



Mick Reese, Environmental Compliance Administrator
WASTEWATER UTILITY, CITY OF GOSHEN

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Via email: marmacos@idem.IN.gov

7/12/2024

Ms. Mary Armacost
Pretreatment Coordinator
Office of Water Quality
Compliance and enforcement Branch
Indiana Department of Environmental Management
100 N. Senate Avenue
Indianapolis, IN 46204

Dear Ms. Armacost,

Please review the attached response regarding the audit letter dated July 2, 2024. Please review the information provided. I think that you will find the responses (in blue print) acceptable. The City Pretreatment Department will keep in constant communication during the 30-day period.

I want to state that I have had a very positive and educational experience during this audit. Thank you for the time that you spent with the City.

Sincere regards,

A handwritten signature in cursive script that reads "Mick Reese".

Mick Reese
Environmental Compliance Administrator

Cc:

Gina Leichty	Honorable Mayor
Jim Kerezman	Wastewater Superintendent
Dustin Saylor	Director of Public Works
Charlie Riggs	Wastewater Maintenance Manager
Jamie Bontrager Singer	Utilities Engineer

ATTACHMENT A

Purpose: Pretreatment Program Audit
Facility: Goshen POTW -NPDES Permit No. IN0025755
1000 W Wilden Ave
Goshen, IN
Elkhart County

Date of Inspection: June 25 & 26, 2024

IDEM Representative: Mary Armacost - Pretreatment Coordinator
marmacos@idem.in.gov

Facility Representative: Mick Reese, Environmental Compliance Administrator

On June 25 & 26, 2024, a representative of the Indiana Department of Environmental Management (IDEM), Office of Water Quality conducted a pretreatment program audit of the Goshen POTW's Pretreatment Program. The last audit of the City's program had been performed in 2019. This report describes the findings of the most recent audit.

The City's pretreatment staff has a good pretreatment program with some deficiencies. The staff is knowledgeable, organized, and very helpful. The staff has permitted eight (8) Significant Industrial Users (SIUs). All eight (8) of the SIUs have been classified as a Categorical Industrial User (CIU). The following SIU files were reviewed during the audit:

Gleason Industrial Products	Lippert Components, Inc	Dairy Farmers of America
Goshen Manufacturing Div	Plant 85	1110 S 9th St
612 Reynolds St	3325 Hackberry Dr	Goshen, IN
Goshen, IN	Goshen, IN	Permit IPP005
Permit IPP003	Permit IPP010	SIC 2026,2025
SIC 3559,3537	SIC 3471	Category 405
Category 433.17	Category 433.17	Dairy Product Processing
Metal Finishing	Metal Finishing	

No inspection of the IUs occurred due to the POTW responding to a slug discharge from Dairy Farmers of America. The IDEM auditor did attend the enforcement meeting between the POTW and the IU.

Audit Findings:

Control Mechanisms

In accordance with 403.8(f)(1)(iii)(B)(1) Individual Control Mechanisms must be enforceable and contain a statement of duration, in no case more than five years. The permit for Lippert Components P85 is for 5 years and 1 day.

Within the 30-day response period, Lippert Components Plant 85 IPP010 permit will be modified to read:

“Effective this 10th day of September 2020
To expire the 9th day of September 2025 “

In accordance with 40 CFR 403.8(f)(1)(iii)(B)(4) Permits must contain the location of the sampling location. The permits did contain sampling locations; however, they were not specific enough that someone using the permit to find the location would be able to find it.

Within the 30-day response period, permits will be modified to contain more detailed sampling locations.

In accordance with 40 CFR 403.12(o)(3) The POTW is required to have a provision in the permit to extend the required time frame for record retention. This period of retention shall be extended during the course of any unresolved litigation regarding the discharge of pollutants by the Industrial User or the operation of the POTW Pretreatment Program or when requested by the Director or the Regional Administrator. The permits review had this provision for the City of Goshen but did not include an extension requirement requested by IDEM or the US EPA.

Within the 30-day response period, under the heading of “Retention of Records”. All City permits will be modified to contain the following statement:

“This period may be extended by request of the City of Goshen WWTP, Indiana Department of Environmental Compliance (IDEM), or the Environmental Protection Agency (EPA), at any time.”

Pretreatment Standards

In accordance 40 CFR 403.5(d) Where specific prohibitions or limits on pollutants or pollutant parameters are developed by a POTW in accordance with paragraph (c) above, such limits shall be deemed Pretreatment Standards for the purposes of section 307(d) of the Act. All permits did not require all of the local limits to be monitored for or given a waiver if not expected to be present.

Within the 30-day Response period, the City pretreatment Program will start monitoring industries once per year for pollutants on the Local Limits list (Ordinance 5189 3.04 (A))

Compliance Monitoring

In accordance with 40 CFR 403.8(f)(2)(v) The POTW is required to inspect and sample the effluent from each Significant Industrial User at least once a year. The IUs were not sampled for the local limits if they were not listed in the industrial user's permit.

Within the 30-day response period. Protocol headings within each individual Industry file will be changed to “City Permit and Ordinance Testing.” This will then be stored as a hard copy and in the records pertaining to the Industry. Testing pertaining to this correction will be conducted within 2024.

Enforcement

In accordance with 40 CFR 403.8(f)(2)(vii) the POTW is required to investigate instances of noncompliance and respond. There were several violations and the city responded to the vast majority of them. However, there were 3 instances where violations were not issued in response to limit exceedances: Zinc violation on 01/09/23 for Gleason Reynolds, no sampling for pH in 07/22/22, and a nickel violation on 09/18/23 for Lippert 85.

Within the 30-day response period. The City's Pretreatment staff will pay more attention to MMR's. Exceedances turn red when an industry fills out the monthly report. Staff will pay more attention to exceedances.

Additionally, there were violations for BOD, TSS, and Phosphate that were not issued notice of violations because they were intended to be surcharge only. Surcharge only limits should be listed in a separate table or the comments for the effluent limits should specifically state that these limits are for surcharge only and are not effluent limits.

Within the 30-day response period. The City will be modifying permits to have a table for Effluent Metals and a table for contingency (surcharge) Pollutants.

Recommendations

Dairy Farmers of America does fall under 40 CFR 405 Dairy Products Processing, however 405 does not have pretreatment monitoring requirements. It is recommended that it is either mentioned in the permit or the briefing memo that it is Categorical under 40 CFR 405 and include the subcategories.

Within the 30-day response period, pretreatment will consult the City legal department for consideration.

In the upset conditions it states the IU must notify the POTW if the upset might lead to a violation of categorical pretreatment standards. It is recommended that all upset condition be reported to the POTW.

Within the 30-day response period, within the industry's permit, the verbiage "notify" will be changed to "be reported to".

The section of the permit that requires notification of a violation is not located next to the requirement to resample after a violation. It is recommended that these be put into the same section or be listed one after the other.

Within the 30-day period, this change will be considered.