FILED July 28, 2017 INDIANA UTILITY REGULATORY COMMISSION

COMPLAINANT'S EXHIBIT 2

SUGAR CREEK PACKING CO.

INDIANA UTILITY REGULATORY COMMISSION

CAUSE NO. 44948

DIRECT TESTIMONY

<u>OF</u>

EDWARD RODDEN

OF SUGAR CREEK PACKING CO.

SPONSORING COMPLAINANT'S ATTACHMENTS ER-1 THROUGH ER-9

SUGAR CREEK PACKING CO.

Cause No. 44948

Direct Testimony of Edward Rodden

1 I. WITNESS BACKGROUND

- 2 Q. Please state your name and business address.
- A. My name is Edward Rodden and my business address is 1200 Enterprise Road,
 Cambridge City, Indiana 47327.

5 Q. By whom are you employed and in what capacity?

A. I am employed by Sugar Creek Packing Co., an Ohio Corporation that owns and operates
a meat food processing plant in Cambridge City, Indiana for the purpose of producing
raw meat into various retail products both national and private label brands ("Sugar
Creek" or "Complainant"). I am employed as Chief Information Officer with Sugar
Creek.

11 Q. What is your educational and professional background?

A. I have a high school education and over 42 years of experience in various corporate roles.
For the past 15 years, I have been employed with Sugar Creek where I oversee
information technology, security and safety for the entire company. I also serve as a Clevel advisor and spokesperson for wastewater issues at the Sugar Creek's Cambridge
City, Indiana facility supporting the company and our environmental group.

- 17 Q. What is the purpose of your testimony?
- A. The purpose of my testimony is to discuss the capacity certification Western Wayne
 Regional Sewage District ("WWRSD") provided to Sugar Creek as part of our

construction permit application. I offer testimony on what can be done to resolve
 WWRSD's capacity issues. I also offer testimony regarding WWRSD's technical,
 managerial and financial capacity to operate properly as a wastewater utility.

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II. <u>CAPACITY CERTIFICATION</u>

5 Q. Before becoming a customer of WWRSD, did WWRSD make any commitments to 6 Sugar Creek regarding available capacity?

7 A. Yes. On January 9, 2015, we applied for a construction permit for a new pretreatment 8 facility that would discharge to WWRSD. As part of the application process, we had to 9 submit the certification from WWRSD that it had sufficient capacity such that the daily 10 flow from the Pretreatment System "will not cause overflowing or bypassing in the collection system" and that sufficient capacity was "not contingent on water 11 pollution/control facility construction that has not been completed and put into 12 13 operation." This certification is <u>Attachment ER-1</u>. It certifies that there is capacity 14 (expressed in "Gallons per day (Total Average Flow for Project)") of 200,000 gpd. We 15 received a deficiency notice for that application whereby IDEM sought clarification that 16 the certificate was not contingent on WWRSD's treatment plant expansion. Our response 17 to that deficiency notice was provided on January 28, 2015 and is provided as 18 Attachment ER-2. We indicated that we had requested clarification from WWRSD, 19 which we received in the form of a new capacity certification/allocation letter dated 20 February 18, 2015 for the "Sugar Creek Packing Co. CCI Wastewater Pretreatment 21 System," a copy of which is Attachment ER-3. The only change in the updated 22 certification from the original is that it states very clearly that "Sufficient treatment 23 capacity is not contingent on the District's currently proposed WWTP Expansion being

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completed and placed into operation." The construction permit was then issued on March 9, 2015, and a copy of it is Attachment ER-4.

3 Q. What do you mean it is an average rate coming from the pretreatment facility?

A. First, it is expressed in the certificate as just that – an average daily flow and not a peak
or maximum daily flow. In our IDEM permit application materials, we estimated our
continuous flow rate to be in the 150-180 gallons per minute range. We stated that the
daily average would be 167 gpm, which is in recognition that the pretreatment facility
would only operate for 20 hours per day: 200,000 gallons divided by 20 hours further
divided by 60 minutes produces 167 gpm.

We also indicated that our peak flow would be 400 gallons per minute. And while we indicated that we expected to discharge a maximum of 200,000 gallons per day from the pretreatment facility, we expected that amount would likely grow to 300,000 gallons per day as operations expanded. And the capacity certificate itself indicates that it is for the pretreatment facility.

Q. The Response to the Deficiency Notice states a "Daily Maximum" flow per day. Please explain in relationship to your previous answer

A. The original design of the pretreatment facility was that it would be able to treat a daily
maximum of 200,000 gpd but that it could potentially expand to 300,000 gpd. When we
applied for the construction permit, we expected that the pretreatment facility would not
generate more than 200,000 gpd until we expanded operations.

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Q.

Does Sugar Creek have a pretreatment discharge permit?

2 A. Yes. On January 20, 2015 (around the same period that we received the original capacity 3 certification), we applied for a modification of the existing pretreatment permit 4 INP000604. A copy of that application is attached as Attachment ER-5. The 5 modification was issued on March 26, 2015, and it shows a pretreatment flow of 204,000 gpd. A copy of the permit modification is Attachment ER-6. This is not a limit on the 6 7 discharge, but a description of the discharge. The permit has since been renewed, and a 8 copy of the final renewed permit is <u>Attachment ER-7</u>. This shows a pretreatment flow of 9 178,000 gpd. This number was based upon actual plant activities, as the original renewal 10 was based on design capabilities.

11 III. <u>RESOLVING WWRSD'S CAPACITY ISSUES</u>

12 Q. Have you reviewed Mr. Holbrook's Testimony?

A. Yes. He discusses the issues that we have encountered at our Cambridge City operation
as a result of WWRSD's lack of capacity to handle our flows on a consistent basis.

15 Q. Beyond what WWRSD has said in response to discovery, has WWRSD offered any

16 additional excuse for why it has been unable to address its capacity issues?

17 A. Yes. They have implied that they are incapable of handling our peak hourly flows.

18 **Q.** How have they done this?

A. The very first occasion when the lift station bypassed (April 14, 2016), their operator
Joey Pike claimed that our flow was too high. On the day of that very first overflow, our
discharge at the pretreatment plant had been recorded at approximately 130,000 gallons
from midnight to midnight. Our instantaneous flow at that time was 150 gallons per

1 minute, although at times we had run an instantaneous flow of 200 gallons per minute. If 2 we ran at 150 gallons per minute constantly, our daily flow would be 217,000 gallons per 3 day, but we do not run at that rate constantly over a 24-hour period. We offered at that 4 time to let WWRSD inspect our treatment plant and our recorded flow rates, but 5 WWRSD declined. But Mr. Pike complained that Sugar Creek tends to process more 6 wastewater during the daylight hours rather than spreading the flow ratably over a 24-7 hour period. (The different flow rates relate to the different wastewater generated during 8 production hours versus the sanitation hours when the equipment is being cleaned for the 9 next day.)

10 Q. Is the Sugar Creek capacity certification received from WWRSD limited in terms of instantaneous flow?

A. No. It is stated in terms of average daily flow. This is how capacity certificates are
calculated and provided. Any customer will generate variable flow throughout the course
of a day, and the wastewater utility must have sufficient capacity to handle the peaks in
order to provide the certificate as to average daily flow. While our peaks are not extreme,
WWRSD committed to us that it had capacity to collect and treat our average flows,
which would include the peaks. This is very disturbing to us, as it now causes us to
wonder if WWRSD has ever had the capacity that was originally promised and certified.

19 Q. Please explain.

A. I'm told that the force main leaving the lift station towards WWRSD's plant is 6"
 diameter HDPE pipe, which means the inside diameter is only 5". This means that pipe
 can only handle peak flows of 180-200 gallons per minute. If Sugar Creek discharged all

1 flow ratably throughout the day, it would be 139 gallons per minute. There is one other 2 industrial customer feeding this line, Taconic, who we believe from conversations with 3 them averages a discharge of 50,000 gallons per day. If that flow were discharged 4 ratably throughout the day, it would average nearly 35 gallons per minute. Adding that to 5 an average of 139 gallons per minute for Sugar Creek would equate to nearly 174 gallons 6 per minute, or almost all of the capacity the force main can handle on a peak basis. When 7 we consider that Taconic told us that they experience their peak flows between 6:00-8 10:00 AM and we experience our peak flows during daylight hours, it is apparent that 9 WWRSD has never had the capacity to collect 200,000 gallons per day from Sugar 10 Creek.

11 Q. Are there other claims that WWRSD has made concerning its lack of capacity?

12 A. Yes. WWRSD claims that we are preventing them from making the needed
13 improvements in order to address these issues and handle our 200,000 gpd capacity.

14 **Q.** Is this true?

15 Absolutely not, as our discussions with them on their "Projects" relate only to replacing A. 16 their plant and do not include upgrading the lift stations or replacing the pipe from the industrial park to their plant. The capacity certificate/allocation they provided to us is 17 18 clear that it is not contingent on adding any pollution control facilities that have not 19 already been completed. On the Plant project, for informational purposes, WWRSD has 20 asked us to contribute \$3 million and provide a long-term commitment to receive service 21 so that WWRSD can secure financing to add capacity to its current plant. The project WWRSD is proposing is estimated to cost \$12 million and will only add 400,000 gpd of 22

wastewater processing capacity. Sugar Creek does not believe that undertaking this
 project is an efficient and effective way of addressing WWRSD's capacity issues;
 therefore, we informed WWRSD that we would not contribute \$3 million or provide a
 long-term commitment and instead, would be exploring other options for service.

5 Q. Do you believe Sugar Creek should be responsible for contributing \$3 million and 6 providing a long-term commitment to facilitate WWRSD receiving financing for the 7 project?

A. No. We did not agree to contribute \$3 million, or to make a long-term commitment to be
served, in exchange for WWRSD providing service. We agreed to invest \$130 million in
the local community to upgrade a production facility in Cambridge City, Indiana and
WWRSD agreed to provide us wastewater service and certified that sufficient capacity
existed in its receiving water pollution treatment/control facility to treat at least an
additional daily flow of 200,000 gpd. We have upheld our end of the agreement, but,
unfortunately, WWRSD has not upheld its end.

Ultimately, it should not be our responsibility to help WWRSD secure financing to address its own capacity issues. Further, WWRSD's "solution" for solving its capacity issues - to undertake \$12 million in improvements for 400,000 gpd additional capacity is a costly project that likely will not work. The fact that WWRSD is even considering this project is further evidence of why a Commission investigation into WWRSD and its operations is necessary.

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Q. Is there a better alternative available to address WWRSD's capacity issues?

A. Yes. It is our opinion that WWRSD could interconnect with the City of Connersville's
wastewater sewer plant to treat the additional capacity. We feel that the gallons of
capacity gained per dollar spent are much higher than the project that WWRSD is
pursuing. Also, we believe that an increase of 400,000 gallons of capacity per day would
not be sufficient for long-term growth of the industrial park.

Q. Does Connersville's wastewater sewer plant have sufficient capacity to treat the wastewater that WWRSD currently cannot handle?

9 A. Yes.

10 Q. Why does Sugar Creek believe interconnecting with Connersville will be the best 11 option?

12 Sugar Creek cannot incur any additional economic losses. Connersville already has A. 13 sufficient capacity to handle Sugar Creek's 200,000 gpd and can begin doing so as soon 14 as feasibly possible. Waiting for WWRSD to add additional capacity to its plant will 15 mean Sugar Creek will have to undergo further production ramp downs and shut downs, 16 leading to additional economic losses in the future. As discussed in Mr. Holbrook's 17 testimony, Sugar Creek has already incurred significant economic losses as a result of 18 WWRSD's capacity issues. It does not want to incur additional losses as a result of a 19 prolonged construction process.

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IV. TECHNICAL, MANAGERIAL AND FINANCIAL CAPACITY

Q. Does Sugar Creek believe that WWRSD possesses the technical, managerial and financial capacity to operate properly a wastewater utility?

4 A. No. I have already explained that they have not provided the level of wastewater service 5 that they certified to IDEM more than 18 months ago. The opening of our facility has been one of the biggest economic development announcements in rural Wayne County. 6 7 Our state-of-the-art facility and 400 new jobs (with hopefully more to come) is big news 8 for this part of the state. Yet we are held up by a sewer utility that simply cannot 9 transport our already treated wastewater back to its own treatment plant for discharge. 10 They claim to have initiated a "root cause" analysis, but they want to inspect aspects of 11 our operation that have no relationship to our discharge. Notably, until very recently, they 12 haven't even asked to inspect our industrial pretreatment facility or the records of our 13 daily or hourly discharge. Further, they are not forthcoming with information. Their 14 ability to accept our wastewater flows is vital to our operations, yet we could not receive 15 basic answers to questions about what they are doing until we filed this complaint. In addition, we are concerned that they may not have reported to IDEM any of the 16 17 overflows at the lift station that have occurred.

18

Q. Is there other information that bears on their capacity?

19 A. Yes. We have concerns that the president of the WWRSD Board of Directors, Waunalea
20 Dungan, may have a conflict of interest that has not been properly disclosed.

1 Q. Please explain.

2 A. Ms. Dungan is also the President of Dungan Plumbing & Heating, Inc., which we believe 3 has done significant business for WWRSD. Before this case was filed, we requested 4 WWRSD to produce all conflict of interest disclosure forms that had been submitted to 5 WWRSD responded that there were none. A copy of the response is WWRSD. Attachment ER-8. A copy of an earlier response to a request for documents is 6 7 Attachment ER-9, and it shows business relations between Dungan Plumbing & Heating, 8 Inc. and WWRSD.

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V. <u>SUGAR CREEK'S COMPLAINT</u>

10 Q. What relief is Sugar Creek seeking in this Cause?

11 A. Sugar Creek is requesting that the Commission review WWRSD's operations pursuant to 12 Ind. Code \S 8-1-30(3)(b). Sugar Creek is further requesting that the Commission issue an 13 order requiring WWRSD to either: (1) immediately upgrade its lift station and pipe to 14 accommodate 200,000 Gallons per day of wastewater capacity from the pretreatment plant; or (2) interconnect with the City of Connersville's wastewater sewer plant for 15 16 processing and treatment of the additional wastewater; and (3) in the event WWRSD fails 17 to comply with an order requiring either option (1) or (2) occurs, to appoint a receiver to 18 take over WWRSD and its operations. In the alternative, Sugar Creek is requesting that 19 the Commission issue an order preventing WWRSD from invoking Ind. Code § 13-26-20 23-30 (the "Mandatory Connection Statute") to require that Sugar Creek remain 21 connected to WWRSD's system or otherwise taking any action to oppose Sugar Creek's 22 permit applications to IDEM for direct discharge.

Q. Why is Sugar Creek requesting that the Commission appoint a receiver if neither option (1) or (2) discussed above occurs?

3 Sugar Creek has invested \$130 million in Wayne County, Indiana, and we employ 400 A. 4 workers near Cambridge City. We are the anchor facility located in the Wayne County 5 Gateway Industrial Park, in which Wayne County itself has invested substantially. The success of this development hinges upon utility service. We now believe that WWRSD 6 7 did not have adequate capacity when it signed our original capacity certificate. We are 8 now more than fifteen months from the first bypass event, yet we have no confidence that 9 the problem is resolved. WWRSD seems resolute in pursuing a project that will cost 10 ratepayers substantially, yet it will provide only marginally more capacity. Then we 11 layer on top of that our concern of a possible conflict of interest for the WWRSD Board 12 President. For these reasons, it is our opinion that for our plant to succeed, different 13 control is needed.

Q. Please describe the alternative relief of an order preventing WWRSD from invoking the Mandatory Connection Statute to require that Sugar Creek remain connected to WWRSD's system?

17 A. It is my understanding that WWRSD cannot force us to remain connected if we have a
18 valid NPDES permit. We have sought one, but we are seeking alternatively that
19 WWRSD not object to or otherwise interfere with the issuance of our permit, either
20 formally on its own behalf at IDEM or otherwise or informally by encouraging or
21 supporting others to do so.

1 **Q.** What would this accomplish?

A. We could then directly discharge all or a portion of our process wastewater. In this
fashion, we would no longer be restricted by WWRSD's capacity issues or its poor
decisions to build its own plant rather than interconnecting with Connersville. Further,
capacity would be freed up for the remainder of the Gateway Industrial Park, which
would allow the County to improve its marketing efforts.

7 Q. Does this conclude your testimony?

8 A. Yes it does.

DMS 10683926v1

VERIFICATION

The undersigned affirms under the penalties for perjury that the foregoing testimony is true to the best of his knowledge, information and belief.

Date: $\frac{7/27/2017}{Edward Rodden}$

Cause No. 44948 Attachment ER-1 Page 1 of 2

CAMPBELL KYLE PROFFITT LLP

ATTORNEYS AT LAW

JOHN D. PROFFITT DEBORAH FARMER SMITH WILLIAM E. WENDLING, JR. ANNE HENSLEY POINDEXTER ANDREW M. BARKER JOHN S. TERRY RODNEY T. SARKOVICS SCOTT P. WYATT STEPHENIE K. GOOKINS N. SCOTT SMITH KEVIN G. KLAUSING RUSSELL B. CATE MATTHEW T. LEES ALICIA A. WANKER CASANDRA J. NELSON FRANK S. CAMPBELL (1880-1964)

FRANK W. CAMPBELL (1916-1991)

ROBERT F. CAMPBELL (1946-2004)

> JOHN M. KYLE (1927-2006)

apoindexter@ckplaw.com

January 27, 2015

Peter E. Tamborski Lorie Brengelman SugarCreek 12021 Sheraton Lane Cincinnati, Ohio 45246

RE: Sugar Creek/Western Wayne Regional Sewage District

Dear Peter and Lorie:

Enclosed you will find the original Certification dated January 23, 2015. If you have any questions regarding the same, please contact me.

Sincerely yours,

ÇÁMPBELL KYLE PROFFITT LLP

Anne Hensley Poindexter

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Suite 701

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Cause No. 44948 Attachment ER-1

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CAPACITY CERTIFICATION/ALLOCATION LETTER

CERTIFICATION

I, Waunalea Dungan, representing the Western Wayne Regional Sewage District, in my capacity as President of the Board of Trustees have the authority to act on behalf of the Western Wayne Regional Sewage District certify that:

(1) The daily flow rate, in accordance with 327 IAC 3-6-11 (Design flow rate requirements) generated in the area that will be collected by the project system, will not cause overflowing or bypassing in the collection system from locations other than NPDES authorized discharges.

(2) Sufficient capacity exists in the receiving water pollution treatment/control facility to treat the additional daily flow and is not contingent on water pollution/control facility construction that has not been completed and put into operation.

(3) The receiving water pollution treatment/control facility will remain in compliance with applicable NPDES permit effluent limitations.

(4) The industrial system, that is the subject of the construction permit application, is to connect to a water treatment/control facility that has been completed and put into operation.

(5) The proposed industrial system does not include new combined sewers or a combined sewer extension to existing combined sewers.

Gallons per day (Total Average Flow for Project)	200,000 gpd
Wastewater treatment plant (Name of WWTP)	Western Wayne Regional Sewage District
Sewers (Owners of sewers)	Western Wayne Regional Sewage District
Signature	Date Signed (month, day, year)
Wannalea Dungan	1 /23/15



January 28, 2015

Indiana Department of Environmental Management Facilities Construction and Engineering Support Section, Office of Water Quality Attn: Mr. Don Worley / Mr. Levy Solivan 100 North Senate Avenue MC 65-42, room N1255 Indianapolis, IN 46204-2251

RE: Response to Deficiency Notice for Construction Permit Application Industrial Pretreatment Wastewater Plant Sugar Creek Packing Co. Cambridge City, Indiana Wayne County Project No. 1-2394

Dear Mr. Worley and Mr. Solivan,

We are hereby responding to the questions and comments you have issued to us in your Deficiency Notice. Your questions and comments are stated below in bold, with our responses in italics immediately following.

ADMINISTRATIVE EVALUATION

1. "It has come to our attention that the Western Wayne Regional Sewer District wastewater treatment plant has plans to expand the capacity of their plant from a Design Average Flow of 0.804 MGD to a Design Average Flow of 1.2 MGD plant. Since the expansion will not be completed until October of 2017 per the Preliminary Engineering Report (submitted to the SRF Section), we need a confirmation from Western Wayne Regional Sewer District that the existing wastewater treatment plant will be able to handle the additional flow and that the treatment of this additional flow is not dependent on the expansion of the plant."

Sugar Creek has requested a letter from Western Wayne Regional Sewer District that will confirm that their existing wastewater treatment plant will be able to handle the additional flow and is not dependent on the expansion of their plant.

> SugarCreek 12021 Sheraton Lane Cincinnati, OH 45246 513-551-5280 SugarCreek.com



TECHNICAL REVIEW

1. "Please submit a larger/bigger and legible flow schematic diagram of the wastewater pretreatment system."

Larger copies of schematic diagrams and drawings are attached (Size D).

2. "You submitted two (2) sets of conflicting and confusing Project Design Summaries, especially on aeration, clarification, and dewatering information. Please submit only one (1) set of Project Design Summary."

Only one design summary was submitted. Additional drawings were only included for illustrative examples of type of equipment to be used. Please discard the equipment cut sheets to eliminate the confusion.

3. "Please explain why the information on the values of Phosphorus is TBD?"

Western Wayne Regional Sewer District verbally indicated to us that they may include a phosphorus limit in our permit. We are planning up front for phosphorus removal capability to be ready to achieve any limit they may include. We can remove the Total Phosphorus levels and limits indicated in Section 2.0 of our design summary to eliminate any confusion. A revised page is attached.

4. "What is the physical dimensions and capacity of Pump Pit (T0101)?"

18.5' x 11'10" x 24'. 18,000 gallons usable capacity.

What is the thickness of the protective liner?

125 mil.

SugarCreek 12021 Sheraton Lane Cincinnatl, OH 45246 513-551-5280 SugarCreek.com



5. "Provide the sample computation for the air requirements on the primary flotation unit, secondary flotation unit, equalization tank, and aeration tank?"

Here is the response we have received from our wastewater engineer:

a. We use compressed air for the flotation units to get the aeration we need for floating the sludge:

FU2501 Flotation unit GDF 020 [Nl/min/csfm] FU2601 Flotation unit GDF 016 [Nl/min/csfm] FU2701 Flotation unit IPF 135E [Nl/min/csfm]

35/1,24 @ 7 bar/102psi 25/0,88 @ 7 bar/102psi 35/1,24 @ 7 bar/102psi

b. The blowers for the equalization tank will take in air from the surrounding area. The equalization tank will be fed by a blower with a capacity of 1,526 m3/hr. which is approx. 6,719 gallon/min. The blowers will switch on/off based on the oxygen sensor in the tank.

Aeration tanks will be fed by two blowers, one duty, one standby, capacity of 2,175 m3/hr. which is approx. 9,576 gallon/min.

6. "What is the physical dimensions and capacity of the Sediment Trap?"

A detailed drawing of the sediment trap is attached. The trap is a flow through trench and therefore does not have an actual capacity.

"What is the physical dimensions of the Primary DAF Tank?"

The DAF transfer tank is 126" x 47.25", with a usable volume of approximately 2,377 gallons.

The Primary DAF sludge tank is 12.31" diameter x 19.77' high, with a usable volume of approximately 16,260 gallons.

7. "Identify the location of the Sampling Manhole on Sheet 1 (Site Plan), and re-submit Sheet 1."

Hand marked-up drawings are attached. Hixson, Inc. engineering will be submitting sampling manhole drawings directly to IDEM by January 31, 2015.

SugarCreek 12021 Sheraton Lane Cincinnati, OH 45246 513-551-5280 SugarCreek.com



8. Please complete the Sewer Information on the Project Design Summary.

The effluent ties into a 10" SDR-35 sewer pipe. Details of the sampling and gauging manhole, and sewer tie in will be submitted to IDEM directly from Hixson, Inc. engineering by January 31, 2015.

If you have any additional information to answer your concerns and questions, please feel free to contact me at 513-551-5280 x5326.

Sincerely,

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Lorie Brengelman Environmental Director

Enclosure

Cc: Tim Sparks Stephen R. Schulte Erik Schut

> SugarCreek 12021 Sheraton Lane Cinclmati, OH 45246 513-551-5280 SugarCreek.com

2.0 DESIGN DATA

A. Design Flow:

- **1.** Peak: 400 GPM, 60 minute peak intervals, occurring during sanitation operations
- 2. Daily Maximum: 200,000 GPD (Potentially to 300,000 GPD with future expansion.)
- 3. Daily Average: 167 GPM
- B. Design Waste Strength:

<u>Parameter</u>	Influent Level mg/L
Total Suspended Solids (TSS)	6,430 (est. avg.)
Biochemical Oxygen Demand (BOD5)) 8,680 (est. avg.)
Oil and Grease (O&G)	1,800 (est. avg.)
Total Nitrogen	286 (est. avg.)
pH	4.8 - 6.3 s.u.

Anticipated Effluent Characteristics

<u>Parameter</u>	<u>Effluent Level mg/L</u>
Total Suspended Solids (TSS)	<100
Biochemical Oxygen Demand (BOD5) <50
Oil and Grease (O&G)	<10
Ammonia-Nitrogen	<5
рН	6.0 - 9.0 s.u.

WWRSD Permit Discharge Limits of Effluent Wastewater

<u>Parameter</u>	Local Limit (mg/L)
TSS	300
BOD	300
O&G	100
Ammonia-Nitrogen	25
рH	6.0 - 9.0 s.u.

3.0 PROPOSED TREATMENT

While the average wastewater discharge from the facility is expected to range from 150-180 gpm, the wastewater pretreatment system has been designed to accommodate peak flows of up to 400 gpm before the Storage Tank (aka EQ Tank) that could occur during cleaning activities. Additional information is contained in the Drawings and Equipment sections of the application in Appendix C.



Cause No. 44948 Attachment ER-3

Page 1 of 1

CAPACITY CERTIFICATION/ALLOCATION LETTER

Name of applicant	Sugar Creek Packing Company
Name of owner	Sugar Creek Packing Company
Name of project	Sugar Creek Packing Co. CCI Wastewater Pretreatment System

CERTIFICATION

I, Wauhalea Dungan, representing the Western Wayne Regional Sewage District, in my capacity as President of the Board of Trustees have the authority to act on behalf of the Western Wayne Regional Sewage District certify that:

(1) The daily flow rate, in accordance with 327 IAC 3-6-11 (Design flow rate requirements) generated in the area that will be collected by the project system, will not cause overflowing or bypassing in the collection system from locations other than NPDES authorized discharges.

(2) Sufficient capacity exists in the District's existing wastewater treatment plant to treat the additional daily flow. Sufficient treatment capacity is not contingent on the District's currently proposed WWTP Expansion being completed and placed into operation.

(3) The receiving water pollution treatment/control facility will remain in compliance with applicable NPDES permit effluent limitations.

(4) The industrial system, that is the subject of the construction permit application, is to connect to a water treatment/control facility that has been completed and put into operation.

(5) The proposed industrial system does not include new combined sewers or a combined sewer extension to existing combined sewers.

Gallons per day (Total Average Flow for Project)	200,000 gpd
Wastewater treatment plant (Name of WWTP)	Western Wayne Regional Sewage District
Sewers (Owners of sewers)	Western Wayne Regional Sewage District
Signature	Date Signed (month, day, year)
Warnalea Durgaan	2/18/15

Cause No. 44948 Attachment ER-4 Page 1 of 7



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

Michael R. Pence Governor

March 9, 2015

Thomas W. Easterly Commissioner

VIA CERTIFIED MAIL

91 7190 0005 2710 0038 8711

Ms. Lorie Brengelman Sugar Creek Packing Company 12021 Sheraton Lane Cincinnati, Ohio 45246

Dear Ms. Brengelman:

Re: 327 IAC 3 Construction Permit Application Plans and Specifications for Wastewater Pretreatment System Sugar Creek Packing Company Permit Approval No. 2826 Cambridge City, Indiana Wayne County

The application, plans and specifications, and supporting documents for the above-referenced project have been reviewed and processed in accordance with rules adopted under 327 IAC 3. Enclosed is the Construction Permit (Approval No. 2826), which applies to the construction of the above-referenced proposed water pollution treatment/control facility to be located at 1200 Enterprise Road in Cambridge City, Indiana.

Please review the enclosed permit carefully and become familiar with its terms and conditions. In addition, it is imperative that the applicant, consulting architect/engineer (A/E), inspector, and contractor are aware of these terms and conditions.

It should be noted that any person affected or aggrieved by the agency's decision in authorizing the construction of the above-referenced facility may, within fifteen (15) days from date of mailing, appeal by filing a request with the Office of Environmental Adjudication for an adjudicatory hearing in accordance with IC 4-21.5-3-7 and IC 13-15-6. The procedure for appeal is outlined in more detail in Part III of the attached construction permit.

Plans and specifications were prepared by Nijhuis Water Technology, and submitted for review on January 12, 2015, with additional information submitted on January 14, January 29, and February 18, 2015.



Cause No. 44948 Attachment ER-4 Page 2 of 7

Any questions concerning this permit may be addressed to Mr. Levy Soliven, of our staff, at 317/232-8658. Questions concerning appeal procedures should be addressed to the Office of Environmental Adjudication, at 317/232-8591.

aler Acliverte Sincerely,

Dale T. Schnaith, Chief Facility Construction and Engineering Support Section Office of Water Quality

Project No. I-2394 Enclosures cc: Wayne County Health Department Wayne County Commissioner Nijhuis Water Technology Marty Blake, INDOT Jack Delaney, Chicago Airports District Office Holly Zurcher, IDEM

Cause No. 44948 Attachment ER-4

Page 1 of 5 Permit Approval No. 2826

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT AUTHORIZATION FOR CONSTRUCTION OF WATER POLLUTION TREATMENT/CONTROL FACILITY UNDER 327 IAC 3

DECISION OF APPROVAL

Sugar Creek Packing Company, in accordance with the provisions of IC 13-15 and 327 IAC 3 is hereby issued a permit to construct the water pollution treatment/control facility to be located at 1200 Enterprise Road in Cambridge City, Indiana. The permittee is required to comply with requirements set forth in Parts I, II and III hereof. The permit is effective pursuant to IC 4-21.5-3-4(d). If a petition for review and a petition for stay of effectiveness are filed pursuant to IC 13-15-6, an Environmental Law Judge may be appointed for an adjudicatory hearing. The force and effect of any contested permit provision may be stayed at that time.

NOTICE OF EXPIRATION DATE

Authorization to initiate construction of this pollution treatment/control facility shall expire at midnight April 1, 2016. In order to receive authorization to initiate construction beyond this date, the permittee shall submit such information and forms as required by the Indiana Department of Environmental Management. It is requested that this information be submitted sixty (60) days prior to the expiration date to initiate construction. This permit shall be valid for a period of five (5) years from the date below for full construction.

Signed this <u>9th</u> day of <u>March</u>, 20<u>15</u>, for the Indiana Department of Environmental Management.

Dale T. Schnaith, Chief Facility Construction and Engineering Support Section Office of Water Quality

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WATER POLLUTION TREATMENT/CONTROL FACILITY DESCRIPTION

The existing facility at 1200 Enterprise Road in Cambridge, Indiana was formerly owned and operated by RCF Kitchens without a wastewater pretreatment system. Sugar Creek Packing Company acquired the 77,000 square feet manufacturing facility and plans to expand to 300,000 square feet facility which requires pretreatment prior to discharge to Western Wayne Regional Waste District sewer system. The expanded facility will include equipment for cooking and packing various types of meat. Sugar Creek proposed to install a wastewater pretreatment facility to treat their industrial wastewater. Plans are to utilize screening, flow equalization, pH adjustment, coagulation/flocculation, dissolved air flotation (DAF), moving bed bio-reactor (MBBR), and sludge dewatering to accomplish the applicable discharge requirements.

The proposed wastewater pretreatment facility will include an 18,000-gallon pump pit, two (2) rotary drum screens, two (2) dissolved air flotation (DAF) units, two (2) 15,000-gallon sludge tanks, a 200,000-gallon storage tank with secondary containment, a 91,000-gallon aeration tank, an activated sludge flotation unit, a decanter centrifuge, chemical feed systems, associated pumps, and piping system. Treated wastewater will be sampled and flow monitored prior to discharge to Western Wayne Regional Sewer District collection system.

CONDITIONS AND LIMITATIONS TO THE AUTHORIZATION FOR CONSTRUCTION OF WATER POLLUTION TREATMENT/CONTROL FACILITY

During the period beginning on the effective date of this permit and extending until the expiration date, the permittee is authorized to construct the above described water pollution treatment/control facility. Such construction shall conform to all provisions of State Rule 327 IAC 3 and the following specific provisions:

PART I

SPECIFIC CONDITIONS AND LIMITATIONS TO THE CONSTRUCTION PERMIT

Unless specific authorization is otherwise provided under the permit, the permittee shall comply with the following conditions:

- All local permits shall be obtained before construction is begun on this project.
- If pollution or nuisance conditions are created, immediate corrective action will be taken by the permittee.

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 Additional treatment facilities shall be installed if the proposed facilities prove to be inadequate or cannot meet applicable federal or state requirements.

 Technical supervision, by a certified operator, shall be provided for operation and control of the wastewater pretreatment facility.

- The Company shall comply with the requirements of the municipal sewer
- 5. The Company shall of use ordinance.

Failure to meet guidelines as set forth in the above conditions could be subject to enforcement proceedings as provided by 327 IAC 3-5-3.

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PART II

GENERAL CONDITIONS

- 1. No significant or material changes in the scope of the plans or construction of this project shall be made unless the following provisions are met:
 - a. Request for permit modification is made 60 days in advance of the proposed significant or material changes in the scope of the plans or construction;
 - b. Submit a detailed statement of such proposed changes;
 - c. Submit revised plans and specifications including a revised design summary; and
 - d. Obtain a revised construction permit from this agency.
- This permit may be modified, suspended, or revoked for cause including, but not limited to the following:
 - Violation of any term or conditions of this permit;
 - b. Obtaining this permit by misrepresentation or failure to disclose fully all relevant facts.
- 3. Nothing herein shall be construed as guaranteeing that the proposed water pollution treatment/control facility shall meet standards, limitations or requirements of this or any other agency of state or federal government, as this agency has no direct control over the actual construction and/or operation of the proposed project.

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PART III

APPEALS PROCEDURE

Anyone wishing to challenge this agency's decision for authorizing the construction of this facility may do so, provided that a petition for administrative review is filed as required by IC 4-21.5-3-7. The petition must be submitted within fifteen (15) days of the date of mailing of this permit notification. The petition must include facts demonstrating that you are either the applicant, a person aggrieved or adversely affected by this decision, or otherwise entitled to review by law. Additionally, IC 13-15-6-2 requires that your petition include:

- 1. The name and address of the person making the request;
- The interest of the person making the request;
- Identification of any persons represented by the person making the request;
- The reasons, with particularity, for the request;
- 5. The issues, with particularity, proposed for consideration at the hearing; and
- 6. Identification of the permit terms and conditions which, in the judgment of the person making the request, would be appropriate in the case in question to satisfy the requirements of the law governing permits of the type granted or denied by the Assistant Commissioner's action.
- Pursuant to IC 4-21.5-3-1(f), any document serving as a petition for review or review and stay must be filed with the Office of Environmental Adjudication. Filing of such a document is complete on the earliest of the following dates:
 - a. The date on which the petition is delivered to the Office of Environmental Adjudication, Indiana Government Center North, 100 North Senate Avenue, Room 501, Indianapolis, Indiana 46204;
 - The date of the postmark on the envelope containing the petition, if the petition is mailed by United States mail; or
 - c. The date on which the petition is deposited with a private carrier, as shown by a receipt issued by the carrier, if the petition is sent by private carrier.

January 20, 2015

Indiana Department of Environmental Management Office of Water Quality Attn: Cashier 100 North Senate Avenue Indianapolis, IN 46204

RE: Industrial Wastewater Pretreatment (IWP) Permit Application for Sugar Creek Packing Company

Dear Ms. Zurcher,

Sugar Creek Packing Co (Sugar Creek) is proposing to construct and operate a prepared meats manufacturing facility in Cambridge City, Indiana. The Cambridge City Facility will include equipment for cooking and packaging of various types of protein products. Sugar Creek is hereby submitting an application for an Industrial Wastewater Pretreatment Permit (IWP) to you along with the \$50.00 application fee. Our Industrial Wastewater Construction Permit application was submitted to Don Worley on January 12, 2015.

The sampling and gauging station is currently in design by Hixson engineering and is expected to be issued by the end of January. Upon completion of the design, Hixson will send a copy directly to you.

If you have any questions regarding the information contained in this application, please feel free to contact me at 513-551-5280 x5326 or Mr. Nate Ziegler at 513-551-5280 x5338.

Sincerely,

True Brageluce

Lorie Brengelman Environmental Director

Enclosure

cc: Stephen R. Schulte, P.E. (Hixson)

SugarCreek 12021 Sheraton Lane Cincinnati, OH 45246 513-551-5280 SugarCreek.com

Cause No. 44948



APPLICATION FOR INDUSTRIAL WASTEWATER PRETREATMENT (IWP) PERMIT State Form 50271 (R2 / 9-08)

Approved by State Board of Accounts, 2008

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

INSTRUCTIONS:

- This form must be accompanied by state form 49456. You may find state form 49456 at <u>http://www.in.gov/icpr/webfile/formsdiv/49456.pdf</u>. Both forms <u>must</u> be submitted together.
- Unless stated otherwise, all items are to be filled out completely. Your application will not be considered complete unless every question is answered on this form. If an item is not applicable, indicate by noting "NA" to show that you considered the question.
- Depending upon the adequacy of the data submitted for determining issuance of a
 permit, additional information may be required. Please read all questions and attached
 information prior to completing this application.
- You can fill out this form electronically, using the mouse and keyboard. Simply click inside of the first form field to begin, and advance to the next fields using the "tab" key on your keyboard, or by clicking in the fields with your mouse. Print the completed form, and submit it to IDEM, OWQ with any additional documentation in your application packet.
- A \$50 application fee is required with the submission of this form. Please enclose a check
 or money order payable to the Indiana Department of Environmental Management with
 this form and any supporting attachments and documentation, and mail the application
 package to the address listed in the upper-right side of this page.

 IDEM - Office of Water QualityAttachment ER

 Attn: Cashier
 Page 2 of

 Pretreatment Section
 Page 2 of

 100 N. Senate Avenue
 Indianapolis, IN 46204

 Phone: (317) 232- 8603 or toll-free
 1-800-451-6027 (Indiana Residents Only)

 http://www.in.gov/idem/water/permits/
 Notesting

Type of IWP Perm	nit
\boxtimes	New
	Renewal
	Modification

IWP PERMIT NUMBER

	This application must be submitted i	n acco	dance with	327 IAC 5-21-3	including the time
•	frames thereof				,
	numeo moreon.				

INP0000604

PARTA: APPLICANT ADDRESS AND CONTACT(S) ► FACILITY/OPERATION Sugar Creek Packing Co. 1. Facility name: 2. Mailing address: 12021 Sheraton Lane ZIP Code: County: State: City: 45246 Hamilton OH Cincinnati 3. Facility phone number: 4. Facility e-mail address (optional): (513) 551-5280 5. Address of operation: 1200 Enterprise Road State: ZIP Code: City: 45246 IN Cambridge City DESIGNATED FACILITY CONTACT PERSON 7. Title: 6. Designated contact name (first, last): **Corporate Environmental Director** Lorie Brengelman 8. Mailing address: 12021 Sheraton Lane ZIP Code: State: City: 45246 Cincinnati OH 10. E-mail address (optional): lbrengelman@sugarcreek.com 9. Phone number: (513) 551-5280 ► DESIGNATED SIGNATORY AUTHORITY NOTE: Signatory Authorization is defined in 327 IAC 5-16-5(b) 12. Title: 11. Designated signatory authority name (first, last): **Chief Operating Officer** Michael Richardson 13. Address: 12021 Sheraton Lane ZIP Code: State: City: 45246 OH Cincinnati 15. E-mail address (optional): mrichardson@sugarcreek.com 14. Phone number: (513) 551-5280 (Continued on page 2)

Cause No. 44948	
Application for Industrial Wastewater Pretreatment (IWP) Permit ALLACHMEN $_{10.04}$ R – 5	

Indiana Department of Environmental Management
Office of Water Quality

Onice of water quality		Page 3 of 1	
► RECEIVING POTW: Western Wayne Regional Sewer D	Pistrict		
16. Contact Name	17. Title:	<u> </u>	
Darlene Druley	Superintendent		
18. Address:	• • • • • •		
200 South Plum Street			
City: S	tate:	ZIP Code:	
Cambridge City	N	47327	
19. Phone number: 765-478-3788 2	0. E-mail addre	ss (optional):	
PART B: O	PERATING SCI	1EDULE	
21. Days of operation (check all that apply): X Mon.	X Tue. X V	Ved. 🗶 Thu. 🗶 Fri. 🗶 Sat. 🗶 Sun.	
22. Hours per day of operation: 24		· · · · · · · · · · · · · · · · · · ·	
24. Total number of employees per shift: 75-100			
DURATION OF OPERATION			
25. Date that facility began (or will begin) operation (mm	n/dd/yyyy): 06	5/01/2015	
 b. Seasonal (check the boxes below correspond Jan. Feb. Mar. April May CLOSED-LOOP OPERATIONS 27. Describe any closed-loop operations: Refrigeration Condenser - Water is primary cooling. In The sump is occasionally discharged based on conduction condenser to determine evaporation. CHILLERS / UN 	ing with the mor June July Majority of water Ictivity. Typical NDERFLOOR G	Aug. Sept. Oct. Nov. Dec.	
28. Does this water ever contact the product? Yes	X No		
 29. Does the system ever discharge to the city sewer? *If yes, a. How often? <u>Sporadically</u> b. How much? <u>6,000 GPD</u> c. Is this water pretreated? X Yes □ No 	⊠ Yes* □ N 	0	

(Continued on page 3)

Page 4 of 1

PART	C: PR	OCESS DE	SCRIPTION

30. Describe the product(s) manufactured or service(s) provided:

Protein production / sausages / meatballs, marinating, poultry, beef, pork / chicken patties / ribs / meal kits.

31. Provide a <u>detailed</u> description of the manufacturing process(es) or service activities conducted on premises, especially those processes that involve or generate wastewater (use additional sheets if necessary).

Grinding / blending / forming / chopping / cooking / chilling / packaging Raw materials are received to dock, raw materials are ground, blended and spiced, raw materials are then formed and cooked, raw material is then packaged and chilled. Cooking systems are to include gas fired and steam injected ovens, infrared ovens and water bath cook and chill systems. Chilling systems are to be mechanical, spiral and/or tunnel chillers utilizing plant refrigerant. Cleaning and Sanitation systems will generate the majority of wastewater, such as floor and wall cleaning, equipment cleaning, cleaning in place (CIPs), cleaning out of place tanks (COPs), hose stations and bootwash stations.

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1) Sodium erythorbate	2) Salt
3) Sugar	4) Liquid Smoke
5) Sodium nitrite	6) Sodium phosphate
7) Ascorbic Acid	8) Enrich No. 299
9) Liquichlor	10) Hydroxysan PA 480
11) SuperQuest No. 278	12) Multiquat No. 455
(3) A.P. No. 181	14)
	16)
7)	18)

33. If production-based standards apply, list the amount of production (in units expressed by the standards) that passes through (or will pass through) each process that is subject to a standard (attach list if needed):

Not Applicable

PART D: INTAKE WATER INFORMATION

		SOURCE	VOLUME (GPD)		
	a.	Municipal Water System* *Specify City: Cambridge City	290,000		
	b.	Private Well			
	c.	Surface water			
1	d.	Other**			
	Í	**Specify:			

ice of water Quality							Page	<u> </u>
		PARTE	: WATER LOSS INF	ORM	ATION			
35. For the following	items, provide	e the average	volume of discharge	or w	ater loss (GPD).			
a. Natural o	utlet or storm	sewer: N/A			GPD			
i)	Do you ha	ve an NPDES	permit for the discha	rge l	to the Natural Outlet o	r Storm S	lewer?	
	Yes*	🗙 No						
ii)	*If yes, pro	vide the permi	it number: N/A					
b. Waste ha	iuler:	10,000	GP	D				
c. Evaporat	ion:	34,000	GP	D				
d. Containe	d in product: 3	35,000	GP	D				
e. Other*:	*Chaolifur -		GP	D				
	Specify:	<u></u>				1		
	1							
PA 36. For each line to t by checking the appr Dutfall to which the y	RTF: WASTE he municipal s ropriate box) fr	WATERDISC sewer, list aver rom the followin discharges <i>(if t</i>	HARGE(S) TO SAN age wastewater disc ng sources prior to pu bere are additional o	TAR harge retrea	YOR COMBINED SE e (actual, expected or atment (if any). With a s. please attach additi	WERS potential checkma	- please ark, indica es of this	specify Ite the page of
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PART G: WASTEWATER DISCHARGE(S) TO SANITARY OR COMBINED SEWERS (DETAILS)
37. Is the discharge to the sewer? X a. Continuous
□ b. batch*
*If batch discharge
i) Provide the frequency of discharge occurrence:
ii) What is the average volume (in gallons) of each batch?
38. Do you have, or plan to have, automatic sampling equipment or continuous wastewater flow metering equipment at this facility?
a. Flow metering equipment \square Yes ¹ \square No \square N/A
b. Sampling equipment X Yes ¹ No N/A
39. If "Yes" for item #38a or #38b, describe the type of flow meter(s) and sampling equipment.
We will have a pH sensor and recorder at the outlet of the MBRR DAF. All pretreated wastewater will flow through a
sampling & gauging manhole with 3 inch parshall flume, flow meter and recorder, and automatic sampler. Details will be provided in separate document.
 40. Are any process changes or expansions planned in the immediate future that could alter wastewater volumes or characteristics? (Consider production processes as well as air or water pollution treatment processes that may affect the discharge).
41. Are any materials or water reclamation systems in use or planned? ☐ Yes ^{**} ⊠ No
42. **If "Yes" for Item #41, describe the recovery process, substances recovered, percent recovered, and the concentrations in the spent solution. Submit a flow diagram for each process. (Attach additional sheets if needed):
N/A
PART H: CHARACTERISTICS OF DISCHARGE
BUILDING LAYOUT
Submit scale drawings (or blueprints) showing the location of each building on the premises. Show map orientation and location of all water meters, storm drains, numbered unit processes (from schematic flow diagram), and public sewers. Show existing and/or proposed sampling locations.
SCHEMATIC FLOW DIAGRAM
For each major activity in which wastewater is or will be generated, on an attached sheet, draw a diagram of the flow of materials, products, water, and wastewater from start of the activity to its completion, showing all unit processes. Indicate which processes use water and which generate wastestreams. Include the average daily volume and maximum daily volume of each wastestream (new facilities or new dischargers may estimate). If estimates are used for flow data this must be indicated. Number each unit process having wastewater discharges to the community sewer.
(Continued on page 7)
¹ If the facility has, or will have, automatic sampling equipment or continuous wastewater flow metering equipment, please indicate the present or future

location of this equipment on the sewer schematic (Part H: Schematic Flow Diagram). ² If Yes, attach a description of these changes and their effects on the wastewater volume and characteristics.

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	PART I: SEWER INFORMATION
►Existing Facility	
43. If source is not connected to sanitary s	ewer, has the source applied for sanitary sewer hookup?
NEW FACILITY OR NEW DISCHARGER	2
44. Will the source be connected to the pu	blic sanitary sewer system?
	PART J: TREATMENT
45. Is any form of wastewater treatment pr	acticed at this facility?
46. Do you have a certified operator for you Sugar Creek required No Operator.	ur pretreatment facility? lests a determination of class designation from IDEM so that we hire an acceptable
 47. Is any form of wastewater treatment (c immediate future? X Yes* □ No 	or changes to an existing wastewater treatment) planned for this facility within the
"If yes, please describe:	
 48. Description of Pretreatment: Include step-by-step procedure, includi process-flow diagram of the pretreatment 	ing any process equipment, design capacity, and operating conditions. Attach a ent.
See three attached Nijhuis Piping and	Instrumentation Diagrams (P&ID).
 Attach a process-flow diagram of the pret 	ireatment.
	PART K: SAMPLING DATA
49. Attach any representative sampling data in the attachment(s) where and when the sa composite), and how many samples were a 136. If they do not, indicate what method wa Since new facility, do not have any actual	a ³ pertaining to the facility discharge to the sewer system. Explain below and/or ampling was accomplished, what type of sample was taken (i.e., grab, inalyzed. Be sure the sampling and analytical methods conform to 40 CFR Part as used. I data.
 Attach any sampling data³pertaining to t 	he facility discharge to the sewer system.
	(Continued on page 8)

³If no sampling data is available, testing must be performed on the discharge for any pollutant believed to be present. The sample must be a 24-hour composite taken during normal production activity and/or representing typical wastewater flows. A representative list of pollutants is contained in Table I (on page 10 of this application). Please check the pollutants you know or suspect of being in your discharge. New facilities should use the table to indicate what pollutants will be present or suspected tobe present in proposed wastestreams. Page 7 of 9

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			PART L: SPILL PR	EVENTION					
50 . Do y	/ou ha	ave chemical storage contair	ners, bins, or ponds at yo	ur facility?					
		X Yes No							
51. Do y	ou ha	ave floor drains in your manu	facturing or chemical sto	brage area(s)?					
** l f	ves, i	dentify where they discharge	e to:						
Dis	schar	ge is to the onsite Waste Wa	ter Pretreatment Plant / S	System					
		-							
ĺ									
	- 11-	t of the times and supplify of	obomicale used of plan	and for use Conice of Monufacturer's Safety Data					
Attach Sheets	n a lis (MSI	t of the types and quantity of DS) may be requested for ad	ditional information.	led for use. Copies of Manufacturer's Safety Data					
			PART M: NON-DISCHAI	RGED WASTES					
52. Are a	any w	aste liquids or sludges gener	rated and not disposed o	f in the sanitary sewer system?					
	*if Yi	ES, provide the following info	ormation (attach additiona	al sheets if necessary):					
		Waste(s) Generated	Quantity	Disposal Method					
		< <i>y</i>	(per year; specify units)						
	a.	DAF Cake	12,250 cu. yds	Approved disposal facility					
	b.	Screen Waste	700 cu. yds	Approved disposal facility					
	c.	Primary DAF	1,925,000 gallons	Approved disposal facility					
	d.	· · ·	· ·						
	e.								
	f.			· · · · · · · · · · · · · · · · · · ·					
	a.			· · · · · · · · · · · · · · · · · · ·					
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	i .	· ·	· · · · · · · · · · · · · · · · · · ·						
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On copies of the form entitled, "Identification Of Potentially Affected Persons" (Form # 49456) (available from the IDEM Office of Water Quality or on the Internet at http://www.IN.gov/icpr/webfile/formsdiv/49456.pdf), list the names and addresses of all persons who, to your knowledge, may be potentially affected by the discharge from your facility. The AOPA (Administrative Operations And Procedures Act) requires such parties to be individually notified by IDEM when the proposed and final permit is public noticed. Persons not notified may have the final permit rendered null and void if they have been substantially prejudiced by the lack of notice.

(Continued on page 9)

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PART O: AUTHORIZED REPRESENTATIVE STATEMENT

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Michael Richardson / COO

Name/Title -6 Cc Signature

Date (mm/dd/yyyy) 12015

<u>513 - 551 - 5280</u> Phone # ((xxx) xxx-xxxx)

Cause No. 44948

			للقا		
	PRIOF		ĻŲ		
	(40)	CFR 403,	Al	-FL	
HEA	VY METALS AND INORGANICS		T		C ORGANICS: AROMATICS
	Antimony (Sb)md				Benzene
	Arsenic (As)				Benzene, chloro-
	Asbestos				Benzene, 1,2-dichloro-
	Beryllium (Be)				Benzene, 1,3-dichloro-
	Cadmium (Cd)				Benzene, 1,4-dichloro-
\mathbf{X}	Chromium (Cr)				Benzene, hexachloro-; HCB
\square	Copper (Cu)				Benzene, ethyl-
	Cyanides (CN)				Benzene, nitro-
	Lead (Pb)				Toluene
	Mercury (Hg)				Toluene, 2,4-dinitro-; DNT
\times	Nickel (Ni)				Toluene, 2,6-dinitro-
	Selenium (Se)		Γ]_	Benzene, 1,2,4-trichloro-
	Silver (Ag)				
	Thallium (TI)		TC	DXI	C ORGANICS: POLYNUCLEAR AROMATIC
X	Zinc (Zn)	·	H١	/DF	COCARBONS (PAHs)
]	2-Chloronaphthalene
τοχι	C ORGANICS: ETHERS		Ľ]	Benzo (a) anthracene
	Ether, bis(2-chloroethyl)]	Benzo (b) fluoranthene; B(b)F
Π	Ether, bis(2-chloroisopropyl)		Ľ	<u>ן</u>	Benzo (k) fluoranthene; B(k)F
Π	Ether, 2-chloroethyl vinyl		Ē]	Benzo (a) pyrene; B(a)P
	Ether, 4-chlorophenyl phenyl		Γ]	Ideno (1,2,3-cd) pyrene; IP
Π	Ether, 4-bromophenyl phenyl		Γ	1	Dibenzo (a,h) anthracene; DBA
П	Bis (2-chloroethoxy) methane		Γ		Benzo (ghi) pervlene
	n an		Γ	Ĩ	Acenaphthene
τοχι	C ORGANICS: PHTHALATES		Ē		Acenaphthylene
m	Phthalate, dimethyl: DMP		Γ	1	Anthracene
Ħ	Phthalate, diethyl: DEP	· · · ·	Γ	Ť	Chrysene
HI	Phthalate, di-n-butyl: DBP		Γ	1	Fluoranthene
H	Phthalate, di-n-octyl: DOP		Г	1	Fluorene
H	Phthalate, bis(2-ethylbexyl); DEHP		Γ	1	Naphthalene
H	Phthalate, butvl benzvl: BBP		Γ	11	Phenanthrene
			Ē	1	Pvrene
TOXI	C ORGANICS: NITROGEN COMPOUNDS		J	-	
ΠÏ	Nitrosamine dimethyl-	1	ro	XIC	ORGANICS: PCB's
H	Nitrosamine diphenyl-		Γ	ÎT	PCB-1016: Aroclor 1016
H	Nitrosamine di-n-propyl-		一	i ⊤†	PCB-1221: Aroclor 1221
┢┥┤	Benzidine		F	┢─┼	PCB-1232: Aroclor 1232
H	Benzidine 3.3'-dichloro-		F	i †	PCB-1242: Aroclor 1242
Ht	Hydrazine 12-dinhenyl-	· · · · · · · · · · · · · · · · · · ·		+	PCB-1248: Aroclor 1248
┢┥┤	Acculonitrile		<u> </u>	┢┼	PCB-1254: Aroclor 1254
				 	PCB-1260; Aroclor 1260
	DROANICS. FRENCES		<u>'</u>	VIC	ORGANICS: HALOGENATED ALIPHATIC
Hł	Phonal 2 ablara		U. IVI		TOROANIOO, DALOGLIATEDALIFIATIO
╞┽┼	Phonol 2.4 dioblars + 2.4 DCD				Mothana, ablara,; mothul ablarida
╘┥┼	Phenol, 2,4-dichloro			╏┼┼	Methane, diablere / Methylane ablavida
╘╡┼	Phenol, 2,4,0-trichloro-			\vdash	Methane, dichioro-, Methylene chioride
⊢⊢	Phenol, pentachioro-; PCP			\square	ivietnane, tricnioro-; chiorotorm
⊢⊢	Phenol, 2-hitro-				Methane, tetrachioro-; Carbon tetrachioride
	Phenol, 4-nitro-		Ц		Methane, bromo-; methyl bromide
╘╡	Phenol, 2,4-dinitro-; 2,4-DNP			└ <u></u>	Methane, dichlorobromo-
<u>Ц</u>	Phenol, 2,4-dimethyl-				Methane, chlorodibromom-
	m-Cresol, p-chloro-				Methane, tribromo-; bromoform
	o-Cresol, 4,6-dinitro-; DNOC				Ethane, chloro-

Cause No. 44948

TOXIC ORGANICS: HALOGENATED ALIPHATIC	CONVENTIONAL POLLUTANTS:
HYDROCARBONS	(LISTED IN 40 CFR 401.16)
Ethane, 1,1-dichloro-	X Biochemical Oxygen Demand (BOD)
Ethane, 1,2-dichloro-	X pH (Acid or Base)
Ethane, 1,1,1-trichloro-	X Total Suspended Solids (TSS)
Ethane, 1,1,2-trichloro-	X Oil and Grease (O&G)
Ethane, 1,1,2,2-tetrachloro-	
Ethane, hexachloro-	NONCONVENTIONAL POLLUTANTS OF CONCERN:
Ethylene, chloro-; Vinyl Chloride	(NOT LISTED AS TOXIC OR CONVENTIONAL)
Ethylene, 1,1-dichloro-; 1,1-DCE	🗙 Ammonia (NH3)
Ethylene, 1,2-trans-dichloro-	X Chlorides (CI-1)
Ethylene, trichloro-; TCE	Sulfides (S-2)
Ethylene, tetrachloro-; Perchloroethylene	X Total Dissolved Solids (TDS)
Propane, 1,2-dichloro-	X Phosphate (PO4)
Propylene, 1,3-dichloro-	Chemical Oxygen Demand (COD)
Butadiene, hexachloro-; HCBD	
Cyclopentadiene, hexachloro-; HCCPD	·
OXIC ORGANICS: PESTICIDES	NOTE: Any detectable CR, CU, NIi, and Zn come from
alpha-Endosulfan	copper pipe, stainless stell piping, & equipment and
Endosulfan sulfate	galvanized structures.
beta-Endosulfan	
Hexachlorocyclohexanes:	
-	
aloha-BHC	
boto RUC	
Aldrin: HHDN	
Aldrin; HHDN	
Aldrin; HHDN Dieldrin; HEOD 4 4'-DDF	
Aldrin; HHDN Dieldrin; HEOD 4,4'-DDE 4 4'-DDT: p p'-DDT	
Aldrin; HHDN Dieldrin; HEOD 4,4'-DDE 4,4'-DDT; p,p'-DDT 4,4'-DDD; p,p'-DDT	
Aldrin; HHDN Dieldrin; HEOD 4,4'-DDE 4,4'-DDT; p,p'-DDT 4,4'-DDD; p,p'-DDD; p,p'-TDE Endrin	
Aldrin; HHDN Dieldrin; HEOD 4,4'-DDE 4,4'-DDT; p,p'-DDT 4,4'-DDD; p,p'-DDD; p,p'-TDE Endrin Endrin	
Aldrin; HHDN Dieldrin; HEOD 4,4'-DDE 4,4'-DDT; p,p'-DDT 4,4'-DDD; p,p'-DDD; p,p'-TDE Endrin Endrin aldehyde Heptachlor	
deita-BHC; Lindane Aldrin; HHDN Dieldrin; HEOD 4,4'-DDE 4,4'-DDT; p,p'-DDT 4,4'-DDD; p,p'-DDD; p,p'-TDE Endrin Endrin aldehyde Heptachlor Heptachlor	
delta-BHC; Lindane Aldrin; HHDN Dieldrin; HEOD 4,4'-DDE 4,4'-DDT; p,p'-DDT 4,4'-DDD; p,p'-DDD; p,p'-TDE Endrin Endrin aldehyde Heptachlor Heptachlor epoxide Chlordane	
delta-BHC; Lindane Aldrin; HHDN Dieldrin; HEOD 4,4'-DDE 4,4'-DDT; p,p'-DDT 4,4'-DDD; p,p'-DDD; p,p'-TDE Endrin Endrin aldehyde Heptachlor Heptachlor epoxide Chlordane Toxaphene	
deita-BHC; Lindane Aldrin; HHDN Dieldrin; HEOD 4,4'-DDE 4,4'-DDT; p,p'-DDT 4,4'-DDD; p,p'-DDD; p,p'-TDE Endrin Endrin aldehyde Heptachlor Heptachlor epoxide Chlordane Toxaphene	
Aldrin; HHDN Dieldrin; HEOD 4,4'-DDE 4,4'-DDT; p,p'-DDT 4,4'-DDD; p,p'-DDD; p,p'-TDE Endrin Endrin aldehyde Heptachlor Chlordane Toxaphene	
Aldrin; HHDN Dieldrin; HEOD 4,4'-DDE 4,4'-DDT; p,p'-DDT 4,4'-DDD; p,p'-DDD; p,p'-TDE Endrin Endrin aldehyde Heptachlor Chlordane Toxaphene	
Aldrin; HHDN Dieldrin; HEOD 4,4'-DDE 4,4'-DDD; p,p'-DDT 4,4'-DDD; p,p'-DDD; p,p'-TDE Endrin Endrin aldehyde Heptachlor Heptachlor epoxide Chlordane Toxaphene	
Aldrin; HHDN Dieldrin; HEOD 4,4'-DDE 4,4'-DDT; p,p'-DDT 4,4'-DDD; p,p'-DDD; p,p'-TDE Endrin Endrin Heptachlor Heptachlor epoxide Chlordane Toxaphene	

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APPENDIX: CONTACT PEOPLE AND MAILING ADDRESSES

The Office of Water Quality has a contact person for each of the areas that apply to pretreatment. The name and telephone number is listed below for each contact person. Correspondences should be sent to the address below to the attention of the appropriate contact.

General Address:

Indiana Department of Environmental Management Office of Water Quality 100 North Senate Avenue Indianapolis, Indiana 46204

Contacts :

ŝ

495317

(Direct correspondence to the individuals below by adding "Attention: {Insert Contact Name Listed Below}" to the address)

For IWP Permits: Contact: Industrial NPDES Permits Section Telephone: 317/232-8760

For Construction Permits: Contact: Facility Construction Section Telephone: 317/232-8645

Cause No. 44948 Attachment ER-6 Page 1 of 17

VIA ELECTRONIC MAIL

March 26, 2015

Ms. Lorie Brengelman Sugar Creek Packing Co. 12021 Sheraton Lane Cincinnati, Ohio 45246

Dear Ms. Brengelman:

Re: Final Modification: IWP Permit No. INP000604 Sugar Creek Packing Co. Cambridge City, Indiana - Wayne County

Your request for modification of the above-referenced discharge permit has been processed in accordance with Section 402 and 405 of the Federal Water Pollution Control Act, as amended (33 U.S.C. 1251, et seq.), and IDEM's permitting authority under IC 13-15.

The enclosed Pages 1 through 2 of 17 are intended to replace the corresponding page of existing IWP Permit No. INP000604. An accompanying Briefing Memo itemizes and explains the rationale for the revisions. All discharges from the referenced facility shall be consistent with the terms and conditions of this permit, as modified.

A response to the comments contained in the letter dated March 5, 2015, from Lorie Brengelman of Sugar Creek Packing Co., pertaining to the draft permit is contained in the Post Public Notice Addendum. The Post Public Notice Addendum is located at the end of the Briefing Memo.

Pursuant to IC 4-21.5-3-2(e) and IC 4-21.5-3-5(f), the determination of modification in this letter becomes effective eighteen (18) days after it is served by U.S. mail. Any party adversely affected or aggrieved by this decision may appeal the modification by filing a request for an adjudicatory hearing with the Office of Environmental Adjudication (OEA) eighteen (18) days after the date of mailing of this letter at the following address:

Office of Environmental Adjudication Indiana Government Center North 100 North Senate Avenue, Room 501 Indianapolis, IN 46204



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Please send a copy of any such appeal to me at the IDEM, Office of Water Quality - Mail Code 65-42, 100 North Senate Avenue, Indianapolis, Indiana 46204-2251. Any appeal request must be filed in accordance with IC 4-21.5-3-7, IC 13-15-7, and the enclosed Public Notice. The appeal request must include facts demonstrating that the party requesting appeal is the applicant, a person aggrieved or adversely affected by this modification or otherwise entitled to review by law. Pursuant to IC 13-15-7.3, the permit shall remain in force pending a decision on any appeal that has been timely requested under the provisions of IC 4-21.5 and IC 13-15-7.

If you have questions concerning this modification, please contact Holly Zurcher at 317/234-2122 or by email at hzurcher@idem.in.gov. Questions concerning appeal procedures should be directed to the Office of Environmental Adjudication at 317/232-8591.

Sincerely,

O Man

Paul Higginbotham, Chief Permits Branch Office of Water Quality

Enclosure

cc: Wayne County Health Department Darlene Druley, Western Wayne Regional Sewer District

Cause No. 44948 Attachment ER-6 Page 3 of 17

STATE OF INDIANA

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT AUTHORIZATION TO DISCHARGE UNDER THE INDUSTRIAL WASTEWATER PRETREATMENT PROGRAM

INDUSTRIAL WASTEWATER PRETREATMENT (IWP) PERMIT

In accordance with 327 IAC 5-21 and IDEM's permitting authority under IC 13-15, Sugar **Cr**eek **P**acking **C**o. (hereinafter referred to as the permittee) is authorized to discharge, from the facility located at 1200 Enterprise Road, Cambridge City, Wayne County, Indiana into the Western Wayne **R**egional Sewer District **P**ublicly **O**wned **T**reatment Works (**POT**W), in accordance with the effluent limitations, monitoring requirements, and other conditions set forth in Parts I and II hereof.

The permit, as issued on August 4, 2011, is hereby amended, as contained herein. The amended provisions shall become effective <u>April 1, 2015</u>. All terms and conditions of the permit not modified at this time remain in effect. Further, any existing condition or term affected by the amendments will remain in effect until the amended provisions become effective. This permit and the authorization to discharge, as amended, shall expire at midnight on October 31, 2016.

NOTE: In order to receive authorization to discharge beyond the date of expiration, the permittee must submit a renewal IWP permit application to the Industrial NPDES Permit Section in the Office of Water Quality, no later than one hundred and eighty (180) days prior to the date this permit expires. Failure to do so will result in expiration of the authorization to discharge.

Signed <u>March 26, 2015</u>, for the Indiana Department of Environmental Management.

Paul Higginbotham, Chief Permits Branch Office of Water Quality

PART I

(A) EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

(1) During the period beginning on the effective date of this permit, the permittee is authorized to discharge from Outfall 001[1]. Such discharge shall be limited and monitored by the permittee as specified below:

Table 1

	Discharge Li	mitations	Monitoring Rec	onitoring Requirements	
Parameter	Daily <u>Maximum</u>	Monthly <u>Average</u>	<u>Unit</u>	Measurement <u>Frequency</u>	Sample <u>Type [</u> 2]
Flow [3] TSS BOD5 Oil and Grease [O&G] Ammonia - Nitrogen	Report 300 [4] 300 [4] 100 [4] 25 [4]	Report Report Report Report Report	MGD mg/l mg/l mg/l mg/l	Daily 2 X Week 2 X Week 2 X Week 2 X Week	24-Hr. Total 24 Hr. Comp. 24 Hr. Comp. Grab 24 Hr. Comp.

Table 2

	Quality or Cor	ncentration	Monitoring Requirements		
Parameter	Daily <u>Minimum</u>	Daily <u>Maximum</u>	<u>Unit</u>	Measurement <u>Frequency</u>	Sample <u>Type</u>
рН [4]	6.0	9.0	S.U.	Daily	Grab

- [1] Outfall 001 shall be designated as the combined wastestreams at the designated sampling location.
- [2] The 24-Hour composite samples must be flow-proportional samples consisting of aliquots withdrawn throughout the daily discharge period. The aliquots may be: (i) uniform aliquots withdrawn at uniform flow intervals; or (ii) flow-proportional aliquots withdrawn at uniform time intervals.
- [3] The flow must be measured and recorded using valid flow measurement devices, not estimated. The flow monitoring device must be calibrated at least once annually.
- [4] Based on local ordinance [Western Wayne Regional Sewer District Ordinance No. 1-2007]. Note: TSS and/or BOD₅ in excess of 200 mg/l may be subject to local surcharge.

Cause No. 44948 Attachment ER-6

<u>Page</u> 5 of 17



Industrial Wastewater Pretreatment (IWP) Briefing Memo for Sugar Creek Packing Co. February 2015 Indiana Department of Environmental Management 100 North Senate Avenue Indianapolis, Indiana 46204 (317) 232-8603 Toll Free (800) 451-6027 www.idem.IN.gov

Permittee:	Sugar Creek Packing Co.
	12021 Sheraton Lane
	Cincinnati, Ohio 45246
Existing Permit	Permit Number: INP000604
Info r mation:	Expiration Date: October 31, 2016
Source Contact:	Lorie Brengelman, Corporate Environmental Director
	(513) 551-5280 Ibrengelman@sugarcreek.com
Source Location:	1200 Enterprise Road
	Cambridge City, Indiana 47327
	Wayne County
Receiving POTW:	Western Wayne Regional Sewer District
	200 South Plum Street
	Cambridge City, Indiana 47327
	NPDES Permit # IN0054402
Proposed Action:	Modify Permit
	Date Application Received: January 21, 2015
Source Category	Industrial Pretreatment
Permit Writer:	Holly Zurcher
	(317) 234-2122 hzurcher@idem.in.gov

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1.0 INTRODUCTION

The Indiana Department of Environmental Management (IDEM) received an Industrial Wastewater Pretreatment (IWP) Permit modification application from Sugar Creek Packing Co. on January 21, 2015. The modification request is to recognize new facility processes, a new pretreatment system, and a new sampling location.

The Federal Water Pollution Control Act of 1972 and subsequent amendments require a NPDES permit for the discharge of wastewater to surface waters. Furthermore, Indiana Statute 13-15-1-2 requires a permit to control or limit the discharge of any contaminants into state waters or into a publicly owned treatment works. This proposed permit action by IDEM complies with both federal and state requirements.

In accordance with Title 40 of the Code of Federal Regulations (CFR) Sections 124.7 and 124.6, as well as Indiana Administrative Code (IAC) 327 Section 5, development of a Statement of Basis, or Briefing Memo, is required for NPDES permits. This document fulfills the requirements established in those regulations.

This Briefing Memo was prepared in order to document the factors considered in the development of IWP Permit effluent limitations. The technical basis for the Briefing Memo may consist of evaluations of prohibited discharge standards, categorical pretreatment standards, existing effluent quality, and receiving Publicly Owned Treatment Works (POTW) limitations.

2.0 GENERAL

2.1 Facility Description

The permittee produces protein products, sausages, meatballs, chicken patties, ribs and meal kits. Manufacturing processes include grinding, blending, forming, chopping, cooking, chilling, packaging, and various equipment cleaning and sanitation. The plant normally operates 24 hours/day, 7 days/week.

The process waste flows associated with the manufacturing at Sugar Creek Packing Co. are not subject to National Categorical Pretreatment Standards. However, the facility does meet the definition of a Significant Industrial User (SIU) as defined by 40 CFR 403.3 (t) and 327 IAC 5-17-23 (a)(2). The discharge is therefore subject to the applicable local Sewer Use Ordinance Limitations.

2.2 Receiving Publicly Owned Treatment Works (POTW)

The permittee discharges to the Western Wayne Regional Sewer District: a Class II, 0.804 MGD extended aeration wastewater treatment plant with a mechanical screen, comminutor, grit removal, extended aeration, and ultraviolet disinfection. The POTW also serves MEG/Steelworks, Inc. [INP000136].

The POTW discharges to the West Fork of the Whitewater River (Q7,10 = 11.18 CFS).

2.3 Discharge Description

The permittee discharges wastewaters from the following sources to the POTW:

Source	<u>Flow (GPD)</u>
Process Wastestream #1:	204,000 (1)
Cooling Towers:	6,000
Boiler Blowdown:	1,000
Sanitary:	11,000

(1) Process Wastestream #1 is wastewater from the food production and sanitation processes.

2.4 Wastewater Pretreatment

1.1 PHYSICAL-CHEMICAL TREATMENT

Pump Pit (T0101)

Wastewater from the plant enters this in ground, concrete basin for central collection of wastewaters as well as recycled streams within the proposed pretreatment system. This pit as a normal high level of about 23,000 gallons or a possible fill time of 58 minutes at peak design flow and 138 minutes at average design flow, assuming no pumping out. The pit has at least an additional 20,000 gallons of emergency storage before the wastewater would reach the inverts of the wastewater pretreatment building's internal drains. The pit has a high chemical resistant, fiberglass protective liner using a novolac vinyl ester primer and resin. Lastly, the pit is equipped with 2, stainless steel submersible pumps (1 operating and 1 standby), each rated at 400 gpm along with level controls, and lifting device. From here the wastewater is pumped to 1 or 2 Rotary Drum Screen(s).

Rotary Drum Screen (Model NTF 200, RSO601 & RSO651)

The internally fed rotary drum screen is a self-cleaning drum filter and constructed of stainless steel. The wastewater is fed inside the drum screen by a special feed pipe in order to efficiently and equally distribute the wastewater inside the first part of the drum. Using a unique and simple combination of rotation and gravity solid particles are separated and retained onto the stainless steel perforated drum. Due to construction, the solid particles are eventually transported by an internal screw drive and collected into a stainless steel collection tote beneath the unit. Solids production will vary based on loading and production levels; Nijhuis states that up to 2 cubic yards per day of screenings can be produced from each unit; these screenings will be disposed of at an approved facility. Periodically, a hot water cleaning spray is activated. Each unit is rated at 200 gpm, and wastewater passes through the screen's perforation and is collected in a trough under the screen. The wastewater then flows through the Influent Flow Meter (FIC2501) prior to discharge by gravity to the Primary Flotation Unit.

Primary Flotation Unit (Model GDF 020, FU2501)

Wastewater enters this (1) stainless steel dissolved air flotation unit (30.7ft x 9.8ft x 8.6ft), mixes with supersaturated, recirculated "white water", and easily floatable fats, grease, oils, and solids will float to the surface and will automatically and continuously be removed by a scraper mechanism. The design flow for this unit is 400 gpm per Nijhuis. The supersaturated "white water" is created by a recirculation/air dissolving system that is equipped with patented non-clogging aeration devices and the design ensures formation of the very fine air bubbles required. There are 2 "white water" recirculation pumps, 1 duty, 1 standby, Air required: 2.01 cfm @ 102 psi. Sediment will be controlled by bottom, automatic removal valves and discharged to the Sediment Trap (SG3701). The collected floated sludge (aka float) is removed via (2) two eccentric screw pumps (1 duty/ 1 stand by) at approximately 26 gpm. Pumps are cast iron housing with stainless steel parts that come in contact with wetted material. These pumps are controlled via level controller and pumped to the Primary Sludge Tank (T2001). The purpose of this Primary DAF is to removal the gross floatable fats, grease, oils, and solids that could interfere with the operation of the downstream process as well as, hopefully, produce a "brown" grease that has economic value to renderers. Wastewater flows by gravity to Primary DAF Pump Station (T0301)

Sediment Trap (SG3701)

The collected solids in the bottom of the three dissolved air flotation units (Primary DAF – FU2501, Secondary DAF – FU2601, and Biological DAF – FU2701) are discharged to drains that flow to the in-ground Sediment Trap. Solids are collected in the Sediment Trap and removed manually by shovel. The collected solids will either go into the same container as the screenings from the rotary screens or into the roll-off for the dewatered sludge. The clarified wastewater is recycled by to the Pump Pit for re-treatment.

Primary Sludge Tank (T2001)

This FRP tank is approximately 15,000 gallon and measures 12 ft diameter x 20 ft high. There is a gear reduced, slow speed mixer to keep contents mixed is deemed needed by operator. There is a hot water loop through this tank to encourage the separation of fats/grease/oil/solids from the water phase. There are 3 decant valves that can be used to draw off water back to the Pump Pit if it is found that the material will further separate from water if allowed to sit undisturbed for a period of time. With less water, this "brown" grease becomes more valuable. Based upon average design flow, total suspended solids, and oils & grease, and assuming a 30% removal efficiency for both due to no chemical addition, approximately 5,500 GPD of sludge at 10% solids will be produced and enter this tank. As described above, it is hoped that this material will have economic value as a "brown" grease to a renderer. If not, it will be disposed/treated at a permitted facility.

Primary DAF Pump Station (T0301)

This closed top, HDPE/FRP tank has a capacity of about 2,600 gallons Its overflow goes into building drainage system back to Pump Pit. With level controls, the tank has two pumps (1 duty, 1 standby) that are design for 400 gpm each at required head. Pumps are cast iron construction with stainless steel wetted parts for corrosion resistance. Wastewater is pumped to Storage Tank (T0321), aka EQ Tank.

Storage Tank (T0321), aka EQ Tank

The purpose of this tank is three fold: 1) provide variable retention time and volume to balance out the highly variable flow rates throughout the day in order to provide a more steady flow to downstream processes, 2) provide variable retention time and volume to balance out the highly variable pollutant loadings (TSS, BOD5, O&G, etc) in order to provide a more steady pollutant load to downstream processes, and 3) to add, if necessary, sulfuric acid to the tank to keep pH on the acidic size (likely <6, to be determined during startup) in order to significantly improve oil & grease/solids removal in the downstream Secondary DAF (FU2601). Wastewater enters this closed top, 200,000 gallon, bolted steel and epoxy-coated equalization tank (51 ft diameter x 15 ft high). Mixing is provided by both a submersible mixer and an aeration blower providing 883 cfm of air. Coarse bubble aeration will be controlled by an dissolved oxygen sensor located inside the tank. The addition of sulfuric acid will be controlled by a pH sensor located inside the tank. It is expected that 60% sulfuric acid will be used, and the acid feed pump has a capacity of up to 40 gph, Tank is provided with 220,000 gallon of secondary containment using same construction as tank. Overflow from the tank enters the secondary containment area and then is directed back to the process sewer flowing into the Pump Pit. From level controls, wastewater will be pumped by one of 2 centrifugal pumps (1 duty, 1 standby of cast iron construction with stainless steel wetted parts), each pump rated for up to 229 gpm but are expected to be operated initially at no more than 167 gpm, through the EQ Flow Meter (FIC0801) and Secondary Flocculator (PF0801) in front of Secondary Flotation Unit (FU2601).

Secondary Flocculator (Model PFR 060, PF0801)

Wastewater enters the HDPE pipe flocculator. The pipes are fashioned in a zig-zag pattern in order to provide gentle but thorough mixing of the wastewater to encourage the formation of small floc particles. Near the end of the flocculator, a flocculant (polymer) dosing unit, rated at 143 gph, will inject a diluted polymer emulsion into wastewater stream so as to produce a large floc particle entering the Secondary Flotation Unit that will easily be floated and removed from wastewater.

Secondary Flotation Unit (Model GDF 016, FU2601)

Wastewater enters this stainless steel dissolved air flotation unit (33 ft x 9 ft x 9 ft) and work the same way as the Primary Flotation Unit except for the following: The unit has a design flow rate of 229 gpm per Nijhuis. The floated sludge, aka float, is removed via two eccentric screw pumps (1 duty/ 1 stand by) at approximately 13 gpm. Pumps are cast iron housing with stainless steel impellers. These pumps are controlled via level controller and pump to Secondary Sludge Tank (T2101). In order to raise the pH for the downstream biological treatment, a 30% solution of NaOH will be injected into the clarified wastewater discharge pipe; the caustic chemical feed pump has a capacity up to 16 gph. The caustic is controlled by pH sensor in the downstream Secondary DAF Pump Station (T0341); the pH will be raised at least up to 7, but exact setpoint to be determined during start-up. Based upon average daily design flow, assuming a 90% removal efficiency for both TSS and O&G leaving the Primary Flotation Unit due to low pH and chemical addition, approximately 9,000 GPD of float sludge at 10% solids will be produced from this unit.

Secondary Sludge Tank (T2101)

This FRP tank is approximately 15,000 gallon and measures 12 ft diameter x 20 ft high. There is a gear reduced, slow speed mixer to keep contents mixed if deemed needed by operator. This tank accepts float sludge from Secondary Flotation Unit (FU2601)and Biological Flotation Unit (FU2701). Based upon average design flow and expected removals of TSS and BOD5 from the Primary and Secondary Flotation Units, the Activated Sludge Flotation Unit is expected to produce 10,000 gallons per day at 10% solids that will be pumped to this tank. The total volume of sludge that is expected to be pumped to this tank is 19,000 gallons per day.

Secondary DAF Pump Station (T0341)

This closed top, HDPE/FRP tank has a capacity of about 2,600 gallons. Its overflow goes into building drainage system back to Pump Pit. A pH sensor is installed into this tank and its controller controls the caustic added. With level controls, the tank has two pumps (1 duty, 1 standby) that are design for 216 gpm each at required head, although it is expected that only flows of up to 167 gpm will actually be operated. Pumps are cast iron construction with stainless steel wetted parts for corrosion resistance. Wastewater is pumped to Aeration Tank (T3001).

1.2 BIOLOGICAL TREATMENT

Aeration Tank (T3001),

This tank utilizes Moving Bed Biological Reactor activated sludge technology that combines suspended growth and fixed film growth in a single tank. The fixed film growth is attached to a specific plastic media. Approximately 4,000 cubic feet of media, which has 738,000 square feet of surface area to promote healthy bacterial growth, will be installed and are comprised of 1/2" circles with inside cross supports and external fins for maximum surface area. This results in the fact that the biomass concentration will be much higher compared to more traditional biological treatment systems. Because the biomass is grown on the media, there is no large amount of excess sludge, just some biomass that is released when the media collide with each other. Since there is a layer of sludge growing on the carrier media, the system is not dependent on MLSS, sludge retention time, and food/microorganism ratio, but only on dissolved oxygen requirement. A dissolved oxygen sensor in the Aeration Tank will control amount of air supplied to the tank This closed top tank is an epoxy coated, bolted steel tank with a volume of 91,000 gallons (34.5 ft diameter x 15 ft high) or 11 hours of hydraulic retention time at average design flow (200,000 gpd). This tank is equipped with a screen in order to retain bio media in tank. Air is provided by 2 blowers (1 duty, 1 standby), each rated at 1,201 cfm at 21 ft TDH; the duty blower is equipped with VFD drive so that it can be controlled by dissolved oxygen sensor/controller. Medium bubble aeration is provided through stainless steel diffusers located at tank. With level controls, the tank has two pumps (1 duty, 1 standby) that are design for 216 gpm each at required head, although it is expected that only flows of up to 167 gpm will be produced. Pumps are cast iron construction with stainless steel wetted parts for corrosion resistance. Wastewater is pumped through Biological Flow Meter (FIC0901)Biological Flocculator (Model PFR090S, PF0901) to Activated Sludge Flotation Unit (FU2701).

Biological Flocculator (Model PFR090S, PF0901)

Wastewater enters the HDPE pipe flocculator. The pipes are fashioned in a zig-zag pattern in order to provide gentle but thorough mixing of the wastewater to encourage the formation of small floc particles. Near the end of the flocculator, a flocculant (polymer) dosing unit, rated at 106 gph, will inject a diluted polymer emulsion into wastewater stream so as to produce a large floc particle entering the Biological Flotation Unit that will easily be floated and removed from wastewater. A second chemical feed tap will be located at the beginning of this flocculator if it is determined that additional phosphorus will need to be removed in order to meet the future phosphorus limit. The phosphorus precipitating chemical will be aluminum sulfate (alum), ferric chloride, or similar chemical solution.

Activated Sludge Flotation Unit (Model IPF 135 E)

Wastewater enters this stainless steel dissolved air flotation unit (16 ft x 11 ft x 11.5 ft) and work the same way as the Primary Flotation Unit except for the following: The unit has a design flow rate of 216 gpm per Nijhuis. A lamella plate pack is installed to increase the separation area of the unit and encourage even the smallest floc particles to be removed from the waste stream. The floated sludge, aka float, is removed via two eccentric screw pumps (1 duty/ 1 stand by) at approximately 9 gpm. Pumps are cast iron housing with stainless steel impellers. These pumps are controlled via level controller and pump to Secondary Sludge Tank (T2101). Based upon average daily design flow, assuming a 99% removal efficiency for both TSS and BOD5 leaving the Secondary Flotation Unit, approximately 10,000 GPD of float sludge at 10% solids will be produced from this unit and pumped to the Secondary Sludge Tank (T2101). An inline Effluent Flow Meter (FIC2701) and pH Monitor (QIC2701) will be installed into the discharge pipe of this unit and recorded. Through two actuated valves, the wastewater can be discharge to sewer or recycled back to Pump Pit for retreatment.

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 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. Based on information supplied by the permittee, the facility is required to have a **C**lass D **O**perator.

2.5 Changes in Operation

This permit was originally issued to RCF Kitchens Indiana, LLC on August 4, 2011. The permit ownership was transferred to Sugar Creek Packing Co. effective December 1, 2012. Sugar Creek Packing Co.'s new processes, new pretreatment system, and new sampling location are outlined in Sections 2.1, 2.3, 2.4, and 5.1 of this Briefing Memo.

3.0 PERMIT HISTORY

3.1 Compliance history

There are no current or pending enforcement actions regarding this IWP permit.

4.0 PERMIT DRAFT DISCUSSION

4.1 Selection of **Parameters**

This permit regulates the substances and parameters in the permittee's raw wastewater that are subject to the Western Wayne Regional Sewer District Sewer Use Ordinance, in order to protect the POTW from upset, pass through, or interference. These parameters include: TSS, BOD₅, O&G, Ammonia, and pH.

4.2 Selection of Limits

The permittee's discharge must comply with the applicable existing local ordinance limits. These limits apply at the point where the discharge enters the city sewer in accordance with the Western Wayne Regional Sewer District Sewer Use Ordinance (SUO).

Due to physical constraints at the facility, the permittee has elected to sample at an internal manhole, prior to combination with the sanitary waste flows from the facility. Therefore, the local SUO limitations will be placed at the internal sampling manhole to protect the POTW.

4.3 Self-**M**onito**r**ing **Fr**equency

Self-Monitoring frequency is determined by the pollutants present in the permittees process and compliance history.

To assure compliance with the limits and terms of this permit, State rules [327 IAC 5-21-9 and 10] require the permittee to: (i) monitor the final pretreated discharge at a minimum frequency; and (ii) report the results to this agency. To fulfill this requirement, the samples must be: (i) representative of the daily discharge; and (ii) collected, preserved and analyzed using U.S. EPA-approved materials and methods.

5.0 **PERMIT LIMITATIONS**

5.1 Summary of Limits and Basis for Each:

Outfall 001

The table below summarizes the permit limits at the designated sample site Outfall 001[1]. Outfall 001 is located in the sampling and gauging manhole after the pretreatment system.

	Discharge Li	mitations	Monitoring Requirements			
Parameter	Daily <u>Maximum</u>	Monthly <u>Average</u>	Monthly <u>Average Unit</u>		Sample <u>Type [</u> 2]	
Flow [3] TSS BOD5 Oil and Grease [O&G] Ammonia - Nitrogen	Report 300 [4] 300 [4] 100 [4] 25 [4]	Report Report Report Report Report	MGD mg/l mg/l mg/l mg/l	Daily 2 X Week 2 X Week 2 X Week 2 X Week	24-Hr. Total 24 Hr. Comp. 24 Hr. Comp. Grab 24 Hr. Comp.	
Parameter	Daily <u>Minimum</u>	Daily <u>Maximum</u>	<u>Unit</u>	Measurement <u>Frequency</u>	Sample <u>Type</u>	
pH [4]	6.0	9.0	s.u.	Daily	Grab	

- [1] Outfall 001 shall be designated as the combined wastestreams at the designated sampling location.
- [2] The 24-Hour composite samples must be flow-proportional samples consisting of aliquots withdrawn throughout the daily discharge period. The aliquots may be: (i) uniform aliquots withdrawn at uniform flow intervals; or (ii) flow-proportional aliquots withdrawn at uniform time intervals.
- [3] The flow must be measured and recorded using valid flow measurement devices, not estimated. The flow monitoring device must be calibrated at least once annually.
- [4] Based on local ordinance [Western Wayne Regional Sewer District Ordinance No. 1-2007]. Note: TSS and/or BOD₅ in excess of 200 mg/l may be subject to local surcharge.

5.2 Permit Processing/Public Comment

Pursuant to IC 13-15-5-1, IDEM will publish a general notice in the newspaper with the largest general circulation within the above county. A 30-day comment period is available in order to solicit input from interested parties, including the general public. Comments concerning the draft permit should be submitted in accordance with the procedure outlined in the enclosed public notice form.

5.3 Post Public Notice Addendum: March 6, 2015

The draft IWP permit for Sugar Creek Packing Co. was made available for public comment from February 5, 2015 to March 5, 2015 as part of Public Notice No. 2015-2A-RD. During this comment period, a comment letter dated March 5, 2015, from Lorie Brengelman of Sugar Creek Packing Co., was received. Those comments and this Office's corresponding responses are summarized below: Any changes to the permit and/or Briefing Memo are so noted below.

- Comment 1: Outfall 001: On page 10, section 5.1 of the backup documentation, it states "Outfall 001 is located in the sampling and gauging manhole after the pretreatment system." Under footnote [1] on page 2 of 17 of the proposed permit it states "outfall 001 shall be designated as the combined wastestreams at the designated sampling location." Sugar Creek requests that Outfall 001 be designated as the sampling and gauging manhole after the wastewater pretreatment system, not the combined manhole, although the limits will apply as if it was the location of the combined wastestreams at the point of discharge to the POTW. The language in footnote [1] should be corrected.
- Response 1: The combined wastewater at Outfall 001 (located in the sampling and gauging manhole after the pretreatment system) contains wastewater from the boilers, the cooling towers, and process wastewater; therefore the footnote language is accurate and will not be changed.
- Comment 2: Sugar Creek would like to request a "temporary waiver" from the discharge limits during the startup and testing of our wastewater pretreatment system components as we are aware that is will take some time for our biological treatment system to fully colonize. Sugar Creek would like to request 120 days for this startup compliance waiver.
- Response 2: There are no provisions that allow for a temporary waiver of the limits established in this permit. The facility is encouraged to document any circumstances that occur during the startup period that may lead to a limit violation and submit that documentation along with your monthly reports. Such documentation will assist our Compliance Section with possibly being able to provide enforcement discretion.
- Comment 3: Sugar Creek understands and agrees that the sampling frequency of two times per week for BOD, TSS, O&G, and Ammonia-Nitrogen is an appropriate sampling frequency for a new permittee. Sugar Creek would like to request a sampling frequency reduction for BOD, TSS, O&G, and Ammonia-Nitrogen to one time per week after showing compliance with permit limits for six consecutive months. The sampling frequency would restore to Table 1's frequency for any pollutant whose concentration rises above 200% of its respective limit in two consecutive sampling events.
- Response 3: Monitoring frequency reductions can be requested after a sufficient and consistent compliance record is established, however it will not be built-in as a part of this permit modification.
- Comment 4: Sugar Creek is aware that the limits included in the draft permit are based upon Western Wayne Regional Sewer District (WWRSD) Ordinance No. 1-2007. We are also aware that WWRSD is currently evaluating these limits. Sugar Creek will apply

for modification to the permit limits if WWRSD increases the limits in its local Ordinance.

Response 4: IDEM agrees that this is acceptable.

STATE OF INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT PUBLIC NOTICE NO: <u>2015 – 3G – F</u> DATE OF NOTICE: MARCH 26, 2015

The Office of Water Quality issues the following NPDES FINAL PERMIT.

PRETREATMENT – MODIFICATION

SUGAR CREEK PACKING, Permit No. INPO00604, WAYNE COUNTY, 1200 Enterprise Rd, Cambridge City, IN. This industrial pretreatment permit modification reflects addition of the new pretreatment system, new sampling location & updated processing. Permit Manager: Holly Zurcher, 317/234-2122, <u>hzurcher@idem.in.gov</u>.

APPEAL PROCEDURES FOR FINAL PERMITS

The Final Permits are available for review & copies at IDEM, Indiana Government Center, North Bldg, 100 N Senate Ave, Indianapolis, IN, Rm 1203, Office of Water Quality/NPDES Permit Section, from 9 – 4, M - F (copies 10¢ per page). Each Final Permit is available at the respective, local County Health Department. See these sites for your rights & responsibilities: Public Participation: <u>http://www.in.gov/idem/5474.htm;</u> Citizen Guide: <u>http://www.in.gov/idem/5903.htm</u>. Please tell others you think would be interested in this matter

Appeal Procedure: Any person affected by the issuance of the Final Permit may appeal by filing a Petition for Administrative Review with the Office of Environmental Adjudication within eighteen (18) days of the date of this Public Notice. Any appeal request must be filed in accordance with IC 4-21.5-3-7 and must include facts demonstrating that the party requesting appeal is the applicant; a person aggrieved or adversely affected or is otherwise entitled to review by law.

Timely filing: The Petition for Administrative Review must be received by the Office of Environmental Adjudication (OEA) within 18 days of the date of this Public Notice; either by U.S. Mail postmark or by private carrier with dated receipt. This Petition for Administrative Review represents a request for an Adjudicatory Hearing, therefore must:

- state the name and address of the person making the request;
- > identify the interest of the person making the request;
- > identify any persons represented by the person making the request;
- state specifically the reasons for the request;
- > state specifically the issues proposed for consideration at the hearing;
- identify the Final Permit Rule terms and conditions which, in the judgment of the person making the request, would be appropriate to satisfy the requirements of the law governing this NPDES Permit rule.

If the person filing the Petition for Administrative Review desires any part of the NPDES Final Permit Rule to be stayed pending the outcome of the appeal, a Petition for Stay must be included in the appeal request, identifying those parts to be stayed. Both Petitions shall be mailed or delivered to the address here: Phone: 317/232-8591.

Environmental Law Judge Office of Environmental Adjudication IGC – North Building- Rm 501 100 N. Senate Avenue Indianapolis IN 46204

Stay Time frame: If the Petition (s) is filed <u>within</u> eighteen (18) days of the mailing of this Public Notice, the effective date of any part of the permit, within the scope of the Petition for Stay is suspended for fifteen (15) days. The Permit will become effective again upon expiration of the fifteen (15) days, unless or until an Environmental Law Judge stays the permit action in whole or in part.

Hearing Notification: Pursuant to Indiana Code, when a written request is submitted, the OEA will provide the petitioner or any person wanting notification, with the Notice of pre-hearing conferences, preliminary hearings, hearing stays or orders disposing of the Petition for Administrative Review. Petition for Administrative Review must be filed in compliance with the procedures and time frames outlined above. Procedural or scheduling questions should be directed to the OEA at the phone listed above.

VIA ELECTRONIC MAIL

August 12, 2016

Mr. Victor Dearman, Technical Services Manager Sugar Creek Packing Company 1200 Enterprise Road Cambridge City, Indiana 47327

Dear Mr. Dearman:

Re: Final IWP Permit No. INP000604 Sugar Creek Packing Company Cambridge City, Indiana, Wayne County

Your application for an Industrial Wastewater Pretreatment (IWP) Permit has been processed in accordance with the Indiana Department of Environmental Management's (IDEM) permitting authority under IC 13-15 (formerly IC 13-7-10) and the provisions of 327 IAC 5-21. The enclosed IWP permit covers the discharge from your facility into the **Western Wayne Regional Sewer District** Publicly Owned Treatment Works. All discharges from this facility shall be consistent with the terms and conditions of this permit.

One condition of your permit requires periodic reporting of several effluent parameters. Reporting is to be done using the state Monthly Monitoring Report form. This form can be found on the internet at the following web site:

http://in.gov/idem/cleanwater/2339.htm

Once you are on this page, select the "IDEM Forms" page and locate the "Monthly Monitoring Report (MMR) for Industrial Discharge Permits-30530" under the Wastewater Facilities heading. We recommend selecting the "XLS" version because it will complete all of the calculations when you enter the data.

Additionally, if you are not already using NetDMR, you will soon be receiving an e-mail with a supply of the federal NPDES DMR forms attached. Both the state and federal forms need to be completed and submitted on a routine basis. If you do not receive the DMR forms in a timely manner, please call this office at 317-232-8670. Please note that we will no longer accept paper DMR or MMR forms after December 31, 2016. After that date all NPDES and IWP permit holders are required to submit their monitoring data to IDEM using NetDMR.

Another condition, which needs to be clearly understood, concerns violation of the effluent limitations in this permit. Exceeding the limitations constitutes a violation of the

permit and may subject the permittee to criminal or civil penalties. See Part II.B.8 of this permit for further details. It is very important for your office and treatment plant operator to understand this part of the permit.

The draft permit for the Facility was made available for public comment from June 17, 2016 through July 18, 2016 as part of Public Notice No. PN-2016-6E-RD. During this comment period, no comment letters were received.

It should also be noted that any appeal must be filed under procedures outlined in IC 13 15-6, IC 4 21.5, and the enclosed Public Notice. The appeal must be initiated by filing a petition for administrative review with the Office of Environmental Adjudication (OEA) within fifteen (15) days of the emailing of an electronic copy of this letter or within eighteen (18) days of the mailing of a certified copy of this letter by filing at the following address:

Office of Environmental Adjudication Indiana Government Center North 100 North Senate Avenue, Room 501 Indianapolis, IN 46204

Please send a copy of any written appeal to me at the IDEM, Office of Water Quality, 100 North Senate Avenue, Indianapolis, Indiana 46204-2251.

If you have any questions concerning the permit, please contact Mrs. Nahir Kesterson at 317/234-4222 or by email at nkesterson@idem.in.gov. Questions concerning appeal procedures should be directed to the Office of Environmental Adjudication, at 317/232-8591.

Sincerely,

Van Hagh

Paul Higginbotham Deputy Assistant Commissioner Office of Water Quality

Enclosures

cc: Wayne County Health Department Western Wayne Regional Sewer District POTW Regional Office



Cause No. 44948 Attachment ER-7 Page 3 of 34

August 16, 2016

VIA ELECTRONIC MAIL

Mr. Victor Dearman, Technical Services Manager Sugar Creek Packing Company 1200 Enterprise Road Cambridge City, Indiana 47327

Dear Mr. Dearman:

Re: Correction to IWP Permit No. INP000604 Sugar Creek Packing Company Cambridge City, Indiana, Wayne County

A final IWP permit for the facility was sent to your attention on August 12, 2016. Based on your email dated August 12, 2016 that includes a draft permit comment letter dated July 8, 2016, corrections to Page 2 of 18 of the permit and Page 9 of the Briefing Memo are necessary to correct typographical errors to correct the permit. Enclosed are those pages. The effective date shall remain November 1, 2016.

If you have any questions concerning your IWP Permit, they should be directed to the permit manager, Mrs. Nahir Kesterson at (317) 234-4222.

Sincerely,

Nicole Gardner

Nicole Gardner, Chief Industrial NPDES Permit Section Office of Water Quality

Enclosures

cc: Wayne County Health Department Western Wayne Regional Sewer District POTW Regional Office



Cause No. 44948 Attachment ER-7 Page 4 of 34

STATE OF INDIANA

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT AUTHORIZATION TO DISCHARGE UNDER THE INDUSTRIAL WASTEWATER PRETREATMENT PROGRAM

INDUSTRIAL WASTEWATER PRETREATMENT (IWP) PERMIT

In accordance with 327 IAC 5-21 and IDEM's permitting authority under IC 13-15, **Sugar Creek Packing Company** (hereinafter referred to as the permittee) is authorized to discharge, from the facility located at 1200 Enterprise Road, Cambridge City, IN, into the **Western Wayne Regional Sewer District** Publicly Owned Treatment Works (POTW), in accordance with the effluent limitations, monitoring requirements, and other conditions set forth in Parts I and II hereof.

EFFECTIVE DATE: <u>November 1, 2016</u>

EXPIRATION DATE: <u>October 31, 2021</u>

NOTE: In order to receive authorization to discharge beyond the date of expiration, the permittee must submit a renewal IWP permit application to the Industrial NPDES Permit Section in the Office of Water Quality, no later than one hundred and eighty (180) days prior to the date this permit expires. Failure to do so will result in expiration of the authorization to discharge.

Issued <u>August 12, 2016</u>, for the Indiana Department of Environmental Management.

an Hagh

Paul Higginbotham Deputy Assistant Commissioner Office of Water Quality

Cause No. 44948 Attachment ER-7 Permit No. INP000604Page 5 of 34 Page 2 of 18

PART I

(A) EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

(1) During the period beginning on the effective date of this permit, the permittee is authorized to discharge from Outfall 001[1]. Outfall 001 is located in the sampling and gauging manhole after the pretreatment system.

	Discharge Limitations			Monitoring Requirements	
<u>Parameter</u>	Daily <u>Maximum</u>	Monthly <u>Average</u>	<u>Unit</u>	Measurement Frequency	Sample <u>Type [</u> 2]
Flow [3] TSS BOD5 Oil and Grease [O&G] Ammonia - Nitrogen	Report 300 [4] 300 [4] 100 [4] 25 [4]	Report Report Report Report Report	MGD mg/l mg/l mg/l mg/l	Daily 1 X Week 1 X Week 1 X Week 1 X Week	24-Hr. Total 24 Hr. Comp. 24 Hr. Comp. Grab 24 Hr. Comp.
Parameter	Daily <u>Minimum</u>	Daily <u>Maximum</u>	<u>Unit</u>	Measurement <u>Frequency</u>	Sample <u>Type</u>
pH [4]	6.0	9.0	s.u.	Daily	Grab

- [1] Outfall 001 shall be designated as the combined wastestreams at the designated sampling location.
- [2] The 24-Hour composite samples must be flow-proportional samples consisting of aliquots withdrawn throughout the daily discharge period. The aliquots may be: (i) uniform aliquots withdrawn at uniform flow intervals; or (ii) flow-proportional aliquots withdrawn at uniform time intervals.
- [3] The flow must be measured and recorded using valid flow measurement devices, not estimated. The flow monitoring device must be calibrated at least once annually.
- [4] Based on local ordinance [Western Wayne Regional Sewer District Ordinance No. 1-2007]. Note: TSS and/or BODs in excess of 200 mg/l may be subject to local surcharge.

(2) ADDITIONAL DISCHARGE PROHIBITIONS

The permittee shall not allow the introduction of the following into the POTW from any location, including Outfall 001:

- (a) A pollutant from any source of nondomestic wastewaters that could pass through or cause interference with the operation or performance of the POTW.
- (b) A pollutant that could create a fire or explosion hazard in the POTW, including waste streams with a closed cup flashpoint of less than one hundred forty (140) degrees

Fahrenheit (sixty (60) degrees Celsius) using the test methods in 40 CFR 261.21.

- (c) A pollutant that could cause corrosive structural damage to the POTW, including a discharge with pH lower than five (5.0), unless the POTW is specifically designed to accommodate such a discharge.
- (d) A solid or viscous pollutant in an amount that could cause obstruction to the flow in a sewer or other interference with the operation of the POTW.
- (e) A pollutant, including an oxygen demanding pollutant (such as biochemical oxygen demand) released in a discharge at a flow rate or pollutant concentration that could cause interference in the POTW.
- (f) Heat in an amount that could:
 - (1) inhibit biological activity in the POTW and result in interference or damage to the POTW; or
 - (2) exceed forty (40) degrees Celsius or one hundred four (104) degrees Fahrenheit at the POTW treatment plant unless the commissioner, upon request of the POTW, approves alternate temperature limits.
- (g) Petroleum, oil, non-biodegradable cutting oil, or products of mineral oil origin in an amount that could cause interference or pass through.
- (h) A pollutant that could result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems.
- (i) A trucked or hauled pollutant, except:
 - (1) with the permission of the POTW; and
 - (2) when introduced to the POTW at a discharge point designated by the POTW.

(3) AFFIRMATIVE DEFENSE

The permittee shall have an affirmative defense in any action brought against the permittee alleging a violation of the prohibitions established in Part I.A.2 of this permit if the permittee can demonstrate that:

- (a) it did not know or have reason to know that its discharge, alone or in conjunction with a discharge from another source, would cause pass through or interference; and
- (b) a local limit designed to prevent pass through or interference in accordance with Part I.A.2 of this permit:
 - (1) was developed for each pollutant in the permittee's discharge that caused pass through or interference, and the permittee was in compliance with each such local limit directly prior to and during the pass-through or interference; or
 - (2) was not developed for the pollutant that caused the pass through or interference, and the permittee's discharge, directly prior to and during the pass through or interference, had not changed substantially in nature or constituents from its usual

discharge condition when the POTW was regularly in compliance with the applicable:

- (i) NPDES permit requirements; and
- (ii) requirements for sewage sludge use or disposal, in the case of interference.
- (B) DEFINITIONS
 - (1) Daily Discharge

The total mass or, in the case of a pollutant limited in terms other than mass pursuant to 327 IAC 5-2-11(e), the average concentration or other measurement of the pollutant specified (e.g., pH, temperature) that is discharged over the calendar day or any other 24-hour period that reasonably represents the calendar day for purposes of sampling.

(2) Daily Maximum (Discharge) Limitation

The maximum allowable daily discharge.

(3) Monthly Average Discharge (Average Monthly Discharge)

The total mass or flow-weighted concentration of all daily discharges sampled or measured during a calendar month on which daily discharges are sampled and measured, divided by the number of daily discharges sampled and/or measured during such month.

(4) Monthly Average (Discharge) Limitation

The highest allowable average monthly discharge for any calendar month.

(5) Interference

"Interference" means a discharge that, alone or in conjunction with a discharge or discharges from other sources, does one (1) of the following:

- (a) Inhibits or disrupts the POTW, its treatment processes or operations, its sludge processes, or its selected sludge use or disposal methods.
- (b) Causes a violation of any requirement of the POTW's NPDES permit, including an increase in the magnitude or duration of a violation.
- (c) Prevents the use of the POTW's sewage sludge or its sludge disposal method selected in compliance with the following statutory provisions, regulations, or permits issued thereunder or more stringent state or local regulations:
 - (1) Section 405 of the Clean Water Act (33 U.S.C. 1345).
 - (2) The Solid Waste Disposal Act (SWDA) (42 U.S.C. 6901), including:
 - (i) Title II, more commonly referred to as the Resource Conservation and Recovery Act (RCRA); and

- (ii) the rules contained in any state sludge management plan prepared pursuant to Subtitle D of the SWDA (42 U.S.C. 6941).
- (3) The Clean Air Act (42 U.S.C. 7401).
- (4) The Toxic Substances Control Act (15 U.S.C. 2601).

(6) Pass-through

"Pass through" means a discharge proceeding through a POTW into waters of the state in quantities or concentrations that, alone or in conjunction with a discharge or discharges from other sources, are a cause of a violation of any requirement of the POTW's NPDES permit, including an increase in the magnitude or duration of a violation.

(7) Pretreatment requirements

"Pretreatment requirements" means any substantive or procedural requirement related to pretreatment, other than a pretreatment standard, imposed on an industrial user.

(8) Pretreatment standards

"Pretreatment standards" means:

- (a) state pretreatment standards as established in 327 IAC 5-18-8;
- (b) pretreatment standards for prohibited discharges, as established in 327 IAC 5-18-2; and
- (c) national categorical pretreatment standards incorporated by reference in 327 IAC 5-18-10.

(9) Publicly Owned Treatment Works ("POTW")

A treatment works owned by the State or a municipality, except that it does not include pipes, sewers or other conveyances not connected to a facility providing treatment. The term includes any devices and systems used in the storage, treatment, recycling and reclamation of municipal sewage or compatible industrial wastes. The term also includes sewers, pipes, and other conveyances only if they convey wastewater to a POTW treatment plant. "POTW" also means the municipality that has jurisdiction over the indirect discharges to and the discharges from such treatment works.

(C) MONITORING AND REPORTING

(1) Representative Sampling

Samples and measurements taken as required herein shall be representative of the volume and nature of the entire permitted discharge.

(2) Reporting

The permittee shall submit monitoring reports to the Indiana Department of Environmental Management and the Western Wayne Regional Sewer District containing results obtained during the previous month and shall be postmarked no later than 28th day of the month following each completed monitoring period. The first report shall be postmarked by the 28th day of the month following the month in which this permit becomes effective. In lieu of mailing paper reports the permittee may submit its reports to IDEM electronically by using the NetDMR application, upon registration and approval receipt. Electronically submitted reports (using NetDMR) have the same deadline as mailed reports. These reports shall include, but not necessarily be limited to, the Discharge Monitoring Report and the Monthly Monitoring Report. After December 31, 2016, all reports shall be submitted using NetDMR, and paper reports will no **longer be accepted.** If NetDMR is used and the Western Wayne Regional Sewer District is agreeable to receiving an electronic version of the monthly reports, copies can be sent to the Western Wayne Regional Sewer District via NetDMR. An acceptable email address for the Western Wayne Regional Sewer District must be provided to IDEM's Compliance Data Section. All non-NetDMR reports shall be sent to the following:

IDEM:

Compliance Data Section Office of Water Quality 100 North Senate Avenue Indianapolis, IN 46204

Name of Town/City:

Certified Operator Western Wayne Regional Sewer District 200 South Plum Street Cambridge City, IN The permittee shall also comply with the applicable reporting requirements of 40 CFR 403.12.

(3) Monitoring Results

Requirements for test procedures shall be as follows:

- (a) Test procedures identified in 40 CFR 136 shall be utilized for pollutants or parameters listed in that part, unless an alternative test procedure has been approved under 40 CFR 136.5.
- (b) Where no test procedure under 40 CFR 136 has been approved, analytical work shall be conducted in accordance with the most recently approved edition of "Standard Methods for the Examination of Water and Wastewater", published by the American Public Health Association (APHA) or as otherwise specified by the commissioner in the IWP permit.
- (c) Notwithstanding subdivision (1), the commissioner may specify in a permit the test procedure used in developing the data on which an effluent limitations guideline was based, or specified by the standards and guidelines.
- (4) <u>Recording the Monitoring Results</u>

For each measurement or sample taken pursuant to the requirements of this permit, the permittee shall maintain records of all monitoring information and monitoring activities, including:

- (a) The date, exact place and time of sampling or measurement;
- (b) The person(s) who performed the sampling or measurements;
- (c) The date(s) and time(s) analyses were performed;
- (d) The person(s) who performed the analyses;
- (e) The analytical techniques or methods used; and
- (f) The results of such measurements and analyses.

(5) Additional Monitoring by Permittee

If the permittee monitors any pollutant at the location(s) designated herein more frequently than required by this permit, using approved analytical methods as specified above, the results of such monitoring shall be included in the calculation and reporting of the values required in the Monthly Monitoring Report and the Discharge Monitoring Report. Such

increased frequency shall also be indicated.

- (6) <u>Records Retention</u>
 - (a) All records of monitoring activities and results required by this permit (including all original strip chart recordings for continuous monitoring instrumentation and calibration and maintenance records) shall be retained at the permitted facility for a minimum of three (3) years. The three-year period shall be extended:
 - automatically during the course of any unresolved litigation regarding the discharge of pollutants by the permittee or regarding promulgated effluent guidelines applicable to the permittee; or
 - (2) as requested by the commissioner.
 - (b) The permittee shall maintain and make available to IDEM and the Western Wayne Regional Sewer District personnel, records of disposal of all wastewater generated at the site. Such records shall include, but not be limited to, flow monitoring records, flow calibration records, and the volume and destination of all wastewater hauled off-site.

(D) REOPENING CLAUSE

This permit shall be modified, or, alternatively, revoked and reissued, to comply with any applicable effluent limitation or standard issued or approved under Section 307(b) of the Clean Water Act, if the effluent limitation or standard so issued or approved:

- (1) contains different conditions or is otherwise more stringent than any effluent limitation in the permit; or
- (2) controls any pollutant not limited in the permit.

The permit, as modified or reissued under this paragraph, shall also contain any other requirements of the Act then applicable.

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PART II

(A) **RESPONSIBILITIES**

(1) Duty to Comply

The permittee must comply with all terms and conditions of this permit. Any permit noncompliance constitutes a violation of the Clean Water Act (CWA) and the Environmental Management Act (EMA) and is grounds for:

- (a) enforcement action;
- (b) permit termination, revocation and reissuance, or modification; or

(c) denial of a permit renewal application.

A permittee may claim an affirmative defense to a permit violation; however, if the circumstances of the noncompliance meet the criteria of an upset as defined in Part II.A.7.

(2) Right of Entry

The permittee shall allow the Commissioner of the Indiana Department of Environmental Management or the Commissioner's authorized representatives (including an authorized contractor acting as a representative of the Commissioner), upon the presentation of the credentials:

- (a) to enter upon the permittee's premises where a point source is located or where any records must be kept under the terms and conditions of this permit;
- (b) to have access to and copy at reasonable times any records that must be kept under the terms and conditions of this permit;
- (c) to inspect, at reasonable times:
 - (1) any monitoring equipment or method;
 - (2) any collection, treatment, pollution management, or discharge facilities; or
 - (3) practices required or otherwise regulated under the permit; and
- (d) to sample or monitor, at reasonable times, any discharge of pollutants or internal wastestream (where necessary to ascertain the nature of a discharge of pollutants) for the purpose of evaluating compliance with the permit or as otherwise authorized.

(3) Change in Discharge

If the permittee intends to add a pollutant not limited by this permit or increase discharge of a pollutant limited by this permit, the permittee must notify the receiving POTW and apply for a
permit modification from the commissioner prior to commencing discharge containing the additional pollutant. The application for permit modification must:

- (a) be completed on a form prescribed by the commissioner;
- (b) be signed in accordance with 327 IAC 5-2-22(a); and
- (c) be submitted to the commissioner no later than 120 days prior to the date that the permittee intends to commence discharge containing the additional pollutant.
- (4) Duty to Mitigate Adverse Impact

The permittee shall take all reasonable steps to minimize any adverse impact to the POTW or to waters of the State resulting from noncompliance with the IWP permit, including such accelerated or additional monitoring necessary to determine the nature and impact of the non-complying discharge.

- (5) Noncompliance Notification
 - (a) If the permittee does not or will not be able to comply for any reason with any discharge limitation specified in this permit, the permittee shall provide the Indiana Department of Environmental Management and the Western Wayne Regional Sewer District with the following information in writing, within twenty-four (24) hours of becoming aware of the noncompliance.
 - (1) a description of the discharge and cause of noncompliance.
 - (2) the period of noncompliance, including exact dates and times of the noncomplying event and the anticipated time when the discharge will return to compliance.
 - (3) steps being taken to reduce, eliminate, and prevent recurrence of the noncomplying discharge.
 - (b) If the permittee has any unexpected, unintended, abnormal, or unapproved discharge from the facility into the POTW, the permittee shall comply with the spill reporting and response requirements contained in 327 IAC 2-6.1-7, including the requirement to report the discharge to IDEM and to the receiving POTW within two hours of discovery of the discharge.

(6) Spills, Reporting, Containment, and Response

Notwithstanding the permittee's obligations under Part II.A.5 of this permit, the permittee shall comply with the spill reporting, containment, and response requirements in accordance with 327 IAC 2-6.1.

- (7) <u>Upset</u>
 - (a) "Upset" means an exceptional incident in which there is unintentional and temporary

noncompliance with any pretreatment standards or requirements because of factors beyond the reasonable control of the permittee. An upset does not include:

- (1) noncompliance to the extent caused by operational error;
- (2) improperly designed treatment facilities;
- (3) inadequate treatment facilities;
- (4) lack of preventive maintenance; or
- (5) careless or improper operation.
- (b) An upset shall constitute an affirmative defense to an action brought for noncompliance with the pretreatment standards or requirements if the requirements of subsection (c) are met.
- (c) In order to establish an affirmative defense of upset, the permittee must provide properly signed, contemporaneous operating logs, or other relevant evidence of the following facts:
 - (1) An upset occurred and the permittee can identify the cause of the upset.
 - (2) The facility was being operated at the time in a prudent and workmanlike manner and in compliance with applicable operation and maintenance procedures.
 - (3) The permittee submitted a report, to the POTW and control authority, within twentyfour (24) hours of becoming aware of the upset or within five (5) days, if an initial verbal report of the information is given to the required authority, and the report contained the following information:
 - (A) A description of the indirect discharge and cause of noncompliance.
 - (B) The period of noncompliance, including exact dates and times or the anticipated time the noncompliance is expected to continue if it is not corrected.
 - (C) Steps being taken or planned for reducing, eliminating, and preventing recurrence of the noncompliance.
- (d) In any enforcement proceeding, the permittee seeking to establish the occurrence of an upset shall have the burden of proof.
- (e) In the usual exercise of prosecutorial discretion, the control authority may review any claims that noncompliance was caused by an upset. No determinations made in the course of the review constitute the commissioner's final action subject to judicial review. The permittee will have the opportunity for a judicial determination on any claim of upset only in an enforcement action brought for noncompliance with the pretreatment standards or requirements.
- (f) The permittee shall control production or all discharges to the extent necessary to maintain compliance with the pretreatment standards or requirements upon reduction, loss, or failure of its treatment facility until the facility is restored or an alternative method of treatment is provided. This requirement applies when, among other things, the primary source of power of the treatment facility is reduced, is lost, or has failed.

(8) Bypass

- (a) The following definitions apply throughout this permit:
 - (1) "Bypass" means the intentional diversion of waste streams from any portion of a permittee's treatment facility.
 - (2) "Severe property damage" means substantial physical damage to property, damage to the treatment facilities that causes them to become inoperable, or substantial and permanent loss of natural resources that can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.
- (b) The permittee may allow a bypass to occur if:
 - (1) it does not cause a violation of any pretreatment standard or requirement including discharge limitations contained in this permit; and
 - (2) it is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of Part II.A.8(c) and Part II.A.8(d) of this permit.
- (c) The reporting requirements for a bypass are as follows:
 - (1) If the permittee knows in advance of the need for a bypass, it shall submit prior notice to the control authority, if possible, at least ten (10) days before the date of the bypass.
 - (2) If an unanticipated bypass exceeds a pretreatment standard or requirement including discharge limitations contained in this permit, the permittee shall give oral notice to the control authority within twenty-four (24) hours from the time the permittee becomes aware of the bypass. A written submission shall also be provided to IDEM within five (5) days of the time the permittee becomes aware of the bypass. The written submission must contain the following:
 - (A) A description of the bypass and its cause.
 - (B) The duration of the bypass, including exact dates and times and the anticipated time it is expected to continue if the bypass has not been corrected.
 - (C) The steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass.
- (d) Bypass is prohibited, and an enforcement action may be taken against the permittee for a bypass unless the following are demonstrated:
 - (1) The bypass was unavoidable to prevent loss of life, personal injury, or severe property damage.
 - (2) There were no feasible alternatives to the bypass, such as any of the following:
 - (A) The use of auxiliary treatment facilities.
 - (B) Retention of untreated wastes.
 - (C) Maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass that occurred during normal periods of equipment downtime or preventative maintenance.

- (3) The permittee submitted notices as required under Part II.A.8(c).
- (4) A planned bypass is approved in advance by IDEM after determining that the bypass will not violate Part II.A.8(d)(1) through (3).

(9) Facilities Operation and Maintenance

The permittee shall at all times maintain in good working order and efficiently operate all facilities or systems (and related appurtenances) for collection and treatment that are installed or used by the permittee and necessary for achieving compliance with the terms and conditions of this permit.

(10) Removed Substances

Solids, sludges, filter backwash, or other pollutants removed from or resulting from treatment or control of wastewaters shall be disposed of in compliance with applicable Indiana statutes and rules, including 327 IAC 6.1 and 329 IAC 10.

(11) Power Failures

When a power source is used to operate wastewater treatment facilities in order to maintain compliance with the effluent limitations and prohibitions of this permit, the permittee shall either:

- (a) provide an alternative power source sufficient to operate facilities utilized by the permittee to maintain compliance with the effluent limitations and conditions of this permit; or
- (b) upon the reduction, loss, or failure of one or more of the primary sources of power to facilities utilized by the permittee to maintain compliance with the effluent limitations and conditions of this permit, the permittee shall halt, reduce, or otherwise control production and/or discharge in order to maintain compliance with the effluent limitations and conditions of this permit.

(12) Operator Certification

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 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.

(13) Construction Permit

The permittee shall not construct, install, or modify any water pollution control facility except in accordance with 327 IAC 3. Upon completion of any construction, the permittee must

notify the Compliance Evaluation Section of the Office of Water Quality in writing.

(14) Containment Facilities

When cyanide or cyanogen compounds are used in any of the processes at this facility the permittee shall provide approved facilities for the containment of any losses of these compounds in accordance with the requirements of 327 IAC 2-2-1.

(B) ADDITIONAL RESPONSIBILITIES

(1) Effect of Permit Issuance

This permit does not affect any pretreatment requirements, including any standards or prohibitions, established by local ordinance of the Western Wayne Regional Sewer District.

(2) Permit Renewal

If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain a new IWP permit. An application for an IWP permit must conform to the following:

- (a) Be completed on a form prescribed by the commissioner;
- (b) Be signed in accordance with 327 IAC 5-2-22(a);
- (c) Be submitted to the commissioner no later than one hundred eighty (180) days prior to the expiration date of an existing permit if the industrial user intends to continue discharging to the POTW.

(3) Permit Modification

This permit may be modified in whole or in part, revoked and reissued, or terminated during its term for cause in accordance with the pertinent provisions of 327 IAC 5-2-16. The permittee must:

- (a) report to the commissioner plans for or information about any activity that has occurred or will occur that would constitute cause for modification or revocation and reissuance;
- (b) comply with the existing IWP permit until it is modified or reissued; and
- (c) abide by the commissioner's decision:
 - (1) to modify or revoke and reissue the permit; and
 - (2) require submission of a new application as required by 327 IAC 5-21-3.

(4) Permit Transferability

- (a) A permit may be transferred by the permittee to a new owner or operator only if the permit has been modified or revoked and reissued under 327 IAC 5-2-16(c)(1) or 16(e)(4), to identify the new permittee and incorporate such other requirements as may be necessary under the CWA. A permit may be transferred to another person by a permittee, without modification or revocation and reissuance being required, if the following occurs:
 - (1) The current permittee notifies the commissioner at least thirty (30) days in advance of the proposed transfer date.
 - (2) A written agreement containing a specific date for transfer of permit responsibility and coverage between the current permittee and the transferee (including acknowledgment that the existing permittee is liable for violations up to that date, and that the transferee is liable for violations from that date on) is submitted to the commissioner.
 - (3) The transferee certifies in writing to the commissioner intent to operate the facility without making such material and substantial alterations or additions to the facility as would significantly change the nature or quantities of pollutants discharged and thus constitute cause for permit modification under 327 IAC 5-2-16(d). However, the commissioner may allow a temporary transfer of the permit without permit modification for good cause, e.g., to enable the transferee to purge and empty the facility's treatment system prior to making alterations, despite the transferee's intent to make such material and substantial alterations or additions to the facility.
 - (4) The commissioner, within thirty (30) days, does not notify the current permittee and the transferee of the intent to modify, revoke and reissue, or terminate the permit and to require that a new application be filed rather than agreeing to the transfer of the permit.

(5) Signature Requirements

- (a) The reports required by Part I.C.2 of this Permit must be signed by one (1) of the following:
 - (1) A responsible corporate officer. As used in this subdivision, "responsible corporate officer" means:
 - (A) a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or
 - (B) the manager of one (1) or more manufacturing, production, or operation facilities employing more than two hundred fifty (250) persons or having gross annual sales or expenditures exceeding twenty-five million dollars (\$25,000,000) (in secondquarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
 - (2) A general partner or proprietor or manager if the industrial user submitting the reports is a partnership or sole proprietorship, respectively.
 - (3) A duly authorized representative of the individual designated in either

Part II.B.5(a)(1)(A) or Part II.B.5(a)(1)(B) of this permit if:

- (A) the authorization is made in writing by the individual described in either Part II.B.5(a)(1)(A) or Part II.B.5(a)(1)(B) of this permit;
- (B) the authorization specifies either an individual or a position having responsibility for the overall operation of the facility from which the industrial discharge originates, such as the position of plant manager, operator of a well, or well field superintendent, or a position of equivalent responsibility, or having overall responsibility for environmental matters for the company; and
- (C) the written authorization is submitted to the control authority.
- (4) If an authorization under subdivision (3) is no longer accurate because a different individual or position has responsibility for the overall operation of the facility or overall responsibility for environmental matters for the company, a new authorization satisfying the requirements of subdivision (3) must be submitted to the control authority prior to or together with any reports to be signed by an authorized representative.
- (b) An industrial user subject to the reporting requirements of this section shall maintain records of the monitoring activities in accordance with 327 IAC 5-2-14. These records shall be made available, upon request, to the commissioner, the regional administrator, and the POTW to which the industrial user discharges its wastewater.
- (c) A report required by this section that relates to the actual operation of or discharge from a pretreatment facility must be prepared by or under the direction of a wastewater treatment plant operator certified under IC 13-18-11.
- (d) An industrial user who wishes to demonstrate the affirmative defense of upset for noncompliance with any pretreatment standard or requirement shall, as provided in 327 IAC 5-18-3, comply with the reporting requirements and conditions under Part II.A.7 of this permit.
- (e) An industrial user must report incidents of bypass or intent to bypass in accordance with Part II.A.8 of this permit.

(6) Penalties for False Reporting

IC 13-30 and 327 IAC 5-2-8(14) provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance, shall, upon conviction, be punished by a fine, imprisonment, or by both.

(7) <u>Penalties for Falsifying, Tampering, or Knowingly Rendering Inaccurate a Monitoring Device</u> <u>or Method</u>

In accordance with 327 IAC 5-2-8(9), the permittee shall comply with monitoring, recording, and reporting requirements of this permit. The Clean Water Act, as well as IC 13-30-10,

provides that any person who knowingly or intentionally (a) destroys, alters, conceals, or falsely certifies a record that is required to be maintained under the terms of a permit issued by the department; and may be used to determine the status of compliance, (b) renders inaccurate or inoperative a recording device or a monitoring device required to be maintained by a permit issued by the department, or (c) falsifies testing or monitoring data required by a permit issued by the department commits a Class B misdemeanor.

(8) Enforcement

- (a) A violation of the pretreatment rules may:
 - (1) subject a person causing or contributing to the violation to administrative or judicial enforcement proceedings, under IC 13-30-3, and the penalties provided under IC 13-30-4;
 - (2) be cause for:
 - (A) modification;
 - (B) revocation and reissuance; or
 - (C) termination;

of the industrial wastewater pretreatment permit; and

- (3) warrant the invocation of emergency procedures under IC 13-14-10.
- (b) The initiation of any action in response to a violation of the pretreatment rules does not preclude initiation of any other response.
- (c) A violation of the pretreatment rules includes the following:
 - (1) The indirect discharge of pollutants in contravention of an applicable pretreatment standard or other applicable discharge limitation.
 - (2) The indirect discharge of pollutants without a permit from a significant industrial discharger as determined by IDEM.
 - (3) A violation of discharge limitations or other terms and conditions of the permit where an IWP permit is required under the pretreatment rules.
 - (4) Failure to comply with any other applicable pretreatment requirement.
 - (5) Failure to:
 - (A) allow entry, inspection, and monitoring by representatives of the commissioner when requested in accordance with applicable law; or
 - (B) carry out monitoring, recording, and reporting required under this permit.
- (d) It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of the permit.
- (9) Oil and Hazardous Substance Liability

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee

is or may be subject under Section 311of the Act.

(10) Property Rights

The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights or infringement of Federal, State, or local laws or regulations.

(11) Severability

The provisions of this permit are severable and if any provision of this permit, or the application of any provision of this permit to any circumstances to held invalid, the application of such provision to other circumstances and the remainder of this permit shall not be affected thereby.

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Industrial Wastewater Pretreatment (IWP) Briefing Memo for Sugar Creek Packing Co. Draft: June 2016 Final: July 2016 Indiana Department of Environmental Management 100 North Senate Avenue Indianapolis, Indiana 46204 (317) 232-8603 Toll Free (800) 451-6027 www.idem.IN.gov

Permittee:	Sugar Creek Packing Company				
	12021 Sheraton Lane				
	Cincinnati, Ohio 45246				
Existing Permit	Permit Number:INP000604				
Information:	Expiration Date:10/31/2016				
Facility Contact:	Victor Dearman, Technical Services Manager 765-312-0210 vdearman@sugar-creek.com				
Facility Location:	1200 Enterprise Road				
	Cambridge City, IN 47327				
	Wayne County				
Receiving POTW:	Western Wayne Regional Sewer District				
	200 South Plum Street				
	Cambridge City, Indiana				
D	NPDES Permit # IN0054402				
Proposed Action:	Date Application Received: 5/4/2016				
Source Category	Industrial Pretreatment				
Permit Writer:	Nahir Kesterson SEMI				
	(317) 234-4222 nkesterson@idem.in.gov				

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1.0 INTRODUCTION

The Indiana Department of Environmental Management (IDEM) received an Industrial Wastewater Pretreatment (IWP) Permit application from **Sugar Creek Packing Company** on **May 4, 2016**. A five year permit is proposed in accordance with 327 IAC 5-2-6(a).

The Federal Water Pollution Control Act of 1972 and subsequent amendments require a NPDES permit for the discharge of wastewater to surface waters. Furthermore, Indiana Statute 13-15-1-2 requires a permit to control or limit the discharge of any contaminants into state waters or into a publicly owned treatment works. This proposed permit action by IDEM complies with both federal and state requirements.

In accordance with Title 40 of the Code of Federal Regulations (CFR) Sections 124.7 and 124.6, as well as Indiana Administrative Code (IAC) 327 Section 5, development of a Statement of Basis, or Briefing Memo, is required for NPDES permits. This document fulfills the requirements established in those regulations.

This Briefing Memo was prepared in order to document the factors considered in the development of IWP Permit effluent limitations. The technical basis for the Briefing Memo may consist of evaluations of prohibited discharge standards, categorical pretreatment standards, existing effluent quality, and receiving Publicly Owned Treatment Works (POTW) limitations.

2.0 GENERAL

2.1 Facility Description

The permittee produces protein products, sausages, meatballs, chicken patties, ribs and meal kits. Manufacturing processes include grinding, blending, forming, chopping, cooking, chilling, packaging, and various equipment cleaning and sanitation (floor and wall cleaning, equipment cleaning, clean in place systems, tank cleaning and bootwash stations). The plant normally operates 24 hours/day, 7 days/week.

The process waste flows associated with the manufacturing at Sugar Creek Packing Co. are not subject to National Categorical Pretreatment Standards. However, the facility does meet the definition of a Significant Industrial User (SIU) as defined by 40 CFR 403.3 (t) and 327 IAC 5-17-23 (a)(2). The discharge is therefore subject to the applicable local Sewer Use Ordinance Limitations.

2.2 Receiving Publicly Owned Treatment Works (POTW)

The permittee discharges to the Western Wayne Regional Sewer District: a Class II, 0.804 MGD extended aeration wastewater treatment plant with a mechanical screen, comminutor, grit removal, extended aeration, and ultraviolet disinfection. The POTW also serves MEG/Steelworks, Inc. [INP000136].

The POTW discharges to the West Fork of the Whitewater River (Q7,10 = 11.18 CFS).

2.3 Discharge Description

The permittee discharges wastewaters from the following sources to the POTW:

Source	Flow (GPD)
Process Wastestream #1:	178,000 (1)
Non-contact Cooling Towers:	15,000
Boiler Blowdown:	1,000
Sanitary:	6,000

(1) Process Wastestream #1 is wastewater from the food production and sanitation processes.

2.4 Wastewater Pretreatment

1.1 PHYSICAL-CHEMICAL TREATMENT

Pump Pit (T0101)

Wastewater from the plant enters this in ground, concrete basin for central collection of wastewaters as well as recycled streams within the proposed pretreatment system. This pit as a normal high level of about 23,000 gallons or a possible fill time of 58 minutes at peak design flow and 138 minutes at average design flow, assuming no pumping out. The pit has at least an additional 20,000 gallons of emergency storage before the wastewater would reach the inverts of the wastewater pretreatment building's internal drains. The pit has a high chemical resistant, fiberglass protective liner using a novolac vinyl ester primer and resin. Lastly, the pit is equipped with 2, stainless steel submersible pumps (1 operating and 1 standby), each rated at 400 gpm along with level controls, and lifting device. From here the wastewater is pumped to 1 or 2 Rotary Drum Screen(s).

Rotary Drum Screen

The internally fed rotary drum screen is a self-cleaning drum filter and constructed of stainless steel. The wastewater is fed inside the drum screen by a special feed pipe in order to efficiently and equally distribute the wastewater inside the first part of the drum. Using a unique and simple combination of rotation and gravity solid particles are separated and retained onto the stainless steel perforated drum. Due to construction, the solid particles are eventually transported by an internal screw drive and collected into a stainless steel collection tote beneath the unit. Solids production will vary based on loading and production levels; Nijhuis states that up to 2 cubic yards per day of screenings can be produced from each unit; these screenings will be disposed of at an approved facility. Periodically, a hot water cleaning spray is activated. Each unit is rated at 200 gpm, and wastewater passes through the screen's perforation and is collected in a trough under the screen. The wastewater then flows through the Influent Flow Meter (FIC2501) prior to discharge by gravity to the Primary Flotation Unit.

Primary Flotation Unit (Model GDF 020, FU2501)

Wastewater enters this (1) stainless steel dissolved air flotation unit (30.7ft x 9.8ft x 8.6ft), mixes with supersaturated, recirculated "white water", and easily floatable

fats, grease, oils, and solids will float to the surface and will automatically and continuously be removed by a scraper mechanism. The design flow for this unit is 400 gpm per Nijhuis. The supersaturated "white water" is created by a recirculation/air dissolving system that is equipped with patented non-clogging aeration devices and the design ensures formation of the very fine air bubbles required. There are 2 "white water" recirculation pumps, 1 duty, 1 standby, Air required: 2.01 cfm @ 102 psi. Sediment will be controlled by bottom, automatic removal valves and discharged to the Sediment Trap. The collected floated sludge (aka float) is removed via (2) two eccentric screw pumps (1 duty/ 1 stand by) at approximately 26 gpm. Pumps are cast iron housing with stainless steel parts that come in contact with wetted material. These pumps are controlled via level controller and pumped to the Primary Sludge Tank. The purpose of this Primary DAF is to removal the gross floatable fats, grease, oils, and solids that could interfere with the operation of the downstream process as well as, hopefully, produce a "brown" grease that has economic value to renderers. Wastewater flows by gravity to Primary DAF Pump Station (T0301).

Sediment Trap

The collected solids in the bottom of the three dissolved air flotation units (Primary DAF – FU2501, Secondary DAF – FU2601, and Biological DAF – FU2701) are discharged to drains that flow to the in-ground Sediment Trap. Solids are collected in the Sediment Trap and removed manually by shovel. The collected solids will either go into the same container as the screenings from the rotary screens or into the roll-off for the dewatered sludge. The clarified wastewater is recycled by to the Pump Pit for re-treatment.

Primary Sludge Tank (T2001)

This FRP tank is approximately 13,000 gallon and measures 12 ft diameter x 20 ft high. There is a gear reduced, slow speed mixer to keep contents mixed is deemed needed by operator. There is a hot water loop through this tank to encourage the separation of fats/grease/oil/solids from the water phase. There are 3 decant valves that can be used to draw off water back to the Pump Pit if it is found that the material will further separate from water if allowed to sit undisturbed for a period of time. With less water, this "brown" grease becomes more valuable. Based upon average design flow, total suspended solids, and oils & grease, and assuming a 30% removal efficiency for both due to no chemical addition, approximately 5,500 GPD of sludge at 10% solids will be produced and enter this tank. As described above, it is hoped that this material will have economic value as a "brown" grease to a renderer. If not, it will be disposed/treated at a permitted facility.

Primary DAF Pump Station (T0301)

This closed top, HDPE/FRP tank has a capacity of about 2,600 gallons Its overflow goes into building drainage system back to Pump Pit. With level controls, the tank has two pumps (1 duty, 1 standby) that are design for 400 gpm each at required head. Pumps are cast iron construction with stainless steel wetted parts for corrosion resistance. Wastewater is pumped to Storage Tank (T0321), aka EQ Tank.

Storage Tank (T0321), aka EQ Tank

The purpose of this tank is three fold: 1) provide variable retention time and volume to balance out the highly variable flow rates throughout the day in order to provide a

more steady flow to downstream processes, 2) provide variable retention time and volume to balance out the highly variable pollutant loadings (TSS, BOD5, O&G, etc) in order to provide a more steady pollutant load to downstream processes, and 3) to add, if necessary, sulfuric acid to the tank to keep pH on the acidic size (likely <6, to be determined during startup) in order to significantly improve oil & grease/solids removal in the downstream Secondary DAF (FU2601). Wastewater enters this closed top, 200,000 gallon, bolted steel and epoxy-coated equalization tank (51 ft diameter x 15 ft high). Mixing is provided by both a submersible mixer and an aeration blower providing 883 cfm of air. Coarse bubble aeration will be controlled by an dissolved oxygen sensor located inside the tank. The addition of sulfuric acid will be controlled by a pH sensor located inside the tank. It is expected that 60% sulfuric acid will be used, and the acid feed pump has a capacity of up to 40 gph. Tank is provided with 220,000 gallon of secondary containment using same construction as tank. Overflow from the tank enters the secondary containment area and then is directed back to the process sewer flowing into the Pump Pit. From level controls, wastewater will be pumped by one of 2 centrifugal pumps (1) duty, 1 standby of cast iron construction with stainless steel wetted parts), each pump rated for up to 229 gpm but are expected to be operated initially at no more than 167 gpm, through the EQ Flow Meter (FIC0801) and Secondary Flocculator (PF0801) in front of Secondary Flotation Unit (FU2601).

Secondary Flocculator (Model PFR 060, PF0801)

Wastewater enters the HDPE pipe flocculator. The pipes are fashioned in a zig-zag pattern in order to provide gentle but thorough mixing of the wastewater to encourage the formation of small floc particles. Near the end of the flocculator, a flocculant (polymer) dosing unit, rated at 143 gph, will inject a diluted polymer emulsion into wastewater stream so as to produce a large floc particle entering the Secondary Flotation Unit that will easily be floated and removed from wastewater.

Secondary Flotation Unit (Model GDF 016, FU2601)

Wastewater enters this stainless steel dissolved air flotation unit (33 ft x 9 ft x 9 ft) and work the same way as the Primary Flotation Unit except for the following: The unit has a design flow rate of 229 gpm per Nijhuis. The floated sludge, aka float, is removed via two eccentric screw pumps (1 duty/ 1 stand by) at approximately 13 gpm. Pumps are cast iron housing with stainless steel impellers. These pumps are controlled via level controller and pump to Secondary Sludge Tank (T2101). In order to raise the pH for the downstream biological treatment, a 30% solution of NaOH will be injected into the clarified wastewater discharge pipe; the caustic chemical feed pump has a capacity up to 16 gph. The caustic is controlled by pH sensor in the downstream Secondary DAF Pump Station (T0341); the pH will be raised at least up to 7, but exact setpoint to be determined during start-up. Based upon average daily design flow, assuming a 90% removal efficiency for both TSS and O&G leaving the Primary Flotation Unit due to low pH and chemical addition, approximately 9,000 GPD of float sludge at 10% solids will be produced from this unit.

Secondary Sludge Tank (T2101)

This FRP tank is approximately 13,000 gallon and measures 12 ft diameter x 20 ft high. There is a gear reduced, slow speed mixer to keep contents mixed if deemed needed by operator. This tank accepts float sludge from Secondary Flotation Unit (FU2601) and Biological Flotation Unit (FU2701). Based upon average design flow

and expected removals of TSS and BOD5 from the Primary and Secondary Flotation Units, the Activated Sludge Flotation Unit is expected to produce 10,000 gallons per day at 10% solids that will be pumped to this tank. The total volume of sludge that is expected to be pumped to this tank is 19,000 gallons per day.

Secondary DAF Pump Station (T0341)

This closed top, HDPE/FRP tank has a capacity of about 2,600 gallons. Its overflow goes into building drainage system back to Pump Pit. A pH sensor is installed into this tank and its controller controls the caustic added. With level controls, the tank has two pumps (1 duty, 1 standby) that are design for 216 gpm each at required head, although it is expected that only flows of up to 167 gpm will actually be operated. Pumps are cast iron construction with stainless steel wetted parts for corrosion resistance. Wastewater is pumped to Aeration Tank (T3001).

1.2 BIOLOGICAL TREATMENT

Aeration Tank (T3001),

This tank utilizes Moving Bed Biological Reactor activated sludge technology that combines suspended growth and fixed film growth in a single tank. The fixed film growth is attached to a specific plastic media. Approximately 4,000 cubic feet of media, which has 738,000 square feet of surface area to promote healthy bacterial growth, will be installed and are comprised of 1/2" circles with inside cross supports and external fins for maximum surface area. This results in the fact that the biomass concentration will be much higher compared to more traditional biological treatment systems. Because the biomass is grown on the media, there is no large amount of excess sludge, just some biomass that is released when the media collide with each other. Since there is a layer of sludge growing on the carrier media, the system is not dependent on MLSS, sludge retention time, and food/microorganism ratio, but only on dissolved oxygen requirement. A dissolved oxygen sensor in the Aeration Tank will control amount of air supplied to the tank This closed top tank is an epoxy coated, bolted steel tank with a volume of 91,000 gallons (34.5 ft diameter x 15 ft high) or 11 hours of hydraulic retention time at average design flow (91,000 gpd). This tank is equipped with a screen in order to retain bio media in tank. Air is provided by 2 blowers (1 duty, 1 standby), each rated at 1,201 cfm at 21 ft TDH; the duty blower is equipped with VFD drive so that it can be controlled by dissolved oxygen sensor/controller. Medium bubble aeration is provided through stainless steel diffusers located at tank. With level controls, the tank has two pumps (1 duty, 1 standby) that are design for 216 gpm each at required head, although it is expected that only flows of up to 167 gpm will be produced. Pumps are cast iron construction with stainless steel wetted parts for corrosion resistance. Wastewater is pumped through Biological Flow Meter (FIC0901) Biological Flocculator (Model PFR090S, PF0901) to Activated Sludge Flotation Unit (FU2701).

Biological Flocculator (Model PFR090S, PF0901)

Wastewater enters the HDPE pipe flocculator. The pipes are fashioned in a zig-zag pattern in order to provide gentle but thorough mixing of the wastewater to encourage the formation of small floc particles. Near the end of the flocculator, a flocculant (polymer) dosing unit, rated at 106 gph, will inject a diluted polymer emulsion into wastewater stream so as to produce a large floc particle entering the Biological Flotation Unit that will easily be floated and removed from wastewater.

A second chemical feed tap will be located at the beginning of this flocculator if it is determined that additional phosphorus will need to be removed in order to meet the future phosphorus limit. The phosphorus precipitating chemical will be aluminum sulfate (alum), ferric chloride, or similar chemical solution.

Activated Sludge Flotation Unit (Model IPF 135 E)

Wastewater enters this stainless steel dissolved air flotation unit (16 ft x 11 ft x 11.5 ft) and work the same way as the Primary Flotation Unit except for the following: The unit has a design flow rate of 216 gpm per Nijhuis. A lamella plate pack is installed to increase the separation area of the unit and encourage even the smallest floc particles to be removed from the waste stream. The floated sludge, aka float, is removed via two eccentric screw pumps (1 duty/ 1 stand by) at approximately 9 gpm. Pumps are cast iron housing with stainless steel impellers. These pumps are controlled via level controller and pump to Secondary Sludge Tank (T2101). Based upon average daily design flow, assuming a 99% removal efficiency for both TSS and BOD5 leaving the Secondary Flotation Unit, approximately 10,000 GPD of float sludge at 10% solids will be produced from this unit and pumped to the Secondary Sludge Tank (T2101). An inline Effluent Flow Meter (FIC2701) and pH Monitor (QIC2701) will be installed into the discharge pipe of this unit and recorded. Through two actuated valves, the wastewater can be discharge to sewer or recycled back to Pump Pit for retreatment.

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 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. Based on information supplied by the permittee, the facility is required to have a Class D Operator.

2.5 Changes in Operation

This permit was originally issued to RCF Kitchens Indiana, LLC on August 4, 2011. The permit ownership was transferred to Sugar Creek Packing Co. effective December 1, 2012. A permit modification was issued in 2015 reflecting this change.

3.0 PERMIT HISTORY

3.1 Compliance history

There are no current or pending enforcement actions regarding this IWP permit.

4.0 PERMIT DRAFT DISCUSSION

4.1 Selection of Parameters

This permit regulates the substances and parameters in the permittee's raw wastewater that are subject to the Western Wayne Regional Sewer District Sewer Use Ordinance, in order to protect the POTW from upset, pass through, or interference. These parameters include: TSS, BOD₅, O&G, Ammonia, and pH.

4.2 Selection of Limits

The permittee's discharge must comply with the applicable existing local ordinance limits. These limits apply at the point where the discharge enters the city sewer in accordance with the Western Wayne Regional Sewer District Sewer Use Ordinance (SUO).

Due to physical constraints at the facility, the permittee has elected to sample at an internal manhole, prior to combination with the sanitary waste flows from the facility. Therefore, the local SUO limitations will be placed at the internal sampling manhole to protect the POTW.

4.3 Self-Monitoring Frequency

Self-Monitoring frequency is determined by the pollutants present in the permittees process and compliance history.

To assure compliance with the limits and terms of this permit, State rules [327 IAC 5-21-9 and 10] require the permittee to: (i) monitor the final pretreated discharge at a minimum frequency; and (ii) report the results to this agency. To fulfill this requirement, the samples must be: (i) representative of the daily discharge; and (ii) collected, preserved and analyzed using U.S. EPA-approved materials and methods.

5.0 PERMIT LIMITATIONS

5.1 Summary of Limits and Basis for Each:

Outfall 001

The table below summarizes the permit limits at the designated sample site Outfall 001[1]. Outfall 001 is located in the sampling and gauging manhole after the pretreatment system.

	Discharge Limi	tations		Monitoring Requirements		
<u>Parameter</u>	Daily <u>Maximum</u>	Monthly <u>Average</u>	<u>Unit</u>	Measurement <u>Frequency</u>	Sample <u>Type [</u> 2]	
Flow [3] TSS BOD5 Oil and Grease [O&G] Ammonia - Nitrogen	Report 300 [4] 300 [4] 100 [4] 25 [4]	Report Report Report Report Report	MGD mg/l mg/l mg/l mg/l	Daily 1 X Week 1 X Week 1 X Week 1 X Week	24-Hr. Total 24 Hr. Comp. 24 Hr. Comp. Grab 24 Hr. Comp.	
Parameter	Daily <u>Minimum</u>	Daily <u>Maximum</u>	<u>Unit</u>	Measurement Frequency	Sample <u>Type</u>	
рН [4]	6.0	9.0	s.u.	Daily	Grab	

[1] Outfall 001 shall be designated as the combined wastestreams at the designated sampling location.

- [2] The 24-Hour composite samples must be flow-proportional samples consisting of aliquots withdrawn throughout the daily discharge period. The aliquots may be: (i) uniform aliquots withdrawn at uniform flow intervals; or (ii) flow-proportional aliquots withdrawn at uniform time intervals.
- [3] The flow must be measured and recorded using valid flow measurement devices, not estimated. The flow monitoring device must be calibrated at least once annually.
- [4] Based on local ordinance [Western Wayne Regional Sewer District Ordinance No. 1-2007]. Note: TSS and/or BOD₅ in excess of 200 mg/l may be subject to local surcharge.

5.2 Post Public Notice Addendum

Pursuant to IC 13-15-5-1, IDEM published a general notice in the newspaper with the largest general circulation within the above county. A 30-day comment period was available in order to solicit input from interested parties, including the general public. Comments concerning the draft permit should be submitted in accordance with the procedure outlined in the enclosed public notice form.

The draft permit for the Facility was made available for public comment from June 17, 2016 through July 18, 2016 as part of Public Notice No. PN-2016-6E-RD. During this comment period, no comment letters were received.

STATE OF INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT PUBLIC NOTICE NO: <u>2016 – 8E – F</u> DATE OF NOTICE: <u>AUGUST 12, 2016</u>

The Office of Water Quality issues the following NPDES FINAL PERMIT.

PRETREATMENT - RENEWAL

SUGAR CREEK PACKING CO, Permit No. INPO00604, WAYNE COUNTY, 1200 Enterprise Rd, Cambridge City, IN. This industrial pretreatment facility discharges 0.015 million gallons daily of sanitary, process & non-process wastewater into the Western Wayne RSD. Permit Manager: Nahir Kesterson, <u>nkesterson@idem.in.gov</u>, 317/234-4222.

APPEAL PROCEDURES FOR FINAL PERMITS

The Final Permit documents are available for review & copies at IDEM, Indiana Government Center, North Bldg, 100 N Senate Ave, Indianapolis, IN, Rm 1203, Office of Water Quality/NPDES Permit Section, from 9-4, M - F (copies 10¢ per page). The Final Permit is available at the local County Health Department . See these sites for your rights & responsibilities: Public Participation: <u>http://www.in.gov/idem/5474.htm</u>; Citizen Guide: <u>http://www.in.gov/idem/5903.htm</u>. Please tell others you think would be interested in this matter

Appeal Procedure: Any person affected by the issuance of the Final Permit may appeal by filing a Petition for Administrative Review with the Office of Environmental Adjudication <u>within</u> eighteen (18) days of the date of this Public Notice. Any appeal request must be filed in accordance with IC 4-21.5-3-7 and must include facts demonstrating that the party requesting appeal is the applicant; a person aggrieved or adversely affected or is otherwise entitled to review by law.

Timely filing: The Petition for Administrative Review must be received by the Office of Environmental Adjudication (OEA) <u>within</u> 18 days of the date of this Public Notice; either by U.S. Mail postmark or by private carrier with dated receipt. This Petition for Administrative Review represents a request for an Adjudicatory Hearing, therefore must:

- state the name and address of the person making the request;
- > identify the interest of the person making the request;
- > identify any persons represented by the person making the request;
- > state specifically the reasons for the request;
- > state specifically the issues proposed for consideration at the hearing;
- identify the Final Permit Rule terms and conditions which, in the judgment of the person making the request, would be appropriate to satisfy the requirements of the law governing this NPDES Permit rule.

If the person filing the Petition for Administrative Review desires any part of the NPDES Final Permit Rule to be stayed pending the outcome of the appeal, a Petition for Stay must be included in the appeal request, identifying those parts to be stayed. Both Petitions shall be mailed or delivered to the address here: Phone: 317/232-8591.

Environmental Law Judge Office of Environmental Adjudication IGC – North Building- Rm 501 100 N. Senate Avenue Indianapolis IN 46204

Stay Time frame: If the Petition (s) is filed <u>within</u> eighteen (18) days of the mailing of this Public Notice, the effective date of any part of the permit, within the scope of the Petition for Stay is suspended for fifteen (15) days. The Permit will become effective again upon expiration of the fifteen (15) days, unless or until an Environmental Law Judge stays the permit action in whole or in part.

Hearing Notification: Pursuant to Indiana Code, when a written request is submitted, the OEA will provide the petitioner or any person wanting notification, with the Notice of pre-hearing conferences, preliminary hearings, hearing stays or orders disposing of the Petition for Administrative Review. Petition for Administrative Review must be filed in compliance with the procedures and time frames outlined above. Procedural or scheduling questions should be directed to the OEA at the phone listed above.

PART I

(A) EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

(1) During the period beginning on the effective date of this permit, the permittee is authorized to discharge from Outfall 001[1]. Outfall 001 is located in the sampling and gauging manhole after the pretreatment system.

	Discharge Limi	tations		Monitoring Requirements		
Parameter	Daily <u>Maximum</u>	Monthly <u>Average</u>	<u>Unit</u>	Measurement <u>Frequency</u>	Sample <u>Type [</u> 2]	
Flow [3] TSS BOD5 Oil and Grease [O&G] Ammonia - Nitrogen	Report 300 [4] 300 [4] 100 [4] 25 [4]	Report Report Report Report Report	MGD mg/l mg/l mg/l mg/l	Daily 2 X Week 2 X Week 2 X Week 2 X Week	24-Hr. Total 24 Hr. Comp. 24 Hr. Comp. Grab 24 Hr. Comp.	
Parameter	Daily <u>Minimum</u>	Daily <u>Maximum</u>	<u>Unit</u>	Measurement <u>Frequency</u>	Sample <u>Type</u>	
pH [4]	6.0	9.0	s.u.	Daily	Grab	

- [1] Outfall 001 shall be designated as the combined wastestreams at the designated sampling location.
- [2] The 24-Hour composite samples must be flow-proportional samples consisting of aliquots withdrawn throughout the daily discharge period. The aliquots may be: (i) uniform aliquots withdrawn at uniform flow intervals; or (ii) flow-proportional aliquots withdrawn at uniform time intervals.
- [3] The flow must be measured and recorded using valid flow measurement devices, not estimated. The flow monitoring device must be calibrated at least once annually.
- [4] Based on local ordinance [Western Wayne Regional Sewer District Ordinance No. 1-2007]. Note: TSS and/or BOD₅ in excess of 200 mg/l may be subject to local surcharge.

(2) ADDITIONAL DISCHARGE PROHIBITIONS

The permittee shall not allow the introduction of the following into the POTW from any location, including Outfall 001:

- (a) A pollutant from any source of nondomestic wastewaters that could pass through or cause interference with the operation or performance of the POTW.
- (b) A pollutant that could create a fire or explosion hazard in the POTW, including waste streams with a closed cup flashpoint of less than one hundred forty (140) degrees

4.2 Selection of Limits

The permittee's discharge must comply with the applicable existing local ordinance limits. These limits apply at the point where the discharge enters the city sewer in accordance with the Western Wayne Regional Sewer District Sewer Use Ordinance (SUO).

Due to physical constraints at the facility, the permittee has elected to sample at an internal manhole, prior to combination with the sanitary waste flows from the facility. Therefore, the local SUO limitations will be placed at the internal sampling manhole to protect the POTW.

4.3 Self-Monitoring Frequency

Self-Monitoring frequency is determined by the pollutants present in the permittees process and compliance history.

To assure compliance with the limits and terms of this permit, State rules [327 IAC 5-21-9 and 10] require the permittee to: (i) monitor the final pretreated discharge at a minimum frequency; and (ii) report the results to this agency. To fulfill this requirement, the samples must be: (i) representative of the daily discharge; and (ii) collected, preserved and analyzed using U.S. EPA-approved materials and methods.

5.0 PERMIT LIMITATIONS

5.1 Summary of Limits and Basis for Each:

Outfall 001

The table below summarizes the permit limits at the designated sample site Outfall 001[1]. Outfall 001 is located in the sampling and gauging manhole after the pretreatment system.

	Discharge Limi	<u>tations</u>	Monitoring Requirements		
Parameter	Daily <u>Maximum</u>	Monthly <u>Average</u>	<u>Unit</u>	Measurement Frequency	Sample <u>Type [</u> 2]
Flow [3] TSS BOD5 Oil and Grease [O&G] Ammonia - Nitrogen	Report 300 [4] 300 [4] 100 [4] 25 [4]	Report Report Report Report Report	MGD mg/l mg/l mg/l mg/l	Daily 2 X Week 2 X Week 2 X Week 2 X Week	24-Hr. Total 24 Hr. Comp. 24 Hr. Comp. Grab 24 Hr. Comp.
Parameter	Daily <u>Minimum</u>	Daily <u>Maximum</u>	<u>Unit</u>	Measurement <u>Frequency</u>	Sample <u>Type</u>
pH [4]	6.0	9.0	s.u.	Daily	Grab

[1] Outfall 001 shall be designated as the combined wastestreams at the designated sampling location.



W Altman, Poindexter & Wyatt LLC

<u>Member Attorneys</u> Christine Crull Altman Anne Hensley Poindexter Scott Peckham Wyatt

<u>Of Counsel</u> John D. Proffitt (Retired)

> Cause No. 44948 Attachment ER-8 Page 1 of 3

June 14, 2017

Anne Hensley Poindexter Email: apoindexter@apwlawyer.com

(Via Email: lauren.box@btlaw.com)

Lauren Box Barnes & Thornburg LLP 11 S. Meridian Street Indianapolis, IN 46204-3535

> Re: Western Wayne Regional Sewage District Written Request for Public Records Pursuant to Indiana Code § 5-14-3

Dear Ms. Box:

In response to your Access to Public Records Act Request of May 25, 2017, I am enclosing a disc containing the following records:

- 1. Records of the disclosures made by WWRSD Board members have not yet been located and will be provided as soon as they have been located.
- 2. Meeting minutes of the WWRSD Board since January 1, 2012, as well as Affidavits concerning and/or clarifying the minutes;
- 3. Records of invoices from Wessler Engineering for the past five (5) years. As indicated in my last correspondence, although your request was for M.D. Wessler & Associates Records, that entity is not in existence and as a courtesy the records for Wessler Engineering are being provided. Please know these are the unsigned duplicate copies of the statements which Wessler assisted in putting together in order to provide you the same in a more timely manner. If you desire copies of the original signed copies, please let me know.

Very truly yours,

ALTMAN, POINDEXTER & WYATT LLC

, Histerfie

Anne Hensley Poindexter/ Member Attorney

Enclosure

ALTMAN, POINDEXTER & WYATT LLC 90 Executive Drive, Suite G Carmel, Indiana 46032 Telephone: 317-350-1000 Fax: 844-840-3461 www.apwlawyer.com

BARNES & THORNBURG LLP

11 S. Meridian Street Indianapolis, IN 46204-3535 317-236-1313 317-231-7433 (Fax)

www.btlaw.com

Cause No. 44948 Attachment ER-8 Page 2 of 3

Lauren M. Box

(317) 231-7289 lauren.box@btlaw.com

May 25, 2017

VIA ELECTRONIC MAIL

Western Wayne Regional Sewage District c/o Anne Hensley Poindexter 90 Executive Drive, Suite G Carmel, Indiana 46032 <u>apoindexter@apwlawyer.com</u>

Re: Written Request for Public Records Pursuant to Indiana Code § 5-14-3

Ms. Poindexter:

In reference to your e-mail dated May 24, 2017, it is our understanding that you are counsel to the Western Wayne Regional Sewage District ("WWRSD") in connection with Access to Public Records Act (Ind. Code § 5-14-3) requests. Thus, I am sending the following request directly to you, but if we need to send the request to WWRSD please let me know. Pursuant to Ind. Code § 5-14-3, I would like to obtain copies of the following public records:

- 1. All records of any disclosures made by WWRSD board members pursuant to Ind. Code § 35-44.1-1-4.
- 2. All minutes of meetings of the WWRSD board occurring since January 1, 2012.
- 3. All records of invoices (including bills, statement of charges, and claims) from M.D. Wessler & Associates to WWRSD for materials and/or services rendered in the past five (5) years.

We agree to reimburse WWRSD for all lawful and reasonable fees incurred in making copies of these documents. According to the statute, you have seven (7) days to respond to this request. If you choose to deny the request, you are required to respond in writing and state the statutory exception authorizing the withholding of all or a part of the public record and the name and title or position of the person responsible for the denial.

Western Wayne Regional Sewage District May 25, 2017 Page 2

Thank you for your anticipated cooperation. If you have any questions about this request No. 44948 please feel free to contact me at the above listed information. Attachment ER-8

Page 3 of 3

Sincerely,

J-M. BOX

DMS 10260935v1

BARNES & THORNBURG LLP



W Altman, Poindexter & Wyatt LLC

Cause No. 44948 <u>Member Attorneys</u> Christine Cruit Altman ER-9 Anne Hensley Poindexterl of 22 Scott Peckham Wyatt

<u>Of Counsel</u> John D. Proffitt (Retired)

May 24, 2017

Anne Hensley Poindexter Email: apoindexter@apwlawyer.com

(Via Email:nicholas.kile@btlaw.com)

Nicholas K. Kile Barnes & Thornburg LLP 11 S. Meridian Street Indianapolis, IN 46204-3535

> Re: Western Wayne Regional Sewage District Written Request for Public Records Pursuant to Indiana Code § 5-14-3

Dear Mr. Kile:

Please be advised that I represent Western Wayne Regional Sewage District ("WWRSD") and am in receipt of your written request for public records dated May 18, 2017.

In response to Request No. 1, WWRSD provides the following documents:

- Accounts Payable Voucher dated November 6, 2012, Dungan Plumbing & Heating, Inc. invoice no. 113783 dated November 6, 2012, and canceled check no. 11480;
- Accounts Payable Voucher dated November May 1, 2013, Dungan Plumbing & Heating, Inc. invoice no. 114756 dated March 1, 2013, and canceled check no. 11606;
- Accounts Payable Voucher dated May 21, 2013, Dungan Plumbing & Heating, Inc. invoice no. 115280 dated May 9, 2013, and canceled check no. 11634;
- Accounts Payable Voucher dated July 11, 2013, Dungan Plumbing & Heating, Inc. invoice no. 115867 dated July 11, 2013, and canceled check no. 11702;

ALTMAN, POINDEXTER & WYATT LLC 90 Executive Drive, Suite G Carmel, Indiana 46032 Telephone: 317-350-1000 Fax: 844-840-3461 www.apwlawyer.com Nicholas Kile May 24, 2017 Page 2

- Accounts Payable Voucher dated August 15, 2013, Dungan Plumbing & Heating, Inc. invoice no. 116132 dated August 15, 2013, and canceled check no. 11720;
- Accounts Payable Voucher dated August 15 and August 24, 2016, Dungan Plumbing & Heating, Inc. invoice no. 126672 dated August 15, 2016, Dungan Plumbing & Heating, Inc. invoice no. 70217 dated August 24, 2016, and canceled check no. 12706.

With regard to Request No. 2, WWRSD has no such documents.

Should you have any questions regarding this matter, please feel free to contact me at (317) 350-1000.

Very truly yours,

ALTMAN, POINDEXTER & WYATT LLC

, Hinderfie

Anne Hensley Poindexter Member Attorney

ALTMAN, POINDEXTER & WYATT LLC 90 Executive Drive, Suite G Carmel, Indiana 46032 Telephone: 317-350-1000 Fax: 844-840-3461 www.apwlawyer.com

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Cause No. 44948 Attachment ER-9 Page 4 of 22



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Prescribed by State Board of Accounts, Boyce Farms Systems, Daleville: In.	FIRE 80, 219 (ALS, 887)
Appr. No\$	11480
PAY TO THE Dungan Plumbing	195.00
Ninety Five	DollAPS
Cambridge City, Indiana	lal
- CLERE-TREASURES	
10749045301 01m7426 6M	l

12/12/2012 11480 \$95.00

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130000201003030 12.10.12	
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12/12/2012 11480 \$95.00

Cause No. 44948 Attachment ER-9 Page 6 of 22

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		·		Paye
Priscibe Form No.	d by State Board of Accourt . 301-S (Rev. 1997)	ACCOUNTS PAYABLE VOUCH	ER ,	
116	000	TO Ulungan	Flumbing	
		ADDRESS 10 S. CA	An St C	r.
voice Date	Invoice Number	Item	Amount ·	
5.1-B	114756	Redace Jane to in	719.50	
· ·		bathroom + lat.		•
		Repair toilet		
		~ · · ·		- •
				· · · · · · · · · · · · · · · · · · ·
		•		•
		······································		
	I hereby certify	that the attached invoice(s), or bill(s), is (are) true and co	rrect and that the mate	rials or services
itemiz	ed thereon for w	hich charge is made were ordered and received except		
Date .	·······	20		
with 1	I hereby certify t	Signature hat the attached invoice(s), or bill(s), is (are) true and correct	and I have audited sam	Title ne in accordance
Data	0 5-11-10-1.0.	00		
		Officer		Title

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Cause No. 44948 Attachment ER-9 Page 7 of 22



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Prescribed by Biole Board of Accounts, Boyce Forms Systems, Deleville, In.	rans pa, sia (221,1813)
Appr No	11606
s Mestern Wayne Regional Sewage Distric	t
PRIO WASHANT VOID TWO (1) TRASATTER May 1, 2013	
PAY TO THE Dungan Plumbing & Heating	\$ 719.50
Seven Hundred Nineteen50/100	DOLLARS
Wayne Bank & Trust Co. BUBJECT TO ALL DELINOUENT JAX CHARDED AGAINST THE PAYEE Cambridge City, Indiana	je j
CLERK-TREASURE	R
40749045304 01m7426 6m	

5/1/2013 11606 \$719.50

881858136 Wayne Bank 84/23/2013 >874234523<	PAY TO THE ORDER OF VIA YNE BANK AND THUST CO, 074904530 POR DEPOSIT ORLY C VIGAN PLUMENIO & HEATING, MC. 1424383

5/1/2013 11606 8719.50

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Cause No. 44948 Attachment ER-9 Page 9 of 22

Prescribed by State Board of Accounts Form No. 301-5 (Rev. 1997) ACCOUNTS PAYABLE VOUCHER To Jungan flumbing ADDRESS 10 S. Center II. CC						
Invoice Date	<u>Invoice Number</u>			Amount		
5.21.13	1/5280	El Savic	<u> </u>		•	
	•	1955 E Ciember	lond	120.00		
		ar - ma for desting	· .	an african Stores as		
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				ى بەر بېزىنى ئېرىكى		
		te e sur Mallar, Aplitador presente e		an an an a an air air an	•••••	
I hereby certify that the attached invoice(s), or bill(s), is (are) true and correct and that the materials or services • itemized thereon for which charge is made were ordered and received except						
Date _	,	20				
with IC	I hereby certify to 5-11-10-1.6.	hat the attached invoice(s), or bill	Signature (s), is (are) true and correct	and I have audited sam	Title he in accordance	
Date _		20	Officer		Title	
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Cause No. 44948 Attachment ER-9 Page 10 of 22



WW REGIONAL SEWAGE DIST FUND Account #174266

Prescribed by Blate Board of Accounty Boyce Farms By	(art ar, bit (ar, and)					
APPR NO\$	FUND	11634				
sWe	stern Mayne Regional Sewage Dist	rict				
UNIS BARRANG VOID TWO (2) STARBAPTER MI	ay 21,2013					
PAY TO THE ORDER OF	Dungan Plumbing	<u>\$ 120.00</u>				
One Hundred Twenty00/100 DOLLARS						
Cambridge City, Indiana Wayne Bank & Trust Co	SUBJECT TO ALL OKLINGUENT THE CHARGED MAINET THE PAYER					
1955 Cumberland	- Wary Witcher CLERKYRKA	SURER				
	U ·					
1	074904530 : 01#7426 6#					

5/29/2013 11634 \$120.00


									e materials or services	Title ed same in accordance	Title	•
DUCHER Dunk	- Amount	Mrs 150.00	implefund					•	e and correct and that the xcept	signature nd correct and I have audit	Officer	
JNTS PAYABLE VC TO JUNA		ie (three the	(1603 2.(بر المراجع بوليم والمراجع المراجع الم	c	ce(s), or bill(s), is (are) tru ere ordered and received e	e(s), or bill(s), is (are) true al		
Mare ACCOL	and the standard and the	B "Eil & Line	· · · · · · · · · · · · · · · · · · ·		· · · · · · · · · · · · · · · · · · ·		به به با با ما ما الما الم		fy that the attached invoi which charge is made w	202y that the attached invoice	20	
-Crossdeed by Statio Board of Acco	roice Date Trivoice Number	158(2) min 7=1121	103	· · · ·		•	and the second	 •	I hereby certi itemized thereon for	Date	with IC 5-11-10-1.6. Date	

Cause No. 44948 Attachment ER-9 Page 12 of 22

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Cause No. 44948 Attachment ER-9 Page 13 of 22

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VISA MostorCont Aleve	DUNGAN PLUMBING & HEAT 10 SOUTH CENTER ST. P.O. BOX 307 CAMBRIDGE CITY, IN 47327-03 Pic# 102392 Ph. 478-4050	f ING, I 307	NC.	
CAUSTOMEN'S	E. Cumble 478.3788	UATE .	.11-13	
NAME	WWRSD			
៱៶៸៲៝៝៝៝៝៝៲៶៹៹៲	200. S. Plum	•		
SOLD BY	CASH C.O.D. CHARGE ON ACCT. HOSE. RET'D.	PAID OUT		
QTY.		PRICE	AMOUN	п
•••	EEL Service		150	oc
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		-	•	
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	· · · · · · · · · · · · · · · · · · ·			
HT CHIVLD BY	PAYMENT DUE UPON RECEIPT	TAX		
		TOTAL		
1158	610 All claims and returned goods must be accompanied		Thank	You

WW REGIONAL SEWAGE DIST FUND Account #174266

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	*	YERE MD. HIN ALEY. INNET
Prescribed by State Board of Accounts, Boyce Forms Systems, Doleville, Io.	FUND	11700
4777 No		11/02
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mestern Manne K	silmunt wennige war	• • • •
<u> </u>	-	
THIS WAREARY VOIS TWO (2) TEAST STURE	-	
PAY TO THE DU AT AGAI	Plba	\$ 120.00
ORDER OF	0	
The tail is a second seco	~ 2 2 .	DOLLARS
Une Aunarea	WHATTAK CHARGED ADAINST THE FATER	0.0 100
Wayne Bank & Trust Co.	P. D.	70
Cambridge City, Indiana	Xary Nermen	10059
alon Tishor	CLERK-TREAS	JUREN
Steve Tisner	V	
	01m7676 6#	
1:074404330**		

8/12/2013 1702 \$150.00

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8/12/2013 1702 \$150.00

5/13 1/6/32 Eel Service (-J. Wasner) /80 00 Bumbary St.	81513.114	122 61 8				
Bundary St.		132 7.0 - 100	(180 00	• • •	
		DA CRE MA	Runka	st		
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				<u></u>		(
I hereby certify that the attached invoice(s), or bill(s), is (are) true and correct and that the materials or services	I hereby	certify that the attached invol	ce(s), or bill(s), is (are) true	and correct and that the m	aterials or services	
I hereby certify that the attached invoice(s), or bill(s), is (are) true and correct and that the materials or services	I hereby	certify that the attached invo	ice(s), or bill(s), is (are) true	and correct and that the m	aterials or services	
I hereby certify that the attached invoice(s), or bill(s), is (are) true and correct and that the materials or services	l hereby	certify that the attached invoi	ice(s), or bill(s), is (are) true	and correct and that the m	aterials or services	

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Cause No. 44948 • Attachment ER-9 Page 16 of 22

170	.DUN.GA	N PLUME	BING & I	HEATIN	IG, INC).
Master	.a.c	P.C CAMBRIDGE Plo). BOX 307 CITY, IN 47 # 102392	327-0307		
CUSTOMEN'S O	RDEN NO.	Ph. 478-3	. 478-4050 3788	DATH 8-1	5-13	
MIL .	W. W.	R.S.D)	·····	· .	
	<u> </u>	5. Plur	<u>n St.</u>			
SOLD BY	Camb Cash C.O.D.	CHARGE ON ACC	T. MOSE. ROT D.	PAID OUT		
DED OTY.	Felse	X SCRIPTION	 	PRICE	AMOL	
		Weesner	resid	ence_		
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÷					adupa	
· · · ·	PAYMENT DUE UP	ON RECEIPT		TAX		
CEIVED DY				TOTAL	180	∞

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Presertiel by State Board of Accounts, Boyce Forms Systems, Deleville, In.	2031 Rt. 818 (817,1914)?
APPR NoFUND	11720
s	1
ENIS BARBARE VOID TOD (15) FTANSATTES Q-3- 2013	
PAY TO THE DUNGAN Plumbing	<u>s \80.00</u>
One Hundred Eighty -XXI	DOLLARS
Wayne Bank & Trust Co. SUBJECT TO ALL DELINQUERY FAR EMARGED GAMET THE PAYER	.109
Cambridge City Indiana Xary Kubendall	
CLERK-TREASURE	R
10749045301 01#7426 6M	

9/5/2013 1720 \$180.00



9/5/2013 1720 \$180.00

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									als or services		Title	in accordance	Title		Car At	use tach Page	No. ment 18	449 EI	948 R-9 22
Rumberg	Amount	· 22,020)			7634	69459			rect and that the materia			and I have audited same				•			
AYABLE VOUCHE TO VULNESS 0		: le' Live		le Clean out	N. Lincola				II(s), is (are) true and con		i	signaure), is (are) true and correct	Officer			•			·
	Item	l. Surice	Natincolu	to to instal	(o" line on				attached invoice(s), or bi	ge is made were ordered		ttached invoice(s), or bill(s		,		`` `			
	mber	72 E.	5	in Pa	Ĺ				certify that the		20	ertify that the at 1.6.	20						
	Invoice Nu	12 (de		Ran	-				I hereby o	ed mereon		l hereby c C 5-11-10-							
Form No.	Invoice Date	8/15/16		allt cl							Date _	with IC	Date .			• • •			
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PRESCRIDED BY STATE BOARD OF ACCOUNTS	BOYCE FORMS EYETEMS DALEVILLE IN				5: 44948
APRR No5		FUND		Attachme	ent ER-9
	-			L_ IPage 2	20 of 22
5	_ Western Wayne B	legional Sewage	Øistrict		
FRIS WARRART VOID TWO TEATER DEG. 41 OF THE YEAR OF ISSUE	9.7. 2016	~ ~			
PAY TO ORDI	THE Dungan P	lumbing		\$696.59	
3	1x Aluxdred Din.	ety Six J	59/100	DOLLARS	
Wayne Bank & Trust Co.	BUBJECT TO ALL DE	ILINQUE IT TAX CHARGED AGAINST TH		100	
Campridge City, indiana		- Nary Dube	mark		_
		Walhalea	WATRENSURER	yor-	
	10749045301	01m7426 6m		0	_
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>074904530< Wayne Bank and Trust #00 2016-09-22 0001214039 Batch 10617785

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BARNES & THORNBURG LLP

Cause No. 44948 Attachment ER-9 11 S. Meridian Street Indianapolis, IN 46204-3535 317-236-1313 317-231-7433 (Fax)

www.btlaw.com

Nicholas K. Kile

(317) 231-7768 nicholas.kile@btlaw.com

May 18, 2017

VIA CERTIFIED MAIL

Western Wayne Regional Sewage District 200 S. Plum Street Cambridge City, Indiana 47327

Re: Written Request for Public Records Pursuant to Indiana Code § 5-14-3

To Whom It May Concern:

Pursuant to the Access to Public Records Act (Ind. Code § 5-14-3), I would like to obtain copies of the following public records:

- 1. All records of payments (including invoices, claims and cancelled checks) made in the past five (5) years by the Western Wayne Regional Sewage District ("WWRSD") to Dungan Heating and Plumbing for materials and/or services supplied to WWRSD.
- 2. All records of payments (including invoices, claims and cancelled checks) made in the past five (5) years by the WWRSD to M.D. Wessler & Associates ("MDW") where the MDW invoice seeks reimbursement of amounts billed to MDW by Dungan Heating and Plumbing for materials and/or services.

We agree to reimburse WWRSD for all lawful and reasonable fees incurred in making copies of these documents. According to the statute, you have seven (7) days to respond to this request. If you choose to deny the request, you are required to respond in writing and state the statutory exception authorizing the withholding of all or a part of the public record and the name and title or position of the person responsible for the denial.

Thank you for your anticipated cooperation. If you have any questions about this request, please feel free to contact me at the above listed information.

Western Wayne Regional Sewage District May 18, 2017 Page 2 Cause No. 44948 Attachment ER-9 Page 22 of 22

Sincerely,

Nicholas K. Kile

BARNES & THORNBURG LLP