



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

Eric J. Holcomb
Governor

Brian C. Rockensuess
Commissioner

February 23, 2024

SENT VIA EMAIL: Jason.Kashman@weaverpopcornmfg.com

Mr. Jason Kashman, CEO
Weaver Popcorn Manufacturing Inc.
408 W. Landess St.
Van Buren, IN 46991

Dear Mr. Kashman:

Re: IDEM Approval of Request to Terminate
NPDES General Permit Coverage ING250018
Weaver Popcorn Manufacturing Inc.
408 W. Landess St.
Van Buren, IN
Grant County

We received your letter on January 31, 2024, that requests termination of the above-referenced NPDES general permit coverage. You state that the non-contact cooling water from your facility ceased discharging to Roods Run Creek on December 15, 2023, and that the water is now routed to your local POTW. Consequently, you state that you will no longer need NPDES general permit coverage under ING250000.

Based on this information, our Office concurs that there is no longer a need to maintain NPDES general permit coverage under ING250000 at this facility. Therefore, NPDES general permit coverage # ING250018 is **terminated, deemed 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 attached 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 this letter or within eighteen (18) days of the mailing of this letter via U.S. Mail. A copy must also be served upon IDEM. The applicable addresses are as follows:

Director
Office of Environmental Adjudication
Indiana Government Center North
Room N103
100 N. Senate Ave.
Indianapolis, IN 46204

Commissioner
Indiana Department of Environmental Management
Indiana Government Center North
Room N1301
100 N. 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 letter may be directed to Ms. C. Anne Burget of my staff at (317) 234-8745 or via email at cburget@idem.IN.gov.

Sincerely,

Catherine Hess

Catherine Hess, Chief
Permits Administration Section
Office of Water Quality

cc: Grant County Health Dept.

**STATE OF INDIANA
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**

PUBLIC NOTICE NO. 20240223 – ING250018 – GP

DATE OF NOTICE: FEBRUARY 23, 2024

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

TERMINATION OF PERMIT COVERAGE UNDER ING250000

WEAVER POPCORN MANUFACTURING INC, NPDES General Permit Coverage No. ING250018, located at 408 Landess St, Van Buren, IN (GRANT COUNTY). This facility is a popcorn production and packaging operation and has had permit coverage under ING250000 for Wastewater Discharges of Once-through Noncontact Cooling Water. For more information regarding this matter, please contact Ms. C. Anne Burget at (317) 234-8745 or via email at owqwwper@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, IN 46204

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

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>.



WEAVER POPCORN MANUFACTURING

Date: January 19, 2024

Subject: Termination of NPDES General Permit Coverage ING25001⁸, Weaver Popcorn Manufacturing Inc., 408 W. Landess St., Van Buren, IN, Grant County

IDEM Address: Catherine Hess

Wastewater Inspection Section

Office of Water Quality

100 N. Senate Avenue

Indianapolis, In 46204

Dear Catherine Hess:

I am writing to request termination of NPDES General Permit Coverage ING25001 for Weaver Popcorn Manufacturing Inc.'s facility located at 408 W. Landess St., Van Buren, Indiana. Weaver eliminated the discharge of non-contact cooling water to Roods Run Creek on December 15, 2023. Permanent changes were made to the facility to send non-contact cooling water to the local POTW. There will be no further discharges of non-contact cooling water to Roods Run Creek.

Sincerely,

Jason Kashman

CEO

jason.kashman@weaverpopcornmfg.com

408 West Landess Street

Van Buren, In 46991

IDEM-WATER QUALITY

JAN 31 2024

RECEIVED