



## Indiana Department of Environmental Management

*We Protect Hoosiers and Our Environment.*

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**Eric J. Holcomb**  
*Governor*

**Brian Rockensuess**  
*Commissioner*

May 30, 2024

Via Email to: dean125@hotmail.com  
Mr. Dean Smith, Town Council President  
Town of Millersburg  
PO 278  
Millersburg, Indiana 46543

Dear Mr. Smith:

**Re: Inspection Summary/ Noncompliance Letter**  
Millersburg Wastewater Treatment Facility  
NPDES Permit No. IN0040363  
Millersburg, Elkhart County

An inspection of the above-referenced facility or location was conducted by a representative of the Indiana Department of Environmental Management, Northern Regional Office, pursuant to IC 13-18-3-9. A summary of the inspection is provided below:

Date(s) of Inspection: May 29, 2024  
Type of Inspection: Reconnaissance Inspection  
Inspection Results: Violations were observed.

The following concerns were noted:

1. Maintenance was rated as unsatisfactory due to an inadequate preventative maintenance program. This is a violation of Part II. B. 1 of the permit which requires all facilities to be operated and maintained as efficiently as possible and in a manner which will minimize upsets and discharges of excessive pollutants. The Utility Superintendent stated that the blower and generator maintenance is contracted out to a third party. The blower maintenance is on a set schedule, but the generator maintenance only occurs when a concern arises.

For all other equipment, such as influent screen, pumps, and clarifier drives, no preventative maintenance plan or completed maintenance documentation is maintained. The Town has no written Preventative Maintenance Schedule. All critical units of treatment are required to be maintained and have a preventative maintenance schedule. Documentation of both preventative maintenance and reactionary maintenance is required.

The items above were also noted in the November 2023 inspection.

Lift station checks are now documented by the weekly recording of pump hours. However, there is no documentation of wet well inspection/cleaning, float inspection and/or wet well pumping. Please begin including these types of preventative maintenance activities completed at the lift stations.

2. Part I. A. 1 of the permit sets forth the effluent monitoring frequencies and type applicable to the discharge from Outfall 001. The samples for CBOD, TSS, and Ammonia are required to be collected as composite samples as defined in Part I. B. 4. b. (4) of the permit. Documentation of the composite sample is a required condition of the permit. In addition, Part I. B. 6 of the permit requires the permittee to record specific information as described for both composite and grab samples. These requirements include:
  - a. the date, exact place and time of sampling or measurements;
  - b. the person who performed the sampling or measurements;
  - c. the date(s) and time(s) sampling or measurements were performed

Self Monitoring was rated as unsatisfactory for the following:

- A. Plant personnel have begun documenting the date, time and flow of the composite sample, but are not completing the calculation and actual sample proportioning to complete an accurate composite sample. A manual three part sample is being completed.
- B. Sample storage temperature is not being documented.
- C. Collection time and analysis time/person for chlorine is not being documented to ensure the sample is analyzed within the required 15 minute holding time.
- D. Collection time and analysis/person time for pH is not being documented to ensure the sample is analyzed within the required 15 minute holding time.
- E. Collection time and analysis time/person for dissolved oxygen is not being documented to ensure the sample is analyzed within the required 15 minute holding time.
- F. Collection and analysis time/person for E. coli to ensure the sample is being set up within the 8 hour timeframe.

With the exception of documenting the composite sample collection/date/flow information and the E. coli sampling violation, all the above was also brought to your attention in the November 2023 inspection. Additionally, nearly all of the above was also noted in a May 5, 2021 inspection.

3. Part I. B. 6 of the permit requires the permittee to record specific information as described, for each measurement or sample taken pursuant to the requirements of this permit. Additionally, Part I. B. 5 of the permit requires the analytical and sampling methods used to conform to the current version of 40 CFR, Part 136, unless otherwise specified. Laboratory was rated as unsatisfactory for the following:
  - A. TSS analysis requires that there remain a residual of at least 0.0025 g on the filter after drying in the oven. This calculation is not being

completed and documented, but a review indicates you are not meeting this requirement for all final samples. You must increase sample volume, but the volume does not need to exceed 1000 ml. In addition, sample date and set up date needs better documentation/clarification, and oven drying time needs documentation. No QA/QC testing is being completed.

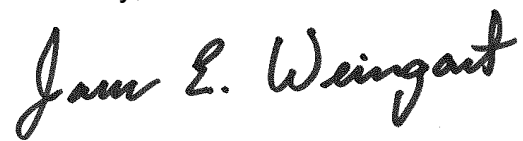
- B. CBOD blank depletion should not exceed 0.2 mg/L. All the final CBOD blanks reviewed greatly exceeded this value. You must investigate the cause of the problem. Additionally, it is unclear on the bench sheet if samples are being held or analyzed the day of collection. Improved sample/day and set up day/time/analyst needs to be completed. Only CBOD testing of 200 ml of sample is being completed, no dilutions. A duplicate effluent sample is being completed.
- C. No Ammonia QA/QC is being completed.
- D. E. coli - No testing documentation is completed. Sample collection date/time, sample set up date/time and date/time of reading results must be included. This also needs to include the time in the incubator. Testing method needs to be included. Number of small/large wells counted needs included. QA/QC testing must be completed.
- E. The pH meter calibration is not being documented. Meter calibration documentation is required each day of use.
- F. You are not recording any temperatures. These include CBOD incubator, TSS oven, sample storage refrigerator, and E. coli incubator.
- G. The DO meter calibration is not being documented. Meter calibration documentation is required each day of use.
- H. Chlorine sample collection and sample analysis time are not recorded to ensure the required timelines. Also noted in Self Monitoring.

All of the above were brought to the Council's attention in inspections completed on May 5, 2021 and November 30, 2023. IDEM bench sheets have been provided to plant personnel. If you would like IDEM laboratory assistance, please reach out to Becky Ruark at [bruark@idem.in.gov](mailto:bruark@idem.in.gov). Since the last inspection, duplicates samples have begun for CBOD testing.

Part II. A. 1. of your permit requires you to comply with its terms and conditions. Any noncompliance with the terms of your permit may subject you to an enforcement action which can include the imposition of penalties. You are required to immediately take all necessary measures to comply with the terms and conditions of your NPDES Permit, specifically those violations identified above.

Within 30 days of receipt of this letter, a written detailed response documenting correction of the concerns listed above and/or a plan for assuring future compliance must be submitted to this office. Failure to respond adequately to this letter may result in formal enforcement action. Please direct your response to this letter to our letterhead address or via email to [wwViolationResponse@idem.IN.gov](mailto:wwViolationResponse@idem.IN.gov). Any questions should be directed to Lynn Stackhouse at 317-691-0099 or by email to [lstack@idem.IN.gov](mailto:lstack@idem.IN.gov). Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink that reads "James E. Weingart". The signature is written in a cursive, flowing style.

James E. Weingart, Director  
Northern Regional Office

Enclosure



# NPDES Wastewater Facility Inspection Report

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

NPDES Permit Number: <b>IN0040363</b>	Facility Type: Municipality	Facility Classification: Minor	TEMPO AI ID I
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Date(s) of Inspection:	May 29, 2024
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Type of Inspection:	Reconnaissance Inspection
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Name and Location of Facility Inspected: <b>Millersburg Wastewater Treatment Facility</b> 198 Wastewater Drive Millersburg IN 46543	County: Elkhart	Receiving Waters: Stoney Creek	Permit Expiration Date: 10/31/2024
			Design Flow: 0.12MGD

On Site Representative(s): First Name: Avery Last Name: Ferguson Title: Utility Superintendent Email: aferguson@millersburg.org Phone: 260-214-0874
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Was a verbal summary of findings presented to the on-site representative? **Yes**

Certified Operator: Harley Asher	Number: 19461	Class: II	Effective Date: 7-1-22	Expiration Date: 6-30-25	Email: Livefree.asher@gmail.com
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Cyber Security Contact:	Name:	Email:
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Responsible Official: Mr. Dean Smith, Town Council President PO 278 Millersburg, Indiana 46543	Permittee: Town of Millersburg Email: dean125@hotmail.com Phone: Fax:	Contacted? No
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### INSPECTION FINDINGS

- Conditions evaluated were found to be satisfactory at the time of the inspection. (5)
- Violations were discovered but corrected during the inspection. (4)
- Potential problems were discovered or observed. (3)
- Violations were discovered and require a submittal from you and/or a follow-up inspection by IDEM. (2)
- Violations were discovered and may subject you to an appropriate enforcement response. (1)

### AREAS EVALUATED DURING INSPECTION

(S = Satisfactory, M = Marginal, U = Unsatisfactory, N = Not Evaluated)

N	Receiving Waters	S	Facility/Site	U	Self-Monitoring	N	Enforcement
S	Effluent	N	Operation	N	Flow Measurement	N	Pretreatment
S	Permit	U	Maintenance	U	Laboratory	N	Effluent Limits Compliance
N	Collection System	N	Sludge Disposal	N	Records/Reports	N	Other:

### DETAILED AREA EVALUATIONS

This inspection was conducted as a follow up inspection from the November 30, 2023 Compliance Evaluation Inspection which generated a Noncompliance Letter for several items. The focus of this inspection was to evaluate improvements in the Laboratory, Self Monitoring and Maintenance areas from the November 2023 inspection.

**Effluent:**  
Comments:  
The effluent was viewed at the end of the contact tank and was clear and free of color at the time of the inspection.

**Permit:**  
Comments:  
the current permit expires in 2024. A permit renewal application has been submitted to IDEM.

**Facility/Site:**  
Comments:  
All areas of the facility were easily accessible for inspection and appeared to be well maintained.

**Maintenance:**  
Comments:  
Maintenance was rated as unsatisfactory due to an inadequate preventative maintenance program. This is a

violation of Part II. B. 1 of the permit which requires all facilities to be operated and maintained as efficiently as possible and in a manner which will minimize upsets and discharges of excessive pollutants. The Utility Superintendent stated that the blower and generator maintenance is contracted out to a third party. The blower maintenance is on a set schedule, but the generator maintenance only occurs when a concern arises.

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### Self-Monitoring:

Comments:

Part I. A. 1 of the permit sets forth the effluent monitoring frequencies and type applicable to the discharge from Outfall 001. The samples for CBOD, TSS, and Ammonia are required to be collected as composite samples as defined in Part I. B. 4. b. (4) of the permit. Documentation of the composite sample is a required condition of the permit. In addition, Part I. B. 6 of the permit requires the permittee to record specific information as described for both composite and grab samples. These requirements include:

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### Laboratory:

The following laboratory records were reviewed:

CBOD Bench Sheets                      TSS Bench Sheets                      Ammonia Bench Sheets

pH Bench Sheets                      E. coli Bench Sheets

U 1. The laboratory practices and protocol reviewed were adequate, including:

- a. A written laboratory QA/QC manual was available.
- b. Samples were found to be properly stored.
- c. Approved analytical methods were found to be used.
- d. Calibration and maintenance of instruments was found to be adequate.
- e. QA/QC procedures were found to be adequate.
- f. Dates of analyses (and times where required) were recorded.
- g. Name of person performing analyses was recorded.

U 2. Review of lab records and/or on-site field testing equipment and protocols was found to be adequate.

Comments:

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**Effluent Limits Compliance:**

No 1. Were DMRs reviewed as part of the inspection?

Comments:

**IDEM REPRESENTATIVE**

Inspector Name:	Email:	Phone Number:
Lynn Stackhouse	lstack@idem.IN.gov	317-691-0099

**IDEM MANAGER REVIEW**

IDEM Manager:	Date:
James E. Weingart	5/30/2024