

TITLE 327 WATER POLLUTION CONTROL DIVISION

NOTE: Under P.L.133-2012, SECTION 72, the statutory authority to adopt these rules has been transferred to the Environmental Rules Board to be administered and implemented by the Water Pollution Control Division of the Department of Environmental Management, effective January 1, 2013.

ARTICLE 1. GENERAL PROVISIONS

Rule 1. Provisions Applicable Throughout Title 327

327 IAC 1-1-1 References to Federal Act

Authority: IC 13-14-9; IC 13-18-3-2

Affected: IC 13-14-8

Sec. 1. Unless otherwise indicated, references in this title to the Federal Water Pollution Control Act or to the Clean Water Act (CWA) shall mean the Federal Water Pollution Control Act in effect July 1, 2004. (*Water Pollution Control Division; 327 IAC 1-1-1; filed Sep 24, 1987, 3:00 p.m.: 11 IR 579; readopted filed Jan 10, 2001, 3:23 p.m.: 24 IR 1518; filed Feb 14, 2005, 10:05 a.m.: 28 IR 2046; readopted filed Nov 21, 2007, 1:16 p.m.: 20071219-IR-327070553BFA; readopted filed Jul 29, 2013, 9:21 a.m.: 20130828-IR-327130176BFA*)

327 IAC 1-1-2 References to the Code of Federal Regulations

Authority: IC 4-22-2-21; IC 13-14-9; IC 13-18-3-2

Affected: IC 4-22-9-5; IC 13-14-8

Sec. 2. Unless otherwise indicated, any reference to a provision of the Code of Federal Regulations (CFR) shall mean the July 1, 2004, revision. (*Water Pollution Control Division; 327 IAC 1-1-2; filed Sep 24, 1987, 3:00 p.m.: 11 IR 579; readopted filed Jan 10, 2001, 3:23 p.m.: 24 IR 1518; filed Feb 14, 2005, 10:05 a.m.: 28 IR 2046; readopted filed Nov 21, 2007, 1:16 p.m.: 20071219-IR-327070553BFA; readopted filed Jul 29, 2013, 9:21 a.m.: 20130828-IR-327130176BFA*)

327 IAC 1-1-3 Severability

Authority: IC 13-14-9; IC 13-18-3-2

Affected: IC 13-14-8

Sec. 3. If any provision of this title or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect any other provisions or applications of this title that can be given effect without the invalid provision or application. (*Water Pollution Control Division; 327 IAC 1-1-3; filed Sep 24, 1987, 3:00 p.m.: 11 IR 579; readopted filed Jan 10, 2001, 3:23 p.m.: 24 IR 1518; filed Feb 14, 2005, 10:05 a.m.: 28 IR 2046; readopted filed Nov 21, 2007, 1:16 p.m.: 20071219-IR-327070553BFA; readopted filed Jul 29, 2013, 9:21 a.m.: 20130828-IR-327130176BFA*)

327 IAC 1-1-4 Savings clause

Authority: IC 13-14-8; IC 13-18-3

Affected: IC 13-18

Sec. 4. The repeal and reenactment in this Title (327 IAC) of any rule previously the responsibility of the water pollution control board shall not have the effect to release or extinguish any penalty or forfeiture incurred under the same, and such previous rule shall be treated as still remaining on in force for the purpose of sustaining any proper action, or prosecution for the enforcement of such penalty, forfeiture or liability. (*Water Pollution Control Division; 327 IAC 1-1-4; filed Sep 24, 1987, 3:00 pm: 11 IR 579; readopted filed Jan 10, 2001, 3:23 p.m.: 24 IR 1518; readopted filed Nov 21, 2007, 1:16 p.m.: 20071219-IR-327070553BFA; readopted filed Jul 29, 2013, 9:21 a.m.: 20130828-IR-327130176BFA*)

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