

**2017**

# **Annual Report**

**Of the**

**Evansville Water & Sewer Utility**

**Pretreatment Program**

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**1933 Allen Lane**

**Evansville, Indiana 47720**

**March 21, 2018**

**LLOYD WINNECKE**  
MAYOR



**EVANSVILLE WATER  
&  
SEWER UTILITY**

(812) 426-2820  
FAX (812) 426-2823  
llamberton@ewsu.com

**LLOYD LAMBERTON**  
PRETREATMENT COORDINATOR

1933 ALLEN LANE  
EVANSVILLE, INDIANA 47720

March 21, 2018

Mr. Newton Ellens  
USEPA Region 5, WN-16J  
NPDES Program Branch  
77 W. Jackson Blvd.  
Chicago Illinois 60604

RE: 2017 Annual Report Submittal

Dear Mr. Ellens:

Enclosed please find our Annual Pretreatment Program Report pursuant to 40CFR 403.12 (i) and NPDES Permits IN0033073 and IN0032956.

This year's annual report contains five Sections. Each Section identifies the paragraph of 40CFR 403.12 (i) for which the report provides the information required by the specific paragraph of the regulation.

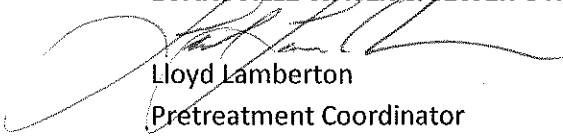
Requirements under PART III, A, 6 of the NPDES Permits held by the City of Evansville, are covered in Section 5 of our report, to fulfill the requirements of 40CFR 403.12 (i) 5.

Please contact me if you require further data or supporting details not provided in our report, and we will provide you with additional information.

Enclosed is the Honorable Mayor Lloyd Winnecke's letter authorizing me to sign these reports.

Sincerely,

**EVANSVILLE WATER & SEWER UTILITY**

  
Lloyd Lamberton  
Pretreatment Coordinator

CC Ms. Natalie Maupin, IDEM  
Mr. Jeff Merrick, EWSU  
Kevin Kolb, EWSU

**LLOYD WINNECKE**  
MAYOR



**EVANSVILLE WATER  
&  
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**LLOYD LAMBERTON**  
PRETREATMENT COORDINATOR

1933 ALLEN LANE  
EVANSVILLE, INDIANA 47720

March 21, 2018

Ms. Natalie Maupin  
Indiana Department of Environmental Management  
Office of Water Quality- Mail Code 65-42  
Compliance Data Section – Pretreatment Group  
100 North Senate Avenue  
Indianapolis, Indiana 46204-2251

RE: 2017 Annual Report Submittal

Dear Ms. Maupin:

Enclosed please find our Annual Pretreatment Program Report pursuant to 40CFR 403.12 (i) and NPDES Permits IN0033073 and IN0032956.

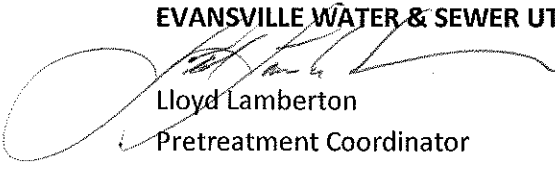
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Sincerely,

**EVANSVILLE WATER & SEWER UTILITY**

  
Lloyd Lamberton  
Pretreatment Coordinator

CC Mr. Newton Ellens, USEPA Region 5  
Mr. Jeff Merrick, EWSU  
Mr. Kevin Kolb, EWSU



## CITY OF EVANSVILLE

OFFICE OF THE MAYOR  
LLOYD WINNECKE

ONE N.W. MARTIN LUTHER KING, JR. BLVD. • ROOM 302  
EVANSVILLE, INDIANA 47708-1833  
(812) 436-4962 • FAX (812) 436-4968 • TDD/TTY (812) 436-4928  
[www.EvansvilleGov.org](http://www.EvansvilleGov.org)

February 1, 2012

Thomas W. Easterly, Commissioner  
Indiana Department of Environmental Management  
100 North Senate Avenue  
Indianapolis, Indiana 46204

**RE: Authorized Agent for Evansville Pretreatment Reporting, NPDES permits IN0033073 and IN0032956**

Dear Commissioner Easterly:

Pursuant to the City of Evansville's recently issued NPDES permits for its Wastewater Treatment Plants and 40CFR 403.12 (m), this letter serves as my authorization to designate a person or specifically described position to sign reports required by IDEM or USEPA regarding our pretreatment program.

The following positions/persons are hereby authorized to sign such reports, and certifications.

Lloyd Lamberton, Pretreatment Coordinator  
1933 Allens Lane  
Evansville, Indiana 47720  
(812) 426-2820

Tim Berkemeier, Laboratory Pretreatment Manager  
1933 Allens Lane  
Evansville, Indiana 47720  
(812) 426-2820

Sincerely,

A handwritten signature in black ink, appearing to read "Lloyd Winnecke", is written over a circular stamp. The signature is fluid and cursive.

Lloyd Winnecke  
Mayor

CC: Natalie Maupin  
Jim Garrard  
Jeff Merrick  
Tim Berkemeier  
Lloyd Lamberton

1) List of POTW's Industrial UsersSIU Industry List Summary 2017

Permit No.	Permittee	Site Address 1	City	Active ?	Permit Class	Standard	Effective Date	Expiration Date
015-1	A. Schulman Inc.	5001 O'Hara Drive	Evansville	Yes	CA	463.15	01-01-2015	12-31-2019
073	A. Schulman Inc. (Matrix)	15000 Highway 41	Evansville	Yes	CA	463.15	10-01-2017	12-31-2019
059	ACE Extrusion LLC	14020 HWY 57	Evansville	Yes	CA	428.15 **	01-01-2015	12-31-2019
025	Ameriquel Foods	18200 US. HWY. 41	Evansville	Yes	NC	Title 13	01-01-2015	12-31-2019
050	Aramark Inc	1112 Florence Street	Evansville	Yes	NC	Title 13	01-01-2015	12-31-2019
023	Azteca Milling L. P.	15700 HWY 41 North	Evansville	Yes	NC	Title 13	01-01-2015	12-31-2019
007	BFI	2121 Wimberg Road	Evansville	Yes	NC	Title 13	01-01-2015	12-31-2019
011	Bootz Manufacturing Co.	PO Box 18010	Evansville	Yes	CA	466.14	01-01-2015	12-31-2019
009	Carson's Brewery	2404 Lynch Road	Evansville	Yes	NC	Title 13	01-01-2015	12-31-2019
021	Cintas	7232 Enterprise Circle	Evansville	Yes	NC	Title 13	01-01-2015	12-31-2019
040	Craddock Finishing	1400 W. Illinois Street	Evansville	Yes	CA	433.17 **	01-01-2015	12-31-2019
054	Crescent Plastics Inc	955 Diamond Ave.	Evansville	Yes	CA	463.15	01-01-2015	12-31-2019
006	Deaconess Hospital	600 Mary Street	Evansville	Yes	NC	Title 13	01-01-2015	12-31-2019

CTS - Compliance Tracking System CA= Categorical Industry CZ Categorical Industry Zero Discharge, \*\* Categorical Industry with stricter local limit

1) List of POTW's Industrial UsersSIU Industry List Summary 2017

Permit No.	Permittee	Site Address 1	City	Active ?	Permit Class	Standard	Effective Date	Expiration Date
053	Ditto Sales	1817 West Virginia	Evansville	Yes	CA	433.15 **	01-01-2015	03-31-2019
036	DSM Engineering Plastics	2267 West Mill Road	Evansville	Yes	CA	463.15	01-01-2015	12-31-2019
045	EMI	5701 Old Boonville Hwy	Evansville	Yes	CA	433.17 **	01-01-2015	12-31-2019
070	Evansville Brewhouse LLC	56 Adams Street	Evansville	Yes	NC	Title 13	05-18-2016	12-31-2019
017	Evansville Courier Co.	300 East Walnut Street	Evansville	No	NC	Title 13	01-01-2015	08-09-2017
052	Guardian Automotive Trim	601 N. Congress Ave.	Evansville	Yes	CA	433.17 **	01-01-2015	12-31-2019
003	Hartford Bakery	500 North Fulton	Evansville	Yes	NC	Title 13	01-01-2015	12-31-2019
004	Hoosier Stamping Franklin	1823 West Franklin	Evansville	Yes	CA	433.15 **	01-01-2015	12-31-2019
010	Hoosier Stamping Schrader	700 Schrader Avenue	Evansville	Yes	CA	433.15 **	01-01-2015	12-31-2019
051	Indiana Tube Corporation	2100 Lexington Avenue	Evansville	Yes	CA	433.15 **	01-01-2015	12-31-2019
072	JIC Enterprises Inc.	1401 N. Evans Ave.	Evansville	Yes	CA	463.16	09-01-2017	12-31-2019
071	Kerry Ingredients Inc.	1515 Park Street	Evansville	Yes	NC	Title 13	01-01-2017	12-31-2019
008	Master Manufacturing Co.	4703 O'Hara Drive	Evansville	Yes	CA	433.15 **	01-01-2015	12-31-2019

1) List of POTW's Industrial UsersSIU Industry List Summary 2017

Permit No.	Permittee	Site Address 1	City	Active ?	Permit Class	Standard	Effective Date	Expiration Date
039	Mead Johnson & Company	2400 West Lloyd	Evansville	Yes	NC	Title 13	01-01-2015	12-31-2019
061	Omni Plastics LLC	2300 Lynch Road	Evansville	Yes	CA	463.16	01-01-2015	12-31-2019
020	PGP International Inc.	5404 Foundation Drive	Evansville	Yes	NC	Title 13	01-01-2015	12-31-2019
024	Pittsburg Glass Works LLC	424 East Ingelfield	Evansville	Yes	CA	426.64	01-01-2015	12-31-2019
005	Red Spot Paint	1107 E Louisiana	Evansville	Yes	CA	446.10	01-01-2015	12-31-2019
018	Royal Crown Bottling Corp.	1100 Independence Ave.	Evansville	Yes	NC	Title 13	01-01-2015	12-31-2019
037	St. Vincent Evansville	3700 Washington Ave	Evansville	Yes	NC	Title 13	01-01-2015	12-31-2019
002	Tin Man Brewing	1430 Franklin Street	Evansville	Yes	NC	Title 13	01-01-2015	12-31-2019

Notes:

Highlighted text indicates that the industry was added or removed from the program in 2017. The "Effective" and "Expiration" dates differentiate new industries from industries that are no longer in our program. The Program does not have any industries subject to reduced reporting under 40 CFR 403.12 paragraph (c) (3), nor does it have any "Non- Significant Categorical Industrial Users."

**1) List of POTW'S Industrial Users****IU Monitoring Points Summary 2017**

<b><u>Industry No:</u></b>	<b><u>Industry:</u></b>	<b><u>Effective Date:</u></b>	<b><u>Expiration Date:</u></b>	<b><u>EPA Category:</u></b>
<b>015-1</b>	<b>A. Schulman Inc.</b>	1/1/2015	12/31/2019	463
Mon Point: 001	A. Schulman Inc. (1) 5001 O'Harra Drive			
Mon Point: 002	A. Schulman Inc. (2) 4991 O'Harra Drive			
Mon Point: 003	A. Schulman Inc. (3) 4400 Hitch Peters Road			
<b>073</b>	<b>A. Schulman Inc. (Matrix)</b>	10/1/2017	12/31/2019	463
Mon Point: 001				
<b>059</b>	<b>ACE Extrusion LLC</b>	1/1/2015	12/31/2019	428
Mon Point: 001	American Custom Extrusion			
<b>025</b>	<b>Ameriquel Foods</b>	1/1/2015	12/31/2019	Title 13
Mon Point: 001	Ameriquel Foods			
<b>050</b>	<b>Aramark Inc</b>	1/1/2015	12/31/2019	Title 13
Mon Point: 001	Aramark Inc.			
<b>023</b>	<b>Azteca Milling L. P.</b>	1/1/2015	12/31/2019	Title 13
Mon Point: 001	Azteca Milling L. P.			
Mon Point: 002	Azteca Milling L.P. Pretreatment Outfall			
<b>007</b>	<b>BFI</b>	1/1/2015	12/31/2019	Title 13
Mon Point: 001	BFI			
<b>011</b>	<b>Bootz Manufacturing Co. LLC</b>	1/1/2015	12/31/2019	466
Mon Point: 001	Bootz Plumbingware			
<b>009</b>	<b>Carson's Brewery</b>	1/1/2015	12/31/2019	Title 13
Mon Point: 001	Carson's Brewery			
<b>021</b>	<b>Cintas</b>	1/1/2015	12/31/2019	Title 13
Mon Point: 001	Cintas			
<b>040</b>	<b>Craddock Finishing</b>	1/1/2015	12/31/2019	433
Mon Point: 001	Craddock Finishing			
<b>054</b>	<b>Crescent Plastics Inc.</b>	1/1/2015	12/31/2019	463
Mon Point: 001	Crescent Plastics Inc.			
<b>006</b>	<b>Deaconess Hospital</b>	1/1/2015	12/31/2019	Title 13
Mon Point: 001	Deaconess Hospital 1 (Parking Lot)			
Mon Point: 002	Deaconess Hospital 2 (MRI)			
Mon Point: 003	Deaconess Hospital 3 (Laundry)			



**1) List of POTW'S Industrial Users****IU Monitoring Points Summary 2017**

<b>Industry No:</b>	<b>Industry:</b>	<b>Effective Date:</b>	<b>Expiration Date:</b>	<b>EPA Category:</b>
<b>053</b>	<b>Ditto Sales</b>	1/1/2015	12/31/2019	433
Mon Point: 001	Ditto Sales			
<b>036</b>	<b>DSM Engineering Plastics</b>	1/1/2015	12/31/2019	463
Mon Point: 001	DSM Engineering Plastics			
<b>045</b>	<b>EMI</b>	1/1/2015	12/31/2019	433
Mon Point: 001	EMI			
<b>070</b>	<b>Evansville Brewhouse LLC</b>	5/18/2016	12/31/2019	Title 13
Mon Point: 001	Evansville Brewhouse LLC			
<b>017</b>	<b>Evansville Courier Co.</b>	1/1/2015	08/09/2017	Title 13
Mon Point: 001	Evansville Courier Co. 1			
Mon Point: 002	Evansville Courier Co. 2			
<b>052</b>	<b>Guardian Automotive Trim /SRG</b>	1/1/2015	12/31/2019	433
Mon Point: 001	Guardian Automotive Trim 1 (Street)			
Mon Point: 002	Guardian Automotive Trim 2 (Building)			
<b>003</b>	<b>Hartford Bakery</b>	1/1/2015	12/31/2019	Title 13
Mon Point: 001	Hartford Bakery			
<b>004</b>	<b>Hoosier Stamping Franklin</b>	1/1/2015	12/31/2019	433
Mon Point: 001	Hoosier Stamping Franklin			
<b>010</b>	<b>Hoosier Stamping Schrader</b>	1/1/2015	12/31/2019	433
Mon Point: 001	Hoosier Stamping Schrader			
<b>051</b>	<b>Indiana Tube Corporation</b>	1/1/2015	12/31/2019	433
Mon Point: 001	Indiana Tube Corporation			
<b>072</b>	<b>JIC Enterprises Inc.</b>	9/1/2017	12/31/2019	463
Mon Point: 001	Manhole inside the building			
<b>071</b>	<b>Kerry Ingredients Inc.</b>	1/1/2017	12/31/2019	Title 13
Mon Point: 001	Kerry Ingredients Inc.			
<b>Industry No:</b>	<b>Industry:</b>			
<b>008</b>	<b>Master Manufacturing Co.</b>	1/1/2015	12/31/2019	433
Mon Point: 001	Master Manufacturing Co.			

**1) List of POTW'S Industrial Users****IU Monitoring Points Summary 2017**

<b>Industry No:</b>	<b>Industry:</b>	<b>Effective Date:</b>	<b>Expiration Date:</b>	<b>EPA Category:</b>
<b>039</b>	<b>Mead Johnson &amp; Company LLC</b>	1/1/2015	12/31/2019	Title 13
Mon Point: 001	Mead Johnson & Company LLC 1			
Mon Point: 002	Mead Johnson & Company LLC 2			
Mon Point: 003	Mead Johnson & Company LLC 3			
Mon Point: 005	Mead Johnson & Company LLC 5			
<b>061</b>	<b>Omni Plastics LLC</b>	1/1/2015	12/31/2019	463
Mon Point: 001	Omni Plastics LLC			
<b>020</b>	<b>PGP International Inc.</b>	1/1/2015	12/31/2019	Title 13
Mon Point: 001	PGP International Inc.			
<b>024</b>	<b>Pittsburg Glass Works LLC</b>	1/1/2015	12/31/2019	426
Mon Point: 001	Pittsburg Glass Works LLC			
<b>005</b>	<b>Red Spot Paint</b>	1/1/2015	12/31/2019	446
Mon Point: 001	Red Spot Paint			
<b>018</b>	<b>Royal Crown Bottling Corp.</b>	1/1/2015	12/31/2019	Title 13
Mon Point: 001	Royal Crown Bottling Corp.			
<b>037</b>	<b>St. Vincent Evansville</b>	1/1/2015	12/31/2019	Title 13
Mon Point: 001	St. Mary's Medical Center			
<b>002</b>	<b>Tin Man Brewing Company</b>	1/1/2015	12/31/2019	Title 13
Mon Point: 001	Tin Man Brewing Company			

Highlighted text differentiates different industries in this report.

End of section.

**1) List of POTW'S Industrial Users****IU Monitoring Points Summary 2017**

**2) Summary of Industrial User Compliance****Status of IU Compliance (Summary) 2017**

Facility No	Facility	Always Compliant	In Minor NC	In SNC	On Compliance Schedule	Return to Compliance	Published for SNC
015-1	A. Schulman Inc.	✓		No	No	NA	NA
073	A. Schulman In. (Matrix)	✓		No	No	NA	NA
059	ACE Extrusion LLC	✓		No	No	NA	NA
025	Ameriquel Foods	✓		No	No	NA	NA
050	Aramark Inc.		✓	No	No	Yes	NA
023	Azteca Milling L. P.		➤	Yes	No	Yes	Yes
007	BFI	✓		No	No	NA	NA
011	Bootz Manufacturing Co.		✓	No	No	Yes	NA
009	Carson's Brewery		✓	No	No	Yes	NA
021	Cintas		✓	No	No	Yes	NA
040	Craddock Finishing	✓		No	No	NA	NA
054	Crescent Plastics Inc.	✓		No	No	NA	NA
006	Deaconess Hospital		✓	No	No	Yes	NA
053	Ditto Sales		✓	No	No	Yes	NA
036	DSM Engineering Plastics	✓		No	No	NA	NA
045	EMI		✓	No	No	Yes	NA
070	Evansville Brewhouse LLC	✓		No	No	NA	NA
017	Evansville Courier Co.		✓	No	No	Yes	NA

**2) Summary of Industrial User Compliance****Status of IU Compliance (Summary) 2017**

Facility No	Facility	Always Compliant	In Minor NC	In SNC	On Compliance Schedule	Return to Compliance	Published for SNC
052	Guardian Automotive Trim		✓	No	No	Yes	NA
003	Hartford Bakery		✓	No	No	Yes	NA
004	Hoosier Stamping Franklin	✓		No	No	NA	NA
010	Hoosier Stamping Schrader	✓		No	No	NA	NA
051	Indiana Tube Corporation	✓		No	No	NA	NA
072	JIC Enterprise Inc.		✓	No	No	Yes	NA
071	Kerry Ingredients Inc.		➤	Yes	Yes	No	Yes
008	Master Manufacturing Co.		➤	Yes	No	Yes	Yes
039	Mead Johnson & Company LLC		✓	No	No	Yes	NA
061	Omni Plastics LLC	✓		No	No	N/A	NA
020	PGP International Inc.		✓	No	No	Yes	NA
024	Pittsburg Glass Works LLC	✓		No	No	NA	NA
005	Red Spot Paint	✓		No	No	NA	NA
018	Royal Crown Bottling Corp.		✓	No	No	Yes	NA
037	St. Vincent Evansville	✓		No	No	N/A	NA
002	Tin Man Brewing Company		✓	No	No	Yes	NA

➤ Indicates SNC Enforcement Action

## **2) Summary of Industrial User Compliance**

### **Status of IU Compliance (Summary) 2017**

#### **Detailed description of SNC violations**

##### **First SNC IWP071Kerry Inc. (2017)**

(IWP071), Kerry, Inc., 1515 Park Street, Evansville, Indiana 47710, met the definitions for both, Chronic Violations and Technical Review Criteria, failed to make oral notifications of its noncompliant status, failed to make written notifications within 5 days of its noncompliant status, failed to operate its facility as efficiently as possible, and failed in its duty to mitigate any adverse impact upon the POTW by allowing continued violations to occur.

##### **Second SNC IWP071 Kerry Inc.(2017)**

(IWP071) Kerry, Inc., met the definition of SNC for excessive Oil & Grease violations. In accordance with our Enforcement Response Plan (ERP), we recommended a compliance order and fine per violation. On February 6, 2018, the Utility Board approved our Administrative Order without the recommended fines. We are allowing until March 16, 2018, for Kerry to complete the recommended improvement projects.

##### **First SNC IWP023 Azteca Milling (2017)**

(IWP023), Azteca Milling L. P., 15700 Highway 41 North, Evansville, Indiana 47711, met the definitions for both, Chronic Violations and Technical Review Criteria, failed to make oral notifications of its noncompliant status, failed to make written notifications within 5 days of its noncompliant status, failed to operate its facility as efficiently as possible, and failed in its duty to mitigate any adverse impact upon the POTW by allowing continued violations to occur.

##### **First SNC (IWP008), Master Manufacturing Company, Inc. (2017)**

(IWP008), Master Manufacturing Company, Inc., 4703 O'Hara Drive, Evansville, Indiana 47711, Thirty-three percent of monthly average values for zinc exceeded the TRC limit for the six month period October 1, 2016 through March 31, 2017

End of Report.

## **2) Summary of Industrial User Compliance**

### **Status of IU Compliance (Summary) 2017**

**3) Summary of Compliance & Enforcement Activities****Inspection, Monitoring, Enforcement (Summary) 2017**

<b>Facility No</b>	<b>Facility</b>	<b>Number Of Inspections</b>	<b>Number Of Monitoring periods (1 – 8 Days) *</b>	<b>Enforcement activities</b>	
				<b>NOV's/ violations</b>	<b>Orders</b>
015-1	A. Schulman Inc.	1	2 (three outfalls)	0/0	0
073	A. Schulman Inc. (Matrix)	0	1	0/0	0
059	ACE Extrusion LLC	1	2	0/0	0
025	Ameriquel Foods	1	2	0/0	0
050	Aramark Inc.	1	2	4/3	0
023	Azteca Milling L. P.	3	2	12/44	1
007	BFI	1	2	0/0	0
011	Bootz Plumbingware	1	2	2/3	0
009	Carson's Brewery	1	2	3/6	0
021	Cintas	2	2	3/2	0
040	Craddock Finishing	1	2	0/0	0
054	Crescent Plastics Inc.	1	2	0/0	0
006	Deaconess Hospital	1	2 (three outfalls)	2/5	0
053	Ditto Sales	1	2	1/1	0
036	DSM Engineering Plastics	1	2	0/0	0
045	EMI	1	2	2/4	0
070	Evansville Brewhouse LLC	1	2	0/0	0

**3) Summary of Compliance & Enforcement Activities****Inspection, Monitoring, Enforcement (Summary) 2017**

<b>Facility No</b>	<b>Facility</b>	<b>Number Of Inspections</b>	<b>Number Of Monitoring periods (1 – 8 Days) *</b>	<b>Enforcement activities</b>	
				<b>NOV's/ violations</b>	<b>Orders</b>
017	Evansville Courier Co.	1	2	4/3	0
052	Guardian Automotive Trim	1	2 (two outfalls)	4/7	0
003	Hartford Bakery	1	2	2/4	0
004	Hoosier Stamping Franklin	1	2	0/0	0
010	Hoosier Stamping Schrader	1	2	0/0	0
051	Indiana Tube Corporation	1	2	0/0	0
072	JIC Enterprises Inc.	1	1	3/10	0
071	Kerry Ingredients Inc.	1	1	28/159	1**
008	Master Manufacturing Co.	1	2	3/12	1
039	Mead Johnson & Company	1	2 (three outfalls)	1/1	0
061	Omni Plastics LLC	1	2	0/0	0
020	PGP International Inc.	1	2	1/3	0
024	Pittsburg Glass Works LLC	1	2	0/0	0
005	Red Spot Paint	1	2	0/0	0
018	Royal Crown Bottling Corp.	1	2	1/1	0
037	St. Vincent Evansville	1	2	0/0	0
002	Tin Man Brewing	1	2	7/18	0

### **3) Summary of Compliance & Enforcement Activities**

#### **Inspection, Monitoring, Enforcement (Summary) 2017**

- \* Authority sampling (1-8 days) is a measure of a 24-hour composite sampler normally being set for a two week period, but only active Monday AM through Friday AM. Factors that can affect a week's sampling can be Holidays, weather conditions, staffing absences, lack of industrial flow, and equipment failure and batch discharges. These factors can reduce the scheduled four (4) samples normally acquired in a week. So if a "2" is reported, it is likely that 16 samples were taken during the year when not influenced by adverse factors.

#### **SNC Enforcement Activities- Administrative Compliance Orders**

##### **IWP008 Master Manufacturing Co. Inc.**

Master Manufacturing was issued an Administrative Compliance Order on May 9, 2017. Master Manufacturing met the definition for SNC. Specifically for the period 10/01/2016 through 3/31/2017 Master Manufacturing exceeded the TRC Monthly Average limit for the pollutant Zinc.

##### **IWP 023 Azteca Milling L.P.**

Azteca Milling was issued an Administrative Compliance Order on August 29, 2017. Azteca Milling met the definition for SNC. Specifically for the period 01/01/2017 through 6/30/2017, Azteca Milling exceeded the Chronic and TRC limits for the pollutant BOD5.

##### **\*\* IWP 071 Kerry Ingredients Inc.**

Kerry Ingredients Inc. was issued an Administrative Compliance Order on September 12, 2017. Kerry Ingredients Inc. met the definition for SNC. Specifically for the period 2/1/2017 through 7/31/2017, Kerry Ingredients Inc. exceeded the chronic limit for the pollutant pH.

Kerry Ingredients was issued an Administrative Compliance Order on February 6, 2018. This Order is not reflected in the count of Administrative Orders because it was issued in 2018. Specifically for the period 5/1/2017 through 10/31/2017 Kerry Ingredients Inc. exceeded the TRC limit for the pollutant Oil & Grease. Additional details of this Administrative Order may be found in Section (2) of this report.

All Administrative Orders may be found in Section 5 of this report.

End of Section.

### **3) Summary of Compliance & Enforcement Activities**

#### **Inspection, Monitoring, Enforcement (Summary) 2017**



**4) Changes to the POTW's Program not previously reported to the Approval Authority**

The following are changes to Evansville Water & Sewer Utility's Pretreatment Program / Sewer Use Ordinance that may have not been previously reported in our Quarterly reports.

**Ordinance—G2017-10** was passed by common council on June 26, 2017. This ordinance amends Subsection 13.20.100 (B) of Municipal Code. The Ordinance raised the fees paid by Permitted industries from \$446,300 .00 to \$554,800.00. A copy of the Ordinance can be found in Section 5 of this report.

**Ordinance G2017-30** added language to the Evansville Municipal Code that governs the standard type and capacity of grease traps in accordance with State requirements per 410 IAC 6-10.1 et seq. and the Evansville Water & Sewer Utility standards set forth in the Policy for Design, Installation & Maintenance of FOG Removal Systems guidance manual. Language was removed or added to clarify requirements for installing and maintaining adequate grease interceptors. These changes enhance the POTW's ability to control Fats Oil and Grease discharged by any customer. A copy of the Ordinance can be found in Section 5 of this report.

**Ordinance-G 2017-37** A request for approval was made to USEPA to allow us to use "Monthly Average Limits" for BOD and TSS as recommended in the most recent Local Limits evaluation. The recommended values for the "Monthly Average Limits" were 3694 mg/l and 2114 mg/l respectively. The Ordinance and subsequent code transcription used 3694 mg/l and 2114 mg/l as a "Daily Maximum Limit" instead of the Monthly Average Limit. In a letter from USEPA dated May 22, 2017, EPA found our request to change the frequency BOD5 and TSS limits from daily to monthly to be acceptable. On December 4, 2017 Common Council passed **Ordinance G 2017-37** with an effective date of January 1, 2018. In a letter dated January 19, 2018, USEPA approved this Ordinance. A copy of the Ordinance and copy of the January 19, 2018 letter can be found in Section 5 of this report.

- There were no changes to ERP.
- There were no changes in personnel.

End of Section.

**4) Changes to the POTW's Program not previously reported to the Approval Authority**

## PRETREATMENT PERFORMANCE SUMMARY

### I. GENERAL INFORMATION

Control Authority Name EVANSVILLE WATER & SEWER UTILITY  
 Address 1933 Allens Lane.  
Evansville, Indiana 47720  
 Contact Person Lloyd Lamberton  
 Telephone (812) 426-2820  
 NPDES Nos IN0033073 & IN0032956  
 Reporting Period 01/01/17 thru 12/31/17  
 Total Categorical IU 18  
 Significant Non-categorical IUs 16

I certify that the information contained is complete and accurate to the best of my knowledge.

 3/14/2018  
 Authorized Representative Date

### II. Significant Industrial User Compliance

Significant  
Industrial Users

	Categorical	Noncategorical
1.) No. Of SIUs Submitting BMRs/Number Required.....	<u>2/2</u>	<u>1/1</u>
2.) No. Of SIUs Submitting 90-Day Compliance Reports/Number Required.....	<u>0/0</u>	<u>0/0</u>
3.) No. Of SIUs Submitting Semiannual Reports/Number Required.....	<u>18/18</u>	<u>16/16</u>
4.) No. Of SIUs Submitting Compliance Schedules/Number to Meet Schedules.....	<u>1/1</u>	<u>0/0</u>
5.) No. Of SIUs in Significant Noncompliance/Total Number of SIUs.....	<u>1/18</u>	<u>2/16</u>
6.) Rate Of Significant Noncompliance for all SIUs .....	<u>2.9 %</u>	<u>05.9 %</u>

### III. Significant Industrial User Compliance

1.) No. Of Control Documents Issued/Number Required.....	<u>18/18</u>	<u>16/16</u>
2.) No. Of Non-sampling Inspections Conducted.....	<u>17</u>	<u>19</u>
3.) No. Of Sampling Visits Conducted..(individual samples).....	<u>353</u>	<u>365</u>
4.) No. Of Facilities Inspected (nonsampling).....	<u>17</u>	<u>16</u>
5.) No. Of Facilities Sampled.....	<u>18</u>	<u>16</u>

### IV. Enforcement Actions

1.) Compliance Schedules Issued/Schedules Required.....	<u>0/0</u>	<u>1/1</u>
2.) Notices of Violations Issued to SIUs.....	<u>15</u>	<u>68</u>
3.) Administrative Orders Issued to SIUs.....	<u>1</u>	<u>2</u>
4.) Civil Suits Filed.....	<u>0</u>	<u>0</u>
5.) Criminal Suits Filed.....	<u>0</u>	<u>0</u>
6.) Significant Violators (see newspaper publication in this Section).....	<u>1</u>	<u>2</u>
7.) Amount of Penalties Collected (total dollars/IUs assessed).....	<u>*\$500.00</u>	<u>\$179,511.00</u>
8.) Other Actions (sewer bans, etc.).....	<u>0</u>	<u>0</u>

Ordinance Changes

# PASSED

ORDINANCE – G-2017-10

INTRODUCED BY: Justin Elpers  
COMMITTEE: Public Works

**AN ORDINANCE AMENDING CHAPTER 13.20  
(WASTEWATER DISCHARGE REGULATIONS)  
OF THE EVANSVILLE MUNICIPAL CODE**

WHEREAS, the City Council of the City of Evansville, Indiana ("City Council") upon recommendation of the Evansville Water & Sewer Utility Board wishes to amend Chapter 13.20 of the Evansville Municipal Code and its provisions relating to permit fees.

NOW, THEREFORE, BE IT HEREBY ORDAINED by the City Council of the City of Evansville, Indiana that Chapter 13.20 of the Evansville Municipal Code is hereby amended as follows:

SECTION 1. AMENDMENT OF SECTION 13.20.100(B) OF THE EVANSVILLE MUNICIPAL CODE.

Section 13.20.100(B) of the Evansville Municipal Code shall be amended as follows:

(B) Permit fees will be due annually. The permit fee for the period beginning January 1, 1987, shall be \$50.00 per permittee facility. Prorated annual fees will be due semi-annually with the program cost being prorated based on the total of industrial wastewater contributed by each permitted industry. The percentage of flow contributed by each permitted industry will be based on actual industrial wastewater discharge. The prorated annual fee for the 12-month period beginning July 1, 2017 shall be \$554,800.00, which shall be apportioned among each permitted industry on a prorated basis. Before July 1, 2018, and each July 1<sup>st</sup> thereafter, the Common Council shall establish both the permit fee and the prorated annual fee for the next 12-month period. Should the Common Council fail to establish the permit fee or the prorated annual fee for any year, the permit fee and the prorated annual fee for that year shall be the same as the permit fee and the prorated annual fee for the preceding year.

SECTION 2 . EFFECTIVE DATE.

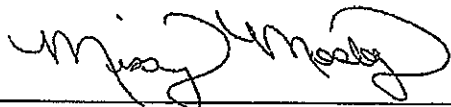
This Ordinance shall be in full force and effect after its passage by the City Council and signing by the Mayor.


**FILED**

JUN 07 2017

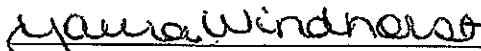
*Anna Widen*  
CITY CLERK

PASSED BY the Common Council of the City of Evansville, Indiana, on the 26 day of June, 2017, and on said day signed by the President of the Common Council and attested by the City Clerk.

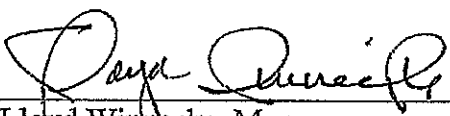
  
Missy Mosby, President of the Common Council,  
City of Evansville, Indiana

ATTEST:   
Laura Windhorst, City Clerk  
City of Evansville, Indiana

Presented by me, the undersigned City Clerk of the City of Evansville, Indiana, to the Mayor of said city, this 27 day of June, 2017, at 3 o'clock P.m. for his consideration and action thereon.

  
Laura Windhorst, City Clerk  
City of Evansville, Indiana

Having examined the foregoing ordinance, I do now, as Mayor of the City of Evansville, Indiana, approve said ordinance and return the same to the City Clerk this 28<sup>th</sup> day of JUNE, 2017, at 8:00 o'clock A.m.

  
Lloyd Winnecke, Mayor  
City of Evansville, Indiana

APPROVED AS TO FORM  
BY TED C. ZIEMER, JR., CORPORATION COUNSEL

# PERMANENT RECORD PASSED

ORDINANCE – G-2017-30  
AS AMENDED

INTRODUCED BY: JUSTIN ELPERS &  
JIM BRINKMEYER  
COMMITTEE: PUBLIC WORKS

## AN ORDINANCE AMENDING CHAPTER 13.05 (SEWERS) OF THE EVANSVILLE MUNICIPAL CODE

WHEREAS, the Evansville Water and Sewer Utility Department follows best practices set by the Indiana Administrative Code and the Uniform Plumbing Code (“Standards”); and

WHEREAS, as a result of changes and additions to the Standards, the Evansville Water and Sewer Utility recommends that Chapter 13.05 of the Evansville Municipal Code be amended; and

WHEREAS, the City Council of the City of Evansville (“City Council”) wishes to adopt such recommendations by amending Chapter 13.05 of the Evansville Municipal Code.

NOW, THEREFORE, BE IT HEREBY ORDAINED by the City Council of the City of Evansville, Indiana that Chapter 13.05 of the Evansville Municipal Code is hereby amended as follows:

### SECTION 1. AMENDMENT OF SUBSECTION 13.05.090 OF THE EVANSVILLE MUNICIPAL CODE.

Subsection 13.05.090 shall be amended and now read as follows:

13.05.090 Grease, oil or sand traps.

(A) Any building sewer which will have or has the potential to discharge waste containing grease, oil, sand or similar substances shall have a grease, oil and/or sand trap installed. A “grease trap” means a tank designed to intercept, congeal, and retain or remove fats, oils, and grease (“FOGs”) from sewage. Disposal to the sewers of mineral-based oils and greases is expressly prohibited. Grease traps shall not be required for private living quarters or dwelling units, but are mandatory for all restaurants and/or food preparation services. In no case, shall a grease trap be installed that does not meet or exceed the standards set forth in the Policy for Design, Installation, & Maintenance of FOG Removal Systems guidance manual, as may be amended from time to time. Grease traps shall be installed and maintained in such a manner as to provide at all times the effective removal of these substances before discharge to the public sewer. All grease traps shall be readily and easily accessible for cleaning and inspections and be of the standard type and capacity which meets State requirements per 410 IAC 6-10.1 *et seq.* and the Evansville Water and Sewer Utility standards set forth in the Policy for Design, Installation & Maintenance of FOG Removal Systems guidance manual, whichever is

**FILED**

SEP 20 2017

*Paula Winder*  
CITY CLERK

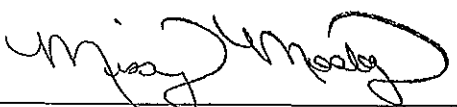
more restrictive. Additives which emulsify or impede the separation of oils and grease shall not be allowed. Where required under this section, the cost of and responsibility for installation and maintenance of the traps shall be the sole responsibility of the utility user. Establishments required to install and maintain a grease trap may request a copy of the Policy for Design, Installation, & Maintenance of FOG Removal Systems guidance manual from the Evansville Water and Sewer Utility.


(B) If a previously installed grease trap is replaced or cannot prevent said materials from entering the sewer system, then the replacement grease trap shall meet the requirements of subsection (A) of this section.

## SECTION 2. EFFECTIVE DATE

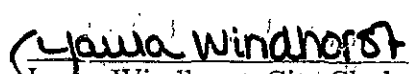
This Ordinance shall be in full force and effect after its passage by the City Council and signing by the Mayor.

PASSED BY the Common Council of the City of Evansville, Indiana, on the 9 day of ~~Oct~~, 2017, and on said day signed by the President of the Common Council and attested by the City Clerk.

  
Missy Mosby, President of the Common Council,  
City of Evansville, Indiana

ATTEST:   
Laura Windhorst City Clerk  
City of Evansville, Indiana

Presented by me, the undersigned City Clerk of the City of Evansville, Indiana, to the Mayor of said city, this 11 day of ~~Oct~~, 2017, at 4 o'clock P.m. for his consideration and action thereon.

  
Laura Windhorst, City Clerk  
City of Evansville, Indiana

PERMANENT RECORD  
**PASSED**

ORDINANCE – G-2017-37

INTRODUCED BY: JUSTIN ELPERS

**AN ORDINANCE AMENDING CHAPTER 13.20  
(WASTEWATER DISCHARGE REGULATIONS)  
OF THE EVANSVILLE MUNICIPAL CODE**

WHEREAS, the City Council of the City of Evansville, Indiana (“City Council”) upon recommendation of the Evansville Water and Sewer Utility wishes to amend Chapter 13.20 of the Evansville Municipal Code.

NOW, THEREFORE, BE IT HEREBY ORDAINED by the City Council of the City of Evansville, Indiana that Chapter 13.20 of the Evansville Municipal Code is hereby amended as follows:

**SECTION 1. AMENDMENT OF SECTION 13.20.070 OF THE EVANSVILLE MUNICIPAL CODE.**

Section 13.20.070 of the Evansville Municipal Code shall be amended to read as follows:

**13.20.070 Supplemental limitations.**

No industrial users shall discharge wastewater containing concentrations of the following materials, exceeding those values shown below:

<u>Pollutant</u>	<u>Daily Maximum Limits (mg/L)</u>
Cadmium (Cd)	1.3
Hexavalent Chromium (Cr+6)	3.1
Chromium (Cr) total	7.0
Copper (Cu)	4.5
Cyanide (CN-) total	1.9
Lead (Pb)	0.6
Mercury (Hg)	0.05
Nickel (Ni)	4.1
Silver (Ag)	1.0
Zinc (Zn)	4.2
Total Toxic Organics (TTOs)	20
Methylene Chloride	10
 <u>Monthly Average Maximum Limits (mg/L)</u>	
BOD	3,694
TSS	2,114

**FILED**

**NOV 20 2017**

*Jana Widenor*  
CITY CLERK

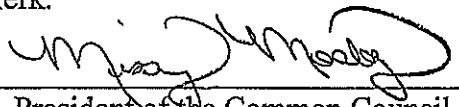


The discharge of polychlorinated biphenols (PCBs) is expressly prohibited. The control authority shall have the ability to control and set limits for other pollutants not specifically listed herein, when, in their opinion, those pollutants have the potential to affect any aspect of water quality. The control authority may develop best management practices (BMPs) by ordinance or in individual wastewater discharge permits to implement local pretreatment standards and the requirements of this chapter.

SECTION 2. EFFECTIVE DATE

This Ordinance shall be effective as of January 1, 2018.

PASSED BY the Common Council of the City of Evansville, Indiana, on the 4th day of December, 2017, and on said day signed by the President of the Common Council and attested by the City Clerk.

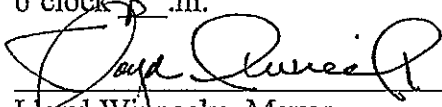
  
Missy Mosby, President of the Common Council,  
City of Evansville, Indiana

ATTEST: Laura Windhorst  
Laura Windhorst City Clerk  
City of Evansville, Indiana

Presented by me, the undersigned City Clerk of the City of Evansville, Indiana, to the Mayor of said city, this 6th day of Dec at 3 o'clock p.m. for his consideration and action thereon.

Laura Windhorst  
Laura Windhorst, City Clerk  
City of Evansville, Indiana

Having examined the foregoing ordinance, I do now, as Mayor of the City of Evansville, Indiana, approve said ordinance and return the same to the City Clerk this 8th day of Dec at 12:00 o'clock p.m.

  
Lloyd Wignicke, Mayor  
City of Evansville, Indiana

APPROVED AS TO FORM  
BY MARCO DELUCIO, CORPORATE COUNSEL



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

JAN 19 2018

REPLY TO THE ATTENTION OF:  
WN-15J

Lloyd Lamberton  
Pretreatment Coordinator  
Evansville Water & Sewer Utility  
1933 Allen Street  
Evansville, Indiana 47720

Re: Review and Final Approval of Modifications to Biochemical Oxygen Demand (BOD<sub>5</sub>) and Total Suspended Solids (TSS) Pretreatment Local Limits for the East and West Wastewater Treatment Plants of the Evansville Water & Sewer Utility (EWSU), Evansville, IN NPDES Permit Nos. IN0033073 and IN0032956

Dear Mr. Lamberton:

On January 21, 2015, the U.S. Environmental Protection Agency (EPA) approved revised BOD<sub>5</sub> and TSS limits for the Pretreatment program. The change in limits was based on the findings of a technical report by Greeley and Hansen dated May 7, 2014 and entitled *BOD and Total Suspended Solids Local Limit Evaluation Technical Memorandum*. The report recommended increasing the BOD<sub>5</sub> limit from 1,000 mg/l to 3,694 mg/l and the TSS limit from 1,000 mg/l to 2,114 mg/l. According to Kevin Kolb, the EWSU's Pretreatment Laboratory Manager, the new limits were intended to be monthly limits, but neither the report nor Ordinance No. G-2014-17, which codified the new local limits, stated whether they were daily or monthly. On December 6, 2017, the Common Council of the City of Evansville passed Ordinance No. G-2017-37, which includes all the EWSU Pretreatment local limits. This Ordinance explicitly states that the new BOD<sub>5</sub> and TSS limits shown above are monthly limits. Based on our review of the aforementioned technical report and Ordinance, the modifications are approved. We believe that the implementation of these modifications is consistent with the Federal requirements. Within 90 days, the EWSU should revise its Industrial User permits where necessary to reflect the new local limits. Please be advised that this approval applies only to EWSU's local limits. The Sewer Use Ordinance, the Enforcement Response Plan and statement of legal authority are still under review in this office. We will notify you of our findings on those documents by separate correspondence.

Thank you for your continued commitment to protect our nation's water resources. If you have any questions, please contact Jonathan J. Schweizer at (312) 886-0211, or by email at [schweizer.jonathan@epa.gov](mailto:schweizer.jonathan@epa.gov).

Sincerely,

Christopher Korleski, Director  
Water Division

cc: Natalie Maupin, IDEM

bcc: Newton Ellens, WC-15J  
Jonathan J. Schweizer, WN-15J  
Reading File  
Pretreatment Data Base

Path and File Name:

G:\NPDES\Working Documents\Pretreatment\INDIANA\IN0033073 -  
Evansville\IN0032956\_LL\_Final Letter\_2017\_12\_21.docx

Proof of Publication



Sales Rep: Erin Duffy (GW52)

Phone:

Email:

> Account Information

Date: 01/31/18

Account Number: EEW03 / 133993

Company Name: EVANSVILLE WATER/SEWER UTILITY

Contact Name:

Email: RGHIJSEN@EWSU.COM

Address: 1931 ALLENS LANE

ATTN ROGER JOHNSON, EVANSVILLE, IN, 47720

> Insertion Information

This is a proof of your ad scheduled to run on the dates indicated below.

Please confirm placement prior to deadline by contacting your account

rep at .

Ad Id: 1905310

P.O. Number:

Tag Line: PUBLIC NOTICE OF SIGNIFICANT NONCOMP

Start Date: 01/28/18

Stop Date: 01/28/18

Number of Times: 1

Classification Location: 16070

Publication: Evansville Courier & Press Total Cost: \$26.88

> Ad Proof

☒ I agree this ad is accurate and as ordered.

**PUBLIC NOTICE OF SIGNIFICANT NONCOMPLIANCE FOR INDUSTRIES IN EVANSVILLE INDIANA**

Pursuant to 40CFR 403.8 (f) (2)(vii); the Evansville Water & Sewer Utility is required to Public Notice the following list of Industrial Users which at any time during the previous 12 months were in Significant Noncompliance with applicable Pretreatment requirements. These violations are compiled from data collected during the calendar year 2017 by the Utility's Pretreatment department.

This notice is intended to inform the public that (IWP008), Master Manufacturing Company, Inc., 4703 O'Hara Drive, Evansville, Indiana 47711, exceeded the monthly average for Zinc.

This notice is intended to inform the public that (IWP023), Azteca Milling L.P., 15700 Highway 41 North, Evansville, Indiana 47711, met the definitions for both, Chronic Violations and Technical Review Criteria, failed to make oral notifications of its noncompliant status, failed to make written notifications within 5 days of its noncompliant status, failed to operate its facility as efficiently as possible, and failed in its duty to mitigate any adverse impact upon the POTW by allowing continued violations to occur.

This notice is intended to inform the public that (IWP071), Kerry, Inc., 1515 Park Street, Evansville, Indiana 47710, met the definitions for both, Chronic Violations and Technical Review Criteria, failed to make oral notifications of its noncompliant status, failed to make written notifications within 5 days of its noncompliant status, failed to operate its facility as efficiently as possible, and failed in its duty to mitigate any adverse impact upon the POTW by allowing continued violations to occur. (Courier & Press, Jan 28, 2018)

hspxxp

Thank you for your business. Our commitment to a quality product includes the advertising in our publications. As such, Gannett reserves the right to categorize, edit and refuse certain classified ads. Your satisfaction is important. If you notice errors in your ad, please notify the classified department immediately so that we can make corrections before the second print date. The number to call is 812-461-1200. Allowance may not be made for errors reported past the second print date. The Evansville Courier & Press and the Henderson Gleaner may not issue refunds for classified advertising purchased in a package rate; ads purchased on the open rate may be pro-rated for the remaining full days for which the ad did not run.

# Administrative Orders

LLOYD WINNECKE  
MAYOR



Kevin Kolb  
Pretreatment Laboratory Manager

## EVANSVILLE WATER & SEWER UTILITY

1933 Allens Lane, Evansville, IN 47720  
(812) 426-2820 FAX (812) 426-2833

IN THE MATTER OF: **IWP008**

May 09, 2017

John Gannon  
President  
Master Manufacturing. Co. Inc.  
4703 O'Hara Drive  
Evansville, Indiana 47711

\*  
\*  
\*  
\*  
\*  
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**ADMINISTRATIVE**

**COMPLIANCE**

**ORDER**

### LEGAL AUTHORITY

The following findings are made and notice issued pursuant to the authority vested in the Pretreatment Program, under Chapter 13.20 of Title 13. of the Evansville Municipal Code. This order is based on the findings of violation of the conditions of the wastewater discharge permit issued under Chapter 13.05. & 13.20 of the City of Evansville's Sewer Ordinance and 40CFR Part 403.8(f) (2) (viii)

## FINDINGS

1. Master Manufacturing. Co. Inc discharges nondomestic wastewater containing pollutants into the sanitary sewer system of the City of Evansville (hereafter, "City").
2. Master Manufacturing. Co. Inc is an "industrial user" as defined by Section 13.20.10 of the City's Waste Water Discharge Regulations.
3. Master Manufacturing. Co. Inc was issued a wastewater discharge permit on January 1, 2015. This permit contains prohibitions, restrictions, and other limitations on the quality of the wastewater it discharges to the sanitary sewer.
4. Pursuant to the ordinance and the above-referenced permit, data is routinely collected or submitted on the compliance status of Master Manufacturing. Co. Inc.
5. Data shows that Master Manufacturing. Co. Inc has violated the City Ordinance and their Industrial Wastewater Discharge Permit (IWP008) as further described below.
  1. You exceeded the monthly average for Zinc during December 2016. A value of 1.52mg/L was reported. The monthly average is 1.48mg/L.
  2. You exceeded the monthly average for Zinc during January 2017. A value of 3.63 mg/L was reported. The monthly average is 1.48mg/L. \*\*
  3. You exceeded the monthly average for Zinc during February 2017. A value of 3.18mg/L was reported. The monthly average is 1.48mg/L.\*\*

Two of these violations meet the definition of "Significant Noncompliance" as defined in 40CFR Part 403.8 (f) (2) (viii) and Chapter 13 of City Code. \*\*



**ORDER**

**THEREFORE BASED ON THE ABOVE FINDINGS, Master Manufacturing Co. Inc. IS  
HEREBY ORDERED TO:**

1. Within ten (10) days, pay to the cashiers office of Evansville Water & Sewer Utility a fine of **\$250.00** for each Significant Non Compliance violation or a total of **\$500.00**
2. Within sixty (60) days, report to the Pretreatment Coordinator, on the any & all findings that led to the violations. Include any action plan detailing corrective action to prevent further violations.

This Order does not constitute a waiver of the discharge permit, which remains in full force and effect. The city of Evansville Indiana reserves the right to seek any and all remedies to it under Section 13 of the Sewer Use Ordinance for any violation cited by this Order.

This Order, entered this 9<sup>th</sup> day of May 2017 shall be effective upon receipt by **Master Manufacturing Co. Inc.**

**Evansville Water & Sewer Utility**

Signed   
Mike Weber  
Board Member

LLOYD WINNECKE  
MAYOR



KEVIN KOLB  
PRETREATMENT MANAGER

## EVANSVILLE WATER & SEWER UTILITY

1 N.W. MARTIN LUTHER KING JR. BLVD, ROOM 104, EVANSVILLE, INDIANA 47708

PO Box 19, Evansville, IN 47740-0001

(812) 436-7846 FAX (812) 436-7863

IN THE MATTER OF: **IWP023**

August 29, 2017

Dana Harrison  
Environmental Manager  
Azteca Milling L.P.  
15700 Highway 41 North  
EVANSVILLE, IN 47711

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*ADMINISTRATIVE*

*COMPLIANCE*

*ORDER*

### LEGAL AUTHORITY

The following findings are made and notice issued pursuant to the authority vested in the Pretreatment Program, under Chapter 13.20 of Title 13 of the Evansville Municipal Code. This order is based on the findings of violation of the conditions of the wastewater discharge permit issued under Chapter 13.05. & 13.20 of the City of Evansville's Sewer Ordinance and 40CFR Part 403.

### FINDINGS

1. Azteca Milling L.P. discharges nondomestic wastewater containing pollutants into the sanitary sewer system of the City of Evansville (hereafter, "City").
2. Azteca Milling L.P. is an "industrial user" as defined by Section 13.20.10 of the City's Waste Water Discharge Regulations.
3. Azteca Milling L.P. was issued a wastewater discharge permit on January 1, 2015. This permit contains prohibitions, restrictions, and other limitations on the quality of the wastewater it discharges to the sanitary sewer.
4. Pursuant to the ordinance and the above-referenced permit, data is to be routinely collected or submitted on the compliance status of Azteca Milling L.P.

5. The Aztecca Milling L.P. has violated the City Ordinance and their Industrial Wastewater Discharge Permit (IWP023) as further described below.

A. Aztecca Milling L.P. has violated its Industrial Wastewater Discharge Permit IWP023 in the following manner:

During the last six (6) month period (January 2017 through June 2017), Azteca exceeded the limit of 3,694mg/L for BOD, twenty six (26) times as listed below.

BOD-5 Sampling and analyses results detail:			Exceed			Exceed		
			Daily samples	Daily limit	%	TRC	%	
			35	26	74% ++	17	49% ***	
Sample ID	Auth?	MonPoint Type	Sampled	Units	Result	Flags	Limit	
023-010617-001		IU	001	COMP	01-06-2017		mg/L 2697	3694
023-011317-001		IU	001	COMP	01-13-2017		mg/L 3744	D 3694
023-012017-001		IU	001	COMP	01-20-2017		mg/L 4374	D 3694
023-012717-001		IU	001	COMP	01-27-2017		mg/L 4200	D 3694
023-013117-001		A	001	COMP	01-31-2017		mg/L 2020	3694
023-020117-001		A	001	COMP	02-01-2017		mg/L 1770	3694
023-020317-001		IU	001	COMP	02-03-2017		mg/L 4584	D 3694
023-020617-001		A	001	COMP	02-06-2017		mg/L 6830	D T 3694
023-020717-001		A	001	COMP	02-07-2017		mg/L 7350	D T 3694
023-020817-001		A	001	COMP	02-08-2017		mg/L 5690	D T 3694
023-020917-001		A	001	COMP	02-09-2017		mg/L 5200	D T 3694
023-021017-001		IU	001	COMP	02-10-2017		mg/L 3532	3694
023-021317-001		A	001	COMP	02-13-2017		mg/L 5410	D T 3694
023-021417-001		A	001	COMP	02-14-2017		mg/L 5280	D T 3694
023-021517-001		A	001	COMP	02-15-2017		mg/L 5150	D 3694
023-021717-001		IU	001	COMP	02-17-2017		mg/L 6430	D T 3694
023-022417-001		IU	001	COMP	02-24-2017		mg/L 6115	D T 3694
023-030317-001		IU	001	COMP	03-03-2017		mg/L 4230	D 3694
023-031017-001		IU	001	COMP	03-10-2017		mg/L 8940	D T 3694
023-031717-001		IU	001	COMP	03-17-2017		mg/L 6000	D T 3694
023-032417-001		IU	001	COMP	03-24-2017		mg/L 5160	D 3694
023-033117-001		IU	001	COMP	03-31-2017		mg/L 9810	D T 3694
023-040717-001		IU	001	COMP	04-07-2017		mg/L 9330	D T 3694
023-041417-001		IU	001	COMP	04-14-2017		mg/L 12000	D T 3694
023-042117-001		IU	001	COMP	04-21-2017		mg/L 10350	D T 3694
023-042817-001		IU	001	COMP	04-28-2017		mg/L 7260	D T 3694
023-050517-001		IU	001	COMP	05-05-2017		mg/L 630	3694
023-051217-001		IU	001	COMP	05-12-2017		mg/L 5230	D T 3694
023-051917-001		IU	001	COMP	05-19-2017		mg/L 1293	3694
023-052617-001		IU	001	COMP	05-26-2017		mg/L 1103	3694
023-053017-001		A	001	COMP	05-30-2017		mg/L 6600	D T 3694
023-053117-001		A	001	COMP	05-31-2017		mg/L 4370	D 3694
023-060117-001		A	001	COMP	06-01-2017		mg/L 4870	D 3694
023-062217-001		IU	001	COMP	06-22-2017		mg/L 1436	3694
023-063017-001		IU	001	COMP	06-30-2017		mg/L 999	3694

Violation Types:

D - Exceeded Daily Limit

M - Exceeded Monthly Average Limit

T - Exceeded Technical Review Criteria Limit

+++ - Chronic SNC Violation

\*\*\* - TRC SNC Violation

- B. **Azteca Milling L.P.** has violated its Industrial Wastewater Discharge Permit IWP023 in the following manner:

During the last six (6) month period (January 2017 through June 2017), Azteca exceeded the limit of 2,114mg/L for TSS, seven (7) times.

- C. **Milling L.P.** has violated its Industrial Wastewater Discharge Permit IWP023 in the following manner:

On eighteen (18) separate occasions Azteca failed to make oral notifications of its noncompliant status with regard to wastewater discharges as required in your permit Part I(D)(7)(a).

- D. **Azteca Milling L.P.** has violated its Industrial Wastewater Discharge Permit IWP023 in the following manner:

On fourteen (14) separate occasions Azteca failed to make written notifications within 5 days of its noncompliant status with regard to wastewater discharges as required in your permit Part I(D)(7)(b).

- E. **Azteca Milling L.P.** has violated its Industrial Wastewater Discharge Permit IWP023 in the following manner:

Azteca failed to operate its facility as efficiently as possible as required in your permit Part II (A)(4). This is evidenced by the rapid deterioration of your effluent beginning in early January 2017 and continuing through June 2017.

- F. **Azteca Milling L.P.** has violated its Industrial Wastewater Discharge Permit IWP023 in the following manner:

Azteca failed in its Duty to Mitigate (Part II (A)(5)) any adverse impact upon the POTW by allowing continued violations to occur. Dating from November 2016 until May 2017.

- G. **Azteca Milling L.P.** has violated its Industrial Wastewater Discharge Permit IWP023 in the following manner:

Azteca has shown a pattern of consistently being unable to comply with the terms and conditions of their permit during cool weather months (i.e. 2005/2007 Compliance Orders). Though there has been improvement, recent expansion has caused many of these issues to resurface. In years past, Compliance Schedules, listing of Significant Non-Compliance

(SNC) and Administrative Orders have all been employed to try and resolve the discharge issues with limited success.

6. Azteca Milling L.P. is considered to be in Significant Noncompliance (SNC) as promulgated in 40 CFR 403.8(f) (2) (viii) and the City Ordinance 13.20 for the following parameters;

(a) Chronic violations of wastewater discharge limits, defined here as those in which sixty-six percent (66%) or more of all of the measurements taken during a six-month period exceed (by any magnitude) the daily maximum limit or the average limit for the same pollutant parameter

(b) Technical Review Criteria (TRC) violations, defined here as those in which thirty- three percent (33%) or more of all of the measurements for each parameter taken during a six month period equal or exceed the product of the daily maximum limit or average limit multiplied by the applicable TRC factor (1.4 for BOD & TSS)

(c) Any other violation of a pretreatment effluent limit (daily maximum or longer-term average) that the Control Authority determines has caused, alone or in combination with other discharges, interference or pass through (including endangering the health of POTW personnel or the general public);

(f) Failure to provide, within 30 days after the due date, required reports such as baseline monitoring reports, 90- day compliance reports, Periodic self-monitoring reports on compliance, and reports on compliance with compliance schedules.

(g) Failure to accurately report noncompliance.

(h) Any other violation or group of violations, which the Control Authority determines, will adversely affect the operation or implementation of the local pretreatment program.

## ORDER

Therefore, based on the above findings, Azteca Milling L.P. is hereby ordered to:

1. Within thirty days (30) days of signing this Order, Azteca Milling L.P. shall study the issue and to return a study report containing a plan of rectification that may include purchasing and installing equipment.
2. Within sixty days (60) days of signing this Order, Azteca Milling L.P. shall supply the study report to the Laboratory Manager. Included in the report shall be a timetable for completion of the remedial action(s).
3. Within ninety (90) days, the recommended study improvements (Project) shall be completed. Failure to comply may result in possible daily fines up to \$2500.00 and a reduction in flow and/or loadings discharge to the sewer.
4. Azteca Milling L.P. shall pay to the Evansville Water & Sewer Utility cashiers office the following fines associated with failure to adhere to the various requirements of the Ordinance and the wastewater discharge permit:
  - A. \$2500.00 for each of twenty-six (26) instances where results in excess 3,694 mg/l BOD were detected, or a total of \$65,500.00
  - B. \$2500.00 for each of seven (7) instances where results in excess 2,114 mg/l TSS were detected, or a total of \$17,500.00
  - C. \$250.00 for each of eighteen (18) instances where Azteca failed to make oral notifications of its noncompliant status with regard to wastewater discharges as required in your permit Part I(D)(7)(a), or a total of \$4,500.00.
  - D. \$250.00 for each of fourteen (14) instances where Azteca failed to make written notification within 5 days of its noncompliant status with regard to wastewater discharges as required in your permit Part I(D)(7)(a), or a total of \$3,500.00.
  - E. \$2500.00 for failure to efficiently operate your wastewater pretreatment facility
  - F. \$2500.00 for failure to mitigate (Part II (A) (5)) any adverse impact upon the POTW by allowing continued violations to occur.
  - G. \$2500.00 for showing a pattern of consistently being unable to comply with the terms and conditions of their permit

H. \$2500.00 for each of the six (6) violations of Significant Non Compliance (SNC) totaling \$15,000.00.

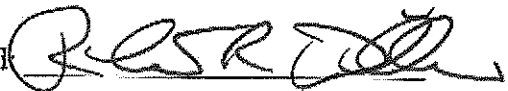
5. Within thirty (30) days, Azteca Milling L.P shall pay to the cashier's office of Evansville Water & Sewer Utility a total penalty of \$113,500.00 for the sum of the violations.
6. All reports and notices required by this Order shall be mailed to the following address:

Mr. Kevin Kolb  
Laboratory Pretreatment Manager  
Evansville Waste Water Laboratory  
1933 Allen's Lane  
Evansville, Indiana 47720

This Order does not constitute a waiver of the discharge permit which remains in full force and effect. The city of Evansville Indiana reserves the right to seek any and all remedies to it under Section 13 of the Sewer Use Ordinance for any violation cited by this Order.

This Order, entered this 29<sup>th</sup> day of August 2017 shall be effective upon receipt by Azteca Milling L.P

Signed



Robert Dillow  
Board President  
Evansville Water & Sewer Utility

ATTEST:



Vivian Holiday

Evansville Water & Sewer Utility

LLOYD WINNECKE  
MAYOR



KEVIN KOLB  
PRETREATMENT & LABORATORY MANAGER

## EVANSVILLE WATER & SEWER UTILITY

1933 ALLEN LANE, EVANSVILLE, INDIANA 47720  
OFFICE (812)426-2820 FAX (812)426-2823

IN THE MATTER OF: **IWP071**

September 12, 2017

### ADMINISTRATIVE COMPLIANCE ORDER

Joe Stellern  
Site Manager  
**Kerry, Inc**  
1515 Park Street  
EVANSVILLE, IN 47710

### LEGAL AUTHORITY

The following findings are made and notice issued pursuant to the authority vested in the Pretreatment Program, under Chapter 13.20 of Title 13 of the Evansville Municipal Code. This order is based on the findings of violation of the conditions of the wastewater discharge permit issued under Chapter 13.05 and /or Chapter 13.20 of the City of Evansville's Sewer Ordinance.

### FINDINGS

1. **Kerry, Inc.** discharges nondomestic wastewater containing pollutants into the sanitary sewer system of the City of Evansville (hereafter, "City").
2. **Kerry, Inc.** is an "Industrial user" as defined by 13.20.010 of the City's Sewer Use Ordinance.
3. **Kerry, Inc.** was issued a wastewater discharge permit on (Month, Day, and Year). This permit contains prohibitions, restrictions, and other limitations on the quality of the wastewater it discharges to the sanitary sewer.
4. Pursuant to the ordinance and the above-referenced permit, data is routinely collected or submitted on the compliance status of **Kerry, Inc.**
5. **Kerry, Inc.** has violated the City Ordinance and their Industrial Wastewater Discharge Permit (IWP071) as further described below.



- A. **Kerry, Inc.** has violated its Industrial Wastewater Discharge Permit IWP071 in the following manner:

During the last six (6) month period (February 2017 through July 2017), Kerry exceeded the limit of 3,694mg/L for BOD, twenty (20) times.

- B. **Kerry, Inc.** has violated its Industrial Wastewater Discharge Permit IWP071 in the following manner:

During the last six (6) month period (February 2017 through July 2017), Kerry exceeded the limit of 2,114mg/L for TSS, ten (10) times.

- C. **Kerry, Inc.** has violated its Industrial Wastewater Discharge Permit IWP071 in the following manner:

During the last six (6) month period (February 2017 through July 2017), Kerry exceeded the limit of 200mg/L for Oil & Grease, three (3) times.

- D. **Kerry, Inc.** has violated its Industrial Wastewater Discharge Permit IWP071 in the following manner:

During the last six (6) month period (February 2017 through July 2017), Kerry exceeded the limits for pH, a range from 5-11 SU, thirty five (35) times.

- E. **Kerry, Inc.** has violated its Industrial Wastewater Discharge Permit IWP071 in the following manner:

On sixty-three (63) separate occasions Kerry failed to make oral notifications of its noncompliant status with regard to wastewater discharges as required in your permit Part I(D)(7)(a).

- F. **Kerry, Inc.** has violated its Industrial Wastewater Discharge Permit IWP071 in the following manner:

On sixty-three (63) separate occasions Kerry failed to make written notifications of its noncompliant status with regard to wastewater discharges as required in your permit Part I(D)(7)(b).

- G. **Kerry, Inc.** has violated its Industrial Wastewater Discharge Permit IWP071 in the following manner:

Kerry failed to operate its facility as efficiently as possible as required in your permit Part II (A)(4). This is evidenced by the poor quality of your effluent beginning in early February 2017 and continuing through June 2017.

- H. **Kerry, Inc.** has violated its Industrial Wastewater Discharge Permit IWP071 in the following manner:

Kerry failed in its duty to mitigate (Part II (A)(5)) any adverse impact upon the POTW by allowing continued violations to occur.

- I. **Kerry, Inc.** has violated its Industrial Wastewater Discharge Permit IWP023 in the following manner:

Kerry has shown a pattern of consistently being unable to comply with the terms and conditions of their permit.

6. **Kerry, Inc.** is considered to be in Significant Noncompliance (SNC) as promulgated in 40 CFR 403.8(f) (2) (viii) and the City Ordinance 13.20 for the following parameters;

- Chronic violations of wastewater discharge limits; defined here as those in which sixty-six percent (66%) or more of all of the measurements taken during a 6-month period exceed the (by any magnitude) the daily maximum limit or the average limit for the same pollutant parameter
- Any other violation of a pretreatment effluent limit (daily maximum or longer-term average) that the Control Authority determines has caused, alone or in combination with other discharges, interference or pass through (including endangering the health of POTW personnel or the general public);
- Failure to provide, within 30 days after the due date, required reports such as baseline monitoring reports, 90- day compliance reports, Periodic self-monitoring reports on compliance, and reports on compliance with compliance schedules.
- Failure to accurately report noncompliance.
- Any other violation or group of violations, which the Control Authority determines, will adversely affect the operation or implementation of the local pretreatment program.

#### **ORDER**

Therefore, based on the above findings, **Kerry, Inc.** is hereby ordered to:

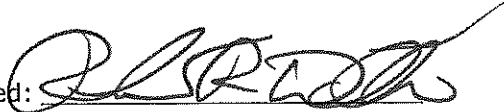
1. Within thirty days (30) days of signing this Order, **Kerry, Inc.** shall study the issue and is to return a study report containing a plan of rectification that may include purchasing and installing equipment.
2. Within sixty days (60) days of signing this Order, **Kerry, Inc.** shall supply the study report to the Laboratory Manager. Included in the report shall be a timetable for completion of the remedial action(s).
3. Within ninety (90) days, the recommended study improvements (Project) shall break ground. Failure to comply may result in possible daily fines up to \$2500.00 and/or possible disconnection from the sewer.
4. **Kerry, Inc.** shall pay to the **Evansville Water & Sewer Utility** cashiers office the following fines associated with failure to adhere to the various requirements of the Ordinance and the wastewater discharge permit:
  - A. **\$250.00** for each of twenty (20) instances where results in excess 3,694 mg/l BOD were detected, or a total of **\$5,000.00.**
  - B. **\$250.00** for each of ten (10) instances where results in excess 2,114 mg/l TSS were detected, or a total of **\$2,500.00.**

- C. **\$2500.00** for each of thirty-five (35) instances where results were detected outside of the range of 5-11 SU for pH, or a total of **\$87,500.00.**
  - D. **\$250.00** for each of three (3) instances where results in excess 200 mg/l Oil & Grease were detected, or a total of **\$750.00.**
  - E. **\$250.00** for each of sixty three (63) instances where Kerry failed to make oral notifications of its noncompliant status with regard to wastewater discharges as required in your permit Part I(D)(7)(a), or a total of **\$15,750.00.**
  - F. **\$250.00** for each of sixty three (63) instances where Kerry failed to make written notifications of its noncompliant status with regard to wastewater discharges as required in your permit Part I(D)(7)(a), or a total of **\$15,750.00**
  - G. **\$2500.00** for failure to efficiently operate your wastewater pretreatment facility
  - H. **\$2500.00** for failure to mitigate (Part II (A) (5)) any adverse impact upon the POTW by allowing continued violations to occur.
  - I. **\$2500.00** for showing a pattern of consistently being unable to comply with the terms and conditions of their permit
  - J. **\$2500.00** for each of the five (5) violations of Significant Non Compliance (SNC) totaling **\$12,500.00.**
  - K. **\$22,011.00** for cost associated with replacing the manhole deteriorated by the excessive strength of their wastes.
5. The above described fines total of **\$169,261.00.** Monies for the violations listed in sections (D), (E), (J), and (K), totaling **\$66,011.00** are due and payable within thirty (30) days following the signing of this Order. **Kerry, Inc.** will be allowed to offset **\$103,250.00** of this fine for the engineering services described above and/or implementation of their recommendations. **Kerry, Inc.** shall submit copies of paid invoices to the pretreatment office to be eligible for the credit with in sixty (60) days following the signing of this order.
6. All reports and notices required by this Order shall be mailed to the following address:
- Mr. Kevin Kolb  
Laboratory Pretreatment Manager  
Evansville Waste Water Laboratory  
1933 Allen's Lane  
Evansville, Indiana 47720
7. The pretreatment program deems these cited incidences to be of significant nature. In accordance with 40 CFR 403.8(f) (2) (viii) (H) will be listing **Kerry, Inc.** as being in Significant Non Compliance.
8. This order does not constitute a waiver of the wastewater discharge permit which remains in full force and effect. The City of Evansville reserves the right to seek any and all remedies available to it under 13.20.440 of the Sewer Use Ordinance for any violation cited by this order.
9. Failure to comply with the requirements of this Order shall constitute a further violation of the sewer use ordinance and may subject **Kerry, Inc.** to civil or criminal penalties or such other appropriate enforcement response as may be appropriate.

10. This order, entered this September 12, 2017 shall be effective upon receipt by **Kerry, Inc.**

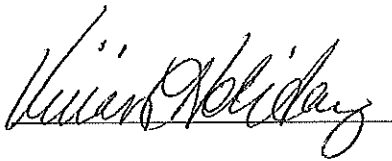
**Evansville Water & Sewer Utility**

Signed: \_\_\_\_\_



Robert Dillow  
Board President  
Evansville Water & Sewer Utility

ATTEST: \_\_\_\_\_



Vivian Holiday  
Executive Assistant  
Evansville Water & Sewer Utility

LLOYD WINNECKE  
MAYOR



KEVIN KOLB  
PRETREATMENT & LABORATORY MANAGER

## EVANSVILLE WATER & SEWER UTILITY

1933 ALLEN LANE, EVANSVILLE, INDIANA 47720  
OFFICE (812)426-2820 FAX (812)426-2823

IN THE MATTER OF: **IWP071**

February 06, 2018

### ADMINISTRATIVE COMPLIANCE ORDER

Joe Stellern  
Site Manager  
**Kerry, Inc.**  
1515 Park Street  
EVANSVILLE, IN 47710

### **LEGAL AUTHORITY**

The following findings are made and notice issued pursuant to the authority vested in the Pretreatment Program, under Chapter 13.20 of Title 13 of the Evansville Municipal Code. This order is based on the findings of violation of the conditions of the wastewater discharge permit issued under Chapter 13.05 and /or Chapter 13.20 of the City of Evansville's Sewer Ordinance.

### **FINDINGS**

1. **Kerry, Inc.** discharges nondomestic wastewater containing pollutants into the sanitary sewer system of the City of Evansville (hereafter, "City").
2. **Kerry, Inc.** is an "industrial user" as defined by 13.20.010 of the City's Sewer Use Ordinance.
3. **Kerry, Inc.** was issued a wastewater discharge permit on February 1, 2017. This permit contains prohibitions, restrictions, and other limitations on the quality of the wastewater it discharges to the sanitary sewer.
4. Pursuant to the ordinance and the above-referenced permit, data is routinely collected or submitted on the compliance status of **Kerry, Inc.**
5. **Kerry, Inc.** has violated the City Ordinance and their Industrial Wastewater Discharge Permit (IWP071) as further described below

- A. Violated the Daily Maximum for BOD thirty five (35) times during the six (6) month period of May 2017-October 2017. Nineteen (19) of these violations occurred during the three (3) month period of August 2017-October 2017.
- B. Violated the Daily Limitations for Total Suspended Solids twenty one (21) times during the six (6) month period of May 2017-October 2017. Twelve (12) of these violations occurred during the three (3) month period of August 2017-October 2017.
- C. Violated the Daily Limitations for [pH] fifty four (54) times during the six (6) month period of May 2017-October 2017. Twenty-six (26) of these violations occurred during the three (3) month period of August 2017-October 2017.
- D. Violated the Daily Maximum for Oil & Grease six (6) times during the six (6) month period of May 2017-October 2017. Three (3) of these violations occurred during the three (3) month period of August 2017-October 2017. Fifty percent (5/10) of the total number of samples collected and analyzed, during the six (6) month period of May 2017-October 2017, exceeded the federal definition of Significant Non Compliance via Technical Review Criteria (TRC).
6. **Kerry, Inc.** is considered to be in Significant Noncompliance (SNC) as promulgated in 40 CFR 403.8(f) (2) (viii) and the City Ordinance 13.20 for the following parameters;
- Technical Review Criteria (TRC) violations, defined here as those in which 33 percent or more of all of the measurements taken for the same pollutant parameter during a 6-month period equal to or exceed the product of the numeric Pretreatment Standard or Requirement Including instantaneous limits, as defined by 40 CFR 403.3(l) multiplied by the applicable TRC (TRC=1.4 for BOD, TSS, fats, oil, and grease and 1.2 for all other pollutants except pH)

#### **ORDER**

Therefore, based on the above findings, **Kerry, Inc.** is hereby ordered to:

1. **Kerry, Inc.** shall have all operations and equipment installation pursuant to the previous Administrative Order's (9/12/2017) required study and recommendations completed no later than March 16, 2018. Failure to do so will result in further enforcement action.
2. **Kerry, Inc.** shall pay to the **Evansville Water & Sewer Utility** cashiers office the following fines associated with failure to adhere to the various requirements of the Ordinance and the wastewater discharge permit:
  - A. **\$250.00** for each of nineteen (19) instances where results in excess 3,694 mg/l BOD were detected, or a total of **\$4,750.00**
  - B. **\$250.00** for each of twelve (12) instances where results in excess 2,114 mg/l TSS were detected, or a total of **\$3,000.00**.
  - C. **\$250.00** for each of twenty-six (26) instances where results were detected outside of the range of 5-11 SU for pH, or a total of **\$6,500.00**
  - D. **\$2500.00** for each of three (3) instances where results in excess 200 mg/l Oil & Grease were detected, or a total of **\$7500.00**.

RRT  
7-6-18

E. ~~\$2500.00~~ for the violation of Significant Non Compliance (SNC)

2-6-18  
RRT

3. The above described fines total of ~~\$24,250.00~~. Monies for the violations are due and payable within thirty (30) days following the signing of this Order.
4. All reports and notices required by this Order shall be mailed to the following address:  
  
Mr. Kevin Kolb  
Laboratory Pretreatment Manager  
Evansville Waste Water Laboratory  
1933 Allen's Lane  
Evansville, Indiana 47720
5. The pretreatment program deems these cited incidences to be of significant nature. In accordance with 40 CFR 403.8(f) (2) (viii) (H) will be listing Kerry, Inc. as being in Significant Non Compliance.
6. This order does not constitute a waiver of the wastewater discharge permit which remains in full force and effect. The City of Evansville reserves the right to seek any and all remedies available to it under 13.20.440 of the Sewer Use Ordinance for any violation cited by this order.
7. Failure to comply with the requirements of this Order shall constitute a further violation of the sewer use ordinance and may subject Kerry, Inc. to civil or criminal penalties or such other appropriate enforcement response as may be appropriate.
8. This order, entered this February 06, 2018 shall be effective upon receipt by Kerry, Inc.

**Evansville Water & Sewer Utility**

Signed: 

Robert Dillow  
Board President  
Evansville Water & Sewer Utility

ATTEST: 

Vivian Holiday  
Executive Assistant  
Evansville Water & Sewer Utility