



National Pollutant Discharge Elimination System
GENERAL PERMIT FACT SHEET for
Once-Through Noncontact Cooling Water Discharges
NPDES Permit No. ING250000

October 19, 2020

**Indiana Department of Environmental
Management**

Office of Water Quality
100 North Senate Avenue
Indianapolis, Indiana 46204
(317) 232-8603

Existing Permit	Permit Number: ING250000
Information:	Expiration Date: Under the current General NPDES permit, coverage for all facilities expires on the same day, October 31, 2020.
Source Location:	State-wide
Receiving Waters:	All waters of the state of Indiana, except for Outstanding State Resource Waters, Outstanding National Resource Waters, and salmonid streams.
Proposed Action:	Renewal of administrative general permit to replace the existing general permit ING250000
Source Category	NPDES Minor – Industrial
Contacts:	Name: Catherine Hess Contact Information: chess@idem.in.gov or owqwwper@idem.IN.gov Telephone: (317) 232-8704

The Federal Water Pollution Control Act [also referred to as The Clean Water Act (CWA) (33 U.S.C. 1251 et seq.), which was enacted in 1972, provides that the discharge of pollutants to the waters of the United States from any point source is unlawful, unless the discharge is in compliance with a National Pollutant Discharge Elimination System (NPDES) permit. The primary condition determining eligibility for this general permit is ensuring that the discharge consists of only once-through noncontact cooling water. Dischargers who meet the eligibility requirements may apply for coverage by this General NPDES permit, instead of applying for an individual NPDES permit.

Development of a Fact Sheet for a General NPDES permit is required by 327 IAC 5-3-8 (a) and Title 40 of the Code of Federal Regulations, Section 124.8 and 124.56. This document fulfills the requirements established in those regulations by providing the information necessary to inform the public of actions proposed by the Indiana Department of Environmental Management (IDEM) as outlined in 327 IAC 5-3-8(b) and 40 CFR 122.28.

A. Description of General Permit Category

The purpose of this general permit is to regulate the discharge of once-through noncontact cooling water (OTNCCW) so that the public health, existing uses, and aquatic biota are protected. This General NPDES Permit covers any existing discharges of once-through noncontact cooling water to surface waters of the State of Indiana. "Once-through noncontact cooling water" is defined as "cooling water that:

- (a) is used for the sole purpose of removing unwanted heat from a process;
- (b) only makes one (1) pass through a unit that exchanges heat between the process and the cooling water (generally a heat exchanger); and
- (c) does not come into contact with any raw material or manufactured product.

In the context of this general permit, the term excludes discharges from steam electric power generation facilities defined under 40 CFR 423."

Applicants for this general permit may include any facility with discharges composed entirely of once-through noncontact cooling water for which the applicant agrees to be regulated under the terms of this general permit (except as noted herein).

General NPDES permits are developed and issued to cover multiple facilities engaged in the same process category within the State of Indiana. IDEM first developed a general NPDES permit-by-rule (327 IAC 15-8) for discharges of once-through noncontact cooling water in 1994, which was repealed in 2015 and replaced with an administrative general NPDES permit, ING250000. IDEM is now administering general NPDES permits via a "master" general permit which will be renewed and reevaluated on a five-year interval. Persons who seek coverage under the general permit will continue to be assigned permit tracking numbers beginning with "ING25", but coverage under the general permit will be limited to the permit term established in the general permit.

Discharges of once-through noncontact cooling water are similar and require, generally, the same effluent limitations and monitoring requirements. As of July 2020, there are twenty-five (25) facilities regulated under ING250000. The discharge flow volumes range from 0.001 to 1.0 million gallons per day (MGD). As such, and due to the large number of these types of dischargers, it is the opinion of IDEM that this category of sources is controlled more appropriately under a general NPDES permit. These discharges are similar in the following ways:

- 1) They are comprised solely of once-through noncontact cooling water discharges;
- 2) They discharge to receiving waters which have temperature requirements based on 327 IAC 2-1-6(b)(4)(D) or 327 IAC 2-1.5-8(c)(4)(C);
- 3) They may utilize chlorinated source water for the noncontact cooling activities at the site.

The existing general permit specifically references “once-through noncontact cooling water”. It was not intended for use by facilities which recirculate and re-use noncontact cooling water, because such wastewaters are more likely to contain significant quantities of pollutants such as water treatment additives. Therefore, this general permit is intended to cover only those facilities which discharge once-through noncontact cooling water.

B. Geographic area covered

This general permit is intended to cover any discharge of once-through noncontact cooling water in the state of Indiana, except as denoted herein.

C. Receiving waters

This general permit will authorize discharges to all surface waters of the State of Indiana, except for direct discharges to Outstanding State Resource Waters (OSRWs), Outstanding National Resource Waters (ONRWs), and salmonid streams. Direct discharges to these water bodies are required to be permitted by an individual NPDES permit.

D. Eligibility

Discharges covered under this general permit are from industrial and commercial facilities with discharges comprised solely of OTNCCW. The permitted outfall must not contain any industrial process wastewater, storm water runoff subject to 40 CFR 122.26, boiler blowdown, or air compressor condensates. An exception may be allowed for facilities that temporarily store their once-through noncontact cooling water in an onsite retention pond which may also receive storm water runoff from the site, but this is only allowable if the storm water is not subject to 40 CFR 122.26 which regulates storm water runoff associated with industrial activity. This general permit contains certain specific exclusions from coverage which are denoted in Section 1.3 of the permit. Facilities proposing discharges not authorized by this permit are required to apply for an individual NPDES permit.

The following discharges are not authorized by this permit:

- 1) direct discharges into waters that are designated as an Outstanding National Resource Water (ONRW) defined at IC 13-11-2-149.5 or as an Outstanding State Resource Water (OSRW) defined at IC 13-11-2-149.6 and listed at 327 IAC 2-1.3-3(d);
- 2) discharges to a receiving water when the discharge results in an increase in the ambient concentration of a pollutant which contributes to the impairment of the receiving water for that pollutant as identified on the current 303(d) list of impaired waters;
- 3) discharges containing water treatment additives (WTAs) which have not received prior written approval from IDEM for the specific additive, use, and dosage at the particular facility for which the Notice of Intent (NOI) is submitted;

- 4) discharges from a facility that is not in compliance with section 316(b) of the Clean Water Act. Any facility which obtains cooling water from a surface water intake source must satisfy the following conditions in order to be eligible for coverage under this general permit:
 - a) The water body where the cooling water is obtained (source water body) may not include threatened or endangered species in the vicinity of the cooling water intake structure;
 - b) The design intake flow must be less than 5 percent of the mean annual flow of the source water body;
 - c) The design intake velocity must be less than 0.5 feet per second.
 - d) The source water withdrawals from surface waters cannot exceed 2 million gallons per day (MGD) under any circumstances.
 - e) There shall be no impingement and entrainment of fish when drawing water from a surface water body.
- 5) discharges to salmonid waters (as defined in 327 IAC 2-1.5-5(a)(3)) or to the St. Joseph River (tributary to Lake Michigan) upstream of Twin Branch Dam;
- 6) discharges from steam electric power generation facilities, as defined under 40 CFR 423;
- 7) new sources of once-through noncontact cooling water;
- 8) discharges resulting from the cleaning of tanks and/or pipelines.
- 9) discharges to combined or sanitary sewer systems;
- 10) discharges that are commingled with hazardous wastes or hazardous materials;
- 11) bypasses or upsets of any kind from a treatment works or collection system;
- 12) discharges that contain pollutants classified as bioaccumulative chemicals of concern (BCCs); and
- 13) discharges for which the Commissioner requests an individual permit application.

E. Application for Coverage

This general permit proposes to provide coverage for any facility with discharges of OTNCCW which meets the general permit criteria, is not precluded from general permit coverage, and agrees to be regulated under the terms of the general permit.

Each discharger seeking coverage under this general permit must submit a Notice of Intent (NOI) form. Federal regulations found in 40 CFR 122.21(a) exclude persons covered by general permits from requirements to submit an application for an individual permit. NOI requirements are intended to establish a mechanism that can be used to establish a clear accounting of the number of permittees covered by the

general permit, the identities, locations, and mailing addresses of those permittees, and the nature of the discharges covered by the permit.

Any facility with an individual NPDES permit which meets the eligibility requirements of this general permit may opt to convert over to coverage under the general permit by submitting an NOI letter any time after the effective date of the general permit. The individual permit will continue to be applicable until IDEM issues the NOC letter.

Applicants must obtain written IDEM approval for any wastewater treatment additive (WTA) prior to its use with noncontact cooling water that is to be discharged under this permit. Documentation of IDEM approval must be submitted with the Notice of Intent (NOI) when applying for coverage under this general permit. The necessary form and complete instructions are included in State Form 50000. A separate form must be submitted for each water treatment additive that the facility uses or plans to use.

F. Antidegradation Evaluation

Once-through noncontact cooling water systems are used to remove heat from a manufacturing process, and may also include water that is used in a geothermal heating/cooling system. The primary pollutant of concern that is discharged to the receiving water is heat. The purpose of the general permit is to ensure that waste heat being discharged to the receiving water is in compliance with the in-stream temperature criteria contained in 327 IAC 2-1-6 and 327 IAC 2-1.5-8. Additional pollutants may be present in the discharge, dependent upon the source of the cooling water. The effluent limits are not based upon Federal Effluent Limitation Guidelines or any other treatment technology. The facilities covered by this general NPDES permit have typical daily flow volumes ranging from 0.001 to 1.0 million gallons per day (MGD).

327 IAC 2-1.3 outlines the state's Antidegradation Standards and Implementation Procedures. The Tier 1 antidegradation standard found in 327 IAC 2-1.3-3(a) applies to all surface waters of the state, regardless of their existing water quality. Based on this standard, for all surface waters of the state, existing uses and the level of water quality necessary to protect existing uses shall be maintained and protected. IDEM implements the Tier 1 antidegradation standard by requiring NPDES permits to contain effluent limits and best management practices for regulated pollutants that ensure the narrative and numeric water quality criteria applicable to the designated use are achieved in the water and that any designated use of the downstream water is maintained and protected. Effluent limits for the following regulated pollutants are being included in this NPDES permit to satisfy the Tier 1 antidegradation standard: heat (temperature), total residual chlorine (TRC), and oil and grease.

The Tier 2 antidegradation standard found in 327 IAC 2-1.3-3(b) applies to surface waters of the state where the existing quality for a parameter is better than the water quality criterion for that parameter established in 327 IAC 2-1-6 or 327 IAC 2-1.5. These surface waters are considered high quality for the parameter. This high quality shall be maintained and protected unless the commissioner finds that

allowing a significant lowering of water quality is necessary and accommodates important social or economic development in the area in which the waters are located. IDEM implements the Tier 2 antidegradation standard for regulated pollutants with numeric water quality criteria adopted in or developed pursuant to 327 IAC 2-1 or 327 IAC 2-1.5, and utilizes the antidegradation implementation procedures in 327 IAC 2-1.3-5 and 2-1.3-6. Applicable water quality criteria are available for the following regulated pollutants included in this general permit: heat (temperature) and total residual chlorine (TRC).

In the 2015 general permit, IDEM allowed for new source dischargers to be covered if there was a minimum instream dilution ratio greater than or equal to 10 parts receiving stream (stream design flow) to 1 part (effluent design flow). However, there is insufficient data to support that this would provide a sufficient dilution to satisfy the antidegradation exemption for heat under 327 IAC 2-1.3-4(c)(1)(B)(ii) and not cause a significant lowering of water quality. Therefore, all new discharges of OTNCCW must submit an individual NPDES application which will also involve a site-specific antidegradation evaluation. This does not preclude a facility with an existing discharge of OTNCCW that is covered under an individual NPDES permit from seeking new coverage under the general permit if the facility opts to make the transition and meets the eligibility requirements.

No increased discharges of OTNCCW may occur under this general permit. If an existing facility is proposing an expansion of operations or other activities which would result in a significant increase in volume of the discharge of OTNCCW, an individual NPDES application would need to be submitted to IDEM to ensure compliance with the antidegradation rules.

According to 327 IAC 2-1.3-1(b), the antidegradation implementation procedures in 327 IAC 2-1.3-5 and 2-1.3-6 apply to a proposed new or increased loading of a regulated pollutant to surface waters of the state from a deliberate activity subject to the Clean Water Act, including a change in process or operation that will result in a significant lowering of water quality. This general permit does not propose to establish a new or increased loading of the regulated pollutants heat or total residual chlorine. Therefore, the antidegradation implementation procedures in 327 IAC 2-1.3-5 and 2-1.3-6 do not apply to the discharges covered under this general permit.

G. When to Apply

All dischargers desiring coverage under this general permit must timely submit a complete Notice of Intent. The 2015 general NPDES permit requires an NOI to be filed at least ninety (90) days prior to the expiration date of the general permit. Under the terms and conditions of this general permit, any existing permittee will also need to file an NOI within ninety (90) days following the date that the Commissioner makes the 2020 NOI form available to the permittee.

If a facility with existing general permit coverage determines that it cannot comply with the renewed general permit, then an individual NPDES application must be

submitted within 120 days of the effective date of the general permit. Their existing general permit coverage will continue until the effective date of the individual NPDES permit.

If a facility with an existing individual NPDES permit opts to convert to being regulated under the general permit, and it meets the eligibility requirements in Section 1.3, the permittee may request new coverage under this general permit at any time after the effective date of this permit by submitting an NOI.

H. Permit Conditions

1. Narrative Water Quality Based Limits

The narrative water quality standards contained in 327 IAC 2-1-6(a)(1) (A)-(E) and 327 IAC 2-1.5-8 have been included in this general permit to ensure that the narrative water quality criteria are met. The 2015 permit inadvertently omitted the requirement that the discharge shall not cause the receiving water(s) outside the mixing zone, to contain substances in concentrations which on the basis of available scientific data are believed to be sufficient to injure, be chronically toxic to, or be carcinogenic, mutagenic, or teratogenic to humans, animals, aquatic life, or plants. This provision has been included in the 2020 general permit renewal.

2. Numeric Permit Limits & Monitoring Requirements

This general NPDES permit for once-through noncontact cooling water protects the quality of waters of the state by regulating the quality of water discharged from such industrial activities. According to 40 CFR 122.44 and 327 IAC 5, NPDES permit limits are established through either technology-based limitations where applicable, best professional judgment (BPJ), or Indiana Water Quality-Based Effluent Limitations (WQBELs), whichever is most stringent.

The water quality-based effluent limitations in this general permit are founded on water quality criteria in 327 IAC 2-1-6, 327 IAC 2-1.5 and implementation procedures in 327 IAC 5. Limitations and/or monitoring are required for parameters identified by applications of the reasonable potential to exceed a WQBEL under 327 IAC 5-2-11.1(h) and 327 IAC 5-2-11.5.

Parameters regulated under this general permit include flow, oil and grease, pH, total residual chlorine, total flow, and temperature. These are the baseline effluent limitations and monitoring requirements which are required of all discharges of once-through noncontact cooling water.

- a. **Flow** is a standard parameter to be monitored for all NPDES permits. The requirement is to report both the monthly average and daily maximum flows for each month. This parameter is included in this permit in accordance with 327 IAC 5-2-13(a)(2).
- b. **Oil and Grease** are common industrial pollutants and have the potential to be present in once-through noncontact cooling water. The requirement is to

monitor and report the concentration of this parameter on a twice monthly basis. This monitoring requirement for oil and grease is the same as that which exists in the current general permit, ING250000, which was issued in 2015.

- c. **pH** monitoring is included in the general permit to ensure that the discharge will not violate Indiana water quality standards. The proposed limit of 6.0 to 9.0 standard units (s.u.) is in accordance with the Water Quality Standards found at 327 IAC 2-1-6 and 327 IAC 2-1.5-8. This restriction is necessary due to the variable water supply sources and the potential for pH changes due to the use of approved water treatment additives. The effluent limitations and monitoring requirement for pH is the same as that which exists in the current general permit, ING250000, which was issued in 2015.

- d. **Total Residual Chlorine (TRC)** limits are included to account for permittees who utilize a chlorinated water supply as the source water for the OTNCCW. Some facilities utilize water which has been withdrawn directly from a stream or from an unchlorinated well, while others must use a public water supply (PWS) which typically is chlorinated for bacteria control. The effluent limitation for TRC shall apply whenever chlorinated intake water is used as the source water for a facility's OTNCCW system during any given month.

The effluent limitation for TRC is 0.02 mg/l as a daily maximum. This limit is derived from 327 IAC 2-1-6. (Table 1 - Water Quality Criteria for Specific Substances) and 327 IAC 2-1.5-8 (Table 8-1; Surface Water Quality Criteria for Protection of Aquatic Life) and assumes that discharge is likely to occur when there is little or no dilution available in the receiving waters. Since this effluent limitation (0.02 mg/l) is less than the LOQ value (0.06 mg/l), the permittee may report "< 0.06" for the daily maximum if the testing result(s) are less than the LOQ value. For any month in which the permittee does not utilize chlorinated intake water, the permittee may report "N/A" for this pollutant. The effluent limitations and monitoring requirements for TRC are unchanged from the current general permit, ING250000.

- e. **Total Flow** reporting requirements are included, and facilities covered by this general permit must report the total flow value for the month in million gallons (mgal). This requirement is included to assist IDEM in properly assessing the annual permit operating fees set forth under IC 13-18-20. This requirement is unchanged from the current general permit ING250000.

- f. **Temperature Requirements** are as shown in the tables below and are based on the various sets of thermal standards contained in the Indiana Water Quality Standards, 327 IAC 2. The first set of temperature requirements is applicable to direct discharges to the Ohio River. The second set of temperature requirements is applicable to all other Indiana waters, with the exception of those which are specifically excluded from general permit coverage as set forth in Section D of this fact sheet and Section 1.3 of the general permit. The Indiana water quality standards contain more stringent temperature requirements for salmonid streams and for Lake Michigan, and

such discharges will be regulated by individual NPDES permits. These requirements are unchanged from the 2015 general NPDES permit.

MAXIMUM TEMPERATURES FOR DISCHARGE (in Degrees Fahrenheit (°F))

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
Ohio River Main Stem 327 IAC 2-1-6(b)(4)(D)	50	50	60	70	80	87	89	89	87	78	70	57
All other Indiana waters (except for OSRWs, ONRWs, St. Joseph River, and salmonid streams)	50	50	60	70	80	90	90	90	90	78	70	57

3. Monitoring and Reporting Requirements

Monitoring requirements for oil and grease, pH and temperature are set at twice monthly. Flow monitoring is a daily requirement. Total flow must be calculated once monthly.

The permittee is required to complete and submit federal Discharge Monitoring Reports (DMRs) and state Monthly Monitoring Reports (MMRs) to IDEM containing the results obtained during the previous monitoring period by the 28th day of the month following the monitoring period.

All persons covered by this general permit are required to enroll in the NetDMR program for the electronic submittal of the federal DMRs and the state MMR forms in lieu of submitting them via U.S. Mail. For more information about NetDMR, see <https://www.IN.gov/IDEM/cleanwater/2422.htm>.

I. Reporting Spills and Noncompliance

All persons covered by this general permit must monitor for, identify, and report adverse incidents. If a person covered by this general permit observes or is otherwise made aware of an adverse incident that may have resulted from a discharge, the person must notify IDEM by telephone at **(888) 233-7745**:

- immediately for incidents which pose a significant danger to human health or the environment,
- as soon as possible but within two (2) hours of discovery for any adverse incidents resulting in death or acute injury or illness to animals or humans (see 327 IAC 2-6.1), and
- within 24 hours of the person becoming aware of the adverse incident for any other adverse incidents not listed above.

The permittee shall also submit a written report to IDEM within five (5) days of the permittee becoming aware of the incident. The report may be submitted by U.S. Mail or by email to wwreports@idem.IN.gov.

Spills from the permitted facility meeting the definition of a spill under 327 IAC 2-6.1-4(15), the applicability requirements of 327 IAC 2-6.1-1, and the Reportable Spills requirements of 327 IAC 2-6.1-5 (other than those meeting an exclusion under 327 IAC 2-6.1-3 or the criteria outlined below) are subject to the Reporting Responsibilities of 327 IAC 2-6.1-7.

Reporting requirements of 327 IAC 2-6.1 do not apply to those discharges or exceedances that are under the jurisdiction of an applicable permit when the substance in question is covered by the permit and when death or acute injury or illness to animals or humans does not occur. In order for a discharge or exceedance to be under the jurisdiction of this NPDES permit, the substance in question (a) must have been discharged in the normal course of operation from an outfall listed in this permit, and (b) must have been discharged from an outfall for which the permittee has authorization to discharge that substance.

J. Fees

In accordance with IC 13-18-20-12, any application for a new permit, renewal of a permit, modification of a permit, or variance from a permit requirement must be accompanied by an application fee, which is currently \$50.00. This fee is also applicable to Notice of Intent letters for general permits. Once approved for coverage under a general permit, the permittee is also subject to annual operating/maintenance fees. These annual fees are variable and are set by statute in IC 13-18-20. For more information, please see <https://www.IN.gov/IDEM/cleanwater/2367.htm>.

Both the NPDES NOI/application fees and annual fees may be remitted by check via U.S. mail or may be remitted via IDEM's online payment portal at <https://www.in.gov/idem/6973.htm>, which can accept e-checks and some credit cards.

K. Reopening Clauses

This permit may be modified, or alternately, revoked and reissued, after public notice and opportunity for hearing:

1. to comply with any applicable effluent limitation or standard issued or approved under 301(b)(2)(C),(D) and (E), 304 (b)(2), and 307(a)(2) of the Clean Water Act, if the effluent limitation or standard so issued or approved:
 - a. contains different conditions or is otherwise more stringent than any effluent limitation in the permit; or
 - b. controls any pollutant not limited in the permit.
2. to incorporate any of the reopening clause provisions cited at 327 IAC 5-2-16.

L. Permit Term

This general permit is to be in effect for a term of no more than five (5) years from its effective date.

M. Forms, References, and Guidance Documents

The IDEM website will contain information about each of the General NPDES permits, including the issued permit(s), Notice of Intent (NOI) forms, Notice of Termination (NOT) forms, Application for Approval to Use Water Treatment Additives form, and helpful reference documents to assist the regulated community and the general public. This web page is still in development as of the creation date of this fact sheet.

N. Proposed Changes to the General Permit

The following is a summary of the substantive changes which IDEM is proposing in this general permit compared to the 2015 final general permit:

- 1) The eligibility requirements in Section 1.3 were expanded to further restrict the types of discharge activities which can be authorized under this general permit. One important change is the removal of the ability for a new source discharger to obtain coverage under the general permit without first having obtained an individual NPDES permit.
- 2) A new paragraph was added to Section 2.2 of the permit to specify that the discharge shall not contain substances that would cause toxicity outside of the mixing zone of the receiving water.
- 3) Section 3.0 of the permit has been updated to reflect the requirement for all NPDES permittees to enroll in NetDMR for electronic submittal of the monthly reports.
- 4) Section 4.0 of the permit and the NOI form have been updated to require a flow schematic diagram of the permitted site.
- 5) The NOI has been updated to request email addresses if available for the listed Potentially Affected Persons who require notifications under IC 4-21.5.
- 6) The certification statement on the NOI form has been updated to include language from Title 13-30 of the Indiana Code.
- 7) Additional standard permit conditions were added to the permit as Sections 6.10 thru 6.14. A new section of definitions was also added as Section 6.15.

O. Public Notice of Draft General Permit

The official public notice comment period for the draft 2020 General NPDES permit commences on September 14, 2020 and ends on October 14, 2020. On September 14, 2020 a legal ad notice was published in the Indianapolis Star and a notice is also being posted on IDEM's website at <https://www.IN.gov/idem/5474.htm>, under the Statewide heading at <https://www.IN.gov/idem/6777.htm>.

POST PUBLIC NOTICE ADDENDUM for ING250000: October 19, 2020

The draft NPDES general permit renewal for ING250000 was made available for public comment from September 14, 2020 through October 14, 2020 as part of Public Notice No. 20200914-ING250000-RD. A legal ad notice was published in the Indianapolis Star on September 14, 2020 and a notice was also posted on IDEM's web page for public notices which is <https://www.in.gov/idem/5474.htm> under the heading for statewide public notices, <https://www.in.gov/idem/6777.htm>. The notice was posted there for the duration of the official public comment period. The version posted on our website contained the entire draft permit renewal document along with the NPDES fact sheet and the draft revised Notice of Intent form. Copies of the draft permit and related documents were also sent out to the existing general permittees via e-mail.

During this official public comment period, IDEM did not receive any official public comments. However, IDEM did receive a nonobjection letter from Mr. Stephen Jann of the U.S. EPA Region 5 with some recommended changes on September 10, 2020 prior to the commencement of the official comment period. These recommendations and this Office's corresponding responses are summarized below. We also received an informal email inquiry on October 2, 2020 from Ms. Kristin Eby, Senior Project Manager with SES Advantage in Fort Wayne, Indiana. We have included one of her questions here because it pertains to the effluent characterization requirements of the NOI form. Any changes that have been made to the general permit, NOI form, or the Fact Sheet are discussed below.

U.S. EPA recommended the inclusion of visual monitoring requirements for each outfall so that the permittee(s) would report on a monthly basis whether any violations of the minimum narrative water quality standards had been observed. Additionally, U.S. EPA recommended that IDEM include specific reporting requirements with instructions for steps to be taken to remedy the unusual characteristic. IDEM does not currently require such reporting for any of our NPDES permits, either individual or general permits. However, we will take this recommendation under advisement and may implement visual monitoring and reporting requirements in future NPDES permits.

U.S. EPA also recommended that the wording in Section 3.5 of the general permit be revised to specify that the permittee must use the most current testing methods available. As specified at 327 IAC 5-2-13(d)(1), the test procedures identified in 40 CFR 136, including analytical and sampling methods, shall be used for pollutants or pollutant parameters listed in that part unless an alternate test procedure has been approved under 40 CFR 136.5. The State of Indiana has currently incorporated by reference the

July 1, 2016 version of 40 CFR 136 under 327 IAC 5-2-1.5 and 327 IAC 1-1-2; therefore, this is the version of 40 CFR 136 currently applicable in NPDES permits. These state rules must be updated, via amendment by the Environmental Rules Board, to incorporate more current versions of the federal rules. No changes have been made to the general permit.

Ms. Eby raised a question about the different sets of effluent parameters in the general permit as compared to the NOI form. The effluent limitations and monitoring requirements contained in Section 2.1 of the general permit are the fundamental set of limits and sampling requirements which all permittees with coverage under this general permit must follow. This set of limits establishes the framework for what is expected as the basic or minimum NPDES permit requirements for these types of discharges. Therefore, it is also intended to be used as the minimum NPDES permitting requirements for facilities which discharge noncontact cooling water and are otherwise required to obtain individual NPDES permits for those discharges. This does not preclude IDEM from adding more requirements via the Notice of Coverage letter, based upon our review of the contents of the NOI or other facility-specific information, such as compliance and enforcement documents.

The purpose of the effluent characterization requirements in the NOI form are to ensure that IDEM staff obtain current facility-specific information about the wastewater to be covered by that general permit. It should be noted that the effluent characterization requirements in the draft revised NOI form are unchanged from the existing NOI form which was developed in 2015. It should also be noted that the list of effluent parameters and the instructions are derived from the U.S. EPA Application Form 2E for Discharges of Non-process Wastewater. When IDEM created the first-round of the administrative general permits (pre-2015 issuance), U.S. EPA insisted that the NOI form needed to require the applicant(s) to provide effluent characterization data in the NOI, and not just a reiteration of the limited set of monitoring data for those parameters which had been required by the previous permit-by-rule. They were especially interested in this data for those facilities which use groundwater as their source water for their noncontact cooling water discharges. We decided to use the effluent tables and instructions contained in the 2E application form. The applicant does have the ability however to either request a waiver from some of the testing requirements. Alternatively, the applicant can mark "N/A" on the NOI form for any parameter which they either know or believe is not present in the discharge. The applicant is required to sign the certification statement that the contents of the NOI are true and correct.

Additional Changes to the Proposed NPDES General Permit

1. IDEM OWQ Compliance staff recommended a slight adjustment to the sample type for Total Flow in Section 2.1 of the general permit. The U.S. EPA ICIS database does not have a matching sampling parameter entitled “Cumulative Recorded Total”. This was the terminology which we had used in the 2015 general permit, however it was determined that the best and closest descriptive parameter available in the ICIS database to represent this parameter is “Recorder Total”. In the draft renewal of the general permit, which was public noticed on September 14, 2020, we changed the sample type to “Recorded total” but now we have updated that with the new term “Recorder total”. This term has been added to Section 6.15 of the general permit which contains terminology definitions. Definitions for the terms “Commissioner” and “Regional Administrator” were also added.
2. The term “receiving stream(s)” was changed to “receiving water(s)” in the fact sheet. IDEM had already updated this terminology in the general permit.