

Elkhart County Groundwater
Protection Code
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

A copy of Chapter 51 of the Elkhart
County Code is available upon request
or may be found online at the
following web address:

https://codelibrary.amlegal.com/codes/elkhartcounty/latest/elkhart_co_in/0-0-0-2158



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

<https://health.elkhartcounty.com/en/environmental-health/about-environmental>

ELKHART COUNTY
GROUNDWATER
PROTECTION
CODE

Elkhart County
Code
Chapter 51



Elkhart County Groundwater Protection Code

The purpose of the Elkhart County Groundwater Protection Code (GWPC) 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 GWPC focuses on secondary containment of toxic or hazardous materials and on spill reporting and clean up.

The GWPC 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 Code 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 code.

- 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 groundwater, 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 toxic or hazardous materials when the amount exceeds 100 pounds, 12 gallons, or the reportable quantity, whichever is less,
 - B) A spill of petroleum or motor vehicle operating fluids when the amount exceeds 55 gallons,
 - C) A spill of toxic or hazardous materials that damage waters of the state within the borders 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 or mode of transportation from which a spill occurs shall contain the spill, undertake activities needed to accomplish a spill response, and if a spill is considered reportable, submit a spill report to the Elkhart County Health Department within 10 days after completion of spill response.
 - F) Spill report requirements: A written report that includes information such as location, time, substance identification, quantity, duration and source of spill, location of damaged waters, spill response activities, soil sample results, proof of disposal, other significant information.

- 5) Groundwater 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 code and in no means covers all the requirements a facility may have. Please do not hesitate to contact the Groundwater Staff at the Environmental Health Services Division at 574-971-4600 with any questions.