



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

Eric J. Holcomb
Governor

Bruno Pigott
Commissioner

August 26, 2021

Via Email to: psinders@gmail.com

Mr. Paul Sinderson, County Commissioner
Clay County Commissioners
609 E. National Avenue
Brazil, Indiana 47834

Dear Mr. Sinderson:

Re: Inspection Summary/ Noncompliance Letter
Community of Coalmont
Clay County

A complaint, that was originally submitted to EPA on November 9, 2020, was forwarded to the Indiana Department of Environmental Management (IDEM). An IDEM wastewater inspector was assigned on March 25, 2021. The complaint states that complainant lives in a town (Coalmont) that has no sewage system. Water from sinks and washers run into ditches, along with possibly sewage. The complainant is concerned about public health issues related to septic wastewater in roadside and back yard ditches.

IDEM inspectors (including a former County Health Department Septic Environmentalist) conducted a field visit and inspection of the ditches in Coalmont on April 1, 2021. Inspectors observed numerous septic systems that appeared to be discharging directly into road ditches throughout the Town (see photos in original report, attached). The original report was sent to Clay County Health Department, later it was determined the authority to resolve this issue lies with the County Commissioners, thus the reissuance of the original report with this letter.

410 Indiana Administrative Code 6-8.3-52 states that: No person shall throw, run, drain, seep, or otherwise dispose into any of the surface waters or ground waters of this state, or cause, permit, or suffer to be thrown, run, drained, allowed to seep, or otherwise disposed into such waters, any organic or inorganic matter from a dwelling or residential on-site sewage system that would cause or contribute to a health hazard or water pollution. (b) The: (1) design; (2) construction; (3) installation; (4) location; (5) maintenance; and (6) operation; of residential on-site sewage systems shall comply with the provisions of this rule.

Pursuant to Indiana Code (IC) 13-30-2-1(1), a person may not discharge, emit, cause, allow or threaten to discharge, emit, cause, or allow any contaminant or waste, including



A State that Works

any noxious odor, either alone or in combination with contaminants from other sources, into the environment.

Pursuant to IC 13-18-4-5, it is unlawful for any person to throw, run, drain or otherwise dispose into any of the streams or waters of Indiana; or cause, permit, or suffer to be thrown, run, drained, allowed to seep, or otherwise disposed into any waters; any organic or inorganic matter that contributes to a polluted condition of any waters, as determined by a rule of the board adopted under sections 1 and 3 of this chapter.

Based on the inspector's observations, many septic systems in the unincorporated community appear to be unapproved sewage disposal methods along with open sewer laterals discharging directly on the ground and into waters of the State. This is in direct violation of 410 IAC 6-8.3-52 and Indiana Code (IC) 13-30-2-1. This is a violation of the above referenced regulations and the County must address this public health and water quality issue.

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 the attention of Samantha Groce, at our letterhead address or via email to wwViolationResponse@idem.IN.gov . Any questions should be directed to Holly Zurcher at 317-954-8028 or by email to hzurcher@idem.in.gov. Thank you for your attention to this matter.

Sincerely,



Samantha Groce,
Wastewater Inspections Section Chief
Compliance Branch
Office of Water Quality

Enclosures

cc: Bill Hale, Clay County Health Department (billh@claycountyin.gov)
Mike Mettler, ISDH (mmettler@isdh.in.gov)



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Eric J. Holcomb
Governor

Bruno Pigott
Commissioner

April 06, 2021

Via Email to: billh@claycountyin.gov
Mr. Bill Hale, Registered Environmental Health Specialist
Clay County Health Department
18 N. Walnut
Brazil, Indiana 47834

Dear Mr. Hale:

Re: Inspection Summary/ Noncompliance Letter
Town of Coalmont
Coalmont, Clay County

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

Date(s) of Inspection: April 01, 2021
Type of Inspection: Complaint Investigation (#95168)
Inspection Results: Violations were observed.

The following concerns were noted:

A complaint, that was originally submitted to EPA on November 9, 2020, was forwarded to the IDEM inspector on March 25, 2021. The complaint states that complainant lives in a town (Coalmont) that has no sewage system. Water from sinks and washers run into ditches, along with possibly sewage. The complainant is concerned about public health issues related to septic wastewater in roadside and back yard ditches.

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410 IAC 6-8.3-52 states that: No person shall throw, run, drain, seep, or otherwise dispose into any of the surface waters or ground waters of this state, or cause, permit, or suffer to be thrown, run, drained, allowed to seep, or otherwise disposed into such waters, any organic or inorganic matter from a dwelling or residential on-site sewage system that would cause or contribute to a health hazard or water pollution.

- (b) The:
(1) design;
(2) construction;
(3) installation;
(4) location;
(5) maintenance; and
(6) operation;

of residential on-site sewage systems shall comply with the provisions of this rule.

Based on inspectors observations, many septic systems in the Town may not be compliant with the aforementioned Indiana State Department of Health rule. This information is being forwarded to the County and State Health Departments for further investigation and follow-up.

This information is being forwarded to the State and County Health Departments for further review. Please direct any questions to Holly Zurcher at 317-954-8028 or by email to hzurcher@idem.in.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'S. Groce', with a large, loopy flourish at the end.

Samantha Groce, Chief
Wastewater Inspection Section
Office of Water Quality

Enclosure

Cc: Mike Mettler, ISDH
Complainant



NPDES Wastewater Facility Inspection Report

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

NPDES Permit Number: No Permit	Facility Type: NA Minor	Facility Classification: NA	TEMPO AI ID
Date(s) of Inspection: April 01, 2021			
Type of Inspection: Complaint Investigation (#95168)			
Name and Location of Facility Inspected: Town of Coalmont Various Locations Coalmont IN 47845		Receiving Waters: Various ditches	Permit Expiration Date: Design Flow:
On Site Representative(s): No facility rep was met at the site.			
Was a verbal summary of findings presented to the on-site representative? No			
Certified Operator:	Number:	Class:	Effective Date: Expiration Date: Email:
Cyber Security Contact:			
Name:		Email:	
Responsible Official: Mr. Bill Hale, Registered Environmental Health Specialist 18 N. Walnut Brazil, Indiana 47834		Permittee: Clay County Health Department Email: billh@claycountyin.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			
(S = Satisfactory, M = Marginal, U = Unsatisfactory, N = Not Evaluated)			
N	Receiving Waters	N	Facility/Site
N	Effluent	N	Operation
N	Permit	N	Maintenance
N	Collection System	N	Sludge
N		N	Self-Monitoring
N		N	Flow Measurement
N		N	Laboratory
N		N	Records/Reports
N		U	Other: Water Pollution/Failed Septics
DETAILED AREA EVALUATIONS			
Effluent Limits Compliance:			
No 1. Were DMRs reviewed as part of the inspection?			
Comments:			
Other:			
Water Pollution/Failed Septics			
Comments:			
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Based on inspectors observations, many septic systems in the Town may not be compliant with the aforementioned Indiana State Department of Health rule. This information is being forwarded to the County and State Health Departments for further investigation and follow-up.

IDEM REPRESENTATIVE

Inspector Name:	Email:	Phone Number:
Holly Zurcher	hzurcher@idem.IN.gov	317-954-8028
Other staff participating in the inspection:		
Name(s)	Phone Number(s)	
Kevin Stark	812-525-9411	

IDEM MANAGER REVIEW

IDEM Manager:	Date:
Andy Schmidt	4/5/2021

Inspection Photographs



Facility:	
Town of Coalmont	
Photographer:	
Kevin Stark	
Date: 4/1/2021	Time:
Others Present:	
Holly Zurcher	
Location/Description:	
Cleaning debris to reveal sewage discharging into road ditch.	



Facility:	
Town of Coalmont	
Photographer:	
Kevin Stark	
Date: 4/1/2021	Time:
Others Present:	
Holly Zurcher	
Location/Description:	
Downstream of pipe above.	



Facility:	
Town of Coalmont	
Photographer:	
Kevin Stark	
Date: 4/1/2021	Time:
Others Present:	
Holly Zurcher	
Location/Description:	
Another septic pipe discharging into road ditch.	



Facility: Town of Coalmont	
Photographer: Kevin Stark	
Date: 4/1/2021	Time:
Others Present: Holly Zurcher	
Location/Description: Dark spot in front of inspector is septic discharge pipe with debris cleared.	



Facility: Town of Coalmont	
Photographer: Kevin Stark	
Date: 4/1/2021	Time:
Others Present: Holly Zurcher	
Location/Description: Septic pipe discharging in ditch.	



Facility: Town of Coalmont	
Photographer: Kevin Stark	
Date: 4/1/2021	Time:
Others Present: Holly Zurcher	
Location/Description: Downstream view of septic discharge in ditch.	



Facility: Town of Coalmont	
Photographer: Kevin Stark	
Date: 4/1/2021	Time:
Others Present: Holly Zurcher	
Location/Description: Septic pipe discharging to ditch.	



Facility: Town of Coalmont	
Photographer: Kevin Stark	
Date: 4/1/2021	Time:
Others Present: Holly Zurcher	
Location/Description: Septic pipe discharging to ditch.	



Facility: Town of Coalmont	
Photographer: Kevin Stark	
Date: 4/1/2021	Time:
Others Present: Holly Zurcher	
Location/Description: Septic pipe discharging to ditch.	