

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT (IDEM)
PUBLIC NOTICE OF ISSUANCE of FINAL GENERAL NPDES PERMIT ING420000
PUBLIC NOTICE NO: 20200313-ING420000
DATE OF NOTICE: MARCH 13, 2020

The Indiana Department of Environmental Management (IDEM) Office of Water Quality has issued a new administrative General NPDES Permit No. ING420000 for Temporary Discharges of Wastewater (i.e. with intended durations lasting no more than 364 days) into surface waters of the state. Only discharges located within the boundaries of the State of Indiana are eligible to obtain coverage under this General NPDES Permit. The effective date of this General NPDES Permit is April 1, 2020. Entities who have an interest in obtaining coverage under this General NPDES Permit must submit a Notice of Intent to IDEM at least 45 days in advance of the proposed discharge. If there is a more immediate need for discharge authorization, a cover letter should be submitted with the NOI explaining the reasons for the shortened advance notice. If IDEM approves the NOI submittal, the applicant will receive a Notice of Coverage letter from IDEM which will delineate the applicable effluent limitations and monitoring requirements. IDEM will also post each approval of coverage (which will include information regarding appeal procedures) on its web site at <https://www.in.gov/idem/5474.htm>.

The final issued General NPDES permit and related documents are posted on IDEM's web site at <http://www.in.gov/idem/cleanwater/2480.htm>. Notice of the issuance of this new category of general permits has also been published in the Indianapolis Star on March 13, 2020. The final permit, fact sheet, and U.S. EPA Non-objection Letter are also attached to this web posting notice. The Notice of Intent form can be found on the Forms page of IDEM's web site at <https://www.in.gov/idem/5157.htm>. Please tell others whom you think would be interested in this matter. 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>.

Questions concerning the final issued General NPDES Permit ING420000 may be directed to Catherine Hess at (317) 232-8704 or via e-mail at chess@idem.IN.gov. Questions may also be directed to Nicole Gardner at (317) 232-8707 or via e-mail at ngardner@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, or within eighteen (18) days if you receive this notice by U.S. mail. A copy must also be served upon IDEM. Addresses are:

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

Commissioner
Indiana Department of Environmental Management
Indiana Government Center North
100 North Senate Avenue - Room 1301
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:

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. For more information please refer to OEA's website at <http://www.in.gov/oea>.