

Legislative Notice for Rule Readoption

LSA Document #23-810

Under [IC 4-22-2.6-3](#), the Indiana Department of Environmental Management (IDEM) notifies the Legislative Council of its intent to readopt rules in anticipation of rules expiring January 1, 2025.

STATUTORY AUTHORITY: [IC 4-22-2.6](#)

SUBJECT MATTER:

This rulemaking is required under [IC 4-22-2.6](#), which provides for the expiration and readoption of administrative rules. All rules expire on January 1 of the fifth year after the year in which each rule takes effect unless the rule expires or is repealed on an earlier date. The rules listed to be readopted have an expiration date of January 1, 2025, or later. IDEM has chosen to readopt all articles at one time rather than readopt each rule separately as its expiration date approaches.

The articles being readopted vary in subject matter:

- [327 IAC 1](#) includes provisions that are applicable throughout Title 327, such as references to state laws, federal statutes, and federal regulations.
- [327 IAC 2](#) establishes water quality standards (WQS) for the waters of the state. WQS are the foundation of the water quality-based programs mandated by the Clean Water Act (CWA). The CWA requires states to periodically review and update their WQS, and these updates are reviewed and approved by U.S. EPA.
- [327 IAC 3](#) prescribes definitions, policies, procedures, fees, and technical criteria related to the permitting of water treatment facilities, including sanitary collection systems. This article also includes rules for operational permits, which may be required for facilities that are not subject to the CWA's National Pollutant Discharge Elimination System (NPDES) permit program.
- [327 IAC 4](#) imposes restrictions to prevent overloading of publicly owned treatment works (POTWs), including sewer connection bans, in accordance with [IC 13-18-4](#).
- [327 IAC 5](#) features policies, fees, procedures, and technical criteria for permitting the discharge of pollutants under the CWA's NPDES program. IDEM has delegation from the U.S. EPA to implement the NPDES program, which means Indiana's NPDES regulations must be as stringent as the federal rules found at 40 CFR 122. This article also includes the Pretreatment Program for wastewater discharged into POTWs and certification requirements for wastewater treatment operators as required by [IC 13-18-11](#).
- [327 IAC 6.1](#) establishes procedures, requirements, and standards for implementing [IC 13-18-12-4](#) and [IC 13-18-3-1](#) related to land application of biosolid, industrial waste product, and pollutant-bearing water.
- [327 IAC 7.1](#) regulates septage and wastewater management as required by [IC 13-18-12](#), including fees for septage management permits.
- [327 IAC 8](#) provides rules and standards, including fees, for public water supplies. These include drinking water standards imposed by the Safe Drinking Water Act (SDWA) and federal regulations promulgated under that act. IDEM has approval from U.S. EPA to implement the drinking water program under the SDWA, which means Indiana's rules must be as stringent as federal law.
- [327 IAC 11](#) implements the state environmental policy as required by [IC 13-12-4-5](#) including defining the actions that constitute "major state actions significantly affecting the quality of the human environment".
- [327 IAC 12.1](#) provides agency policies regarding public and confidential records and confidentiality agreements.
- [327 IAC 15](#) provides requirements for NPDES general permits and other related permitting requirements, including fees, as authorized by the CWA, [IC 13-18-3-15](#), and [IC 13-18-18](#).
- [327 IAC 17](#) establishes requirements for the permitting of wetland activities in state regulated wetlands under [IC 13-18-22](#).
- [327 IAC 18](#) provides rules for the Environmental Stewardship Program and the Comprehensive Local Environmental Action Network (CLEAN) Community Challenge Program. These are voluntary programs established under [IC 13-27-8](#).
- [327 IAC 19](#) imposes construction and operational requirements and fees for confined feeding operations in accordance with [IC 13-18-10-4](#).
- [327 IAC 20](#) establishes permitting standards for satellite manure storage structures as authorized by [IC 13-18-10.5](#).

OVERVIEW

Rules to be readopted without changes are as follows:

327 IAC 1	GENERAL PROVISIONS
327 IAC 2	WATER QUALITY STANDARDS

327 IAC 3	WASTEWATER TREATMENT FACILITIES; ISSUANCE OF PERMITS; CONSTRUCTION AND PERMIT REQUIREMENTS
327 IAC 4	WASTEWATER TREATMENT FACILITIES; OVERLOAD CONDITION
327 IAC 5	INDUSTRIAL WASTEWATER PRETREATMENT PROGRAMS AND NPDES
327 IAC 6.1	LAND APPLICATION OF BIOSOLID, INDUSTRIAL WASTE PRODUCT, AND POLLUTANT-BEARING WATER
327 IAC 7.1	WASTEWATER MANAGEMENT
327 IAC 8	PUBLIC WATER SUPPLY
327 IAC 11	STATE ENVIRONMENTAL POLICY
327 IAC 12.1	PUBLIC RECORDS; CONFIDENTIAL INFORMATION; CONFIDENTIALITY AGREEMENTS
327 IAC 15	NPDES GENERAL PERMITS AND SPECIFIC CATEGORY INDIVIDUAL PERMIT REQUIREMENTS
327 IAC 17	WETLAND ACTIVITY PERMITS
327 IAC 18	VOLUNTARY PERFORMANCE BASED LEADERSHIP PROGRAMS
327 IAC 19	CONFINED FEEDING OPERATIONS
327 IAC 20	SATELLITE MANURE STORAGE STRUCTURE PERMITTING PROGRAM

Rules to be repealed are as follows:
None

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