

Indiana Department of Environmental Management

Office of Water Quality, Permits Branch

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In compliance with the provisions of the Federal Water Pollution Control Act, as amended, (33 U.S.C. 1251 et seq., the "Clean Water Act" or "CWA"), Title 13 of the Indiana Code, Articles 5 and 15 of Title 327 the Indiana Administrative Code, and regulations adopted by the Environmental Rules Board, the Indiana Department of Environmental Management (IDEM) is issuing this National Pollutant Discharge Elimination System (NPDES) General Permit to regulate discharges of once-through noncontact cooling water into surface waters of the State of Indiana.

This permit is issued on: **October 27, 2025**

This permit is effective on: **November 1, 2025**

This permit expires on: **October 31, 2030**

In accordance with IC 13-15-3-6, 40 CFR 122.6, and 123.25, the conditions of this permit and authorization to discharge shall remain fully effective and enforceable after the expiration date of the permit if the permittee has submitted a timely Notice of Intent letter (NOI) for a new term of coverage and IDEM has not, through no fault of the permittee, issued a new permit on or before the expiration date of this permit.

A handwritten signature in black ink, appearing to read "Paul Higginbotham", with a long horizontal line extending to the right.

Paul Higginbotham
Deputy Assistant Commissioner
Office of Water Quality

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1.0 GENERAL PERMIT COVERAGE

1.1 Permit Area

This National Pollutant Discharge Elimination System (NPDES) master general (“general”) permit for discharges of once-through noncontact cooling water (OTNCCW) covers and is applicable to the entire state of Indiana. However, the area covered in this permit does not include any discharges to waters located in Indian country, which is defined in United States Code 18 USC Section 1151 as “(a) all land within the limits of any Indian reservation under the jurisdiction of the United States Government, notwithstanding the issuance of any patent, and, including any rights-of-way running through the reservation, (b) all dependent Indian communities within the borders of the United States whether within the original or subsequently acquired territory thereof, and whether within or without the limits of a state, and (c) all Indian allotments, the Indian titles to which have not been extinguished, including the rights-of-way running through the same.”

1.2 Discharges Authorized/Covered by This Permit

This general permit addresses any existing discharges of OTNCCW to surface waters of the state of Indiana, including discharges through a separate storm sewer system, so that public health, existing uses of streams, and aquatic biota are protected. This general permit only authorizes discharges of OTNCCW which 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; and
- (c) does not come into contact with any raw material or manufactured product.”

This general permit is issued to be effective for a term of five (5) years. To be authorized to discharge under this permit, entities must submit a Notice of Intent (NOI) in accordance with the requirements of Part 4.0 of this permit, using an NOI application form provided by IDEM. The Commissioner may grant or deny coverage under this permit or require an application for an individual permit.

After the submitted NOI form is reviewed by IDEM, IDEM will determine whether coverage under this general permit is granted or denied. If coverage is granted, IDEM shall notify the applicant of authorization and the effective date via a Notice of Coverage (NOC). The NOC will include requirements for monitoring and limits for applicable parameters based upon the characteristics of the discharge. Except as provided in Section 1.3, until IDEM issues an NOC that grants coverage for discharge, the discharge is not authorized under this permit and may not be initiated.

Entities that obtain coverage under this permit are in compliance with the NPDES application requirements for such discharges. Any discharge of pollutants into surface waters of the state from a point source discharge, except for exclusions cited at 327 IAC 5-2-4, is prohibited unless in conformity with a valid NPDES permit.

Permittees who are granted general permit coverage will remain covered under this permit until the earliest of the following:

- a) the permittee receives authorization for coverage under a reissued or replacement version of this permit;
- b) IDEM receives and approves the permittee's submittal of a Notice of Termination (NOT; see Section 5.0);
- c) issuance or modification of an individual permit for the discharges covered by this general permit; or
- d) a final decision by IDEM either to revoke or to not reissue this general permit. If IDEM does not reissue permit coverage, IDEM will identify a reasonable time period for covered dischargers to seek coverage under an alternative general permit or an individual permit. Coverage under this permit will terminate at the end of this identified time period.

1.3 Eligibility

- a) This general permit covers discharges comprised solely of OTNCCW to surface waters of the state, except as limited in paragraph "b" below.
- b) Limitations on coverage - the following discharges are not authorized by this permit:
 - 1) discharges directly to or to tributaries of waters that are designated as an Outstanding National Resource Water (ONRW) defined at IC 13-11-2-149.5 or discharges directly to an Outstanding State Resource Water (OSRW) defined at IC 13-11-2-149.6 and listed at 327 IAC 2-1-11(b), 327 IAC 2-1.3-3(d), or 327 IAC 2-1.5-19(b);
 - 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 facility for which the 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 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 withdrawals from surface waters may not 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 the Twin Branch Dam;
 - 6) discharges from steam electric power generation facilities as defined under 40 CFR 423;
 - 7) new discharges of OTNCCW from sources that do not have existing NPDES permit coverage;
 - 8) 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;
 - 9) discharges resulting from the cleaning of tanks and/or pipelines;
 - 10) discharges to combined or sanitary sewer systems;
 - 11) discharges that are commingled with hazardous wastes or hazardous materials;
 - 12) bypasses or upsets of any kind from a treatment works or collection system;
 - 13) discharges that contain pollutants classified as bioaccumulative chemicals of concern (BCCs);
 - 14) discharges for which the Commissioner requests an individual permit application; and
 - 15) discharges within Indian country as described in Section 1.1 of this permit.

1.4 Fees - Application and Annual Maintenance

Any person who seeks coverage under this general permit is required to remit an application fee with the NOI in accordance with 327 IAC 5-3-17. Pursuant to the statute, this fee is required for a new NOI submittal, renewal, and/or modification request, including transfers of coverage requested under Section 6.2, and any

planned facility changes referenced in Section 6.3 of this permit that would result in the need for an NOI. Persons covered by this general permit are also required by 327 IAC 5-3-17 to remit annual operating fees to IDEM for as long as coverage continues. Coverage under this general permit may be revoked for nonpayment of applicable fees as set forth in IC 13-18-20.

2.0 EFFLUENT LIMITATIONS

All permittees must control discharges as necessary to meet numeric and narrative water quality criteria for any discharges authorized by this permit, with compliance required upon beginning such a discharge.

2.1 Numeric Discharge Limitations

The NOC will set forth all applicable effluent limitations and monitoring requirements with which the permittee must comply. The following tables list the minimum effluent limitations and monitoring requirements for all discharges covered under this general permit. See Section 4.4 for more parameters for which sampling data may be required when submitting an NOI.

Table 1 [1][3][9]

	Quantity or Loading			Quality or Concentration		Monitoring Requirements		
Parameter	Monthly Average	Daily Maximum	Rate	Monthly Average	Daily Maximum	Units	Measurement Frequency	Sample Type
Total Residual Chlorine (TRC) [5][6][7]	-----	-----	-----	-----	0.02	mg/l	2 x Weekly	Grab
Oil and Grease (O&G) [4]	-----	-----	-----	Non-Detectable	Non-Detectable	mg/l	2 x Monthly	Grab
Discharge Flow [2]	Report	Report	MGD	-----	-----	-----	Daily	24 Hr. Total
Total Monthly Flow [2]	Report	Report	MGal	-----	-----	-----	1 x Monthly	Recorder total
Temperature [4]				Report	See Tables 3 and 4 Below	°F	2 x Monthly	Grab
Other [8]								

Table 2 [1]

	Quality or Concentration			Monitoring Requirements	
Parameter	Daily minimum	Daily maximum	Units	Measurement Frequency	Sample type
pH	6.0	9.0	s.u.	2 x Monthly	Grab

Table 3 – Maximum Temperatures for Discharges to the Ohio River Main Stem Only

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
Maximum Temperatures for Discharge (° F)	50	50	60	70	80	87	89	89	87	78	70	57

Table 4 - Maximum Temperatures for Discharges to All Receiving Waters Except the Ohio River Main Stem

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
Maximum Temperatures for Discharge (° F)	50	50	60	70	80	90	90	90	90	78	70	57

- [1] See Section 2.2 of the permit for the minimum narrative limitations.
- [2] Measurement of discharge flow is required per 327 IAC 5-2-13(a)(2).
- [3] Samples and measurements taken as required in this section shall be representative of the volume and nature of the monitored discharge. Temperature samples shall be representative of the highest temperature of the discharge. Samples taken in compliance with the monitoring requirements in this section shall be taken at a point representative of the discharge but prior to entry into waters of the state. Test methods shall be selected that will provide adequately sensitive data results.
- [4] Grab samples shall be taken of the discharge water as it leaves the noncontact cooling water system or, if applicable, after receiving treatment. The permittee is required to investigate and eliminate the source of any detectable concentration of oil and grease in excess of 5 mg/l.
- [5] The daily maximum water quality-based effluent limit (WQBEL) for chlorine is greater than or equal to the limit of detection (LOD) but less than the limit of quantitation (LOQ) as defined below, which is specified in the permit. Compliance with the daily maximum limit will be demonstrated if the observed effluent concentrations are less than the LOQ.

<u>Parameter</u>	<u>Test Method</u>	<u>LOD</u>	<u>LOQ</u>
Chlorine	4500-Cl-D	0.02 mg/l	0.06 mg/l
Chlorine	4500-Cl-E	0.02 mg/l	0.06 mg/l
Chlorine	4500-Cl-G	0.02 mg/l	0.06 mg/l

- [6] Case-Specific LOD/LOQ: The permittee may determine a case-specific LOD or LOQ using the analytical method specified above, or any other test method which is approved by IDEM prior to use. The LOD shall be derived by the procedure specified for method detection limits contained in 40 CFR Part 136, and the LOQ shall be equal to 3.18 times the LOD. Other methods may be used if first approved by IDEM.
- [7] The effluent limitation for TRC shall apply whenever chlorinated source water is used for noncontact cooling. For any months in which chlorinated intake water is not used, the permittee shall be allowed to report as such on the monthly Discharge Monitoring Report (DMR).
- [8] IDEM will evaluate the NOI and other available information relating to the facility/site and the receiving waterbody to determine whether there is a need to include additional parameters, effluent limitations, and/or monitoring requirements. In accordance with 327 IAC 5-2-10 and 40 CFR 122.44, NPDES permit limits shall be based on either technology-based effluent limits (TBELs), including those developed on a case-by-case basis using best professional judgement (BPJ) where applicable, or WQBELs, whichever is most stringent. Any additional effluent limitations and/or monitoring requirements will be included in the NOC.

2.2 Narrative Water Quality Limitations

At all times, the discharge from any and all point sources specified within this permit shall not cause receiving waters:

- a) including waters within the mixing zone, to contain substances, materials, floating debris, oil, scum attributable to municipal, industrial, agricultural, and other land use practices, or other discharges that do any of the following:
 - (1) settle to form putrescent or otherwise objectionable deposits;
 - (2) exist in amounts sufficient to be unsightly or deleterious;
 - (3) produce color, visible oil sheen, odor, or other conditions in such degree as to create a nuisance;
 - (4) exist in amounts sufficient to be acutely toxic to, or to otherwise severely injure or kill aquatic life, other animals, plants, or humans;
 - (5) exist in concentrations or combinations that will cause or contribute to the growth of aquatic plants or algae to such a degree as to create a nuisance, be unsightly, or otherwise impair the designated uses; or
- b) outside the mixing zone, to contain substances in concentrations that, 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.

3.0 MONITORING REQUIREMENTS AND PROCEDURES

3.1 Required Sampling

Samples shall be taken in accordance with the sample type specified in Section 2.1 of this general permit and as required in the NOC. After issuance of the NOC, the Commissioner may require the permittee to sample for additional parameters and/or meet additional effluent limitations. When this occurs, the permittee shall be notified in writing and given the reasons for the additional sampling requirement.

3.2 Measurement Frequency

The measurement frequency for each parameter is identified in Section 2.1 above or as identified in the NOC. The Commissioner may require the permittee to conduct more frequent measurement of one or more of these parameters. When this becomes the case, the permittee shall be notified in writing and given the reasons for the more frequent sampling requirement.

3.3 Representative Sampling

Samples and measurements taken in compliance with the monitoring requirements specified above and in the NOC shall be representative of the volume and nature of the discharge flow and shall be taken at times which reflect the full range and concentration of effluent parameters normally expected to be present. Samples shall not be taken at times to avoid showing an excursion from acceptable levels of any parameter(s) or any other violation of limits. The samples and measurements shall be taken prior to mixing with any other waters and prior to discharging to the receiving stream.

3.4 Additional Monitoring by Permittee

When the permittee monitors any pollutant at the location(s) designated herein more frequently than required by this permit using approved analytical methods as specified in Section 3.5 below, the results of this monitoring shall be included in the calculation and reporting of the values required in the DMR and MMR. Such increased frequency shall also be indicated. Other monitoring data not specifically required in this permit, such as internal process or internal waste stream data collected by or for the permittee, need not be submitted unless requested by the Commissioner.

3.5 Testing Procedures

The analytical and sampling methods shall conform to the version of 40 CFR 136 incorporated by reference in 327 IAC 5. Different but equivalent methods are allowable if they receive the prior written approval of the Commissioner and the U.S. Environmental Protection Agency. When more than one test procedure is

approved for the purposes of the NPDES program under 40 CFR 136 for the analysis of a pollutant or pollutant parameter, the test procedure must be sufficiently sensitive as defined at 40 CFR 122.21(e)(3) and 122.44(i)(1)(iv).

3.6 Recording of Results

For each measurement or sample taken pursuant to the requirements of this general permit, the permittee shall maintain records of all monitoring information and monitoring activities, including the following:

- a) the place (outfall number), date, and time of sampling or measurements;
- b) the name of the person who performed the sampling or measurements;
- c) the dates and times the analyses were performed;
- d) the names of the person or laboratory who performed the analyses;
- e) the analytical techniques or methods used; and
- f) the results of all required analyses and measurements.

3.7 Reporting Monitoring Results

- a) The permittee shall submit complete federal DMRs and state MMRs to IDEM containing results obtained during the previous monitoring period which shall be submitted no later than the 28th day of the month following each completed monitoring period.
- b) Reporting forms that were not issued by IDEM must receive approval by IDEM before they may be used.
- c) DMRs must be signed and certified by a responsible corporate officer, a general partner or the sole proprietor, a principal municipal executive officer or ranking elected official, or his or her duly authorized representative. Such authorization must be submitted in writing and must explain the duties and responsibilities of the authorized representative.
- d) Permittees shall keep a duplicate copy of all completed and signed monitoring report forms submitted. These documents shall be retained either on-site at the permitted facility or in such a manner that the reports will be readily available for IDEM compliance staff review.

These reports shall include but are not limited to the DMR and the MMR. All reports shall be submitted to IDEM electronically by using the NetDMR application, receipt of the NetDMR Subscriber Agreement, and IDEM approval of the proposed NetDMR Signatory. Access the NetDMR website (for initial registration and DMR/MMR submittal) via CDX at: <https://cdx.epa.gov/>. The Regional Administrator may request the permittee to submit monitoring reports to the U.S. Environmental Protection Agency if it is deemed necessary to assure compliance with the permit.

3.8 Reporting Effluent Data on the Federal Discharge Monitoring Reports

- a) For parameters with monthly average WQBELs below the LOQ, daily effluent values that are less than the LOQ may be assigned a value of zero (0).
- b) For all other parameters for which the monthly average WQBEL is equal to or greater than the LOQ, calculations that require averaging of measurements of daily values (both concentration and mass) shall use an arithmetic mean, except the monthly average for *E. coli* shall be calculated as a geometric mean. When a daily discharge value is below the LOQ, a value of zero (0) shall be used for that value in the calculation to determine the monthly average unless otherwise specified or approved by the Commissioner.
- c) Effluent concentrations less than the LOD shall be reported on the DMR forms as < (less than) the value of the LOD. For example, when a substance is not detected at a concentration of 0.1 µg/l, report the value as <0.1 µg/l.
- d) Effluent concentrations greater than or equal to the LOD and less than the LOQ that are reported on a DMR shall be reported as the actual value and annotated on the DMR to indicate that the value is not quantifiable.

3.9 Records Retention

All records and information resulting from the monitoring activities required by this permit, including all records of analyses performed and calibration and maintenance of instrumentation and recording from continuous monitoring instrumentation, shall be retained for a minimum of three (3) years. All records shall be kept at the permitted facility or in such a manner that the reports will be readily available for IDEM compliance staff review. The three-year retention requirement shall be extended in each of the following circumstances:

- a) automatically during the course of any litigation regarding the discharge of pollutants by the permittee or regarding promulgated effluent guidelines applicable to the permittee; or
- b) as requested by the Regional Administrator of U.S. EPA or the Commissioner.

3.10 Reopening Clauses

- a) This general permit may be modified, or alternately, revoked and reissued, after public notice and opportunity for hearing to include 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, when the effluent limitation or standard so issued or approved does either of the following:
 - 1) contains different conditions or is otherwise more stringent than any effluent limitation in the permit; or
 - 2) controls any pollutant not limited in the permit.

- b) This general permit may be modified or alternately revoked and reissued after public notice and opportunity for hearing to incorporate any of the reopening clause provisions cited at 327 IAC 5-2-16.
- c) When this general permit is modified or revoked and reissued, all persons regulated under it will be notified by IDEM. Persons notified under this Section shall, within one hundred twenty (120) days of receipt of notification, do one or more of the following:
 - 1) submit a complete NOI containing the information required under the modified or reissued permit;
 - 2) apply for an individual NPDES permit; or
 - 3) submit a NOT of discharge (see Section 5).

3.11 Electronic Reporting

IDEM is currently developing the technology and infrastructure necessary to allow compliance with the EPA Phase 2 e-reporting requirements per 40 CFR 127.16 and to allow electronic reporting of applications, notices, plans, reports, and other information not covered by the federal e-reporting regulations.

IDEM will notify the permittee when IDEM's e-reporting system is ready for use for one or more applications, notices, plans, reports, or other information. This IDEM notice will identify the specific applications, notices, plans, reports, or other information that are to be submitted electronically, and the permittee will be required to use the IDEM electronic reporting system to submit the identified application(s), notice(s), plan(s), report(s), or other information.

See Section 3.7, Reporting Monitoring Results, for the electronic reporting requirements for the monthly monitoring reports such as the DMR and MMR.

4.0 NOI REQUIREMENTS

4.1 NOI Format

A person seeking coverage under this general permit shall submit the appropriate NOI form for this specific general permit which will be provided by the Commissioner. The NOI form must be signed by a person who has the appropriate signatory authority as required by 40 CFR 122.22.

The NOI shall be submitted to IDEM in accordance with Section 4.3 and 4.4 of this general permit.

4.2 Deadlines for NOI Submittal

- a) For a new discharger, an individual NPDES application must be submitted to IDEM at least 180 days prior to the commencement of the discharge. However, a

facility with an individual NPDES permit which meets the eligibility requirements in Section 1.3 may submit an NOI to changeover to general permit coverage at any time after the effective date of this general permit.

- b) For a facility that has existing, effective coverage under the currently effective general permit ING250000, the existing coverage shall automatically be extended on the effective date of the subsequently renewed general permit, provided that the permittee takes at least one of the following actions within ninety (90) days following the date that the Commissioner makes the NOI form available to the permittee:
 - 1) The permittee submits a new NOI in accordance with Section 4.0 of this general permit to affirm it intends to comply with the requirements of this new general permit;
 - 2) The permittee notifies IDEM in writing of its intent to terminate general permit coverage in accordance with Section 5.0 of this general permit; or
 - 3) The permittee submits an individual NPDES application or modification to IDEM for the existing discharge permitted by the former general permit. In such cases, the general permit coverage will remain in effect until the effective date of coverage under an individual NPDES permit.
- c) For subsequent renewals of general permit coverage, an NOI shall be submitted no fewer than ninety (90) days before the permit expires.
- d) In the case of a transfer of ownership, an NOI must be submitted no fewer than thirty (30) days before the transfer occurs. Additional requirements for the transfer of general permit coverage are found in Section 6.2 of this general permit.
- e) The Commissioner may, with good cause shown in writing, extend any of the submission deadline time periods required above.

4.3 Submitting the NOI and Processing Fee

The NOI and all supporting documents and fees shall be submitted according to the following:

- (1) Submit hard copies of the signed NOI form, mailing labels, checks, and other supporting documents, to this address:

Indiana Department of Environmental Management
Office of Water Quality, Permits Administration Section
100 North Senate Avenue, IGCN Room 1255
Indianapolis, IN 46204-2251

- (2) In addition to submitting a hard copy, the NOI and supporting documents may also be scanned electronically and submitted via e-mail to OWQ@idem.IN.gov. As an alternative to mailing a check, the

NOI fee may be remitted online by visiting IDEM's online payment portal at <https://www.in.gov/idem/resources/e-services/online-payment-options/>.

IDEM continues to develop means of electronic submittals for NOI and NOT forms. Upon availability and notification by the Commissioner of an electronic application process, a person may choose to or may be required to utilize this process to file the NOI, NOT and other submission requirements. If the electronic application process does become a requirement and the person does not have the ability to submit NOIs or NOTs electronically, the permittee may request an exemption from the requirement which shall include the justification of the inability to utilize an electronic filing system.

4.4 NOI Content Requirements

The following information must be included with an NOI:

- a) affirmation/verification that the application meets the eligibility requirements of this permit, per Section 1.3 of the permit;
- b) application type (renewal, modification, new coverage);
- c) permit number, if applicable, other permit number(s) applicable to site, and description of proposed modification, if applicable;
- d) facility name, mailing address and physical location address, if different;
- e) owner's company name and complete mailing address;
- f) facility SIC Code, NAICS Code, and facility county;
- g) latitude and longitude of approximate center of facility;
- h) nature of the primary business conducted at the facility or site and a brief description of the operations that result in the discharge;
- i) name and title of responsible official and his/her telephone number and e-mail address;
- j) name and title of any alternate delegated signatory to sign reports and file additional NOI content requirements and his/her telephone number and e-mail address;
- k) name of contact person responsible for submitting DMRs and his/her company name, telephone number, mailing address and e-mail address;
- l) name of contact person responsible for submitting the annual fee and his/her company name, telephone number, mailing address and e-mail address;
- m) name of operator/other contact and his/her company name, telephone number, mailing address and e-mail address;
- n) information regarding the volume of water to be withdrawn from wells, surface waters, and/or public water supplies;

- o) the following information for outfalls/discharges to be covered by the general permit: outfall number(s), latitude and longitude, receiving water, name of the owner of the storm sewer for any discharge into a storm sewer, and anticipated daily volume of discharge and method of determining discharge volume;
- p) for existing and new discharge sources, provide a characterization of all required parameters unless waived by the permitting authority. Required data for all parameters include maximum daily value, average daily value, and number of measurements taken last year. New sources are also required to list the source of the estimate for each parameter. Parameters include BOD, TSS, Fecal coliform, TRC, O&G, COD, TOC, Ammonia as N, discharge flow, summer and winter temperature ranges, and pH. For new dischargers, the source of the estimate/characterization is to be based on an actual data pilot study, estimates from other engineering studies, data from other similar sites, or best professional estimates;
- q) the outfall and associated water treatment additives (WTAs) that have been previously approved by IDEM, including documentation of that approval;
- r) proof of publication of the following statement in a newspaper of largest circulation in the area of the discharge using the following verbiage:

(Facility name, address, address of the location of the discharging facility) “is submitting a Notice of Intent to notify the Indiana Department of Environmental Management of our intent to comply with the requirements under the National Pollutant Discharge Elimination System (NPDES) general permit ING250000 to discharge wastewater from a once-through noncontact cooling water system. Discharge(s) will be to *(name(s) of the stream(s) or other water body(ies) receiving the discharge(s))*.”

Any person wishing further information about the discharge may contact *(facility contact person's name and telephone or email address)*. The decision to issue coverage under this General NPDES permit for this discharge is appealable as per IC 4-21.5 and IC 13-15-6. Any person who would like to be informed of IDEM's decision regarding coverage of this facility under this NPDES permit and who would like to be informed of procedures to appeal the decision may contact IDEM's offices at OWQWWPER@idem.IN.gov to be placed on a mailing list to receive notification of IDEM's decision.”

- s) topographical map including the location of the operation shown clearly and identified by name and by mark, the location of each numbered outfall shown clearly and identified by number and by mark, the receiving waters that each outfall discharges to shown clearly and identified by name, any existing permanent structures or roads in the area shown clearly and identified by name, and the location of any surface water intake structures;
- t) site map that shows and identifies the significant structures, including all piping, diked areas, all outfall and sampling locations, and any surface water intake structures;

- u) flow schematic diagram(s) for each outfall which shows how the process wastewater travels through the facility to the discharge point (outfall). This diagram may be part of the site map;
- v) completed Potentially Affected Parties form per IC 4-21.5 and mailing labels with mail code (65-42 PS) inserted on the first line of each label for each person listed;
- w) as required by IC 13-18-20-12, a \$50 fee is required to be submitted with a NOI for a new permit, modification, or renewal of coverage. Updates to information in Parts B and C shall **not** be subject to the \$50 fee;
- x) certification statement, signed by the authorized signatory, as set forth in 40 CFR 122.22 and IC 13-30-10; and
- y) any additional information deemed necessary by the Commissioner.

4.5 Additional NOI Requirements

An amended NOI containing the information required by this general permit shall be submitted for covered activities prior to initiating either one (1) or both of the following events:

- a) An NPDES point source discharge being added or deleted. This does not include the clarification of outfall location estimations to the same receiving water with a difference of less than three hundred (300) feet.
- b) The NPDES point source discharge location is moved to a different receiving water.

4.6 Supplemental NOI Form Requirements

Existing permittees who have already filed an NOI for renewal of coverage by or prior to the permit's 90-day deadline shall file a Supplemental NOI Form within ninety (90) days of the effective date of this general permit. This extra form affirms that a permittee's operations are still eligible for coverage under this renewed general permit and that they have reviewed and intend to comply with the renewed general permit.

5.0 REQUESTING TERMINATION OF COVERAGE

A permittee shall request termination of coverage under this general permit when discharges of OTNCCW to surface waters of the State have ceased. In order to do so, the permittee shall complete and submit a Notice of Termination (NOT) according to Section 4.3 of this permit.

The Termination Request must include the following information:

- a) Name of project/facility/site;
- b) NPDES permit coverage number;

- c) Reason(s) for termination request (e.g., certifying that there will no longer be any NPDES discharges requiring continuation of this permit);
- d) Date of last known discharge; and
- e) Signature of a responsible official.

The permittee will continue to be responsible for submitting all reports required by this permit and for remitting annual permit maintenance fees according to 327 IAC 5-3-17 until IDEM approves the NOT.

6.0 ADDITIONAL REQUIREMENTS

6.1 Standard Conditions for General Permits

The following standard permit conditions are incorporated by reference, as applicable to general permits.

Standard Conditions	Federal Regulatory Cite
a) Duty to comply	40 CFR 122.41(a)
b) Duty to reapply	40 CFR 122.41(b)
c) Need to halt or reduce activity not a defense	40 CFR 122.41(c)
d) Duty to mitigate	40 CFR 122.41(d)
e) Proper operation and maintenance	40 CFR 122.41(e)
f) Permit actions	40 CFR 122.41(f)
g) Property rights	40 CFR 122.41(g)
h) Duty to provide information	40 CFR 122.41(h)
i) Inspection and entry	40 CFR 122.41(i)
j) Monitoring and records	40 CFR 122.41(j)
k) Signatory requirements	40 CFR 122.41(k)
l) Reporting requirements	40 CFR 122.41(l)
m) Bypasses	40 CFR 122.41(m)
n) Upsets	40 CFR 122.41(n)
o) Additional reporting requirement for existing manufacturing, commercial, mining, and silvicultural dischargers	40 CFR 122.42(a)

6.2 Change of Ownership/Transfer

Coverage under this permit may be transferred in the event that the facility is sold or transferred to a new owner or operator when all of the following occur:

- a) the current permittee notifies IDEM at least thirty (30) days in advance of the proposed transfer date;
- b) a written agreement is submitted to IDEM containing a specific date of transfer of permit responsibility and coverage between the current permittee

and the transferee (including acknowledgment that the existing permittee is liable for violations up to that date, and the transferee is liable for violations from that date onward);

- c) the transferee certifies in writing to IDEM his/her intent to operate the facility without making such material and substantial alterations or additions to the facility as would significantly change the nature or quantities of pollutants discharged; and
- d) the new owner or operator must also submit a new NOI in accordance with the provisions of Section 4.0 of this permit.

6.3 Planned Changes in Facility or Discharge

The permittee shall give notice to IDEM no later than one hundred eighty (180) days prior to the initiation of any physical alterations or additions to the permitted facility that will or may result in any of the following:

- a) a discharge from a point previously not identified in the NOI;
- b) the facility meeting one of the criteria for determining if the facility is a new source as defined in 40 CFR 122.29(b);
- c) a change to the nature or increase in the quantity of pollutants discharged. This notification applies to pollutants which are subject either to effluent limitations in the general permit or to notification requirements under 40 CFR 122.42(a)(1); or
- d) change the amount or frequency of the discharge.

Changes resulting in the addition or deletion of a discharge point will necessitate the submittal of a new NOI requesting this amendment, along with the appropriate fee in accordance with 327 IAC 5-3-17. Depending upon the circumstances, any of the changes listed above could necessitate the submittal of an individual NPDES application, along with the appropriate fee, in accordance with IC 13-18-20-12.

6.4 Other Information

When the permittee becomes aware of a failure to submit any relevant facts or the submission of incorrect information in an NOI or in any report, the permittee shall promptly submit such facts or corrected information to the Commissioner.

The permittee shall promptly provide to IDEM written notice of any changes to items listed on the NOI. These would include but not be limited to the following:

- a) any changes in contacts or responsible party;
- b) any changes to either the physical or email address for any contact or responsible party;

- c) any change(s) to telephone number(s) for any contact person or responsible party;
- d) any changes involving the person or position with delegated signature authority for any forms or reports required by this general permit as set forth in Section 6.1(k) of this general permit; and/or
- e) any changes to the outfall location or receiving water.

6.5 Effect of Noncompliance

All discharges shall be consistent with the terms and conditions of this general permit. Any noncompliance constitutes a violation of applicable State and Federal laws, the Clean Water Act and IC 13 and is a ground for enforcement action, termination of coverage under the permit, requiring an individual permit, and/or denial of permit coverage.

When IDEM or the U.S. EPA determines that the effluent limitations contained in Sections 2.1 or 2.2 of this general permit are not being met consistently or that the discharge is causing or contributing to an excursion above any applicable water quality standard, the permittee may be notified by the Commissioner in writing that an individual permit application is necessary.

6.6 Reporting Spills and Noncompliance

Pursuant to 327 IAC 5-2-8(11) and 327 IAC 5-1-3, the permittee shall orally report to the Commissioner information on the following incidents within 24 hours from the time the permittee becomes aware of such occurrence. If the incident poses significant danger to human health or the environment, then pursuant to 327 IAC 2-6.1, the report shall be made as soon as possible, but within two (2) hours of discovery, to IDEM's Emergency Response Section at (317) 233-7745 or (888) 233-7745 toll free within Indiana. This number should only be called when reporting these emergency events.

However, under 327 IAC 2-6.1-3(1), when the constituents of the discharge are regulated by this permit, and death or acute injury or illness to animals or humans does not occur, the reporting requirements of 327 IAC 2-6.1 do not apply, and the 24-hour reporting requirement applies instead in the following situations:

- a) Any unanticipated bypass or upset which exceeds any effluent limitation in the permit or NOC;
- b) Any adverse incidents, including spills and leaks, which reach any surface water of the state; and/or
- c) Any discharge from any other outfall or point not listed in this permit.

For the above incidents (Section 6.6 a-c), the permittee may make oral reports by calling (317) 232-8670 during regular business hours and asking for the Compliance Data Section. A written submission shall also be provided within five (5) days of the time the permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and, if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce and eliminate the noncompliance and prevent its recurrence.

The Commissioner may waive the written report on a case-by-case basis if the oral report has been received within 24 hours. Alternatively, the permittee may submit a "Bypass/Overflow Report" (State Form 48373) or a "Noncompliance 24-Hour Notification Report" (State Form 52415), whichever is appropriate, to IDEM at wwreports@idem.in.gov. If a complete e-mail submittal is sent within 24 hours of the time that the permittee became aware of the occurrence, then the email report will satisfy both the oral and written reporting requirements.

Pursuant to 327 IAC 5-2-8(11)(D), the permittee shall report any instance of noncompliance not reported under the above scenarios at the time the pertinent DMR is submitted as referenced in Section 3.7 of this general permit. The report shall contain the information specified in the paragraph above.

6.7 Certified Operator

The permittee shall have any wastewater treatment facility, when applicable, under the responsible charge of an operator certified by the Commissioner in a classification corresponding to the classification of the wastewater treatment plant as required by IC 13-18-11-11 and 327 IAC 5-23.

6.8 Individual or Alternative General NPDES Permit

a) IDEM may require a person to obtain an individual NPDES permit or an alternative general permit in accordance with the provisions of 327 IAC 15-2-9 or 40 CFR 122.28(b)(3)(i). Any interested person may petition IDEM to require a discharger to obtain an individual permit in accordance with 40 CFR 122.28(b)(3)(i). Cases where an individual NPDES permit may be required include the following:

- 1) The discharger is not in compliance with the conditions of the general NPDES permit;
- 2) A change has occurred in the availability of demonstrated technology or practices for the control or abatement of pollutants applicable to the point source;
- 3) Effluent limitation guidelines are promulgated for point sources covered by the general NPDES permit;

- 4) A Water Quality Management plan containing requirements applicable to such point sources is approved;
 - 5) Circumstances have changed since the time of the request to be covered so that the discharger is no longer appropriately controlled under the general permit, or either a temporary or permanent reduction or elimination of the authorized discharge is necessary;
 - 6) Standards for sewage sludge use or disposal have been promulgated for the sludge use and disposal practice covered by the general NPDES permit; or
 - 7) The discharge(s) is(are) a significant contributor of pollutants. In making this determination, the Commissioner may consider the following factors:
 - (a) The location of the discharge with respect to surface waters of the state;
 - (b) The size of the discharge;
 - (c) The quantity and nature of the pollutants discharged to waters of the state; and
 - (d) Other relevant factors.
- b) Any discharger authorized by a general permit may request to be excluded from the coverage of the general permit by applying for an individual NPDES permit. The discharger shall submit an individual NPDES application, with reasons supporting the request, to the Commissioner no later than 90 days after the publication by IDEM of the final issued general permit on the IDEM website. The request shall be processed under 327 IAC 5. The request shall be granted by the issuance of an individual permit if the reasons cited by the discharger are adequate to support the request.
 - c) When an individual NPDES permit is issued to a discharger otherwise subject to a general NPDES permit, the applicability of the general permit to the individual NPDES permittee is automatically terminated on the effective date of the individual permit.
 - d) A source excluded from coverage under a general permit solely because it already has an individual permit may request that the individual permit be revoked, and that it be covered by the general permit. Upon revocation of the individual permit, the general permit shall apply to the source.

6.9 State and Local Laws

Coverage under this permit does not preempt any duty to obtain any other state, or local assent required by law for the discharge or for the operation of the facility from which a discharge is made. Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable state law or regulation or the Clean Water Act, as amended.

6.10 Penalties for Violation of Permit Conditions

Pursuant to IC 13-30-4, a person who violates any provision of this permit, the water pollution control laws; environmental management laws; or a rule or standard adopted by the Environmental Rules Board is liable for a civil penalty not to exceed twenty-five thousand dollars (\$25,000) per day of any violation.

Pursuant to IC 13-30-5, a person who obstructs, delays, resists, prevents, or interferes with (1) the department; and (2) the department's personnel or designated agent in the performance of an inspection or investigation performed under IC 13-14-2-2 commits a Class C infraction.

Pursuant to IC 13-30-10-1.5(e), except as provided in IC 13-30-10-1.5(f), a person who willfully or negligently violates any NPDES permit condition or filing requirement under IC 13-18-19, or any applicable standards or limitations of IC 13-18-3-2.4, IC 13-18-4-5, IC 13-18-12, IC 13-18-14, IC 13-18-15, or IC 13-18-16, commits a Class A misdemeanor.

Pursuant to IC 13-30-10-1.5(i), an offense under IC 13-30-10-1.5(e) is a Level 4 felony if the person knowingly commits the offense and knows that the commission of the offense places another person in imminent danger of death or serious bodily injury. The offense becomes a Level 3 felony if it results in serious bodily injury to any person, and a Level 2 felony if it results in death to any person.

Pursuant to IC 13-30-10-1.5(h), a person who willfully or recklessly violates any applicable standards or limitations of IC 13-18-9 commits a Class C misdemeanor.

6.11 Penalties for Tampering or Falsification

In accordance with 327 IAC 5-2-8(10), the permittee shall comply with monitoring, recording, and reporting requirements of this permit. The Clean Water Act, as well as IC 13-30-10-1, provides that any person who knowingly or intentionally (a) destroys, alters, conceals, or falsely certifies a record, (b) tampers with, falsifies, or renders inaccurate or inoperative a recording or monitoring device or method, including the data gathered from the device or method, or (c) makes a false material statement or representation in any label, manifest, record, report, or other document, all required to be maintained under the terms of a permit issued by the department, commits a Class B misdemeanor.

6.12 Severability

In accordance with 327 IAC 1-1-3, the provisions of this permit are severable and, if any provision of this permit or the application of any provision of this

permit to any person or circumstance is held invalid, the invalidity shall not affect any other provisions or applications of the permit which can be given effect without the invalid provision or application.

6.13 Availability of Reports

Except for data determined to be confidential under 327 IAC 12.1, all reports prepared in accordance with the terms of this permit shall be available for public inspection at the offices of the IDEM and the Regional Administrator. As required by the Clean Water Act, permit applications, permits, and effluent data shall not be considered confidential.

6.14 Definitions

Except as provided below, the general definitions, abbreviations and methods of analysis set forth in 40 CFR Parts 122 and 401, 327 IAC 5, and 327 IAC 15 shall be applicable within this permit.

- a) "Commissioner" is defined as the Commissioner of the Indiana Department of Environmental Management, which is located at the following address:
100 N. Senate Ave., Indianapolis, IN 46204.
- b) "Concentration" means the mass of any given material present in a unit volume of liquid. Unless otherwise indicated in this permit, concentration values shall be expressed in milligrams per liter (mg/l).
- c) "Daily Maximum" means the maximum allowable daily discharge for any calendar day. The "daily discharge" means the total mass of a pollutant discharged during the calendar day or, in the case of a pollutant limited in terms other than mass pursuant to 327 IAC 5-2-11(e), the average concentration or other measurement of the pollutant specified over the calendar day or any 24-hour period that represents the calendar day for purposes of sampling.
- d) "Monthly average concentration" means the arithmetic average (proportional to flow) of all daily determinations of concentration made during a calendar month. Daily determinations of concentration made using a composite sample shall be the concentration of the composite sample. When grab samples are used, the daily determinations of concentration shall be the arithmetic average (weighted by flow value) of all the samples collected during the calendar day.
- e) "Once-through noncontact cooling water" means cooling water that:
 - (1) is used for the sole purpose of removing unwanted heat from a process;
 - (2) only makes one (1) pass through a unit that exchanges heat between the process and the cooling water (generally a heat exchanger); and
 - (3) does not come into contact with any raw material or manufactured product.

- f) "Recorder total" is defined as the cumulative total of all daily flow values in MGD for all days during the month when discharging. The permittee must report the number of days per month that a discharge occurs. Mathematically, the recorder total should be equal to the estimated monthly average MGD times the days of discharge.
- g) "Regional Administrator" is defined as the Region 5 Administrator, U.S. EPA, located at 77 W. Jackson Blvd., Chicago, IL 60604.