



## Indiana Department of Environmental Management

*We Protect Hoosiers and Our Environment.*

100 N. Senate Avenue • Indianapolis, IN 46204

(800) 451-6027 • (317) 232-8603 • [www.idem.IN.gov](http://www.idem.IN.gov)

Eric J. Holcomb  
Governor

Bruno Pigott  
Commissioner

March 2, 2017

Via E-mail: [gsells@m-h-e.com](mailto:gsells@m-h-e.com)

Mr. Gary Sells, Operations Manager  
Material Handling Exchange, Incorporated  
1800 Churchman Avenue  
Indianapolis, IN 46203

Re: Voluntary Self-Disclosure  
Material Handling Exchange, Inc.  
Franklin, Indiana  
Johnson County  
Industrial Waste Pretreatment Permit  
INP000627

Dear Mr. Sells:

The Indiana Department of Environmental Management (IDEM) has reviewed your two Self-Disclosure and Environmental Audit application forms of December 19, 2016, concerning Material Handling Exchange, for the facility located at 1001 Hurricane Street, Franklin, Indiana, under IDEM's Self Disclosure and Environmental Audit Policy. By letter of December 22, 2016, IDEM informed you that the submittals were administratively complete.

In your first application, you reported to IDEM that Material Handling Exchange had not been routinely collecting pH samples on a daily basis as required by its IWP permit and also, through a sample conducted by a contract consultant, recorded a pH result of 10.1, which exceeds the effluent limitation for pH as contained in its IWP permit.

In your second application, you reported that the contract consultant, while auditing procedures, disclosed that although the IWP permit had been modified effective October 5, 2015, to recognize batch discharges of treated wastewater, the company had continued to discharge continuously.

IDEM has concluded that neither of these reported violations qualifies for protection under IDEM's Self Disclosure and Environmental Audit policy. However, because the pH sample result showing a violation of the permit limitations was analyzed outside the allowable holding time the results are not valid and are unenforceable. The failure to sample pH at the required frequency also violates the permit requirements, but since this oversight was immediately corrected, no IDEM enforcement action is anticipated. Further, since Material Handling Exchange promptly requested a permit modification to go back to continuous discharge, and such permit modification was

granted by the permit revocation/reissuance of February 28, 2017, and effective March 1, 2017, no IDEM enforcement action concerning this issue is anticipated.

Therefore, IDEM considers these matters closed. If you have any questions concerning this matter, please contact me at (317) 232-8431.

Sincerely,

A handwritten signature in black ink that reads "Mark Stanifer". The signature is written in a cursive, slightly slanted style.

Mark W. Stanifer, Chief  
Compliance Branch  
Office of Water Quality

**SELF-DISCLOSURE AND ENVIRONMENTAL AUDIT**

State Form 55075 (8-12)

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT (IDEM)

Dept. Of Environmental Management  
Commissioner's Office

DEC 22 2016

INSTRUCTIONS: A copy of IDEM's Self-Disclosure and Environmental Audit Policy can be obtained by visiting IDEM's website at [http://www.in.gov/idem/files/npd\\_mp\\_004\\_r2.pdf](http://www.in.gov/idem/files/npd_mp_004_r2.pdf). For questions on how to complete a self disclosure, please contact IDEM's Compliance and Technical Assistance Program: toll-free (within Indiana) at 1-800-451-6027, press 0 and ask for extension 2-8172 or 317/232-8172 or by email at [ctap@idem.in.gov](mailto:ctap@idem.in.gov). Completed Self-Disclosures should be sent via certified U.S. Mail to:

Self-Disclosure and Environmental Audit Administrator  
Indiana Department of Environmental Management  
Mail Code 60-02P  
100 North Senate Avenue, IGCN 1301  
Indianapolis, Indiana 46204-2251

FACILITY INFORMATION				
Name Material Handling Exchange, Incorporated			Is the regulatory entity a new owner? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Physical Street Address (number and street) 1001 Hurricane Street			Is the facility a small regulated entity? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
City Franklin	State IN	ZIP Code 46131	NAICS Code 423440	SIC Code 5084
IDEM Program ID(s) (i.e., Plant ID, NPDES, RCRA, FID, CAFO/Farm ID, PWSID, Source ID) INP000627				
Mailing Street Address (if different from physical address) 1800 Churchman Avenue				
City Indianapolis	State IN	ZIP Code 46203	Website www.m-h-e.com	
AUTHORIZED CONTACT				
The authorized contact person is authorized by the entity to make such a disclosure and has authority to perform policy or decision-making functions of the company.				
Name Gary Sells			Job Title Operations Manager	
Email address gsells@m-h-e.com			Telephone number (with area code) 317-788-7225	
Contact Street Address (if different from physical and/or mailing address, please specify) Same as facility physical address				
City	State	ZIP Code	Fax Number (with area code)	
VIOLATION(S) INFORMATION				
If more than one violation exists, each should be enumerated separately and described as completely as possible.				
Description of Violation: pH was not measured daily as required by Discharge permit INP000627. pH measurement on November 17 was 10.1 S.U. which is above the discharge limit of 10.0 S.U.				
How was the violation discovered? The violation was discovered upon review of the permit and data records.			Date the violation was discovered (month, day, year) November 28, 2016	

Physical location of the violation: Material Handling Exchange, Incorporated, 1001 Hurricane Street, Franklin, Indiana 46131

Other Comments: The pH measurement of 10.1 was performed by a contract laboratory off site. The sample was measured outside of the holding time. Subsequent measurements with a calibrated instrument on site were within the acceptable range.

**CONDITIONS REQUIRED UNDER THE SELF-DISCLOSURE AND AUDIT POLICY**

*In addition to answering Yes/No, please provide a detailed explanation of how each of the 9 Audit Policy conditions have been met.*

1. Was the violation discovered through an environmental audit or Compliance Management System?

If the violation was discovered through a Compliance Management System, provide information on how the System meets IDEM's requirement of "an objective, documented, systematic procedure or practice reflecting the [facility's] due diligence in preventing, detecting and correcting violations," including documentation as to how the facility implements its system. If applicable, include details regarding the facility's receipt of governmental or government supported compliance assistance.

☐ Yes ☒ No

Explain: The violation was discovered during a review of permit requirements and data.

2. Was the violation identified voluntarily and not through a monitoring, sampling, or auditing procedure that is required by statute, regulation, permit, judicial or administrative order, or consent agreement? (See Policy for a regulated entity with a new owner.)

☒ Yes ☐ No

Explain: The above mentioned procedures review was performed with the assistance of a consultant contracted by Material Handling Exchange to assist with wastewater discharge compliance.

3. Was the disclosure prompt? The facility must demonstrate that the violation was disclosed within forty-five (45) days after it discovered the violation occurred or may have likely occurred.

☒ Yes ☐ No

Explain: The wastewater consultant contacted the IDEM CTAP on November 29, 2016 on behalf of Material Handling Exchange to determine the proper course of action. Additionally, this document was completed and sent via certified mail to IDEM on December 13, 2016.

4. Was the discovery and disclosure independent of a government or third party plaintiff? The facility must demonstrate that it took the initiative to find the violation and report it, rather than reacting to knowledge of a pending enforcement action or third party complaint.

☒ Yes ☐ No

Explain: Material Handling Exchange discovered the violation during a survey that was initiated internally and voluntarily, and disclosed it to IDEM voluntarily.

5. Was the violation corrected at the time of disclosure?

☒ Yes ☐ No

If yes, provide a statement certifying that the violation has been corrected. If no, provide details of how the violation will be corrected within sixty (60) days after the date the facility notified IDEM of the violation. (See Policy if more than sixty (60) days are needed to correct the violation.)

Material Handling Exchange is obtaining measurements on a daily basis.

6. What measures are being taken to prevent recurrence of the violation and when will those measures be implemented?

Material Handling Exchange has been measuring and recording data on a daily basis within 15 minutes of obtaining the sample. pH measurements will no longer be performed by a contract laboratory.

7.a. Has the same (or closely related violation) occurred previously at this facility within the past three (3) years?

☐ Yes ☒ No

Explain:

b. Has the violation (or closely related violation) occurred within the facility's parent organization within the past three (3) years?

☐ Yes ☒ No

Explain:

8.a. Did the violation result in serious environmental harm or risk to human health?

☐ Yes ☒ No

Explain:

b. Did the violation present an imminent and substantial endangerment to human health or the environment?

☐ Yes ☒ No

Explain:

c. Was the violation knowingly, intentional or reckless such that it may constitute criminal conduct?

☐ Yes ☒ No

Explain:

d. Was the violation inadvertent?

☒ Yes ☐ No

Explain: Had previous management properly informed current management of the requirements, this violation would have been averted.

e. Did the violation violate the specific terms of any judicial or administrative order?

☐ Yes ☒ No

Explain: No judicial or administrative orders have been issued to this facility.

9. Has the regulated entity cooperated and provided information to IDEM as necessary and requested, to determine applicability of the Policy?

☒ Yes ☐ No

Explain: Material Handling Exchange has completed and submitted this form in a timely manner and has addressed these violations.

Estimate of the cost of compliance: \$0

Basis of estimate: N/A

### CERTIFICATION

I have personally examined and am familiar with the information submitted in this document and all attachments thereto, and I certify, based upon reasonable investigation, that the submitted information is true, accurate and complete to the best of my knowledge and belief.

Gary Sells

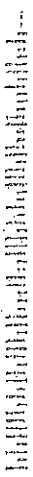
Name (printed)

Signature

Title

Date (month, day, year)

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To:

Self-Disclosure; Environmental Audit

Administrator

Indiana Dept of Environmental Management

Mail Code 60-02P

100 North Senate Avenue, 15CN 1301

Indianapolis, IN

46204-2251

JARR: PRIORITY

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TO: Commissioner

ROUTE: IDEM

MSC:

Environ Mgmt



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**SELF-DISCLOSURE AND ENVIRONMENTAL AUDIT**

State Form 55075 (8-12)

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT (IDEM)

Dept. Of Environmental Management  
Commissioner's Office

DEC 22 2016

INSTRUCTIONS: A copy of IDEM's Self-Disclosure and Environmental Audit Policy can be obtained by visiting IDEM's website at [http://www.in.gov/idem/files/npd\\_np\\_004\\_r2.pdf](http://www.in.gov/idem/files/npd_np_004_r2.pdf). For questions on how to complete a self disclosure, please contact IDEM's Compliance and Technical Assistance Program: toll-free (within Indiana) at 1-800-451-6027, press 0 and ask for extension 2-8172 or 317/232-8172 or by email at [ctap@idem.in.gov](mailto:ctap@idem.in.gov). Completed Self-Disclosures should be sent via certified U.S. Mail to:

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Indiana Department of Environmental Management  
Mail Code 60-02P  
100 North Senate Avenue, IGCN 1301  
Indianapolis, Indiana 46204-2251

FACILITY INFORMATION				
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Physical Street Address (number and street) 1001 Hurricane Street			Is the facility a small regulated entity? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
City Franklin	State IN	ZIP Code 46131	NAICS Code 423440	SIC Code 5084
IDEM Program ID(s) (i.e., Plant ID, NPDES, RCRA, FID, CAFO/Farm ID, PWSID, Source ID) INP000627				
Mailing Street Address (if different from physical address) 1800 Churchman Avenue				
City Indianapolis	State IN	ZIP Code 46203	Website www.m-h-e.com	
<b>AUTHORIZED CONTACT</b> <i>The authorized contact person is authorized by the entity to make such a disclosure and has authority to perform policy or decision-making functions of the company.</i>				
Name Gary Sells			Job Title Operations Manager	
Email address gsells@m-h-e.com			Telephone number (with area code) 317-788-7225	
Contact Street Address (if different from physical and/or mailing address, please specify) Same as facility physical address				
City	State	ZIP Code	Fax Number (with area code)	
<b>VIOLATION(S) INFORMATION</b> <i>If more than one violation exists, each should be enumerated separately and described as completely as possible.</i>				
Description of Violation: Discharge permit INP000627 currently specifies batch discharge to the sanitary sewer system as amended on October 5, 2015. New management at the facility initiated continuous discharge at the facility under the original permit dated April 5, 2013 as they were unaware of the October 5, 2015 amendment.				
How was the violation discovered? During a internal self-initiated review of procedures.			Date the violation was discovered (month, day, year) November 28, 2016	

Physical location of the violation: Material Handling Exchange, Incorporated, 1001 Hurricane Street, Franklin, Indiana 46131

Other Comments:

**CONDITIONS REQUIRED UNDER THE SELF-DISCLOSURE AND AUDIT POLICY**

*In addition to answering Yes/No, please provide a detailed explanation of how each of the  
9 Audit Policy conditions have been met.*

1. Was the violation discovered through an environmental audit or Compliance Management System?

If the violation was discovered through a Compliance Management System, provide information on how the System meets IDEM's requirement of "an objective, documented, systematic procedure or practice reflecting the [facility's] due diligence in preventing, detecting and correcting violations," including documentation as to how the facility implements its system. If applicable, include details regarding the facility's receipt of governmental or government supported compliance assistance.

☐ Yes ☒ No

Explain: The violation was discovered during a review of procedures performed on November 28, 2016.

2. Was the violation identified voluntarily and not through a monitoring, sampling, or auditing procedure that is required by statute, regulation, permit, judicial or administrative order, or consent agreement? (See Policy for a regulated entity with a new owner.)

☒ Yes ☐ No

Explain: The above mentioned procedures review was performed with the assistance of a consultant contracted by Material Handling Exchange to assist with wastewater discharge compliance.

3. Was the disclosure prompt? The facility must demonstrate that the violation was disclosed within forty-five (45) days after it discovered the violation occurred or may have likely occurred.

☒ Yes ☐ No

Explain: The wastewater consultant contacted the IDEM CTAP on November 29, 2016 on behalf of Material Handling Exchange to determine the proper course of action. Additionally, this document was completed and sent via certified mail to IDEM on December 12, 2016.

4. Was the discovery and disclosure independent of a government or third party plaintiff? The facility must demonstrate that it took the initiative to find the violation and report it, rather than reacting to knowledge of a pending enforcement action or third party complaint.

☒ Yes ☐ No

Explain: Material Handling Exchange discovered the violation during a survey that was initiated internally and voluntarily, and disclosed it to IDEM voluntarily.

5. Was the violation corrected at the time of disclosure?

☐ Yes ☒ No

If yes, provide a statement certifying that the violation has been corrected. If no, provide details of how the violation will be corrected within sixty (60) days after the date the facility notified IDEM of the violation. (*See Policy if more than sixty (60) days are needed to correct the violation.*)

Material Handling Exchange has submitted an application to have the permit modified

6. What measures are being taken to prevent recurrence of the violation and when will those measures be implemented?

Material Handling Exchange has updated its files and current management is undergoing training on regulatory requirements and file management.

7.a. Has the same (*or closely related violation*) occurred previously at this facility within the past three (3) years?

☐ Yes ☒ No

Explain:

b. Has the violation (*or closely related violation*) occurred within the facility's parent organization within the past three (3) years?

☐ Yes ☒ No

Explain:

8.a. Did the violation result in serious environmental harm or risk to human health?

☐ Yes ☒ No

Explain:

b. Did the violation present an imminent and substantial endangerment to human health or the environment?

☐ Yes ☒ No

Explain:

c. Was the violation knowingly, intentional or reckless such that it may constitute criminal conduct?

☐ Yes ☒ No

Explain:

d. Was the violation inadvertent?

☒ Yes ☐ No

Explain: Had previous management properly informed current management of the existence of the current permit, this violation would have been averted.

e. Did the violation violate the specific terms of any judicial or administrative order?

☐ Yes ☒ No

Explain: No judicial or administrative orders have been issued to this facility.

9. Has the regulated entity cooperated and provided information to IDEM as necessary and requested, to determine applicability of the Policy?

☒ Yes ☐ No

Explain: Material Handling Exchange has completed and submitted this form in a timely manner and has addressed these violations.

Estimate of the cost of compliance: \$0

Basis of estimate: N/A

### CERTIFICATION

I have personally examined and am familiar with the information submitted in this document and all attachments thereto, and I certify, based upon reasonable investigation, that the submitted information is true, accurate and complete to the best of my knowledge and belief.

Gary Sells  
Name (printed)

Signature

Operations Manager  
Title

12/19/2016  
Date (month, day, year)

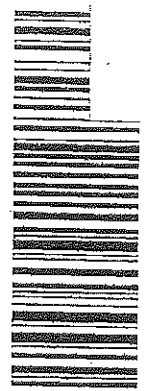
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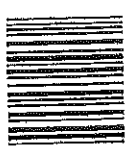
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## Self-Disclosure; Environmental Audit

# Administrators

Indiana Dept of Environmental Management  
Mail Code 1A-8000

Mail Code 60-029

160 North Senate Avenue, 16CN 1301

Indianapolis, IN

46204-2251