

Indiana Department of Environmental Management

Office of Water Quality, Permits Branch
100 North Senate Avenue, IGCN Room 1255
Indianapolis, IN 46204
Toll Free (800) 451-6027
(317) 232-8670
www.idem.IN.gov

In compliance with the provisions of the Federal Water Pollution Control Act, as amended by the Clean Water Act of 1977 (33 U.S.C. 1251, et seq., the "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 General National Pollutant Discharge Elimination System (NPDES) permit to regulate discharges of process generated waste water and pit dewatering water from facilities involved in sand, gravel, dimension stone, and crushed stone operations into surface waters of the State of Indiana.

This permit is issued on: **September 29, 2025**

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

This permit expires on: **September 30, 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.



Paul Higginbotham
Deputy Assistant Commissioner
Office of Water Quality

Table of Contents

1.0 GENERAL PERMIT COVERAGE	3
1.1 Permit Area	3
1.2 Discharges Authorized by this Permit	3
1.3 Eligibility	4
1.4 Application and Annual Maintenance Fees	6
2.0 EFFLUENT LIMITATIONS	6
2.1 Discharge Limitations	6
2.2 Narrative Water Quality Limitations	8
3.0 MONITORING REQUIREMENTS AND PROCEDURES	9
3.1 Required Sampling	9
3.2 Measurement Frequency	9
3.3 Representative Sampling	9
3.4 Additional Monitoring by Permittee	9
3.5 Testing Procedures	10
3.6 Recording of Results	10
3.7 Reporting Monitoring Results	10
3.8 Reporting Effluent Data on the Federal Discharge Monitoring Reports	11
3.9 Records Retention	11
3.10 Electronic Reporting	12
3.11 Reopening Clauses	12
4.0 NOI REQUIREMENTS	13
4.1 NOI Format	13
4.2 Deadlines for NOI Submittal	13
4.3 Submitting the NOI and Processing Fee	13
4.4 NOI Content Requirements	14
4.5 Additional NOI Requirements	16
5.0 REQUESTING TERMINATION OF COVERAGE	16
6.0 ADDITIONAL REQUIREMENTS	18
6.1 Standard Conditions for General Permits	18
6.2 Change of Ownership/Transfer	18
6.3 Planned Changes in Facility or Discharge	19
6.4 Other Information	19
6.5 Effect of Noncompliance	20
6.6 Reporting Spills and Noncompliance	20
6.7 Certified Operator	21
6.8 Individual or Alternative General NPDES Permit	21
6.9 State and Local Laws	22
6.10 Penalties for Violation of Permit Conditions	23
6.11 Penalties for Tampering or Falsification	23
6.12 Severability	24
6.13 Availability of Reports	24
6.14 Definitions	24

1.0 GENERAL PERMIT COVERAGE

1.1 Permit Area

This Master General (“general”) NPDES permit for sand, gravel, dimension stone and crushed stone operations is applicable to the entire state of Indiana.

However, it 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 by this Permit

The purpose of this general permit is to regulate wastewater discharges from sand, gravel, dimension stone, and crushed stone operations which are subject to 40 CFR 436, Subparts A through C, the federal categorical standards for Mineral Mining and Processing Effluent Guidelines. Subpart B is the Crushed Stone Subcategory; Subpart C is the Construction Sand and Gravel Subcategory. Both of these subparts contain the same effluent limitations and monitoring requirements. Subpart A, which would regulate Dimension Stone operations (i.e., those facilities with a primary SIC code of 1411 or an NAICS code of 212311), is reserved by U.S. EPA; however, IDEM uses Best Professional Judgment (BPJ) to apply effluent limitations equivalent to those regulated under Subparts B and C to the dimension stone operations.

All of the other subparts of 40 CFR 436 (i.e. Subparts D through AL) contain additional requirements which vary with the type of operation. Therefore, IDEM chooses to restrict the types of operations covered by this general permit to those operations discussed above. All three (3) of these categories are subject to effluent limitations based upon both federal effluent guidelines and BPJ limits, which necessitate such operations to utilize some method of treatment to ensure compliance with these limits.

Quarries/rock mines are also subject to the storm water rules at 40 CFR 122.26 so many of the facilities regulated under this general permit also have coverage under 327 IAC 15-6, the NPDES general permit for Storm Water Discharges Exposed to Industrial Activity for the discharges of stormwater runoff only.

Stormwater runoff which enters a quarry’s or mine’s sedimentation basins, along with the process generated wastewater, is covered by this permit. Stormwater that does not commingle with process generated wastewater in a mine’s pit is required to be covered under 327 IAC 15-6, as mentioned above.

Generally, these operations utilize solids settling in sedimentation basins to comply with the effluent limitations. The process generated wastewater with these subparts includes discharges from channel machines, broaching, jet piercing, and scrubber water from wet scrubbers used for air pollution control. Also included are dust suppression spray water, wash water from spray bars for final screening operations and noncontact cooling water for cooling of crusher bearings, drills, saws, dryers, pumps, and air compressors.

This general permit is issued to be effective for a term of five (5) years. In order to obtain authorization to discharge under this permit, a person must submit an NOI pursuant to Section 4.0. The Commissioner may grant or deny coverage under this permit or require an application for an individual NPDES permit. Except as provided in Section 1.3, when an NOI is submitted as set forth in Section 4.0 below, a facility is permitted to discharge process generated wastewater and mine dewatering water to surface waters of the state in accordance with the terms of this general permit. This authorization to discharge shall become effective upon the permittee's receipt of notification of coverage from the Commissioner. Any discharges of process generated wastewater and mine dewatering water to a surface water of the state are unlawful if not permitted under this general permit or by an individual 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 (see Section 5.0);
- c) IDEM issues or modifies an individual permit for the discharges covered by this general permit; or
- d) IDEM issues a final decision to either revoke or to not reissue this general permit, at which time 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 authorizes discharges comprised of process generated wastewater and mine dewatering water from facilities involved in sand, gravel, dimension stone, and crushed stone operations to surface waters of the state, except as limited in paragraph "b" below. If the storm water runoff from facilities involved in sand, gravel, dimension stone, and crushed stone operations commingles with the process generated wastewater, then such

discharges are authorized by this general permit. In these cases, the commingled discharge is subject to the same effluent limitations.

- b) 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 stream when the discharge results in an increase in the ambient concentration of a pollutant which contributes to the impairment of the receiving stream 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 NOI is submitted;
 - 4) discharges from crushed stone operations utilizing flotation agents to remove impurities from marble or other carbonaceous rock. The flotation agents include organic amines, fatty acids, and pine oils;
 - 5) industrial sand operations utilizing any or all of the following treatment methods:
 - a) acid flotation for removal of iron oxide and ilmenite impurities;
 - b) alkaline flotation to remove aluminate bearing materials; and/or
 - c) hydrofluoric acid flotation for removal of feldspar;
 - 6) industrial sand operations utilizing the acid leaching process. This process pertains to the removal of iron from feldspathic sand for use in glass manufacturing;
 - 7) stormwater discharges associated with construction activity that are required to be regulated under IDEM's Construction Stormwater General NPDES Permit INRA00000;
 - 8) stormwater discharges associated with industrial activity which does not commingle with any process generated wastewater (for example, in a quarry pit) before being discharged from the site. Such stormwater runoff must either be covered by an individual NPDES permit or by the general permit for Storm Water Discharges Associated with Industrial Activity, 327 IAC 15-6 or General NPDES Permit INRM00000.
 - 9) discharges to combined or sanitary sewer systems;

- 10) discharges that are commingled with hazardous wastes or hazardous materials;
- 11) discharges of domestic or sanitary wastewater;
- 12) discharges that contain pollutants classified as bioaccumulative chemicals of concern (BCCs), other than mercury;
- 13) discharges for which the Commissioner requests an individual permit application, and
- 14) discharges within Indian country as described in Section 1.1 of this permit.

1.4 Application and Annual Maintenance Fees

An application fee is required with the NOI submittal in accordance with 327 IAC 5-3-17. Pursuant to the statute, a fee is required with a NOI submittal, renewals, and modification requests, including transfers of coverage requested under Section 6.2 as well as 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 Discharge Limitations

Table 1 [1]

Table 2 [1]

Parameter	Quality or Concentration		Units	Monitoring Requirements	
	Daily Minimum	Daily Maximum		Measurement Frequency	Sample Type
pH [5]	6.0	9.0	s.u.	1 x Quarterly	Grab

[1] See Section 2.2 of the permit for the minimum narrative limitations.

[2] Measurement of flow is required; flow volume may be estimated. An “estimated” sample type means a reasonable approximation of the average daily flow based on a method approved by the Department. Pump rates may be utilized in this calculation, but the permittee must have a reliable means of determining the total monthly flow volumes. The permittee is required to record the monthly flow volumes and calculate the quarterly average flow on either the Monthly Monitoring Report (MMR) using State Form 30530 or the Quarterly Monitoring Report (QMR) using State Form 57318.

The **Quarterly Average** flow is determined by taking the total flow volume for the 3-month period divided by the number of days in the quarter.

The **Quarterly Maximum** flow is the highest monthly average flow volume during that quarter.

[3] “Recorder Total” means that the permittee must monitor and cumulatively total all daily flow values in MGD for all days during the quarter when discharging. The permittee must report the number of days per quarter that a discharge occurs. Mathematically, the recorder total should be equal to the estimated quarterly average MGD times the days of discharge.

[4] The permittee must monitor and report the number of days of discharge for each quarter.

[5] A minimum of one sample shall be collected, analyzed, and the results reported each calendar quarter. The monitoring results shall be reported on the March, June, September, and December Discharge Monitoring Report (DMR) forms. The MMRs or the Quarterly Monitoring Reports (QMRs) shall denote the actual day(s) on which the monitoring occurred.

If the permittee collects more than one grab sample on a given day for pH, the values shall not be averaged for reporting daily maximums or daily minimums. The permittee must report the individual minimum and the individual maximum pH value of any sample during the month on the Monthly Report of Operation forms.

[6] Additional parameters, effluent limitations, and/or monitoring requirements may be included in the Notice of Coverage Letter based upon IDEM's evaluation of the NOI and other available information relating to the facility/site and the receiving waterbody. 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 TBELs developed on a case-by-case basis using BPJ, where applicable, or water quality-based effluent limits, whichever is most stringent.

2.2 Narrative Water Quality Limitations

At all times the discharge from any and all point sources specified within this permit shall not cause the following in the 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) will settle to form putrescent or otherwise objectionable deposits;
 - (2) are 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) are in amounts sufficient to be acutely toxic to, or to otherwise severely injure or kill aquatic life, other animals, plants, or humans;
 - (5) are 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; and
- b) outside of 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 by the NOC. After the issuance of the NOC, the Commissioner may require the permittee to sample for additional parameters and/or meet additional effluent limitations. When this becomes the case, the permittee shall be notified in writing and given the reasons for the additional sampling requirement.

3.2 Measurement Frequency

Measurement frequency of 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 reason(s) 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 discharges of process generated wastewater and mine dewatering activities.

Samples shall not be taken at times to avoid showing elevated levels of any parameters. The samples and measurements shall be taken following treatment (if provided) and prior to either the direct discharge to the receiving water or, where applicable, prior to discharge into a storm sewer system.

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 QMR. Other monitoring data not specifically required in this permit (such as internal process or internal waste stream data) which is collected by or for the permittee need not be submitted unless requested by the Commissioner.

3.5 Testing Procedures

The analytical and sampling methods used 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:

- a) the place (outfall number), date, and time of sampling or measurements;
- b) the person(s) who performed the sampling or measurements;
- c) the dates the analyses were performed;
- d) the person(s) 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 the state QMRs (and/or the 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. The first report shall be submitted by the 28th day of the month following the first completed monitoring period.
- b) 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, or a general partner or the sole proprietor, or 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 not necessarily be limited to, the DMR, MMR, and/or QMR. All reports shall be submitted to IDEM electronically by using the NetDMR application, upon registration, 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 limit of quantification (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*, which 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 limit of detection (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. In cases where the original records are kept at another location, a copy of all such records shall be kept at the permitted facility. The three-year retention requirement shall be extended:

- 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 US EPA or the Commissioner.

3.10 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.

3.11 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:
 - 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. Those persons notified under this Section shall, within one hundred twenty (120) days of the receipt of notification:
 - 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 Notice of Termination (NOT) of discharge.

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 is State Form 55917. 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 of this general permit.

4.2 Deadlines for NOI Submittal

- a) For a new facility, an NOI (State Form 55917) shall be submitted at least thirty (30) days before any discharge occurs.
- b) For a facility that has existing, effective coverage under the general permit that was effective October 2020 through September 30, 2025, the existing coverage shall automatically be extended provided that the permittee has filed a renewal NOI prior to the expiration date of the previous permit. The permittee must then also submit a Supplemental NOI Form within ninety (90) days following the date that the Commissioner makes the Supplemental NOI Form available to the permittee to affirm he or she, as a Responsible Official of his/her company, intends to comply with the requirements of this new general permit.
- c) For subsequent renewals of general permit coverage under this general permit, an NOI (State Form 55917) shall be submitted no later than ninety (90) days before the permit expires.
- d) In the case of a transfer of ownership, an NOI must be submitted no later than thirty (30) days before the transfer. 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 listed 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 the following address:

Indiana Department of Environmental Management
Office of Water Quality, Permits Administration Section
100 N. Senate Ave., 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 applicant or permittee does not have the ability to submit NOIs or NOTs electronically, he or she 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) the following information for all 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;
- o) 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 dischargers/sources are also required to list the source of the estimate for each parameter. Required parameters include biological oxygen demand (BOD), total suspended solids (TSS), Fecal coliform, total residual chlorine (TRC), oil and grease (O&G), 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;

- p) the outfall and associated water treatment additives (WTAs) that have been previously approved by IDEM, including documentation of that approval;
- q) 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 ING490000 to discharge wastewater from a sand, stone, dimension stone, or crushed stone operation. 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."

- r) 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;
- s) 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;

- t) 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;
- u) 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;
- v) as required by 327 IAC 5-3-17, a \$100 fee is required to be submitted with a NOI for a new permit coverage or renewal of coverage. Modification requests are subject to a \$50 fee. Updates to information in Parts B and C shall not be subject to the \$50 fee;
- w) certification statement, signed by the authorized signatory, as set forth in 40 CFR 122.22 and IC 13-30-10; and
- x) 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 of less than three hundred (300) feet.
- b) The NPDES point source discharge location is changed 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 process generated wastewater 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 a 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.

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) Bypass	40 CFR 122.41(m)
n) Upset	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 if each of the following occurs:

- a) the current permittee notifies IDEM at least thirty (30) days in advance of the proposed transfer date;
- b) a written agreement 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) is submitted to IDEM;
- c) the transferee certifies in writing to IDEM the 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.
- d) the new owner or operator submits a new NOI in addition to the written agreement for permit coverage transfer 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 thirty (30) days prior to the initiation of any physical alterations or additions to the permitted facility that will or may do any of the following:

- a) Result in a discharge from a point previously not identified in the NOI;
- b) Result in the facility meeting one of the criteria for determining that the facility is a new source as defined in 40 CFR 122.29(b);
- c) change the nature or increase of 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 volume 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 an applicant or permittee becomes aware of a failure to submit any relevant facts or the submission of incorrect information in an NOI or report, the person 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 include but are not limited to the following:

- a) any change in contacts or responsible party;
- b) any changes to mailing addresses, email addresses, or telephone numbers for any contact person or responsible party;
- c) 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
- d) any changes to outfall location or receiving water.

6.5 Effect of Noncompliance

All discharges resulting from the mining of sand, gravel, dimension stone, and crushed stone to waters of Indiana shall be consistent with the terms and conditions of ING490000. Any noncompliance constitutes a violation of applicable State and Federal laws, the Clean Water Act and IC 13 and is grounds for enforcement action, termination of coverage under the permit, requirement for an individual permit, and/or denial of permit coverage renewal.

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 (in 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 but neither death nor acute injury or illness to animals or humans occurs, the reporting requirements of 327 IAC 2-6.1 do not apply and the following 24-hour reporting requirement applies instead:

- 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-listed types of 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 all of the following information:

1. a description of the noncompliance incident and its cause,
2. the period of noncompliance including exact dates and times,

3. if the noncompliance has not been corrected, the anticipated amount of time it is expected to continue,
4. 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 via email 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 volume 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 construction or 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 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) "Broaching" means a drilling method whereupon successively larger and deeper holes are cut into the stone until the stone is removed between the holes. Water is used to control dust, wash away stone chips, and cool the drill.
- b) "Channel machine" means a long, semi-automated, multiple-head chisel machine used primarily to quarry limestone. Stone chips created during chiseling must be washed constantly away with water.
- c) The "Commissioner" is defined as the Commissioner of the Indiana Department of Environmental Management, which is located at 100 N. Senate Ave., Indianapolis, IN 46204.
- d) "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).
- e) "Daily Maximum" is 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 twenty-four-hour period that represents the calendar day for purposes of sampling.
- f) "Feldspar" means any of a group of crystalline minerals that consists of aluminum silicates with either potassium, sodium, calcium, or barium.

- g) "Feldspathic" means relating to or containing feldspar.
- h) "Grab Sample" means a sample which is taken from a wastestream on a one-time basis without consideration of the flow rate of the wastestream and without considerations of time.
- i) "Ilmenite" means an iron black mineral composed of iron, titanium, and oxygen.
- j) "Jet piercing" means fuel oil forced under pressure through a nozzle producing a high velocity jet flame which is combined with a stream of water to cut a channel by disintegration.
- k) The term "mine" shall mean an area of land, surface or underground, actively mined for the production of crushed and broken stone or for the production of sand and gravel from natural deposits.
- l) "Mine dewatering" or "pit dewatering" means any water that is impounded or that collects in the mine (or pit) and is pumped, drained or otherwise removed from the mine through the efforts of the mine operator. This term shall also include wet pit overflows caused solely by direct rainfall and ground water seepage. However, if a mine is also used for treatment of process generated wastewater, discharges of commingled water from the mine shall be deemed discharges of process generated wastewater.
- m) "Monthly Average" means the total mass or flow-weighted concentration of all daily discharges during a calendar month on which daily discharges are sampled or measured, divided by the number of daily discharges sampled and/or measured during such calendar month. The monthly average discharge limitation is the highest allowable average monthly discharge for any calendar month.
- n) "Pit dewatering" – see definition of "mine dewatering"
- o) "Process generated wastewater" means any wastewater used in the slurry transport of mined material, air emissions control, or processing exclusive of mining. The term shall also include storm water which becomes commingled with such wastewater in a pit, pond, lagoon, mine or other facility used for treatment of such wastewater. The term does not include wastewater used for the suction dredging of deposits in a body of water and returned directly to the body of waste without being used for other purposes or combined with other wastewater.
- p) "Quarterly Average flow" is determined by taking the total flow volume for the 3-month period divided by the number of days in the quarter.
- q) "Quarterly Maximum flow" is the highest monthly average flow volume during the calendar quarter.

- r) "Recorder total" means that the permittee must monitor and cumulatively total all daily flow values in MGD for all days during the quarter when discharging. The permittee must report the number of days per quarter that a discharge occurs. Mathematically, the recorder total should be equal to the estimated quarterly average MGD times the days of discharge.
- s) The "Regional Administrator" is defined as the Region 5 Administrator, U.S. EPA, located at 77 W. Jackson Blvd., Chicago, IL 60604.
- t) "Storm water discharge exposed to industrial activity" means a stormwater discharge that has been exposed to the manufacturing and processing activities or raw materials or intermediate products storage areas at an industrial facility.
- u) "Stormwater runoff" - see definition of "stormwater discharge exposed to industrial activity".
- v) "TSS" or "total suspended solids" means the mass of suspended matter in wastewater retained on a standard glass fiber filter after filtration of a well-mixed sample and after drying for one hour at one hundred three degrees Celsius (103° C).