

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
PUBLIC NOTICE OF FINAL GENERAL PERMIT FOR PESTICIDE APPLICATIONS  
PUBLIC NOTICE NO: 2016 – 10 – PGP - F  
DATE OF NOTICE: October 27, 2016

The Indiana Department of Environmental Management (IDEM) has issued the renewal of NPDES Pesticide General Permit Number ING870000. The purpose of this NPDES general permit is to establish requirements for point source discharges statewide from the application of pesticides on waters of the state of Indiana and land areas adjacent to waters of the state. These requirements are consistent with the U.S. Environmental Protection Agency (EPA) pesticide general permit requirements.

The following categories of pesticide discharges are covered under this general permit: Mosquitos and Other Flying Insect Pest Management; Aquatic Weed and Algae Control; Aquatic Nuisance Animal Control; Forest Canopy Pest Control; Ditch Bank or Conveyance Weed Control; Control of Aquatic Vegetation under a DNR Permit; and Aquatic Weed and Algae Control in Private Ponds.

The submission of a notice of intent and development of a Pesticide Discharge Management Plan under this general permit will only be required for certain persons who have pesticide applications that would exceed a threshold listed in the general permit. No substantial changes were made to the general permit compared to the original 2011 permit.

APPEAL PROCEDURES FOR FINAL PERMITS

The final NPDES general permit and related documents are posted on IDEM's web site at <http://www.in.gov/idem/cleanwater/2480.htm>. The final NPDES general permits are available for review at the IDEM Central Office, Indiana Government Center North, Room 1255, 100 N. Senate Avenue, Indianapolis, Indiana from 9:00 a.m. to 4:00 p.m., M - F, excluding state holidays (copies 10¢ per page). Copies of the final permit documents are also available at the local health departments and at IDEM's Regional Offices. The documents are also available via email request. See these sites for information concerning your rights and responsibilities: <http://www.IN.gov/idem/5474.htm> and <http://www.in.gov/idem/6900.htm>. Please tell others whom you think would be interested in this matter.

Appeal Procedure: Any person affected by the issuance of the Final Permit may appeal by filing a Petition for Administrative Review with the Office of Environmental Adjudication (OEA) within fifteen (15) days of the date of this Public Notice. Any appeal request must be filed in accordance with IC 4-21.5-3-7 and must include facts demonstrating that the party requesting appeal is the applicant; a person aggrieved or adversely affected or is otherwise entitled to review by law. The Petition for Administrative Review must be received by the OEA within 15 days of the date of this

Public Notice; either by U.S. Mail postmark or by private carrier with dated receipt. This Petition for Administrative Review represents a request for an Adjudicatory Hearing, therefore must:

1. state the name and address of the person making the request;
2. identify the interest of the person making the request;
3. identify any persons represented by the person making the request;
4. state specifically the reasons for the request;
5. state specifically the issues proposed for consideration at the hearing; and
6. identify the final permit terms and conditions which, in the judgment of the person making the request, would be appropriate to satisfy the requirements of the law governing this NPDES Permit.

If the person filing the Petition for Administrative Review desires any part of any final NPDES General Permit to be stayed pending the outcome of the appeal, a Petition for Stay must be included in the appeal request, identifying those parts to be stayed. Both Petitions shall be mailed or delivered to this address:

Environmental Law Judge  
Office of Environmental Adjudication  
IGC – North Building- Rm 501  
100 N. Senate Avenue  
Indianapolis, IN 46204

Please also send a copy of any permit appeal and stay request to IDEM.

Stay Time frame: If the Petition(s) is filed within fifteen (15) days of the date of this Public Notice, the effective date of any part of the permit, within the scope of the Petition for Stay is suspended for fifteen (15) days. The Permit will become effective again upon expiration of the fifteen (15) days, unless or until an Environmental Law Judge stays the permit action in whole or in part.

Hearing Notification: Pursuant to Indiana Code, when a written request is submitted, the OEA will provide the petitioner or any person wanting notification, with the Notice of pre-hearing conferences, preliminary hearings, hearing stays or orders disposing of the Petition for Administrative Review. Petition for Administrative Review must be filed in compliance with the procedures and time frames outlined above. Procedural or scheduling questions should be directed to the OEA at (317) 232-8591.

IDEM Contact Person: Mrs. Catherine Hess, Office of Water Quality /NPDES Permits Branch, IGCN Room 1255, 100 North Senate Avenue, Indianapolis, Indiana 46204-2251, at 317/232-8704 or [chess@idem.IN.gov](mailto:chess@idem.IN.gov).