



## 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](http://www.idem.IN.gov)

Eric J. Holcomb  
*Governor*

Brian C. Rockensuess  
*Commissioner*

February 23, 2024

VIA ELECTRONIC MAIL: [TSDavis@charter.net](mailto:TSDavis@charter.net)

Mr. Tim Davis, Owner  
Davis Petroleum, Inc.  
c/o Plews Shadley Racher & Braun LLP  
1346 N. Delaware St.  
Indianapolis, IN 46202

Dear Mr. Davis:

Re: IDEM Approval of Request for  
Termination of NPDES General Permit  
Coverage No. ING080246  
Davis Petroleum, Inc.  
LUST Incident No. 2004-11037  
Facility ID No. 19751  
330 E. SR 130  
Hobart, IN  
Lake County

Our Office received a letter on January 23, 2024, submitted by Mr. Jozef Pichtel of Wilcox Environmental Engineering on your behalf, requesting termination of coverage under NPDES general permit ING080000 for the above-mentioned project. Mr. Pichtel states that the facility ceased discharging to Duck Creek via the City of Hobart storm sewer system on June 15, 2023, after the facility was granted access to discharge directly the City of Hobart's sanitary sewer system.

In light of this information, we concur that it is appropriate to terminate your NPDES general permit coverage. Therefore, National Pollutant Discharge Elimination System Permit # ING080246 is hereby **terminated, effective January 31, 2024.**

Please note that IDEM shall serve notice of its decision to terminate your facility's coverage under the general permit in accordance with the requirements of 327 IAC 5-3-14. 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 this letter. A copy must also be served upon IDEM.

Mr. Tim Davis, Owner

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Addresses are as follows:

Director  
Office of Environmental Adjudication  
Indiana Government Center North  
Room 103  
100 North Senate Ave.  
Indianapolis, IN 46204

Commissioner  
Indiana Department of Environmental Management  
Indiana Government Center North  
Room 1301  
100 North Senate Ave.  
Indianapolis, IN 46204

Submission of monitoring data via NetDMR is required for all months up to the termination date of this general permit coverage. Also, future discharge to waters of the state must be preceded by the submission of an NPDES application at least 180 days prior to the commencement of such discharge, unless a later date is allowed by rule or by an applicable NPDES general permit.

Questions regarding this matter may be directed to Ms. C. Anne Burget of my staff at (317) 234-8745 or you may contact me at (317) 232-8704. You may reach either of us via email at [owgwwper@idem.IN.gov](mailto:owgwwper@idem.IN.gov).

Sincerely,



Catherine Hess, Chief  
Permits Administration Section  
Office of Water Quality

cc: Lake County Health Dept.  
Mr. Jozef Pichtel, Wilcox Environmental Engineering (JPichtel@wilcoxenv.com)

**STATE OF INDIANA  
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**

**PUBLIC NOTICE NO. 20240223-ING080246-GP**

**DATE OF NOTICE: February 23, 2024**

The Office of Water Quality approves the following NPDES GENERAL PERMIT coverage:

**TERMINATION of COVERAGE UNDER ING080000**

**DAVIS PETROLEUM, INC., NPDES General Permit Coverage No. ING080246.** The project location is 330 E SR 130, Hobart, IN (LAKE COUNTY). This facility has been engaged in remediation of petroleum products in soil under ING080000, the NPDES general permit for groundwater petroleum remediation projects. The owner has requested termination of coverage because the water from the site is no longer discharged directly to a water of the state. It is now discharged to the Hobart sanitary sewer collection system. For more information regarding this permit action, please contact Ms. C. Anne Burget at (317) 234-8745 or [cburget@idem.IN.gov](mailto:cburget@idem.IN.gov).

**Notice of Right to Administrative Review**

If you wish to challenge this permit, you must file a Petition for Administrative Review with the Office of Environmental Adjudication (OEA) and serve a copy of the petition upon IDEM. The requirements for filing a Petition for Administrative Review are found in IC 4-21.5-3-7, IC 13-15-6-1 and 315 IAC 1-3-2. A summary of the requirements of these laws is provided below.

A Petition for Administrative Review must be filed with the Office of Environmental Adjudication (OEA) within fifteen (15) days of the issuance of this notice (eighteen (18) days if you received this notice by U.S. Mail), and a copy must be served upon IDEM. Addresses are:

Director  
Office of Environmental Adjudication  
Indiana Government Center North  
Room N103  
100 North Senate Avenue  
Indianapolis, Indiana 46204

Commissioner  
Indiana Department of Environmental Management  
Indiana Government Center North  
Room 1301  
100 North Senate Avenue  
Indianapolis, Indiana 46204

The petition must contain the following information:

1. The name, address and telephone number of each petitioner.
2. A description of each petitioner's interest in the permit.
3. A statement of facts demonstrating that each petitioner is:
  - a. a person to whom the order is directed;
  - b. aggrieved or adversely affected by the permit; or
  - c. entitled to administrative review under any law.
4. The reasons for the request for administrative review.
5. The particular legal issues proposed for review.
6. The alleged environmental concerns or technical deficiencies of the permit.
7. The permit terms and conditions that the petitioner believes would be appropriate and would comply with the law.
8. The identity of any persons represented by the petitioner.
9. The identity of the person against whom administrative review is sought.
10. A copy of the permit that is the basis of the petition.
11. A statement identifying petitioner's attorney or other representative, if any.

Failure to meet the requirements of the law with respect to a Petition for Administrative Review may result in a waiver of your right to seek administrative review of the permit. Examples are as follows:

1. Failure to file a Petition by the applicable deadline;
2. Failure to serve a copy of the Petition upon IDEM when it is filed; or
3. Failure to include the information required by law.

If you seek to have a permit stayed during the administrative review, you may need to file a Petition for a Stay of Effectiveness. The specific requirements for such a Petition can be found in 315 IAC 1-3-2 and 315 IAC 1-3-2.1.

Pursuant to IC 4-21.5-3-17, OEA will provide all parties with notice of any pre-hearing conferences, preliminary hearings, hearings, stays, or orders disposing of the review of this action. If you are entitled to notice under IC 4-21.5-3-5(b) and would like to obtain notices of any pre-hearing conferences, preliminary hearings, hearings, stays, or orders disposing of the review of this action without intervening in the proceeding you must submit a written request to OEA at the address above.

If you have procedural or scheduling questions regarding your Petition for Administrative Review, please refer to OEA's website at <https://www.in.gov/oea>.

Indianapolis, IN  
Ft. Wayne, IN  
Evansville, IN  
Cincinnati, OH



CORPORATE OFFICE  
1552 Main Street, Suite 100  
Speedway, IN 46224  
phone 317.472.0999  
[www.wilcoxenv.com](http://www.wilcoxenv.com)

January 19, 2024

Ms. Catherine Hess  
Indiana Department of Environmental Management  
Office of Water Quality / Permits Administration Section  
100 North Senate Avenue, Room IGCN 1255  
Indianapolis, Indiana 46204  
[chess@idem.IN.gov](mailto:chess@idem.IN.gov)

Re: NPDES Permit Termination  
Davis Petroleum, Inc.  
330 E. SR 130  
Hobart, IN, Lake County  
NPDES Permit #ING080246  
LUST #2004-11037; Facility ID #19751  
Wilcox Project #246.04

Dear Ms. Hess:

This letter serves as authorization to close NPDES permit #ING080246 for the Davis Petroleum, Inc. facility located at the above address. The Davis Petroleum, Inc facility ceased discharging to Duck Creek via the City of Hobart storm sewer system on June 15, 2023 after the facility was granted access to discharge directly to the POTW in Hobart, Indiana.

Please contact Jozef Pichtel at [jpichtel@wilcoxenv.com](mailto:jpichtel@wilcoxenv.com) with questions or comments concerning this letter.

Sincerely,  
**Wilcox Environmental Engineering, Inc.**

Jozef Pichtel  
Project Manager

Enclosure: Attachment A – Signatory Authority