

# **STATE OF INDIANA**

## **Drinking Water SRF Intended Use Plan for Emerging Contaminants Program**



**State Fiscal Year 2023  
(July 1, 2022 – June 30, 2023)**

**For DWSRF Federal Emerging Contaminants  
funds appropriated in FFY 2022**

**State of Indiana**  
**Drinking Water SRF Emerging Contaminants Program**  
**Intended Use Plan SFY 2023**

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**EXHIBITS:**

Exhibit A:	DWSRF Loan Program Definitions
Exhibit B:	Project Priority List (PPL)
Exhibit C:	Proposed Equivalency Projects for the Emerging Contaminants Program
Exhibit D:	DWSRF Loan Program Project Scoring and Ranking Worksheet
Exhibit E:	SFY 2023 Set Aside Workplan for the DWSRF Emerging Contaminants Program
Exhibit F:	Unspecified DWSRF Set-Aside Funds for the Emerging Contaminants Program

**State of Indiana**  
**Drinking Water SRF Emerging Contaminants Program**  
**Intended Use Plan SFY 2023**

**I. Introduction**

Pursuant to the Safe Drinking Water Act (SDWA), 40 CFR 35.3555, the State, acting through its Indiana Finance Authority (Authority), hereby submits to the United States Environmental Protection Agency (EPA) and the public this Intended Use Plan (IUP) for State Fiscal Year (SFY) 2023 for its Drinking Water State Revolving Fund (DWSRF) Emerging Contaminants Program. An IUP is prepared each fiscal year to identify the uses of all monies available to the DWSRF Loan Program during that fiscal year. Acronyms and terms used herein are defined in Exhibit A, Definitions.

This IUP sets forth the intended use of the Emerging Contaminant Capitalization Grant appropriated to the DWSRF Loan Program through the Bipartisan Infrastructure Law (BIL).

The mission of the DWSRF Emerging Contaminant Program will be to provide funds to address emerging contaminants in drinking water. through projects and associated activities directly connected to the identification, planning, and design, of projects that abate emerging contaminants.

The DWSRF Emerging Contaminants Program is administered by the Authority. The Authority is responsible for setting priorities for financing assistance from the DWSRF, which is evidenced by the DWSRF Emerging Contaminants Capitalization Grant received from EPA. The Project Priority List (PPL) for SFY 2023 is attached as Exhibit B. Projects listed on the PPL that include Emerging Contaminant components are eligible to be funded with the DWSRF Emerging Contaminants Program funding.

The Authority assures that no person or entity shall be excluded from participation in, or be denied the benefit of, or otherwise be subjected to discrimination in any program, service, or activity on the basis of race, color, or national origin as required by Title VI of the Civil Rights Act of 1964. This requirement is included in all Financial Assistance Agreements and contract documents funded through the State Revolving Fund Loan Programs.

**II. Program Project Priority List**

The SFY 2023 PPL includes all applications and projects, including those projects that have emerging contaminants components. Projects for which a Preliminary Engineering Report (PER) have been submitted have been ranked and scored. All other projects for which the Authority received applications but for which PERs have not been submitted, are listed alphabetically un-scored and un-ranked. At the time of the posting of this IUP there are no un-ranked applications. The names of the public water systems along with a description of the emerging contaminant project, the expected amount of assistance, and the population are listed on the PPL, as required by 40 CFR 35.3555 (c)(2)(i). In addition, Disadvantaged Communities meeting the Disadvantaged Criteria are identified on the PPL. All projects that include activities that address emerging contaminants have been noted in the Q1 PPL and are highlighted in Exhibit B. The

PPL is updated quarterly, and public noticed for comments each quarter for a three-week period. The PPLs are posted on the Authority’s website at [www.srf.in.gov](http://www.srf.in.gov).

The SFY 2023 Clean Water PPL does not contain sufficient projects addressing emerging contaminants to utilize the CWSRF Emerging Contaminant Program FY 2022 funding. It is the intent of the Authority to apply for the FY 2022 Emerging Contaminant Capitalization Grants and to transfer the FY 2022 CWSRF Emerging Contaminant allotment to the DWSRF Emerging Contaminant program. The FY 2022 Emerging Contaminant allotment will go towards funding projects on the PPL that have EC components.

The DWSRF Loan Program will ensure that DWSRF assistance is not provided to any public water system with an Enforcement Tracking Tool (ETT) score greater than or equal to 11, unless the conditions delineated in the SDWA section 1452(a)(3)(B) and (C) are met.

EPA determined that Federal Crosscutter requirements must be applied to Emerging Contaminants projects identified by the Authority whose cumulative funding is equivalent to the amount of the Capitalization Grant (i.e. equivalency projects). The Indiana Drinking Water SRF Loan Program identifies the proposed Emerging Contaminants Program projects for SFY 2023, equivalent to the combined DWSRF and CWSRF Capitalization Grants, in Exhibit C.

#### ***A. Project Scoring and Ranking System for DWSRF Loan Programs***

To determine which projects will receive funding (additional subsidy and loans), the Authority follows criteria for assistance established by the SDWA and 40 CFR 35.3555(c)(1). The Authority uses the same scoring and ranking worksheet for Emerging Contaminants projects as it does for eligible DWSRF projects. To the extent practical, the Authority expects to give priority to projects that propose the following items:

1. Address the most serious risk to human health, including addressing emerging contaminants;
2. Are necessary to ensure compliance with the SDWA; and
3. Assist Disadvantaged Communities most in financial need, on a per household basis, according to the Authority’s affordability criteria/ Disadvantaged Community criteria.
4. Bonus points will be available for projects that can prove technical, managerial, and financial capability, projects that submit PERs early, include brownfield redevelopment (through the Authority Brownfields Program), include Green Project Reserve (GPR) Sustainability Incentive Program components, climate resiliency elements, meet Disadvantaged Communities criteria, and/or Regionalization.
5. Deduction points – projects that disconnect from a viable treatment system to create their own system will have points deducted.

The priority system, designed to implement the SDWA criteria, is attached as Exhibit D, DWSRF Loan Program Project Scoring and Ranking Worksheet. All projects are ranked

and undergo public review as required by 40 CFR 35.3555(c)(2). PPLs are posted for a three-week comment period.

In addition to being ranked and scored, “Project readiness criteria” will be applied to assure that projects are ready for DWSRF Loan Program financing. Steps towards “project readiness” can be demonstrated by: (1) Submitting a PER, (2) Obtaining PER approval, a construction permit and bidding the project pursuant to the DWSRF Loan Program established timeframes, and (3) Initiating the steps required by State statute and the DWSRF Loan Program to proceed with a financial closing with the DWSRF Loan Program. This involves completing the steps required to issue valid bonds, retaining a nationally recognized bond counsel to issue its unqualified, approving opinion on the validity of the bonds at closing and demonstrating the ability to repay the loan portion of the financing (if applicable) through the DWSRF Loan Program.

### ***B. Fundable Range for Emerging Contaminants Projects***

To inform the public of estimates regarding the DWSRF’s financial capacity and to direct DWSRF Loan Program assistance to the highest priorities where possible, including but not limited to projects that directly and/or indirectly impact Disadvantaged Communities, the Authority calculates a “Fundable Range” for those projects that are on the PPL. Projects are included in the Fundable Range based on a project’s rank and score.

The DWSRF Loan Program uses the Fundable Range to plan and prioritize its responsibilities and resources. On July 1, 2022, the Authority determined that funds available were sufficient to fund all projects on the first quarter PPL.

Projects that are outside of the Fundable Range may receive funding in advance of those projects identified in the Fundable Range by following the bypass procedure outlined below. Projects that are eligible for Additional Subsidization may be funded in advance of projects in the Fundable Range to meet additional federal requirements. In addition, the DWSRF Loan Program will give priority to projects that are viable only because of non-SRF financial assistance, and those projects that would alleviate an emergency situation that poses a threat to public health. See bypass procedures outlined in Section C. The first quarter PPL for Emerging Contaminants Projects does not include projects outside the Fundable Range.

### ***C. Bypass Procedure for DWSRF Loan Programs***

When the Authority has determined that funds on-hand are insufficient to fund projects in addition to those within a Fundable Range. The Authority will use the following bypass procedures to allow other projects on the PPL to receive financial assistance from the DWSRF Loan Program. As allowed by 40 CRF 35.3555(c)(2)(ii), these bypass procedures enable projects originally identified outside a Fundable Range to be funded when higher-priority projects have not yet progressed to a stage allowing loan closing. However, if a bypassed project becomes ready to proceed, it will have funding priority over other projects

below it on the PPL. Due to high demand, the term for projects in the Fundable Range to close has been extended for SFY 2023.

The following bypass process is used when the Authority uses a Fundable Range:

1. If applicable, the DWSRF Loan Program will note a Fundable Range on the PPL and notify all Participants with projects on the PPL of their status. Participants will be advised that being in the Fundable Range does not mean that a loan commitment is made or that funding is guaranteed or reserved; rather it means funding priority will be given to those projects.
2. All Participants that are eligible for subsidized financing are required to bid the entire DWSRF Loan Program financed project in advance of a DWSRF loan closing.
3. Up to March 31 of the current fiscal year, only projects in the Fundable Range will be permitted to close a DWSRF loan. However, to meet the additional requirements of the SDWA and the terms and conditions of the current Emerging Contaminants Capitalization Grant, the DWSRF Loan Program will give priority to projects that meet the Disadvantaged Community criteria and permit those projects to be funded in advance of projects in the Fundable Range.
4. After March 31 of that fiscal year, the DWSRF Loan Program will permit the bypass of projects within the Fundable Range that have not closed or scheduled to close a loan. However, projects that have received deductive points in the rank and score may not receive funding during the bypass period. The DWSRF Loan Program will extend the Fundable Range by the amount of such bypassed projects. This is intended to afford Participants otherwise outside the original Fundable Range to gain priority in working quickly to close their loans.
5. After March 31 of that fiscal year, any project ready to close a DWSRF Loan Program loan under applicable DWSRF Loan Program lending requirements will be permitted to do so. If the DWSRF Loan Program determines there is insufficient lending capacity, then the highest-scored projects at a readiness-to-proceed stage may close.
6. Notwithstanding the foregoing, after March 31 of that fiscal year, the DWSRF Loan Program may institute additional or alternative conditions and limits other than as expressed in this IUP to tentatively select Participants for closing eligibility and to bypass any such tentatively selected Participant. Without limitation, these may include (i) bypassing Participants that fail to close within a 30-day (or shorter) period of being notified of timing and eligibility to close, (ii) limiting loan closing amounts to lesser amounts than requested, (iii) requiring evidence of full project funding if all funding needs are not provided through the DWSRF Loan Program at a loan closing, and (iv) conditionally reserving funding for any Participant commitments, etc.
7. All unfunded projects are eligible to remain on the next SFY's PPL if they inform the DWSRF Loan Program of their desire to do so.

8. Projects that are necessary to alleviate unanticipated catastrophic or emergency situations that pose a threat to public health may be elevated to the top of the PPL upon the recommendation of the Indiana Department of Environmental Management's Drinking Water Program. Emergency projects may include, but are not limited to, the loss of safe drinking water resulting from the following events: flood, fire, system collapse, tornado, weather damage or hazardous spills and projects that address an immediate risk to public health and/or safety either by drinking water contamination or other emergent circumstances. Emergency projects may include the loss of safe drinking water due to lead contamination. Therefore, as allowed by 40 CFR 35.3555 (c)(2)(iii)-such emergency projects may be added to the top of the PPL for immediate assistance. One or more projects in the original Fundable Range may be moved out of the Fundable Range in order to provide loans to emergency projects.

### **III. 2023 DWSRF Emerging Contaminants Loan Program Goals and Objectives**

The DWSRF Loan Program sets short- and long-term goals as required by 40 CFR 35.3555(c)(5). Short-term goals and objectives are those the Authority expects to achieve during SFY 2023, while long-term goals and objectives are those the Authority expects to achieve over a longer period.

#### ***A. Short-Term Goals and Objectives of the Emerging Contaminants Program***

During SFY 2023, the DWSRF Emerging Contaminants Loan Program expects to achieve the following short-term goals and objectives:

ST1 Goal: Seek the immediate transfer of award of the Federal Fiscal Year (FFY) 2022 CWSRF Emerging Contaminant Capitalization Grant to the DWSRF Emerging Contaminant Program.

ST2 Goal: Seek the immediate award of the Federal Fiscal Year (FFY) 2022 BIL DWSRF Emerging Contaminants Capitalization Grant. Upon award, disburse loan proceeds such that the Emerging Contaminants Capitalization Grant can promptly be utilized.

ST2a Goal: Ensure that Additional Subsidization is provided pursuant to the terms and conditions of the Emerging Contaminants Capitalization Grant and as described in Section 1452 of the Safe Drinking Water Act (SDWA). 100% of the Emerging Contaminants Capitalization Grant shall be provided as additional subsidization in the form of principal forgiveness or grants (or any combination of these).

ST2b Goal: Ensure that Davis Bacon Act wage rules apply to all assistance agreements made with funds appropriated under the Emerging Contaminants Capitalization Grant.

ST2c Goal: Ensure that all American Iron and Steel requirements (AIS) as set forth in the Emerging Contaminants Capitalization Grant are met. Work to implement the Buy America Build America Act requirements as applicable (effective May 14, 2022).

ST2d Goal: If practical, equivalency projects selected for the DWSRF Emerging Contaminants Program will be identified in Exhibit C. A list of equivalency projects will be included in the SFY 2023 Annual Report.

ST2e Goal: Ensure that Participants are developing and implementing an Asset Management Program (AMP) that meets the requirements set forth in the DWSRF Loan Program Guidelines.

ST3 Goal: Ensure that all DWSRF Loan Program Participants achieve or maintain compliance with existing or future requirements of the Safe Drinking Water Act.

ST4 Goal: Conduct a total of 30 technical, on site and/ or virtual inspections between the CWSRF and DWSRF Loan Programs (including Emerging Contaminants Program projects) during the construction phase and the post-construction phase to document the construction progress, as well as the appropriate use of SRF funds.

ST5 Goal: Work diligently with Participants and effectively manage projects to assist Participants in closing loans and constructing projects in a timely, efficient manner.

ST6 Goal: Ensure that EPA funds are accessed when eligible expenses are incurred to minimize un-liquidated obligations.

ST7 Goal: Consider other available funding opportunities from Federal and/or State sources to further achieve the goals of the DWSRF Emerging Contaminant Program (i.e. WIIN Grants, State appropriation, etc.).

ST8 Goal: Ensure that Participants completed non-revenue water audits as required by IC 8-1-30.8 and participate in regional study area activities as required by IC 5-1.2-11.5.

ST9 Goal: Work with the Indiana Department of Environmental Management and communities to identify and prioritize communities that need to address PFAS contamination in source water.

ST10 Goal: Conduct outreach to Disadvantaged Communities that may include presenting at workshops and conferences to advertise the availability of additional funding and providing assistance as needed to Disadvantaged Communities in accessing the DWSRF Loan Program, and in particular the Emerging Contaminants Program Funds.

ST11 Goal: Utilize set-asides, state funds, etc. to provide funds and professional services to assist Indiana communities to meet the statutory purpose of the Emerging Contaminants funds to address Emerging Contaminants in Drinking water with focus on PFAS remediation.

### ***B. Long-Term Goals and Objectives of the Emerging Contaminants Program***

During SFY 2023, the Authority will continue to work to achieve the following long-term goals:



LT1 Goal: Provide financial assistance to current and future Participants, by providing low-cost financing commensurate with prudent fiscal and credit standards.

LT2 Goal: Monitor all outstanding loans and the financial capability of Participants through the use of an in-house monitoring system and, in conjunction with the Bank of New York Mellon Trust Company, ensure the DWSRF Loan Program continues to avoid loan defaults. In particular, review the financial statements for Participants receiving a State Board of Accounts examination report in the current calendar year. Require new Participants to utilize paying agent agreements and offer all prior Participants the opportunity to enter into a paying agent agreement. Conduct financial on-site visits as warranted.

LT3 Goal: Report all uses of DWSRF Emerging Contaminant Program funds, including the contaminant of concern addressed, in the Drinking Water SRF Data System and the Drinking Water SRF Annual Summary as required by the EPA and the Federal Funding Accountability and Transparency Act (FFATA). Submit required reports to EPA in a well-prepared and timely manner.

LT4 Goal: Periodically publish an SRF Loan Program newsletter.

LT5 Goal: Continue to look for co-funding opportunities between the Brownfields Program and the SRF Loan Program. Continue to look for co-funding opportunities between SRF Loan Program and other federal programs including the HUD Office of Community and Rural Affairs and USDA Rural Development.

LT6 Goal: Ensure that the DWSRF Loan Program and its Participants comply as required with Disadvantaged Business Enterprise fair share objectives, Federal environmental crosscutters, and the Single Audit Act.

LT7 Goal: Monitor DWSRF Emerging Contaminants Program Set-Aside uses and activities and reconcile balances to EPA Set-Aside account balances. Coordinate with the Indiana Department of Environmental Management and/ or the IFA Water Resources and Infrastructure Planning Program to develop new Set-Aside programs as needed.

LT8 Goal: Provide at least 15% of the DWSRF Loan Program to systems serving fewer than 10,000 persons.

LT9 Goal: Complete continuing education courses to ensure that all SRF Loan Program technical reviewers remain aware of innovations in the wastewater and drinking water industry and can review both wastewater and drinking water projects.

LT10 Goal: Coordinate with the Indiana Department of Environmental Management's Drinking Water Branch to identify public water systems with Enforcement Targeting Tool (ETT) scores of 11 or greater that may benefit from DWSRF Loan Program funding.

#### **IV. Financial Status of the DWSRF Loan Programs**

##### ***A. Sources and Uses of Funds***

The Authority expects to seek and be awarded a FY 2022 DWSRF Emerging Contaminant Capitalization Grant that will fund Emerging Contaminants eligible projects in SFY 2023. The Authority anticipates a DWSRF Emerging Contaminant Capitalization Grant in the amount of \$11,548,000. State match is not required for the DWSRF Emerging Contaminants Capitalization Grant.

The Authority intends to seek, be awarded, and transfer a FY 2022 CWSRF Emerging Contaminant Capitalization Grant that will also fund Emerging Contaminants eligible projects in SFY 2023. The Authority intends to transfer the \$2,253,000 allotted to the CWSRF Emerging Contaminant program to the DWSRF Emerging Contaminants Program. State match is not required for the CWSRF Emerging Contaminants Capitalization Grant.

### ***B. Allocation of Funds to the Set-Aside Accounts for the Emerging Contaminants Program***

The SDWA permits the State to use a Capitalization Grant for a variety of purposes to protect drinking water. In addition to making loans for the remediation of emerging contaminants, the State may use the Capitalization Grant to either administer this capitalization grant or meet the statutory purpose of these funds to address emerging contaminants in drinking water with focus on PFAS and polyfluoroalkyl substances. As required by 40 CFR 35.3555 (c)(3)(i), the State must provide the rationale for allocating Capitalization Grant funds between infrastructure loans and other activities known as “Set-Asides.”

Per the SRF Transfer Policy, transfers do not impact the set-aside calculations in the DWSRF Emerging Contaminants Program. The Authority will not take set-asides from the transferred CWSRF Emerging Contaminant Funds

Pursuant to Section 1452(g)(2) of the SDWA, the DWSRF Loan Program may cover the reasonable costs of administering the program, and to provide technical assistance to public water systems within the State to one of the following, whichever is greatest, plus any fees collected by the DWSRF Loan Program.

- \$400,000 per year;
- 1/5% of the current valuation of the fund; and
- An amount equal to 4 percent of all grant awards to the fund under this section for the fiscal year.

In SFY 2023, the following set-asides will be taken from the DWSRF Emerging Contaminants Capitalization Grant:

- Four percent (4%) Administration and Technical Assistance or approximately \$461,920. The Authority plans to use this set-aside to administer the Emerging Contaminants Program, as further set forth in Exhibit E.

- Approximately two percent (2%) Local Assistance and Other State Programs, or \$200,000. The Authority plans to use this set-aside to support lab analysis and staffing for a Drinking Water Sampling initiative conducted by the Indiana Department of Environmental Management looking at PFAS contamination, as further set forth in Exhibit E.

As stated in EPA Policy Memo of February 9, 1999, the Indiana DWSRF Loan Program can earmark 1452 (g) (2) (B) Set-Aside funds that it intends to use at a later time and for which a workplan has not been prepared. These unspecified funds, also called “banked” funds, are deposited into the DWSRF and would be directed toward Emerging Contaminant projects in the short-term. The DWSRF Loan Program retains the authority to reclaim the funds from a future Capitalization Grant.

***C. Additional Subsidization for the Emerging Contaminants Program***

Additional Subsidization through the Bipartisan Infrastructure Law may only be in the forms of forgiveness of principal, and grants (or any combination of these). It is the intent of the DWSRF Loan Program to provide Additional Subsidization in the form of principal forgiveness but reserves the right to provide additional subsidy as grants. The DWSRF Loan Program has the authority to offer loans and other financial assistance (i.e. Additional Subsidization) to or for the benefit of participants under Indiana Code 5-1.2-10-4. The DWSRF Loan Program has not set a cap on the amount of principal forgiveness that a Participant may receive.

**Additional Subsidization** may be provided through the FY 2022 BIL DWSRF Emerging Contaminant Capitalization Grant as follows:

1. One Hundred (100%) percent, or \$11,548,000, of the Emerging Contaminants Capitalization Grant shall be provided as Additional Subsidization. Not less than twenty-five (25%) percent of these funds, or \$2,887,000, will be awarded to Disadvantaged Communities, as defined in Section VII, at the DWSRF Loan Program’s discretion as described in Section 1452 of the Safe Drinking Water Act (SDWA), or to public water systems serving fewer than 25,000 persons.
2. One Hundred (100%) percent, or \$2,253,000, of the Transferred CWSRF Emerging Contaminants Capitalization Grant shall also be provided as Additional Subsidization. Not less than twenty-five (25%) percent of these Transferred funds, or \$563,250, shall be provided to Disadvantaged Communities, as defined in Section VII, at the DWSRF Loan Program’s discretion as described in Section 1452 of the Safe Drinking Water Act (SDWA), or to public water systems serving fewer than 25,000 persons.

The DWSRF Loan Program shall identify those Participants who will receive Additional Subsidization (in the manner as described above) and the amount of the Additional Subsidization prior to executing a financial assistance agreement. In cases where a project cost exceeds principal forgiveness, base or other applicable General Supplemental SRF loan funds will make up a portion or all the difference.

***D. Transfers Between DWSRF and CWSRF***

The Authority has retained the flexibility to permit transfers between the DWSRF Loan Program and the CWSRF Loan Program of Capitalization Grants and other funds held in or allocable to such funds to the extent permitted by the Clean Water Act and the Safe Drinking Water Act. Transfers are only made between accounts established for like purposes and subject to like restrictions in the SRF Loan Programs, such as the DWSRF Emerging Contaminant Program and the CWSRF Emerging Contaminant Program.

Section 302 of the Safe Drinking Water Act authorizes a State to transfer up to thirty-three (33%) percent of the amount of a fiscal year’s DWSRF Emerging Contaminant allotment to the CWSRF Emerging Contaminant program. In FY 2022, the maximum amount (33%) of the allotment available for transfer is \$3,810,840; thus allowing 100% of the CWSRF Emerging Contaminant allotment (equal to \$2,253,000) to be transferred to the DWSRF Emerging Contaminant Program.

Summary of Transfer:

	<b>DWSRF EC Program</b>	<b>CWSRF EC Program</b>
FY 2022 Program Allotments	11,548,000	2,253,000
Transfer	2,253,000	(2,253,000)
FY 2022 Post-Transfer Amounts	<b>13,801,000</b>	-

The Authority anticipates this transfer of funds in year one of the program will allow for the Program to meet all Emerging Contaminant needs currently found on the project priority lists while also funding PFAS investigations and building a project pipeline of CWSRF and DWSRF Emerging Contaminant projects for future years.

***E. Interest Rates***

As allowed by 40 CFR 35.3555 (c)(3)(iii), Indiana’s DWSRF Loan Program uses a Base Interest Rate, which is re-set on the first business day of each January, April, July, and October. The Base Rate is calculated by using 90 percent of the daily average 20-year AAA-rated, general obligation bond Municipal Market Data (MMD) composite index for the most recent calendar month. The Base Rate is discounted further based on the Participant’s median household income (MHI) from the 2016-2020 American Community Five Year Survey and projected post-project monthly user rates.

Projects fully funded under the DWSRF Emerging Contaminant program will receive 100% additional subsidization. Any project that includes components funded through the DWSRF Base or General Supplemental programs may receive a traditional loan and the rate matrix will be applied to those components only.

## ***F. Terms***

### **Standard 20 Year Term Loans**

Standard DWSRF Loan Program loans will be structured so that minimum annual principal repayments commence one year after expected completion of the project, and final principal payment will occur no later than 20 years after expected completion of the project. Additionally, the State expects level debt service payments except in limited circumstances, such as where DWSRF Loan Program debt service is wrapped around a Participant's existing debt based on user rate affordability. Executing a DWSRF Loan Program loan on any basis other than level, aggregate annual debt service is subject to additional State review and approval.

### **Loan Terms That Exceed 20 Years**

The DWSRF Loan Program may offer Participants extended term financing at its discretion provided the useful life of the project is equal to or greater than the loan term.

- As permitted by the Safe Drinking Water Act, a loan term up to 40 years may be given to a Participant who is defined as "Disadvantaged", See Section VII.
- On August 3, 2017, the Authority received EPA approval to offer extended term financings in both CWSRF and DWSRF Loan Programs. A loan term up to 35 years may be given to all Indiana utilities to correct the issue of aging infrastructure for all water and sewer projects.

## ***G. Cross-collateralization of the CWSRF with the DWSRF***

To the extent permitted by the Clean Water Act (CWA) and the SDWA, and their incumbent regulations, specifically 40 CFR 35.3555(c)(9), the State has cross-collateralized the Clean Water State Revolving Fund (CWSRF) and the DWSRF Loan Programs to optimize their capitalization requirements and to better manage the specific funding needs of projects assisted through them.

This cross-collateralization arrangement maximizes the security for bonds issued by the State to capitalize the SRF Loan Programs. Accordingly, this could relate to and affect all types of funds held in them. The Authority expects that any such transfers would occur at any time necessary to prevent a default on any such bonds and would be made between accounts established for like purposes and subject to like restrictions. To date, no transfers of this nature have been made.

The Authority expects to retain the flexibility to reimburse, on a cumulative net basis, any transfers made under a cross-collateralization arrangement. Because such a cross-collateralization arrangement is a contingent security concept and transfers are not expected or planned to occur, the State does not expect this arrangement to affect negatively the funding capacity of the SRF Loan Programs. However, if such transfers occur and are not

reimbursed, it may affect the burdened Fund's ability to make a volume of additional loans it otherwise might have been able to make.

#### ***H. Assurances***

As required by 40 CFR 31.26, the Authority, hereby affirms that it retains an independent auditor to review and audit the use of funds deposited in the DWSRF Loan Program in accordance with the auditing procedures of the federal General Accounting Office and the requirements of the federal Single Audit Act and the federal Office of Management and the Uniform Administrative Requirements, Cost Principals and Audit Requirements for Federal Awards.

As required by 40 CFR 35.3560(a), the Authority affirms that it will receive grant payment in accordance with its Capitalization Grant agreement.

As required by 40 CFR 35.3550(p), the Authority affirms that it will comply with the requirements of the capacity development authority, capacity development strategy, and operation certification program provisions in order to avoid withholdings of funds.

#### **V. Small Systems**

Of the total amount available for assistance from the DWSRF Loan Program each year, the State will make at least 15 percent of each Capitalization Grant available solely for providing loan assistance to small systems to the extent such funds can be obligated for eligible projects, as required by 40 CFR 35.3555 (c)(2)(iv). A small system is a public water system that regularly serves 10,000 or fewer persons. Population size is a criterion in the DWSRF scoring system (see Exhibit D) to prioritize financing of these systems.

#### **VI. Disadvantaged Community Assistance**

As permitted by 40 CFR 35.3555(c)(7), the State intends to provide assistance to Disadvantaged Communities. The Authority has successfully advertised the DWSRF Loan Program to Disadvantaged Communities through outreach by presenting at workshops and conferences, through newsletters, and working closely with the Indiana Department of Environmental Management to advertise the availability of additional funding and assistance available to Disadvantaged Communities.

The Disadvantaged Community criteria has been updated to open consideration to projects that positively impact smaller areas of disadvantage within a wider community. This will allow the Authority to provide Additional Subsidization to a wider disadvantaged population. Disadvantaged Community Criteria will be evaluated on an annual basis to assure the Authority is targeting assistance to communities in need. Bonus points are given to applicants meeting Disadvantaged Community criteria

The Authority defines a Disadvantaged Community as an eligible Participant that meets one of the following criteria:

- 1) A project area with an MHI below 80% of the State MHI, as established by 2016-2020 American Community Five Year Survey;
- 2) Projects that have a positive, direct impact on a census tract(s), or other targeted project area, which has an MHI below 80% of the State MHI may also receive Additional Subsidization;
- 3) An estimated post project user rate greater than \$45.00 per month;
- 4) An average annual residential post project user rate that would exceed one (1%) percent of the Participant's Median Household Income (MHI).
- 5) Schools that serve 50% or greater number of kids that qualify to receive free and reduced meals. This criteria is applicable only to the Indiana Lead in Public Schools and Childcare program.

These communities receive the lowest interest rate the State provides to DWSRF Loan Program Participants. The DWSRF Program will provide one-hundred (100%) percent of the Emerging Contaminants Capitalization Grant as Additional Subsidy.

## **VII. Public Participation**

Pursuant to 40 CFR 35.3555 (b), the State will conduct a meaningful public review during the development of the SFY 2023 Emerging Contaminants IUP. The DWSRF Loan Program has public noticed the IUP on the SRF Loan Program website for a three-week period, beginning on October 27, 2022, and ending on November 17, 2022. Each quarter the PPL is public noticed for a three-week period. Further detail on public notice of the PPL can be found in Exhibit B. Copies of this proposed IUP are available to the public upon request. The IUPs and PPLs are also posted on the SRF Loan Program website.

The Authority provides outreach to various groups, organizations associated with Indiana communities by presenting at relevant conferences (Regional meetings, conducted by the Authority or the Authority's contractors, AWWA, EWIG, etc.) and informing the public of the public review comment period of the DWSRF Emerging Contaminant IUP through targeted mailings. The Spring 2022 SRF newsletter encouraged public comment for the Indiana IUPs. The Newsletter is emailed to Financial Advisors, Engineering Firms, Bond Counsels, and other interested parties.

The DWSRF Loan Program will respond to any substantive comment or concern.

According to 40 CFR 35.3555(d), this IUP, including the PPL, may be amended during SFY 2023 in accordance with federal and state law, and any amendments to the PPL for the addition of Emerging Contaminants projects will be subject to public review.

## Exhibit A: DWSRF Loan Program Definitions

Terms used in this document have the following meanings:

**Additional Subsidization for the Emerging Contaminant Program** means to provide assistance from the Bipartisan Infrastructure Law DWSRF Emerging Contaminants Program in the form of principal forgiveness, and grants. Priority for additional subsidies should be given to communities that could not otherwise afford such projects/disadvantaged communities.

**American Iron and Steel (AIS)** means P.L. 113-235, Consolidated and Further Continuing Appropriations Act, 2015 (Act), includes an “American Iron and Steel (AIS)” requirement in section 436 that requires Clean Water State Revolving Loan Fund (CWSRF) and Drinking Water State Revolving Loan Fund (DWSRF) assistance recipients to use iron and steel products that are produced in the United States for projects for the construction, alteration, maintenance, or repair of a public water system or treatment works if the project is funded through an assistance agreement executed beginning January 17, 2014 (enactment of the Act), through the end of Fiscal Year 2015.

**Asset Management Plan (AMP)** means the program developed and implemented by the Utility demonstrating that it has the technical, managerial, legal, and financial capability to operate and maintain its water and/or wastewater system.

**Bipartisan Infrastructure Law (BIL)** means Public Law 117-58, signed into law on November 15, 2021. The Law includes additional provisions and funding to supplement the SRF Loan Programs.

**Binding Commitment** means a closed DWSRF loan.

**Build America Buy America (BABA)** means Public Law 117-58 which requires all DWSRF Equivalency assistance recipients, absent a waiver, to document that all iron, steel, manufactured products, and construction materials used in the project are produced in the United States

**Bypass Process** means the procedure which allows the State to bypass projects identified in a Fundable Range if the Indiana Finance Authority determines that there may be insufficient resources to fund all loans on the PPL during the SFY. It allows projects originally identified outside the Fundable Range to be funded when higher-priority projects have not yet progressed to a stage allowing for loan closing.

**Capitalization Grant** means a federal grant, as evidenced by an agreement with the United States Environmental Protection Agency that provides funds to capitalize the DWSRF. For purposes of this IUP, the Capitalization Grant is the Emerging Contaminants Replacement Capitalization Grant.

**Drinking Water SRF (DWSRF)** means the State's Drinking Water State Revolving Fund created in accordance with the SDWA and state law.

**DWSRF Base Program Funding** means the State's Drinking Water State Revolving Fund created in accordance with the SDWA and state law, funded through the annual federal appropriation bill.

**DWSRF Emerging Contaminants Funding** is a fund source through the BIL to address emerging contaminants in drinking water with a focus on perfluoroalkyl and polyfluoroalkyl substances



through capitalization grants under section 1452(t) of the SDWA for the purposes described in section 1452(a)(2)(g). For the purposes of this IUP, the funding source is the Emerging Contaminant Capitalization Grant.

**DWSRF General Supplemental Funding** is a fund source through the BIL with the same eligibilities as the DWSRF Loan Program.

**DWSRF Loan Program** means the State’s revolving fund loan program for drinking water infrastructure established under and pursuant to IC 5-1.2-10 and the programs afforded thereby.

**Emerging Contaminants** means emerging contaminants in drinking water with a focus on perfluoroalkyl and polyfluoroalkyl substances (PFAS) Projects that address any contaminant listed on any of EPA’s Contaminant Candidate Lists are eligible (i.e., CC11 – draft CCL5).

**Environmental Protection Agency (EPA)** means the federal agency responsible for promulgating regulations to implement environmental statutes including the Safe Drinking Water Act and from which the DWSRF receives Capitalization Grants.

**Equivalency Project** means a project or projects in an amount equal to the current capitalization grant(s). DWSRF Equivalency Projects must comply with all of the following: a) FFATA reporting requirements, b) Single Audit Act, c) Federal Cross Cutters, d) Disadvantaged Business Enterprise, e) Signage Requirement, and f) Prohibition of Certain Telecommunication and Video Surveillance Services and f) Build America, Buy America when the requirement effective May 14, 2022.

**Federal Fiscal Year (FFY)** means the fiscal year beginning October 1<sup>st</sup> and ending September 30<sup>th</sup>.

**Fiscal Year (FY)** means the fiscal year for the year indicated.

**Fundable Range** means an estimated current loan capacity which is determined by fiscal assumptions. Defined at the commencement of the SFY, it determines which projects on the PPL are expected to receive assistance from the available funds subject to the DWSRF’s Bypass Process.

**Green Project Reserve (GPR) Sustainability Incentive Program** means assistance in the form of interest rate discounts to address green infrastructure, water or energy efficiency improvements, other environmentally innovative activities, or climate resiliency planning.

**Guarantee Revenue Bonds** means one or more series of revenue bonds issued from time-to-time by the State to fund the DWSRF Loan Program. Federal Capitalization Grants provide security for, and the DWSRF is the source of revenue for, the payment of Guarantee Revenue Bonds. Guarantee Revenue Bond net proceeds are loaned to Participants to finance projects.

**Indiana Department of Environmental Management (IDEM)** means the State’s environmental regulatory agency.

**Indiana Finance Authority (Authority)** means the State entity that administers the Indiana SRF Loan Programs pursuant to Indiana Code 5-1.2-3.

**Intended Use Plan (IUP)** means a plan prepared by the Authority identifying the intended uses of the amount of funding available to the Drinking Water SRF. The IUP shall include all requirements set forth in the SDWA.

**Maximum Contaminant Level (MCL)** means the highest level of a contaminant that EPA allows in drinking water.

**Median Household Income (MHI)** means the average annual income for a given region as determined by the federal census data.

**Municipal Market Data (MMD)** means the composite index used in pricing municipal bonds.

**Participant(s)** means public water systems that are eligible for financial assistance from the DWSRF Loan Program. Public Water Systems eligible for DWSRF Loan Program assistance are for-profit and non-profit Community Water Systems (e.g. municipalities, political subdivisions, and private mobile home parks) and non-profit Non-Community Water Systems (e.g. schools, churches, day cares, and group homes).

**Political Subdivision** means a municipal corporation, special taxing district, sanitary/conservancy district, regional water, sewer, or waste district, or any other separate local governmental entity. "Political Subdivision" is more specifically described in IC 36-1-2-13.

**Preliminary Engineering Report (PER)** means the document(s) submitted by the Participant that provides the information necessary for the DWSRF Loan Program to determine the technical, economic, and environmental adequacy of a project.

**Project** means a drinking water infrastructure project proposed by Participants for DWSRF financing, which will be reviewed for qualification and ranking under Section 1452 of the SDWA. Project eligibility under this IUP is limited to projects that are eligible for DWSRF and the primary purpose must be to address emerging contaminants in drinking water

**Project Planning Meeting** means an initial meeting held with a Participant to gain an understanding of the Participant's needs, and to explain DWSRF Loan Program requirements.

**Project Priority List (PPL)** ranks, in descending priority of need, projects for which Participants have requested financial assistance from the DWSRF for eligible expenses. It includes projects that are preliminarily scored and unranked as well as those that are scored and ranked on the basis of needs, prepared pursuant to Section 1452 of the SDWA. The PPL is created by the Program, updated quarterly, and may be amended as necessary.

**Public Water System (PWS)** means a system that supplies piped water for human consumption and has at least 15 service connections or 25 persons who are served by the system for 60 or more days each year.

**Readiness to Proceed** means projects that are ready for DWSRF Loan Program financing. Steps towards "project readiness" can be demonstrated by: (1) Submitting a PER, (2) Obtaining PER approval, a construction permit, and bidding the project pursuant to the DWSRF Loan Program established timeframes, and (3) Initiating the steps required by State statute and the DWSRF Loan Program to proceed with a financial closing with the DWSRF Loan Program. This involves

completing the steps required to issue valid bonds, retaining a nationally recognized bond counsel to issue its unqualified, approving opinion on the validity of the bonds at closing and demonstrating the ability to repay the DWSRF Loan Program loan.

**Scoring and Ranking System** means the priority ranking system; a system by which the DWSRF Loan Program staff evaluates and ranks projects for listing on the DWSRF Loan Program PPL.

**SDWA** means the Safe Drinking Water Act of 1974, as amended, Section 1452, and the rules and regulations promulgated thereunder including 40 CFR Part 35.

**Set-Asides** means the allowed uses of DWSRF Capitalization Grant monies specifically identified in Section 1452 of the SDWA that are not directly associated with the construction of capital improvement projects. The set-asides to be taken from the DWSRF Emerging Contaminants Grant are outlined in Exhibit G.

**Small System Technical Assistance Fund (SSTAF)** means funds from DWSRF Set-Asides that are made available to qualified Participants in order to provide assistance with planning and design costs related to Participant's DWSRF Loan Program project.

**State** means the state of Indiana.

**State Fiscal Year (SFY)** means the period of time beginning July 1<sup>st</sup> and ending June 30<sup>th</sup>.

**State Match** for the purposes of the Emerging Contaminant Capitalization Grant is not required.

**State Match Revenue Bonds** means one or more series of revenue bonds issued by the Indiana Finance Authority as needed to fund its State Match.

**State Revolving Fund (SRF) Loan Programs or SRF Loan Programs** means both the DWSRF and CWSRF Loan Programs.

Exhibit B  
Project Priority Lists

This Exhibit highlights projects found in the SFY 2023 first quarter Project Priority List that are eligible for financing through the DWSRF Emerging Contaminant Program.

Project Priority Lists are updated on a quarterly basis and posted for public notice for three weeks.

**SFY 2023 - Drinking Water**  
Indiana Drinking Water State Revolving Fund (DWSRF) Loan Program  
SFY 2023 Project Priority List, July 1, 2022, 1st Quarter Final<sup>1</sup>  
Projects Applying for Financial Assistance in State Fiscal Year 2023 (July 1, 2022 - June 30, 2023)

PPL Rank <sup>1</sup>	PPL Score	Participant	MHI <sup>2,3</sup>	Population Served	PWSID No(s)	SRF Project No.	Project Description	Lead Service Line Replacement Cost	Emerging Contaminants? <sup>4</sup>	Disadvantaged Community? <sup>5</sup>	Estimated Green Project Reserve Cost	Green Project Reserve Category <sup>6</sup>	Current User Rate (per 4,000 gallons) <sup>2</sup>	Estimated Post-Project User Rate (per 4,000 gallons) <sup>2</sup>	Requested Funds	Cumulative Requested Funds	SFY 2023 Fundable Range (\$100 Million)
1	92	Evansville - Treatment Plant	\$42,623	173,000	5282002	DW220482 03	New Treatment Plant	\$0	No	Yes	TBD	TBD	\$33.74	\$45.86	\$200,000,000	\$200,000,000	Fundable Range \$100 Million <small>(Borrowers are Eligible for up to \$10 Million at a Subsidized Rate)</small>
2	85	Northwest Jasper Regional Water District Distribution System Improvements	\$53,155	3,815	5237015	DW210837 02	Water Main Extension and Storage	\$0	No	Yes	\$0	N/A	\$44.01	\$49.50	\$5,500,000	\$205,500,000	
3	80	BBP Water Corporation	\$44,375	9,650	5260001	DW231260 02	Distribution Improvements	\$0	No	Yes	\$0	N/A	\$48.76	\$56.56	\$5,625,250	\$211,125,250	
4	77	Frankton	\$51,714	1,800	5248008	DW223648 01	Storage, Distribution, and Supply Improvements + Lead Service Line Replacement	\$3,201,000	No	Yes	TBD	TBD	\$42.28	\$236.58	\$21,362,000	\$232,487,250	
5	65	Poseyville	\$50,511	966	5265008	DW230565 01	Treatment Improvements	\$0	No	Yes	TBD	TBD	\$65.36	\$96.75	\$2,950,000	\$235,437,250	
6	52	Milton	\$39,688	650	5289011	DW224189 01	Storage, Treatment, Distribution Improvements + Lead Service Line Replacement	\$1,176,750	No	Yes	TBD	TBD	\$58.76	\$186.77	\$2,399,860	\$237,837,110	
7	50	Oxford	\$42,250	1,200	5204005	DW223404 01	Supply and Treatment Improvements	\$1,854,050	No	Yes	\$0	N/A	\$29.18	\$113.97	\$12,344,000	\$250,181,110	
8	49	LaFontaine	\$45,917	906	5285004	DW223085 02	Supply, Treatment, and Distribution System Improvements	\$872,000	No	Yes	\$0	N/A	\$41.95	\$101.59	\$4,223,700	\$254,404,810	
9	48	Monticello - RCA Neighborhood	\$42,565	5,300	5291011	DW220791 03	Distribution System Improvements + Lead Service Line Replacement	\$659,000	No	Yes	\$0	N/A	\$22.05	\$25.07	\$4,100,000	\$258,504,810	
10	48	Kentland	\$48,864	1,735	5256005	DW222156 01	Storage, Treatment, and Distribution Improvements	\$217,000	No	Yes	TBD	TBD	\$26.13	\$80.01	\$11,063,500	\$269,568,310	
11	48	LaCrosse	\$51,932	540	5246015	DW224446 02	Distribution Improvements + Lead Service Line Replacements	\$415,000	No	Yes	\$0	N/A	\$51.50	\$129.41	\$3,272,900	\$272,841,210	
12	48	Arcadia	\$55,566	1,700	5229001	DW222929 02	Treatment, Supply, and Distribution Improvements	\$3,083,200	No	Yes	\$0	N/A	\$36.19	\$96.98	\$7,889,820	\$280,731,030	
13	47	Chandler	\$55,903	19,295	5287002	DW181987 03	Distribution System Improvements	\$0	No	No	\$0	N/A	\$35.21	\$35.21	\$20,000,000	\$300,731,030	
15	46	Rensselaer	\$48,989	5,912	5237005	DW221937 02	Storage and Distribution Improvements + Lead Service Line Replacement	\$5,128,970	No	Yes	\$0	N/A	\$39.19	\$47.40	\$5,367,500	\$306,098,530	
16	45	Chalmers	\$61,023	550	5291003	DW230891 01	Distribution and Treatment Improvements + Lead Service Line Replacement	\$1,140,000	No	Yes	\$0	N/A	\$48.11	\$86.10	\$1,573,000	\$307,671,530	
17	44	Chesterfield	\$44,219	2,800	5248004	DW230648 01	Supply, Treatment, and Distribution System Improvements + Lead Service Line Replacement	\$5,560,000	No	Yes	\$0	N/A	\$23.80	\$73.59	\$14,179,736	\$321,851,266	
18	44	Columbus	\$67,387	44,061	5203002	DW211403 01	Supply, Treatment, and Distribution Improvements	\$0	Yes	No	\$0	N/A	\$9.82	\$16.72	\$22,200,000	\$344,051,266	
19	38	Winamac/Tippecanoe River State Park	\$41,250	2,400	5266005	DW221466 01	Connection to State Park	\$0	Yes	Yes*	TBD	TBD	\$37.14	\$37.14	\$10,113,349	\$354,164,615	
20	38	Brownsburg	\$89,089	23,750	5232002	DW231032 02	Distribution Improvements + Lead Service Line Replacements	\$3,630,400	No	No	\$0	N/A	\$19.21	\$19.82	\$5,499,520	\$359,664,135	
21	35	Reelsville	\$64,583	2,800	5267006	DW221167 03	Well and Treatment Improvements	\$0	No	Yes	\$0	N/A	\$47.54	\$66.19	\$1,600,000	\$361,264,135	
22	34	Cambridge City	\$37,917	1,900	5289002	DW221689 02	Water Main Replacements and Storage Improvements	\$0	No	Yes	\$0	N/A	\$21.97	\$44.13	\$4,580,000	\$365,844,135	
23	34	Milan	\$46,700	1,899	5269003	DW221569 01	Storage Improvements and Water Main Replacements	\$0	No	Yes	TBD	TBD	\$37.20	\$68.45	\$2,918,175	\$368,762,310	
24	33	Lakeville	\$39,605	750	5271008	DW222571 01	Storage and Distribution System Improvements	\$0	No	Yes	TBD	TBD	\$31.40	\$100.04	\$7,540,000	\$376,302,310	
25	33	Atlanta	\$53,026	735	5229002	DW224029 03	Distribution and Storage Extensions	\$0	No	Yes	\$0	N/A	\$58.28	\$289.70	\$11,935,000	\$388,237,310	
26	32	Odon	\$30,368	1,379	5214005	DW223714 02	Treatment, Storage, and Supply Improvements	\$0	No	Yes	\$0	N/A	\$36.24	\$70.71	\$4,764,400	\$393,001,710	
27	32	Holt Community Water Corporation	\$60,055	2,363	5269008	DW223569 01	Water Main Replacements and Storage Improvements	\$0	No	Yes	\$0	N/A	\$54.18	\$77.50	\$3,987,377	\$396,989,086	
28	32	Valley Rural Utility Company	\$102,281	5,529	5215004	DW224615 01	Distribution Improvements	\$0	No	Yes	\$0	N/A	\$36.68	\$200.37	\$6,792,100	\$403,781,186	
29	31	Madison	\$41,568	11,967	5239006	DW220939 03	Treatment, Storage, and Distribution System Improvements	\$0	No	Yes	TBD	TBD	\$9.48	\$15.12	\$12,370,800	\$416,151,986	
30	31	Shirley	\$53,000	960	5233013	DW223930 01	Meter, Supply, and Treatment Improvements	\$0	No	Yes	TBD	TBD	\$50.67	\$93.15	\$3,384,000	\$419,535,986	
31	31	Hoosier Hills Regional Water District	\$56,314	8,642	5269002	DW210469 01	Storage and Distribution System Improvements and Water Main Extension	\$0	No	No	TBD	TBD	\$34.82	\$37.00	\$3,300,000	\$422,835,986	
32	31	LaPaz	\$62,596	574	TBD	DW230271 01	New Water Utility	\$0	No	Yes	TBD	WE, EE, EI	N/A	\$276.17	\$19,137,000	\$441,972,986	
33	30	Maysville Regional Water and Sewer District	\$56,303	1,634	5202037	DW220502 01	Water Main Extension, Storage, and Distribution System Improvements	\$0	No	Yes	\$0	N/A	\$36.25	\$65.00	\$2,500,000	\$444,472,986	
34	29	Laurel	\$19,846	560	5224004	DW222724 01	Storage and Treatment Improvements with Security Updates	\$0	No	Yes	\$0	N/A	\$26.00	\$70.25	\$1,745,000	\$446,217,986	
35	29	Evansville - Main Replacement	\$42,623	173,000	5282002	DW181282 02	Distribution System Improvements	\$0	No	Yes	\$0	N/A	\$33.74	\$45.86	\$97,000,000	\$543,217,986	
36	29	North Liberty/Potato Creek State Park	\$48,458	1,896	5271010	DW224571 01	Connection to State Park	\$0	No	No	\$0	N/A	\$42.41	\$42.41	\$6,473,450	\$549,691,436	

\* The project no longer includes the treatment elements required to be eligible for the Emerging Contaminants Program

37	29	Ingalls	\$55,043	7,600	5248012	DW221148 02	Storage and Distribution System Improvements	\$0	No	Yes	TBD	TBD	\$38.96	\$45.00	\$2,093,009	\$551,784,445
38	28	Connerville	\$38,980	15,000	5221001	DW223821 01	Distribution Improvements	\$0	No	Yes	TBD	TBD	\$23.54	\$27.30	\$6,797,950	\$558,582,395
39	28	Angola/Pokagon SP/Trine SRA	\$45,957	8,612	5276001	DW231376 01	Connection to State Park and State Recreational Area	\$0	No	Yes	\$0	TBD	\$26.11	\$26.11	\$7,359,704	\$565,942,099
40	28	Lynn	\$49,722	1,149	5268004	DW222468 01	Storage and Distribution Improvements, Valve Updates	\$0	No	Yes	\$0	N/A	\$36.26	\$72.21	\$2,972,500	\$568,914,599
41	28	Swayzee	\$55,417	918	5227020	DW222227 02	Water Treatment System Improvements	\$0	No	Yes	TBD	TBD	\$34.13	\$67.16	\$2,381,508	\$571,296,107
42	28	Bourbon	\$60,976	1,767	5250002	DW221350 01	Treatment and Well Improvements	\$0	No	Yes	TBD	TBD	\$31.03	\$66.94	\$4,714,000	\$576,010,107
43	28	Wakarusa	\$64,432	1,800	5220029	DW223120 01	Supply and Water Treatment Plant Improvements	\$0	Yes	Yes	TBD	TBD	\$25.00	\$60.55	\$5,059,500	\$581,069,607
44	28	New Richmond	\$67,917	333	5254009	DW221754 01	New Wells and Water Mains & Improved Treatment and Distribution Systems	\$0	Yes	Yes	\$0	N/A	\$31.80	\$86.43	\$1,559,400	\$582,629,007
45	27	Williamsport	\$48,920	1,800	5286004	DW223386 02	Distribution and Storage Improvements	\$0	No	Yes	\$0	N/A	\$37.15	\$47.08	\$1,466,100	\$584,095,107
46	27	Davess County Rural Water	\$51,907	7,969	5214002	DW230414 01	Storage and Booster Station Improvements	\$0	No	Yes	\$0	N/A	\$45.16	\$53.16	\$4,667,000	\$588,762,107
47	27	Bristol	\$54,276	1,675	5220003	DW222820 01	Distribution and Storage Improvements	\$0	No	Yes	\$0	N/A	\$16.22	\$47.50	\$11,919,000	\$600,681,107
48	26	Andrews	\$43,125	1,149	5235001	DW160935 01	New Plant	\$0	No	Yes	TBD	TBD	\$38.48	\$147.99	\$5,200,000	\$605,881,107
49	26	Cloverdale	\$51,908	2,060	5267003	DW223267 01	Water Main Replacements	\$0	No	Yes	\$0	N/A	\$38.86	\$53.38	\$4,801,735	\$610,682,842
50	25	Centerville	\$46,500	2,533	5289003	DW231489 03	Distribution, Storage, and Treatment Improvements	\$2,560,000	No	Yes	\$0	N/A	\$38.38	\$90.00	\$13,289,000	\$623,971,842
51	25	Brown County Water Utility	\$58,765	11,300	5207001	DW201407 03	Supply and Distribution System Improvements	\$0	No	Yes	\$0	N/A	\$51.08	\$55.64	\$4,300,000	\$628,271,842
52	24	Washington	\$40,080	13,690	5214007	DW190414 01	Distribution System Improvements	\$0	No	Yes	\$0	N/A	\$33.79	\$38.86	\$3,300,000	\$631,571,842
53	23	Attica	\$55,000	3,147	5223001	DW220823 01	Treatment, Storage, and Distribution System Improvements	\$0	No	No	\$0	N/A	\$33.25	\$26.99	\$2,400,000	\$633,971,842
54	23	Greenfield	\$57,950	21,000	5230004	DW221230 01	Storage and Distribution System Improvements	\$0	No	No	TBD	TBD	\$30.00	\$36.00	\$10,926,000	\$644,897,842
55	22	Middlebury	\$85,694	3,572	5220014	DW231120 02	Treatment and Storage Improvements	\$0	No	Yes	\$0	N/A	\$36.66	\$76.43	\$18,238,000	\$663,135,842
56	21	Spiceland	\$54,844	940	5233016	DW222633 03	Supply and Treatment Improvements	\$0	Yes	Yes	\$0	N/A	\$52.20	\$101.40	\$6,541,000	\$669,676,842
57	20	Elkhart County Regional Sewer District	\$58,509	3,849	TBD	DW230720 01	New Water Utility	\$0	No	Yes	\$0	N/A	N/A	\$56.33	\$13,120,045	\$682,796,887
58	19	East Chicago - Storage and Treatment	\$35,396	27,457	5245012	DW224345 07	Storage and Treatment Improvements	\$0	No	Yes	TBD	TBD	\$7.36	\$7.36	\$12,850,000	\$695,646,887
59	16	Carmel	\$115,109	90,173	5229004	DW181129 01	Treatment, Storage and Distribution System Improvements	\$0	No	No	TBD	TBD	\$25.31	\$29.87	\$51,000,000	\$746,646,887
60	6	Tipton	\$63,451	5,200	5280004	DW230380 01	Storage and Treatment Improvements	\$0	No	No	\$0	N/A	\$37.15	\$37.15	\$2,541,000	\$749,187,887
--	26	Otterbein	\$51,250	1,262	5204004	DW232004 01	Treatment, Storage, and Distribution System Improvements	\$0	No	Yes	TBD	WE	\$57.92	\$65.00	\$1,560,000	\$750,747,887
<b>TOTAL REQUESTED FUNDS - PRELIMINARY ENGINEERING REPORTS (PERs)</b>								<b>\$29,497,370</b>			<b>\$0</b>				<b>\$750,747,887</b>	

PPL Rank <sup>1</sup>	PPL Score	Participant	MHI <sup>2,3</sup>	Population Served	PWSID No(s)	SRF Project No.	Project Description	Lead Service Line Replacement Cost	Emerging Contaminants?	Disadvantaged Community?	Estimated Green Project Reserve Cost	Green Project Reserve Category <sup>4</sup>	Current User Rate (per 4,000 gallons) <sup>2</sup>	Estimated Post-Project User Rate (per 4,000 gallons) <sup>2</sup>	Estimated Total Project Cost	Cumulative Total
Application Only		Crothersville	\$44,900	1,524	5236001	DW231736 01	Distribution and Storage Improvements + Lead Service Line Replacements	TBD	TBD	Yes	TBD	TBD	\$57.30	\$60.00	\$10,647,260	\$10,647,260
Application Only		Hymera	\$38,194	800	5277004	DW231977 01	Storage Improvements	TBD	TBD	Yes	TBD	TBD	\$48.56	\$55.36	\$1,342,500	\$11,989,760
Application Only		Knightstown	\$55,000	2,223	5236001	DW231833 01	Storage and Distribution System Improvements	TBD	TBD	No	TBD	TBD	\$35.86	\$43.00	\$15,607,864	\$27,597,624
Application Only		Loogootee	\$42,500	3,915	5251005	DW210251 01	Storage and Distribution System Improvements	TBD	TBD	Yes	TBD	TBD	\$31.54	\$46.35	\$2,700,000	\$30,297,624
Application Only		Valparaiso Lakes Area Conservancy District	\$67,273	2,565	5264033	DW222064 01	Water Main Looping	TBD	TBD	No	TBD	TBD	\$41.00	\$43.24	\$340,000	\$30,637,624
<b>TOTAL REQUESTED FUNDS - APPLICATIONS ONLY</b>								<b>\$0</b>			<b>\$0</b>				<b>\$30,637,624</b>	

<b>TOTAL REQUESTED FUNDS - PERs &amp; APPLICATIONS</b>								<b>\$29,497,370</b>			<b>\$0</b>				<b>\$781,385,511</b>	
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**Footnotes:**  
<sup>1</sup> A community must submit a complete Preliminary Engineering Report to the DWSRF Loan Program in order for the project to be scored and ranked on the Project Priority List (PPL).  
<sup>2</sup> Additional subsidization may be provided to participants who have a low Median Household Income (MHI) and/or high post-project user rates as outlined in the Intended Use Plan (IUP). The amount of the additional subsidization shall be determined and set forth in the financial assistance agreement.  
<sup>3</sup> The Indiana DWSRF Loan Program defines a Disadvantaged Community in Section VII of the IUP.  
<sup>4</sup> Emerging Contaminants funds are reserved for DWSRF eligible projects whose primary purpose must be to address emerging contaminants, with a focus on PFAS, using the broad CCL 1 - 5.  
<sup>5</sup> Disadvantaged Community determinations in this PPL are based on MHI and rates provided at the time the PPL was posted for public notice. Additional information on populations positively impacted by the project may be submitted and considered prior to loan closing.  
<sup>6</sup> EE = Energy Efficiency, EI = Environmentally Innovative, GI = Green Infrastructure, WE = Water Efficiency, CR = Climate Resiliency.  
\* This project priority list was published on July 1, 2022 for a 3-week comment period.

Indiana DW SRF Loan Program Exhibit C - Intended Equivalency Projects*										
<b>BIL DWSRF Emerging Contaminant Capitalization Grant</b>										
							DWSRF EC Grant Amount:	\$11,548,000		
							CWSRF EC Transfer Amount:	<u>\$2,253,000</u>		
							Total Grant Amount:	<b>\$13,801,000</b>		
Community	Project Description	Total Project Cost	Equivalency Amount	will submit DBE report	will comply with federal cross-cutters	will comply with the single audit act	Will comply with BABA requirement	will comply with signage requirement	will be reported to FRS to meet FFATA requirements	
Columbus	Supply, Treatment, and Distribution Improvements. Improvements to address 1,4-dioxane in select wells.	\$22,200,000	\$641,100	Y	Y	Y	n/a**	Y	Y	
Wakarusa	Supply and Water Treatment Plant Improvements to remove iron and manganese from the system.	\$5,059,500	\$5,059,500	Y	Y	Y	n/a**	Y	Y	
New Richmond	Project to remove iron, manganese, and sulfide from the system.	\$1,559,400	\$1,559,400	Y	Y	Y	n/a**	Y	Y	
Spieceland	Supply and Treatment Improvments to eliminate iron and manganese from the system.	\$6,541,000	\$6,541,000	Y	Y	Y	n/a**	Y	Y	
<b>Equivalency Project Cost Total: \$13,801,000</b>										
* These are the proposed equivalency projects. The actual equivalency projects will be outlined in the 2023 Drinking Water SRF Annual Report.										
** The project submitted engineering plans and specifications prior to May 14, 2022. A waiver, published by the EPA will apply to the project.										

Exhibit D

DWSRF Loan Program Project Scoring and Ranking Worksheet

This Exhibit documents the scoring system utilized to rank projects in PPLs between July 1, 2022, and June 30, 2023, as found in Exhibit B of this IUP.



**INDIANA FINANCE AUTHORITY**  
**Drinking Water State Revolving Fund Loan Program**  
**Project Scoring and Ranking Worksheet<sup>1</sup>**  
**State Fiscal Year 2023 (July 1, 2022 to June 30, 2023)**

Project Name:	
SRF Project No.:	PWSID No.:
Reviewer:	Date:

	Score	Maximum Allowed Score
Section 1: Acute Public Health / SDWA Compliance	0	55
Section 2: Chronic Public Health / SDWA Compliance	0	25
Section 3: Public Health / Water Works Regulations Compliance	0	14
Section 4: Affordability and Population	0	6
<b>Total Project Score:</b>	<b>0</b>	100

**Bonus Points**

1. Other Funds Available	0	3
2. Capacity Development / Sustainability / Disadvantaged Community	0	25
3. Regionalization	0	10
<b>Total Bonus Points:</b>	<b>0</b>	38

**Deduction Points**

Non-Regionalization	0	-10
<b>Total Deduction Points:</b>	<b>0</b>	-10

<b>TOTAL POINTS EARNED:</b>	<b>0</b>	
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**Instructions:**

Projects are scored using the following criteria to develop the Drinking Water State Revolving Fund (DWSRF) Loan Program Project Priority List (PPL). To the extent practical, the DWSRF Loan Program expects to give priority to projects that:

1. Address the most serious risk to human health;
2. Are necessary to ensure compliance with the Safe Drinking Water Act (SDWA); and
3. Assist systems most in financial need on a per household basis, according to the State's affordability criteria.

Points are assigned to proposed projects that intend to correct deficiencies. For example, if the Public Water System has persistent violations of a Maximum Contaminant Level (MCL) but the proposed project does not address that problem, the points associated with persistent violations of a MCL will not be assigned. However, if the Participant does not have persistent MCL violations, but the project will address another Public Water System's persistent MCL violations, such as through consolidation, the points associated with the persistent MCL violations will be assigned.

The total number of available points is 100. The total number of available bonus points is 38. The total score is determined by adding the total points associated with the project with the total amount of bonus points earned for projects that include other funds available, capacity development/sustainability/disadvantaged community, regionalization as well as deducting points associated with non-regionalization. **If a tie occurs, the project with the lowest Median Household Income will prevail.**

A loan recipient must submit a Preliminary Engineering Report (PER) on or before May 1 to DWSRF in order to be Scored and Ranked on the PPL. A PER submitted after May 1, will be scored and unranked. Projects which submit applications only (without a PER) will appear unscored and unranked, in the Application-only Section of the PPL.

<sup>1</sup> Scoring will be applied to multiple funding sources administered by the Authority

**Section 1: Acute Public Health / SDWA Compliance (upper limit 55 points)**

Instructions: Assign points to projects that address acute public health concerns occurring within the last three years. The upper limit for points in this section is 55. Acute public health concerns affect an individual in the immediate short-term.		
Criteria to be corrected by project	Maximum Points	Points earned
1. Administrative Order, Agreed Order, or the Indiana Department of Environmental Management (IDEM) declares a waterborne emergency at existing waterworks for acute public health concerns.	50 Points	0
2. Interim Enhanced/Long Term 1/Long Term 2 Surface Water Treatment Rule violation (including Filter Backwash Recycling and Ground Water Rules) i.e., inadequately treated surface water or groundwater under the influence of surface water.	50 Points	0
3. Persistent Total Coliform Rule (TCR) or Nitrate violations.	50 Points	0
4. Inadequate individual home water supplies documented by the local or state health department to show health hazards, such as exceeding drinking water Maximum Contaminant Levels (MCL).	50 Points	0
5. Consolidation of a non-complying public water system (acute public health concerns).	50 Points	0
6. Condition determined to be an acute public health concern (including lead or copper) by IDEM or the Indiana State Department of Health (ISDH).	50 Points	0
7. Project corrects a compliance issue associated with an Enforcement Targeting Tool (ETT) score of 11 or greater	50 Points	0
<b>Total Points:</b>		<b>0</b>

**Section 2: Chronic Public Health / SDWA Compliance (upper limit 25 points)**

Instructions: Assign points to projects that address chronic public health concerns occurring within the last three years. The upper limit for points in this section is 25 points. Chronic public health concerns affect an individual over a lifetime.		
Criteria to be corrected by project	Maximum Points	Points earned
1. Administrative Order or Agreed Order for chronic public health concerns.	20 Points	0
2. Persistent MCL violations of the National Primary Drinking Water Regulations (Microorganisms, Disinfectants, Disinfection Byproducts, Inorganic and Organic Chemicals, and Radionuclides).	20 Points	0
3. Consolidation of a non-complying public water system (chronic public health concerns).	20 Points	0
4. Condition determined to be a chronic public health concern (including lead or copper) by IDEM or ISDH.	20 Points	0
<b>Total Points:</b>		<b>0</b>

**Section 3: Public Health / Water Works Regulations Compliance (upper limit 14 points)**

<p>Instructions: Assign points to projects for infrastructure improvements that will bring the existing public water systems into compliance with IDEM and/or water works regulations, such as Recommended Standards For Water Works (10 States Standards). The upper limit for points in this section is 14 points.</p>		
Criteria to be corrected by project	Maximum Points	Points earned
1. Resolve an IDEM connection ban, early warning notice or a non-SDWA violation.	10 Points	0
2. Resolve inadequate pressure in water works.	10 Points	0
3. Resolve conditions of inadequate water supply, including individual home wells and redundancy.	7 Points	0
4. Ensure that drinking water receives appropriate treatment to meet secondary standards.	7 Points	0
5. Ensure storage capacity in the water works is adequate.	7 Points	0
6. Reduce leakage and increase accountability.	5 Points	0
7. Ensure adequate flow in distribution system.	5 Points	0
8. Prevent conditions favoring the entrance of contaminants (including lead or copper, or non-regulated contaminants) into the distribution system.	5 Points	0
9. Install eligible security measures (alternate intake, fencing, lighting, cameras, motion detectors, secure chemical and fuel storage, security hatches, and access panels).	5 Points	0
<b>Total Points:</b>		<b>0</b>

**Section 4: Affordability, Disadvantaged Communities, and Population (upper limit 6 points)**

<p>Instructions: Affordability points are assigned to assist community water systems most in need on a per household basis. Therefore, non-community systems are not eligible to receive affordability points. The upper limit for points in this section is 6 points. Sources for median household income and population data include the U.S. Census and the IDEM Safe Drinking Water Information System (SDWIS). The post project annual water bill is based on an average monthly water bill (based on 4,000 gallons) x 12 months and rounded to one decimal place.</p>		
Criteria to be corrected by project	Maximum Points	Points earned
<p><b>1. Affordability and Disadvantaged Communities: post-project annual water bill as a percentage of median household income.</b> <i>Community water systems only.</i></p>		
Greater than or equal to 1.5 %	5 Points	0
1.0 – 1.4 %	4 Points	0
Less than or equal to 0.9 %	1 Point	0
<p><b>2. Population served by the project.</b> <i>Community and non-community water systems.</i></p>		
Less than or equal to 10,000	1 Point	0
Greater than or equal to 10,001	0 Points	0
<b>Total Points:</b>		<b>0</b>

**Section 5: Bonus (upper limit 28 points)**

Instructions: Bonus points encourage community water systems to perform planning and proper operation and maintenance. Non-community water systems are not eligible for bonus points. The upper limit for points in this section is 38 points.		
Criteria to be corrected by project	Maximum Points	Points earned
<b>1. Other Funds Available</b>		
Points are assigned to encourage community water systems to have other funds (cash on hand, grants or other loans) in addition to the construction loan from the DWSRF Loan Program. The percentage is calculated by dividing the other funds by the total project cost and rounding to a whole number. Assign points based on whether the system has the committed funds ( <b>Awarded</b> ) or is still in process of applying for other funds ( <b>Applying</b> ).		
Less than or equal to 10 %	0 points	0
11-50 % (Awarded: 2 points / Applying: 1 points)	1-2 points	0
Greater than or equal to 50% (Awarded: 3 points / Applying: 2 points)	2-3 points	0
<b>2. Capacity Development / Sustainability / Disadvantaged Community</b>		
1. Completes a self-assessment survey to assess the technical, managerial and financial capability of the utility.	1 point	0
2. Attends training for Utility Board Drinking Water Administrators	1 point	0
3. Consolidation of a SDWA compliant public water system or interconnection	1 point	0
4. Zero SDWA violations in last 12 months	1 point	0
5. Project includes Wellhead Protection Plan Implementation measures	1 point	0
6. Member of InWARN Network	1 point	0
7. Recognized with a Hoosier Water Guardian Award	1 point	0
8. >95% customers metered	1 point	0
9. Unaccounted for water <15%	1 point	0
10. Public Water System utilizes a Water Conservation Ordinance	1 point	0
11. Project includes the remediation/redevelopment of a brownfield (IC 13-11-2-19.3) in conjunction with the Indiana Finance Authority Brownfields Program	1 point	0
12. Project incorporates sustainable infrastructure as identified on the Green Project Reserve Sustainability Incentive Drinking Water Checklist. One point is awarded for each category, four points maximum.		
Category 1: Green Infrastructure	1 point	0
Category 2: Water Efficiency	1 point	0
Category 3: Energy Efficiency	1 point	0
Category 4: Environmentally Innovative	1 point	0
Category 5: Climate Resiliency	2 points	0
13. SFY23 Bonus Points for submitting on or before April 1, 2022	5 points	0
14. Disadvantaged Community	3 points	0
<b>3. Regionalization</b>		
Regionalize with a nearby drinking water system	5 points	0
Remain regionalized with a nearby drinking water system	5 Points	0
<b>Total Bonus Points:</b>		<b>0</b>

**Section 6: Deduction Points (Limit -10)**

<b>Instruction:</b> Deduction points are assigned when a project involves disconnection from an active and available regional water system.		
Non-Regionalization	- 10 Points	0
<b>Total Deduction Points:</b>		<b>0</b>

## Exhibit E

### **SFY 2022 – Set Aside Workplan for DWSRF Emerging Contaminant Grant**

In SFY 2023 (July 1, 2022 – June 30, 2023), Indiana’s Drinking Water State Revolving Fund (DWSRF) Loan Program will use its DWSRF Set-Aside allotments to continue promoting the implementation of the Safe Drinking Water Act (SDWA). Per the SRF Transfer Policy, transfers do not impact the set-aside calculations in the DWSRF Emerging Contaminants Program. The Authority will not take set-asides from the transferred CWSRF Emerging Contaminant Funds

#### ADMINISTRATIVE SET-ASIDE

The DWSRF Loan Program may cover the reasonable costs of administering the program, and to provide technical assistance to public water systems within the State to one of the following, whichever is greatest, plus any fees collected by the DWSRF Loan Program.

- \$400,000 per year;
- 1/5% of the current valuation of the fund; and
- An amount equal to four (4%) percent of all grant awards to the fund under this section for the fiscal year.

In SFY 2023, the State will take four percent, or \$461,920, of the Administrative Set-Aside for the administration of the DWSRF Emerging Contaminant Loan Program, which may include funding DWSRF salaries, benefits, and miscellaneous expenses incurred with program management. The State will not bank any of the Administrative Set-Aside.

#### LOCAL ASSISTANCE / STATE PROGRAMS SET-ASIDE

In SFY 2023, the State will take approximately two percent or \$200,000 of the Local Assistance and State Programs Set-Aside to ensure safe drinking water for Indiana residents.

1. **Name of program:** Indiana Drinking Water Phase 3 Plant Sampling
  - a. **Amount:** \$200,000 of the 2022 Local Assistance Set-Aside
  - b. **Purpose:** To provide funds and professional services to assist the Indiana Department of Environmental Management with lab expenses associated with non-routine/ non-compliance PFAS sampling.
  - c. **Agency Responsibilities:** The Authority will fund the analysis of drinking water samples as well as agency personnel to oversee sampling logistics, field public inquires, perform data analysis, and prepare reports.
  - d. **Deliverables:** The project will identify any Indiana water treatment plants that currently need to address PFAS contamination and assist the Authority in targeting infrastructure projects.
  - e. **Evaluation of Project:** Success will be measured by the number of samples evaluated.
  - f. **Schedule:** The Authority will engage IDEM and any necessary third-party contractors in the third quarter of SFY 2023.

Exhibit F  
 Unspecified DWSRF Set-Aside Funds (**Amount Banked**)  
 (Set-Aside from the DWSRF Emerging Contaminant Capitalization Grant)

	<u>Administrative</u>	<u>Small System Technical Assistance</u>	<u>State Program Management</u>	<b>Totals</b>
FY 2022 Emerging Contaminant	\$0	\$230,960	\$1,154,800	<b>\$1,385,760</b>
<b>Totals</b>	<b>\$0</b>	<b>\$230,960</b>	<b>\$1,154,800</b>	<b>\$1,385,760</b>