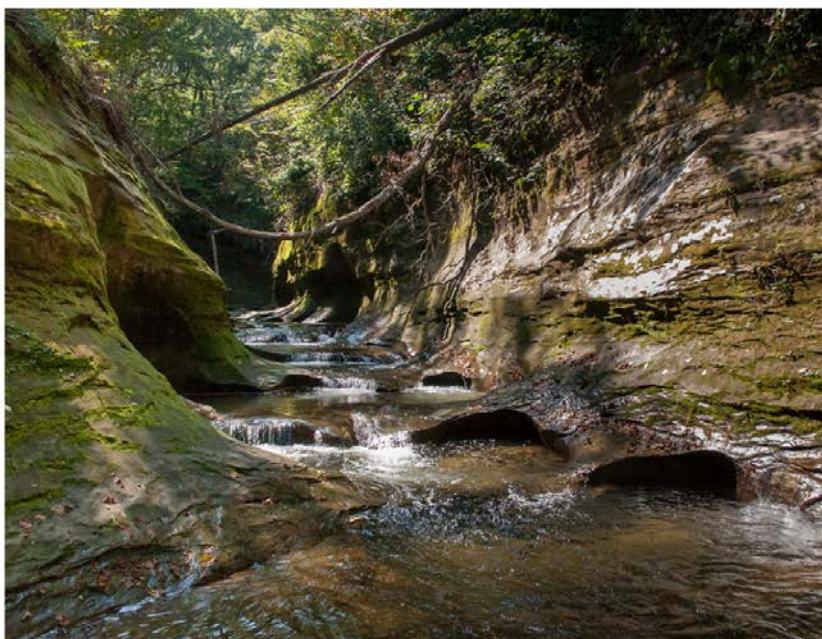


Citizens' Guide to IDEM



AN INTRODUCTION TO PUBLIC PARTICIPATION AND IDEM'S PROCEDURES FOR ISSUING ENVIRONMENTAL PERMITS, OVERSEEING CLEANUPS, PREPARING ENVIRONMENTAL REPORTS AND PLANS, AND WRITING ENVIRONMENTAL RULES



Contents

Introduction	4	Waste	
Part 1: Public Participation	6	Introduction	20
IDEM practices.....	6	Confined feeding operation	
Public notices.....	6	(CFO) permits.....	20
Public comment.....	7	National Pollutant Discharge	
Public hearings.....	7	Elimination System (NPDES) permits –	
Public meetings	7	animal feeding operations	21
Notice of Decision.....	7	Hazardous waste permits	23
Response to comments.....	7	Land application permits	26
Find and/or receive public notices	7	Registrations	27
Petitioning for Administrative Review	8	Solid waste processing and	
Part 2: Environmental Permits	11	disposal facility permits	29
Air		Resource Conservation and Recovery	
Introduction.....	11	Act (RCRA) Corrective Action –	
Air construction permits.....	12	Hazardous Waste	31
New Source Review (NSR).....	12	Evaluation of sources, releases,	
Prevention of Significant		and remedies	31
Deterioration (PSD)	12	Statement of Basis and Public Notice ..	32
Emission Offset (EO).....	13	Water	
Air operating permits	13	Introduction	33
Title V Operating Permits	13	Drinking water	33
Federally Enforceable State		Capacity development.....	34
Operating Permits (FESOPs).....	15	Individual construction permits	34
Minor State Operating Permits		Emergency drinking water projects	35
(MSOPs)	15	New well sites	35
Exemptions.....	16	General construction permit.....	35
Interim Construction Permits	16	Storm water – Introduction	36
Permit By Rule	16	Construction Site Run-off permits	36
Source Specific Operating		Industrial Storm Water Permits	37
Agreements (SSOAs).....	17	Municipal Separate Storm	
Portable Source Permits.....	18	Sewer Systems (MS4s).....	38
Program for Acid Rain.....	18	Wastewater – Introduction	39
Open Burning Approvals.....	18	Antidegradation requirements	39
Emissions Table	19	NPDES Permits	40
Asbestos	20	Individual NPDES Permit process	40
		Industrial Pretreatment Permits	41
		General NPDES Permits	
		(general wastewater permits,	
		non-storm water)	42
		General NPDES Permit process	42

Contents (cont.)

Water (cont.)	
New Construction, Wastewater Treatment Facilities and Sanitary Sewers	43
Sanitary Sewer Construction Permit, Local Permitting Authority	43
Waterways and Wetlands – Introduction ..	44
USACE Nationwide Permits (NWP)	45
USACE Regional General Permit (RGP)	46
USACE Programmatic General Permit (PGP)	46
USACE Standard Permit (USACE Individual Section 404 Permit).....	47
IDEM Individual Section 401 Water Quality Certification (401 WQC)	47
Indiana’s Isolated Wetlands Program..	47
Part 3: Environmental Remediation	50
Defense Environmental Restoration Program	50
Remedial Investigation/ Feasibility Study	50
Decision Document (DD).....	51
Five Year Review	51
Site Closure	51
Emergency Response.....	51
Hazardous Waste – RCRA Corrective Action	52
Evaluation of sources, releases, and remedies.....	52
Statement of Basis and Public Notice.....	52
Indiana Brownfields Program.....	53
Leaking Underground Storage Tanks Program.....	53
Natural Resource Damage Assessment.....	54
Site Investigation Program	54
State Cleanup Program.....	55
Independent Closure Process	56
Immediate Removals Program	56
Superfund Program	57
Voluntary Remediation Program.....	58
Part 4: Environmental Reports, Plans, and Other Procedures	60
Indiana Annual Ambient Air Monitoring Network Plan	60
The Integrated Report and the 303 (d) List of Impaired Waters	61
Wellhead Protection Plans	62
Regional Districts	63
State Implementation Plans (SIPs).....	64
Designations and Redesignations	65
Part 5: Environmental Laws and Rules.....	66
Indiana Code	66
Indiana Administrative Code	66
Rulemaking	67
Public notification about new rules.....	67
First Notice	68
Second Notice	68
Public Hearing for Preliminary Adoption.....	68
Third Notice (if required).....	68
Public Hearing for Final Adoption	68
After Final Adoption of the Rule	69
Nonrule policy documents.....	
Part 6: Additional Resources.....	70
Report environmental emergencies	70
File a pollution complaint	70
Find a person at IDEM	71
Find IDEM’s offices	71
List of topics and government agency resources	73
Helpful IDEM links.....	82

Introduction

In 1985, the Indiana General Assembly created the Indiana Department of Environmental Management (IDEM) under Title 13 of the Indiana Code. The agency began operating on April 1, 1986.

IDEM ensures that regulated entities comply with federal and state environmental laws and rules—known as regulations—that help protect Hoosiers and Indiana’s air, land, and water. The [IDEM 101 presentation](#) provides an overview of the agency’s functions, structure, offices, programs, staffing, and funding sources.

IDEM’s MISSION

To implement federal and state regulations to protect human health and the environment while allowing the environmentally sound operations of industrial, agricultural, commercial, and governmental activities vital to a prosperous economy.

Environmental regulations are technical and extensive. Companies must significantly plan and develop their projects before submitting an environmental permit application to IDEM. A permit allows companies to conduct various activities which may have an impact on the environment and human health, and sets forth restrictions to prevent and minimize damage to the environment and human health. [Environmental consultants](#) often assist companies with permit applications. Once IDEM receives an application, environmental permits can take several months to develop. Permit managers often work with professional engineers, licensed professional geologists, and trained chemists in their work to arrive at a final decision.

The processes for investigating environmental contamination, planning remediation projects, and overseeing cleanup activities are complex and lengthy. Parties who are responsible for addressing contamination commonly hire environmental consultants to manage necessary cleanup projects. Once contamination is reported or discovered, IDEM project managers work with professional engineers, licensed professional geologists, and trained chemists to ensure the protection of human health and the environment.

IDEM collects, reviews, and interprets extensive environmental data when compiling reports and planning documents. In addition to research, the development of rules often involves close coordination with multiple public sectors that will be affected by new regulations.

Indiana’s air quality has improved greatly since states began monitoring pollutants in the 1970s. Samples taken from Hoosier rivers and streams show the quality of our watersheds is improving. IDEM has addressed contamination at hundreds of sites across the state. The participation of citizens in IDEM’s decision-making processes will help ensure continued progress.

The *Citizens' Guide to IDEM* describes the agency's permitting and environmental cleanup programs. It explains the basic processes that occur after IDEM receives a permit application, becomes aware of a contaminated site, or is directed by law to develop a rule. The guide details how citizens can participate when IDEM makes decisions about issuing permits, conducting cleanup actions, preparing environmental reports and plans, and writing environmental rules.

For citizens who wish to learn more, links are provided throughout the guide. Additional resources in Part 6 lead to other government agencies that may have authority over activities that IDEM does not regulate. IDEM encourages citizens to explore the agency's [website](#) and contact IDEM staff with questions about specific issues.

Please direct questions or comments about the *Citizens' Guide to IDEM* to the agency's Media and Communications Services at (800) 451-6027, press 0, or (317) 233-4927.

Updated in January 2018

Part 1: Public participation

The Indiana Department of Environmental Management (IDEM) encourages participation in the rulemaking and permitting processes. IDEM issues notice to the public when citizen participation is required or sought concerning agency actions. Examples include projects requiring an environmental permit, rules being considered by Indiana's Environmental Rules Board, and environmental studies or reports available for public comment. One of the most important parts of participating is knowing about all the ways to get involved. Whether it is understanding a public notice, knowing how to submit public comment, or filing a formal appeal, being prepared is vital to successful interaction with IDEM.

IDEM practices

Following are summaries of IDEM's practices to actively seek citizen input, ensure meaningful involvement, and respond to citizen concerns during the decision-making process.

Public notices

A public notice is an announcement to the public required by law. The purpose is to announce a proposed activity to the public living in the affected area and allow for the public to comment on the action. In some cases, the regulated entity (a person, business, or governmental agency) is required to post the legal public notice.

IDEM issues public notices in several ways: by mail or email to interested and/or affected parties, on its website, or publication in the legal notice section of the local paper that serves the area affected by the activity being considered.

Information included in public notices may include:

- The name of the person, business, or unit of local government seeking approval.
- A description of the project or activity for which approval is being sought.
- A description of the type of approval being sought (for example, the type of environmental permit being sought, a rule that is being developed or proposed, or an environmental study or report available for public comment).
- The location of the proposed project or affected area.
- The beginning and end dates of a formal public comment period (usually 30 days), during which time persons may submit comments or concerns regarding the proposed project or activity.
- Where the public can find additional information or review public documents.
- Instructions for requesting a public hearing.
- Mailing address for submitting written public comments.
- If IDEM has scheduled a public hearing or public meeting concerning the proposed project or activity and the location, date, and time.
- Contact information for a person at IDEM who will be available to help answer questions and provide additional information to persons requesting it.

Public comment

Prior to making final decisions about certain permits or actions, state law requires IDEM to provide time for the public to submit written comments. Where public comment is required, the timeframe for submitting public comments and the address are included in public notices.

Public hearings

The purpose of a formal IDEM public hearing is to allow citizens to speak, on the record, about a proposed permit. Where a public hearing is determined to be appropriate, IDEM will announce the time, date, and location through a public notice. The agency works to schedule public hearings at convenient times and locations for the residents who are affected by the matter. Official transcripts of public hearings are included in the public record on permit decisions. IDEM often precedes its public hearings with informal meetings and/or presentations, to ensure citizens receive useful information and have an opportunity to talk directly with IDEM staff.

Public meetings

Where IDEM is aware of significant public interest or concern about a permit application, cleanup site, or other environmental issue, the agency may arrange a public meeting. IDEM staff typically present information on the topic of interest and answer questions from the public. In some cases, IDEM may host an open house style meeting, where the public can view displays and talk one-on-one with staff members. The agency works to arrange public meetings at convenient times and locations for residents who are affected by the matter. Notification is usually done through letters or emails to potentially affected or interested parties. Meetings are not formal proceedings, and no transcript is produced.

Notice of Decision

When IDEM reaches a final decision on a permit, it will issue a Notice of Decision, or “NOD.” A Notice of Decision provides information about where to view the final decision documents, including a permit, if issued, and how to petition for an administrative appeal of IDEM's decision.

Response to comments

IDEM will prepare a response to public comments and make it available when it issues a final decision.

Find and/or receive public notices from IDEM

IDEM works in many ways to keep the public informed about activities. In addition to arranging for public notices in local newspapers, IDEM mails and emails information to interested parties, posts information on its website, and issues news releases about upcoming events. IDEM's [Public Notices](#) page provides information about comment periods, meetings, and hearings on permits and rulemakings. Following are additional ways to monitor agency activities.

Sign up for IDEM Mailing lists:

- The Office of Air Quality (OAQ) maintains a mailing list of people who have asked to be notified of permit activity. You can request to be notified of permit actions related to a specific source, or for all permit activity in a certain county. To be put on the air permits mailing list, call OAQ's Permits Administration Section at (800) 451-6027, option 4. To learn more, visit the Office of Air Quality's [Public Participation](#) page.
- The Office of Water Quality (OWQ) maintains a mailing list of people who have asked to be notified of permit activity. You can request to be notified of permit actions related to a specific source, or for all permit decisions issued by OWQ's Permits Branch. To be placed on the wastewater permits mailing list, contact the Office of Water Quality's public notice coordinator at sclinton@idem.IN.gov or (317) 233-0273.

Subscribe to electronic notifications:

- Find IDEM events and news releases through the IN.gov [News and Events Calendar](#).
- Subscribe to email updates on a variety of topics through the IN.gov [Account Center](#).

Petitioning for Administrative Review

Perhaps you submitted written comments to IDEM about a proposed project, attended an IDEM public meeting or hearing, or simply received notification about a final permit decision. In any case, as a member of the public, you have a right to appeal a decision that you believe will negatively impact you. Filing an appeal is formally known as filing a "Petition for Administrative Review" to request an "administrative hearing."

Petitions for Administrative Review must be filed with the Office of Environmental Adjudication (OEA). OEA was created in 1995 to provide a forum for impartial review of IDEM decisions. Originally, OEA was part of IDEM, but it was later made a separate agency to assure the impartiality of the environmental law judges.

OEA functions as the first level of the court process to weigh evidence and apply the specific laws as to whether IDEM correctly made a particular decision. A case before OEA proceeds in ways similar to how cases might be heard by a judge in a county court. OEA oversees all proceedings and provides notices of any prehearing conferences, preliminary hearings, hearings, "stays," or orders disposing of the review of the decision.

Persons who file an appeal should not expect to discuss the details of their case with OEA, other than in a formal setting such as a prehearing conference, a formal hearing, or a settlement conference. OEA is not allowed to discuss a case without all sides being present. All parties to the proceeding are expected to appear at the initial prehearing conference.

At the final hearing, the parties present evidence and call and cross-examine witnesses in a manner similar to a non-jury civil trial. Following the close of the hearing, the environmental law judge will issue *Findings of Fact and Conclusions of Law*. The environmental law judge is

the ultimate authority on the matter, and those findings are final unless one of the parties to the action seeks judicial review of the decision under Indiana Code (IC) 4-21.5-5, which can be found on the [Indiana General Assembly's](#) website.

The laws governing this process can be found in the Administrative Procedures and Orders Act under IC 4-21.5-3. In addition, OEA has passed rules regarding its procedure, which can be found in the [Indiana Administrative Code](#) under Title 315, Article 1 (315 IAC 1). Laws about the establishment and operation of OEA can be found at IC 4-21.5-7. In the event that any information in this guide conflicts with the laws or regulations, the laws or regulations will control.

In addition to the [Indiana General Assembly's](#) website, laws and rules should be available at local county courthouses, which usually have a law library. There are also links to the Indiana Code (the laws) and the Indiana Administrative Code (the rules) on OEA's [website](#). A guide to the appeals process and previous decisions made by environmental law judges are available on OEA's [Decisions](#) page.

IDEM permit decisions are typically described in a Notice of Decision, which contains instructions for filing an appeal. Appeals must be submitted in writing. There are no standard forms to fill out and submit, so you must state your case in a letter (called a petition for administrative review) to OEA. It will be up to you to demonstrate in your appeal how you are directly impacted in a negative way by the decision.

Filing an appeal is formally known as filing a "Petition for Administrative Review" to request an "administrative hearing." Individuals who file an appeal must include their name and address, and their interest in the decision, or the name, address, and interest of a person they are representing. A copy of the IDEM Notice of Decision or the permit number and name of the applicant, or responsible party, should be included with the letter.

OEA does not charge a fee for filing documents for an administrative review or for the use of its hearing facilities. Because it is a legal proceeding, OEA advises consulting with an attorney, which may or may not result in costs to the party filing the appeal.

The due date for filing an appeal will be explained in the IDEM Notice of Decision. Generally, appeals must be filed within 18 days of the mailing date of the Notice of Decision. To ensure you submit your appeal within the timeframe required, you may want to:

- Hand deliver it to OEA;
- Have a private carrier deliver it on your behalf and get a receipt (ensure it is postmarked no later than midnight of the 18th day); or
- Fax it to OEA at (317) 233-9372 before the close of business on the 18th day and follow up the fax with a prompt delivery of the original paperwork.

Appeals should be mailed or hand-delivered to:

Office of Environmental Adjudication
Indiana Government Center North, Suite N103
100 North Senate Avenue
Indianapolis, IN 46204-2251

During appeal procedures, IDEM permits staff remain available at all times to answer technical questions about agency permit decisions. IDEM Notices of Decisions contain the name and contact information for IDEM staff.

More information about the appeals process and specific cases is available on OEA's [website](#) or by contacting OEA at (317) 233-0850.

Part 2: Environmental Permits

IDEM permits are legal documents that hold companies and individuals accountable for complying with environmental regulations. Permits contain information about how a facility must control pollutants, monitor operations, submit reports to IDEM, plan for and respond to emergencies, and train employees. Permits specify renewal requirements. Where a facility expands or makes changes to its processes, it is required to make sure the permit is modified accordingly.

IDEM issues permits to ensure that air pollution is controlled, solid and hazardous wastes are properly managed, sewer systems are installed correctly, wastewater is treated effectively, manure is properly managed, storm water is managed and monitored, wetlands and waterways are protected, and public water supply systems meet safe drinking water standards.

IDEM permits do not supersede other permits that may be required by other federal, state, or local agencies. For example, an air permit issued by IDEM for the construction and operation of a new manufacturing facility will not take the place of, or waive the need for, zoning approval that a city or county may require.

Following is a list of the permits issued by IDEM. The summaries generally focus on procedures and public participation requirements for new permits. Timelines and public participation requirements may vary for renewal permit applications, permit modifications, and other administrative procedures. Citizens should contact IDEM staff if they have questions about specific permits.

Air - Introduction

Air permits are issued to document the annual potential to emit, or PTE, of various regulated air pollutants from sources (facilities) and to identify all state and federal requirements that apply to a source for regulating, limiting, reducing, and/or controlling air pollution. There are several different types (or levels) of air permits issued, where each permit type is based on potential to emit thresholds in tons per year of the following regulated air pollutants:

The *Citizens' Guide to IDEM* is designed to introduce citizens to IDEM and its programs. Questions concerning specific permits or sites should be directed to IDEM permit managers and project managers.

The guide is not intended as regulatory guidance. Citizens, facility owners, and facility operators who are responsible for complying with environmental regulations should consult IDEM's regulatory staff concerning permit requirements, compliance issues, and guidance on environmental remediation. Confidential assistance may be obtained through IDEM's [Compliance and Technical Assistance Program](#) at (800) 988-7901 or (317) 232-8172.

- **Criteria air pollutants:** There are six criteria air pollutants. They include volatile organic compounds (VOCs), particulate matter (PM), carbon monoxide (CO), lead (Pb), nitrogen oxides (NO_x), and sulfur dioxide (SO₂).
- **Hazardous air pollutants (HAPs):** These are substances that can cause cancer or other ill health effects. The U.S. Environmental Protection Agency (U.S. EPA) has identified 189 specific compounds or categories of compounds that are of concern, based on risk assessments. They are listed in Title 3 of the federal Clean Air Act Amendments of 1990. This list has been modified to 187 HAPs.
- **Greenhouse gasses:** The main greenhouse gasses are carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride (SF₆).
- **Other regulated pollutants** include particulate matter (PM), hydrogen sulfide (H₂S), total reduced sulfur (TRS), reduced sulfur compounds, and fluorides.

The Emissions Table (on page 19) provides a breakdown of the permit thresholds for each of the regulated air pollutants. The potential to emit is arrived at through mathematical calculations, based on the amount of emissions that would be generated if a source was to operate at its maximum design capacity 24 hours a day, 365 days a year. Potential to emit calculations are carefully reviewed by IDEM technical staff.

Below are descriptions of the types (levels) of air pollution permits and authorizations that IDEM's Office of Air Quality issues.

Air construction permits

Most new sources requiring an air permit to operate must also obtain an approval to construct. The construction permit process enables IDEM to determine what, if any, restrictions are necessary to address potential air quality impacts from a new source of air emissions. It is common for IDEM to combine new construction approvals with new operating permits in a single document. In other words, IDEM will typically process the construction permit for a new source in conjunction with the operating permit that is required.

New Source Review (NSR)

New Source Review is a term for the construction permit process. New Source Review is the process of looking at air quality where a new source is being proposed and determining what, if any, restrictions are necessary to address potential air quality impacts.

Prevention of Significant Deterioration (PSD)

Prevention of Significant Deterioration is the type of New Source Review that IDEM conducts for new, large sources of air emissions or large modifications to large sources that are proposed in areas where air quality attains the national ambient air quality standards (NAAQS) for one or more of the criteria air pollutants.

Emission Offset (EO)

Emission Offset is the type of New Source Review that IDEM conducts for new, large sources of air emissions or large modifications to large sources of air emissions that are proposed in nonattainment areas where air quality does not meet the national ambient air quality standards (NAAQS) for one or more of the criteria air pollutants. The Emission Offset Review will only cover those pollutants that do not attain the federal air quality standards. If the source is a large source of emissions for pollutants that attain, those pollutants will be reviewed under PSD.

Air operating permits

Air operating permits contain emissions limits, compliance determination, compliance monitoring, record keeping requirements, and reporting requirements. The three main types of air operating permits issued by IDEM are Title V Operating Permits, Federally Enforceable State Operating Permits (FESOPs), and Minor Source Operating Permits (MSOPs).

Title V Operating Permits

Title V Operating Permits are typically issued for very large, complex processes that have a high level of potential emissions. The Title V PTE thresholds are listed in the following table.

Title V Potential to Emit (PTE) Thresholds	
Criteria pollutants	100 tons per year or more
Single Hazardous Air Pollutant (HAP)	10 tons per year or more
Combined Hazardous Air Pollutants (HAPs)	25 tons per year

Title V permits are also called “Part 70 Operating Permits,” in reference to a part in the Code of Federal Regulations (CFR) (40 CFR 70) that contains the standards for state permitting programs. The process to issue a Title V Operating Permit is also complex. IDEM will issue a preliminary permit document for the public to review prior to making a final decision. U.S. EPA will be actively involved in reviewing permit requirements proposed by IDEM. IDEM is not allowed to make a final decision that does not meet U.S. EPA’s approval. Title V sources are required to apply to renew their Title V Operating Permits every five years.

Steps in the Title V Operating Permit process:

- Applicant submits application to IDEM.
- Applicant places a copy of the application in a local library within ten (10) days of submitting the application.
- IDEM notifies local officials about receipt of the application, begins reviewing calculations, and working to write a preliminary permit.
- IDEM completes a preliminary (or draft) permit, makes it available for public review, and announces the beginning of a minimum 30-day public comment period. IDEM will

also provide a copy of the preliminary (or draft) permit to U.S. EPA for a minimum 45-day review period. U.S. EPA may begin the review period for the preliminary (draft) permit concurrent with the public comment period.

- IDEM may schedule a public meeting or hearing during the comment period at its discretion, depending on public interest. If a public meeting or hearing is held, it will be scheduled at a convenient time and location for affected residents.
- If IDEM does not automatically schedule a public meeting or hearing, a citizen may request one (which IDEM may hold at its discretion, depending on the merits of the request and public interest).
- The time, date, and location of IDEM public meetings or hearings for Title V permits must be announced at least 30 days in advance of the event. The public comment period may be extended accordingly, in cases where a hearing was requested following the announcement of the 30-day public comment period.
- Following the close of the public comment period, IDEM will review all comments received, prepare a summary response, and work to finalize its decision on the terms and conditions of the permit. IDEM will prepare a document to detail what, if any, changes were made based on the comments received. This response to comments will be included with the final permit and will be made available to the public.
- IDEM will propose the final permit to U.S. EPA for review.
- IDEM may issue the final permit if U.S. EPA has not raised any objections to the proposed final permit within the time period for U.S. EPA review, which is 45 days. The start of the 45 day U.S. EPA review period depends on whether changes are made to the preliminary permit.
- The U.S. EPA review period will conclude on the date IDEM issues the proposed permit to U.S. EPA if more than 45 days have passed, if IDEM has not made any changes to the preliminary permit, and if U.S. EPA has not raised objections.
- The U.S. EPA review period will conclude 45 days from the date IDEM proposed the final permit to U.S. EPA, if IDEM made changes to the preliminary permit and if U.S. EPA has not raised objections.
- In both cases, anyone who objects to U.S. EPA's final action on the IDEM proposed permit is allowed 60 days after the close of the U.S. EPA review period to petition U.S. EPA for a review.
- When IDEM issues the final permit, it will send a Notice of Decision to the applicant, adjacent property owners, individuals who commented on the preliminary permit, and other interested parties who requested to be notified. For anyone who objects to the final decision, the Notice of Decision will include information about the 18-day timeframe for appeal and instructions for filing an appeal with the Indiana Office of Environmental Adjudication.

IDEM has 270 days to issue a final decision for new PSD major Title V Operating Permits.

IDEM has 120 days to issue a final decision for new PSD minor Title V Operating Permits.

IDEM has 270 days to issue a final decision for Title V Operating Permit Renewals.

Federally Enforceable State Operating Permits (FESOPs)

A Federally Enforceable State Operating Permit, or FESOP (pronounced fee-sop), is a type of permit issued to sources whose potential to emit (PTE) is limited below Title V thresholds. The source may use a combination of pollution controls and limitations on the source's hours of operation, chemical input rates, or material throughput rates. FESOP permits specify the required pollution controls or limitations that a source must comply with in order to reduce PTE to levels under Title V thresholds (see the Emissions Table on page 19). The initial FESOP issued to a source must be renewed within five years, and then every 10 years thereafter.

Minor State Operating Permits (MSOPs)

A Minor State Operating Permit, or MSOP (pronounced em-sop), is the type of permit IDEM issues to sources whose PTE, without any air pollution controls or limitations, is below Title V thresholds (see the Emissions Table on page 19). The initial MSOP issued for a source must be renewed within five years, and then every 10 years thereafter.

Steps in the FESOP and MSOP process:

- Applicant submits application to IDEM.
- Applicant places a copy of the application in a local library within ten (10) days of submitting the application.
- IDEM notifies local officials about receipt of the application, begins reviewing calculations, and working to write a preliminary permit.
- IDEM completes a preliminary permit, makes it available for public review, and announces the beginning of a minimum 30-day public comment period.
- IDEM may schedule a public meeting or hearing during the comment period at its discretion, depending on public interest. If a public hearing is held, it will be scheduled at a convenient time and location for affected residents. If IDEM does not automatically schedule a meeting or hearing, a citizen may request one (which IDEM may hold at its discretion, depending on the merits of the request and public interest).
- The time, date, and location of IDEM public meetings or hearings for FESOP and MSOP permits must be announced at least 30 days in advance of the event. The public comment period may be extended accordingly in cases where a hearing was requested following the announcement of the 30-day public comment period.
- Following the close of the public comment period, IDEM will review all comments received, prepare a summary response, and work to finalize its decision on the terms and conditions of the permit. IDEM will prepare a document to detail what, if any, changes were made based on comments received. This response to comments will be included with the final documents and will be made available to the public.
- IDEM will issue a final decision to approve or deny a permit and send a Notice of Decision to the applicant, adjacent property owners, individuals who commented on the preliminary permit, and other interested parties who requested to be notified. For anyone who objects to the final decision, the Notice of Decision (NOD) will include information about the 18-day timeframe for appeal and instructions for submitting a petition for appeal to the Indiana Office of Environmental Adjudication.

IDEM is allowed 120 days to issue a decision for new PSD minor MSOP permits and 120 days to issue a final decision for new PSD minor FESOP permits.

Exemptions

Sources whose potential to emit (PTE) is below the thresholds for a registration (see the Emissions Table on page 19) are exempt from the requirement to obtain a permit or registration. Sources may construct and operate without IDEM approval. Some sources choose to have IDEM review their calculations, however, and in these cases IDEM will issue a letter of exemption. The letter will contain information about the source's operations, the calculations the review is based on, and the conditions the source must meet to remain in compliance with air pollution regulations. Just because a source is exempt from the requirement to obtain a permit or registration does not mean the source is exempt from all air pollution regulations. IDEM works to review exemption requests within 60 days. Public comment is not required.

Interim Construction Permits

Permitted sources that are planning to change their operations may be eligible for an Interim Construction Permit. This type of permit will allow them to begin modification of their project at their own risk while their operating permit is being revised or modified.

Public comment requirements for Interim Construction Permits:

For projects involving significant modifications, a 14-day public comment period is required. Applicants are responsible for the public notice. IDEM must act on the application within 17 days of the publication of the public notice if no comments are submitted, and within 31 days if comments are submitted. IDEM will mail notification of the final decision to all parties who have asked to be notified.

For projects involving minor modifications, public comment is not required. IDEM will mail notification of the final decision to all parties who have asked to be notified.

Interim construction permits are issued in limited circumstances. They are not an option for major modifications in areas where air quality does not meet national air quality standards.

Permit By Rule

Certain types of small businesses may be eligible to operate under a low level authorization known as a "Permit By Rule." Examples are grain elevators, grain milling operations, and gasoline dispensing operations whose compliance requirements are basic and sufficiently covered in state rules.

Sources that have already obtained an MSOP, a FESOP, or a Title V Operating Permit can transition to a Permit By Rule authorization by providing 12-months of emissions records

showing that their actual emissions are 20 percent below Title V thresholds (see the Emissions Table on page 19). IDEM reviews applications and makes its acknowledgement within 60 to 120 days.

Public comment is not required for a Permit By Rule, and Permit By Rules cannot be appealed. IDEM will send a Notice of Decision (NOD) to local government officials and the county health department.

Permit By Rule authorizations remain in effect indefinitely, provided the source does not change the way it operates or add additional emission units that would change the applicability of these rules. Changes in operations may result in a need for the source to obtain an operating permit instead.

Source Specific Operating Agreements (SSOAs)

Certain types of small businesses may be eligible to operate under a low level authorization known as a Source Specific Operating Agreement (SSOA). Sources that would otherwise be required to obtain an MSOP, a FESOP, or a Title V Operating Permit may elect to obtain an SSOA if the source contains operations covered by the SSOA rules. An SSOA authorization is also referred to as a General Permit. The SSOA includes limits on the source's potential to emit.

If an SSOA has limited potential to emit (PTE) equal to or greater than twenty-five (25) tons per year, the source will be required to obtain a New Source Review (NSR) construction permit and IDEM will make the preliminary (or draft) NSR-SSOA available for public review for a minimum 30-day comment period.

If an SSOA has limited potential to emit (PTE) less than twenty-five (25) tons per year, the source will not be required to obtain a New Source Review (NSR) construction permit and IDEM is not required to have a public comment period.

If approved, IDEM will issue an approval document that identifies emissions limits, compliance determination, compliance monitoring, testing, record keeping, and reporting requirements necessary for assuring compliance with state rules. IDEM reviews applications and makes its decisions within 60 days if no comment period, or 120 days if there is a comment period.

Parties who object to a final decision have the right to file a formal appeal. IDEM will send a Notice of Decision (NOD) by mail to all parties who have asked to be notified. The NOD will include instructions for filing a formal appeal.

SSOA authorizations remain in effect indefinitely, provided the source does not change the way it operates or add additional emission units that would change the applicability of the SSOA rules. Changes in operations may result in a need for the source to obtain an MSOP, a FESOP, or a Title V Operating Permit instead.

Portable Source Permits

Portable source permits are often sought for sources that can be relocated. (This is not the same as a mobile source, which emits while in transit.) Examples include concrete batch mixer plants or asphalt plants. Having a portable source permit enables a business to use the same operating permit at any location it may move to in the state.

In obtaining the required air operating permit (such as an MSOP, FESOP, SSOA, or Title V Operating Permit), a business may request that it be a "portable" permit. Before relocating a permitted portable operation, the company must request approval to relocate from IDEM and notify adjacent property owners. IDEM will review the request to ensure the existing permit conditions are appropriate for the new location.

When it makes a final determination, IDEM will send a Notice of Decision (NOD) to the applicant and affected and/or interested parties. The NOD will include instructions for filing a formal appeal.

Program for Acid Rain

Indiana, like all states, has an acid rain program to reduce the amount of sulfur dioxide (SO₂) and nitrogen oxide (NO_x) emissions to the atmosphere. These two pollutants affect the pH of rain, sleet and snow, resulting in increased acidity. IDEM issues acid rain permits in coordination with Title V Operating Permits. The expiration dates are the same, and one renewal can be issued to cover both permitting requirements. *Please refer to the permitting process for Title V Operating Permits.*

Open Burning Approvals

While IDEM never advises open burning, sometimes it is a viable alternative for managing a large quantity of clean wood waste. Examples include the use of an air curtain destructor to manage brush that is cleared during a road project; the open burning of large amounts of debris following a natural disaster such as a tornado; fire training activities; and prescribed burns for preserving natural habitat. An approval must be obtained from IDEM prior to commencing any of these activities.

Anyone who submits an open burning application is required to include a list of potentially affected persons. This includes adjacent landowners and those who own or rent property within five hundred (500) feet of the proposed burn site. Public comment is not required. When IDEM finalizes its decision on the open burning application, it will send a Notice of Decision to the applicant and everyone on the list of potentially affected persons. If there are more than fifteen (15) potentially affected persons, a public notice will be issued. For anyone who objects to the final decision, the Notice of Decision will include instructions for filing an appeal with the Indiana Office of Environmental Adjudication.

Emissions Table

Pollutants (Tons Per Year)	Registration	MSOP or FESOP	Title V
VOCs Volatile organic compounds – where air pollution control equipment is not required to comply with VOC emission rules	≥ 10 and < 25		
VOCs Volatile organic compounds – where air pollution control equipment is required to comply with VOC emission rules	≥ 5 and < 25		
VOCs Volatile organic compounds		≥ 25 and < 100	100* or more
NO_x Nitrogen dioxide and oxides of nitrogen	≥ 10 and < 25	≥ 25 and < 100	100 or more
CO Carbon monoxide	≥ 25 and < 100	< 100	100 or more
SO₂ Sulfur dioxide	≥ 10 and < 25	≥ 25 and < 100	100 or more
PM Particulate matter	≥ 5 and < 25	≥ 25 and < 100	
PM₁₀ Particulate matter less than 10 microns	≥ 5 and < 25	≥ 25 and < 100	100 or more
PM_{2.5} Particulate matter smaller than 2.5 microns	≥ 5 and < 25	≥ 25 and < 100	100 or more
Pb Lead**	≥ 0.2 (400 pounds) and < 5	≥ 5 and < 100	100 or more
Fluorides***	≥ 5 and < 25	≥ 25 and < 100	100 or more
H₂S Hydrogen Sulfide	≥ 5 and < 25	≥ 5 and < 25	25 or more
Total Reduced Sulfur	≥ 5 and < 25	≥ 5 and < 100	100 or more
Reduced Sulfur Compounds	≥ 5 and < 25	≥ 5 and < 100	100 or more
Single HAP Any single Hazardous Air Pollutant	< 10	< 10	10 or more
Total HAPs A combination of two or more Hazardous Air Pollutants	< 25	< 25	25 or more

* >25 tons per year in severe nonattainment areas, but Indiana doesn't currently have any severe nonattainment areas.

** Secondary Lead Smelters are required to have a Title V permit by 40 CFR 63 Subpart X. This threshold is for element lead. Lead compounds are a HAP and subject to the 10 ton per year threshold.

*** Specific fluoride compounds are listed as HAPs. Those compounds are subject to the 10 and 25 ton per year thresholds.

Asbestos

Indiana does not have a permitting program for asbestos. However, all sources (except residential buildings with four or fewer dwelling units) must be inspected by an Indiana licensed asbestos inspector prior to the demolition or renovation. Even if no asbestos is present in the source, IDEM must receive notification of demolition or renovation. The requirements for removal, asbestos abatement, and demolition notification are posted on IDEM's [Asbestos Compliance](#) and [Asbestos Waste Handling Requirements](#) pages.

Waste - Introduction

State and federal laws contain strict standards for handling, processing, and disposing of household, municipal, commercial, and industrial waste. Waste material is categorized as a solid waste or a hazardous waste. Here are brief descriptions:

- **Solid waste** includes the trash from our homes and businesses, unwanted building debris from construction and demolition projects, and nonhazardous waste from industrial operations, commercial activities, or cleanup sites. Solid waste can be a solid, a liquid, or a contained gas that is discarded, abandoned, or recycled. Today, solid waste landfills are constructed and operated according to stringent standards. Waste processors must follow strict rules. Oversight is provided at composting operations, waste tire facilities, and facilities that collect and process household hazardous waste, electronic waste, and use waste materials as fuel. Oversight is also provided to ensure manure from livestock operations is managed properly.
- **Hazardous waste** includes a liquid, solid, or semisolid waste, or contained gasses, with certain physical, chemical, or infectious characteristics that pose a substantial hazard to human health or the environment when mismanaged. Hazardous wastes can come from a number of sources, including manufacturing processes and treatment processes.

Only permitted facilities may accept regulated waste materials. Following, in alphabetical order, is a list of the permits issued by IDEM's Office of Land Quality.

Confined feeding operation (CFO) permits

Animals raised in confined feeding operations produce manure and wastewater that is collected and stored in pits, tanks, lagoons, and other storage structures. The manure is then applied to area fields as fertilizer. When stored and applied properly, this beneficial reuse provides a natural source of nutrients for crop production. It also lessens the need for fuel and other resources that are used in the production of commercial fertilizer. Without proper management, however, water can be polluted by storage structures that leak or manure that is improperly applied to the surface of the land.

Confined feeding operation (CFO) permits issued by IDEM contain requirements for the design, construction, and maintenance of manure storage structures; the handling and land application of manure; compliance with setbacks from streams, wells, roads, property boundaries, and residences; record keeping; and the handling of emergency spills. All CFOs must manage their storm water to prevent it from coming in contact with manure, feed silos, silage bunkers, and animal bedding and carrying contaminants into area waterways.

In Indiana, an operation with at least 300 cattle, 600 swine or sheep, 30,000 poultry (chicken, turkey or ducks), or 500 horses in confinement must obtain a confined feeding operation (CFO) permit from IDEM. This includes the larger operations described by the federal government as concentrated animal feeding operations, or CAFOs. New and expanding operations must ensure they have the proper permit to construct and operate.

Steps in the process for a CFO permit:

- The applicant must submit an application to IDEM, and provide notification about the application's submittal to the county commissioners, adjacent property owners, and anyone within one-half mile from the proposed or existing animal confinement barns or manure storage structures.
- The public comment period begins when the application is submitted. IDEM will accept public comments throughout the entire review process and up until a final decision has been issued.
- IDEM reviews the permit application and public comments and works to reach a final decision to approve or deny the proposed operation.
- When the agency reaches its final decision, IDEM will send notification along with a summary response to individuals who submitted comments, the permit applicant, adjacent property owners, individuals who occupy property within one-half mile of the location, local officials, and anyone else who requested the information. The Notice of Decision includes instructions for filing an appeal.

IDEM may not issue a final decision about a proposed CFO for at least 33 days after receiving an application, but must issue a decision within 90 days, not counting time spent waiting for additional requested information.

National Pollutant Discharge Elimination System (NPDES) permits – animal feeding operations

Animal feeding operations of any size must obtain a National Pollutant Discharge Elimination System (NPDES) permit if they plan on discharging to a waterway. For example, a discharge of noncontact cooling water from a milk chiller at an animal feeding operation would require this type of a permit. Discharging noncontact cooling water is a type of discharge that may be allowed because it does not come into contact with raw materials, and is not expected to pick up contaminants prior to being discharged.

While there are very few operations that require this type of permit in Indiana, for the ones that do, IDEM will develop a single document that combines the NPDES monitoring and reporting requirements for the discharge and the CFO program requirements for construction, operation, maintenance, reporting, and emergency planning.

Steps in the NPDES permitting process for animal feeding operations:

- Permit applicants seeking approval from IDEM to construct must provide notification about the application's submittal to the county commissioners, adjacent property owners, and anyone within one-half mile from the proposed or existing animal confinement barns or manure storage structures.
- IDEM will review the application for completeness and request additional information, if needed. If the application meets state and federal requirements, IDEM will begin drafting a permit.
- When IDEM has completed a draft permit, it will publish a notice in the local newspaper announcing to the public that the draft permit is available for review. IDEM will accept public comments for at least 30 days.
- IDEM will review the public comments that it received and work to reach a final decision. It will also prepare a summary response to comments.
- When IDEM reaches a final decision, it will send a Notice of Decision to the applicant, adjacent property owners, local officials, and anyone else who submitted comments or asked to receive information. IDEM's Notice of Decision will include instructions for filing an appeal.

IDEM must make its decision on an NPDES permit application within 180 days after receiving the application, not counting any time spent waiting on additional information requested from the applicant. More background information about the NPDES Permitting Program is provided in the wastewater permits section of this guide.

The difference between a CFO and a CAFO

The basic difference is the size. A CFO is an operation with at least 300 cattle, 600 swine or sheep, 30,000 poultry (chicken, turkey or ducks), or 500 horses in confinement.

CAFO is U.S. EPA's term for an operation with at least 700 mature dairy cows; 1,000 veal calves; 1,000 cattle other than mature dairy cows; 2,500 swine above 55 pounds; 10,000 swine less than 55 pounds; 500 horses; 10,000 sheep or lambs; 55,000 turkeys; 30,000 laying hens or broilers with a liquid manure handling system; 125,000 broilers with a solid manure handling system; 82,000 laying hens with a solid manure handling system; 30,000 ducks with a solid manure handling system; or 5,000 ducks with a liquid manure handling system.

U.S. EPA only requires states to regulate CAFO-sized operations that intend to discharge liquids to waters of the U.S. However, IDEM regulates both CFOs and CAFO-sized operations under Indiana's CFO rules, which are more stringent than federal regulations. IDEM's [Animal Farms](#) portal provides more information.

Hazardous waste permits

The management of hazardous waste in the United States must comply with the federal Resource Conservation and Recovery Act, also known as “RCRA” (pronounced “rick-rah”). Under RCRA, a solid waste is hazardous and must be managed according to hazardous waste regulations if it is included on U.S. EPA lists of hundreds of hazardous wastes that are known to be harmful to human health and the environment (“listed” wastes), or has any or all of the characteristics of:

- **Ignitability** (capable of creating fire),
- **Corrosivity** (capable of corroding containers),
- **Reactivity** (unstable and able to cause explosions or release fumes, gasses, or vapors when mixed with water), or
- **Toxicity** (harmful or fatal when ingested or absorbed).

Regulated hazardous waste includes:

- Waste materials or liquids that are flammable, reactive, corrosive, or toxic.
- Specific waste substances that are on U.S. EPA’s F-list, K-list, P-list, or U-list.
- Universal waste, including batteries, pesticides, and mercury-containing equipment or bulbs.

A cradle-to-grave system is used to track where and when hazardous waste is generated, stored, treated, and disposed. Facilities that generate certain quantities of hazardous waste must register with U.S. EPA and are subject to inspections. Manufacturing or industrial facilities that store and/or treat the wastes they generate are responsible for managing their hazardous waste according to hazardous waste generator regulations. Certain manufacturing or industrial facilities and all facilities that wish to accept off-site hazardous waste for treatment, storage, or disposal must be properly permitted. Permitted facilities must meet numerous conditions including design and operation, safety standards facility performance activities, as well as having emergency plans, financial assurance for closure, and employee training. Facilities managing hazardous waste are required to clean up (“close”) units utilized to treat or store hazardous waste when the facility ceases operation of the unit. Hazardous waste disposal facilities are required to close disposal unit(s) by properly preparing the unit for post-closure maintenance and monitoring. Post-closure maintenance and monitoring is managed pursuant to a post-closure plan, typically contained within an operating permit, post-closure permit, or an agreed order. The purpose of financial assurance is to demonstrate that the facility will have the financial resources to properly close the facility or unit when its operational life is over, and perform any necessary post-closure activities.

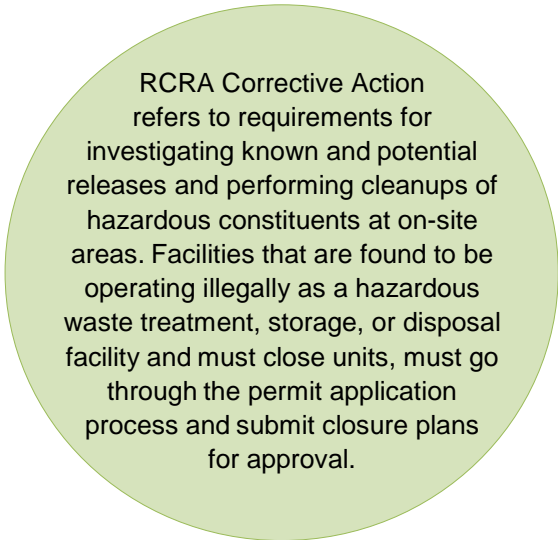
Permits for new hazardous waste units

Hazardous waste permits are issued by IDEM’s Office of Land Quality for several different activities regulated under RCRA, including the construction and operation of the following types of facilities referred to as treatment, storage, and disposal facilities (TSDFs):

- **Hazardous waste landfills:** A disposal facility where hazardous waste is placed in or on the land. Hazardous waste landfills are constructed and operated according to stringent standards to prevent contaminants from being released to the environment, manage storm water, and control dust and particles from blowing off site.
- **Hazardous waste combustion:** Where hazardous waste is burned, primarily for waste destruction or treatment purposes; however, some energy or material recovery can occur. When performed properly, combustion destroys the toxic organic constituents in hazardous waste and reduces the volume of the waste.
- **Hazardous waste storage facilities:** Where hazardous waste is temporarily held for a period of time prior to its treatment, disposal, or transport to another storage facility. Hazardous waste may be stored in containers (portable devices in which waste can be transported, treated, disposed, or otherwise handled—examples include 55-gallon drums, tanker trucks, railroad cars, buckets, bags, and test tubes); tanks (stationary steel, plastic, fiberglass, and concrete structures that can be open at the top); containment buildings which are enclosed and self-supporting; drip pads (a structure for drying that is designed to contain and collect drippage); waste piles on top of liner systems; or surface impoundments (natural topographical depression, man-made excavation, or diked area such as a holding pond, storage pit, or settling lagoon [surface impoundments are formed primarily of earthen materials and are lined with synthetic plastic liners to prevent liquids from escaping]) that comply with the RCRA regulations.
- **Hazardous waste treatment facilities:** Treatment involves a process or processes to change the physical, chemical, or biological characteristics of a hazardous waste in order to minimize the threat to human health and the environment.

Steps in the permitting process for new facilities:

- Anyone proposing to build and operate any of the facilities described above must submit an application to IDEM, and possibly to U.S. EPA. The applicant must hold an informal public meeting before submitting a permit application to IDEM. This is referred to as a pre-application meeting, and its purpose is for the applicant to explain the plans for building and operating the facility. Advertisement of the meeting must include erecting a sign at or near the property of the proposed facility, radio or television announcements, and a newspaper display advertisement.
- When IDEM receives an application, it will send a notification to all individuals who attended the business's pre-application meeting.
- IDEM will review the application documents and work with the applicant to ensure all necessary information has been submitted.



RCRA Corrective Action refers to requirements for investigating known and potential releases and performing cleanups of hazardous constituents at on-site areas. Facilities that are found to be operating illegally as a hazardous waste treatment, storage, or disposal facility and must close units, must go through the permit application process and submit closure plans for approval.

- IDEM will make a tentative (“draft”) decision to deny or issue a permit, based on the application documents. IDEM will announce its decision to either deny or issue a permit by sending a letter to everyone on the mailing list, issuing a public notice in a local newspaper, and broadcasting the announcement over the radio. IDEM will also prepare a fact sheet to explain its decision. IDEM will provide a minimum 45-day public comment period about its preliminary decision. IDEM may hold a public hearing or meeting. If IDEM arranges a hearing, it must announce the time, date, and location at least 30 days before the scheduled date, which provides affected residents with an opportunity to submit written and oral comments.
- IDEM will review all public comments prior to making a final decision.
- IDEM will issue a final decision to approve or deny a permit based on the permit application. The Notice of Decision will include a summary response to comments including changes that were made to the draft permit.

Closure of units

At treatment, storage, and disposal facilities where multiple hazardous waste management units are in operation, one unit may cease operation while the remaining units continue operating. All Hazardous Waste Permits issued by IDEM will contain requirements for closing units. Details include the amount of hazardous waste that will be kept on site during a facility’s operating life, a schedule of closure dates for each unit, a schedule of closure for the facility, the planned methods for closing each unit, and the planned methods for closing the entire facility. When the time comes for a unit to be taken out of service, the facility must follow an approved closure plan to address any potential or actual contamination that may have resulted from its operation.

There are two types of closures:

- **Closure by removal**, also known as “clean closure,” includes removal or decontamination. It refers to the process of removing all hazardous waste from a unit and any releases at, or from, the unit, so that no further action is necessary to protect human health and the environment.
- **Closure with waste or contamination remaining in place** requires measures, referred to as controls, to prevent public exposure. The two types of controls are engineered controls and institutional controls. Land disposal units use engineered controls such as capping and post-closure maintenance of liners and final covers, leachate collection and removal systems, leak detection systems, and gas collection systems. The standard post closure care period is 30 years, but it can be shortened or extended by U.S. EPA or IDEM, if appropriate. Institutional controls such as land use or deed restrictions are used to ensure future property owners are aware of any limitations on redevelopment and stabilized contaminants are not disturbed.

For information about Hazardous Waste – Resource Conservation and Recovery Act Corrective Action, consult Part 3: Environmental Remediation of this guide. IDEM’s [Hazardous Waste](#) page provides more information about the agency’s Hazardous Waste Program.

Land application permits

The residues of the wastewater treatment process are referred to as biosolids. Biosolids may be disposed of as a solid waste, but they can also be used productively as a fertilizer or soil conditioner. The use of biosolids for land application requires a permit from IDEM. Likewise, some industrial waste products and pollutant-bearing water may be used as a soil amendment or as fertilizer, providing they meet environmental standards and the proper permit has been obtained from IDEM. Once the proper permit is approved, these materials can be spread on the land or injected below the land surface. Analysis and reporting requirements in the permits ensure environmental standards are being met and prevent the threat of harmful bacteria or other harmful pollutants.

Here are summaries describing the materials and liquids:

- **Biosolids** are organic materials produced during treatment of domestic sewage. Biosolids contain nutrients necessary for plant growth including nitrogen, phosphorus, potassium, copper, zinc, calcium, magnesium, and iron. Biosolids do not include animal manure, high specific gravity materials such as grit or screenings generated during preliminary treatment of domestic sewage, or hazardous waste materials.
- **Industrial waste products** come from industrial processes or the processing of industrial wastes. Industrial waste products may be organic materials such as waste paper fibers, food processing waste and pharmaceutical manufacturing by-products, or inorganic materials such as spent filtration lime, sand, and ash. These materials contain nutrients necessary for plant growth including nitrogen, phosphorus, potassium, copper, zinc, calcium, magnesium, and iron or act to improve soil structure when land applied.
- **Pollutant-bearing water** is domestic wastewater, process wastewater, or storm water from certain industrial operations.

IDEM's Office of Land Quality issues three types of land application permits:

- 1) **Site specific permits** identify the land on which the materials or liquids will be applied.
- 2) **Non-site specific permits** identify the counties in which the biosolids or industrial waste products will be land applied.
- 3) **Hybrid permits** identify land on which the biosolids or industrial waste products will be applied, along with counties in which the material will be approved for land application.

Steps in the process for land application permits:

- The applicant must submit an application to IDEM at least 180 days prior to beginning the proposed operation/activity. The applicant must notify all adjacent landowners and occupants within 10 days of the date it submits the application. The applicant must also provide to IDEM, with the application, a list of potentially affected persons. The applicant must provide data that ensures the materials and/or liquids are eligible to be applied on the land according to U.S. EPA and IDEM standards.
- When it receives an application, IDEM will publish a notice in the newspaper of widest general circulation in the area of the proposed location announcing its availability for public review and a minimum 30-day public comment period.

- IDEM will complete its review of the application and all public comments it received.
- When it makes its final decision, IDEM issues a Notice of Decision to potentially affected persons identified by the applicant, as well as local officials and any other parties who submitted comments or requested notification. The Notice of Decision includes instructions for filing a formal appeal.

IDEM typically reaches a final decision within 180 days of the receipt of an application. Initial permits are issued for five years, with subsequent renewals issued every 10 years.

The IDEM [Forms](#) page provides state forms related to land application of biosolids and industrial waste.

Registrations

The storage and processing of certain types of regulated solid waste is authorized through a registration instead of a permit. Following is a list of the registrations issued by IDEM, including the process for obtaining the approval. Public comment is not required for new registrations or renewals, which may be issued every five years.

Alternative fuel processors: This registration program allows facilities that burn fossil fuels to supplement their fuel needs with materials that pose a low environmental risk, when handled properly. The program does not allow the use of hazardous waste or municipal solid waste. The program does allow the use of alternative fuels such as manufactured wood waste, paper, plastic, tires, rubber, carpet, oil filter fluff, cosmetics, or corn seeds. The material(s) must have a minimum fuel value of 5,000 BTUs per pound and cannot exceed 30 percent, by weight, of the facility's total fuel usage.

Biomass digesters and biomass gasification facilities: This registration program allows facilities to process biomass and appropriate feedstock through a digester or gasifier to recover energy or a reusable product. Examples include biomass digesters and gasification facilities that recover methane or ethanol from animal manure or other organic waste. Biomass is biological material including natural materials such as wood, agricultural crops and algae, and biological wastes such as manure and agricultural wastes. Other appropriate feedstocks that are allowed under this registration program include organic wastes such as food wastes, cooking oil and grease, paper pulp, sewage sludge, off-spec or unused animal feed, dried distillers grain, animal bedding, biodiesel, and wood pallets.

Electronic waste: Effective July 1, 2009, the Indiana General Assembly enacted the Indiana Electronic Waste (E-Waste) Law ([Indiana Code 13-20.5](#)), which established Indiana E-Cycle. The purpose of the program is to reduce the amount of electronic waste being sent to Indiana landfills and to ensure that hazardous substances found in electronic waste are being managed in an appropriate and environmentally responsible manner. The Indiana E-Cycle program allows for many electronic devices to be kept out of landfills and incinerators and creates

recycling opportunities for Indiana residents. IDEM's [Electronic Waste](#) page provides a complete listing of items that are prohibited from being discarded by Indiana households, public (including charter) schools, and small businesses. To find a local e-waste collection site, consult the [Indiana E-Cycle Collectors by County](#) list.

Collectors, recyclers, and manufacturers that participate in the Indiana E-Cycle program must submit an online registration and annual report by March 1. This report covers the previous calendar year, ending on December 31, and can serve as both the registration for the current year and annual report for the previous calendar year. Collectors, recyclers, and manufacturers can submit their report on IDEM's [Re-TRAC portal](#).

Mobile home salvaging operations: This registration program is intended for businesses that salvage parts and metals from mobile homes that are no longer suitable for use. Activities include dismantling or demanufacturing mobile homes; storing discarded mobile homes and mobile home parts; recycling mobile homes; or processing mobile homes for recycling, for incineration, or for final disposal at a permitted facility. They must comply with Indiana's rule for mobile home salvaging, which includes best management practices in addition to operational requirements and financial assurance requirements.

Waste tire operations: Waste tires are tires that do not have any tread or are damaged to the point that they are unsafe to use on vehicles. Whole tires cannot be disposed of in a landfill. Waste tires are measured in potential tire equivalents, or PTEs. One PTE is equal to a standard passenger tire or 20 pounds. For example, a large truck tire would be more than one PTE, depending on its weight. Following are descriptions of the three types of waste tire operations that must obtain a registration from IDEM. IDEM works to process registrations for waste tire activities within a reasonable timeframe. Public comment is not required.



- 1) **Waste tire storage facilities:** Registered storage facilities may store more than 1,000 PTEs outside or 2,000 PTEs inside. Applicants must provide information about their proposed operation, including the maximum number of PTEs that can be stored on site. Waste tire storage facilities must maintain financial assurance, based on their storage capacity, to be utilized in the event the owner or operator fails to fulfill closure obligations.
- 2) **Waste tire processors:** These operations cut, shred, or grind tires. A processor may keep no more than 1,000 PTEs on site outdoors or 2,000 PTEs indoors, unless the facility is also registered as a storage facility. The term does not include a retail operation that cuts or shreds waste tires generated by the retail operation on its own premises.

- 3) **Waste tire transporters:** A transporter is in the business of accepting waste tires and transporting the tires to other locations such as a processor or disposal facility. A waste tire transporter must maintain financial assurance.

Organic vegetative matter composting facilities: All owners or operators of a composting facility for organic vegetative matter must register with IDEM. Composting is a biological process involving the breakdown of organic matter by microorganisms. The registration program ensures that facilities have adequate controls in place to manage run-off; protect water quality; control dust, odors, and noise; properly manage materials that cannot be composted; and submit annual reports to IDEM.

Septage permits

Septic wastewater comes from domestic septic tanks, holding tanks, privies, seepage pits, cesspools, compost toilets, portable sanitary units, and "restaurant" grease (animal/vegetable only) from traps or interceptors. Any person providing or engaging in septage (wastewater) management must possess a valid permit from IDEM, which will allow them to pump tanks and transport septage for disposal. Public comment is not required. A land application permit from IDEM's Office of Land Quality must be obtained prior to the land application of septage.

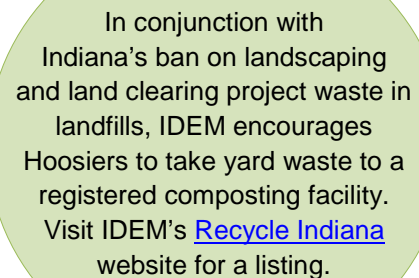
IDEM's [Solid Waste](#) page provides more information about septage.

Solid waste processing and disposal facility permits

Facilities must have an IDEM permit to accept or process solid waste for disposal.

Solid waste disposal facilities: These are facilities where waste is taken for final disposal. Here are the types of facilities that require a solid waste disposal facility permit from IDEM, with the public process for each.

Municipal solid waste landfills: Trash from homes and businesses, construction and demolition debris, and most non-hazardous industrial wastes are disposed of in municipal solid waste landfills. Hazardous waste is not permitted. Municipal solid waste landfills must obtain a solid waste disposal facility permit from IDEM's Office of Land Quality. IDEM must issue a decision on new permit applications or major expansions in 365 days. During the permit review process, the applicant must hold a public information meeting at which an IDEM representative will be present. IDEM must accept public comment for a minimum of 30 days. IDEM will hold a formal public hearing if it receives a petition of 100 signatures or more signed by residents of the county where the landfill or expansion will be located, or if other significant public interest is



In conjunction with Indiana's ban on landscaping and land clearing project waste in landfills, IDEM encourages Hoosiers to take yard waste to a registered composting facility. Visit IDEM's [Recycle Indiana](#) website for a listing.

expressed. IDEM's public hearing and the applicant's informational meeting are usually held together at a convenient location and time for affected citizens.

Construction and demolition debris landfills: Referred to as a C&D landfill, only construction and demolition debris such as scrap lumber, bricks, stone, glass, wallboard, roofing, plumbing fixtures, wiring, and non-asbestos insulation may be accepted. Friable asbestos, lead-based paint wastes (dust or sludge), household or commercial trash, yard waste, non-hazardous industrial wastes, and hazardous wastes are not permitted. Construction and demolition debris landfills must obtain a solid waste disposal facility permit from IDEM's Office of Land Quality through the same process as municipal solid waste landfills.

Non-municipal solid waste landfills: Non-municipal solid waste landfills may accept construction and demolition waste; industrial process waste; coal combustion and flue gas desulfurization wastes excluded from regulation; and pollution control wastes such as wastewater treatment sludges, baghouse dust, scrubber sludges, chemical spill cleanup wastes, and environmental cleanup wastes. Household wastes, commercial wastes, and hazardous wastes are not permitted. Non-municipal solid waste landfills must obtain a solid waste disposal facility permit from IDEM's Office of Land Quality through the same process as municipal solid waste landfills.

Restricted waste landfills: Sometimes called a monofill, a restricted waste landfill is built and operated for the disposal of non-hazardous industrial wastes generated by a single type of industrial activity. As part of the process to obtain approval, a laboratory analysis is performed on the waste materials intended for disposal to ensure that they are not hazardous. Requirements in the permits for these facilities include specifics on the type of waste(s) that may be disposed of and restrictions on materials that do not meet the classification. Restricted waste landfills must obtain a solid waste disposal facility permit from IDEM's Office of Land Quality through the same process as municipal solid waste landfills.

Solid waste processing facilities: These are facilities that serve as collection points for wastes where they are treated or processed for disposal or reuse. Processing facilities can combine loads for transportation to landfills, incinerators, or resource recovery facilities. Processing facilities may also sort and remove recyclable materials. They can also process wastes into new materials for use as fuel, paving material, animal bedding, and other varied uses. Here are the types of operations permitted with a solid waste processing facility permit:

Transfer stations: Facilities at which solid waste is transferred from a vehicle or container to another vehicle or container for transportation purposes. Baling or shredding for the purposes of transportation may occur at a transfer station. Transfer stations must obtain a solid waste processing facility permit from IDEM. IDEM must make a final decision on transfer station permit applications within 180 days. During the review process, IDEM will hold a minimum 30-day public comment period and may hold a public hearing, depending on the level of public interest. The applicant is not required to hold an informational meeting.

Incinerators: Both incinerators (where waste materials are combusted without energy recovery) and resource recovery facilities (also referred to as waste-to-energy facilities) accept most commercial and residential wastes including household garbage, industrial waste, and medical or infectious waste. Incinerators and resource recovery facilities must obtain a solid waste disposal facility permit from IDEM's Office of Land Quality. IDEM must issue a decision on new permit applications in 365 days. During the permit review process for an incinerator, the applicant must hold a public information meeting at which an IDEM representative will be present. IDEM must accept public comment for a minimum of 30 days. IDEM will hold a formal public hearing if it receives a petition of 100 signatures or more signed by residents of the county where the facility will be located, or if other significant interest is expressed. IDEM's public hearing and the applicant's informational meeting are usually held together at a convenient location and time for affected citizens.

Other solid waste processing facilities: Other types of solid waste processing facilities that require a permit include medical or infectious waste treatment facilities, plasma arc solid waste treatment facilities, and other facilities that process wastes in preparation for disposal or reuse. IDEM must make a final decision on applications for these facilities within 365 days. During the review process, IDEM will hold a minimum 30-day public comment period and may hold a public hearing as well, depending on the level of public interest. The applicant is not required to hold an informational meeting.

Solid waste disposal or processing facilities that have the potential to emit air pollutants at certain levels may be required to obtain an [air permit](#) from IDEM's Office of Air Quality.

IDEM's [Solid Waste](#) page provides additional resources.

Resource Conservation and Recovery Act (RCRA) Corrective Action – Hazardous Waste

RCRA Corrective Action refers to requirements for investigating known and potential releases and performing cleanups necessary to protect public health and the environment. RCRA Corrective Action requirements apply to permitted treatment, storage, and disposal facilities (TSDFs) and TSDFs that operated in the past under interim status, including those that operated without notifying U.S. EPA. Both IDEM and U.S. EPA have authority to enforce and oversee RCRA Corrective Action in Indiana. For permitted facilities, IDEM will issue a Hazardous Waste Permit describing the corrective actions necessary. For all other facilities, IDEM and the responsible party for the TSDF may enter into a Voluntary Corrective Action Agreement or a Corrective Action Agreed Order.

Evaluation of sources, releases, and remedies

The first step in the Corrective Action process is identifying known or potential sources of releases of hazardous wastes or constituents into the environment. Sources include regulated units, solid waste management units, and areas of concern. For Corrective Action purposes,

hazardous wastes include any chemical that may pose a substantial present or potential hazard to human health or the environment. After identifying potential sources, the facility must determine if a release has occurred and, if so, establish the release's nature and extent.

After identifying the known and potential sources, the facility's first requirement is to conduct a RCRA Facility Investigation, or RFI, to identify whether a release occurred and to what extent soil or ground water is affected. After sufficient information on the release is collected, IDEM determines if further action is necessary.

If IDEM determines there is a need to address contamination, the responsible party must evaluate and recommend a potential remedy. This can be done formally through what is known as a Corrective Measures Study (CMS), or informally, drawing from the universe of remedies known to be effective. In either case, IDEM will evaluate the proposal, carefully review cleanup alternatives the facility wishes to implement, and work with the facility to resolve concerns.

Statement of Basis and Public Notice

After evaluating all relevant information, IDEM prepares a Statement of Basis, which documents IDEM's recommendation regarding the facility's findings. For example, if it is determined there is no need for further investigation or cleanup, IDEM will recommend "no further action." However, if a cleanup is necessary, IDEM will describe the cleanup activities that are required. If contamination is to remain in place, IDEM will specify the controls necessary to protect human health and the environment. Where a permitted facility is going through the process, the facility must modify its Hazardous Waste Permit to conduct corrective actions when required.

Before making a final determination, IDEM publishes a Public Notice in the local newspaper seeking comments on the Statement of Basis; the comment period lasts a minimum of 30 days. In addition to submitting comments, the public may request a hearing. After the public comment period has ended and the hearing has been held, if applicable, IDEM will review all comments, make a final decision, and send notice of the final decision and responses to comments to potentially affected and interested parties, including all people who submitted comments. IDEM's [Environmental Cleanups](#) page provides more information about hazardous waste permits and RCRA Corrective Action. Also see the Hazardous Waste Permits section in this guide.

Water - Introduction

IDEM's Office of Water Quality oversees many activities under federal and state regulations that are aimed at ensuring safe drinking water for consumers and preventing pollution to surface water and ground water including:

- Projects to build or expand public water supply systems that provide drinking water to Hoosiers.
- Efforts to manage storm water at construction sites and industrial sites.
- The construction and operation of facilities that treat wastewater from homes, businesses, and industry before it is discharged back into the environment.
- Efforts to protect water quality from the impacts of activities in or around them.

Following are summaries of projects and activities overseen by IDEM's various water quality permits staff.

Drinking water

Public water systems, or "PWSs," are systems that supply drinking water from their own well or surface water source for their own use or for other consumers, such as residential or business customers. Examples of systems that supply their own water may include manufacturing facilities, schools, restaurants, churches, or campgrounds that use their own water wells to supply drinking water to their facility. An example of a system that supplies water for others is a municipal utility that obtains and generally treats water from a lake, stream, or underground aquifer (well) and distributes it to residential customers for uses including drinking, cooking and bathing.

The construction of wells and/or treatment processes must meet design criteria established by rule. Construction, installation, or modification of a public water system can only be done with a valid permit issued by the Indiana Department of Environmental Management.

Following is information about the requirements for public water systems and the types of permits issued by IDEM's Office of Water Quality for drinking water projects.

The *Citizens' Guide to IDEM* is designed to introduce citizens to IDEM and its programs. Questions concerning specific permits or sites should be directed to IDEM permit managers and project managers.

The guide is not intended as regulatory guidance. Citizens, facility owners, and facility operators who are responsible for complying with environmental regulations should consult IDEM's regulatory staff concerning permit requirements, compliance issues, and guidance on environmental remediation. Confidential assistance may be obtained through IDEM's [Compliance and Technical Assistance Program](#) at (800) 988-7901 or (317) 232-8172.

Capacity development

IDEM approval is required to develop a new community public water supply system or a nontransient noncommunity water system. Some key definitions are listed below:

- "Public Water System," also referred to as PWS, means a system for the provision to the public of water for human consumption through pipes or other constructed conveyances, if such system has at least 15 service connections or regularly serves at least 25 individuals.
- "Community Water System" means a public water system that serves at least 15 service connections used by year-round residents or regularly serves at least 25 year-round residents.
- "Nontransient Noncommunity Water System" means a public water system that is not a community water system that regularly serves the same 25 or more persons at least 6 months per year.
- "Noncommunity Water System" means a PWS that has at least 15 service connections used by nonresidents or regularly serves 25 or more nonresident individuals daily for at least 60 days per year.

Before a construction permit application may be submitted for a new community or nontransient noncommunity water system, the new system must submit a Water System Management Plan for review and approval. IDEM must verify that the owner has done sufficient planning to ensure the new system's successful operation. Specifically, IDEM reviews new projects to ensure there are sufficient financial, managerial, and technical resources available to operate the system in compliance with all rules. The owner of the proposed system must adequately demonstrate the capacity to meet all of the technical, financial, and managerial needs for construction and operation before a permit application can be submitted.


If IDEM determines that the owner/operator can meet the technical, financial, and managerial requirements for constructing and operating the proposed public water supply system, IDEM will issue the applicant a letter of certification. The applicant may then submit a construction permit application to IDEM.

Individual construction permits

Individual construction permits can be issued for modifications, improvement, and additions to existing systems. They can also be issued for new transient noncommunity systems. IDEM ensures standards are followed for the design and construction of new treatment plants, ground water wells, surface water intake structures, booster stations, water mains, and water storage facilities, as well as the installation of equipment to feed and control chemical addition.

Prior to issuance of any construction permit, IDEM is required to provide public notice. Public notice requirements can be met in one of two ways, depending on the number of potentially affected parties:

- 1) If there are 10 or more parties, a notice may be published on IDEM's [Public Notices](#) page announcing the proposed project and providing a minimum of 30 days for public comment.
- 2) If there are less than 10 potentially affected parties and IDEM issues a "Notice of Decision", IDEM must notify the parties when it issues a decision about the permit and include instructions for filing a formal appeal. The potentially affected parties have 18 days after issuance of the Notice of Decision to file a formal appeal.



All public water systems MUST notify IDEM prior to beginning any construction of permitted projects.

Emergency drinking water projects

Emergency drinking water construction projects that are necessary due to drought, storms, floods, or other natural or man-made disasters often need to proceed immediately. State Form 54188 (R2/9-14) (available on the IDEM [Forms](#) page) must be completed and submitted for review. Once approved, construction may begin immediately but must be completed within 30 days, and a construction permit application including as-built plans and specifications must be submitted within 10 days after construction is complete. IDEM will then issue an "After the Fact" permit based on the submitted as-built plans and specifications. IDEM's Drinking Water Branch determines whether the situation meets the requirements for an emergency. Call (800) 451-6027, option 5, or (317) 234-7430 for assistance.

New well sites

Before drilling new wells, replacing existing wells, or adding a well or wells to an existing system, a public water supply system must submit a New Well Site Survey to IDEM for review and approval. Public comment is not required. An on-site review of the proposed well location is conducted with IDEM staff and the public water system owner or representative to ensure the required sanitary setback area meets the rule requirements and is free of potential sources of contamination. A report of well site survey will be issued to the public water system approving the site and listing conditions of approval. Construction of such well(s) cannot commence until a construction permit has been issued. The construction permit will include all conditions listed in the "Well Site Survey" approval letter.

General construction permit

Public water systems may forgo the described construction permit process above, through the general construction permit rules. The general construction permit only applies to water main projects. To obtain a general construction permit, a professional engineer must supervise the project's design, and the developer, if applicable, and a public water supply system representative, must certify that the project will meet all local rules or laws, regulations, and ordinances.

Construction may begin 30 days from the date IDEM receives a complete and sufficient Notice of Intent (NOI) form. All general construction permits shall be submitted to IDEM via certified mail. IDEM rules governing the general construction permit requirements may be found under [327 IAC 8-3.5](#). The proposed project for a general construction permit must commence within 12 months of the submittal of the NOI.

IDEM's [Drinking Water Permits Section](#) page provides more information.

Storm water - Introduction

Storm water management addresses run-off from land surfaces. Storm water management principles include but are not limited to local land use planning, management and maintenance of infrastructure, and implementation of storm water quality and quantity measures. The focus of storm water management is to minimize the discharge of pollutants into waters of the state. IDEM administers a storm water permitting program that places emphasis on construction sites, industrial sites, and local entities to ensure appropriate storm water management is utilized.

Construction Site Run-off permits

The objective of the Construction Site Run-off program is to ensure adequate storm water quality measures are selected and will be implemented throughout the construction activity to manage run-off, control erosion, and minimize off-site sedimentation. In addition, it is not uncommon for these projects to impact wetlands and/or jurisdictional waters. Therefore, additional permit coverage and/or authorizations may be required through the IDEM Wetlands Program.

Construction Site Run-off general permit

A general permit is required for all construction activities where one or more acres of land are planned to be disturbed, or for those projects where the land disturbance is less than one acre but is part of a larger common plan of development or sale. Land disturbance is typically associated with grading, clearing, and excavation activities. The applicant must develop a construction plan that includes a storm water pollution prevention plan that is designed specifically for the project. Once a plan goes through an IDEM or local review process and is deemed acceptable, an applicant may proceed with completing and submitting a Notice of Intent (NOI) to IDEM to discharge storm water that is associated with the construction activities.

A form has been developed for the NOI and must be completed by the applicant, including an original signature. The NOI must include a verification of plan submittal and acceptance, and a notice that was published in a newspaper of general circulation for the area in which the project will occur.

The permit becomes effective upon receipt by IDEM and remains in effect for a period of five years. The permit must be renewed if the project continues beyond the five year timeframe. There is no public comment period.

Construction Site Run-off individual permits

Most construction projects are authorized through a general permit. However, IDEM may require an individual storm water discharge permit if the agency determines the requirements in the general permit are not sufficient to protect water quality or other factors warrant more specific storm water control requirements on a project site that could impair the water quality of the receiving water. If applicable, IDEM will notify the applicant in writing that the project is ineligible for a general permit. If an individual permit is warranted there will be a minimum 30-day public comment period. Land disturbing activities may not be conducted while an individual storm water permit approval is pending.

Industrial Storm Water Permits

The objective of the program is to establish requirements for storm water discharges associated with specific industries that have a point source discharge. The program is designed to target industrial pollutants that may be potentially discharged when exposed to rain water and snow melt and be carried in the run-off from the industrial site. Requirements may include but are not limited to covering raw materials that are stored outdoors, storing materials indoors, management of storm water run-off, and implementation of storm water quality measures.

Industrial Storm Water general permit

To obtain coverage under the industrial storm water general permit, the responsible individual of the industrial facility must complete and submit a Notice of Intent (NOI) to IDEM's Office of Water Quality. Once permit coverage is obtained, the responsible party must develop, implement, and update a storm water pollution prevention plan, conduct annual storm water monitoring, and submit annual reports to IDEM.

A form has been developed for the NOI and must be completed by the applicant, including an original signature. The NOI is also required to include a notice that was published in a newspaper of general circulation.

The permit becomes effective upon receipt by IDEM and remains in effect for a period of five years. There is no public comment period.

Industrial Storm Water individual permits

IDEM may require an individual permit where there are unique environmental considerations at an industrial operation or specific pollution control requirements that cannot be fully addressed through a general permit. In these cases, IDEM will notify the applicant in writing that the facility is ineligible for a general permit. If an individual permit is warranted there will be a minimum 30-day public comment period. An individual storm water permit may also be

developed in coordination with wastewater discharge permit applications. A facility may also choose to incorporate storm water requirements into an individual wastewater permit, thereby eliminating the requirement to have both a general storm water industrial permit and an individual wastewater permit.

Municipal Separate Storm Sewer Systems (MS4s)

The objective of the MS4 program is to improve the quality of storm water that is discharged from urbanized areas. MS4s are defined as a conveyance or system of conveyances owned by a state, city, town, or other public entity that discharges to waters of the United States and is designed or used for collecting or conveying storm water. Regulated conveyance systems include roads with drains, municipal streets, catch basins, curbs, gutters, storm drains, piping, channels, ditches, tunnels, and conduits. It does not include combined sewer overflows.

MS4 conveyances within urbanized areas have one of the greatest potentials for polluted storm water run-off. The Federal Register Final Rule explains the reason as: “urbanization alters the natural infiltration capacity of the land and generates...pollutants...causing an increase in storm water runoff volumes and pollutant loadings.” Based on increased population and proportionally higher pollutant sources, urbanization results “in a greater concentration of pollutants that can be mobilized by, or disposed into, storm water discharges.”

MS4 general permit

MS4s are designated by IDEM based on the most recent U.S. census data and several factors including but not limited to population, population density, and population growth. Once designated an MS4 is required to submit a Notice of Intent (NOI). Permit coverage begins upon receipt of the NOI. A form has been developed for the NOI and must be completed by the MS4, including an original signature of the MS4 operator. The NOI is also required to include a notice that was published in a newspaper of general circulation.

The permit requires an MS4 to develop a Storm Water Quality Management Plan that includes an assessment of storm water issues and concerns within the jurisdictional area of the MS4. Based on this assessment, the MS4 must develop objectives and goals that target pollutant reduction through implementation of public education; public involvement; illicit discharge detection and elimination; construction site run-off, post-construction run-off, and good housekeeping minimum control measures.

MS4 Individual Permits

If it is determined that a designated MS4 is ineligible to operate under a general permit, IDEM will notify the MS4 in writing. If an individual permit is warranted there will be a minimum 30-day public comment period. There is currently one MS4 that is operating under an individual permit and that is the city of Indianapolis.

IDEM’s [Storm Water Permitting](#) portal provides more information.

Wastewater - Introduction

In 1972, a national permitting program was established for wastewater discharges. Known as the National Pollutant Discharge Elimination System (NPDES) Program, it has helped bring about significant improvements in the quality of our waterways.

An NPDES permit specifies the controls required for ensuring that a discharge is safe and that humans and aquatic life are protected. NPDES discharge permits contain limits on the amount of pollutants that may be safely discharged into our waterways. The limits can be narrative statements, defining conditions that must be protected, and/or numeric limits. IDEM is authorized to administer NPDES permits in Indiana.

Additional background information is available on:

- IDEM's [NPDES](#) page
- U.S. Environmental Protection Agency's website:
 - [Federal NPDES program](#)
 - [Industrial wastewater NPDES permits](#)
 - [Municipal wastewater NPDES permits](#)

Antidegradation requirements

Indiana prohibits new or increased discharges of pollutants that will significantly lower, or degrade, water quality, unless the applicant can demonstrate that the social and economic benefits of the proposed project justify the discharge, or that any lowering of water quality will be less than "de minimus," as determined by IDEM. New or increased discharges may be the result of a newly proposed facility or changes to an existing facility.

IDEM is responsible for evaluating requests for new or increased discharges. An entity that proposes a new or increased discharge may be required to submit an antidegradation demonstration to IDEM in support of their request. Parties who plan to propose a new or increased discharge may hold a public meeting to share and discuss their demonstration with local stakeholders and interested parties.

Upon receipt of a request, IDEM will issue a public notice to inform local residents about the proposal. IDEM will automatically hold a public meeting if the waterway that will receive the proposed discharge is designated as an outstanding state resource water, or if the agency receives a petition signed by at least 25 residents living/working in the watershed or within 15 miles.

An IDEM decision to approve or deny a proposed discharge will be based on the antidegradation demonstration. When IDEM has thoroughly reviewed a demonstration and makes a tentative decision to deny a request, IDEM will issue a letter or detail the denial in a fact sheet/briefing memo. If IDEM makes a tentative decision to approve a request, IDEM will issue a draft NPDES permit and seek public comment on it.

The Antidegradation Standards and Implementation Procedures rule is found in the Indiana Administrative Code at [327 IAC 2-1.3](#).

NPDES Permits

National Pollutant Discharge Elimination System (NPDES) permits are required for facilities that treat sanitary wastewater and on-site industrial treatment facilities, to name just two. Facilities may apply for either of the following type of permit, depending on their operation:

- **Individual NPDES Permit.** Individual permit requirements are tailored to the limits the operation must achieve. They are unique documents with effluent limitations, and specific monitoring and reporting requirements. This type of permit may be required for large or small facilities, depending on the nature of the discharge and the receiving stream.
- **General NPDES Permit.** IDEM has developed a number of general permits for certain categories of operations that involve the same or substantially similar types of operations. Federal regulations allow for the establishment of general permits, which enable a permitting authority to issue the same permit document to many facilities that have the same processes or practices. This ensures consistent permits for similar facilities and reduces the agency's time and costs. If a General NPDES Permit will not sufficiently cover the compliance requirements for the operation seeking an authorization, IDEM will require the facility to apply for an Individual NPDES Permit.

Individual NPDES Permit process

- Applicant submits application to IDEM.
- IDEM conducts a completeness review and develops a preliminary permit document, which is also referred to as a draft permit. The draft permit will contain pollutant limits, monitoring requirements, and reporting requirements IDEM believes are appropriate for ensuring the discharge meets standards.
- Once the draft permit document is complete, IDEM will make it available for public review and hold a minimum 30-day public comment period. At that time, the public may request a public hearing, which IDEM may hold at its discretion. If IDEM decides to hold a hearing or meeting, it will provide the public with prior notification about the time and location.
- IDEM will also prepare a technical fact sheet/briefing memo to accompany the draft permit. The technical fact sheet/briefing memo will contain additional details about the basis for pollutant limits and operational requirements contained in the draft permit.
- Before making a final decision to approve or deny the permit, IDEM staff will review all comments it has received during the formal public comment period, and may make revisions to the permit document, if appropriate.
- IDEM will then issue a final decision to either approve or deny the permit. When it does, it will send a Notice of Decision to interested/affected parties. This list includes a list of names provided by the applicant; individuals who have contacted IDEM to be notified about decisions for projects within a given county or counties; and individuals who have contacted IDEM to be notified about the particular permit application.

- Parties who object to an IDEM final decision have a right to petition the Indiana Office of Environmental Adjudication for an appeal. IDEM’s Notice of Decision will include instructions for filing such an appeal.

Under Indiana law, IDEM is allotted various timeframes for making final decisions on applications for Individual NPDES Permits. Factors include the type of facility being permitted and whether the application is for a new permit, renewal, or modification. General information is provided in the following table. Questions about a specific project and the status of the agency’s review should be directed to the IDEM permit manager who is listed as the contact in a [public notice](#) of the draft permit.

Type of facility	Category (based on volume of flow and toxicity factors)	Type of permit action	Time allotted to IDEM for making a final decision
Industrial and Municipal	Major	New and Renewal	270 days
Industrial and Municipal	Minor	New and Renewal	180 days
Industrial and Municipal	Major and Minor	Modifications	No statutory timeframe

Industrial Pretreatment Permits

Wastewater discharged into municipal sewers may potentially come from industrial facilities. Because the wastewater from industry may contain toxic contaminants, facilities may utilize their own wastewater treatment operations to reduce or remove pollutants from their wastewaters before discharging them into the municipal sewage treatment system. This is known as pretreatment.

Without pretreatment, wastewater from certain types of industrial operations may cause damage to sewer pipes, interfere with the operation of treatment plants, or even pass through the system untreated. Pretreatment decreases treatment costs for municipal facilities, decreases environmental risks related to contaminated sludge, and prevents water pollution.

As of January 2018, 47 cities in Indiana have federally-delegated pretreatment permit programs, which means they issue pretreatment permits for industries in their service areas. IDEM’s website provides a list of [industrial pretreatment permit cities](#).

IDEM issues pretreatment permits for industries in the rest of the state. Along with submitting a pretreatment permit application to IDEM, applicants must include a list of the names and addresses of all persons who may be potentially affected by the discharge from the facility. IDEM will notify the individuals when the final permit is issued.

General NPDES Permits (general wastewater permits, non-storm water)

Facilities that obtain coverage under a general permit operate under the requirements of the applicable general permit. Indiana has several National Pollutant Discharge Elimination System (NPDES) General Permit programs for a variety of industrial operations such as sand and gravel pits, dimensional and crushed stone quarries, surface and underground coal mining operations, coal processing facilities, reclamation operations, petroleum product terminals, ground water petroleum remediation systems, once through noncontact cooling water, and hydrostatic testing of pipelines.

General NPDES Permit process

- The applicant must publish a notice in the newspaper of largest circulation in the area of the discharge announcing the facility's intent to discharge wastewater and the activities associated with the discharge. The announcement must contain instructions for filing an appeal concerning the operation's eligibility to obtain a general NPDES permit.
- The applicant must submit to IDEM a "Notice of Intent" letter before the discharge is to commence. The NOI letter to IDEM must contain:
 - Proof of the publication of the newspaper announcement.
 - The name and location of the proposed operation.
 - Information about the products, activities, and/or discharge(s) that will be generated.
 - The location of outfalls and name of the water or waters to which the discharge(s) will be routed.
 - The names and addresses of adjacent property owners (also referred to as potentially affected parties).
 - How the facility will comply with requirements of the general permit rule.
- IDEM will conduct a review of the NOI letter and all requirements. If IDEM determines the facility has met the requirements for obtaining a General NPDES Permit, it will list it in a Public Notice that is emailed each month to potentially affected parties, parties who have requested notification about a specific project, and routine subscribers. IDEM is not required to hold a formal public comment period prior to making a final decision. Individuals who believe a facility is ineligible for a general permit may file an appeal with the Indiana Office of Environmental Adjudication. IDEM includes instructions for filing appeals in its Public Notices.

General NPDES Permits are sometimes referred to as "permits by rule" because the terms and conditions for compliance have historically been found in Indiana's environmental rules. Indiana is in the process of converting its permits by rule to administrative general permits. When there are rulemakings related to general permits in progress, they will be listed on the [Title 327 – Water Pollution Control Division](#) rulemaking page. More background information is available at:

- [Storm water general NPDES permits](#)
- [Administrative general NPDES permits](#)
- [Wastewater Permitting](#)

New Construction, Wastewater Treatment Facilities, and Sanitary Sewers

Frequently applicants must build wastewater treatment facilities to bring wastewater within the NPDES permit limits prior to discharge. In fact, the construction of any new or expanded nonindustrial wastewater pollution treatment/control facility requires a Construction Permit. Modifications to an existing nonindustrial wastewater pollution treatment/control facility will also likely require a Construction Permit. In addition, construction permits are required for new sanitary sewer mains, extensions to existing sewers, and lift stations.

IDEM issues construction permits that ensure standards are met for building, expanding, or modifying wastewater treatment facilities. Applicants must obtain IDEM approval before a new wastewater treatment facility is constructed, an existing facility is modified or expanded, or sanitary sewers or lift stations are installed, modified, or expanded.

Industrial treatment or pretreatment facilities may not require a construction permit. To make a determination, parties should refer to state law under [IC 13-14-8-11.6](#).

Steps in the construction permit process:

- Applicant submits a complete application with a set of construction plans (stamped and signed on each page by a professional engineer, or land surveyor for gravity sewers only) at least 90 days prior to the start of construction.
- Applicant provides information required to notify affected persons or potentially impacted parties (adjoining landowners, or those with proprietary or expressed interest).
- IDEM has 90 days to complete the review of a Wastewater Facility Construction Permit application. Sanitary sewer permits generally take 30-45 days; industrial pretreatment construction permits generally take 45 days; and treatment facility construction permits generally take 60-90 days.
- There is no public comment period required for a Wastewater Facility Construction Permit application. However, like all IDEM-issued environmental permits, it may be appealed by any affected or interested party. The appeal must be filed with the Indiana Office of Environmental Adjudication within 18 days (15 days, plus 3 days for mail delivery) of a permit decision. Construction must begin within one year of the issue date.

Sanitary Sewer Construction Permit, Local Permitting Authority

Local government units can gain permission from IDEM to issue their own sanitary sewer construction permits. If the local government has permitting authority granted by IDEM, a permit applicant can obtain a construction permit from that local government. Per 327 IAC 32.1-3, the applicant can apply for a permit by submitting plans to the local government authority that meet all applicable rules and are prepared by a professional engineer. The local government authority is responsible for reviewing the plans and notifying IDEM of approved projects.

IDEM issues construction permit approvals for sanitary sewers if a permit is not otherwise obtained from the local government authority.

The three construction permit wastewater application forms (available on the IDEM [Forms](#) page) are:

- Sanitary Sewer Construction Permit (State Form 53159)
- Wastewater Treatment Plant Construction Permit (State Form 53160)
- Industrial Wastewater Treatment Plant Construction Permit (State Form 53161)

Questions about wastewater treatment facility and sanitary sewer construction permits can be directed to IDEM staff at (317) 232-8657.

Waterways and wetlands – Introduction

When working in and around Indiana waterways and wetlands it is important to note that authorization and/or permit coverage may be required before beginning the project. Many of these projects, based on land disturbances of one acre or more, may also require permit coverage under a storm water general permit related to construction site run-off. In addition to authorization by IDEM, projects often will require permits and authorization from the federal government. The United States Army Corps of Engineers (USACE) is the agency responsible for the federal permitting program that includes proposed impacts to wetlands as well as jurisdictional waterways.

An important component of the federal permitting program is review and approval by the states. Projects in Indiana that require USACE approval must also be reviewed by IDEM prior to the issuance of a federal permit. In some cases, USACE permits also require the approval of the Indiana Department of Natural Resources (IDNR). USACE, IDEM, and IDNR work together to maintain a high level of efficiency in their separate but closely connected approval processes. Following is information about the various responsibilities of USACE, IDEM, and IDNR and the permits they issue.

Section 404 of the federal Clean Water Act gives USACE the authority to oversee:

- Dredging activities in a water of the United States.
- The placement of fill materials into a water of the United States.

A water of the United States generally includes all wetlands, lakes, rivers, streams, and impoundments of streams that have a connection to or are a tributary to an interstate or navigable water. The Wabash River and all of its tributaries, for example, are waters of the United States because the Wabash River flows from Ohio, through Indiana, and into the Ohio River navigational system.

Section 401 of the federal Clean Water Act gives Indiana the authority to review and approve projects that require a permit from USACE. This means that anyone seeking USACE approval

must also seek IDEM approval. Through its Section 401 Water Quality Certification (WQC) process, IDEM may grant project approval, deny project approval, or require conditions above and beyond the requirements contained in the USACE permit.

When a project is planned in Indiana that will impact a wetland, stream, river, lake, or other water of the United States, IDEM must issue a Section 401 WQC before a federal permit or license can be granted. The majority of federal permits requiring Section 401 WQC from IDEM are Section 404 dredge and fill permits, which are issued by USACE.

IDEM also issues state isolated wetlands permits under Indiana’s Isolated Wetlands Law. Isolated wetlands are wetlands located in Indiana that are not under the regulatory authority of USACE. Please note that only USACE can determine if a wetland is isolated.

Following are descriptions of the various authorizations issued by USACE, IDEM, and IDNR.

USACE Nationwide Permits (NWP)

USACE has developed “Nationwide Permits” to issue authorization for various activities that are relatively routine and minor in nature. Examples include culvert and bridge maintenance projects, utility line installations, minor bank stabilization, and minor dredging, to name a few. USACE maintains a list of activities eligible to receive authorization under a Nationwide Permit.

Any applicant seeking USACE authorization under the Nationwide Permits program must meet IDEM’s terms and conditions. Several types of projects may not require notification to IDEM as long as they meet the terms and conditions of both agencies. IDEM’s [website](#) provides a list and an overview of the Nationwide Permits program.

The overview lists several types of projects that require the submittal of a form to IDEM before beginning the project. Where IDEM requires the submittal of a form, projects are automatically approved unless IDEM informs the applicant otherwise within 30 days. The list also indicates the types of projects that IDEM will not approve under the Nationwide Permits program. If IDEM determines the project does not meet its terms and conditions, the applicant may be required to apply for an Individual 401 Water Quality Certification (see summary below).

The types of projects that require USACE and IDEM water quality permits include:

- Residential, commercial, and industrial developments.
- Routing a stream.
- Filling in a stream or wetland area to create a dry area or change the bottom elevation.
- Installing a cofferdam and temporarily pumping an area dry for construction purposes.
- Certain types of projects involving the construction or repair of a weir, dam, or culvert.
- Certain types of bank stabilization projects.
- Road, bridge and/or pipeline construction projects in a stream, lake or wetland; along a stream bank; or on a lakeshore.

Indiana and USACE re-evaluate the Nationwide Permits program every five years in order to make necessary changes and adjustments in accordance with regulatory updates that may occur. A current list of eligible activities and the required forms for obtaining a Nationwide Permit in Indiana are available on USACE Louisville District's [Nationwide Permits](#) page. IDEM lists its terms and conditions for Nationwide Permit authorizations on its [website](#).

USACE Regional General Permit (RGP)

A Regional General Permit (RGP) is issued by USACE to authorize certain new construction activities that are similar in nature and cause minimal environmental impact (both individually and cumulatively). To be eligible, project impacts must not exceed USACE thresholds. In general, USACE will issue a Regional General Permit as long as impacts are one acre or less in wetlands and stream loss is limited to 1,500 linear feet and no more than one acre.

Projects seeking a Regional General Permit from USACE must also meet IDEM terms and conditions. Before beginning activities, parties seeking a Regional General Permit from USACE must always submit a Regional General Permit Notification form to IDEM in order to receive 401 Water Quality Certification (WQC) for the project. The terms and conditions that projects must meet are explained on IDEM's [Section 401 WQC](#) website. Projects are automatically approved unless IDEM informs the applicant otherwise within 30 days. If IDEM determines the project does not meet the terms and conditions of the program, the applicant may be required to apply for an Individual 401 Water Quality Certification (see summary below).

The Regional General Permit program is re-evaluated every five years in order to make necessary changes and adjustments in accordance with regulatory updates that may occur. USACE Louisville District's [website](#) provides procedures and forms for obtaining a Regional General Permit in Indiana.

USACE Programmatic General Permit (PGP)

USACE, IDEM, and the Indiana Department of Natural Resources Division of Water (IDNR) have developed a Programmatic General Permit for activities on public freshwater lakes regulated under Indiana Code 14-26-2. IDNR is the lead agency for its implementation, which reduces the amount of government oversight. The Programmatic General Permit program is specific to northern Indiana and to specific activities. Typical activities included in this permitting program include lake and river shoreline stabilization, refacing of existing seawalls, beach construction, boat well fills, and the construction of boat ramps. Two categories of activities are covered, each with general and specific conditions as well as specific procedures to receive the necessary permits for an activity.

Details are provided in a [Public Notice](#) issued by USACE on December 15, 2012, establishing the Programmatic General Permit for Minor Activities in Indiana. Procedures and forms for obtaining a Programmatic General Permit in Indiana are on USACE's Louisville District [website](#).

USACE Standard Permit (USACE Individual Section 404 Permit)

Projects that are not eligible for authorization under a Nationwide Permit, Regional General Permit, or Programmatic General Permit may require a standard permit from USACE. A USACE standard permit is also known as an Individual Section 404 Permit.

For these projects, USACE is required to evaluate and weigh the project benefits versus environmental effects, and to ensure a no net loss of wetlands. USACE must provide public notice to adjoining property owners, as well as other organizations and state and federal agencies, and generally seeks public comments for a minimum of 30 days.

IDEM Individual Section 401 Water Quality Certification (401 WQC)

Projects that do not meet IDEM's general and specific conditions for a USACE Nationwide Permit or a USACE Regional General Permit must obtain an Individual Section 401 Water Quality Certification (WQC). An Individual Section 401 WQC is also required for projects requiring a USACE Standard Permit.

An Individual Section 401 WQC from IDEM requires applicants to avoid impacts, minimize impacts, and mitigate unavoidable impacts. Compensatory mitigation is the replacement of aquatic resources as allowed through the regulatory program. Wetlands are often replaced at a higher mitigation ratio than what was impacted. Wetland mitigation ratios range from 2 acres of compensation for every 1 acre of loss (2:1) to 4 acres of compensation for every 1 acre loss.

When an application is received for an IDEM Individual Section 401 WQC, IDEM is required to notify adjoining property owners. IDEM will accept public comments for at least 21 days. IDEM will review all comments it receives from the public prior to making a final decision. IDEM final decisions must be issued within 120 days from receipt of a complete application.

Indiana's Isolated Wetlands Program

Isolated wetlands are a category of wetlands found in Indiana that are not regulated by USACE under the federal Clean Water Act. The determination that a wetland is isolated can only be made by USACE.

IDEM administers Indiana's State Regulated Wetlands Program for isolated wetlands according to Indiana law (found in [Indiana Code 13-18-22](#)). Rules found in the Indiana Administrative Code (under [Title 327, Article 17](#)) create exemptions for certain sizes and classes of wetlands, as well as certain activities. Classes of wetlands are defined under 327 IAC 17-1-3 and are based on level of disturbance, type of vegetation, and hydrologic function:

- **Class I**

A Class I wetland is the lowest quality of wetland and has been disturbed by human activities that impact the soils, vegetation, and hydrology of the wetland.

- **Class II**

A Class II wetland is not a Class I or Class III wetland or would be a Class III wetland except for meeting the definition of the Class I.

- **Class III**

A Class III wetland is located in a setting minimally disturbed by human activity or development and supports more than minimal wildlife or aquatic habitat or hydrologic function. A Class III wetland can also be a rare and ecologically important wetland type.

Anyone planning a project that will impact isolated wetlands must apply for authorization from IDEM before beginning any activities. Following is information about Isolated Wetlands Permits issued by IDEM.

Isolated Wetlands General Permits

Most projects involving impacts to Class I wetlands, regardless of the acreage of impact, and most projects that will impact 0.10 acre or less of a Class II wetland are eligible for an Isolated Wetlands General Permit. To apply, a person must submit a Notice of Intent to IDEM. IDEM must complete its review and make a decision about eligibility within 30 days of receiving the Notice of Intent. If IDEM fails to act on the Notice of Intent, then the project becomes automatically authorized on the 31st day. If IDEM determines the project is beyond the scope of the Isolated Wetlands General Permit program, it will notify the applicant in writing. If IDEM determines the project is in scope, it will send written confirmation to the applicant and include a list of conditions and a construction completion report, which must be submitted to IDEM upon completion of compensatory mitigation requirements.

Isolated Wetlands Individual Permit

An Isolated Wetlands Individual Permit is required for all Class II impacts greater than 0.10 acre and for all Class III impacts. For Class III impacts, an applicant is required to show the impacts are without practical alternative and are reasonably necessary.

Upon receipt of an application for an Isolated Wetlands Individual Permit, IDEM will review the application for completeness and inform the applicant of any missing information within 15 days. Once IDEM has declared the application complete, it will notify adjoining property owners and affected persons and publish a notice on the IDEM [Public Notices](#) page. IDEM will accept public comments for at least 30 days. The public may request a public hearing, which

The *Citizens' Guide to IDEM* is designed to introduce citizens to IDEM and its programs. Questions concerning specific permits or sites should be directed to IDEM permit managers and project managers.

The guide is not intended as regulatory guidance. Citizens, facility owners, and facility operators who are responsible for complying with environmental regulations should consult IDEM's regulatory staff concerning permit requirements, compliance issues, and guidance on environmental remediation. Confidential assistance may be obtained through IDEM's [Compliance and Technical Assistance Program](#) at (800) 988-7901 or (317) 232-8172.

IDEM may hold at its discretion. Upon completion of the public notice and resolution of any issues identified during the notice, IDEM will issue an agency decision on the project. IDEM has 120 days from receipt of a complete application to issue a final agency decision, not counting any time spent awaiting additional requested information.

IDEM's [Isolated Wetlands Program](#) page provides more information about this topic.

Part 3: Environmental Remediation

Investigating and cleaning up environmental contamination

Environmental regulations require petroleum and hazardous substances to be effectively managed. Regulations also require timely response to accidents that can occur due to human error or equipment malfunction. Large scale and complex cases require investigation of the impacts to soil and sediments and long-term remediation.

To help ensure that the public is protected from exposure to harmful contaminants, IDEM oversees spill responses and cleanup projects. All public information about these actions is available in the IDEM [Virtual File Cabinet](#).

Several sections within IDEM oversee various types of remediation projects. The following list includes procedures IDEM follows to inform the public and requirements for public participation.

Defense Environmental Restoration Program

IDEM's Defense Environmental Restoration Program (DERP) works with the U.S. Department of Defense (DoD) to conduct environmental investigations and cleanups at active, closing, or formerly used military installations where hazardous substances or petroleum products were used, stored, or disposed of during past operations. IDEM works to ensure that human health and the environment are protected and economic redevelopment can occur.

DoD and IDEM also work in cooperation with U.S. EPA in the cleanup of these sites. As of January 2018, there are eight active or closing military installations and 10 formerly used defense sites in Indiana that are being worked on.

Community involvement is built into the process to investigate and clean up a DoD site. Here are opportunities for the public to participate.

Remedial Investigation/Feasibility Study: Once DoD identifies a site for cleanup, studies must be conducted to determine the extent of the environmental impacts and alternatives for addressing them. DoD will work in coordination with U.S. EPA and IDEM during the investigation process. Public meetings will be conducted in coordination with U.S. EPA, IDEM, and other

state and local agencies that may be involved or affected by certain cleanup activities. Where there is significant public interest, DoD may form a Restoration Advisory Board (RAB), consisting of local citizens, local officials, and representatives from state and federal agencies that are involved in the project. RAB meetings may take the place of, or be held in addition to, public meetings concerning the project. Reports and data are made available to the public.

Decision Document (DD): DoD must ultimately select a remedy, or cleanup action, for sites identified for cleanup. Since none of Indiana’s DERP sites are Superfund sites, these decisions are memorialized in Decision Documents, or “DDs.” IDEM and the public will be provided with the opportunity to participate in the decision-making process. DoD, in coordination with U.S. EPA and IDEM, will prepare a DD for public review and accept public comments for a minimum of 30 days. A public meeting is also held to explain the DD, answer questions, and accept oral comments. After reviewing all comments submitted by the public on the proposed plan, DoD will make a final decision on the remedy, in coordination with U.S. EPA and IDEM. The DD will contain responses to all public comments received on the DD. The DD is available to the public.

Five Year Review: A review of a cleanup must begin every five years after the start of the remedy construction, and continue every five years for as long as there are contaminants at the site that do not allow for unrestricted use. As part of this process, DoD will hold community meetings and conduct one-on-one interviews with community members. DoD will also coordinate with U.S. EPA, IDEM, and other federal, state or local agencies during the five year review process. Five Year Review documents are made available to the public.

Site Closure: When DoD, U.S. EPA, and IDEM determine that cleanup goals have been achieved and no further action is necessary at a DoD cleanup site, it can be eligible for site closure. Site documents and data used to reach the determination are made available to the public.

More information is available on IDEM’s [Environmental Cleanups](#) website.

Emergency Response

IDEM’s Emergency Response Section operates Indiana’s 24-hour emergency spill line and oversees cleanups during emergency incidents. The program facilitates swift, effective action to stop, contain, and clean up accidental spills to soil and water. Emergency Response Section on-scene coordinators routinely work with local fire departments, hazmat crews, health officials, and responsible parties to ensure the protection of public health and the environment during environmental emergencies. More information is available on IDEM’s [Emergency Response](#) page. Citizens should report environmental emergencies to IDEM’s spill line at (888) 233-7745 (toll free) or (317) 233-7745.

Report Environmental Emergencies

24 Hours a Day, 7 Days a Week
(including holidays and weekends)

Inside the United States:
(888) 233-7745

Outside the United States:
(317) 233-7745

Hazardous Waste – Resource Conservation and Recovery Act Corrective Action

Resource Conservation and Recovery Act (RCRA) Corrective Action refers to requirements for investigating potential releases and performing cleanups necessary to protect public health and the environment. RCRA Corrective Action requirements apply to permitted treatment, storage, and/or disposal facilities (TSDFs), and TSDFs that operated in the past under interim status, including those that operated without notifying U.S. EPA. Both IDEM and U.S. EPA have authority to enforce and oversee RCRA Corrective Action in Indiana. For permitted facilities, IDEM will issue a Hazardous Waste Permit describing the corrective actions necessary. For all other facilities, IDEM and the responsible party for the TSDF may enter into a Voluntary Corrective Action Agreement or a Corrective Action Agreed Order.

Evaluation of sources, releases, and remedies

The first step in the Corrective Action process is identifying potential sources of releases of hazardous wastes or constituents into the environment. Potential sources include regulated units, solid waste management units, and areas of concern. For Corrective Action purposes, hazardous wastes include any chemical that may pose a substantial present or potential hazard to human health or the environment. After identifying potential sources, the facility must determine if a release has occurred and, if so, establish the release's nature and extent.

After identifying the potential sources, the facility's first requirement is to conduct a RCRA Facility Investigation (RFI) to identify whether a release occurred and to what extent soil or ground water is affected. After sufficient information on the release is collected, IDEM determines if further action is necessary.

If IDEM determines there is a need to address contamination, the responsible party must evaluate and recommend a potential remedy. This can be done formally through what is known as a Corrective Measures Study (CMS), or informally, drawing from the universe of remedies known to be effective. In either case, IDEM will evaluate the proposal, carefully review cleanup alternatives the facility wishes to implement, and work with the facility to resolve concerns.

Statement of Basis and Public Notice

After evaluating all relevant information, IDEM prepares a Statement of Basis, which documents IDEM's recommendation regarding the facility's findings. For example, if it is determined there is no need for further investigation or cleanup, IDEM will recommend "no further action." However, if a cleanup is necessary, IDEM will describe the cleanup activities that are required. If contamination is to remain in place, IDEM will specify the controls necessary to protect human health and the environment. Where a permitted facility is going through the process, the facility must modify its Hazardous Waste Permit to conduct the required corrective actions.

Before making a final determination, IDEM publishes a Public Notice in the local newspaper seeking comments on the Statement of Basis. The comment period lasts a minimum of 30 days. In addition to submitting comments, the public may request a hearing. After the public comment period has ended and the hearing has been held, if applicable, IDEM will review all comments, make a final decision, and send notice of the final decision and responses to comments to potentially affected and interested parties, including all people who submitted comments.

More information about hazardous waste permits and RCRA Corrective Action is available on the IDEM Office of Land Quality [Hazardous Waste](#) page. Also see the information about hazardous waste permits in Part 2: Environmental Permits in this guide.

Indiana Brownfields Program

The Indiana Brownfields Program is administered by the Indiana Finance Authority (IFA). IDEM project managers work in coordination with IFA to provide technical environmental oversight to communities on projects to assess, investigate, remediate, and redevelop sites where redevelopment is complicated due to actual or potential environmental contamination. The Indiana Brownfields Program also provides liability clarifications to prospective brownfield buyers through issuance of a comfort letter. Financial assistance for site investigation and/or cleanup may be available for projects meeting applicable funding criteria. The Indiana Finance Authority's [Brownfields Program](#) page provides details.

Leaking Underground Storage Tanks Program

IDEM's Leaking Underground Storage Tanks Program oversees the environmental investigation and cleanup of soil and ground water contaminated by underground releases or surface spills of petroleum products such as gasoline or other chemicals from underground storage tanks and systems.

When a facility suspects or confirms a release, it must notify IDEM. IDEM, in turn, must notify the local county health department of confirmed releases and spills. The local county health department must publish a notice in a newspaper of general circulation to inform area residents.

Underground storage tank owners and operators are responsible for investigating the impacts of releases and spills, and implementing any cleanups that may be necessary. This process requires the development of a Corrective Action Plan. IDEM ensures notification of the affected party or parties regarding the Corrective Action Plan when one is required. When the cleanup goals are achieved, IDEM issues a no further action determination.

More information is available on IDEM's [Leaking Underground Storage Tanks](#) page. If you need assistance, call the program contact at (317) 232-8900 or (800) 451-6027, option 6, or send an email to LeakingUST@idem.IN.gov.

Natural Resource Damage Assessment

Natural resource damages are addressed through a partnership of federal and state agencies, including U.S. EPA, U.S. Fish and Wildlife Service (U.S. FWS), IDEM, and the Indiana Department of Natural Resources (IDNR). Where there are releases of hazardous substances or petroleum to the environment, federal and state agencies will work together to assess the damages to resources; pursue cost recovery for damaged resources; and allocate monies recovered for restoring, replacing, or acquiring equivalent natural resources.

Individuals designated as Natural Resource Trustees conduct Natural Resource Damage Assessments (NRDAs) to calculate the monetary cost of restoring injuries to natural resources that result from releases of hazardous substances or discharges of oil. Damages to natural resources are evaluated by identifying the functions or 'services' provided by the resources, determining the baseline level of the services provided by the injured resource(s), and quantifying the reduction in service levels as a result of the contamination. IDEM and IDNR have designated trustees to help manage NRDA projects in Indiana.

Here are the steps in the NRDA process:

- The first step is a pre-assessment screening. This helps determine if action is warranted.
- If the pre-assessment screening determines action should be taken, the trustees will then develop an Assessment Plan to outline procedures, studies, and data that needs to be gathered.
- The next step will be to implement the Assessment Plan to determine the nature of the damages (or injury) and identify the functions or services that have been lost as a result of the damages.
- The trustees will then prepare a Report of Assessment, which contains their findings. The Report of Assessment may contain one or more alternatives for restoring the damaged natural resources.
- Finally, the trustees will work to implement restoration projects.

As they work through each part of the process, the trustees will keep the public informed through a variety of outreach methods such as circulating fact sheets, hosting and attending public meetings, publishing announcements in local newspapers, and posting information and updates on agency websites. IDEM, IDNR, U.S. FWS, and U.S. EPA routinely hold joint meetings to share findings, plans, and update the public on the status of restoration projects. IDEM's [website](#) provides details about NRDA projects.

Site Investigation Program

IDEM's Site Investigation Program will investigate reports of contamination at sites that are not being investigated or managed through any other state or federal cleanup programs. U.S. EPA provides funding for the investigations conducted by IDEM's Site Investigation Program.

When IDEM receives a report of a contaminated site that is not otherwise being addressed, the Site Investigation Program will conduct an initial screening, referred to as a Pre-CERCLIS screening. "CERCLIS" stands for Comprehensive Environmental Response, Compensation, and Liability Information System. If the initial review of past or current activities indicates contamination may exist, IDEM will work with U.S. EPA to add the site to the CERCLIS database. IDEM will then study soil and ground water to confirm whether or not contamination is present and, if so, who may be affected by this contamination. IDEM will work to inform area residents about these investigations by holding public meetings and/or distributing fact sheets.

All of the sites that are investigated through IDEM's Site Investigation Program are assessed using U.S. EPA's Hazard Ranking System. This numerical screening system is used to assess the likelihood that there has been a release to the environment; the toxicity and quantity of the released materials; and the effect of the release on people or sensitive environments. The assessment includes whether people could be exposed to contamination in ground water, surface water, soils, or air.

No action is necessary where no threat exists for public health or the environment. Sites that score at or above 28.50 on the Hazard Ranking System scale will be referred to U.S. EPA's Superfund program for assistance. Sites that score below 28.5 but pose a risk to the public health or environment will be referred to IDEM's State Cleanup Program or IDEM's Voluntary Remediation Program for action. These programs is covered below.

IDEM's [Site Investigation](#) website provides more information. Citizens can submit sites to the Site Investigation Program by using IDEM's [Online Complaint Form](#).

State Cleanup Program

The State Cleanup Program manages sights that are contaminated with hazardous substances or petroleum, but are not included on the National Priorities List of the federal Superfund program, after which it is modeled. It follows aspects of the [National Oil and Hazardous Substances Pollution Contingency Plan, 40 Code of Federal Regulations, Part 300](#), as well as IDEM's [Remediation Closure Guide \[PDF\]](#).

The primary goal of the State Cleanup Program is to mitigate risk to human health and the environment at the highest priority sites contaminated with hazardous substances through investigation, remediation, risk assessment, and management. The secondary goal of the program is to provide timely closure of environmental issues at lower priority sites to promote property redevelopment.

Programs, branches, or offices within IDEM; the IDEM complaint coordinator; or other public or local governmental agencies refer sites to the State Cleanup Program. Upon receiving the referral, the State Cleanup Program uses the Priority Ranking System (PRS) for Hazardous Substances Response Sites ([329 IAC 7.1](#)) to prioritize the site based upon most recent site

conditions and information. This determination is used to properly allocate staff resources. Project managers are assigned to high priority sites and medium priority sites contaminated with hazardous substances. Low priority sites and medium priority sites with only petroleum contamination are expected to complete the Independent Closure Process described below. The State Cleanup Program also manages time-critical removal of pollutants that are considered an imminent or substantial threat through the Immediate Removals Program. A description of that program follows.

IDEM's [State Cleanup Program](#) page provides more information.

Independent Closure Process

The State Cleanup Program has an Independent Closure Process (ICP) to address the backlog of low priority sites and medium priority sites contaminated with only petroleum or petroleum constituents. The ICP applies to and is only used by the State Cleanup Program to manage its workload while allowing site owners or potentially responsible parties a process to achieve site closure with minimal oversight by State Cleanup project managers. The ICP involves a self-completion and certification system that allows parties responsible for site remediation to complete investigation, remediation, and site closure without IDEM's direct oversight.

The requirements for closure approval include:

- Delineation of contamination to [Remediation Closure Guide](#) residential screening levels.
- Cleanup to land-use appropriate [Remediation Closure Guide](#) residential screening levels at default closure levels, or ten times the residential screening level for commercial sites.
- Implementation of institutional controls.

In order to receive closure approval from the State Cleanup Program, a completed *Independent Closure Process Site Closure* (State Form 54166; available on the IDEM [Forms](#) page) and all completed environmental reports must be submitted to IDEM within one year from the time of notification to proceed with the ICP, or within three years for a medium priority site. The reduction of direct oversight by IDEM does not relieve responsible parties or consultants from the legal requirements of reporting releases and conducting investigation and cleanup. The [Independent Closure Process](#) page provides more information.

Immediate Removals Program

The State Cleanup Program also manages time-critical removal of pollutants that are considered an imminent and substantial threat to human health and/or the environment through the Immediate Removals Program. For immediate removal purposes, time critical means the action must be initiated within six months. The goal is to separate the hazards from potential receptors (i.e., places where pollutants can be deposited) and to remove immediate dangers, not perform a full-scale remediation effort.

The Immediate Removals Program typically addresses sites with abandoned drums of hazardous materials, waste tire piles, and various abandoned industrial and commercial facilities. Typical

actions conducted at these sites include fencing, sampling, disposal of drums, and removal of pollutant sources. The [Immediate Removals Program](#) page provides links to resources.

Superfund Program

Superfund refers to the federal government's cleanup program for contaminated sites that pose a significant threat to public health and the environment. Where the level of contamination goes beyond what the state can address, and if the site meets the applicable listing criteria as determined by the Site Investigation Program, IDEM will request U.S. EPA to propose the site for the National Priorities List, or Superfund. Once the site is listed, U.S. EPA generally takes the lead on the necessary environmental investigations and cleanups. The companies or parties that caused the contamination are generally responsible for funding the cleanups, but if no responsible party is found, U.S. EPA will typically cover 90 percent of the expenses for such projects, and Indiana will typically provide a 10 percent match.

Community involvement is built into the process to investigate and clean up a Superfund site. The opportunities for public participation are covered below.

Adding a site to the National Priorities List:

To receive Superfund funding from the federal government, a site must be placed on the National Priorities List by U.S. EPA. Indiana works primarily through its Site Investigation Program to identify and refer sites to U.S. EPA.

If the data IDEM presents to U.S. EPA shows that a site qualifies for the Superfund program, U.S. EPA will propose to add it to the National Priorities List and seek public comment for a minimum of 30 days before making a final decision. When U.S. EPA issues a final decision, notification is also published in the Federal Register. Reports and data supporting the Superfund proposal are made available to the public.

Remedial investigation/feasibility studies:

Once a site is added to the National Priorities List, studies must be conducted to determine the extent of the environmental impacts, what risk those impacts may pose to the public now or potentially in the future, and alternatives for addressing them. U.S. EPA and IDEM work in partnership during the investigation process. U.S. EPA will often be the lead agency, and will conduct public meetings in coordination with IDEM. Often, U.S. EPA or IDEM staff members will go door-to-door to provide fact sheets and information to residents and listen to concerns. Reports and laboratory data from the investigation are made available to the public.

Record of Decision (ROD):

U.S. EPA must ultimately select a remedy, or cleanup action, for Indiana sites that are placed on the National Priorities List. IDEM and the public will be provided with the opportunity to participate in the process. U.S. EPA, in coordination with IDEM, will prepare a Proposed Plan for public review, and accept public comments for a minimum of 30 days. U.S. EPA will also

hold a public meeting to explain the Proposed Plan, answer questions, and accept oral comments. After reviewing all of the comments submitted by the public, U.S. EPA will make a final decision on the remedy. The details will be provided in a document called a Record of Decision, or ROD. The ROD contains a Responsiveness Summary, which includes the responses to all public comments received on the ROD. The ROD is available to the public.

Five Year Review:

A review of a cleanup must begin every five years after the start of remedy construction, and continue every five years for as long as there are contaminants at the site that do not allow for unrestricted use. As part of this process, U.S. EPA and IDEM will hold community meetings and conduct one-on-one interviews with community members. Five Year Review documents are made available to the public.

Deletion of sites from the National Priorities List:

When a Superfund site has reached all of its cleanup goals as stated in the Record of Decision, it can be deleted from the National Priorities List. Prior to deleting the site, U.S. EPA must publish a notice in the Federal Register and accept public comments. Site documents are made available to the public.

IDEM's [Superfund](#) page provides links to a community guide and Superfund database.

Voluntary Remediation Program

The Voluntary Remediation Program (VRP), established by the state legislature in 1993, provides a mechanism for site owners, operators, or potential purchasers to voluntarily enter into an agreement with IDEM to address (by investigating, and if necessary remediating) contaminated property. Participants are typically current or past property owners, current or past lessees, and prospective purchasers. Local units of government who have obtained property by default or have an interest in developing property may also participate.

Participants who complete a remedial project under VRP are issued a Certificate of Completion from IDEM and a Covenant Not To Sue from the Governor's Office. These documents ensure that the owner or operator of the site will be able to proceed with reuse of the site without concern that it may be subject to further enforcement action by IDEM, or that they could be subject to further liability at some later date.

VRP sites include a wide variety of properties, such as active and abandoned industrial sites, facilities with petroleum storage, commercial properties, manufactured gas plants, and drycleaning operations. Some VRP sites are IDEM-permitted facilities. Typical remedial strategies for VRP sites include a variety of active remediation technologies up to and including soil excavation and removal, ground water treatment, mitigation of harmful vapors, and use of institutional controls such as environmental restrictive covenants to prevent exposure to contamination above risk based levels.

VRP participants sign a Voluntary Remediation Agreement (VRA) with IDEM. Their first step is to perform an environmental investigation to determine the nature and extent of the contamination and the impacts to soil and ground water. They then need to prepare and submit a Remediation Work Plan (RWP) to IDEM for approval. The RWP contains details about the findings of the investigation, the way the property owner intends to use the site once it is cleaned up, and what, if any, measures they plan to implement to achieve those cleanup goals.

VRP sites are directed to adhere to IDEM's [VRP Community Relations Plan](#). When the RWP is submitted to IDEM, the participants must notify property owners or occupants who may be interested in or affected by the project. In some cases, the participant must post a sign to help inform the public about activities being performed at the site.

Before the agency approves a proposed RWP, the document is subject to a 30-day public comment period. An advertisement announcing the public comment period is placed in the local newspaper and on IDEM's website, and a physical copy of the RWP is made available for public review and comment at the local library closest to the site. A public hearing may also be held if requested during the public comment period for the RWP. In addition, the RWP and all other documents pertaining to a VRP site are available in IDEM's [Virtual File Cabinet](#). The IDEM project manager for each site is available by telephone to address public inquiries or concerns.

IDEM's [Voluntary Remediation Program](#) page provides links to resources. For assistance, contact the VRP section chief at (317) 234-0967 or toll free at (800) 451-6027, option 6.

Part 4: Environmental Reports, Plans, and Other Procedures

Indiana Annual Ambient Air Monitoring Network Plan

IDEM operates a network of air monitors to gather information about the quality of our ambient air. Several different types of monitors are located in many areas of the state to collect data on a number of pollutants and atmospheric conditions.

Some monitors operate continuously, using different light absorbent or fluorescent technology to determine concentrations. The data are transmitted wirelessly to IDEM's database for storage and presentation on the public [website](#). Other instruments collect air samples on an intermittent schedule. Some use filters, which are collected by staff for analysis.

The *Citizens' Guide to IDEM* is designed to introduce citizens to IDEM and its programs. Questions concerning specific permits or sites should be directed to IDEM permit managers and project managers.

The guide is not intended as regulatory guidance. Citizens, facility owners, and facility operators who are responsible for complying with environmental regulations should consult IDEM's regulatory staff concerning permit requirements, compliance issues, and guidance on environmental remediation. Confidential assistance may be obtained through IDEM's [Compliance and Technical Assistance Program](#) at (800) 988-7901 or (317) 232-8172.

The monitoring sites are generally placed in populated areas to determine overall conditions, or near roads and industries to determine source influence. Air monitors collect data on a variety of pollutants including carbon monoxide, lead, nitrogen dioxide, ozone, particulate matter and fine particulate matter, sulfur dioxide, and air toxics. They help IDEM monitor for the pollutants that cause ozone pollution to form. The agency uses them to identify the microscopic moisture droplets and solid bits that form the fine particles in our air. The data from monitors helps us identify sources in our community, as well as pollutants that travel on the wind from other states. IDEM also uses monitoring to identify population exposure.

Each year, IDEM must evaluate its monitoring network and submit a revised monitoring network plan to U.S. EPA. The deadline is July 1. The plan will contain details about the current monitoring network and any changes IDEM may propose for the coming year. Before it makes its final decision, IDEM will provide the public with the opportunity to review and submit comments on its proposed Ambient Air Monitoring Network Plan. IDEM informs the public of this opportunity by posting information on its website and publishing a notice in the Indiana Register. More information is available on the IDEM [Office of Air Quality](#) website.

The Integrated Report and the 303(d) List of Impaired Waters

Section 305(b) of the Clean Water Act requires the Indiana Department of Environmental Management (IDEM) to assess and report on whether Indiana waters support the beneficial uses designated in Indiana's water quality standards. This information is reported to the public and U.S. EPA in the state's Integrated Water Monitoring and Assessment Report (Integrated Report). As part of this report and in accordance with Section 303(d) of the Clean Water Act, IDEM also develops Indiana's Section 303(d) List of Impaired Waters.

The purpose of developing the 303(d) list is to identify waters where data show the existing pollution control for activities in the watershed may not be sufficient to maintain water quality in the stream. The 303(d) list serves as the basis for prioritizing and developing the Total Maximum Daily Load (TMDL) reports also required by Section 303(d) of the Clean Water Act. TMDLs are assessments of water quality in rivers, lakes, and streams in a given watershed where impairments exist. The report contains an overview of the waterbodies, the sources of pollutants, the methods used to analyze data, reductions in levels of pollutants needed to restore water quality, actions that need to be taken to reduce pollutant levels, and actions that are being taken to improve water quality. The 303(d) list is also used by IDEM's Nonpoint Source Program to help prioritize grant projects for potential funding and is considered by the Indiana Conservation Partnership in its funding initiatives.

In order to evaluate the water quality of Indiana waters and identify those waters in Indiana that are impaired (not meeting Indiana's water quality standards), IDEM scientists visit rivers and streams throughout the state to collect samples of water, sediments, fish, and other forms of aquatic life. Water samples are analyzed in laboratories to check for levels of bacteria, dissolved metals, and chemicals. In order to determine the health of fish and macroinvertebrates living in streams, IDEM samples these biological communities and evaluates their condition against what is considered a healthy aquatic biological community for Indiana streams. The data IDEM collects from its monitoring activities are reviewed to determine if Indiana's water quality standards are met. This information is compiled for the Integrated Report, and any waters that are found to be impaired are added to the 303(d) list.

Both the Integrated Report and the 303(d) list are required by U.S. EPA every two years, on even numbered years, by April 1.

Indiana state law requires IDEM to accept public comments on the 303(d) list for a minimum of 90 days. When the listing is available for public comment, IDEM publishes a notice in the Indiana Register. IDEM also presents the list to the Indiana Environmental Rules Board, which may accept comments from the public. A public hearing is not required. Members of the public who wish to be notified by email of the public comment period for the 303(d) list may send their email address to IDEM's Integrated Report coordinator at jarthur@idem.IN.gov. During the public comment period, IDEM also encourages the public to review and provide input on the Consolidated Assessment and Listing Methodology (CALM) that the agency uses

for making water quality assessments and decisions about how waters are placed on the 303(d) List of Impaired Waters.

At the conclusion of the 90-day public comment period, IDEM reviews all comments it has received and prepares a summary response. IDEM includes all public comments received along with its summary and responses to U.S. EPA as an addendum to the Integrated Report.

IDEM's website provides:

- The most recent [Integrated Water Monitoring and Assessment Report](#).
- All documents pertaining to the [Section 303\(d\) List of Impaired Waters](#).

Wellhead Protection Plans

To protect ground water resources from contamination, community water systems must develop and implement plans for protecting the areas around their wellheads. There are two phases to implementing a Wellhead Protection Plan.

Phase I

During the first phase, the community water system must identify the area of protection, identify certain chemicals and activities that should be prohibited in that area, identify ways to heighten traffic safety in the area of the wellhead, and develop plans for ensuring its security. The community water system must also organize a local planning team consisting of government officials and individuals to represent all interests of the community.

Phase II

In the second phase, community water systems must put their plans into action.

Once Wellhead Protection Plans are implemented, community water systems must review them every five years and submit updates to IDEM.

There are three formal opportunities for citizens to be involved in the planning process, including:

- When the local community prepares to form its local planning team, it must provide notice to citizens that a Wellhead Protection Plan is going to be developed for their ground water resources.
- When IDEM receives and approves a Wellhead Protection Plan, it publishes a notice in the local newspaper and posts a public notice on the agency website. There are 15 days provided for individuals who object to file an appeal with the Indiana Office of Environmental Adjudication.
- When IDEM receives and approves a Phase II Wellhead Protection Plan, it will post a public notice on the agency website. There are 15 days provided for individuals who object to file an appeal with the Indiana Office of Environmental Adjudication.

Regional Districts

A regional district is a form of local government that provides drinking water, sewers, and/or solid waste management (trash removal) for homes and businesses within an established service area. The requirements for creating new districts are found in the Indiana Code at IC 13-26. Decisions about forming new districts are made at the local level. IDEM's role is to ensure districts are formed according to the legal and technical requirements specified in IC 13-26.

Most districts are formed in unincorporated areas within a county. The formation process begins when IDEM receives a formal petition, or request, from a "fiscal body" of local government in the area of the proposed district. IDEM does not initiate the action, but is legally required to ensure the formation process goes through all of the steps required by state law.

Here are the steps in the process:

- A petition, or formal request, is submitted to IDEM by a "fiscal body" of local government. Fiscal bodies include political subdivisions, which include incorporated counties, townships, cities, towns, or conservancy districts.
- The petition must address a number of issues, including the purpose of forming the district, the territory to be served, the public benefits, how the district board may be structured, estimates for project costs, potential rates and charges, and funding sources.
- Following an initial review of the petition, IDEM will hold a formal public comment period for a minimum of 30 days, during which time citizens may send written comments to IDEM. As part of the process, IDEM will also hold a public hearing to provide an opportunity for citizens to speak about the proposed district on the record. IDEM will include information on the time, date, and location of the hearing in a public notice about the comment period, and arrange for the public notice to be printed four times in the local newspaper within the 14 days prior to the date of the hearing.
- Following the close of the public comment period, IDEM will complete its review of all information concerning the proposed district, work to address citizen concerns and questions, and reach a final decision about whether or not to sign an order for the district's formation.
- If IDEM signs an order, it will notify the public by publishing a Notice of Decision in the local newspaper and will mail a copy of the Notice of Decision to citizens who requested to be notified. IDEM will also post information on its website.

All interested parties are encouraged to review pending petitions and participate in the review process. IDEM's [Regional District Users Guide for Citizens and Governments](#) details the district creation process and how regional districts can positively impact citizen's health and the environment.

State Implementation Plans (SIPs)

A State Implementation Plan, or SIP, is a formal plan that each state must submit to U.S. EPA. SIPs contain details about how the state plans to limit air pollution from pollutant sources in the state. Primary examples of pollutant sources are industries and vehicles.

A SIP will typically include the state's plans for a monitoring program to collect data on the quality of the ambient air, an inventory of emissions from the sources of air pollution in the state, calculations and predictions on future trends, and strategies for reducing emissions.

Where air quality is determined to be poor, SIPs include the formal adoption of measures that are deemed necessary for reducing emissions so that air quality will improve. There must be a periodic review of the SIP to evaluate whether planned reductions are being achieved and whether air quality standards are sufficient for protecting public health and the environment.

SIPs have many components, including:

- **Infrastructure SIPs**, or the part of the SIP that documents Indiana's legal authority, regulatory structure, and resources to implement federal air quality standards in all parts of the state.
- **Attainment Plans**, or plans for areas with poor air quality that describe the measures Indiana will take to improve the area's air quality so that it meets standards.
- **Maintenance Plans**, or plans that describe the measures Indiana will take to maintain clean air in a certain area. Maintenance Plans are required for areas where air quality has improved from being poor to meeting the federal standard(s).
- **Program SIPs**, or plans that Indiana develops to implement certain requirements of the federal Clean Air Act. A primary example is a motor vehicle inspection and maintenance plan that U.S. EPA requires for areas that do not meet standards for carbon monoxide or ground level ozone pollution.

Indiana's SIP contains all of these components, as well as several SIPs for the control of certain pollutants in certain areas of the state. Because standards go through a periodic review and revision at the federal level, and because air quality can change over time (improve or worsen), Indiana's SIP is a living document that is constantly under revision.

When IDEM proposes to make changes to Indiana's SIP or any of its components, IDEM will seek public comment before making a final decision. Proposed changes to Indiana's SIP that involve rulemakings are announced in the [Indiana Register](#). Public hearings for these types of SIPs or SIP revisions take place during meetings of the [Indiana Environmental Rules Board](#). IDEM seeks public comments through public notices and provides opportunity for a public hearing for SIP revisions that do not involve rulemakings, as well.

Designations and Redesignations

Federal and state rules require all areas of Indiana to meet national air quality standards for the six criteria air pollutants:

- Ozone (O₃)
- Particulate matter (PM)
- Carbon monoxide (CO)
- Lead (Pb)
- Nitrogen oxides (NO₂)
- Sulfur dioxide (SO₂)

Indiana operates a statewide air monitoring network to monitor for the criteria pollutants in the ambient air. Where areas do not meet the federal air health standards for one or more pollutant, the area may be classified as *nonattainment*.

Indiana must take action to reduce harmful emissions in nonattainment areas so that air quality improves and standards are met. Meeting the standard is referred to as *attainment*.

When air quality in a nonattainment area improves to the point where the standard is being met, U.S. EPA may redesignate the area to attainment status.

Designations and redesignations are formal processes that include changes to Indiana's SIP. More information about Indiana's SIP, nonattainment designation, and attainment redesignation is available on IDEM's [State Implementation Plan](#) page.

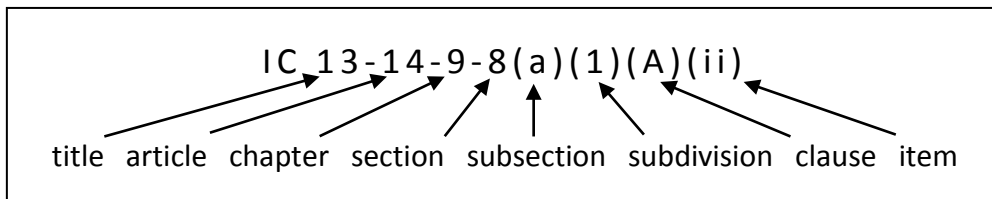
Part 5: Environmental Laws and Rules

Environmental laws and rules set standards of conduct that everyone is expected to follow. Indiana’s constitution authorizes the General Assembly to develop Indiana’s laws. The General Assembly is the name of the legislature in the state of Indiana. The legislature is composed of the Senate and the House of Representatives.

Indiana’s legislators meet annually for a regular session, which begins in January and lasts until the end of March or April. The state budget is set every two years, and in those years the legislative session lasts longer to account for passage of a budget. In each session, state senators and state representatives propose bills that amend or repeal existing law or propose new laws. If the bills pass both houses (often with amendments along the way), they become law if they are signed by the governor.

Indiana Code

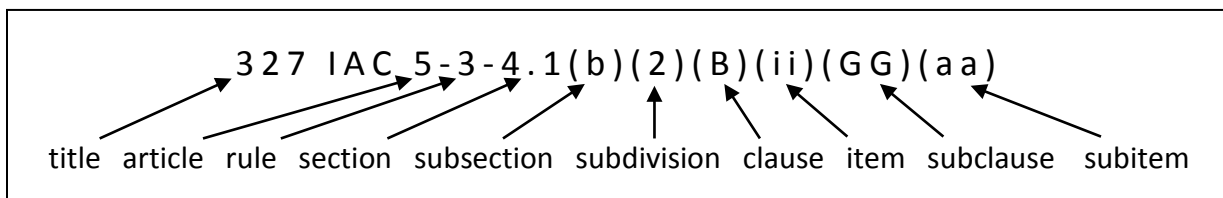
Indiana’s laws (also referred to as statutes) are found in the Indiana Code (IC), which contains 36 Titles. State environmental laws are found in Title 13. Below is an example of a scheme for labeling, or being able to find, a specific law in the Indiana Code.



Indiana Administrative Code

When the legislature passes new environmental laws, the language within the laws is often broad and general. The legislature may grant IDEM the authority to develop rules that detail how the agency will implement and enforce the laws. The details found in Indiana’s environmental rules include the types of operations or facilities that must comply, what is required of them, and how compliance will be monitored. IDEM also develops rules when the federal government passes new environmental regulations with which Indiana must comply.

Indiana’s rules are found in the Indiana Administrative Code (IAC). Most of Indiana’s environmental rules are listed under Title 326 (air pollution), Title 327 (water pollution), and Title 329 (waste management). Below is an example of the scheme for labeling, or being able to find, a specific rule in the IAC.



Rulemaking

IDEM must follow the rulemaking process set forth in [IC 13-14-9](#). The overview of the rulemaking process below only describes the major milestones of the standard process to develop a rule. Please consult the statute for details. IDEM staff in the Rules Development Branch of the Office of Legal Counsel draft new rules and amendments to existing rules, and present rules under development to the boards that make final decisions about adoption of the rules. The Environmental Rules Board adopts rules to regulate air pollution, solid and hazardous waste, and water pollution. The Underground Storage Tank Financial Assurance Board adopts rules to regulate reimbursement of claims from the Excess Liability Trust Fund, which supports the cleanup of petroleum releases from underground storage tanks.

How Indiana’s environmental rules are developed

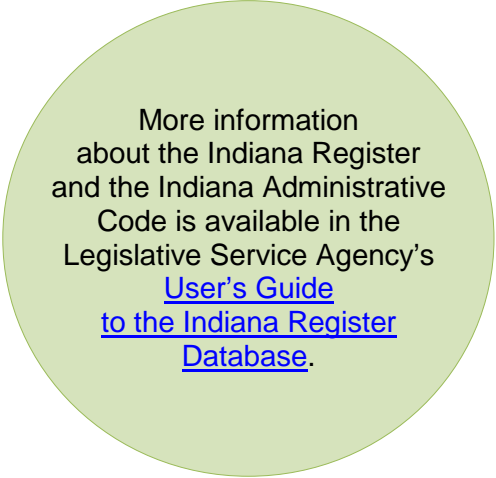
IDEM does not work alone. Aside from the many public comment periods on draft rule language required by Indiana law, it is common for outside groups and other government agencies to be actively involved in rule development. IDEM staff perform the bulk of research required to develop the language for rules. Interested parties, including environmental groups, businesses, academia, individuals, and U.S. EPA, may review and provide feedback on proposed rules before they are finalized and adopted. IDEM may coordinate workgroups to gather and process comments and make presentations to interested groups. There also is an opportunity for IDEM and the public to testify before the boards. IDEM rules staff members serve as the public’s contact.

The Environmental Rules Board (ERB) has 16 members who are responsible for reviewing and voting on the rules IDEM develops. The IDEM commissioner serves as a non-voting member of the ERB and a voting member of the 9-member Underground Storage Tank Financial Assurance Board. The other members of each board include individuals who are appointed by the governor to represent various public interests, and representatives from other state government agencies. The makeup of each board is set out in statute.

There are several steps in the rulemaking process, which generally takes about 18 to 24 months to complete.

Public notification about new rules

IDEM notifies the public about rulemaking activities via official public notices in the [Indiana Register](#). Relevant information, public hearing dates, and agency points of contact are included in the notices. IDEM also posts extensive information on its [Rulemaking](#) page, including a list of rules in progress, meeting agendas and transcripts, board packets with draft rule language and IDEM responses to comments from interested parties, and a link to sign up for electronic updates.



More information about the Indiana Register and the Indiana Administrative Code is available in the Legislative Service Agency’s [User’s Guide to the Indiana Register Database](#).

Following is an overview of steps in the process to develop a rule and the time that is set aside for public comment.

First Notice

When it is time to begin the process to develop a new rule or change an existing one, IDEM will announce it by publishing a “First Notice” in the *Indiana Register*. The [Indiana Register](#) is published online and provides the full text of proposed rules, final rules, and other documents such as Executive Orders and Attorney General’s Opinions.

The First Notice announces that the agency has started work to develop new rules language and what the new rule will address or, if it already exists, how the rule will be changed. The first notice does not have the language of the new rule because the work to develop it is only just beginning. Once the First Notice is published, citizens have at least 30 days to send written comments to IDEM.

Second Notice

When IDEM has written a first draft of the rule’s language, a “Second Notice” will be published in the *Indiana Register*. The language will be provided for the public to review, along with any comments that were submitted during the First Notice. The public will have at least 30 days to submit comments on the draft language. (If the agency is working to amend an existing rule, the public will be able to review the changes. New language will be shown in bold and language that is being removed will be shown as stricken.)

Public Hearing for Preliminary Adoption

The Public Hearing for Preliminary Adoption happens during a meeting of the ERB or FAB. IDEM and the public have the opportunity to give oral comments, or testimony, to the boards, before the members vote on the preliminary adoption of the rule.

Third Notice (if required)

After a rule is preliminarily adopted at the board hearing, it is published in the *Indiana Register*. A third public comment period (known as Third Notice) may be required if the draft rule language changed substantively between the second notice published in the *Indiana Register* and the language presented for preliminary adoption.

Public Hearing for Final Adoption

A Second Public Hearing for Final Adoption occurs before the ERB or FAB vote on the final adoption of the rule. IDEM and the public are provided an opportunity to give oral comments, or testimony, to the boards, before the members vote on final adoption. The boards can vote to adopt amendments suggested by IDEM, members of the board, or by members of the audience. The boards can also direct IDEM to hold more meetings if more time is needed to further develop and finalize the rule.

After Final Adoption of the Rule

After the boards adopt the rule as final, IDEM sends the adopted rule and supporting documents to the Indiana Attorney General for review and approval of the rule. Next, the governor reviews and signs the rule. If approved, the rule is then filed with the Publisher of the Indiana Register. The rule becomes effective 30 days after filing and the final rule is published in the Indiana Register.

Final rules published in the Indiana Register are later codified in the Indiana Administrative Code. (Other documents, such as notices, Executive Orders, and Attorney General's Opinions that are posted on the Indiana General Assembly's [-IR- Database: Indiana Register](#) page are not subsequently published in the IAC.)

Nonrule policy documents

IDEM writes nonrule policy document to clarify for the public IDEM's interpretation of an environmental statute or rule that the agency enforces. An NPD is to be used for reference, along with rules and laws. NPDs go into effect 30 days after they are presented to the Environmental Rules Board. Before presenting a proposed NPD to the appropriate State Environmental Board, IDEM is required to publish it on the IDEM website and accept public comment for at least 45 days. NPDs can be found on IDEM's [Nonrule Policies](#) page. After a NPD has been presented to the Board, it is published as an effective NPD in the Indiana Register.

Part 6: Additional Resources

Following are additional ways to work with IDEM to ensure cleaner air, land, and water, and links for finding additional information.

Report environmental emergencies

The Emergency Response Section in IDEM's Office of Land Quality responds to incidents involving spills to soil or waters of the state. IDEM responders work closely with local, federal, and other state responders to protect public health and Indiana's environmental resources and mitigate harm during spill events and environmental emergencies.

Citizens should report environmental emergencies—such as spills of hazardous materials, oil spills, air releases, and fish kills—to IDEM's 24-hour Emergency Spill Line at (888) 233-7745 (toll free) or (317) 233-7745. IDEM's [Emergency Response](#) page provides more information.

File a pollution complaint

Citizens can report polluting activities to IDEM, which has the authority to address a variety of environmental concerns and to ensure compliance with the air, land, and water permits issued by the agency. Inspectors also investigate complaints or concerns about:

- Open burning of trash or other materials
- Asbestos removal
- Fugitive dust
- Proper use of outdoor hydronic heaters
- Open dumping of trash or other debris
- Manure handling and storage by regulated farms
- Handling and storage of hazardous wastes
- Problems with drinking water systems and wastewater systems
- Storm water run-off from construction or industrial activities
- Activities in wetlands

There are three ways to file a complaint with IDEM:

1. Submit a complaint using the [Online Complaint Form](#).
2. Call the IDEM complaint coordinator at (800) 451-6027, option 3.
3. Print, complete, and mail the IDEM Complaint Form (State Form 50014; available on the IDEM [Forms](#) page).

Report Environmental Emergencies

24 Hours a Day, 7 Days a Week
(including holidays and weekends)

Inside the United States:
(888) 233-7745

Outside the United States:
(317) 233-7745

IDEM’s [File a Complaint](#) page provides details about filing a complaint and includes links to other agencies that handle complaints that IDEM does not address.

Find a person at IDEM

The IN.gov searchable [Find a Person](#) database enables you to search for Indiana government employees by first name, last name, agency, or last four digits of a phone number. The database provides employees’ full name, title, location, email, and phone number.

Find IDEM’s offices

All IDEM offices listed below are open Monday through Friday from 8:15 a.m. to 4:45 p.m., except on [state holidays](#). More office details are on the [IDEM Offices](#) page.

Offices	Address	Phone Number	Fax Number	Areas Served
Indianapolis – IDEM Central Office	Indiana Government Center North 100 N. Senate Ave. Suite 1301 Indianapolis, IN 46204-2251	(800) 451-6027 <i>(toll free within Indiana)</i> (317) 232-8603	(317) 233-6647	All of Indiana
Indianapolis – IDEM - Office of Program Support <i>(houses IDEM’s confidential Compliance and Technical Assistance Program [CTAP])</i>	Indiana Government Center North 100 N. Senate Ave. Suite 1316 Indianapolis, IN 46204-2251	(800) 988-7901 <i>(toll free within Indiana)</i> (317) 232-8172	(317) 234-8752	All of Indiana
Indianapolis – IDEM Shadeland Office	Western Select Building 2525 N. Shadeland Ave. Indianapolis, IN 46219-1787	(800) 451-6027 <i>(toll free within Indiana)</i> (317) 308-3173	Watershed Assessment and Planning: (317) 308-3219 Air Monitoring: (317) 308-3239 Emergency Response: (317) 308-3063	All of Indiana
IDEM Northern Regional Office <i>(see the CTAP staff map for confidential compliance assistance)</i>	300 North Dr. Martin Luther King Jr. Blvd., Suite 450 South Bend, IN 46601-1295	(800) 753-5519 <i>(toll free within Indiana)</i> (574) 245-4870	(574) 245-4877	DeKalb, Elkhart, Fulton, Kosciusko, LaGrange, Marshall, Noble, St. Joseph, Stark, and Steuben Counties

Offices	Address	Phone Number	Fax Number	Areas Served
IDEM - Northwest Regional Office <i>(see the CTAP staff map for confidential compliance assistance)</i>	330 West US Highway 30, Suite F Valparaiso, IN 46385-5391	(888) 209-8892 <i>(toll free within Indiana)</i> (219) 464-0233 or (219) 464-0278	(219) 464-0553	Lake, LaPorte, and Porter Counties
IDEM - Southeast Regional Office <i>(see the CTAP staff map for confidential compliance assistance)</i>	820 West Sweet Street Brownstown, IN 47220-9557	(877) 271-0074 <i>(toll free within Indiana)</i> (812) 358-2027	(812) 358-2058	Bartholomew, Brown, Clark, Crawford, Dearborn, Decatur, Fayette, Floyd, Franklin, Harrison, Jackson, Jefferson, Jennings, Lawrence, Monroe, Ohio, Orange, Perry, Ripley, Scott, Switzerland, Union, and Washington Counties
IDEM - Southwest Regional Office <i>(see the CTAP staff map for confidential compliance assistance)</i>	114 South 7th Street P.O. Box 128 Petersburg, IN 47567-0128	(888) 672-8323 <i>(toll free within Indiana)</i> (812) 380-2305	(812) 380-2304	Daviess, Dubois, Gibson, Knox, Martin, Pike, Posey, Spencer, Vanderburgh, and Warrick Counties

List of topics and government agency resources

IDEM addresses many public health and environmental issues. But sometimes, other agencies are responsible for addressing certain issues. For example, the U.S. Environmental Protection Agency (U.S. EPA) and state and local health officials may provide assistance on indoor air quality issues. The Indiana Department of Natural Resources (IDNR) has authority over oil and gas activities and flood plain issues. The Office of Indiana State Chemist oversees activities related to the application of pesticides, herbicides, and fertilizers. State law and local ordinances address problems with litter. On issues outside of its jurisdiction, IDEM directs businesses and citizens to the proper agencies for assistance. This list provides links to agencies that have the authority to address public health and environmental issues.

Above ground storage tanks

- Indiana Department of Homeland Security, [Fire and Building Safety/Services](#)

Animal health

- [Indiana State Board of Animal Health](#)
- Also see 'Wildlife rehabilitation' and 'Poaching'

Animal operations that are not regulated by IDEM

- [Indiana State Board of Animal Health](#)

Arsenic (In drinking water)

- IDEM Office of Water Quality, [Ground Water Section](#)
- [Local county health departments](#)

Asbestos

- Abatement, removal, demolition – IDEM Office of Air Quality, [Asbestos Program](#)
- Proper disposal – IDEM, [Asbestos Waste Handling Requirements](#)

Auto salvage operations

- IDEM Office of Land Quality, [Auto Salvage Program](#)

Biosolids, land application

- IDEM Office of Land Quality, [Permitting](#)

Blasting, mining, gravel pits

- Fugitive dust – IDEM Office of Air Quality, [Compliance and Enforcement Branch](#)
- Mine blasting – Indiana Department of Natural Resources, [Division of Reclamation](#)
- Non-coal mining – Indiana Department of Homeland Security, [Regulated Explosives Use](#)

Blue-green algae

- IDEM Office of Water Quality, [Blue-Green Algae](#) portal

Brownfields

- Indiana Finance Authority, [Brownfields Program](#)

Business locations

- Location selection – Local zoning boards
- Unauthorized operation in a residence – [Local county health departments](#)

Car tampering (catalytic converters)

- IDEM Office of Air Quality, [Air Compliance and Enforcement Branch](#)

Clean Air Car Check

- IDEM Office of Air Quality, [Vehicle Emissions Testing Program](#)

Compliance assistance (free and confidential)

- IDEM, [Compliance and Technical Assistance Program](#)

Contrails

- Federal Aviation Administration, [Hotline Reporting Form](#)

Dams

- Indiana Department of Natural Resources, [Dams and Levees](#)

Disease, cause and prevention

- Indiana State Department of Health, [Epidemiology Resource Center](#)

Disposal of dead animals

- [Indiana State Board of Animal Health](#)

Drainage

- Local county surveyor, local city/county engineer

Drinking water

- IDEM's [Drinking Water Watch](#) is a searchable database of public water supply systems serving Indiana communities that provides consumer confidence data; sampling results for chemicals, coliform/microbial, nitrates, lead, and copper; and whether the water system was out of compliance and/or referred to enforcement.
- Also see 'Lead' and 'Wells'

Ground water contamination

- IDEM Office of Water Quality, [Ground Water Section](#)
- IDEM Office of Land Quality, [Remediation Branch](#)

Erosion

- IDEM Office of Water Quality:
 - [Storm water information](#)
 - [Nonpoint source water pollution](#)

Farms

- Regulated confined feeding operations, animal feeding operations – IDEM Office of Land Quality, [Animal Farms](#)
- Unregulated confined feeding operations – Call IDEM’s Agricultural Liaison at (800) 988-7901 (toll free within Indiana) or (317) 232-8172
- Database containing [CFO/CAFO Applications, Permits, and Terminations](#)

Federal regulation development

- [Regulations.gov](#) enables the public to submit comments on proposed federal regulations for several agencies and access U.S. federal government rules, comments, adjudications, and supporting documents.

Fertilizer use

- [Office of Indiana State Chemist](#) (located at Purdue University)

Fish contamination

- IDEM [Office of Water Quality](#)
- Indiana State Department of Health, [Fish Consumption Advisory](#)

Flooding

- [Indiana Department of Homeland Security](#)
- Indiana Department of Natural Resources:
 - [Division of Water](#)
 - IDNR [publications](#)

Fluoridation in drinking water

- Indiana State Department of Health, [Water Fluoridation Program](#)

Food establishments

- [Indiana State Department of Health](#)
- [Local county health departments](#)

Freon

- U.S. EPA, [Ozone Layer Protection](#)
- [Report Environmental Violations](#)

Fugitive dust

- IDEM Office of Air Quality, [Compliance and Enforcement Branch](#)

Grease in sewers

- [Local county health departments](#)
- [Local municipal separate storm sewer system programs](#)

Health, public health

- [Indiana State Department of Health](#)
 - [Environmental Public Health](#)
- [Local county health departments](#)

Indoor air quality

- [Indiana State Department of Health](#)
- [Local county health departments](#)
- U.S. EPA, [Indoor Air Quality](#)

Infectious waste

- Final disposal –
IDEM Office of Land Quality, [Solid Waste Compliance](#)
- Management of infectious waste at medical institutions –
[Indiana State Department of Health](#)

Land contamination

- IDEM Office of Land Quality:
 - [Emergency Response](#)
 - [Contaminated Properties](#)

Landfills

- IDEM Office of Land Quality, [Solid Waste Group](#)

Lead

- Childhood lead poisoning (prevention) –
Indiana State Department of Health, [Lead and Healthy Homes Division](#)
- IDEM:
 - [Drinking Water and Lead](#)
 - Drinking Water Branch [Compliance Section](#)
 - [Office of Air Quality](#)
 - [Environmental Health](#)
 - [Statewide Ground Water Monitoring Network](#)
 - [Integrated Water Monitoring and Assessment Report](#)

Leaky loads

- Contact local law enforcement for the city, county, or state road where the problem is observed.
- Report releases or spills to soil or waters in Indiana to IDEM's 24-hour emergency spill line at (888) 233-7745 (in the United States) or (317) 233-7745 (outside of the U.S.)

Litter

- Indiana's littering laws ([IC 35-45-3-2](#) and [IC 35-45-3-3](#))
- Local ordinances
- U.S. EPA, [Trash-Free Waters](#)
- See 'Open dumps'

Manure, land application

- Confined Feeding Operations – IDEM Office of Land Quality, [Manure Management](#)
- Fertilizer use – [Office of Indiana State Chemist](#) (located at Purdue University)

Medicine

- IDEM, [Unwanted Medicine: Proper Disposal](#)

Mercury

- [Indiana State Department of Health](#)
- IDEM, [Recycle Indiana - Mercury](#)
- Report spills to IDEM's 24-hour emergency spill line at (888) 233-7745 (in the United States) or (317) 233-7745 (outside of the U.S.)
- U.S. EPA Region 5, [Mercury in Your Environment](#)

Mold

- Indiana State Department of Health, [Indoor Air Quality](#)
- U.S. EPA, [Indoor Air Quality](#)
- [Local health departments](#)

Mosquitoes

- Indiana State Department of Health, [Mosquito-borne diseases](#)
- [Local county health departments](#)

Noise

- Local law enforcement

Odor

- Landfills and composting facilities – IDEM's [Solid Waste Compliance Section](#)
- Nuisance odors (source identified) – [Local county health departments](#)
- Report unusual/strong odors (unidentified source) to IDEM's 24-hour emergency spill line at (888) 233-7745 (in the United States) or (317) 233-7745 (outside of the U.S.)

Open dumps

- Smaller than ½ an acre – [Local county health departments](#)
- Larger than ½ an acre – IDEM [Solid Waste Compliance Section](#)

Outdoor hydronic heaters (Wood Boilers)

- IDEM [Office of Air Quality](#)

Pesticides

- [Office of Indiana State Chemist](#) (located at Purdue University)

Petroleum

- Report spills to IDEM's 24-hour emergency spill line at (888) 233-7745 (in the United States) or (317) 233-7745 (outside of the U.S.)
- Water in gas tanks – Indiana State Department of Health, [Division of Weights, Measures and Metrology](#)
- Leaking tanks – IDEM Office of Land Quality, [Leaking Underground Storage Tanks](#)

Pipeline safety

- Indiana Utility Regulatory Commission, [Pipeline Safety Division](#)

Poaching

- Indiana Department of Natural Resources, [Turn in a Poacher or Polluter](#)
 - Report potential violations by calling (800) 847-4367 or completing the [Turn in a Poacher](#) form

Pollution complaints

- Report pollution complaints to IDEM's complaint coordinator:
 - [Submit a complaint online](#)
 - Call toll free at (800) 451-6027, option 3
 - Print, complete, and mail a paper-based IDEM Complaint Form (State Form 50014, available on the [IDEM Forms](#) page)

Pollution prevention

- IDEM's [Pollution Prevention](#) portal

Public libraries

- [Indiana public libraries](#)

Public records

- IDEM Office of Records Management, [Virtual File Cabinet](#)

Publicly owned lands

- [Indiana Department of Natural Resources](#)

Radiation

- Indiana State Department of Health, [Indoor and Radiologic Health program](#)

Radioactive material, transport and shipment

- [Indiana Department of Homeland Security](#)

Radon

- Indiana State Department of Health, [Lead and Healthy Homes Division](#)
- [Local county health departments](#)
- U.S. EPA, [Radon](#) website

Rats

- [Local county health departments](#)

Recycling

- IDEM's [Recycle Indiana](#) portal
- [Solid waste management districts](#)

Septic

- Commercial – IDEM Office of Water Quality, [Wastewater Compliance Evaluation](#)
- Residential – Indiana State Department of Health, [Onsite Sewage Systems Program](#)

Soil conservation

- IDEM Officer of Water Quality, [What Others Are Doing About Nonpoint Source Pollution](#)

Soil erosion

- See 'Erosion'

Spills to a waterway

- Report spills to IDEM's 24-hour emergency spill line at (888) 233-7745 (in the United States) or (317) 233-7745 (outside of the U.S.)

Storage tanks

- Report emergency releases and spills to IDEM's 24-hour emergency spill line at (888) 233-7745 (in the United States) or (317) 233-7745 (outside of the U.S.)
- Regulations for above ground storage tanks – Indiana Department of Homeland Security, [Fire and Building Safety/Services](#)
- Regulation of underground petroleum storage tanks – IDEM Office of Land Quality, [Underground Storage Tanks Program](#)

Storm water

- IDEM Office of Water Quality, [Storm Water Program Permitting](#)

Streams, rivers and wetlands

- Diverting or drawing water – Indiana Department of Natural Resources, [Water Rights and Use Section](#)
- Dredging, filling, construction projects, altering flow – IDEM Office of Water Quality, [Wetlands, Lakes and Streams](#)

Tires

- IDEM Office of Land Quality, [Waste Tire Management](#)

Toxics

- IDEM's [Toxics Release Inventory \(TRI\)](#) reports on toxic chemicals that industrial facilities are using, storing, or releasing to the environment through a permitted activity or accidental incident.
- IDEM, [Sector Specific Pollution Prevention Guides](#)

Trucks

- Septage haulers, land application activities – IDEM Office of Land Quality, [Solid Waste Compliance Section](#)
- Leaky loads – Contact local law enforcement for the city, county, or state road where the problem is observed

Underground storage tanks

- IDEM Office of Land Quality, [Underground Storage Tanks Program](#)

Unsafe working conditions

- [Indiana Occupational Safety and Health Administration](#)

Vehicle emissions testing

- IDEM Office of Air Quality, [Vehicle Emissions Testing Program](#)

Wastewater

- Wastewater treatment plants, sewer systems, direct pipes (illegal) – IDEM Office of Water Quality, [Wastewater Compliance Evaluation](#)
- Indiana State Department of Health, [Onsite Sewage Systems Program](#)
- [Local county health departments](#)

Water volume usage

- Indiana Department of Natural Resources, [Water Rights and Use Section](#)

Wells

- Complaints about contaminated well water – IDEM [Private Well Complaint Response Program](#)
- IDEM [Institutional Controls Registry](#)
- Public water supply systems – IDEM [Drinking Water Watch](#)

Residential (private) wells

- IDEM:
 - [Private Wells and Complaint Response](#)
 - [Statewide Ground Water Monitoring Network](#)
- Indiana State Department of Health:
 - [Water Supply Information](#)
 - [Recommended Standards for Private Water Wells](#)
- [Local county health departments](#)
- U.S. EPA, [Private Drinking Water Wells](#)

Wetlands

- IDEM Office of Water Quality, [Wetlands, Lakes and Streams Regulation](#)

Wildlife rehabilitation

- Indiana Department of Natural Resources, [Orphaned and Injured Animals](#)

Wind turbines

- [Indiana Office of Energy Development](#)

Workplace safety

- [Indiana Occupational Safety and Health Administration](#)

Zoning

- Local planning commissions

Helpful IDEM links

This list highlights some of the Indiana Department of Environmental Management's (IDEM's) programs, databases, and educational information.

[Air quality permit status search:](#)

Searchable database of air permit filings with IDEM's Office of Air Quality.

[Compliance and Technical Assistance Program:](#)

One-stop shop for technical and confidential environmental regulatory compliance assistance.

[Continuous air quality monitoring:](#)

Map offering current air quality data at monitoring locations in Indiana.

[Enforcement database:](#)

Searchable database of IDEM formal enforcement actions and orders.

[Environmental education:](#)

Information and programming designed to bring environmental education to schools, educators, organizations, and communities across Indiana.

[Environmental Health:](#)

Information on potential environmental health risks such as asbestos, lead, mercury, pests and pesticides, radon, and vehicle idling and specific steps to address them.

[Hoosier Riverwatch:](#)

Indiana's hands-on water quality education and volunteer stream monitoring program.

[Institutional Controls Registry:](#)

Registry of sites with institutional controls that protect human health and the environment by restricting property activity, use, or access to minimize exposure to contamination.

[Maps and Geographic Information System Applications:](#)

Links to informational maps, mapping applications, and map services.

[News and Events Calendar:](#)

A calendar of IDEM events with an option to subscribe to updates. Events planned by all state government agencies are listed on the [IN.gov Calendar](#).

Operator Certification and Continuing Education:

- [Wastewater operators](#)
- [Drinking water operators](#)
- [Underground storage tank operators](#)

Public notices:

- IDEM [Public Notices](#) for permitting, rulemaking, meetings, and hearings
- Office of Water Quality:
 - [Permits on Notice](#)
 - [Total Maximum Daily Loads \(TMDLs\) on Public Notice](#)

[Rulemaking:](#)

Information about rules in progress, rulemaking schedules, activities of the Environmental Rules Board and the Underground Storage Tank Financial Assurance Board, board packets, and meeting transcripts.

[Search for Authorization Status:](#)

A database that contains the status of past and current permit applications and registrations administered by IDEM. As of January 2018, these authorization types can be found:

- Air permits, registrations, and letters of exemptions
- Confined feeding operation (CFO)/concentrated animal feeding operation (CAFO) applications, permits, and terminations
- Electronic waste (E-Waste) storage and processing applications, registrations, renewals, and closures
- National Pollutant Discharge Elimination System (NPDES) industrial storm water permits, applications, terminations, and exclusions

[Watersheds and Nonpoint Source Water Pollution:](#)

Information on funding opportunities, volunteer resources, water quality studies, and guidance to help communities, groups, and citizens improve Indiana watersheds.