



Indiana Department of Environmental Management

We Protect Hoosiers and Our Environment.

100 N. Senate Avenue • Indianapolis, IN 46204
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Eric J. Holcomb
Governor

Brian Rockensuess
Commissioner

June 27, 2024

Via Email to: mayor@ligonier-in.gov
The Honorable Earle Franklin, Mayor
City of Ligonier
301 South Cavin Street, Suite 2
Ligonier, Indiana 46767

Dear Mayor Franklin:

Re: Inspection Summary/ Noncompliance Letter
Ligonier Wastewater Treatment Facility
NPDES Permit No. IN0023582
Ligonier, Noble 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: June 26, 2024
Type of Inspection: Reconnaissance Inspection
Inspection Results: Violations were observed.

The following concerns were noted:

On June 10, 2024 Mayor Franklin moved the wastewater treatment plant superintendent to an operator position and therefore out of responsible charge and no longer responsible for the daily operations, supervision, or management of the wastewater treatment plant. To date, no new certified operator or operator in responsible charge has been obtained by the City. Additionally, no other current city staff have the required license to operate this treatment plant. This is in violation of Part II. A. 14 of the permit which states that the permittee shall have the wastewater treatment facilities under the responsible charge of an operator certified by the Commissioner in a classification corresponding to the classification of the wastewater treatment plant as required by IC 13-18-11-11 and 327 IAC 5-22. In order to operate a wastewater treatment plant, the operator shall have qualifications as established in 327 IAC 5-22-7. The Ligonier WWTP has been designated as a Class III facility and a Class III certified operator in "responsible charge" is required. In accordance with 327 IAC 5-22-3 (11), "responsible charge" means the person responsible for the overall daily operation, supervision, or management of a wastewater facility.

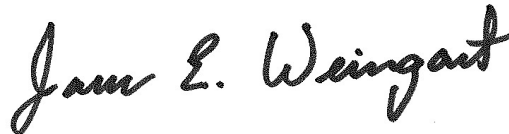
Part II. A. 1. of your permit requires you to comply with its terms and conditions. Any noncompliance with the terms of your permit may subject you to an enforcement action

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.

Effective immediately, IDEM is initiating a program strongly encouraging domestic wastewater utilities to perform cybersecurity vulnerability assessments, and to take actions to mitigate identified vulnerabilities and increase the cybersecurity resilience of Indiana's water sector. Utilities can choose any assessment tool appropriate for the water sector, but IDEM is highlighting the following websites for information and helpful vulnerability assessment tools made available from the U.S. EPA and the American Water Works Association: <https://www.epa.gov/waterresilience/epa-cybersecurity-water-sector> and <https://www.awwa.org/Resources-Tools/Resource-Topics/Risk-Resilience/Cybersecurity-Guidance>. IDEM will continue to share important updates on the cybersecurity of the water sector.

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. Any questions should be directed to Lynn Stackhouse at 317-691-0099 or by email to 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: IN0023582		Facility Type: Municipality		Facility Classification: Major		TEMPO AI ID III	
Date(s) of Inspection: June 26, 2024							
Type of Inspection: Reconnaissance Inspection							
Name and Location of Facility Inspected: Ligonier Wastewater Treatment Facility 305 Bridge Street Ligonier IN 46767				Receiving Waters: Elkhart River		Permit Expiration Date: 2/28/2026	
County: Noble						Design Flow: 1.5MGD	
On Site Representative(s): First Name Last Name Title Email Phone Kenny Sprague Operator ksprague@ligonier-in.gov 260-894-1291							
Was a verbal summary of findings presented to the on-site representative? Yes							
Certified Operator: None		Number:	Class:	Effective Date:	Expiration Date:	Email:	
Cyber Security Contact: Name: _____ Email: _____							
Responsible Official: The Honorable Earle Franklin, Mayor 301 South Cavin Street, Suite 2 Ligonier, Indiana 46767				Permittee: City of Ligonier Email: mayor@ligonier-in.gov Phone: _____ Fax: _____			
				Contacted? No			
INSPECTION FINDINGS							
<input type="radio"/> Conditions evaluated were found to be satisfactory at the time of the inspection. (5) <input type="radio"/> Violations were discovered but corrected during the inspection. (4) <input type="radio"/> Potential problems were discovered or observed. (3) <input checked="" type="radio"/> Violations were discovered and require a submittal from you and/or a follow-up inspection by IDEM. (2) <input type="radio"/> Violations were discovered and may subject you to an appropriate enforcement response. (1)							
AREAS EVALUATED DURING INSPECTION							
<i>(S = Satisfactory, M = Marginal, U = Unsatisfactory, N = Not Evaluated)</i>							
N	Receiving Waters	S	Facility/Site	N	Self-Monitoring	N	Enforcement
S	Effluent	U	Operation	N	Flow Measurement	N	Pretreatment
N	Permit	N	Maintenance	N	Laboratory	N	Effluent Limits Compliance
N	Collection System	N	Sludge Disposal	N	Records/Reports	N	Other:
DETAILED AREA EVALUATIONS							
Effluent:							
Comments: The treatment plant appeared to be operating well and the effluent was clear.							
Facility/Site:							
Comments: All necessary units of treatment were in service. A project is underway to install SCADA to the plant headworks, RAS, blowers, clarifiers, UV and sludge press operation. Also, a new laboratory and operator offices are under construction. The project is expected to be completed by December 1, 2024.							
Operation:							
Comments: Operation was rated as unsatisfactory. On June 10, 2024, Mayor Franklin moved the wastewater treatment plant superintendent to an operator position and therefore out of responsible charge and no longer responsible for the daily operations, supervision, or management of the wastewater treatment plant. To date, no new certified operator or operator in responsible charge has been obtained by the City. Additionally, no other current city staff have the required license to operate this treatment plant. This is in violation of Part II. A. 14 of the permit							

which states that the permittee shall have the wastewater treatment facilities under the responsible charge of an operator certified by the Commissioner in a classification corresponding to the classification of the wastewater treatment plant as required by IC 13-18-11-11 and 327 IAC 5-22. In order to operate a wastewater treatment plant, the operator shall have qualifications as established in 327 IAC 5-22-7. The Ligonier WWTP has been designated as a Class III facility and a Class III certified operator in "responsible charge" is required. In accordance with 327 IAC 5-22-3(11), "responsible charge" means the person responsible for the overall daily operation, supervision, or management of a wastewater facility.

Effluent Limits Compliance:

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

Comments:

IDEM REPRESENTATIVE

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

IDEM MANAGER REVIEW

IDEM Manager:	Date:
James E. Weingart	6/27/2024