the development cost at time of loan or grant approval or where the scope of the original purpose has changed will compete for funds with all other applications on hand as of that date.
- b. Excess Funds. If bids are lower than anticipated at time of obligation, excess funds must be deobligated prior to start of construction except in the cases addressed in this paragraph. In cases where the original PER for the project included items that were not bid, or were bid as an alternate, the State Office official may modify the project to fully utilize obligated funds for those items. Amendments to the PER, ER, and letter of conditions may be needed for any work not included in the original project scope. In all cases, prior to start of construction, excess funds will be deobligated, with grant funds being deobligated first. Excess funds do not include contingency funds as described in this letter.

**24. Contract Review** – Your attorney will certify that the executed contract documents, including performance and payment, if required, are adequate and that the persons executing these documents have been properly authorized to do so in accordance with RUS Instruction 1780.61(b).

Once your attorney has certified that they are acceptable, the contract documents will be submitted to the Agency for its concurrence. The Notice to Proceed cannot be issued until the Agency has concurred with the construction contracts.

**25. Final Rights-of-Way** – If any of the rights-of-way forms listed previously in this letter contain exceptions that do not adversely affect the suitability, successful operation, security value, or transferability of the facility, the approving official must provide a written waiver prior to the issuance of the Notice to Proceed. For projects involving the acquisition of land, you must provide evidence that you have clear title to the land prior to the issuance of the Notice to Proceed.

Final Title Work - Your attorney must furnish a separate final title opinion on all existing real property related to the facility, now owned and to be acquired for this project, as of the day of loan closing or start of construction, whichever occurs first. Form RD 1927-10, “Final Title Opinion” may be used.

Final Title Work - Immediately after closing or prior to the start of construction, whichever comes first, a Title Insurance Policy must be provided for all existing real property related to the facility, now owned and to be acquired for this project.

**26. Insurance and Bonding Requirements** - Prior to the start of construction or loan closing, whichever occurs first, you must acquire and submit to the Agency proof of the types of insurance and bond coverage for the borrower shown below. The use of deductibles may be allowed, providing you have the financial resources to cover potential claims requiring payment of the deductible. The Agency strongly recommends that you have your engineer, attorney, and insurance provider(s) review proposed types and amounts of coverage, including any exclusions and deductible provisions. It is your responsibility and not that of the Agency to assure that adequate insurance and fidelity or employee dishonesty bond coverage is maintained.

- a. **General Liability Insurance** – Include vehicular coverage.
- b. **Workers’ Compensation** – In accordance with appropriate State laws.
- c. **Fidelity or Employee Dishonesty Bonds** – Include coverage for all persons who have access to funds, including persons working under a contract or management agreement. Coverage may be provided either for all individual positions or persons, or through blanket coverage providing protection for all appropriate workers. During construction, each position should be bonded in an amount equal to the maximum amount of funds to be under the control of that position at any one time. The coverage may be increased during construction based on the anticipated monthly advances. After construction and throughout the life of the loan, the amount of coverage must be for at least the total annual debt service of all outstanding Agency loans. The Agency will be identified in the fidelity bond for receipt of notices. Form RD 440-24, “Position Fidelity Schedule Bond,” or similar format may be used.
- d. **National Flood Insurance** - If the project involves acquisition or construction in designated special flood or mudslide prone areas, you must purchase a flood insurance policy at the time of loan closing.
- e. **Real Property Insurance** – Fire and extended coverage will normally be maintained on all structures except reservoirs, pipelines and other structures if such structures are not normally insured, and subsurface lift stations except for the value of electrical and pumping equipment. The Agency will be listed as mortgagee on the policy when the Agency has a lien on the property. Prior to the acceptance of the facility from the contractor(s), you must obtain real property insurance (fire and extended coverage) on all facilities identified above.

Insurance types described above are required to be continued throughout the life of the loan. See Section VII.

**27. Form AD-3031** – You are required to complete and submit Form AD-3031 “Assurance Regarding Felony Convictions or Tax Delinquent Status for Corporate Applicants.”

**28. Initial Compliance Review** – The Agency will conduct an initial compliance review of the borrower prior to loan closing or start of construction, whichever occurs first, in accordance with 7 CFR 1901, Subpart E.

## **SECTION V – REQUIREMENTS PRIOR TO LOAN CLOSING**

**29. Vulnerability Assessment/Emergency Response Plan (VA/ERP)** – The Agency requires all financed water and wastewater systems to have a VA/ERP in place. New water or

wastewater systems must provide a certification that an ERP is complete prior to the start of operation, and a certification that a VA is complete must be submitted within one year of the start of operation. Borrowers with existing systems must provide a certification that a VA and ERP are completed prior to authorization to advertise for bids. The VA/ERP documents are not submitted to the Agency. Technical assistance is available in preparing these documents at no cost to you. The VA/ERP must address potential impacts from natural disasters and other emergency events. In particular, it should include plans to address impacts of flash flooding in areas where severe drought or wildfires occur. The documents should be reviewed and updated every three years at a minimum.

**30. Other Requirements** – All requirements contained in the Agency’s closing instructions, as well as any requirements of your bond counsel and/or attorney, must be met prior to loan closing.

- a. **System for Award Management**. You will be required to maintain a Dun and Bradstreet Data Universal Numbering System (DUNS) number and maintain an active registration in the System for Award Management (SAM) database. Renewal can be done on-line at: <http://sam.gov>. This registration must be renewed and revalidated every twelve (12) months for as long as there are Agency funds to be expended. See Appendix A.

To ensure the information is current, accurate and complete, and to prevent the SAM account expiration, the review and updates must be performed within 365 days of the activation date, commonly referred to as the expiration date. The registration process may take up to 10 business days. (See 2 CFR Part 25 and the “Help” section at <http://sam.gov>).

- b. **Litigation**. You are required to notify the Agency within 30 days of receiving notification of being involved in any type of litigation prior to loan closing or start of construction, whichever occurs first. Additional documentation regarding the situation and litigation may be requested by the Agency.
- c. **Certified Operator**. Evidence must be provided that your system has or will have, as defined by applicable State or Federal requirements, a certified operator available prior to the system becoming operational, or that a suitable supervisory agreement with a certified operator is in effect.

## **SECTION VI – REQUIREMENTS DURING CONSTRUCTION AND POST CONSTRUCTION**

**31. Resident Inspector(s)** – Full-time inspection is required unless you request an exception. Such requests must be made in writing and the Agency must concur with the request. Inspection services are to be provided by the consulting engineer unless other arrangements are requested in writing and concurred with by the Agency. A resume of qualifications of any resident inspector(s) will be submitted to the owner and Agency for review and concurrence prior to the pre-construction conference. The resident inspector(s) must attend the pre-construction conference.

**32. Preconstruction Conference** – A preconstruction conference will be held prior to the issuance of the Notice to Proceed. The consulting engineer will review the planned development with the Agency, owner, resident inspector, attorney, contractor, other funders, and other interested parties, and will provide minutes of this meeting to the owner and Agency.

**33. Inspections** - The Agency requires a pre-construction conference, pre-final and final inspections, and a warranty inspection. Your engineer will schedule a warranty inspection with the contractor and the Agency before the end of the one-year warranty period to address and/or resolve any warranty issues. The Agency will conduct an inspection with you of your records management system at the same time, and will continue to inspect the facility and your records system every three years for the life of the loan. See Section VII of this letter.

**34. Change Orders** – Prior Agency concurrence is required for all Change Orders.

**35. Payments** – Prior Agency concurrence is required for all Invoices and Partial Payment Estimates before Agency funds will be released. Requests for payment related to a contract or service agreement will be signed by the owner, project engineer, and contractor or service provider prior to Agency concurrence. Invoices not related to a construction contract or service agreement will include the owner’s written concurrence.

**36. Use of Remaining Funds** – Applicant contribution and connection or tap fees will be the first funds expended in the project, followed by non-Agency sources of funds. Remaining funds may be considered in direct proportion to the amounts obtained from each source and handled as follows:

- a. Remaining funds may be used for eligible loan and grant purposes, provided the use will not result in major changes to the original scope of work and the purpose of the loan and grant remains the same.
- b. Grant funds not expended for authorized purposes will be cancelled (de-obligated) within 90 days of final completion of project. Prior to actual cancellation, you and your attorney and engineer will be notified of the Agency’s intent to cancel the remaining funds and given appropriate appeal rights.

**37. Technical, Managerial and Financial Capacity** - It is required that members of the Board of Directors, City Council members, trustees, commissioners and other governing members possess the necessary technical, managerial, and financial capacity skills to consistently comply with pertinent Federal and State laws and requirements. It is recommended members receive training within one year of appointment or election to the governing board, and a refresher training for all governing members on a routine basis. The content and amount of training should be tailored to the needs of the particular individual and the utility system. Technical assistance providers are available to provide this training for your organization, often at no cost. Contact the Agency for information.

**38. Reporting Requirements Related to Expenditure of Funds**

- a. **Financial Audit**– An annual audit under the Single Audit Act is required if you expend \$750,000 or more in Federal financial assistance per fiscal year. The total Federal funds expended from all sources shall be used to determine Federal financial assistance expended. Expenditures of interim financing are considered Federal expenditures.

All audits are to be performed in accordance with 2 CFR Part 200, as adopted by USDA through 2 CFR Part 400. Further guidance on preparing an acceptable audit can be obtained from the Agency. The audit must be prepared by an independent licensed Certified Public Accountant, or a State or Federal auditor if allowed by State law, and must be submitted within 9 months of your fiscal year end.

If an audit is required, you must enter into a written agreement with the auditor and submit a copy to the Agency prior to the advertisement of bids. The audit agreement may include terms and conditions that the borrower and auditor deem appropriate; however, the agreement should include the type of audit to be completed, the time frame in which the audit will be completed, and how irregularities will be reported.

- b. **Reporting Subawards and Executive Compensation** – You as a recipient of Federal funds and your first-tier contractors are required by 2 CFR Part 170 to report disbursements to subrecipients in accordance with Appendix B of this letter and [www.fsrs.gov](http://www.fsrs.gov). Your Agency processing office can provide more information.

## **SECTION VII – SERVICING REQUIREMENTS DURING THE TERM OF THE LOAN**

**39. Security/Operational Inspections** – The Agency will inspect the facility and conduct a review of your operations and records management system and conflict of interest policy every three years for the life of the loan. You must participate in these inspections and provide the required information.

**40. Annual Financial Reporting/Audit Requirements** – You are required to submit an annual financial report at the end of each fiscal year. The annual report will be certified by the appropriate organization official, and will consist of financial information and a rate schedule. Financial statements must be prepared on the accrual basis of accounting in accordance with generally accepted accounting principles (GAAP), and must include at a minimum a balance sheet and income and expense statement. The annual report will include separate reporting for each water and waste disposal facility, and itemize cash accounts by type (debt service, short-lived assets, etc.) under each facility. All records, books and supporting material are to be retained for three years after the issuance of the annual report. Technical assistance is available at no cost with preparing financial reports.

The type of financial information that must be submitted is specified below:

- a. **Audits** – An annual audit under the Single Audit Act is required if you expend \$750,000 or more in Federal financial assistance per fiscal year. The total Federal funds expended



from all sources shall be used to determine Federal financial assistance expended. Expenditures of interim financing are considered Federal expenditures.

All audits are to be performed in accordance with 2 CFR Part 200, as adopted by USDA through 2 CFR Part 400. Further guidance on preparing an acceptable audit can be obtained from the Agency. It is not intended that audits required by this part be separate and apart from audits performed in accordance with State and local laws. To the extent feasible, the audit work should be done in conjunction with those audits. The audit must be prepared by an independent licensed Certified Public Accountant, or a State or Federal auditor if allowed by State law, and must be submitted within 9 months of your fiscal year end.

If an audit is required, you must enter into a written agreement with the auditor and submit a copy to the Agency prior to the advertisement of bids. The audit agreement may include terms and conditions that the borrower and auditor deem appropriate; however, the agreement should include the type of audit or financial statements to be completed, the time frame in which the audit or financial statements will be completed, what type of reports will be generated from the services provided, and how irregularities will be reported.

- b. Financial Statements** – If you expend less than \$750,000 in Federal financial assistance per fiscal year, you may submit financial statements in lieu of an audit which include at a minimum a balance sheet and an income and expense statement. You may use Form RD 442-2, “Statement of Budget, Income and Equity,” and 442-3, “Balance Sheet,” or similar format to provide the financial information. The financial statements must be signed by the appropriate borrower official and submitted within 60 days of your fiscal year end.
- c. Quarterly Reports** – Quarterly Income and Expense Statements will be required until the processing office waives this requirement. You may use Form RD 442-2 or similar format to provide this information, and the reports are to be signed by the appropriate borrower official and submitted within 30 days of each quarter’s end. The Agency will notify you in writing when the quarterly reports are no longer required.

**41. Annual Budget and Projected Cash Flow** - Thirty days prior to the beginning of each fiscal year, you will be required to submit an annual budget and projected cash flow to this office. With the submission of the annual budget, you will be required to provide a current rate schedule, and a current listing of the Board or Council members and their terms. The budget must be signed by the appropriate borrower official. Form RD 442-2 or similar format may be used.

Technical assistance is available at no cost to help you evaluate and complete a rate analysis on your system, as well as completing the annual budget. If you are interested, please contact our office for information.

**42. Vulnerability Assessment/Emergency Response Plan (VA/ERP)** – You will be required to submit a certification to the servicing office every three years that the VA/ERP is current and covers all sites related to the facility. The documents themselves are not submitted to the

Agency. The VA/ERP must address potential impacts from natural disasters and other emergency events. In particular, it should include plans to address impacts of flash flooding in areas where severe drought or wildfires occur. The documents should be reviewed and updated every three years at a minimum.

**43. Insurance.** You will be required to maintain insurance on the facility and employees as previously described in this letter for the life of the loan.

**44. Statutory and National Policy Requirements** – As a recipient of Federal funding, you are required to comply with U.S. statutory and public policy requirements, including but not limited to:

- a. Section 504 of the Rehabilitation Act of 1973** – Under Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794), no handicapped individual in the United States shall, solely by reason of their handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Agency financial assistance.
- b. Civil Rights Act of 1964** – All borrowers are subject to, and facilities must be operated in accordance with, Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.) and 7 CFR 1901, Subpart E, particularly as it relates to conducting and reporting of compliance reviews. Instruments of conveyance for loans and/or grants subject to the Act must contain the covenant required by Paragraph 1901.202(e) of this Title.
- c. The Americans with Disabilities Act (ADA) of 1990** – This Act (42 U.S.C. 12101 et seq.) prohibits discrimination on the basis of disability in employment, State and local government services, public transportation, public accommodations, facilities, and telecommunications.
- d. Age Discrimination Act of 1975** – This Act (42 U.S.C. 6101 et seq.) provides that no person in the United States shall on the basis of age, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.
- e. Limited English Proficiency (LEP) under Executive Order 13166** - LEP statutes and authorities prohibit exclusion from participation in, denial of benefits of, and discrimination under Federally-assisted and/or conducted programs on the ground of race, color, or national origin. Title VI of the Civil Rights Act of 1964 covers program access for LEP persons. LEP persons are individuals who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English. These individuals may be entitled to language assistance, free of charge. You must take reasonable steps to ensure that LEP persons receive the language assistance necessary to have meaningful access to USDA programs, services, and information your organization provides. These protections are pursuant to Executive Order 13166 entitled, “Improving Access to Services by Persons with Limited English Proficiency” and further affirmed in the USDA Departmental Regulation 4330-005, “Prohibition Against National Origin

Discrimination Affecting Persons with Limited English Proficiency in Programs and Activities Conducted by USDA.”

Agency financial programs must be extended without regard to race, color, religion, sex, national origin, marital status, age, or physical or mental handicap. You must display posters (provided by the Agency) informing users of these requirements, and the Agency will monitor your compliance with these requirements during regular compliance reviews.

**45. Compliance Reviews and Data Collection** – The Agency will conduct regular compliance reviews of the borrower and its operation in accordance with 7 CFR Part 1901, Subpart E, and 36 CFR 1191, Americans with Disabilities Act (ADA) Accessibility Guidelines for Buildings and Facilities; Architectural Barriers Act (ABA) Accessibility Guidelines. Compliance reviews will typically be conducted in conjunction with the security inspections described in this letter. If beneficiaries (users) are required to complete an application or screening for the use of the facility or service that you provide, you must request and collect data by race (American Indian or Alaska Native, Asian, Black or African American, White); ethnicity (Hispanic or Latino, Not Hispanic or Latino); and by sex. The Agency will utilize this data as part of the required compliance review.

**SECTION VIII – REMEDIES FOR NON-COMPLIANCE**

Non-compliance with the conditions in this letter or requirements of your security documents will be addressed under the provisions of 7 CFR 1782 and other applicable regulations, statutes, and policies.

We look forward to working with you to complete this project. If you have any questions, please contact Allen Bowen, Program Director at 334-279-3617 or by e-mail at [allen.bowen@al.usda.gov](mailto:allen.bowen@al.usda.gov).

Sincerely,

NIVORY GORDON, JR.  
Area Director

Attachments

cc: Community Programs Director  
Accountant  
Attorney  
Bond Counsel  
Engineer

ACRONYMS:

ABA - Architectural Barriers Act  
ACH – Automated Clearing House  
AD – Agriculture Department  
ADA – Age Discrimination Act  
CFDA – Catalog of Federal Domestic Assistance  
CFR – Code of Federal Regulations  
CPAP – Commercial Programs Application Processing  
DUNS – Dun and Bradstreet Data Universal Numbering System  
EJCDC – Engineers Joint Contract Documents Committee  
ERP – Emergency Response Plan  
GAAP – Generally Accepted Accounting Principles  
LEP – Limited English Proficiency  
OC – Owner Construction  
OPS – Owner-Performed Services  
O&M – Operation and Maintenance  
PER – Preliminary Engineering Report  
RD – Rural Development  
RUS – Rural Utilities Service  
SAM – System for Award Management  
SF – Standard Form  
UCC – Uniform Commercial Code  
USC – United States Code  
USDA – United States Department of Agriculture  
VA – Vulnerability Assessment

FORMS and BULLETINS:

- Form AD-3031 “Assurance Regarding Felony Convictions or Tax Delinquent Status for Corporate Applicants” – Item 29
- Internal Revenue Service Form 1023, Appendix A, “Sample Conflict of Interest Policy” - Item 15
- Form RD 440-22, “Promissory Note” – Item 5
- Form RD 440-24, “Position Fidelity Schedule Bond” – Item 28
- Form RD 442-2, “Statement of Budget, Income and Equity” – Items 44 and 45
- Form RD 442-3, “Balance Sheet” – Item 44
- Form RD 442-7, “Operating Budget” – Item 21
- Form RD 442-20, “Right-of-Way Easement” – Item 14
- Form RD 442-21, “Right-of-Way Certificate” – Item 14
- Form RD 442-22, “Opinion of Counsel Relative to Rights-of-Way” – Item 14
- Form RD 1927-9, “Preliminary Title Opinion” – Item 14
- Form RD 1927-10, “Final Title Opinion” – Item 27
- Form RD 1940-1, “Request for Obligation of Funds” – Pages 1 and 2
- Form RD 1942-8, “Resolution of Members or Stockholders” – Item 5
- Form RD 1942-46, “Letter of Intent to Meet Conditions” – Page 1
- Form RD 3550-28, “Authorization Agreement for Preauthorized Payments” – Items 6 and 30
- Form UCC-1, “Financing Statement” – Item 5
- Form UCC-1Ad, “UCC Financing Statement Addendum” – Item 5
- SF 3881, “ACH Vendor/Miscellaneous Payment Enrollment Form” – Items 8 and 18
- RUS Bulletin 1780-7, “Legal Services Agreement” – Item 13
- RUS Bulletin 1780-9, “Water Users Agreement” - Items 15 and 19
- RUS Bulletin 1780-12, “Water and Waste System Grant Agreement” – Page 1 and Item 5
- RUS Bulletin 1780-26, “Guidance for the Use of EJCDC Documents on Water and Waste Projects with RUS Financial Assistance” – Items 11 and 12
- RUS Bulletin 1780-27, “Loan Resolution (Public Bodies)” – Item 5
- RUS Bulletin 1780-28, “Loan Resolution Security Agreement” – Item 5

[The following two appendices are included as required by 2 CFR Parts 25 and 170 and apply to all **direct and guaranteed loans and grants**]

*Appendix A*

*2 CFR Part 25*

**SYSTEM FOR AWARD MANAGEMENT AND UNIVERSAL IDENTIFIER  
REQUIREMENTS**

*A. Requirement for System for Award  
Management*

Unless you are exempted from this requirement under 2 CFR 25.110, you as the recipient must maintain the currency of your information in the SAM until you submit the final financial report required under this award or receive the final payment, whichever is later. This requires that you review and update the information at least annually after the initial registration, and more frequently if required by changes in your information or another appendix.

*B. Requirement for unique entity identifier*

If you are authorized to make subawards under this award, you:

1. Must notify potential subrecipients that no entity (*see* definition in paragraph C of this appendix) may receive a subaward from you unless the entity has provided its unique entity identifier to you.
2. May not make a subaward to an entity unless the entity has provided its unique entity identifier to you.

*C. Definitions*

For purposes of this appendix:

1. System for Award Management (SAM) means the Federal repository into which an entity must provide information required for the conduct of business as a recipient. Additional information about registration procedures may be found at the SAM Internet site (currently at <http://www.sam.gov>).

2. Unique entity identifier means the identifier required for SAM registration to uniquely identify business entities.
3. Entity, as it is used in this appendix, means all of the following, as defined at 2 CFR part 25, subpart C:
  - a. A Governmental organization, which is a State, local government, or Indian Tribe;
  - b. A foreign public entity;
  - c. A domestic or foreign nonprofit organization;
  - d. A domestic or foreign for-profit organization; and
  - e. A Federal agency, but only as a subrecipient under an award or subaward to a non-Federal entity.
4. Subaward:
  - a. This term means a legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible subrecipient.
  - b. The term does not include your procurement of property and services needed to carry out the project or program (for further explanation, see 2 CFR 200.330).
  - c. A subaward may be provided through any legal agreement, including an agreement that you consider a contract.
5. Subrecipient means an entity that:
  - a. Receives a subaward from you under this award; and
  - b. Is accountable to you for the use of the Federal funds provided by the subaward.

[75 FR 55673, Sept. 14, 2010, as amended at 79 FR 75879, Dec. 19, 2014; 80 FR 54407, Sept. 10, 2015]

**Appendix B**  
**2 CFR Part 170**

**Reporting Subawards and Executive Compensation**

a. Reporting of first-tier subawards.

1. Applicability. Unless you are exempt as provided in paragraph d. of this appendix, you must report each action that obligates \$25,000 or more in Federal funds that does not include Recovery funds (as defined in section 1512(a)(2) of the American Recovery and Reinvestment Act of 2009, Pub. L. 111-5) for a subaward to an entity (see definitions in paragraph e. of this appendix).
2. Where and when to report.
  - i. You must report each obligating action described in paragraph a.1. of this appendix to <http://www.fsrs.gov>.
  - ii. For subaward information, report no later than the end of the month following the month in which the obligation was made. (For example, if the obligation was made on November 7, 2010, the obligation must be reported by no later than December 31, 2010.)
3. What to report. You must report the information about each obligating action listed in the submission instructions posted at <http://www.fsrs.gov>.

b. Reporting Total Compensation of Recipient Executives.

1. Applicability and what to report. You must report total compensation for each of your five most highly compensated executives for the preceding completed fiscal year, if—
  - i. the total Federal funding authorized to date under this award is \$25,000 or more;
  - ii. in the preceding fiscal year, you received—
    - (A) 80 percent or more of your annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and
    - (B) \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and



- iii. The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/execomp.htm>.)
  2. Where and when to report. You must report executive total compensation described in paragraph b.1. of this appendix:
    - i. As part of your registration profile at <https://www.sam.gov>.
    - ii. By the end of the month following the month in which this award is made, and annually thereafter.
- c. Reporting of Total Compensation of Subrecipient Executives.
  1. Applicability and what to report. Unless you are exempt as provided in paragraph d. of this appendix, for each first-tier subrecipient under this award, you shall report the names and total compensation of each of the subrecipient's five most highly compensated executives for the subrecipient's preceding completed fiscal year, if—
    - i. in the subrecipient's preceding fiscal year, the subrecipient received—
      - (A) 80 percent or more of its annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and
      - (B) \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts), and Federal financial assistance subject to the Transparency Act (and subawards); and
    - ii. The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/execomp.htm>.)
  2. Where and when to report. You must report subrecipient executive total compensation described in paragraph c.1. of this appendix:
    - i. To the recipient.
    - ii. By the end of the month following the month during which you make the subaward. For example, if a subaward is obligated on any date during the month

of October of a given year (i.e., between October 1 and 31), you must report any required compensation information of the subrecipient by November 30 of that year.

d. Exemptions

If, in the previous tax year, you had gross income, from all sources, under \$300,000, you are exempt from the requirements to report:

- i. Subawards, and
- ii. The total compensation of the five most highly compensated executives of any subrecipient.

e. Definitions. For purposes of this appendix:

1. Entity means all of the following, as defined in 2 CFR part 25:

- i. A Governmental organization, which is a State, local government, or Indian tribe;
- ii. A foreign public entity;
- iii. A domestic or foreign nonprofit organization;
- iv. A domestic or foreign for-profit organization;
- v. A Federal agency, but only as a subrecipient under an award or subaward to a non-Federal entity.

2. Executive means officers, managing partners, or any other employees in management positions.

3. Subaward:

- i. This term means a legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible subrecipient.
- ii. The term does not include your procurement of property and services needed to carry out the project or program (for further explanation, see Sec. \_\_ .210 of the attachment to OMB Circular A-133, “Audits of States, Local Governments, and Non-Profit Organizations”).
- iii. A subaward may be provided through any legal agreement, including an agreement that you or a subrecipient considers a contract.

4. Subrecipient means an entity that:
  - i. Receives a subaward from you (the recipient) under this award; and
  - ii. Is accountable to you for the use of the Federal funds provided by the subaward.
  
5. Total compensation means the cash and noncash dollar value earned by the executive during the recipient's or subrecipient's preceding fiscal year and includes the following (for more information see 17 CFR 229.402(c)(2)):
  - i. Salary and bonus.
  - ii. Awards of stock, stock options, and stock appreciation rights. Use the dollar amount recognized for financial statement reporting purposes with respect to the fiscal year in accordance with the Statement of Financial Accounting Standards No. 123 (Revised 2004) (FAS 123R), Shared Based Payments.
  - iii. Earnings for services under non-equity incentive plans. This does not include group life, health, hospitalization or medical reimbursement plans that do not discriminate in favor of executives, and are available generally to all salaried employees.
  - iv. Change in pension value. This is the change in present value of defined benefit and actuarial pension plans.
  - v. Above-market earnings on deferred compensation which is not tax-qualified.
  - vi. Other compensation, if the aggregate value of all such other compensation (e.g. severance, termination payments, value of life insurance paid on behalf of the employee, perquisites or property) for the executive exceeds \$10,000.

[75 FR 55669, Sept. 14, 2010, as amended at 79 FR 75879, Dec. 19, 2014]

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**the information requested in the form. Send your completed complaint form or letter to us by mail at U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, by fax (202) 690-7442 or email at [program.intake@usda.gov](mailto:program.intake@usda.gov).**

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**From:** Taylor, John - RD, Montgomery, AL  
**Sent:** Friday, September 21, 2018 10:37 AM  
**To:** Givan, Terrika - RD, Camden, AL <[Terrika.Givan@al.usda.gov](mailto:Terrika.Givan@al.usda.gov)>; Bowen, Allen - RD, Montgomery, AL <[Allen.Bowen@al.usda.gov](mailto:Allen.Bowen@al.usda.gov)>; Hale, Stan - RD, Montgomery, AL <[Stan.Hale@al.usda.gov](mailto:Stan.Hale@al.usda.gov)>; Williams, Daniel - RD, Montgomery, AL <[Daniel.Williams4@al.usda.gov](mailto:Daniel.Williams4@al.usda.gov)>  
**Cc:** Gordon, Nivory - RD, Camden, AL <[Nivory.Gordon@al.usda.gov](mailto:Nivory.Gordon@al.usda.gov)>  
**Subject:** RE: City of Uniontown LOC

The AIS and NPA language looks okay.

John E. Taylor. P.E.  
Alabama State Engineer & SEC  
USDA Rural Development  
4121 Carmichael Rd. STE 601  
Montgomery, AL 36106  
334-279-3475

---

**From:** Givan, Terrika - RD, Camden, AL  
**Sent:** Friday, September 21, 2018 10:21 AM  
**To:** Bowen, Allen - RD, Montgomery, AL <[Allen.Bowen@al.usda.gov](mailto:Allen.Bowen@al.usda.gov)>; Taylor, John - RD, Montgomery, AL <[john.taylor@al.usda.gov](mailto:john.taylor@al.usda.gov)>; Hale, Stan - RD, Montgomery, AL <[Stan.Hale@al.usda.gov](mailto:Stan.Hale@al.usda.gov)>; Williams, Daniel - RD, Montgomery, AL <[Daniel.Williams4@al.usda.gov](mailto:Daniel.Williams4@al.usda.gov)>  
**Cc:** Gordon, Nivory - RD, Camden, AL <[Nivory.Gordon@al.usda.gov](mailto:Nivory.Gordon@al.usda.gov)>  
**Subject:** City of Uniontown LOC

Hi,

I have revised the LOC. It includes AIS and NPA language.  
Please review and let me know if any additional changes are needed.

Thanks!

Terrika L. Givan  
Area Technician

**005263**

USDA, Rural Development  
321 Depot Street  
Camden, AL 36726  
Phone: 334-682-4116 Ext. 120  
Fax: 855-840-7764

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**005264**

**From:** [Williams, Daniel - RD, Montgomery, AL](#)  
**To:** [Bowen, Allen - RD, Montgomery, AL](#)  
**Subject:** FW: City of Uniontown Response to USDA(Daniel Williams)  
**Date:** Friday, August 24, 2018 5:09:50 PM  
**Attachments:** [Lagoon Apporased Value from Flagship GIS.pdf](#)  
[USDA EDU Form.pdf](#)  
[USDA Responses 08232018 .docx](#)  
[image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[image006.png](#)  
[image007.png](#)

---

Allen,

I received the information from Union Town that was missing from RD Apply and the PER. I will review the information and enter it into CPAP so we can get this file back to the National Office.

Thank you,

Daniel Williams  
USDA RURAL DEVELOPMENT  
Community Programs  
State Loan Specialist  
4121 Carmichael Road, Suite 601  
Montgomery, Alabama 36106-3683  
Voice Direct 334-279-3445  
Fax 855-304-8457  
[Daniel.Williams4@AL.USDA.gov](mailto:Daniel.Williams4@AL.USDA.gov)

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**From:** cityofuniontown@outlook.com <cityofuniontown@outlook.com>  
**Sent:** Friday, August 24, 2018 3:52 PM  
**To:** Williams, Daniel - RD, Montgomery, AL <Daniel.Williams4@al.usda.gov>  
**Subject:** FW: City of Uniontown Response to USDA(Daniel Williams)

**005265**





### USDA EDU Form

Fax # 334-396-7090

Phone # 334-396-5511



System Name - Uniontown Utilities Board

PWSID - 0001100 Date - 8/23/2018

Number of Active Residential Connections - 787

Number of Active Commercial Connections - 33

### System Type Information

GWUDI = Ground Water Under the Direct Influence of Surface Water  
*(check all that apply)*

My System **Produces** -

Groundwater    Surface Water    GWUDI

My System **Purchases** -

Groundwater    Surface Water    GWUDI

### System Billing Information

**\*\*Please attach a copy of your current water rates\*\***

Average Residential Usage per Customer (Gallons) 2,591,425

Average Commercial Usage per Customer (Gallons) 7,336,094

Average Monthly Residential Bill \$63.86

WE AT THE ARWA APPRECIATE YOUR ASSISTANCE AND SUPPORT WITH THIS EFFORT.

**005267**

1. The city owns 87 acres that house the sewer treatment facility. Please ask the town clerk what is the estimated value of the acres. I read the PER and this information is not listed.

\$86,400 (Property Record Card at [www.alabamagis.com](http://www.alabamagis.com))

2. What is the title of the official authorized to sign checks?

Jamaal Hunter, Mayor, Alfreda Washington, City Clerk, and Don Moore, Mayor Pro Tem are the only authorized signors of accounts in the name of the City of Uniontown at Cadence Bank

Mike Walraven, Operation Manager and (b) (6), Managing Member, are the authorized signors of accounts in the name of EOS Utility Service at Cadence Bank.

3. What is the title of the officer who is the custodian of the funds?

The city currently does not have any custodial account. Please specify the account you may be referring to.

4. Title of official authorized to sign checks?

5. Jamaal Hunter, Mayor, Alfreda Washington, City Clerk, and Don Moore, Mayor Pro Tem are the only authorized signors of accounts in the name of the City of Uniontown at Cadence Bank

Mike Walraven, Operation Manager and (b) (6) Managing Member, are the authorized signors of accounts in the name of EOS Utility Service at Cadence Bank.

6. -Who is the legal counsel? Please provide name & contact information.

John M Gibbs  
**Gibbs & Sellers, PC**  
108 N. Walnut Avenue  
P.O. Box 1276  
Demopolis, AL 36732  
Phone: 334-641-0341

7. -Please ask the town clerk to provide a written break down of residential & non residential users and volume.

Please see attached USDA EDU Form.

**From:** [Bowen, Allen - RD, Montgomery, AL](#)  
**To:** [Kathy Horne \(khome@alruralwater.com\)](#); [Robert White](#)  
**Subject:** FW: City of Uniontown  
**Date:** Tuesday, July 17, 2018 10:56:00 AM  
**Attachments:** [image001.png](#)

---

*Allen Bowen*

Allen Bowen  
United States Department of Agriculture  
Rural Development  
Community and Business Programs Director  
Office: 334-279-3617  
Cell: 334-322-4147  
Fax: 855-304-8457

---

**From:** Gordon, Nivory - RD, Camden, AL  
**Sent:** Thursday, July 12, 2018 9:25 AM  
**To:** Bowen, Allen - RD, Montgomery, AL <[Allen.Bowen@al.usda.gov](mailto:Allen.Bowen@al.usda.gov)>  
**Cc:** Beeker, Chris - RD, Montgomery, AL <[Chris.Beeker@al.usda.gov](mailto:Chris.Beeker@al.usda.gov)>  
**Subject:** Fwd: City of Uniontown

Ms. Butler number is (b) (6) She is the contact person to assist with the Uniontown project.

---

**From:** "Charlie Shah" <(b) (6) [bomarlawfirm.com](mailto:bomarlawfirm.com)>  
**Date:** Thursday, July 12, 2018 at 9:07:36 AM  
**To:** "Gordon, Nivory - RD, Camden, AL" <[Nivory.Gordon@al.usda.gov](mailto:Nivory.Gordon@al.usda.gov)>  
**Subject:** RE: City of Uniontown

The payoff amount according to the Revenue Officer is \$676,624.55

---

**From:** Gordon, Nivory - RD, Camden, AL <[Nivory.Gordon@al.usda.gov](mailto:Nivory.Gordon@al.usda.gov)>  
**Sent:** Wednesday, July 11, 2018 8:00 PM  
**To:** Charlie Shah <(b) (6) [bomarlawfirm.com](mailto:bomarlawfirm.com)>  
**Subject:** Re: City of Uniontown

What is the amount?

---

**005269**



**From:** "Charlie Shah" <(b) (6) bomarlawfirm.com>  
**Date:** Wednesday, July 11, 2018 at 3:50:58 PM  
**To:** "Gordon, Nivory - RD, Camden, AL" <[Nivory.Gordon@al.usda.gov](mailto:Nivory.Gordon@al.usda.gov)>  
**Subject:** City of Uniontown

Mr. Gordon

Attached is a letter relating to City of Uniontown.

Please let me know if you need any further information.

Thanks

Charlie

Charlie Shah  
BOMAR LAW FIRM, LLC  
600 University Park Place  
Suite 100  
Birmingham, AL 35209

205-401-1229  
205-874-7960 (fax)



tax law • IRS audits • tax relief

<http://www.bomarlawfirm.com>

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**005270**

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**005271**

**From:** [Bowen, Allen - RD, Montgomery, AL](#) on behalf of [Emefa Butler](#)  
**To:** [Gordon, Nivory - RD, Camden, AL](#); [Ed Morris](#); [Robert White](#); (b) (6) @gmail.com; [Taylor, John - RD, Montgomery, AL](#); [Emefa Butler](#)  
**Subject:** FW: City of Uniontown-Next Steps

---

Were you invited?

Thanks,

Allen Bowen

Allen Bowen  
United States Department of Agriculture  
Rural Development  
Community and Business Programs Director  
Office: 334-279-3617  
Cell: 334-322-4147  
Fax: 855-304-8457

-----Original Appointment-----

From: Emefa Butler  
<?\_GY2DENJRHE2DSOBWGQZDKMJZGTNFK5ZAFI2JNP35TCEE0JYX4XGTS7I5EQS4WZMEWXG2IUTPNAZ3K@imip.me.com>  
Sent: None  
To: Emefa Butler; Ed Morris; Robert White; (b) (6) @gmail.com; Taylor, John - RD, Montgomery, AL; Emefa Butler  
Subject: City of Uniontown-Next Steps  
When: Thursday, October 25, 2018 11:00 AM-12:00 PM (UTC-06:00) Central Time (US & Canada).  
Where: Uniontown City Hall, 200 Front Street, 36786

The purpose of this meeting is to discuss next steps as it relates to the USDA approval of the funding for the wastewater system improvements in Uniontown.

Please add others that you feel should be a part of the conversation. Please let me know if either of you have a desire to visit the existing facility.

Best,

Emefa

**005272**

**From:** [Taylor, John - RD, Montgomery, AL](#)  
**To:** [Bowen, Allen - RD, Montgomery, AL](#)  
**Subject:** FW: Collection System  
**Date:** Friday, October 5, 2018 10:16:38 AM  
**Attachments:** [DRA-USDA Collection.xls](#)

---

John E. Taylor, P.E.  
Alabama State Engineer & SEC  
USDA Rural Development  
4121 Carmichael Rd. STE 601  
Montgomery, AL 36106  
334-279-3475

---

**From:** Ed Morris <emorris@sentell.net>  
**Sent:** Friday, September 14, 2018 9:42 AM  
**To:** Taylor, John - RD, Montgomery, AL <john.taylor@al.usda.gov>  
**Cc:** Emefa Butler <(b) (6) outlook.com>; Rob White <rwhite@alruralwater.com>  
**Subject:** Collection System

Here is the cost estimate dividing the Lateral work from the Main line work and allotting the cost of the lateral work to DRA. The remainder of the work for the collection system to USDA which is a little less than 75 % of the collection system.

Kemp Morgan, Director, Project Development & management of DRA requested the break down for their participation.

Sentell Engineering, Inc.  
639 Black Bears Way  
Tuscaloosa, Alabama 35401  
205.752.5564 (0)  
(b) (6) (C)

**005273**

**Engineer's Estimate of Probable Construction Cost**

**UNIONTOWN SANITARY COLLECTION REPAIR**

**CONSTRUCTION COST**

Sentell Engineering, Inc

|                              |          |      |                                  |             |                          | DRA             | USDA           |
|------------------------------|----------|------|----------------------------------|-------------|--------------------------|-----------------|----------------|
| Item                         | Quantity | Unit | Description                      | Unit Cost   | Total                    |                 |                |
| 1                            | 1.00     | LS   | Traffic Control                  | \$18,000.00 | \$18,000.00              | \$18,000.00     |                |
| 2                            | 135.00   | EA   | Grout Lateral 3'                 | \$800.00    | \$108,000.00             | \$108,000.00    |                |
| 3                            | 45.00    | EA   | Grout Lateral to Cleanout        | \$1,500.00  | \$67,500.00              | \$67,500.00     |                |
| 4                            | 3420.00  | LF   | Lateral CIPP                     | \$150.00    | \$513,000.00             | \$513,000.00    |                |
| 5                            | 27.00    | EA   | CIPP Lateral 3' from main        | \$2,500.00  | \$67,500.00              | \$67,500.00     |                |
| 6                            | 63.00    | EA   | Lateral Point Repairs 0-6'       | \$1,500.00  | \$94,500.00              | \$94,500.00     |                |
| 7                            | 45.00    | EA   | Lateral Point Repairs 6-12'      | \$2,500.00  | \$112,500.00             | \$112,500.00    |                |
| 8                            | 1610.00  | EA   | Lateral Viewing From Main        | \$400.00    | \$644,000.00             | \$644,000.00    |                |
| 9                            | 16500.00 | EA   | Lateral Viewing From Clean out   | \$70.00     | \$1,155,000.00           | \$1,155,000.00  |                |
| 12                           | 100.00   | EA   | Flush ABS Cleanout Plugs         | \$50.00     | \$5,000.00               | \$5,000.00      |                |
| 13                           | 254.00   | EA   | Install ABS Clean out Plugs      | \$300.00    | \$76,200.00              | \$76,200.00     |                |
| 14                           | 10540.00 | Ton  | Crushed Aggregate                | \$30.00     | \$316,200.00             | \$316,200.00    |                |
| 16                           | 9075.00  | LF   | Sawcut Asphalt                   | \$8.00      | \$72,600.00              | \$72,600.00     |                |
| LATERAL REPAIR/REPLACEMENT   |          |      |                                  | Total       | \$3,250,000.00           |                 |                |
| 1                            | 1.00     | LS   | Traffic Control                  | \$18,000.00 | \$18,000.00              |                 | \$18,000.00    |
| 2                            | 9350.00  | LF   | Heavy Cleaning 6-10"             | \$3.00      | \$28,050.00              |                 | \$28,050.00    |
| 3                            | 1000.00  | LF   | Heavy Cleaning 12-18"            | \$2.00      | \$2,000.00               |                 | \$2,000.00     |
| 4                            | 503.00   | EA   | Root Cutting                     | \$300.00    | \$150,900.00             |                 | \$150,900.00   |
| 5                            | 2013.00  | EA   | Lateral Obstruction Cutting      | \$150.00    | \$301,950.00             |                 | \$301,950.00   |
| 6                            | 50130.00 | LF   | 8" or 10" CIP                    | \$35.00     | \$1,754,550.00           |                 | \$1,754,550.00 |
| 7                            | 1000.00  | LF   | 18" CIP                          | \$100.00    | \$100,000.00             |                 | \$100,000.00   |
| 8                            | 165.00   | EA   | 8" or 10" Point Repairs          | \$1,000.00  | \$165,000.00             |                 | \$165,000.00   |
| 9                            | 8.00     | EA   | 18" Line Point Repair            | \$3,500.00  | \$28,000.00              |                 | \$28,000.00    |
| 10                           | 74.00    | EA   | Seal Manholes 0-6'               | \$1,200.00  | \$88,800.00              |                 | \$88,800.00    |
| 11                           | 180.00   | EA   | Seal Manholes 7-10'              | \$2,000.00  | \$360,000.00             |                 | \$360,000.00   |
| 12                           | 43.00    | EA   | Seal Manholes 11-15'             | \$3,000.00  | \$129,000.00             |                 | \$129,000.00   |
| 13                           | 14.00    | EA   | Seal Manholes 16-20'             | \$4,000.00  | \$56,000.00              |                 | \$56,000.00    |
| 14                           | 25.00    | EA   | Raise Existing Manholes          | \$125.00    | \$3,125.00               |                 | \$3,125.00     |
| 15                           | 50.00    | EA   | Replace Manhole Frames & Lids    | \$550.00    | \$27,500.00              |                 | \$27,500.00    |
| 16                           | 20.00    | EA   | Seal and Fill Abandoned Manholes | \$1,000.00  | \$20,000.00              |                 | \$20,000.00    |
| 17                           | 26808.00 | Ton  | Crushed Aggregate                | \$30.00     | \$804,240.00             |                 | \$804,240.00   |
| 18                           | 2951.50  | SY   | Asphalt Street Repairs           | \$30.00     | \$88,545.00              |                 | \$88,545.00    |
| 19                           | 10726.00 | LF   | Sawcut Asphalt                   | \$8.00      | \$85,808.00              |                 | \$85,808.00    |
| 11                           | 120.00   | LF   | Curb & Gutter Replacement        | \$8.00      | \$960.00                 |                 | \$960.00       |
| 10                           | 830.00   | SY   | Sidewalk Replacement             | \$14.00     | \$11,620.00              |                 | \$11,620.00    |
| 15                           | 2951.50  | SY   | Asphalt Street Repairs           | \$30.00     | \$88,545.00              |                 | \$88,545.00    |
| 20                           | 30.00    | Day  | By Pass Pumping                  | \$3,000.00  | \$90,000.00              |                 | \$90,000.00    |
| 21                           | 1.00     | LS   | Erosion Control                  | \$36,000.00 | \$36,000.00              |                 | \$36,000.00    |
| 22                           | 3864.00  | LF   | 8" PVC 0-6' - Replacement        | \$60.00     | \$231,840.00             |                 | \$231,840.00   |
| 23                           | 12008.00 | LF   | 8" PVC 7-12' - Replacement       | \$75.00     | \$900,600.00             |                 | \$900,600.00   |
| 24                           | 6193.00  | LF   | 18" PVC 6-12' - Replacement      | \$95.00     | \$588,335.00             |                 | \$588,335.00   |
| 25                           | 1675.00  | LF   | 18" PVC 13-25' - Replacement     | \$140.00    | \$234,500.00             |                 | \$234,500.00   |
| 26                           | 17.00    | EA   | Replace Manholes                 | \$14,059.00 | \$239,003.00             |                 | \$239,003.00   |
| 27                           | 1000.00  | LF   | 10" PVC Water Main               | \$300.00    | \$300,000.00             |                 | \$300,000.00   |
| MAIN LINE REPAIR/REPLACEMENT |          |      |                                  | Total       | \$6,932,871.00           |                 |                |
|                              |          |      |                                  |             | <b>Subtotal</b>          | \$10,182,871.00 |                |
|                              |          |      |                                  |             | <b>10% contingency</b>   | \$1,018,287.10  | \$1,018,287.10 |
|                              |          |      |                                  |             | <b>Construction Cost</b> | \$11,201,158.10 | \$3,250,000.00 |

**005274**

**From:** [Lutz, Daphne Y](#)  
**To:** [Bowen, Allen - RD, Montgomery, AL](#)  
**Cc:** [Anderson, Emily D](#); [Lee, Sandra](#)  
**Subject:** FW: Correspondence from Gov Office to ADEM - Kathleen Nicholas - Wastewater - Uniontown AL - DRAFT RESPONSE  
**Date:** Monday, December 17, 2018 2:11:45 PM  
**Attachments:** (b) (6)

---

Allen,

The Governor's office forwarded ADEM the attached email regarding Uniontown. Our draft response is below, but I wanted to run it by you since we reference USDA in the response. Please let me know if you have any suggested changes/additions.

Thanks,  
Daphne

(b) (6)

The Governor's office has forwarded your November 26, 2018, email to our Department for response. The Alabama Department of Environmental Management (ADEM) has taken enforcement actions against the City of Uniontown in an effort to bring the wastewater system back into compliance with environmental rules and requirements. It is the obligation of the permit holder to design, build, and operate its facility to meet the permit conditions set by ADEM or be subject to enforcement action. In addition, it is the City's decision whom to utilize for its professional engineering services.

Although it is solely the responsibility of the permit holder to meet permit conditions, ADEM has been working for a number of years with local elected officials, design engineers, operating engineers, ADECA, USDA, EPA, Congresswoman Terri Sewell, and others to find a solution to Uniontown's wastewater problems so it can meet its permit requirements. ADEM has encouraged the City to engage the public in its decision-making process and several community meetings were held by the City to inform the citizens of the issues with the sewer system and the options that were being considered to return the system to compliance.

Currently, USDA has obtained funding to cover the majority of potential upgrades and they held a stakeholder meeting on November 16, 2018. USDA has planned a number of additional stakeholder meetings throughout the potential project progression.

It is the Department's understanding that Uniontown and the City of Demopolis are still in discussions regarding Demopolis' acceptance of Uniontown's wastewater and that an official agreement has not yet been finalized. Also, it is the Department's understanding that remediation of Uniontown's wastewater collection system will be initiated prior to wastewater being accepted by Demopolis.

At this time, the Arrowhead Landfill leachate is trucked to the Demopolis WWTP and is not accepted by the Uniontown wastewater system. Also, the Uniontown wastewater system has not accepted industrial wastewater from Southeastern Cheese since 2012. As part of the remedial measures, Uniontown and Demopolis should be assessing their abilities to collect and treat any potential significant industrial users' wastestreams.

**005275**

OFFICE OF THE GOVERNOR

KAY IVEY  
GOVERNOR



STATE CAPITOL  
MONTGOMERY, ALABAMA 36130

(334) 242-7100  
FAX: (334) 242-3282

STATE OF ALABAMA

November 28, 2018

(b) (6)

Dear (b) (6)

Thank you for contacting my office regarding your concerns with the status of the water in Uniontown.

The Alabama Department of Environmental Management (ADEM) handles all questions and concerns of this nature; therefore, I have directed my staff to forward your correspondence to ADEM. I am confident that the appropriate division or staff member within ADEM will review your concerns and respond accordingly.

Should you have additional questions or concerns, please contact the Alabama Department of Environmental Management at (334) 271-7710. Again, thank you for sharing your concerns with me.

If I can be of assistance to you in any other matter, please do not hesitate to contact my office.

Sincerely,

A handwritten signature in cursive script that reads "Kay Ivey".

Kay Ivey  
Governor

KI/pb/aw

CC: Alabama Department of Environmental Management

005276

## E-Mail Viewer

[Message](#)
[Details](#)
[Attachments](#)
[Headers](#)
[Source](#)

[HTML](#)

From: "Governor Contact Submission" <noreply@oit.alabama.gov>  
 Date: 11/26/2018 12:01:22 PM  
 To: "iq.info@governor.alabama.gov" <iq.info@governor.alabama.gov>  
 Cc:  
 Subject: WEBSITE: GOVERNOR CONTACT FORM FROM\_IP\_ADDRESS:104.184.190.149

<APP>CUSTOM  
 <PREFIX>(b) (6)</PREFIX>  
 <FIRST>(b) (6)</FIRST>  
 <LAST>(b) (6)</LAST>  
 <SUFFIX></SUFFIX>  
 <(b) (6)</EMAIL>  
 <PHONE>(b) (6)</PHONE>  
 <ADDR1>(b) (6)</ADDR1>  
 <CITY>(b) (6)</CITY>  
 <STATE>(b) (6)</STATE>  
 <ZIP>(b) (6)</ZIP>  
 <ISSUE>ENVIRONMENT</ISSUE>

<MSG>I am deeply concerned with the environmental injustice occurring in Uniontown, Alabama, especially the wastewater problems. I am aware of the sewage overflows and other issues including current proposals to pipe Uniontowns sewage to Demopolis. I greatly hope all residents of Uniontown will start to be involved in a meaningful manner and given fair consideration with any current or future proposals.

I have significant concerns about the past performance problems of Sentell Engineering and question why Sentell is still the engineer of record for the project.

I question the wisdom of piping sewage over twenty miles and whether that is the best option for Uniontown. The Demopolis wastewater treatment system has already been having problems and is operating at full capacity, yet this proposal will burden it further.

I especially express trepidation about the significant industrial dischargers who contribute to the Uniontown waste stream: the toxic leachate from the Arrowhead Landfill, together with nutrient rich waste from Southeastern Cheese and Harvest Select. Will these industries be paying their fair share for a solution?

The proposed collection point for Uniontown's waste is within a quarter mile of a public school. Is there another possible location for the collection point away from children?

Finally, although I understand grant money may fund any proposed fix for the Uniontown system, there has been no public discussion about how the proposal will affect community members, many of whom live at or below the poverty line. Many of these residents cannot pay rate increases or bear the cost to connect to the system. How will they be helped?

Please know I appreciate your attention to these concerns and look forward to a response at your

**005277**



earliest convenience. Thank you.

</MSG>

</APP>

Close

ADEM does not have any rules or regulations regarding wastewater system rates or the location of wastewater collection infrastructure. However, agencies providing funding may require certain stipulations for Uniontown to receive those funds. In addition, the Department has been informed that funding may be available to assist residents in connecting to the Uniontown wastewater system. By way of copy on this email, your concerns are being shared with the USDA, the City of Uniontown, and Sentell Engineering.

Thank you,

Daphne Y. Lutz, P.E.  
Industrial / Municipal Branch, Chief  
Water Division  
Alabama Department of Environmental Management  
[dlutz@adem.alabama.gov](mailto:dlutz@adem.alabama.gov) (Please Note New Email Address)  
(334) 270-5602



*Did you know you can submit your DMRs and SSOs online using our newly enhanced E2 DMR/SSO Reporting System? To sign up and learn more, please visit the Department's E2 Reporting System webpage [here](#).*

---

**From:** Cranage, Laura  
**Sent:** Friday, November 30, 2018 3:48 PM  
**To:** Elliott, Marilyn <[MGE@adem.alabama.gov](mailto:MGE@adem.alabama.gov)>; Dean, Glenda <[GLD@adem.alabama.gov](mailto:GLD@adem.alabama.gov)>  
**Subject:** Correspondence from Gov Office to ADEM - Kathleen Nicholas - Wastewater - Uniontown AL

Please cc me on the response so I can respond back to Anne Williams at the Governor's office.

Thank you.  
Laura

**005279**

**From:** [Bowen, Allen - RD, Montgomery, AL](#)  
**To:** ["Beeker, Chris - RD, Montgomery, AL \(Chris.Beeker@al.usda.gov\)"](#)  
**Cc:** [Taylor, John - RD, Montgomery, AL](#)  
**Subject:** FW: Demopolis WWTP Flow Data  
**Date:** Monday, December 10, 2018 3:42:00 PM

---

Chris, please read email below. It appears that Demopolis is exceeding their capacity more often than not.

Thanks,

*Allen Bowen*

Allen Bowen  
United States Department of Agriculture  
Rural Development  
Community and Business Programs Director  
Office: 334-279-3617  
Cell: 334-322-4147  
Fax: 855-304-8457

---

**From:** Anderson, Emily D <EDAnderson@adem.alabama.gov>  
**Sent:** Monday, December 10, 2018 2:33 PM  
**To:** Bowen, Allen - RD, Montgomery, AL <Allen.Bowen@al.usda.gov>  
**Cc:** Dean, Glenda <GLD@adem.alabama.gov>; Lutz, Daphne Y <DLutz@adem.alabama.gov>  
**Subject:** Demopolis WWTP Flow Data

Allen,

The effluent flows reported by Demopolis on their monthly DMRs is below. The design capacity of the Demopolis WWTP is 2.65 MGD. The flow values in red are above the 2.65 MGD design capacity. If Demopolis were to accept a significant amount of additional wastewater, they might need to consider expanding their plant capacity to accommodate the additional wastewater.

If you have any questions, please let me know.

| Monitoring Period Start | Monitoring Period End | Parameter Name | Monthly Average (MGD) | Daily Maximum (MGD) |
|-------------------------|-----------------------|----------------|-----------------------|---------------------|
| 7/1/2016                | 7/31/2016             | Flow           | 1.209                 | 1.799               |
| 8/1/2016                | 8/31/2016             | Flow           | 1.267                 | 1.727               |
| 9/1/2016                | 9/30/2016             | Flow           | 1.338                 | 2.446               |

**005280**

|           |            |      |       |       |
|-----------|------------|------|-------|-------|
| 10/1/2016 | 10/31/2016 | Flow | 1.192 | 1.597 |
| 11/1/2016 | 11/30/2016 | Flow | 1.274 | 1.748 |
| 12/1/2016 | 12/31/2016 | Flow | 1.708 | 2.841 |
| 1/1/2017  | 1/31/2017  | Flow | 3.013 | 5.755 |
| 2/1/2017  | 2/28/2017  | Flow | 2.745 | 5.899 |
| 3/1/2017  | 3/31/2017  | Flow | 2.969 | 6.366 |
| 4/1/2017  | 4/30/2017  | Flow | 1.806 | 5.894 |
| 5/1/2017  | 5/31/2017  | Flow | 2.03  | 5.49  |
| 6/1/2017  | 6/30/2017  | Flow | 3.27  | 10.1  |
| 7/1/2017  | 7/31/2017  | Flow | 2.133 | 6.25  |
| 8/1/2017  | 8/31/2017  | Flow | 1.492 | 2.332 |
| 9/1/2017  | 9/30/2017  | Flow | 1.528 | 3.088 |
| 10/1/2017 | 10/31/2017 | Flow | 1.58  | 3.429 |
| 11/1/2017 | 11/30/2017 | Flow | 1.533 | 2.87  |
| 12/1/2017 | 12/31/2017 | Flow | 2.463 | 4.957 |
| 1/1/2018  | 1/31/2018  | Flow | 2.383 | 7.128 |
| 2/1/2018  | 2/28/2018  | Flow | 3.908 | 7.46  |
| 3/1/2018  | 3/31/2018  | Flow | 2.66  | 9.63  |
| 4/1/2018  | 4/30/2018  | Flow | 3.03  | 6.25  |
| 5/1/2018  | 5/31/2018  | Flow | 1.744 | 3.47  |
| 6/1/2018  | 6/30/2018  | Flow | 2.04  | 5.586 |
| 7/1/2018  | 7/31/2018  | Flow | 1.393 | 2.162 |
| 8/1/2018  | 8/31/2018  | Flow | 1.45  | 4.77  |
| 9/1/2018  | 9/30/2018  | Flow | 1.78  | 3.25  |
| 10/1/2018 | 10/31/2018 | Flow | 1.364 | 2.079 |

Emily D. Anderson, P.E.  
Municipal Section, Chief  
Industrial/Municipal Branch  
Water Division  
Alabama Department of Environmental Management  
[edanderson@adem.alabama.gov](mailto:edanderson@adem.alabama.gov)  
(334) 271-7801

**From:** [Beeker, Chris - RD, Montgomery, AL](#)  
**To:** [Bowen, Allen - RD, Montgomery, AL](#); [Hale, Stan - RD, Montgomery, AL](#); [Baker, Shelley - RD, Montgomery, AL](#)  
**Subject:** FW: Draft Agenda for Monday  
**Date:** Friday, July 27, 2018 6:37:32 PM  
**Attachments:** [image002.png](#)  
[ATT00001.htm](#)  
[7.30.18 Meeting Agenda.docx](#)  
[ATT00002.htm](#)  
[image002.png](#)  
[image003.png](#)  
[image005.png](#)  
[image006.png](#)  
[image007.png](#)

---

Will you look at the agenda and help me out with some info for the "Presentation" on Uniontown?  
Also, we might want to look at what I will be discussing with Nivory at 12:30.

Chris Beeker III  
State Director | Alabama State Office  
Rural Development  
U.S. Department of Agriculture  
4121 Carmichael Road, Suite 601 | Montgomery, AL 36106  
Phone: 334-279-3402 | Fax: 855-304-8456  
[www.rd.usda.gov](http://www.rd.usda.gov) "Committed to the future of rural communities"

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**From:** Beard, Hillary [mailto:Hillary.Beard@mail.house.gov]  
**Sent:** Friday, July 27, 2018 4:29 PM  
**To:** Beeker, Chris - RD, Montgomery, AL <Chris.Beeker@al.usda.gov>  
**Subject:** Draft Agenda for Monday

Chris,

Attached is our draft agenda for Monday. If you can meet us at the Lowndes Interpretive Center at 10am, that would be great. We are traveling to the sites in a van and then our lunch meeting will begin at 12:30. Will you let me know if this itinerary works for you?

Thank You.

Hillary Beard

**Hillary Beard** | Legislative Assistant | [Office of Congresswoman Terri Sewell \(AL-07\)](#)  
2201 Rayburn HOB | Washington, DC 20515 | 202.225.2665

**005282**

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-  
-  
-

## **Agenda**

### **Rural Alabama Wastewater Infrastructure Meeting**

**July 30, 2018**

- 10:00 AM** Meet at the Lowndes Interpretive Center  
**Address:** 7002 US-80, Hayneville, AL 36040
- 10:00AM – 10:15AM** Travel to the first site
- 10:45AM – 11:00AM** Travel to the second site
- 11:30AM – 11:45AM** Travel to the third site
- 12:30PM – 2:15PM** Lunch and Discussion on Addressing the Gaps in Reliable Onsite Wastewater Treatment Services in Rural Alabama  
**Location:** Lowndes County Water Authority, 641 AL-21, Hayneville, AL 36040
- 2:15PM – 2:30PM** Break
- 2:30PM** Uniontown Wastewater Meeting with Community Members
- 

#### **Discussion 1: Addressing Gaps in Reliable Onsite Wastewater Treatment Services in Rural Alabama**

**12:30 – 2:15**

**I. Welcome and Introduction**

- A. Framing the Challenge and Status of Legislative Solutions - Congresswoman Terri Sewell

**II. State/Federal Perspectives**

- A. USDA

**005283**

- Chris Beeker
- Nivory Gordon

B. Alabama Department of Public Health

- Sherry Bradley
- Michele Jones

C. Alabama Department of Environmental Management

- Joe Kelly and Sonja Massey

**III. Expert Perspectives**

A. University and Engineering Experts

- Dr. Mark Barnett, Auburn University
- Dr. Kevin White, University of South Alabama
- Happy Fulford, University of South Alabama
- Nick Lawkis, University of South Alabama
- Dr. John Higginbotham, University of Alabama
- Royrickers Cook, Auburn University
- Thomas Minetree, Auburn University, Engineering Without Borders
- Melissa Herkt, Auburn University, Engineering Without Borders
- Dr. Upmanu Lall, Columbia University (Joining via phone)

B. Rural Communities Assistance Partnership/Communities Unlimited

- Shaunte Stallworth

**IV. Identify Deliverables/Next Steps**

**Break**

**2:15-2:30**

Everyone not participating in the 2<sup>nd</sup> discussion about Uniontown can leave at this time.

**Discussion 2: Uniontown Municipal Wastewater Issues**

**2:30-3:30**

**I. Introduction**

- Congresswoman Terri Sewell

**II. Presentation from USDA State Director Chris Beeker on his plans for Uniontown**

**III. ADEM**

**IV. Presentation and Q&A from Black Belt Citizens Group**

**V. Timeline/Next Steps**





### Agenda

#### Rural Alabama Wastewater Infrastructure Meeting

July 30, 2018

|                   |   |
|-------------------|---|
| 10:00 AM          | Meet at the Lowndes Interpretive Center<br><b>Address:</b> 7002 US-80, Hayneville, AL 36040   |
| 10:00AM – 10:15AM | Travel to the first site  |
| 10:45AM – 11:00AM | Travel to the second site   |
| 11:30AM – 11:45AM | Travel to the third site  |
| 12:30PM – 2:15PM  | Lunch and Discussion on Addressing the Gaps in Reliable Onsite Wastewater Treatment Services in Rural Alabama<br><b>Location:</b> Lowndes County Water Authority, 641 AL-21, Hayneville, AL 36040 |
| 2:15PM – 2:30PM   | Break   |
| 2:30PM            | Uniontown Wastewater Meeting with Community Members   |

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#### Discussion 1: Addressing Gaps in Reliable Onsite Wastewater Treatment Services in Rural Alabama 12:30 – 2:15

- I. **Welcome and Introduction**
  - A. Framing the Challenge and Status of Legislative Solutions - Congresswoman Terri Sewell
- II. **State/Federal Perspectives**
  - A. USDA
    - Chris Beeker
    - Nivory Gordon
  - B. Alabama Department of Public Health
    - Sherry Bradley
    - Michele Jones
  - C. Alabama Department of Environmental Management
    - Joe Kelly and Sonja Massey
- III. **Expert Perspectives**
  - A. University and Engineering Experts
    - Dr. Mark Barnett, Auburn University
    - Dr. Kevin White, University of South Alabama
    - Happy Fulford, University of South Alabama
    - Nick Lawkis, University of South Alabama
    - Dr. John Higginbotham, University of Alabama
    - Royrickers Cook, Auburn University
    - Thomas Minetree, Auburn University, Engineering Without Borders
    - Melissa Herkt, Auburn University, Engineering Without Borders
    - Dr. Upmanu Lall, Columbia University (Joining via phone)
  - B. Rural Communities Assistance Partnership/Communities Unlimited
    - Shaunte Stallworth
- IV. **Identify Deliverables/Next Steps**

**Break**

**2:15-2:30**

Everyone not participating in the 2<sup>nd</sup> discussion about Uniontown can leave at this time.

**Discussion 2: Uniontown Municipal Wastewater Issues**

**2:30-3:30**

- I. **Introduction**
  - Congresswoman Terri Sewell
- II. **Presentation from USDA State Director Chris Beeker on his plans for Uniontown**
- III. **ADEM**
  - Sandy Lee and Daphne Lutz
- IV. **Presentation and Q&A from Black Belt Citizens Group**
- V. **Timeline/Next Steps**

**From:** [Beeker, Chris - RD, Montgomery, AL](#) on behalf of [Beard, Hillary](#)  
**To:** [Bowen, Allen - RD, Montgomery, AL](#); [Baker, Shelley - RD, Montgomery, AL](#); [Clay Armentrout](#); [Fry, Brantley \(Jones\)](#); [Carter, Morgan \(Shelby\)](#); [Williams, Melinda](#); [Rebecca Jones](#); [McLerran, Elissa](#); [Beeker, Chris - RD, Montgomery, AL](#)  
**Subject:** FW: Follow-Up Call re Uniontown Waste Water Treatment with USDA, Shelby, Jones, Aderholt, and Sewell Staff

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-----Original Appointment-----

From: Beard, Hillary <Hillary.Beard@mail.house.gov <mailto:Hillary.Beard@mail.house.gov> >

Sent: Friday, September 7, 2018 10:17 AM

To: Beard, Hillary; Clay Armentrout; Fry, Brantley (Jones); Carter, Morgan (Shelby); Williams, Melinda; Rebecca Jones; McLerran, Elissa; Beeker, Chris - RD, Montgomery, AL; Bowen, Allen - RD, Montgomery, AL

Subject: Follow-Up Call re Uniontown Waste Water Treatment with USDA, Shelby, Jones, Aderholt, and Sewell Staff

When: Wednesday, September 12, 2018 12:00 PM-12:30 PM (UTC-05:00) Eastern Time (US & Canada).

Where:

!

We've changed the conference call-in information

Conference call in number: 877.440.6327

Passcode: 34251645

We will be discussing the progress we've made in our conversations with local electeds, state leaders, and charitable foundations regarding the funding needed for the Uniontown project.

\$32.4M – Total cost of project

75%, \$23.5M – USDA RD Covers in Grants

\$8.9M – Match needed

    Commitments (Unconfirmed)

    \$3.2M – DRA

    \$1M – local industry (Harvest Select Catfish, Cheese Plant, Arrowhead Landfill)

    \$350K – ADECA

~ \$4.7M- Remaining Need

**005288**

**From:** [Robert White](#)  
**To:** [Bowen, Allen - RD, Montgomery, AL](#); [Kathy Home](#)  
**Subject:** FW: Information  
**Date:** Saturday, October 27, 2018 11:35:51 AM  
**Attachments:** [image001.png](#)

---

Ms. Kathy and Mr. Bowen,

Please find below the information requested of Uniontown from the Governor's office.

Let me know if there is anything that needs to be done before Emefa responds with that information (or at least the portions she can provide) and I'll pass the info along.

Thanks!

Rob White IV



Deputy Director

Alabama Rural Water Association  
Office – (334) 396-5511  
Fax – (334) 396-7090  
Cell – (b) (6)  
Email – [rwhite@alruralwater.com](mailto:rwhite@alruralwater.com)

Thanks to everyone who celebrated 40 years of ARWA service with us in Mobile on March 18 – 21, 2018. It was a great and memorable event!

---

**From:** [cityofuniontown@outlook.com](mailto:cityofuniontown@outlook.com) <[cityofuniontown@outlook.com](mailto:cityofuniontown@outlook.com)>  
**Sent:** Friday, October 26, 2018 6:01 PM  
**To:** Ed Morris <[emorris@sentell.net](mailto:emorris@sentell.net)>; Robert White <[rwhite@alruralwater.com](mailto:rwhite@alruralwater.com)>  
**Subject:** Fwd: Information

Hi Rob and Ed,

I had a conversation with Governor's office today and they have requested the information below.

Looks like this is the same documents we sent to USDA and DRA.

**005289**

Please review and let me know your thoughts. I would like to get documents to them no later than this Tuesday, Oct 30.

Have a great weekend!

Emefa

Sent from my iPhone

Begin forwarded message:

**From:** "Allen, Baker" <[Baker.Allen@governor.alabama.gov](mailto:Baker.Allen@governor.alabama.gov)>  
**Date:** October 26, 2018 at 5:14:09 PM CDT  
**To:** "[cityofuniontown@outlook.com](mailto:cityofuniontown@outlook.com)" <[cityofuniontown@outlook.com](mailto:cityofuniontown@outlook.com)>  
**Subject: Information**

Good Afternoon Ms. Butler,

Thank you for taking the time to speak with me this afternoon. I found our conversation very enlightening. I would appreciate it if you could send me the following information:

- Plans for the proposed wastewater treatment project;
- Cost of the project both fixed and operational costs;
- Feasibility study of the sustainability of the project;
- Sources of funding committed for the project;
- Other potential sources of funding; and,
- Audited financial report of the city including water and sewer;

Please send any additional information that you think might be helpful. I hope you have a nice weekend!

Sincerely,

M. Baker Allen  
Office of Governor Kay Ivey  
Economic Policy Advisor

**005290**

**From:** [Becker, Chris - RD, Montgomery, AL](#)  
**To:** [Bowen, Allen - RD, Montgomery, AL](#)  
**Subject:** FW: Letter to Gov Ivey  
**Date:** Monday, October 22, 2018 1:53:00 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image005.png](#)  
[Letter to Gov Ivey re Uniontown.docx](#)  
[image007.png](#)  
[image008.png](#)  
[image010.png](#)  
[image011.png](#)  
[image012.png](#)

---

We need to discuss this as well.

Chris Beeker III  
State Director | Alabama State Office  
Rural Development  
U.S. Department of Agriculture  
4121 Carmichael Road, Suite 601 | Montgomery, AL 36106  
Phone: 334-279-3402 | Fax: 855-304-8456  
[www.rd.usda.gov](http://www.rd.usda.gov) "Committed to the future of rural communities"

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**From:** Howard, Rebecca (Jones) <[Rebecca\\_Howard@jones.senate.gov](mailto:Rebecca_Howard@jones.senate.gov)>  
**Sent:** Monday, October 22, 2018 12:44 PM  
**To:** Becker, Chris - RD, Montgomery, AL <[Chris.Beeker@al.usda.gov](mailto:Chris.Beeker@al.usda.gov)>  
**Subject:** Letter to Gov Ivey

Hi Chris,

Sorry I missed your call on Friday. I figured email actually might be a bit easier. Senator Jones would like to follow up with Governor Ivey regarding Uniontown. Do you mind looking over this letter to be sure everything is accurate?

In the second paragraph, you'll see I have a note regarding how I characterize the third phase of the project. This was the one area I wasn't certain on.

I'd appreciate your help!

Best,

Rebecca Howard  
Legislative Assistant  
Office of U.S. Senator Doug Jones

**005291**

October XX, 2018

The Honorable Kay Ivey  
Alabama State Capitol  
600 Dexter Avenue  
Montgomery, AL 36104

Dear Governor Ivey:

This letter is in response to a phone call we had on Tuesday, September 25<sup>th</sup> regarding the sewage crisis in the City of Uniontown. I know you are concerned about the issues those citizens face, but I hope to provide more insight to the situation in hopes that you will consider setting aside funding for their project needs.

The ultimate goal of the project is to have Uniontown's sewage treated by a plant in the City of Demopolis. The project will have three phases beginning with the rehabilitation of the collection system by replacing or repairing the current system. The second phase will be the construction of a transmission line approximately 20 miles to Demopolis's collection plant. The last phase will be the destruction of the lagoons and spray fields that is currently handling the sewage for Uniontown.

The total cost of the project is \$31,250,000. The U.S. Department of Agriculture (USDA) Rural Development will provide federal grant funds totaling \$23,437,500, which is 75% of the total cost of the project. The Delta Regional Authority has agreed to give \$3,250,000 and private funding from local industry will amount \$1,000,000. The remaining amount is \$3,562,500.

Officials in Montgomery and throughout the state have been aware of this problem in Uniontown for years. This is a priority for the Alabama Department of Environmental Management. There is an opportunity to solve it in a financially sustainable way including establishing a Utilities Board that will oversee the day-to-day operations. The failure to correct the Uniontown problem will inhibit economic growth in the area and has the potential to impact current jobs in the area. This problem also runs the risk of increasing negative media attention about the state's waste issues.

We ask that you provide the City of Uniontown a letter of commitment for the remaining funds as soon as possible in order to secure this large amount of federal funds.

Commented [HR(1)]: Not sure if this is right.

005292

**From:** [Williams, Daniel - RD, Montgomery, AL](#)  
**To:** [Taylor, John - RD, Montgomery, AL](#)  
**Cc:** [Bowen, Allen - RD, Montgomery, AL](#)  
**Subject:** FW: Liquidated Assets  
**Date:** Wednesday, September 5, 2018 4:07:04 PM  
**Attachments:** [Liquidated Assets.xlsx](#)  
[image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[image006.png](#)  
[image007.png](#)

---

Hello John,

I have received the short lived assets for Union Town. I will upload the document to CPAP.

Thank you,

Daniel Williams  
USDA RURAL DEVELOPMENT  
Community Programs  
State Loan Specialist  
4121 Carmichael Road, Suite 601  
Montgomery, Alabama 36106-3683  
Voice Direct 334-279-3445  
Fax 855-304-8457  
[Daniel.Williams4@AL.USDA.gov](mailto:Daniel.Williams4@AL.USDA.gov)

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---

**From:** Robert White <[rwhite@alruralwater.com](mailto:rwhite@alruralwater.com)>  
**Sent:** Wednesday, September 5, 2018 3:02 PM  
**To:** Emefa Butler <[cityofuniontown@outlook.com](mailto:cityofuniontown@outlook.com)>; Williams, Daniel - RD, Montgomery, AL <[Daniel.Williams4@al.usda.gov](mailto:Daniel.Williams4@al.usda.gov)>  
**Subject:** FW: Liquidated Assets

Please find attached (and below) information from Ed Morris concerning short-lived assets for Uniontown's Sewer System.

Let me know if you have questions.

**005293**



| PUMP STATION LOCATION | No. Pumps | HP  | Replacement Cost |
|-----------------------|-----------|-----|------------------|
| N-1 County Rd 1       | 2         | 10  | \$14,000.00      |
| N-2 Cane Breke Road   | 2         | 20  | \$16,000.00      |
| N-3 Leroy Brown Rd    | 2         | 2   | \$9,500.00       |
| N-4 Fish Plant        | 2         | 15  | \$15,000.00      |
| N-5 Rabbit Yard       | 2         | 2   | \$9,500.00       |
| N-6 North Jones St.   | 2         | 5.5 | \$12,800.00      |
| N-7 County Rd 53      | 2         | 3   | \$10,000.00      |
| N-8 Omega Lane        | 2         | 2   | \$9,500.00       |
| N-9 County Rd 65      | 2         | 2   | \$9,500.00       |
| N-10 Prison           | 2         | 10  | \$40,000.00      |
| N-11 Lagoon           | 2         | 75  | \$52,000.00      |
| AERATORS              |           |     |                  |
| Blower Type           | 8         | 4   | \$96,000.00      |
| Paddle Wheel          | 1         | 7.5 | \$14,000.00      |
|                       |           |     | \$307,800.00     |

Rob

---

**From:** Ed Morris <[emorris@sentell.net](mailto:emorris@sentell.net)>  
**Sent:** Wednesday, September 5, 2018 9:28 AM  
**To:** Robert White <[rwhite@alruralwater.com](mailto:rwhite@alruralwater.com)>  
**Subject:** Liquidated Assets

Here are liquidated Assets for pump stations and Aerators The Aerators and the Lagoon pumps will be gone at the end of the project.

Sentell Engineering, Inc.  
639 Black Bears Way  
Tuscaloosa, Alabama 35401  
205.752.5564 (0)  
**(b) (6)** (C)

**005295**

**From:** [Barringer, Scott - RD, Washington, DC](#)  
**To:** [Bowen, Allen - RD, Montgomery, AL](#)  
**Subject:** FW: New Application UnionTown, AL  
**Date:** Thursday, May 10, 2018 10:51:28 AM

Hey Allen

Sorry I missed your call. I did try to return call you today but got your voice mail. See below where Uniontown has started an application in RDAPPLY.

Thanks!

Scott Barringer  
Deputy Assistant Administrator, Rural Utilities Service  
Water and Environmental Programs  
Rural Development  
United States Department of Agriculture  
1400 Independence Ave., S.W. | Washington, D.C. 20250  
Phone: (202)720-9643 | Fax: (202)690-0649  
[www.rd.usda.gov](http://www.rd.usda.gov) | "Committed to the future of rural communities"

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**From:** RDApply@DoNotReply.gov [mailto:RDApply@DoNotReply.gov]  
**Sent:** Thursday, May 10, 2018 10:41 AM  
**Subject:** New Application

USDA Rural Development - RD Apply Logo Image



[RD Apply](#)

[Notifications](#)

[RD Home](#)

[USDA.gov](#)

### Recent RD Apply System Notification:

Edwin Morris has created a Water And Environmental Application for City of Uniontown in Perry, Alabama on 05/10/2018 at 09:40 AM. The Application Number is 3005629.

**005296**

*This is an automatically generated email - **please do not reply to it.** If you have any questions regarding your application, email:*

[RD.HD@STL.USDA.GOV](mailto:RD.HD@STL.USDA.GOV)

If you would like to view your application or manage your subscriptions, please [click here to login to RD Apply.](#)

---

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**005297**

**From:** [Gordon, Nivory - RD, Camden, AL](#)  
**To:** [Bowen, Allen - RD, Montgomery, AL](#)  
**Subject:** FW: Notice of Finding (NOF)  
**Date:** Friday, October 12, 2018 9:25:13 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[image006.png](#)  
[image007.png](#)

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Info you were planning to provide to Eva

Nivory Gordon, Jr.  
Area Director  
USDA, Rural Development  
321 Depot Street  
Camden, AL 36726  
334-682-4116 Ext. 110 (Office)  
855-840-7764 (FAX)  
[nivory.gordon@al.usda.gov](mailto:nivory.gordon@al.usda.gov)

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*"Estamos dedicados al futuro de las comunidades rurales"*

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**From:** cityofuniontown@outlook.com <cityofuniontown@outlook.com>  
**Sent:** Friday, October 12, 2018 8:24 AM  
**To:** Taylor, John - RD, Montgomery, AL <john.taylor@al.usda.gov>; 'Morris Ed' (emorris@sentell.net) <emorris@sentell.net>; Gordon, Nivory - RD, Camden, AL <Nivory.Gordon@al.usda.gov>  
**Cc:** Bowen, Allen - RD, Montgomery, AL <Allen.Bowen@al.usda.gov>; Norwood, Rose - RD, Camden, AL <Rose.Norwood@al.usda.gov>  
**Subject:** Notice of Finding (NOF)

Good Morning,

The NOF will run in the Selma Times Journal from Tuesday, October 16 to Thursday, Oct 18.

Let me know if you have any questions or need additional information.

Best,  
Emefa

(b) (6)

**005298**

Sent from [Mail](#) for Windows 10

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**From:** Taylor, John - RD, Montgomery, AL <[john.taylor@al.usda.gov](mailto:john.taylor@al.usda.gov)>  
**Sent:** Thursday, October 11, 2018 10:36:06 AM  
**To:** 'Morris Ed' ([emorris@sentell.net](mailto:emorris@sentell.net)); Gordon, Nivory - RD, Camden, AL  
**Cc:** Bowen, Allen - RD, Montgomery, AL; Norwood, Rose - RD, Camden, AL;  
[cityofuniontown@outlook.com](mailto:cityofuniontown@outlook.com)  
**Subject:** Second Notice of FONSI

Attached is a second Notice of Finding of No Significant Impact. I will send a copy of the FONSI separately so that they don't get mixed up. The notice needs to run in three consecutive editions of the paper in the non-classified section. I realize it's quit lengthy. Try to get the paper to make it as small as practical (to save advertising cost), but legible.

John E. Taylor. P.E.  
Alabama State Engineer & SEC  
USDA Rural Development  
4121 Carmichael Rd. STE 601  
Montgomery, AL 36106  
334-279-3475

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**005299**

**From:** [Gordon, Nivory - RD, Camden, AL](#)  
**To:** [Bowen, Allen - RD, Montgomery, AL](#)  
**Subject:** FW: Public Hearing Advertisements  
**Date:** Tuesday, July 17, 2018 3:36:29 PM  
**Attachments:** [Public Hearing Advertisements .pdf](#)

---

**From:** Gordon, Nivory - RD, Camden, AL  
**Sent:** Tuesday, July 17, 2018 11:12 AM  
**To:** 'Robert White' <[rwhite@alruralwater.com](mailto:rwhite@alruralwater.com)>  
**Cc:** Bowen, Allen - RD, Montgomery, AL <[Allen.Bowen@al.usda.gov](mailto:Allen.Bowen@al.usda.gov)>; Hale, Stan - RD, Montgomery, AL <[Stan.Hale@al.usda.gov](mailto:Stan.Hale@al.usda.gov)>; Norwood, Rose - RD, Camden, AL <[Rose.Norwood@al.usda.gov](mailto:Rose.Norwood@al.usda.gov)>; emefa butler ([emefa.butler@gmail.com](mailto:emefa.butler@gmail.com)) <[emefa.butler@gmail.com](mailto:emefa.butler@gmail.com)>  
**Subject:** FW: Public Hearing Advertisements

Rob

The all call system is a good idea for public notification in addition to the normal ads. Contents of this ad appears to be in accordance with agency guidelines, therefore, it is acceptable to run

---

**From:** Robert White [<mailto:rwhite@alruralwater.com>]  
**Sent:** Friday, July 13, 2018 6:41 AM  
**To:** Hale, Stan - RD, Montgomery, AL <[Stan.Hale@al.usda.gov](mailto:Stan.Hale@al.usda.gov)>; Gordon, Nivory - RD, Camden, AL <[Nivory.Gordon@al.usda.gov](mailto:Nivory.Gordon@al.usda.gov)>  
**Cc:** Kathy Horne <[khorne@alruralwater.com](mailto:khorne@alruralwater.com)>; Bowen, Allen - RD, Montgomery, AL <[Allen.Bowen@al.usda.gov](mailto:Allen.Bowen@al.usda.gov)>  
**Subject:** FW: Public Hearing Advertisements

Stan and Nivory,

Please see the attached public hearing language submitted to me via Ms. Emefa Butler. Please advise on what, if any, changes are needed due to the decision to bypass the SEARCH Grant and move directly to the actual project funding.

I will provide you guys a summary of my meeting yesterday, but I want to mention that the Mayor said that Uniontown uses an "All-Call" system (calls each person on the phone with recorded message or text) to get out information to all citizens and can use it to provide additional notice about the public hearing as well.

The Mayor was able to successfully obtain his level 2 E-Authentication.

More to follow, soon...

Thanks!

**005300**

# **Public Hearing Notice**

**The City of Uniontown will hold a Public Hearing on July 23, 2018 at 5:00 pm at the Uniontown City Hall Auditorium.**

**The purpose of this hearing is to inform the public of a grant application submitted by the City of Uniontown to United States Department of Agriculture (USDA) to obtain grant funding to perform waste water system improvements.**

**For more information, or if you require special accommodations at the hearing, please contact the Mayor's Office at (334) 628-2011.**



# **Public Hearing**

**The City of Uniontown will hold a Public Hearing on July 23, 2018 at 5:00 pm at the Uniontown City Hall Auditorium.**

**The purpose of this hearing is to inform the public of a grant application submitted by the City of Uniontown to United States Department of Agriculture (USDA) to obtain grant funding to perform waste water system improvements.**

**Posted:  
July 16, 2018**

Rob

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**From:** [cityofuniontown@outlook.com](mailto:cityofuniontown@outlook.com) <[cityofuniontown@outlook.com](mailto:cityofuniontown@outlook.com)>  
**Sent:** Tuesday, July 10, 2018 7:39 PM  
**To:** Robert White <[rwhite@alruralwater.com](mailto:rwhite@alruralwater.com)>; Nivory Gordon <[nivory.gordon@al.usda.gov](mailto:nivory.gordon@al.usda.gov)>  
**Cc:** Jamaal Hunter <(b) (6) [gmail.com](mailto:)>  
**Subject:** Public Hearing Advertisements

Good Evening,

Please find attached the draft of the advertisements for the Public Hearing to be held on Monday, July 23 at 5pm.

The notice will be submitted to Marion Times timely so advertising can begin on Monday, July 16, 2018. Upon receipt of the Affidavit of Publication from Marion Times, a copy will be forwarded to you.

The notice will be published at Uniontown City Hall, Uniontown Public Library, and Uniontown City Auditorium.

Please let me know if there are other specific posting requirements.

Best,

Emefa Butler  
(b) (6)

Sent from [Mail](#) for Windows 10

**005303**

**From:** [Bowen, Allen - RD, Montgomery, AL](#)  
**To:** ["Beeker, Chris - RD, Montgomery, AL \(Chris.Beeker@al.usda.gov\)"](#)  
**Subject:** FW: Questions regarding Uniontown Sewer Project  
**Date:** Tuesday, November 6, 2018 10:12:00 AM

---

Chris, I am available to assist with this.

Thanks,

*Allen Bowen*

Allen Bowen  
United States Department of Agriculture  
Rural Development  
Community and Business Programs Director  
Office: 334-279-3617  
Cell: 334-322-4147  
Fax: 855-304-8457

---

**From:** Allen, Baker <[Baker.Allen@governor.alabama.gov](mailto:Baker.Allen@governor.alabama.gov)>  
**Sent:** Monday, November 5, 2018 5:04 PM  
**To:** Beeker, Chris - RD, Montgomery, AL <[Chris.Beeker@al.usda.gov](mailto:Chris.Beeker@al.usda.gov)>; Bowen, Allen - RD, Montgomery, AL <[Allen.Bowen@al.usda.gov](mailto:Allen.Bowen@al.usda.gov)>  
**Subject:** RE: Questions regarding Uniontown Sewer Project

Good Afternoon Chris,

Do you think we could schedule a call I the next couple of days? I have a few questions about the proposed utility board.

Sincerely,

M. Baker Allen  
Office of Governor Kay Ivey  
Economic Policy Advisor

**From:** Beeker, Chris - RD, Montgomery, AL <[Chris.Beeker@al.usda.gov](mailto:Chris.Beeker@al.usda.gov)>  
**Sent:** Friday, November 2, 2018 2:58 PM  
**To:** Bowen, Allen - RD, Montgomery, AL <[Allen.Bowen@al.usda.gov](mailto:Allen.Bowen@al.usda.gov)>; Allen, Baker <[Baker.Allen@governor.alabama.gov](mailto:Baker.Allen@governor.alabama.gov)>  
**Subject:** Re: Questions regarding Uniontown Sewer Project

**005304**

Please let us know if you need anything else or if you have any other questions.

Thanks,

Chris Beeker III  
State Director | Alabama State Office  
Rural Development  
U.S. Department of Agriculture  
4121 Carmichael Road, Suite 601 | Montgomery, AL 36106  
Phone: 334-279-3402 | Fax: 855-304-8456  
[www.rd.usda.gov](http://www.rd.usda.gov) "Committed to the future of rural communities"

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**From:** "Bowen, Allen - RD, Montgomery, AL" <[Allen.Bowen@al.usda.gov](mailto:Allen.Bowen@al.usda.gov)>  
**Date:** Friday, November 2, 2018 at 1:42:34 PM  
**To:** "Allen, Baker" <[Baker.Allen@governor.alabama.gov](mailto:Baker.Allen@governor.alabama.gov)>  
**Cc:** "Beeker, Chris - RD, Montgomery, AL" <[Chris.Beeker@al.usda.gov](mailto:Chris.Beeker@al.usda.gov)>  
**Subject:** RE: Questions regarding Uniontown Sewer Project

See below and attached.

*Allen Bowen*

Allen Bowen  
United States Department of Agriculture  
Rural Development  
Community and Business Programs Director  
Office: 334-279-3617  
Cell: 334-322-4147  
Fax: 855-304-8457

**From:** Allen, Baker <[Baker.Allen@governor.alabama.gov](mailto:Baker.Allen@governor.alabama.gov)>  
**Sent:** Thursday, November 1, 2018 11:24 AM  
**To:** Bowen, Allen - RD, Montgomery, AL <[Allen.Bowen@al.usda.gov](mailto:Allen.Bowen@al.usda.gov)>  
**Cc:** Beeker, Chris - RD, Montgomery, AL <[Chris.Beeker@al.usda.gov](mailto:Chris.Beeker@al.usda.gov)>  
**Subject:** RE: Questions regarding Uniontown Sewer Project

Good Morning Allen,

**005305**

Thank you for the information. It has been very informative. I have a few following up questions.

- For the funding of the project, is the requested state's share \$3,562,500 or \$3,287,500?

\$3,562,500.00

- The document describing the Uniontown Sewer Project says Demopolis will need to update and expand their existing system to meet the increase in wastewater. Do we know what the additional cost on Demopolis will be, and how that will impact rate payers in Uniontown?

Currently we do not. There are a lot of variables involved. First and foremost we must repair and/or replace the damaged collection system to determine exactly the volume of sewage being produced and to be treated by Demopolis. The existing Uniontown treatment facility is permitted for just over 600,000 gallons. On rainy days they have close to 2,000,000 gallon going into the lagoon. That is why the project we be completed in 2 steps. The additional cost on Demopolis will be offset by the revenue generated from the treatment of the Uniontown sewage. There will be a contract between the two communities that will require RD approval. A rate study will be completed for Uniontown on both water and sewer by Alabama Rural Water once the collection system is repaired. RD worked this project based on none to minimal rate increases on the residence of Uniontown.

- As a result of the mandatory hook-up ordinance, how many customers (residences and commercial) will be on Uniontown's water and wastewater systems, and what is the estimated revenue projections from those users?

The estimated number of new residential connections is 10-15. The revenue generated by those would be between \$3,500 and \$4,300 annually which is minimal. New commercial connection were not projected because they would require permitting through ADEM. If they were to receive permitting the revenue could be substantial and certainly increase the financial sustainability of the Uniontown sewer.

- In the past, the water and wastewater system has transferred funds to Uniontown's general fund to support the town's budget. Will the newly created Utilities Board impact the transfer of those funds? If so, what will the financial impact on the city be?

Yes, there will be an impact. The Letter of Condition, previously provided, clearly states that the revenue generated by the operation of the sewer system can only be used to pay for the operation and maintenance of the sewer system and the service of its debts. Any other use of those revenues must include the prior written consent of USDA-RD. RD does not have debt on the current water system, however, is requiring that its operation be transferred to the newly formed Utilities Board because of the direct relationship between the water and sewer operations. Uniontown does not have an audit more current than 2010. By separating the water and sewer into the utilities board Uniontown will be able to start fresh with a new set of books for the utilities board. RD is requiring that a 3<sup>rd</sup> party management firm to manage the day to day operation of the utilities board in order to assure financial viability.

Uniontown needs to get control of their other finances. It is conceivable that the City could request that the Utilities Board transfer funds from the water revenue, but RD is strong opposed to that until the needs of the water system are met.

The sewer and water revenues and expenses will be keep separate from each other at all times.

- Can I get a copy of the proposed operating budget for the water and wastewater system?

RD is only providing funds for the sewer system and I have attached budget information on it. Once the Utilities Board is formed and the management company takes over, new budgets will be prepared after a

complete assessment of the overall status of the water and sewer separately. Every effort has been and will continue to be made to keep the rates where they currently are.

If you have any questions, please contact me.

Sincerely,

M. Baker Allen  
Office of Governor Kay Ivey  
Economic Policy Advisor

**From:** Bowen, Allen - RD, Montgomery, AL <[Allen.Bowen@al.usda.gov](mailto:Allen.Bowen@al.usda.gov)>  
**Sent:** Monday, October 29, 2018 4:25 PM  
**To:** Allen, Baker <[Baker.Allen@governor.alabama.gov](mailto:Baker.Allen@governor.alabama.gov)>  
**Cc:** Beeker, Chris - RD, Montgomery, AL <[Chris.Beeker@al.usda.gov](mailto:Chris.Beeker@al.usda.gov)>; Kathy Horne ([khorne@alruralwater.com](mailto:khorne@alruralwater.com)) <[khorne@alruralwater.com](mailto:khorne@alruralwater.com)>; Robert White <[rwhite@alruralwater.com](mailto:rwhite@alruralwater.com)>; (b) (6) <[REDACTED]@outlook.com> (b) (6) <[REDACTED]@outlook.com>; Gordon, Nivory - RD, Camden, AL <[Nivory.Gordon@al.usda.gov](mailto:Nivory.Gordon@al.usda.gov)>  
**Subject:** Questions regarding Uniontown Sewer Project

Mr. Allen, please find attached information you requested on the Uniontown Sewer Project.

If you have any questions, please contact me.

Thanks,

*Allen Bowen*

Allen Bowen  
United States Department of Agriculture  
Rural Development  
Community and Business Programs Director  
Office: 334-279-3617  
Cell: 334-322-4147

**005308**

Fax: 855-304-8457

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**005309**



**From:** [Douglas, Penny - RD, Chattanooga, TN](#)  
**To:** [Bowen, Allen - RD, Montgomery, AL](#)  
**Subject:** FW: Re: Addressing comments regarding City of Uniontown (AL)  
**Date:** Thursday, October 4, 2018 3:02:39 PM  
**Attachments:** 9.21.2018 - BWRk Comments to USDA - Uniontown EA.pdf  
RE Re Addressing comments regarding City of Uniontown (AL).msg

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Allen,

When you have a few minutes to talk, would you please give me a call? We need to address this one item regarding connection fees.

Thanks ---  
Penny

---

**From:** Francis, Cheryl - RD, Washington, DC  
**Sent:** Thursday, October 4, 2018 12:05 PM  
**To:** Barringer, Scott - RD, Washington, DC <Scott.Barringer@wdc.usda.gov>; Douglas, Penny - RD, Chattanooga, TN <Penny.Douglas@wdc.usda.gov>  
**Subject:** FW: Re: Addressing comments regarding City of Uniontown (AL)

EES has asked us to help them comment on the following item which is on page 8 of the report:

*3. Many Uniontown Residents Must Have Financial Help to Tie into the System.*

Federal agencies must consider environmental justice when evaluating their actions under NEPA. We understand that the proposed project in part is intended to benefit environmental justice communities in the Black Belt, not only by alleviating the pollution that threatens Uniontown but also by creating infrastructure that could recruit businesses and improve the area economy. However, how will the many residents of Uniontown who live at or below the poverty line afford to connect to the system? It is unclear from the EA whether the proposed funding will be a grant or a hybrid grant/loan. Presumably, residents within a certain radius of the system will be required to hook up to the system. As RUS looks at the many moving parts of this project, funding assistance for the residents who cannot afford to hook up to the system or those who may struggle to pay increased rates must be considered.

1780.9(e)(v) says:

(e) When a necessary part of the project relates to those facilities authorized in paragraphs (a), (b), (c) or (d) of this section the following may be considered:

(1) Loan or grant funds may be used for:

\*\*\*\*

(v) In unusual cases, the cost for connecting the user to the main service line.

However, the connection contribution/tap fee screen in CPAP shows there will be no new connections. Since the project has grant only from RD/RUS, do we say that the applicant is getting the maximum amount of grant-75%- which should translate into keeping user rates low and affordable?

The note from CPAP says, "Current average monthly cost is \$18.10, from 8/18 information provided

**005310**

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September 21, 2018

Mr. Nivory Gordon, Jr., Area Director  
U.S. Department of Agriculture Rural Development  
321 Depot Street  
Camden, Alabama 36726

Re: Uniontown Environmental Assessment

*Via electronic mail only to [Nivory.gordon@al.usda.gov](mailto:Nivory.gordon@al.usda.gov)*

Dear Mr. Gordon:

Thank you for the opportunity to provide comments on the U.S. Department of Agriculture's ("USDA") Rural Utility Service ("RUS") Environmental Assessment ("EA") issued in connection with possible impacts related to a project proposed by the City of Uniontown, Alabama. The project involves the rehabilitation of the city's wastewater collection system and construction of collection systems and a force main to Demopolis, Alabama. Uniontown has submitted an application to RUS for funding of the project. We write on behalf of Black Warrior Riverkeeper, a nonprofit organization dedicated to protecting and restoring the Black Warrior River and its tributaries. The City of Uniontown and much of the proposed project is located in the Black Warrior River watershed.

We are glad to see progress toward what we hope will be a lasting solution to the chronic and pervasive pollution problems that have plagued Uniontown for over twenty years. However, without a correct diagnosis of all underlying factors that contribute to the problems, a meaningful solution will remain elusive. A USDA grant (the purpose of the advertised EA) addresses one of these underlying problems: funding. However, funding alone cannot solve Uniontown's problems. In the past, neither the City's engineering firm (Sentell Engineering or "Sentell") nor the Alabama Department of Environmental Management ("ADEM") have correctly identified all the underlying contributors to Uniontown's noncompliance. Unfortunately, the EA prepared by Sentell indicates that several of these factors remain either unknown or unaddressed. We urge the RUS to carefully evaluate all contributing factors to Uniontown's noncompliance and ensure that a sound engineering plan is prepared to comprehensively address all facets of the problem. Without this evaluation, this project, no matter how well intentioned or financed, is doomed to fail. Instead of solving Uniontown's problems, the project will only export them to Demopolis. We urge RUS to carefully examine the underlying assumptions

**005311**

about the plan to pump Uniontown's waste to the Demopolis WWTP. Only then can the agency be assured that it is making sound decisions based on a *true* understanding of the environmental consequences of the proposed actions, and accordingly "take actions that protect, restore, and enhance the quality of the human environment. *See* 40 C.F.R. § 1970.1(a).

*1. The Role of Industrial Dischargers Must Be Accurately Assessed and Understood.*

The EA notes that approximately one fourth of the collection system was rehabbed and inflow metering was added to the Uniontown wastewater treatment system. EA §1.2. (This was done using a prior USDA grant and loan.) The data collected from the flow meter now "shows flow coming into the lagoon varying from 300,000 gallons per day to 5,000,000 gallons per day." *Id.* The EA states that the "excessive inflow still coming *through the collection system* allows flooding" of the treatment system, rendering those systems inoperable. (Emphasis added).

Over the years, Uniontown and Sentell have placed the blame for the excessive volume only on infiltration and inflow ("I/I") to the system. To be sure, I/I certainly plays a significant part in the overflows and treatment failures at the Lagoon. We agree that repair of the collection system is the logical starting point for rehabilitation. However, Uniontown and Sentell have routinely ignored other major contributors to the ongoing wastewater debacle. For years, industrial discharger Harvest Select (aka Alabama Catfish) has been allowed to exceed the entire design capacity of the Uniontown Lagoon at times --- with no flow or volume limitation or repercussions, or even recognition of the problem.

According to Sentell, Harvest Select is contributing an average of .25 MGD of wastewater each day, and on some days exceeds .5 MGD. (*Sentell Letter to ADEM September 30, 2014*). Although Sentell expressed surprise at this "unknown" volume in that letter, a quick review of Harvest Select's publicly available discharge monitoring reports ("DMRs") indicates the facility consistently discharges much more than the .1 MGD originally assumed by Sentell prior to receiving the estimates above. Harvest Select's 2012 SID permit (still in force) estimates their average flow at .20 MGD. However, from January through May of 2018, Harvest Select's DMRs indicate an average flow of around 340,000 gallons per day with peak flows routinely exceeded 700,000 gallons per day, even reaching 938,000 gallons on January 17, 2018. For reference, the entire design capacity of the Uniontown Lagoon is 525,000 gallons per day.

Riverkeeper has documented and expressed deep concern to ADEM about the amount of wastewater contributed by Harvest Select and its implications for the Lagoon, to no avail. Astoundingly, Harvest Select's draft 2017 SID permit (still not finalized) contained no volumetric limits. A detailed review of DMRs from Harvest Select underscores this critical point: on many days, the catfish processor approaches or even exceeds the total design capacity of the entire Lagoon system. The table below, based upon Harvest Select's DMRs, summarizes the data they have reported during 2017 and the first half of 2018.

| Harvest Select Flow Data |                |                |
|--------------------------|----------------|----------------|
|                          | Avg Flow (MGD) | Max Flow (MGD) |
| May - '18                | 289,935        | 873,270        |
| Apr - '18                | 320,505        | 710,620        |
| Mar - '18                | 414,081        | 790,110        |
| Feb - '18                | 333,648        | 793,741        |
| Jan - '18                | 347,699        | 938,810        |
| Dec - '17                | None Reported  |                |
| Nov - '17                | 261,009        | 893,240        |
| Oct - '17                | None Reported  |                |
| Sep - '17                | 271,217        | 876,120        |
| Aug - '17                | 271,056        | 880,910        |
| Jul - '17                | 352,221        | 999,720        |
| Jun - '17                | 184,380        | 490,879        |
| May - '17                | 315,485        | 988,290        |
| Apr - '17                | None Reported  |                |
| Mar - '17                | 202,590        | 304,630        |
| Feb - '17                | None Reported  |                |
| Jan - '17                | 162,275        | 287,646        |

As demonstrated by the table, the average flow from Harvest Select often accounts for more than half of the entire capacity of the Uniontown Lagoon. And the peak flows from Harvest Select frequently far exceed the Lagoon's design capacity.

It is essential that a properly working, regularly calibrated flow meter accurately record Harvest Select's wastewater inputs to the lagoon. Although Harvest Select performs some modest pretreatment, the wastewater it sends to Uniontown is rich in nutrients with high BOD. Without adequate pretreatment, the Harvest Select waste could exacerbate the Demopolis WWTP's BOD issues (discussed *infra*).

Although the EA makes no mention of these facts, according to a June 5, 2018 report by Sentell other area major industrial dischargers also may be permitted to tie into the proposed system: Sentell was "[w]orking on the preliminary engineering report for the collection system for a grant application while we review how to treat Southeastern Cheese and the leachate from Arrowhead landfill."

Southeastern Cheese Corp. ceased discharging to the Lagoon in April 2012, primarily because its nutrient-rich wastewater, often with high CBOD, continually overwhelmed the Lagoon's treatment system. While discharging to the Uniontown Lagoon, Southeastern Cheese was on ADEM's list of state indirect dischargers in significant noncompliance of permit conditions and limitations for the calendar years of 2012, 2011, 2010, 2009, 2008 and 2006. After ceasing discharge to the Lagoon, Southeastern

Cheese began to land apply its waste (an abysmal failure); those land application rates were based upon a presumed production of 52,304,651 gallons of waste per year. See Neel-Schaffer, Inc. *Nutrient Management and Compliance Plan for Southeastern Cheese* (October 2015) at 1. Without meaningful pretreatment, which Southeastern Cheese has been unable to accomplish in the past, the cheesemaker's waste could compromise the Demopolis WWTP's operations just as it did Uniontown's.

The Arrowhead Landfill currently trucks its leachate to the Demopolis WWTP, so technically its contributions are already a part of the plant's current load. However, trucking leachate is expensive so presently Arrowhead has every incentive to minimize its discharges to the WWTP. However, if Arrowhead can pipe its leachate, the incentives to minimize discharges are removed. While the SID discharge from Arrowhead currently measures an average of between 20,000 to 30,000 gallons per day according to recent DMRs, the SID permit allows for a monthly average volume of 150,000 gallons per day with a maximum allowable daily discharge of 300,000 gallons. When evaluating the project, the maximum amount of wastewater Arrowhead is permitted to discharge must be considered, not just what they are discharging now. Given the type of waste Arrowhead is known to handle (i.e coal ash), it is critical that appropriate pretreatment requirements be imposed that will remove some of the heavy metals, extremely high ammonia concentrations and other pollutants present in their leachate. Without this step, we are concerned whether Demopolis can properly treat the projected increased flows of leachate wastewater.

*2. The Demopolis Plant Must Be Upgraded and its Treatment Capacity Increased.*

The only scenario in which the proposal to send Uniontown's sewage to the Demopolis WWTP might be feasible is if the wastewater treatment plant can handle the additional loading. Unfortunately, without major upgrades to the current configuration of the Demopolis WWTP, that simply doesn't seem to be the case. The plant is currently struggling just to treat its waste stream at present levels. Flow through the Demopolis WWTP has exceeded the plant's design capacity in four or more months in each of the past five years. The data in the table below was extracted from the plant's five most recent Municipal Water Pollution Prevention (MWPP) Annual Reports.

| <b>Demopolis WWTP</b> |                        |             |
|-----------------------|------------------------|-------------|
| <b>Date</b>           | <b>Design Capacity</b> | <b>Flow</b> |
| Jan - '13             | 2.65 MGD               | 3.285 MGD   |
| Feb - '13             | 2.65 MGD               | 3.640 MGD   |
| Mar - '13             | 2.65 MGD               | 2.850 MGD   |
| Apr - '13             | 2.65 MGD               | 6.304 MGD   |
| Dec - '13             | 2.65 MGD               | 2.904 MGD   |
| Jan - '14             | 2.65 MGD               | 3.023 MGD   |
| Feb - '14             | 2.65 MGD               | 3.506 MGD   |
| Mar - '14             | 2.65 MGD               | 2.923 MGD   |

|           |          |           |
|-----------|----------|-----------|
| Apr - '14 | 2.65 MGD | 3.125 MGD |
| Jan - '15 | 2.65 MGD | 2.827 MGD |
| Feb - '15 | 2.65 MGD | 2.836 MGD |
| Mar - '15 | 2.65 MGD | 3.197 MGD |
| Dec - '15 | 2.65 MGD | 3.034 MGD |
| Jan - '16 | 2.65 MGD | 2.769 MGD |
| Feb - '16 | 2.65 MGD | 2.920 MGD |
| Mar - '16 | 2.65 MGD | 3.635 MGD |
| Apr - '16 | 2.65 MGD | 2.911 MGD |
| Jan - '17 | 2.65 MGD | 3.010 MGD |
| Feb - '17 | 2.65 MGD | 2.740 MGD |
| Mar - '17 | 2.65 MGD | 2.970 MGD |
| Jun - '17 | 2.65 MGD | 3.270 MGD |

According to an Engineering Report recently filed with ADEM by Uniontown, Sentell estimates that Uniontown would need 1.25 MGD of treatment capacity for its municipal and industrial waste stream. If the Demopolis WWTP had been receiving the additional 1.25 MGD from Uniontown, the Demopolis plant would have exceeded its flow design capacity in all twelve months in 2017. It should be noted that peak flows in the Uniontown wastewater system often far exceed the 1.25 MGD average estimate, at times even approaching 5 MGD as confirmed by the EA (§ 1.2).

Flow is not the only issue currently stressing the Demopolis WWTP. The plant currently has very little, if any, capacity for additional loading of BOD/CBOD. According to the facility's MWPP Annual Reports, the plant has design criteria for BOD loading of 4,836 pounds per day. The actual BOD loading at the plant has exceeded that design criteria in several months over the past five years. Again, the data below was extracted from the facility's MWPP Annual Reports.

| Demopolis WWTP |                      |             |
|----------------|----------------------|-------------|
| Date           | BOD Loading Capacity | BOD Load    |
| Mar - '13      | 4836 ppd             | 5049.76 ppd |
| Feb - '14      | 4836 ppd             | 5185.30 ppd |
| Mar - '14      | 4836 ppd             | 5189.92 ppd |
| Jun - '15      | 4836 ppd             | 5252.59 ppd |
| Jul - '15      | 4836 ppd             | 6806.89 ppd |
| Dec - '15      | 4836 ppd             | 6283.12 ppd |
| Mar - '16      | 4836 ppd             | 5843.20 ppd |

2017 was the only year (out of the past 5) in which BOD loading never exceeded the design criteria. The additional flow from Uniontown will further stress the BOD loading of the Demopolis plant, especially given that Uniontown's wastewater already has an abnormally high BOD load due to

the contributions from Alabama Catfish (dba Harvest Select). This will be drastically exacerbated if wastewater from Southeastern Cheese is added to the mix.

While the BOD contribution from Harvest Select to the Uniontown Lagoon has averaged only 120.89 ppd over the past two years, peak BOD loading from the fish processor has exceeded 1000 ppd at least twice in the first half of 2018.

| <b>Alabama Catfish (Harvest Select)</b> |                |            |                      |
|---|----------------|------------|----------------------|
| Date                                    | Flow (Gallons) | BOD (mg/L) | Max Loading (lb/day) |
| 5/1/2018                                | 796,890        | 257        | 1708.96              |
| 4/3/2018                                | 656,480        | 183        | 1002.47              |

The figures above were taken from DMRs submitted by Harvest Select to ADEM. These slugs of high BOD could overwhelm the plant and disrupt the treatment process.

The proposed addition of wastewater from Southeastern Cheese, and its BOD load, is far more concerning. When Southeastern Cheese was connected to the Uniontown Lagoon they were required to submit DMRs in accordance with their SID permit. When discharging in 2011 and 2012 (the two most recent years for which data is available), the monthly average BOD load to the Uniontown Lagoon ranged from 169 ppd to over 6,000 ppd, as noted in the table below.

| <b>Southeastern Cheese</b> |                     |                              |                         |
|----------------------------|---------------------|------------------------------|-------------------------|
|                            | Avg. Flow (Gallons) | Avg BOD Concentration (mg/L) | Avg BOD Loading (lbs/d) |
| Mar - '12                  | 98,634              | 8,092                        | 6,660.13                |
| Feb - '12                  | 24,406              | 3,706                        | 754.75                  |
| Jan - '12                  | 82,179              | 5,913                        | 4,054.80                |
| Dec - '11                  | 5,431               | 3,730                        | 169.04                  |
| Nov - '11                  | 8,493               | 6,263                        | 443.86                  |
| Oct - '11                  | No Discharge        |                              |                         |
| Sep - '11                  | No Discharge        |                              |                         |
| Aug - '11                  | No Discharge        |                              |                         |
| Jul - '11                  | 18,062              | 3,356                        | 505.81                  |
| Jun - '11                  | 16,097              | 8,716                        |                         |

|           |              |        |          |
|-----------|--------------|--------|----------|
|           |              |        | 1,170.75 |
| May - '11 | 41,223       | 10,396 | 3,576.07 |
| Apr - '11 | 27,686       | 18,890 | 4,364.08 |
| Mar - '11 | 39,450       | 11,453 | 3,770.22 |
| Feb - '11 | 12,512       | 4,600  | 480.27   |
| Jan - '11 | No Discharge |        |          |

As highlighted in the table below, the maximum BOD contributions from Southeastern Cheese during that time period were far greater than the average concentrations even exceeding 15,000 ppd on several occasions.

| <b>Southeastern Cheese</b> |                |            |                   |
|----------------------------|----------------|------------|-------------------|
| Date                       | Flow (Gallons) | BOD (mg/L) | Max Loading (ppd) |
| 3/22/2012                  | 148,250        | 12,400     | 15,339.70         |
| 2/28/2012                  | 147,980        | 5,120      | 6,322.28          |
| 1/19/2012                  | 131,090        | 14,800     | 16,189.44         |
| 12/29/2011                 | 76,030         | 4,520      | 2,867.64          |
| 11/16/2011                 | 134,940        | 6,230      | 7,015.03          |
| 6/28/2011                  | 53,890         | 16,000     | 7,194.96          |
| 5/17/2011                  | 126,830        | 14,500     | 15,345.83         |

The ability of the Demopolis WWTP to actually treat the municipal and industrial wastewater stream from Uniontown should be a determining factor in evaluating whether this proposal is even feasible. If Demopolis cannot demonstrate such ability through a comprehensive engineering evaluation, this proposal should be a non-starter. In the alternative, if Demopolis plans significant upgrades to its treatment plant in order to accommodate the increased waste load, any documents related to such an upgrade should be made available to the public and should have been a prerequisite prior to even considering the EA for the current proposal. A central goal of this process must be to ensure that the ongoing pollution issues in Uniontown, the Black Warrior River and the Alabama River, are not simply passed on to Demopolis and the Tombigbee River. Adequate ability to handle and properly treat



influent wastewater volume and pollutant loading prior to discharge into the Tombigbee River must be engineered and assured.

*3. Many Uniontown Residents Must Have Financial Help to Tie into the System.*

Federal agencies must consider environmental justice when evaluating their actions under NEPA. We understand that the proposed project in part is intended to benefit environmental justice communities in the Black Belt, not only by alleviating the pollution that threatens Uniontown but also by creating infrastructure that could recruit businesses and improve the area economy. However, how will the many residents of Uniontown who live at or below the poverty line afford to connect to the system? It is unclear from the EA whether the proposed funding will be a grant or a hybrid grant/loan. Presumably, residents within a certain radius of the system will be required to hook up to the system. As RUS looks at the many moving parts of this project, funding assistance for the residents who cannot afford to hook up to the system or those who may struggle to pay increased rates must be considered.

*4. Past Mistakes By Sentell Should Disqualify it from Working on this Project.*

We discussed Sentell's failure to review ADEM documents to accurately assess Harvest Select's contributions to the Lagoon's failures. As the USDA is painfully aware, Sentell was also responsible for the construction of a sprayfield (with USDA grant funds) that was never viable and never used.

When ADEM advertised a 2012 modification of Uniontown's NPDES permit to authorize the application of treated wastewater from the Lagoon at a second sprayfield (Sprayfield #2), we submitted a public comment letter outlining numerous concerns about the proposed permit modification. Chief among these concerns was the geology in the area of the proposed Sprayfield #2 being unsuitable for land application. Despite these concerns, ADEM issued the permit modification without requiring any percolation or geological testing at Sprayfield #2 to determine whether the proposed site was suitable for the land application. Despite these concerns, Sentell proceeded with the construction of Sprayfield #2 without performing tests to determine whether the soil at the site could absorb the wastewater. Although construction was completed, Sprayfield # 2 was never put in service because the soils could not properly process the wastewater flow. Based upon the budget submitted to USDA for the sprayfield, a conservative estimate for the cost of a useless Sprayfield # 2 is \$512,000 (\$348,360 in total construction costs; \$130,000 for the land purchase; \$25,000 for a property survey; \$9,500 for permitting). This estimate does not include engineering design or inspection fees, which would likely push the estimate higher.

The ADEM file also tells the story of Sentell's next proposed solution: a forced main pipeline and direct discharge to the main stem of the Black Warrior River, some twenty two miles away. Despite the fact Sentell has not requested an ADEM waste load allocation nor determined whether the plant could even achieve the level of treatment necessary to meet prospective permit limits for the proposed discharge, Sentell determined the path and the City began signing contracts for the purchase of

necessary right-of-way. ADEM, to its credit, has never permitted the direct discharge, because the Lagoon would not be able to meet permit limits in its current condition.

With the direct discharge off the table, Sentell next recommended a constructed wetland treatment system, the final cost of which was omitted from the version of Sentell's February 2018 engineering report that is available in ADEM's records.. At that point, engineers from the University of Alabama and Auburn University recommended that Uniontown hire another engineering firm to perform a values engineering study of the options proposed by Sentell, due to the "lack of success from past improvement efforts."

Respectfully, we think it is time that Uniontown turned a new page and engaged another engineering firm to design and oversee the implementation of the proposed project. We encourage RUS to place any necessary conditions on the proposed grant to ensure that this project succeeds. Our members from Uniontown have long monitored the problems at the Lagoon as well as the many mistakes made in trying to fix those problems. It is heartbreaking that improvements from the previous USDA grant of \$4.8 million dollars failed to alleviate many of the system's problems. The money is gone, but according to a March 20, 2018 ADEM status report in its long running litigation against Uniontown, wastewater continues to drain to Freetown Creek and "[n]ew and additional wastewater treatment lagoon overflows" have released wastewater to Cottonwood Creek." "Overflows at [Sprayfield #1] and treatment lagoons have been chronic issues and appear to be increasing in number, volume and frequency." Sentell's failure to properly identify and quantify the full contributions of industrial contributors to wastewater flow, as well as their previous failures to properly engineer a solution to Uniontown's wastewater treatment issues when given the chance should disqualify the firm from continuing to work on this project.

### *Conclusion*

In order for this second USDA grant/loan to be successful, meaningful consideration of shortcomings in Uniontown Lagoon's collection and treatment infrastructure, careful review of past and current operational histories of all wastewater producers in Uniontown, a robust costs analysis including additional bids, and a sincere look at Demopolis WWTP's design and compliance shortcomings must be undertaken. In order for a thorough analysis to be performed, it is essential that USDA allow stakeholders – such as Black Belt Citizens Fighting for Health & Justice and Black Warrior Riverkeeper – a seat at the table to ensure all pertinent information is meaningfully considered. We have important information and valid insight to offer that will provide a critical check-and-balance that can help avoid repeating the mistakes which occurred during use of the prior USDA \$4.8M grant.

Thank you for your consideration of our comments. Please do not hesitate to contact us if you have any questions or if you require any additional information.

For the river,



Nelson Brooke  
Riverkeeper



John Kinney  
Enforcement Coordinator



Eva Dillard  
Staff Attorney

cc: Allen Bowen, Community and Business Programs Director  
United States Department of Agriculture  
Rural Development

**From:** Barringer, Scott - RD, Washington, DC  
**Sent:** Thu, 4 Oct 2018 18:41:50 +0000  
**To:** Francis, Cheryl - RD, Washington, DC; Douglas, Penny - RD, Chattanooga, TN  
**Subject:** RE: Re: Addressing comments regarding City of Uniontown (AL)

According to CPAP there are no new connections and they do not charge a tap fee. I do not see in other operating income or non-operating income where they figure in a connection fee. If they do then they may not qualify for the grant funds.

I will defer to penny as she reviewed this one and maybe better suited to answer but yes we could mention the 504 RHS grant program that could provide grants or 1 loan funds to help individuals hook to the system.

Scott Barringer  
Deputy Assistant Administrator, Rural Utilities Service  
Water and Environmental Programs  
Rural Development  
United States Department of Agriculture  
1400 Independence Ave., S.W. | Washington, D.C. 20250  
Phone: (202)720-9643 | Fax: (202)690-0649  
[www.rd.usda.gov](http://www.rd.usda.gov) | "Committed to the future of rural communities"

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---

**From:** Francis, Cheryl - RD, Washington, DC  
**Sent:** Thursday, October 4, 2018 12:05 PM  
**To:** Barringer, Scott - RD, Washington, DC <Scott.Barringer@wdc.usda.gov>; Douglas, Penny - RD, Chattanooga, TN <Penny.Douglas@wdc.usda.gov>  
**Subject:** FW: Re: Addressing comments regarding City of Uniontown (AL)

EES has asked us to help them comment on the following item which is on page 8 of the report:

*3. Many Uniontown Residents Must Have Financial Help to Tie into the System.*

Federal agencies must consider environmental justice when evaluating their actions under NEPA. We understand that the proposed project in part is intended to benefit environmental justice communities in the Black Belt, not only by alleviating the pollution that threatens Uniontown but

**005321**

also by creating infrastructure that could recruit businesses and improve the area economy. However, how will the many residents of Uniontown who live at or below the poverty line afford to connect to the system? It is unclear from the EA whether the proposed funding will be a grant or a hybrid grant/loan. Presumably, residents within a certain radius of the system will be required to hook up to the system. As RUS looks at the many moving parts of this project, funding assistance for the residents who cannot afford to hook up to the system or those who may struggle to pay increased rates must be considered.

1780.9(e)(v) says:

(e) When a necessary part of the project relates to those facilities authorized in paragraphs (a), (b), (c) or (d) of this section the following may be considered:

(1) Loan or grant funds may be used for:

\*\*\*\*

(v) In unusual cases, the cost for connecting the user to the main service line.

However, the connection contribution/tap fee screen in CPAP shows there will be no new connections. Since the project has grant only from RD/RUS, do we say that the applicant is getting the maximum amount of grant-75%- which should translate into keeping user rates low and affordable?

The note from CPAP says, "Current average monthly cost is \$18.10, from 8/18 information provided by Alabama Rural Water Association, attached (called Sewer Customer and Flows). This is 1.44% of service area MHI (\$15,054). A 25.52% increase to \$22.72 (1.81% of MHI) will be required just to cash-flow the system's financial obligations, without new debt.  $(22.72 - 18.10) = 4.62 / 18.10$  A minimum 25% loan of \$7,812,500 would require an average EDU cost of \$33.89, or 2.70% of the service area MHI.

If new users were to connect, do we say that there are other RD funding programs geared to homeowners that may help them bear the costs? Or going back to the 1780.9, can we make funds available to users at or below the poverty line?

Are there other instances where we have had to address this issue?

Cheryl Francis  
Chief, Program Operations Branch  
Water and Environmental Programs  
202-720-1937

---

**From:** Dawodu, Omololu - RD, Washington, DC  
**Sent:** Wednesday, October 3, 2018 1:59 PM  
**To:** Francis, Cheryl - RD, Washington, DC <[Cheryl.Francis@wdc.usda.gov](mailto:Cheryl.Francis@wdc.usda.gov)>  
**Cc:** Kubena, Kellie - RD, Washington, DC <[Kellie.Kubena@wdc.usda.gov](mailto:Kellie.Kubena@wdc.usda.gov)>  
**Subject:** Re: Addressing comments regarding City of Uniontown (AL)

Hello Cheryl,

Per our discussion, please see the attached comment letter we received from Riverkeeper, an environmental non-profit organization with concerns regarding the City of Uniontown project. Could

**005322**

you please advise on how to better address their concerns for Section #3? We are working on revising the FONSI and hope to have it republished as soon as possible. We apologize for the short notice.

Thanks,

**Omololu Dawodu**

Environmental Protection Specialist  
Engineering and Environmental Staff | Rural Utilities Service  
Rural Development  
U.S. Dept. of Agriculture | Room 2238  
1400 Independence Avenue, SW | Washington, DC 20250

Email: [omololu.dawodu@wdc.usda.gov](mailto:omololu.dawodu@wdc.usda.gov)

Phone: 202-720-5653

*"Committed to the future of rural communities"*

by Alabama Rural Water Association, attached (called Sewer Customer and Flows). This is 1.44% of service area MHI (\$15,054). A 25.52% increase to \$22.72 (1.81% of MHI) will be required just to cash-flow the system's financial obligations, without new debt.  $(22.72 - 18.10 = 4.62 / 18.10)$  A minimum 25% loan of \$7,812,500 would require an average EDU cost of \$33.89, or 2.70% of the service area MHI.

If new users were to connect, do we say that there are other RD funding programs geared to homeowners that may help them bear the costs? Or going back to the 1780.9, can we make funds available to users at or below the poverty line?

Are there other instances where we have had to address this issue?

Cheryl Francis  
Chief, Program Operations Branch  
Water and Environmental Programs  
202-720-1937

---

**From:** Dawodu, Omololu - RD, Washington, DC  
**Sent:** Wednesday, October 3, 2018 1:59 PM  
**To:** Francis, Cheryl - RD, Washington, DC <[Cheryl.Francis@wdc.usda.gov](mailto:Cheryl.Francis@wdc.usda.gov)>  
**Cc:** Kubena, Kellie - RD, Washington, DC <[Kellie.Kubena@wdc.usda.gov](mailto:Kellie.Kubena@wdc.usda.gov)>  
**Subject:** Re: Addressing comments regarding City of Uniontown (AL)

Hello Cheryl,

Per our discussion, please see the attached comment letter we received from Riverkeeper, an environmental non-profit organization with concerns regarding the City of Uniontown project. Could you please advise on how to better address their concerns for Section #3? We are working on revising the FONSI and hope to have it republished as soon as possible. We apologize for the short notice.

Thanks,

*Omololu Dawodu  
Environmental Protection Specialist  
Engineering and Environmental Staff | Rural Utilities Service  
Rural Development  
U.S. Dept. of Agriculture | Room 2238  
1400 Independence Avenue, SW | Washington, DC 20250*

Email: [omololu.dawodu@wdc.usda.gov](mailto:omololu.dawodu@wdc.usda.gov)  
Phone: 202-720-5653

*"Committed to the future of rural communities"*

**005324**





**From:** [Hale, Stan - RD, Montgomery, AL](#)  
**To:** [Bowen, Allen - RD, Montgomery, AL](#)  
**Subject:** FW: Summary tomorrow?  
**Date:** Friday, August 24, 2018 3:08:51 PM

---

Is this the email you asked Shelley about?

Stan B. Hale  
USDA RURAL DEVELOPMENT  
Community Programs  
State Loan Specialist  
4121 Carmichael Road, Suite 601  
Montgomery, Alabama 36106-3683  
Voice Direct 334-279-3616  
Fax 855-304-8457  
[stan.hale@al.usda.gov](mailto:stan.hale@al.usda.gov)

---

**From:** Primrose, Edna - RD, Washington, DC <[Edna.Primrose@wdc.usda.gov](mailto:Edna.Primrose@wdc.usda.gov)>  
**Sent:** Thursday, August 16, 2018 4:55 PM  
**To:** Bowen, Allen - RD, Montgomery, AL <[Allen.Bowen@al.usda.gov](mailto:Allen.Bowen@al.usda.gov)>  
**Cc:** Beeker, Chris - RD, Montgomery, AL <[Chris.Beeker@al.usda.gov](mailto:Chris.Beeker@al.usda.gov)>; Douglas, Penny - RD, Chattanooga, TN <[Penny.Douglas@wdc.usda.gov](mailto:Penny.Douglas@wdc.usda.gov)>; Woolard, Susan - RD, Washington, DC <[susan.woolard@wdc.usda.gov](mailto:susan.woolard@wdc.usda.gov)>; Castille, Carrie - RD, Alexandria, LA <[Carrie.Castille@la.usda.gov](mailto:Carrie.Castille@la.usda.gov)>; Gordon, Nivory - RD, Camden, AL <[Nivory.Gordon@al.usda.gov](mailto:Nivory.Gordon@al.usda.gov)>; Hale, Stan - RD, Montgomery, AL <[Stan.Hale@al.usda.gov](mailto:Stan.Hale@al.usda.gov)>; Williams, Daniel - RD, Montgomery, AL <[Daniel.Williams4@al.usda.gov](mailto:Daniel.Williams4@al.usda.gov)>; Taylor, John - RD, Montgomery, AL <[john.taylor@al.usda.gov](mailto:john.taylor@al.usda.gov)>; Barringer, Scott - RD, Washington, DC <[Scott.Barringer@wdc.usda.gov](mailto:Scott.Barringer@wdc.usda.gov)>; Francis, Cheryl - RD, Washington, DC <[Cheryl.Francis@wdc.usda.gov](mailto:Cheryl.Francis@wdc.usda.gov)>; Saulnier, Stephen - RD, Washington, DC <[Stephen.Saulnier@wdc.usda.gov](mailto:Stephen.Saulnier@wdc.usda.gov)>  
**Subject:** RE: Summary tomorrow?

Chris and Allen,

Thank you for the excellent summary. I know our team is helping you and let us know if you need more. This is really great progress.

Edna

---

**From:** Bowen, Allen - RD, Montgomery, AL <[Allen.Bowen@al.usda.gov](mailto:Allen.Bowen@al.usda.gov)>  
**Sent:** Thursday, August 16, 2018 2:05 PM  
**To:** Primrose, Edna - RD, Washington, DC <[Edna.Primrose@wdc.usda.gov](mailto:Edna.Primrose@wdc.usda.gov)>  
**Cc:** Beeker, Chris - RD, Montgomery, AL <[Chris.Beeker@al.usda.gov](mailto:Chris.Beeker@al.usda.gov)>; Douglas, Penny - RD, Chattanooga, TN <[Penny.Douglas@wdc.usda.gov](mailto:Penny.Douglas@wdc.usda.gov)>; Woolard, Susan - RD, Washington, DC <[susan.woolard@wdc.usda.gov](mailto:susan.woolard@wdc.usda.gov)>; Castille, Carrie - RD, Alexandria, LA <[Carrie.Castille@la.usda.gov](mailto:Carrie.Castille@la.usda.gov)>; Gordon, Nivory - RD, Camden, AL <[Nivory.Gordon@al.usda.gov](mailto:Nivory.Gordon@al.usda.gov)>; Hale, Stan - RD, Montgomery, AL

**005326**

<Stan.Hale@al.usda.gov>; Williams, Daniel - RD, Montgomery, AL <Daniel.Williams4@al.usda.gov>; Taylor, John - RD, Montgomery, AL <[john.taylor@al.usda.gov](mailto:john.taylor@al.usda.gov)>

**Subject:** RE: Summary tomorrow?

Edna, the Application in RDAApply for the City of Uniontown has been submitted, reviewed by our Area Office and considered complete. It has been forwarded to Penny Douglas in the national office for underwriting via CPAP. The PER and the ER has been reviewed by John Taylor, Alabama State Engineer, and comments sent to the project engineer. It is anticipated that both will be ready for EES concurrence next week. Alabama Rural Water worked with the applicant and the project engineer to complete the application. The project cost is \$32,390,000, RD will be providing \$23,557,000 (75%) because of the health and sanitary issues. Other funds of \$8,833,000 from state and other funds are being worked on. This are round numbers and could change after the PER review is completed but this are very close at this point. The project consist of 2 distinct phases. The first step is to complete rehab the collection system. The PER reflects digging up and replacing about 10% of the lines and relining the other 90%. This will stop the majority of the infusion and inflow of water from outside the collection system. Included in this step is reclaiming the existing lagoon and spray field which is currently have a major negative environmental impact.

Since the rehab of the collection system only requires the digging up of approximately 10% of the system, I am not sure if the inclusion of burying conduit for future broadband is feasible.

The second step will be to construct a transmission line 18 miles to Demopolis, AL to treat the waste.

We are working on controls to be in the Letter of Conditions that will

**005327**

insure that the project is completed as designed, the system is properly and efficiently operated and that the revenue is accounted for and handled correctly. Some of those controls include the formation of a Utilities Board to isolate and manage to funds generated from the operation and the hiring of an outside Management company to handle the day to day operations.

If you have any questions, please contact me.

Thanks,

*Allen Bowen*

Allen Bowen  
United States Department of Agriculture  
Rural Development  
Community and Business Programs Director  
Office: 334-279-3617  
Cell: 334-322-4147  
Fax: 855-304-8457

**From:** Primrose, Edna - RD, Washington, DC <[Edna.Primrose@wdc.usda.gov](mailto:Edna.Primrose@wdc.usda.gov)>  
**Sent:** Tuesday, August 14, 2018 9:35 PM  
**To:** Bowen, Allen - RD, Montgomery, AL <[Allen.Bowen@al.usda.gov](mailto:Allen.Bowen@al.usda.gov)>  
**Subject:** Summary tomorrow?

Hey Allen,

Will you be able to provide a summary tomorrow? This got ASEC attention today. Ok to add Chris' Dig Once idea. Thanks -you are doing great!

Edna

**005328**

**From:** [Helton, Beverly - RD, Montgomery, AL](#)  
**To:** [Bowen, Allen - RD, Montgomery, AL](#); [Williams, Daniel - RD, Montgomery, AL](#)  
**Subject:** FW: Union Town LAPAS Comments  
**Date:** Thursday, October 18, 2018 3:03:39 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[image006.png](#)  
[image007.png](#)

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FYI – previous email....

---

**From:** Bowen, Allen - RD, Montgomery, AL  
**Sent:** Wednesday, October 3, 2018 4:13 PM  
**To:** Williams, Daniel - RD, Montgomery, AL <[Daniel.Williams4@al.usda.gov](mailto:Daniel.Williams4@al.usda.gov)>; Helton, Beverly - RD, Montgomery, AL <[beverly.helton@al.usda.gov](mailto:beverly.helton@al.usda.gov)>  
**Subject:** Re: Union Town LAPAS Comments

Hold this

---

**From:** "Williams, Daniel - RD, Montgomery, AL" <[Daniel.Williams4@al.usda.gov](mailto:Daniel.Williams4@al.usda.gov)>  
**Date:** Wednesday, October 3, 2018 at 4:11:52 PM  
**To:** "Helton, Beverly - RD, Montgomery, AL" <[beverly.helton@al.usda.gov](mailto:beverly.helton@al.usda.gov)>  
**Cc:** "Bowen, Allen - RD, Montgomery, AL" <[Allen.Bowen@al.usda.gov](mailto:Allen.Bowen@al.usda.gov)>  
**Subject:** Union Town LAPAS Comments

Hello Beverly,

Below is the project description for the Town of Uniontown. I added more information than I normally do but I want to ensure it's detailed. Please review and advise of corrections.

This Rural Development investment will be used to rehabilitated the entire sewer system for the City of Uniontown. The City of Uniontown has been under a consent order since 2008 because of overflowing wastewater treatment lagoons and effluent spray field. The current wastewater treatment lagoons are frequently washed out and overflow because of excessive I&I. The effluent is currently land applied in a spray field & the soils in the area are chalky and do not percolate. The influent from Uniontown's collection system will be pumped to the City of Demopolis for treatment. The existing spray field will be decommissioned and reclaimed. The lagoon will be decommissioned and reclaimed.

The sewer system currently serves 819 customers in Perry County. These improvements will ensure lower operational costs and maintain reasonable rates for the system users. Additional funding sources are being verified. We have verbal commitment from DRA of \$3,250,000. Some of the local industries have verbally committed to \$1,000,000. We are working with the Congressional

**005329**

delegations and the Governor's office to secure the remaining \$3,562,500. This process may take us past the 9/30/2018 FYE. Funds will not be advanced nor will construction be allowed to start until all other funds are verified and commitment documented. Conditions of the funding will include the sewer utility being transferred from the City to an independent utility board, and third-party professional management.

Other funding total \$7,812,500

**Project Cost:**

USDA Grant \$22,437,500

USDA ECWAG Grant \$1,000,000 (broken out \$100,000, \$400,000, & \$500,000)

Other Sources \$7,812,500

Total Cost \$31,250,000

Thank you,

Daniel Williams

USDA RURAL DEVELOPMENT

Community Programs

State Loan Specialist

4121 Carmichael Road, Suite 601

Montgomery, Alabama 36106-3683

Voice Direct 334-279-3445

Fax 855-304-8457

[Daniel.Williams4@AL.USDA.gov](mailto:Daniel.Williams4@AL.USDA.gov)

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**005330**

**From:** [Helton, Beverly - RD, Montgomery, AL](#)  
**To:** [Bowen, Allen - RD, Montgomery, AL](#); [Williams, Daniel - RD, Montgomery, AL](#)  
**Subject:** FW: Union Town LAPAS Comments  
**Date:** Thursday, October 18, 2018 3:04:56 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[image006.png](#)  
[image007.png](#)

---

FYI...

---

**From:** Bowen, Allen - RD, Montgomery, AL  
**Sent:** Wednesday, October 3, 2018 9:37 PM  
**To:** Helton, Beverly - RD, Montgomery, AL <[beverly.helton@al.usda.gov](mailto:beverly.helton@al.usda.gov)>  
**Subject:** Re: Union Town LAPAS Comments

Ok, thanks!

---

**From:** "Helton, Beverly - RD, Montgomery, AL" <[beverly.helton@al.usda.gov](mailto:beverly.helton@al.usda.gov)>  
**Date:** Wednesday, October 3, 2018 at 8:51:17 PM  
**To:** "Bowen, Allen - RD, Montgomery, AL" <[Allen.Bowen@al.usda.gov](mailto:Allen.Bowen@al.usda.gov)>  
**Subject:** Re: Union Town LAPAS Comments

It's not going anywhere. It's just prepared.  
Whatever

---

**From:** "Bowen, Allen - RD, Montgomery, AL" <[Allen.Bowen@al.usda.gov](mailto:Allen.Bowen@al.usda.gov)>  
**Date:** Wednesday, October 3, 2018 at 5:04:33 PM  
**To:** "Helton, Beverly - RD, Montgomery, AL" <[beverly.helton@al.usda.gov](mailto:beverly.helton@al.usda.gov)>  
**Cc:** "Williams, Daniel - RD, Montgomery, AL" <[Daniel.Williams4@al.usda.gov](mailto:Daniel.Williams4@al.usda.gov)>  
**Subject:** Re: Union Town LAPAS Comments

The concurrence is subject to the second FONZI being run. We were instructed to go ahead and obligate funds and if it did not run then de-obligate. The second FONZI will be in my hand tomorrow and if acceptable then the ad will run. I prefer to hold off until I know as has run.

Thanks

---

**From:** "Helton, Beverly - RD, Montgomery, AL" <[beverly.helton@al.usda.gov](mailto:beverly.helton@al.usda.gov)>

**005331**

**Date:** Wednesday, October 3, 2018 at 4:46:47 PM  
**To:** "Bowen, Allen - RD, Montgomery, AL" <[Allen.Bowen@al.usda.gov](mailto:Allen.Bowen@al.usda.gov)>  
**Cc:** "Williams, Daniel - RD, Montgomery, AL" <[Daniel.Williams4@al.usda.gov](mailto:Daniel.Williams4@al.usda.gov)>  
**Subject:** RE: Union Town LAPAS Comments

Understand, but why cant a project description be created to when obligated it's ready to move quickly through PAM.

---

**From:** Bowen, Allen - RD, Montgomery, AL  
**Sent:** Wednesday, October 3, 2018 4:21 PM  
**To:** Helton, Beverly - RD, Montgomery, AL <[beverly.helton@al.usda.gov](mailto:beverly.helton@al.usda.gov)>  
**Subject:** Re: Union Town LAPAS Comments

Sorry was at red light, pulled over now. It was approved and obligated in 2018. There was an issue with FONZI that is requiring re advertising. Would like to hold until that as is published.

---

**From:** "Helton, Beverly - RD, Montgomery, AL" <[beverly.helton@al.usda.gov](mailto:beverly.helton@al.usda.gov)>  
**Date:** Wednesday, October 3, 2018 at 4:18:22 PM  
**To:** "Bowen, Allen - RD, Montgomery, AL" <[Allen.Bowen@al.usda.gov](mailto:Allen.Bowen@al.usda.gov)>  
**Subject:** RE: Union Town LAPAS Comments

You don't want me to create a project description for PAM?

---

**From:** Bowen, Allen - RD, Montgomery, AL  
**Sent:** Wednesday, October 3, 2018 4:17 PM  
**To:** Helton, Beverly - RD, Montgomery, AL <[beverly.helton@al.usda.gov](mailto:beverly.helton@al.usda.gov)>; Williams, Daniel - RD, Montgomery, AL <[Daniel.Williams4@al.usda.gov](mailto:Daniel.Williams4@al.usda.gov)>  
**Subject:** Re: Union Town LAPAS Comments

2018

---

**From:** "Helton, Beverly - RD, Montgomery, AL" <[beverly.helton@al.usda.gov](mailto:beverly.helton@al.usda.gov)>  
**Date:** Wednesday, October 3, 2018 at 4:16:48 PM  
**To:** "Bowen, Allen - RD, Montgomery, AL" <[Allen.Bowen@al.usda.gov](mailto:Allen.Bowen@al.usda.gov)>, "Williams, Daniel - RD, Montgomery, AL" <[Daniel.Williams4@al.usda.gov](mailto:Daniel.Williams4@al.usda.gov)>  
**Subject:** RE: Union Town LAPAS Comments

????

---

**From:** Bowen, Allen - RD, Montgomery, AL

**005332**

**Sent:** Wednesday, October 3, 2018 4:16 PM

**To:** Helton, Beverly - RD, Montgomery, AL <[beverly.helton@al.usda.gov](mailto:beverly.helton@al.usda.gov)>; Williams, Daniel - RD, Montgomery, AL <[Daniel.Williams4@al.usda.gov](mailto:Daniel.Williams4@al.usda.gov)>

**Subject:** Re: Union Town LAPAS Comments

It was funded in 3028

---

**From:** "Helton, Beverly - RD, Montgomery, AL" <[beverly.helton@al.usda.gov](mailto:beverly.helton@al.usda.gov)>

**Date:** Wednesday, October 3, 2018 at 4:13:54 PM

**To:** "Bowen, Allen - RD, Montgomery, AL" <[Allen.Bowen@al.usda.gov](mailto:Allen.Bowen@al.usda.gov)>, "Williams, Daniel - RD, Montgomery, AL" <[Daniel.Williams4@al.usda.gov](mailto:Daniel.Williams4@al.usda.gov)>

**Subject:** RE: Union Town LAPAS Comments

So you don't want me to provide feedback for the description to be included in PAM?

Was it funded in 2018 – just curious?

---

**From:** Bowen, Allen - RD, Montgomery, AL

**Sent:** Wednesday, October 3, 2018 4:13 PM

**To:** Williams, Daniel - RD, Montgomery, AL <[Daniel.Williams4@al.usda.gov](mailto:Daniel.Williams4@al.usda.gov)>; Helton, Beverly - RD, Montgomery, AL <[beverly.helton@al.usda.gov](mailto:beverly.helton@al.usda.gov)>

**Subject:** Re: Union Town LAPAS Comments

Hold this

---

**From:** "Williams, Daniel - RD, Montgomery, AL" <[Daniel.Williams4@al.usda.gov](mailto:Daniel.Williams4@al.usda.gov)>

**Date:** Wednesday, October 3, 2018 at 4:11:52 PM

**To:** "Helton, Beverly - RD, Montgomery, AL" <[beverly.helton@al.usda.gov](mailto:beverly.helton@al.usda.gov)>

**Cc:** "Bowen, Allen - RD, Montgomery, AL" <[Allen.Bowen@al.usda.gov](mailto:Allen.Bowen@al.usda.gov)>

**Subject:** Union Town LAPAS Comments

Hello Beverly,

Below is the project description for the Town of Uniontown. I added more information than I normally do but I want to ensure it's detailed. Please review and advise of corrections.

This Rural Development investment will be used to rehabilitated the entire sewer system for the City of Uniontown. The City of Uniontown has been under a consent order since 2008 because of overflowing wastewater treatment lagoons and effluent spray field. The current wastewater treatment lagoons are frequently washed out and overflow because of excessive I&I. The effluent is currently land applied in a spray field & the soils in the area are chalky and do not percolate. The

**005333**



influent from Uniontown's collection system will be pumped to the City of Demopolis for treatment. The existing spray field will be decommissioned and reclaimed. The lagoon will be decommissioned and reclaimed.

The sewer system currently serves 819 customers in Perry County. These improvements will ensure lower operational costs and maintain reasonable rates for the system users. Additional funding sources are being verified. We have verbal commitment from DRA of \$3,250,000. Some of the local industries have verbally committed to \$1,000,000. We are working with the Congressional delegations and the Governor's office to secure the remaining \$3,562,500. This process may take us past the 9/30/2018 FYE. Funds will not be advanced nor will construction be allowed to start until all other funds are verified and commitment documented. Conditions of the funding will include the sewer utility being transferred from the City to an independent utility board, and third-party professional management.

Other funding total \$7,812,500

**Project Cost:**

USDA Grant \$22,437,500

USDA ECWAG Grant \$1,000,000 (broken out \$100,000, \$400,000, & \$500,000)

Other Sources \$7,812,500

Total Cost \$31,250,000

Thank you,

Daniel Williams

USDA RURAL DEVELOPMENT

Community Programs

State Loan Specialist

4121 Carmichael Road, Suite 601

Montgomery, Alabama 36106-3683

Voice Direct 334-279-3445

Fax 855-304-8457

[Daniel.Williams4@AL.USDA.gov](mailto:Daniel.Williams4@AL.USDA.gov)

*Stay Connected with USDA:*



*USDA is an equal opportunity provider, employer and lender*

**005334**

**From:** Bowen, Allen - RD, Montgomery, AL  
**To:** Allen, Baker; Baker, Chris - RD, Montgomery, AL  
**Cc:** "Baker, Chris - RD, Montgomery, AL <Chris.Baker@al.usda.gov>"  
**Subject:** FW: Union Town-Underwriting Screen only  
**Date:** Wednesday, November 7, 2018 5:54:00 AM  
**Attachments:** mae001.png  
mae002.png  
mae003.png  
mae004.png  
mae005.png  
mae006.png  
mae007.png  
mae008.png  
mae009.png  
mae010.png  
mae011.png  
mae012.png  
mae013.png  
mae014.png  
mae015.png  
mae016.png  
mae017.png  
mae018.png

---

Baker, please see below our underwriting on the proposed Uniontown sewer project. If you have any question please contact me. We will be happy to sit down and review this with you.

Thanks,

*Allen Bowen*

Allen Bowen  
United States Department of Agriculture  
Rural Development  
Community and Business Programs Director  
Office: 334-279-3617  
Cell: 334-322-4147  
Fax: 855-304-8457

---

**From:** Hale, Stan - RD, Montgomery, AL  
**Sent:** Tuesday, November 6, 2018 4:09 PM  
**To:** Bowen, Allen - RD, Montgomery, AL <Allen.Bowen@al.usda.gov>  
**Subject:** Union Town-Underwriting Screen only

**005335**

Customer ID [01-053-835057256](#)

**Section**

- Initial Contact
- Application
- Environmental
- Underwriting**
- Monthly EDU Cost (Sewer)
- Number EDU (Sewer)
- Wholesale Cost (Sewer)
- Wholesale Income (Sewer)
- Other Operating Income
- Non Operating Income
- O&M
- Reserve Short Lived Assets
- Other Expenses
- Debt Service Reserve
- Commercial Credit
- Maximum Loan Amount
- Project Cost
- Applicant Contribution
- Other Funding Sources
- Connections/Tap Fees
- Maximum Grant Amount

- Obligation
- Loan Grant
- Contacts
- Notes And Attachments
- Print Forms
- Request Funds
- Construction

## Underwriting

### Loan Determination

|   |   |                           |
|---|---|---------------------------|
| Monthly Cost Per EDU                          | * | Sewer                     |
| Number of EDUs                                | * | <a href="#">\$22,715</a>  |
| Wholesale Cost/ 1,000 Gal or Cu Ft            | * | <a href="#">3,015</a>     |
| Wholesale Income per Month                    | * | <a href="#">\$0.00</a>    |
| Other Operating Income (Monthly)*             |   | <a href="#">\$0</a>       |
| <b>Operating Income (Annual)*</b>             |   | <b>\$821,829</b>          |
| Non-Operating Income (Annual) *               |   | <a href="#">\$0</a>       |
| <b>Total Cash Available (Annual)</b>          |   | <b>\$821,829</b>          |
| O&M (Less Interest & Depreciation) (Annual) * |   | <a href="#">\$683,000</a> |
| Replacement Reserve - Short Lived Assets *    |   | <a href="#">\$7,987</a>   |
| Other Annual Expenses*                        |   | <a href="#">\$0</a>       |
| Debt Service & Reserve*                       |   | <a href="#">\$130,832</a> |
| <b>Total Cash Outflow (Annual)</b>            |   | <b>\$821,819</b>          |
| <b>Balance Available For New Loan Payment</b> |   | <b>\$10</b>               |
| Commercial Credit (Maximum Loan Amount) *     |   | <a href="#">\$115</a>     |
| USDA (Maximum Loan Amount) *                  |   | <a href="#">\$0</a>       |

### Project Funding Breakdown

|                                    |                              |
|------------------------------------|------------------------------|
| Project Cost*                      | <a href="#">\$31,250,000</a> |
| Applicant Contribution             | <a href="#">\$0</a>          |
| Other Funding Sources*             | <a href="#">\$7,812,500</a>  |
| Contribution Connection/Tap Fees * | <a href="#">\$0</a>          |
| <b>USDA (Maximum Loan Amount)</b>  | <b>\$0</b>                   |
| <b>Total USDA Grant Needed</b>     | <b>\$23,437,500</b>          |
| Maximum W&W Grant Amount*          | <a href="#">\$23,437,500</a> |

**Current Ratio -0.69**                      **Debt Service Ratio 1.17**

The maximum grant amount may not be a true reflection of the actual max grant allowable due to the inclusion of 100% grant programs in this project's funding mix.

Validations [No Errors](#) [No Concerns](#)

**Underwriting**

There is no user input on this screen. All data is system generated. - The blue amounts/numbers in the right hand column are hyperlinks. Click on the applicable link to determine or edit the items shown on this screen. - Some fields are not hyperlinks but are system generated. The formula or source for each of these fields is as follows: Loan Determination section: -- Operating

# 005336

Customer ID 01-053-835057256

### Monthly Cost Per EDU for --> (Sewer)

#### Section

- Initial Contact
- Application
- Environmental
- Underwriting
- Monthly EDU Cost (Sewer)**
- Number EDU (Sewer)
- Wholesale Cost (Sewer)
- Wholesale Income (Sewer)
- Other Operating Income
- Non Operating Income
- O&M
- Reserve Short Lived Assets
- Other Expenses
- Debt Service Reserve
- Commercial Credit
- Maximum Loan Amount
- Project Cost
- Applicant Contribution
- Other Funding Sources
- Connections/Tap Fees
- Maximum Grant Amount

- Obligation
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- Contacts
- Notes And Attachments
- Print Forms
- Request Funds
- Construction

Validations [No Errors](#) [No Concerns](#)

#### Monthly Cost Per EDU - Sewer

Choose three similar systems with regard to MHI, size, type of water source or wastewater treatment, age, and type of entity. Enter the costs for these similar systems. Use a monthly figure. Note: The Monthly Cost per EDU = the current per EDU Cost per month for the system being financed or similar system cost per EDU per month, whichever is higher. User input

Add Edit Delete

| System Name          | System MHI | Avg Cost Per EDU |
|----------------------|------------|------------------|
| Town of Mosses       | 18,286     | 36.12            |
| Town of For. Deposit | 25,147     | 34.61            |
| City of Linden       | 20,145     | 19.21            |

Average Monthly Cost from Above **29.98** Monthly Cost from Assessments  
 Average Annual Cost from Above **359.76** Average Monthly Cost including Assessments **22.72**  
 Monthly Cost Per EDU

Comments

Similar system data is from State Office 2017 database.

All similar systems have a higher MHI than Union Town. They are all located in rural areas with limited resources. All three systems treat their own waste, and there is not a comparable system with a treatment contract so we used the closest comparables available. The City of Linden is most like the City of Uniontown in economic conditions and system type, and is close in proximity. City of Linden recently was awarded a WEP loan and grant for sewer system upgrades, so the system will be improved at the same time as Uniontown.

The current average sewer bill for Uniontown is \$18.10. per ALRWA EDU form dated 8/23/18 (see attachment)

The MHI of Uniontown is \$15,054. Uniontown has several health and sanitary violations. **005337** in order to remove

Customer ID 01-093-835057256

**Section**

- Initial Contact
- Application
- Environmental
- Underwriting
- Monthly EDU Cost (Sewer)
- Number EDU (Sewer)**
- Wholesale Cost (Sewer)
- Wholesale Income (Sewer)
- Other Operating Income
- Non Operating Income
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- Reserve Short Lived Assets
- Other Expenses
- Debt Service Reserve
- Commercial Credit
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- Construction

Validations [No Errors](#) [No Concerns](#)

**Num Sewer EDUs**

Equivalent Dwelling Units (EDU's) are the average consumption per month for residential (typical Single Family dwelling) customers. It is used to convert commercial or other non-residential users to an equivalent number of residential users. Obtain user numbers and consumption from PER. Enter user type (residential or other), number of each and volume per

**Number of EDU's --> (Sewer)**

Add Edit Delete

| User Type   | # Users | Volume Per User | Calculated EDUs | Number of EDUs |
|-------------|---------|-----------------|-----------------|----------------|
| Residential | 787     | 3,293           | 787             | 787            |
| Other       | 32      | 229,253         | 2,226           | 2,226          |

Average Residential Usage **3,293** Total Users **819**  
 Number of Residential Users **787**  
 Number of Other Users **32** Number of EDU's **3,015**  
 Comments

Uniontown has 32 commercial users that consume approximately 7,336,094 gallons of water. Two of these customers are very large processing plants. Uniontown has 787 residential connections that use an average of 2,591,425 gallons. From EOS letter dated 9/5/18 in CPAP attachments. EOS Utilities Services has current management contract with the City.

Updated by State Office Staff on 9/5/2018.

**005338**

Customer ID 01-053-835057256

**Section**

- Initial Contact
- Application
- Environmental
- Underwriting
- Monthly EDU Cost (Sewer)
- Number EDU (Sewer)
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- Other Operating Income
- Non Operating Income
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- Obligation
- Loan Grant
- Contacts
- Notes And Attachments
- Print Forms
- Request Funds
- Construction

Validations [No Errors](#) [No Concerns](#)

**Wholesale Cost - Sewer**

Choose three similar systems with regard to MHI, size, type of facility, and type of entity. Enter the costs for these similar systems. Note: The Wholesale Cost per 1,000 Gal or Cu Ft = the cost per 1,000 Gal or Cu Ft for the system being financed or similar systems, whichever is higher. (Does not matter if 1,000 gallons or cubic feet are used.) User input required. For water and

**Wholesale Cost/ 1000 Gal or Cu Ft --> (Sewer)**

Add

| System Name | System MHI | Cost Per 1,000 Gal or Cu Ft |
|-------------|------------|-----------------------------|
|-------------|------------|-----------------------------|

Avg Monthly Cost/ 1000 Gal or Cu Ft 0.00  
 Avg Annual Cost/ 1000 Gal or Cu Ft 0.00  
 Wholesale Cost Per 1000 Gal or Cu Ft 0.00

Comments

No wholesale customers

**005339**

Customer ID 01-053-835057256

**Section**

- Initial Contact
- Application
- Environmental
- Underwriting
  - Monthly EDU Cost (Sewer)
  - Number EDU (Sewer)
  - Wholesale Cost (Sewer)
  - Wholesale Income (Sewer)**
  - Other Operating Income
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  - Project Cost
  - Applicant Contribution
  - Other Funding Sources
  - Connections/Tap Fees
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- Construction

Validations [No Errors](#) [No Concerns](#)

**Wholesale Income - Sewer**

Wholesale Cost is carried forward from Similar System Cost Wholesale Screen. Enter Volume per Month by Wholesale User for the system being financed. Volume per Month X Wholesale Cost/1,000 Gal or Cu Ft = Total Wholesale User Income per Month. System calculated. For water and sewer combination projects, this information is required for each

**Wholesale Income (Sewer)**

Add

| Wholesale User Description | Volume Per Month | Monthly Income |
|----------------------------|------------------|----------------|
|----------------------------|------------------|----------------|

Total Wholesale User Income Per Month 0

Total Volume Per Month 0

Comments

No wholesale customers

**005340**

Customer ID 01-093-835057256

**Section**

- Initial Contact
- Application
- Environmental
- Underwriting
  - Monthly EDU Cost (Sewer)
  - Number EDU (Sewer)
  - Wholesale Cost (Sewer)
  - Wholesale Income (Sewer)
  - Other Operating Income**
  - Non Operating Income
  - OBM
  - Reserve Short Lived Assets
  - Other Expenses
  - Debt Service Reserve
  - Commercial Credit
  - Maximum Loan Amount
  - Project Cost
  - Applicant Contribution
  - Other Funding Sources
  - Connections/Tap Fees
  - Maximum Grant Amount
- Obligation
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- Construction

Validations [No Errors](#) [No Concerns](#)

**Other Operating Income**

Income from a source other than the system being financed. This is shown as a monthly figure that when carried forward to the Underwriting screen is shown monthly. The system will calculate the 'Other Operating Income' as an annual amount and add it to the 'Operating Income (Annual)' shown on the Underwriting screen. A description of sources should be included in the

**Other Operating Income (Monthly)**

Add

| User Desc                         | Monthly Income |
|-----------------------------------|----------------|
| Other Operating Income (Monthly)  | 0              |
| Other Operating Income (Annually) | 0              |

Comments

None

**005341**



Customer ID [01-053-835057256](#)

**Section**

- Initial Contact
- Application
- Environmental
- Underwriting
  - Monthly EDU Cost (Sewer)
  - Number EDU (Sewer)
  - Wholesale Cost (Sewer)
  - Wholesale Income (Sewer)
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  - Other Funding Sources
  - Connections/Tap Fees
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- Loan Grant
- Contacts
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- Construction

Validations [No Errors](#) [No Concerns](#)

**Non Operating Income**

Select from the list of items presented for the non-operating income item. If necessary, use the User Description field to further describe the item selected in the drop down box. Enter the annual amount of non-operating income generated from this item.

**Non Operating Income**

| Non-Operating Income Item | User Desc | Annual Income |
|---------------------------|-----------|---------------|
| Other                     |           |               |

Non-Operating Income (Annual)  Monthly EDU Cost from Assessments

Number of Users being Assessed

Comments

None

**005342**

Customer ID 01-053-835057256

**Section**

- Initial Contact
- Application
- Environmental
- Underwriting
  - Monthly EDU Cost (Sewer)
  - Number EDU (Sewer)
  - Wholesale Cost (Sewer)
  - Wholesale Income (Sewer)
  - Other Operating Income
  - Non Operating Income
  - O&M**
  - Reserve Short Lived Assets
  - Other Expenses
  - Debt Service Reserve
  - Commercial Credit
  - Maximum Loan Amount
  - Project Cost
  - Applicant Contribution
  - Other Funding Sources
  - Connections/Tap Fees
  - Maximum Grant Amount

- Obligation
- Loan Grant
- Contacts
- Notes And Attachments
- Print Forms
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- Construction

Validations [No Errors](#) [No Concerns](#)

**O&M Expense**

Select the O&M Expense Item from the list of items presented. If necessary, use the User Description field to further describe the item selected in the drop down box. Enter the annual amount of the O&M expense. Be sure to exclude any depreciation and/or interest expense from this section.

**O&M**

Add Edit Delete

| O&M Expense Item          | User Desc.                    | Annual Expense |
|---------------------------|-------------------------------|----------------|
| Contract Services - Other | Management                    | 60,000         |
| Contract Services - Other | Collection System Maintena... | 70,000         |
| Repairs/Maintenance       | Repairs of equipment          | 43,000         |
| Supplies                  | Materials                     | 15,000         |
| Utilities                 | Power                         | 15,000         |
| Contract Waste Treatment  | Demopolis Treatment Fees      | 480,000        |

O&M (Less Interest & Depreciation) **683,000**

Comments

The O&M figures came from RDApply with the assistance of Alabama Rural Water Association and the project engineer. The current management company, EOS, also provided figures to support the projections; however, these actuals included the cost of managing the water and the wastewater treatment systems including the lagoons and sprayfield which will be eliminated with this project. The management fee projection included above is based on projections provide by ARWA ( see attached email entitled Management Fee Projections). This amount was reviewed and concurred in as an estimate by ARWA. The cost of treating the sewage by Demopolis is difficult to determine because the volume can not be accurately projected at this time, until the system is in operation after construction. The current collection system has so much inflow and infiltration that it is impossible to accurately account for the true volume. In discussing this projected amount with the operator of the Demopolis sewer plant, he said he projects cost of \$40,000 per month (see attached email entitled Cost of Sewer Treatment). On 005343, the cost is completely

**005343**

Customer ID 01-053-835057256

**Section**

- Initial Contact
- Application
- Environmental
- Underwriting
  - Monthly EDU Cost (Sewer)
  - Number EDU (Sewer)
  - Wholesale Cost (Sewer)
  - Wholesale Income (Sewer)
  - Other Operating Income
  - Non Operating Income
  - O&M
  - Reserve Short Lived Assets**
  - Other Expenses
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  - Commercial Credit
  - Maximum Loan Amount
  - Project Cost
  - Applicant Contribution
  - Other Funding Sources
  - Connections/Tap Fees
  - Maximum Grant Amount

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Validations [No Errors](#) [No Concerns](#)

**Replacement Reserves**

Select the type of reserve from the list presented. - Enter the name of the short-lived asset, i.e. meters, pumps, etc., and its replacement cost. This field is calculated by CPAP based on the entries in the "replacement cost" field, i.e. a generator is determined to be a 5-10 year asset with a replacement cost of \$23,000. Therefore, CPAP will take the replacement cost and divide by 10

**Replacement Reserves - Short Lived Assets**

Add Edit Delete

| Type of Reserve | User Desc.           | Replacement Cost | Reserve On Hand | Annual Reserve |
|-----------------|----------------------|------------------|-----------------|----------------|
| 10 - 15 Years   | 20 Sewer Pumps in 10 | 119,800          |                 | 7,987          |

Replacement Reserves - Short Lived Assets **7,987**  
 Total Replacement Cost **119,800**

Comments

Updated SLA table was provided by project engineer on 9/10/18 and inserted in PER by SE at end on Conclusions. SLAs are for system after project completion.

**005344**



Customer ID [01-053-835057256](#)

**Section**

- Initial Contact
- Application
- Environmental
- Underwriting
  - Monthly EDU Cost (Sewer)
  - Number EDU (Sewer)
  - Wholesale Cost (Sewer)
  - Wholesale Income (Sewer)
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- Contacts
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- Construction

Validations [No Errors](#) [No Concerns](#)

**Debt Service**

ALL PROPOSED OR EXISTING LOANS FROM OTHER SOURCES MUST BE ENTERED HERE. HOWEVER, DO NOT ENTER USDA LOAN DEBT WHICH IS PART OF THIS PROJECT. ONLY ENTER EXISTING USDA LOAN DEBT AND RESERVE THAT IS TIED TO THE FACILITY BEING FINANCED FROM PREVIOUS PROJECTS. Click on the dropdown box and select the type of

**Debt Service**

[Add](#) [Edit](#) [Delete](#)

| Type of Loan | Owed To | Purpose           | Balance Owed | Terms (Yrs) | Date First Payment | P |
|--------------|---------|-------------------|--------------|-------------|--------------------|---|
| Debt USDA    | USDA-RD | Sewer Improvme... | 2,339,163    | 30          | 5/7/2014           |   |

|                                |                |
|--------------------------------|----------------|
| Total Reserve                  | <b>11,894</b>  |
| Total Debt Service             | <b>118,938</b> |
| Total Debt Service and Reserve | <b>130,832</b> |

Comments (in particular if there is no Annual Reserve - maybe Fully Funded or GIO Bonds not required)

Total payoff data from NITC/ADPS (AI screen) on 9/18/18

**005346**

Customer ID 01-053-835057256

**Section**

- Initial Contact
- Application
- Environmental
- Underwriting
  - Monthly EDU Cost (Sewer)
  - Number EDU (Sewer)
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- Loan Grant
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- Request Funds
- Construction

Validations [No Errors](#) [No Concerns](#)

**Commercial Credit**

There is no limit to the number of lenders listed in this section. Include only true commercial lenders. Funding provided from Federal and State funding sources (SRF) are not considered commercial financing. -Enter the name of the lender, loan terms offered in years, and the interest rate for the loan. -Enter the percentage of reserve required for this loan as a whole

**Commercial Credit**

Add Edit Delete

| Lender Name   | Terms | Interest Rate | Reserve Percent | Max Loan Amount |
|---------------|-------|---------------|-----------------|-----------------|
| Co Bank       | 25    | 5.7500 %      | 10.00 %         | 115             |
| Regions Bank  |       | 6.0000 %      | 10.00 %         | 101             |
| First US Bank | 25    | 6.0000 %      | 10.00 %         | 113             |

Commercial Credit (Maximum Loan Amount) **115**

Comments concerning Commercial (or Other) Credit

Applicant is unable to obtain a loan at reasonable rate and terms. Grant funds are needed to make this project feasible. Applicant has health and sanitary violations with existing system. This project will remove all health and sanitary violations and place the system back in compliance. The data above is based on 6/15/2018 information.

**005347**

Customer ID 01-053-835057256

**Section**

- Initial Contact
- Application
- Environmental
- Underwriting
  - Monthly EDU Cost (Sewer)
  - Number EDU (Sewer)
  - Wholesale Cost (Sewer)
  - Wholesale Income (Sewer)
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Validations [No Errors](#) [No Concerns](#)

**Maximum Loan Amount**

Input information specific for the proposed USDA loan for the system to be financed. Maximum loan amount will be system calculated. The maximum loan could be more than that needed to fund the project. This will be evaluated in the Project Funding Breakdown section of the Underwriting screen. Note: Enter the number of years the loan will be amortized. For example, if

**Maximum Loan Amount**

|                            |                                     |
|----------------------------|-------------------------------------|
| State NonMetro MHI         | <input type="text" value="42,352"/> |
| 80% of State Non Metro MHI | <input type="text" value="33,882"/> |
| HHS Poverty Guideline      | <input type="text" value="25,100"/> |
| Project MHI                | <input type="text" value="15,054"/> |

Comment Briefly on MHI Calculation

MHI is calculated from data entered into RD Apply at the Service Area screen. Agency is using data from 2006-2010 ACS, per AN 4711 dated 3/28/13.

|  |    |
|--|----|
| Balance Available for Debt Repayment               |    |
| Total Available from Budget                        | 10 |
| less used by previously Obligated Loans in project | 0  |

1499 customers - Uniontown - \$15,054

|                               |    |
|-------------------------------|----|
| Available for Additional Loan | 10 |
|-------------------------------|----|

Projected Attributes for New Loan(s)

Interest Rate Level  Poverty  Intermediate  Market

Project is Necessary to Alleviate a Health or Sanitary Problem  No  Yes

Interest Rate  Percent Reserve Required

Number Years Amortized

Max Loan Amount

|                                      |          |
|--------------------------------------|----------|
| Previously Obligated in This Project | 0        |
| Max Additional Loan                  | 0        |
| <b>Total for Project</b>             | <b>0</b> |

OPTIONAL - Calculated Income Needed for Different Loan Amount

|                                   |                      |
|-----------------------------------|----------------------|
| Desired Loan Amount - Project     | <input type="text"/> |
| Required Monthly User Cost        | 0.00                 |
| Required Monthly Operating Income | 0                    |

Because of Rounding, the Required Monthly User Cost may be off by 1 or 2 cents

**005348**

Customer ID 01-053-835057256

**Section**

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  - Other Operating Income
  - Non Operating Income
  - O&M
  - Reserve Short Lived Assets
  - Other Expenses
  - Debt Service Reserve
  - Commercial Credit
  - Maximum Loan Amount
  - Project Cost**
  - Applicant Contribution
  - Other Funding Sources
  - Connections/Tap Fees
  - Maximum Grant Amount

- Obligation
- Loan Grant
- Contacts
- Notes And Attachments
- Print Forms
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Validations [No Errors](#) [No Concerns](#)

**Project Cost**

Taken from the PER or Financial Feasibility Work Papers prepared by field office. Drop down box will provide line itemization. User input required for cost. Enter description (if desired). Total Project Costs will be system calculated.

**Project Cost**

| Project Cost Item         | User Desc                    | Item Cost  |
|---------------------------|------------------------------|------------|
| Development               | Collection System Repair     | 10,183,000 |
| Development               | Forcesran to Demopolis       | 15,241,000 |
| Contingencies             |                              | 2,542,400  |
| Eng - PreDevelopment      |                              | 263,500    |
| Eng - Design              | Including Civil & Electrical | 1,938,140  |
| Legal Services            | To form a utilities board    | 10,000     |
| Land & Rights             |                              | 90,000     |
| Equipment                 |                              | 130,000    |
| Other                     | Electrical Service           | 50,000     |
| Other                     | ALDOT Permit                 | 80,000     |
| Other                     | ADEM Permit                  | 12,650     |
| Other                     | Advertising                  | 18,710     |
| Other                     | Railroad Fees                | 45,000     |
| Eng - Additional Services | Permits, WWTP, SW, DOT       | 16,500     |
| Eng - Additional Services | Property Surveying           | 54,800     |
| Eng - Additional Services | Geotechnical                 | 15,000     |
| Eng - Inspection          |                              | 559,300    |

Total Project Cost **31,250,000**

Comments concerning Project Cost

Project cost was entered by State Engineer using estimate from September 2016 PER as a guide. Besides negligible rounding, interest was eliminated because there is not loan proposed. There should be no interim loan and no bond attorney fees.

Per email from State Engineer dated 9/11/18 (see attachment called "Uniontown SE Cost Explanation 09.11.18"), Project Engineer called SE on 9/10/18 and stated that advertising would be \$18,710, which is shown as \$9,500 in PER dated 9/10/18 (Option 1 cost estimate, p. 141 of pdf).

**005349**



Customer ID 01-053-835057256

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Validations [No Errors](#) [No Concerns](#)

**Application Contribution**

To complete the General Fund section, enter the total current assets and liabilities. Also, enter any general funds retained for things such as street improvements, industrial park development, police cruisers, trash trucks. (The point is that if the customer has no plans for the funds, it should use them to reduce the grant or loan from RUS as they could also be used in the

**Applicant Contribution**

| General Fund                                       | Amount               |
|--|----------------------|
| Current Assets                                     | -1,394,794           |
| less Current Liabilities                           | 2,007,208            |
| <b>less General Funds Retained</b>                 |                      |
| <input type="text"/>                               |                      |
| <input type="text"/>                               |                      |
| <input type="text"/>                               |                      |
| <input type="text"/>                               |                      |
| <b>Balance Available General Fund</b>              | <b>-3,402,002</b>    |
| <b>Enterprise Fund</b>                             |                      |
| plus Current Assets Enterprise Fund                | <input type="text"/> |
| less Current Liabilities Enterprise Fund           | 0                    |
| <b>Balance Available Including Enterprise Fund</b> | <b>-3,402,002</b>    |
| <b>less General Funds Retained</b>                 |                      |
| O&M - O&M from Underwriting = <b>683,000</b>       | <input type="text"/> |
| Customer Deposits                                  | 25                   |
| Debt Service (i.e. 10% Reserve)                    | <input type="text"/> |
| Replacement Reserve - Short Lived Assets:          |                      |
| 1 to 5 Years                                       | <input type="text"/> |
| 5 to 10 Years                                      | <input type="text"/> |
| 10 to 15 Years                                     | <input type="text"/> |
| Capital Improvements                               | <input type="text"/> |
| Interest Expense (Deferral Period)                 | <input type="text"/> |
| Cost of issuance of Other Credit                   | <input type="text"/> |
| Other  | <input type="text"/> |
| <b>less Total Reserves</b>                         | <b>25</b>            |

**Available for Applicant Contribution** -3,402,027  
**Amount To Be Contributed** 0

Comments  
 Data is from City's Profit & Loss Statement and Balance Sheet for the General Fund as of 7/12/18. No audit has been conducted. No sewer utility financial data is available. It is understood by underwriter that City does not keep records separate and thus cannot provide separate sewer utility financial data. Only unaudited, uncertified general fund information is available from the applicant. Figures on this Applicant Contribution screen are shown exactly as they are reported on the Balance Sheet. 005350 negative current

Customer ID 01-053-835057256

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 Non Operating Income  
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 Other Expenses  
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 Commercial Credit  
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 Applicant Contribution  
**Other Funding Sources**  
 Connections/Tap Fees  
 Maximum Grant Amount

Obligation  
 Loan Grant  
 Contacts  
 Notes And Attachments  
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 Construction

Validations [No Errors](#) [No Concerns](#)**Other Funding**

DO NOT ENTER USOA FUNDING ON THIS SCREEN. Taken from the PER or Financial Feasibility Work Papers prepared by the field office. Drop down box will provide line itemization. User input required for other funding sources and amounts. Other Funding Sources will be totaled and transferred to the Funding Breakdown section of the Underwriting screen.

**Other Funding**




| Other Funding Type         | User Desc.           | Funding Amount |
|----------------------------|----------------------|----------------|
| Other State Funds          | State of Alabama     | 3,562,500      |
| Public Private Partnership | Uniontown Industries | 1,000,000      |
| Other                      | DRA                  | 3,250,000      |

Total Other Funding **7,812,500**

Comments

Sources of other funding are being verified. We have verbal commitment from DRA of \$3,250,000. Some of the local industries have verbally committed to \$1,000,000. We are working with the Congressional delegations and the Governor's office to secure the remaining \$3,562,500. This process may take us past the 9/30/2018 FYE. Therefore we are requesting that RD's portion (\$23,437,500) be obligated now and the commitment letters for the other funds be provided at a later date but before loan and/or grant closing or start of construction, whichever comes first, as per RD Instruction 1780. 1780.44 (g). Funds will not be advanced nor will construction be allowed to start until all other funds are verified and commitment documented.

**005351**

Customer ID 01-093-835057256

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  - Wholesale Income (Sewer)
  - Other Operating Income
  - Non Operating Income
  - OBM
  - Reserve Short Lived Assets
  - Other Expenses
  - Debt Service Reserve
  - Commercial Credit
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  - Other Funding Sources
- Connections/ Tap Fees
  - Maximum Grant Amount

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Validations [No Errors](#) [No Concerns](#)

**Contribution Connection/ Tap Fees**

Enter the number of new connections to be added with this project and the fee each new user will pay. The system will calculate the contribution (number of new connections x per user fee). These fees should be utilized to reduce project costs if the project engineer includes taps in the project budget.

**Contribution Connection/ Tap Fees**

Number New Connections

Connection/ Tap Fee Per User

Contribution Connection/ Tap Fees **0**

Comments

No new connections

**005352**

Customer ID 01-053-835057256

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**Maximum Grant Amount**

- Obligation
- Loan Grant
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Validations [No Errors](#) [No Concerns](#)

**Maximum Grant Amount**

Enter your State's non-metropolitan MHI according to the latest census data, the poverty line income as outlined in RUS Bulletin 1780-29 (Do not enter 80% of your State's non-metropolitan MHI in this field), and the MHI of the project area - If the project is necessary to alleviate a health or sanitary problem, click "yes." Select "no" if not. This should be supported by a letter from the

**Max WEP Grant Amount (WEP)**

|  |                   |   |
|--|-------------------|---|
| State NonMetro MHI   | 42,352            | Comment Briefly on MHI Calculation  |
| 80% of State NM MHI  | 33,882            | MHI is calculated from data entered into RD Apply at the Service Area screen. Agency is using data from 2006-2010 ACS, per AN 4711 dated 3/28/13. |
| HHS Poverty Guideline  | 25,100            |   |
| Project MHI  | 15,054            |   |
| Project is Necessary to Alleviate a Health or Sanitary Problem <input type="radio"/> No <input checked="" type="radio"/> Yes |                   |   |
| Maximum Grant Eligible Percent   | <b>75.00 %</b>    |   |
| Total Project Cost   | <b>31,250,000</b> |   |
| Ineligible Grant Project Cost --   | Interest          | Total Grant Eligible Project Cost   |
|  | 0                 | <b>31,250,000</b>   |
|  | Initial O&M       | Max USDA Loan   |
|  |                   | <b>0</b>  |
|  | Other             | Total All Other Funding   |
|  | 0.00              | <b>7,812,500</b>  |
|  | <b>Total</b>      | <b>Total Grant Needed</b>   |
|  | <b>0</b>          | <b>23,437,500</b>   |
| Maximum W&W Grant Amount   |                   | <b>23,437,500</b>   |

Comments

Persistent poverty grant-only --- no ineligible grant costs.

Justification for grant-only: Current average monthly cost is \$18,10, from 8/18 information provided by Alabama Rural Water Association, attached (called Sewer Customer and Flows) This is 1.44% of service area MHI (\$15,054). A 25.52% increase to \$22.72 (1.81% of MHI) will be required just to cash-flow the system's financial obligations, without new debt.  $(22.72 - 18.10) = 4.62 / 18.10$ . A minimum 25% loan of \$7,812,500 would require an average EDU cost of \$33.89, or 2.70% of the service area MHI.

The project was underwritten using the combination loan and grant TOA code of 755 to document the eligibility for this amount of grant. See attached screen print.

Any new debt service will add an excessive burden on the customers. This project is located in a persistent poverty county. The MHI of \$15,054 is only 28.9% of the nationwide MHI of \$51,914 and 35.5% of the State of Alabama's MHI.

**005353**

Customer ID: [01-053-005057256](#)

## Underwriting

### Section

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### Loan Determination

|   |   |                           |
|---|---|---------------------------|
| Monthly Cost Per EDU                          | * | Sewer                     |
| Number of EDUs                                | * | <a href="#">\$22,715</a>  |
| Wholesale Cost/ 1,000 Gal or Cu Ft            | * | <a href="#">3,015</a>     |
| Wholesale Income per Month                    | * | <a href="#">\$5.00</a>    |
| Other Operating Income (Monthly)*             |   | \$0                       |
| <b>Operating Income (Annual)*</b>             |   | <b>\$821,829</b>          |
| Non-Operating Income (Annual)*                |   | \$0                       |
| <b>Total Cash Available (Annual)</b>          |   | <b>\$821,829</b>          |
| O&M (Less Interest & Depreciation) (Annual)*  |   | <a href="#">\$683,668</a> |
| Replacement Reserve - Short Lived Assets*     |   | <a href="#">\$7,967</a>   |
| Other Annual Expenses*                        |   | \$0                       |
| Debt Service & Reserve*                       |   | <a href="#">\$130,032</a> |
| <b>Total Cash Outflow (Annual)</b>            |   | <b>\$821,819</b>          |
| <b>Balance Available For New Loan Payment</b> |   | <b>\$10</b>               |
| Commercial Credit (Maximum Loan Amount)*      |   | <a href="#">\$115</a>     |
| USDA (Maximum Loan Amount)*                   |   | <a href="#">\$0</a>       |

### Project Funding Breakdown

|                                   |  |                              |
|-----------------------------------|--|------------------------------|
| Project Cost*                     |  | <a href="#">\$31,050,000</a> |
| Applicant Contribution            |  | <a href="#">\$0</a>          |
| Other Funding Sources*            |  | <a href="#">\$7,612,500</a>  |
| Contribution Connection/Tap Fees* |  | <a href="#">\$0</a>          |
| <b>USDA (Maximum Loan Amount)</b> |  | <b>\$0</b>                   |
| <b>Total USDA Grant Needed</b>    |  | <b>\$23,437,500</b>          |
| Maximum W&W Grant Amount*         |  | <a href="#">\$23,437,500</a> |

**Current Ratio -0.69**                      **Debt Service Ratio 1.17**

*The maximum grant amount may not be a true reflection of the actual max grant allowable due to the inclusion of 100% grant programs in this project's funding mix.*

Validations: [No Errors](#)   [No Contents](#)

### Underwriting

There is no user input on this screen. All data is system generated. - The blue amounts/numbers in the right hand column are hyperlinks. Click on the applicable link to determine or edit the items shown on this screen. - Some fields are not hyperlinks but are system generated. The formula or source for each of these fields is as follows: Loan Determination section: --- Operating

Customer ID: 01-053-895057256

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**Monthly Cost Per EDU for --> (Sewer)**

Add Edit Delete

| System Name          | System MHI | Avg Cost Per EDU |
|----------------------|------------|------------------|
| Town of Marietta     | 13,236     | 36.12            |
| Town of Fort Deposit | 25,147     | 34.61            |
| City of Linden       | 22,145     | 19.21            |

Average Monthly Cost from Above: **29.98** Monthly Cost from Assessments  
 Average Annual Cost from Above: **359.76** Average Monthly Cost including Assessments: **22.72**  
 Monthly Cost Per EDU:

Comments

Validations: [No Errors](#) [No Comments](#)

**Monthly Cost Per EDU - Sewer**

Choose three similar systems with regard to MHI, size, type of water source or wastewater treatment, age, and type of entry. Enter the costs for these similar systems. Use a monthly figure. Note: The Monthly Cost per EDU = the current per EDU Cost per month for the system being financed or similar system cost per EDU per month, whichever is higher. User input

Similar system data is from State Office 2017 database.

All similar systems have a higher MHI than Union Town. They are all located in rural areas with limited resources. All three systems treat their own waste, and there is not a comparable system with a treatment contract so we used the closest comparables available. The City of Linden is most like the City of Uniontown in economic conditions and system type, and is close in proximity. City of Linden recently was awarded a WEP loan and grant for sewer system upgrades, so the system will be improved at the same time as Uniontown.

The current average sewer bill for Uniontown is \$18.10, per ALRWA EDU form dated 8/23/18 (see attachment)

The MHI of Uniontown is \$15,054. Uniontown has several health and sanitary violations and needs this project in order to remove

Customer ID: 01-053-895057256

### Number of EDU's --> (Sewer)

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Add Edit Delete

| User Type   | # Users | Volume Per User | Calculated EDUs | Number of EDUs |
|-------------|---------|-----------------|-----------------|----------------|
| Residential | 787     | 3,293           | 787             | 787            |
| Other       | 32      | 229,253         | 2,228           | 2,228          |

|                             |              |                |              |
|-----------------------------|--------------|----------------|--------------|
| Average Residential Usage   | <b>3,293</b> | Total Users    | <b>819</b>   |
| Number of Residential Users | <b>787</b>   |                |              |
| Number of Other Users       | <b>32</b>    | Number of EDUs | <b>3,015</b> |

**Comments**

Uniontown has 32 commercial users that consume approximately 7,336,094 gallons of water. Two of these customers are very large processing plants. Uniontown has 787 residential connections that use an average of 2,591,425 gallons. From EOS letter dated 9/5/18 in CPAP attachments. EOS Utilities Services has current management contract with the City.

Updated by State Office Staff on 9/5/2018.

**Num Sewer EDUs**

Equivalent Dwelling Units (EDU's) are the average consumption per month for residential (typical single family dwelling) customers. It is used to convert commercial or other non-residential users to an equivalent number of residential users. Obtain user numbers and consumption from PER. Enter user type (residential or other), number of each and volume per

Customer ID: 01-053-895057256

### Wholesale Cost/ 1000 Gal or Cu Ft --> (Sewer)

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Add

| System Name | System MHI | Cost Per 1,000 Gal or Cu Ft |
|-------------|------------|-----------------------------|
|-------------|------------|-----------------------------|

Avg Monthly Cost/ 1000 Gal or Cu Ft: 0.00  
Avg Annual Cost/ 1000 Gal or Cu Ft: 0.00  
Wholesale Cost Per 1000 Gal or Cu Ft:

#### Comments

No wholesale customers

Validations: [No Errors](#) [No Comments](#)

#### Wholesale Cost - Sewer

Choose three similar systems with regard to MHI, size, type of facility, and type of entity. Enter the costs for these similar systems. Note: The Wholesale Cost per 1,000 Gal or Cu Ft = the cost per 1,000 Gal or Cu Ft for the system being financed or similar systems, whichever is higher. (Does not matter if 1,000 gallons or cubic feet are used.) User input required. For water and



Customer ID: 01-053-895057256

### Wholesale Income (Sewer)

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Validations: [No Errors](#) [No Comments](#)

#### Wholesale Income - Sewer

Wholesale Cost is carried forward from Similar System Cost Wholesale Screen. Enter Volume per Month by Wholesale User for the system being financed. Volume per Month X Wholesale Cost/1,000 Gal or Cu Ft = Total Wholesale User Income per Month, System calculated. For water and sewer combination projects, this information is required for each.

Add

| Wholesale User Description | Volume Per Month | Monthly Income |
|----------------------------|------------------|----------------|
|----------------------------|------------------|----------------|

Total Wholesale User Income Per Month: 0

Total Volume Per Month: 0

Comments

No wholesale customers

Customer ID: 01-053-895057256

### Other Operating Income (Monthly)

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Add

| User Desc | Monthly Income |
|-----------|----------------|
|-----------|----------------|

|                                   |   |
|-----------------------------------|---|
| Other Operating Income (Monthly)  | 0 |
| Other Operating Income (Annually) | 0 |

Validations: [No Errors](#) [No Comments](#)

Comments

#### Other Operating Income

Income from a source other than the system being financed. This is shown as a monthly figure that when carried forward to the Underwriting screen is shown monthly. The system will calculate the 'Other Operating Income' as an annual amount and add it to the 'Operating Income (Annual)' shown on the Underwriting screen. A description of sources should be included in the

None

Customer ID: 01-053-805057256

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Validations: [No Errors](#) [No Comments](#)

Non Operating Income:

Select from the list of items presented for the non-operating income item. If necessary, use the User Description field to further describe the item selected in the drop down box. Enter the annual amount of non-operating income generated from this item.

Non Operating Income

Add Edit Delete

| Non-Operating Income Item | User Desc. | Annual Income |
|---------------------------|------------|---------------|
| None                      |            |               |

Non-Operating Income (Annual)  Monthly EDU Cost from Assessors

Number of Users Being Assessed

Comments

None

Customer ID: 01-053-895057256

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Validations: [No Errors](#) [No Comments](#)

**O&M Expense**

Select the O&M Expense Item from the list of items presented. If necessary, use the User Description field to further describe the item selected in the drop down box. Enter the annual amount of the O&M expense. Be sure to exclude any depreciation and/or interest expense from this section.

**O&M**

Add Edit Delete

| O&M Expense Item          | User Desc                   | Annual Expense |
|---------------------------|-----------------------------|----------------|
| Contract Services - Other | Management                  | 60,000         |
| Contract Services - Other | Collection System Maintena. | 70,000         |
| Repairs/Maintenance       | Repairs of equipment        | 43,000         |
| Supplies                  | Materials                   | 15,000         |
| Utilities                 | Power                       | 15,000         |
| Contract Waste Treatment  | Demopolis Treatment Fees    | 480,000        |

O&M (Less Interest & Depreciation) **683,000**

Comments

The O&M figures came from RDAApply with the assistance of Alabama Rural Water Association and the project engineer. The current management company, EOS, also provided figures to support the projections, however, these actuals included the cost of managing the water and the wastewater treatment systems including the lagoons and sprayfield which will be eliminated with this project. The management fee projection included above is based on projections provide by ARWA ( see attached email entitled Management Fee Projections). This amount was reviewed and concurred in as an estimate by ARWA. The cost of treating the sewage by Demopolis is difficult to determine because the volume can not be accurately projected at this time, until the system is in operation after construction. The current collection system has so much inflow and infiltration that it is impossible to accurately account for the true volume. In discussing this projected amount with the operator of the Demopolis sewer plant, he said he projects cost of \$40,000 per month (see attached email entitled Cost of Sewer Treatment). Once the collection system is completely

Customer ID: 01-053-005057256

### Replacement Reserves - Short Lived Assets

**Section**

- Initial Contact
- Application
- Environmental
- Underwriting
  - Monthly EDU Cost (Sewer)
  - Number EDU (Sewer)
  - Wholesale Cost (Sewer)
  - Wholesale Income (Sewer)
  - Other Operating Income
  - Non Operating Income
  - OSM
  - Reserve Short Lived Assets**
  - Other Expenses
  - Debt Service Reserve
  - Commercial Credit
  - Maximum Loan Amount
  - Project Cost
  - Applicant Contribution
  - Other Funding Sources
  - Connections/Tap Fees
  - Maximum Grant Amount
- Obligation
- Loan Grant
- Contacts
- Notes And Attachments
- Print Forms
- Request Funds
- Construction

Validations: [No Errors](#) [No Contents](#)

**Replacement Reserves**

Select the type of reserve from the list presented. - Enter the name of the short-lived asset, i.e. meters, pumps, etc., and its replacement cost. This field is calculated by CPAP based on the entries in the "replacement cost" field, i.e. a generator is determined to be a 5 -10 year asset with a replacement cost of \$25,000. Therefore, CPAP will take the replacement cost and divide by 10

Add Edit Delete

| Type of Reserve | User Desc.           | Replacement Cost | Reserve On Hand | Annual Reserve |
|-----------------|----------------------|------------------|-----------------|----------------|
| 10 - 15 Years   | 20 Sewer Pumps in 10 | 119,800          |                 | 7,987          |

Replacement Reserves - Short Lived Assets **7,987**  
 Total Replacement Cost **119,800**

Comments

Updated SLA table was provided by project engineer on 9/10/18 and inserted in PER by SE at end of Conclusions; SLAs are for system after project completion

Customer ID: 01-053-895057256

**Section**

- Initial Contact
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  - Monthly EDU Cost (Sewer)
  - Number EDU (Sewer)
  - Wholesale Cost (Sewer)
  - Wholesale Income (Sewer)
  - Other Operating Income
  - Non Operating Income
  - C&M
  - Reserve Short Lived Assets
- Other Expenses**
- Debt Service Reserve
- Commercial Credit
- Maximum Loan Amount
- Project Cost
- Applicant Contribution
- Other Funding Sources
- Connections/Tap Fees
- Maximum Grant Amount
- Obligation
- Loan Grant
- Contacts
- Notes And Attachments
- Print Forms
- Request Funds
- Construction

Validations: [No Errors](#) [No Comments](#)

**Other Annual Expenses**

Enter the description and amount of the expense item. This field is a "catch-all" field to capture any annual recurring expenses that aren't already addressed in the other sections.

**Other Annual Expenses**

Add

| User Desc | Annual Expense |
|-----------|----------------|
|-----------|----------------|

Other Annual Expense 0

Comments

No other expenses

Customer ID: 01-053-89507256

**Section**

- Initial Contact
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- Underwriting
  - Monthly EDU Cost (Sewer)
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  - Wholesale Income (Sewer)
  - Other Operating Income
  - Non Operating Income
  - O&M
  - Reserve Short Lived Assets
  - Other Expenses
  - Debt Service Reserve**
  - Commercial Credit
  - Maximum Loan Amount
  - Project Cost
  - Applicant Contribution
  - Other Funding Sources
  - Connections/Tap Fees
  - Maximum Grant Amount
- Obligation
- Loan Grant
- Contacts
- Notes And Attachments
- Print Forms
- Request Funds
- Construction

Validations: [No Errors](#) [No Comments](#)

**Debt Service**

ALL PROPOSED OR EXISTING LOANS FROM OTHER SOURCES MUST BE ENTERED HERE. HOWEVER, DO NOT ENTER USDA LOAN DEBT WHICH IS PART OF THIS PROJECT. ONLY ENTER EXISTING USDA LOAN DEBT AND RESERVE THAT IS TIED TO THE FACILITY BEING FINANCED FROM PREVIOUS PROJECTS. Click on the dropdown box and select the type of

**Debt Service**

[Add](#) [Edit](#) [Delete](#)

| Type of Loan | Owed To   | Purpose           | Balance Owed | Term (Yrs) | Date First Payment | P |
|--------------|-----------|-------------------|--------------|------------|--------------------|---|
| Fixed USDA   | USDA (PS) | Sewer Improvem... | 2,235,103.30 | 30         | 5-7-2014           |   |

|                                |                |
|--------------------------------|----------------|
| Total Reserve                  | <b>11,894</b>  |
| Total Debt Service             | <b>118,938</b> |
| Total Debt Service and Reserve | <b>130,832</b> |

Comments: (If particular if there is no Annual Reserve - maybe Fully Funded or GIO Bonds not required)

Total payoff data from NITC/ADPS (AI screen) on 9/18/18

Customer ID: 01-053-895057256

**Section**

- Initial Contact
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  - Wholesale Income (Sewer)
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  - Non Operating Income
  - O&M
  - Reserve Short Lived Assets
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  - Commercial Credit**
  - Maximum Loan Amount
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- Construction

Validations: [No Errors](#) [No Comments](#)

**Commercial Credit**

There is no limit to the number of lenders listed in this section. Include only true commercial lenders. Funding provided from Federal and State funding sources (SRF) are not considered commercial financing. -Enter the name of the lender, loan terms offered in years, and the interest rate for the loan. -Enter the percentage of reserve required for this loan as a whole.

**Commercial Credit**

[Add](#) [Edit](#) [Delete](#)

| Lender Name   | Terms | Interest Rate | Reserve Percent | Max Loan Amount |
|---------------|-------|---------------|-----------------|-----------------|
| Co Bank       | 25    | 5.7500 %      | 10.00 %         | 115             |
| Regions Bank  | 20    | 6.0000 %      | 10.00 %         | 101             |
| First US Bank | 25    | 6.0000 %      | 10.00 %         | 113             |

Commercial Credit (Maximum Loan Amount) **115**

Comments concerning Commercial (or Other) Credit

Applicant is unable to obtain a loan at reasonable rate and terms. Grant funds are needed to make this project feasible. Applicant has health and sanitary violations with existing system. This project will remove all health and sanitary violations and place the system back in compliance. The data above is based on 6/15/2010 information.



Customer ID: 01-053-89507256

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- Initial Contact
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- Maximum Loan Amount**
- Project Cost
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- Other Funding Sources
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Validators: [No Errors](#) [No Comments](#)

**Maximum Loan Amount**

Input information specific for the proposed USDA loan for the system to be financed. Maximum loan amount will be system calculated. The maximum loan could be more than that needed to fund the project. This will be evaluated in the Project Funding Breakdown section of the Underwriting screen. Note: Enter the number of years the loan will be amortized. For example, if

**Maximum Loan Amount**

|   |  |  |
|---|--|--|
| State Non Metro MHI:  | <input type="text" value="42,757"/>  | Comment Study on MHI Calculation:  |
| 80% of State Non Metro MHI:   | <input type="text" value="33,882"/>  | MHI is calculated from data entered into RD. Apply at the Service Area screen. Agency is using data from 2006-2010 ACS, per AN 4711 dated 3/28/13. |
| HHS Poverty Guidelines:   | <input type="text" value="25,100"/>  |  |
| Project MHI:  | <input type="text" value="15,054"/>  |  |
| Balance Available for Debt Repayment:   |  |  |
| Total Available from Budget:  | 10   | 1499 customers - Uniontown - \$15,054  |
| less used by previously Obligated Loans in project:                             | 0  |  |
| Available for Additional Loan:  | 10   |  |
| Projected Attributes for New Loans:   |  |  |
| Interest Rate Level:  | <input checked="" type="radio"/> Poverty <input type="radio"/> Intermediate <input type="radio"/> Market |  |
| Project is Necessary to Alleviate a Health or Sanitary Problem:                 | <input type="radio"/> No <input checked="" type="radio"/> Yes  |  |
| Interest Rate:  | <input type="text" value="2.3750 %"/>  | Percent Reserve Required: <input type="text" value="10.00 %"/>   |
| Number Years Amortized:   | <input type="text" value="30"/>  |  |
| Max Loan Amount:  |  |  |
| Previously Obligated in This Project:   | 0  |  |
| Max Additional Loan:  | 0  |  |
| <b>Total for Project:</b>   | 0  |  |
| OPTIONAL - Calculated Income Needed for Different Loan Amount:                  |  |  |
| Desired Loan Amount - Project:  | <input type="text"/>   |  |
| Required Monthly User Cost:   | 0.00   |  |
| Required Monthly Operating Income:  | 0  |  |
| Because of Rounding, the Required Monthly User Cost may be off by 1 or 2 cents. |  |  |

Customer ID: 01-053-835057256

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  - Wholesale Income (Sewer)
  - Other Operating Income
  - Non Operating Income
  - O&M
  - Reserve Short Lived Assets
  - Other Expenses
  - Debt Service Reserve
  - Commercial Credit
  - Maximum Loan Amount
  - Project Cost**
  - Applicant Contribution
  - Other Funding Sources
  - Connections/Tap Fees
  - Maximum Grant Amount
- Obligation
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- Notes And Attachments
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- Construction

Validations: [No Errors](#) [No Contents](#)

**Project Cost**

Taken from the PER or Financial Feasibility Work Papers prepared by field office. Drop down box will provide line itemization. User input required for cost. Enter description (if desired). Total Project Costs will be system calculated.

**Project Cost**

[Add](#) [Edit](#) [Delete](#)

| Project Cost Item         | User Desc                    | Item Cost  |
|---------------------------|------------------------------|------------|
| Development               | Collection System Repair     | 16,303,000 |
| Development               | Forcemain to Demopolis       | 15,241,000 |
| Contingencies             |                              | 2,542,400  |
| Eng - PreDevelopment      |                              | 263,500    |
| Eng - Design              | Including Civil & Electrical | 1,530,140  |
| Legal Services            | To form a utilities board    | 10,000     |
| Land & Rights             |                              | 80,000     |
| Equipment                 |                              | 130,000    |
| Other                     | Electrical Service           | 50,000     |
| Other                     | ALLU/ Permit                 | 30,000     |
| Other                     | ADEM Permit                  | 12,500     |
| Other                     | Advertising                  | 18,710     |
| Other                     | Railroad Fees                | 45,000     |
| Eng - Additional Services | Permits: WWTP, SW, DOT       | 16,500     |
| Eng - Additional Services | Property Surveying           | 64,000     |
| Eng - Additional Services | Geotechnical                 | 15,000     |
| Eng - Inspection          |                              | 599,300    |

Total Project Cost **31,250,000**

Comments concerning Project Cost

Project cost was entered by State Engineer using estimate from September 2018 PER as a guide. Besides negligible rounding, interest was eliminated because there is no loan proposed. There should be no interm loan and no bond attorney fees.

Per email from State Engineer dated 9/11/18 (see attachment called "Uniontown SE Cost Explanation 09.11.18"), Project Engineer called SE on 9/10/18 and stated that advertising would be \$18,710, which is shown as \$8,500 in PER dated 9/10/18 (Option 1 cost estimate, p. 141 of pdf)

Customer ID: 01-053-895057256

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Validations: [No Errors](#) [No Comments](#)

**Application Contribution**

To complete the General Fund section, enter the total current assets and liabilities. Also, enter any general funds retained for things such as street improvements, industrial park development, police cruisers, trash trucks. (The point is that if the customer has no plans for the funds, it should use them to reduce the grant or loan from RUS as they could also be used in the

**Applicant Contribution**

| General Fund                                       |   | Amount            |
|--|---|-------------------|
| Current Assets                                     |   | -1,394,754        |
| less Current Liabilities                           |   | 2,007,208         |
| <b>less General Funds Retained</b>                 |   |                   |
|  |   |                   |
|  |   |                   |
|  |   |                   |
|  |   |                   |
| <b>Balance Available General Fund</b>              |   | <b>-3,402,002</b> |
| <b>Enterprise Fund</b>                             |   |                   |
| plus Current Assets Enterprise Fund                |   |                   |
| less Current Liabilities Enterprise Fund           |   | 0                 |
| <b>Balance Available Including Enterprise Fund</b> |   | <b>-3,402,002</b> |
| <b>less General Funds Retained</b>                 |   |                   |
| O&M - O&M from Underwriting =                      | 683,000   |                   |
| Customer Deposits                                  |   | 25                |
| Debt Service (e.g. 10% Reserve)                    |   |                   |
| Replacement Reserve - Short Lived Assets           | 1 to 5 Years<br>5 to 10 Years<br>10 to 15 Years |                   |
| Capital Improvements                               |   |                   |
| Interest Expense (Deferral Period)                 |   |                   |
| Cost of Issuance of Other Debt                     |   |                   |
| Other  |   |                   |
| <b>less Total Reserves</b>                         |   | <b>25</b>         |
| <b>Available for Applicant Contribution</b>        |   | <b>-3,402,027</b> |
| <b>Amount To Be Contributed</b>                    |   | <b>0</b>          |

Comments

Data is from City's Profit & Loss Statement and Balance Sheet for the General Fund as of 7/12/18. No audit has been conducted. No sewer utility financial data is available. It is understood by underwriter that City does not keep records separate and thus cannot provide separate sewer utility financial data. Only unaudited, uncertified general fund data was made available from the applicant. Figures on this Applicant Contribution screen are shown exactly as they are reported on the Balance Sheet — negative current

Customer ID: 01-053-895057256

**Section**

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  - Wholesale Income (Sewer)
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- Print Forms
- Request Funds
- Construction

Validations: [No Errors](#) [No Comments](#)

**Other Funding**

DO NOT ENTER USDA FUNDING ON THIS SCREEN. Taken from the PER or Financial Feasibility Work Papers prepared by the field office. Drop down box will provide line itemization. User input required for other funding sources and amounts. Other Funding Sources will be totaled and transferred to the Funding Breakdown section of the Underwriting screen.

**Other Funding**

[Add](#) [Edit](#) [Delete](#)

| Other Funding Type         | User Desc            | Funding Amount |
|----------------------------|----------------------|----------------|
| Other State Funds          | State of Alabama     | 3,562,500      |
| Public Private Partnership | Uniontown Industries | 1,000,000      |
| Other                      | DRA                  | 3,250,000      |

Total Other Funding **7,812,500**

Comments

Sources of other funding are being verified. We have verbal commitment from DRA of \$3,250,000. Some of the local industries have verbally committed to \$1,000,000. We are working with the Congressional delegations and the Governor's office to secure the remaining \$3,562,500. This process may take us past the 9/30/2018 FYE. Therefore we are requesting that RD's portion (\$23,437,500) be obligated now and the commitment letters for the other funds be provided at a later date but before loan and/or grant closing or start of construction, whichever comes first, as per RD Instruction 1700, 1700-44 (c). Funds will not be advanced nor will construction be allowed to start until all other funds are verified and commitment documented.

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**Section**

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- Construction

Validations: [No Errors](#) [No Comments](#)

**Contribution Connection/Tap Fees**

Enter the number of new connections to be added with this project and the fee each new user will pay. The system will calculate the contribution (number of new connections x per user fee). These fees should be utilized to reduce project costs if the project engineer includes taps in the project budget.

**Contribution Connection/Tap Fees**

Number New Connections:

Connection/Tap Fee Per User:

Contribution Connection/Tap Fees: **0**

Comments

No new connections

Uniontown, City of - Sewage Collection & Treatment Rehab 2018

Customer ID: 01-053-89507256

### Section

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Validations: [No Errors](#) [No Comments](#)

### Maximum Grant Amount

Enter your State's non-metropolitan MHI according to the latest census data, the poverty line income as outlined in RUS Bulletin 1750-29 (Do not enter 80% of your State's non-metropolitan MHI in this field), and the MHI of the project area - If the project is necessary to alleviate a health or sanitary problem, click "yes." Select "no" if not. This should be supported by a letter from the

## Max WEP Grant Amount (WEP)

|                       |               |  |  |
|-----------------------|---------------|--|--|
| State NonMetro MHI    | 42,352        | Comment Briefly on MHI Calculation   |  |
| 80% of State NM MHI   | <b>33,882</b> | MHI is calculated from data entered into RD Apply at the Service Area screen. Agency is using data from 2006-2010 ACS, per AN 4711 dated 3/26/13.<br>1499 customers - Uniontown - \$15,054 |  |
| HHS Poverty Guideline | 25,100        |  |  |
| Project MHI           | 15,054        |  |  |

Project is Necessary to Alleviate a Health or Sanitary Problem:  No  Yes

|                                 |                   |                                   |                   |
|---------------------------------|-------------------|-----------------------------------|-------------------|
| Maximum Grant Eligible Percent  | <b>75.00 %</b>    | Total Grant Eligible Project Cost | <b>31,250,000</b> |
| Total Project Cost              | <b>31,250,000</b> | Max USDA Loan                     | <b>0</b>          |
| Ineligible Grant Project Cost - |                   | Total All Other Funding           | <b>7,812,500</b>  |
| Interest                        | 0                 | Total Grant Needed                | <b>23,437,500</b> |
| Initial O&M                     |                   |                                   |                   |
| Other                           | 0.00              |                                   |                   |
| <b>Total</b>                    | <b>0</b>          |                                   |                   |

Maximum WEP Grant Amount: **23,437,500**

### Comments

Persistent poverty grant only -- no ineligible grant costs

Justification for grant only: Current average monthly cost is \$18.10, from 8/13 information provided by Alabama Rural Water Association, attached (called Sewer Customer and Flows). This is 1.44% of service area MHI (\$15,054). A 25.52% increase to \$22.72 (1.81% of MHI) will be required just to cash flow the system's financial obligations, without new debt. (22.72-18.10= 4.62/18.10). A minimum 25% loan of \$7,812,500 would require an average EDU cost of \$33.89, or 2.26% of the service area MHI.

The project was underwritten using the combination loan and grant TOA code of 755 to document the eligibility for this amount of grant. See attached screen print.

Any new debt service will add an excessive burden on the customers. This project is located in a persistent poverty county. The MHI of \$15,054 is only 26.9% of the nationwide MHI of \$51,914 and 35.5% of the State of Alabama's MHI.

Stan B. Hale  
 USDA RURAL DEVELOPMENT  
 Community Programs  
 State Loan Specialist  
 4121 Carmichael Road, Suite 601  
 Montgomery, Alabama 36106-3683  
 Voice Direct 334-279-3616  
 Fax 855-304-8457  
[stan.hale@rurdev.gov](mailto:stan.hale@rurdev.gov)

005371

**From:** [Gordon, Nivory - RD, Camden, AL](#)  
**To:** [Bowen, Allen - RD, Montgomery, AL](#)  
**Subject:** FW: Uniontown - Bond Type and Contacts  
**Date:** Friday, August 17, 2018 1:38:44 PM

---

Allen,

They used David Ringelstein II was bond counsel for the last USDA deal. I think he is with Maynard Gayle Firm. They have not disclosed to our office as to who will handle this transaction

---

**From:** Bowen, Allen - RD, Montgomery, AL  
**Sent:** Friday, August 17, 2018 12:02 PM  
**To:** Douglas, Penny - RD, Chattanooga, TN <[Penny.Douglas@wdc.usda.gov](mailto:Penny.Douglas@wdc.usda.gov)>  
**Cc:** Gordon, Nivory - RD, Camden, AL <[Nivory.Gordon@al.usda.gov](mailto:Nivory.Gordon@al.usda.gov)>; Norwood, Rose - RD, Camden, AL <[Rose.Norwood@al.usda.gov](mailto:Rose.Norwood@al.usda.gov)>; Givan, Terrika - RD, Camden, AL <[Terrika.Givan@al.usda.gov](mailto:Terrika.Givan@al.usda.gov)>  
**Subject:** RE: Uniontown - Bond Type and Contacts

Penny, it is not a GO Bond.

I will have the Area Office staff input the contact information.

Thanks,

*Allen Bowen*

Allen Bowen  
United States Department of Agriculture  
Rural Development  
Community and Business Programs Director  
Office: 334-279-3617  
Cell: 334-322-4147  
Fax: 855-304-8457

---

**From:** Douglas, Penny - RD, Chattanooga, TN  
**Sent:** Friday, August 17, 2018 12:00 PM  
**To:** Bowen, Allen - RD, Montgomery, AL <[Allen.Bowen@al.usda.gov](mailto:Allen.Bowen@al.usda.gov)>  
**Subject:** Uniontown - Bond Type and Contacts

CPAP is showing GO bond (came over from RD Apply). Is that correct?

Will your staff either send me the contact information for CPAP or enter it yourselves? At a minimum, need engineer and attorney / bond counsel.

**005372**

Thanks ---

PENNY L. DOUGLAS  
Community Programs Specialist  
Portfolio Management Branch  
Water and Environmental Programs  
USDA Rural Utilities Service  
Phone: (202) 253-0504  
[www.rd.usda.gov](http://www.rd.usda.gov)

*Committed to the future of rural communities*

*USDA is an equal opportunity provider, employer, and lender*

**005373**



**From:** [Bowen, Allen - RD, Montgomery, AL](#)  
**To:** [Taylor, John - RD, Montgomery, AL](#)  
**Subject:** FW: Uniontown - Initial Comments  
**Date:** Friday, August 17, 2018 9:25:00 AM

---

John, can you provide me with answers and / or comments to those questions below that pertain to PER?

Thanks,

*Allen Bowen*

Allen Bowen  
United States Department of Agriculture  
Rural Development  
Community and Business Programs Director  
Office: 334-279-3617  
Cell: 334-322-4147  
Fax: 855-304-8457

---

**From:** Douglas, Penny - RD, Chattanooga, TN  
**Sent:** Thursday, August 16, 2018 6:00 PM  
**To:** Bowen, Allen - RD, Montgomery, AL <Allen.Bowen@al.usda.gov>  
**Subject:** Uniontown - Initial Comments

Allen –

I went through RD Apply and CPAP to get a feel for what documentation or clarification might be needed in order to underwrite. Here are questions I have and/or documentation I do not find:

1. PER –
  - a. Missing information:
    - i. SLA
    - ii. O&M
    - iii. User/ usage info
  - b. Cost estimates - Option #1, Collection & Treatment Improvements (p. 130 of pdf), and Collection Repair (p. 133 of pdf)
    - i. Appears that soft costs for the collection repair piece were not input into RD Apply (Project Cost screen).
    - ii. Total construction cost and contingencies on PER cost estimate (p. 130 of pdf) do not match what was input into RD Apply (Project

**005374**

- Cost screen).
  - iii. Engineering Cost of \$1,815,563.97 (p. 130 of pdf) and \$749,357,48 (p. 133 of pdf) need to be itemized.
  - c. Section II (p. 6 of pdf) indicates declining population. [1780.7(c)]
  - d. What information is the State Engineer waiting for on the PER? Can I get a copy of the SE comments?
2. Financial Information –
- a. Only general fund financial information provided. Sewer operation needs to be broken out.
  - b. Negative general fund current asset balance as of 7/12/18 (balance sheet). Explanation from City.
  - c. Negative general fund net income as of 7/12/18 (profit & loss statement). Explanation from City.
  - d. RD Apply / Financial Tab / Balance Sheet – are total customer deposits in the bank **\$25**, or are they saying they charge \$25 for customer deposit?
3. Other funding of \$8,097,548.36 – need commitment letter, or copy of application, etc. What is the status?
4. Need for CPAP from AL RD:
- a. 3 similar systems with documentation
  - b. 2 Commercial Credit contacts

This is the basic information I will need to be addressed in order to start underwriting. Give me a call if you want to discuss.

Thanks!

PENNY L. DOUGLAS  
Community Programs Specialist  
Portfolio Management Branch  
Water and Environmental Programs  
USDA Rural Utilities Service  
Phone: (202) 253-0504  
[www.rd.usda.gov](http://www.rd.usda.gov)

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**005375**

**From:** [Gordon, Nivory - RD, Camden, AL](#)  
**To:** [Bowen, Allen - RD, Montgomery, AL](#)  
**Subject:** FW: Uniontown  
**Date:** Thursday, September 6, 2018 3:18:07 PM  
**Attachments:** [image008.png](#)  
[image009.png](#)  
[image010.png](#)  
[image011.png](#)  
[image012.png](#)  
[image013.png](#)  
[image014.png](#)  
[image017.png](#)  
[image018.png](#)  
[image020.png](#)  
[image021.png](#)  
[image022.png](#)

---

Nivory Gordon, Jr.  
Area Director  
USDA, Rural Development  
321 Depot Street  
Camden, AL 36726  
334-682-4116 Ext. 110 (Office)  
855-840-7764 (FAX)  
[nivory.gordon@al.usda.gov](mailto:nivory.gordon@al.usda.gov)

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*"Estamos dedicados al futuro de las comunidades rurales"*

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---

**From:** Gordon, Nivory - RD, Camden, AL  
**Sent:** Thursday, September 6, 2018 2:16 PM  
**To:** Beeker, Chris - RD, Montgomery, AL <[Chris.Beeker@al.usda.gov](mailto:Chris.Beeker@al.usda.gov)>  
**Subject:** RE: Uniontown

Chris  
We will be meeting on 9/13/18 @ 10:30 am in Uniontown

Nivory Gordon, Jr.  
Area Director  
USDA, Rural Development  
321 Depot Street  
Camden, AL 36726

**005376**

334-682-4116 Ext. 110 (Office)  
855-840-7764 (FAX)  
[nivory.gordon@al.usda.gov](mailto:nivory.gordon@al.usda.gov)

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*"Estamos dedicados al futuro de las comunidades rurales"*

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---

**From:** Beeker, Chris - RD, Montgomery, AL  
**Sent:** Thursday, September 6, 2018 2:15 PM  
**To:** Bowen, Allen - RD, Montgomery, AL <[Allen.Bowen@al.usda.gov](mailto:Allen.Bowen@al.usda.gov)>; Gordon, Nivory - RD, Camden, AL <[Nivory.Gordon@al.usda.gov](mailto:Nivory.Gordon@al.usda.gov)>  
**Subject:** Uniontown

What day will y'all be meeting with the mayor? Also, I have a call with the federal delegation about this, and I need to have an updated summary with all the funds and where they are coming from so far.

Chris Beeker III  
State Director | Alabama State Office  
Rural Development  
U.S. Department of Agriculture  
4121 Carmichael Road, Suite 601 | Montgomery, AL 36106  
Phone: 334-279-3402 | Fax: 855-304-8456  
[www.rd.usda.gov](http://www.rd.usda.gov) "Committed to the future of rural communities"

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**005377**

**From:** [Bowen, Allen - RD, Montgomery, AL](#)  
**To:** [Gordon, Nivory - RD, Camden, AL](#)  
**Subject:** FW: Uniontown AL Conditional Concurrence Memo  
**Date:** Friday, September 28, 2018 9:07:00 AM  
**Attachments:** [AL Uniontown Concurrence Memo 092718.pdf](#)  
[Fwd Uniontown Environmental Assessment Public Comment Letter.msg](#)  
[image009.png](#)  
[image010.png](#)  
[image013.png](#)

---

fyi

*Allen Bowen*

Allen Bowen  
United States Department of Agriculture  
Rural Development  
Community and Business Programs Director  
Office: 334-279-3617  
Cell: 334-322-4147  
Fax: 855-304-8457

---

**From:** Primrose, Edna - RD, Washington, DC  
**Sent:** Thursday, September 27, 2018 10:52 PM  
**To:** Beeker, Chris - RD, Montgomery, AL <Chris.Beeker@al.usda.gov>; Bowen, Allen - RD, Montgomery, AL <Allen.Bowen@al.usda.gov>; Barringer, Scott - RD, Washington, DC <Scott.Barringer@wdc.usda.gov>; Fritz, James - RD, Washington, DC <James.Fritz@wdc.usda.gov>; Kubena, Kellie - RD, Washington, DC <Kellie.Kubena@wdc.usda.gov>; Francis, Cheryl - RD, Washington, DC <Cheryl.Francis@wdc.usda.gov>  
**Subject:** Uniontown AL Conditional Concurrence Memo

Hello everyone,

Attached is the conditional concurrence memo for Uniontown, per our discussion. Please note the timeline stipulated in the memo to address the environmental matter, and the treatment of the funding based on these outcomes. Thank you, Allen, for providing the response RD Alabama provided to the one organization that commented, to clarify that the process will be collaborative and will engage stakeholders.

This has been an important and complex issue, and I thank you for your steadfast collaboration with state and local partners to identify a solution to assist this rural community.

Edna

Edna Primrose

**005378**



Rural Development

Rural Utilities Service

1400 Independence  
Ave SW, Room 5145  
Stop 1570  
Washington, DC  
20250

Voice 202.690.2670  
Fax 202.690.0649

**SUBJECT:** City of Uniontown  
Sewage Collection & Treatment Rehab 2018  
Grant: \$23,457,500

**TO:** Chris Beeker III  
State Director  
Rural Development  
Montgomery, Alabama

**FROM:** Edna Primrose  
Assistant Administrator  
Water and Environmental Programs  
USDA, Rural Utilities Service

**EDNA  
PRIMROSE**

Digitally signed by  
EDNA PRIMROSE  
Date: 2018.09.27  
23:44:46 -04'00'

The National Office has reviewed your recommendation to approve a grant for the City of Uniontown to rehabilitate the existing sewage collection and treatment systems. We concur with your recommendation to approve the financial assistance, subject to applicable Rural Utilities Service (RUS) Instructions, legal requirements, availability of funds, and the proposed Letter of Conditions.

This concurrence is conditioned upon the conclusion of the environmental review process resulting in a Categorical Exclusion (CE), a Finding of No Significant Impact (FONSI), or a Record of Decision (ROD). Furthermore, in every step of the design process, there must be public involvement to engage affected or interested parties, share information, and solicit input about environmental impacts of the project. If the environmental review process cannot be favorably completed successfully within 30 days, this concurrence will be invalidated and all funds must be deobligated..

The processing and engineering reviews were performed as indicated:

Processing Review: Penny Douglas, Community Programs Specialist, reviewed the processing information and concurred on September 19, 2018.

Engineering Review: Andrew Granskog, Michigan State Engineer, assisting the Engineering and Environmental Staff, reviewed the engineering information and concurred on September 12, 2018.

The concurrence is based on our review of the information submitted in CPAP/ Underwriting. The total cost of this project is \$31,250,000, consisting of \$7,812,500 from other sources and \$23,437,500 of proposed funding, summarized as follows:

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If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at [http://www.ascr.usda.gov/complaint\\_filing\\_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html), or at any USDA office, or call (866) 632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter to us by mail at U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, by fax (202) 690-7442 or email at [program.intake@usda.gov](mailto:program.intake@usda.gov).

**005379**

|                   |   |
|-------------------|---|
| \$ 3,250,000      | Delta Regional Authority                          |
| 1,000,000         | Uniontown Industries – Public/Private Partnership |
| 3,562,500         | State of Alabama                                  |
| <u>23,437,500</u> | Proposed RD/RUS Persistent Poverty Grant          |
| \$31,250,000      | Total Project Costs                               |

It is your responsibility to assure that all requirements of RUS regulations and instructions are met and the project is economically feasible before proceeding with the proposed grant. Any exception to this requirement shall be authorized by USDA/Rural Utilities Service in advance.

In cases where construction bids are opened, and the project costs exceed the amount of assistance previously obligated for the project, attempts to reduce costs must be made by negotiations, redesign, use of bid alternatives, or other means.

You are delegated authority to approve a grant for \$23,457,500. Please attach a copy of this memorandum to the Form RD 1940-1, "Request for Obligation of Funds," and file in position 2 of your file.

This memorandum is neither a guarantee nor an agreement that further advances of funding from National Office reserves or set-asides will be made available for this project. If additional funding beyond your state allocation is needed, a "Request Funds" submission should be submitted through CPAP. A funding determination will be made following the submission of the request.

If you have any questions or require additional information, please contact Ms. Douglas at 202-253-0504 or penny.douglas@wdc.usda.gov.

cc: WPD Official File POB Francis PMB Douglas JFritz S/O AL  
 Draft: PMB: pdouglas: 09.20.18 final:cfrancis:

Recall:S:\RUS\WEPPFILES\ Loan Approval Authority \ AL \ Uniontown \ AL Uniontown Concur 092718

| Unit | Initials / Date | Unit | Initials / Date |
|------|-----------------|------|-----------------|
|      |                 |      |                 |
|      |                 |      |                 |

**OFFICIAL FILE**

**From:** Bowen, Allen - RD, Montgomery, AL  
**Sent:** Thu, 27 Sep 2018 23:27:42 +0000  
**To:** Primrose, Edna - RD, Washington, DC; Beeker, Chris - RD, Montgomery, AL  
**Subject:** Fwd: Uniontown Environmental Assessment Public Comment Letter  
**Attachments:** Riverkeepers response.pdf

Here is our response to their comments, last paragraph reflects our offer to include them,

Thanks  
Allen

---

**From:** "Bowen, Allen - RD, Montgomery, AL" <[Allen.Bowen@al.usda.gov](mailto:Allen.Bowen@al.usda.gov)>  
**Date:** Wednesday, September 26, 2018 at 3:15:00 PM  
**To:** "Johnny Kinney" <[jkinney@blackwarriorriver.org](mailto:jkinney@blackwarriorriver.org)>  
**Cc:** "Eva Dillard" <[edillard@blackwarriorriver.org](mailto:edillard@blackwarriorriver.org)>, "Gordon, Nivory - RD, Camden, AL" <[Nivory.Gordon@al.usda.gov](mailto:Nivory.Gordon@al.usda.gov)>, "Taylor, John - RD, Montgomery, AL" <[john.taylor@al.usda.gov](mailto:john.taylor@al.usda.gov)>  
**Subject:** RE: Uniontown Environmental Assessment Public Comment Letter

Mr. Kinney, please find attached responses to your comments on the Uniontown Sewer project.

If you have any questions, please contact me.

Thanks,

**Allen Bowen**

Allen Bowen  
United States Department of Agriculture  
Rural Development  
Community and Business Programs Director  
Office: 334-279-3617  
Cell: 334-322-4147  
Fax: 855-304-8457

---

**From:** Johnny Kinney <[jkinney@blackwarriorriver.org](mailto:jkinney@blackwarriorriver.org)>  
**Sent:** Friday, September 21, 2018 2:45 PM  
**To:** Gordon, Nivory - RD, Camden, AL <[Nivory.Gordon@al.usda.gov](mailto:Nivory.Gordon@al.usda.gov)>; Bowen, Allen - RD, Montgomery,

**005381**



AL <Allen.Bowen@al.usda.gov>

Cc: Eva Dillard <edillard@blackwarriorriver.org>; Nelson Brooke <nbrooke@blackwarriorriver.org>

**Subject:** Uniontown Environmental Assessment Public Comment Letter

Mr. Gordon,

Please find Black Warrior Riverkeeper's letter in response to USDA's request for public comments regarding the Environmental Assessment for the city of Uniontown's proposed rehabilitation of the sanitary sewer collection system and wastewater transmission to Demopolis attached to this email.

Thank you for your time and attention to these comments. Please do not hesitate to contact me if you have any questions or concerns.

For the River,

*John Kinney*

Enforcement Coordinator  
Black Warrior Riverkeeper

712 37<sup>th</sup> St South

Birmingham, AL 35222

205-458-0095

**005382**



September 26, 2018

Alabama State Office

4121 Carmichael Road  
Suite 601, Sterling Centre  
Montgomery, AL 36106

Voice 334-279-3615  
Fax 855-304-8457

www.rd.usda.gov/al

Black Warrior RIVERKEEPER®  
712 37th Street South  
Birmingham, AL 35222

Re: Environmental Assessment for Proposed City of Uniontown Sewer Project

*Via electronic mail only to [jkinney@blackwarriorriver.org](mailto:jkinney@blackwarriorriver.org)*

Dear Sirs and Madam:

Thank you for your letter of September 21, 2018 in response to the Environmental Assessment. Your letter brings up many important subjects that deserve to be studied and considered in the pre-design phase of the project. Although these are important subjects to consider, the only one related to the NEPA (National Environmental Policy Act) Environmental Assessment was in regard to Environmental Justice.

I will provide a short response to each of the four numbered sections in your letter:

- 1. The Role of Industrial Dischargers Must Be Accurately Assessed and Understood.*  
We agree that more study and evaluation must be done before moving to design of the transmission line. Meanwhile, evaluation and rehabilitation of the collection system can proceed.
- 2. The Demopolis Plant Must Be Upgraded and its Treatment Capacity Increased.*  
Demopolis is evaluating what needs to be done to their plant. They intend to fund those upgrades, if necessary, with other funding. They are waiting for data for quantity and characteristics of the Uniontown effluent.
- 3. Many Uniontown Residents Must Have Financial Help to Tie into the System.*  
The connection or repair of service connections is planned to be at no cost to homeowners. No loan is proposed.
- 4. Past Mistakes by Sentell Should Disqualify it from Working on this Project.*  
USDA has no authority to require an applicant/client to use or not use a particular firm unless a proposed firm has been excluded from receiving Federal contracts, certain subcontracts, and certain types of Federal financial and non-financial assistance and benefits. Sentell Engineering, Inc. has not been excluded.

USDA Rural Development welcomes the opportunity to have stakeholder involvement in the project planning stages. We look forward to discussing this important project with stakeholders in the early stages after funding is secured.

Sincerely,

ALLEN BOWEN  
Community Facilities and Business Programs Director

cc: Mr. Nivory Gordon, Camden Office

Assistant Administrator  
Water and Environmental Programs  
Rural Utilities Service, Rural Development Agency  
United States Department of Agriculture  
1400 Independence Ave., S.W.  
Washington, DC 20250  
Phone: 202.720.0986 | Mobile: 202.494.5610  
[www.rd.usda.gov](http://www.rd.usda.gov)

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**From:** [Bowen, Allen - RD, Montgomery, AL](#)  
**To:** ["Beeker, Chris - RD, Montgomery, AL \(Chris.Beeker@al.usda.gov\)"](#)  
**Subject:** FW: Uniontown Environmental Assessment  
**Date:** Thursday, September 20, 2018 11:36:00 AM  
**Attachments:** [20180913172209932.pdf](#)

---

Did you know about this?

*Allen Bowen*

Allen Bowen  
United States Department of Agriculture  
Rural Development  
Community and Business Programs Director  
Office: 334-279-3617  
Cell: 334-322-4147  
Fax: 855-304-8457

---

**From:** Gordon, Nivory - RD, Camden, AL  
**Sent:** Thursday, September 20, 2018 9:37 AM  
**To:** Bowen, Allen - RD, Montgomery, AL <[Allen.Bowen@al.usda.gov](mailto:Allen.Bowen@al.usda.gov)>  
**Subject:** Fwd: Uniontown Environmental Assessment

---

From: "Beard, Hillary" <[Hillary.Beard@mail.house.gov](mailto:Hillary.Beard@mail.house.gov)>  
Date: Wednesday, September 19, 2018 at 4:23:24 PM  
To: "Gordon, Nivory - RD, Camden, AL" <[Nivory.Gordon@al.usda.gov](mailto:Nivory.Gordon@al.usda.gov)>  
Subject: Uniontown Environmental Assessment

Nivory,

I hope you're doing well.

Do you have a copy of the environmental assessment for Uniontown from Sentell?

We are finalizing a letter to the Governor that we hope to get the delegation to sign onto.

I look forward to hearing back about the environmental assessment.

Thank You.

**Hillary Beard** | Legislative Assistant | [Office of Congresswoman Terri Sewell \(AL-07\)](#)  
2201 Rayburn HOB | Washington, DC 20515 | 202.225.2665

**005385**

DEPARTMENT OF AGRICULTURE  
Rural Development

City of Uniontown: Notice of Availability of an Environmental Assessment

**AGENCY:** Rural Utility Service, USDA

**ACTION:** Notice of Availability of an Environmental Assessment

**SUMMARY:** Notice is hereby given that the Rural Utility Service (RUS), as required by the National Environmental Policy Act, is issuing an environmental assessment (EA) in connection with possible impacts related to a project proposed by the City of Uniontown, Alabama. The proposal is for rehabilitation of the city's wastewater collection system and construction of pump stations and a force main. The City of Uniontown has submitted an application to RUS for funding of the proposal.

**FOR FURTHER INFORMATION CONTACT:** Nivory Gordon, Jr., Area Director at USDA, RD, 321 Dept. Street, Camden, AL 36726, 334-682-4116 Ext. 110 or via email at: Nivory.gordon@al.usda.gov.

**SUPPLEMENTARY INFORMATION:** The City of Uniontown proposes to rehabilitate the city's wastewater collection system and construct screening facilities, pump stations and a force main to transport the wastewater to the City of Demopolis for treatment at their wastewater treatment plant. The existing treatment lagoons and effluent spray field would be decommissioned and reclaimed.

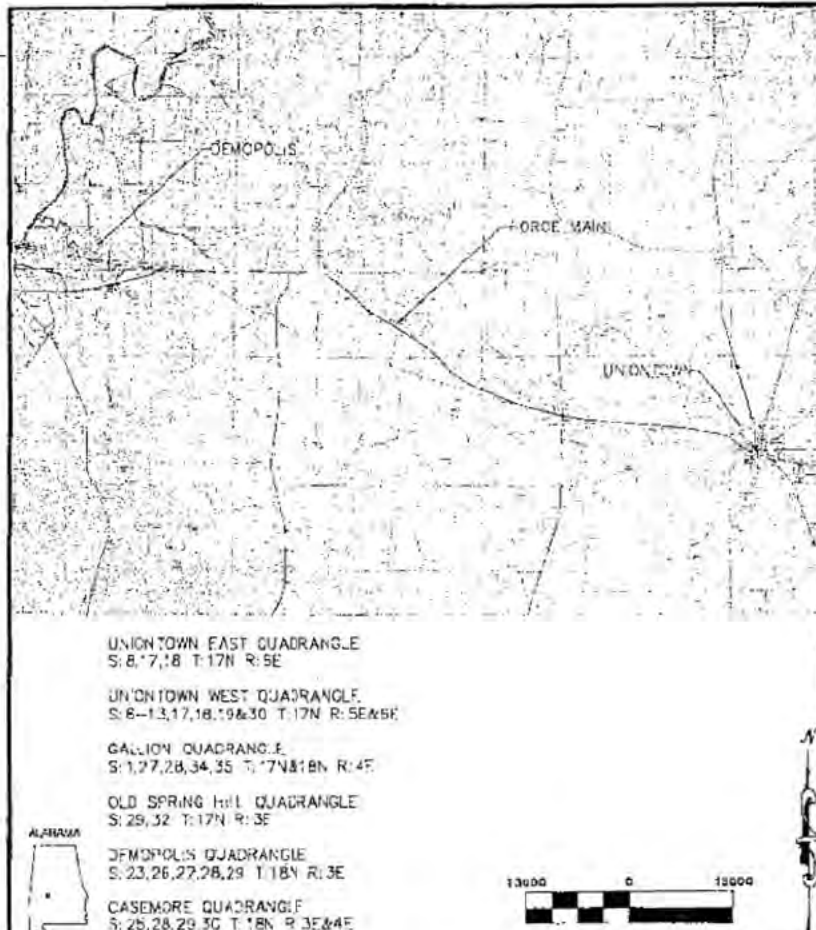
Sentell Engineering, Inc., an environmental consultant, prepared an environmental assessment for RUS that describes the project, assesses the proposed project's environmental impacts, and summarizes as applicable any mitigation measures used to minimize environmental effects. RUS has conducted an independent evaluation of the environmental assessment and believes that it accurately assesses the impacts of the proposed project. No significant impacts are expected as a result of the construction of the project.

Questions and comments should be sent to RUS at the address provided. RUS will accept questions and comments on the environmental assessment for 14 days from the date of publication of this notice.

Any final action by RUS related to the proposed project will be subject to, and contingent upon, compliance with all relevant Federal environmental laws and regulations and completion of environmental review procedures as prescribed by 7 CFR Part 1970, Environmental Policies and Procedures.

A general location map of the proposal is shown below

Dated: September 8, 2018



005386

**From:** [Taylor, John - RD, Montgomery, AL](#)  
**To:** [Bowen, Allen - RD, Montgomery, AL](#)  
**Subject:** FW: Uniontown Environmental Assessment Public Comment Letter  
**Date:** Wednesday, September 26, 2018 12:41:24 PM  
**Attachments:** [Response to BWR 9-26-18.docx](#)

---

Draft attached. They proposed stakeholder involvement in the conclusions of their letter, so I can't claim to have thought of it. Expound on some things to make the second page have something besides a signature block.

John E. Taylor. P.E.  
Alabama State Engineer & SEC  
USDA Rural Development  
4121 Carmichael Rd. STE 601  
Montgomery, AL 36106  
334-279-3475

---

**From:** Taylor, John - RD, Montgomery, AL  
**Sent:** Friday, September 21, 2018 7:19 PM  
**To:** Bowen, Allen - RD, Montgomery, AL <Allen.Bowen@al.usda.gov>  
**Cc:** Gordon, Nivory - RD, Camden, AL <Nivory.Gordon@al.usda.gov>  
**Subject:** RE: Uniontown Environmental Assessment Public Comment Letter

I will address the numbered sections of the Riverkeeper's letter:

*1. The Role of Industrial Dischargers Must Be Accurately Assessed and Understood.*

We agree that more study and evaluation must be done before moving to design of the transmission line. Meanwhile, evaluation and rehabilitation of the collection system can proceed.

*2. The Demopolis Plant Must Be Upgraded and its Treatment Capacity Increased.*

Demopolis is evaluating what needs to be done to their plant. They intend to fund those upgrades, if necessary, with other funding. They are waiting for data for quantity and characteristics of the Uniontown effluent.

*3. Many Uniontown Residents Must Have Financial Help to Tie into the System.*

Environmental Justice is the only comment in the letter that pertains to a NEPA EA subject. The connection or repair of service connections is planned to be at no cost to homeowners. No loan is proposed.

*4. Past Mistakes By Sentell Should Disqualify it from Working on this Project.*

USDA has no authority to require an applicant to use or not use a particular firm.

John E. Taylor. P.E.  
Alabama State Engineer & SEC  
USDA Rural Development  
4121 Carmichael Rd. STE 601  
Montgomery, AL 36106

**005387**



Rural Development

September 26, 2018

Alabama State Office

4121 Carmichael Road  
Suite 601, Sterling Centre  
Montgomery, AL 36106

Voice 334-279-3615  
Fax 855-304-8457

[www.rd.usda.gov/al](http://www.rd.usda.gov/al)

Black Warrior RIVERKEEPER®  
712 37th Street South  
Birmingham, AL 35222

Re: Environmental Assessment for Proposed City of Uniontown Sewer Project

*Via electronic mail only to [edillard@blackwarriorriver.org](mailto:edillard@blackwarriorriver.org)*

Dear Sirs and Madam:

Thank you for your letter of September 21, 2018 in response to the Environmental Assessment. Your letter brings up many important subjects that deserve to be studied and considered in the pre-design phase of the project. Although these are important subjects to consider, the only one related to the NEPA (National Environmental Policy Act) Environmental Assessment was in regards to Environmental Justice.

I will provide a short response to each of the four numbered sections in your letter:

*1. The Role of Industrial Dischargers Must Be Accurately Assessed and Understood.*

We agree that more study and evaluation must be done before moving to design of the transmission line. Meanwhile, evaluation and rehabilitation of the collection system can proceed.

*2. The Demopolis Plant Must Be Upgraded and its Treatment Capacity Increased.*

Demopolis is evaluating what needs to be done to their plant. They intend to fund those upgrades, if necessary, with other funding. They are waiting for data for quantity and characteristics of the Uniontown effluent.

*3. Many Uniontown Residents Must Have Financial Help to Tie into the System.*

The connection or repair of service connections is planned to be at no cost to homeowners. No loan is proposed.

*4. Past Mistakes By Sentell Should Disqualify it from Working on this Project.*

USDA has no authority to require an applicant/client to use or not use a particular firm unless a proposed firm has been excluded from receiving Federal contracts, certain subcontracts, and certain types of Federal financial and non-financial assistance and benefits. Sentell Engineering, Inc. has not been excluded.

USDA Rural Development welcomes the opportunity to have stakeholder involvement in the project planning stages. All parties will have to agree to certain ground rules so that a civil and productive dialog can take place. We look forward to negotiating the ground rules with stakeholders in the early stages after funding is secured.

Sincerely,

ALLEN BOWEN  
Community Facilities and Business Programs Director

cc: Mr. Nivory Gordon, Camden Office

You may need to delete this page....it is included so that you can see the format for continuous pages.



334-279-3475

---

**From:** Bowen, Allen - RD, Montgomery, AL  
**Sent:** Friday, September 21, 2018 4:01 PM  
**To:** Taylor, John - RD, Montgomery, AL <[john.taylor@al.usda.gov](mailto:john.taylor@al.usda.gov)>  
**Subject:** Fwd: Uniontown Environmental Assessment Public Comment Letter

Please read. Seems most of comments deal with ADEM and regulatory issues. What are your thoughts? Will this delay?

---

**From:** "Johnny Kinney" <[jkinney@blackwarriorriver.org](mailto:jkinney@blackwarriorriver.org)>  
**Date:** Friday, September 21, 2018 at 2:45:12 PM  
**To:** "Gordon, Nivory - RD, Camden, AL" <[Nivory.Gordon@al.usda.gov](mailto:Nivory.Gordon@al.usda.gov)>, "Bowen, Allen - RD, Montgomery, AL" <[Allen.Bowen@al.usda.gov](mailto:Allen.Bowen@al.usda.gov)>  
**Cc:** "Eva Dillard" <[edillard@blackwarriorriver.org](mailto:edillard@blackwarriorriver.org)>, "Nelson Brooke" <[nbrooke@blackwarriorriver.org](mailto:nbrooke@blackwarriorriver.org)>  
**Subject:** Uniontown Environmental Assessment Public Comment Letter

Mr. Gordon,

Please find Black Warrior Riverkeeper's letter in response to USDA's request for public comments regarding the Environmental Assessment for the city of Uniontown's proposed rehabilitation of the sanitary sewer collection system and wastewater transmission to Demopolis attached to this email.

Thank you for your time and attention to these comments. Please do not hesitate to contact me if you have any questions or concerns.

For the River,  
*John Kinney*  
Enforcement Coordinator  
Black Warrior Riverkeeper  
712 37<sup>th</sup> St South  
Birmingham, AL 35222  
205-458-0095

**005390**

**From:** [Bowen, Allen - RD, Montgomery, AL](#)  
**To:** [Baker, Shelley - RD, Montgomery, AL](#)  
**Subject:** FW: Uniontown Environmental Assessment Public Comment Letter  
**Date:** Wednesday, September 26, 2018 1:06:00 PM  
**Attachments:** [Response to BWR 9-26-18.docx](#)

---

*Allen Bowen*

Allen Bowen  
United States Department of Agriculture  
Rural Development  
Community and Business Programs Director  
Office: 334-279-3617  
Cell: 334-322-4147  
Fax: 855-304-8457

---

**From:** Taylor, John - RD, Montgomery, AL  
**Sent:** Wednesday, September 26, 2018 11:41 AM  
**To:** Bowen, Allen - RD, Montgomery, AL <[Allen.Bowen@al.usda.gov](mailto:Allen.Bowen@al.usda.gov)>  
**Subject:** FW: Uniontown Environmental Assessment Public Comment Letter

Draft attached. They proposed stakeholder involvement in the conclusions of their letter, so I can't claim to have thought of it. Expound on some things to make the second page have something besides a signature block.

John E. Taylor, P.E.  
Alabama State Engineer & SEC  
USDA Rural Development  
4121 Carmichael Rd. STE 601  
Montgomery, AL 36106  
334-279-3475

---

**From:** Taylor, John - RD, Montgomery, AL  
**Sent:** Friday, September 21, 2018 7:19 PM  
**To:** Bowen, Allen - RD, Montgomery, AL <[Allen.Bowen@al.usda.gov](mailto:Allen.Bowen@al.usda.gov)>  
**Cc:** Gordon, Nivory - RD, Camden, AL <[Nivory.Gordon@al.usda.gov](mailto:Nivory.Gordon@al.usda.gov)>  
**Subject:** RE: Uniontown Environmental Assessment Public Comment Letter

I will address the numbered sections of the Riverkeeper's letter:

*1. The Role of Industrial Dischargers Must Be Accurately Assessed and Understood.*

We agree that more study and evaluation must be done before moving to design of the

**005391**



Rural Development

September 26, 2018

Alabama State Office

4121 Carmichael Road  
Suite 601, Sterling Centre  
Montgomery, AL 36106

Voice 334-279-3615  
Fax 855-304-8457

[www.rd.usda.gov/al](http://www.rd.usda.gov/al)

Black Warrior RIVERKEEPER®  
712 37th Street South  
Birmingham, AL 35222

Re: Environmental Assessment for Proposed City of Uniontown Sewer Project

*Via electronic mail only to [edillard@blackwarriorriver.org](mailto:edillard@blackwarriorriver.org)*

Dear Sirs and Madam:

Thank you for your letter of September 21, 2018 in response to the Environmental Assessment. Your letter brings up many important subjects that deserve to be studied and considered in the pre-design phase of the project. Although these are important subjects to consider, the only one related to the NEPA (National Environmental Policy Act) Environmental Assessment was in regards to Environmental Justice.

I will provide a short response to each of the four numbered sections in your letter:

*1. The Role of Industrial Dischargers Must Be Accurately Assessed and Understood.*

We agree that more study and evaluation must be done before moving to design of the transmission line. Meanwhile, evaluation and rehabilitation of the collection system can proceed.

*2. The Demopolis Plant Must Be Upgraded and its Treatment Capacity Increased.*

Demopolis is evaluating what needs to be done to their plant. They intend to fund those upgrades, if necessary, with other funding. They are waiting for data for quantity and characteristics of the Uniontown effluent.

*3. Many Uniontown Residents Must Have Financial Help to Tie into the System.*

The connection or repair of service connections is planned to be at no cost to homeowners. No loan is proposed.

*4. Past Mistakes By Sentell Should Disqualify it from Working on this Project.*

USDA has no authority to require an applicant/client to use or not use a particular firm unless a proposed firm has been excluded from receiving Federal contracts, certain subcontracts, and certain types of Federal financial and non-financial assistance and benefits. Sentell Engineering, Inc. has not been excluded.

USDA Rural Development welcomes the opportunity to have stakeholder involvement in the project planning stages. All parties will have to agree to certain ground rules so that a civil and productive dialog can take place. We look forward to negotiating the ground rules with stakeholders in the early stages after funding is secured.

Sincerely,

ALLEN BOWEN  
Community Facilities and Business Programs Director

cc: Mr. Nivory Gordon, Camden Office

You may need to delete this page....it is included so that you can see the format for continuous pages.

transmission line. Meanwhile, evaluation and rehabilitation of the collection system can proceed.

*2. The Demopolis Plant Must Be Upgraded and its Treatment Capacity Increased.*

Demopolis is evaluating what needs to be done to their plant. They intend to fund those upgrades, if necessary, with other funding. They are waiting for data for quantity and characteristics of the Uniontown effluent.

*3. Many Uniontown Residents Must Have Financial Help to Tie into the System.*

Environmental Justice is the only comment in the letter that pertains to a NEPA EA subject. The connection or repair of service connections is planned to be at no cost to homeowners. No loan is proposed.

*4. Past Mistakes By Sentell Should Disqualify it from Working on this Project.*

USDA has no authority to require an applicant to use or not use a particular firm.

John E. Taylor, P.E.  
Alabama State Engineer & SEC  
USDA Rural Development  
4121 Carmichael Rd. STE 601  
Montgomery, AL 36106  
334-279-3475

---

**From:** Bowen, Allen - RD, Montgomery, AL  
**Sent:** Friday, September 21, 2018 4:01 PM  
**To:** Taylor, John - RD, Montgomery, AL <[john.taylor@al.usda.gov](mailto:john.taylor@al.usda.gov)>  
**Subject:** Fwd: Uniontown Environmental Assessment Public Comment Letter

Please read. Seems most of comments deal with ADEM and regulatory issues. What are your thoughts? Will this delay?

---

**From:** "Johnny Kinney" <[jkinney@blackwarriorriver.org](mailto:jkinney@blackwarriorriver.org)>  
**Date:** Friday, September 21, 2018 at 2:45:12 PM  
**To:** "Gordon, Nivory - RD, Camden, AL" <[Nivory.Gordon@al.usda.gov](mailto:Nivory.Gordon@al.usda.gov)>, "Bowen, Allen - RD, Montgomery, AL" <[Allen.Bowen@al.usda.gov](mailto:Allen.Bowen@al.usda.gov)>  
**Cc:** "Eva Dillard" <[edillard@blackwarriorriver.org](mailto:edillard@blackwarriorriver.org)>, "Nelson Brooke" <[nbrooke@blackwarriorriver.org](mailto:nbrooke@blackwarriorriver.org)>  
**Subject:** Uniontown Environmental Assessment Public Comment Letter

Mr. Gordon,

Please find Black Warrior Riverkeeper's letter in response to USDA's request for public comments regarding the Environmental Assessment for the city of Uniontown's proposed rehabilitation of the sanitary sewer collection system and wastewater transmission to Demopolis attached to this email.

**005394**

Thank you for your time and attention to these comments. Please do not hesitate to contact me if you have any questions or concerns.

For the River,

*John Kinney*

Enforcement Coordinator

Black Warrior Riverkeeper

712 37<sup>th</sup> St South

Birmingham, AL 35222

205-458-0095

**From:** [Bowen, Allen - RD, Montgomery, AL](#)  
**To:** [Schindler, Nicole - RD, Washington, DC \(Nicole.Schindler@wdc.usda.gov\)](#); [Kubena, Kellie - RD, Washington, DC](#)  
**Cc:** ["Beeker, Chris - RD, Montgomery, AL \(Chris.Beeker@al.usda.gov\)"; Primrose, Edna - RD, Washington, DC;](#)  
[Taylor, John - RD, Montgomery, AL](#)  
**Subject:** FW: Uniontown FONSI  
**Date:** Tuesday, October 2, 2018 2:43:00 PM  
**Attachments:** [Uniontown FONSI 180928.docx](#)  
[Uniontown NOF 180928.docx](#)

---

Nicole/Kellie, have you been able to review the documents recommended by John? We need to get this ad in the paper ASAP so this project can move forward. If you need to make changes please do so and forward to myself and John.

Thanks for all your hard work and efforts to help see this project move forward.

Thanks,

*Allen Bowen*

Allen Bowen  
United States Department of Agriculture  
Rural Development  
Community and Business Programs Director  
Office: 334-279-3617  
Cell: 334-322-4147  
Fax: 855-304-8457

---

**From:** Taylor, John - RD, Montgomery, AL  
**Sent:** Monday, October 1, 2018 2:43 PM  
**To:** Bowen, Allen - RD, Montgomery, AL <Allen.Bowen@al.usda.gov>  
**Subject:** FW: Uniontown FONSI

I should have copied you on this...

John E. Taylor, P.E.  
Alabama State Engineer & SEC  
USDA Rural Development  
4121 Carmichael Rd. STE 601  
Montgomery, AL 36106

**005396**

FINDING OF NO SIGNIFICANT IMPACT

Sanitary Sewer Collection and Treatment Facility Rehabilitation  
Perry County, Alabama

Rural Utility Service  
U.S. Department of Agriculture

City of Uniontown

Prepared by:  
John Taylor, Staff  
Rural Utility Service

September 2018

**005397**



## A. INTRODUCTION

City of Uniontown plans to submit a financing request to the U.S. Department of Agriculture, Rural Utility Service (RUS) to construct the proposed Sanitary Sewer Collection and Treatment Facility Rehabilitation (Project) in Perry County, Alabama. RUS is considering this financing request. Prior to taking a federal action (i.e., providing financial assistance), RUS is required to complete an environmental impact analysis in accordance with the National Environmental Policy Act of 1969 (NEPA) (U.S.C. 4231 et seq.), the Council on Environmental Quality's (CEQ) regulations for implementing NEPA (40 CFR Parts 1500-1508), and RD's NEPA implementing regulations, Environmental Policies and Procedures (7 CFR Part 1970). After completing an independent analysis of an environmental report prepared by City of Uniontown and its consultant, RUS concurred with its scope and content. In accordance with 7 CFR § 1970.102, RUS adopted the report and issued it as the Agency's Environmental Assessment (EA) for the proposed Project. RUS finds that the EA is consistent with federal regulations and meets the standards for an adequate assessment. City of Uniontown published a newspaper notice, announcing the availability of the EA for public review, in accordance with 7 CFR § 1970.102. In addition, RUS considers the proposed Project an undertaking subject to review under Section 106 of the National Historic Preservation Act (NHPA), 16 USC 470(f), and its implementing regulation, "Protection of Historic Properties" (36 CFR Part 800).

## B. PROJECT DESCRIPTION AND PURPOSE/NEED

The overall purpose of the Project is to rehabilitate of the city's wastewater collection system and construct facilities for ultimate treatment and discharge of the effluent. ~~construct pump stations and a force main to transport the sewage to the Demopolis sewer system for treatment.~~ RUS has reviewed the purpose and need for the Project and determined that the proposal will meet the present and future needs of City of Uniontown.

## C. ALTERNATIVES EVALUATED

1. No Action – Under the No Action Alternative, RUS would not provide financial assistance to City of Uniontown, and/or the proposed Project would not be constructed. This alternative would not assist City of Uniontown in decreasing inflow and infiltration and eliminate unpermitted discharges into Cottonwood Creek and Freeman Creek.
2. Action Alternative (Currently Proposed Preferred Alternative) – Under the Action Alternative, RUS would consider financing the proposed Project, and City of Uniontown would construct Project. The proposed project would rehabilitate the city's wastewater collection system to eliminate Inflow and Infiltration (I&I) to the extent practicable, gather data and study the quantity and quality of wastewater from industrial users, and to design and construct facilities to achieve treatment and discharge of the effluent in compliance with foreseeable regulatory requirements. The process will involve the development and negotiation of State Indirect Discharge (SID) permit limits for industrial users to ensure the aggregated untreated wastewater is in within the design parameters of the treatment system. ~~and Currently, the course of action planned is to~~ construct screening facilities, pump stations and a force main to transport the wastewater to the City of Demopolis for treatment at their wastewater treatment plant. The existing treatment lagoons and effluent spray field would be decommissioned and reclaimed. When the existing WWTP and spray field permits are no longer in force, they will be regulated

by ADEM as unpermitted landfills. Remediation will be as required by ADEM Administrative Code Chapter 335-13-1-.13.

As a result of information determined from the above-mentioned study and observed wet weather flows after collection system rehabilitation, determination will be made if the Action Alternative is the best alternative considering all factors, including the capability of the Demopolis Wastewater Treatment Plant to treat the sewage and the cost of treatment. If another alternative is determined to be better than the Action Alternative, another Environmental Assessment will be prepared for the alternative.

- 3 Other Alternatives-Eliminated from Further Consideration – In addition to the No Action Alternative and Action Alternative, the City of Uniontown considered two types of tertiary biological/physical treatment plants that would be built on the site of the current spray field. A treatment plant located at this site would discharge into Freeman Creek. The treated effluent would have to meet the standards for Fish and Wildlife as defined at ADEM Administrative Code Chapter 335-6-10-.9(5). This alternative was deemed technically feasible and would have a lower cost of construction than the Action Alternative. The disadvantage of this alternative is relatively high operating cost. ~~other technology and siting alternatives, which are documented in the Alternatives section of the EA.~~

#### D. SUMMARY OF ENVIRONMENTAL EFFECTS

The analyses in the EA documented that the proposed Project would have no adverse effects to Land Use, Floodplains, Wetlands, Water Resources, Coastal Resources, Biological Resources, Cultural Resources, Aesthetics, Air Quality, Socio-Economic Impact/Environmental Justice, Noise, Transportation, and Human Health and Safety.

#### E. PUBLIC AND AGENCY INVOLVEMENT

A local newspaper advertisement announcing the availability of the EA and participation under Section 106 of the National Historic Preservation Act, was published on September 13, 14 and 15, 2018, in Selma Times Journal of Dallas County, Alabama. A copy of the EA was available for public review at the RUS Area office at 321 Depot Street, Camden, Alabama. The 14-day comment period ended on September 26, 2018.

RUS received one letter from Black Warrior Riverkeeper (BWR), a non-profit organization. The BWR letter was generally critical of the city's engineering firm and state regulators. The comments were predominantly engineering in nature and had nothing to do with did not challenge any conclusion made in EA about NEPA environmental resources. ~~They did-~~The BWR letter mentioned environmental justice regarding residents having to pay to connect to the sewer and higher rates as a result of debt service. In the conclusions, BWR requested "...that USDA allow stakeholders ... a seat at the table to ensure all pertinent information is meaningfully considered." In RD's response, major points of the letter were addressed including that the connection or repair of service lines would be at no cost to homeowners and that no loan was contemplated. RD also agreed to allow stakeholder to be involved in the project planning stages.

The known stakeholder organizations are: The City of Uniontown (and their engineer(s)), RUS, BWR, and Black Belt Citizens Fighting for Health & Justice. Details of stakeholder meeting have not been

negotiated at the time of this FONSI. RUS anticipates many meetings to share information and ideas at mutually agreed upon milestones.

A petition of 41 names was hand delivered to the Camden, Alabama RD office. The statement at the top of the petition said the undersigned are not satisfied with the EA, feel there will be severe environmental impacts associated with the project and requested an Environmental Impact Statement be prepared without the particular consulting engineer hired by the city. There was no ~~specific~~ deficiency in the EA specified. There was no return address or point-of-contact known for the petition, so ~~RUSD~~ was unable to respond.

#### F. FINDING OF NO SIGNIFICANT IMPACT

Based on its EA, RUS has concluded that the proposed Project would have no significant effects to Land Use, Floodplains, Wetlands, Water Resources, Coastal Resources, Aesthetics, Air Quality, Noise, Transportation, and Human Health and Safety. The proposed Project will utilize the Nationwide Programmatic Agreement Among the U.S. Department of Agriculture Rural Development Programs, National Conference of State Historic Preservation Officers and The Advisory Council on historic Preservation for Sequencing Section 106 (NPA) to achieve compliance with the Nation Historic Preservation Act and formally determine effects on historic properties listed or eligible for listing on the National Register of Historic Places. The proposed Project will have no effects to federally listed species or designated critical habitat. The proposed Project would not disproportionately affect minority or low-income populations.

In accordance with the National Environmental Policy Act, as amended (42 U.S.C. 4321 et seq.), the Council on Environmental Quality Regulations (40 CFR 1500–1508), and USDA Rural Development’s Environmental Policies and Procedures (7 CFR Part 1970), RUS has determined that the environmental impacts of the proposed Project have been adequately addressed and that no significant impacts to the quality of the human environment would result from construction and operation of the proposed Project. Any final action by RUS related to the proposed Project will be subject to, and contingent upon, compliance with all relevant federal and state environmental laws and regulations. Because RUS’s action will not result in significant impacts to the quality of the human environment, RUS will not prepare an Environmental Impact Statement for its potential federal action associated with the proposed Project.

#### G. RUS LOAN REVIEW AND RIGHT OF ADMINISTRATIVE REVIEW

This FONSI is not a decision on a loan application and therefore not an approval of the expenditure of federal funds. Issuance of the FONSI and its notices concludes RUS’s environmental review process. The ultimate decision on loan approval depends upon conclusion of this environmental review process in addition to financial and engineering reviews. Issuance of the FONSI and publication of notices will allow for these reviews to proceed. The decision to provide financial assistance also is subject to the availability of loan funds for the designated purpose in RUS’s budget. There are no provisions to appeal this decision (i.e., issuance of a FONSI). Legal challenges to the FONSI may be filed in Federal District Court under the Administrative Procedures Act.

#### H. APPROVAL

This Finding of No Significant Impact is effective upon signature.

Dated: September 27, 2018

ALLEN BOWEN  
Director of Community and Business Programs  
Water and Waste Program  
Rural Utility Service

Contact Person

For additional information on this FONSI and EA, please contact John Taylor at 334-279-3475.

DEPARTMENT OF AGRICULTURE  
Rural Development

City of Uniontown: Notice of Finding of No Significant Impact

**AGENCY:** Rural Utility Service, USDA

**ACTION:** Notice of Finding of No Significant Impact.

**SUMMARY:** The Rural Utility Service (RUS) has made a Finding of No Significant Impact (FONSI) with respect to a request for possible financing assistance to City of Uniontown for the construction of the Sanitary Sewer Collection and Treatment Facility Rehabilitation in Perry County, Alabama.

**FURTHER INFORMATION:** To obtain copies of the EA and FONSI, or for further information, contact: Nivory Gordon, Jr., Area Director at USDA, RD, 321 Depot Street, Camden, AL 36726, 334-682-4116 Ext. 110 or via email at [Nivory.gordon@al.usda.gov](mailto:Nivory.gordon@al.usda.gov). The EA and FONSI are also available for public review at Uniontown City Hall.

**SUPPLEMENTARY INFORMATION:** The City of Uniontown proposes to rehabilitate the city's wastewater collection system and construct facilities to achieve treatment and discharge of the effluent in compliance with foreseeable regulatory requirements. Currently, the course of action planned is to construct screening facilities, pump stations and a force main to transport the wastewater to the City of Demopolis for treatment at their wastewater treatment plant. The existing treatment lagoons and effluent spray field would be decommissioned and reclaimed. Alternatives considered by RUS and City of Uniontown include: No action and two types of treatment systems that would discharge into Freetown Creek. The alternatives are discussed in the EA. If during the study phase of the project, a different alternative is determined to be more advantageous, another EA will be prepared for that alternative. The RUS has reviewed and approved the EA for the proposed project.

The availability of the EA for public review was announced via notice in the Selma Times-Journal on September 13 and 20, 2018. A 14-day comment period was announced in the newspaper notice. The EA was also available for public review at the USDA Rural Development office as well as City of Uniontown's city hall offices. No comments pertaining to environmental concerns with the proposed project were received. RUS received one letter from Black Warrior Riverkeeper (BWR), a non-profit organization. The BWR letter did not challenge any conclusion made in EA about NEPA environmental resources. The BWR letter requested that RUS allow stakeholders a seat at the table to ensure all pertinent information is meaningfully considered. RUS responded to BWR agreeing to allow stakeholders involvement in the project planning stages. RUS also received a petition of 41 names saying they were not satisfied with the EA, felt there would be severe environmental impacts associated with the project, and requested that an Environmental Impact Statement be prepared. There was no deficiency in the EA specified. There was no return address or point-of-contact known for the petition, so RUS was unable to respond.

Based on its EA, commitments made by City of Uniontown, and public comments received, RUS has concluded that the project would have no significant impact (or no impacts) to water quality, wetlands, floodplains, land use, aesthetics, transportation, or human health and safety.

The proposed Project will utilize the Nationwide Programmatic Agreement Among the U.S. Department of Agriculture Rural Development Programs, National Conference of State Historic Preservation Officers

**005402**

and The Advisory Council on historic Preservation for Sequencing Section 106 (NPA) to achieve compliance with the Nation Historic Preservation Act and formally determine effects on historic properties listed or eligible for listing on the National Register of Historic Places. The Agency has concluded that the proposed project is not likely to affect federally listed threatened and endangered species or designated critical habitat thereof. The proposed project would not disproportionately affect minority and/or low income populations.

No other potential significant impacts resulting from the proposed project have been identified. Therefore, RUS has determined that this FONSI fulfills its obligations under the National Environmental Policy Act, as amended (42 U.S.C. 4321 et seq.), the Council on Environmental Quality Regulations (40 CFR §§ 1500-1508), and USDA Rural Development's Environmental Policies and Procedures (7 CFR Part 1970) for its action related to the project.

RUS is satisfied that the environmental impacts of the proposed project have been adequately addressed. RUS's federal action would not result in significant impacts to the quality of the human environment, and as such it will not prepare an Environmental Impact Statement for its action related to the proposed project.

Dated: ~~September 27~~ October X, 2018

**005403**

334-279-3475

---

**From:** Taylor, John - RD, Montgomery, AL

**Sent:** Friday, September 28, 2018 3:52 PM

**To:** Dawodu, Omololu - RD, Washington, DC <[Omololu.Dawodu@wdc.usda.gov](mailto:Omololu.Dawodu@wdc.usda.gov)>; Cusick, Lauren - RD, Washington, DC <[Lauren.Cusick@wdc.usda.gov](mailto:Lauren.Cusick@wdc.usda.gov)>; Kubena, Kellie - RD, Washington, DC <[Kellie.Kubena@wdc.usda.gov](mailto:Kellie.Kubena@wdc.usda.gov)>; Polacek, Steve - RD, Washington, DC <[Steve.Polacek@wdc.usda.gov](mailto:Steve.Polacek@wdc.usda.gov)>

**Subject:** Uniontown FONSI

Attached is my drafts.

John E. Taylor. P.E.

Alabama State Engineer & SEC

USDA Rural Development

4121 Carmichael Rd. STE 601

Montgomery, AL 36106

334-279-3475

**005404**

**From:** [Beeker, Chris - RD, Montgomery, AL](#)  
**To:** [Bowen, Allen - RD, Montgomery, AL](#); [Taylor, John - RD, Montgomery, AL](#)  
**Subject:** FW: Uniontown Information  
**Date:** Monday, October 29, 2018 2:46:18 PM

---

I need to get this to them ASAP.

---

**From:** Allen, Baker <Baker.Allen@governor.alabama.gov>  
**Sent:** Friday, October 26, 2018 5:26 PM  
**To:** Beeker, Chris - RD, Montgomery, AL <Chris.Beeker@al.usda.gov>  
**Subject:** Uniontown Information

Good Afternoon Chris,

Thank you for taking the time this afternoon to speak with me. I appreciate your insight and help. Do you think you could provide me with the following information:

- Plans for the proposed wastewater treatment project;
- Cost of the project both fixed and operational costs;
- Feasibility study of the sustainability of the project;
- Sources of funding committed for the project;
- Other potential sources of funding;
- The type of USDA grant and the requirements on the city if they accept the grant; and,
- The impact on Demopolis's wastewater treatment.

Please send any additional information that you think might be helpful. I hope you have a nice weekend!

Sincerely,

M. Baker Allen  
Office of Governor Kay Ivey  
Economic Policy Advisor

**005405**



**From:** [Beeker, Chris - RD, Montgomery, AL](#)  
**To:** [Bowen, Allen - RD, Montgomery, AL](#); [Hale, Stan - RD, Montgomery, AL](#); [Williams, Daniel - RD, Montgomery, AL](#)  
**Subject:** FW: Uniontown Letter  
**Date:** Wednesday, September 5, 2018 4:38:49 PM  
**Attachments:** 2018-09-05.Delta Regional Authority-ltr to-EXECUTED.pdf  
image002.png  
image003.png  
image005.png  
image006.png  
image007.png

---

FYI:

Chris Beeker III  
State Director | Alabama State Office  
Rural Development  
U.S. Department of Agriculture  
4121 Carmichael Road, Suite 601 | Montgomery, AL 36106  
Phone: 334-279-3402 | Fax: 855-304-8456  
[www.rd.usda.gov](http://www.rd.usda.gov) "Committed to the future of rural communities"

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**From:** Michael Smith [\(b\) \(6\)](#) smithstaggs.com>  
**Sent:** Wednesday, September 5, 2018 3:37 PM  
**To:** Kemp Morgan [\(b\) \(6\)](#) @dra.gov>  
**Cc:** Chris Caldwell [\(b\) \(6\)](#) @dra.gov>; Beeker, Chris - RD, Montgomery, AL  
<Chris.Beeker@al.usda.gov>  
**Subject:** Re: Uniontown Letter

Attached please find the executed letter.

Please let me know if I can be of further service.

Mike

Michael D. Smith  
**Smith & Staggs, LLP**  
701 22nd Avenue, Suite 1  
Tuscaloosa, AL 35401

Telephone 205.409.3140  
Facsimile 205.409.3144

[\(b\) \(6\) @smithstaggs.com](#)  
[\(b\) \(6\) @gmail.com](#)

**005406**

# HARVEST SELECT

September 5, 2018

Delta Regional Authority  
Attention: Chairman Chris Caldwell  
236 Sharkey Street, STE 400  
Clarksdale, MS 38614

Re: City of Uniontown, Alabama  
Sanitary Sewer Service

Dear Mr. Caldwell:

I am the VP of Operations of Harvest Select Catfish. Our catfish processing plant and related activities in the immediate Uniontown area employ over 350 people, most of whom live in Perry, Hale and Dallas counties in close proximity to Uniontown.

The provision of sanitary sewer service to this plant by the City of Uniontown is vital to the continued operation of the plant. Without dependable, continuous and relatively high flow sanitary sewer capacity, the plant would not be able to continue in operation and those jobs would be lost to the community.

I would be happy to provide further detail upon request.

Sincerely,

**(b) (6)**

Bobby Collins  
VP of Operations, Harvest Select

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*Thank you.*

---

**From:** Kemp Morgan (b) (6) @dra.gov>  
**Date:** Wednesday, September 5, 2018 at 3:02 PM  
**To:** Michael Smith (b) (6) @smithstaggs.com>  
**Subject:** RE: Uniontown Letter

This should suffice. Should DRA make an award for this project, we would be utilizing funding we receive through the Economic Development Administration and they may have additional requests of the City or this company. We won't know that answer for a few weeks.

Thank you for your prompt reply,

KEMP MORGAN  
DIRECTOR, PROJECT DEVELOPMENT & MANAGEMENT  
Delta Regional Authority  
(662)483-8210 Office  
(b) (6) Cell  
[www.dra.gov](http://www.dra.gov)

---

**From:** Michael Smith (b) (6) @smithstaggs.com>  
**Sent:** Wednesday, September 5, 2018 2:58 PM  
**To:** Kemp Morgan (b) (6) @dra.gov>  
**Subject:** Re: Uniontown Letter

Kemp,

Will the attached letter (executed of course) be sufficient?

Mike

Michael D. Smith  
**Smith & Staggs, LLP**  
701 22nd Avenue, Suite 1  
Tuscaloosa, AL 35401

Telephone 205.409.3140  
Facsimile 205.409.3144  
(b) (6) [smithstaggs.com](http://smithstaggs.com)

**005408**

(b) (6) @gmail.com

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*Thank you.*

---

**From:** Kemp Morgan <(b) (6) dra.gov>  
**Date:** Wednesday, September 5, 2018 at 2:25 PM  
**To:** Michael Smith (b) (6) @smithstaggs.com>  
**Subject:** Uniontown Letter

Mr. Smith,

Thanks for taking my call. If you would, please address the needed letter to:

Delta Regional Authority  
Attention: Chairman Chris Caldwell  
236 Sharkey Street, STE 400  
Clarksdale, MS 8614

Also, please scan and email a copy to me; I will include with the application.

Thanks for your help,

KEMP MORGAN  
DIRECTOR, PROJECT DEVELOPMENT & MANAGEMENT  
Delta Regional Authority  
(662)483-8210 Office  
(b) (6) Cell  
[www.dra.gov](http://www.dra.gov)

Regional Headquarters:  
236 Sharkey Avenue, Ste. 400  
Clarksdale, MS 38614

Washington DC Office:  
400 North Capitol, N.W., Ste. 365  
Washington, D.C. 20001  
(202)434-4870

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**005409**

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---

**From:** [Taylor, John - RD, Montgomery, AL](#)  
**To:** [Bowen, Allen - RD, Montgomery, AL](#)  
**Subject:** FW: Uniontown Meeting  
**Date:** Tuesday, October 30, 2018 11:37:30 AM

---

Allen: Emefa would like to schedule the first stakeholders meeting here. That may be a good idea for people to behave. How is Wednesday, Nov. 14 at 1:30 for you? It's two weeks off, but before Thanksgiving. I didn't see a conflict on your calendar.

John E. Taylor. P.E.  
Alabama State Engineer & SEC  
USDA Rural Development  
4121 Carmichael Rd. STE 601  
Montgomery, AL 36106  
334-279-3475

-----Original Message-----

From: cityofuniontown@outlook.com <cityofuniontown@outlook.com>  
Sent: Thursday, October 25, 2018 1:27 PM  
To: Taylor, John - RD, Montgomery, AL <john.taylor@al.usda.gov>  
Subject: Meeting

Hi John,

Preferably, we would like to host the meeting in Montgomery. Thus, let us know what dates and times works for you and your office.

Emefa

Sent from my iPhone

**005411**

**From:** [Williams, Daniel - RD, Montgomery, AL](#)  
**To:** [mike@eosutilityservices.com](mailto:mike@eosutilityservices.com)  
**Cc:** [cityofuniontown@outlook.com](mailto:cityofuniontown@outlook.com); (b) (6) @yahoo.com; [Bower, Allen - RD, Montgomery, AL](#)  
**Subject:** FW: Uniontown Sewer Customers/Flows  
**Date:** Wednesday, September 5, 2018 12:14:31 PM  
**Attachments:** [Sewer\\_Customer\\_and\\_Flows.pdf](#)  
[image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[image006.png](#)  
[image007.png](#)

---

Hello Mike,

Thank you for providing this information on letter head. I will upload it to the file.

Thank again,

Daniel Williams  
USDA RURAL DEVELOPMENT  
Community Programs  
State Loan Specialist  
4121 Carmichael Road, Suite 601  
Montgomery, Alabama 36106-3683  
Voice Direct 334-279-3445  
Fax 855-304-8457  
[Daniel.Williams4@AL.USDA.gov](mailto:Daniel.Williams4@AL.USDA.gov)

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---

**From:** [mike@eosutilityservices.com](mailto:mike@eosutilityservices.com) <[mike@eosutilityservices.com](mailto:mike@eosutilityservices.com)>  
**Sent:** Wednesday, September 5, 2018 10:37 AM  
**To:** [Williams, Daniel - RD, Montgomery, AL](mailto:Williams, Daniel - RD, Montgomery, AL) <[Daniel.Williams4@al.usda.gov](mailto:Daniel.Williams4@al.usda.gov)>  
**Cc:** [cityofuniontown@outlook.com](mailto:cityofuniontown@outlook.com); 'Berneata Harris' (b) (6) @yahoo.com>  
**Subject:** Uniontown Sewer Customers/Flows

Daniel

Attached is a letter I am email for Berneata Harris in regards to sewer customers and flows.

**005412**

Birmingham Office

2025 First Ave, North Suite 100  
Birmingham Alabama 35203

Tel: 205.396.3170  
Fax: 205.381.8680



September 5, 2018

Mr. Daniel Williams  
USDA

RE: City of Uniontown  
Sewer Customers

Dear Mr. Williams,

The City of Uniontown does not individually meter sewer flows. Sewer flows are metered by water usage. The water usage determines the volume of sewer flow billed. Below is the information requested.

Residential Sewer Customers: 787  
Commercial Sewer Customers: 32

Average monthly water sold to residential sewer customers: 2,591,425 Gallons  
Average monthly water sold to commercial sewer customers: 7,336,094 Gallons

Sincerely,

(b) (6) (b) (6)  
Berneata Harris



Mike Walraven, PE  
Operations Manager

EOS Utility Services  
2025 First Avenue North  
Birmingham, AL 35203  
(205) 396-3170

**From:** [Williams, Daniel - RD, Montgomery, AL](#)  
**To:** [Taylor, John - RD, Montgomery, AL](#)  
**Cc:** [Bowen, Allen - RD, Montgomery, AL](#)  
**Subject:** FW: Uniontown Sewer Customers/Flows  
**Date:** Wednesday, September 5, 2018 12:24:09 PM  
**Attachments:** [Sewer\\_Customer\\_and\\_Flows.pdf](#)  
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[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[image006.png](#)  
[image007.png](#)

---

John,

We just received the Sewer connections & gallons from Union Town.

Thank you,

Daniel Williams  
USDA RURAL DEVELOPMENT  
Community Programs  
State Loan Specialist  
4121 Carmichael Road, Suite 601  
Montgomery, Alabama 36106-3683  
Voice Direct 334-279-3445  
Fax 855-304-8457  
[Daniel.Williams4@AL.USDA.gov](mailto:Daniel.Williams4@AL.USDA.gov)

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**From:** Williams, Daniel - RD, Montgomery, AL  
**Sent:** Wednesday, September 5, 2018 11:14 AM  
**To:** 'mike@eosutilityservices.com' <mike@eosutilityservices.com>  
**Cc:** 'cityofuniontown@outlook.com' <cityofuniontown@outlook.com>; (b) (6) @yahoo.com;  
Bowen, Allen - RD, Montgomery, AL <Allen.Bowen@al.usda.gov>  
**Subject:** FW: Uniontown Sewer Customers/Flows

Hello Mike,

Thank you for providing this information on letter head. I will upload it to the file.

**005415**

Birmingham Office

2025 First Ave, North Suite 100  
Birmingham Alabama 35203

Tel: 205.396.3170  
Fax: 205.381.8680



September 5, 2018

Mr. Daniel Williams  
USDA

RE: City of Uniontown  
Sewer Customers

Dear Mr. Williams,

The City of Uniontown does not individually meter sewer flows. Sewer flows are metered by water usage. The water usage determines the volume of sewer flow billed. Below is the information requested.

Residential Sewer Customers: 787  
Commercial Sewer Customers: 32

Average monthly water sold to residential sewer customers: 2,591,425 Gallons  
Average monthly water sold to commercial sewer customers: 7,336,094 Gallons

Sincerely,

(b) (6) (b) (6)  
Berneata Harris

Thank again,

Daniel Williams  
USDA RURAL DEVELOPMENT  
Community Programs  
State Loan Specialist  
4121 Carmichael Road, Suite 601  
Montgomery, Alabama 36106-3683  
Voice Direct 334-279-3445  
Fax 855-304-8457  
[Daniel.Williams4@AL.USDA.gov](mailto:Daniel.Williams4@AL.USDA.gov)

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**From:** [mike@eosutilityservices.com](mailto:mike@eosutilityservices.com) <[mike@eosutilityservices.com](mailto:mike@eosutilityservices.com)>  
**Sent:** Wednesday, September 5, 2018 10:37 AM  
**To:** Williams, Daniel - RD, Montgomery, AL <[Daniel.Williams4@al.usda.gov](mailto:Daniel.Williams4@al.usda.gov)>  
**Cc:** [cityofuniontown@outlook.com](mailto:cityofuniontown@outlook.com); 'Berneata Harris' <(b) (6) [yahoo.com](mailto:yahoo.com)>  
**Subject:** Uniontown Sewer Customers/Flows

Daniel

Attached is a letter I am email for Berneata Harris in regards to sewer customers and flows.

Mike Walraven, PE  
Operations Manager

EOS Utility Services  
2025 First Avenue North  
Birmingham, AL 35203  
(205) 396-3170

**005417**

**From:** [Bowen, Allen - RD, Montgomery, AL](#)  
**To:** [Taylor, John - RD, Montgomery, AL](#); [Gordon, Nivory - RD, Camden, AL](#)  
**Subject:** FW: Uniontown Summary and Supporting Documents for OSEC  
**Date:** Wednesday, May 2, 2018 8:36:00 AM  
**Attachments:** [Uniontown AL Summary for OSEC 05 02 18-draft.docx](#)  
[Rural Utilities Service SEARCH Grant - Fact Sheet.pdf](#)  
[UniontownWWTPReport4-18\(4-6-18\) - ADEM Website.docx](#)  
[Uniontown Engineering Report -12672\\_AL0063657\\_105\\_02-20-2018\\_ENGR\\_MFC\\_53-CV2012-900021.pdf](#)  
[image009.png](#)  
[image010.png](#)  
[image013.png](#)  
**Importance:** High

---

FYI

*Allen Bowen*

Allen Bowen  
United States Department of Agriculture  
Rural Development  
Community and Business Programs Director  
Office: 334-279-3617  
Cell: 334-322-4147  
Fax: 855-304-8457

---

**From:** Primrose, Edna - RD, Washington, DC  
**Sent:** Wednesday, May 2, 2018 6:31 AM  
**To:** Hutchinson, Randi - RD, Washington, DC <[Randi.Hutchinson@wdc.usda.gov](mailto:Randi.Hutchinson@wdc.usda.gov)>  
**Cc:** Evans, Kent - RD, Washington, DC <[Kent.Evans@wdc.usda.gov](mailto:Kent.Evans@wdc.usda.gov)>; Barringer, Scott - RD, Washington, DC <[Scott.Barringer@wdc.usda.gov](mailto:Scott.Barringer@wdc.usda.gov)>; Bowen, Allen - RD, Montgomery, AL <[Allen.Bowen@al.usda.gov](mailto:Allen.Bowen@al.usda.gov)>; Schindler, Nicole - RD, Washington, DC <[Nicole.Schindler@wdc.usda.gov](mailto:Nicole.Schindler@wdc.usda.gov)>; Taylor, Harry - RD, Morgantown, WV <[Harry.Taylor@wv.usda.gov](mailto:Harry.Taylor@wv.usda.gov)>  
**Subject:** Uniontown Summary and Supporting Documents for OSEC  
**Importance:** High

Good morning everyone,

First, Allen, thank you so much for your great work on this matter. We appreciate the excellent collaboration from everyone to identify next steps.

Here is the draft summary for OSEC. Also attached are:

- ADEM website overview on Uniontown project
- Preliminary Engineering Report
- RD fact sheet on the SEARCH Grant

Scott, will you please make any changes Randi needs? I'm on my way to the office now.

**005418**

## **USDA Rural Development Agency**

### **Summary: Uniontown, AL Wastewater Treatment System Project**

#### **USDA Funding**

- Original project was obligated in August 2012
- Wastewater treatment system in operation since 2014
- Loan: \$2,505,000; Grant: \$2,296,000 – Total Project Cost: \$4,801,000
- Borrower is current in loan payments

#### **Uniontown Population**

- Population Served: 1,636
- Median Household Income : \$12,386 (in 2012)
- Average cost per unit: \$16.00 per month
- Residential connections: 976; Commercial Connections: 24
- Perry County, AL – persistent poverty county and Delta Regional Authority (DRA) county

#### **Background**

- The project was designed to make point repairs to the wastewater collection lines and manholes to reduce inflow and infiltration (I&I) and replace pump station pumps. An additional spray field was added to reduce the loading rate to the land.
- The Alabama Department of Environmental Management (ADEM), the regulatory agency in the state, and the permitting agency, rescinded the permit on the newly construction spray field after the spray field failed the percolation test. RD learned after the fact that ADEM permitted the spray field with a condition that the field passed the percolation test. It also appears the project engineer underestimated the amount of I&I because problems remain.
- ADEM has filed suit against the City and continues to monitor the performance of the treatment plant, lagoons and spray field. Various citizens groups and interested parties have requested and received information on this project via FOIA. In 2016, The Office of Civil Rights, visited the project and found that the Agency carried out its mission and handled the process appropriately.
- Multiple meetings have been held with ADEM, Uniontown, Sentell Engineering (project engineer) and Rural Development, as well as Congresswoman Sewell's office, to identify a solution.
- Uniontown has not pursued legal action against Sentell, the engineering firm, and has retained the same firm to be the project engineer on the proposed solution.

#### **Next Steps**

- Uniontown has not submitted an application for funding to RD, although a Preliminary Engineering Report (PER) has been developed. That proposal recommends using a wetlands system approach with a project cost of approximately \$22,000,000. Additional options are being explored. As a result, the true cost of the potential project is unknown.

- Possible funding partners for a project of this size include EPA, Delta Regional Authority, ADEM, State Revolving Loan Fund (SRDF), AL Department Of Economic and Community Affairs (ADECA), and Community Development Block Grant (CDBG).
- Rural Development is prepared to offer assistance under the following conditions, with some concerns:
  - Rural Development will award a Special Evaluation Assistance for Rural Communities and Households (SEARCH) Grant to Uniontown. This program helps very small, financially distressed rural communities with predevelopment feasibility studies, design and technical assistance on proposed water and waste disposal projects. Estimated cost: \$30,000
  - Uniontown must secure another engineering firm to conduct the study.
  - Rural Development will provide technical assistance for the feasibility study.

With respect to potentially funding the project:

- There is concern about the stewardship of federal dollars. This a potentially large grant for a relatively small population to be served. Also, Uniontown has not pursued legal action and has retained the same engineering firm.
- Uniontown is eligible for a Persistent Poverty Grant. The grant covers 75% of the total project cost. Additional potential funding partners have been identified.
- Uniontown could potentially refinance its current loan.
- Rural Development would stipulate that a third party manage the day-to-day operation of the water and sewer system and would conduct regular reviews of the system.
- Rural Development would deploy Water partners to provide technical assistance to Uniontown on long-term sustainability strategies for the system.



# Special Evaluation Assistance for Rural Communities and Households

## What does this program do?

This program helps very small, financially distressed rural communities with predevelopment feasibility studies, design and technical assistance on proposed water and waste disposal projects.

## Who may apply?

- Most state and local governmental entities
- Nonprofits
- Federally recognized tribes

## What is an eligible area?

Areas to be served must be rural and financially distressed:

- Rural areas with a population of 2,500 or less
- Have a median household income below the poverty line or less than 80 percent of the statewide non-metropolitan median household income based on latest Census data

## How may the funds be used?

To pay predevelopment planning costs, including:

- Feasibility studies to support applications for funding water or waste disposal projects
- Preliminary design and engineering analysis
- Technical assistance for the development of an application for financial assistance

## Are there additional requirements?

The predevelopment planning costs must be related to a proposed project that meets the following requirements:

- Construct, enlarge, extend or improve rural water, sanitary sewage, solid waste disposal and storm wastewater disposal facilities
- Construct or relocate public buildings, roads, bridges, fences or utilities, and to make other public improvements necessary for the successful operation or protection of facilities
- Relocate private buildings, roads, bridges, fences, or utilities, and other private improvements necessary for the successful operation or protection of facilities

## How do we get started?

- Applications for this program are accepted year round through your **local RD office**.
- Program resources are available online (i.e., forms, guidance, certifications, etc.).

## What governs this program?

- Code of Federal Regulations, Title 7, Part 1774 – **7 CFR 1774**
- Section 306 of the Consolidated Farm and Rural Development Act

## Why does USDA Rural Development do this?

To help very small, financially distressed rural communities extend and improve water and waste treatment facilities that serve local households and businesses.

NOTE: Because citations and other information may be subject to change please always consult the program instructions listed in the section above titled "What Governs this Program?" You may also contact your **local RD office** for assistance. You will find additional forms, resources, and program information at [www.rd.usda.gov](http://www.rd.usda.gov). *USDA is an equal opportunity provider, employer, and lender.*

005421

Last Updated August 2017



## UNIONTOWN WASTEWATER TREATMENT SYSTEM UPDATE AS OF APRIL 2018

Uniontown is an impoverished minority community with a population of approximately 2,500. For some time, Uniontown has had severe financial difficulties and has deferred maintenance and upgrades to its wastewater collection system, treatment plant, and spray field and has underfunded system operations. As a result, a number of noncompliance issues have occurred and caused the Alabama Department of Environmental Management (ADEM) to undertake necessary enforcement actions. Since ADEM has exhausted its legally available enforcement options against Uniontown the matter is now in the hands of the courts.

Unlike any other sector holding water permits, it is nearly impossible to shut down the operation of a sanitary wastewater treatment plant. To do so would result in sanitary system overflows, sewage backup into homes, and the discharge of untreated wastewater into water bodies which certainly poses a greater risk to human health and the environment than discharging partially treated wastewater. That is why neither ADEM nor the court has shut down the Uniontown wastewater system.

It is the obligation of the permit holder to design, build, and operate its facility to meet the permit conditions set by ADEM or be subject to enforcement action. Although it is solely the responsibility of the permit holder to meet permit conditions, ADEM has been working for a number of years with local elected officials, design engineers, operating engineers, ADECA, USDA, EPA, Congresswoman Terri Sewell, and others to find a solution to Uniontown's wastewater problems so it can meet its permit requirements.

Substantial funds from a USDA grant and loan were expended on the treatment plant; however, the collection system was not materially refurbished and is in such a state of disrepair that storm water inflows completely overwhelm the treatment plant as well as the undersized spray field. The majority of the collection system has been surveyed using a video probe to determine what repairs are necessary. Uniontown was required by the Court to submit to ADEM an assessment of the alternatives it considered to achieve compliance with the Alabama Water Pollution Control Act and its Permit and to determine which remedial action(s) it would pursue. ADEM encouraged the City to engage the public in its decision-making process. ADEM attended community meetings in Uniontown on December 5, 2016 and February 23, 2017. These community meetings were planned by the City to inform the citizens of the issues with the sewer system and the options considered to return the system to compliance.

Uniontown has submitted an Engineering Report to the Department which assesses the alternatives considered, and has chosen to pursue the option of routing the wastewater from the existing treatment plant to a new wetlands treatment system with a discharge of treated wastewater to Freetown Creek.

Uniontown has not yet submitted an application to the Department for a National Pollutant Discharge Elimination System (NPDES) permit for the discharge of wastewater for the above noted chosen compliance option.

The biggest obstacle to implementing a full solution is obtaining funding for the remaining work on engineering, the collection system, and handling of the treated wastewater. ADEM has no funding available. The State has provided nominal funding through ADECA for some collection system assessment work. Uniontown citizens pay among the highest sewer fees in the area and, due to their income levels, are unlikely to be able to withstand increased fees to provide needed funding. Congresswoman Sewell's Office is believed to be the most promising potential source of funding.

**005422**

Although the process has been painfully slow, progress is continuing. Regular updates are provided to the Court and ADEM. Updates to the 4<sup>th</sup> Judicial Circuit Court took place on August 24, 2016, January 12, 2017, June 21, 2017, and October 10, 2017, and the next status conference is scheduled for April 12, 2018.

Most recently during February and March of 2018, Uniontown reported increased and more significant unpermitted discharges of wastewater from the sprayfield and additional overflows at the treatment lagoon. These chronic issues appear to be increasing in number, volume, frequency, and severity. ADEM has requested Uniontown give these matters immediate attention and take corrective measures to minimize and mitigate increased overflows and the risk of catastrophic failures of the system. Additionally, ADEM has requested that Uniontown is vigilant in ensuring that any notifiable sanitary sewer overflows are noticed to the public so that the public can avoid contact with affected areas as necessary.

**THE CITY OF UNIONTOWN, PERRY COUNTY, ALABAMA**

**RECEIVED**  
FEB 20 2018  
IND / MUN BRANCH

**ENGINEERING REPORT**

**February 12, 2018**



Report For

**THE CITY OF UNIONTOWN, PERRY COUNTY, ALABAMA**

**ENGINEERING REPORT**

February 12, 2018

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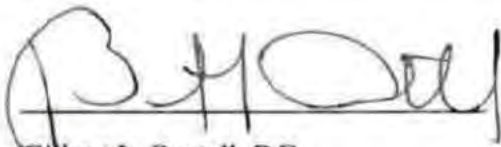
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### Engineer's Certification

I hereby certify that the engineering portions of this report were prepared by me or someone under my direct supervision using good engineering practices and that the findings contained herein are, to the best of my knowledge, true, accurate, and correct. Furthermore, I certify that I am a duly registered Professional Engineer in the state of Alabama as witnessed by my hand and seal below.



Gilbert L. Sentell, P.E.

Alabama Reg. No. 10503

Date: 02/20/18

## 1. EXISTING SYSTEM

The City of Uniontown ("Uniontown") is located approximately 20 miles south of the City of Greensboro in southwestern Perry County, Alabama. According to the U.S. Census Bureau data from the 2010 Census, Uniontown's population is 1612. Of these approximately 1000 residences are connected to Uniontown's sewer system.

To treat municipal sewage from the City, Uniontown operates a Waste Water Treatment Facility ("WWTF"). The system is a lagoon consisting of three cells that discharge to a spray field located 4.6 miles south of the WWTF. The lagoon's surface area is 13.56 acres. The lagoon's capacity is around 20 million gallons. There are two main feeder lines entering the headworks where the large solids are removed. Baffles have been added to the lagoons to promote the greatest retention time for treatment. There are six aerators in the first two cells. The flow enters the first cell at the east end of the cell and exits the west end of the cell. The flow then enters the second cell at the east end and exits the cell at the west end. The flow then enters the third cell also referred to as the polishing cell at the east end and exits at the south east end to be pumped to the spray field.

The city owned collection system consist of approximately 21 miles of main sanitary sewer lines and manholes. The lines are primarily 8 inches in diameter and made from Terracotta clay. There are approximately 300 manholes that are primarily made from bricks.

## 2. COURT ORDER ISSUES

On November 20, 2015 a court order filed on addressing Consent Order of August 12, 2008 for Uniontown from the Alabama Department of Environmental Management ("ADEM") addressing compliance issues with discharges from the lagoon. The lagoon operates under a NPDES permit issued by ADEM and discharges into a spray field.

The order primarily focuses on parametric compliance for three basic pollutants of interest and unpermitted discharge of waste water into Cottonwood Creek located next to the WWTF and unpermitted discharges into Freetown Creek at the spray field.

Uniontown, at the request of the court, is herewith making comments on specific items of interest contained within the order. These comments are made in a good- faith effort by Uniontown to resolve the compliance issues and continue with an on-going plan to correct the waste water treatment system.

## 3. BACKGROUND

Uniontown has a long history of compliance failures. Multiple system failures contributed the current status. The collection system has deteriorated over the years with only repairs when there was a noticeable problem such as a back up to a residence, an overflow of a manhole, or a washed out area from a collapsed pipe. This was a largely common practice throughout the country. Unfortunately the collection system has a multitude of these failures that have not been externally seen. Until fairly recently the technology to videoing sewer lines were not available and/or affordable. The only indication that the collection system had major problems was the excessive flow to the lagoon.

The first two lagoons were full of sludge which did not allow for much treatment. The spray field was designed for 500,000 gallons per day and has been receiving as much as the pumps could deliver during rain events. This process oversaturated the spray field to the point that the only treatment from the spray field was transpiration and evaporation. Transpiration was not very efficient because a lot of the plants drowned. The quality of the effluent was extremely poor.

The 2013 project installed headworks with an automatic screen and flow meter. The first two lagoons were de-sludged and deepened from five feet to ten feet and eight feet respectively. The flow was redirected from a parallel

system to a series system. Baffle curtains were added to all three lagoons for maximum retention time. Fine bubble aeration was added to the first two lagoons. The pumps to the spray field were replaced. U.V. disinfection was added prior to discharge. Approximately 40 percent of the collection system was investigated with smoke testing and video recordings. The most grievous structural problems found were repaired to the extent funds would allow. City wide water meters were replaced with new radio read meters.

This project improved greatly the quality of effluent discharged to the spray field. The collection system repairs only marginally improved the amount of flow to the lagoon. The flow into the lagoon can range from .250 MGD to 4.40 MGD. Flow into the lagoon is greater than the pumps and the force main can deliver to the spray field during heavy rains. This causes the lagoon to fill to overflowing and spills into Cottonwood Creek. This also causes flooding of the headworks and U.V. structure. The flooding short circuits the automatic screen, flow meter, and U. V. system. The force main from the lagoon to the spray field breaks frequently. The spray field is saturated to the extent that effluent continuously flows into Freetown Creek.

The following are the current permit limits for the spray field:

**TABLE #1 Existing Spray Field NPDES Limits**

| PARAMETER                                | Quantity/<br>Loading |                   | Quality /Concentration |                   |                  |                   |
|--|----------------------|-------------------|------------------------|-------------------|------------------|-------------------|
|  | Monthly<br>Average   | Weekly<br>Average | Monthly<br>Average     | Weekly<br>Average | Daily<br>Minimum | Daily<br>Maximum  |
| BOD, 5-DAY (20 Deg. C) Effluent          | Report<br>lbs/day    | Report<br>lbs/day | 45.0<br>mg/l           | 67.5<br>mg/l      |                  |                   |
| BOD, 5-DAY (20 Deg. C) Influent          | Report<br>lbs/day    | Report<br>lbs/day | Report<br>mg/l         | Report<br>mg/l    |                  |                   |
| PH - Effluent                            |                      |                   |                        |                   | 6.0<br>S.U.      | 9.0<br>S.U.       |
| Solids. Total Suspended Raw Influent     | Report<br>lbs/day    | Report<br>lbs/day | Report<br>mg/L         | Report<br>mg/L    |                  |                   |
| Solids. Total Suspended Effluent         | Report<br>lbs/day    | Report<br>lbs/day | 90.0<br>mg/L           | 135.0<br>mg/L     |                  |                   |
| Nitrogen, Total (AS N) Effluent          | Report<br>lbs/day    | Report<br>lbs/day | Report<br>mg/l         | Report<br>mg/l    |                  |                   |
| Nitrogen, Ammonia (AS N) Effluent        | Report<br>lbs/day    | Report<br>lbs/day | Report<br>mg/l         | Report<br>mg/l    |                  |                   |
| Nitrogen, Nitrate Total (AS N) Effluent  | Report<br>lbs/day    | Report<br>lbs/day | Report<br>mg/l         | Report<br>mg/l    |                  |                   |
| Nitrogen, Kjeldahl Total (AS N) Effluent | Report<br>lbs/day    | Report<br>lbs/day | 20.0<br>mg/L           | 30.0<br>mg/L      |                  |                   |
| Phosphorus, Total (AS N) Effluent        | Report<br>lbs/day    | Report<br>lbs/day | Report<br>mg/l         | Report<br>mg/l    |                  |                   |
| Flow, in conduit Raw Influent            | Report<br>MGD        |                   |                        |                   |                  | Report<br>MGD     |
| Flow, in conduit Effluent                | Report<br>MGD        |                   |                        |                   |                  | Report<br>MGD     |
| Coliform, Fecal General Effluent         |                      |                   | 2000<br>col/100mL      |                   |                  | 4000<br>col/100mL |

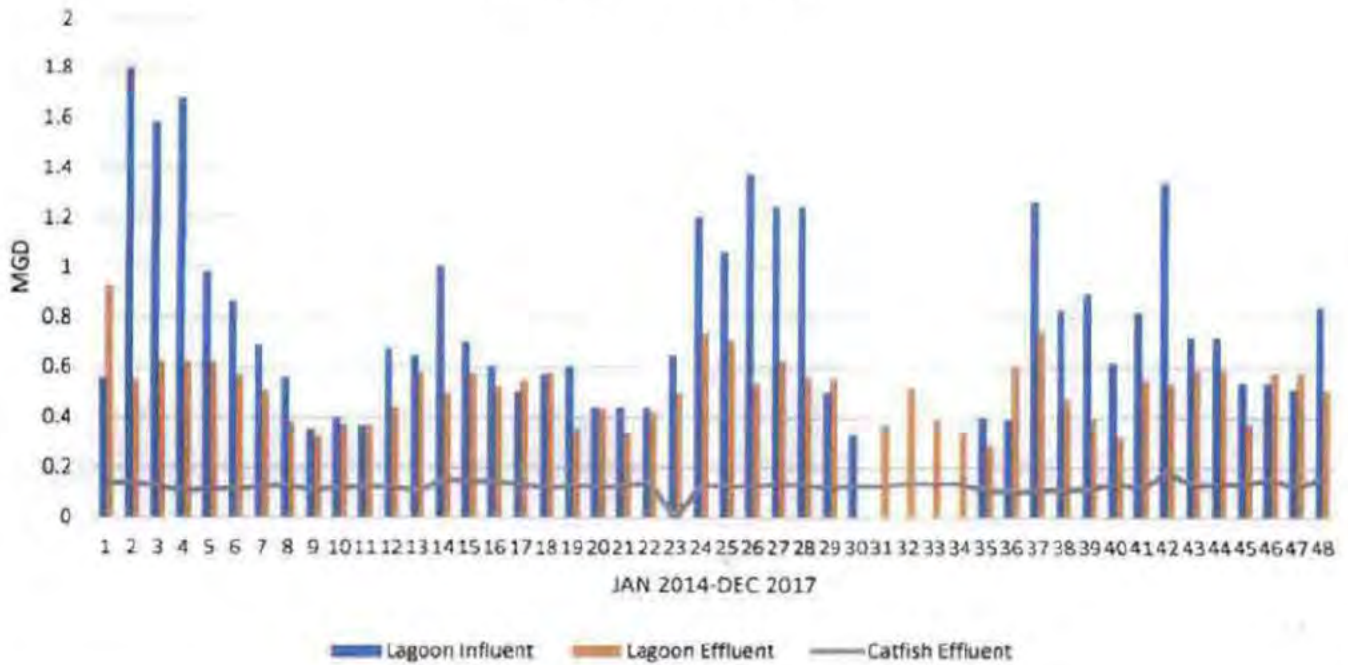
### 3.1 HYDRAULIC LOADING

It is known that the existing system receives a large volume of inflow from Uniontown's collection system. Portions of the system were recently upgraded; however, the problems still exist. The collection system will increase from .350mgd to 2.0mgd with a 1 inch rain event. It usually takes two to three days of no rain to recede back to the average flow.

The previous graphs were taken from the effluent flow data logs. The waste water operator had noticed that the flow meter was inaccurate and had calculated flow from the pump run times. The following data is taken from the DMR's. The data does not take into account the additional overflows at the lagoon. The effluent data from Alabama Catfish was adjusted by 55% according to measured data previously not available.



## MONTHLY FLOW AVERAGES



### 3.2 COLLECTION SYSTEM

The collection system has 110,265 known linear feet of piping. There are 9056 linear feet of force main piping in the system. The following is a chart of the known existing gravity sewer.

| EXISTING LINEAR FEET OF GRAVITY SEWER |                |               |               |              |
|---------------------------------------|----------------|---------------|---------------|--------------|
|                                       | TOTAL<br>( FT) | PVC<br>(FT)   | CLAY<br>(FT)  | CIPP<br>(FT) |
| 6" PIPE                               | 5,238          | 416           | 4,822         | 0            |
| 8" PIPE                               | 75,473         | 8,721         | 63,756        | 2,996        |
| 10" PIPE                              | 6,006          | 0             | 2,838         | 3,168        |
| 12" PIPE                              | 2,982          | 0             | 1,133         | 1,849        |
| 18" PIPE                              | 11,510         | 3,561         | 7,949         | 0            |
| <b>TOTAL</b>                          | <b>101,209</b> | <b>12,698</b> | <b>80,498</b> | <b>8,013</b> |

City of Uniontown has video documentation that provides a very good estimate to repair the collection system. There are still 21,868 known linear feet that has not been videoed. From reviewing the data that has been videoed it would not be prudent to average the repair cost and apply it to the remaining 21,868 linear feet. There are no discernable

patterns that govern the failures of the clay pipes in the system and they range from a cost of \$5,000 per hundred feet to \$20,000 per hundred feet. This disparaging difference in structural integrity occurs inconsistently and adjacent to one another but trends to have more structural defects than not.

The majority of manholes are made of brick and mortar. The manholes are a large source of the inflow due to the deterioration of the mortar between the bricks. The system is old and brittle and allows a large amount of water and debris through the collection system to the lagoon. During the last video project the 18 inch pipes show a lot of bricks and debris throughout the pipes that came from dilapidated manholes.

This excess flow and debris entering the lagoon is only one problematic issue in a sewer system. The other main problem is that if water and debris can get into the collection system, then sewage can get out of the collection system and go where the voids are that allow the water into the system. This allows sewage to pool in yards around cleanout plugs, manholes, and get into the storm water system depositing sewage along the ditches beside the roads and through residential neighborhoods. This type of sewage overflow is not readily recognized because it is diluted and does not usually come from manhole overflows but from breaks in pipes close to ditches and in yards from the houses to the main.

Uniontown spent approximately 1 million dollars in investigating, repairing, and replacing the worst areas identified in 2013. There were 8,013 linear feet of clay pipes repaired by a process called Cured In Place Pipe Lining (CIPP). In order to use this technology the existing pipe would need to be intact enough to maintain the original shape. Therefore, some of the pipes required point repairs prior to the CIPP process. The remaining repairs in the system were point repairs as well as complete replacement of the line segments between manholes. They also raised over 50 manholes to prevent inflow through the top of the manhole.

The previous project prioritized only major inflow problems such as collapsed pipes, holes in pipes, deformed pipes with cracks, and large root ball intrusions. The funding allotted for the collection system was not substantial enough to address all the major structural deficiencies. The project also did not address minor leaks between joints, multiple cracks in the pipes that did not currently have large leaks through them, and lateral entrances that are not sealed. These infractions also add up to a good bit of inflow and will become worse as time progresses.

The inflow data shows that the collection system can allow up to 209,523 gallons of water through each mile of sewer line per day due to the poor condition of the collection system. There is currently 21 miles of sewer lines in Uniontown. When it rains, the amount of influent entering the lagoons is greater than the pumps can send to the spray field. This creates sewage to build up in the lagoons, and back up into the collection system exacerbating the amount of flow forced out of the collection system and into ditches and low lying areas. The hydraulics of the lagoon cannot keep the amount of excess inflow in check and the lagoon will overflow the dykes during moderately large rain events. The lagoon will keep overflowing several days after the rain event has stopped. Basically the collection system is funneling a lot of the City's storm water into the lagoon.

#### 4. CONSENT ORDER RESPONSE ITEMS

The main issue the system faces is inflow and infiltration from the collection system. The amount of effluent that the city must treat to maintain its existence is economically devastating. It is also a foregone conclusion that the City cannot continue to discharge to the existing spray field. The spray field has continuously discharged unpermitted effluent into Freetown Creek throughout the year of 2017. The NPDES permit for Uniontown's spray field is operating on an administrative order and will not be renewed to be discharged over land. The requirement for Uniontown is to find a means of treatment and discharge that will meet and exceed the limits to be imposed upon the option selected. The following options have been evaluated for effectiveness, quality of treatment, environmental

impact, operation & maintenance cost, and capability of Uniontown to operate, maintain, and retain qualified personnel to manage the facility.

The following data are options that Uniontown has explored to correct the permit violations.

**Option # 1**

Build a Wetlands Facility and discharge to Freetown Creek. See Cost Estimate #1

**Option #2**

Upgrade the Lagoon with a Floating Wetland System and discharge to the Black Warrior River. See Cost Estimate #2

**Option #3**

Build a Mechanical Plant and discharge to Freetown Creek. See Cost Estimate #3

**Option #4**

Build a Mechanical Plant and discharge to the Black Warrior River. See Cost Estimate #4

**Option #5**

Build a Mechanical Plant and discharge to Cottonwood Creek. See Cost Estimate #5

**Potential Waste Load Allocation Summary for the Black Warrior River**

1.25 MGD Annual Effluent Limits

CBOD5 (25mg/L)

NH3-N (17mg/L)

Additional limitations not available until a discharge permit is requested.

**Potential Waste Load Allocation Summary for Cottonwood Creek**

1.25 MGD Annual Effluent Limits

CBOD5 (1.33 mg/L)

NH#-N (0.11mg/L)

Additional limitations not available until a discharge permit is requested.

TABLE #2

## Potential Waste Load Allocation Freetown Creek @ 1.25MGD

| PARAMETER                                   | Quantity/<br>Loading |                   | Quality<br>/Concentration |                   |                  |                   |
|---|----------------------|-------------------|---------------------------|-------------------|------------------|-------------------|
|   | Monthly<br>Average   | Weekly<br>Average | Monthly<br>Average        | Weekly<br>Average | Daily<br>Minimum | Daily<br>Maximum  |
| Dissolved Oxygen                            |                      |                   |                           |                   | 7.0 mg/l         |                   |
| PH - Effluent                               |                      |                   |                           |                   | 6.0<br>S.U.      | 8.5<br>S.U.       |
| Solids. Total Suspended Raw<br>Influent     | Report<br>ppd        | Report<br>ppd     | Report<br>mg/l            | Report<br>mg/l    |                  |                   |
| Solids. Total Suspended Effluent            | 938<br>ppd           | 1407<br>ppd       | 90<br>mg/L                | 135<br>mg/L       |                  |                   |
| Ammonia as Nitrogen<br>(summer)             | 10.4<br>ppd          | 15.6<br>ppd       | 1.0<br>mg/L               | 1.5<br>mg/L       |                  |                   |
| Ammonia as Nitrogen<br>(winter)             | 19.8<br>ppd          | 29.7<br>ppd       | 1.9<br>mg/L               | 2.8<br>mg/L       |                  |                   |
| CBOD-5<br>(summer)                          | 62.5<br>ppd          | 93.8<br>ppd       | 6.0<br>mg/L               | 9.0<br>mg/L       |                  |                   |
| CBOD-5<br>(winter)                          | 93.8<br>ppd          | 140<br>ppd        | 9.0<br>mg/L               | 13.5<br>mg/L      |                  |                   |
| CBOD-5<br>(influent)                        | Report<br>ppd        | Report<br>ppd     | Report<br>mg/L            | Report<br>mg/L    |                  |                   |
| Nitrate + Nitrite                           | Report<br>ppd        | Report<br>ppd     | Report<br>mg/L            | Report<br>mg/L    |                  |                   |
| Nitrogen, Kjeldahl Total (AS N)<br>Effluent | Report<br>ppd        | Report<br>ppd     | Report<br>mg/L            | Report<br>mg/L    |                  |                   |
| Phosphorus, Total (AS N) Effluent           | Report<br>ppd        | Report<br>ppd     | Report<br>mg/L            | Report<br>mg/L    |                  |                   |
| TSS % Removal                               |                      |                   | 65.0 % (MIN)              |                   |                  |                   |
| CBOD-5 % Removal                            |                      |                   | 85.0 % (MIN)              |                   |                  |                   |
| Flow, Effluent                              |                      |                   | Report<br>(MGD)           |                   |                  | Report<br>(MGD)   |
| E-Coli (May-October)                        |                      |                   | 126<br>col/100mL          |                   |                  | 298<br>col/100mL  |
| E-Coli (November-April)                     |                      |                   | 548<br>col/100mL          |                   |                  | 2507<br>col/100mL |

Additional limitations not available until a discharge permit is requested.

## 4.1 OPTION #1

### Wetlands Facility Discharge to Freetown Creek

#### WETLANDS

This option will consistently meet and exceed the expected limits including those in Table II for Freetown Creek. The wetlands facility will consist of eleven cells with a surface area of 28.23 acres. The cells will have a general operating volume of 31.94 million gallons with a surge capacity of an additional 5.17 million gallons. The first cell will be aerated by mechanical aerators. The effluent will be disinfected by low maintenance U V with a non-effluent/bulb contact system. A backup generator will be added to keep the UV System operating if the power fails. A cascade system will be added to the wetlands for final aeration prior to discharge. The flow design will be 1.25 MGD monthly average. There will be a maintenance building for grounds equipment and a cover over the UV System. Dirt work for the maintenance building is part of the wetlands layout. The 8 inch force main to the existing spray field will be replaced with a 12 inch force main to the wetlands first cell.

#### EXISTING LAGOON

The third cell of the existing lagoons will be raised to make the berm equal on all sides. Gravel will be added to the roads around the lagoons for better maintenance of facility. The pumping station will be modified and larger pumps installed to prevent overflows to Cottonwood Creek. The force main between the lagoon and the wetlands will be increased from an eight inch pipe to a twelve inch pipe. Plumbing will be added to allow a one foot surge capacity in each lagoon. Plumbing will also be added to allow valve restricted bypass flow for each lagoon for emergency repairs. Treatment during these times will flow through two lagoons instead of three. Plumbing will also be added to the final lagoon for emergency overflow protection and discharge into Cottonwood Creek. The overflow protection will be placed at one foot below the top of the dyke and have a V notch for measuring the amount of flow. Any use of the bypass piping shall be detailed in the NPDES permit. A new automatic screen will be installed in the headworks. Changes in the plumbing and increased size of the force main will alleviate the flooding of the headworks. The flooded UV System will be removed from the lagoon and a different designed UV System will be installed at the wetland facility. A backup generator will be added to operate the pumping station if the power fails. The collection system will be rehabilitated to eliminate I&I to a like new status.

See: Engineer's Estimate of Probable Construction Cost (Option #1)

#### Pros:

1. Environmentally friendly, No chemicals or large increase in power consumption. Similar facility Town of Berry has a monthly \$2000.00 power bill for Pumping to the Facility, UV, and Aeration.
2. Low maintenance of facility, increase in man hours is 10hrs/week for mainly grounds keeping.
3. No change in the level of operator required.
4. Most economic capital outlay, operation, and maintenance cost of the options.
5. Utilization of existing 60 acre spray field property.
6. Ability to meet and exceed parametric limits with very little active effort.

#### Cons:

1. Need to be vigilant in keeping fences in good condition and keeping varmints out of facility.
2. Additional large surface area to keep mowed and dikes in good condition.
3. Will require new mowing equipment.

## 4.2 OPTION #2

### Upgrade Lagoon with Floating Wetlands-Discharge to Black Warrior River

This option will add a floating wetlands system to the third lagoon forcing all the effluent through the system prior to being pumped to the Black Warrior River. The wetland system will consist of sixty (7.5'X13'X4 Layer) wetland islands with fine bubble aeration, baffle curtains, and high floatation structures between the islands for ease of maintenance. This will require 20 miles of 14 inch force mains from the pumping station to the Black Warrior River. The mobilization and erosion control for this portion of the project will be greater due to the 20 miles of construction along state roads.

### EXISTING LAGOON

The third cell of the existing lagoons will be raised to make the berm equal on all sides. Gravel will be added to the roads around the lagoons for better maintenance of facility. Plumbing will be added to allow a one foot surge capacity in each lagoon. Plumbing will also be added to allow valve restricted bypass flow for each lagoon for emergency repairs. Treatment during these times will flow through two lagoons instead of three. Plumbing will also be added to the final lagoon for emergency overflow protection and discharge into Cottonwood Creek. The overflow protection will be placed at one foot below the top of the dyke and have a V notch for measuring the amount of flow. Any use of the bypass piping shall be detailed in the NPDES permit. A new automatic screen will be installed in the headworks. The new UV system will be installed prior to the pumping station. A new pumping station with three 100 HP pumps will be required to send the effluent to the Black Warrior River. Pumping station is itemized as #21 in Lagoon Upgrades cost estimate. A backup generator will be added to operate the pumping station, and other equipment if the power fails. There is not a control building required and therefore no dirt work required either.

The collection system will be rehabilitated to eliminate I&I to a like new status. The increase in man hours would require approximately two hours daily. The extra man hours are to inspect the force main for obvious breaks in the system. The other extra time is the needed to trim the wetland plants three to four times a year.

See: Engineer's Estimate of Probable Construction Cost (Option #2)

#### **Pros:**

1. Additional treatment required will be environmentally friendly and require minimal maintenance.
2. No change in the level of operator required.
3. Able to meet and exceed the parametric limits with minimal additional maintenance.

#### **Cons:**

1. Large capital investment for the pumping station and 20 miles of force main.
2. Increase in power cost to operate the pumps to propel the effluent 20 miles.
3. Acquire easements to the Black Warrior River to install the force main.
4. Large area to monitor for breaks in the line and possible large unpermitted discharge should a break occur.
5. Wetlands will need to be clipped three times a year and plant numbers maintained. Maintenance contract is approximately \$ 17,000/ Year for the wetland plants.

### 4.3 OPTION #3

#### **Mechanical Plant Discharge to Freetown Creek**

This option will be able to consistently meet and exceed the expected limits including the ones in Table #2. All requirements will not be known until an NPDES permit is obtained. This option would consist of building a mechanical plant at the existing spray field and discharge to Freetown Creek. This would require, providing three phase power to the spray field site, purchasing a system like Kubota (AO) process with two MBR trains in a layout of 72 feet by 55 feet, constructing concrete basins to contain the footprint of the plant, building a control process building at a minimum of 500 square feet, and replacing the 8 inch force main with a 12 inch force main 4.6 miles from the lagoon to the spray field site. A new UV System will be added prior to discharge into Freetown Creek. A backup generator will be added to operate the facility in case of power failures. A paved drive and parking lot will be required due to personnel being at the site continually. The paving estimate is covered under item #17 for the mechanical plant site.

#### **EXISTING LAGOON**

The third cell of the existing lagoons will be raised to make the dyke equal on all sides. The work on the dyke is covered in item #18 of the lagoon upgrade estimate. Gravel will be added to the roads around the lagoons for better maintenance of facility. The gravel is covered under item #15 in the lagoon upgrades estimate. The pumping station will be modified and larger pumps installed to prevent overflows to Cottonwood Creek. The pumping station is listed as Item # 7 of the Lagoon Upgrades cost estimate. Plumbing will be added to allow a one foot surge capacity in each lagoon. Plumbing will also be added to allow valve restricted bypass flow for each lagoon for emergency repairs. Treatment during these times will flow through two lagoons instead of three. Plumbing will also be added to the final lagoon for emergency overflow protection and discharge into Cottonwood Creek. The overflow protection will be placed at one foot below the top of the dyke and have a V notch for measuring the amount of flow. Any use of the bypass piping shall be detailed in the NPDES permit. The automatic screen will be replaced. The changes in the plumbing and increased size of the force main will elevate the flooding of the headworks. A backup generator will be added to operate the pumping station if the power fails. The collection system will be rehabilitated to eliminate I&I to a like new status.

Engineers of the South stated that a Grade III operator would be required to be on site 8 hours per day 5 days per week with a Grade II on site the other 2 days per week. Estimated additional cost for salaries, insurance, taxes, etc. would be about \$180,000 per year. This would not include increased lab cost, power, etc. Kubota estimates power consumption of 3391 kWh/d.

See: Engineer's Estimate of Probable Construction Cost (Option #3)

#### **Pros:**

1. Utilization of existing 60 acre spray field property for construction of mechanical plant.
2. Able to meet and exceed the parametric limits.

#### **Cons:**

1. Large capital investment for mechanical plant.
2. Large increase in maintenance and operational cost of plant.
3. Large increase in manpower and level of operator required.
4. Chemicals are required for operation.



5. Difficulty in obtaining and retaining skilled personnel required to operate the plant.
6. Sludge disposal.

#### 4.4 OPTION #4

##### **Mechanical Plant Discharge to Black Warrior River**

This option will consistently meet and exceed the expected limits. A NPDES permit would be required prior to knowing all limitations. This option would consist of purchasing land adjacent to the existing lagoon and building a mechanical plant to discharge to the Black Warrior River and purchasing a system like Kubota (AO) process with two MBR trains in a layout of 72 feet by 55 feet. Land purchase is itemized in the administration portion of the estimate. It would also consist of constructing concrete basins to contain the footprint of the plant, building a process building at a minimum of 500 square feet, installing 20 miles of 14 inch force mains. This option would require a new pumping station with three 100hp pumps. The pump station cost is listed as item #1 of the lagoon upgrades estimate. The automatic screen will be replaced. The existing lagoon will only be used as a backup surge facility and will not need to be completely rehabilitated. A paved drive and parking lot will be required due to personnel being at the site continually. A large backup generator will be added to operate the plant if the power fails. The collection system will be rehabilitated to eliminate I&I to a like new status.

Engineers of the South stated that a Grade III operator would be required to be on site 8 hours per day 5 days per week with a Grade II on site the other 2 days per week. They estimated the additional cost for salaries, insurance, taxes, etc. would be about \$180,000 per year. This would not include increased lab cost, power, etc. Kubota estimates power consumption of 3391 kWh/d.

See: Engineer's Estimate of Probable Construction Cost (Option #4)

##### **Pros:**

1. Able to meet the parametric limits.
2. Able to use the lagoons for surge capabilities and sludge deposits.

##### **Cons:**

1. The largest capital, operation and maintenance expense of the four options.
2. Chemicals are required for operation.
3. Sludge disposal.
4. Acquire easements to the Black Warrior River to install the force main and purchase property at the existing lagoon site.
5. Large area to monitor for breaks in the line and possible large unpermitted discharge should a break occur.
6. Large increase in manpower and level of operator required.
7. Difficulty in obtaining and retaining skilled personnel required to operate the plant.

## 4.5 OPTION #5

### **Mechanical Plant Discharge to Cottonwood Creek**

This option can meet the expected limits at optimum conditions. This would consist of purchasing land adjacent to the existing lagoon and building a mechanical plant to discharge to the Cottonwood Creek and purchasing a system like Kubota (AO) process with two MBR trains and a tertiary filter in a layout of 72 feet by 55 feet. It would also consist of constructing concrete basins to contain the footprint of the plant, building a process building at a minimum of 500 square feet. Treatment will require Pre-chlorination, chlorination, and dechlorinating. There will not be a need for UV Disinfection. A paved drive and parking lot will be required due to personnel being at the site continually. The land purchase is itemized under the administration portion of the construction estimate.

The existing lagoon will need to be used as preliminary treatment. The third cell of the existing lagoons will be raised to make the berm equal on all sides. Gravel will be added to the roads around the lagoons for better maintenance of facility. Plumbing will be added to allow a one foot surge capacity in each lagoon. Plumbing will also be added to allow valve restricted bypass flow for each lagoon for emergency repairs. Treatment during these times will flow through two lagoons instead of three. Plumbing will also be added to the final lagoon for emergency overflow protection and discharge into Cottonwood Creek. The overflow protection will be placed at one foot below the top of the dyke and have a V notch for measuring the amount of flow. Any use of the bypass piping shall require ADEM notification. The automatic screen will be replaced. A large backup generator will be added to operate the plant if the power fails. Mobilization/Demobilization, and erosion control cost will include the work of the Lagoon Upgrades since they will be at the same site and be constructed simultaneously.

The collection system will be rehabilitated to eliminate I&I to a like new status. Engineers of the South stated that a Grade III operator would be required to be on site 8 hours per day 5 days per week with a Grade II on site the other 2 days per week. They estimated the additional cost for salaries, insurance, taxes, etc. would be about \$180,000 per year. This would not include increased lab cost, power, etc. Kubota estimates power consumption of 3391 kWh/d.

See: Engineer's Estimate of Probable Construction Cost (Option #5)

#### **Pros:**

1. Meet the basic parametric limits.

#### **Cons:**

1. The large capital, operation and maintenance expense.
2. Chemicals are required for operation.
3. Require additional land to be purchased.
4. Large increase in manpower and level of operator required.
5. Difficulty in obtaining and retaining skilled personnel required to operate the plant.
6. A very low probability in consistently meeting parametric limits. Mechanical Plant will have to be adjusted frequently and have a good laboratory on site to be able to achieve compliance.

**5. DESIGN DECISIONS:**

The design criteria for the waste load allocation flow was based on the McGraw-Hill series text book Environmental Engineering. The design started with the water sold to sewer customers. Let's assume that all of the water sold ends up in the sewer system. The expected amount of inflow from a collection system varies from 1,000- 30,000 gallons/mile depending on the age and material of the system. There is approximately 21 miles of the existing collection system.

The peak monthly average of water sold in Uniontown for 2015 was 686,211 gallons per day. Assuming the worst case of 30,000 gallons per mile multiplied by 21 miles equals 630,000 additional gallons per day. This would be a peak month of 1,316,211 gallons per day. The average flow design is 1,250,000 gallons per day. The system has a 50% safety factor built in to be able to treat 1,875,000 gallons per day.

EPA "Water Sense" partnership estimates that 30 to 60 percent of water use in the southern states is consumed for outdoor purposes. The City of Uniontown sold an average of 621,548 gallons of water per day in 2014 and 686,211 gallons of water per day in 2015. The peak purchase of water was for the month of May during 2015. The peak amount of water sold was 1,463,225 gallons/day. Using a conservative estimate of outdoor usage of 15 percent (219,483) the flow to the treatment facility would be 1,243,742 gallons per day. The average flow design for the facility is 1,250,000 gallons per day. Peak treatment capacity is 1,875,000 gallons per day.

*Expected flow from the system post rehabilitation is as follows.* Post rehabilitation I&I expectations is 5,000 gallons per mile. 21 miles of sewer lines allows 105,000 gallons per day I&I. New recorded data reveals that Alabama Catfish uses 55% of the water sold to them by the city and discharges 45% into the sewer system. Average monthly flow for Alabama Catfish is 149,850 gallons per day/ 5days a week = 107,036 gallons per day. Outdoor use of water purchased especially during the peak flow months is at least 30 percent of water purchased. The following table shows expected flow for the lagoon with percent of outdoor use from 15-60 percent.

| EXPECTED AVERAGE DAILY FLOWS TO LAGOON POST REHABILITATION |   |  |  |   |  |  |  |
|--|---|--|--|---|--|--|--|
| PERCENT OUTDOOR WATER USE                                  | (A)<br>AVERAGE MONTHLY WATER SOLD (GAL/DAY) | (B)<br>AVERAGE MONTHLY WATER SOLD TO ALABAMA CATFISH (GAL/DAY) | (C)<br>AVERAGE MONTHLY WATER SOLD TO THE REMAINDER OF THE CITY (GAL/DAY) | (D)<br>AVERAGE MONTHLY OUTDOOR USE WATER TO REMAINDER OF CITY | (E)<br>5000 GAL/MILE INFLOW AND INFILTRATION (GAL/DAY) | (F)<br>FLOW TO LAGOON FROM ALABAMA CATFISH (GAL/DAY) | TOTAL FLOW TO LAGOON = (C)-(D)+(E)+(F) (GAL/DAY) |
| 15   | 686,211                                     | 301,000  | 385,211  | -57,782   | 105,000  | 107,036  | 539,465  |
| 30   | 686,211                                     | 301,000  | 385,211  | -115,563  | 105,000  | 107,036  | 481,684  |
| 45   | 686,211                                     | 301,000  | 385,211  | -173,345  | 105,000  | 107,036  | 423,902  |
| 60   | 686,211                                     | 301,000  | 385,211  | -231,127  | 105,000  | 107,036  | 366,120  |

**Surge Capacity Design** assumes a five inch day rain event.

**Surge Capacity**

|                                       |                                       |   |
|---------------------------------------|---------------------------------------|---|
| Fish Plant Lagoon                     | 5" Rain = 603,072 gallons collected   |   |
| Existing Uniontown Lagoons            | 5" Rain = 1,838,437 gallons collected | 4,229,236 gallons capacity              |
| Surge Pond at Wetlands                | 5" Rain = 1,016,583 gallons collected | 5,170,729 gallons capacity              |
| 5,000 gallons per mile collection I&I | = <u>105,000</u> gallons              |   |
|                                       | <b>Total</b> 2,960,026 gallons        | <b>Total</b> 9,399,965 gallons capacity |

Assume that the flow to the system reaches the capacity of the surge storage. There will still be room in both facilities (Uniontown Lagoon, and the Surge Pond) to store an additional five inches of water and still have two feet and seven inches of freeboard. This design will meet the flow requirements for a conservative estimation of expected flow.

Alabama Catfish did not have any method of monitoring the discharge to Uniontown. For design purposes we used the amount of water that they purchased from the city. Alabama Catfish now has an effluent meter. The average effluent flow from Alabama Catfish has a 55% reduction from the original assumption.

Alabama Catfish daily flow of 107,036 gallons per day, assuming 385,211 gallons per day from the residences with a 30 % decrease for outside consumption, and daily rainfall data from NOAA was used for the input in design of the wetlands.

The data used in calculations for the wetlands was gathered from national data published and data gathered on DMR's from Uniontown, and five other lagoons in the state with designs from .5 MGD to 1.6 MGD. Effluent BOD ranged from 5 mg/L to 35 mg/L and TKN ranged from 1.5 mg/L to 10mg/L.

Design parameters chosen were a BOD value of 35 mg/L and a TKN of 9 mg/L. The original design for 1.25 MGD worked well with these parameters. After adjusting the flow data to the reductions from Alabama Catfish, the design for 1.25 MGD failed at a 50% safety factor. The BOD input data had to be increased to at least 75mg/L to meet the safety factor. The data indicates that the bacteria were being starved for food and were dying off. Data does not support having a BOD influent to the wetlands greater than 35mg/L for the expected flow.

The design was recalculated using a flow of 1 MGD and using the waste load summary of 1.25MGD. Decreasing the flow by .250 MGD decreased the BOD from 75mg/L back to 35mg/L. We requested a new Waste Load Allocation Summary from ADEM.

The new waste load summary parameters for Freetown Creek at a 1.0 MGD were applied to the design program. The results improved to include an increase in the safety factor from 50% to 100%. The size of the wetlands will accommodate growth to the city of 250,000 gallons per day. Should the city see additional growth the permit could easily be increased to 1.25 MGD. The wetlands program supports this increase with an accompanying increase in strength of influent.

The voids listed in the calculations is the area that the plants will occupy in the wetlands. The SWD designation in the calculations is the surge water design needed. The calculations show that a surge water design for the wetlands is seven inches, and the surge water design for the main holding pond is one inch. The design of the effluent weir from the main holding pond will provide the surge storage in the holding pond for maximum retention time in the wetlands.

The following chart shows the Waste Load Allocation Summary for Freetown Creek @ 1MGD

FREETOWN 1.0MGD

| PARAMETER                            | Quantity/ Loading |                | Quality /Concentration |                |               |                   |
|--------------------------------------|-------------------|----------------|------------------------|----------------|---------------|-------------------|
|                                      | Monthly Average   | Weekly Average | Monthly Average        | Weekly Average | Daily Minimum | Daily Maximum     |
| Dissolved Oxygen                     |                   |                |                        |                | 7.0 mg/l      |                   |
| PH - Effluent                        |                   |                |                        |                | 6.0<br>S.U.   | 8.5<br>S.U.       |
| Solids. Total Suspended Raw Influent | Report<br>ppd     | Report<br>ppd  | Report<br>mg/l         | Report<br>mg/l |               |                   |
|                                      | 750               | 1125           |                        | 135            |               |                   |
| Solids. Total Suspended Effluent     | ppd               | ppd            | 90 mg/L                | mg/L           |               |                   |
| Ammonia as Nitrogen (summer)         | 8.3<br>ppd        | 12.5<br>ppd    | 1.0<br>mg/L            | 1.5<br>mg/L    |               |                   |
| Ammonia as Nitrogen (winter)         | 25.0<br>ppd       | 37.5<br>ppd    | 3.0<br>mg/L            | 4.5<br>mg/L    |               |                   |
| CBOD-5 (summer)                      | 50.0<br>ppd       | 75.0<br>ppd    | 6.0<br>mg/L            | 9.0<br>mg/L    |               |                   |
| CBOD-5 (winter)                      | 75.0<br>ppd       | 112<br>ppd     | 9.0<br>mg/L            | 13.5<br>mg/L   |               |                   |
| CBOD-5 (influent)                    | Report<br>ppd     | Report<br>ppd  | Report<br>mg/l         | Report<br>mg/l |               |                   |
| Nitrate + Nitrite                    | Report            | Report         | Report                 | Report         |               |                   |
| Nitrogen,Kjeldahl Total (AS N)       | Report            | Report         | Report                 | Report         |               |                   |
| Phosphorus, Total (AS N) Effluent    | Report            | Report         | Report                 | Report         |               |                   |
| TSS % Removal                        |                   |                | 65.0%                  |                |               |                   |
| CBOD-5 % Removal                     |                   |                | 85.0%                  |                |               |                   |
| Flow, Effluent                       |                   |                | Report                 |                |               | Report            |
| E.Coli (Summer)                      |                   |                | 126<br>col/100mL       |                |               | 289<br>col/100mL  |
| E-Coli (Winter)                      |                   |                | 548<br>col/100ml       |                |               | 2507<br>col/100ml |

The following charts are calculations from the Wetlands Design Program

City of Uniontown

NPDES Permit AL0063657 EXPECTED LIMITS

| Parameter                 | Monthly Average | Units   | Weekly Average | Units   | Monthly Average | Units  | Weekly Average | Units | Daily Min. | Units | Daily Max. | Units  |
|---------------------------|-----------------|---------|----------------|---------|-----------------|--------|----------------|-------|------------|-------|------------|--------|
| <b>November - March</b>   |                 |         |                |         |                 |        |                |       |            |       |            |        |
| D.O.                      |                 |         |                |         |                 |        |                |       | 7.00       | S.U.  |            |        |
| Effluent CBOD             | 75.00           | lbs/day | 112.00         | lbs/day | 9.00            | mg/L   | 13.50          | mg/L  |            |       |            |        |
| pH                        |                 |         |                |         |                 |        |                |       | 8.00       | S.U.  | 8.50       | S.U.   |
| Effluent TSS              | 750.00          | lbs/day | 1125.00        | lbs/day | 90.00           | mg/L   | 135.00         | mg/L  |            |       |            |        |
| Effluent NH3-N            | 25.00           | lbs/day | 37.50          | lbs/day | 3.00            | mg/L   | 4.50           | mg/L  |            |       |            |        |
| E-Coli (November - April) |                 |         |                |         | 548.00          | col/dl |                |       |            |       | 2507.00    | col/dl |
| CBOD % Removal            | 85%             |         |                |         |                 |        |                |       |            |       |            |        |
| TSS % Removal             | 65%             |         |                |         |                 |        |                |       |            |       |            |        |
| <b>April - October</b>    |                 |         |                |         |                 |        |                |       |            |       |            |        |
| D.O.                      |                 |         |                |         |                 |        |                |       | 7.00       | S.U.  |            |        |
| Effluent CBOD             | 50.00           | lbs/day | 75.00          | lbs/day | 6.00            | mg/L   | 9.00           | mg/L  |            |       |            |        |
| pH                        |                 |         |                |         |                 |        |                |       | 8.00       | S.U.  | 8.50       | S.U.   |
| Effluent TSS              | 750.00          | lbs/day | 1125.00        | lbs/day | 90.00           | mg/L   | 135.00         | mg/L  |            |       |            |        |
| Effluent NH3-N            | 8.30            | lbs/day | 12.50          | lbs/day | 1.00            | mg/L   | 1.50           | mg/L  |            |       |            |        |
| E-Coli (May-October)      |                 |         |                |         | 128.00          | col/dl |                |       |            |       | 298.00     | col/dl |
| CBOD % Removal            | 85%             |         |                |         |                 |        |                |       |            |       |            |        |
| TSS % Removal             | 65%             |         |                |         |                 |        |                |       |            |       |            |        |

**City of Uniontown  
Sanitary Wastewater Lagoon System**

**BOD LOADING  
35.00 mg/L**

**Faculative Pond System Design by Areal Loading**

| Month     | Tuscaloosa Average Daily Temperature °F | Converted Temperature °C | Seasonal Average °C | Min. Loading Rate, lbs BOD <sub>5</sub> /acre-day <sup>-1</sup> | Max. Loading Rate, lbs BOD <sub>5</sub> /acre-day <sup>-1</sup> |
|-----------|---|--------------------------|---------------------|---|---|
| December  | 46.0                                    | 8.1                      | 7.9                 | 20  | 40  |
| January   | 44.3                                    | 6.8                      |                     |   |   |
| February  | 47.7                                    | 8.7                      |                     |   |   |
| March     | 54.4                                    | 12.4                     | 17.4                | ADEM Recommended:<br>Primary Cell                               | 50  |
| April     | 64.2                                    | 17.9                     |                     |   |   |
| May       | 71.5                                    | 21.9                     |                     |   |   |
| June      | 78.5                                    | 25.8                     | 26.7                | 2ndary Cell   | —   |
| July      | 81.0                                    | 27.2                     |                     |   |   |
| August    | 80.6                                    | 27.0                     |                     |   |   |
| September | 75.5                                    | 24.2                     | 17.8                |   |   |
| October   | 64.1                                    | 17.8                     |                     |   |   |
| November  | 52.8                                    | 11.4                     |                     |   |   |
| Minimum   | 6.8 °C                                  |                          |                     |   |   |

| Parameter                                | Calculated Value | Units     | Converted Value | Units  |
|--|------------------|-----------|-----------------|--------|
| Design Population                        | 1,000.00         | Customers |                 |        |
| Design Hydraulic Loading per Capita      | 1,000.00         | gal/day   |                 |        |
| Total Design Daily Hydraulic Loading     | 1,000,000.00     | gal/day   |                 |        |
| Estimated BOD <sub>5</sub> Concentration | 35.00            | mg/L      |                 |        |
| Estimated BOD <sub>5</sub> Loading       | 292.08           | lbs/day   | 132.48          | kg/day |

| <b>Primary Cell Design</b>                     |                   |                       |             |                 |
|--|-------------------|-----------------------|-------------|-----------------|
| BOD <sub>5</sub> Loading Rate for Primary Cell | 37.84             | lbs/ac/day            | 17.07       | kg/day          |
| Primary Cell Surface Area Required             | 7.76              | ac                    | 338,012.41  | ft <sup>2</sup> |
| Cell Wall Side Slopes                          | 33%               | 3                     | to          | 1               |
| <b>Cell Water Depth</b>                        | <b>10.00</b>      | <b>ft</b>             |             |                 |
| Aspect Ratio                                   | 38%               | 2.8                   | to          | 1               |
| <b>Width of Primary Cell Surface</b>           | <b>360.56</b>     | <b>ft</b>             |             |                 |
| <b>Length of Primary Cell Surface</b>          | <b>937.46</b>     | <b>ft</b>             |             |                 |
| <b>Total Area of Lagoon at Surface</b>         | <b>338,012.41</b> | <b>ft<sup>2</sup></b> | <b>7.76</b> | <b>ac</b>       |
| <b>Width of Cell at Bottom</b>                 | <b>300.56</b>     | <b>ft</b>             |             |                 |
| <b>Length of Cell at Bottom</b>                | <b>877.46</b>     | <b>ft</b>             |             |                 |
| <b>Total Area of Lagoon at Bottom</b>          | <b>263,731.07</b> | <b>ft<sup>2</sup></b> | <b>6.05</b> | <b>ac</b>       |
| Volume of Primary Cell                         | 3,008,717.39      | ft <sup>3</sup>       | 22,505,206  | gal             |
| Retention Time in Primary Cell                 | 22.51             | days                  |             | NG              |
| <b>Primary Cell Retention Time</b>             | <b>22.51</b>      | <b>days</b>           |             |                 |

### Faculative Pond System Design by Linvil Rich Model

| Month     | Mean Daily Maximum Surface Temperature °F | Converted Temperature °C | Mean Sludge Temperature °C | BOD <sub>5</sub> Conversion to Gas kg/m <sup>3</sup> -day | Monthly BOD <sub>5</sub> Conversion to Gas kg/m <sup>3</sup> | Pond Decay Constant, day <sup>-1</sup> |
|-----------|---|--------------------------|----------------------------|---|--|--|
| December  | 46.8                                      | 8.1                      | 7.2                        | 0.0000  | 0  | 0.1338                                 |
| January   | 44.2                                      | 6.8                      | 6.2                        | 0.0000  | 0  | 0.1200                                 |
| February  | 47.7                                      | 8.7                      | 7.7                        | 0.0000  | 0  | 0.1407                                 |
| March     | 54.4                                      | 12.4                     | 10.6                       | 0.0000  | 0.000  | 0.1906                                 |
| April     | 64.2                                      | 17.9                     | 14.8                       | 0.0000  | 0.000  | 0.2971                                 |
| May       | 71.5                                      | 21.9                     | 17.9                       | 0.0185  | 0.554  | 0.4136                                 |
| June      | 78.5                                      | 25.8                     | 21.0                       | 0.0374  | 1.123  | 0.5681                                 |
| July      | 81.0                                      | 27.2                     | 22.0                       | 0.0442  | 1.327  | 0.6362                                 |
| August    | 80.6                                      | 27.0                     | 21.9                       | 0.0431  | 1.294  | 0.6248                                 |
| September | 75.6                                      | 24.2                     | 19.7                       | 0.0293  | 0.879  | 0.4959                                 |
| October   | 64.1                                      | 17.8                     | 14.7                       | 0.0000  | 0.000  | 0.2958                                 |
| November  | 52.6                                      | 11.4                     | 9.8                        | 0.0000  | 0.000  | 0.1756                                 |
| Minimum   | 6.8 °C                                    |                          |                            | Σ   | 5.178  |  |

### Faculative Pond System Design by Linvil Rich Model

|                                  |        |        |        |        |        |        |        |        |        |        |        |        |
|----------------------------------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
| Maximum Loading, lbs/day         | 71,236 | 77,234 | 68,604 | 54,063 | 37,284 | 27,859 | 20,876 | 18,798 | 19,117 | 23,648 | 37,430 | 57,716 |
|                                  | 51,000 | 50,000 | 51,000 | 52,000 | 54,000 | 55,000 | 55,000 | 56,000 | 58,000 | 65,000 | 54,000 | 52,000 |
| Flow at Maximum Loading, mgd     | 0.980  | 0.960  | 0.980  | 1.000  | 1.040  | 1.080  | 1.080  | 1.080  | 1.080  | 1.060  | 1.040  | 1.000  |
| Maximum Concentration, mg/L      | 8.711  | 9.641  | 8.389  | 6.479  | 4.296  | 3.149  | 2.360  | 2.086  | 2.121  | 2.673  | 4.313  | 6.916  |
| Average Loading, lbs/day         | 49,897 | 54,267 | 47,982 | 37,501 | 25,594 | 19,004 | 14,172 | 12,742 | 12,961 | 16,084 | 25,697 | 40,121 |
| Wetland Loading Rate, lbs/ac/day | 35     | 35     | 35     | 35     | 35     | 35     | 35     | 35     | 35     | 35     | 35     | 35     |
| Required Wetland Size, ac        | 2.04   | 2.21   | 1.96   | 1.54   | 1.07   | 0.60   | 0.60   | 0.54   | 0.56   | 0.68   | 1.07   | 1.65   |



### Faculative Pond System Performance

7.76 Acres

| Month  | Mean Daily Maximum Surface Temperature °F | Converted Temperature °C | Mean Sludge Temperature °C | Reaction Rate at Surface Temp, day <sup>-1</sup> | Plug Flow Model Expected Effluent BOD <sub>5</sub> , mg/L | Reaction Rate Constants |                         |
|--|---|--------------------------|----------------------------|--|---|-------------------------|-------------------------|
| December   | 40.6                                      | 8.1                      | 7.2                        | 0.024897833                                      | 19.99   |                         |                         |
| January  | 44.2                                      | 6.8                      | 6.2                        | 0.022195225                                      | 21.24   | b[0]                    | -0.011471185            |
| February   | 47.7                                      | 8.7                      | 7.7                        | 0.026244197                                      | 19.39   | b[1]                    | 3.50E-03                |
| March  | 54.4                                      | 12.4                     | 10.8                       | 0.036169544                                      | 15.51   | b[2]                    | -4.81E-05               |
| April  | 64.2                                      | 17.9                     | 14.8                       | 0.057824186                                      | 9.53  | b[3]                    | 2.50E-07                |
| May  | 71.5                                      | 21.9                     | 17.9                       | 0.082015279                                      | 5.53  |                         |                         |
| June   | 78.5                                      | 25.8                     | 21.0                       | 0.114668006                                      | 2.65  |                         |                         |
| July   | 81.0                                      | 27.2                     | 22.0                       | 0.129247904                                      | 1.91  |                         |                         |
| August   | 80.6                                      | 27.0                     | 21.9                       | 0.126796279                                      | 2.02  |                         |                         |
| September  | 75.6                                      | 24.2                     | 19.7                       | 0.099328416                                      | 3.74  |                         |                         |
| October  | 64.1                                      | 17.8                     | 14.7                       | 0.057548006                                      | 9.59  |                         |                         |
| November   | 52.6                                      | 11.4                     | 9.8                        | 0.033183068                                      | 16.59   |                         |                         |
| Minimum  | 6.8 °C                                    |                          |                            |  |   |                         |                         |
| <b>Primary Cell Performance</b>                      |   |                          |                            |  |   |                         |                         |
| Influent BOD <sub>5</sub> Concentration              |   |                          | 35.00                      | mg/L   |   |                         |                         |
| Loading Rate to Primary Cell                         |   |                          | 37.64                      | lbs/ac-day <sup>-1</sup>                         | 42.20   |                         | kg/ha-day <sup>-1</sup> |
| Reaction Rate Constant at 20°C                       |   |                          | 0.07                       | day <sup>-1</sup>                                |   |                         |                         |
| Critical Temperature, T <sub>crit</sub>              |   |                          | 6.78                       | °C   |   |                         |                         |
| Reaction Rate at T <sub>crit</sub>                   |   |                          | 0.02                       | day <sup>-1</sup>                                |   |                         |                         |
| Primary Cell Retention Time                          |   |                          | 22.51                      | days   |   |                         |                         |
| <b>Effluent BOD<sub>5</sub> Concentration</b>        |   |                          | <b>21.24</b>               | <b>mg/L</b>                                      |   |                         |                         |
| <b>Primary Cell Performance for Nitrogen Removal</b> |   |                          |                            |  |   |                         |                         |
| Parameter  | Calculated Value                          | Units                    | Converted Value            | Units  |   |                         |                         |
| Design Population                                    | 1,000.00                                  | Customers                |                            |  |   |                         |                         |
| Hydraulic Loading per Capita                         | 1,000.00                                  | gal/day                  |                            |  |   |                         |                         |
| Total Average Daily Hydraulic Loading                | 1,000,000.00                              | gal/day                  |                            |  |   |                         |                         |
| Influent TKN Concentration                           | 9.00                                      | mg/L                     |                            |  |   |                         |                         |
| Influent TKN Loading                                 | 75.11                                     | lbs/day                  | 9.68                       | lbs/ac-day                                       |   |                         |                         |
| % Total N as NH <sub>3</sub> -N                      | 67%                                       |                          |                            |  |   |                         |                         |
| Detention Time at Q <sub>design</sub>                | 22.51                                     | days                     |                            |  |   |                         |                         |
| <b>Effluent TKN Concentration</b>                    | <b>7.01</b>                               | <b>mg/L</b>              | <b>58.46</b>               | <b>lbs/day</b>                                   |   |                         |                         |
| <b>Effluent NH<sub>3</sub>-N Concentration</b>       | <b>4.67</b>                               | <b>mg/L</b>              | <b>38.97</b>               | <b>lbs/day</b>                                   |   |                         |                         |

Plug Flow Model

US Army COE

| Month     | Mean Daily Maximum Surface Temperature °F | Converted Temperature °C | Reaction Rate Constant at Mean Temperature, K <sub>r</sub> | Mean Estimated pH, S.U. | Removal Ratio | TKN Effluent Conc., mg/L | TKN Effluent Limit, mg/L |
|-----------|---|--------------------------|--|-------------------------|---------------|--------------------------|--------------------------|
| December  | 46.0                                      | 8.1                      | 0.0040611  | 7.3                     | 0.7682        | 6.91                     | 13.43                    |
| January   | 44.2                                      | 6.8                      | 0.0038591  | 7.3                     | 0.7784        | 7.01                     | 13.43                    |
| February  | 47.7                                      | 8.7                      | 0.0041571  | 7.3                     | 0.7635        | 6.67                     | 13.43                    |
| March     | 54.4                                      | 12.4                     | 0.0047934  | 7.3                     | 0.7326        | 6.59                     | 13.43                    |
| April     | 64.2                                      | 17.9                     | 0.0059034  | 7.3                     | 0.6816        | 6.13                     | 13.43                    |
| May       | 71.5                                      | 21.9                     | 0.0068943  | 7.3                     | 0.6392        | 5.75                     | 1.49                     |
| June      | 78.5                                      | 25.8                     | 0.0080003  | 7.3                     | 0.5949        | 5.35                     | 1.49                     |
| July      | 81.0                                      | 27.2                     | 0.0084369  | 7.3                     | 0.5782        | 5.20                     | 1.49                     |
| August    | 80.8                                      | 27.0                     | 0.0083654  | 7.3                     | 0.5809        | 5.23                     | 1.49                     |
| September | 75.5                                      | 24.2                     | 0.0075060  | 7.3                     | 0.6143        | 5.53                     | 1.49                     |
| October   | 64.1                                      | 17.8                     | 0.0058909  | 7.3                     | 0.6822        | 6.14                     | 1.49                     |
| November  | 52.6                                      | 11.4                     | 0.0046134  | 7.3                     | 0.7412        | 6.67                     | 1.49                     |
| Minimum   | 6.8 °C                                    |                          | Maximum December - April                                   |                         | 0.778         | 7.01                     |                          |

## Wetland Design

| Parameter                                      | Calculated Value | Units                          | Converted Value | Units               |
|--|------------------|--------------------------------|-----------------|---------------------|
| Design Population                              | 1,000.00         | Customers                      |                 |                     |
| Design Hydraulic Loading per Capita            | 1,000.00         | gal/day                        |                 |                     |
| Total Design Daily Hydraulic Loading           | 1,000,000.00     | gal/day                        |                 |                     |
| Influent BOD <sub>5</sub> Concentration        | 21.24            | mg/L                           |                 |                     |
| Effluent BOD <sub>5</sub> Concentration Needed | 10.00            | mg/L                           |                 |                     |
| Influent TSS Concentration                     | 100.00           | mg/L                           |                 |                     |
| Effluent TSS Concentration Needed              | 90.00            | mg/L                           |                 |                     |
| Influent TKN Concentration                     | 7.01             | mg/L                           |                 |                     |
| Effluent TKN Concentration Needed              | 1.49             | mg/L                           |                 |                     |
| <b>Design for BOD<sub>5</sub> Removal</b>      |                  |                                |                 |                     |
| Average Flow                                   | 1,000,000.00     | gal/day                        | 3,785.44        | m <sup>3</sup> /day |
| Concentration Reduction Ratio                  | 0.47             |                                |                 |                     |
| Reaction Rate Constant at 20°C                 | 0.0057           | day <sup>-1</sup>              |                 |                     |
| Critical Temperature, T <sub>crit</sub>        | 6.78             | °C                             |                 |                     |
| Reaction Rate at T <sub>crit</sub>             | 0.0016           | day <sup>-1</sup>              |                 |                     |
| Surface Area for Microbial Growth              | 15.70            | m <sup>2</sup> /m <sup>3</sup> |                 |                     |
| Void Fraction in Wetland                       | 0.50             |                                |                 |                     |
| Design Slope                                   | 0.003%           |                                |                 |                     |
| <b>Design Depth</b>                            | <b>6.00</b>      | inches                         | 0.15            | m                   |
| Area Required                                  | 5,066.29         | m <sup>2</sup>                 | 54,533.59       | ft <sup>2</sup>     |
| Aspect Ratio                                   | 10%              | 70                             | to              | 7                   |
| <b>Width of Cell</b>                           | <b>73.85</b>     | ft                             |                 |                     |
| <b>Length of Cell</b>                          | <b>738.47</b>    | ft                             |                 |                     |
| <b>Size of Wetland for BOD Removal</b>         | <b>1.25</b>      | ac                             |                 |                     |
| <b>Area Loading Check</b>                      | <b>141.57</b>    | lbs/ac/day                     |                 |                     |
| <b>Design for TSS Removal</b>                  |                  |                                |                 |                     |
| Average Flow                                   | 1,000,000.00     | gal/day                        | 3,785.44        | m <sup>3</sup> /day |
| TSS Loading for Wetland                        | 834.50           | lbs/day                        |                 |                     |
| Allowable TSS Effluent Loading                 | 751.05           | lbs/day                        |                 |                     |
| TSS Removed by Wetland                         | 83.45            | lbs/day                        |                 |                     |
| EPA Allowed Area Loading Rate                  | 44.5973          | lbs/ac/day                     | 50.00           | kg/ha-day-1         |
| Estimated Removal                              | 1.87             | ac                             |                 |                     |
| <b>Size of Wetland for TSS Removal</b>         | <b>1.87</b>      | ac                             |                 |                     |

| <b>Design for TKN Removal</b>                       |                 |                   |            |                         |
|---|-----------------|-------------------|------------|-------------------------|
| Average Flow  | 1,000,000.00    | gal/day           | 3,785.44   | m <sup>3</sup> /day     |
| Mass of TKN into System                             | 58.46           | lbs/day           |            |                         |
| Mass of TKN Allowed From System                     | 12.46           | lbs/day           |            |                         |
| Mass to be Removed, M <sub>w</sub>                  | 46.00           | lbs/day           |            |                         |
| Maximum Specific TKN Removal Rate, N <sub>max</sub> | 18.00           | lbs/ac/day        | 20.18      | kg/ha-day <sup>-1</sup> |
| TKN Half Saturation Constant, K <sub>n</sub>        | 16.00           | lbs/ac/day        |            |                         |
| Area Required                                       | 8.51            | ac                | 370,489.63 | ft <sup>2</sup>         |
| Aspect Ratio  | 10%             | 10                | to         | ?                       |
| Width of Primary Cell Surface                       | 192.48          | ft                |            |                         |
| Length of Primary Cell Surface                      | 1,924.81        | ft                |            |                         |
| <b>Size of Wetland for TKN Removal</b>              | <b>8.51</b>     | <b>ac</b>         |            |                         |
| <b>Area Loading Check</b>                           | <b>6.87</b>     | <b>lbs/ac/day</b> |            |                         |
| <b>Hydraulic Design</b>                             |                 |                   |            |                         |
| Average Flow  | 1,000,000.00    | gal/day           | 3,785.44   | m <sup>3</sup> /day     |
| Maximum Required Surface Area                       | 8.51            | ac                |            |                         |
| Design Factor of Safety                             | 100%            |                   |            |                         |
| Surface Area for Design                             | 18.00           | ac                | 784,080.00 | ft <sup>2</sup>         |
| Aspect Ratio  | 10%             | 10                | to         | ?                       |
| <b>Width of Primary Cell Surface</b>                | <b>280.01</b>   | <b>ft</b>         |            |                         |
| <b>Length of Primary Cell Surface</b>               | <b>2,800.14</b> | <b>ft</b>         |            |                         |
| <b>Mean Cell Depth</b>                              | <b>12.00</b>    | <b>inches</b>     | 0.30       | m                       |
| Mean Cell Volume                                    | 784,080.00      | ft <sup>3</sup>   | 5,864,918  | gal                     |
| Retention Time                                      | 5.86            | days              |            |                         |
| <b>Size of Wetland for Hydraulics</b>               | <b>18.00</b>    | <b>ac</b>         |            |                         |

| System Parameters        | Value      | Units           | Evaporation Constants                      |              |             |
|--------------------------|------------|-----------------|--|--------------|-------------|
| Design Flow              | 1,000,000  | gal             | 3rd Order<br>Regression<br>Coefficients    | Period       |             |
| Pond Surface Area        | 338,012    | ft <sup>2</sup> |  | .July - Dec  | Dec - July  |
| Pond Operating Volume    | 22,505,206 | gal             |  |              |             |
| Maximum Storage          | 272,327    | gal             | b[0]                                       | 4.063484114  | 0.732559832 |
| Total Pond Volume        | 22,777,533 | gal             | b[1]                                       | -0.015687301 | -2.09E-04   |
| SWD for Storage          | 0.1        | ft              | b[2]                                       | -2.27E-04    | 9.60E-05    |
| Wetland Surface Area     | 880,125    | ft <sup>2</sup> | b[3]                                       | 1.22E-06     | -9.56E-08   |
| Wetland Water Volume     | 7,000,000  | gal             | r <sup>2</sup>                             | 0.998120246  | 0.997970125 |
| Net Maximum Storage      | 2,466,965  | gal             | See note flags for explanation of rational |              |             |
| Total Net Wetland Volume | 9,466,965  | gal             |  |              |             |
| Average Voids            | 59%        |                 |  |              |             |
| Wetland Design Flow      | 1,000,000  | gpd             |  |              |             |
| SWD for Storage          | 0.6        | ft              |  |              |             |

| Estimated Total Cuts and Fills |               |            |      |
|--------------------------------|---------------|------------|------|
| Pond                           | 225,565       | cu-yds     |      |
| Wetland                        | 69,321        | cu-yds     |      |
| Total                          | 294,885       |            |      |
| Unit Cost                      | \$ 2.00       | cu-yds     |      |
| Projected                      | \$ 589,770.90 |            |      |
|                                |               |            |      |
| Pond Minimum HRT               | 23            | days       |      |
| Pond Maximum HRT               | 143           | days       |      |
| Maximum Area Loading           | 44.26         | lbs/ac/day |      |
| Wetland Minimum HRT            | 7             | days       |      |
| Wetland Maximum HRT            | 97            | days       |      |
| Maximum Area Loading           | 15.59         | lbs/ac/day | GOOD |

|                |              | Month     | Month | Decay Constant, d <sup>-1</sup> |
|----------------|--------------|-----------|-------|---------------------------------|
| Curve 1:       |              | January   | 1     | 0.1200                          |
| BOD Conc       | column 3:    | February  | 2     | 0.1407                          |
| Coefficients:  |              | March     | 3     | 0.1906                          |
| b[0]           | 2.301029996  | April     | 4     | 0.2971                          |
| b[1]           | -0.766437348 | May       | 5     | 0.4136                          |
| r <sup>2</sup> | 0.299153613  | June      | 6     | 0.5681                          |
|                |              | July      | 7     | 0.6362                          |
|                |              | August    | 8     | 0.6248                          |
|                |              | September | 9     | 0.4959                          |
|                |              | October   | 10    | 0.2958                          |
|                |              | November  | 11    | 0.1756                          |
|                |              | December  | 12    | 0.1338                          |

## 6. REPAIRING THE COLLECTION SYSTEM

The existing video data has given the City a lot of information about how to repair and or replace manholes and line segments. The areas that have been identified to be repaired will have to be videoed just prior to the repair process chosen for each segment. This will be required to confirm the condition of the line segment and also to clean the line segment so the repair can be accomplished. The different types of repair will be *Cured in Place Pipe (CIPP)*, *Pipe Burst Process*, and *Point repair with PVC material*. The replacement options will be with PVC or Ductile Iron pipe. CIPP will be with a fiberglass base material and or a PVC based material. These options will depend on cost and structural requirements for the section to be repaired. Pipe Burst will be used when the existing pipe structure has deteriorated to the point the CIPP process is not sufficient. The advantages of this process is that the entire street will not have to be cut open to repair the pipes. Each section of pipe repaired will have to be post videoed as proof of repair quality. Some areas can be point repaired with a section of PVC pipe and then use the CIPP process to complete the repair. The laterals will be sealed to the appropriate repair process. Each lateral will be tested to determine if it is in current use. Laterals that are not in current use will be sealed at the main or capped at the ROW according to the Uniontown designated supervisor.

The brick manholes in the system will either be replaced or repaired with a Cementous spray on liner that seals the manhole and adds structural strength to the manhole. Concrete manholes that need repair in the system will either be replaced or sealed with a Cementous liner. All manholes will be raised at least four inches above the ground or level with the pavement.

## 7. RECOMMENDED OPTION

Sentell Engineering recommends choosing Option #1(Constructed Wetlands) finishing treatment following the existing lagoons to bring the system into compliance. The design process to bring Uniontown Sanitary Sewer System into compliance is multifocal. The collection system must be returned to a like new condition prior to building the wetlands.

This option is the best one for Uniontown due to the fact that this system is the most environmentally friendly, efficient, economical, and simplest process available. The site of the existing spray field will be used to build the wetlands. There will be a two foot compacted clay liner added to the wetland cells. The treatment is accomplished by planting nutrient and water hungry plants called CATTAIL (*Typha sp.*) and BULRUSH (*Scirpus sp.*) in shallow ponds. Due to the fact that the ponds are shallow, wide, and long allows evaporation, and transpiration to operate at maximum capacity. The effluent will be discharged into Freetown Creek.

Uniontown does not have a vast economy to provide a staff exclusively for the waste water treatment system. The maintenance required for this system will only increase the man hours by 10 hours per week. Most of the man hours will be spent on grounds upkeep. The system is mostly operated by gravity and nature. There will only be three types of additional machinery to oversee. These will be the aerators at the first cell of the wetlands, the UV system, and the backup generator. The final aeration will be accomplished by a Cascade system. The existing plant operator will still be able to oversee the plant process without any additional professional training or licensure.

Currently the composite sampler for laboratory analysis of the parameters is located in the pumping station from the lagoon to the spray field. After completion of the project the sampler will be located in the wetlands facility at the cascade aerator. The cost of the composite sampler is included in the monthly sampling reports from TTL.

The laterals from the customer's building to the ROW will be the customer's responsibility to prove them structurally sound or have it repaired. The total estimated cost to repair all of the laterals from City customers to the main sewer lines is \$3,449,355. Due to the low income of the majority of the residences in Uniontown, the City will need to apply for ADECA grants to accomplish this for residences that qualify. ADECA has given the City **verbal** assurances

that they will fund the projects for the residencies that qualify as low to moderate income. The yearly amounts that ADECA will fund will allow the City to select approximately one tenth of the laterals each year to repair. Limitations for receiving the money each year require close out of the previous year's construction by March 31 of the following year. There are a lot of variables that prevent close out of projects in time to apply for the next cycle of funding.

Uniontown has applied for a \$200,000.00 DRA grant to raise the dyke of the third lagoon, add piping and effluent structures for better operational control of the lagoon. Uniontown also submitted a \$388,817.02 CDBG grant to repair and or replace laterals from residences to the main collection system. These grants were not approved for the 2018 grant cycle.

Due to ADECA'S limitations and the length of time needed for repairs with their normal funding cycles, the laterals need to be added to the total funding of the project to be completed in order to bring the system into a like new status.

The City of Uniontown recently passed a motion accepting option #1 the wetlands treatment system. Uniontown has met with representatives from Congresswoman Sewell's office to work toward finding other funding for the collection system and the wetlands. They have a preliminary set of plans showing each line segment of the collection system and the structural deficiencies of each one that has been videoed. They also have the preliminary plans for the wetland system and the upgrades needed for the lagoon. Follow up meetings are being planned.

Option #1 construction period.

Collection System will take two years to complete from notice to proceed. The lagoon upgrades will take six months to complete from notice to proceed. The lagoon upgrades can run simultaneously with the collection system. The wetlands construction will take 16 months to complete from notice to proceed. Beginning of the wetland construction can start the last four months of completion of the collection system. Total construction time should be three years.

## **8. EPA Comment Response**

- 1) Uniontown has documentation showing four times the design flow entering the lagoon from a one inch rain event. There is also documentation of existing flows into the lagoon of nine times the design capacity. During these events, the existing pumps cannot deliver the quantity of effluent to the spray fields to prevent flooding of the headworks, U.V., and overflowing the lagoon dykes. The new design will assure the level of the lagoons are lower than the headworks with new plumbing and adequate pumps.
- 2) The collection system will be rehabilitated to a like new status. The lagoon will operate at a normal level with an additional foot of surge protection. There will be three feet of freeboard above the surge elevation. The dyke that has an uneven crest will be built up to the correct elevation. The existing pumping station and the force main will be upgraded to pump twice the new design flow to prevent overflowing of the lagoon.
- 3) The only reason that a bypass pipe to protect the lagoon would be needed is if the pumping station were to be incapacitated. There will be a standby automatic generator at the pumping station in case of power failure. To be able to meet state law with a bypass pipe at the existing lagoon the effluent would have to be of sufficient quality to meet the limits of Cottonwood Creek. This discharge pipe would also have to have an NDPES permit. The limits required at Cottonwood Creek are too stringent for the lagoon to meet these limits. The probability of an overflow at the lagoon after the rehabilitation of the collection system and the lagoon would be very remote.
- 4) Each of the lagoons will have an adjustable weir to allow one foot of additional capacity according to the operator's needs.

- 5) There will be two automatic backup generators. One at the existing lagoon operating all of the electrical apparatus. The other generator will operate the U.V. System and the flow meter at the wetlands. The mechanical aerators at the wetlands will not be placed on temporary backup power.
- 6) The existing U.V. System is inoperable due to frequent flooding just prior to the pumping station. The U.V. System that will replace the existing system will be placed at the wetlands just prior to the Cascade Aerator.
- 7) The existing permit monitoring point of the lagoons is at the pumping station to the spray field. The monitoring point for the wetlands will be at the cascade aerator just past the U.V. System.
- 8) This U.V. System does not have the normal potential of effluent exposure to the lights. The effluent is directed into multiple translucent polyurethane tubes. The tubes use the turbulence as a self-cleaning mechanism and maximum exposure to U.V. transmittance. Cleaning expectancy of these units from experience is once or twice a year. The U.V. Bulbs are arranged between, above, and below the effluent tubes. The tubes and the bulbs are encased in a temperature controlled stainless steel case that reflects the U.V. Light in all directions. Due to the concerns expressed by EPA of issues with U.V. Systems not working in lagoons, we increased the transmittance for this project by 10 percent above the normal 65%. Our experience with this U.V. System in lagoons is excellent. We have installed two of these units in lagoons. The only instance in four years where the limit of E-Coli failed was due to a lightning strike.
- 9) The wetlands cells will have a two foot clay liner and will be barrel tested for assurance of impermeability. We have received environmental concurrences from state and federal agencies required to construct the wetlands. The only other permit requirement will be the NPDES permit from ADEM.
- 10) Due to the level of qualified City personnel, Uniontown will be required to outsource the operation and maintenance to a professional wastewater operation company.
- 11) A sub-surface constructed wetland would require a good bit more maintenance due to the plugging of the gravel. The expense of placing that much gravel would also be much more expensive to construct.
- 12) See the attached schematic of the lagoons and the wetlands.
1. The collection system will be restored to a like new status. The design flow allows 30,000 gallons of I & I per mile which is conservative according to the statistical upper expected limits for modern material.
2. Currently there is not a written plan as to procedures for sanitary sewer overflows or for backing up into residences or business. ADEM requires reporting criteria for Sanitary Sewer Overflows.
3. The operations company will be responsible for developing and submitting written plans for:
  - Maintenance for WWTF Equipment
  - Maintenance of Gravity Sewer
  - Maintenance of Pump Stations
  - Maintenance of Force Mains
  - Maintenance of Root Control
  - Response for Sanitary Sewer Overflows/Backups
4. The Collection system will be repaired prior to converting the spray field to a wetlands.



**Engineer's Estimate of Probable Construction Cost**

**UNIONTOWN SANITARY COLLECTION AND TREATMENT IMPROVEMENTS**

**Option #1**

Uniontown, Alabama

Sentell Engineering, Inc

2/12/2018

| <b>Item</b>             | <b>Quantity</b> | <b>Unit</b> | <b>Description</b>                 | <b>Unit Cost</b> | <b>Total</b>   |
|-------------------------|-----------------|-------------|------------------------------------|------------------|----------------|
| <b>Wetland Facility</b> |                 |             |                                    |                  |                |
| 1                       | 1               | LS          | Mobilization/Demobilization        | \$40,000.00      | \$40,000.00    |
| 2                       | 1               | LS          | Erosion Control                    | \$25,000.00      | \$25,000.00    |
| 3                       | 361             | LF          | 24" DI                             | \$150.00         | \$54,150.00    |
| 4                       | 333             | LF          | 24" PVC                            | \$100.00         | \$33,300.00    |
| 5                       | 5               | EA          | 24" Gate Valve                     | \$45,000.00      | \$225,000.00   |
| 6                       | 1,810           | LF          | 18" DI Pipe                        | \$110.00         | \$199,100.00   |
| 7                       | 7               | EA          | 18" MJ Gate Valve & Box            | \$26,000.00      | \$182,000.00   |
| 8                       | 830             | LF          | 12" DI Pipe                        | \$85.00          | \$70,550.00    |
| 9                       | 8               | EA          | 12" MJ Gate Valve & Box            | \$5,500.00       | \$44,000.00    |
| 10                      | 24,727          | LF          | 12" PVC Force Main Pipe            | \$36.00          | \$890,172.00   |
| 11                      | 6               | EA          | 12" Air Release Valves             | \$8,845.00       | \$53,070.00    |
| 12                      | 20              | EA          | Splash Pads                        | \$300.00         | \$6,000.00     |
| 13                      | 4               | EA          | Microbubble Aerators               | \$17,000.00      | \$68,000.00    |
| 14                      | 1               | EA          | Cascade Aerator                    | \$15,000.00      | \$15,000.00    |
| 15                      | 68              | EA          | Concrete Pipe Supports             | \$3,000.00       | \$204,000.00   |
| 16                      | 8               | EA          | Manholes                           | \$4,500.00       | \$36,000.00    |
| 17                      | 13              | EA          | Effluent Structures                | \$8,500.00       | \$110,500.00   |
| 18                      | 1               | EA          | UV System                          | \$150,000.00     | \$150,000.00   |
| 19                      | 1               | EA          | Maintenance Building               | \$100,000.00     | \$100,000.00   |
| 20                      | 6,944           | LF          | 6' Chain Link Fence                | \$15.00          | \$104,160.00   |
| 21                      | 1               | EA          | Parshall Flume                     | \$14,000.00      | \$14,000.00    |
| 22                      | 1               | EA          | Ultrasonic Flow Meter              | \$10,000.00      | \$10,000.00    |
| 23                      | 1               | EA          | Discharge Structure                | \$14,000.00      | \$14,000.00    |
| 24                      | 1               | LS          | Clearing & Grubbing                | \$40,000.00      | \$40,000.00    |
| 25                      | 1,638           | SY          | Concrete Slope Paving              | \$40.00          | \$65,520.00    |
| 26                      | 1               | LS          | Placing Topsoil & Seeding          | \$63,000.00      | \$63,000.00    |
| 27                      | 1               | LS          | Aggregate Road Surfacing           | \$75,715.00      | \$75,715.00    |
| 28                      | 1               | LS          | Unclassified Excavation(172,519CY) | \$350,000.00     | \$350,000.00   |
| 29                      | 1               | LS          | Borrow Material (242754CY)         | \$450,000.00     | \$450,000.00   |
| 30                      | 1               | LS          | Unclassified Clay Liner(65,303 CY) | \$200,000.00     | \$200,000.00   |
| 31                      | 1               | LS          | Electrical Service                 | \$133,265.00     | \$133,265.00   |
| 35                      | 1               | LS          | Electrical Equipment/ Generator    | \$90,000.00      | \$90,000.00    |
| 36                      | 1               | LS          | Micro-Agro-Filter System (Plants)  | \$150,000.00     | \$150,000.00   |
|                         |                 |             |                                    | Subtotal         | \$4,265,502.00 |
| <b>Lagoon Upgrades</b>  |                 |             |                                    |                  |                |
| 1                       | 1               | LS          | Mobilization/Demobilization        | \$25,000.00      | \$25,000.00    |
| 2                       | 1               | LS          | Erosion Control                    | \$14,000.00      | \$14,000.00    |
| 3                       | 1,346           | LF          | 18" DI Pipe                        | \$110.00         | \$148,060.00   |
| 4                       | 7               | EA          | 18" MJ Gate Valve & Box            | \$26,000.00      | \$182,000.00   |
| 5                       | 48              | LF          | 12" DI Pipe                        | \$85.00          | \$4,080.00     |
| 6                       | 1               | EA          | 12" MJ Gate Valve & Box            | \$5,500.00       | \$5,500.00     |
| 7                       | 1               | EA          | Emergency Discharge Structure      | \$14,000.00      | \$14,000.00    |

## Engineer's Estimate of Probable Construction Cost

### UNIONTOWN SANITARY COLLECTION AND TREATMENT IMPROVEMENTS

Option # 2

Uniontown, Alabama

Sentell Engineering, Inc

2/12/2018

| Item                      | Quantity | Unit | Description                            | Unit Cost       | Total                 |
|---------------------------|----------|------|--|-----------------|-----------------------|
| <b>Forcemain to River</b> |          |      |  |                 |                       |
| 1                         | 1        | LS   | Mobilization/Demobilization            | \$66,000.00     | \$66,000.00           |
| 2                         | 1        | LS   | Erosion Control                        | \$40,000.00     | \$40,000.00           |
| 3                         | 115,000  | LF   | 14" HDPE Pressure Force Main           | \$31.00         | \$3,565,000.00        |
| 4                         | 1        | LS   | 14" "H" River Diffuser                 | \$125,000.00    | \$125,000.00          |
| 5                         | 200      | LF   | Highway Crossing Bore w Casing         | \$325.00        | \$65,000.00           |
| 6                         | 420      | LF   | Road Crossing Bore w Casing            | \$200.00        | \$84,000.00           |
| 7                         | 1        | LS   | Traffic Control (Per ALDOT)            | \$15,000.00     | \$15,000.00           |
| 8                         | 51       | AC   | Seeding Mulch and Fertilizer           | \$900.00        | \$45,900.00           |
| 9                         | 52       | EA   | 14" Air Release Valve                  | \$3,500.00      | \$182,000.00          |
| 10                        | 1        | LS   | 14" Connection to Pump Station         | \$28,934.86     | \$28,934.86           |
| 11                        | 100      | LF   | Railroad Bore w Casing                 | \$350.00        | \$35,000.00           |
| 12                        | 240      | LF   | City Road Open Cut with Casing         | \$60.00         | \$14,400.00           |
| 13                        | 1,680    | LF   | Gravel Driveways Open cut with Casings | \$40.00         | \$67,200.00           |
| 14                        | 3,510    | LF   | Creek Crossing Bore                    | \$90.00         | \$315,900.00          |
| 15                        | 220      | LF   | Asphalt Driveways Open cut w Casings   | \$50.00         | \$11,000.00           |
| 16                        | 61       | LF   | Concrete Driveways Open cut w Casings  | \$60.00         | \$3,660.00            |
| 17                        | 10       | LF   | Flume Crossing                         | \$60.00         | \$600.00              |
| 18                        | 220      | LF   | Gas Line Crossing                      | \$90.00         | \$19,800.00           |
|                           |          |      |  | <b>Subtotal</b> | <b>\$4,684,394.86</b> |
| <b>Lagoon Upgrades</b>    |          |      |  |                 |                       |
| 1                         | 1        | LS   | Mobilization/Demobilization            | \$25,000.00     | \$25,000.00           |
| 2                         | 1        | LS   | Erosion Control                        | \$14,000.00     | \$14,000.00           |
| 3                         | 130      | EA   | Floating Wetlands System               | \$5,286.00      | \$687,180.00          |
| 4                         | 1,346    | LF   | 18" DI Pipe                            | \$110.00        | \$148,060.00          |
| 5                         | 7        | EA   | 18" MJ Gate Valve & Box                | \$26,000.00     | \$182,000.00          |
| 6                         | 48       | LF   | 12" DI Pipe                            | \$85.00         | \$4,080.00            |
| 7                         | 1        | EA   | 12" MJ Gate Valve & Box                | \$5,500.00      | \$5,500.00            |
| 8                         | 1        | EA   | Emergency Discharge Structure          | \$14,000.00     | \$14,000.00           |
| 9                         | 3        | EA   | Splash Pads                            | \$300.00        | \$900.00              |
| 10                        | 4        | EA   | Concrete Pipe Supports                 | \$3,000.00      | \$12,000.00           |
| 11                        | 5        | EA   | Manholes                               | \$4,500.00      | \$22,500.00           |
| 12                        | 4        | EA   | Effluent Structures                    | \$10,000.00     | \$40,000.00           |
| 13                        | 1,000    | LF   | 6' Chain Link Fence Repair             | \$15.00         | \$15,000.00           |
| 14                        | 1        | LS   | UV System                              | \$150,000.00    | \$150,000.00          |
| 15                        | 1        | LS   | Parshall Flume                         | \$25,000.00     | \$25,000.00           |
| 16                        | 1        | EA   | Ultrasonic Flow Meter                  | \$10,000.00     | \$10,000.00           |
| 17                        | 1        | LS   | Placing Topsoil & Seeding              | \$18,000.00     | \$18,000.00           |
| 18                        | 1        | LS   | Aggregate Road Surfacing               | \$23,500.00     | \$23,500.00           |
| 19                        | 1        | LS   | Electrical Service                     | \$366,530.00    | \$366,530.00          |
| 20                        | 1        | LS   | Electrical Equipment/Generator         | \$240,600.00    | \$240,600.00          |
| 21                        | 1        | LS   | Effluent Structure & Pumps             | \$900,000.00    | \$900,000.00          |
| 22                        | 1        | LS   | Lagoon Dyke Repair                     | \$80,000.00     | \$80,000.00           |

|                             |              |           |                               |                                 |                        |
|-----------------------------|--------------|-----------|-------------------------------|---------------------------------|------------------------|
| 23                          | 1            | LS        | Headworks Repair              | \$120,000.00                    | \$120,000.00           |
|                             |              |           |                               | <b>Subtotal</b>                 | <b>\$3,103,850.00</b>  |
| <b>COLLECTION SYSTEM</b>    |              |           |                               |                                 |                        |
| 1                           | 1            | LS        | City Collection System Repair | \$7,458,813.00                  | \$7,458,813.00         |
| 2                           | 1            | LS        | Residential Lateral Repair    | \$3,449,355.00                  | \$3,449,355.00         |
|                             |              |           |                               | <b>Subtotal</b>                 | <b>\$18,696,412.86</b> |
| <b>Engineering Cat. "D"</b> |              |           |                               | <b>5% contingency</b>           | <b>\$934,820.64</b>    |
| <b>Administration Cost</b>  |              |           |                               | <b>Construction Cost</b>        | <b>\$19,631,233.50</b> |
| WWTP Permit                 | \$7,500.00   | Interest  | \$956,652.00                  | <b>Engineering Cost</b>         | <b>\$1,864,967.18</b>  |
| Environmental               | \$3,500.00   | Legal     | \$50,000.00                   | <b>Construction Observation</b> | <b>\$1,374,186.35</b>  |
| Soil Drill                  | \$12,000.00  | RR Fees   | \$45,000.00                   |                                 |                        |
| Prop. Survey                | \$25,000.00  | Equipment | \$130,000.00                  | <b>Engineering Cat. "D"</b>     | <b>\$101,928.00</b>    |
| SW Permit                   | \$3,500.00   | ADEM Per  | \$28,660.00                   | <b>Administration</b>           | <b>\$1,317,312.00</b>  |
| ALDOT Permit                | \$5,500.00   | Land/Ease | \$40,000.00                   |                                 |                        |
| Mussel Fee                  | \$8,500.00   | ALDOT Per | \$9,500.00                    |                                 |                        |
| Elec Eng.                   | \$36,428.00  | Power Co. | \$50,000.00                   |                                 |                        |
| Sub Total                   | \$101,928.00 | Advertise | \$7,500.00                    |                                 |                        |
|                             |              | Sub Total |                               | \$1,317,312.00                  |                        |
|                             |              |           |                               | <b>TOTAL COST</b>               | <b>\$24,289,627.03</b> |

**Engineer's Estimate of Probable Construction Cost  
MECHANICAL PLANT AT FREETOWN CREEK**

Option #3

Uniontown, Alabama

Sentell Engineering, Inc

2/12/2018

| Item                    | Quantity | Unit | Description                      | Unit Cost      | Total          |
|-------------------------|----------|------|----------------------------------|----------------|----------------|
| <b>Mechanical Plant</b> |          |      |                                  |                |                |
| 1                       | 1        | LS   | Mobilization/Demobilization      | \$40,000.00    | \$40,000.00    |
| 2                       | 1        | LS   | Erosion Control                  | \$14,000.00    | \$14,000.00    |
| 3                       | 240      | LF   | 24" Ductile Iron                 | \$150.00       | \$36,000.00    |
| 4                       | 1        | LS   | Kubota MBR Equipment             | \$2,200,000.00 | \$2,200,000.00 |
| 5                       | 1        | LS   | Concrete Structure 72'x55'x15.5' | \$864,500.00   | \$864,500.00   |
| 6                       | 26,137   | LF   | 12" PVC Force Main               | \$36.00        | \$940,932.00   |
| 7                       | 6        | EA   | 12" Air Release Valves           | \$8,845.00     | \$53,070.00    |
| 8                       | 2        | EA   | Manholes                         | \$4,500.00     | \$9,000.00     |
| 9                       | 1        | EA   | UV System                        | \$150,000.00   | \$150,000.00   |
| 10                      | 1        | EA   | Control Building & Equipment     | \$450,000.00   | \$450,000.00   |
| 11                      | 300      | LF   | 6' Chain Link Fence              | \$15.00        | \$4,500.00     |
| 12                      | 1        | EA   | Parshall Flume                   | \$25,000.00    | \$25,000.00    |
| 13                      | 1        | EA   | Ultrasonic Flow Meter            | \$10,000.00    | \$10,000.00    |
| 14                      | 1        | EA   | Discharge Structure              | \$14,000.00    | \$14,000.00    |
| 15                      | 1        | LS   | Clearing & Grubbing              | \$13,380.00    | \$13,380.00    |
| 16                      | 1        | LS   | Placing Topsoil & Seeding        | \$6,000.00     | \$6,000.00     |
| 17                      | 1        | LS   | Road & Surfacing                 | \$120,000.00   | \$120,000.00   |
| 18                      | 1        | LS   | Electrical Service               | \$366,530.00   | \$366,530.00   |
| 19                      | 1        | LS   | Electrical Equipment/Generator   | \$240,600.00   | \$240,600.00   |
|                         |          |      |                                  | Subtotal       | \$5,557,512.00 |
| <b>Lagoon Upgrades</b>  |          |      |                                  |                |                |
| 1                       | 1        | LS   | Mobilization/Demobilization      | \$25,000.00    | \$25,000.00    |
| 2                       | 1        | LS   | Erosion Control                  | \$14,000.00    | \$14,000.00    |
| 3                       | 1,346    | LF   | 18" DI Pipe                      | \$110.00       | \$148,060.00   |
| 4                       | 7        | EA   | 18" MJ Gate Valve & Box          | \$26,000.00    | \$182,000.00   |
| 5                       | 48       | LF   | 12" DI Pipe                      | \$85.00        | \$4,080.00     |
| 6                       | 1        | EA   | 12" MJ Gate Valve & Box          | \$5,500.00     | \$5,500.00     |
| 7                       | 1        | LS   | Effluent Structure & Pumps       | \$400,000.00   | \$400,000.00   |
| 8                       | 1        | EA   | Emergency Discharge Structure    | \$14,000.00    | \$14,000.00    |
| 9                       | 3        | EA   | Splash Pads                      | \$300.00       | \$900.00       |
| 10                      | 4        | EA   | Concrete Pipe Supports           | \$3,000.00     | \$12,000.00    |
| 11                      | 5        | EA   | Manholes                         | \$4,500.00     | \$22,500.00    |
| 12                      | 4        | EA   | Effluent Structures              | \$10,000.00    | \$40,000.00    |
| 13                      | 1,000    | LF   | 6' Chain Link Fence              | \$15.00        | \$15,000.00    |
| 14                      | 1        | LS   | Placing Topsoil & Seeding        | \$18,000.00    | \$18,000.00    |
| 15                      | 1        | LS   | Aggregate Road Surfacing         | \$23,500.00    | \$23,500.00    |
| 16                      | 1        | LS   | Electrical Service               | \$133,265.00   | \$133,265.00   |
| 17                      | 1        | LS   | Electrical Equipment/Generator   | \$150,600.00   | \$150,600.00   |
| 18                      | 1        | LS   | Lagoon Dyke Repair               | \$80,000.00    | \$80,000.00    |
| 19                      | 1        | LS   | Headworks Repair                 | \$120,000.00   | \$120,000.00   |
|                         |          |      |                                  | Subtotal       | \$1,408,405.00 |
| <b>Collection</b>       |          |      |                                  |                |                |

|                             |             |             |                            |                                 |                 |
|-----------------------------|-------------|-------------|----------------------------|---------------------------------|-----------------|
| 1                           | I           | LS          | Collection System Repair   | \$7,458,813.00                  | \$7,458,813.00  |
| 2                           | I           | LS          | Residential Lateral Repair | \$3,449,355.00                  | \$3,449,355.00  |
|                             |             |             |                            |                                 |                 |
|                             |             |             |                            |                                 |                 |
|                             |             |             |                            | <b>Subtotal</b>                 | \$17,874,085.00 |
| <b>Engineering Cat. "D"</b> |             |             |                            | <b>5% contingency</b>           | \$893,704.25    |
|                             |             |             |                            | <b>Construction Cost</b>        | \$18,767,789.25 |
| Geotechnical                | \$9,500.00  | Interest    | \$909,322.00               | <b>Engineering Cost</b>         | \$1,782,939.98  |
| Environmental               | \$3,500.00  | Legal       | \$50,000.00                | <b>Construction Observation</b> | \$1,313,745.25  |
| Prop. Survey                | \$25,000.00 | Equipment   | \$70,000.00                | <b>Engineering Cat. "D"</b>     | \$95,960.00     |
| SW Permit                   | \$4,500.00  | ADEM<br>Per | \$28,660.00                | <b>Administration</b>           | \$1,127,482.00  |
| Elec Eng.                   | \$53,460.00 | Advertise   | \$9,500.00                 |                                 |                 |
| Sub Total                   | \$95,960.00 | Al. Power   | 60,000                     |                                 |                 |
|                             |             | Sub Total   | \$1,127,482.00             |                                 |                 |
|                             |             |             |                            | <b>TOTAL COST</b>               | \$23,087,916.48 |

**Engineer's Estimate of Probable Construction Cost**

**UNIONTOWN SANITARY COLLECTION AND TREATMENT IMPROVEMENTS**

Option # 4

Uniontown, Alabama

Sentell Engineering, Inc

2/12/2018

**Forcemain to River**

|    |         |    |  |                |                       |
|----|---------|----|--|----------------|-----------------------|
| 1  | 1       | LS | Mobilization/Demobilization            | \$66,000.00    | \$66,000.00           |
| 2  | 1       | LS | Erosion Control                        | \$40,000.00    | \$40,000.00           |
| 3  | 115,000 | LF | 14" HDPE Pressure Force Main           | \$31.00        | \$3,565,000.00        |
| 4  | 1       | LS | 14" "H" River Diffuser                 | \$125,000.00   | \$125,000.00          |
| 5  | 200     | LF | Highway Crossing Bore w Casing         | \$325.00       | \$65,000.00           |
| 6  | 420     | LF | Road Crossing Bore w Casing            | \$200.00       | \$84,000.00           |
| 7  | 1       | LS | Traffic Control (Per ALDOT)            | \$15,000.00    | \$15,000.00           |
| 8  | 51      | AC | Seeding Mulch and Fertilizer           | \$900.00       | \$45,900.00           |
| 9  | 52      | EA | 14" Air Release Valve                  | \$3,500.00     | \$182,000.00          |
| 10 | 1       | LS | 14" Connection to Pump Station         | \$28,934.86    | \$28,934.86           |
| 11 | 100     | LF | Railroad Bore w Casing                 | \$350.00       | \$35,000.00           |
| 12 | 240     | LF | City Road Open Cut with Casing         | \$60.00        | \$14,400.00           |
| 13 | 1,680   | LF | Gravel Driveways Open cut with Casings | \$40.00        | \$67,200.00           |
| 14 | 3,510   | LF | Creek Crossing Bore                    | \$90.00        | \$315,900.00          |
| 15 | 220     | LF | Asphalt Driveways Open cut w Casings   | \$50.00        | \$11,000.00           |
| 16 | 61      | LF | Concrete Driveways Open cut w Casings  | \$60.00        | \$3,660.00            |
| 17 | 10      | LF | Flume Crossing                         | \$60.00        | \$600.00              |
| 18 | 220     | LF | Gas Line Crossing                      | \$90.00        | \$19,800.00           |
|    |         |    | <b>Subtotal</b>                        |                | <b>\$4,684,394.86</b> |
|    |         |    | <b>Mechanical Plant</b>                |                |                       |
| 1  | 1       | LS | Mobilization/Demobilization            | \$25,000.00    | \$25,000.00           |
| 2  | 1       | LS | Erosion Control                        | \$14,000.00    | \$14,000.00           |
| 3  | 1       | LS | Kubota MBR Equipment                   | \$2,200,000.00 | \$2,200,000.00        |
| 4  | 1       | LS | Concrete Structure 72'X55'x15.5'       | \$864,500.00   | \$864,500.00          |
| 5  | 1       | EA | Control Building & Equipment           | \$450,000.00   | \$450,000.00          |
| 6  | 300     | LF | Chain Link Fence                       | \$15.00        | \$4,500.00            |
| 7  | 1       | LS | New UV                                 | \$150,000.00   | \$150,000.00          |
| 8  | 1       | LS | Clearing & Grubbing                    | \$10,000.00    | \$10,000.00           |
| 9  | 1       | LS | Topsoil & Seeding                      | \$6,000.00     | \$6,000.00            |
| 10 | 1       | LS | Road & Surfacing                       | \$370,000.00   | \$370,000.00          |
| 11 | 1       | LS | Electrical Service                     | \$366,530.00   | \$366,530.00          |
| 12 | 1       | LS | Electrical Equipment/Generator         | \$240,600.00   | \$240,600.00          |
| 13 | 1       | LS | Magnetic Effluent Meter                | \$21,000.00    | \$21,000.00           |
|    |         |    | <b>Subtotal</b>                        |                | <b>\$4,722,130.00</b> |
|    |         |    | <b>Lagoon Upgrades</b>                 |                |                       |
| 1  | 1       | LS | Effluent Structure & Pumps             | \$900,000.00   | \$900,000.00          |
| 2  | 1,000   | LF | Chain Link Fence                       | \$15.00        | \$15,000.00           |
| 3  | 1       | EA | Effluent Structure                     | \$10,000.00    | \$10,000.00           |
| 4  | 1       | LS | Headworks Repair                       | \$120,000.00   | \$120,000.00          |
| 5  | 1       | LS | Dirt work for Control Building         | \$80,000.00    | \$80,000.00           |
| 6  | 3       | EA | Manholes                               | \$4,500.00     | \$13,500.00           |
|    |         |    | <b>Subtotal</b>                        |                | <b>\$1,138,500.00</b> |
|    |         |    | <b>Collection</b>                      |                |                       |

|                             |             |                            |                            |                                 |                        |
|-----------------------------|-------------|----------------------------|----------------------------|---------------------------------|------------------------|
| 1                           | 1           | LS                         | Collection System          | \$7,458,813.00                  | \$7,458,813.00         |
| 2                           | 1           | LS                         | Residential Lateral Repair | \$3,449,355.00                  | \$3,449,355.00         |
|                             |             |                            |                            | <b>Subtotal</b>                 | <b>\$21,453,192.86</b> |
| <b>Engineering Cat. "D"</b> |             | <b>Administration Cost</b> |                            | <b>5% contingency</b>           | <b>\$1,072,659.64</b>  |
|                             |             | Interest                   | \$1,099,314.00             | <b>Construction Cost</b>        | <b>\$22,525,852.50</b> |
|                             |             | Legal                      | \$50,000.00                | <b>Engineering Cost</b>         | <b>\$2,139,955.99</b>  |
| Environmental               | \$3,500.00  | RR Fees                    | \$45,000.00                | <b>Construction Observation</b> | <b>\$1,576,809.68</b>  |
| Prop. Survey                | \$25,000.00 | Equipment                  | \$130,000.00               | <b>Engineering Cat. "D"</b>     | <b>\$83,428.00</b>     |
| SW Permit                   | \$4,500.00  | ADEM Per                   | \$14,500.00                | <b>Administration</b>           | <b>\$1,585,814.00</b>  |
| ALDOT Permit                | \$5,500.00  | Land/Ease                  | \$180,000.00               |                                 |                        |
| Mussel Fee                  | \$8,500.00  | ALDOT Per                  | \$9,500.00                 |                                 |                        |
| Elec Eng.                   | \$36,428.00 | Power Co.                  | \$50,000.00                |                                 |                        |
| Sub Total                   | \$83,428.00 | Advertise                  | \$7,500.00                 |                                 |                        |
|                             |             | Sub Total                  |                            | \$1,585,814.00                  |                        |
|                             |             |                            |                            | <b>TOTAL COST</b>               | <b>\$27,911,860.17</b> |

**Engineer's Estimate of Probable Construction Cost**

**UNIONTOWN SANITARY COLLECTION AND TREATMENT IMPROVEMENTS**

Option # 5

Uniontown, Alabama

Sentell Engineering, Inc

2/12/2018

|                             |            |                            |  | <b>Mechanical Plant</b> |                   |                 |
|-----------------------------|------------|----------------------------|--|-------------------------|-------------------|-----------------|
| 1                           | 1          | LS                         | Mobilization/Demobilization                  | \$40,000.00             |                   | \$40,000.00     |
| 2                           | 1          | LS                         | Erosion Control                              | \$14,000.00             |                   | \$14,000.00     |
| 3                           | 1          | LS                         | Tertiary Filter                              | \$245,000.00            |                   | \$245,000.00    |
| 4                           | 1          | LS                         | Kubota MBR Equipment                         | \$2,200,000.00          |                   | \$2,200,000.00  |
| 5                           | 1          | LS                         | Concrete Structure 72'X55'x15.5'             | \$864,500.00            |                   | \$864,500.00    |
| 6                           | 1          | EA                         | Control Building & Equipment                 | \$450,000.00            |                   | \$450,000.00    |
| 7                           | 300        | LF                         | Chain Link Fence                             | \$15.00                 |                   | \$4,500.00      |
| 8                           | 1          | LS                         | Pre-Chlorination, Chlorination, Dechlorinate | \$360,250.00            |                   | \$360,250.00    |
| 9                           | 1          | LS                         | Parshall Flume                               | \$25,000.00             |                   | \$25,000.00     |
| 10                          | 1          | LS                         | Discharge Structure                          | \$14,000.00             |                   | \$14,000.00     |
| 11                          | 1          | LS                         | Clearing & Grubbing                          | \$13,380.00             |                   | \$13,380.00     |
| 12                          | 1          | LS                         | Topsoil & Seeding                            | \$5,000.00              |                   | \$5,000.00      |
| 13                          | 1          | LS                         | Road & Surfacing                             | \$370,000.00            |                   | \$370,000.00    |
| 14                          | 1          | LS                         | Electrical Service                           | \$366,530.00            |                   | \$366,530.00    |
| 15                          | 1          | LS                         | Electrical Equipment/Generator               | \$240,600.00            |                   | \$240,600.00    |
| 16                          | 1          | LS                         | Ultrasonic Effluent Meter                    | \$10,000.00             |                   | \$10,000.00     |
|                             |            |                            |  |                         | TOTAL             | \$4,913,760.00  |
|                             |            |                            |  | <b>Lagoon Upgrades</b>  |                   |                 |
| 1                           | 1,346      | LF                         | 18" DI Pipe                                  | \$110.00                |                   | \$148,060.00    |
| 2                           | 7          | EA                         | 18" MJ Gate Valve & Box                      | \$26,000.00             |                   | \$182,000.00    |
| 3                           | 48         | LF                         | 12" DI Pipe                                  | \$85.00                 |                   | \$4,080.00      |
| 4                           | 1          | EA                         | 12" MJ Gate Valve & Box                      | \$85.00                 |                   | \$85.00         |
| 6                           | 1          | EA                         | Emergency Discharge Structure                | \$14,000.00             |                   | \$14,000.00     |
| 7                           | 3          | EA                         | Splash Pads                                  | \$300.00                |                   | \$900.00        |
| 8                           | 4          | EA                         | Concrete Pipe Supports                       | \$3,000.00              |                   | \$12,000.00     |
| 9                           | 5          | EA                         | Manholes                                     | \$4,500.00              |                   | \$22,500.00     |
| 10                          | 4          | EA                         | Effluent Structures                          | \$10,000.00             |                   | \$40,000.00     |
| 11                          | 1,000      | LF                         | 6' Chain Link Fence                          | \$15.00                 |                   | \$15,000.00     |
| 12                          | 1          | LS                         | Placing Topsoil & Seeding                    | \$24,000.00             |                   | \$24,000.00     |
| 13                          | 1          | LS                         | Aggregate Road Surfacing                     | \$23,500.00             |                   | \$23,500.00     |
| 14                          | 1          | LS                         | Lagoon Dyke Repair                           | \$80,000.00             |                   | \$80,000.00     |
| 15                          | 1          | LS                         | Headworks Repair                             | \$120,000.00            |                   | \$120,000.00    |
| 16                          | 1          | LS                         | Dirt work for Control Building               | \$80,000.00             |                   | \$80,000.00     |
|                             |            |                            |  |                         | TOTAL             | \$766,125.00    |
|                             |            |                            |  | <b>Collection</b>       |                   |                 |
| 1                           | 1          | LS                         | Collection System                            | \$7,458,813.00          |                   | \$7,458,813.00  |
| 2                           | 1          | LS                         | Residential Lateral Repair                   | \$3,449,355.00          |                   | \$3,449,355.00  |
|                             |            |                            |  |                         | Subtotal          | \$16,588,053.00 |
|                             |            |                            |  |                         | 5% contingency    | \$829,402.60    |
|                             |            |                            |  |                         | Construction Cost | \$17,417,455.60 |
|                             |            |                            |  |                         | Engineering Cost  | \$1,654,658.20  |
| <b>Engineering Cat. "D"</b> |            | <b>Administration Cost</b> |  |                         |                   |                 |
| WWTP Permit                 | \$7,500.00 | Interest                   | \$853,795.00                                 |                         |                   |                 |



|                 |             |                  |              |                             |                        |
|-----------------|-------------|------------------|--------------|-----------------------------|------------------------|
| Environmental   | \$3,500.00  | Legal            | \$50,000.00  | Construction<br>Observation | \$1,219,221.90         |
| Soil Drill      | \$12,000.00 | RR Fees          | \$45,000.00  |                             |                        |
| Prop. Survey    | \$9,500.00  | Equipment        | \$130,000.00 | Engineering Cat. "D"        | \$86,428.00            |
| SW Permit       | \$3,500.00  | ADEM Per         | \$14,500.00  | Administration              | \$1,300,295.00         |
| ALDOT<br>Permit | \$5,500.00  | Land<br>purchase | \$140,000.00 |                             |                        |
| Mussel Fee      | \$8,500.00  | ALDOT Per        | \$9,500.00   |                             |                        |
| Elec Eng.       | \$36,428.00 | Power Co.        | \$50,000.00  |                             |                        |
| Sub Total       | \$86,428.00 | Advertise        | \$7,500.00   |                             |                        |
|                 |             | Sub Total        |              | \$1,300,295.00              |                        |
|                 |             |                  |              | <b>TOTAL COST</b>           | <b>\$21,678,058.83</b> |

Edna

Edna Primrose  
Assistant Administrator  
Water and Environmental Programs  
Rural Utilities Service, Rural Development Agency  
United States Department of Agriculture  
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**005463**

**From:** [Bowen, Allen - RD, Montgomery, AL](#)  
**To:** [Hale, Stan - RD, Montgomery, AL](#)  
**Subject:** FW: Uniontown Summary and Supporting Documents for OSEC  
**Date:** Wednesday, May 2, 2018 9:09:00 AM  
**Attachments:** Uniontown AL Summary for OSEC 05 02 18-draft.docx  
Rural Utilities Service SEARCH Grant - Fact Sheet.pdf  
UniontownWWTPReport4-18(4-6-18) - ADEM Website.docx  
Uniontown Engineering Report -12672 AL0063657 105 02-20-2018 ENGR MFC 53-CV2012-900021.pdf  
image009.png  
image010.png  
image013.png  
**Importance:** High

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*Allen Bowen*

Allen Bowen  
United States Department of Agriculture  
Rural Development  
Community and Business Programs Director  
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**From:** Primrose, Edna - RD, Washington, DC  
**Sent:** Wednesday, May 2, 2018 6:31 AM  
**To:** Hutchinson, Randi - RD, Washington, DC <Randi.Hutchinson@wdc.usda.gov>  
**Cc:** Evans, Kent - RD, Washington, DC <Kent.Evans@wdc.usda.gov>; Barringer, Scott - RD, Washington, DC <Scott.Barringer@wdc.usda.gov>; Bowen, Allen - RD, Montgomery, AL <Allen.Bowen@al.usda.gov>; Schindler, Nicole - RD, Washington, DC <Nicole.Schindler@wdc.usda.gov>; Taylor, Harry - RD, Morgantown, WV <Harry.Taylor@wv.usda.gov>  
**Subject:** Uniontown Summary and Supporting Documents for OSEC  
**Importance:** High

Good morning everyone,

First, Allen, thank you so much for your great work on this matter. We appreciate the excellent collaboration from everyone to identify next steps.

Here is the draft summary for OSEC. Also attached are:

- ADEM website overview on Uniontown project
- Preliminary Engineering Report
- RD fact sheet on the SEARCH Grant

Scott, will you please make any changes Randi needs? I'm on my way to the office now.

**005464**

## **USDA Rural Development Agency**

### **Summary: Uniontown, AL Wastewater Treatment System Project**

#### **USDA Funding**

- Original project was obligated in August 2012
- Wastewater treatment system in operation since 2014
- Loan: \$2,505,000; Grant: \$2,296,000 – Total Project Cost: \$4,801,000
- Borrower is current in loan payments

#### **Uniontown Population**

- Population Served: 1,636
- Median Household Income : \$12,386 (in 2012)
- Average cost per unit: \$16.00 per month
- Residential connections: 976; Commercial Connections: 24
- Perry County, AL – persistent poverty county and Delta Regional Authority (DRA) county

#### **Background**

- The project was designed to make point repairs to the wastewater collection lines and manholes to reduce inflow and infiltration (I&I) and replace pump station pumps. An additional spray field was added to reduce the loading rate to the land.
- The Alabama Department of Environmental Management (ADEM), the regulatory agency in the state, and the permitting agency, rescinded the permit on the newly construction spray field after the spray field failed the percolation test. RD learned after the fact that ADEM permitted the spray field with a condition that the field passed the percolation test. It also appears the project engineer underestimated the amount of I&I because problems remain.
- ADEM has filed suit against the City and continues to monitor the performance of the treatment plant, lagoons and spray field. Various citizens groups and interested parties have requested and received information on this project via FOIA. In 2016, The Office of Civil Rights, visited the project and found that the Agency carried out its mission and handled the process appropriately.
- Multiple meetings have been held with ADEM, Uniontown, Sentell Engineering (project engineer) and Rural Development, as well as Congresswoman Sewell's office, to identify a solution.
- Uniontown has not pursued legal action against Sentell, the engineering firm, and has retained the same firm to be the project engineer on the proposed solution.

#### **Next Steps**

- Uniontown has not submitted an application for funding to RD, although a Preliminary Engineering Report (PER) has been developed. That proposal recommends using a wetlands system approach with a project cost of approximately \$22,000,000. Additional options are being explored. As a result, the true cost of the potential project is unknown.

- Possible funding partners for a project of this size include EPA, Delta Regional Authority, ADEM, State Revolving Loan Fund (SRDF), AL Department Of Economic and Community Affairs (ADECA), and Community Development Block Grant (CDBG).
- Rural Development is prepared to offer assistance under the following conditions, with some concerns:
  - Rural Development will award a Special Evaluation Assistance for Rural Communities and Households (SEARCH) Grant to Uniontown. This program helps very small, financially distressed rural communities with predevelopment feasibility studies, design and technical assistance on proposed water and waste disposal projects. Estimated cost: \$30,000
  - Uniontown must secure another engineering firm to conduct the study.
  - Rural Development will provide technical assistance for the feasibility study.

With respect to potentially funding the project:

- There is concern about the stewardship of federal dollars. This a potentially large grant for a relatively small population to be served. Also, Uniontown has not pursued legal action and has retained the same engineering firm.
- Uniontown is eligible for a Persistent Poverty Grant. The grant covers 75% of the total project cost. Additional potential funding partners have been identified.
- Uniontown could potentially refinance its current loan.
- Rural Development would stipulate that a third party manage the day-to-day operation of the water and sewer system and would conduct regular reviews of the system.
- Rural Development would deploy Water partners to provide technical assistance to Uniontown on long-term sustainability strategies for the system.



# Special Evaluation Assistance for Rural Communities and Households

## What does this program do?

This program helps very small, financially distressed rural communities with predevelopment feasibility studies, design and technical assistance on proposed water and waste disposal projects.

## Who may apply?

- Most state and local governmental entities
- Nonprofits
- Federally recognized tribes

## What is an eligible area?

Areas to be served must be rural and financially distressed:

- Rural areas with a population of 2,500 or less
- Have a median household income below the poverty line or less than 80 percent of the statewide non-metropolitan median household income based on latest Census data

## How may the funds be used?

To pay predevelopment planning costs, including:

- Feasibility studies to support applications for funding water or waste disposal projects
- Preliminary design and engineering analysis
- Technical assistance for the development of an application for financial assistance

## Are there additional requirements?

The predevelopment planning costs must be related to a proposed project that meets the following requirements:

- Construct, enlarge, extend or improve rural water, sanitary sewage, solid waste disposal and storm wastewater disposal facilities
- Construct or relocate public buildings, roads, bridges, fences or utilities, and to make other public improvements necessary for the successful operation or protection of facilities
- Relocate private buildings, roads, bridges, fences, or utilities, and other private improvements necessary for the successful operation or protection of facilities

## How do we get started?

- Applications for this program are accepted year round through your **local RD office**.
- Program resources are available online (i.e., forms, guidance, certifications, etc.).

## What governs this program?

- Code of Federal Regulations, Title 7, Part 1774 – **7 CFR 1774**
- Section 306 of the Consolidated Farm and Rural Development Act

## Why does USDA Rural Development do this?

To help very small, financially distressed rural communities extend and improve water and waste treatment facilities that serve local households and businesses.

NOTE: Because citations and other information may be subject to change please always consult the program instructions listed in the section above titled "What Governs this Program?" You may also contact your **local RD office** for assistance. You will find additional forms, resources, and program information at [www.rd.usda.gov](http://www.rd.usda.gov). *USDA is an equal opportunity provider, employer, and lender.*

005467

Last Updated August 2017

## UNIONTOWN WASTEWATER TREATMENT SYSTEM UPDATE AS OF APRIL 2018

Uniontown is an impoverished minority community with a population of approximately 2,500. For some time, Uniontown has had severe financial difficulties and has deferred maintenance and upgrades to its wastewater collection system, treatment plant, and spray field and has underfunded system operations. As a result, a number of noncompliance issues have occurred and caused the Alabama Department of Environmental Management (ADEM) to undertake necessary enforcement actions. Since ADEM has exhausted its legally available enforcement options against Uniontown the matter is now in the hands of the courts.

Unlike any other sector holding water permits, it is nearly impossible to shut down the operation of a sanitary wastewater treatment plant. To do so would result in sanitary system overflows, sewage backup into homes, and the discharge of untreated wastewater into water bodies which certainly poses a greater risk to human health and the environment than discharging partially treated wastewater. That is why neither ADEM nor the court has shut down the Uniontown wastewater system.

It is the obligation of the permit holder to design, build, and operate its facility to meet the permit conditions set by ADEM or be subject to enforcement action. Although it is solely the responsibility of the permit holder to meet permit conditions, ADEM has been working for a number of years with local elected officials, design engineers, operating engineers, ADECA, USDA, EPA, Congresswoman Terri Sewell, and others to find a solution to Uniontown's wastewater problems so it can meet its permit requirements.

Substantial funds from a USDA grant and loan were expended on the treatment plant; however, the collection system was not materially refurbished and is in such a state of disrepair that storm water inflows completely overwhelm the treatment plant as well as the undersized spray field. The majority of the collection system has been surveyed using a video probe to determine what repairs are necessary. Uniontown was required by the Court to submit to ADEM an assessment of the alternatives it considered to achieve compliance with the Alabama Water Pollution Control Act and its Permit and to determine which remedial action(s) it would pursue. ADEM encouraged the City to engage the public in its decision-making process. ADEM attended community meetings in Uniontown on December 5, 2016 and February 23, 2017. These community meetings were planned by the City to inform the citizens of the issues with the sewer system and the options considered to return the system to compliance.

Uniontown has submitted an Engineering Report to the Department which assesses the alternatives considered, and has chosen to pursue the option of routing the wastewater from the existing treatment plant to a new wetlands treatment system with a discharge of treated wastewater to Freetown Creek.

Uniontown has not yet submitted an application to the Department for a National Pollutant Discharge Elimination System (NPDES) permit for the discharge of wastewater for the above noted chosen compliance option.

The biggest obstacle to implementing a full solution is obtaining funding for the remaining work on engineering, the collection system, and handling of the treated wastewater. ADEM has no funding available. The State has provided nominal funding through ADECA for some collection system assessment work. Uniontown citizens pay among the highest sewer fees in the area and, due to their income levels, are unlikely to be able to withstand increased fees to provide needed funding. Congresswoman Sewell's Office is believed to be the most promising potential source of funding.

**005468**

Although the process has been painfully slow, progress is continuing. Regular updates are provided to the Court and ADEM. Updates to the 4<sup>th</sup> Judicial Circuit Court took place on August 24, 2016, January 12, 2017, June 21, 2017, and October 10, 2017, and the next status conference is scheduled for April 12, 2018.

Most recently during February and March of 2018, Uniontown reported increased and more significant unpermitted discharges of wastewater from the sprayfield and additional overflows at the treatment lagoon. These chronic issues appear to be increasing in number, volume, frequency, and severity. ADEM has requested Uniontown give these matters immediate attention and take corrective measures to minimize and mitigate increased overflows and the risk of catastrophic failures of the system. Additionally, ADEM has requested that Uniontown is vigilant in ensuring that any notifiable sanitary sewer overflows are noticed to the public so that the public can avoid contact with affected areas as necessary.



**THE CITY OF UNIONTOWN, PERRY COUNTY, ALABAMA**

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**ENGINEERING REPORT**

**February 12, 2018**



Report For

**THE CITY OF UNIONTOWN, PERRY COUNTY, ALABAMA**

**ENGINEERING REPORT**

February 12, 2018

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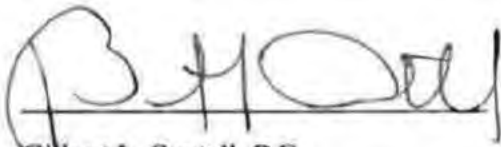
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**Engineer's Certification**

I hereby certify that the engineering portions of this report were prepared by me or someone under my direct supervision using good engineering practices and that the findings contained herein are, to the best of my knowledge, true, accurate, and correct. Furthermore, I certify that I am a duly registered Professional Engineer in the state of Alabama as witnessed by my hand and seal below.



Gilbert L. Sentell, P.E.

Alabama Reg. No. 10503

Date: 02/20/18

## 1. EXISTING SYSTEM

The City of Uniontown ("Uniontown") is located approximately 20 miles south of the City of Greensboro in southwestern Perry County, Alabama. According to the U.S. Census Bureau data from the 2010 Census, Uniontown's population is 1612. Of these approximately 1000 residences are connected to Uniontown's sewer system.

To treat municipal sewage from the City, Uniontown operates a Waste Water Treatment Facility ("WWTF"). The system is a lagoon consisting of three cells that discharge to a spray field located 4.6 miles south of the WWTF. The lagoon's surface area is 13.56 acres. The lagoon's capacity is around 20 million gallons. There are two main feeder lines entering the headworks where the large solids are removed. Baffles have been added to the lagoons to promote the greatest retention time for treatment. There are six aerators in the first two cells. The flow enters the first cell at the east end of the cell and exits the west end of the cell. The flow then enters the second cell at the east end and exits the cell at the west end. The flow then enters the third cell also referred to as the polishing cell at the east end and exits at the south east end to be pumped to the spray field.

The city owned collection system consist of approximately 21 miles of main sanitary sewer lines and manholes. The lines are primarily 8 inches in diameter and made from Terracotta clay. There are approximately 300 manholes that are primarily made from bricks.

## 2. COURT ORDER ISSUES

On November 20, 2015 a court order filed on addressing Consent Order of August 12, 2008 for Uniontown from the Alabama Department of Environmental Management ("ADEM") addressing compliance issues with discharges from the lagoon. The lagoon operates under a NPDES permit issued by ADEM and discharges into a spray field.

The order primarily focuses on parametric compliance for three basic pollutants of interest and unpermitted discharge of waste water into Cottonwood Creek located next to the WWTF and unpermitted discharges into Freetown Creek at the spray field.

Uniontown, at the request of the court, is herewith making comments on specific items of interest contained within the order. These comments are made in a good- faith effort by Uniontown to resolve the compliance issues and continue with an on-going plan to correct the waste water treatment system.

## 3. BACKGROUND

Uniontown has a long history of compliance failures. Multiple system failures contributed the current status. The collection system has deteriorated over the years with only repairs when there was a noticeable problem such as a back up to a residence, an overflow of a manhole, or a washed out area from a collapsed pipe. This was a largely common practice throughout the country. Unfortunately the collection system has a multitude of these failures that have not been externally seen. Until fairly recently the technology to videoing sewer lines were not available and/or affordable. The only indication that the collection system had major problems was the excessive flow to the lagoon.

The first two lagoons were full of sludge which did not allow for much treatment. The spray field was designed for 500,000 gallons per day and has been receiving as much as the pumps could deliver during rain events. This process oversaturated the spray field to the point that the only treatment from the spray field was transpiration and evaporation. Transpiration was not very efficient because a lot of the plants drowned. The quality of the effluent was extremely poor.

The 2013 project installed headworks with an automatic screen and flow meter. The first two lagoons were de-sludged and deepened from five feet to ten feet and eight feet respectively. The flow was redirected from a parallel

system to a series system. Baffle curtains were added to all three lagoons for maximum retention time. Fine bubble aeration was added to the first two lagoons. The pumps to the spray field were replaced. U.V. disinfection was added prior to discharge. Approximately 40 percent of the collection system was investigated with smoke testing and video recordings. The most grievous structural problems found were repaired to the extent funds would allow. City wide water meters were replaced with new radio read meters.

This project improved greatly the quality of effluent discharged to the spray field. The collection system repairs only marginally improved the amount of flow to the lagoon. The flow into the lagoon can range from .250 MGD to 4.40 MGD. Flow into the lagoon is greater than the pumps and the force main can deliver to the spray field during heavy rains. This causes the lagoon to fill to overflowing and spills into Cottonwood Creek. This also causes flooding of the headworks and U.V. structure. The flooding short circuits the automatic screen, flow meter, and U. V. system. The force main from the lagoon to the spray field breaks frequently. The spray field is saturated to the extent that effluent continuously flows into Freetown Creek.

The following are the current permit limits for the spray field:

**TABLE #1 Existing Spray Field NPDES Limits**

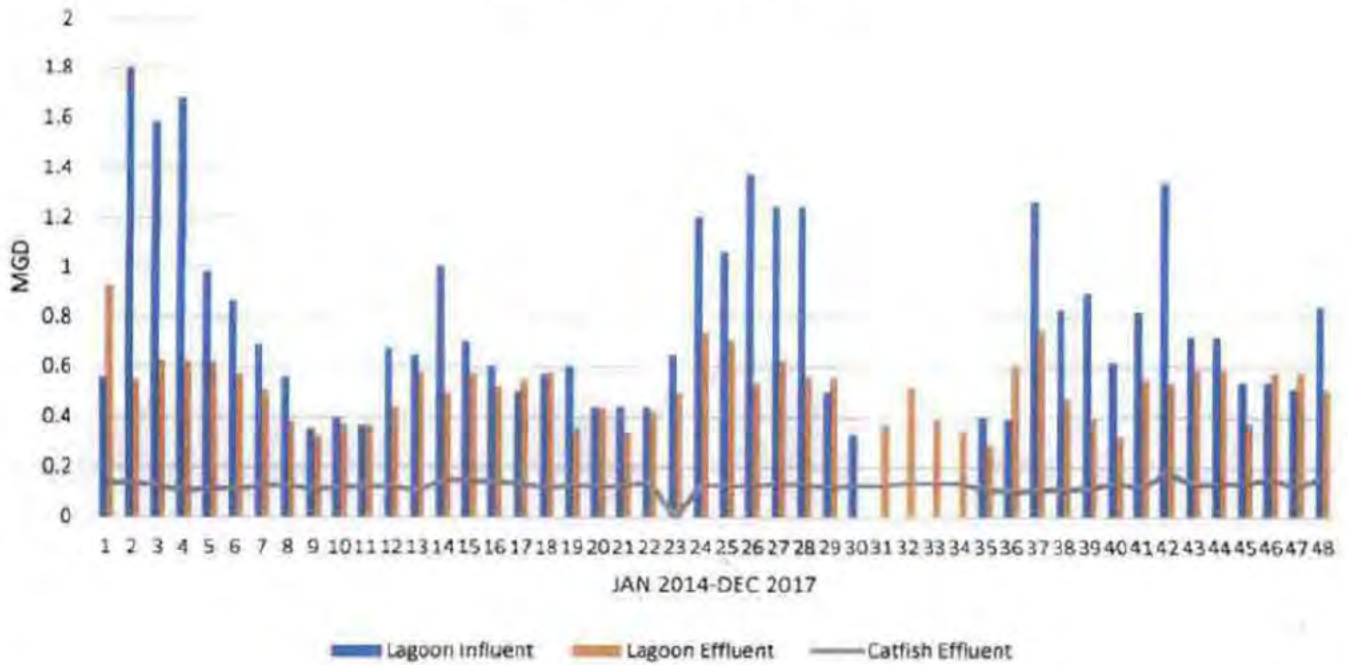
| PARAMETER                                  | Quantity/<br>Loading |                   | Quality /Concentration |                   |                  |                   |
|--|----------------------|-------------------|------------------------|-------------------|------------------|-------------------|
|  | Monthly<br>Average   | Weekly<br>Average | Monthly<br>Average     | Weekly<br>Average | Daily<br>Minimum | Daily<br>Maximum  |
| BOD, 5-DAY (20 Deg. C) Effluent            | Report<br>lbs/day    | Report<br>lbs/day | 45.0<br>mg/l           | 67.5<br>mg/l      |                  |                   |
| BOD, 5-DAY (20 Deg. C) Influent            | Report<br>lbs/day    | Report<br>lbs/day | Report<br>mg/l         | Report<br>mg/l    |                  |                   |
| PH - Effluent                              |                      |                   |                        |                   | 6.0<br>S.U.      | 9.0<br>S.U.       |
| Solids. Total Suspended Raw<br>Influent    | Report<br>lbs/day    | Report<br>lbs/day | Report<br>mg/L         | Report<br>mg/L    |                  |                   |
| Solids. Total Suspended Effluent           | Report<br>lbs/day    | Report<br>lbs/day | 90.0<br>mg/L           | 135.0<br>mg/L     |                  |                   |
| Nitrogen, Total (AS N)<br>Effluent         | Report<br>lbs/day    | Report<br>lbs/day | Report<br>mg/l         | Report<br>mg/l    |                  |                   |
| Nitrogen, Ammonia (AS N) Effluent          | Report<br>lbs/day    | Report<br>lbs/day | Report<br>mg/l         | Report<br>mg/l    |                  |                   |
| Nitrogen, Nitrate Total (AS N)<br>Effluent | Report<br>lbs/day    | Report<br>lbs/day | Report<br>mg/l         | Report<br>mg/l    |                  |                   |
| Nitrogen,Kjeldahl Total (AS N)<br>Effluent | Report<br>lbs/day    | Report<br>lbs/day | 20.0<br>mg/L           | 30.0<br>mg/L      |                  |                   |
| Phosphorus, Total (AS N) Effluent          | Report<br>lbs/day    | Report<br>lbs/day | Report<br>mg/l         | Report<br>mg/l    |                  |                   |
| Flow, in conduit           Raw<br>Influent | Report<br>MGD        |                   |                        |                   |                  | Report<br>MGD     |
| Flow, in conduit<br>Effluent               | Report<br>MGD        |                   |                        |                   |                  | Report<br>MGD     |
| Coliform, Fecal General Effluent           |                      |                   | 2000<br>col/100mL      |                   |                  | 4000<br>col/100mL |

### 3.1 HYDRAULIC LOADING

It is known that the existing system receives a large volume of inflow from Uniontown's collection system. Portions of the system were recently upgraded; however, the problems still exist. The collection system will increase from .350mgd to 2.0mgd with a 1 inch rain event. It usually takes two to three days of no rain to recede back to the average flow.

The previous graphs were taken from the effluent flow data logs. The waste water operator had noticed that the flow meter was inaccurate and had calculated flow from the pump run times. The following data is taken from the DMR's. The data does not take into account the additional overflows at the lagoon. The effluent data from Alabama Catfish was adjusted by 55% according to measured data previously not available.

## MONTHLY FLOW AVERAGES



### 3.2 COLLECTION SYSTEM

The collection system has 110,265 known linear feet of piping. There are 9056 linear feet of force main piping in the system. The following is a chart of the known existing gravity sewer.

| EXISTING LINEAR FEET OF GRAVITY SEWER |                |               |               |              |
|---------------------------------------|----------------|---------------|---------------|--------------|
|                                       | TOTAL<br>( FT) | PVC<br>(FT)   | CLAY<br>(FT)  | CIPP<br>(FT) |
| 6" PIPE                               | 5,238          | 416           | 4,822         | 0            |
| 8" PIPE                               | 75,473         | 8,721         | 63,756        | 2,996        |
| 10" PIPE                              | 6,006          | 0             | 2,838         | 3,168        |
| 12" PIPE                              | 2,982          | 0             | 1,133         | 1,849        |
| 18" PIPE                              | 11,510         | 3,561         | 7,949         | 0            |
| <b>TOTAL</b>                          | <b>101,209</b> | <b>12,698</b> | <b>80,498</b> | <b>8,013</b> |

City of Uniontown has video documentation that provides a very good estimate to repair the collection system. There are still 21,868 known linear feet that has not been videoed. From reviewing the data that has been videoed it would not be prudent to average the repair cost and apply it to the remaining 21,868 linear feet. There are no discernable

patterns that govern the failures of the clay pipes in the system and they range from a cost of \$5,000 per hundred feet to \$20,000 per hundred feet. This disparaging difference in structural integrity occurs inconsistently and adjacent to one another but trends to have more structural defects than not.

The majority of manholes are made of brick and mortar. The manholes are a large source of the inflow due to the deterioration of the mortar between the bricks. The system is old and brittle and allows a large amount of water and debris through the collection system to the lagoon. During the last video project the 18 inch pipes show a lot of bricks and debris throughout the pipes that came from dilapidated manholes.

This excess flow and debris entering the lagoon is only one problematic issue in a sewer system. The other main problem is that if water and debris can get into the collection system, then sewage can get out of the collection system and go where the voids are that allow the water into the system. This allows sewage to pool in yards around cleanout plugs, manholes, and get into the storm water system depositing sewage along the ditches beside the roads and through residential neighborhoods. This type of sewage overflow is not readily recognized because it is diluted and does not usually come from manhole overflows but from breaks in pipes close to ditches and in yards from the houses to the main.

Uniontown spent approximately 1 million dollars in investigating, repairing, and replacing the worst areas identified in 2013. There were 8,013 linear feet of clay pipes repaired by a process called Cured In Place Pipe Lining (CIPP). In order to use this technology the existing pipe would need to be intact enough to maintain the original shape. Therefore, some of the pipes required point repairs prior to the CIPP process. The remaining repairs in the system were point repairs as well as complete replacement of the line segments between manholes. They also raised over 50 manholes to prevent inflow through the top of the manhole.

The previous project prioritized only major inflow problems such as collapsed pipes, holes in pipes, deformed pipes with cracks, and large root ball intrusions. The funding allotted for the collection system was not substantial enough to address all the major structural deficiencies. The project also did not address minor leaks between joints, multiple cracks in the pipes that did not currently have large leaks through them, and lateral entrances that are not sealed. These infractions also add up to a good bit of inflow and will become worse as time progresses.

The inflow data shows that the collection system can allow up to 209,523 gallons of water through each mile of sewer line per day due to the poor condition of the collection system. There is currently 21 miles of sewer lines in Uniontown. When it rains, the amount of influent entering the lagoons is greater than the pumps can send to the spray field. This creates sewage to build up in the lagoons, and back up into the collection system exacerbating the amount of flow forced out of the collection system and into ditches and low lying areas. The hydraulics of the lagoon cannot keep the amount of excess inflow in check and the lagoon will overflow the dykes during moderately large rain events. The lagoon will keep overflowing several days after the rain event has stopped. Basically the collection system is funneling a lot of the City's storm water into the lagoon.

#### 4. CONSENT ORDER RESPONSE ITEMS

The main issue the system faces is inflow and infiltration from the collection system. The amount of effluent that the city must treat to maintain its existence is economically devastating. It is also a foregone conclusion that the City cannot continue to discharge to the existing spray field. The spray field has continuously discharged unpermitted effluent into Freetown Creek throughout the year of 2017. The NPDES permit for Uniontown's spray field is operating on an administrative order and will not be renewed to be discharged over land. The requirement for Uniontown is to find a means of treatment and discharge that will meet and exceed the limits to be imposed upon the option selected. The following options have been evaluated for effectiveness, quality of treatment, environmental



impact, operation & maintenance cost, and capability of Uniontown to operate, maintain, and retain qualified personnel to manage the facility.

The following data are options that Uniontown has explored to correct the permit violations.

**Option # 1**

Build a Wetlands Facility and discharge to Freetown Creek. See Cost Estimate #1

**Option #2**

Upgrade the Lagoon with a Floating Wetland System and discharge to the Black Warrior River. See Cost Estimate #2

**Option #3**

Build a Mechanical Plant and discharge to Freetown Creek. See Cost Estimate #3

**Option #4**

Build a Mechanical Plant and discharge to the Black Warrior River. See Cost Estimate #4

**Option #5**

Build a Mechanical Plant and discharge to Cottonwood Creek. See Cost Estimate #5

**Potential Waste Load Allocation Summary for the Black Warrior River**

1.25 MGD Annual Effluent Limits

CBOD5 (25mg/L)

NH3-N (17mg/L)

Additional limitations not available until a discharge permit is requested.

**Potential Waste Load Allocation Summary for Cottonwood Creek**

1.25 MGD Annual Effluent Limits

CBOD5 (1.33 mg/L)

NH#-N (0.11mg/L)

Additional limitations not available until a discharge permit is requested.

TABLE #2

## Potential Waste Load Allocation Freetown Creek @ 1.25MGD

| PARAMETER                                   | Quantity/<br>Loading |                   | Quality<br>/Concentration |                   |                  |                   |
|---|----------------------|-------------------|---------------------------|-------------------|------------------|-------------------|
|   | Monthly<br>Average   | Weekly<br>Average | Monthly<br>Average        | Weekly<br>Average | Daily<br>Minimum | Daily<br>Maximum  |
| Dissolved Oxygen                            |                      |                   |                           |                   | 7.0 mg/l         |                   |
| PH - Effluent                               |                      |                   |                           |                   | 6.0<br>S.U.      | 8.5<br>S.U.       |
| Solids. Total Suspended Raw<br>Influent     | Report<br>ppd        | Report<br>ppd     | Report<br>mg/l            | Report<br>mg/l    |                  |                   |
| Solids. Total Suspended Effluent            | 938<br>ppd           | 1407<br>ppd       | 90<br>mg/L                | 135<br>mg/L       |                  |                   |
| Ammonia as Nitrogen<br>(summer)             | 10.4<br>ppd          | 15.6<br>ppd       | 1.0<br>mg/L               | 1.5<br>mg/L       |                  |                   |
| Ammonia as Nitrogen<br>(winter)             | 19.8<br>ppd          | 29.7<br>ppd       | 1.9<br>mg/L               | 2.8<br>mg/L       |                  |                   |
| CBOD-5<br>(summer)                          | 62.5<br>ppd          | 93.8<br>ppd       | 6.0<br>mg/L               | 9.0<br>mg/L       |                  |                   |
| CBOD-5<br>(winter)                          | 93.8<br>ppd          | 140<br>ppd        | 9.0<br>mg/L               | 13.5<br>mg/L      |                  |                   |
| CBOD-5<br>(influent)                        | Report<br>ppd        | Report<br>ppd     | Report<br>mg/L            | Report<br>mg/L    |                  |                   |
| Nitrate + Nitrite                           | Report<br>ppd        | Report<br>ppd     | Report<br>mg/L            | Report<br>mg/L    |                  |                   |
| Nitrogen, Kjeldahl Total (AS N)<br>Effluent | Report<br>ppd        | Report<br>ppd     | Report<br>mg/L            | Report<br>mg/L    |                  |                   |
| Phosphorus, Total (AS N) Effluent           | Report<br>ppd        | Report<br>ppd     | Report<br>mg/L            | Report<br>mg/L    |                  |                   |
| TSS % Removal                               |                      |                   | 65.0 % (MIN)              |                   |                  |                   |
| CBOD-5 % Removal                            |                      |                   | 85.0 % (MIN)              |                   |                  |                   |
| Flow, Effluent                              |                      |                   | Report<br>(MGD)           |                   |                  | Report<br>(MGD)   |
| E-Coli (May-October)                        |                      |                   | 126<br>col/100mL          |                   |                  | 298<br>col/100mL  |
| E-Coli (November-April)                     |                      |                   | 548<br>col/100mL          |                   |                  | 2507<br>col/100mL |

Additional limitations not available until a discharge permit is requested.

## 4.1 OPTION #1

### Wetlands Facility Discharge to Freetown Creek

#### WETLANDS

This option will consistently meet and exceed the expected limits including those in Table II for Freetown Creek. The wetlands facility will consist of eleven cells with a surface area of 28.23 acres. The cells will have a general operating volume of 31.94 million gallons with a surge capacity of an additional 5.17 million gallons. The first cell will be aerated by mechanical aerators. The effluent will be disinfected by low maintenance U V with a non-effluent/bulb contact system. A backup generator will be added to keep the UV System operating if the power fails. A cascade system will be added to the wetlands for final aeration prior to discharge. The flow design will be 1.25 MGD monthly average. There will be a maintenance building for grounds equipment and a cover over the UV System. Dirt work for the maintenance building is part of the wetlands layout. The 8 inch force main to the existing spray field will be replaced with a 12 inch force main to the wetlands first cell.

#### EXISTING LAGOON

The third cell of the existing lagoons will be raised to make the berm equal on all sides. Gravel will be added to the roads around the lagoons for better maintenance of facility. The pumping station will be modified and larger pumps installed to prevent overflows to Cottonwood Creek. The force main between the lagoon and the wetlands will be increased from an eight inch pipe to a twelve inch pipe. Plumbing will be added to allow a one foot surge capacity in each lagoon. Plumbing will also be added to allow valve restricted bypass flow for each lagoon for emergency repairs. Treatment during these times will flow through two lagoons instead of three. Plumbing will also be added to the final lagoon for emergency overflow protection and discharge into Cottonwood Creek. The overflow protection will be placed at one foot below the top of the dyke and have a V notch for measuring the amount of flow. Any use of the bypass piping shall be detailed in the NPDES permit. A new automatic screen will be installed in the headworks. Changes in the plumbing and increased size of the force main will alleviate the flooding of the headworks. The flooded UV System will be removed from the lagoon and a different designed UV System will be installed at the wetland facility. A backup generator will be added to operate the pumping station if the power fails. The collection system will be rehabilitated to eliminate I&I to a like new status.

See: Engineer's Estimate of Probable Construction Cost (Option #1)

#### Pros:

1. Environmentally friendly, No chemicals or large increase in power consumption. Similar facility Town of Berry has a monthly \$2000.00 power bill for Pumping to the Facility, UV, and Aeration.
2. Low maintenance of facility, increase in man hours is 10hrs/week for mainly grounds keeping.
3. No change in the level of operator required.
4. Most economic capital outlay, operation, and maintenance cost of the options.
5. Utilization of existing 60 acre spray field property.
6. Ability to meet and exceed parametric limits with very little active effort.

#### Cons:

1. Need to be vigilant in keeping fences in good condition and keeping varmints out of facility.
2. Additional large surface area to keep mowed and dikes in good condition.
3. Will require new mowing equipment.

## 4.2 OPTION #2

### Upgrade Lagoon with Floating Wetlands-Discharge to Black Warrior River

This option will add a floating wetlands system to the third lagoon forcing all the effluent through the system prior to being pumped to the Black Warrior River. The wetland system will consist of sixty (7.5'X13'X4 Layer) wetland islands with fine bubble aeration, baffle curtains, and high floatation structures between the islands for ease of maintenance. This will require 20 miles of 14 inch force mains from the pumping station to the Black Warrior River. The mobilization and erosion control for this portion of the project will be greater due to the 20 miles of construction along state roads.

### EXISTING LAGOON

The third cell of the existing lagoons will be raised to make the berm equal on all sides. Gravel will be added to the roads around the lagoons for better maintenance of facility. Plumbing will be added to allow a one foot surge capacity in each lagoon. Plumbing will also be added to allow valve restricted bypass flow for each lagoon for emergency repairs. Treatment during these times will flow through two lagoons instead of three. Plumbing will also be added to the final lagoon for emergency overflow protection and discharge into Cottonwood Creek. The overflow protection will be placed at one foot below the top of the dyke and have a V notch for measuring the amount of flow. Any use of the bypass piping shall be detailed in the NPDES permit. A new automatic screen will be installed in the headworks. The new UV system will be installed prior to the pumping station. A new pumping station with three 100 HP pumps will be required to send the effluent to the Black Warrior River. Pumping station is itemized as #21 in Lagoon Upgrades cost estimate. A backup generator will be added to operate the pumping station, and other equipment if the power fails. There is not a control building required and therefore no dirt work required either.

The collection system will be rehabilitated to eliminate I&I to a like new status. The increase in man hours would require approximately two hours daily. The extra man hours are to inspect the force main for obvious breaks in the system. The other extra time is the needed to trim the wetland plants three to four times a year.

See: Engineer's Estimate of Probable Construction Cost (Option #2)

#### **Pros:**

1. Additional treatment required will be environmentally friendly and require minimal maintenance.
2. No change in the level of operator required.
3. Able to meet and exceed the parametric limits with minimal additional maintenance.

#### **Cons:**

1. Large capital investment for the pumping station and 20 miles of force main.
2. Increase in power cost to operate the pumps to propel the effluent 20 miles.
3. Acquire easements to the Black Warrior River to install the force main.
4. Large area to monitor for breaks in the line and possible large unpermitted discharge should a break occur.
5. Wetlands will need to be clipped three times a year and plant numbers maintained. Maintenance contract is approximately \$ 17,000/ Year for the wetland plants.

### 4.3 OPTION #3

#### **Mechanical Plant Discharge to Freetown Creek**

This option will be able to consistently meet and exceed the expected limits including the ones in Table #2. All requirements will not be known until an NPDES permit is obtained. This option would consist of building a mechanical plant at the existing spray field and discharge to Freetown Creek. This would require, providing three phase power to the spray field site, purchasing a system like Kubota (AO) process with two MBR trains in a layout of 72 feet by 55 feet, constructing concrete basins to contain the footprint of the plant, building a control process building at a minimum of 500 square feet, and replacing the 8 inch force main with a 12 inch force main 4.6 miles from the lagoon to the spray field site. A new UV System will be added prior to discharge into Freetown Creek. A backup generator will be added to operate the facility in case of power failures. A paved drive and parking lot will be required due to personnel being at the site continually. The paving estimate is covered under item #17 for the mechanical plant site.

#### **EXISTING LAGOON**

The third cell of the existing lagoons will be raised to make the dyke equal on all sides. The work on the dyke is covered in item #18 of the lagoon upgrade estimate. Gravel will be added to the roads around the lagoons for better maintenance of facility. The gravel is covered under item #15 in the lagoon upgrades estimate. The pumping station will be modified and larger pumps installed to prevent overflows to Cottonwood Creek. The pumping station is listed as Item # 7 of the Lagoon Upgrades cost estimate. Plumbing will be added to allow a one foot surge capacity in each lagoon. Plumbing will also be added to allow valve restricted bypass flow for each lagoon for emergency repairs. Treatment during these times will flow through two lagoons instead of three. Plumbing will also be added to the final lagoon for emergency overflow protection and discharge into Cottonwood Creek. The overflow protection will be placed at one foot below the top of the dyke and have a V notch for measuring the amount of flow. Any use of the bypass piping shall be detailed in the NPDES permit. The automatic screen will be replaced. The changes in the plumbing and increased size of the force main will elevate the flooding of the headworks. A backup generator will be added to operate the pumping station if the power fails. The collection system will be rehabilitated to eliminate I&I to a like new status.

Engineers of the South stated that a Grade III operator would be required to be on site 8 hours per day 5 days per week with a Grade II on site the other 2 days per week. Estimated additional cost for salaries, insurance, taxes, etc. would be about \$180,000 per year. This would not include increased lab cost, power, etc. Kubota estimates power consumption of 3391 kWh/d.

See: Engineer's Estimate of Probable Construction Cost (Option #3)

#### **Pros:**

1. Utilization of existing 60 acre spray field property for construction of mechanical plant.
2. Able to meet and exceed the parametric limits.

#### **Cons:**

1. Large capital investment for mechanical plant.
2. Large increase in maintenance and operational cost of plant.
3. Large increase in manpower and level of operator required.
4. Chemicals are required for operation.

5. Difficulty in obtaining and retaining skilled personnel required to operate the plant.
6. Sludge disposal.

#### 4.4 OPTION #4

##### **Mechanical Plant Discharge to Black Warrior River**

This option will consistently meet and exceed the expected limits. A NPDES permit would be required prior to knowing all limitations. This option would consist of purchasing land adjacent to the existing lagoon and building a mechanical plant to discharge to the Black Warrior River and purchasing a system like Kubota (AO) process with two MBR trains in a layout of 72 feet by 55 feet. Land purchase is itemized in the administration portion of the estimate. It would also consist of constructing concrete basins to contain the footprint of the plant, building a process building at a minimum of 500 square feet, installing 20 miles of 14 inch force mains. This option would require a new pumping station with three 100hp pumps. The pump station cost is listed as item #1 of the lagoon upgrades estimate. The automatic screen will be replaced. The existing lagoon will only be used as a backup surge facility and will not need to be completely rehabilitated. A paved drive and parking lot will be required due to personnel being at the site continually. A large backup generator will be added to operate the plant if the power fails. The collection system will be rehabilitated to eliminate I&I to a like new status.

Engineers of the South stated that a Grade III operator would be required to be on site 8 hours per day 5 days per week with a Grade II on site the other 2 days per week. They estimated the additional cost for salaries, insurance, taxes, etc. would be about \$180,000 per year. This would not include increased lab cost, power, etc. Kubota estimates power consumption of 3391 kWh/d.

See: Engineer's Estimate of Probable Construction Cost (Option #4)

##### **Pros:**

1. Able to meet the parametric limits.
2. Able to use the lagoons for surge capabilities and sludge deposits.

##### **Cons:**

1. The largest capital, operation and maintenance expense of the four options.
2. Chemicals are required for operation.
3. Sludge disposal.
4. Acquire easements to the Black Warrior River to install the force main and purchase property at the existing lagoon site.
5. Large area to monitor for breaks in the line and possible large unpermitted discharge should a break occur.
6. Large increase in manpower and level of operator required.
7. Difficulty in obtaining and retaining skilled personnel required to operate the plant.

## 4.5 OPTION #5

### **Mechanical Plant Discharge to Cottonwood Creek**

This option can meet the expected limits at optimum conditions. This would consist of purchasing land adjacent to the existing lagoon and building a mechanical plant to discharge to the Cottonwood Creek and purchasing a system like Kubota (AO) process with two MBR trains and a tertiary filter in a layout of 72 feet by 55 feet. It would also consist of constructing concrete basins to contain the footprint of the plant, building a process building at a minimum of 500 square feet. Treatment will require Pre-chlorination, chlorination, and dechlorinating. There will not be a need for UV Disinfection. A paved drive and parking lot will be required due to personnel being at the site continually. The land purchase is itemized under the administration portion of the construction estimate.

The existing lagoon will need to be used as preliminary treatment. The third cell of the existing lagoons will be raised to make the berm equal on all sides. Gravel will be added to the roads around the lagoons for better maintenance of facility. Plumbing will be added to allow a one foot surge capacity in each lagoon. Plumbing will also be added to allow valve restricted bypass flow for each lagoon for emergency repairs. Treatment during these times will flow through two lagoons instead of three. Plumbing will also be added to the final lagoon for emergency overflow protection and discharge into Cottonwood Creek. The overflow protection will be placed at one foot below the top of the dyke and have a V notch for measuring the amount of flow. Any use of the bypass piping shall require ADEM notification. The automatic screen will be replaced. A large backup generator will be added to operate the plant if the power fails. Mobilization/Demobilization, and erosion control cost will include the work of the Lagoon Upgrades since they will be at the same site and be constructed simultaneously.

The collection system will be rehabilitated to eliminate I&I to a like new status. Engineers of the South stated that a Grade III operator would be required to be on site 8 hours per day 5 days per week with a Grade II on site the other 2 days per week. They estimated the additional cost for salaries, insurance, taxes, etc. would be about \$180,000 per year. This would not include increased lab cost, power, etc. Kubota estimates power consumption of 3391 kWh/d.

See: Engineer's Estimate of Probable Construction Cost (Option #5)

#### **Pros:**

1. Meet the basic parametric limits.

#### **Cons:**

1. The large capital, operation and maintenance expense.
2. Chemicals are required for operation.
3. Require additional land to be purchased.
4. Large increase in manpower and level of operator required.
5. Difficulty in obtaining and retaining skilled personnel required to operate the plant.
6. A very low probability in consistently meeting parametric limits. Mechanical Plant will have to be adjusted frequently and have a good laboratory on site to be able to achieve compliance.



**5. DESIGN DECISIONS:**

The design criteria for the waste load allocation flow was based on the McGraw-Hill series text book Environmental Engineering. The design started with the water sold to sewer customers. Let's assume that all of the water sold ends up in the sewer system. The expected amount of inflow from a collection system varies from 1,000- 30,000 gallons/mile depending on the age and material of the system. There is approximately 21 miles of the existing collection system.

The peak monthly average of water sold in Uniontown for 2015 was 686,211 gallons per day. Assuming the worst case of 30,000 gallons per mile multiplied by 21 miles equals 630,000 additional gallons per day. This would be a peak month of 1,316,211 gallons per day. The average flow design is 1,250,000 gallons per day. The system has a 50% safety factor built in to be able to treat 1,875,000 gallons per day.

EPA "Water Sense" partnership estimates that 30 to 60 percent of water use in the southern states is consumed for outdoor purposes. The City of Uniontown sold an average of 621,548 gallons of water per day in 2014 and 686,211 gallons of water per day in 2015. The peak purchase of water was for the month of May during 2015. The peak amount of water sold was 1,463,225 gallons/day. Using a conservative estimate of outdoor usage of 15 percent (219,483) the flow to the treatment facility would be 1,243,742 gallons per day. The average flow design for the facility is 1,250,000 gallons per day. Peak treatment capacity is 1,875,000 gallons per day.

*Expected flow from the system post rehabilitation is as follows.* Post rehabilitation I&I expectations is 5,000 gallons per mile. 21 miles of sewer lines allows 105,000 gallons per day I&I. New recorded data reveals that Alabama Catfish uses 55% of the water sold to them by the city and discharges 45% into the sewer system. Average monthly flow for Alabama Catfish is 149,850 gallons per day/ 5days a week = 107,036 gallons per day. Outdoor use of water purchased especially during the peak flow months is at least 30 percent of water purchased. The following table shows expected flow for the lagoon with percent of outdoor use from 15-60 percent.

| EXPECTED AVERAGE DAILY FLOWS TO LAGOON POST REHABILITATION |   |  |  |   |  |  |  |
|--|---|--|--|---|--|--|--|
| PERCENT OUTDOOR WATER USE                                  | (A)<br>AVERAGE MONTHLY WATER SOLD (GAL/DAY) | (B)<br>AVERAGE MONTHLY WATER SOLD TO ALABAMA CATFISH (GAL/DAY) | (C)<br>AVERAGE MONTHLY WATER SOLD TO THE REMAINDER OF THE CITY (GAL/DAY) | (D)<br>AVERAGE MONTHLY OUTDOOR USE WATER TO REMAINDER OF CITY | (E)<br>5000 GAL/MILE INFLOW AND INFILTRATION (GAL/DAY) | (F)<br>FLOW TO LAGOON FROM ALABAMA CATFISH (GAL/DAY) | TOTAL FLOW TO LAGOON = (C)-(D)+(E)+(F) (GAL/DAY) |
| 15   | 686,211                                     | 301,000  | 385,211  | -57,782   | 105,000  | 107,036  | 539,465  |
| 30   | 686,211                                     | 301,000  | 385,211  | -115,563  | 105,000  | 107,036  | 481,684  |
| 45   | 686,211                                     | 301,000  | 385,211  | -173,345  | 105,000  | 107,036  | 423,902  |
| 60   | 686,211                                     | 301,000  | 385,211  | -231,127  | 105,000  | 107,036  | 366,120  |

**Surge Capacity Design** assumes a five inch day rain event.

**Surge Capacity**

|                                       |                                       |   |
|---------------------------------------|---------------------------------------|---|
| Fish Plant Lagoon                     | 5" Rain = 603,072 gallons collected   |   |
| Existing Uniontown Lagoons            | 5" Rain = 1,838,437 gallons collected | 4,229,236 gallons capacity              |
| Surge Pond at Wetlands                | 5" Rain = 1,016,583 gallons collected | 5,170,729 gallons capacity              |
| 5,000 gallons per mile collection I&I | = <u>105,000</u> gallons              |   |
| <b>Total</b>                          | <b>2,960,026 gallons</b>              | <b>Total 9,399,965 gallons capacity</b> |

Assume that the flow to the system reaches the capacity of the surge storage. There will still be room in both facilities (Uniontown Lagoon, and the Surge Pond) to store an additional five inches of water and still have two feet and seven inches of freeboard. This design will meet the flow requirements for a conservative estimation of expected flow.

Alabama Catfish did not have any method of monitoring the discharge to Uniontown. For design purposes we used the amount of water that they purchased from the city. Alabama Catfish now has an effluent meter. The average effluent flow from Alabama Catfish has a 55% reduction from the original assumption.

Alabama Catfish daily flow of 107,036 gallons per day, assuming 385,211 gallons per day from the residences with a 30 % decrease for outside consumption, and daily rainfall data from NOAA was used for the input in design of the wetlands.

The data used in calculations for the wetlands was gathered from national data published and data gathered on DMR's from Uniontown, and five other lagoons in the state with designs from .5 MGD to 1.6 MGD. Effluent BOD ranged from 5 mg/L to 35 mg/L and TKN ranged from 1.5 mg/L to 10mg/L.

Design parameters chosen were a BOD value of 35 mg/L and a TKN of 9 mg/L. The original design for 1.25 MGD worked well with these parameters. After adjusting the flow data to the reductions from Alabama Catfish, the design for 1.25 MGD failed at a 50% safety factor. The BOD input data had to be increased to at least 75mg/L to meet the safety factor. The data indicates that the bacteria were being starved for food and were dying off. Data does not support having a BOD influent to the wetlands greater than 35mg/L for the expected flow.

The design was recalculated using a flow of 1 MGD and using the waste load summary of 1.25MGD. Decreasing the flow by .250 MGD decreased the BOD from 75mg/L back to 35mg/L. We requested a new Waste Load Allocation Summary from ADEM.

The new waste load summary parameters for Freetown Creek at a 1.0 MGD were applied to the design program. The results improved to include an increase in the safety factor from 50% to 100%. The size of the wetlands will accommodate growth to the city of 250,000 gallons per day. Should the city see additional growth the permit could easily be increased to 1.25 MGD. The wetlands program supports this increase with an accompanying increase in strength of influent.

The voids listed in the calculations is the area that the plants will occupy in the wetlands. The SWD designation in the calculations is the surge water design needed. The calculations show that a surge water design for the wetlands is seven inches, and the surge water design for the main holding pond is one inch. The design of the effluent weir from the main holding pond will provide the surge storage in the holding pond for maximum retention time in the wetlands.

The following chart shows the Waste Load Allocation Summary for Freetown Creek @ 1MGD

FREETOWN 1.0MGD

| PARAMETER                            | Quantity/ Loading |                | Quality /Concentration |                |               |                   |
|--------------------------------------|-------------------|----------------|------------------------|----------------|---------------|-------------------|
|                                      | Monthly Average   | Weekly Average | Monthly Average        | Weekly Average | Daily Minimum | Daily Maximum     |
| Dissolved Oxygen                     |                   |                |                        |                | 7.0 mg/l      |                   |
| PH - Effluent                        |                   |                |                        |                | 6.0<br>S.U.   | 8.5<br>S.U.       |
| Solids. Total Suspended Raw Influent | Report<br>ppd     | Report<br>ppd  | Report<br>mg/l         | Report<br>mg/l |               |                   |
|                                      | 750               | 1125           |                        | 135            |               |                   |
| Solids. Total Suspended Effluent     | ppd               | ppd            | 90 mg/L                | mg/L           |               |                   |
| Ammonia as Nitrogen (summer)         | 8.3<br>ppd        | 12.5<br>ppd    | 1.0<br>mg/L            | 1.5<br>mg/L    |               |                   |
| Ammonia as Nitrogen (winter)         | 25.0<br>ppd       | 37.5<br>ppd    | 3.0<br>mg/L            | 4.5<br>mg/L    |               |                   |
| CBOD-5 (summer)                      | 50.0<br>ppd       | 75.0<br>ppd    | 6.0<br>mg/L            | 9.0<br>mg/L    |               |                   |
| CBOD-5 (winter)                      | 75.0<br>ppd       | 112<br>ppd     | 9.0<br>mg/L            | 13.5<br>mg/L   |               |                   |
| CBOD-5 (influent)                    | Report<br>ppd     | Report<br>ppd  | Report<br>mg/l         | Report<br>mg/l |               |                   |
| Nitrate + Nitrite                    | Report            | Report         | Report                 | Report         |               |                   |
| Nitrogen,Kjeldahl Total (AS N)       | Report            | Report         | Report                 | Report         |               |                   |
| Phosphorus, Total (AS N) Effluent    | Report            | Report         | Report                 | Report         |               |                   |
| TSS % Removal                        |                   |                | 65.0%                  |                |               |                   |
| CBOD-5 % Removal                     |                   |                | 85.0%                  |                |               |                   |
| Flow, Effluent                       |                   |                | Report                 |                |               | Report            |
| E.Coli (Summer)                      |                   |                | 126<br>col/100mL       |                |               | 289<br>col/100mL  |
| E-Coli (Winter)                      |                   |                | 548<br>col/100ml       |                |               | 2507<br>col/100ml |

The following charts are calculations from the Wetlands Design Program

City of Uniontown

NPDES Permit AL0063657 EXPECTED LIMITS

| Parameter                 | Monthly Average | Units   | Weekly Average | Units   | Monthly Average | Units  | Weekly Average | Units | Daily Min. | Units | Daily Max. | Units  |
|---------------------------|-----------------|---------|----------------|---------|-----------------|--------|----------------|-------|------------|-------|------------|--------|
| <i>November - March</i>   |                 |         |                |         |                 |        |                |       |            |       |            |        |
| D.O.                      |                 |         |                |         |                 |        |                |       | 7.00       | S.U.  |            |        |
| Effluent CBOD             | 75.00           | lbs/day | 112.00         | lbs/day | 9.00            | mg/L   | 13.50          | mg/L  |            |       |            |        |
| pH                        |                 |         |                |         |                 |        |                |       | 8.00       | S.U.  | 8.50       | S.U.   |
| Effluent TSS              | 750.00          | lbs/day | 1125.00        | lbs/day | 90.00           | mg/L   | 135.00         | mg/L  |            |       |            |        |
| Effluent NH3-N            | 25.00           | lbs/day | 37.50          | lbs/day | 3.00            | mg/L   | 4.50           | mg/L  |            |       |            |        |
| E-Coli (November - April) |                 |         |                |         | 548.00          | col/dl |                |       |            |       | 2507.00    | col/dl |
| CBOD % Removal            | 85%             |         |                |         |                 |        |                |       |            |       |            |        |
| TSS % Removal             | 65%             |         |                |         |                 |        |                |       |            |       |            |        |
| <i>April - October</i>    |                 |         |                |         |                 |        |                |       |            |       |            |        |
| D.O.                      |                 |         |                |         |                 |        |                |       | 7.00       | S.U.  |            |        |
| Effluent CBOD             | 50.00           | lbs/day | 75.00          | lbs/day | 8.00            | mg/L   | 9.00           | mg/L  |            |       |            |        |
| pH                        |                 |         |                |         |                 |        |                |       | 8.00       | S.U.  | 8.50       | S.U.   |
| Effluent TSS              | 750.00          | lbs/day | 1125.00        | lbs/day | 90.00           | mg/L   | 135.00         | mg/L  |            |       |            |        |
| Effluent NH3-N            | 8.30            | lbs/day | 12.50          | lbs/day | 1.00            | mg/L   | 1.50           | mg/L  |            |       |            |        |
| E-Coli (May-October)      |                 |         |                |         | 126.00          | col/dl |                |       |            |       | 298.00     | col/dl |
| CBOD % Removal            | 85%             |         |                |         |                 |        |                |       |            |       |            |        |
| TSS % Removal             | 65%             |         |                |         |                 |        |                |       |            |       |            |        |

**City of Uniontown  
Sanitary Wastewater Lagoon System**

**BOD LOADING  
35.00 mg/L**

**Faculative Pond System Design by Areal Loading**

| Month     | Tuscaloosa Average Daily Temperature °F | Converted Temperature °C | Seasonal Average °C | Min. Loading Rate, lbs BOD <sub>5</sub> /acre-day <sup>1</sup> | Max. Loading Rate, lbs BOD <sub>5</sub> /acre-day <sup>1</sup> |
|-----------|---|--------------------------|---------------------|--|--|
| December  | 46.0                                    | 8.1                      | 7.9                 | 20   | 40   |
| January   | 44.2                                    | 6.8                      |                     |  |  |
| February  | 47.7                                    | 8.7                      |                     |  |  |
| March     | 54.4                                    | 12.4                     | 17.4                | ADEM Recommended:<br>Primary Cell                              | 50   |
| April     | 64.2                                    | 17.9                     |                     |  |  |
| May       | 71.5                                    | 21.9                     |                     |  |  |
| June      | 78.5                                    | 25.8                     | 26.7                | 2ndary Cell  | —  |
| July      | 81.0                                    | 27.2                     |                     |  |  |
| August    | 80.6                                    | 27.0                     |                     |  |  |
| September | 75.5                                    | 24.2                     | 17.8                |  |  |
| October   | 64.1                                    | 17.8                     |                     |  |  |
| November  | 52.8                                    | 11.4                     |                     |  |  |
| Minimum   | 6.8 °C                                  |                          |                     |  |  |

| Parameter                                | Calculated Value | Units     | Converted Value | Units  |
|--|------------------|-----------|-----------------|--------|
| Design Population                        | 1,000.00         | Customers |                 |        |
| Design Hydraulic Loading per Capita      | 1,000.00         | gal/day   |                 |        |
| Total Design Daily Hydraulic Loading     | 1,000,000.00     | gal/day   |                 |        |
| Estimated BOD <sub>5</sub> Concentration | 35.00            | mg/L      |                 |        |
| Estimated BOD <sub>5</sub> Loading       | 292.08           | lbs/day   | 132.48          | kg/day |

| <b>Primary Cell Design</b>                     |                   |                       |             |                 |
|--|-------------------|-----------------------|-------------|-----------------|
| BOD <sub>5</sub> Loading Rate for Primary Cell | 37.54             | lbs/ac/day            | 17.07       | kg/day          |
| Primary Cell Surface Area Required             | 7.76              | ac                    | 338,012.41  | ft <sup>2</sup> |
| Cell Wall Side Slopes                          | 33%               | 3                     | to          | 1               |
| <b>Cell Water Depth</b>                        | <b>10.00</b>      | <b>ft</b>             |             |                 |
| Aspect Ratio                                   | 38%               | 2.8                   | to          | 1               |
| <b>Width of Primary Cell Surface</b>           | <b>360.56</b>     | <b>ft</b>             |             |                 |
| <b>Length of Primary Cell Surface</b>          | <b>937.46</b>     | <b>ft</b>             |             |                 |
| <b>Total Area of Lagoon at Surface</b>         | <b>338,012.41</b> | <b>ft<sup>2</sup></b> | <b>7.76</b> | <b>ac</b>       |
| <b>Width of Cell at Bottom</b>                 | <b>300.56</b>     | <b>ft</b>             |             |                 |
| <b>Length of Cell at Bottom</b>                | <b>877.46</b>     | <b>ft</b>             |             |                 |
| <b>Total Area of Lagoon at Bottom</b>          | <b>263,731.07</b> | <b>ft<sup>2</sup></b> | <b>6.05</b> | <b>ac</b>       |
| Volume of Primary Cell                         | 3,008,717.39      | ft <sup>3</sup>       | 22,505,206  | gal             |
| Retention Time in Primary Cell                 | 22.51             | days                  |             | NG              |
| <b>Primary Cell Retention Time</b>             | <b>22.51</b>      | <b>days</b>           |             |                 |

### Faculative Pond System Design by Linvil Rich Model

| Month     | Mean Daily Maximum Surface Temperature °F | Converted Temperature °C | Mean Sludge Temperature °C | BOD <sub>5</sub> Conversion to Gas kg/m <sup>3</sup> -day | Monthly BOD <sub>5</sub> Conversion to Gas kg/m <sup>3</sup> | Pond Decay Constant, day <sup>-1</sup> |
|-----------|---|--------------------------|----------------------------|---|--|--|
| December  | 46.8                                      | 8.1                      | 7.2                        | 0.0000  | 0  | 0.1338                                 |
| January   | 44.2                                      | 6.8                      | 6.2                        | 0.0000  | 0  | 0.1200                                 |
| February  | 47.7                                      | 8.7                      | 7.7                        | 0.0000  | 0  | 0.1407                                 |
| March     | 54.4                                      | 12.4                     | 10.6                       | 0.0000  | 0.000  | 0.1906                                 |
| April     | 64.2                                      | 17.9                     | 14.8                       | 0.0000  | 0.000  | 0.2971                                 |
| May       | 71.5                                      | 21.9                     | 17.9                       | 0.0185  | 0.554  | 0.4136                                 |
| June      | 78.5                                      | 25.8                     | 21.0                       | 0.0374  | 1.123  | 0.5681                                 |
| July      | 81.0                                      | 27.2                     | 22.0                       | 0.0442  | 1.327  | 0.6362                                 |
| August    | 80.6                                      | 27.0                     | 21.9                       | 0.0431  | 1.294  | 0.6248                                 |
| September | 75.5                                      | 24.2                     | 19.7                       | 0.0293  | 0.879  | 0.4959                                 |
| October   | 64.1                                      | 17.8                     | 14.7                       | 0.0000  | 0.000  | 0.2958                                 |
| November  | 52.6                                      | 11.4                     | 9.8                        | 0.0000  | 0.000  | 0.1756                                 |
| Minimum   | 6.8 °C                                    |                          |                            | Σ   | 5.178  |  |

### Faculative Pond System Design by Linvil Rich Model

|                                  |        |        |        |        |        |        |        |        |        |        |        |        |
|----------------------------------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
| Maximum Loading, lbs/day         | 71,236 | 77,234 | 68,504 | 54,063 | 37,284 | 27,859 | 20,876 | 18,798 | 18,117 | 23,648 | 37,430 | 57,716 |
|                                  | 51,000 | 50,000 | 51,000 | 52,000 | 54,000 | 55,000 | 55,000 | 56,000 | 55,000 | 55,000 | 54,000 | 52,000 |
| Flow at Maximum Loading, mgd     | 0.980  | 0.960  | 0.980  | 1.000  | 1.040  | 1.050  | 1.080  | 1.080  | 1.080  | 1.060  | 1.040  | 1.000  |
| Maximum Concentration, mg/L      | 8,711  | 9,641  | 8,389  | 6,479  | 4,296  | 3,149  | 2,380  | 2,086  | 2,121  | 2,673  | 4,313  | 6,916  |
| Average Loading, lbs/day         | 49,697 | 54,267 | 47,982 | 37,501 | 25,594 | 19,004 | 14,172 | 12,742 | 12,951 | 16,084 | 25,697 | 40,121 |
| Wetland Loading Rate, lbs/ac/day | 35     | 35     | 35     | 35     | 35     | 35     | 35     | 35     | 35     | 35     | 35     | 35     |
| Required Wetland Size, ac        | 2.04   | 2.21   | 1.96   | 1.54   | 1.07   | 0.60   | 0.60   | 0.54   | 0.56   | 0.68   | 1.07   | 1.65   |

### Faculative Pond System Performance

7.76 Acres

| Month  | Mean Daily Maximum Surface Temperature °F | Converted Temperature °C | Mean Sludge Temperature °C | Reaction Rate at Surface Temp, day <sup>-1</sup> | Plug Flow Model Expected Effluent BOD <sub>5</sub> , mg/L | Reaction Rate Constants |              |
|--|---|--------------------------|----------------------------|--|---|-------------------------|--------------|
| December   | 40.6                                      | 8.1                      | 7.2                        | 0.024897833                                      | 19.99   |                         |              |
| January  | 44.2                                      | 6.8                      | 6.2                        | 0.022195225                                      | 21.24   | b[0]                    | -0.011471185 |
| February   | 47.7                                      | 8.7                      | 7.7                        | 0.026244197                                      | 19.39   | b[1]                    | 3.50E-03     |
| March  | 54.4                                      | 12.4                     | 10.6                       | 0.036169544                                      | 15.51   | b[2]                    | -4.81E-05    |
| April  | 64.2                                      | 17.9                     | 14.8                       | 0.057824186                                      | 9.53  | b[3]                    | 2.50E-07     |
| May  | 71.6                                      | 21.9                     | 17.9                       | 0.082015279                                      | 5.53  |                         |              |
| June   | 78.6                                      | 25.8                     | 21.0                       | 0.114668006                                      | 2.65  |                         |              |
| July   | 81.0                                      | 27.2                     | 22.0                       | 0.129247904                                      | 1.91  |                         |              |
| August   | 80.6                                      | 27.0                     | 21.9                       | 0.126796279                                      | 2.02  |                         |              |
| September  | 75.6                                      | 24.2                     | 19.7                       | 0.099328416                                      | 3.74  |                         |              |
| October  | 64.1                                      | 17.8                     | 14.7                       | 0.057548006                                      | 9.59  |                         |              |
| November   | 52.6                                      | 11.4                     | 9.8                        | 0.033183068                                      | 16.59   |                         |              |
| Minimum  | 6.8 °C                                    |                          |                            |  |   |                         |              |
| <b>Primary Cell Performance</b>                      |   |                          |                            |  |   |                         |              |
| Influent BOD <sub>5</sub> Concentration              |   |                          | 35.00                      | mg/L   |   |                         |              |
| Loading Rate to Primary Cell                         |   |                          | 37.64                      | lbs/ac-day <sup>-1</sup>                         | 42.20   | kg/ha-day <sup>-1</sup> |              |
| Reaction Rate Constant at 20°C                       |   |                          | 0.07                       | day <sup>-1</sup>                                |   |                         |              |
| Critical Temperature, T <sub>crit</sub>              |   |                          | 6.78                       | °C   |   |                         |              |
| Reaction Rate at T <sub>crit</sub>                   |   |                          | 0.02                       | day <sup>-1</sup>                                |   |                         |              |
| Primary Cell Retention Time                          |   |                          | 22.51                      | days   |   |                         |              |
| <b>Effluent BOD<sub>5</sub> Concentration</b>        |   |                          | <b>21.24</b>               | <b>mg/L</b>                                      |   |                         |              |
| <b>Primary Cell Performance for Nitrogen Removal</b> |   |                          |                            |  |   |                         |              |
| Parameter  | Calculated Value                          | Units                    | Converted Value            | Units  |   |                         |              |
| Design Population                                    | 1,000.00                                  | Customers                |                            |  |   |                         |              |
| Hydraulic Loading per Capita                         | 1,000.00                                  | gal/day                  |                            |  |   |                         |              |
| Total Average Daily Hydraulic Loading                | 1,000,000.00                              | gal/day                  |                            |  |   |                         |              |
| Influent TKN Concentration                           | 9.00                                      | mg/L                     |                            |  |   |                         |              |
| Influent TKN Loading                                 | 75.11                                     | lbs/day                  | 9.68                       | lbs/ac-day                                       |   |                         |              |
| % Total N as NH <sub>3</sub> -N                      | 67%                                       |                          |                            |  |   |                         |              |
| Detention Time at Q <sub>design</sub>                | 22.51                                     | days                     |                            |  |   |                         |              |
| <b>Effluent TKN Concentration</b>                    | <b>7.01</b>                               | <b>mg/L</b>              | <b>58.46</b>               | <b>lbs/day</b>                                   |   |                         |              |
| <b>Effluent NH<sub>3</sub>-N Concentration</b>       | <b>4.67</b>                               | <b>mg/L</b>              | <b>38.97</b>               | <b>lbs/day</b>                                   |   |                         |              |

Plug Flow Model

US Army COE

| Month     | Mean Daily Maximum Surface Temperature °F | Converted Temperature °C | Reaction Rate Constant at Mean Temperature, K <sub>r</sub> | Mean Estimated pH, S.U. | Removal Ratio | TKN Effluent Conc., mg/L | TKN Effluent Limit, mg/L |
|-----------|---|--------------------------|--|-------------------------|---------------|--------------------------|--------------------------|
| December  | 46.0                                      | 8.1                      | 0.0040611  | 7.3                     | 0.7682        | 6.91                     | 13.43                    |
| January   | 44.2                                      | 6.8                      | 0.0038591  | 7.3                     | 0.7784        | 7.01                     | 13.43                    |
| February  | 47.7                                      | 8.7                      | 0.0041571  | 7.3                     | 0.7635        | 6.67                     | 13.43                    |
| March     | 54.4                                      | 12.4                     | 0.0047934  | 7.3                     | 0.7326        | 6.59                     | 13.43                    |
| April     | 64.2                                      | 17.9                     | 0.0059034  | 7.3                     | 0.6816        | 6.13                     | 13.43                    |
| May       | 71.5                                      | 21.9                     | 0.0068943  | 7.3                     | 0.6392        | 5.75                     | 1.49                     |
| June      | 78.5                                      | 25.8                     | 0.0080003  | 7.3                     | 0.5949        | 5.35                     | 1.49                     |
| July      | 81.0                                      | 27.2                     | 0.0084369  | 7.3                     | 0.5782        | 5.20                     | 1.49                     |
| August    | 80.8                                      | 27.0                     | 0.0083654  | 7.3                     | 0.5809        | 5.23                     | 1.49                     |
| September | 75.5                                      | 24.2                     | 0.0075060  | 7.3                     | 0.6143        | 5.53                     | 1.49                     |
| October   | 64.1                                      | 17.8                     | 0.0058909  | 7.3                     | 0.6822        | 6.14                     | 1.49                     |
| November  | 52.6                                      | 11.4                     | 0.0046134  | 7.3                     | 0.7412        | 6.67                     | 1.49                     |
| Minimum   | 6.8 °C                                    |                          | Maximum December - April                                   |                         | 0.778         | 7.01                     |                          |



## Wetland Design

| Parameter                                      | Calculated Value | Units                          | Converted Value | Units               |
|--|------------------|--------------------------------|-----------------|---------------------|
| Design Population                              | 1,000.00         | Customers                      |                 |                     |
| Design Hydraulic Loading per Capita            | 1,000.00         | gal/day                        |                 |                     |
| Total Design Daily Hydraulic Loading           | 1,000,000.00     | gal/day                        |                 |                     |
| Influent BOD <sub>5</sub> Concentration        | 21.24            | mg/L                           |                 |                     |
| Effluent BOD <sub>5</sub> Concentration Needed | 10.00            | mg/L                           |                 |                     |
| Influent TSS Concentration                     | 100.00           | mg/L                           |                 |                     |
| Effluent TSS Concentration Needed              | 90.00            | mg/L                           |                 |                     |
| Influent TKN Concentration                     | 7.01             | mg/L                           |                 |                     |
| Effluent TKN Concentration Needed              | 1.49             | mg/L                           |                 |                     |
| <b>Design for BOD<sub>5</sub> Removal</b>      |                  |                                |                 |                     |
| Average Flow                                   | 1,000,000.00     | gal/day                        | 3,785.44        | m <sup>3</sup> /day |
| Concentration Reduction Ratio                  | 0.47             |                                |                 |                     |
| Reaction Rate Constant at 20°C                 | 0.0057           | day <sup>-1</sup>              |                 |                     |
| Critical Temperature, T <sub>crit</sub>        | 6.78             | °C                             |                 |                     |
| Reaction Rate at T <sub>crit</sub>             | 0.0016           | day <sup>-1</sup>              |                 |                     |
| Surface Area for Microbial Growth              | 15.70            | m <sup>2</sup> /m <sup>3</sup> |                 |                     |
| Void Fraction in Wetland                       | 0.50             |                                |                 |                     |
| Design Slope                                   | 0.003%           |                                |                 |                     |
| <b>Design Depth</b>                            | <b>6.00</b>      | inches                         | 0.15            | m                   |
| Area Required                                  | 5,066.29         | m <sup>2</sup>                 | 54,533.59       | ft <sup>2</sup>     |
| Aspect Ratio                                   | 10%              | 10                             | to              | 7                   |
| <b>Width of Cell</b>                           | <b>73.85</b>     | ft                             |                 |                     |
| <b>Length of Cell</b>                          | <b>738.47</b>    | ft                             |                 |                     |
| <b>Size of Wetland for BOD Removal</b>         | <b>1.25</b>      | ac                             |                 |                     |
| <b>Area Loading Check</b>                      | <b>141.57</b>    | lbs/ac/day                     |                 |                     |
| <b>Design for TSS Removal</b>                  |                  |                                |                 |                     |
| Average Flow                                   | 1,000,000.00     | gal/day                        | 3,785.44        | m <sup>3</sup> /day |
| TSS Loading for Wetland                        | 834.50           | lbs/day                        |                 |                     |
| Allowable TSS Effluent Loading                 | 751.05           | lbs/day                        |                 |                     |
| TSS Removed by Wetland                         | 83.45            | lbs/day                        |                 |                     |
| EPA Allowed Area Loading Rate                  | 44.5973          | lbs/ac/day                     | 50.00           | kg/ha-day-1         |
| Estimated Removal                              | 1.87             | ac                             |                 |                     |
| <b>Size of Wetland for TSS Removal</b>         | <b>1.87</b>      | ac                             |                 |                     |

| <b>Design for TKN Removal</b>                       |                 |                   |            |                         |
|---|-----------------|-------------------|------------|-------------------------|
| Average Flow  | 1,000,000.00    | gal/day           | 3,785.44   | m <sup>3</sup> /day     |
| Mass of TKN into System                             | 58.46           | lbs/day           |            |                         |
| Mass of TKN Allowed From System                     | 12.46           | lbs/day           |            |                         |
| Mass to be Removed, M <sub>w</sub>                  | 46.00           | lbs/day           |            |                         |
| Maximum Specific TKN Removal Rate, N <sub>max</sub> | 18.00           | lbs/ac/day        | 20.18      | kg/ha-day <sup>-1</sup> |
| TKN Half Saturation Constant, K <sub>n</sub>        | 16.00           | lbs/ac/day        |            |                         |
| Area Required                                       | 8.51            | ac                | 370,489.63 | ft <sup>2</sup>         |
| Aspect Ratio  | 10%             | 10                | to         | ?                       |
| Width of Primary Cell Surface                       | 192.48          | ft                |            |                         |
| Length of Primary Cell Surface                      | 1,924.81        | ft                |            |                         |
| <b>Size of Wetland for TKN Removal</b>              | <b>8.51</b>     | <b>ac</b>         |            |                         |
| <b>Area Loading Check</b>                           | <b>6.87</b>     | <b>lbs/ac/day</b> |            |                         |
| <b>Hydraulic Design</b>                             |                 |                   |            |                         |
| Average Flow  | 1,000,000.00    | gal/day           | 3,785.44   | m <sup>3</sup> /day     |
| Maximum Required Surface Area                       | 8.51            | ac                |            |                         |
| Design Factor of Safety                             | 100%            |                   |            |                         |
| Surface Area for Design                             | 18.00           | ac                | 734,083.00 | ft <sup>2</sup>         |
| Aspect Ratio  | 10%             | 10                | to         | ?                       |
| <b>Width of Primary Cell Surface</b>                | <b>280.01</b>   | <b>ft</b>         |            |                         |
| <b>Length of Primary Cell Surface</b>               | <b>2,800.14</b> | <b>ft</b>         |            |                         |
| <b>Mean Cell Depth</b>                              | <b>12.00</b>    | <b>inches</b>     | 0.30       | m                       |
| Mean Cell Volume                                    | 784,080.00      | ft <sup>3</sup>   | 5,864,918  | gal                     |
| Retention Time                                      | 5.86            | days              |            |                         |
| <b>Size of Wetland for Hydraulics</b>               | <b>18.00</b>    | <b>ac</b>         |            |                         |

| System Parameters        | Value      | Units           | Evaporation Constants                      |              |             |
|--------------------------|------------|-----------------|--|--------------|-------------|
| Design Flow              | 1,000,000  | gal             | 3rd Order<br>Regression<br>Coefficients    | Period       |             |
| Pond Surface Area        | 338,012    | ft <sup>2</sup> |  | .July - Dec  | Dec - July  |
| Pond Operating Volume    | 22,505,206 | gal             |  |              |             |
| Maximum Storage          | 272,327    | gal             |  |              |             |
| Total Pond Volume        | 22,777,533 | gal             | b[0]                                       | 4.063484114  | 0.732559832 |
| SWD for Storage          | 0.1        | ft              | b[1]                                       | -0.015687301 | -2.09E-04   |
| Wetland Surface Area     | 880,125    | ft <sup>2</sup> | b[2]                                       | -2.27E-04    | 9.60E-05    |
| Wetland Water Volume     | 7,000,000  | gal             | b[3]                                       | 1.22E-06     | -9.56E-08   |
| Net Maximum Storage      | 2,466,965  | gal             | r <sup>2</sup>                             | 0.998120246  | 0.997970125 |
| Total Net Wetland Volume | 9,466,965  | gal             | See note flags for explanation of rational |              |             |
| Average Voids            | 59%        |                 |  |              |             |
| Wetland Design Flow      | 1,000,000  | gpd             |  |              |             |
| SWD for Storage          | 0.6        | ft              |  |              |             |

| Estimated Total Cuts and Fills |               |            |      |
|--------------------------------|---------------|------------|------|
| Pond                           | 225,565       | cu-yds     |      |
| Wetland                        | 69,321        | cu-yds     |      |
| Total                          | 294,885       |            |      |
| Unit Cost                      | \$ 2.00       | cu-yds     |      |
| Projected                      | \$ 589,770.90 |            |      |
|                                |               |            |      |
| Pond Minimum HRT               | 23            | days       |      |
| Pond Maximum HRT               | 143           | days       |      |
| Maximum Area Loading           | 44.26         | lbs/ac/day |      |
| Wetland Minimum HRT            | 7             | days       |      |
| Wetland Maximum HRT            | 97            | days       |      |
| Maximum Area Loading           | 15.59         | lbs/ac/day | GOOD |

|                |              | Month     | Month | Decay Constant, d <sup>-1</sup> |
|----------------|--------------|-----------|-------|---------------------------------|
| Curve 1:       |              | January   | 1     | 0.1200                          |
| BOD Conc       | column 3:    | February  | 2     | 0.1407                          |
| Coefficients:  |              | March     | 3     | 0.1906                          |
| b[0]           | 2.301029996  | April     | 4     | 0.2971                          |
| b[1]           | -0.766437348 | May       | 5     | 0.4136                          |
| r <sup>2</sup> | 0.299153613  | June      | 6     | 0.5681                          |
|                |              | July      | 7     | 0.6362                          |
|                |              | August    | 8     | 0.6248                          |
|                |              | September | 9     | 0.4959                          |
|                |              | October   | 10    | 0.2958                          |
|                |              | November  | 11    | 0.1756                          |
|                |              | December  | 12    | 0.1338                          |

## 6. REPAIRING THE COLLECTION SYSTEM

The existing video data has given the City a lot of information about how to repair and or replace manholes and line segments. The areas that have been identified to be repaired will have to be videoed just prior to the repair process chosen for each segment. This will be required to confirm the condition of the line segment and also to clean the line segment so the repair can be accomplished. The different types of repair will be *Cured in Place Pipe (CIPP)*, *Pipe Burst Process*, and *Point repair with PVC material*. The replacement options will be with PVC or Ductile Iron pipe. CIPP will be with a fiberglass base material and or a PVC based material. These options will depend on cost and structural requirements for the section to be repaired. Pipe Burst will be used when the existing pipe structure has deteriorated to the point the CIPP process is not sufficient. The advantages of this process is that the entire street will not have to be cut open to repair the pipes. Each section of pipe repaired will have to be post videoed as proof of repair quality. Some areas can be point repaired with a section of PVC pipe and then use the CIPP process to complete the repair. The laterals will be sealed to the appropriate repair process. Each lateral will be tested to determine if it is in current use. Laterals that are not in current use will be sealed at the main or capped at the ROW according to the Uniontown designated supervisor.

The brick manholes in the system will either be replaced or repaired with a Cementous spray on liner that seals the manhole and adds structural strength to the manhole. Concrete manholes that need repair in the system will either be replaced or sealed with a Cementous liner. All manholes will be raised at least four inches above the ground or level with the pavement.

## 7. RECOMMENDED OPTION

Sentell Engineering recommends choosing Option #1(Constructed Wetlands) finishing treatment following the existing lagoons to bring the system into compliance. The design process to bring Uniontown Sanitary Sewer System into compliance is multifocal. The collection system must be returned to a like new condition prior to building the wetlands.

This option is the best one for Uniontown due to the fact that this system is the most environmentally friendly, efficient, economical, and simplest process available. The site of the existing spray field will be used to build the wetlands. There will be a two foot compacted clay liner added to the wetland cells. The treatment is accomplished by planting nutrient and water hungry plants called CATTAIL (*Typha sp.*) and BULRUSH (*Scirpus sp.*) in shallow ponds. Due to the fact that the ponds are shallow, wide, and long allows evaporation, and transpiration to operate at maximum capacity. The effluent will be discharged into Freetown Creek.

Uniontown does not have a vast economy to provide a staff exclusively for the waste water treatment system. The maintenance required for this system will only increase the man hours by 10 hours per week. Most of the man hours will be spent on grounds upkeep. The system is mostly operated by gravity and nature. There will only be three types of additional machinery to oversee. These will be the aerators at the first cell of the wetlands, the UV system, and the backup generator. The final aeration will be accomplished by a Cascade system. The existing plant operator will still be able to oversee the plant process without any additional professional training or licensure.

Currently the composite sampler for laboratory analysis of the parameters is located in the pumping station from the lagoon to the spray field. After completion of the project the sampler will be located in the wetlands facility at the cascade aerator. The cost of the composite sampler is included in the monthly sampling reports from TTL.

The laterals from the customer's building to the ROW will be the customer's responsibility to prove them structurally sound or have it repaired. The total estimated cost to repair all of the laterals from City customers to the main sewer lines is \$3,449,355. Due to the low income of the majority of the residences in Uniontown, the City will need to apply for ADECA grants to accomplish this for residences that qualify. ADECA has given the City **verbal** assurances

that they will fund the projects for the residencies that qualify as low to moderate income. The yearly amounts that ADECA will fund will allow the City to select approximately one tenth of the laterals each year to repair. Limitations for receiving the money each year require close out of the previous year's construction by March 31 of the following year. There are a lot of variables that prevent close out of projects in time to apply for the next cycle of funding.

Uniontown has applied for a \$200,000.00 DRA grant to raise the dyke of the third lagoon, add piping and effluent structures for better operational control of the lagoon. Uniontown also submitted a \$388,817.02 CDBG grant to repair and or replace laterals from residences to the main collection system. These grants were not approved for the 2018 grant cycle.

Due to ADECA'S limitations and the length of time needed for repairs with their normal funding cycles, the laterals need to be added to the total funding of the project to be completed in order to bring the system into a like new status.

The City of Uniontown recently passed a motion accepting option #1 the wetlands treatment system. Uniontown has met with representatives from Congresswoman Sewell's office to work toward finding other funding for the collection system and the wetlands. They have a preliminary set of plans showing each line segment of the collection system and the structural deficiencies of each one that has been videoed. They also have the preliminary plans for the wetland system and the upgrades needed for the lagoon. Follow up meetings are being planned.

Option #1 construction period.

Collection System will take two years to complete from notice to proceed. The lagoon upgrades will take six months to complete from notice to proceed. The lagoon upgrades can run simultaneously with the collection system. The wetlands construction will take 16 months to complete from notice to proceed. Beginning of the wetland construction can start the last four months of completion of the collection system. Total construction time should be three years.

## **8. EPA Comment Response**

- 1) Uniontown has documentation showing four times the design flow entering the lagoon from a one inch rain event. There is also documentation of existing flows into the lagoon of nine times the design capacity. During these events, the existing pumps cannot deliver the quantity of effluent to the spray fields to prevent flooding of the headworks, U.V., and overflowing the lagoon dykes. The new design will assure the level of the lagoons are lower than the headworks with new plumbing and adequate pumps.
- 2) The collection system will be rehabilitated to a like new status. The lagoon will operate at a normal level with an additional foot of surge protection. There will be three feet of freeboard above the surge elevation. The dyke that has an uneven crest will be built up to the correct elevation. The existing pumping station and the force main will be upgraded to pump twice the new design flow to prevent overflowing of the lagoon.
- 3) The only reason that a bypass pipe to protect the lagoon would be needed is if the pumping station were to be incapacitated. There will be a standby automatic generator at the pumping station in case of power failure. To be able to meet state law with a bypass pipe at the existing lagoon the effluent would have to be of sufficient quality to meet the limits of Cottonwood Creek. This discharge pipe would also have to have an NDPES permit. The limits required at Cottonwood Creek are too stringent for the lagoon to meet these limits. The probability of an overflow at the lagoon after the rehabilitation of the collection system and the lagoon would be very remote.
- 4) Each of the lagoons will have an adjustable weir to allow one foot of additional capacity according to the operator's needs.

- 5) There will be two automatic backup generators. One at the existing lagoon operating all of the electrical apparatus. The other generator will operate the U.V. System and the flow meter at the wetlands. The mechanical aerators at the wetlands will not be placed on temporary backup power.
- 6) The existing U.V. System is inoperable due to frequent flooding just prior to the pumping station. The U.V. System that will replace the existing system will be placed at the wetlands just prior to the Cascade Aerator.
- 7) The existing permit monitoring point of the lagoons is at the pumping station to the spray field. The monitoring point for the wetlands will be at the cascade aerator just past the U.V. System.
- 8) This U.V. System does not have the normal potential of effluent exposure to the lights. The effluent is directed into multiple translucent polyurethane tubes. The tubes use the turbulence as a self-cleaning mechanism and maximum exposure to U.V. transmittance. Cleaning expectancy of these units from experience is once or twice a year. The U.V. Bulbs are arranged between, above, and below the effluent tubes. The tubes and the bulbs are encased in a temperature controlled stainless steel case that reflects the U.V. Light in all directions. Due to the concerns expressed by EPA of issues with U.V. Systems not working in lagoons, we increased the transmittance for this project by 10 percent above the normal 65%. Our experience with this U.V. System in lagoons is excellent. We have installed two of these units in lagoons. The only instance in four years where the limit of E-Coli failed was due to a lightning strike.
- 9) The wetlands cells will have a two foot clay liner and will be barrel tested for assurance of impermeability. We have received environmental concurrences from state and federal agencies required to construct the wetlands. The only other permit requirement will be the NPDES permit from ADEM.
- 10) Due to the level of qualified City personnel, Uniontown will be required to outsource the operation and maintenance to a professional wastewater operation company.
- 11) A sub-surface constructed wetland would require a good bit more maintenance due to the plugging of the gravel. The expense of placing that much gravel would also be much more expensive to construct.
- 12) See the attached schematic of the lagoons and the wetlands.
1. The collection system will be restored to a like new status. The design flow allows 30,000 gallons of I & I per mile which is conservative according to the statistical upper expected limits for modern material.
2. Currently there is not a written plan as to procedures for sanitary sewer overflows or for backing up into residences or business. ADEM requires reporting criteria for Sanitary Sewer Overflows.
3. The operations company will be responsible for developing and submitting written plans for:
  - Maintenance for WWTF Equipment
  - Maintenance of Gravity Sewer
  - Maintenance of Pump Stations
  - Maintenance of Force Mains
  - Maintenance of Root Control
  - Response for Sanitary Sewer Overflows/Backups
4. The Collection system will be repaired prior to converting the spray field to a wetlands.

**Engineer's Estimate of Probable Construction Cost**

**UNIONTOWN SANITARY COLLECTION AND TREATMENT IMPROVEMENTS**

**Option #1**

Uniontown, Alabama

Sentell Engineering, Inc

2/12/2018

| <b>Item</b>             | <b>Quantity</b> | <b>Unit</b> | <b>Description</b>                 | <b>Unit Cost</b> | <b>Total</b>   |
|-------------------------|-----------------|-------------|------------------------------------|------------------|----------------|
| <b>Wetland Facility</b> |                 |             |                                    |                  |                |
| 1                       | 1               | LS          | Mobilization/Demobilization        | \$40,000.00      | \$40,000.00    |
| 2                       | 1               | LS          | Erosion Control                    | \$25,000.00      | \$25,000.00    |
| 3                       | 361             | LF          | 24" DI                             | \$150.00         | \$54,150.00    |
| 4                       | 333             | LF          | 24" PVC                            | \$100.00         | \$33,300.00    |
| 5                       | 5               | EA          | 24" Gate Valve                     | \$45,000.00      | \$225,000.00   |
| 6                       | 1,810           | LF          | 18" DI Pipe                        | \$110.00         | \$199,100.00   |
| 7                       | 7               | EA          | 18" MJ Gate Valve & Box            | \$26,000.00      | \$182,000.00   |
| 8                       | 830             | LF          | 12" DI Pipe                        | \$85.00          | \$70,550.00    |
| 9                       | 8               | EA          | 12" MJ Gate Valve & Box            | \$5,500.00       | \$44,000.00    |
| 10                      | 24,727          | LF          | 12" PVC Force Main Pipe            | \$36.00          | \$890,172.00   |
| 11                      | 6               | EA          | 12" Air Release Valves             | \$8,845.00       | \$53,070.00    |
| 12                      | 20              | EA          | Splash Pads                        | \$300.00         | \$6,000.00     |
| 13                      | 4               | EA          | Microbubble Aerators               | \$17,000.00      | \$68,000.00    |
| 14                      | 1               | EA          | Cascade Aerator                    | \$15,000.00      | \$15,000.00    |
| 15                      | 68              | EA          | Concrete Pipe Supports             | \$3,000.00       | \$204,000.00   |
| 16                      | 8               | EA          | Manholes                           | \$4,500.00       | \$36,000.00    |
| 17                      | 13              | EA          | Effluent Structures                | \$8,500.00       | \$110,500.00   |
| 18                      | 1               | EA          | UV System                          | \$150,000.00     | \$150,000.00   |
| 19                      | 1               | EA          | Maintenance Building               | \$100,000.00     | \$100,000.00   |
| 20                      | 6,944           | LF          | 6' Chain Link Fence                | \$15.00          | \$104,160.00   |
| 21                      | 1               | EA          | Parshall Flume                     | \$14,000.00      | \$14,000.00    |
| 22                      | 1               | EA          | Ultrasonic Flow Meter              | \$10,000.00      | \$10,000.00    |
| 23                      | 1               | EA          | Discharge Structure                | \$14,000.00      | \$14,000.00    |
| 24                      | 1               | LS          | Clearing & Grubbing                | \$40,000.00      | \$40,000.00    |
| 25                      | 1,638           | SY          | Concrete Slope Paving              | \$40.00          | \$65,520.00    |
| 26                      | 1               | LS          | Placing Topsoil & Seeding          | \$63,000.00      | \$63,000.00    |
| 27                      | 1               | LS          | Aggregate Road Surfacing           | \$75,715.00      | \$75,715.00    |
| 28                      | 1               | LS          | Unclassified Excavation(172,519CY) | \$350,000.00     | \$350,000.00   |
| 29                      | 1               | LS          | Borrow Material (242754CY)         | \$450,000.00     | \$450,000.00   |
| 30                      | 1               | LS          | Unclassified Clay Liner(65,303 CY) | \$200,000.00     | \$200,000.00   |
| 31                      | 1               | LS          | Electrical Service                 | \$133,265.00     | \$133,265.00   |
| 35                      | 1               | LS          | Electrical Equipment/ Generator    | \$90,000.00      | \$90,000.00    |
| 36                      | 1               | LS          | Micro-Agro-Filter System (Plants)  | \$150,000.00     | \$150,000.00   |
|                         |                 |             |                                    | Subtotal         | \$4,265,502.00 |
| <b>Lagoon Upgrades</b>  |                 |             |                                    |                  |                |
| 1                       | 1               | LS          | Mobilization/Demobilization        | \$25,000.00      | \$25,000.00    |
| 2                       | 1               | LS          | Erosion Control                    | \$14,000.00      | \$14,000.00    |
| 3                       | 1,346           | LF          | 18" DI Pipe                        | \$110.00         | \$148,060.00   |
| 4                       | 7               | EA          | 18" MJ Gate Valve & Box            | \$26,000.00      | \$182,000.00   |
| 5                       | 48              | LF          | 12" DI Pipe                        | \$85.00          | \$4,080.00     |
| 6                       | 1               | EA          | 12" MJ Gate Valve & Box            | \$5,500.00       | \$5,500.00     |
| 7                       | 1               | EA          | Emergency Discharge Structure      | \$14,000.00      | \$14,000.00    |

**Engineer's Estimate of Probable Construction Cost**

**UNIONTOWN SANITARY COLLECTION AND TREATMENT IMPROVEMENTS**

Option # 2

Uniontown, Alabama

Sentell Engineering, Inc

2/12/2018

| Item                      | Quantity | Unit | Description                            | Unit Cost       | Total                 |
|---------------------------|----------|------|--|-----------------|-----------------------|
| <b>Forcemain to River</b> |          |      |  |                 |                       |
| 1                         | 1        | LS   | Mobilization/Demobilization            | \$66,000.00     | \$66,000.00           |
| 2                         | 1        | LS   | Erosion Control                        | \$40,000.00     | \$40,000.00           |
| 3                         | 115,000  | LF   | 14" HDPE Pressure Force Main           | \$31.00         | \$3,565,000.00        |
| 4                         | 1        | LS   | 14" "H" River Diffuser                 | \$125,000.00    | \$125,000.00          |
| 5                         | 200      | LF   | Highway Crossing Bore w Casing         | \$325.00        | \$65,000.00           |
| 6                         | 420      | LF   | Road Crossing Bore w Casing            | \$200.00        | \$84,000.00           |
| 7                         | 1        | LS   | Traffic Control (Per ALDOT)            | \$15,000.00     | \$15,000.00           |
| 8                         | 51       | AC   | Seeding Mulch and Fertilizer           | \$900.00        | \$45,900.00           |
| 9                         | 52       | EA   | 14" Air Release Valve                  | \$3,500.00      | \$182,000.00          |
| 10                        | 1        | LS   | 14" Connection to Pump Station         | \$28,934.86     | \$28,934.86           |
| 11                        | 100      | LF   | Railroad Bore w Casing                 | \$350.00        | \$35,000.00           |
| 12                        | 240      | LF   | City Road Open Cut with Casing         | \$60.00         | \$14,400.00           |
| 13                        | 1,680    | LF   | Gravel Driveways Open cut with Casings | \$40.00         | \$67,200.00           |
| 14                        | 3,510    | LF   | Creek Crossing Bore                    | \$90.00         | \$315,900.00          |
| 15                        | 220      | LF   | Asphalt Driveways Open cut w Casings   | \$50.00         | \$11,000.00           |
| 16                        | 61       | LF   | Concrete Driveways Open cut w Casings  | \$60.00         | \$3,660.00            |
| 17                        | 10       | LF   | Flume Crossing                         | \$60.00         | \$600.00              |
| 18                        | 220      | LF   | Gas Line Crossing                      | \$90.00         | \$19,800.00           |
|                           |          |      |  | <b>Subtotal</b> | <b>\$4,684,394.86</b> |
| <b>Lagoon Upgrades</b>    |          |      |  |                 |                       |
| 1                         | 1        | LS   | Mobilization/Demobilization            | \$25,000.00     | \$25,000.00           |
| 2                         | 1        | LS   | Erosion Control                        | \$14,000.00     | \$14,000.00           |
| 3                         | 130      | EA   | Floating Wetlands System               | \$5,286.00      | \$687,180.00          |
| 4                         | 1,346    | LF   | 18" DI Pipe                            | \$110.00        | \$148,060.00          |
| 5                         | 7        | EA   | 18" MJ Gate Valve & Box                | \$26,000.00     | \$182,000.00          |
| 6                         | 48       | LF   | 12" DI Pipe                            | \$85.00         | \$4,080.00            |
| 7                         | 1        | EA   | 12" MJ Gate Valve & Box                | \$5,500.00      | \$5,500.00            |
| 8                         | 1        | EA   | Emergency Discharge Structure          | \$14,000.00     | \$14,000.00           |
| 9                         | 3        | EA   | Splash Pads                            | \$300.00        | \$900.00              |
| 10                        | 4        | EA   | Concrete Pipe Supports                 | \$3,000.00      | \$12,000.00           |
| 11                        | 5        | EA   | Manholes                               | \$4,500.00      | \$22,500.00           |
| 12                        | 4        | EA   | Effluent Structures                    | \$10,000.00     | \$40,000.00           |
| 13                        | 1,000    | LF   | 6' Chain Link Fence Repair             | \$15.00         | \$15,000.00           |
| 14                        | 1        | LS   | UV System                              | \$150,000.00    | \$150,000.00          |
| 15                        | 1        | LS   | Parshall Flume                         | \$25,000.00     | \$25,000.00           |
| 16                        | 1        | EA   | Ultrasonic Flow Meter                  | \$10,000.00     | \$10,000.00           |
| 17                        | 1        | LS   | Placing Topsoil & Seeding              | \$18,000.00     | \$18,000.00           |
| 18                        | 1        | LS   | Aggregate Road Surfacing               | \$23,500.00     | \$23,500.00           |
| 19                        | 1        | LS   | Electrical Service                     | \$366,530.00    | \$366,530.00          |
| 20                        | 1        | LS   | Electrical Equipment/Generator         | \$240,600.00    | \$240,600.00          |
| 21                        | 1        | LS   | Effluent Structure & Pumps             | \$900,000.00    | \$900,000.00          |
| 22                        | 1        | LS   | Lagoon Dyke Repair                     | \$80,000.00     | \$80,000.00           |



|                             |              |           |                               |                                 |                        |
|-----------------------------|--------------|-----------|-------------------------------|---------------------------------|------------------------|
| 23                          | 1            | LS        | Headworks Repair              | \$120,000.00                    | \$120,000.00           |
|                             |              |           |                               | <b>Subtotal</b>                 | <b>\$3,103,850.00</b>  |
|                             |              |           | <b>COLLECTION SYSTEM</b>      |                                 |                        |
| 1                           | 1            | LS        | City Collection System Repair | \$7,458,813.00                  | \$7,458,813.00         |
| 2                           | 1            | LS        | Residential Lateral Repair    | \$3,449,355.00                  | \$3,449,355.00         |
|                             |              |           |                               | <b>Subtotal</b>                 | <b>\$18,696,412.86</b> |
| <b>Engineering Cat. "D"</b> |              |           | <b>Administration Cost</b>    |                                 |                        |
| WWTP Permit                 | \$7,500.00   | Interest  | \$956,652.00                  | <b>5% contingency</b>           | \$934,820.64           |
| Environmental               | \$3,500.00   | Legal     | \$50,000.00                   | <b>Construction Cost</b>        | <b>\$19,631,233.50</b> |
| Soil Drill                  | \$12,000.00  | RR Fees   | \$45,000.00                   | <b>Engineering Cost</b>         | \$1,864,967.18         |
| Prop. Survey                | \$25,000.00  | Equipment | \$130,000.00                  | <b>Construction Observation</b> | \$1,374,186.35         |
| SW Permit                   | \$3,500.00   | ADEM Per  | \$28,660.00                   | <b>Engineering Cat. "D"</b>     | \$101,928.00           |
| ALDOT Permit                | \$5,500.00   | Land/Ease | \$40,000.00                   | <b>Administration</b>           | \$1,317,312.00         |
| Mussel Fee                  | \$8,500.00   | ALDOT Per | \$9,500.00                    |                                 |                        |
| Elec Eng.                   | \$36,428.00  | Power Co. | \$50,000.00                   |                                 |                        |
| Sub Total                   | \$101,928.00 | Advertise | \$7,500.00                    |                                 |                        |
|                             |              | Sub Total | \$1,317,312.00                |                                 |                        |
|                             |              |           |                               | <b>TOTAL COST</b>               | <b>\$24,289,627.03</b> |

**Engineer's Estimate of Probable Construction Cost  
MECHANICAL PLANT AT FREETOWN CREEK**

**Option #3**

Uniontown, Alabama

Sentell Engineering, Inc

2/12/2018

| Item                    | Quantity | Unit | Description                      | Unit Cost      | Total          |
|-------------------------|----------|------|----------------------------------|----------------|----------------|
| <b>Mechanical Plant</b> |          |      |                                  |                |                |
| 1                       | 1        | LS   | Mobilization/Demobilization      | \$40,000.00    | \$40,000.00    |
| 2                       | 1        | LS   | Erosion Control                  | \$14,000.00    | \$14,000.00    |
| 3                       | 240      | LF   | 24" Ductile Iron                 | \$150.00       | \$36,000.00    |
| 4                       | 1        | LS   | Kubota MBR Equipment             | \$2,200,000.00 | \$2,200,000.00 |
| 5                       | 1        | LS   | Concrete Structure 72'x55'x15.5' | \$864,500.00   | \$864,500.00   |
| 6                       | 26,137   | LF   | 12" PVC Force Main               | \$36.00        | \$940,932.00   |
| 7                       | 6        | EA   | 12" Air Release Valves           | \$8,845.00     | \$53,070.00    |
| 8                       | 2        | EA   | Manholes                         | \$4,500.00     | \$9,000.00     |
| 9                       | 1        | EA   | UV System                        | \$150,000.00   | \$150,000.00   |
| 10                      | 1        | EA   | Control Building & Equipment     | \$450,000.00   | \$450,000.00   |
| 11                      | 300      | LF   | 6' Chain Link Fence              | \$15.00        | \$4,500.00     |
| 12                      | 1        | EA   | Parshall Flume                   | \$25,000.00    | \$25,000.00    |
| 13                      | 1        | EA   | Ultrasonic Flow Meter            | \$10,000.00    | \$10,000.00    |
| 14                      | 1        | EA   | Discharge Structure              | \$14,000.00    | \$14,000.00    |
| 15                      | 1        | LS   | Clearing & Grubbing              | \$13,380.00    | \$13,380.00    |
| 16                      | 1        | LS   | Placing Topsoil & Seeding        | \$6,000.00     | \$6,000.00     |
| 17                      | 1        | LS   | Road & Surfacing                 | \$120,000.00   | \$120,000.00   |
| 18                      | 1        | LS   | Electrical Service               | \$366,530.00   | \$366,530.00   |
| 19                      | 1        | LS   | Electrical Equipment/Generator   | \$240,600.00   | \$240,600.00   |
|                         |          |      |                                  | Subtotal       | \$5,557,512.00 |
| <b>Lagoon Upgrades</b>  |          |      |                                  |                |                |
| 1                       | 1        | LS   | Mobilization/Demobilization      | \$25,000.00    | \$25,000.00    |
| 2                       | 1        | LS   | Erosion Control                  | \$14,000.00    | \$14,000.00    |
| 3                       | 1,346    | LF   | 18" DI Pipe                      | \$110.00       | \$148,060.00   |
| 4                       | 7        | EA   | 18" MJ Gate Valve & Box          | \$26,000.00    | \$182,000.00   |
| 5                       | 48       | LF   | 12" DI Pipe                      | \$85.00        | \$4,080.00     |
| 6                       | 1        | EA   | 12" MJ Gate Valve & Box          | \$5,500.00     | \$5,500.00     |
| 7                       | 1        | LS   | Effluent Structure & Pumps       | \$400,000.00   | \$400,000.00   |
| 8                       | 1        | EA   | Emergency Discharge Structure    | \$14,000.00    | \$14,000.00    |
| 9                       | 3        | EA   | Splash Pads                      | \$300.00       | \$900.00       |
| 10                      | 4        | EA   | Concrete Pipe Supports           | \$3,000.00     | \$12,000.00    |
| 11                      | 5        | EA   | Manholes                         | \$4,500.00     | \$22,500.00    |
| 12                      | 4        | EA   | Effluent Structures              | \$10,000.00    | \$40,000.00    |
| 13                      | 1,000    | LF   | 6' Chain Link Fence              | \$15.00        | \$15,000.00    |
| 14                      | 1        | LS   | Placing Topsoil & Seeding        | \$18,000.00    | \$18,000.00    |
| 15                      | 1        | LS   | Aggregate Road Surfacing         | \$23,500.00    | \$23,500.00    |
| 16                      | 1        | LS   | Electrical Service               | \$133,265.00   | \$133,265.00   |
| 17                      | 1        | LS   | Electrical Equipment/Generator   | \$150,600.00   | \$150,600.00   |
| 18                      | 1        | LS   | Lagoon Dyke Repair               | \$80,000.00    | \$80,000.00    |
| 19                      | 1        | LS   | Headworks Repair                 | \$120,000.00   | \$120,000.00   |
|                         |          |      |                                  | Subtotal       | \$1,408,405.00 |
| <b>Collection</b>       |          |      |                                  |                |                |

|                             |             |             |                            |                                 |                 |
|-----------------------------|-------------|-------------|----------------------------|---------------------------------|-----------------|
| 1                           | I           | LS          | Collection System Repair   | \$7,458,813.00                  | \$7,458,813.00  |
| 2                           | I           | LS          | Residential Lateral Repair | \$3,449,355.00                  | \$3,449,355.00  |
|                             |             |             |                            |                                 |                 |
|                             |             |             |                            |                                 |                 |
|                             |             |             |                            | <b>Subtotal</b>                 | \$17,874,085.00 |
| <b>Engineering Cat. "D"</b> |             |             |                            | <b>5% contingency</b>           | \$893,704.25    |
|                             |             |             |                            | <b>Construction Cost</b>        | \$18,767,789.25 |
| Geotechnical                | \$9,500.00  | Interest    | \$909,322.00               | <b>Engineering Cost</b>         | \$1,782,939.98  |
| Environmental               | \$3,500.00  | Legal       | \$50,000.00                | <b>Construction Observation</b> | \$1,313,745.25  |
| Prop. Survey                | \$25,000.00 | Equipment   | \$70,000.00                | <b>Engineering Cat. "D"</b>     | \$95,960.00     |
| SW Permit                   | \$4,500.00  | ADEM<br>Per | \$28,660.00                | <b>Administration</b>           | \$1,127,482.00  |
| Elec Eng.                   | \$53,460.00 | Advertise   | \$9,500.00                 |                                 |                 |
| Sub Total                   | \$95,960.00 | Al. Power   | 60,000                     |                                 |                 |
|                             |             | Sub Total   | \$1,127,482.00             |                                 |                 |
|                             |             |             |                            | <b>TOTAL COST</b>               | \$23,087,916.48 |

**Engineer's Estimate of Probable Construction Cost**

**UNIONTOWN SANITARY COLLECTION AND TREATMENT IMPROVEMENTS**

Option # 4

Uniontown, Alabama

Sentell Engineering, Inc

2/12/2018

**Forcemain to River**

|    |         |    |  |                |                |
|----|---------|----|--|----------------|----------------|
| 1  | 1       | LS | Mobilization/Demobilization            | \$66,000.00    | \$66,000.00    |
| 2  | 1       | LS | Erosion Control                        | \$40,000.00    | \$40,000.00    |
| 3  | 115,000 | LF | 14" HDPE Pressure Force Main           | \$31.00        | \$3,565,000.00 |
| 4  | 1       | LS | 14" "H" River Diffuser                 | \$125,000.00   | \$125,000.00   |
| 5  | 200     | LF | Highway Crossing Bore w Casing         | \$325.00       | \$65,000.00    |
| 6  | 420     | LF | Road Crossing Bore w Casing            | \$200.00       | \$84,000.00    |
| 7  | 1       | LS | Traffic Control (Per ALDOT)            | \$15,000.00    | \$15,000.00    |
| 8  | 51      | AC | Seeding Mulch and Fertilizer           | \$900.00       | \$45,900.00    |
| 9  | 52      | EA | 14" Air Release Valve                  | \$3,500.00     | \$182,000.00   |
| 10 | 1       | LS | 14" Connection to Pump Station         | \$28,934.86    | \$28,934.86    |
| 11 | 100     | LF | Railroad Bore w Casing                 | \$350.00       | \$35,000.00    |
| 12 | 240     | LF | City Road Open Cut with Casing         | \$60.00        | \$14,400.00    |
| 13 | 1,680   | LF | Gravel Driveways Open cut with Casings | \$40.00        | \$67,200.00    |
| 14 | 3,510   | LF | Creek Crossing Bore                    | \$90.00        | \$315,900.00   |
| 15 | 220     | LF | Asphalt Driveways Open cut w Casings   | \$50.00        | \$11,000.00    |
| 16 | 61      | LF | Concrete Driveways Open cut w Casings  | \$60.00        | \$3,660.00     |
| 17 | 10      | LF | Flume Crossing                         | \$60.00        | \$600.00       |
| 18 | 220     | LF | Gas Line Crossing                      | \$90.00        | \$19,800.00    |
|    |         |    | <b>Subtotal</b>                        |                | \$4,684,394.86 |
|    |         |    | <b>Mechanical Plant</b>                |                |                |
| 1  | 1       | LS | Mobilization/Demobilization            | \$25,000.00    | \$25,000.00    |
| 2  | 1       | LS | Erosion Control                        | \$14,000.00    | \$14,000.00    |
| 3  | 1       | LS | Kubota MBR Equipment                   | \$2,200,000.00 | \$2,200,000.00 |
| 4  | 1       | LS | Concrete Structure 72'X55'x15.5'       | \$864,500.00   | \$864,500.00   |
| 5  | 1       | EA | Control Building & Equipment           | \$450,000.00   | \$450,000.00   |
| 6  | 300     | LF | Chain Link Fence                       | \$15.00        | \$4,500.00     |
| 7  | 1       | LS | New UV                                 | \$150,000.00   | \$150,000.00   |
| 8  | 1       | LS | Clearing & Grubbing                    | \$10,000.00    | \$10,000.00    |
| 9  | 1       | LS | Topsoil & Seeding                      | \$6,000.00     | \$6,000.00     |
| 10 | 1       | LS | Road & Surfacing                       | \$370,000.00   | \$370,000.00   |
| 11 | 1       | LS | Electrical Service                     | \$366,530.00   | \$366,530.00   |
| 12 | 1       | LS | Electrical Equipment/Generator         | \$240,600.00   | \$240,600.00   |
| 13 | 1       | LS | Magnetic Effluent Meter                | \$21,000.00    | \$21,000.00    |
|    |         |    | <b>Subtotal</b>                        |                | \$4,722,130.00 |
|    |         |    | <b>Lagoon Upgrades</b>                 |                |                |
| 1  | 1       | LS | Effluent Structure & Pumps             | \$900,000.00   | \$900,000.00   |
| 2  | 1,000   | LF | Chain Link Fence                       | \$15.00        | \$15,000.00    |
| 3  | 1       | EA | Effluent Structure                     | \$10,000.00    | \$10,000.00    |
| 4  | 1       | LS | Headworks Repair                       | \$120,000.00   | \$120,000.00   |
| 5  | 1       | LS | Dirt work for Control Building         | \$80,000.00    | \$80,000.00    |
| 6  | 3       | EA | Manholes                               | \$4,500.00     | \$13,500.00    |
|    |         |    | <b>Subtotal</b>                        |                | \$1,138,500.00 |
|    |         |    | <b>Collection</b>                      |                |                |

|                             |             |                            |                            |                                 |                        |
|-----------------------------|-------------|----------------------------|----------------------------|---------------------------------|------------------------|
| 1                           | 1           | LS                         | Collection System          | \$7,458,813.00                  | \$7,458,813.00         |
| 2                           | 1           | LS                         | Residential Lateral Repair | \$3,449,355.00                  | \$3,449,355.00         |
|                             |             |                            |                            | <b>Subtotal</b>                 | <b>\$21,453,192.86</b> |
| <b>Engineering Cat. "D"</b> |             | <b>Administration Cost</b> |                            | <b>5% contingency</b>           | <b>\$1,072,659.64</b>  |
|                             |             | Interest                   | \$1,099,314.00             | <b>Construction Cost</b>        | <b>\$22,525,852.50</b> |
|                             |             | Legal                      | \$50,000.00                | <b>Engineering Cost</b>         | <b>\$2,139,955.99</b>  |
| Environmental               | \$3,500.00  | RR Fees                    | \$45,000.00                | <b>Construction Observation</b> | <b>\$1,576,809.68</b>  |
| Prop. Survey                | \$25,000.00 | Equipment                  | \$130,000.00               | <b>Engineering Cat. "D"</b>     | <b>\$83,428.00</b>     |
| SW Permit                   | \$4,500.00  | ADEM Per                   | \$14,500.00                | <b>Administration</b>           | <b>\$1,585,814.00</b>  |
| ALDOT Permit                | \$5,500.00  | Land/Ease                  | \$180,000.00               |                                 |                        |
| Mussel Fee                  | \$8,500.00  | ALDOT Per                  | \$9,500.00                 |                                 |                        |
| Elec Eng.                   | \$36,428.00 | Power Co.                  | \$50,000.00                |                                 |                        |
| Sub Total                   | \$83,428.00 | Advertise                  | \$7,500.00                 |                                 |                        |
|                             |             | Sub Total                  |                            | \$1,585,814.00                  |                        |
|                             |             |                            |                            | <b>TOTAL COST</b>               | <b>\$27,911,860.17</b> |

| Engineer's Estimate of Probable Construction Cost        |            |                            |  |                          |                        |
|--|------------|----------------------------|--|--------------------------|------------------------|
| UNIONTOWN SANITARY COLLECTION AND TREATMENT IMPROVEMENTS |            |                            |  |                          |                        |
| Option # 5   |            |                            |  |                          |                        |
| Uniontown, Alabama                                       |            |                            |  |                          |                        |
| Sentell Engineering, Inc                                 |            |                            |  |                          |                        |
| 2/12/2018  |            |                            |  |                          |                        |
|  |            |                            | <b>Mechanical Plant</b>                      |                          |                        |
| 1  | 1          | LS                         | Mobilization/Demobilization                  | \$40,000.00              | \$40,000.00            |
| 2  | 1          | LS                         | Erosion Control                              | \$14,000.00              | \$14,000.00            |
| 3  | 1          | LS                         | Tertiary Filter                              | \$245,000.00             | \$245,000.00           |
| 4  | 1          | LS                         | Kubota MBR Equipment                         | \$2,200,000.00           | \$2,200,000.00         |
| 5  | 1          | LS                         | Concrete Structure 72'X55'x15.5'             | \$864,500.00             | \$864,500.00           |
| 6  | 1          | EA                         | Control Building & Equipment                 | \$450,000.00             | \$450,000.00           |
| 7  | 300        | LF                         | Chain Link Fence                             | \$15.00                  | \$4,500.00             |
| 8  | 1          | LS                         | Pre-Chlorination, Chlorination, Dechlorinate | \$360,250.00             | \$360,250.00           |
| 9  | 1          | LS                         | Parshall Flume                               | \$25,000.00              | \$25,000.00            |
| 10   | 1          | LS                         | Discharge Structure                          | \$14,000.00              | \$14,000.00            |
| 11   | 1          | LS                         | Clearing & Grubbing                          | \$13,380.00              | \$13,380.00            |
| 12   | 1          | LS                         | Topsoil & Seeding                            | \$5,000.00               | \$5,000.00             |
| 13   | 1          | LS                         | Road & Surfacing                             | \$370,000.00             | \$370,000.00           |
| 14   | 1          | LS                         | Electrical Service                           | \$366,530.00             | \$366,530.00           |
| 15   | 1          | LS                         | Electrical Equipment/Generator               | \$240,600.00             | \$240,600.00           |
| 16   | 1          | LS                         | Ultrasonic Effluent Meter                    | \$10,000.00              | \$10,000.00            |
|  |            |                            |  | <b>TOTAL</b>             | <b>\$4,913,760.00</b>  |
|  |            |                            | <b>Lagoon Upgrades</b>                       |                          |                        |
| 1  | 1,346      | LF                         | 18" DI Pipe                                  | \$110.00                 | \$148,060.00           |
| 2  | 7          | EA                         | 18" MJ Gate Valve & Box                      | \$26,000.00              | \$182,000.00           |
| 3  | 48         | LF                         | 12" DI Pipe                                  | \$85.00                  | \$4,080.00             |
| 4  | 1          | EA                         | 12" MJ Gate Valve & Box                      | \$85.00                  | \$85.00                |
| 6  | 1          | EA                         | Emergency Discharge Structure                | \$14,000.00              | \$14,000.00            |
| 7  | 3          | EA                         | Splash Pads                                  | \$300.00                 | \$900.00               |
| 8  | 4          | EA                         | Concrete Pipe Supports                       | \$3,000.00               | \$12,000.00            |
| 9  | 5          | EA                         | Manholes                                     | \$4,500.00               | \$22,500.00            |
| 10   | 4          | EA                         | Effluent Structures                          | \$10,000.00              | \$40,000.00            |
| 11   | 1,000      | LF                         | 6' Chain Link Fence                          | \$15.00                  | \$15,000.00            |
| 12   | 1          | LS                         | Placing Topsoil & Seeding                    | \$24,000.00              | \$24,000.00            |
| 13   | 1          | LS                         | Aggregate Road Surfacing                     | \$23,500.00              | \$23,500.00            |
| 14   | 1          | LS                         | Lagoon Dyke Repair                           | \$80,000.00              | \$80,000.00            |
| 15   | 1          | LS                         | Headworks Repair                             | \$120,000.00             | \$120,000.00           |
| 16   | 1          | LS                         | Dirt work for Control Building               | \$80,000.00              | \$80,000.00            |
|  |            |                            |  | <b>TOTAL</b>             | <b>\$766,125.00</b>    |
|  |            |                            | <b>Collection</b>                            |                          |                        |
| 1  | 1          | LS                         | Collection System                            | \$7,458,813.00           | \$7,458,813.00         |
| 2  | 1          | LS                         | Residential Lateral Repair                   | \$3,449,355.00           | \$3,449,355.00         |
|  |            |                            |  | <b>Subtotal</b>          | <b>\$16,588,053.00</b> |
|  |            |                            |  | <b>5% contingency</b>    | <b>\$829,402.60</b>    |
|  |            |                            |  | <b>Construction Cost</b> | <b>\$17,417,455.60</b> |
| <b>Engineering Cat. "D"</b>                              |            | <b>Administration Cost</b> |  |                          |                        |
| WWTP Permit  | \$7,500.00 | Interest                   | \$853,795.00                                 | <b>Engineering Cost</b>  | <b>\$1,654,658.20</b>  |

|                 |             |                  |              |                             |                        |
|-----------------|-------------|------------------|--------------|-----------------------------|------------------------|
| Environmental   | \$3,500.00  | Legal            | \$50,000.00  | Construction<br>Observation | \$1,219,221.90         |
| Soil Drill      | \$12,000.00 | RR Fees          | \$45,000.00  |                             |                        |
| Prop. Survey    | \$9,500.00  | Equipment        | \$130,000.00 | Engineering Cat. "D"        | \$86,428.00            |
| SW Permit       | \$3,500.00  | ADEM Per         | \$14,500.00  | Administration              | \$1,300,295.00         |
| ALDOT<br>Permit | \$5,500.00  | Land<br>purchase | \$140,000.00 |                             |                        |
| Mussel Fee      | \$8,500.00  | ALDOT Per        | \$9,500.00   |                             |                        |
| Elec Eng.       | \$36,428.00 | Power Co.        | \$50,000.00  |                             |                        |
| Sub Total       | \$86,428.00 | Advertise        | \$7,500.00   |                             |                        |
|                 |             | Sub Total        |              | \$1,300,295.00              |                        |
|                 |             |                  |              | <b>TOTAL COST</b>           | <b>\$21,678,058.83</b> |

Edna

Edna Primrose  
Assistant Administrator  
Water and Environmental Programs  
Rural Utilities Service, Rural Development Agency  
United States Department of Agriculture  
1400 Independence Ave., S.W.  
Washington, DC 20250  
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**From:** [Primrose, Edna - RD, Washington, DC](#)  
**To:** [Beeker, Chris - RD, Montgomery, AL](#); [Bowen, Allen - RD, Montgomery, AL](#); [Francis, Cheryl - RD, Washington, DC](#)  
**Subject:** FW: Uniontown Update as of 8/16/18  
**Date:** Thursday, August 16, 2018 6:07:30 PM  
**Attachments:** [image016.png](#)  
[image017.png](#)  
[image020.png](#)

---

FYI

**From:** Primrose, Edna - RD, Washington, DC  
**Sent:** Thursday, August 16, 2018 6:07 PM  
**To:** Wheat, Marie - RD, Washington, DC <Marie.Wheat@wdc.usda.gov>; Johnson, Ken - RD, Washington, DC <KenL.Johnson@wdc.usda.gov>; Hutchinson, Randi - RD, Washington, DC <Randi.Hutchinson@wdc.usda.gov>; Young, Joby - OSEC, Washington, DC <Joby.Young@osec.usda.gov>  
**Cc:** Castille, Carrie - RD, Alexandria, LA <Carrie.Castille@la.usda.gov>; Beeker, Chris - RD, Montgomery, AL <Chris.Beeker@al.usda.gov>; Barringer, Scott - RD, Washington, DC <Scott.Barringer@wdc.usda.gov>; Kubena, Kellie - RD, Washington, DC  
**Subject:** Uniontown Update as of 8/16/18

Hello everyone,

Attached is an update on the Uniontown, AL project. Chris and his team have been working diligently with many stakeholders to reach a resolution. We also have some WEP staff helping them get this application across the finish line.

Good news -- the application in RDApply for the City of Uniontown has been submitted, reviewed by the RD AL Area Office and considered complete. Alabama Rural Water Association worked with the applicant and the project engineer to complete the application. The project cost is \$32,390,000; RD will be providing \$23,557,000 (75%) because of the health and sanitary issues. Other funds of \$8,833,000 from state and other funds are being worked on. These are round numbers and could change after the PER review is completed, but these are very close at this point. The project consists of 2 distinct phases:

- 1) The first step is to completely rehab the collection system. The Preliminary Engineer Report (PER) reflects digging up and replacing about 10% of the lines and relining the other 90. This will stop the majority of the infusion and inflow of water from outside the collection system. Included in this step is reclaiming the existing lagoon and spray field, which are currently having a major negative environmental impact.
- 2) The second step will be to construct a transmission line 18 miles to Demopolis, AL to treat the waste.

The application has been forwarded to the WEP National Office for underwriting via CPAP. The PER and the ER have been reviewed by the Alabama State Engineer, and comments sent to the project engineer. It is anticipated that both will be ready for EES National Office concurrence next week.

**005510**

In the meantime, RD AL is working on controls to be in the Letter of Conditions that will ensure the project is completed as designed, the system is properly and efficiently operated and that the revenue is accounted for and handled correctly. Some of those controls include the formation of a Utilities Board to isolate and manage to funds generated from the operation and the hiring of an outside Management company to handle the day to day operations.

NOTE: There was some speculation that this project might be a candidate for Dig Once (laying fiber along with water lines). However, since the rehab of the collection system only requires the digging up of approximately 10% of the system, RD AL is not sure the inclusion of burying conduit for future broadband is feasible.

If you need more information, I'll work with Chris and Allen, the CP Director, to obtain it. They have done a great job on this.

Edna

Edna Primrose  
Assistant Administrator  
Water and Environmental Programs  
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United States Department of Agriculture  
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Washington, DC 20250  
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**005511**

**From:** [Beeker, Chris - RD, Montgomery, AL](#)  
**To:** [Bowen, Allen - RD, Montgomery, AL](#); [Hale, Stan - RD, Montgomery, AL](#)  
**Subject:** FW: Uniontown Update as of 8/16/18  
**Date:** Wednesday, September 12, 2018 1:31:40 PM  
**Attachments:** [image002.png](#)  
[image003.png](#)  
[image005.png](#)  
[image006.png](#)  
[image007.png](#)  
[image009.png](#)  
[image010.png](#)  
[image013.png](#)

---

Is this true that we will only be digging up 10% of the system? I thought Stan said we would be digging more than that. I just want to make sure I/we are talking about the same thing.

Chris Beeker III  
State Director | Alabama State Office  
Rural Development  
U.S. Department of Agriculture  
4121 Carmichael Road, Suite 601 | Montgomery, AL 36106  
Phone: 334-279-3402 | Fax: 855-304-8456  
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**From:** Primrose, Edna - RD, Washington, DC  
**Sent:** Wednesday, September 12, 2018 12:29 PM  
**To:** Beeker, Chris - RD, Montgomery, AL <Chris.Beeker@al.usda.gov>; Castille, Carrie - RD, Alexandria, LA <Carrie.Castille@la.usda.gov>  
**Subject:** RE: Uniontown Update as of 8/16/18

Hi Chris,

In the last communication I got from AL a few weeks ago, it said that you all were standing down on that idea. See below.

NOTE: There was some speculation that this project might be a candidate for Dig Once (laying fiber along with water lines). However, since the rehab of the collection system only requires the digging up of approximately 10% of the system, RD AL is not sure the inclusion of burying conduit for future broadband is feasible.

Please advise on whether we need to revisit this. Thanks –

Edna

---

**From:** Beeker, Chris - RD, Montgomery, AL

**005512**

**Sent:** Wednesday, September 12, 2018 1:24 PM

**To:** Primrose, Edna - RD, Washington, DC <[Edna.Primrose@wdc.usda.gov](mailto:Edna.Primrose@wdc.usda.gov)>; Castille, Carrie - RD, Alexandria, LA <[Carrie.Castille@la.usda.gov](mailto:Carrie.Castille@la.usda.gov)>

**Subject:** RE: Uniontown Update as of 8/16/18

Did we ever get any feedback on the idea of "Dig Once" and laying fiber down when we are digging the water lines? We are getting close to the application being completed, so if we plan on doing this I need to figure out the next steps to complete. Please let me know your thoughts, and if you have any questions.

Chris Beeker III  
State Director | Alabama State Office  
Rural Development  
U.S. Department of Agriculture  
4121 Carmichael Road, Suite 601 | Montgomery, AL 36106  
Phone: 334-279-3402 | Fax: 855-304-8456  
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---

**From:** Primrose, Edna - RD, Washington, DC <[Edna.Primrose@wdc.usda.gov](mailto:Edna.Primrose@wdc.usda.gov)>

**Sent:** Friday, August 17, 2018 6:56 AM

**To:** Wheat, Marie - RD, Washington, DC <[Marie.Wheat@wdc.usda.gov](mailto:Marie.Wheat@wdc.usda.gov)>; Johnson, Ken - RD, Washington, DC <[KenL.Johnson@wdc.usda.gov](mailto:KenL.Johnson@wdc.usda.gov)>; Hutchinson, Randi - RD, Washington, DC <[Randi.Hutchinson@wdc.usda.gov](mailto:Randi.Hutchinson@wdc.usda.gov)>; Young, Joby - OSEC, Washington, DC <[Joby.Young@osec.usda.gov](mailto:Joby.Young@osec.usda.gov)>; Urban, Lori - RD, Washington, DC <[Lori.Urban@wdc.usda.gov](mailto:Lori.Urban@wdc.usda.gov)>

**Cc:** Castille, Carrie - RD, Alexandria, LA <[Carrie.Castille@la.usda.gov](mailto:Carrie.Castille@la.usda.gov)>; Beeker, Chris - RD, Montgomery, AL <[Chris.Beeker@al.usda.gov](mailto:Chris.Beeker@al.usda.gov)>; Barringer, Scott - RD, Washington, DC <[Scott.Barringer@wdc.usda.gov](mailto:Scott.Barringer@wdc.usda.gov)>; Kubena, Kellie - RD, Washington, DC <[Kellie.Kubena@wdc.usda.gov](mailto:Kellie.Kubena@wdc.usda.gov)>

**Subject:** RE: Uniontown Update as of 8/16/18

Sure thing – they already created one some time ago and can add to it.

---

**From:** Wheat, Marie - RD, Washington, DC

**Sent:** Thursday, August 16, 2018 9:38 PM

**To:** Primrose, Edna - RD, Washington, DC <[Edna.Primrose@wdc.usda.gov](mailto:Edna.Primrose@wdc.usda.gov)>; Johnson, Ken - RD, Washington, DC <[KenL.Johnson@wdc.usda.gov](mailto:KenL.Johnson@wdc.usda.gov)>; Hutchinson, Randi - RD, Washington, DC <[Randi.Hutchinson@wdc.usda.gov](mailto:Randi.Hutchinson@wdc.usda.gov)>; Young, Joby - OSEC, Washington, DC <[Joby.Young@osec.usda.gov](mailto:Joby.Young@osec.usda.gov)>; Urban, Lori - RD, Washington, DC <[Lori.Urban@wdc.usda.gov](mailto:Lori.Urban@wdc.usda.gov)>

**Cc:** Castille, Carrie - RD, Alexandria, LA <[Carrie.Castille@la.usda.gov](mailto:Carrie.Castille@la.usda.gov)>; Beeker, Chris - RD, Montgomery, AL <[Chris.Beeker@al.usda.gov](mailto:Chris.Beeker@al.usda.gov)>; Barringer, Scott - RD, Washington, DC <[Scott.Barringer@wdc.usda.gov](mailto:Scott.Barringer@wdc.usda.gov)>; Kubena, Kellie - RD, Washington, DC <[Kellie.Kubena@wdc.usda.gov](mailto:Kellie.Kubena@wdc.usda.gov)>

**005513**

**Subject:** Re: Uniontown Update as of 8/16/18

p.s. The Alabama trip is the last week of Aug — she would need it for that briefing book (not next week). Thx!

Marie

---

**From:** "Wheat, Marie - RD, Washington, DC" <[Marie.Wheat@wdc.usda.gov](mailto:Marie.Wheat@wdc.usda.gov)>  
**Date:** Thursday, August 16, 2018 at 6:34:00 PM  
**To:** "Primrose, Edna - RD, Washington, DC" <[Edna.Primrose@wdc.usda.gov](mailto:Edna.Primrose@wdc.usda.gov)>, "Johnson, Ken - RD, Washington, DC" <[KenL.Johnson@wdc.usda.gov](mailto:KenL.Johnson@wdc.usda.gov)>, "Hutchinson, Randi - RD, Washington, DC" <[Randi.Hutchinson@wdc.usda.gov](mailto:Randi.Hutchinson@wdc.usda.gov)>, "Young, Joby - OSEC, Washington, DC" <[Joby.Young@osec.usda.gov](mailto:Joby.Young@osec.usda.gov)>, "Urban, Lori - RD, Washington, DC" <[Lori.Urban@wdc.usda.gov](mailto:Lori.Urban@wdc.usda.gov)>  
**Cc:** "Castille, Carrie - RD, Alexandria, LA" <[Carrie.Castille@la.usda.gov](mailto:Carrie.Castille@la.usda.gov)>, "Beeker, Chris - RD, Montgomery, AL" <[Chris.Beeker@al.usda.gov](mailto:Chris.Beeker@al.usda.gov)>, "Barringer, Scott - RD, Washington, DC" <[Scott.Barringer@wdc.usda.gov](mailto:Scott.Barringer@wdc.usda.gov)>, "Kubena, Kellie - RD, Washington, DC" <[Kellie.Kubena@wdc.usda.gov](mailto:Kellie.Kubena@wdc.usda.gov)>  
**Subject:** RE: Uniontown Update as of 8/16/18

Thanks Edna – Very helpful. It would be great if you could please work with Chris to provide Anne H. a one pager/backgrounder on this whole situation prior to her trip to AL next week. I know she has been briefed as this has progressed, but it would be good to put the whole thing onto one page to remind her of the details and get her up to speed. Lori can let you know what is needed for her briefing book (deadline and format). Thank you all!

Marie

---

**From:** Primrose, Edna - RD, Washington, DC  
**Sent:** Thursday, August 16, 2018 6:07 PM  
**To:** Wheat, Marie - RD, Washington, DC <[Marie.Wheat@wdc.usda.gov](mailto:Marie.Wheat@wdc.usda.gov)>; Johnson, Ken - RD, Washington, DC <[KenL.Johnson@wdc.usda.gov](mailto:KenL.Johnson@wdc.usda.gov)>; Hutchinson, Randi - RD, Washington, DC <[Randi.Hutchinson@wdc.usda.gov](mailto:Randi.Hutchinson@wdc.usda.gov)>; Young, Joby - OSEC, Washington, DC <[Joby.Young@osec.usda.gov](mailto:Joby.Young@osec.usda.gov)>  
**Cc:** Castille, Carrie - RD, Alexandria, LA <[Carrie.Castille@la.usda.gov](mailto:Carrie.Castille@la.usda.gov)>; Beeker, Chris - RD, Montgomery, AL <[Chris.Beeker@al.usda.gov](mailto:Chris.Beeker@al.usda.gov)>; Barringer, Scott - RD, Washington, DC <[Scott.Barringer@wdc.usda.gov](mailto:Scott.Barringer@wdc.usda.gov)>; Kubena, Kellie - RD, Washington, DC <[Kellie.Kubena@wdc.usda.gov](mailto:Kellie.Kubena@wdc.usda.gov)>  
**Subject:** Uniontown Update as of 8/16/18

Hello everyone,

Attached is an update on the Uniontown, AL project. Chris and his team have been working

**005514**

diligently with many stakeholders to reach a resolution. We also have some WEP staff helping them get this application across the finish line.

Good news -- the application in RDAApply for the City of Uniontown has been submitted, reviewed by the RD AL Area Office and considered complete. Alabama Rural Water Association worked with the applicant and the project engineer to complete the application. The project cost is \$32,390,000; RD will be providing \$23,557,000 (75%) because of the health and sanitary issues. Other funds of \$8,833,000 from state and other funds are being worked on. These are round numbers and could change after the PER review is completed, but this are very close at this point. The project consists of 2 distinct phases:

- 1) The first step is to completely rehab the collection system. The Preliminary Engineer Report (PER) reflects digging up and replacing about 10% of the lines and relining the other 90. This will stop the majority of the infusion and inflow of water from outside the collection system. Included in this step is reclaiming the existing lagoon and spray field, which are currently having a major negative environmental impact.
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In the meantime, RD AL is working on controls to be in the Letter of Conditions that will ensure the project is completed as designed, the system is properly and efficiently operated and that the revenue is accounted for and handled correctly. Some of those controls include the formation of a Utilities Board to isolate and manage to funds generated from the operation and the hiring of an outside Management company to handle the day to day operations.

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If you need more information, I'll work with Chris and Allen, the CP Director, to obtain it. They have done a great job on this.

Edna

Edna Primrose  
Assistant Administrator  
Water and Environmental Programs  
Rural Utilities Service, Rural Development Agency  
United States Department of Agriculture  
1400 Independence Ave., S.W.

**005515**

Washington, DC 20250  
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**From:** [Baker, Shelley - RD, Montgomery, AL](#)  
**To:** [Bowen, Allen - RD, Montgomery, AL](#)  
**Subject:** FW: Uniontown Water Project  
**Date:** Friday, August 31, 2018 12:09:01 PM  
**Attachments:** [image002.png](#)  
[image003.png](#)  
[image005.png](#)  
[image006.png](#)  
[image007.png](#)  
[image008.png](#)  
[image009.png](#)  
[image010.png](#)  
[image011.png](#)  
[image012.png](#)  
[image013.png](#)  
[image014.png](#)

---

Are you responding to this?

Shelley Baker  
USDA RURAL DEVELOPMENT  
Community Programs  
State Loan Technician  
4121 Carmichael Road, Suite 601  
Montgomery, Alabama 36106-3683  
Voice Direct 334-279-3429  
Fax 855-304-8457  
[Shelley.baker@al.usda.gov](mailto:Shelley.baker@al.usda.gov)

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**From:** Chris Caldwell (b) (4) @dra.gov>  
**Sent:** Thursday, August 30, 2018 7:25 PM  
**To:** Beeker, Chris - RD, Montgomery, AL <Chris.Beeker@al.usda.gov>; Bowen, Allen - RD, Montgomery, AL <Allen.Bowen@al.usda.gov>; Hale, Stan - RD, Montgomery, AL <Stan.Hale@al.usda.gov>  
**Cc:** Baker, Shelley - RD, Montgomery, AL <Shelley.Baker@al.usda.gov>; Kemp Morgan <(b) (6) @dra.gov>; Brian Henson (b) (4) @dra.gov>  
**Subject:** Re: Uniontown Water Project

Gentlemen,

Thank you in advance for your help. I have cc'd Kemp Morgan from my staff that will be point for us on this. I realize this is coming on a holiday weekend, so if we can get what you have to fill in some blanks on by cob Tuesday we will reach out to the city for the rest. And to that note who is the primary contacts(s) for the city? Chris said they had a consultant who is the point of contact for the

**005517**



city. Here is what we need to get started:

Applicant Name, address, phone, email, EIN#, DUNS#

Physical location of project, Congressional district(s) covered, county(ies) covered

Short summary

Description (sufficient details to know how the DRA dollars will be spent and the complete details of the overall project)

Purpose

Outcomes

Budget narrative

#of jobs created/retained, families affected, people trained

Any other sources of funding and those amounts (committed, applied for, not yet applied for)

Budget breakdown for DRA funding and other funding

Timeline of project from notice to proceed to close out

Any supporting documents (Participation Agreements, resolution, permits, admin and engineering, support letters, etc)

Thanks and let us know any questions you have or need clarified.

Chris Caldwell

Federal Co-Chairman

Delta Regional Authority

(b) (4) @dra.gov

[www.dra.gov](http://www.dra.gov)

Regional Headquarters:

236 Sharkey Avenue, Ste. 400

Clarksdale, MS 38614

662-624-8600

Washington DC Office:

444 North Capitol NW, Ste. 365

Washington, DC 20001

202-434-4870

---

**From:** "Chris.Beeker@al.usda.gov" <Chris.Beeker@al.usda.gov>

**Date:** Thursday, August 30, 2018 at 5:45 PM

**To:** Chris Caldwell (b) (4) @dra.gov, "Bowen, Allen - RD, Montgomery, AL"

<Allen.Bowen@al.usda.gov>, "Hale, Stan - RD, Montgomery, AL" <Stan.Hale@al.usda.gov>

**005518**

**Cc:** "Baker, Shelley - RD, Montgomery, AL" <[Shelley.Baker@al.usda.gov](mailto:Shelley.Baker@al.usda.gov)>

**Subject:** Uniontown Water Project

I have Chris Caldwell the Chairman of DRA on this e-mail, and he or his office will be reaching out to get info on the Uniontown application. Please give him whatever he needs, and we can add all the other parties involved when the time comes. I just wanted to get an e-mail out with all of us on it to get the conversation started. Thanks for ALL of you hard work on this!

Thanks,

Chris Beeker III  
State Director | Alabama State Office  
Rural Development  
U.S. Department of Agriculture  
4121 Carmichael Road, Suite 601 | Montgomery, AL 36106  
Phone: 334-279-3402 | Fax: 855-304-8456  
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**005519**

**From:** [Bowen, Allen - RD, Montgomery, AL](#)  
**To:** [Taylor, John - RD, Montgomery, AL](#)  
**Subject:** FW: Uniontown notes  
**Date:** Friday, October 5, 2018 9:42:00 AM  
**Attachments:** [Uniontown NOF-EES edits-OD.docx](#)  
[Uniontown FONSI 180928 -EES edits- OD.docx](#)

---

Comments please!!!

Thanks,

*Allen Bowen*

Allen Bowen  
United States Department of Agriculture  
Rural Development  
Community and Business Programs Director  
Office: 334-279-3617  
Cell: 334-322-4147  
Fax: 855-304-8457

---

**From:** Dawodu, Omololu - RD, Washington, DC  
**Sent:** Friday, October 5, 2018 8:09 AM  
**To:** Taylor, John - RD, Montgomery, AL <[john.taylor@al.usda.gov](mailto:john.taylor@al.usda.gov)>  
**Cc:** Bowen, Allen - RD, Montgomery, AL <[Allen.Bowen@al.usda.gov](mailto:Allen.Bowen@al.usda.gov)>; Kubena, Kellie - RD, Washington, DC <[Kellie.Kubena@wdc.usda.gov](mailto:Kellie.Kubena@wdc.usda.gov)>  
**Subject:** RE: Uniontown notes

Greetings,

Please see the attached NOF and FONSI with our edits and comments . I think it would be a good idea to send another response letter to Riverkeeper to inform them that we are updating the FONSI. I am going to be off for the rest of the day, but Kellie will be in the office today if you would like any additional input on this.

Please let us know your thoughts and when you have drafted the response letter to Riverkeeper.

Thanks,

*Omololu Dawodu*  
*Environmental Protection Specialist*  
*Engineering and Environmental Staff | Rural Utilities Service*  
*Rural Development*  
*U.S. Dept. of Agriculture | Room 2238*

**005520**

DEPARTMENT OF AGRICULTURE  
Rural Development

City of Uniontown: Notice of Finding of No Significant Impact

**AGENCY:** [Rural Development](#), USDA

**ACTION:** Notice of Finding of No Significant Impact.

**SUMMARY:** [Rural Development \(RD\)](#) has made a Finding of No Significant Impact (FONSI) with respect to a request for possible financing assistance to City of Uniontown for the construction of the Sanitary Sewer Collection and Treatment Facility Rehabilitation in Perry County, Alabama.

**FURTHER INFORMATION:** To obtain copies of the EA and FONSI, or for further information, contact: Nivory Gordon, Jr., Area Director at USDA, RD, 321 Depot Street, Camden, AL 36726, 334-682-4116 Ext. 110 or via email at [Nivory.gordon@al.usda.gov](mailto:Nivory.gordon@al.usda.gov). The EA and FONSI are also available for public review at Uniontown City Hall.

**SUPPLEMENTARY INFORMATION:** The City of Uniontown proposes to rehabilitate the city's wastewater collection system and construct [facilities to achieve treatment and discharge of the effluent in compliance with foreseeable regulatory requirements. Currently, the course of action planned is to construct screening facilities, pump stations and a force main to transport the wastewater to the City of Demopolis for treatment at their wastewater treatment plant. The need for this project is based on the current state of the wastewater collection system, which is in dire need of repair due to the excess inflow of wastewater into the lagoon, which cannot be adequately treated and discharged into the sprayfield. The purpose of the proposed project is to get the existing wastewater collection system functional and help to eliminate the impermissible discharges through the following proposed phases: CCTV monitoring, flow monitoring, cured-in-place pipe \(CIPP\), flow monitoring after using CIPP, and development of infrastructure to support the use of the treatment facility in Demopolis to treat wastewater from Uniontown.](#) The existing treatment lagoons and effluent spray field would be decommissioned and reclaimed. Alternatives considered by RD and City of Uniontown include: No action and two types of treatment systems that would discharge into Freetown Creek. The alternatives are discussed in the EA. [If during the study phase of the project, RD determines that the project scope must be modified, the Agency would work with Uniontown to supplement the Environmental Assessment to evaluate the impacts of the modified scope of the project and inform the public a different alternative is determined to be more advantageous, another EA will be prepared for that alternative.](#) RD has reviewed and approved the EA for the proposed project.

The availability of the EA for public review was announced via notice in the Selma Times-Journal on September 13 and 20, 2018. A 14-day comment period was announced in the newspaper notice. The EA was also available for public review at the USDA Rural Development office as well as City of Uniontown's city hall offices. [No comments pertaining to environmental concerns with the proposed project were received. RUSDRD received one letter from Black Warrior Riverkeeper \(BWR\), a non-profit organization. Comments in the letter expressed concern over engineering capacity of systems in Uniontown and Demopolis, the role of industrial discharges and the affordability of rates for Uniontown residents following the upgrades to the wastewater collection system. The BWR letter did not challenge the conclusions of the EA, but did additionally request that stakeholders remain involved as the project proceeds. The BWR letter did not challenge any conclusion made in EA about NEPA environmental](#)

Commented [KK-RWD1]: Define CIPP

Commented [KK-RWD2]: Potential upgrades not in the EA, so if we can be more general, that's helpful.

005521

resources. The BWR letter requested that RUSRD allow stakeholders a seat at the table to ensure all pertinent information is meaningfully considered. RD responded to BWR agreeing to allow stakeholders involvement in the project planning stages. RD also received a petition of 41 names saying they were not satisfied with the EA, felt there would be severe environmental impacts associated with the project, and requested that an Environmental Impact Statement be prepared. The petition did not identify deficiencies in the EA nor offer more details on the severe environmental impacts anticipated by the petitioners. There was no deficiency in the EA specified. The petition did not bear a return address or point-of-contact known for the petition, so RD was unable to respond.

Based on its EA, commitments made by City of Uniontown, and public comments received, RD has concluded that the project would have no significant impact (or no impacts) to water quality, wetlands, floodplains, land use, aesthetics, transportation, or human health and safety.

The proposed Project will utilize the Nationwide Programmatic Agreement Among the U.S. Department of Agriculture Rural Development Programs, National Conference of State Historic Preservation Officers and The Advisory Council on Historic Preservation for Sequencing Section 106 (NPA) to achieve compliance with the National Historic Preservation Act and formally determine effects on historic properties listed or eligible for listing on the National Register of Historic Places. The Agency has concluded that the proposed project is not likely to affect federally listed threatened and endangered species or designated critical habitat thereof. The proposed project would not disproportionately affect minority and/or low income populations.

No other potential significant impacts resulting from the proposed project have been identified. Therefore, RD has determined that this FONSI fulfills its obligations under the National Environmental Policy Act, as amended (42 U.S.C. 4321 et seq.), the Council on Environmental Quality Regulations (40 CFR §§ 1500-1508), and USDA Rural Development's Environmental Policies and Procedures (7 CFR Part 1970) for its action related to the project.

RD is satisfied that the environmental impacts of the proposed project have been adequately addressed. RD's federal action would not result in significant impacts to the quality of the human environment, and as such it will not prepare an Environmental Impact Statement for its action related to the proposed project.

Dated: ~~September 27~~ October 1, 2018

**Commented [KK-RWD3]:** Should make consistent RD's or RD' all the way through. Since Alabama staff are RD employees, I suggest RD.

FINDING OF NO SIGNIFICANT IMPACT

Sanitary Sewer Collection and Treatment Facility Rehabilitation  
Perry County, Alabama

Rural Development  
U.S. Department of Agriculture

City of Uniontown

Prepared by:  
John Taylor, Staff  
Rural Utility Service

September 2018

**005523**

## A. INTRODUCTION

City of Uniontown plans to submit a financing request to the U.S. Department of Agriculture, Rural Utility Service (RD) to construct the proposed Sanitary Sewer Collection and Treatment Facility Rehabilitation (Project) in Perry County, Alabama. RD is considering this financing request. Prior to taking a federal action (i.e., providing financial assistance), RD is required to complete an environmental impact analysis in accordance with the National Environmental Policy Act of 1969 (NEPA) (U.S.C. 4231 et seq.), the Council on Environmental Quality's (CEQ) regulations for implementing NEPA (40 CFR Parts 1500-1508), and RD's NEPA implementing regulations, Environmental Policies and Procedures (7 CFR Part 1970). After completing an independent analysis of an environmental report prepared by City of Uniontown and its consultant, RD concurred with its scope and content. In accordance with 7 CFR § 1970.102, RD adopted the report and issued it as the Agency's Environmental Assessment (EA) for the proposed Project. RD finds that the EA is consistent with federal regulations and meets the standards for an adequate assessment. City of Uniontown published a newspaper notice, announcing the availability of the EA for public review, in accordance with 7 CFR § 1970.102. In addition, RD considers the proposed Project an undertaking subject to review under Section 106 of the National Historic Preservation Act (NHPA), 16 USC 470(f), and its implementing regulation, "Protection of Historic Properties" (36 CFR Part 800).

## B. PROJECT DESCRIPTION AND PURPOSE/NEED

The need for this project is based on the current state of the wastewater collection system, which is in dire need of repair due to the excess inflow of wastewater into the lagoon, which cannot be adequately treated and discharged into the sprayfield. The purpose of the proposed project is to get the existing wastewater collection system functional and help to eliminate the impermissible discharges through the following proposed phases: CCTV monitoring, flow monitoring, cured-in-place pipe (CIPP), flow monitoring after using CIPP, and development of infrastructure to support the use of the treatment facility in Demopolis to treat wastewater from Uniontown potential upgrades to existing Demopolis wastewater treatment plant as needed. The overall purpose of the Project is to rehabilitate of the city's wastewater collection system and construct facilities for ultimate treatment and discharge of the effluent, construct pump stations and a force main to transport the sewage to the Demopolis sewer system for treatment. RD has reviewed the purpose and need for the Project and determined that the proposal will meet the present and future needs of City of Uniontown.

## C. ALTERNATIVES EVALUATED

1. No Action – Under the No Action Alternative, RD would not provide financial assistance to City of Uniontown, and/or the proposed Project would not be constructed. This alternative would not assist City of Uniontown in decreasing inflow and infiltration and eliminate unpermitted discharges into Cottonwood Creek and Freeman Creek.
2. Action Alternative (~~Currently Proposed Preferred~~ Preferred Alternative) – Under the Action Alternative, RD would consider financing the proposed Project, and City of Uniontown would construct Project. The proposed project would rehabilitate the city's wastewater collection system to eliminate Inflow and Infiltration (I&I) to the extent practicable, gather data regarding and study the quantity and quality of wastewater from industrial users, and to design and construct facilities to achieve treatment and discharge of the effluent in compliance with foreseeable regulatory requirements as per 1780.1(g). "Water and waste facilities will be

Commented [kk1]: I think preferred alternative is more clear

Commented [kk2]: Would include the 1780 reference here

~~designed, installed, and operated in accordance with applicable laws which include but are not limited to the Safe Drinking Water Act, Clean Water Act and the Resource Conservation and Recovery Act". The process will involve the development and negotiation of State Indirect Discharge (SID) permit limits for industrial users to ensure the aggregated untreated wastewater is in within the design parameters of the treatment system, and Currently, based on assumptions that the remedy of I&I and working with the industrial dischargers will result in adequate reductions in flow and pollutant reductions, the course of action planned is to construct screening facilities, pump stations, and a force main to transport the wastewater to the City of Demopolis for treatment at their wastewater treatment plant. The existing treatment lagoons and effluent spray field would be decommissioned and reclaimed. When the existing WWTP and spray field permits are no longer in force, they will be regulated by ADEM as unpermitted landfills. Remediation will be as required by ADEM Administrative Code Chapter 335-13-1-13.~~

~~The ultimate course of action will be determined following the I & I study, and the various phases of project implementation. After employing each strategy/process stage, we will be monitor the wastewater collection system to determine/evaluate whether the preferred alternative remains the most effective approach/process to ensure the system functionality and compliance, and that the accepting facility and meet their discharge permit requirements.~~

~~The Agency will evaluate the results of data obtained from the I&I study. As a result of information determined from the above-mentioned study and observed wet weather flows after collection system rehabilitation, determination will be made if the Action Alternative is the best alternative considering all factors, including, the capability of the Demopolis Wastewater Treatment Plant to treat the sewage, and the estimated cost to construct and operate the facility of treatment. If the Agency determines to modify the scope of the project outside that anticipated in the Environmental Assessment, the Agency would supplement the Environmental Assessment to evaluate the impacts of the modified scope of the project and inform the public, another alternative is determined to be better than the Action Alternative, the Agency would supplement the Environmental Assessment to address the another Environmental Assessment will be prepared for the alternative.~~

- 3 ~~Other Alternatives Considered~~ Eliminated from Further Consideration – In addition to the No Action Alternative and Action Alternative, the City of Uniontown considered two types of tertiary biological/physical treatment plants that would be built on the site of the current spray field. A treatment plant located at this site would discharge into Freeman Creek. The treated effluent would have to meet the standards for Fish and Wildlife as defined at ADEM Administrative Code Chapter 335-6-10-.9(5). This alternative was deemed technically feasible and would have a lower cost of construction than the Action Alternative. ~~The operating costs are not expected to increase anymore than they would for the current system. However, the high operating cost was prohibitive for the City of Uniontown, where the median household income is \$15,054. The disadvantage of this alternative is relatively high operating cost.~~ other technology and siting alternatives, which are documented in the Alternatives section of the EA.

#### D. SUMMARY OF ENVIRONMENTAL EFFECTS

The analyses in the EA documented that the proposed Project would have no adverse effects to Land Use, Floodplains, Wetlands, Water Resources, Coastal Resources, Biological Resources, Cultural



Resources, Aesthetics, Air Quality, Socio-Economic Impact/Environmental Justice, Noise, Transportation, and Human Health and Safety.

#### E. PUBLIC AND AGENCY INVOLVEMENT

A local newspaper advertisement announcing the availability of the EA and participation under Section 106 of the National Historic Preservation Act, was published on September 13, 14 and 15, 2018, in Selma Times Journal of Dallas County, Alabama. A copy of the EA was available for public review at the RD Area office at 321 Depot Street, Camden, Alabama. The 14-day comment period ended on September 26, 2018.

Commented [kk3]: Participation in what?

RD received one letter from Black Warrior Riverkeeper (BWR), a non-profit organization. ~~The BWR letter was generally critical of the city's engineering firm and state regulators. Comments in the letter expressed concern over engineering capacity of systems in Uniontown and Demopolis, the role of industrial discharges and the affordability of rates for Uniontown residents following the upgrades to the wastewater collection system. The comments were predominantly engineering in nature and had nothing to do with did not challenge any conclusions made in the EA about NEPA environmental resources. They did.~~ The BWR letter mentioned environmental justice regarding residents ~~ability having~~ to pay to connect to the sewer and ~~the higher rates that might result from a system that potentially could be more expensive to operate as a result of debt service. Under the current proposed plan, Uniontown costs to operate are not anticipated to increase when compared to the current system.~~ In the letter's conclusion, BWR requested "...that USDA allow stakeholders ... a seat at the table to ensure all pertinent information is meaningfully considered." In RD's response, major points of the letter were addressed including that the connection or repair of service lines would be at no cost to homeowners and that no loan was contemplated for the project as proposed. RD also agreed to allow ongoing stakeholder involvement in the project planning stages. ~~Additionally, it was agreed that an expected stakeholder meeting would be held in Uniontown, Alabama, during the project planning stages.~~

Commented [kk4]: Can we say that under the current proposed plan that the Uniontown costs to operate are not anticipated to increase when compared to the current system?

The known stakeholder organizations are: The City of Uniontown (and their engineer(s)), RD, BWR, and Black Belt Citizens Fighting for Health & Justice. Details of future stakeholder meetings have not been negotiated at the time of publication of this FONSI. RD anticipates many meetings to share information and ideas at mutually agreed upon milestones.

Additionally, a petition of 41 names was hand delivered to the Camden, Alabama RD office. The statement at the top of the petition said the undersigned are not satisfied with the EA, feel there will be severe environmental impacts associated with the project and requested an Environmental Impact Statement be prepared without the particular consulting engineer hired by the city. ~~The petition did not identify deficiencies in the EA nor offer more details on the severe environmental impacts anticipated by the petitioners.~~ ~~There was no specific deficiency in the EA specified. The petition did not bear any return address or point-of-contact known for the petition, so RD was unable to respond directly to the petition.~~

#### F. FINDING OF NO SIGNIFICANT IMPACT

Based on its EA, RD has concluded that the proposed Project would have no significant effects to Land Use, Floodplains, Wetlands, Water Resources, Coastal Resources, Aesthetics, Air Quality, Noise, Transportation, and Human Health and Safety. The proposed Project will utilize the Nationwide Programmatic Agreement Among the U.S. Department of Agriculture Rural Development Programs,

National Conference of State Historic Preservation Officers and The Advisory Council on Historic Preservation for Sequencing Section 106 (NPA) to achieve compliance with the National Historic Preservation Act and formally determine effects on historic properties listed or eligible for listing on the National Register of Historic Places. The proposed Project will have no effects to federally listed species or designated critical habitat. The proposed Project would not disproportionately affect minority or low-income populations.

In accordance with the National Environmental Policy Act, as amended (42 U.S.C. 4321 et seq.), the Council on Environmental Quality Regulations (40 CFR 1500–1508), and USDA Rural Development’s Environmental Policies and Procedures (7 CFR Part 1970), RD has determined that the environmental impacts of the proposed Project have been adequately addressed and that no significant impacts to the quality of the human environment would result from construction and operation of the proposed Project. Any final action by RD related to the proposed Project will be subject to, and contingent upon, compliance with all relevant federal and state environmental laws and regulations. Because RD’s action will not result in significant impacts to the quality of the human environment, RD will not prepare an Environmental Impact Statement for its potential federal action associated with the proposed Project.

#### G. RD LOAN REVIEW AND RIGHT OF ADMINISTRATIVE REVIEW

This FONSI is not a decision on a loan application and therefore not an approval of the expenditure of federal funds. Issuance of the FONSI and its notices concludes RD’s environmental review process. The ultimate decision on loan approval depends upon conclusion of this environmental review process in addition to financial and engineering reviews. Issuance of the FONSI and publication of notices will allow for these reviews to proceed. The decision to provide financial assistance also is subject to the availability of loan funds for the designated purpose in RD’s budget. There are no provisions to appeal this decision (i.e., issuance of a FONSI). Legal challenges to the FONSI may be filed in Federal District Court under the Administrative Procedures Act.

#### H. APPROVAL

This Finding of No Significant Impact is effective upon signature.

Dated: September 27, 2018

ALLEN BOWEN  
Director of Community and Business Programs  
Water and Waste Program  
Rural Utility Service

Contact Person  
For additional information on this FONSI and EA, please contact John Taylor at 334-279-3475.

*1400 Independence Avenue, SW | Washington, DC 20250*

Email: [omololu.dawodu@wdc.usda.gov](mailto:omololu.dawodu@wdc.usda.gov)

Phone: 202-720-5653

*"Committed to the future of rural communities"*

---

**From:** Taylor, John - RD, Montgomery, AL  
**Sent:** Thursday, October 4, 2018 11:00 AM  
**To:** Kubena, Kellie - RD, Washington, DC <[Kellie.Kubena@wdc.usda.gov](mailto:Kellie.Kubena@wdc.usda.gov)>; Dawodu, Omololu - RD, Washington, DC <[Omololu.Dawodu@wdc.usda.gov](mailto:Omololu.Dawodu@wdc.usda.gov)>  
**Cc:** Bowen, Allen - RD, Montgomery, AL <[Allen.Bowen@al.usda.gov](mailto:Allen.Bowen@al.usda.gov)>  
**Subject:** RE: Uniontown notes

Construction Manager is a term for an entity that has more power and responsibility than we were envisioning for the 3<sup>rd</sup> party. Allen has been promoting that Alabama Rural Water Association (or their management company subsidiary) would do construction inspection. That may be in the LOC. This is to provide oversight of the engineer, but only to post design phase.

John E. Taylor. P.E.  
Alabama State Engineer & SEC  
USDA Rural Development  
4121 Carmichael Rd. STE 601  
Montgomery, AL 36106  
334-279-3475

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**From:** Kubena, Kellie - RD, Washington, DC  
**Sent:** Thursday, October 4, 2018 9:43 AM  
**To:** Dawodu, Omololu - RD, Washington, DC <[Omololu.Dawodu@wdc.usda.gov](mailto:Omololu.Dawodu@wdc.usda.gov)>; Taylor, John - RD, Montgomery, AL <[john.taylor@al.usda.gov](mailto:john.taylor@al.usda.gov)>  
**Subject:** Re: Uniontown notes

Less discussions and more I thought I remembered reading or hearing that we were requiring a construction manager (I may have my terms wrong) to oversee the consulting engineer as the project proceeds. I think that underscores that we are wanting to ensure that the project is sufficient.

---

**From:** "Dawodu, Omololu - RD, Washington, DC" <[Omololu.Dawodu@wdc.usda.gov](mailto:Omololu.Dawodu@wdc.usda.gov)>  
**Date:** Thursday, October 4, 2018 at 10:37:10 AM  
**To:** "Taylor, John - RD, Montgomery, AL" <[john.taylor@al.usda.gov](mailto:john.taylor@al.usda.gov)>  
**Cc:** "Kubena, Kellie - RD, Washington, DC" <[Kellie.Kubena@wdc.usda.gov](mailto:Kellie.Kubena@wdc.usda.gov)>

**005528**

**Subject:** FW: Uniontown notes

John, please see Kellie's email below. Do we have anything about discussions with the construction manager?

---

**From:** Kubena, Kellie - RD, Washington, DC

**Sent:** Thursday, October 4, 2018 10:33 AM

**To:** Dawodu, Omololu - RD, Washington, DC <[Omololu.Dawodu@wdc.usda.gov](mailto:Omololu.Dawodu@wdc.usda.gov)>

**Subject:** Re: Uniontown notes

What about the construction manager? Can we say something about that?

---

**From:** "Dawodu, Omololu - RD, Washington, DC" <[Omololu.Dawodu@wdc.usda.gov](mailto:Omololu.Dawodu@wdc.usda.gov)>

**Date:** Thursday, October 4, 2018 at 10:30:32 AM

**To:** "Kubena, Kellie - RD, Washington, DC" <[Kellie.Kubena@wdc.usda.gov](mailto:Kellie.Kubena@wdc.usda.gov)>

**Subject:** FW: Uniontown notes

This was John's response, I am going to go through the PER now.

---

**From:** Taylor, John - RD, Montgomery, AL

**Sent:** Thursday, October 4, 2018 10:26 AM

**To:** Dawodu, Omololu - RD, Washington, DC <[Omololu.Dawodu@wdc.usda.gov](mailto:Omololu.Dawodu@wdc.usda.gov)>

**Cc:** Bowen, Allen - RD, Montgomery, AL <[Allen.Bowen@al.usda.gov](mailto:Allen.Bowen@al.usda.gov)>

**Subject:** RE: Uniontown notes

Omololu:

No details on either. The shareholder involvement we just conceived as we were addressing the Riverkeeper letter. The owner/engineer is still unaware of it. Further study is only vaguely discussed in the PER, but it has been our intention all along to be looking over the engineer's shoulders. The shareholder involvement may turn out to be a good mechanism for doing that.

John E. Taylor, P.E.

Alabama State Engineer & SEC

USDA Rural Development

4121 Carmichael Rd. STE 601

Montgomery, AL 36106

334-279-3475

---

**From:** Dawodu, Omololu - RD, Washington, DC

**Sent:** Thursday, October 4, 2018 6:29 AM

**To:** Taylor, John - RD, Montgomery, AL <[john.taylor@al.usda.gov](mailto:john.taylor@al.usda.gov)>

**Subject:** Uniontown notes

**005529**

Hello John,

We are almost through with adding our comments to the Notice and the FONSI, however we want to elaborate on the meetings that you mentioned that would be taking place to engage the public, Riverkeepers, etc. and more details regarding the proposed funded study and the plans to be engaged in the design process. Is that documented specifically anywhere, I was unable to find it, there were a lot of documents associated with this project.

Thanks,

*Omololu Dawodu  
Environmental Protection Specialist  
Engineering and Environmental Staff | Rural Utilities Service  
Rural Development  
U.S. Dept. of Agriculture | Room 2238  
1400 Independence Avenue, SW | Washington, DC 20250*

Email: [omololu.dawodu@wdc.usda.gov](mailto:omololu.dawodu@wdc.usda.gov)

Phone: 202-720-5653

*"Committed to the future of rural communities"*

**005530**

**From:** [Bowen, Allen - RD, Montgomery, AL](#)  
**To:** "[Beeker, Chris - RD, Montgomery, AL \(Chris.Beeker@al.usda.gov\)](#)"; [Beeker, Chris - RD, Montgomery, AL](#)  
**Subject:** FW: Uniontown notes  
**Date:** Wednesday, October 10, 2018 9:15:00 AM  
**Attachments:** [Uniontown NOF-EES edits accepted.docx](#)  
[Uniontown FONSI 180928 -EES edits accepted.docx](#)

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Chris, the documents Uniontown NOF-EES edits accepted.docx and Uniontown FONSI 180928-EES edits accepted.docx are the final versions. I have asked the N.O. staff to review and concur so that we can move the project along.

I have reviewed both documents and am satisfied with them.

If you have any questions please contact me.

Thanks,

*Allen Bowen*

Allen Bowen  
United States Department of Agriculture  
Rural Development  
Community and Business Programs Director  
Office: 334-279-3617  
Cell: 334-322-4147  
Fax: 855-304-8457

---

**From:** Taylor, John - RD, Montgomery, AL  
**Sent:** Tuesday, October 9, 2018 5:05 PM  
**To:** Kubena, Kellie - RD, Washington, DC <[Kellie.Kubena@wdc.usda.gov](mailto:Kellie.Kubena@wdc.usda.gov)>; Dawodu, Omololu - RD, Washington, DC <[Omololu.Dawodu@wdc.usda.gov](mailto:Omololu.Dawodu@wdc.usda.gov)>  
**Cc:** Bowen, Allen - RD, Montgomery, AL <[Allen.Bowen@al.usda.gov](mailto:Allen.Bowen@al.usda.gov)>  
**Subject:** RE: Uniontown notes

All,

The attached files ending in "accepted" are clean copies.

John E. Taylor. P.E.

**005531**

DEPARTMENT OF AGRICULTURE  
Rural Development

City of Uniontown: Notice of Finding of No Significant Impact

**AGENCY:** Rural Development, USDA

**ACTION:** Notice of Finding of No Significant Impact.

**SUMMARY:** Rural Development (RD) has made a Finding of No Significant Impact (FONSI) with respect to a request for possible financing assistance to City of Uniontown for the construction of the Sanitary Sewer Collection and Treatment Facility Rehabilitation in Perry County, Alabama.

**FURTHER INFORMATION:** To obtain copies of the EA and FONSI, or for further information, contact: Nivory Gordon, Jr., Area Director at USDA, RD, 321 Depot Street, Camden, AL 36726, 334-682-4116 Ext. 110 or via email at [Nivory.gordon@al.usda.gov](mailto:Nivory.gordon@al.usda.gov). The EA and FONSI are also available for public review at Uniontown City Hall.

**SUPPLEMENTARY INFORMATION:** The City of Uniontown proposes to rehabilitate the city's wastewater collection system and construct facilities to achieve treatment and discharge of the effluent in compliance with foreseeable regulatory requirements. Currently, the course of action planned is to construct screening facilities, pump stations and a force main to transport the wastewater to the City of Demopolis for treatment at their wastewater treatment plant. The need for this project is based on the current state of the wastewater collection system, which is in dire need of repair due to the excess inflow of wastewater into the lagoon, which cannot be adequately treated and discharged onto the sprayfield. The purpose of the proposed project is to get the existing wastewater collection system functional and help to eliminate the impermissible discharges through the following proposed phases: CCTV monitoring, flow monitoring, collection system rehabilitation (including cured-in-place pipe (CIPP), pipe replacement, and manhole lining and replacement), flow monitoring after using CIPP, and development of infrastructure to support the use of the treatment facility in Demopolis to treat wastewater from Uniontown. The existing treatment lagoons and effluent spray field would be decommissioned and reclaimed. Alternatives considered by RD and City of Uniontown include: No action and two types of treatment systems that would discharge into Freetown Creek. The alternatives are discussed in the EA. If during the study phase of the project, RD determines that the project scope must be modified, the Agency would work with Uniontown to supplement the Environmental Assessment to evaluate the impacts of the modified scope of the project and inform the public. RD has reviewed and approved the EA for the proposed project.

The availability of the EA for public review was announced via notice in the Selma Times-Journal on September 13 and 20, 2018. A 14-day comment period was announced in the newspaper notice. The EA was also available for public review at the USDA Rural Development office as well as City of Uniontown's city hall offices. RD received one letter from Black Warrior Riverkeeper (BWR), a non-profit organization. Comments in the letter expressed concern over engineering capacity of systems in Uniontown and Demopolis, the role of industrial discharges and the affordability of rates for Uniontown residents following the upgrades to the wastewater collection system. The BWR letter did not challenge the conclusions of the EA, but did additionally request that stakeholders remain involved as the project proceeds. RD responded to BWR agreeing to allow stakeholder involvement in the project planning stages. RD also received a petition of 41 names saying they were not satisfied with the EA, felt there

Commented [KK-RWD1]: Define CIPP.

005532

would be severe environmental impacts associated with the project, and requested that an Environmental Impact Statement be prepared. The petition did not identify deficiencies in the EA nor offer more details on the severe environmental impacts anticipated by the petitioners. The petition did not bear a return address or point-of-contact, so RD was unable to respond.

Based on its EA, commitments made by City of Uniontown, and public comments received, RD has concluded that the project would have no significant impact (or no impacts) to water quality, wetlands, floodplains, land use, aesthetics, transportation, or human health and safety.

The proposed Project will utilize the Nationwide Programmatic Agreement Among the U.S. Department of Agriculture Rural Development Programs, National Conference of State Historic Preservation Officers and The Advisory Council on Historic Preservation for Sequencing Section 106 (NPA) to achieve compliance with the National Historic Preservation Act and formally determine effects on historic properties listed or eligible for listing on the National Register of Historic Places. The Agency has concluded that the proposed project is not likely to affect federally listed threatened and endangered species or designated critical habitat thereof. The proposed project would not disproportionately affect minority and/or low income populations.

No other potential significant impacts resulting from the proposed project have been identified. Therefore, RD has determined that this FONSI fulfills its obligations under the National Environmental Policy Act, as amended (42 U.S.C. 4321 et seq.), the Council on Environmental Quality Regulations (40 CFR §§ 1500-1508), and USDA Rural Development's Environmental Policies and Procedures (7 CFR Part 1970) for its action related to the project.

RD is satisfied that the environmental impacts of the proposed project have been adequately addressed. RD's federal action would not result in significant impacts to the quality of the human environment, and as such it will not prepare an Environmental Impact Statement for its action related to the proposed project.

Dated: October X, 2018

**Commented [KK-RWD2]:** Should make consistent RD's or RD' all the way through. Since Alabama staff are RD employees, I suggest RD.

**Commented [TJ-RMA3R3]:** 's is only used to make a possessive noun. I would think RDs is plural.



FINDING OF NO SIGNIFICANT IMPACT

Sanitary Sewer Collection and Treatment Facility Rehabilitation  
Perry County, Alabama

Rural Development  
U.S. Department of Agriculture

City of Uniontown

Prepared by:  
John Taylor, Staff  
USDA Rural Development

October 2018

**005534**

## A. INTRODUCTION

City of Uniontown plans to submit a financing request to the U.S. Department of Agriculture, Rural Utility Service (RD) to construct the proposed Sanitary Sewer Collection and Treatment Facility Rehabilitation (Project) in Perry County, Alabama. RD is considering this financing request. Prior to taking a federal action (i.e., providing financial assistance), RD is required to complete an environmental impact analysis in accordance with the National Environmental Policy Act of 1969 (NEPA) (U.S.C. 4231 et seq.), the Council on Environmental Quality's (CEQ) regulations for implementing NEPA (40 CFR Parts 1500-1508), and RD's NEPA implementing regulations, Environmental Policies and Procedures (7 CFR Part 1970). After completing an independent analysis of an environmental report prepared by City of Uniontown and its consultant, RD concurred with its scope and content. In accordance with 7 CFR § 1970.102, RD adopted the report and issued it as the Agency's Environmental Assessment (EA) for the proposed Project. RD finds that the EA is consistent with federal regulations and meets the standards for an adequate assessment. City of Uniontown published a newspaper notice, announcing the availability of the EA for public review, in accordance with 7 CFR § 1970.102. In addition, RD considers the proposed Project an undertaking subject to review under Section 106 of the National Historic Preservation Act (NHPA), 16 USC 470(f), and its implementing regulation, "Protection of Historic Properties" (36 CFR Part 800).

## B. PROJECT DESCRIPTION AND PURPOSE/NEED

The need for this project is based on the current state of the wastewater collection system, which is in dire need of repair due to the excess inflow of wastewater into the lagoon, which cannot be adequately treated and discharged into the sprayfield. The purpose of the proposed project is to get the existing wastewater collection system functional and help to eliminate the impermissible discharges through the following proposed phases: CCTV monitoring, flow monitoring, collection system rehabilitation (including cured-in-place pipe (CIPP), pipe replacement, and manhole lining and replacement), flow monitoring after collection system rehabilitation, and development of infrastructure to support the use of the treatment facility in Demopolis to treat wastewater from Uniontown. The overall purpose of the Project is to rehabilitate of the city's wastewater collection system and construct facilities for ultimate treatment and discharge of the effluent. RD has reviewed the purpose and need for the Project and determined that the proposal will meet the present and future needs of City of Uniontown.

## C. ALTERNATIVES EVALUATED

1. No Action – Under the No Action Alternative, RD would not provide financial assistance to City of Uniontown, and/or the proposed Project would not be constructed. This alternative would not assist City of Uniontown in decreasing inflow and infiltration and eliminate unpermitted discharges into Cottonwood Creek and Freeman Creek.
2. Action Alternative (Preferred Alternative) – Under the Action Alternative, RD would consider financing the proposed Project, and City of Uniontown would construct Project. The proposed project would rehabilitate the city's wastewater collection system to eliminate Inflow and Infiltration (I&I) to the extent practicable, gather data regarding the wastewater from industrial users, and design and construct facilities to achieve treatment and discharge of the effluent in compliance with foreseeable regulatory requirements as per 1780.1(g) "Water and waste facilities will be

Commented [kk1]: Would include the 1780 reference here.

designed, installed, and operated in accordance with applicable laws which include but are not limited to the Safe Drinking Water Act, Clean Water Act and the Resource Conservation and Recovery Act". The process will involve the development and negotiation of State Indirect Discharge (SID) permit limits for industrial users to ensure the aggregated untreated wastewater is in within the design parameters of the treatment system. Currently, based on assumptions that the remedy of I&I and working with the industrial dischargers will result in adequate reductions in flow and pollutant reductions, the course of action planned is to construct screening facilities, pump stations, and a force main to transport the wastewater to the City of Demopolis for treatment at their wastewater treatment plant. The existing treatment lagoons and effluent spray field would be decommissioned and reclaimed. When the existing WWTP and spray field permits are no longer in force, they will be regulated by ADEM as unpermitted landfills. Remediation will be as required by ADEM Administrative Code Chapter 335-13-1-.13.

The ultimate course of action will be determined following the I&I study and the various phases of project implementation. After employing each strategy/process stage, we will evaluate whether the preferred alternative remains the most effective approach to ensure system functionality and compliance.

The Agency will evaluate the results of data obtained from the I&I study, observed wet weather flows after collection system rehabilitation, the capability of the Demopolis Wastewater Treatment Plant to treat the sewage, and the estimated cost to construct and operate the facility. If the Agency determines to modify the scope of the project outside that anticipated in the Environmental Assessment, the Agency would supplement the Environmental Assessment to evaluate the impacts of the modified scope of the project and inform the public.

- 3 Other Alternatives Considered – In addition to the No Action Alternative and Action Alternative, the City of Uniontown considered two types of tertiary biological/physical treatment plants that would be built on the site of the current spray field. A treatment plant located at this site would discharge into Freeman Creek. The treated effluent would have to meet the standards for Fish and Wildlife as defined at ADEM Administrative Code Chapter 335-6-10-.9(5). This alternative was deemed technically feasible and would have a lower cost of construction than the Action Alternative. However, the high operating cost was prohibitive for the City of Uniontown, where the median household income is \$15,054.

#### D. SUMMARY OF ENVIRONMENTAL EFFECTS

The analyses in the EA documented that the proposed Project would have no adverse effects to Land Use, Floodplains, Wetlands, Water Resources, Coastal Resources, Biological Resources, Cultural Resources, Aesthetics, Air Quality, Socio-Economic Impact/Environmental Justice, Noise, Transportation, and Human Health and Safety.

#### E. PUBLIC AND AGENCY INVOLVEMENT

The City of Uniontown published a newspaper notice, announcing the availability of the EA for public review, in accordance with 7 CFR § 1970.102. In addition, RUS considers the proposed Project an undertaking subject to review under Section 106 of the National Historic Preservation Act (NHPA), 16 USC 470(f), and its implementing regulation, "Protection of Historic Properties" (36 CFR Part 800). Pursuant to 36 CFR 800.8, and 36 CFR 800.2(d)(3) and in order to coordinate RD's responsibilities for

public participation under NHPA with those of NEPA, the published newspaper notice also satisfies RD's responsibilities for public involvement under the NHPA. The notice was published on September 13, 14 and 15, 2018, in Selma Times Journal of Dallas County, Alabama. A copy of the EA was available for public review at the RD Area office at 321 Depot Street, Camden, Alabama. The 14-day comment period ended on September 26, 2018.

RD received one letter from Black Warrior Riverkeeper (BWR), a non-profit organization. Comments in the letter expressed concern over engineering capacity of systems in Uniontown and Demopolis, the role of industrial discharges and the affordability of rates for Uniontown residents following the upgrades to the wastewater collection system. The comments did not challenge conclusions made in the EA about NEPA environmental resources. The BWR letter mentioned environmental justice regarding residents' ability to pay to connect to the sewer and the higher rates that might result from a loan from RD. Under the current proposed plan, Uniontown residential rates are not anticipated to increase significantly. In the letter's conclusion, BWR requested "...that USDA allow stakeholders ... a seat at the table to ensure all pertinent information is meaningfully considered." In RD's response, major points of the letter were addressed including that the connection or repair of service lines would be at no cost to homeowners and that no loan was contemplated for the project as proposed. RD also agreed to allow ongoing stakeholder involvement in the project planning stages. Additionally, RD has ensured that an impartial onsite inspector from the Alabama Rural Water Association will assist in the project.

The known stakeholder organizations are: The City of Uniontown (and their engineer(s)), RD, BWR, and Black Belt Citizens Fighting for Health & Justice. Details of future stakeholder meetings have not been negotiated at the time of publication of this FONSI. RD anticipates many meetings to share information and ideas at mutually agreed upon milestones.

Additionally, a petition of 41 names was hand delivered to the Camden, Alabama RD office. The statement at the top of the petition said the undersigned are not satisfied with the EA, feel there will be severe environmental impacts associated with the project and requested an Environmental Impact Statement be prepared without the particular consulting engineer hired by the city. The petition did not identify deficiencies in the EA nor offer more details on the severe environmental impacts anticipated by the petitioners. The petition did not bear a return address or point-of-contact for the petition, so RD was unable to respond directly to the petition.

#### F. FINDING OF NO SIGNIFICANT IMPACT

Based on its EA, RD has concluded that the proposed Project would have no significant effects to Land Use, Floodplains, Wetlands, Water Resources, Coastal Resources, Aesthetics, Air Quality, Noise, Transportation, and Human Health and Safety. The proposed Project will utilize the Nationwide Programmatic Agreement Among the U.S. Department of Agriculture Rural Development Programs, National Conference of State Historic Preservation Officers and The Advisory Council on Historic Preservation for Sequencing Section 106 (NPA) to achieve compliance with the National Historic Preservation Act and formally determine effects on historic properties listed or eligible for listing on the National Register of Historic Places. The proposed Project will have no effects to federally listed species or designated critical habitat. The proposed Project would not disproportionately affect minority or low-income populations.

**Commented [kk2]:** Can we say that under the current proposed plan that the Uniontown costs to operate are not anticipated to increase when compared to the current system?

In accordance with the National Environmental Policy Act, as amended (42 U.S.C. 4321 et seq.), the Council on Environmental Quality Regulations (40 CFR 1500–1508), and USDA Rural Development’s Environmental Policies and Procedures (7 CFR Part 1970), RD has determined that the environmental impacts of the proposed Project have been adequately addressed and that no significant impacts to the quality of the human environment would result from construction and operation of the proposed Project. Any final action by RD related to the proposed Project will be subject to, and contingent upon, compliance with all relevant federal and state environmental laws and regulations. Because RD’s action will not result in significant impacts to the quality of the human environment, RD will not prepare an Environmental Impact Statement for its potential federal action associated with the proposed Project.

#### G. RD LOAN REVIEW AND RIGHT OF ADMINISTRATIVE REVIEW

This FONSI is not a decision on a loan application and therefore not an approval of the expenditure of federal funds. Issuance of the FONSI and its notices concludes RD’s environmental review process. The ultimate decision on loan approval depends upon conclusion of this environmental review process in addition to financial and engineering reviews. Issuance of the FONSI and publication of notices will allow for these reviews to proceed. The decision to provide financial assistance also is subject to the availability of loan funds for the designated purpose in RD’s budget. There are no provisions to appeal this decision (i.e., issuance of a FONSI). Legal challenges to the FONSI may be filed in Federal District Court under the Administrative Procedures Act.

#### H. APPROVAL

This Finding of No Significant Impact is effective upon signature.

Dated: October 10, 2018

ALLEN BOWEN  
Director of Community and Business Programs  
Water and Waste Program  
Rural Utility Service

#### Contact Person

For additional information on this FONSI and EA, please contact John Taylor at 334-279-3475.

Alabama State Engineer & SEC  
USDA Rural Development  
4121 Carmichael Rd. STE 601  
Montgomery, AL 36106  
334-279-3475

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**From:** Kubena, Kellie - RD, Washington, DC  
**Sent:** Tuesday, October 9, 2018 9:12 AM  
**To:** Taylor, John - RD, Montgomery, AL <[john.taylor@al.usda.gov](mailto:john.taylor@al.usda.gov)>; Dawodu, Omololu - RD, Washington, DC <[Omololu.Dawodu@wdc.usda.gov](mailto:Omololu.Dawodu@wdc.usda.gov)>  
**Cc:** Bowen, Allen - RD, Montgomery, AL <[Allen.Bowen@al.usda.gov](mailto:Allen.Bowen@al.usda.gov)>  
**Subject:** Re: Uniontown notes

Happy Tuesday!

Let me know when the FONSI goes out, please, and send a copy.

Thanks so much!  
-Kellie

---

**From:** "Kubena, Kellie - RD, Washington, DC" <[Kellie.Kubena@wdc.usda.gov](mailto:Kellie.Kubena@wdc.usda.gov)>  
**Date:** Friday, October 5, 2018 at 5:02:00 PM  
**To:** "Taylor, John - RD, Montgomery, AL" <[john.taylor@al.usda.gov](mailto:john.taylor@al.usda.gov)>, "Dawodu, Omololu - RD, Washington, DC" <[Omololu.Dawodu@wdc.usda.gov](mailto:Omololu.Dawodu@wdc.usda.gov)>  
**Cc:** "Bowen, Allen - RD, Montgomery, AL" <[Allen.Bowen@al.usda.gov](mailto:Allen.Bowen@al.usda.gov)>  
**Subject:** RE: Uniontown notes

Hi John,

Please edit the section on the work to be done to include what you think is appropriate. You are the closest to this project and you have the most knowledge. I know I tried to fill in the blanks as best as I could, as I'm sure did Omololu, but you have the expertise!

I am fine with your idea to just say that we don't think rates will rise significantly. That's kind of what I understood in talking to Susan about the project yesterday too. Rates were probably going up either way, but doing this vs not didn't seem like it would make a big difference for

**005539**

the rate payers in town and your point is really good that the industry could take on some of that burden to keep the household rates more steady.

To answer your question on the [Agency] terminology in our guidance: it is an excellent question! I think part of it is when we are working with the programs that are implemented nationally vs at the state level, we tend to talk by agency (for example, RUS for electric and telecom), but when we are working through the state offices, it is RD, even though the funding is coming via an agency. It's worth thinking about whether we should continue to make that distinction. I'll make a note of that for future discussions as we work on revising the subparts.

If you are ok with the other edits Omololu sent and want to make the changes you think are appropriate for the two items you flagged, I think you all can go ahead and move forward. Please give the commenter the heads up before publication that we are revising. We think that will be helpful for our administrative record on this one.

Thanks for your patience and for working with us so diligently on this one. It is an important project that I know we will continue to work together on.

I hope you all have a great long weekend.

Thanks,  
Kellie

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**From:** Taylor, John - RD, Montgomery, AL

**Sent:** Friday, October 5, 2018 10:36 AM

**To:** Dawodu, Omololu - RD, Washington, DC <[Omololu.Dawodu@wdc.usda.gov](mailto:Omololu.Dawodu@wdc.usda.gov)>

**Cc:** Bowen, Allen - RD, Montgomery, AL <[Allen.Bowen@al.usda.gov](mailto:Allen.Bowen@al.usda.gov)>; Kubena, Kellie - RD, Washington, DC <[Kellie.Kubena@wdc.usda.gov](mailto:Kellie.Kubena@wdc.usda.gov)>

**Subject:** RE: Uniontown notes

**005540**

Omololu,

We only have two concerns with the current edit:

1. The sewer rehabilitation will not only be by CIPP. As dictated by the situation it may include pipe replacement by open trench method, point repairs, manhole lining and manhole replacement.
2. We don't know that sewer rates for residential customers will not go up. This is a complicated issue. Certainly doing something with the wastewater will cost more to operate than doing nothing. The city does not currently separate water and sewer revenue and costs from general fund. When a utilities board is formed, they will have to establish rates to bring in the required revenue. We can only hope that industry pays its share. We would feel better to say we don't anticipate sewer rate rising significantly.

This question is not directly related to Uniontown. You changed "RUS" to "RD". Why do our guidance documents have [Agency] when the answer is always RD? It is an RD regulation.

John E. Taylor, P.E.  
Alabama State Engineer & SEC  
USDA Rural Development  
4121 Carmichael Rd. STE 601  
Montgomery, AL 36106  
334-279-3475

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**From:** Dawodu, Omololu - RD, Washington, DC  
**Sent:** Friday, October 5, 2018 8:09 AM  
**To:** Taylor, John - RD, Montgomery, AL <[john.taylor@al.usda.gov](mailto:john.taylor@al.usda.gov)>  
**Cc:** Bowen, Allen - RD, Montgomery, AL <[Allen.Bowen@al.usda.gov](mailto:Allen.Bowen@al.usda.gov)>; Kubena, Kellie - RD, Washington, DC <[Kellie.Kubena@wdc.usda.gov](mailto:Kellie.Kubena@wdc.usda.gov)>  
**Subject:** RE: Uniontown notes

Greetings,

Please see the attached NOF and FONSI with our edits and comments . I think it would be a good idea to send another response letter to Riverkeeper to inform them that we are updating the FONSI. I am going to be off for the rest of the day, but Kellie will be in the office today if you would like any additional input on this.

Please let us know your thoughts and when you have drafted the response letter to Riverkeeper.

Thanks,

*Omololu Dawodu*  
*Environmental Protection Specialist*  
*Engineering and Environmental Staff | Rural Utilities Service*

**005541**



*Rural Development*  
*U.S. Dept. of Agriculture | Room 2238*  
*1400 Independence Avenue, SW | Washington, DC 20250*

Email: [omololu.dawodu@wdc.usda.gov](mailto:omololu.dawodu@wdc.usda.gov)

Phone: 202-720-5653

*"Committed to the future of rural communities"*

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**From:** Taylor, John - RD, Montgomery, AL  
**Sent:** Thursday, October 4, 2018 11:00 AM  
**To:** Kubena, Kellie - RD, Washington, DC <[Kellie.Kubena@wdc.usda.gov](mailto:Kellie.Kubena@wdc.usda.gov)>; Dawodu, Omololu - RD, Washington, DC <[Omololu.Dawodu@wdc.usda.gov](mailto:Omololu.Dawodu@wdc.usda.gov)>  
**Cc:** Bowen, Allen - RD, Montgomery, AL <[Allen.Bowen@al.usda.gov](mailto:Allen.Bowen@al.usda.gov)>  
**Subject:** RE: Uniontown notes

Construction Manager is a term for an entity that has more power and responsibility than we were envisioning for the 3<sup>rd</sup> party. Allen has been promoting that Alabama Rural Water Association (or their management company subsidiary) would do construction inspection. That may be in the LOC. This is to provide oversight of the engineer, but only to post design phase.

John E. Taylor, P.E.  
Alabama State Engineer & SEC  
USDA Rural Development  
4121 Carmichael Rd. STE 601  
Montgomery, AL 36106  
334-279-3475

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**From:** Kubena, Kellie - RD, Washington, DC  
**Sent:** Thursday, October 4, 2018 9:43 AM  
**To:** Dawodu, Omololu - RD, Washington, DC <[Omololu.Dawodu@wdc.usda.gov](mailto:Omololu.Dawodu@wdc.usda.gov)>; Taylor, John - RD, Montgomery, AL <[john.taylor@al.usda.gov](mailto:john.taylor@al.usda.gov)>  
**Subject:** Re: Uniontown notes

Less discussions and more I thought I remembered reading or hearing that we were requiring a construction manager (I may have my terms wrong) to oversee the consulting engineer as the project proceeds. I think that underscores that we are wanting to ensure that the project is sufficient.

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**From:** "Dawodu, Omololu - RD, Washington, DC" <[Omololu.Dawodu@wdc.usda.gov](mailto:Omololu.Dawodu@wdc.usda.gov)>  
**Date:** Thursday, October 4, 2018 at 10:37:10 AM

**005542**

**To:** "Taylor, John - RD, Montgomery, AL" <[john.taylor@al.usda.gov](mailto:john.taylor@al.usda.gov)>  
**Cc:** "Kubena, Kellie - RD, Washington, DC" <[Kellie.Kubena@wdc.usda.gov](mailto:Kellie.Kubena@wdc.usda.gov)>  
**Subject:** FW: Uniontown notes

John, please see Kellie's email below. Do we have anything about discussions with the construction manager?

---

**From:** Kubena, Kellie - RD, Washington, DC  
**Sent:** Thursday, October 4, 2018 10:33 AM  
**To:** Dawodu, Omololu - RD, Washington, DC <[Omololu.Dawodu@wdc.usda.gov](mailto:Omololu.Dawodu@wdc.usda.gov)>  
**Subject:** Re: Uniontown notes

What about the construction manager? Can we say something about that?

---

**From:** "Dawodu, Omololu - RD, Washington, DC" <[Omololu.Dawodu@wdc.usda.gov](mailto:Omololu.Dawodu@wdc.usda.gov)>  
**Date:** Thursday, October 4, 2018 at 10:30:32 AM  
**To:** "Kubena, Kellie - RD, Washington, DC" <[Kellie.Kubena@wdc.usda.gov](mailto:Kellie.Kubena@wdc.usda.gov)>  
**Subject:** FW: Uniontown notes

This was John's response, I am going to go through the PER now.

---

**From:** Taylor, John - RD, Montgomery, AL  
**Sent:** Thursday, October 4, 2018 10:26 AM  
**To:** Dawodu, Omololu - RD, Washington, DC <[Omololu.Dawodu@wdc.usda.gov](mailto:Omololu.Dawodu@wdc.usda.gov)>  
**Cc:** Bowen, Allen - RD, Montgomery, AL <[Allen.Bowen@al.usda.gov](mailto:Allen.Bowen@al.usda.gov)>  
**Subject:** RE: Uniontown notes

Omololu:

No details on either. The shareholder involvement we just conceived as we were addressing the Riverkeeper letter. The owner/engineer is still unaware of it. Further study is only vaguely discussed in the PER, but it has been our intention all along to be looking over the engineer's shoulders. The shareholder involvement may turn out to be a good mechanism for doing that.

John E. Taylor, P.E.  
Alabama State Engineer & SEC  
USDA Rural Development  
4121 Carmichael Rd. STE 601  
Montgomery, AL 36106  
334-279-3475

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**From:** Dawodu, Omololu - RD, Washington, DC  
**Sent:** Thursday, October 4, 2018 6:29 AM

**005543**

**To:** Taylor, John - RD, Montgomery, AL <[john.taylor@al.usda.gov](mailto:john.taylor@al.usda.gov)>

**Subject:** Uniontown notes

Hello John,

We are almost through with adding our comments to the Notice and the FONSI, however we want to elaborate on the meetings that you mentioned that would be taking place to engage the public, Riverkeepers, etc. and more details regarding the proposed funded study and the plans to be engaged in the design process. Is that documented specifically anywhere, I was unable to find it, there were a lot of documents associated with this project.

Thanks,

*Omololu Dawodu  
Environmental Protection Specialist  
Engineering and Environmental Staff | Rural Utilities Service  
Rural Development  
U.S. Dept. of Agriculture | Room 2238  
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**005544**

**From:** [Dean, Glenda](#)  
**To:** [Bowen, Allen - RD, Montgomery, AL](#)  
**Cc:** [Anderson, Emily D](#); [Lutz, Daphne Y](#)  
**Subject:** FW: Uniontown pipeline engineering points  
**Date:** Wednesday, October 31, 2018 3:21:46 PM

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Allen,

With regard to the design of the wastewater pipeline from Uniontown to Demopolis, we have listed some components in the system that USDA and the engineers for both towns should consider. Some, if not all, almost certainly have already been considered and incorporated, if deemed needed, but just in case::

- Surge capacity at both ends and possibly other points
- Possible pretreatment at Uniontown
- Possible diversion to existing WWTP in emergency
- Cleanout / flushing points
- Allowance for effects of expansion and contraction of heavy clay soils
- Aeration during the 18 miles to add oxygen and release bio-degradation gas
- Lift stations with backup power source and containment structures
- Backup pumps, piping and other equipment
- Pipe sizing to allow for additional communities to tie in
- Leak detection and pressure monitoring
- Engineering report on upgrades required at Demopolis WWTP
- Updates to Demopolis WWTP discharge permit

Regards,

Glenda L. Dean, Chief  
Water Division  
[gld@adem.state.al.us](mailto:gld@adem.state.al.us)  
334-271-7823  
334-279-3051(fax)

**005545**

**From:** [Taylor, John - RD, Montgomery, AL](#)  
**To:** [Douglas, Penny - RD, Chattanooga, TN](#)  
**Cc:** [Bowen, Allen - RD, Montgomery, AL](#)  
**Subject:** FW: Uniontown updated PER  
**Date:** Monday, August 20, 2018 11:02:27 AM  
**Attachments:** [Revised Cost Estimates Post ARWA review 8-20-18.pdf](#)

---

Penny,

I am traveling today, but will read the revised PER to give engineer a new round of comments. Attached are revised estimates.

John E. Taylor, P.E.  
Alabama State Engineer & SEC  
USDA Rural Development  
4121 Carmichael Rd. STE 601  
Montgomery, AL 36106  
334-279-3475

---

**From:** Ed Morris <emorris@sentell.net>  
**Sent:** Monday, August 20, 2018 8:53 AM  
**To:** Taylor, John - RD, Montgomery, AL <john.taylor@al.usda.gov>  
**Subject:** RE: Uniontown updated PER

1. Option #1- ADEM Fee to Demopolis corrected to what is currently owed due to Modeling fees.
2. Option #1- Removed "Connection to Pump Station" included Pumping Station item.
3. Option #1- Corrected Property Survey for Force Main to Demopolis.
4. Equipment cost in the Administration Cost Category is for Equipment to maintain the collection system.
5. Option #2 & 3 ADEM cost are for currently owed for Modeling and cost for permitting to Freetown Creek.
6. Option #2 & 3 material change cost of PVC to HDPE 12" Pipe.
7. Option #2 & 3 Changed pump station cost to reflect pumps required to pump cheese plant effluent and odor control.
8. Option #2 & 3 combined Drum Screen and Headworks cost.
9. Pumping sludge to the Lagoon would not work. During times not pumping, the sludge would settle and plug the line.  
Would also have to lay a line 4.6 miles and upgrade the lagoon to fluctuate levels. Aerators would have to be used to control odors.

---

**From:** Taylor, John - RD, Montgomery, AL [mailto:john.taylor@al.usda.gov]  
**Sent:** Thursday, August 16, 2018 3:55 PM  
**To:** Ed Morris <emorris@sentell.net>  
**Subject:** RE: Uniontown updated PER

**005546**

**Engineer's Estimate of Probable Construction Cost**

**UNIONTOWN SANITARY COLLECTION AND TREATMENT IMPROVEMENTS**

Option # 1

Uniontown, Alabama

Sentell Engineering, Inc

8/20/2018

| Item                          | Quantity     | Unit                       | Description                            | Unit Cost                       | Total                  |
|-------------------------------|--------------|----------------------------|--|---------------------------------|------------------------|
| <b>Forcemain to Demopolis</b> |              |                            |  |                                 |                        |
| 1                             | 1            | LS                         | Mobilization/Demobilization            | \$66,000.00                     | \$66,000.00            |
| 2                             | 1            | LS                         | Erosion Control                        | \$40,000.00                     | \$40,000.00            |
| 3                             | 99,694       | LF                         | 16" HDPE DR11                          | \$90.00                         | \$8,972,460.00         |
| 4                             | 2,807        | LF                         | 16" Direct Bore                        | \$180.00                        | \$505,260.00           |
| 5                             | 3,510        | LF                         | 16" Direct Bore Creek Crossing         | \$180.00                        | \$631,800.00           |
| 6                             | 200          | LF                         | Highway Crossing Bore w Casing         | \$250.00                        | \$50,000.00            |
| 7                             | 420          | LF                         | Road Crossing Bore w Casing            | \$250.00                        | \$105,000.00           |
| 8                             | 1            | LS                         | Traffic Control (Per ALDOT)            | \$15,000.00                     | \$15,000.00            |
| 9                             | 51           | AC                         | Seeding Mulch and Fertilizer           | \$900.00                        | \$45,900.00            |
| 10                            | 22           | EA                         | 16" Air Release Valve                  | \$6,800.00                      | \$149,600.00           |
| 11                            | 200          | LF                         | Railroad Bore w Casing                 | \$350.00                        | \$70,000.00            |
| 12                            | 240          | LF                         | City Road Open Cut with Casing         | \$60.00                         | \$14,400.00            |
| 13                            | 1,680        | LF                         | Gravel Driveways Open cut with Casings | \$40.00                         | \$67,200.00            |
| 14                            | 815          | LF                         | Asphalt Driveways Open cut w Casings   | \$50.00                         | \$40,750.00            |
| 15                            | 61           | LF                         | Concrete Driveways Open cut w Casings  | \$60.00                         | \$3,660.00             |
| 16                            | 150          | LF                         | 12" PVC Gravity Pipe                   | \$120.00                        | \$18,000.00            |
| 17                            | 5            | EA                         | Manholes                               | \$4,500.00                      | \$22,500.00            |
| 18                            | 1            | LF                         | Lagoon Reclamation                     | \$500,000.00                    | \$500,000.00           |
| 19                            | 1            | LS                         | Spray Field Reclamation                | \$200,000.00                    | \$200,000.00           |
| 20                            | 1            | EA                         | Mag meters                             | \$20,000.00                     | \$20,000.00            |
| 21                            | 1            | LS                         | Placing Topsoil & Seeding              | \$10,000.00                     | \$10,000.00            |
| 22                            | 1            | LS                         | Aggregate Road Surfacing               | \$23,500.00                     | \$23,500.00            |
| 23                            | 1            | LS                         | Electrical Service                     | \$200,000.00                    | \$200,000.00           |
| 24                            | 3            | LS                         | Electrical Equipment/Generator         | \$150,000.00                    | \$450,000.00           |
| 25                            | 3            | LS                         | Pumping Station                        | \$900,000.00                    | \$2,700,000.00         |
| 26                            | 1            | LS                         | Headworks                              | \$320,000.00                    | \$320,000.00           |
|                               |              |                            |  | <b>Subtotal</b>                 | <b>\$15,241,030.00</b> |
| <b>COLLECTION SYSTEM</b>      |              |                            |  |                                 |                        |
| 1                             | 1            | LS                         | City Collection System Repair          | \$10,182,871.00                 | \$10,182,871.00        |
|                               |              |                            |  | <b>Subtotal</b>                 | <b>\$25,423,901.00</b> |
| <b>Engineering Cat. "D"</b>   |              | <b>Administration Cost</b> |  | <b>10% contingency</b>          | <b>\$2,542,390.10</b>  |
| WWTP Permit                   | \$7,500.00   | Interest                   | \$977,521.96                           | <b>Construction Cost</b>        | <b>\$27,966,291.10</b> |
| Environmental                 | \$3,500.00   | Legal                      | \$50,000.00                            | <b>Engineering Cost</b>         | <b>\$1,901,707.79</b>  |
| Soil Drill                    | \$15,000.00  | RR Fees                    | \$45,000.00                            | <b>Construction Observation</b> | <b>\$559,325.82</b>    |
| Prop. Survey                  | \$64,800.00  | Equipment                  | \$130,000.00                           | <b>Engineering Cat. "D"</b>     | <b>\$396,228.00</b>    |
| SW Permit                     | \$3,500.00   | ADEM Per                   | \$12,650.00                            | <b>Administration</b>           | <b>\$457,150.00</b>    |
| ALDOT Permit                  | \$5,500.00   | Land/Ease                  | \$80,000.00                            | <b>Subtotal</b>                 | <b>\$31,280,702.72</b> |
| Elec Eng.                     | \$36,428.00  | ALDOT Per                  | \$80,000.00                            |                                 |                        |
| Proj. Development             | \$260,000.00 | Power Co.                  | \$50,000.00                            |                                 |                        |
| Sub Total                     | \$396,228.00 | Advertise                  | \$9,500.00                             |                                 |                        |
|                               |              | Sub Total                  | \$457,150.00                           | <b>TOTAL COST</b>               | <b>\$32,258,224.68</b> |

**005547**

**Engineer's Estimate of Probable Construction Cost**  
**UNIONTOWN PRELIMINARY CONSTRUCTION COST MBR SYSTEM**

Option #2

Kubota Membrane Bioreactor System

Uniontown, Alabama

Sentell Engineering, Inc

8/20/2018

| Item                        | Quantity     | Unit         | Description                       | Unit Cost                       | Total                  |
|-----------------------------|--------------|--------------|-----------------------------------|---------------------------------|------------------------|
| 1                           | 1            | LS           | Mobilization/Demobilization       | \$25,000.00                     | \$25,000.00            |
| 2                           | 1            | LS           | Erosion Control                   | \$14,000.00                     | \$14,000.00            |
| 3                           | 400          | LF           | 10" DI Pipe                       | \$100.00                        | \$40,000.00            |
| 4                           | 0            | EA           | 16" MJ DI Pipe                    | \$13,000.00                     | \$0.00                 |
| 5                           | 200          | LF           | 3" DI Pipe                        | \$50.00                         | \$10,000.00            |
| 6                           | 300          | LF           | 8" Stainless Pipe                 | \$150.00                        | \$45,000.00            |
| 7                           | 300          | LF           | 6" DI Pipe                        | \$75.00                         | \$22,500.00            |
| 8                           | 24,727       | LF           | 12" HDPE Force Main               | \$65.00                         | \$1,607,255.00         |
| 9                           | 1            | LS           | Internal Equipment                | \$1,785,000.00                  | \$1,785,000.00         |
| 10                          | 1            | EA           | Effluent Structures               | \$8,500.00                      | \$8,500.00             |
| 11                          | 1,055        | CY           | Structural Concrete               | \$500.00                        | \$527,500.00           |
| 12                          | 1            | EA           | Centrifuge                        | \$450,000.00                    | \$450,000.00           |
| 13                          | 1            | LS           | Placing Topsoil & Seeding         | \$14,000.00                     | \$14,000.00            |
| 14                          | 1,955        | SY           | Road Surfacing                    | \$150.00                        | \$293,250.00           |
| 15                          | 1            | LS           | Electrical Service                | \$133,265.00                    | \$133,265.00           |
| 16                          | 1            | LS           | Electral Equipment                | \$120,300.00                    | \$120,300.00           |
| 17                          | 1            | LS           | Effluent Structure & Pumps        | \$900,000.00                    | \$900,000.00           |
| 18                          | 1            | LS           | UV Disinfection                   | \$130,000.00                    | \$130,000.00           |
| 19                          | 1            | LS           | Drum Screen & Headworks           | \$320,000.00                    | \$320,000.00           |
| 20                          | 1            | LS           | Laboratory Building               | \$500,000.00                    | \$500,000.00           |
| 21                          | 1            | LS           | Electrical/Centrifuge/UV Building | \$400,000.00                    | \$400,000.00           |
| 22                          | 1            | LS           | Lagoon Reclamation                | \$500,000.00                    | \$500,000.00           |
| 23                          | 1            | LS           | Spray Field Reclamation           | \$200,000.00                    | \$200,000.00           |
| <b>COLLECTION SYSTEM</b>    |              |              |                                   |                                 |                        |
| 1                           | 1            | LS           | City Collection System Rehab      | \$10,182,871.00                 | \$10,182,871.00        |
| <b>Subtotal</b>             |              |              |                                   |                                 | <b>\$18,228,441.00</b> |
| <b>Engineering Cat. "D"</b> |              |              |                                   | <b>10% contingency</b>          | <b>\$1,822,844.10</b>  |
| <b>Administration Cost</b>  |              |              |                                   | <b>Construction Cost</b>        | <b>\$20,051,285.10</b> |
| Geotechnical                | \$9,500.00   | Interest     | \$700,717.44                      | <b>Engineering Cost</b>         | <b>\$1,363,487.39</b>  |
| Environmental               | \$8,000.00   | Legal        | \$42,000.00                       | <b>Construction Observation</b> | <b>\$401,025.70</b>    |
| Prop. Survey                | \$25,000.00  | Equipment    | \$130,000.00                      | <b>Engineering Cat. "D"</b>     | <b>\$307,000.00</b>    |
| ALDOT Permit                | \$4,500.00   | ADEM Per     | \$28,660.00                       | <b>Administration</b>           | <b>\$300,160.00</b>    |
| Proj Development            | \$260,000.00 | Advertise    | \$9,500.00                        | <b>Sub Total</b>                | <b>\$22,422,958.19</b> |
| Sub Total                   | \$307,000.00 | AI Power     | 50,000                            |                                 |                        |
|                             |              | ALDOT Permit | 40,000                            |                                 |                        |
|                             |              | Sub Total    | \$300,160.00                      |                                 |                        |
| <b>TOTAL COST</b>           |              |              |                                   |                                 | <b>\$23,123,675.63</b> |

**005548**

**Engineer's Estimate of Probable Construction Cost**  
**UNIONTOWN PRELIMINARY CONSTRUCTION COST SBR SYSTEM**

Option #3

Aqua-Aerobic Systems

Uniontown, Alabama

Sentell Engineering, Inc

8/20/2018

| Item | Quantity | Unit | Description                       | Unit Cost       | Total                  |
|------|----------|------|-----------------------------------|-----------------|------------------------|
| 1    | 1        | LS   | Mobilization/Demobilization       | \$25,000.00     | \$25,000.00            |
| 2    | 1        | LS   | Erosion Control                   | \$14,000.00     | \$14,000.00            |
| 3    | 400      | LF   | 10" DI Pipe                       | \$100.00        | \$40,000.00            |
| 4    | 200      | LF   | 3" DI Pipe                        | \$50.00         | \$10,000.00            |
| 5    | 300      | LF   | 8" Stainless Pipe                 | \$150.00        | \$45,000.00            |
| 6    | 300      | LF   | 6" DI Pipe                        | \$75.00         | \$22,500.00            |
| 7    | 24,727   | LF   | 12" HDPE Force Main               | \$65.00         | \$1,607,255.00         |
| 8    | 1        | LS   | Internal Equipment                | \$950,000.00    | \$950,000.00           |
| 9    | 1        | EA   | AquaDisk Cloth Media Filter       | \$325,000.00    | \$325,000.00           |
| 10   | 1        | EA   | Effluent Structures               | \$8,500.00      | \$8,500.00             |
| 11   | 2,264    | CY   | Structural Concrete               | \$500.00        | \$1,132,000.00         |
| 12   | 1        | EA   | Centrifuge                        | \$450,000.00    | \$450,000.00           |
| 13   | 1        | LS   | Placing Topsoil & Seeding         | \$14,000.00     | \$14,000.00            |
| 14   | 2,344    | SY   | Road Surfacing                    | \$150.00        | \$351,600.00           |
| 15   | 1        | LS   | Electrical Service                | \$133,265.00    | \$133,265.00           |
| 16   | 1        | LS   | Electral Equipment                | \$120,300.00    | \$120,300.00           |
| 17   | 1        | LS   | Effluent Structure & Pumps        | \$900,000.00    | \$900,000.00           |
| 18   | 1        | LS   | UV Disinfection                   | \$130,000.00    | \$130,000.00           |
| 19   | 1        | LS   | Drum Screen & Headworks           | \$320,000.00    | \$320,000.00           |
| 20   | 1        | LS   | Laboratory Building               | \$500,000.00    | \$500,000.00           |
| 21   | 1        | LS   | Electrical/Centrifuge/UV Building | \$400,000.00    | \$400,000.00           |
| 22   | 1        | LS   | Lagoon Reclamation                | \$500,000.00    | \$500,000.00           |
| 23   | 1        | LS   | Spray Field Reclamation           | \$200,000.00    | \$200,000.00           |
|      |          |      | <b>COLLECTION SYSTEM</b>          |                 |                        |
| 1    | 1        | LS   | City Collection System Rehab      | \$10,182,871.00 | \$10,182,871.00        |
|      |          |      | <b>Subtotal</b>                   |                 | <b>\$18,381,291.00</b> |
|      |          |      | <b>10% contingency</b>            |                 | <b>\$1,838,129.10</b>  |
|      |          |      | <b>Construction Cost</b>          |                 | <b>\$20,219,420.10</b> |
|      |          |      | <b>Engineering Cost</b>           |                 | <b>\$1,374,920.57</b>  |
|      |          |      | <b>Construction Observation</b>   |                 | <b>\$404,388.40</b>    |
|      |          |      | <b>Engineering Cat. "D"</b>       |                 | <b>\$307,000.00</b>    |
|      |          |      | <b>Administration</b>             |                 | <b>\$300,160.00</b>    |
|      |          |      | <b>Sub Total</b>                  |                 | <b>\$22,605,889.07</b> |
|      |          |      | <b>TOTAL COST</b>                 |                 | <b>\$23,312,323.10</b> |

| Engineering Cat. "D" |              | Administration Cost |              |
|----------------------|--------------|---------------------|--------------|
| Geotechnical         | \$9,500.00   | Interest            | \$706,434.03 |
| Environmental        | \$8,000.00   | Legal               | \$42,000.00  |
| Prop. Survey         | \$25,000.00  | Equipment           | \$130,000.00 |
| ALDOT Permit         | \$4,500.00   | ADEM Per            | \$28,660.00  |
| Proj. Development    | \$260,000.00 | Advertise           | \$9,500.00   |
| Sub Total            | \$307,000.00 | AI Power            | 50,000       |
|                      |              | ALDOT Permit        | 40,000       |
|                      |              | Sub Total           | \$300,160.00 |

**005549**



Ed,

Attached are some comments from ARWA and an attorney. Those are just for you information and consideration. Not something you necessarily have to address.

John E. Taylor, P.E.  
Alabama State Engineer & SEC  
USDA Rural Development  
4121 Carmichael Rd. STE 601  
Montgomery, AL 36106  
334-279-3475

---


**From:** Ed Morris <[emorris@sentell.net](mailto:emorris@sentell.net)>  
**Sent:** Thursday, August 16, 2018 12:52 PM  
**To:** Taylor, John - RD, Montgomery, AL <[john.taylor@al.usda.gov](mailto:john.taylor@al.usda.gov)>  
**Subject:** Uniontown updated PER

Please review the updated PER attached. The spray field and Lagoon closing, monitoring, and cost are still being developed with the assistance of ADEM and TTL.

Sentell Engineering, Inc.  
639 Black Bears Way  
Tuscaloosa, Alabama 35401  
205.752.5564 (O)  
(b) (6) (C)

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**005550**

**From:** [Eva Dillard](#)  
**To:** [Bowen, Allen - RD, Montgomery, AL](#)  
**Subject:** FW: Uniontown  
**Date:** Monday, December 3, 2018 4:42:43 PM

---

Hi Allen – just following up to see if you have some time to talk this week. I am free the rest of today; after 1:30 tomorrow; pretty flexible Wednesday and before 2:00 on Thursday. Just let me know if any of these windows might work for you. Best, Eva

Eva Dillard  
Staff Attorney  
Black Warrior Riverkeeper  
(205) 458-0095 [tel]  
(205) 458-0094 [fax]  
[www.BlackWarriorRiver.org](http://www.BlackWarriorRiver.org)

---

**From:** Eva Dillard  
**Sent:** Wednesday, November 28, 2018 11:43 AM  
**To:** allen.bowen@al.usda.gov  
**Subject:** Uniontown

Hi Allen – just wanted to touch base and thank you after the stakeholder meeting. Overall, I think it was a very promising first step and we appreciate USDA's commitment to continuing the process so that Uniontown's wastewater issues can be comprehensively addressed. It was also good to have it confirmed that the proposed budget will cover any necessary infrastructure to connect individual homes that will be required to hook up to the Uniontown collection system.

During the discussion, references were made to a tentative budget that is being discussed, e.g., \$23 million in total grant funds from USDA, \$10 million budgeted for repair of the collection system, etc. Is it possible to get a copy of that budget? We understand that the budget at this point may be tentative and subject to change, but it would help to know for our inputs how the budget is being organized and appropriated. The more information we have, the more responsive and relevant our comments can be. If you would like to make those documents confidential, we would of course hold them as such.

Also, we understood (perhaps mistakenly) that the proposed sewer board would not be appointed entirely by Uniontown city government, but it appeared at the meeting that now might be the case. Am hoping that we might be able to discuss these and other questions I might have at a convenient time for you. I have a call from 3-4 today and am tied up from 2:00 on tomorrow but am otherwise available. If you are snowed under post-Thanksgiving, I understand and we can push the call off until next week if that works better. Thank you and I look forward to talking. Best, Eva

Eva Dillard  
Staff Attorney  
Black Warrior Riverkeeper  
(205) 458-0095 [tel]  
(205) 458-0094 [fax]

**005551**

**From:** [Beeker, Chris - RD, Montgomery, AL](#)  
**To:** [Bowen, Allen - RD, Montgomery, AL](#)  
**Subject:** FW: Uniontown  
**Date:** Monday, November 26, 2018 4:05:37 PM  
**Attachments:** [image002.png](#)  
[image003.png](#)  
[image005.png](#)  
[image006.png](#)  
[image007.png](#)

---

FYI this is the al.com guy.

Chris Beeker III  
State Director | Alabama State Office  
Rural Development  
U.S. Department of Agriculture  
4121 Carmichael Road, Suite 601 | Montgomery, AL 36106  
Phone: 334-279-3402 | Fax: 855-304-8456  
[www.rd.usda.gov](http://www.rd.usda.gov) "Committed to the future of rural communities"

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**From:** Dennis Pillion [\(b\) \(4\)@al.com](#)>  
**Sent:** Monday, November 26, 2018 2:11 PM  
**To:** Beeker, Chris - RD, Montgomery, AL <[Chris.Beeker@al.usda.gov](mailto:Chris.Beeker@al.usda.gov)>  
**Subject:** Uniontown

Hi Chris,

How's it going down there? Any progress on getting the interested parties on the same page?

--

Dennis Pillion  
Natural Resources Reporter  
Alabama Media Group – AL.com  
[\(b\) \(4\)@al.com](#)  
251-327-0868

**005552**

**From:** [Taylor, John - RD, Montgomery, AL](#)  
**To:** [Bowen, Allen - RD, Montgomery, AL](#)  
**Subject:** FW: Uniontown  
**Date:** Thursday, November 1, 2018 3:19:52 PM

---

John E. Taylor, P.E.  
Alabama State Engineer & SEC  
USDA Rural Development  
4121 Carmichael Rd. STE 601  
Montgomery, AL 36106  
334-279-3475

---

**From:** Ed Morris <emorris@sentell.net>  
**Sent:** Thursday, November 1, 2018 2:19 PM  
**To:** Taylor, John - RD, Montgomery, AL <john.taylor@al.usda.gov>  
**Subject:** RE: Uniontown

Most everyone in the city limits are on the system. Mabey 10 to 15 additional customers.

---

**From:** Taylor, John - RD, Montgomery, AL [mailto:john.taylor@al.usda.gov]  
**Sent:** Thursday, November 01, 2018 2:10 PM  
**To:** 'Morris Ed' (emorris@sentell.net) <emorris@sentell.net>  
**Subject:** FW: Uniontown

Can you help us with Allen's question below?

John E. Taylor, P.E.  
Alabama State Engineer & SEC  
USDA Rural Development  
4121 Carmichael Rd. STE 601  
Montgomery, AL 36106  
334-279-3475

---

**From:** Bowen, Allen - RD, Montgomery, AL  
**Sent:** Thursday, November 1, 2018 1:58 PM  
**To:** Taylor, John - RD, Montgomery, AL <[john.taylor@al.usda.gov](mailto:john.taylor@al.usda.gov)>  
**Cc:** [emorris@sentell.net](mailto:emorris@sentell.net)  
**Subject:** Uniontown

John, any idea as to the number of new connections as a result of the mandatory hookup ordinance?

**005553**


Thanks,

*Allen Bowen*

Allen Bowen  
United States Department of Agriculture  
Rural Development  
Community and Business Programs Director  
Office: 334-279-3617  
Cell: 334-322-4147  
Fax: 855-304-8457

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**005554**

**From:** [Becker, Chris - RD, Montgomery, AL](#)  
**To:** [Primrose, Edna - RD, Washington, DC](#); [Castille, Carrie - RD, Alexandria, LA](#); [Young, Joby - OSEC, Washington, DC](#)  
**Cc:** [Bowen, Allen - RD, Montgomery, AL](#)  
**Subject:** FW: Uniontown  
**Date:** Tuesday, September 18, 2018 1:15:21 PM  
**Attachments:** [image002.png](#)  
[image003.png](#)  
[image005.png](#)  
[image006.png](#)  
[image007.png](#)

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Please see below, the Application has been submitted!!

Chris Beeker III  
State Director | Alabama State Office  
Rural Development  
U.S. Department of Agriculture  
4121 Carmichael Road, Suite 601 | Montgomery, AL 36106  
Phone: 334-279-3402 | Fax: 855-304-8456  
[www.rd.usda.gov](http://www.rd.usda.gov) "Committed to the future of rural communities"

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**From:** Bowen, Allen - RD, Montgomery, AL  
**Sent:** Tuesday, September 18, 2018 10:56 AM  
**To:** Becker, Chris - RD, Montgomery, AL <Chris.Beeker@al.usda.gov>  
**Subject:** Uniontown

Chris, we have completed the Uniontown sewer project request for approval and funding. It has be sent to the N.O.

Thanks,

*Allen Bowen*

Allen Bowen  
United States Department of Agriculture  
Rural Development  
Community and Business Programs Director  
Office: 334-279-3617  
Cell: 334-322-4147  
Fax: 855-304-8457

**005555**

**From:** [Beeker, Chris - RD, Montgomery, AL](#)  
**To:** [Bowen, Allen - RD, Montgomery, AL](#)  
**Subject:** FW: Uniontown  
**Date:** Thursday, September 13, 2018 4:02:39 PM  
**Attachments:** 2018-09-12.The Selma Times.pdf  
image002.png  
image003.png  
image005.png  
image006.png  
image007.png

---

Chris Beeker III  
State Director | Alabama State Office  
Rural Development  
U.S. Department of Agriculture  
4121 Carmichael Road, Suite 601 | Montgomery, AL 36106  
Phone: 334-279-3402 | Fax: 855-304-8456  
[www.rd.usda.gov](http://www.rd.usda.gov) "Committed to the future of rural communities"

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---

**From:** Michael Smith <(b) (6) smithstaggs.com>  
**Sent:** Thursday, September 13, 2018 2:43 PM  
**To:** Beeker, Chris - RD, Montgomery, AL <Chris.Beeker@al.usda.gov>  
**Subject:** Uniontown

Chris,

I spoke to Emeфа Butler and she affirmed that the four (4) conditions you made known to me yesterday were acceptable to the council. She did ask about timing as there is only one City council meeting scheduled between now and the end of the month. If for instance we need a mandatory hookup ordinance before the end of the month it will have to be adopted on Monday. She is currently looking for the one Allen thinks was adopted prior to the last grant but hasn't come across it yet. If y'all have a form of ordinance you prefer, please have it forwarded to me and I will put it in proper form for the City.

Attached is an article that ran in the Selma paper this week. The three previous meetings referenced in the article were all held **after** the City council meetings held on those dates and they were lead by locals and environmental activists. This group has been in contact with a group of professors, one each from Auburn, Alabama and South Alabama. Their names and bios are linked below. The professors have apparently been providing some limited information to the activist group and are rumored to be coming to the meeting set this coming Monday the 17<sup>th</sup> **before** the City council meeting. The only contact between the professors and the City has been the professors offer to study the problems for \$50,000.00. I think you would agree that we don't need a bunch of

**005556**

**The Selma Times-Journal****Problems for a small town- Uniontown citizens continue to fight, we should learn from them**

*By: Will Whaley  
September 11, 2018*

The small town of Uniontown has had a long fight dealing with sewage problems in their community.

The group, Black Belt Citizens (BBC) has been there for the ups and downs of fixing this situation.

Some highlights this year started on Feb. 23 when the BBC documented a hole in the city's sprayfield berm allowing sewage to enter Freetown Creek, which runs downstream towards Gee's Bend.

It was after this that the BBC attended the Uniontown City Council meeting with more than 700 signatures on a petition asking for a new treatment plant and the removal of Sentell Engineering.

The **Alabama Department of Environmental Management (ADEM)** estimated between 750,000 and 1 million gallons of sewage began overflowing on March 18, and the overflow into Freetown Creek is reported to be ongoing.

Numerous other publications have written stories about the problems Uniontown faces and the BBC has been working tirelessly to document problems and keep working to getting the problems fixed.

Residents of Uniontown met July 31, Aug. 9 and Aug. 16 to talk about the sewage crisis, and those present at that meeting came into agreement on common goals.

They agreed that Sentell Engineering should be fired, citing improper management of previous attempts to fix the situation. They want no more toxic wastewater from Arrowhead Landfill in the city's sewage system, they want no more waste from Southeastern Cheese in the city's sewage system, they want Harvest Select to be the industry that is sending wastewater to the city's sewage system. Harvest Select will fund the majority of the needed upgrades and the citizens also decided they want no increases in residential water rates.

They have their goals, and they are making them happen in their community.

On Sept. 17, the BBC will host an urgent program on sewage issues at 4:30 p.m. at Uniontown City Hall auditorium.

They are not stopping.

The citizens in that town have the goals in place that they think will make Uniontown a better place.

We should learn from this group.

Any problem can be fixed with this amount of persistence and working together just like this group does.

Think of the possibilities for this community if we had enough people come together that have the same vision and goals for the city.

While Uniontown has a problem, they are not letting it stop them, they are working to make a difference.

We here have our problems as well, and we should not let that stop us from working to fix things in Selma.



professors showing up as we are coming to the finish line on this grant. Engineering buildings at both Auburn and Alabama are named for Sen. Shelby, can we get a little help there? A call to explain where we are and what is planned should be sufficient to persuade the professors to at least delay any action that they think necessary until after we see if the grant is funded. I will be happy to help in any way I can in that effort.

Mark Barnett from Auburn appears to be the leader of the professor group:

<https://www.eng.auburn.edu/users/barnettm/>

<https://www.eng.auburn.edu/users/barnettm/Barnett%20CV.pdf>

Mark Elliott is at U of A: <https://eng.ua.edu/people/melliott/>

Kevin White is at USA: <http://www.southalabama.edu/colleges/engineering/ce/white.html>

Mike

Michael D. Smith  
**Smith & Staggs, LLP**  
701 22nd Avenue, Suite 1  
Tuscaloosa, AL 35401

Telephone 205.409.3140

Facsimile 205.409.3144

(b) (6) [smithstaggs.com](mailto:smithstaggs.com)

(b) (6) [@gmail.com](mailto: @gmail.com)

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*Thank you.*

**005558**

**From:** [Bowen, Allen - RD, Montgomery, AL](#)  
**To:** [Taylor, John - RD, Montgomery, AL](#)  
**Subject:** FW: Uniontown  
**Date:** Monday, June 25, 2018 3:22:00 PM  
**Attachments:** Cheese Plant Grab Samples.pdf  
doc00032620180622160259.pdf  
doc00032820180622161006.pdf

---

*Allen Bowen*

Allen Bowen  
United States Department of Agriculture  
Rural Development  
Community and Business Programs Director  
Office: 334-279-3617  
Cell: 334-322-4147  
Fax: 855-304-8457

---

**From:** Michael Baumgartner [mailto:[mbaumgartner@alruralwater.com](mailto:mbaumgartner@alruralwater.com)]  
**Sent:** Monday, June 25, 2018 1:16 PM  
**To:** Bowen, Allen - RD, Montgomery, AL <[Allen.Bowen@al.usda.gov](mailto:Allen.Bowen@al.usda.gov)>  
**Cc:** Robert White <[rwhite@alruralwater.com](mailto:rwhite@alruralwater.com)>; Kathy Horne <[khorne@alruralwater.com](mailto:khorne@alruralwater.com)>  
**Subject:** Uniontown

Allen,

The cost analysis for the SBR has incorporated a centrifuge operation along with a sludge digester. The centrifuge operation is used to dewater waste sludge. The digester is the sludge storage tank that the centrifuge draws its sludge feed. In my opinion, it is unnecessary to add this operation to the process. As we discussed in an earlier meeting, most if not all systems in Alabama utilize the existing lagoon for sludge disposal and flow equalization. The existing lagoon has a surface area of 13.56 acres with a capacity of 20 million gallons. There is plenty of storage capacity for waste sludge and flow equalization during rain events. The line item on the cost estimate is \$450,000. Not sure what the estimate is for the sludge digester but I am sure it is substantial.

Lastly, the loading information for the cheese company is dated and insufficient. I would recommend a sampling schedule be set up for both the fish and cheese discharge. I have attached the loading information sent to me. I am checking sources for what would or should be included in the testing and frequency.

Thanks

**MICHAEL BAUMGARTNER**  
**Alabama Rural Water Association**  
**Wastewater Technician**  
**Office: 334-396-5511**  
**Cell: (b) (6)**

**005559**

Ed Morris

From: Brooks Rankin (b) (6) @hotmail.com>  
 Sent: Tuesday, May 29, 2018 1:35 PM  
 To: Ed Morris  
 Cc: Pat Dad Rankin; Mike Smith  
 Subject: Re: SE Cheese effluent analytical and flow data to Sentell Engineering

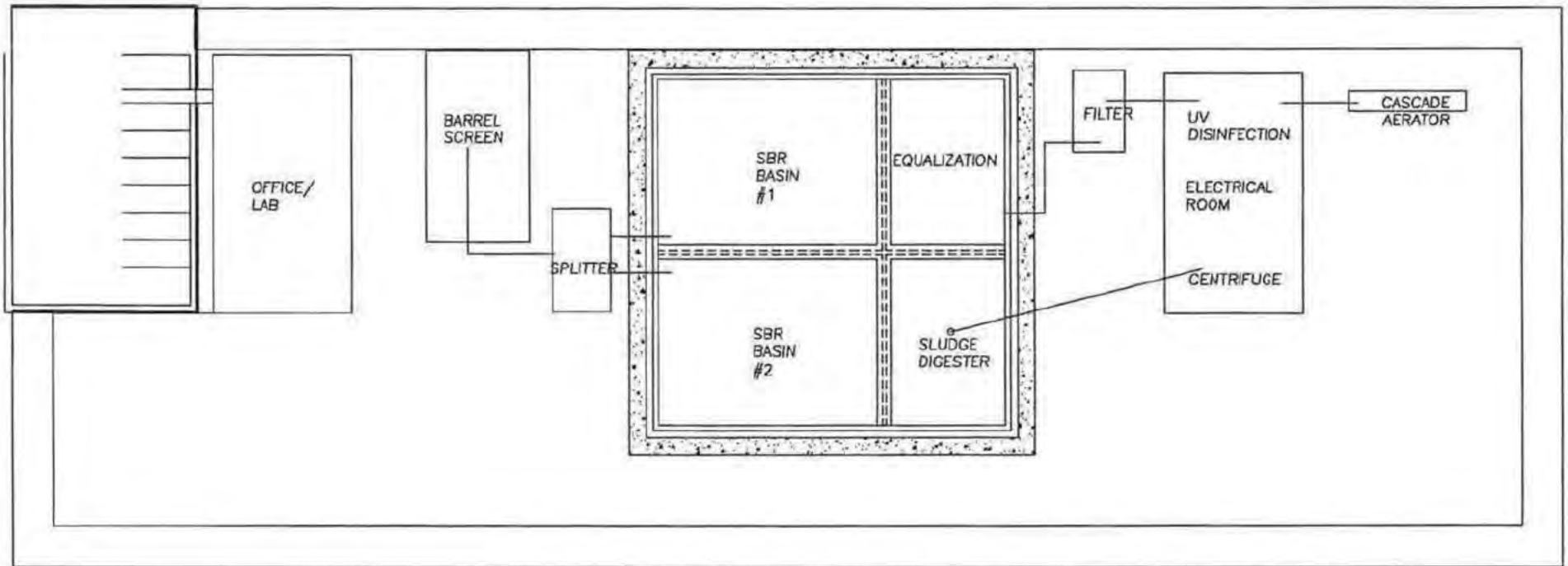
**SOUTHEASTERN CHEESE  
 UNIONTOWN, ALABAMA  
 Grab Samples from Processing Plant  
 TABLE #2**

| Date        | Sodium (mg/l) | BOD5 (mg/l)  | Chloride (mg/l) | NH3-N (mg/l) | Oil & Grease (mg/l) | Phosp (mg/l) | pH         | TKN (mg/l)   | TSS (mg/l)  |
|-------------|---------------|--------------|-----------------|--------------|---------------------|--------------|------------|--------------|-------------|
| 5/28/2015   | 577           | 2100         | 1390            | 28           | 909                 | 491          | 5.09       | 38.6         | 2900        |
| 6/5/2015    | 563           | 6890         | 1210            | 37.5         | 380                 | 222          | 5.86       | 51.7         | 2010        |
| 6/11/2015   | 398           | 34300        | 1180            | 44.8         | 1300                | 332          | 5.96       | 119          | 2630        |
| 6/18/2015   | 304           | 78100        | 802             | 41.2         | 1240                | 188          | 5.60       | 79.7         | 1980        |
| 6/25/2015   | 672           | 75900        | 1720            | 46.5         | 660                 | 279          | 6.38       | 76.1         | 4830        |
| <b>Avg.</b> | <b>502.8</b>  | <b>39488</b> | <b>1260.4</b>   | <b>39.6</b>  | <b>897.8</b>        | <b>284.4</b> | <b>5.8</b> | <b>73.02</b> | <b>2870</b> |

**SOUTHEASTERN CHEESE, UNIONTOWN, ALABAMA  
 HISTORIC MONTHLY PRODUCTION RATES  
 2005-2015  
 TABLE #1**

|                     | 2005         |                    |                   | 2006         |                   |                  | 2007         |                   |                  |
|---------------------|--------------|--------------------|-------------------|--------------|-------------------|------------------|--------------|-------------------|------------------|
|                     | Tanker Loads | Pounds             | Gallons           | Tanker Loads | Pounds            | Gallons          | Tanker Loads | Pounds            | Gallons          |
| January             | 71           | 3,479,000          | 404,535           | 127          | 6,223,000         | 723,605          | 0            | 0                 | 0                |
| February            | 137          | 6,713,000          | 780,381           | 7            | 343,000           | 39,884           | 0            | 0                 | 0                |
| March               | 198          | 9,702,000          | 1,128,140         | 155          | 7,595,000         | 883,140          | 160          | 7,840,000         | 911,628          |
| April               | 148          | 7,252,000          | 843,256           | 114          | 5,586,000         | 649,535          | 321          | 15,729,000        | 1,828,953        |
| May                 | 499          | 24,451,000         | 2,843,140         | 97           | 4,753,000         | 552,674          | 293          | 14,357,000        | 1,669,419        |
| June                | 321          | 15,729,000         | 1,828,953         | 72           | 3,528,000         | 410,233          | 41           | 2,009,000         | 233,605          |
| July                | 280          | 13,720,000         | 1,595,349         | 0            | 0                 | 0                | 0            | 0                 | 0                |
| August              | 75           | 3,675,000          | 427,326           | 0            | 0                 | 0                | 0            | 0                 | 0                |
| September           | 71           | 3,479,000          | 404,535           | 0            | 0                 | 0                | 0            | 0                 | 0                |
| October             | 20           | 980,000            | 113,953           | 0            | 0                 | 0                | 0            | 0                 | 0                |
| November            | 0            | 0                  | 0                 | 0            | 0                 | 0                | 0            | 0                 | 0                |
| December            | 257          | 12,593,000         | 1,464,302         | 0            | 0                 | 0                | 216          | 10,584,000        | 1,230,698        |
| <b>Annual Total</b> | <b>2077</b>  | <b>101,773,000</b> | <b>11,834,070</b> | <b>572</b>   | <b>28,028,000</b> | <b>3,259,070</b> | <b>1031</b>  | <b>50,519,000</b> | <b>5,874,302</b> |
| <b>Maximum</b>      | <b>499</b>   | <b>24,451,000</b>  | <b>2,843,140</b>  | <b>155</b>   | <b>7,595,000</b>  | <b>883,140</b>   | <b>321</b>   | <b>15,729,000</b> | <b>1,828,953</b> |
| <b>Minimum</b>      | <b>0</b>     | <b>0</b>           | <b>0</b>          | <b>0</b>     | <b>0</b>          | <b>0</b>         | <b>0</b>     | <b>0</b>          | <b>0</b>         |
| <b>ADF (gpd)</b>    |              |                    | <b>32,872</b>     |              |                   | <b>9,053</b>     |              |                   | <b>16,318</b>    |
| <b>MMADF (gpd)</b>  |              |                    | <b>94,771</b>     |              |                   | <b>29,438</b>    |              |                   | <b>60,965</b>    |





005562

[mbaumgartner@alruralwater.com](mailto:mbaumgartner@alruralwater.com)

**From:** [Primrose, Edna - RD, Washington, DC](#)  
**To:** [Bowen, Allen - RD, Montgomery, AL](#); [Beeker, Chris - RD, Montgomery, AL](#); [Barringer, Scott - RD, Washington, DC](#); [Schindler, Nicole - RD, Washington, DC](#); [Nielson, Hal - RD, Washington, UT](#); [Castille, Carrie - RD, Alexandria, LA](#)  
**Subject:** FW: Uniontown, AL Conf Call

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-----Original Appointment-----

From: Primrose, Edna - RD, Washington, DC  
Sent: Monday, August 6, 2018 12:54 PM  
To: Primrose, Edna - RD, Washington, DC; Beeker, Chris - RD, Montgomery, AL; Bowen, Allen - RD, Montgomery, AL; Barringer, Scott - RD, Washington, DC; Schindler, Nicole - RD, Washington, DC; Nielson, Hal - RD, Washington, UT; Castille, Carrie - RD, Alexandria, LA  
Subject: Uniontown, AL Conf Call  
When: Monday, August 6, 2018 4:30 PM-5:30 PM (UTC-05:00) Eastern Time (US & Canada).  
Where: (800) 981-3173 PC: 3340

The purpose of the call is to get an update from AL re: the Uniontown project and to learn of National Office assistance needed.

**005564**

**From:** [Douglas, Penny - RD, Chattanooga, TN](#)  
**To:** [Bowen, Allen - RD, Montgomery, AL](#)  
**Subject:** FW: Uniontown, AL, Status  
**Date:** Monday, September 17, 2018 2:16:59 PM

---

Just received this.

---

**From:** Dawodu, Omololu - RD, Washington, DC  
**Sent:** Monday, September 17, 2018 2:15 PM  
**To:** Douglas, Penny - RD, Chattanooga, TN <[Penny.Douglas@wdc.usda.gov](mailto:Penny.Douglas@wdc.usda.gov)>  
**Subject:** RE: Uniontown, AL, Status

Hello Penny,

Thank you I haven't finished reviewing this one yet. If I have any questions I will definitely reach out to the SEC.

---

**From:** Douglas, Penny - RD, Chattanooga, TN  
**Sent:** Monday, September 17, 2018 1:17 PM  
**To:** Dawodu, Omololu - RD, Washington, DC <[Omololu.Dawodu@wdc.usda.gov](mailto:Omololu.Dawodu@wdc.usda.gov)>  
**Subject:** Uniontown, AL, Status

Hi Omololu –

I understand from the EES tracker that you are reviewing Uniontown, Alabama. Have you run into any problems? They are preparing to submit the funding request later today.

Thanks!

PENNY L. DOUGLAS  
Community Programs Specialist  
Portfolio Management Branch  
Water and Environmental Programs  
USDA Rural Utilities Service  
Phone: (202) 253-0504  
[www.rd.usda.gov](http://www.rd.usda.gov)

*Committed to the future of rural communities*

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**005565**



**From:** [Bowen, Allen - RD, Montgomery, AL](#)  
**To:** [Taylor, John - RD, Montgomery, AL](#)  
**Subject:** FW: Uniontown, AL  
**Date:** Friday, October 19, 2018 10:25:00 AM  
**Attachments:** doc01638720181017142028.pdf

---

Allen Bowen

Allen Bowen  
United States Department of Agriculture  
Rural Development  
Community and Business Programs Director  
Office: 334-279-3617  
Cell: 334-322-4147  
Fax: 855-304-8457

-----Original Message-----

From: Kemp Morgan <(b) (6)@dra.gov>  
Sent: Wednesday, October 17, 2018 3:11 PM  
To: Beeker, Chris - RD, Montgomery, AL <Chris.Beeker@al.usda.gov>; Bowen, Allen - RD, Montgomery, AL <Allen.Bowen@al.usda.gov>  
Cc: Brian Henson (b) (6)@dra.gov>  
Subject: FW: Uniontown, AL

Good afternoon gentlemen,

DRA has received initial approval on the Uniontown application from EDA. Attached you will find that document, wherein they pose several questions and concerns that need to be addressed before final approval can be given. We are expecting to have the funds transfer documents in by Monday; so to have these items cleared up before then will help expedite the process. I have highlighted the items I think you guys can help provide clarity on. If you have any questions, please let me know and if I need to help facilitate between you and EDA I'm more than happy to do so.

KEMP MORGAN  
DIRECTOR, PROJECT DEVELOPMENT & MANAGEMENT Delta Regional Authority  
(662)483-8210 Office  
(b) (6) Cell  
[www.dra.gov](http://www.dra.gov)

-----Original Message-----

From: (b) (6)@dra.gov (b) (6)@dra.gov>  
Sent: Wednesday, October 17, 2018 3:21 PM  
To: Kemp Morgan <(b) (6)@dra.gov>  
Subject:

-----  
TASKalfa 5551ci  
[00:17:e8:08:66:ea]  
-----

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#####

**005566**



**UNITED STATES DEPARTMENT OF COMMERCE  
Economic Development Administration  
Atlanta Regional Office**

Suite 1820  
401 West Peachtree St., N.W.  
Atlanta, Georgia 30308-3510

To: Kemp Morgan, Delta Regional Authority  
From: Lee H. Mertins, Area Director EDA Atlanta Region  
Date: October 12, 2018  
Re: City of Uniontown, AL - AL-53989

(b) (6)

Pursuant to the Memorandum of Agreement dated May 5th, 2018 (MOA) between the Delta Regional Authority (DRA) and the Economic Development Administration (EDA) for the Fiscal Years 2016 - 2018 Economic Development Assistance Programs, subject to satisfactorily addressing the particular issues below, this memo serves as a written statement confirming that EDA has conducted the eligibility review contemplated by section IV.A.1 of the MOA. EDA reviewed the application materials as provided by DRA and finds that the application satisfactorily addresses the four (4) pertinent EDA statutory and regulatory requirements, noted below, under the Public Works and Economic Development Act of 1965 (PWEDA).

Please note that this eligibility review does not constitute a full application review, which would include budget reasonableness, legal, environmental, engineering, compliance with the DRA FFO and other more detailed reviews. This eligibility review is based on and limited to the actual application materials delivered by DRA to EDA regarding the Project as of this date. By accepting this memo, DRA acknowledges and agrees that this memo is not a final review of the application materials for the Project which could only be provided immediately prior to the issuance of the DRA grant or cooperative agreement for the Project. Should DRA require EDA technical assistance in conducting such reviews, or in any other area related to these applications/grants/projects, please note the process in Sections IV.B. and VII.B. of the MOA.

EDA's eligibility review pursuant to the Section IV.A.1 of the MOA found the following:

**Applicant Eligibility**

The applicant is an eligible applicant under section 3 of PWEDA (42 U.S.C. § 3122(4)) and 13 CFR § 301.3.

**Project Activity Eligibility**

Based on EDA's understanding of the activities to be undertaken per the project Scope of Work provided by DRA, the project activities appear to be eligible under section 209 of PWEDA (42 U.S.C. § 3149) subject to satisfactorily addressing the following particular issues:

- In the Alabama Department of Environmental Management's (ADEM) September 2018 "Uniontown Wastewater Treatment System Update", they state that ADEM has exhausted its legally available enforcement options against Uniontown the matter is now in the hands of the courts. DRA should ensure that all pertinent environmental statutory and regulatory requirements have been met.
- According to a news article dated April 20, 2018, a U.S. Representative expressed concern that \$4.8 million in USDA funding in FY2012 to address the sewage issues "was not spent wisely". DRA should enhance it's monitoring of the project utilizing these funds.

USDA

USDA -



### Local Match

The local match as described in the materials provided by DRA is consistent with section 204 of PWEDA (42 U.S.C. § 3144) subject to satisfactorily addressing the following particular issues:

USDA —

- The matching funds for this project include \$7,951,158 from USDA-RD. DRA needs to confirm that these funds are a legally acceptable match for EDA EAA funds and are committed to the project.

*See also* 13 CFR § 301.4.

### Budget

The budget as provided by DRA is sufficient for EDA to provide approval subject to satisfactorily addressing the following particular issues:

USDA —

- The proposed budget contains an "Other" line item and there is no explanation of this line item. DRA should obtain a description of the "Other" line item to ensure that it represents allowable expenses.

USDA —

- Since this phase of the project represents a component of the total \$23 million solution, DRA should ensure that either this project can be a complete project or that there are sufficient funding sources to complete the phases required to complete the project.

- The budget may need to be adjusted to reflect any DRA administrative fees to be withheld from the grant.

- This finding does not substitute, replace, or modify compliance requirements under applicable laws, circulars, or regulations.

Consistent with Section III.B of the MOA, the proposed budget may retain up to 5.0% of any grant funds for administrative expenses incurred by DRA related to the oversight, management and origination of the award or cooperative agreement for the Project.

If DRA requests further review by EDA of the above four eligibility matters after providing EDA the materials addressing the above particular issues such EDA professional and expert technical assistance shall be in accordance with and limited to those matters in Section IV.B. of the MOA. The DRA request for such further review shall be in writing. EDA shall have no obligation to obtain any material to address the particular issues noted above.

This memo does not constitute a final review of the Project and EDA is under no obligation to provide any final review(s) of the Project. Any and all final reviews of the Project are solely the responsibility of DRA as provided in Section IV.A.2. of the MOA.

CC:

EDA Office of Chief Counsel

EDA Performance and National Programs Division

**From:** [Taylor, John - RD, Montgomery, AL](#)  
**To:** [Bowen, Allen - RD, Montgomery, AL](#)  
**Subject:** FW: Uniontown  
**Date:** Friday, December 7, 2018 11:22:13 AM  
**Attachments:** [Budget.pdf](#)

---

John E. Taylor, P.E.  
Alabama State Engineer & SEC  
USDA Rural Development  
4121 Carmichael Rd. STE 601  
Montgomery, AL 36106  
334-279-3475

---

**From:** Eva Dillard <edillard@blackwarriorriver.org>  
**Sent:** Tuesday, December 4, 2018 3:25 PM  
**To:** Gordon, Nivory - RD, Camden, AL <Nivory.Gordon@al.usda.gov>; Taylor, John - RD, Montgomery, AL <john.taylor@al.usda.gov>  
**Subject:** FW: Uniontown

Dear Mr. Gordon and Mr. Taylor:

It was nice to meet you both at the recent Uniontown stakeholders meeting hosted by USDA Rural Development. I followed up with Allen Bowen last week and again yesterday about getting some additional information and asking a few follow up questions (see second email below). I have not heard back and was wondering whether one of you might have the information. Thank you for any help you can provide. Best, Eva

Eva Dillard  
Staff Attorney  
Black Warrior Riverkeeper  
(205) 458-0095 [tel]  
(205) 458-0094 [fax]  
[www.BlackWarriorRiver.org](http://www.BlackWarriorRiver.org)

---

**From:** Eva Dillard  
**Sent:** Monday, December 03, 2018 3:42 PM  
**To:** [allen.bowen@al.usda.gov](mailto:allen.bowen@al.usda.gov)  
**Subject:** FW: Uniontown

Hi Allen – just following up to see if you have some time to talk this week. I am free the rest of today; after 1:30 tomorrow; pretty flexible Wednesday and before 2:00 on Thursday. Just let me know if any of these windows might work for you. Best, Eva

Eva Dillard  
Staff Attorney

**005569**

## State Engineer's Cost Estimate - Uniontown 2018

| Project Cost Item         | User Desc                    | Item Cost   |
|---------------------------|------------------------------|-------------|
| Development               | Collection System Repair     | 10,183,000. |
| Development               | Forcemain to Demopolis       | 15,241,000. |
| Contingencies             |                              | 2,542,400.  |
| Eng - PreDevelopment      |                              | 263,500.    |
| Eng - Design              | Including Civil & Electrical | 1,938,140.  |
| Eng - Inspection          |                              | 559,300.    |
| Eng – Additional Services | Geotechnical                 | 15,000.     |
| Eng – Additional Services | Property Surveying           | 64,800.     |
| Eng – Additional Services | Permits: WWTP, SW, DOT       | 16,500.     |
| Other                     | Railroad Fees                | 45,000.     |
| Other                     | Advertising                  | 18,710.     |
| Other                     | ADEM Permit                  | 12,650.     |
| Other                     | ALDOT Permit                 | 80,000.     |
| Other                     | Electrical Service           | 50,000.     |
| Equipment                 |                              | 130,000.    |
| Land & Rights             |                              | 80,000.     |
| Legal Services            | To form a utilities board    | 10,000.     |
| Total                     |                              | 31,250,000. |

## Short-Lived Assets

| Type of Reserve | User Desc                          | Replacement Cost | Annual Reserve |
|-----------------|------------------------------------|------------------|----------------|
| 10 - 15 Years   | 20 Sewer Pumps in 10 Lift Stations | 119,800.         | 7,987.         |

Black Warrior Riverkeeper  
(205) 458-0095 [tel]  
(205) 458-0094 [fax]  
[www.BlackWarriorRiver.org](http://www.BlackWarriorRiver.org)

---

**From:** Eva Dillard  
**Sent:** Wednesday, November 28, 2018 11:43 AM  
**To:** [allen.bowen@al.usda.gov](mailto:allen.bowen@al.usda.gov)  
**Subject:** Uniontown

Hi Allen – just wanted to touch base and thank you after the stakeholder meeting. Overall, I think it was a very promising first step and we appreciate USDA's commitment to continuing the process so that Uniontown's wastewater issues can be comprehensively addressed. It was also good to have it confirmed that the proposed budget will cover any necessary infrastructure to connect individual homes that will be required to hook up to the Uniontown collection system.

During the discussion, references were made to a tentative budget that is being discussed, e.g., \$23 million in total grant funds from USDA, \$10 million budgeted for repair of the collection system, etc. Is it possible to get a copy of that budget? We understand that the budget at this point may be tentative and subject to change, but it would help to know for our inputs how the budget is being organized and appropriated. The more information we have, the more responsive and relevant our comments can be. If you would like to make those documents confidential, we would of course hold them as such.

Also, we understood (perhaps mistakenly) that the proposed sewer board would not be appointed entirely by Uniontown city government, but it appeared at the meeting that now might be the case. Am hoping that we might be able to discuss these and other questions I might have at a convenient time for you. I have a call from 3-4 today and am tied up from 2:00 on tomorrow but am otherwise available. If you are snowed under post-Thanksgiving, I understand and we can push the call off until next week if that works better. Thank you and I look forward to talking. Best, Eva

Eva Dillard  
Staff Attorney  
Black Warrior Riverkeeper  
(205) 458-0095 [tel]  
(205) 458-0094 [fax]  
[www.BlackWarriorRiver.org](http://www.BlackWarriorRiver.org)

**005571**

**From:** [Bowen, Allen - RD, Montgomery, AL](#)  
**To:** [Primrose, Edna - RD, Washington, DC](#); [Barringer, Scott - RD, Washington, DC](#); [Evans, Kent - RD, Washington, DC \(Kent.Evans@wdc.usda.gov\)](#)  
**Subject:** FW: UniontownWWTPReport4-18(4-6-18).docx  
**Date:** Wednesday, May 2, 2018 12:37:00 AM  
**Attachments:** UniontownWWTPReport4-18(4-6-18).docx

---

*Allen Bowen*

Allen Bowen  
United States Department of Agriculture  
Rural Development  
Community and Business Programs Director  
Office: 334-279-3617  
Cell: 334-322-4147  
Fax: 855-304-8457

---

**From:** Lutz, Daphne Y [mailto:DLutz@adem.alabama.gov]  
**Sent:** Tuesday, May 1, 2018 3:15 PM  
**To:** Bowen, Allen - RD, Montgomery, AL <Allen.Bowen@al.usda.gov>  
**Subject:** UniontownWWTPReport4-18(4-6-18).docx

**005572**

## UNIONTOWN WASTEWATER TREATMENT SYSTEM UPDATE AS OF APRIL 2018

Uniontown is an impoverished minority community with a population of approximately 2,500. For some time, Uniontown has had severe financial difficulties and has deferred maintenance and upgrades to its wastewater collection system, treatment plant, and spray field and has underfunded system operations. As a result, a number of noncompliance issues have occurred and caused the Alabama Department of Environmental Management (ADEM) to undertake necessary enforcement actions. Since ADEM has exhausted its legally available enforcement options against Uniontown the matter is now in the hands of the courts.

Unlike any other sector holding water permits, it is nearly impossible to shut down the operation of a sanitary wastewater treatment plant. To do so would result in sanitary system overflows, sewage backup into homes, and the discharge of untreated wastewater into water bodies which certainly poses a greater risk to human health and the environment than discharging partially treated wastewater. That is why neither ADEM nor the court has shut down the Uniontown wastewater system.

It is the obligation of the permit holder to design, build, and operate its facility to meet the permit conditions set by ADEM or be subject to enforcement action. Although it is solely the responsibility of the permit holder to meet permit conditions, ADEM has been working for a number of years with local elected officials, design engineers, operating engineers, ADECA, USDA, EPA, Congresswoman Terri Sewell, and others to find a solution to Uniontown's wastewater problems so it can meet its permit requirements.

Substantial funds from a USDA grant and loan were expended on the treatment plant; however, the collection system was not materially refurbished and is in such a state of disrepair that storm water inflows completely overwhelm the treatment plant as well as the undersized spray field. The majority of the collection system has been surveyed using a video probe to determine what repairs are necessary. Uniontown was required by the Court to submit to ADEM an assessment of the alternatives it considered to achieve compliance with the Alabama Water Pollution Control Act and its Permit and to determine which remedial action(s) it would pursue. ADEM encouraged the City to engage the public in its decision-making process. ADEM attended community meetings in Uniontown on December 5, 2016 and February 23, 2017. These community meetings were planned by the City to inform the citizens of the issues with the sewer system and the options considered to return the system to compliance.

Uniontown has submitted an Engineering Report to the Department which assesses the alternatives considered, and has chosen to pursue the option of routing the wastewater from the existing treatment plant to a new wetlands treatment system with a discharge of treated wastewater to Freetown Creek.

Uniontown has not yet submitted an application to the Department for a National Pollutant Discharge Elimination System (NPDES) permit for the discharge of wastewater for the above noted chosen compliance option.

The biggest obstacle to implementing a full solution is obtaining funding for the remaining work on engineering, the collection system, and handling of the treated wastewater. ADEM has no funding available. The State has provided nominal funding through ADECA for some collection system assessment work. Uniontown citizens pay among the highest sewer fees in the area and, due to their income levels, are unlikely to be able to withstand increased fees to provide needed funding. Congresswoman Sewell's Office is believed to be the most promising potential source of funding.

**005573**



Although the process has been painfully slow, progress is continuing. Regular updates are provided to the Court and ADEM. Updates to the 4<sup>th</sup> Judicial Circuit Court took place on August 24, 2016, January 12, 2017, June 21, 2017, and October 10, 2017, and the next status conference is scheduled for April 12, 2018.

Most recently during February and March of 2018, Uniontown reported increased and more significant unpermitted discharges of wastewater from the sprayfield and additional overflows at the treatment lagoon. These chronic issues appear to be increasing in number, volume, frequency, and severity. ADEM has requested Uniontown give these matters immediate attention and take corrective measures to minimize and mitigate increased overflows and the risk of catastrophic failures of the system. Additionally, ADEM has requested that Uniontown is vigilant in ensuring that any notifiable sanitary sewer overflows are noticed to the public so that the public can avoid contact with affected areas as necessary.

**From:** [Bowen, Allen - RD, Montgomery, AL](#)  
**To:** [Williams, Daniel - RD, Montgomery, AL \(Daniel.Williams4@al.usda.gov\)](#)  
**Subject:** FW: Uniontown\_Items Needed in CPAP 08.21.18  
**Date:** Wednesday, August 22, 2018 5:33:00 PM  
**Attachments:** [Uniontown\\_Items Needed in CPAP 08.21.18.docx](#)

---

*Allen Bowen*

Allen Bowen  
United States Department of Agriculture  
Rural Development  
Community and Business Programs Director  
Office: 334-279-3617  
Cell: 334-322-4147  
Fax: 855-304-8457

---

**From:** Douglas, Penny - RD, Chattanooga, TN  
**Sent:** Tuesday, August 21, 2018 9:22 AM  
**To:** Bowen, Allen - RD, Montgomery, AL <Allen.Bowen@al.usda.gov>  
**Subject:** Uniontown\_Items Needed in CPAP 08.21.18

Hi Allen –

I went through CPAP and made screen shots of the information needed from Alabama RD staff. I believe this will get CPAP in shape for submittal.

Thanks –  
Penny

**005575**









# CITY OF UNIONTOWN, AL Items Needed for CPAP 8/21/18

City of Uniontown - Sewer Treatment (Line 81)

Customer ID: 000000019

**Summary**

Overall Contract Application: Environmental Understanding

Monthly RSI Cost (Sewer):  
 Wastewater Cost (Sewer):  
 Wastewater, Inflow (Sewer):  
 Other Operating Income:  
 Net Operating Income

Reserve Short (Net Asset):  
 Other Expense:  
 Debt Service Expense:  
 Commercial Credit:  
 Payroll/Labor Expense:  
 Project Cost:  
 Applicant Contribution:  
 Other Funding Sources:  
 Construction Fee Fee:  
 Payroll/Exp. Amount

Obligation:  
 Loan Debt:  
 Contingent:  
 Other and Reserves:  
 Bond Funds

Website: [Home](#) [Accounts](#)

**O&M Expenses**

Deleted the O&M Expense items from the list of items provided. If necessary, use the User Determiner tool to further describe the item selected in the drop down box. Enter the amount of the O&M expense. Be sure to include any assumptions and to include expense from the action.

**O&M**

| Item Name                                   | Year        | Amount Expense |
|---|-------------|----------------|
| Reserve Short (Net Asset)                   | 2018        | 0.00           |
| Other Expense                               | 2018        | 0.00           |
| Debt Service Expense                        | 2018        | 0.00           |
| Commercial Credit                           | 2018        | 0.00           |
| Payroll/Labor Expense                       | 2018        | 0.00           |
| Project Cost                                | 2018        | 0.00           |
| Applicant Contribution                      | 2018        | 0.00           |
| Other Funding Sources                       | 2018        | 0.00           |
| Construction Fee Fee                        | 2018        | 0.00           |
| Payroll/Exp. Amount                         | 2018        | 0.00           |
| <b>Total O&amp;M Expense &amp; Expenses</b> | <b>2018</b> | <b>0.00</b>    |

Website: [Home](#) [Accounts](#)

O&M not provided via TFC Apply

**NO Budget information was provided in the PER system. Deleted O&M. No operating budget was provided by the applicant. STATE ENGINEERS WILL FOLLOW UP WITH TFC TO GET VERIFICATION.**

0/0

City of Uniontown - Sewer Treatment (Line 81)

Customer ID: 000000019

**Summary**

Overall Contract Application: Environmental Understanding

Monthly RSI Cost (Sewer):  
 Wastewater Cost (Sewer):  
 Wastewater, Inflow (Sewer):  
 Other Operating Income:  
 Net Operating Income

Reserve Short (Net Asset):  
 Other Expense:  
 Debt Service Expense:  
 Commercial Credit:  
 Payroll/Labor Expense:  
 Project Cost:  
 Applicant Contribution:  
 Other Funding Sources:  
 Construction Fee Fee:  
 Payroll/Exp. Amount

Obligation:  
 Loan Debt:  
 Contingent:  
 Other and Reserves:  
 Bond Funds

Website: [Home](#) [Accounts](#)

**Number of EDU's -> (Sewer)**

| Year         | # of EDU's | Volume Per Year | Number of EDU's | Capitol EDU's |
|--------------|------------|-----------------|-----------------|---------------|
| Reserve      | 0          | 0               | 0               | 0             |
| Other        | 0          | 0               | 0               | 0             |
| <b>Total</b> | <b>0</b>   | <b>0</b>        | <b>0</b>        | <b>0</b>      |

Annual Treatment (mg): 4,200    Total Cost: \$0  
 Number of Treatment Units: 100  
 Number of Other Units: 0    Number of EDU's: 1,000

Website: [Home](#) [Accounts](#)

**Rate Sewer & RSI**

Reserve Short (Net Asset):  
 Other Expense:  
 Debt Service Expense:  
 Commercial Credit:  
 Payroll/Labor Expense:  
 Project Cost:  
 Applicant Contribution:  
 Other Funding Sources:  
 Construction Fee Fee:  
 Payroll/Exp. Amount

Obligation:  
 Loan Debt:  
 Contingent:  
 Other and Reserves:  
 Bond Funds

Website: [Home](#) [Accounts](#)

**NO Budget information was provided in the PER system. Deleted RSI. No operating budget was provided by the applicant. STATE ENGINEERS WILL FOLLOW UP WITH TFC TO GET VERIFICATION.**

0/0

# CITY OF UNIONTOWN, AL

## Items Needed for CPAP

### 8/21/18

City of Uniontown - State Transmittal (Line 81)

Customer ID: **000000019**

### Replacement Reserves - Short Lived Assets

| Type of Reserve      | Use Type | Reserve Code | Reserve ID | Reserve |
|----------------------|----------|--------------|------------|---------|
| Replacement Reserves | CPAP     | 001          | 001        | 264,600 |

Replacement Reserves - Short Lived Assets: 264,600  
Total Replacement Cost: 264,600

Notes: This is an original non-PPD facility. **NO SLA RESERVE REQUIRED FOR THIS PROJECT BY 2018** (see also below 8175)

**STATE ENGINEERS WILL FOLLOW UP ON THIS**

END

City of Uniontown - State Transmittal (Line 81)

Customer ID: **000000019**

### Commercial Credit

| Line Item         | Code | Head Title | Reserve Project | Res. Line Amount |
|-------------------|------|------------|-----------------|------------------|
| Commercial Credit |      |            |                 | 0                |

Commercial Credit (Line Item): 0

Notes: This is an original non-PPD facility. It falls into the commercial credit. Funding provided from Federal and State funding sources (2017 Law and amended commercial financing. After the cost of the facility, the facility is sold in a lease, and the interest rate for the lease is the advantage of revenue received for the lease as a whole.

**NO SLA STAFF WILL APPLY**

END





**From:** [Williams, Daniel - RD, Montgomery, AL](mailto:Williams.Daniel@al.usda.gov)  
**To:** [cityofuniontown@outlook.com](mailto:cityofuniontown@outlook.com)  
**Cc:** [rwhite@alruralwater.com](mailto:rwhite@alruralwater.com); [Jamaal Hunter \(b\) \(6\)](mailto:Jamaal.Hunter@al.usda.gov); [Bowen, Allen - RD, Montgomery, AL](mailto:Allen.Bowen@al.usda.gov)  
**Subject:** FW: [Caution: Suspicious Attachment]Fwd: Sewer Expenses - Fiscal Year 2016  
**Date:** Friday, August 31, 2018 5:15:47 PM  
**Attachments:** [Sewer\\_Expenses-2.xlsx](#)  
[image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[image006.png](#)  
[image007.png](#)

---

Hello Emefa,

The attached document will suffice for the Sewer Operating budget. We still need the following items:

-Need sewer gallons & customer breakdown in writing to reflect residential connection, commercial connections, average residential gallons, & average commercial gallons. (The underwriting cannot move forward until I receive this).

-Need short lived assets for sewer system.

Thank you,

Daniel Williams  
USDA RURAL DEVELOPMENT  
Community Programs  
State Loan Specialist  
4121 Carmichael Road, Suite 601  
Montgomery, Alabama 36106-3683  
Voice Direct 334-279-3445  
Fax 855-304-8457  
[Daniel.Williams4@AL.USDA.gov](mailto:Daniel.Williams4@AL.USDA.gov)

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---

**From:** [cityofuniontown@outlook.com](mailto:cityofuniontown@outlook.com) <[cityofuniontown@outlook.com](mailto:cityofuniontown@outlook.com)>  
**Sent:** Friday, August 31, 2018 4:02 PM  
**To:** [Williams, Daniel - RD, Montgomery, AL](mailto:Williams.Daniel@al.usda.gov) <[Daniel.Williams4@al.usda.gov](mailto:Daniel.Williams4@al.usda.gov)>; [Robert White](mailto:Robert.White@al.usda.gov) <[rwhite@alruralwater.com](mailto:rwhite@alruralwater.com)>; [Jamaal Hunter](mailto:Jamaal.Hunter@al.usda.gov) <[\(b\) \(6\)](mailto:(b) (6)@gmail.com)>

**005583**

**City of Uniontown**  
**Sewer System Expenses**  
**Fiscal Year 2016**

| <b>Item</b>            | <b>Amount</b> |            |
|------------------------|---------------|------------|
| EOS Utility Services   | \$            | 156,815.30 |
| Power                  | \$            | 63,605.97  |
| Repairs                | \$            | 49,305.94  |
| Lab                    | \$            | 11,552.60  |
| Materials and Supplies | \$            | 5,890.57   |
| Postage                | \$            | 1,071.64   |
| Total                  | \$            | 288,242.02 |

(b) (6) [REDACTED] yahoo.com

**Subject:** [Caution: Suspicious Attachment]Fwd: Sewer Expenses - Fiscal Year 2016

Hi Daniel

Is the attached sufficient for the operating expenses associated with the sewage system?

I have spoken with Mrs Berneata and she will be sending the information shortly.

Emefa

Sent from my iPhone

Begin forwarded message:

**From:** <[mike@eosutilityservices.com](mailto:mike@eosutilityservices.com)>  
**Date:** August 31, 2018 at 3:01:59 PM CDT  
**To:** <[cityofuniontown@outlook.com](mailto:cityofuniontown@outlook.com)>  
**Subject: Sewer Expenses - Fiscal Year 2016**

Emefa

Attached is the Sewer Expenses for Fiscal Year 2016

Mike Walraven, PE  
Operations Manager

EOS Utility Services  
2025 First Avenue North  
Birmingham, AL 35203  
(205) 396-3170

---

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Questions: Contact Client Technology Services (CTS) via email at  
([Spam.Abuse@wdc.usda.gov](mailto:Spam.Abuse@wdc.usda.gov))

**005585**

**From:** [Williams, Daniel - RD, Montgomery, AL](#)  
**To:** [Taylor, John - RD, Montgomery, AL](#)  
**Cc:** [Bowen, Allen - RD, Montgomery, AL](#)  
**Subject:** FW: [Caution: Suspicious Attachment]Fwd: Sewer Expenses - Fiscal Year 2016  
**Date:** Tuesday, September 4, 2018 12:22:25 PM  
**Attachments:** [Sewer\\_Expenses-2.xlsx](#)  
[image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[image006.png](#)  
[image007.png](#)

---

John,

The attachment reflects O&M expense for the sewer system. I have uploaded it to CPAP.

Thank you,

Daniel Williams  
USDA RURAL DEVELOPMENT  
Community Programs  
State Loan Specialist  
4121 Carmichael Road, Suite 601  
Montgomery, Alabama 36106-3683  
Voice Direct 334-279-3445  
Fax 855-304-8457  
[Daniel.Williams4@AL.USDA.gov](mailto:Daniel.Williams4@AL.USDA.gov)

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---

**From:** Williams, Daniel - RD, Montgomery, AL  
**Sent:** Friday, August 31, 2018 4:16 PM  
**To:** 'cityofuniontown@outlook.com' <cityofuniontown@outlook.com>  
**Cc:** 'rwhite@alruralwater.com' <rwhite@alruralwater.com>; Jamaal Hunter  
(b) (6) @gmail.com>; (b) (6) yahoo.com; Bowen, Allen - RD, Montgomery, AL  
<Allen.Bowen@al.usda.gov>  
**Subject:** FW: [Caution: Suspicious Attachment]Fwd: Sewer Expenses - Fiscal Year 2016

Hello Emefa,

The attached document will suffice for the Sewer Operating budget. We still need the following

**005586**

**City of Uniontown**  
**Sewer System Expenses**  
**Fiscal Year 2016**

| <b>Item</b>            | <b>Amount</b> |            |
|------------------------|---------------|------------|
| EOS Utility Services   | \$            | 156,815.30 |
| Power                  | \$            | 63,605.97  |
| Repairs                | \$            | 49,305.94  |
| Lab                    | \$            | 11,552.60  |
| Materials and Supplies | \$            | 5,890.57   |
| Postage                | \$            | 1,071.64   |
| Total                  | \$            | 288,242.02 |

items:

-Need sewer gallons & customer breakdown in writing to reflect residential connection, commercial connections, average residential gallons, & average commercial gallons. (The underwriting cannot move forward until I receive this).

-Need short lived assets for sewer system.

Thank you,

Daniel Williams  
USDA RURAL DEVELOPMENT  
Community Programs  
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4121 Carmichael Road, Suite 601  
Montgomery, Alabama 36106-3683  
Voice Direct 334-279-3445  
Fax 855-304-8457  
[Daniel.Williams4@AL.USDA.gov](mailto:Daniel.Williams4@AL.USDA.gov)

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---

**From:** [cityofuniontown@outlook.com](mailto:cityofuniontown@outlook.com) <[cityofuniontown@outlook.com](mailto:cityofuniontown@outlook.com)>

**Sent:** Friday, August 31, 2018 4:02 PM

**To:** Williams, Daniel - RD, Montgomery, AL <[Daniel.Williams4@al.usda.gov](mailto:Daniel.Williams4@al.usda.gov)>; Robert White <[rwhite@alruralwater.com](mailto:rwhite@alruralwater.com)>; Jamaal Hunter <(b) (6)@gmail.com>; (b) (6)@yahoo.com

**Subject:** [Caution: Suspicious Attachment]Fwd: Sewer Expenses - Fiscal Year 2016

Hi Daniel

Is the attached sufficient for the operating expenses associated with the sewage system?

I have spoken with Mrs Berneata and she will be sending the information shortly.

Emefa

Sent from my iPhone

Begin forwarded message:

**005588**

**From:** <[mike@eosutilityservices.com](mailto:mike@eosutilityservices.com)>  
**Date:** August 31, 2018 at 3:01:59 PM CDT  
**To:** <[cityofuniontown@outlook.com](mailto:cityofuniontown@outlook.com)>  
**Subject: Sewer Expenses - Fiscal Year 2016**

Emefa

Attached is the Sewer Expenses for Fiscal Year 2016

Mike Walraven, PE  
Operations Manager

EOS Utility Services  
2025 First Avenue North  
Birmingham, AL 35203  
(205) 396-3170

---

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**005589**



**From:** [Bowen, Allen - RD, Montgomery, AL](#)  
**To:** [Barringer, Scott - RD, Washington, DC](#)  
**Subject:** FW: this was on al.com this morning. Sewell name is mentioned  
**Date:** Friday, April 20, 2018 10:17:00 AM

---

This may be of assistance.

Thanks,

*Allen Bowen*

Allen Bowen  
United States Department of Agriculture  
Rural Development  
Community and Business Programs Director  
Office: 334-279-3617  
Cell: 334-322-4147  
Fax: 855-304-8457

---

**From:** Hale, Stan - RD, Montgomery, AL  
**Sent:** Friday, April 20, 2018 9:11 AM  
**To:** Bowen, Allen - RD, Montgomery, AL <[Allen.Bowen@al.usda.gov](mailto:Allen.Bowen@al.usda.gov)>  
**Subject:** this was on al.com this morning. Sewell name is mentioned

[http://www.al.com/news/index.ssf/2018/04/uniontown\\_sewage\\_problems.html](http://www.al.com/news/index.ssf/2018/04/uniontown_sewage_problems.html)

Stan B. Hale  
USDA RURAL DEVELOPMENT  
Community Programs  
State Loan Specialist  
4121 Carmichael Road, Suite 601  
Montgomery, Alabama 36106-3683  
Voice Direct 334-279-3616  
Fax 855-304-8457  
[stan.hale@al.usda.gov](mailto:stan.hale@al.usda.gov)

**005590**

**From:** [Fritz, James - RD, Washington, DC](#)  
**To:** [Bowen, Allen - RD, Montgomery, AL](#)  
**Cc:** [Hale, Stan - RD, Montgomery, AL](#); [Douglas, Penny - RD, Chattanooga, TN](#); [Woolard, Susan - RD, Washington, DC](#)  
**Subject:** Funds Request for ECWAG for Uniontown, City of - Sewage Collection and Treatment Rehab 2018  
**Date:** Thursday, September 27, 2018 4:43:36 PM  
**Attachments:** [image002.png](#)  
[image003.png](#)  
[image005.png](#)  
[image006.png](#)  
[image007.png](#)

---

Hi Allen/Stam,

Your Funds Request for ECWAG for Uniontown, City of - Sewage Collection and Treatment Rehab 2018 has been approved for funding.

Funds approved in the amount of - Loan \$0.00 and/or Grant \$1,000,000.00 have been loaded into your account and are ready for you to obligate.

**IMPORTANT NOTES:**

1. If possible, the advanced funds should be obligated prior to COB Thursday, September 27<sup>th</sup>. The funding must be obligated prior to COB Friday, September 28<sup>th</sup>. Please let us know of any changes to the proposed funding.
2. Please remember that any project pursuing capital financing with RD must be designed in compliance with American Iron and Steel (AIS) requirements as covered by Section 746 of the General Provisions of the 2018 Consolidated Appropriations Act, and as addressed in RUS Bulletin 1780-35.

Please let me know if you have any questions or concerns.

Thanks!

James

JAMES L. FRITZ III | Community Programs Specialist  
Rural Development | Rural Utilities Service  
United States Department of Agriculture  
451 West Street, Suite 2 | Amherst, MA 01002  
Phone: (413) 253-4303 | Cell: (202) 253-8060 | Fax: (855) 596-7673  
[www.rd.usda.gov](http://www.rd.usda.gov) | "Committed to the future of rural communities"

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**005591**

**From:** [Fritz, James - RD, Washington, DC](#)  
**To:** [Bowen, Allen - RD, Montgomery, AL](#)  
**Cc:** [Hale, Stan - RD, Montgomery, AL](#); [Douglas, Penny - RD, Chattanooga, TN](#); [Woolard, Susan - RD, Washington, DC](#)  
**Subject:** Funds Request for Persistent Poverty - Regular for Uniontown, City of - Sewage Collection and Treatment Rehab 2018  
**Date:** Thursday, September 27, 2018 4:41:59 PM  
**Attachments:** [image002.png](#)  
[image003.png](#)  
[image005.png](#)  
[image006.png](#)  
[image007.png](#)

---

Hi Allen/Stan,

Your Funds Request for Persistent Poverty - Regular for Uniontown, City of - Sewage Collection and Treatment Rehab 2018 has been approved for funding.

Funds approved in the amount of - Loan \$0.00 and/or Grant \$22,437,500.00 have been loaded into your account and are ready for you to obligate.

**IMPORTANT NOTES:**

1. The advanced funds must be obligated prior to COB Thursday, September 27<sup>th</sup>. Please let us know of any changes to the proposed funding.
2. Please remember that any project pursuing capital financing with RD must be designed in compliance with American Iron and Steel (AIS) requirements as covered by Section 746 of the General Provisions of the 2018 Consolidated Appropriations Act, and as addressed in RUS Bulletin 1780-35.

Please let me know if you have any questions or concerns.

Thanks!

James

JAMES L. FRITZ III | Community Programs Specialist  
Rural Development | Rural Utilities Service  
United States Department of Agriculture  
451 West Street, Suite 2 | Amherst, MA 01002  
Phone: (413) 253-4303 | Cell: (202) 253-8060 | Fax: (855) 596-7673  
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**005592**

**From:** [Beeker, Chris - RD, Montgomery, AL](#) on behalf of [Fry, Brantley \(Jones\)](#)  
**To:** [Baker, Shelley - RD, Montgomery, AL](#); [Bowen, Allen - RD, Montgomery, AL](#); [Beard, Hillary](#); [Beeker, Chris - RD, Montgomery, AL](#); [Howard, Rebecca \(Jones\)](#); [Williams, Melinda](#); [Ulmer, Morgan \(Shelby\)](#); [McLerran, Elissa](#); [Armentrout, Clay \(Shelby\)](#)  
**Subject:** Fwd: Call re Uniontown Waste Water Treatment with USDA, Shelby, Jones, Aderholt, and Sewell Staff

Allen I would like you and whoever else on this call for a little while. I might ask you to hop off if they want to talk to me privately for a min.

Thanks,

Chris Beeker III  
State Director | Alabama State Office  
Rural Development  
U.S. Department of Agriculture  
4121 Carmichael Road, Suite 601 | Montgomery, AL 36106  
Phone: 334-279-3402 | Fax: 855-304-8456

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---

From: "Fry, Brantley (Jones)" <[Brantley\\_Fry@jones.senate.gov](mailto:Brantley_Fry@jones.senate.gov)>  
Date: Thursday, September 6, 2018 at 3:44:33 PM  
To: "Beard, Hillary" <[Hillary.Beard@mail.house.gov](mailto:Hillary.Beard@mail.house.gov)>, "Beeker, Chris - RD, Montgomery, AL" <[Chris.Beeker@al.usda.gov](mailto:Chris.Beeker@al.usda.gov)>, "Howard, Rebecca (Jones)" <[Rebecca\\_Howard@jones.senate.gov](mailto:Rebecca_Howard@jones.senate.gov)>, "Williams, Melinda" <[Melinda.Williams@mail.house.gov](mailto:Melinda.Williams@mail.house.gov)>, "Ulmer, Morgan (Shelby)" <[Morgan\\_Ulmer@shelby.senate.gov](mailto:Morgan_Ulmer@shelby.senate.gov)>, "McLerran, Elissa" <[Elissa.McLerran@mail.house.gov](mailto:Elissa.McLerran@mail.house.gov)>, "Armentrout, Clay (Shelby)" <[Clay\\_Armentrout@shelby.senate.gov](mailto:Clay_Armentrout@shelby.senate.gov)>  
Subject: Call re Uniontown Waste Water Treatment with USDA, Shelby, Jones, Aderholt, and Sewell Staff

Join Skype Meeting [\(b\) \(6\)](#)

Trouble Joining? Try Skype Web App [\(b\) \(6\)](#)

Join by phone

|   |                         |
|---|-------------------------|
| Local: <a href="#">(b) (6)</a> (US)           | English (United States) |
| Senate Internal: <a href="#">(b) (6)</a> (US) | English (United States) |
| Toll Free: <a href="#">(b) (6)</a> (US)       | English (United States) |

Find a local number <[https://\(b\) \(6\)](#)>

Conference ID: [\(b\) \(6\)](#)

Forgot your dial-in PIN? <[https://\(b\) \(6\)](#)> | Help <<https://o15.officecredir.microsoft.com/r/tlidLync15?clid=1033&p1=5&p2=2009>>

[!OC([1033])] ]

005593

**From:** [Bowen, Allen - RD, Montgomery, AL](#)  
**To:** [Beeker, Chris - RD, Montgomery, AL](#)  
**Subject:** Fwd: City of Uniontown  
**Date:** Thursday, November 29, 2018 6:16:28 PM  
**Attachments:** [City of Uniontown Lawsuits as of 11292018.pdf](#)

---

FYI. Let's discuss

---

**From:** "cityofuniontown@outlook.com" <[cityofuniontown@outlook.com](mailto:cityofuniontown@outlook.com)>  
**Date:** Thursday, November 29, 2018 at 4:52:49 PM  
**To:** "Bowen, Allen - RD, Montgomery, AL" <[Allen.Bowen@al.usda.gov](mailto:Allen.Bowen@al.usda.gov)>  
**Subject:** City of Uniontown

Allen,

Are you available for a call with the City Attorney, John Gibbs, tomorrow at 1pm?  
If so and agree, I think it would be good for Baker Allen from the Governor's office to be on the call as well.

Best,  
Emefa

Sent from [Mail](#) for Windows 10

**005594**

Name: J288 GRRS User ID: 3569 Last login Date: 11/29/2018 1:09:16 PM

Monitor Case

Print Case

Main Menu

Search

- Party Search
- Case Lookup
- UTC Lookup
- SSN Enforcement
- Attorney Search
- Warrant Search
- Witness Search
- Docket Search
- Hot Sheet™

Tracking

- Attorney Tracker
- Case Monitor
- Name Tracker
- Reminders

Desktop

- My Alacourt
- My Attorney

Administration

- Update User Info

County: **53-PERRY** Case Number: **CV-2014-900076.00**  
 Style: **DONNIE WILSON ET AL V. BAIRD CONTRACTING COMPANY, INC ET AL**  
 Type: **DAMAGES - REAL PROP.**

Judge: **MWW-HON. MARVIN W. WIGGINS**  
 Filed: **07/31/2014**  
 Court Action:

Title Type: **J-JURY**  
 Status: **A-ACTIVE**  
 Track:

REAL TIME

Case DHR Parties Consolidated Case Action Summary Images Witness List Financial Motions Entire Case

Case Information

County: **53-PERRY**  
 Case Number: **CV-2014-900076.00**  
 Style: **DONNIE WILSON ET AL V. BAIRD CONTRACTING COMPANY, INC ET AL**  
 Filed: **07/31/2014**  
 Judge: **MWW-HON. MARVIN W. WIGGINS**  
 Trial Type: **J-JURY**  
 Appellate Caselumber: **0**

Case Type

Case Type: **TORE-DAMAGES - REAL PROP.**  
 Track:  
 Case Status: **A-ACTIVE**  
 Plaintiffs: **2**  
 Defendants: **3**  
 # of Trial days: **0**  
 # of Lists: **0**

Court Action

Disposition Judge:  
 Court Action:  
 Court Action Date:  
 Judgment For:  
 Revised Judgment Date:  
 Date Trial Began But No Verdict 1:  
 Date Trial Began But No Verdict 2:  
 Mistrial:  
 Appeal Date:

Damages

Amount: **\$0.00**  
 Compensatory: **\$0.00**  
 Punitive: **\$0.00**  
 General: **\$0.00**  
 None:  
 Payment Frequency:  
 Pay To:  
 Cost Paid By:

Comments

Comment 1:  
 Comment 2:

Appeal Information

Appeal Date: Appeal Case Number: Appeal Court:  
 Appeal Status: Origin Of Appeal:  
 Appeal To: Appeal To Description: Lower Court Appeal Date:  
 Disposition Date Of Appeal: Disposition Type Of Appeal:

Name: JOHN GIBBS User ID: 369 Let sign Date: 11/29/2018 1:09:16 PM

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|--|--------------------------------|--------------------------------|--------------------|
| County: 48-MARENGO   | Case Number: CV-2018-900084.00 | Judge: -EN-NON, EDDIE HARDAWAY | Trial Type: 3-JURY |
| Site: WILLIAM BELCHER ET AL V. SOUTHEASTERN CHEESE CORPORATION ET AL | Filed: 07/23/2018              | Court Action:                  | Status: A-ACTIVE   |
| Type: NEGLIGENCE-GENERAL   |                                |                                | Track:             |

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Case Information

County: 48-MARENGO  
 Case Number: CV-2018-900084.00  
 Style: WILLIAM BELCHER ET AL V. SOUTHEASTERN CHEESE CORPORATION ET AL  
 Filed: 07/23/2018  
 Judge: -EN-NON, EDDIE HARDAWAY  
 Trial Type: 3-JURY  
 Appellate Case Number: 0

Case Type

Case Type: TORT-NEGLIGENCE-GENERAL  
 Track:  
 Case Status: A-ACTIVE  
 Plaintiffs: 3  
 Defendants: 9  
 # of Trial days: 0  
 # of Lien: 0

Court Action

Disposition Judge:  
 Court Action:  
 Court Action Date:  
 Judgment For:  
 Revised Judgment Date:  
 Date Trial Began But No Verdict 1:  
 Date Trial Began But No Verdict 2:  
 Neutral:  
 Appeal Date:

Amount: \$0.00  
 Compensatory: \$0.00  
 Punitive: \$0.00  
 General: \$0.00  
 Note:  
 Payment Frequency:  
 Pay To:  
 Cost Paid By:

Damages

Comments

Comment 1:  
 Comment 2:

Appeal Information

|                             |                             |                          |
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| Appeal Status:              | Origin Of Appeal:           |                          |
| Appeal To:                  | Appeal To Description:      | Lower Court Appeal Date: |
| Disposition Date Of Appeal: | Disposition Type Of Appeal: |                          |

Name: JOHN GIBBS User ID: 1099 Last login Date: 11/29/2018 1:09:16 PM

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|   |                                       |   |                           |
|---|---------------------------------------|---|---------------------------|
| County: <b>53-PERRY</b>                                 | Case Number: <b>CV-2017-900059.00</b> | Judge: <b>PET-COLLINS PETTAWAY, JR.</b> | Trial Type: <b>3-JURY</b> |
| Style: <b>LOLA M HOLLIS V CITY OF UNIONTOWN ALABAMA</b> | Filed: <b>09/20/2017</b>              | Court Action:                           | Status: <b>A-ACTIVE</b>   |
| Type: <b>NEGLIGENCE-GENERAL</b>                         |                                       |   | Track:                    |

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Case DNR Parties Consolidated Case Acton Summary Images Witness List Financial Motions Entire Case

**Case Information**

County: **53-PERRY**  
 Case Number: **CV-2017-900059.00**  
 Style: **LOLA M HOLLIS V CITY OF UNIONTOWN ALABAMA**  
 Filed: **09/20/2017**  
 Judge: **PET-COLLINS PETTAWAY, JR.**  
 Trial Type: **3-JURY**  
 Appellate Case Number: **0**

**Case Type**

Case Type: **TONG-NEGLIGENCE-GENERAL**  
 Track: **A-ACTIVE**  
 Case Status: **1**  
 Plaintiff: **1**  
 Defendant: **1**  
 # of Trial days: **0**  
 # of Lien: **0**

**Court Action**

Disposition Judge:  
 Court Action:  
 Court Action Date:  
 Judgment For:  
 Revised Judgment Date:  
 Date Trial Begins But No Verdict 1:  
 Date Trial Began But No Verdict 2:  
 Mediate:  
 Appeal Date:

**Damages**

Amount: **\$0.00**  
 Compensatory: **\$0.00**  
 Punitive: **\$0.00**  
 General: **\$0.00**  
 None:  
 Payment Frequency:  
 Pay To:  
 Cost Paid By:

**Comments**

Comment 1:  
 Comment 2:

**Appeal Information**

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| Appeal Date:                | Appeal Case Number:         | Appeal Court:            |
| Appeal Status:              | Origin Of Appeal:           |                          |
| Appeal To:                  | Appeal To Description:      | Lower Court Appeal Date: |
| Disposition Date Of Appeal: | Disposition Type Of Appeal: |                          |



Name: JOHN GIBBS User ID: 3669 Last login Date: 11/29/2018 1:09:16 PM

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| Style: <b>EARL LEE JOHNSON SR ET AL V THE CITY OF UNIONTOWN ALABAMA ET AL</b> | Filed: <b>02/24/2018</b>              | Case Status: <b>A-ACTIVE</b>             | Track: <b>A-ACTIVE</b>    |
| Type: <b>NEGLIGENCE-GENERAL</b>   | Case Action:                          |  |                           |

REAL TIME

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Case Information

County: **SI-PERRY**  
 Case Number: **CY-2018-000007.00**  
 Style: **EARL LEE JOHNSON SR ET AL V THE CITY OF UNIONTOWN ALABAMA ET AL**  
 Filed: **02/24/2018**  
 Judge: **HWW-HON. MARVIN W. WIGGINS**  
 Trial Type: **3-JURY**  
 Appellate Case Number: **0**

Case Type

Case Type: **TONG-NEGLIGENCE-GENERAL**  
 Track:  
 Case Status: **A-ACTIVE**  
 Plaintiffs: **49**  
 Defendants: **2**  
 # of Trial days: **0**  
 # of Lien: **0**

Court Action

Deposition Judge:  
 Court Action:  
 Court Action Date:  
 Judgment For:  
 Revised Judgment Date:  
 Date Trial Began But No Verdict 1:  
 Date Trial Began But No Verdict 2:  
 Mistrial:  
 Appeal Date:

Amount: **\$0.00**  
 Compensatory: **\$0.00**  
 Punitive: **\$0.00**  
 General: **\$0.00**  
 None:  
 Payment Frequency:  
 Pay To:  
 Cost Paid By:

Damages

Comments

Comment 1:  
 Comment 2:

Appeal Information

|                             |                             |                          |
|-----------------------------|-----------------------------|--------------------------|
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| Appeal Status:              | Origin Of Appeal:           |                          |
| Appeal To:                  | Appeal To Description:      | Lower Court Appeal Date: |
| Disposition Date Of Appeal: | Disposition Type Of Appeal: |                          |

Name: JOHN GIBBS User ID: 9059 Last Login Date: 11/29/2018 1:09:16 PM

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County: S3-PERRY Case Number: CV-2018-900021-00  
 Style: SAMUEL DAVIS CARTER V. L&D TRUCKING AND SCRAP, INC. ET AL  
 Type: NEGLIGENCE MOTOR VEH

Judge: MWW-HON. MARVIN W. WIGGINS  
 Filed: 05/17/2018  
 Court Action:

Trial Type: J-JURY  
 Status: A-ACTIVE  
 Track:

REAL TIME

Case DHR Parties Consolidated Case Acton Summary Images Witness List Financial Motions Entire Case

Case Information

County: S3-PERRY  
 Case Number: CV-2018-900021-00  
 Style: SAMUEL DAVIS CARTER V. L&D TRUCKING AND SCRAP, INC.  
 ET AL  
 Filed: 05/17/2018  
 Judge: MWW-HON. MARVIN W. WIGGINS  
 Trial Type: J-JURY  
 Appellate CaseNumber: 0

Case Type

Case Type: TONY-NEGLIGENCE MOTOR VEH  
 Track:  
 Case Status: A-ACTIVE  
 Plaintiffs: 1  
 Defendants: 4  
 # of Trial days: 0  
 # of Lines: 0

Court Action

Disposition Judge :  
 Court Action:  
 Court Action Date:  
 Judgment For:  
 Revised Judgment Date:  
 Date Trial Began But No Verdict 1:  
 Date Trial Began But No Verdict 2:  
 Mistrial:  
 Appeal Date:

Damages

Amount: \$0.00  
 Compensatory: \$0.00  
 Punitive: \$0.00  
 General: \$0.00  
 None:  
 Payment Frequency:  
 Pay To:  
 Cost Paid By:

Comments

Comment 1:  
 Comment 2:

Appeal Information

Appeal Date: Appeal Case Number: Appeal Court:  
 Appeal Status: Origin Of Appeal:  
 Appeal To: Appeal To Description: Lower Court Appeal Date:  
 Disposition Date Of Appeal: Disposition Type Of Appeal:

**From:** [Gordon, Nivory - RD, Camden, AL](#)  
**To:** [Bowen, Allen - RD, Montgomery, AL](#)  
**Cc:** [Beeker, Chris - RD, Montgomery, AL](#)  
**Subject:** Fwd: City of Uniontown  
**Date:** Thursday, July 12, 2018 10:14:04 AM  
**Attachments:** [image001.png](#)  
[Uniontown.USDA.pdf](#)

---

**From:** "Charlie Shah" <(b) (6) [bomarlawfirm.com](mailto:bomarlawfirm.com)>  
**Date:** Wednesday, July 11, 2018 at 3:50:58 PM  
**To:** "Gordon, Nivory - RD, Camden, AL" <[Nivory.Gordon@al.usda.gov](mailto:Nivory.Gordon@al.usda.gov)>  
**Subject:** City of Uniontown

Mr. Gordon

Attached is a letter relating to City of Uniontown.

Please let me know if you need any further information.

Thanks

Charlie

Charlie Shah  
BOMAR LAW FIRM, LLC  
600 University Park Place  
Suite 100  
Birmingham, AL 35209

205-401-1229  
205-874-7960 (fax)



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**005600**

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OFFICE: 404-841-6561  
FAX: 404-841-9178

Direct Dial: (404) 937-1254

Charlie Shah  
E-Mail: (b) (6)@bomarlawfirm.com

July 11, 2018

VIA EMAIL - Nivory.Gordon@al.usda.gov.

Nivory Gordon  
USDA

**RE: City of Uniontown**

Dear Mr. Gordon:

Our office represents the City of Uniontown ("City"), Alabama. We have spoken a few times relating to the City's account with the IRS.

I have attached a statement of account and Payoff Calculator. I can confirm the City has been approved for an installment agreement. The final terms of that agreement are being finalized.

Please let me know if you have any questions or require any further information.

(b) (6)

005601

**From:** [Gordon, Nivory - RD, Camden, AL](#)  
**To:** [Bowen, Allen - RD, Montgomery, AL](#)  
**Subject:** Fwd: City of Uniontown  
**Date:** Thursday, July 12, 2018 10:13:01 AM  
**Attachments:** [image001.png](#)

---

**From:** "Charlie Shah" <(b) (6)@bomarlawfirm.com>  
**Date:** Thursday, July 12, 2018 at 9:07:36 AM  
**To:** "Gordon, Nivory - RD, Camden, AL" <[Nivory.Gordon@al.usda.gov](mailto:Nivory.Gordon@al.usda.gov)>  
**Subject:** RE: City of Uniontown

The payoff amount according to the Revenue Officer is \$676,624.55

---

**From:** Gordon, Nivory - RD, Camden, AL <[Nivory.Gordon@al.usda.gov](mailto:Nivory.Gordon@al.usda.gov)>  
**Sent:** Wednesday, July 11, 2018 8:00 PM  
**To:** Charlie Shah <(b) (6)@bomarlawfirm.com>  
**Subject:** Re: City of Uniontown

What is the amount?

---

**From:** "Charlie Shah" <(b) (6)@bomarlawfirm.com>  
**Date:** Wednesday, July 11, 2018 at 3:50:58 PM  
**To:** "Gordon, Nivory - RD, Camden, AL" <[Nivory.Gordon@al.usda.gov](mailto:Nivory.Gordon@al.usda.gov)>  
**Subject:** City of Uniontown

Mr. Gordon

Attached is a letter relating to City of Uniontown.

Please let me know if you need any further information.

Thanks

Charlie

Charlie Shah  
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600 University Park Place  
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**005602**

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**005603**

**From:** [Beeker, Chris - RD, Montgomery, AL](#)  
**To:** [Gordon, Nivory - RD, Camden, AL](#); [Bowen, Allen - RD, Montgomery, AL](#)  
**Subject:** Fwd: Emergency Community Water Assistance Grant: Alabama Project Announcement  
**Date:** Friday, November 16, 2018 10:05:21 AM

---

Chris Beeker III  
State Director | Alabama State Office  
Rural Development  
U.S. Department of Agriculture  
4121 Carmichael Road, Suite 601 | Montgomery, AL 36106  
Phone: 334-279-3402 | Fax: 855-304-8456  
[www.rd.usda.gov](http://www.rd.usda.gov) "Committed to the future of rural communities"

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---

**From:** "Beard, Hillary" <[Hillary.Beard@mail.house.gov](mailto:Hillary.Beard@mail.house.gov)>  
**Date:** Friday, November 16, 2018 at 9:00:09 AM  
**To:** "Beeker, Chris - RD, Montgomery, AL" <[Chris.Beeker@al.usda.gov](mailto:Chris.Beeker@al.usda.gov)>, "Bowen, Allen - RD, Montgomery, AL" <[Allen.Bowen@al.usda.gov](mailto:Allen.Bowen@al.usda.gov)>, "Gordon, Nivory - RD, Camden, AL" <[Nivory.Gordon@al.usda.gov](mailto:Nivory.Gordon@al.usda.gov)>  
**Subject:** FW: Emergency Community Water Assistance Grant: Alabama Project Announcement

Chris,

Thank you SO much for all of your hard work on this. This is all thanks to you and your team.

I see that the recipient listed is the Mayor, which I'm sure is normal. What are next steps in terms of drawing down the money? Does it go directly to the Mayor or is there oversight over the money between now and the time the board is set up?

Let me know.

Thank You.

Hillary Beard

**Hillary Beard** | Legislative Assistant | [Office of Congresswoman Terri Sewell \(AL-07\)](#)  
2201 Rayburn HOB | Washington, DC 20515 | 202.225.2665

---

**005604**

**From:** USDA, Rural Development-Office of External Affairs <[LeslieA.Brown@wdc.usda.gov](mailto:LeslieA.Brown@wdc.usda.gov)>  
**Sent:** Friday, November 16, 2018 9:51 AM  
**To:** English, Cachavious <[Cachavious.English@mail.house.gov](mailto:Cachavious.English@mail.house.gov)>  
**Subject:** Emergency Community Water Assistance Grant: Alabama Project Announcement

Attached is a description of an investment that USDA Rural Development recently financed in your state/district. For more information, please click the link below:

[City of Uniontown](#)

Please contact me if you have any questions.

Thank you.

Leslie A. Brown  
Legislative Specialist  
Office of External Affairs, Rural Development  
United States Department of Agriculture  
1400 Independence Avenue, S.W., MailStop 0705  
Washington, D.C. 20250  
Phone: [\(202\) 720-9928](tel:(202)720-9928) | Fax: 1-844-875-9816

[www.rd.usda.gov](http://www.rd.usda.gov)

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**005605**



**From:** [Beeker, Chris - RD, Montgomery, AL](#)  
**To:** [Bowen, Allen - RD, Montgomery, AL](#); [Gordon, Nivory - RD, Camden, AL](#)  
**Subject:** Fwd: Final Agenda, Materials, and Conference Call Information  
**Date:** Monday, July 30, 2018 8:23:10 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[Memo for Attendees.pdf](#)  
[Current Legislation .pdf](#)  
[7.30.18 Final Agenda.pdf](#)  
[Important Articles about Failing Septic.pdf](#)

---

Chris Beeker III  
State Director | Alabama State Office  
Rural Development  
U.S. Department of Agriculture  
4121 Carmichael Road, Suite 601 | Montgomery, AL 36106  
Phone: 334-279-3402 | Fax: 855-304-8456  
[www.rd.usda.gov](http://www.rd.usda.gov) "Committed to the future of rural communities"

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**From:** "Beard, Hillary" <[Hillary.Beard@mail.house.gov](mailto:Hillary.Beard@mail.house.gov)>  
**Date:** Monday, July 30, 2018 at 6:39:16 AM  
**To:** "Beeker, Chris - RD, Montgomery, AL" <[Chris.Beeker@al.usda.gov](mailto:Chris.Beeker@al.usda.gov)>  
**Subject:** FW: Final Agenda, Materials, and Conference Call Information

Chris,

Thank you for your patience throughout the weekend.

I've attached several documents for your review. If your team can present this morning on the recent announcement regarding USDA wastewater funding, that would be great. It will be important for the group to hear about the application process.

During the second, shorter meeting, we will be discussing next steps for Uniontown.

We are SO appreciative of your help on this today. I was talking to Clay in Shelby's office about you on Friday. We both agreed that we enjoy working with you.

See you soon.

Hillary Beard

**005606**



**Addressing Gaps in Reliable Onsite Wastewater Treatment Services in Rural Alabama**  
**Stakeholder Meeting**  
**July 30, 2018**

**Summary**

According to the 2015 U.S. Census Bureau's American Housing Survey, approximately 20 percent of all homes in the United States are served by decentralized wastewater treatment systems. These systems exist in communities where connecting to municipal utilities is either not an option or too expensive. In contrast to municipal water treatment plants and other centralized systems, decentralized systems include both onsite systems, such as septic tanks, and smaller, cluster systems.

While it is unclear what percentage of decentralized or onsite systems are failing nationwide, system failures have been documented across the country, from California to Alabama. These failures often produce untreated sewage on the ground surface, which can back up into houses or flow into bodies of water. Animals and humans can be exposed to raw sewage as a result, which places public health at risk. The distribution, density, and costs of decentralized or onsite septic systems varies widely by region and soil conditions. The negative consequences of these failures fall mostly on rural, minority, and economically disadvantaged populations, as they are unable to resolve these challenges given their limited economic ability.

**Background**

Unfortunately, surveys of existing wastewater infrastructure suggest that many decentralized or onsite systems are improperly designed and more prone to failure than centralized sewers. In many rural areas in America, low-income residents are left to their own devices in financing the full cost of installation and maintenance of their onsite septic systems. In places like Alabama's Black Belt, where the soil conditions require more complex systems, these can cost more than \$12,000 upfront, with maintenance costs required every few years.

**Individual Sewage Treatment Systems (ISTs)**

**Straight pipe septic systems** are ISTs that do not treat the raw sewage deposited in them. Untreated sewage is ultimately sent directly to rivers, lakes, yards, ditches, and other areas where humans and animals have direct and indirect access.

**Properly-functioning individual sewage treatment systems (ISTs)** are septic systems that treat sewage with a chemical, physical, and biological process, commonly using a septic tank and a soil treatment system. These systems are expensive. Homeowners are also required to pay the sewage treatment and maintenance costs associated with having an ISTS.

We are primarily concerned with two types of inadequate ISTs that we've identified in the 7<sup>th</sup> District:

1. **Straight Pipe Septic Systems**
2. **Failing Septic Tanks** – Some are installed by unlicensed people, some are homemade, and others haven't been adequately maintained (drained or updated).

## **Lowndes County Example**

### **Poor Socioeconomic Conditions**

Lowndes County, Alabama has received heightened national attention in the past several years for its concentration of straight pipe septic systems. The county has a population of 10,358 and a Median Household Income of \$27,914, according to the Census Bureau. Other counties in the Black Belt with reported straight pipe system usage include Bibb, Butler, Choctaw, Hale, Perry, and Wilcox Counties. We believe, however, that the prevalence of these systems is more widespread across the region and state.

### **Soil Conditions**

Onsite Wastewater system performance is most problematic in areas of clay-soil conditions, like those in Alabama's Black Belt. In the Black Belt, dense clay soil conditions, such as the presence of heavy, slowly permeable, thick clays, high seasonal water tables, shallow bedrock, or an overabundance of sand require more complex wastewater systems.

Due to these conditions, traditional onsite wastewater systems (septic systems and drain fields), do not adequately infiltrate water into the ground and require different installation methods.

### **Lack of local and state government facilitation**

Existing wastewater and sanitation issues in the Black Belt have not been adequately addressed in our local, state, and federal policymaking. In some cases, municipalities have received funding through the USDA and EPA but haven't been successful to date in addressing the underlying issue for their residents. In the case of Uniontown, for example, the city was awarded close to \$5 million in USDA funds. Even more, residents in unincorporated communities have been completely left out, as they are not served by municipal water services. We are currently working with several municipalities to identify and help address the issues that have hindered progress on certain wastewater projects in both incorporated and unincorporated communities.

### **Federal Legislation**

In the FY2018 Omnibus, Rep. Sewell worked with Rep. Robert Aderholt, chair of the Agriculture Appropriations Subcommittee, to secure an additional \$1.8 billion in rural water and wastewater funding. Now her office is working to ensure that funding is allocated to the communities that need it the most with the help of Alabama's USDA State Director, Chris Beeker. This is being done through her work to secure authorizing language in the Farm Bill that expands USDA wastewater programs and through encouraging entities in the 7<sup>th</sup> Congressional district to apply for wastewater assistance before the September deadline.

**H.R. 5837/S.2772, the Rural Septic Tank Access Act** (Rep. Terri A. Sewell/Senators Cory Booker, Doug Jones, and Shelley Moore Capito) – This bill would expand the Household Water Well System Grant program to include household decentralized wastewater systems and a \$40 million increase in appropriation.

**H.R. 2328, Low-Income Sewer and Water Assistance Program Act of 2017 (Rep. Marcia Fudge)** - Modeled after the Low-Income Home Energy Assistance Program (LIHEAP), this bill would establish a pilot program that awards grants to at least 10 eligible entities for assisting low-income households maintain access to water and sewer services.

### **Need 1: Inventory in Alabama**

There is currently not a countywide, statewide, or nationwide inventory demonstrating the prevalence of straight pipe/failing septic systems. Several academic and environmental studies have been conducted over the years in various parts of Alabama but there remains a need for a comprehensive statewide inventory in order to get assistance where it is needed.

Field surveys have been conducted by engineering experts at the University of Alabama and the University of South Alabama of rural residences in three counties – Bibb, Wilcox, and Hale Counties. These surveys have documented that upwards of 50 percent of rural residents have raw sewage on the ground-surface. According to a 2006 study of more than 4,000 homes not connected to public sewer lines in Bibb County, 35% had failing septic systems and 15% had straight pipe (direct discharge) systems. Another field survey in 2016 and 2017 found similar results in Wilcox and Hale Counties, where approximately 50 percent or more of 400 rural homes surveyed had raw sewage on the ground surface.

### **Need 2: Onsite System Innovation (University Research and Development)**

Current solutions include highly overdesigned and expensive systems, which have proven unsustainable in rural communities, specifically where soil conditions are poor for septic tanks. Engineering researchers have raised the option of using new membrane-based technologies (e.g. mobile treatment units) as a more sustainable model in rural and remote areas. Investments need to be made so that our universities can develop technologies that are more efficient and sustainable in the Black Belt.

As technologies are developed, state and federal regulators need to provide the permits for the updated technologies in an expedited manner.

### **Need 3: Sustained and Streamlined Federal Wastewater Funding**

The USDA wastewater increases in the FY2018 Omnibus need to be sustained in future budgets. Just as importantly, reform is needed to ensure that individuals in unincorporated communities, not served by municipal systems, have access to USDA and EPA funding resources for wastewater treatment.

In awarding grants and financing to municipalities, the state and federal government needs to give preference to municipalities that seek funding to expand existing services to more residences outside of their existing service lines, that are currently not on municipal lines.



## LEGISLATION TO PROVIDE GRANT FUNDING FOR RURAL FAMILIES WITH INADEQUATE DECENTRALIZED WASTEWATER SYSTEMS

### Background

The concentration of households lacking adequate wastewater systems in and low-income communities is evidence of major environmental, public health, and economic crises. Please join me in introducing legislation to strengthen and expand USDA and EPA programs dedicated to providing grant funding to help low- and moderate-income households install proper decentralized wastewater systems like septic.

According to the U.S. Census Bureau's American Housing Survey, as of 2013, 1.25 million housing units across all 50 states lack adequate plumbing. More specifically, as of 2015, there are nearly 200,000 housing units in the United States without a sewage system altogether – meaning these homes do not have an adequate method for disposing of human waste.

The vast majority of Americans are served by municipal water-treatment plants, where waste is carried directly from homes to wastewater treatment plants. An approximate 20% of Americans, mostly in rural communities, are responsible for the installation and maintenance of their own sewage disposal systems. Some of these Americans have properly designed and maintained septic tanks that keep bacteria, viruses, and nutrients out of groundwater, drinking water, and bodies of water where humans recreate. These systems can cost between \$4,000 and more than \$12,000 depending on size, complexity, location, and soil conditions. Due in part to the unaffordability of such a basic domestic utility, there are potentially millions of Americans living in areas where water has been contaminated by raw sewage from failing, improperly installed, or homemade septic systems. Some Americans are living in homes with "straight-pipe septic systems," in which a pipe deposits untreated, raw sewage directly into yards, ditches, drain pipes, bodies of water, and other areas where humans and animals have direct and indirect access. Others are living with failing septic systems that discharge raw sewage into homes, land, and water, and do not have the income necessary to fix them.

- In one **Alabama** County, 60% of inspected homes were [found](#) to have straight-pipe septic systems in 2005. Field surveys in 2005 and 2017 documented that upwards of 50% of rural residences in 3 counties surveyed have raw sewage on the ground surface.
- [A 2004 report](#) from the Research Department of the **Minnesota** House of Representatives estimated that straight pipe systems discharge 6.75 million gallons of raw sewage into Minnesota water bodies.
- State officials in **Michigan** [estimated](#) in 2013 that 10% of on-site wastewater treatment systems in the state had failed septic systems polluting the environment. In some Michigan counties, septic system failure rates were reported to be as high as 20 to 25%.
- The **Indiana** State Department of Health [estimated](#) that approximately 200,000 residential wastewater disposal systems had failed or were failing to protect human and environmental health in 2005.
- [A 2013 report](#) from the **Ohio** Department of Public Health demonstrated that approximately 31% of all household sewage treatment systems throughout the state are experiencing some degree of failure.
- In 1999, Madison County, **North Carolina** public health officials [surveyed](#) nearly half of the county's 10,000 houses and found that 20% of the surveyed homes had noncompliant septic systems. More than 25% of the noncompliant systems were straight-piping black water. Another 12% of homes had failing systems.

**005610**

## Summary

- **H.R. 5837, The Rural Septic Tank Access Act** modifies the Consolidated Farm and Rural Development Act by expanding the Household Water Well System Grant Program to provide grants of up to \$20,000 to low- and moderate-income households in rural areas for installing or maintaining individually-owned decentralized wastewater systems. This grant program is administered by the U.S. Department of Agriculture.

This grant program will provide grants to private, nonprofit organizations, which will then provide sub-grants to eligible individuals lacking adequate wastewater infrastructure. Directing funds to organizations with expertise in this issue will help ensure that grants reach those individuals who are most in need.

Contact [Hillary.Beard@mail.house.gov](mailto:Hillary.Beard@mail.house.gov) with any questions about the legislation.

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115TH CONGRESS  
2D SESSION

# H. R. 5837

To amend the Consolidated Farm and Rural Development Act to modify provisions relating to the household water well system grant program.

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IN THE HOUSE OF REPRESENTATIVES

MAY 16, 2018

Ms. SEWELL of Alabama (for herself and Mr. ROGERS of Alabama) introduced the following bill; which was referred to the Committee on Agriculture

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## A BILL

To amend the Consolidated Farm and Rural Development Act to modify provisions relating to the household water well system grant program.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### SECTION 1. SHORT TITLE.

This Act may be cited as the “Rural Septic Tank Access Act”.

### SEC. 2. HOUSEHOLD WATER WELL SYSTEM GRANT PROGRAM MODIFICATIONS.

Section 306E of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926e) is amended—

(1) by striking the section designation and heading and inserting the following:

**“SEC. 306E. GRANTS TO NONPROFIT ORGANIZATIONS FOR CONSTRUCTION, REFURBISHING, AND SERVICING OF INDIVIDUALLY OWNED HOUSEHOLD WATER WELL SYSTEMS AND**

**005611**

**HOUSEHOLD DECENTRALIZED WASTEWATER SYSTEMS IN RURAL AREAS FOR INDIVIDUALS WITH LOW OR MODERATE INCOME”;**

(2) in subsection (a), by striking “100 percent” and inserting “60 percent”;

(3) in subsection (b)—

(A) in paragraph (1)—

(i) by striking “loans” and inserting “subgrants”; and

(ii) by inserting “or household decentralized wastewater systems” after “water well systems”; and

(B) by striking paragraph (2) and inserting the following:

“(2) SUBGRANTS.—

“(A) AMOUNTS.—The amount of a subgrant provided to an eligible individual using grant funds under this section shall not exceed \$20,000 for each water well system or decentralized wastewater system described in paragraph (1).

“(B) USE IN CASES OF WELL WATER CONTAMINATION.—In the event of well water contamination, the Secretary shall allow the use of a subgrant provided using grant funds under this section for the installation of water treatment measures as needed beyond the point of entry, with or without the installation of new well equipment.”;

(4) in subsection (c), by striking “productive use of individually-owned household water well systems” and inserting “effective use of individually owned household water well systems or household decentralized wastewater systems”; and

(5) in subsection (d), by striking “\$5,000,000 for each of fiscal years 2014 through 2018” and inserting “\$100,000,000 for each of fiscal years 2019 through 2023”.

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Language included in S.3042, the Agriculture Improvement Act of 2018 (Farm Bill)

**SEC. 6108. RURAL DECENTRALIZED WATER SYSTEMS.**

*Section 306E of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926e) is amended—*

*(1) by striking the section heading and inserting “**RURAL DECENTRALIZED WATER SYSTEMS**”;*

*(2) in subsection (a), by striking “100” and inserting “60”;*

*(3) in subsection (b)—*

*(A) in paragraph (1)—*

*(i) by inserting “and subgrants” after “loans”; and*

(ii) by inserting “and individually owned household decentralized wastewater systems” after “well systems”;

(B) by striking paragraph (2) and inserting the following:

“(2) *TERMS AND AMOUNTS.*—

“(A) *TERMS OF LOANS.*—A loan made with grant funds under this section—

“(i) shall have an interest rate of 1 percent; and

“(ii) shall have a term not to exceed 20 years.

“(B) *AMOUNTS.*—A loan or subgrant made with grant funds under this section shall not exceed \$15,000 for each water well system or decentralized wastewater system described in paragraph (1).”; and

(C) by adding at the end the following:

“(4) *GROUND WELL WATER CONTAMINATION.*—In the event of ground well water contamination, the Secretary shall allow a loan or subgrant to be made with grant funds under this section for the installation of water treatment where needed beyond the point of entry, with or without the installation of a new water well system.”;

(4) in subsection (c), by striking “productive use of individually-owned household water well systems” and inserting “effective use of individually owned household water well systems, individually owned household decentralized wastewater systems, ”; and

(5) in subsection (d)—

(A) by striking “\$5,000,000” and inserting “\$40,000,000”; and

(B) by striking “2014 through 2018” and inserting “2019 through 2023”.





**Agenda**

**Rural Alabama Wastewater Infrastructure Meeting  
July 30, 2018**

|                          |   |
|--------------------------|---|
| <b>10:00 AM</b>          | Meet at the Lowndes Interpretive Center<br><b>Address:</b> 7002 US-80, Hayneville, AL 36040   |
| <b>10:00AM – 10:15AM</b> | Travel to the first site – 159 Bowie Circle; Tyler, 36785   |
| <b>10:45AM – 11:00AM</b> | Travel to the second site – 440 County Road 63; Farmersville (Minter), 36761  |
| <b>11:30AM – 11:45AM</b> | Travel to the third site – 3896 County Road 9; Tyler, 36785   |
| <b>12:30PM – 2:15PM</b>  | Lunch and Discussion on Addressing the Gaps in Reliable Onsite Wastewater Treatment Services in Rural Alabama<br><b>Location:</b> Lowndes Interpretive Center, 7002 US-80, Hayneville, AL 36040 |
| <b>2:15PM – 2:30PM</b>   | Break   |
| <b>2:30PM</b>            | Uniontown Wastewater Meeting with Community Members   |

**Discussion 1: Addressing Gaps in Reliable Onsite Wastewater Treatment Services in Rural Alabama**

**12:30 – 2:15**

- I. Welcome and Introduction**
  - A. Framing the Challenge and Status of Legislative Solutions - Congresswoman Terri Sewell
- II. State/Federal Perspectives**
  - A. USDA
    - Chris Beeker
    - Nivory Gordon
  - B. Alabama Department of Public Health
    - Sherry Bradley
  - C. Alabama Department of Environmental Management
    - Joe Kelly and Sonja Massey
- III. Expert Perspectives**
  - A. University and Engineering Experts
    - Dr. Mark Barnett, Auburn University
    - Dr. Kevin White, University of South Alabama
    - Nick Lawkis, University of South Alabama
    - Dr. John Higginbotham, University of Alabama
    - Royrickers Cook, Auburn University
    - Thomas Minetree, Auburn University, Engineering Without Borders
    - Melissa Herkt, Auburn University, Engineering Without Borders
    - Dr. Upmanu Lall, Columbia University (Joining via phone)
  - B. Rural Communities Assistance Partnership/Communities Unlimited
    - Shaunte Stallworth

#### **IV. Identify Deliverables/Next Steps**

**2:15-2:30 Break**

*Everyone not participating in the 2<sup>nd</sup> discussion about Uniontown can leave at this time.*

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#### **2:30-3:30 Discussion 2: Uniontown Municipal Wastewater Issues**

##### **I. Introduction**

- Congresswoman Terri Sewell

##### **II. Presentation from USDA State Director Chris Beeker on his plans for Uniontown**

##### **III. ADEM**

- Sandy Lee and Daphne Lutz

##### **IV. Presentation and Q&A from Black Belt Citizens Group**

##### **V. Timeline/Next Steps**



# We need to fight the water crisis you haven't heard of

BY REP. TERRI A. SEWELL (D-ALA.), OPINION CONTRIBUTOR — 04/25/18 02:10 PM EDT

Four years ago today Flint, Mich., changed its municipal water source to the Flint River, moving a city of 100,000 residents towards a crisis that would poison children and impact families with long-term, irreversible health conditions. As Flint and our country continue to grapple with the realities of widespread lead-poisoning and environmental injustice, another water crisis is simmering in America's backyard. This time, the health of millions of families may be at stake.

In rural America, deteriorating infrastructure and a lack of investment has left an untold number of families without access to wastewater treatment, creating a system in which untreated sewage sits in pools in backyards and leaks into local waterways. I have seen this crisis firsthand in rural Alabama.

In our state's rural Black Belt, I have toured rural communities where a home's only sewage system is a straight pipe that carries untreated waste 30 feet into the woods. I have toured towns where failing water treatment systems spray partially treated sewage into municipal pastures, contaminating family farms, private properties, and waterways accessible to thousands of Alabamians.

One study conducted by the University of Alabama and the University of South Alabama in 2006 found that a full 35 percent of inspected homes in Bibb County, Ala., had failing septic systems. Another 15 percent of homes had a straight pipe directly discharging untreated sewage into the surrounding environment. According to the report, half of all rural homes in Bibb County had raw sewage on the ground surface near their homes.

But rural Alabama is not the only area where wastewater infrastructure has created a health crisis. One 2004 study showed that an estimated 60,000 residents in Minnesota used a straight pipe to empty untreated sewage into the environment around their house. A report from the EPA estimates that a full 32 percent of families in central Kentucky will not be connected to a sewer by 2020.

There is no national study estimating the number of families in the United States without a connection to proper wastewater treatment, but based on the experiences of Alabama, Minnesota, and Kentucky, the issue could easily impact millions of Americans.

Unlike urban and suburban residents, most rural Americans are not connected to municipal sewer lines, saddling them with the full cost of installation, renovation, and service of household wastewater systems. In good soil, the installation of a septic tank can cost anywhere from \$1,500 to \$4,000. In parts of Alabama's Black Belt, where the soil requires more complex systems, the installation can run upwards of \$12,000. In rural America, where 6.9 million residents live in poverty, spending thousands of dollars on a wastewater system is simply not in the budget.

The health and environmental impacts of failing wastewater treatment are destructive and costly. In parts of rural Alabama where straight pipes are common, residents have tested positive for gastrointestinal parasites that were thought to have been eradicated from the U.S. decades ago. In Kentucky, warnings are posted around formerly swimmable rivers and ponds where high fecal coliform bacteria levels could make swimmers sick.

**005616**

In the same way that our federal government brought electricity to rural homes in the 1930's with the installation of more than 100,000 miles of power lines, American families are again in need of federal action. Safe and affordable wastewater treatment systems are a basic service and rural communities do not have the resources to rebuild this infrastructure on their own.

Last month, during passage of this year's government spending package, I was proud to work with appropriators in Congress to include an additional \$1.8 billion in funding for water and wastewater infrastructure through the U.S. Department of Agriculture. This month, I will be introducing a new bill in Congress allowing a federal water well program to support the build out of household wastewater systems in areas where a lack of resources and infrastructure has persisted for decades.

There is also a role that local and state leaders must play in developing our wastewater infrastructure in rural America. I have met with stakeholders, from public health officials to homeowners to engineers, and I believe their voices and their action are critical to addressing the wastewater crisis in rural America. More than anything, I believe that fixing our failing wastewater infrastructure will take all of us working together.

As we recognize the anniversary of Flint, where state and federal support came years after the contamination of local drinking water, we have to take this opportunity to reflect on the need for immediate action to repair our water and wastewater infrastructure. As Dr. Martin Luther King once famously said, "There is such a thing as being too late." In rural Alabama, and across rural America, "too late" is quickly approaching.

## **A Raw Deal - UA researcher examines the prevalence of untreated sewage in rural Alabama – University of Alabama News**

[By Adam Jones](#) – December 11, 2017

After a rain this year, two University of Alabama students would load up a car and drive to the countryside to look for poop.

Of course, they use a more scientific name – fecal contamination – but remnants of human poop is what they set out to collect.

And they found it lurking in a stream in the Black Belt, a rural and poorer section of Alabama named after its topsoil. The way the stream water is collected shows the contamination comes from homes where, lacking better options, some dump wastewater onto the land where it remains until rainwaters drive it to the local streams.

"We're looking to prove that's actually happening, and it's getting into the surface water," said Parnab Das, a graduate student studying environmental engineering.

The scope of the problem is largely unknown, but Dr. Mark Elliott, who teaches and researches civil and environmental engineering at the University, is leading a project to get a grasp on how much raw wastewater, and the diseases it can spawn, flow into the region's water.

"If I can provide some insight into the impacts of the problem and the scope of the problem, then I can try to work to getting the deep pockets, whether it's state and federal money or foundations, into the area to try to make a difference," Elliott said.

City folks and those in most other areas of the country can dispose of household wastewater safely, either into a sewer system that leads to a treatment plant or in a septic system that uses engineering and natural geology to filter out contaminants before reaching the groundwater.

The Black Belt, an area of 17 counties across lower central Alabama, is often different. Underneath the topsoil is clay and chalk, which holds water rather than letting it drain. Standard septic systems, which treat wastewater on the home's property, use a designed system to settle out solids before filters, trenches and porous soil clean the water.

More than half the region is estimated to have soil where traditional septic systems do not work as intended. In one survey of Bibb County, 35 percent of homes without sewer had failing septic systems and another 15 percent of homes used a straight pipe for wastewater, meaning a pipe runs from the home to some other part of the property to drain untreated wastewater.

In a survey of homes without sewer connections Elliott conducted in Wilcox County, further south and poorer than Bibb, it was conservatively estimated that 60 percent of homes drain wastewater without treatment from a septic system, Elliott said.

Elliott said it is possible more than 500,000 gallons of raw sewage enter the rivers and streams in Wilcox County each day.

Added to the poor soil, the Black Belt is a poverty-stricken area of the country, especially outside its small towns. Many find it difficult to afford a regular septic system that costs a few thousand dollars, let alone the more complex systems needed for the soil costing in the neighborhood of \$12,000.

"When you have this type of soil that intersects with rural poverty, a lot of people just have no option," Elliott said.

Before coming to UA in 2013, Elliott worked a lot in developing countries such as Cambodia, where raw sewage run off is more common than in the developed world. When he arrived in Alabama, he learned of similar issues in the rural areas of the South, so he turned his attention to home.

"Instead of focusing on these issues in developing countries, I really feel an obligation to work on this in the state of Alabama," Elliott said. "We've basically taken methods used in developing countries and brought them to the United States to try and quantify how big this problem is."

Testing in Big Prairie Creek just outside the small town of Newbern in Hale County, less than an hour south of the University, Elliott's team found after the 2016 drought there was a 1,000-fold increase in the *E. coli* bacteria in the stream, indicating rain run-off carried the untreated sewage into the creek.

Measurements taken in the creek before and after rains since have also shown an increase in sewage from one side of the town to the other, he said.

"What we are finding is the downstream sites have much higher concentrations of fecal bacteria than the upstream sites," Elliott said.

The consequences of untreated wastewater for the health of Alabamians is coming into focus as [researchers find diseases and parasites](#) common in tropical areas and once thought contained in the United States showing back up in the Black Belt, Elliott said.

That is why it is important to understand the prevalence and effects of straight pipe systems on water quality, he said.

“The extent to which all these straight pipes are leading to disease has yet to be determined, but the preliminary evidence is very concerning,” Elliott said.

He hopes research that quantifies the prevalence of straight pipe systems in homes will lead to changes such as the extension of town sewage systems to nearby homes and putting in shared systems for clusters of homes in more rural areas.

*Dr. Mark Elliott is an assistant professor in civil, environmental and construction engineering. This work is supported by the Environmental Protection Agency and the US Geological Survey through the Alabama Water Resources Research Institute.*

*The University of Alabama, the state’s oldest and largest public institution of higher education, is a student-centered research university that draws the best and brightest to an academic community committed to providing a premier undergraduate and graduate education. UA is dedicated to achieving excellence in scholarship, collaboration and intellectual engagement; providing public outreach and service to the state of Alabama and the nation; and nurturing a campus environment that fosters collegiality, respect and inclusivity.*

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### **Texas**

#### ***The American Neighborhoods Without Water, Sewers, or Building Codes***

<https://www.theatlantic.com/business/archive/2016/03/the-americans-without-running-water/471909/>

The Atlantic – March 3, 2016 – Alana Semuels

### **Arizona**

#### ***Raw Deal: Decades of Sewage Overflows and Health Problems Plague Two Arizona Border Towns***

<https://therevelator.org/raw-sewage-arizona-border/>

The Revelator – March 15, 2018 – John Dougherty

### **California**

#### ***Neglected for decades, unincorporated communities lack basic public services***

<http://www.scpr.org/news/2012/04/06/31936/neglected-decades-unincorporated-communities-lack/>

SCPR – April 6, 2012 – Bernice Yeung, California Watch

### **Missouri**

#### ***Flush with hope: One in two Jefferson County septic systems is failing (Missouri)***

[https://www.myleaderpaper.com/archives/flush-with-hope-one-in-two-jefferson-county-septic-systems/article\\_cc103f84-9e28-5a71-8492-c60758265d8e.html](https://www.myleaderpaper.com/archives/flush-with-hope-one-in-two-jefferson-county-septic-systems/article_cc103f84-9e28-5a71-8492-c60758265d8e.html)

Leader Publications – May 16, 2013 – Peggy Scott

### **Michigan**

#### ***Thousands of failed septic tanks across the state threaten Michigan’s waters***

[https://www.mlive.com/environment/index.ssf/2013/05/thousands\\_of\\_failed\\_septic\\_tan.html](https://www.mlive.com/environment/index.ssf/2013/05/thousands_of_failed_septic_tan.html)

Mlive – May 14, 2013 – Jeff Alexander, Bridge Magazine

### **Indiana**

#### ***Septic System Failure***

<http://indiana.clearchoicescleanwater.org/uploads/88/docs/5288Septic-System-Failure-by-PU.pdf>

Purdue University, Department of Agronomy and Department of Agricultural and Biological Engineering (2005) – Brad Lee, Don Jones, and Heide Peterson

**From:** Beard, Hillary

**Sent:** Monday, July 30, 2018 7:15 AM

**To:** 'Adela Benchea' (b) (6) @southalabama.edu; (b) (6) @auburn.edu  
<(b) (6) @auburn.edu>; (b) (6) @adph.state.al.us' (b) (6) y@adph.state.al.us>;  
(b) (6) @uab.edu' (b) (6) @uab.edu>; 'Lynne Chronister' (b) (6) @southalabama.edu>;  
'Dean, Glenda' <(b) (6)@adem.alabama.gov>; (b) (6) @eng.ua.edu' (b) (6) @eng.ua.edu>; 'Happy  
Fulford' (b) (6) @southalabama.edu>; nivory.gordon@al.usda.gov' <nivory.gordon@al.usda.gov>;  
(b) (6) @adph.state.al.us' (b) (6) @adph.state.al.us>; (b) (6) @ua.edu'  
(b) (6) @ua.edu>; 'sandra\_jackson@jones.senate.gov' <sandra\_jackson@jones.senate.gov>;  
(b) (6) @adph.state.al.us' (b) (6) @adph.state.al.us>; 'Kelly, Joe R'  
(b) (6) @adem.alabama.gov>; (b) (6) @auburn.edu' <(b) (6) @auburn.edu>; 'Nick Lawkis'  
(b) (6) @southalabama.edu>; 'Massey, Sonja' (b) (6)@adem.alabama.gov>;  
(b) (6) @adph.state.al.us' (b) (6) @adph.state.al.us>;  
'nick.moore@governor.alabama.gov' <nick.moore@governor.alabama.gov>; 'Brenda Upchurch'  
(b) (6) @southalabama.edu>; 'Brian Keeter' (b) (6) @auburn.edu>; 'Badham, Amy'  
(b) (6) @uab.edu>; 'Ted Stiger' (b) (6) @rcap.org>; 'Tommy Ricks'  
(b) (6) @communitiesu.org>; Williams, Melinda <Melinda.Williams@mail.house.gov>;  
Hamilton, Perry <Perry.Hamilton@mail.house.gov>; 'Kathy Horne' <khorne@alruralwater.com>;  
'Shaunte Stallworth' (b) (6) @communitiesu.org>; 'White, Dave'  
<Dave.White@governor.alabama.gov>; 'Upmanu Lall' (b) (6) @columbia.edu>  
**Subject:** Final Agenda, Materials, and Conference Call Information

Good Morning Everyone,

We look forward to seeing all of you this morning at 10 am at the Lowndes Interpretive Center. I've attached several documents which will be provided to you in a packet when you arrive.

After our tour, we will return to the Lowndes Interpretive Center for our lunch and roundtable, rather than the Water Authority as originally planned.

If you can't attend in person, please join us around 12:30am CST on our conference call line, which is 1.877.440.6327; passcode: (b) (6)

Let me know if you have any questions this morning. I can be reached at 202.740.0882.

Thank You.

Hillary

**005620**

**From:** Beard, Hillary

**Sent:** Friday, July 27, 2018 3:32 PM

**To:** Adela Benchea [\(b\) \(6\)@southalabama.edu](#); [\(b\) \(6\)@auburn.edu](#);  
[\(b\) \(6\)@adph.state.al.us](#); [\(b\) \(6\)@uab.edu](#); Lynne Chronister  
[\(b\) \(6\)@southalabama.edu](#); Dean, Glenda <[\(b\) \(6\)@adem.alabama.gov](#)>; [\(b\) \(6\)@eng.ua.edu](#);  
Happy Fulford [\(b\) \(6\)@southalabama.edu](#); [nivory.gordon@al.usda.gov](#);  
[\(b\) \(6\)@adph.state.al.us](#); [\(b\) \(6\)@ua.edu](#); [sandra\\_jackson@jones.senate.gov](#);  
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Lawkis [\(b\) \(6\)@southalabama.edu](#); Massey, Sonja [\(b\) \(6\)@adem.alabama.gov](#);  
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[\(b\) \(6\)@uab.edu](#); Ted Stiger [\(b\) \(6\)@rcap.org](#); Tommy Ricks  
[\(b\) \(6\)@communitiesu.org](#); Williams, Melinda <[Melinda.Williams@mail.house.gov](#)>;  
Hamilton, Perry <[Perry.Hamilton@mail.house.gov](#)>; 'Kathy Horne' <[khorne@alruralwater.com](#)>;  
Shaunte Stallworth [\(b\) \(6\)@communitiesu.org](#); 'White, Dave'  
<[Dave.White@governor.alabama.gov](#)>  
**Cc:** Suh, Joon <[Joon.Suh@mail.house.gov](#)>; MacKenzie, Christopher  
<[Christopher.MacKenzie@mail.house.gov](#)>; Powell, Kierra <[Kierra.Powell@mail.house.gov](#)>; Greene,  
Kaia <[Kaia.Greene@mail.house.gov](#)>  
**Subject:** Draft Agenda for Monday

Hello everyone,

I've attached our draft agenda for Monday.

I appreciate everyone for working with us on this and for your continued patience.

### **Uniontown Addition**

We've added a second discussion where we will be talking about issues with the municipal system in Uniontown, which is in nearby Perry County. All of you do not have to stay for that, but we would love to have USDA, ADEM, Drs. White and Barnett, and anyone else who wants to stay to do so.

### **Transportation**

We will be traveling in two vans from the Interpretive Center to the sites. At the conclusion of the roundtable at 2:30, a van will take everyone who isn't staying for the second discussion on Uniontown back to the Interpretive Center to retrieve your cars. The final van will take the rest of the group back to the Interpretive Center after the second discussion.

**005621**



## **Lunch**

Lunch will be provided so please let me know if there are any dietary restrictions.

## **Materials for Packets**

I will be sending everyone additional materials on Sunday. If you have any documents that you would like for us to print for the packets, send them my way.

## **Presentation**

While this isn't required, we hope that everyone will come prepared to talk about your area of expertise, what solutions you think are most achievable, and what you or your organization can realistically provide to help address the issue. The latter is particularly important since we will be joined by our State's USDA director. We've learned this week that USDA has some additional water resources that they are hoping to allocate soon. Our office is advocating heavily for more funding to be put towards addressing the gaps in reliable, affordable onsite wastewater services in rural Alabama.

Do not hesitate to reach out to me with any questions or concerns. If you haven't already, let me know whether you or a representative will be attending.

Thank You.

**Hillary Beard** | Legislative Assistant | [Office of Congresswoman Terri Sewell \(AL-07\)](#)  
2201 Rayburn HOB | Washington, DC 20515 | 202.225.2665



## **Agenda**

**Rural Alabama Wastewater Infrastructure Meeting**

**005622**

**July 30, 2018**

- 10:00 AM** Meet at the Lowndes Interpretive Center  
**Address:** 7002 US-80, Hayneville, AL 36040
- 10:00AM – 10:15AM** Travel to the first site
- 10:45AM – 11:00AM** Travel to the second site
- 11:30AM – 11:45AM** Travel to the third site
- 12:30PM – 2:15PM** Lunch and Discussion on Addressing the Gaps in Reliable Onsite Wastewater Treatment Services in Rural Alabama  
**Location:** Lowndes County Water Authority, 641 AL-21, Hayneville, AL 36040
- 2:15PM – 2:30PM** Break
- 2:30PM** Uniontown Wastewater Meeting with Community Members

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**Discussion 1: Addressing Gaps in Reliable Onsite Wastewater Treatment Services in Rural Alabama**

**12:30 – 2:15**

**I. Welcome and Introduction**

- A. Framing the Challenge and Status of Legislative Solutions - Congresswoman Terri Sewell

**II. State/Federal Perspectives**

A. USDA

- Chris Beeker
- Nivory Gordon

B. Alabama Department of Public Health

- Sherry Bradley
- Michele Jones

C. Alabama Department of Environmental Management

- Joe Kelly and Sonja Massey

**III. Expert Perspectives**

A. University and Engineering Experts

- Dr. Mark Barnett, Auburn University
- Dr. Kevin White, University of South Alabama
- Happy Fulford, University of South Alabama
- Nick Lawkis, University of South Alabama
- Dr. John Higginbotham, University of Alabama
- Royrickers Cook, Auburn University
- Thomas Minetree, Auburn University, Engineering Without Borders
- Melissa Herkt, Auburn University, Engineering Without Borders
- Dr. Upmanu Lall, Columbia University (Joining via phone)

B. Rural Communities Assistance Partnership/Communities Unlimited

- Shaunte Stallworth

**005623**

**IV. Identify Deliverables/Next Steps**

**Break**

**2:15-2:30**

Everyone not participating in the 2<sup>nd</sup> discussion about Uniontown can leave at this time.

**Discussion 2: Uniontown Municipal Wastewater Issues**

**2:30-3:30**

**I. Introduction**

- Congresswoman Terri Sewell

**II. Presentation from USDA State Director Chris Beeker on his plans for Uniontown**

**III. ADEM**

**IV. Presentation and Q&A from Black Belt Citizens Group**

**V. Timeline/Next Steps**

**From:** [cityofuniontown@outlook.com](mailto:cityofuniontown@outlook.com)  
**To:** [Bowen, Allen - RD, Montgomery, AL](#); [Taylor, John - RD, Montgomery, AL](#)  
**Subject:** Fwd: Friday, November 16, 2018 10:30 a.m. Meeting  
**Date:** Thursday, November 8, 2018 1:54:10 PM

---

Allen

Please see below response from BWR. The two person references are not locals so mayor wanted your feedback before I respond.

Emefa

Sent from my iPhone

Begin forwarded message:

**From:** Eva Dillard <[edillard@blackwarriorriver.org](mailto:edillard@blackwarriorriver.org)>  
**Date:** November 8, 2018 at 12:46:28 PM CST  
**To:** "[cityofuniontown@outlook.com](mailto:cityofuniontown@outlook.com)" <[cityofuniontown@outlook.com](mailto:cityofuniontown@outlook.com)>  
**Cc:** "[allen.bowen@al.usda.gov](mailto:allen.bowen@al.usda.gov)" <[allen.bowen@al.usda.gov](mailto:allen.bowen@al.usda.gov)>, "[nivory.gordon@al.usda.gov](mailto:nivory.gordon@al.usda.gov)" <[nivory.gordon@al.usda.gov](mailto:nivory.gordon@al.usda.gov)>, Nelson Brooke <[nbrooke@blackwarriorriver.org](mailto:nbrooke@blackwarriorriver.org)>, Johnny Kinney <[jkinney@blackwarriorriver.org](mailto:jkinney@blackwarriorriver.org)>  
**Subject: Friday, November 16, 2018 10:30 a.m. Meeting**

Dear Mayor Hunter:

Thank you for your kind invitation on behalf of the governing body of Uniontown to attend the referenced meeting to discuss our technical and operational concerns regarding possible improvements to the City's wastewater collection and treatment system. We are pleased to accept. Attending on behalf of Black Warrior Riverkeeper will be our Riverkeeper Nelson Brooke, our Enforcement Coordinator John Kinney and myself. They are copied on this email so you will have their contact information. We appreciate this opportunity and look forward to a productive discussion. In the meantime, should you have any questions or should you require any additional information, please do not hesitate to contact me.

Sincerely,  
Eva Dillard  
Staff Attorney  
Black Warrior Riverkeeper  
(205) 458-0095 [tel]  
(205) 458-0094 [fax]  
[www.BlackWarriorRiver.org](http://www.BlackWarriorRiver.org)

**005625**

**From:** [Becker, Chris - RD, Montgomery, AL](#)  
**To:** [Bower, Allen - RD, Montgomery, AL](#)  
**Subject:** Fwd: Know anything about this?  
**Date:** Thursday, May 10, 2018 5:36:47 PM  
**Attachments:** [Stakeholder\\_Announcement\\_Strategic\\_Economic\\_Development\\_Sec\\_6025\\_May\\_2018.pdf](#)  
[ATT00001.txt](#)

---

Is this what we are going to do the Uniontown water project under?

Chris Becker III  
State Director | Alabama State Office  
Rural Development  
U.S. Department of Agriculture  
4121 Carmichael Road, Suite 601 | Montgomery, AL 36106  
Phone: 334-279-3402 | Fax: 855-304-8456  
[www.rd.usda.gov](http://www.rd.usda.gov)  
"Committed to the future of rural communities"

Sent from Email+ secured by MobileIron

---

**From:** "Britt, Wesley Thomas" (b) (6) @SOUTHERNCO.COM>  
**Date:** Thursday, May 10, 2018 at 4:32:34 PM  
**To:** "Becker, Chris - RD, Montgomery, AL" <[Chris.Becker@al.usda.gov](mailto:Chris.Becker@al.usda.gov)>  
**Subject:** Know anything about this?

[https://filemanager.capwiz.com/filemanager/filemgr/usdarural/Stakeholder\\_Announcement\\_Strategic\\_Economic\\_Development\\_Sec\\_6025\\_May\\_2018.pdf](https://filemanager.capwiz.com/filemanager/filemgr/usdarural/Stakeholder_Announcement_Strategic_Economic_Development_Sec_6025_May_2018.pdf)

005626

## STAKEHOLDER ANNOUNCEMENT

### USDA Seeks Applications for Projects that Support Strategic Economic and Community Development Across Jurisdictions

WASHINGTON, May 10, 2018 – Assistant to the Secretary for Rural Development Anne Hazlett today announced that USDA is seeking applications for projects that support multi-jurisdictional plans under the Strategic Economic and Community Development (SECD) program.

Section 6025 of the Agricultural Act of 2014 provides the Secretary of Agriculture the authority to give priority to projects that support strategic economic or community development plans that serve two or more jurisdictions. The priority points can be awarded for applications in [Community Facilities programs](#), the [Rural Business Development Grant Program](#), the [Business & Industry Loan Guarantee Program](#) and in [USDA Water and Environmental programs](#).

To apply for SECD priority points, applicants must submit Form RD 1980-88, "Strategic Economic and Community Development (section 6025) Priority" by Sept. 30, 2018, or by the application deadline for the underlying program, whichever comes first. That form should be sent to the USDA Rural Development Area Office servicing the area where the project is located. For a list of area offices, visit the [state office website](#). See page 21762 of the May 10 [Federal Register](#) for additional information.

Applicants must meet the eligibility requirements of the underlying USDA program. Consideration for regional development priority is based on (1) how well the project supports a multi-jurisdictional plan, and (2) how well the plan addresses collaboration and investments from other federal and philanthropic agencies.

USDA encourages applications that will support recommendations made in the report to the President from the [Task Force on Agriculture and Rural Prosperity](#) to help improve life in rural America. Applicants are encouraged to consider projects that provide measurable results in helping rural communities build robust and sustainable economies through strategic investments in infrastructure, partnerships and innovation. Key strategies include:

- Achieving e-Connectivity for Rural America
- Developing the Rural Economy
- Harnessing Technological Innovation
- Supporting a Rural Workforce
- Improving Quality of Life

#

Wesley

Sent from my mobile device

**From:** [Gordon, Nivory - RD, Camden, AL](#)  
**To:** [Bowen, Allen - RD, Montgomery, AL](#); [Hale, Stan - RD, Montgomery, AL](#); [Norwood, Rose - RD, Camden, AL](#); [Givan, Terrika - RD, Camden, AL](#)  
**Subject:** Fwd: Legal Ad and Affidavit for Notice of Availability  
**Date:** Wednesday, September 26, 2018 12:20:23 PM  
**Attachments:** [image001.png](#)  
[Notice of Availability Ad 09-12-18.pdf](#)  
[Notice of Availability Ad 09-19-18.pdf](#)  
[Wilcox Water Authority Environmental Ad Affidavit.pdf](#)

---

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**From:** "Cedric Campbell" (b) (6) <[@gmcnetwork.com](mailto:(b) (6)@gmcnetwork.com)>  
**Date:** Wednesday, September 26, 2018 at 10:59:34 AM  
**To:** "Gordon, Nivory - RD, Camden, AL" <[Nivory.Gordon@al.usda.gov](mailto:Nivory.Gordon@al.usda.gov)>, "Norwood, Rose - RD, Camden, AL" <[Rose.Norwood@al.usda.gov](mailto:Rose.Norwood@al.usda.gov)>  
**Cc:** "Pat Dew" (b) (6) <[@gmcnetwork.com](mailto:(b) (6)@gmcnetwork.com)>, "Prince Arnold - Wilcox Water Authority (b) (6)@frontier.com" <[@frontier.com](mailto:(b) (6)@frontier.com)>, "Mattie Dennis (b) (6)@yahoo.com" <[@yahoo.com](mailto:(b) (6)@yahoo.com)>  
**Subject:** Legal Ad and Affidavit for Notice of Availability

See the attachments.

**Cedric T Campbell**

Engineering

T: 334.271.3200

C: (b) (6)

E: (b) (6) <[@gmcnetwork.com](mailto:(b) (6)@gmcnetwork.com)>

2660 EastChase Lane

Suite 200

Montgomery, AL 36117

[Building Communities](#)



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**005629**



# Black Belt Community Foundation Launches 2018 "Round II Community Grants"

On June 30, 2018, the BBCF awarded over \$80,000 across 12 counties of the Alabama Black Belt to 55 community led programs. The funding outreach was a tremendous success and a testament to grass roots led, participatory granting coupled with matching funds from BBCF's Board of Directors. Now, just barely over two months later, BBCF is launching the second round of community granting across seven counties, Greene, Macon, Marengo, Perry, Pickens, Sumter, and Wilcox.

BBCF President Felecia Lucky stated, "We are excited to support outstanding community efforts in this second round of community granting. Our community grants cycles are community-driven and are spearheaded by our BBCF community associ-

ates, county by county. This is testament to BBCF's central belief that the Black Belt communities know what is best for them. Just a few months ago, round one of the BBCF's community grants process was such an overwhelming success. We know that Round II will continue this "home run" of empowering communities to steer their own transformations by taking ownership of participatory granting in partnership with BBCF and its board. Being able to coordinate two separate rounds of this granting for 2018 has been nothing short of amazing!"

Application materials, guidelines and details will be available on the BBCF's website homepage at ([www.blackbelt-found.org](http://www.blackbelt-found.org)) including a full schedule for the grant seekers

workshops or by contacting the BBCF office at 334.874.1126.

**SCHEDULE – Grant Seekers Workshops Date, Time & Sites**

September 11, 5:00 PM  
Greene County Greene County Courthouse Eutaw, AL  
September 11, 6:00 PM. Sumter County - Sumter County Industrial Development Authority Livingston, AL

September 13, 6:00 PM  
Macon County Macon County Extension Office Tuskegee  
September 15, 4:00 PM Perry County Uniontown City Hall Uniontown, AL

September 17, 6:00 PM  
Wilcox County - Wilcox County Commissioner's Room Courthouse Annex Camden, AL

September 18, 6:00 PM  
Marengo County - Theo Ratliff Center Demopolis, AL

September 20, 6:00 PM  
Pickens County Media Center Bldg. ( Old Carrollton High School)

Applicants can download the Round II Community Grants Application materials, details and full grant workshop schedule on BBCF's Homepage.

Find out more about BBCF at: [www.blackbeltfound.org](http://www.blackbeltfound.org) Join our Social Media Community at: <https://www.facebook.com/BBCF2004/>

## Alabama HomeCare of Camden named "Premier Performer" in latest SHP national home health recognition program

Alabama HomeCare of Camden was named a "Premier Performer" in the recently released 2017 SHPBEST™ recognition program results – ranking in the top five percent of providers. The program is administered by Strategic Health Programs (SHP) to recognize home health agencies that consistently provide high quality service to the patients and families under their care.

The 2017 SHPBEST award recipients were determined by reviewing and ranking the overall satisfaction scores for more than 2,400 home health providers. In addition, award recipients were required to achieve a score better than or equal to the SHP national average throughout the period for each of the publicly reported quality measure domains.

The professional clinicians and support staff at Alabama HomeCare of Camden serve the residents of Camden and the surrounding region with quality healthcare at their place of residence. Home health care is an effective and affordable solution for many patients' post-acute care needs and situations. Home health professionals treat a wide range of medical conditions, allowing patients to rest and recover in the comfort of home.

Alabama HomeCare of Camden is part of LHC Group, a national provider of in-home healthcare services with 30,000 employees operating more than 780 locations in 37 states.

"We're proud of our team members at Alabama HomeCare of Camden for achieving Premier status as part of the 2017 SHPBEST program," said Keith Myers, LHC Group chairman and CEO. "Quality patient care at a local and personal level is our highest priority. Their outstanding performance has helped our company earn a reputation as the industry leader in providing high-quality care for patients, families, and communities around the nation."

Strategic Healthcare Programs is a leader in data analytics and benchmarking that drive daily clinical and operational decisions – providing solutions that bring real-time data to post-acute providers, hospitals, physician groups, and ACOs to better coordinate quality care and improve patient outcomes.

# DEPARTMENT OF AGRICULTURE Rural Development

## Wilcox County Water Authority: Notice of Availability of an Environmental Assessment



AGENCY: Rural Utility Service, USDA

ACTION: Notice of Availability of an Environmental Assessment

SUMMARY: Notice is hereby given that the Rural Utility Service (RUS), as required by the National Environmental Policy Act, is issuing an environmental assessment (EA) in connection with possible impacts related to a project proposed by Wilcox County Water Authority (WCWA), of Camden, Alabama. The proposal is for construction of new water mains and various system improvements detailed below. WCWA has submitted an application to RUS for funding of the proposal.

FOR FURTHER INFORMATION CONTACT: Nivory Gordon, Jr., Area Director at USDA, RD, 321 Depot Street, Camden, AL 36726, 334-682-4116 Ext. 110 or via email at [Nivory.gordon@al.usda.gov](mailto:Nivory.gordon@al.usda.gov).

SUPPLEMENTARY INFORMATION: WCWA proposes to construct 36.3 miles of finished water mains, ranging in size from 2-inch to 8-inch diameter. The proposed new water mains are located in various areas of the county ranging from AL Highways 5, 10, 28, 41, 162, and 265; County Roads 13, 16, 43, 45, Prairie Loop Road, Clifton Ferry Road, Dees-Packer Road, Wright Brooks Road, Ed Wright Road, and Willie Powell Road. The proposed project scope also includes providing a new interconnection with the West Dallas Water Authority along AL Highway 5; installation of new water meters; repainting of 4 existing water storage tanks; upgrades to 5 existing production wells; upgrades to 4 booster pumping stations; and controls upgrades.

Goodwyn, Mills & Cawood, Inc., an environmental consultant, prepared an environmental assessment for RUS that describes the project, assesses the proposed project's environmental impacts, and summarizes as applicable any mitigation measures used to minimize environmental effects. RUS has conducted an independent evaluation of the environmental assessment and believes that it accurately assesses the impacts of the proposed project. No significant impacts are expected as a result of the construction of the project.

Questions and comments should be sent to RUS at the address provided. RUS will accept questions and comments on the environmental assessment for 14 days from the date of publication of this notice.

Any final action by RUS related to the proposed project will be subject to, and contingent upon, compliance with all relevant Federal environmental laws and regulations and completion of environmental review procedures as prescribed by 7 CFR Part 1970, Environmental Policies and Procedures.

005630

## J. E. Hobbs Elementary School Student of the Week September 03-07



Damoni Dennis

Damoni Dennis is a 5 year old Kindergarten student in Ms. Valerie McCants class. He is the grandson of John and Teasther Kelsaw. He enjoys farming and riding the four wheeler with his grandfather. His future plans are to graduate high school and attend college.

Damoni is being recognized because of his mild mannered behavior, his willingness to share, and his respectfulness.

As student of the week Damoni will receive one week of free dress, lunch compliments of Larry's Drive In, a Student of the Week Certificate, and a write up in the local newspaper.

Keep up the great work Damoni, we are very proud of you!!

## J. E. Hobbs Elementary School Student of the Week September 10-14



Jayden Blackmon

Jayden is a 6 year old 1st grade student in Mrs. Stover's class. His parents are Valerie Wiggins and Darnell Blackmon. He enjoys playing basketball, baseball, soccer, and hiding go seek. His future plans are to graduate high school and attend college and become a professional football player.

Jayden is being recognized because of his mild mannered behavior, being helpful and he's very smart. As student of the week Jayden will receive one week of free dress, lunch compliments of Larry's Drive In, a Student of the Week Certificate, and a write up in the local newspaper.

Keep up the great work Jayden; we are very proud of you!!

# Lifestyle.....page 5



F. S. Ervin Elementary school was one of the 200 Bicentennial schools to be awarded as one of Alabama's Bicentennial schools. Ervin is the only school in Wilcox County to be awarded a 2,000 grant to support a project that's designed to last for a year. This project is designed to strengthen the relationship between the community and school. The third grade teachers-Ms. Eldridge and Mr. Wiggins and their students will plant a garden on campus and give the vegetables to the elderly. The students have been working very hard planning this year's crops as they are eager to begin.

## J.E. Hobbs Elementary School Student of the Week September 17 - 21



Tierra Matthews

Tierra is a 2nd grade student in Mrs. Harris class. Her parents are Terry Hunt & Jessica Matthews. She enjoys playing basketball, football, dance, and gymnastics. Her future plans are to graduate high school, attend college and become a chef.

Tierra is being recognized because she is hardworking, dependable, kind and honest. As student of the week Tierra will receive one week of free dress, lunch compliments of Larry's Drive In, a Student of the Week Certificate, and a write up in the local newspaper.

Keep up the great work Tierra; we are very proud of you!!

# DEPARTMENT OF AGRICULTURE Rural Development

## Wilcox County Water Authority: Notice of Availability of an Environmental Assessment



AGENCY: Rural Utility Service, USDA

ACTION: Notice of Availability of an Environmental Assessment

SUMMARY: Notice is hereby given that the Rural Utility Service (RUS), as required by the National Environmental Policy Act, is issuing an environmental assessment (EA) in connection with possible impacts related to a project proposed by Wilcox County Water Authority (WCWA), of Camden, Alabama. The proposal is for construction of new water mains and various system improvements detailed below. WCWA has submitted an application to RUS for funding of the proposal.

FOR FURTHER INFORMATION CONTACT: Nivory Gordon, Jr., Area Director at USDA, RD, 321 Depot Street, Camden, AL 36726, 334-682-4116 Ext. 110 or via email at [Nivory.gordon@al.usda.gov](mailto:Nivory.gordon@al.usda.gov).

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Goodwyn, Mills & Cawood, Inc., an environmental consultant, prepared an environmental assessment for RUS that describes the project, assesses the proposed project's environmental impacts, and summarizes as applicable any mitigation measures used to minimize environmental effects. RUS has conducted an independent evaluation of the environmental assessment and believes that it accurately assesses the impacts of the proposed project. No significant impacts are expected as a result of the construction of the project.

Questions and comments should be sent to RUS at the address provided. RUS will accept questions and comments on the environmental assessment for 14 days from the date of publication of this notice.

Any final action by RUS related to the proposed project will be subject to, and contingent upon, compliance with all relevant Federal environmental laws and regulations and completion of environmental review procedures as prescribed by 7 CFR Part 1970, Environmental Policies and Procedures.

005631



### Delivery Available to:

- Camden, Catherine, Coy, Alberta, Boykin, Furman, Gastonburg, Minter, Millers Ferry, McWilliams, Oak Hill, Pine Hill, Pineapple, Safford, Sedan, Snow Hill, Vredenburgh, Yellow Bluff, and More!

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Fax: 334-682-9991

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# Post-Publication Affidavit of Legal Notice

State of Alabama

Wilcox County

Before me, a notary public in and for the county and state above listed, personally appeared

Debbie Gamble (name of affiant), who, by my duly sworn, deposes and says that:

"My name is Debbie Gamble. I am the Legal Dept (position of affiant i.e. publisher or manager) of The Wilcox Progressive Era ("Newspaper").

The Newspaper published the attached legal notice(s) in the issue(s) of: 9/12, 9/19/18 (dates of publication).

The sum charged for publication was \$ 708.00. The sum charged by the Newspaper for said publication does not exceed the lowest classified rate paid by commercial customers for an advertisement of similar size and frequency in the same newspaper(s) in which the public notice(s) appeared.

There are no agreements between the Newspaper and the officer or attorney charged with the duty of placing the attached legal advertising notices whereby any advantage, gain or profit accrued to said officer or attorney."

**(b) (6)**

AFFIANT

Sworn and subscribed this 26<sup>th</sup> day of September, 2018

Glenda Curl

Notary Public

My Commission Expires 005632 December 2021

**From:** [Beeker, Chris - RD, Montgomery, AL](#)  
**To:** [Bowen, Allen - RD, Montgomery, AL](#); [Gordon, Nivory - RD, Camden, AL](#); [Hale, Stan - RD, Montgomery, AL](#)  
**Subject:** Fwd: Report  
**Date:** Thursday, September 6, 2018 4:52:51 PM

---

I have a call with the federal delegation tomorrow at 9:15 so if you would please get me an updated report on Uniontown and how much money we have from the IRA and what we're lacking early in the morning Thank you

Chris Beeker III  
State Director | Alabama State Office  
Rural Development  
U.S. Department of Agriculture  
4121 Carmichael Road, Suite 601 | Montgomery, AL 36106  
Phone: 334-279-3402 | Fax: 855-304-8456  
[www.rd.usda.gov](http://www.rd.usda.gov) "Committed to the future of rural communities"

USDA is an equal opportunity provider, employer and lender

---

**From:** "Taylor, Barry - RD, Montgomery, AL" <[barry.taylor@al.usda.gov](mailto:barry.taylor@al.usda.gov)>  
**Date:** Thursday, September 6, 2018 at 3:48:35 PM  
**To:** "Bowen, Allen - RD, Montgomery, AL" <[Allen.Bowen@al.usda.gov](mailto:Allen.Bowen@al.usda.gov)>  
**Cc:** "Beeker, Chris - RD, Montgomery, AL" <[Chris.Beeker@al.usda.gov](mailto:Chris.Beeker@al.usda.gov)>  
**Subject:** Report

Allen:

As Chris was leaving today he asked me to send you a note reminding you he needs the Uniontown report before his 09:30 meeting tomorrow.

**005633**

**From:** [Bowen, Allen - RD, Montgomery, AL](mailto:Allen.Bowen@al.usda.gov)  
**To:** [Beeker, Chris - RD, Montgomery, AL](mailto:Chris.Beeker@al.usda.gov)  
**Subject:** Fwd: Rural Alabama Failing Septic System Meeting - Lowndes County & Montgomery - July 30  
**Date:** Friday, July 27, 2018 2:55:55 PM

---

Are you aware of this meeting? Are you available? Do I need to be available?

Thanks!

---

**From:** "Dean, Glenda" <[GLD@adem.alabama.gov](mailto:GLD@adem.alabama.gov)>  
**Date:** Friday, July 27, 2018 at 1:37:12 PM  
**To:** "Bowen, Allen - RD, Montgomery, AL" <[Allen.Bowen@al.usda.gov](mailto:Allen.Bowen@al.usda.gov)>  
**Subject:** FW: Rural Alabama Failing Septic System Meeting - Lowndes County & Montgomery - July 30

Per our discussion.

---

**From:** Beard, Hillary [<mailto:Hillary.Beard@mail.house.gov>]  
**Sent:** Friday, July 27, 2018 11:59 AM  
**To:** Kelly, Joe R <[JRK@adem.alabama.gov](mailto:JRK@adem.alabama.gov)>  
**Subject:** RE: Rural Alabama Failing Septic System Meeting - Lowndes County & Montgomery - July 30

Thank you, Joe. I look forward to seeing you on Monday.

We've decided to add a shorter meeting about Uniontown at the conclusion of the onsite meeting. That meeting will start at 2:30 and end between 3 and 3:30. Will you and Sonja be able to stick around for that? We will have a couple of Uniontown residents in attendance, along with the USDA state director, and the engineers from Auburn and the University of South Alabama. It's important to the Congresswoman that ADEM have a representative at the table.

---

**From:** Kelly, Joe R <[JRK@adem.alabama.gov](mailto:JRK@adem.alabama.gov)>  
**Sent:** Monday, July 23, 2018 4:24 PM  
**To:** Beard, Hillary <[Hillary.Beard@mail.house.gov](mailto:Hillary.Beard@mail.house.gov)>  
**Subject:** RE: Rural Alabama Failing Septic System Meeting - Lowndes County & Montgomery - July 30

Hillary, Sonja Massey and I have a meeting with EPA that morning and we will leave for the wastewater meeting right afterwards. We will get there as soon as we can but it looks like we will miss lunch. Just wanted to let you know for head count purposes. Thanks, Joe.

---

**From:** Beard, Hillary [<mailto:Hillary.Beard@mail.house.gov>]  
**Sent:** Monday, July 23, 2018 12:39 PM  
**To:** Adela Benchea <[abenchea@southalabama.edu](mailto:abenchea@southalabama.edu)>; [barnem4@auburn.edu](mailto:barnem4@auburn.edu);  
[sherry.bradley@adph.state.al.us](mailto:sherry.bradley@adph.state.al.us); [csbrown@uab.edu](mailto:csbrown@uab.edu); Lynne Chronister

**005634**

<lchronister@southalabama.edu>; Dean, Glenda <GLD@adem.alabama.gov>; melliott@eng.ua.edu; Happy Fulford <hfulford@southalabama.edu>; [nivory.gordon@al.usda.gov](mailto:nivory.gordon@al.usda.gov); [scott.harris@adph.state.al.us](mailto:scott.harris@adph.state.al.us); [jhigginb@ua.edu](mailto:jhigginb@ua.edu); [sandra\\_jackson@jones.senate.gov](mailto:sandra_jackson@jones.senate.gov); [michele.jones@adph.state.al.us](mailto:michele.jones@adph.state.al.us); Kelly, Joe R <JRK@adem.alabama.gov>; [kerpejl@auburn.edu](mailto:kerpejl@auburn.edu); Nick Lawkis <[nlawkis@southalabama.edu](mailto:nlawkis@southalabama.edu)>; Massey, Sonja <[SSM@adem.alabama.gov](mailto:SSM@adem.alabama.gov)>; [mary.mcintyre@adph.state.al.us](mailto:mary.mcintyre@adph.state.al.us); [nick.moore@governor.alabama.gov](mailto:nick.moore@governor.alabama.gov); Kevin White <[kwhite@southalabama.edu](mailto:kwhite@southalabama.edu)>; Brenda Upchurch <[bsupchurch@southalabama.edu](mailto:bsupchurch@southalabama.edu)>; Brian Keeter <[bck0001@auburn.edu](mailto:bck0001@auburn.edu)>; Badham, Amy <[abadham@uab.edu](mailto:abadham@uab.edu)>; Ted Stiger (b) (6) <[rcap.org](mailto:rcap.org)>; Tommy Ricks (b) (6) <[communitiesu.org](mailto:communitiesu.org)>

**Cc:** Williams, Melinda <[Melinda.Williams@mail.house.gov](mailto:Melinda.Williams@mail.house.gov)>; Hamilton, Perry <[Perry.Hamilton@mail.house.gov](mailto:Perry.Hamilton@mail.house.gov)>

**Subject:** RE: Rural Alabama Failing Septic System Meeting - Lowndes County & Montgomery - July 30

Happy Monday Wastewater Friends,

We have finally confirmed the final details for next Monday.

We will meet at the Lowndes County Interpretive Center at 10am on Monday morning. We will then spend 1.5-2 hours touring sites in Lowndes County. We are hoping to have a van to transport everyone to the sites so that we will not have a huge parade of cars through these little communities. Traveling together in a van will also help to facilitate discussion between sites.

At the completion of the tour, around 12:30, we will meet at the Lowndes County Water Authority for lunch and the roundtable discussion. Lunch will be provided.

We figured it would be easier to keep everything in Lowndes County, rather than going back to Montgomery for the roundtable.

Please let me and Melinda know if you'll be attending and bringing any guests.

Thank You.

Hillary Beard

**Hillary Beard** | Legislative Assistant | [Office of Congresswoman Terri Sewell \(AL-07\)](#)  
2201 Rayburn HOB | Washington, DC 20515 | 202.225.2665

**005635**

**From:** [Bowen, Allen - RD, Montgomery, AL](#)  
**To:** [Baker, Shelley - RD, Montgomery, AL](#)  
**Subject:** Fwd: Summary tomorrow?  
**Date:** Friday, August 24, 2018 3:11:20 PM

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Cut and paste this and send it to Beverly for me

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**From:** "Hale, Stan - RD, Montgomery, AL" <[Stan.Hale@al.usda.gov](mailto:Stan.Hale@al.usda.gov)>  
**Date:** Friday, August 24, 2018 at 2:08:51 PM  
**To:** "Bowen, Allen - RD, Montgomery, AL" <[Allen.Bowen@al.usda.gov](mailto:Allen.Bowen@al.usda.gov)>  
**Subject:** FW: Summary tomorrow?

Is this the email you asked Shelley about?

Stan B. Hale  
USDA RURAL DEVELOPMENT  
Community Programs  
State Loan Specialist  
4121 Carmichael Road, Suite 601  
Montgomery, Alabama 36106-3683  
Voice Direct 334-279-3616  
Fax 855-304-8457  
[stan.hale@al.usda.gov](mailto:stan.hale@al.usda.gov)

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**From:** Primrose, Edna - RD, Washington, DC <[Edna.Primrose@wdc.usda.gov](mailto:Edna.Primrose@wdc.usda.gov)>  
**Sent:** Thursday, August 16, 2018 4:55 PM  
**To:** Bowen, Allen - RD, Montgomery, AL <[Allen.Bowen@al.usda.gov](mailto:Allen.Bowen@al.usda.gov)>  
**Cc:** Beeker, Chris - RD, Montgomery, AL <[Chris.Beeker@al.usda.gov](mailto:Chris.Beeker@al.usda.gov)>; Douglas, Penny - RD, Chattanooga, TN <[Penny.Douglas@wdc.usda.gov](mailto:Penny.Douglas@wdc.usda.gov)>; Woolard, Susan - RD, Washington, DC <[susan.woolard@wdc.usda.gov](mailto:susan.woolard@wdc.usda.gov)>; Castille, Carrie - RD, Alexandria, LA <[Carrie.Castille@la.usda.gov](mailto:Carrie.Castille@la.usda.gov)>; Gordon, Nivory - RD, Camden, AL <[Nivory.Gordon@al.usda.gov](mailto:Nivory.Gordon@al.usda.gov)>; Hale, Stan - RD, Montgomery, AL <[Stan.Hale@al.usda.gov](mailto:Stan.Hale@al.usda.gov)>; Williams, Daniel - RD, Montgomery, AL <[Daniel.Williams4@al.usda.gov](mailto:Daniel.Williams4@al.usda.gov)>; Taylor, John - RD, Montgomery, AL <[john.taylor@al.usda.gov](mailto:john.taylor@al.usda.gov)>; Barringer, Scott - RD, Washington, DC <[Scott.Barringer@wdc.usda.gov](mailto:Scott.Barringer@wdc.usda.gov)>; Francis, Cheryl - RD, Washington, DC <[Cheryl.Francis@wdc.usda.gov](mailto:Cheryl.Francis@wdc.usda.gov)>; Saulnier, Stephen - RD, Washington, DC <[Stephen.Saulnier@wdc.usda.gov](mailto:Stephen.Saulnier@wdc.usda.gov)>  
**Subject:** RE: Summary tomorrow?

Chris and Allen,

Thank you for the excellent summary. I know our team is helping you and let us know if you need more. This is really great progress.

Edna

**005636**

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**From:** Bowen, Allen - RD, Montgomery, AL <[Allen.Bowen@al.usda.gov](mailto:Allen.Bowen@al.usda.gov)>

**Sent:** Thursday, August 16, 2018 2:05 PM

**To:** Primrose, Edna - RD, Washington, DC <[Edna.Primrose@wdc.usda.gov](mailto:Edna.Primrose@wdc.usda.gov)>

**Cc:** Beeker, Chris - RD, Montgomery, AL <[Chris.Beeker@al.usda.gov](mailto:Chris.Beeker@al.usda.gov)>; Douglas, Penny - RD, Chattanooga, TN <[Penny.Douglas@wdc.usda.gov](mailto:Penny.Douglas@wdc.usda.gov)>; Woolard, Susan - RD, Washington, DC <[susan.woolard@wdc.usda.gov](mailto:susan.woolard@wdc.usda.gov)>; Castille, Carrie - RD, Alexandria, LA <[Carrie.Castille@la.usda.gov](mailto:Carrie.Castille@la.usda.gov)>; Gordon, Nivory - RD, Camden, AL <[Nivory.Gordon@al.usda.gov](mailto:Nivory.Gordon@al.usda.gov)>; Hale, Stan - RD, Montgomery, AL <[Stan.Hale@al.usda.gov](mailto:Stan.Hale@al.usda.gov)>; Williams, Daniel - RD, Montgomery, AL <[Daniel.Williams4@al.usda.gov](mailto:Daniel.Williams4@al.usda.gov)>; Taylor, John - RD, Montgomery, AL <[john.taylor@al.usda.gov](mailto:john.taylor@al.usda.gov)>

**Subject:** RE: Summary tomorrow?

Edna, the Application in RDAApply for the City of Uniontown has been submitted, reviewed by our Area Office and considered complete. It has been forwarded to Penny Douglas in the national office for underwriting via CPAP. The PER and the ER has been reviewed by John Taylor, Alabama State Engineer, and comments sent to the project engineer. It is anticipated that both will be ready for EES concurrence next week. Alabama Rural Water worked with the applicant and the project engineer to complete the application. The project cost is \$32,390,000, RD will be providing \$23,557,000 (75%) because of the health and sanitary issues. Other funds of \$8,833,000 from state and other funds are being worked on. This are round numbers and could change after the PER review is completed but this are very close at this point. The project consist of 2 distinct phases. The first step is to complete rehab the collection system. The PER reflects digging up and replacing about 10% of the lines and relining the other 90%. This will stop the majority of the infusion and inflow of water from outside the collection system. Included in this step is reclaiming the existing lagoon and spray field which is currently have a major negative environmental impact.

Since the rehab of the collection system only requires the digging up of approximately 10% of the system, I am not sure if the inclusion of burying conduit for future broadband is feasible.

**005637**



The second step will be to construct a transmission line 18 miles to Demopolis, AL to treat the waste.

We are working on controls to be in the Letter of Conditions that will insure that the project is completed as designed, the system is properly and efficiently operated and that the revenue is accounted for and handled correctly. Some of those controls include the formation of a Utilities Board to isolate and manage to funds generated from the operation and the hiring of an outside Management company to handle the day to day operations.

If you have any questions, please contact me.

Thanks,

*Allen Bowen*

Allen Bowen  
United States Department of Agriculture  
Rural Development  
Community and Business Programs Director  
Office: 334-279-3617  
Cell: 334-322-4147  
Fax: 855-304-8457

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**From:** Primrose, Edna - RD, Washington, DC <[Edna.Primrose@wdc.usda.gov](mailto:Edna.Primrose@wdc.usda.gov)>

**Sent:** Tuesday, August 14, 2018 9:35 PM

**To:** Bowen, Allen - RD, Montgomery, AL <[Allen.Bowen@al.usda.gov](mailto:Allen.Bowen@al.usda.gov)>

**Subject:** Summary tomorrow?

Hey Allen,

Will you be able to provide a summary tomorrow? This got ASEC attention today. Ok to add Chris' Dig Once idea. Thanks -you are doing great!

Edna

**005638**

**From:** [Bowen, Allen - RD, Montgomery, AL](#)  
**To:** [Baker, Shelley - RD, Montgomery, AL](#)  
**Subject:** Fwd: USDA PER  
**Date:** Tuesday, July 24, 2018 4:53:16 PM

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**From:** "Robert White" <[rwhite@alruralwater.com](mailto:rwhite@alruralwater.com)>  
**Date:** Tuesday, July 24, 2018 at 3:52:17 PM  
**To:** "Bowen, Allen - RD, Montgomery, AL" <[Allen.Bowen@al.usda.gov](mailto:Allen.Bowen@al.usda.gov)>  
**Subject:** FW: USDA PER

Let me know if you have issues with this link.

Thanks!

Rob

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**From:** Ed Morris <[emorris@sentell.net](mailto:emorris@sentell.net)>  
**Sent:** Tuesday, July 24, 2018 1:39 PM  
**To:** George Marodis <[gmarodis@alruralwater.com](mailto:gmarodis@alruralwater.com)>  
**Cc:** Robert White <[rwhite@alruralwater.com](mailto:rwhite@alruralwater.com)>  
**Subject:** USDA PER

<https://www.dropbox.com/s/75e7zxcwwoj6ihp/USDA%20Application%20PER%207-23-18.pdf?dl=0>

Here is PER for Uniontown USDA application

Sentell Engineering, Inc.  
639 Black Bears Way  
Tuscaloosa, Alabama 35401  
205.752.5564 (0)  
(b) (6) (C)

**005639**

**From:** [Beeker, Chris - RD, Montgomery, AL](#)  
**To:** [Bowen, Allen - RD, Montgomery, AL](#)  
**Subject:** Fwd: Union town  
**Date:** Tuesday, October 23, 2018 10:44:49 AM

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Please see below

Chris Beeker III  
State Director | Alabama State Office  
Rural Development  
U.S. Department of Agriculture  
4121 Carmichael Road, Suite 601 | Montgomery, AL 36106  
Phone: 334-279-3402 | Fax: 855-304-8456  
[www.rd.usda.gov](http://www.rd.usda.gov) "Committed to the future of rural communities"

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**From:** "Boswell, Kenneth" <[Kenneth.Boswell@adeca.alabama.gov](mailto:Kenneth.Boswell@adeca.alabama.gov)>  
**Date:** Tuesday, October 23, 2018 at 9:41:59 AM  
**To:** "Beeker, Chris - RD, Montgomery, AL" <[Chris.Beeker@al.usda.gov](mailto:Chris.Beeker@al.usda.gov)>  
**Subject:** Union town

Chris ,

I need a few more questions answered-

- 1) is UnionTown rebuilding the existing system or connecting with another system
- 2) since this is a 100% grant is UnionTown adjusting rates
- 3) Chris is this the largest WEP grant Alabama has ever approved
- 4) who is the engineer

Respectfully,

Kenneth W. Boswell  
Director  
Alabama Department of Economic and Community Affairs

**005640**

**From:** [Gordon, Nivory - RD, Camden, AL](#)  
**To:** [Bowen, Allen - RD, Montgomery, AL](#)  
**Subject:** Fwd: Uniontown Environmental Assessment  
**Date:** Thursday, September 20, 2018 10:36:42 AM  
**Attachments:** [20180913172209932.pdf](#)

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**From:** "Beard, Hillary" <[Hillary.Beard@mail.house.gov](mailto:Hillary.Beard@mail.house.gov)>  
**Date:** Wednesday, September 19, 2018 at 4:23:24 PM  
**To:** "Gordon, Nivory - RD, Camden, AL" <[Nivory.Gordon@al.usda.gov](mailto:Nivory.Gordon@al.usda.gov)>  
**Subject:** Uniontown Environmental Assessment

Nivory,

I hope you're doing well.

Do you have a copy of the environmental assessment for Uniontown from Sentell?

We are finalizing a letter to the Governor that we hope to get the delegation to sign onto.

I look forward to hearing back about the environmental assessment.

Thank You.

**Hillary Beard** | Legislative Assistant | [Office of Congresswoman Terri Sewell \(AL-07\)](#)  
2201 Rayburn HOB | Washington, DC 20515 | 202.225.2665

**005641**

DEPARTMENT OF AGRICULTURE  
Rural Development

City of Uniontown, Notice of Availability of an Environmental Assessment

**AGENCY:** Rural Utility Service, USDA

**ACTION:** Notice of Availability of an Environmental Assessment

**SUMMARY:** Notice is hereby given that the Rural Utility Service (RUS), as required by the National Environmental Policy Act, is issuing an environmental assessment (EA) in connection with possible impacts related to a project proposed by the City of Uniontown, Alabama. The proposal is for rehabilitation of the city's wastewater collection system and construction of pump stations and a force main. The City of Uniontown has submitted an application to RUS for funding of the proposal.

**FOR FURTHER INFORMATION CONTACT:** Nivory Gordon, Jr., Area Director at USDA, RD, 321 Dept Street, Camden, AL 36726, 334-682-4116 Ext. 110 or via email at: Nivory.gordon@al.usda.gov.

**SUPPLEMENTARY INFORMATION:** The City of Uniontown proposes to rehabilitate the city's wastewater collection system and construct screening facilities, pump stations and a force main to transport the wastewater to the City of Demopolis for treatment at their wastewater treatment plant. The existing treatment lagoons and effluent spray field would be decommissioned and reclaimed.

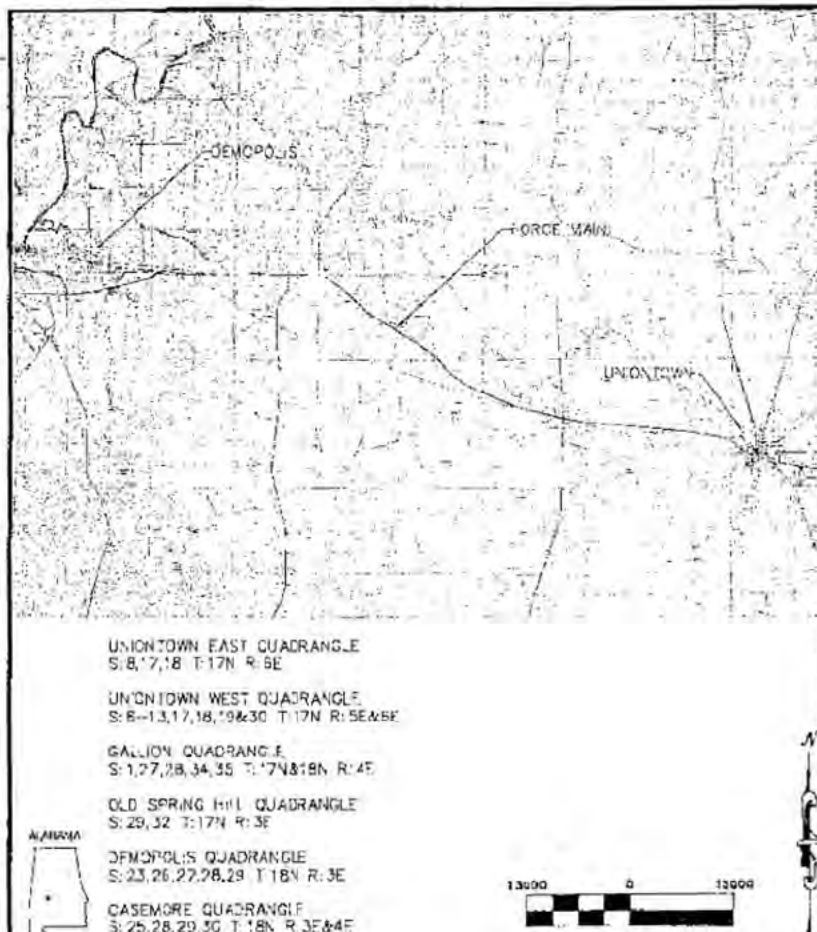
Sentell Engineering, Inc., an environmental consultant, prepared an environmental assessment for RUS that describes the project, assesses the proposed project's environmental impacts, and summarizes as applicable any mitigation measures used to minimize environmental effects. RUS has conducted an independent evaluation of the environmental assessment and believes that it accurately assesses the impacts of the proposed project. No significant impacts are expected as a result of the construction of the project.

Questions and comments should be sent to RUS at the address provided. RUS will accept questions and comments on the environmental assessment for 14 days from the date of publication of this notice.

Any final action by RUS related to the proposed project will be subject to, and contingent upon, compliance with all relevant Federal environmental laws and regulations and completion of environmental review procedures as prescribed by 7 CFR Part 1970, Environmental Policies and Procedures.

A general location map of the proposal is shown below

Dated: September 8, 2018



005642

**From:** [Bowen, Allen - RD, Montgomery, AL](#)  
**To:** [Taylor, John - RD, Montgomery, AL](#)  
**Subject:** Fwd: Uniontown Environmental Assessment Public Comment Letter  
**Date:** Friday, September 21, 2018 6:47:24 PM  
**Attachments:** 9.21.2018 - BWRk Comments to USDA - Uniontown EA.pdf

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Did I send you this one?

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**From:** "Johnny Kinney" <[jkinney@blackwarriorriver.org](mailto:jkinney@blackwarriorriver.org)>  
**Date:** Friday, September 21, 2018 at 2:45:12 PM  
**To:** "Gordon, Nivory - RD, Camden, AL" <[Nivory.Gordon@al.usda.gov](mailto:Nivory.Gordon@al.usda.gov)>, "Bowen, Allen - RD, Montgomery, AL" <[Allen.Bowen@al.usda.gov](mailto:Allen.Bowen@al.usda.gov)>  
**Cc:** "Eva Dillard" <[edillard@blackwarriorriver.org](mailto:edillard@blackwarriorriver.org)>, "Nelson Brooke" <[nbrooke@blackwarriorriver.org](mailto:nbrooke@blackwarriorriver.org)>  
**Subject:** Uniontown Environmental Assessment Public Comment Letter

Mr. Gordon,

Please find Black Warrior Riverkeeper's letter in response to USDA's request for public comments regarding the Environmental Assessment for the city of Uniontown's proposed rehabilitation of the sanitary sewer collection system and wastewater transmission to Demopolis attached to this email.

Thank you for your time and attention to these comments. Please do not hesitate to contact me if you have any questions or concerns.

For the River,  
*John Kinney*  
Enforcement Coordinator  
Black Warrior Riverkeeper  
712 37<sup>th</sup> St South  
Birmingham, AL 35222  
205-458-0095

**005643**

Black Warrior RIVERKEEPER®  
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Tel: (205) 458-0095  
Fax: (205) 458-0094  
[edillard@blackwarriorriver.org](mailto:edillard@blackwarriorriver.org)  
[www.BlackWarriorRiver.org](http://www.BlackWarriorRiver.org)



September 21, 2018

Mr. Nivory Gordon, Jr., Area Director  
U.S. Department of Agriculture Rural Development  
321 Depot Street  
Camden, Alabama 36726

Re: Uniontown Environmental Assessment

*Via electronic mail only to Nivory.gordon@al.usda.gov*

Dear Mr. Gordon:

Thank you for the opportunity to provide comments on the U.S. Department of Agriculture's ("USDA") Rural Utility Service ("RUS") Environmental Assessment ("EA") issued in connection with possible impacts related to a project proposed by the City of Uniontown, Alabama. The project involves the rehabilitation of the city's wastewater collection system and construction of collection systems and a force main to Demopolis, Alabama. Uniontown has submitted an application to RUS for funding of the project. We write on behalf of Black Warrior Riverkeeper, a nonprofit organization dedicated to protecting and restoring the Black Warrior River and its tributaries. The City of Uniontown and much of the proposed project is located in the Black Warrior River watershed.

We are glad to see progress toward what we hope will be a lasting solution to the chronic and pervasive pollution problems that have plagued Uniontown for over twenty years. However, without a correct diagnosis of all underlying factors that contribute to the problems, a meaningful solution will remain elusive. A USDA grant (the purpose of the advertised EA) addresses one of these underlying problems: funding. However, funding alone cannot solve Uniontown's problems. In the past, neither the City's engineering firm (Sentell Engineering or "Sentell") nor the Alabama Department of Environmental Management ("ADEM") have correctly identified all the underlying contributors to Uniontown's noncompliance. Unfortunately, the EA prepared by Sentell indicates that several of these factors remain either unknown or unaddressed. We urge the RUS to carefully evaluate all contributing factors to Uniontown's noncompliance and ensure that a sound engineering plan is prepared to comprehensively address all facets of the problem. Without this evaluation, this project, no matter how well intentioned or financed, is doomed to fail. Instead of solving Uniontown's problems, the project will only export them to Demopolis. We urge RUS to carefully examine the underlying assumptions

**005644**

about the plan to pump Uniontown's waste to the Demopolis WWTP. Only then can the agency be assured that it is making sound decisions based on a *true* understanding of the environmental consequences of the proposed actions, and accordingly "take actions that protect, restore, and enhance the quality of the human environment. *See* 40 C.F.R. § 1970.1(a).

*1. The Role of Industrial Dischargers Must Be Accurately Assessed and Understood.*

The EA notes that approximately one fourth of the collection system was rehabbed and inflow metering was added to the Uniontown wastewater treatment system. EA §1.2. (This was done using a prior USDA grant and loan.) The data collected from the flow meter now "shows flow coming into the lagoon varying from 300,000 gallons per day to 5,000,000 gallons per day." *Id.* The EA states that the "excessive inflow still coming *through the collection system* allows flooding" of the treatment system, rendering those systems inoperable. (Emphasis added).

Over the years, Uniontown and Sentell have placed the blame for the excessive volume only on infiltration and inflow ("I/I") to the system. To be sure, I/I certainly plays a significant part in the overflows and treatment failures at the Lagoon. We agree that repair of the collection system is the logical starting point for rehabilitation. However, Uniontown and Sentell have routinely ignored other major contributors to the ongoing wastewater debacle. For years, industrial discharger Harvest Select (aka Alabama Catfish) has been allowed to exceed the entire design capacity of the Uniontown Lagoon at times --- with no flow or volume limitation or repercussions, or even recognition of the problem.

According to Sentell, Harvest Select is contributing an average of .25 MGD of wastewater each day, and on some days exceeds .5 MGD. (*Sentell Letter to ADEM September 30, 2014*). Although Sentell expressed surprise at this "unknown" volume in that letter, a quick review of Harvest Select's publicly available discharge monitoring reports ("DMRs") indicates the facility consistently discharges much more than the .1 MGD originally assumed by Sentell prior to receiving the estimates above. Harvest Select's 2012 SID permit (still in force) estimates their average flow at .20 MGD. However, from January through May of 2018, Harvest Select's DMRs indicate an average flow of around 340,000 gallons per day with peak flows routinely exceeded 700,000 gallons per day, even reaching 938,000 gallons on January 17, 2018. For reference, the entire design capacity of the Uniontown Lagoon is 525,000 gallons per day.

Riverkeeper has documented and expressed deep concern to ADEM about the amount of wastewater contributed by Harvest Select and its implications for the Lagoon, to no avail. Astoundingly, Harvest Select's draft 2017 SID permit (still not finalized) contained no volumetric limits. A detailed review of DMRs from Harvest Select underscores this critical point: on many days, the catfish processor approaches or even exceeds the total design capacity of the entire Lagoon system. The table below, based upon Harvest Select's DMRs, summarizes the data they have reported during 2017 and the first half of 2018.



| Harvest Select Flow Data |                |                |
|--------------------------|----------------|----------------|
|                          | Avg Flow (MGD) | Max Flow (MGD) |
| May - '18                | 289,935        | 873,270        |
| Apr - '18                | 320,505        | 710,620        |
| Mar - '18                | 414,081        | 790,110        |
| Feb - '18                | 333,648        | 793,741        |
| Jan - '18                | 347,699        | 938,810        |
| Dec - '17                | None Reported  |                |
| Nov - '17                | 261,009        | 893,240        |
| Oct - '17                | None Reported  |                |
| Sep - '17                | 271,217        | 876,120        |
| Aug - '17                | 271,056        | 880,910        |
| Jul - '17                | 352,221        | 999,720        |
| Jun - '17                | 184,380        | 490,879        |
| May - '17                | 315,485        | 988,290        |
| Apr - '17                | None Reported  |                |
| Mar - '17                | 202,590        | 304,630        |
| Feb - '17                | None Reported  |                |
| Jan - '17                | 162,275        | 287,646        |

As demonstrated by the table, the average flow from Harvest Select often accounts for more than half of the entire capacity of the Uniontown Lagoon. And the peak flows from Harvest Select frequently far exceed the Lagoon's design capacity.

It is essential that a properly working, regularly calibrated flow meter accurately record Harvest Select's wastewater inputs to the lagoon. Although Harvest Select performs some modest pretreatment, the wastewater it sends to Uniontown is rich in nutrients with high BOD. Without adequate pretreatment, the Harvest Select waste could exacerbate the Demopolis WWTP's BOD issues (discussed *infra*).

Although the EA makes no mention of these facts, according to a June 5, 2018 report by Sentell other area major industrial dischargers also may be permitted to tie into the proposed system: Sentell was "[w]orking on the preliminary engineering report for the collection system for a grant application while we review how to treat Southeastern Cheese and the leachate from Arrowhead landfill."

Southeastern Cheese Corp. ceased discharging to the Lagoon in April 2012, primarily because its nutrient-rich wastewater, often with high CBOD, continually overwhelmed the Lagoon's treatment system. While discharging to the Uniontown Lagoon, Southeastern Cheese was on ADEM's list of state indirect dischargers in significant noncompliance of permit conditions and limitations for the calendar years of 2012, 2011, 2010, 2009, 2008 and 2006. After ceasing discharge to the Lagoon, Southeastern

Cheese began to land apply its waste (an abysmal failure); those land application rates were based upon a presumed production of 52,304,651 gallons of waste per year. See Neel-Schaffer, Inc. *Nutrient Management and Compliance Plan for Southeastern Cheese* (October 2015) at 1. Without meaningful pretreatment, which Southeastern Cheese has been unable to accomplish in the past, the cheesemaker's waste could compromise the Demopolis WWTP's operations just as it did Uniontown's.

The Arrowhead Landfill currently trucks its leachate to the Demopolis WWTP, so technically its contributions are already a part of the plant's current load. However, trucking leachate is expensive so presently Arrowhead has every incentive to minimize its discharges to the WWTP. However, if Arrowhead can pipe its leachate, the incentives to minimize discharges are removed. While the SID discharge from Arrowhead currently measures an average of between 20,000 to 30,000 gallons per day according to recent DMRs, the SID permit allows for a monthly average volume of 150,000 gallons per day with a maximum allowable daily discharge of 300,000 gallons. When evaluating the project, the maximum amount of wastewater Arrowhead is permitted to discharge must be considered, not just what they are discharging now. Given the type of waste Arrowhead is known to handle (i.e coal ash), it is critical that appropriate pretreatment requirements be imposed that will remove some of the heavy metals, extremely high ammonia concentrations and other pollutants present in their leachate. Without this step, we are concerned whether Demopolis can properly treat the projected increased flows of leachate wastewater.

*2. The Demopolis Plant Must Be Upgraded and its Treatment Capacity Increased.*

The only scenario in which the proposal to send Uniontown's sewage to the Demopolis WWTP might be feasible is if the wastewater treatment plant can handle the additional loading. Unfortunately, without major upgrades to the current configuration of the Demopolis WWTP, that simply doesn't seem to be the case. The plant is currently struggling just to treat its waste stream at present levels. Flow through the Demopolis WWTP has exceeded the plant's design capacity in four or more months in each of the past five years. The data in the table below was extracted from the plant's five most recent Municipal Water Pollution Prevention (MWPP) Annual Reports.

| <b>Demopolis WWTP</b> |                        |             |
|-----------------------|------------------------|-------------|
| <b>Date</b>           | <b>Design Capacity</b> | <b>Flow</b> |
| Jan - '13             | 2.65 MGD               | 3.285 MGD   |
| Feb - '13             | 2.65 MGD               | 3.640 MGD   |
| Mar - '13             | 2.65 MGD               | 2.850 MGD   |
| Apr - '13             | 2.65 MGD               | 6.304 MGD   |
| Dec - '13             | 2.65 MGD               | 2.904 MGD   |
| Jan - '14             | 2.65 MGD               | 3.023 MGD   |
| Feb - '14             | 2.65 MGD               | 3.506 MGD   |
| Mar - '14             | 2.65 MGD               | 2.923 MGD   |

|           |          |           |
|-----------|----------|-----------|
| Apr - '14 | 2.65 MGD | 3.125 MGD |
| Jan - '15 | 2.65 MGD | 2.827 MGD |
| Feb - '15 | 2.65 MGD | 2.836 MGD |
| Mar - '15 | 2.65 MGD | 3.197 MGD |
| Dec - '15 | 2.65 MGD | 3.034 MGD |
| Jan - '16 | 2.65 MGD | 2.769 MGD |
| Feb - '16 | 2.65 MGD | 2.920 MGD |
| Mar - '16 | 2.65 MGD | 3.635 MGD |
| Apr - '16 | 2.65 MGD | 2.911 MGD |
| Jan - '17 | 2.65 MGD | 3.010 MGD |
| Feb - '17 | 2.65 MGD | 2.740 MGD |
| Mar - '17 | 2.65 MGD | 2.970 MGD |
| Jun - '17 | 2.65 MGD | 3.270 MGD |

According to an Engineering Report recently filed with ADEM by Uniontown, Sentell estimates that Uniontown would need 1.25 MGD of treatment capacity for its municipal and industrial waste stream. If the Demopolis WWTP had been receiving the additional 1.25 MGD from Uniontown, the Demopolis plant would have exceeded its flow design capacity in all twelve months in 2017. It should be noted that peak flows in the Uniontown wastewater system often far exceed the 1.25 MGD average estimate, at times even approaching 5 MGD as confirmed by the EA (§ 1.2).

Flow is not the only issue currently stressing the Demopolis WWTP. The plant currently has very little, if any, capacity for additional loading of BOD/CBOD. According to the facility's MWPP Annual Reports, the plant has design criteria for BOD loading of 4,836 pounds per day. The actual BOD loading at the plant has exceeded that design criteria in several months over the past five years. Again, the data below was extracted from the facility's MWPP Annual Reports.

| Demopolis WWTP |                      |             |
|----------------|----------------------|-------------|
| Date           | BOD Loading Capacity | BOD Load    |
| Mar - '13      | 4836 ppd             | 5049.76 ppd |
| Feb - '14      | 4836 ppd             | 5185.30 ppd |
| Mar - '14      | 4836 ppd             | 5189.92 ppd |
| Jun - '15      | 4836 ppd             | 5252.59 ppd |
| Jul - '15      | 4836 ppd             | 6806.89 ppd |
| Dec - '15      | 4836 ppd             | 6283.12 ppd |
| Mar - '16      | 4836 ppd             | 5843.20 ppd |

2017 was the only year (out of the past 5) in which BOD loading never exceeded the design criteria. The additional flow from Uniontown will further stress the BOD loading of the Demopolis plant, especially given that Uniontown's wastewater already has an abnormally high BOD load due to

the contributions from Alabama Catfish (dba Harvest Select). This will be drastically exacerbated if wastewater from Southeastern Cheese is added to the mix.

While the BOD contribution from Harvest Select to the Uniontown Lagoon has averaged only 120.89 ppd over the past two years, peak BOD loading from the fish processor has exceeded 1000 ppd at least twice in the first half of 2018.

| <b>Alabama Catfish (Harvest Select)</b> |                |            |                      |
|---|----------------|------------|----------------------|
| Date                                    | Flow (Gallons) | BOD (mg/L) | Max Loading (lb/day) |
| 5/1/2018                                | 796,890        | 257        | 1708.96              |
| 4/3/2018                                | 656,480        | 183        | 1002.47              |

The figures above were taken from DMRs submitted by Harvest Select to ADEM. These slugs of high BOD could overwhelm the plant and disrupt the treatment process.

The proposed addition of wastewater from Southeastern Cheese, and its BOD load, is far more concerning. When Southeastern Cheese was connected to the Uniontown Lagoon they were required to submit DMRs in accordance with their SID permit. When discharging in 2011 and 2012 (the two most recent years for which data is available), the monthly average BOD load to the Uniontown Lagoon ranged from 169 ppd to over 6,000 ppd, as noted in the table below.

| <b>Southeastern Cheese</b> |                     |                              |                         |
|----------------------------|---------------------|------------------------------|-------------------------|
|                            | Avg. Flow (Gallons) | Avg BOD Concentration (mg/L) | Avg BOD Loading (lbs/d) |
| Mar - '12                  | 98,634              | 8,092                        | 6,660.13                |
| Feb - '12                  | 24,406              | 3,706                        | 754.75                  |
| Jan - '12                  | 82,179              | 5,913                        | 4,054.80                |
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| Oct - '11                  | No Discharge        |                              |                         |
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| Jul - '11                  | 18,062              | 3,356                        | 505.81                  |
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|           |              |        |          |
|-----------|--------------|--------|----------|
|           |              |        | 1,170.75 |
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| Mar - '11 | 39,450       | 11,453 | 3,770.22 |
| Feb - '11 | 12,512       | 4,600  | 480.27   |
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As highlighted in the table below, the maximum BOD contributions from Southeastern Cheese during that time period were far greater than the average concentrations even exceeding 15,000 ppd on several occasions.

| <b>Southeastern Cheese</b> |                |            |                   |
|----------------------------|----------------|------------|-------------------|
| Date                       | Flow (Gallons) | BOD (mg/L) | Max Loading (ppd) |
| 3/22/2012                  | 148,250        | 12,400     | 15,339.70         |
| 2/28/2012                  | 147,980        | 5,120      | 6,322.28          |
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| 6/28/2011                  | 53,890         | 16,000     | 7,194.96          |
| 5/17/2011                  | 126,830        | 14,500     | 15,345.83         |

The ability of the Demopolis WWTP to actually treat the municipal and industrial wastewater stream from Uniontown should be a determining factor in evaluating whether this proposal is even feasible. If Demopolis cannot demonstrate such ability through a comprehensive engineering evaluation, this proposal should be a non-starter. In the alternative, if Demopolis plans significant upgrades to its treatment plant in order to accommodate the increased waste load, any documents related to such an upgrade should be made available to the public and should have been a prerequisite prior to even considering the EA for the current proposal. A central goal of this process must be to ensure that the ongoing pollution issues in Uniontown, the Black Warrior River and the Alabama River, are not simply passed on to Demopolis and the Tombigbee River. Adequate ability to handle and properly treat

influent wastewater volume and pollutant loading prior to discharge into the Tombigbee River must be engineered and assured.

*3. Many Uniontown Residents Must Have Financial Help to Tie into the System.*

Federal agencies must consider environmental justice when evaluating their actions under NEPA. We understand that the proposed project in part is intended to benefit environmental justice communities in the Black Belt, not only by alleviating the pollution that threatens Uniontown but also by creating infrastructure that could recruit businesses and improve the area economy. However, how will the many residents of Uniontown who live at or below the poverty line afford to connect to the system? It is unclear from the EA whether the proposed funding will be a grant or a hybrid grant/loan. Presumably, residents within a certain radius of the system will be required to hook up to the system. As RUS looks at the many moving parts of this project, funding assistance for the residents who cannot afford to hook up to the system or those who may struggle to pay increased rates must be considered.

*4. Past Mistakes By Sentell Should Disqualify it from Working on this Project.*

We discussed Sentell's failure to review ADEM documents to accurately assess Harvest Select's contributions to the Lagoon's failures. As the USDA is painfully aware, Sentell was also responsible for the construction of a sprayfield (with USDA grant funds) that was never viable and never used.

When ADEM advertised a 2012 modification of Uniontown's NPDES permit to authorize the application of treated wastewater from the Lagoon at a second sprayfield (Sprayfield #2), we submitted a public comment letter outlining numerous concerns about the proposed permit modification. Chief among these concerns was the geology in the area of the proposed Sprayfield #2 being unsuitable for land application. Despite these concerns, ADEM issued the permit modification without requiring any percolation or geological testing at Sprayfield #2 to determine whether the proposed site was suitable for the land application. Despite these concerns, Sentell proceeded with the construction of Sprayfield #2 without performing tests to determine whether the soil at the site could absorb the wastewater. Although construction was completed, Sprayfield # 2 was never put in service because the soils could not properly process the wastewater flow. Based upon the budget submitted to USDA for the sprayfield, a conservative estimate for the cost of a useless Sprayfield # 2 is \$512,000 (\$348,360 in total construction costs; \$130,000 for the land purchase; \$25,000 for a property survey; \$9,500 for permitting). This estimate does not include engineering design or inspection fees, which would likely push the estimate higher.

The ADEM file also tells the story of Sentell's next proposed solution: a forced main pipeline and direct discharge to the main stem of the Black Warrior River, some twenty two miles away. Despite the fact Sentell has not requested an ADEM waste load allocation nor determined whether the plant could even achieve the level of treatment necessary to meet prospective permit limits for the proposed discharge, Sentell determined the path and the City began signing contracts for the purchase of

necessary right-of-way. ADEM, to its credit, has never permitted the direct discharge, because the Lagoon would not be able to meet permit limits in its current condition.

With the direct discharge off the table, Sentell next recommended a constructed wetland treatment system, the final cost of which was omitted from the version of Sentell's February 2018 engineering report that is available in ADEM's records.. At that point, engineers from the University of Alabama and Auburn University recommended that Uniontown hire another engineering firm to perform a values engineering study of the options proposed by Sentell, due to the "lack of success from past improvement efforts."

Respectfully, we think it is time that Uniontown turned a new page and engaged another engineering firm to design and oversee the implementation of the proposed project. We encourage RUS to place any necessary conditions on the proposed grant to ensure that this project succeeds. Our members from Uniontown have long monitored the problems at the Lagoon as well as the many mistakes made in trying to fix those problems. It is heartbreaking that improvements from the previous USDA grant of \$4.8 million dollars failed to alleviate many of the system's problems. The money is gone, but according to a March 20, 2018 ADEM status report in its long running litigation against Uniontown, wastewater continues to drain to Freetown Creek and "[n]ew and additional wastewater treatment lagoon overflows" have released wastewater to Cottonwood Creek." "Overflows at [Sprayfield #1] and treatment lagoons have been chronic issues and appear to be increasing in number, volume and frequency." Sentell's failure to properly identify and quantify the full contributions of industrial contributors to wastewater flow, as well as their previous failures to properly engineer a solution to Uniontown's wastewater treatment issues when given the chance should disqualify the firm from continuing to work on this project.

### *Conclusion*

In order for this second USDA grant/loan to be successful, meaningful consideration of shortcomings in Uniontown Lagoon's collection and treatment infrastructure, careful review of past and current operational histories of all wastewater producers in Uniontown, a robust costs analysis including additional bids, and a sincere look at Demopolis WWTP's design and compliance shortcomings must be undertaken. In order for a thorough analysis to be performed, it is essential that USDA allow stakeholders – such as Black Belt Citizens Fighting for Health & Justice and Black Warrior Riverkeeper – a seat at the table to ensure all pertinent information is meaningfully considered. We have important information and valid insight to offer that will provide a critical check-and-balance that can help avoid repeating the mistakes which occurred during use of the prior USDA \$4.8M grant.

Thank you for your consideration of our comments. Please do not hesitate to contact us if you have any questions or if you require any additional information.

For the river,



Nelson Brooke  
Riverkeeper



John Kinney  
Enforcement Coordinator



Eva Dillard  
Staff Attorney

cc: Allen Bowen, Community and Business Programs Director  
United States Department of Agriculture  
Rural Development



**From:** [Bowen, Allen - RD, Montgomery, AL](#)  
**To:** [Taylor, John - RD, Montgomery, AL](#)  
**Subject:** Fwd: Uniontown Environmental Assessment Public Comment Letter  
**Date:** Friday, September 21, 2018 5:01:15 PM  
**Attachments:** 9.21.2018 - BWRk Comments to USDA - Uniontown EA.pdf

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Please read. Seems most of comments deal with ADEM and regulatory issues. What are your thoughts? Will this delay?

---

**From:** "Johnny Kinney" <[jkinney@blackwarriorriver.org](mailto:jkinney@blackwarriorriver.org)>  
**Date:** Friday, September 21, 2018 at 2:45:12 PM  
**To:** "Gordon, Nivory - RD, Camden, AL" <[Nivory.Gordon@al.usda.gov](mailto:Nivory.Gordon@al.usda.gov)>, "Bowen, Allen - RD, Montgomery, AL" <[Allen.Bowen@al.usda.gov](mailto:Allen.Bowen@al.usda.gov)>  
**Cc:** "Eva Dillard" <[edillard@blackwarriorriver.org](mailto:edillard@blackwarriorriver.org)>, "Nelson Brooke" <[nbrooke@blackwarriorriver.org](mailto:nbrooke@blackwarriorriver.org)>  
**Subject:** Uniontown Environmental Assessment Public Comment Letter

Mr. Gordon,

Please find Black Warrior Riverkeeper's letter in response to USDA's request for public comments regarding the Environmental Assessment for the city of Uniontown's proposed rehabilitation of the sanitary sewer collection system and wastewater transmission to Demopolis attached to this email.

Thank you for your time and attention to these comments. Please do not hesitate to contact me if you have any questions or concerns.

For the River,  
*John Kinney*  
Enforcement Coordinator  
Black Warrior Riverkeeper  
712 37<sup>th</sup> St South  
Birmingham, AL 35222  
205-458-0095

**005654**

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[www.BlackWarriorRiver.org](http://www.BlackWarriorRiver.org)



September 21, 2018

Mr. Nivory Gordon, Jr., Area Director  
U.S. Department of Agriculture Rural Development  
321 Depot Street  
Camden, Alabama 36726

Re: Uniontown Environmental Assessment

*Via electronic mail only to [Nivory.gordon@al.usda.gov](mailto:Nivory.gordon@al.usda.gov)*

Dear Mr. Gordon:

Thank you for the opportunity to provide comments on the U.S. Department of Agriculture's ("USDA") Rural Utility Service ("RUS") Environmental Assessment ("EA") issued in connection with possible impacts related to a project proposed by the City of Uniontown, Alabama. The project involves the rehabilitation of the city's wastewater collection system and construction of collection systems and a force main to Demopolis, Alabama. Uniontown has submitted an application to RUS for funding of the project. We write on behalf of Black Warrior Riverkeeper, a nonprofit organization dedicated to protecting and restoring the Black Warrior River and its tributaries. The City of Uniontown and much of the proposed project is located in the Black Warrior River watershed.

We are glad to see progress toward what we hope will be a lasting solution to the chronic and pervasive pollution problems that have plagued Uniontown for over twenty years. However, without a correct diagnosis of all underlying factors that contribute to the problems, a meaningful solution will remain elusive. A USDA grant (the purpose of the advertised EA) addresses one of these underlying problems: funding. However, funding alone cannot solve Uniontown's problems. In the past, neither the City's engineering firm (Sentell Engineering or "Sentell") nor the Alabama Department of Environmental Management ("ADEM") have correctly identified all the underlying contributors to Uniontown's noncompliance. Unfortunately, the EA prepared by Sentell indicates that several of these factors remain either unknown or unaddressed. We urge the RUS to carefully evaluate all contributing factors to Uniontown's noncompliance and ensure that a sound engineering plan is prepared to comprehensively address all facets of the problem. Without this evaluation, this project, no matter how well intentioned or financed, is doomed to fail. Instead of solving Uniontown's problems, the project will only export them to Demopolis. We urge RUS to carefully examine the underlying assumptions

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about the plan to pump Uniontown's waste to the Demopolis WWTP. Only then can the agency be assured that it is making sound decisions based on a *true* understanding of the environmental consequences of the proposed actions, and accordingly "take actions that protect, restore, and enhance the quality of the human environment. *See* 40 C.F.R. § 1970.1(a).

*1. The Role of Industrial Dischargers Must Be Accurately Assessed and Understood.*

The EA notes that approximately one fourth of the collection system was rehabbed and inflow metering was added to the Uniontown wastewater treatment system. EA §1.2. (This was done using a prior USDA grant and loan.) The data collected from the flow meter now "shows flow coming into the lagoon varying from 300,000 gallons per day to 5,000,000 gallons per day." *Id.* The EA states that the "excessive inflow still coming *through the collection system* allows flooding" of the treatment system, rendering those systems inoperable. (Emphasis added).

Over the years, Uniontown and Sentell have placed the blame for the excessive volume only on infiltration and inflow ("I/I") to the system. To be sure, I/I certainly plays a significant part in the overflows and treatment failures at the Lagoon. We agree that repair of the collection system is the logical starting point for rehabilitation. However, Uniontown and Sentell have routinely ignored other major contributors to the ongoing wastewater debacle. For years, industrial discharger Harvest Select (aka Alabama Catfish) has been allowed to exceed the entire design capacity of the Uniontown Lagoon at times --- with no flow or volume limitation or repercussions, or even recognition of the problem.

According to Sentell, Harvest Select is contributing an average of .25 MGD of wastewater each day, and on some days exceeds .5 MGD. (*Sentell Letter to ADEM September 30, 2014*). Although Sentell expressed surprise at this "unknown" volume in that letter, a quick review of Harvest Select's publicly available discharge monitoring reports ("DMRs") indicates the facility consistently discharges much more than the .1 MGD originally assumed by Sentell prior to receiving the estimates above. Harvest Select's 2012 SID permit (still in force) estimates their average flow at .20 MGD. However, from January through May of 2018, Harvest Select's DMRs indicate an average flow of around 340,000 gallons per day with peak flows routinely exceeded 700,000 gallons per day, even reaching 938,000 gallons on January 17, 2018. For reference, the entire design capacity of the Uniontown Lagoon is 525,000 gallons per day.

Riverkeeper has documented and expressed deep concern to ADEM about the amount of wastewater contributed by Harvest Select and its implications for the Lagoon, to no avail. Astoundingly, Harvest Select's draft 2017 SID permit (still not finalized) contained no volumetric limits. A detailed review of DMRs from Harvest Select underscores this critical point: on many days, the catfish processor approaches or even exceeds the total design capacity of the entire Lagoon system. The table below, based upon Harvest Select's DMRs, summarizes the data they have reported during 2017 and the first half of 2018.

| Harvest Select Flow Data |                |                |
|--------------------------|----------------|----------------|
|                          | Avg Flow (MGD) | Max Flow (MGD) |
| May - '18                | 289,935        | 873,270        |
| Apr - '18                | 320,505        | 710,620        |
| Mar - '18                | 414,081        | 790,110        |
| Feb - '18                | 333,648        | 793,741        |
| Jan - '18                | 347,699        | 938,810        |
| Dec - '17                | None Reported  |                |
| Nov - '17                | 261,009        | 893,240        |
| Oct - '17                | None Reported  |                |
| Sep - '17                | 271,217        | 876,120        |
| Aug - '17                | 271,056        | 880,910        |
| Jul - '17                | 352,221        | 999,720        |
| Jun - '17                | 184,380        | 490,879        |
| May - '17                | 315,485        | 988,290        |
| Apr - '17                | None Reported  |                |
| Mar - '17                | 202,590        | 304,630        |
| Feb - '17                | None Reported  |                |
| Jan - '17                | 162,275        | 287,646        |

As demonstrated by the table, the average flow from Harvest Select often accounts for more than half of the entire capacity of the Uniontown Lagoon. And the peak flows from Harvest Select frequently far exceed the Lagoon's design capacity.

It is essential that a properly working, regularly calibrated flow meter accurately record Harvest Select's wastewater inputs to the lagoon. Although Harvest Select performs some modest pretreatment, the wastewater it sends to Uniontown is rich in nutrients with high BOD. Without adequate pretreatment, the Harvest Select waste could exacerbate the Demopolis WWTP's BOD issues (discussed *infra*).

Although the EA makes no mention of these facts, according to a June 5, 2018 report by Sentell other area major industrial dischargers also may be permitted to tie into the proposed system: Sentell was "[w]orking on the preliminary engineering report for the collection system for a grant application while we review how to treat Southeastern Cheese and the leachate from Arrowhead landfill."

Southeastern Cheese Corp. ceased discharging to the Lagoon in April 2012, primarily because its nutrient-rich wastewater, often with high CBOD, continually overwhelmed the Lagoon's treatment system. While discharging to the Uniontown Lagoon, Southeastern Cheese was on ADEM's list of state indirect dischargers in significant noncompliance of permit conditions and limitations for the calendar years of 2012, 2011, 2010, 2009, 2008 and 2006. After ceasing discharge to the Lagoon, Southeastern

Cheese began to land apply its waste (an abysmal failure); those land application rates were based upon a presumed production of 52,304,651 gallons of waste per year. See Neel-Schaffer, Inc. *Nutrient Management and Compliance Plan for Southeastern Cheese* (October 2015) at 1. Without meaningful pretreatment, which Southeastern Cheese has been unable to accomplish in the past, the cheesemaker's waste could compromise the Demopolis WWTP's operations just as it did Uniontown's.

The Arrowhead Landfill currently trucks its leachate to the Demopolis WWTP, so technically its contributions are already a part of the plant's current load. However, trucking leachate is expensive so presently Arrowhead has every incentive to minimize its discharges to the WWTP. However, if Arrowhead can pipe its leachate, the incentives to minimize discharges are removed. While the SID discharge from Arrowhead currently measures an average of between 20,000 to 30,000 gallons per day according to recent DMRs, the SID permit allows for a monthly average volume of 150,000 gallons per day with a maximum allowable daily discharge of 300,000 gallons. When evaluating the project, the maximum amount of wastewater Arrowhead is permitted to discharge must be considered, not just what they are discharging now. Given the type of waste Arrowhead is known to handle (i.e coal ash), it is critical that appropriate pretreatment requirements be imposed that will remove some of the heavy metals, extremely high ammonia concentrations and other pollutants present in their leachate. Without this step, we are concerned whether Demopolis can properly treat the projected increased flows of leachate wastewater.

*2. The Demopolis Plant Must Be Upgraded and its Treatment Capacity Increased.*

The only scenario in which the proposal to send Uniontown's sewage to the Demopolis WWTP might be feasible is if the wastewater treatment plant can handle the additional loading. Unfortunately, without major upgrades to the current configuration of the Demopolis WWTP, that simply doesn't seem to be the case. The plant is currently struggling just to treat its waste stream at present levels. Flow through the Demopolis WWTP has exceeded the plant's design capacity in four or more months in each of the past five years. The data in the table below was extracted from the plant's five most recent Municipal Water Pollution Prevention (MWPP) Annual Reports.

| <b>Demopolis WWTP</b> |                        |             |
|-----------------------|------------------------|-------------|
| <b>Date</b>           | <b>Design Capacity</b> | <b>Flow</b> |
| Jan - '13             | 2.65 MGD               | 3.285 MGD   |
| Feb - '13             | 2.65 MGD               | 3.640 MGD   |
| Mar - '13             | 2.65 MGD               | 2.850 MGD   |
| Apr - '13             | 2.65 MGD               | 6.304 MGD   |
| Dec - '13             | 2.65 MGD               | 2.904 MGD   |
| Jan - '14             | 2.65 MGD               | 3.023 MGD   |
| Feb - '14             | 2.65 MGD               | 3.506 MGD   |
| Mar - '14             | 2.65 MGD               | 2.923 MGD   |

|           |          |           |
|-----------|----------|-----------|
| Apr - '14 | 2.65 MGD | 3.125 MGD |
| Jan - '15 | 2.65 MGD | 2.827 MGD |
| Feb - '15 | 2.65 MGD | 2.836 MGD |
| Mar - '15 | 2.65 MGD | 3.197 MGD |
| Dec - '15 | 2.65 MGD | 3.034 MGD |
| Jan - '16 | 2.65 MGD | 2.769 MGD |
| Feb - '16 | 2.65 MGD | 2.920 MGD |
| Mar - '16 | 2.65 MGD | 3.635 MGD |
| Apr - '16 | 2.65 MGD | 2.911 MGD |
| Jan - '17 | 2.65 MGD | 3.010 MGD |
| Feb - '17 | 2.65 MGD | 2.740 MGD |
| Mar - '17 | 2.65 MGD | 2.970 MGD |
| Jun - '17 | 2.65 MGD | 3.270 MGD |

According to an Engineering Report recently filed with ADEM by Uniontown, Sentell estimates that Uniontown would need 1.25 MGD of treatment capacity for its municipal and industrial waste stream. If the Demopolis WWTP had been receiving the additional 1.25 MGD from Uniontown, the Demopolis plant would have exceeded its flow design capacity in all twelve months in 2017. It should be noted that peak flows in the Uniontown wastewater system often far exceed the 1.25 MGD average estimate, at times even approaching 5 MGD as confirmed by the EA (§ 1.2).

Flow is not the only issue currently stressing the Demopolis WWTP. The plant currently has very little, if any, capacity for additional loading of BOD/CBOD. According to the facility's MWPP Annual Reports, the plant has design criteria for BOD loading of 4,836 pounds per day. The actual BOD loading at the plant has exceeded that design criteria in several months over the past five years. Again, the data below was extracted from the facility's MWPP Annual Reports.

| <b>Demopolis WWTP</b> |                             |                 |
|-----------------------|-----------------------------|-----------------|
| <b>Date</b>           | <b>BOD Loading Capacity</b> | <b>BOD Load</b> |
| Mar - '13             | 4836 ppd                    | 5049.76 ppd     |
| Feb - '14             | 4836 ppd                    | 5185.30 ppd     |
| Mar - '14             | 4836 ppd                    | 5189.92 ppd     |
| Jun - '15             | 4836 ppd                    | 5252.59 ppd     |
| Jul - '15             | 4836 ppd                    | 6806.89 ppd     |
| Dec - '15             | 4836 ppd                    | 6283.12 ppd     |
| Mar - '16             | 4836 ppd                    | 5843.20 ppd     |

2017 was the only year (out of the past 5) in which BOD loading never exceeded the design criteria. The additional flow from Uniontown will further stress the BOD loading of the Demopolis plant, especially given that Uniontown's wastewater already has an abnormally high BOD load due to

the contributions from Alabama Catfish (dba Harvest Select). This will be drastically exacerbated if wastewater from Southeastern Cheese is added to the mix.

While the BOD contribution from Harvest Select to the Uniontown Lagoon has averaged only 120.89 ppd over the past two years, peak BOD loading from the fish processor has exceeded 1000 ppd at least twice in the first half of 2018.

| <b>Alabama Catfish (Harvest Select)</b> |                |            |                      |
|---|----------------|------------|----------------------|
| Date                                    | Flow (Gallons) | BOD (mg/L) | Max Loading (lb/day) |
| 5/1/2018                                | 796,890        | 257        | 1708.96              |
| 4/3/2018                                | 656,480        | 183        | 1002.47              |

The figures above were taken from DMRs submitted by Harvest Select to ADEM. These slugs of high BOD could overwhelm the plant and disrupt the treatment process.

The proposed addition of wastewater from Southeastern Cheese, and its BOD load, is far more concerning. When Southeastern Cheese was connected to the Uniontown Lagoon they were required to submit DMRs in accordance with their SID permit. When discharging in 2011 and 2012 (the two most recent years for which data is available), the monthly average BOD load to the Uniontown Lagoon ranged from 169 ppd to over 6,000 ppd, as noted in the table below.

| <b>Southeastern Cheese</b> |                     |                              |                         |
|----------------------------|---------------------|------------------------------|-------------------------|
|                            | Avg. Flow (Gallons) | Avg BOD Concentration (mg/L) | Avg BOD Loading (lbs/d) |
| Mar - '12                  | 98,634              | 8,092                        | 6,660.13                |
| Feb - '12                  | 24,406              | 3,706                        | 754.75                  |
| Jan - '12                  | 82,179              | 5,913                        | 4,054.80                |
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The ability of the Demopolis WWTP to actually treat the municipal and industrial wastewater stream from Uniontown should be a determining factor in evaluating whether this proposal is even feasible. If Demopolis cannot demonstrate such ability through a comprehensive engineering evaluation, this proposal should be a non-starter. In the alternative, if Demopolis plans significant upgrades to its treatment plant in order to accommodate the increased waste load, any documents related to such an upgrade should be made available to the public and should have been a prerequisite prior to even considering the EA for the current proposal. A central goal of this process must be to ensure that the ongoing pollution issues in Uniontown, the Black Warrior River and the Alabama River, are not simply passed on to Demopolis and the Tombigbee River. Adequate ability to handle and properly treat



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*4. Past Mistakes By Sentell Should Disqualify it from Working on this Project.*

We discussed Sentell's failure to review ADEM documents to accurately assess Harvest Select's contributions to the Lagoon's failures. As the USDA is painfully aware, Sentell was also responsible for the construction of a sprayfield (with USDA grant funds) that was never viable and never used.

When ADEM advertised a 2012 modification of Uniontown's NPDES permit to authorize the application of treated wastewater from the Lagoon at a second sprayfield (Sprayfield #2), we submitted a public comment letter outlining numerous concerns about the proposed permit modification. Chief among these concerns was the geology in the area of the proposed Sprayfield #2 being unsuitable for land application. Despite these concerns, ADEM issued the permit modification without requiring any percolation or geological testing at Sprayfield #2 to determine whether the proposed site was suitable for the land application. Despite these concerns, Sentell proceeded with the construction of Sprayfield #2 without performing tests to determine whether the soil at the site could absorb the wastewater. Although construction was completed, Sprayfield # 2 was never put in service because the soils could not properly process the wastewater flow. Based upon the budget submitted to USDA for the sprayfield, a conservative estimate for the cost of a useless Sprayfield # 2 is \$512,000 (\$348,360 in total construction costs; \$130,000 for the land purchase; \$25,000 for a property survey; \$9,500 for permitting). This estimate does not include engineering design or inspection fees, which would likely push the estimate higher.

The ADEM file also tells the story of Sentell's next proposed solution: a forced main pipeline and direct discharge to the main stem of the Black Warrior River, some twenty two miles away. Despite the fact Sentell has not requested an ADEM waste load allocation nor determined whether the plant could even achieve the level of treatment necessary to meet prospective permit limits for the proposed discharge, Sentell determined the path and the City began signing contracts for the purchase of

necessary right-of-way. ADEM, to its credit, has never permitted the direct discharge, because the Lagoon would not be able to meet permit limits in its current condition.

With the direct discharge off the table, Sentell next recommended a constructed wetland treatment system, the final cost of which was omitted from the version of Sentell's February 2018 engineering report that is available in ADEM's records.. At that point, engineers from the University of Alabama and Auburn University recommended that Uniontown hire another engineering firm to perform a values engineering study of the options proposed by Sentell, due to the "lack of success from past improvement efforts."

Respectfully, we think it is time that Uniontown turned a new page and engaged another engineering firm to design and oversee the implementation of the proposed project. We encourage RUS to place any necessary conditions on the proposed grant to ensure that this project succeeds. Our members from Uniontown have long monitored the problems at the Lagoon as well as the many mistakes made in trying to fix those problems. It is heartbreaking that improvements from the previous USDA grant of \$4.8 million dollars failed to alleviate many of the system's problems. The money is gone, but according to a March 20, 2018 ADEM status report in its long running litigation against Uniontown, wastewater continues to drain to Freetown Creek and "[n]ew and additional wastewater treatment lagoon overflows" have released wastewater to Cottonwood Creek." "Overflows at [Sprayfield #1] and treatment lagoons have been chronic issues and appear to be increasing in number, volume and frequency." Sentell's failure to properly identify and quantify the full contributions of industrial contributors to wastewater flow, as well as their previous failures to properly engineer a solution to Uniontown's wastewater treatment issues when given the chance should disqualify the firm from continuing to work on this project.

### *Conclusion*

In order for this second USDA grant/loan to be successful, meaningful consideration of shortcomings in Uniontown Lagoon's collection and treatment infrastructure, careful review of past and current operational histories of all wastewater producers in Uniontown, a robust costs analysis including additional bids, and a sincere look at Demopolis WWTP's design and compliance shortcomings must be undertaken. In order for a thorough analysis to be performed, it is essential that USDA allow stakeholders – such as Black Belt Citizens Fighting for Health & Justice and Black Warrior Riverkeeper – a seat at the table to ensure all pertinent information is meaningfully considered. We have important information and valid insight to offer that will provide a critical check-and-balance that can help avoid repeating the mistakes which occurred during use of the prior USDA \$4.8M grant.

Thank you for your consideration of our comments. Please do not hesitate to contact us if you have any questions or if you require any additional information.

For the river,



Nelson Brooke  
Riverkeeper



John Kinney  
Enforcement Coordinator



Eva Dillard  
Staff Attorney

cc: Allen Bowen, Community and Business Programs Director  
United States Department of Agriculture  
Rural Development

**From:** [Bowen, Allen - RD, Montgomery, AL](#)  
**To:** [Primrose, Edna - RD, Washington, DC](#); [Beeker, Chris - RD, Montgomery, AL](#)  
**Subject:** Fwd: Uniontown Environmental Assessment Public Comment Letter  
**Date:** Thursday, September 27, 2018 7:27:45 PM  
**Attachments:** [Riverkeepers response.pdf](#)

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Here is our response to their comments, last paragraph reflects our offer to include them,

Thanks  
Allen

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**From:** "Bowen, Allen - RD, Montgomery, AL" <[Allen.Bowen@al.usda.gov](mailto:Allen.Bowen@al.usda.gov)>  
**Date:** Wednesday, September 26, 2018 at 3:15:00 PM  
**To:** "Johnny Kinney" <[jkinney@blackwarriorriver.org](mailto:jkinney@blackwarriorriver.org)>  
**Cc:** "Eva Dillard" <[edillard@blackwarriorriver.org](mailto:edillard@blackwarriorriver.org)>, "Gordon, Nivory - RD, Camden, AL" <[Nivory.Gordon@al.usda.gov](mailto:Nivory.Gordon@al.usda.gov)>, "Taylor, John - RD, Montgomery, AL" <[john.taylor@al.usda.gov](mailto:john.taylor@al.usda.gov)>  
**Subject:** RE: Uniontown Environmental Assessment Public Comment Letter

Mr. Kinney, please find attached responses to your comments on the Uniontown Sewer project.

If you have any questions, please contact me.

Thanks,

*Allen Bowen*

Allen Bowen  
United States Department of Agriculture  
Rural Development  
Community and Business Programs Director  
Office: 334-279-3617  
Cell: 334-322-4147  
Fax: 855-304-8457

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**From:** Johnny Kinney <[jkinney@blackwarriorriver.org](mailto:jkinney@blackwarriorriver.org)>  
**Sent:** Friday, September 21, 2018 2:45 PM  
**To:** Gordon, Nivory - RD, Camden, AL <[Nivory.Gordon@al.usda.gov](mailto:Nivory.Gordon@al.usda.gov)>; Bowen, Allen - RD, Montgomery, AL <[Allen.Bowen@al.usda.gov](mailto:Allen.Bowen@al.usda.gov)>  
**Cc:** Eva Dillard <[edillard@blackwarriorriver.org](mailto:edillard@blackwarriorriver.org)>; Nelson Brooke <[nbrooke@blackwarriorriver.org](mailto:nbrooke@blackwarriorriver.org)>  
**Subject:** Uniontown Environmental Assessment Public Comment Letter

**005665**



September 26, 2018

Alabama State Office

4121 Carmichael Road  
Suite 601, Sterling Centre  
Montgomery, AL 36106

Voice 334-279-3615  
Fax 855-304-8457

www.rd.usda.gov/al

Black Warrior RIVERKEEPER®  
712 37th Street South  
Birmingham, AL 35222

Re: Environmental Assessment for Proposed City of Uniontown Sewer Project

*Via electronic mail only to [jkinney@blackwarriorriver.org](mailto:jkinney@blackwarriorriver.org)*

Dear Sirs and Madam:

Thank you for your letter of September 21, 2018 in response to the Environmental Assessment. Your letter brings up many important subjects that deserve to be studied and considered in the pre-design phase of the project. Although these are important subjects to consider, the only one related to the NEPA (National Environmental Policy Act) Environmental Assessment was in regard to Environmental Justice.

I will provide a short response to each of the four numbered sections in your letter:

- 1. The Role of Industrial Dischargers Must Be Accurately Assessed and Understood.*  
We agree that more study and evaluation must be done before moving to design of the transmission line. Meanwhile, evaluation and rehabilitation of the collection system can proceed.
- 2. The Demopolis Plant Must Be Upgraded and its Treatment Capacity Increased.*  
Demopolis is evaluating what needs to be done to their plant. They intend to fund those upgrades, if necessary, with other funding. They are waiting for data for quantity and characteristics of the Uniontown effluent.
- 3. Many Uniontown Residents Must Have Financial Help to Tie into the System.*  
The connection or repair of service connections is planned to be at no cost to homeowners. No loan is proposed.
- 4. Past Mistakes by Sentell Should Disqualify it from Working on this Project.*  
USDA has no authority to require an applicant/client to use or not use a particular firm unless a proposed firm has been excluded from receiving Federal contracts, certain subcontracts, and certain types of Federal financial and non-financial assistance and benefits. Sentell Engineering, Inc. has not been excluded.

USDA Rural Development welcomes the opportunity to have stakeholder involvement in the project planning stages. We look forward to discussing this important project with stakeholders in the early stages after funding is secured.

Sincerely,

ALLEN BOWEN  
Community Facilities and Business Programs Director

cc: Mr. Nivory Gordon, Camden Office

Mr. Gordon,

Please find Black Warrior Riverkeeper's letter in response to USDA's request for public comments regarding the Environmental Assessment for the city of Uniontown's proposed rehabilitation of the sanitary sewer collection system and wastewater transmission to Demopolis attached to this email.

Thank you for your time and attention to these comments. Please do not hesitate to contact me if you have any questions or concerns.

For the River,

*John Kinney*

Enforcement Coordinator

Black Warrior Riverkeeper

712 37<sup>th</sup> St South

Birmingham, AL 35222

205-458-0095

**005667**

**From:** [Beeker, Chris - RD, Montgomery, AL](#)  
**To:** [Bowen, Allen - RD, Montgomery, AL](#)  
**Subject:** Fwd: Uniontown Information  
**Date:** Friday, October 26, 2018 8:28:27 PM

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We had a long talk late this afternoon, and I told him we would get this info to him Monday. Let me know if you have a problem with this.

Thanks,

Chris Beeker III  
State Director | Alabama State Office  
Rural Development  
U.S. Department of Agriculture  
4121 Carmichael Road, Suite 601 | Montgomery, AL 36106  
Phone: 334-279-3402 | Fax: 855-304-8456  
[www.rd.usda.gov](http://www.rd.usda.gov) "Committed to the future of rural communities"

USDA is an equal opportunity provider, employer and lender

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**From:** "Allen, Baker" <[Baker.Allen@governor.alabama.gov](mailto:Baker.Allen@governor.alabama.gov)>  
**Date:** Friday, October 26, 2018 at 5:25:47 PM  
**To:** "Beeker, Chris - RD, Montgomery, AL" <[Chris.Beeker@al.usda.gov](mailto:Chris.Beeker@al.usda.gov)>  
**Subject:** Uniontown Information

Good Afternoon Chris,

Thank you for taking the time this afternoon to speak with me. I appreciate your insight and help. Do you think you could provide me with the following information:

- Plans for the proposed wastewater treatment project;
- Cost of the project both fixed and operational costs;
- Feasibility study of the sustainability of the project;
- Sources of funding committed for the project;
- Other potential sources of funding;
- The type of USDA grant and the requirements on the city if they accept the grant; and,
- The impact on Demopolis's wastewater treatment.

Please send any additional information that you think might be helpful. I hope you have a nice weekend!

Sincerely,

M. Baker Allen

**005668**

Office of Governor Kay Ivey  
Economic Policy Advisor

**005669**