

OFFICIAL  
EXHIBITS



Indiana Department of Environmental Management

*We Protect Hoosiers and Our Environment.*

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Michael R. Pence  
Governor

Carol S. Comer  
Commissioner

February 24, 2016

Via Email: [eserowka270@earthlink.com](mailto:eserowka270@earthlink.com)  
Carriage Estates II Wastewater Treatment Plant  
Edward J. Serowka, P.E.  
332 Persimmon Trail  
Lafayette, Indiana 47909-6823

IURC  
PUBLIC'S  
EXHIBIT NO. CX-6  
3-15-16 AT  
DATE REPORTER

Re: Carriage Estates Response  
American Suburban Utilities  
NPDES Permit No. IN0043273  
Project Number 16-001-CE  
Carriage Estates II WWTP  
West Lafayette, Tippecanoe County

Dear Mr. Serowka:

The Indiana Department of Environmental Management (IDEM) has received your response dated February 19<sup>th</sup>, 2016. We thank you for your quick response. The following are the comments to your concerns:

- Comments to Response 1:** American Suburban Utilities (ASU) has misinterpreted the regulation it is citing. The citation specifies that a facility has 30 days to make IDEM aware of a change of operator, not that the facility has 30 to find an operator. The facility must be under the direct supervision of a qualified certified operator at all times and is not given a 30 day grace period to locate a new operator. The purpose of our citation was not that you violated the statute by not notifying us, we are not contesting that proper notification was made in 30 days. Your facility, however, did operate for a period of time without an operator who met the minimum licensing requirements in violation of your NPDES permit.
- Comments to Response 2:** ASU has not submitted the preventative maintenance plan to IDEM, and likewise, IDEM has not approved any such plan. We look forward to reviewing your plan once it is submitted, but as of February 22<sup>nd</sup>, 2016, IDEM has not received a copy of the required preventative maintenance plan.

- a. **Comments to Response 2(b):** There is no standard definition for excessive when in regards to Inflow and Infiltration (I/I). IDEM looks at a number of factors, including but not limited to: Sanitary Sewer Overflow (SSO) events, percent capacity of water treated at the plant, amount flow increases during rain events and dry weather vs. wet weather treatment numbers. The Carriage estate plants experiences substantially higher flows during rain events and has had SSO events as a result of sewer capacity, which constitutes proof of I/I.
3. **Comments to Response 3:** The inspection was completed in December of 2015, and the citation was based on the permit which was active during that inspection. As you report in your response, your permit as of February 2016 changed your flow monitoring requirements. You were under the previous permit during the inspection which did not have a provision for time weighted samples, so the sampling was conducted in violation of the permit.
4. **Comments to Response 4:** Your response does not address the violation cited. You refer to an area of the permit which is the very basis for the violation IDEM has cited. You reported estimated flow for a period of approximately 3 months, and estimated flow does not meet the permit requirement for an annually calibrated flow measurement device. Additionally, the annual calibration you provided a copy of is for a date during which flow was being reported as estimated. I am sure you can understand our confusion that you had a meter calibrated, yet at the same time you were sending us MRO forms showing that the flow meter was not properly functioning, thus leading to the estimated flow you reported. The estimated flow numbers do not meet the permit requirements and was a violation.
5. **Comments to Response 5:** IDEM is glad to hear that you are instituting a new filing system to remove any possibility of missing files in the future; however, the fact remains that, at the time of the inspection, the cited documents were missing and not available for review.

(OVER)

IDEM appreciates your attention in this matter. Within the next 30 days, please respond to me at [bsmurphy@idem.in.gov](mailto:bsmurphy@idem.in.gov). If you have any questions, contact Jason Palin at [japalin@idem.in.gov](mailto:japalin@idem.in.gov). As always, if you want to come in and discuss, please let us know and we can set up a time.

Respectfully,

A handwritten signature in black ink that reads "Bridget S. Murphy". The signature is written in a cursive style with a long horizontal flourish extending to the right.

Bridget S Murphy, Chief  
WW Inspection Section  
Compliance Branch  
Office of Water Quality  
IDEM

CC:

Jason Palin, Field Inspector  
Mark Stanifer, Branch Chief  
Amari Farren, Case Manager



Edward Serowka &lt;eserowka270@gmail.com&gt;

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**IN0043273 - Carriage Estates**

1 message

**MURPHY, BRIDGET** <BSMURPHY@idem.in.gov>

Wed, Feb 24, 2016 at 5:37 PM

To: Edward Serowka &lt;eserowka270@gmail.com&gt;

Cc: "STANIFER, MARK" &lt;MSTANIFE@idem.in.gov&gt;, "Palin, Jason" &lt;JaPalin@idem.in.gov&gt;, "MURPHY, BRIDGET" &lt;BSMURPHY@idem.in.gov&gt;, "Farren, Amari" &lt;AFarren@idem.in.gov&gt;, "Bye, Julie" &lt;JBYE@idem.in.gov&gt;, "McNeil, Tammie" &lt;tmcneil@idem.in.gov&gt;

Mr. Serowka, Please see attached.

If you have any question, we can set up a meeting to discuss.

Thank you,

Bridget

**IN0043273 - Carriage Estates II WWTP Response Letter.docx**

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