

Elkhart County Ground Water
Protection Ordinance 14-171
Registration Form

Facility Name

Facility Street Address

Mailing Address

Name of Contact Person

Facility/Contact person's phone number

Please mail to:

Elkhart County Health Department
Environmental Health Services
4230 Elkhart Road
Goshen, IN 46526
Or fax to:
574-971-4599

ELKHART COUNTY
HEALTH DEPARTMENT:
ENVIRONMENTAL
HEALTH SERVICES

4230 Elkhart Road
Goshen, IN 46526

Phone: 574-971-4600
Fax: 574-971-4599

E-mail: envhealth@elkhartcounty.com
[http://www.elkhartcountyhealth.org/
environmentalhealth/index.html](http://www.elkhartcountyhealth.org/environmentalhealth/index.html)

ELKHART COUNTY
GROUND WATER
PROTECTION
ORDINANCE

2014-171



Elkhart County Health Department

Elkhart County Ground Water Protection Ordinance

The purpose of the Elkhart County Ground Water Protection Ordinance (GWPO) is to enhance and preserve the public health, safety and welfare of persons and property in Elkhart County by protecting the groundwater of Elkhart County from degradation resulting from spills of toxic and hazardous substances. The GWPO focuses on secondary containment of toxic or hazardous materials and on spill reporting and clean up.

The GWPO applies to any commercial facility, which has either:

- 1) On-site wastewater disposal (i.e., septic system, drywells, lagoons, etc.) and/or
- 2) Toxic or hazardous materials exceeding 100 kilograms (approximately 25 gallons)

Basic Ordinance Requirements include:

- 1) Registration of the facility:
 - A) Location and mailing address
 - B) Individual contacts and phone numbers
 - C) Types of wastewater disposal
 - D) Chemical storage areas
 - E) Types of toxic or hazardous substances present on-site
- 2) Wastewater testing:
 - A) Any facility, which has an on-site wastewater disposal system and uses or stores toxic or hazardous substances will be required to perform an initial wastewater characterization.
 - B) A facility, which has previously tested its system, will not be required to test again unless deemed necessary by the Health Department as outlined in the ordinance.

3) Secondary containment is required for the above ground storage of toxic or hazardous substances unless certain exemptions are met:

- A) Secondary containment systems are to be designed and maintained to prevent spills from migrating onto soils, into ground water, or into surface water.
- B) The secondary containment system shall have sufficient capacity to contain 110% of the largest container or 10% of the total containers, whichever is greater.

4) Spill reporting to Elkhart County Health Department is required as follows:

- A) A spill of petroleum based products greater than or equal to 55 gallons.
- B) A spill of any other toxic or hazardous substance must be reported if required by the state of Indiana.
- C) Spills of toxic or hazardous materials that damage waters of the state within the border of Elkhart County or within a community water system's designated wellhead protection area
- D) Any spill which does not have a spill response
- E) Any operator, owner or person of a facility from which a spill occurs shall contain the spill or undertake to cause others to accomplish a spill response.
- F) Written report requirements: contact information for person reporting the spill and for a contact person, location of spill, time of spill, quantity spilled, identification of spilled substance, duration of the spill, source of the spill, name and location of any waters damaged, identity of the response organization, what is/has been done to remediate the spill, amount of spilled materials recovered, other information as necessary.

5) Ground Water Protection inspection records need to be retained for at least three (3) years. This is especially important when facilities change ownership or personnel.

Special Situations:

- 1) Temporary outside storage of toxic or hazardous substances is allowed for two (2) business days provided the following steps are taken:
 - A) Substances are stored on a surface impervious to the material,
 - B) The facility has developed a spill response plan as required by 327 IAC 2-10-8,
 - C) Documentation of the date of delivery is available for review to an inspector in order to determine compliance.
- 2) Construction sites may store petroleum based products without secondary containment provided the following steps are taken:
 - A) There is only one such storage site at the location,
 - B) No single container exceeds 300 gallons,
 - C) The total gallons of all containers does not exceed 660 gallons,
 - D) The facility has established a weekly inspection program for the storage location,
 - E) Containers are labeled,
 - F) A spill response plan as outlined in 327 IAC 2-10-8 has been developed and is in place.

This is a brief synopsis of the Ordinance and in no means covers all the requirements a facility may have. Please do not hesitate to contact the Ground-water Staff at the Environmental Health Services Division at 574-971-4600 with any questions.