

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
PUBLIC NOTICE OF DRAFT GENERAL NPDES PERMIT RENEWAL
GROUND WATER PETROLEUM REMEDIATION SYSTEMS
PUBLIC NOTICE NO: 20200914 – ING080000-RD
DATE OF NOTICE: SEPTEMBER 14, 2020
RESPONSE DATE DUE: OCTOBER 14, 2020

The Indiana Department of Environmental Management (IDEM) proposes to renew General NPDES Permit ING080000 for ground water petroleum remediation systems with discharges to surface waters of the state. The current permit was issued in 2015 with an expiration date of October 31, 2020. IDEM proposes to renew the permit for a new five-year term.

The purpose of this permit is to establish requirements for point source discharges of remediated wastewater from sites involving contamination by gasoline and petroleum products typically associated with gas stations and truck stops.

Discharges not authorized by this permit include the following:

- 1) Discharges from remediation sites that contain contaminants other than gasoline, diesel fuel, kerosene, or similar constituents;
- 2) discharges into waters that are designated as an Outstanding National Resource Water (ONRW) defined at IC 13-11-2-149.5 or directly to an Outstanding State Resource Water (OSRW) defined at IC 13-11-2-149.6 and listed at 327 IAC 2-1.3-3(d);
- 3) discharges to a receiving stream when the discharge results in an increase in the ambient concentration of a pollutant which contributes to the impairment of the receiving stream for that pollutant as identified on the current 303(d) list of impaired waters;
- 4) discharges containing water treatment additives (WTAs) which have not received prior written approval from IDEM for the specific additive, use, and dosage at the particular facility for which the Notice of Intent (NOI) is submitted;
- 5) discharges to combined or sanitary sewer systems;
- 6) discharges that are commingled with hazardous wastes or hazardous materials;
- 7) bypasses or upsets of any kind from a treatment works or collection system;
- 8) discharges that contain pollutants classified as bioaccumulative chemicals of concern (BCCs); and
- 9) discharges for which the Commissioner requests an individual permit application.

Each general permit contains specific eligibility requirements. Ineligible discharges will require an individual NPDES permit or an alternate general permit (if available). Only facilities existing within the boundary of Indiana may obtain general NPDES permit coverage.

Interested persons are invited to submit written comments regarding the draft general NPDES permit. IDEM encourages the comments to be submitted via email if at all possible. Comments submitted via email shall be sent to owqwwper@idem.in.gov. Otherwise all comments or requests should be sent to: IDEM Office of Water Quality, Attn: Permits Administration Section, IGCN Room 1255, 100 North Senate Avenue, Indianapolis, Indiana 46204-2251. Regardless of the communication method, comments must be received by IDEM no later than October 14, 2020. Any request for a public hearing shall be made in writing and shall include: the name and

address of the person making the request, the interest of the person making the request, persons represented by the person making the request, the reason for the request and the issues proposed for consideration at the hearing. The department will determine whether to hold a public hearing based upon the comments and the rationale for the request. All written comments received during the Public Notice period will be considered in the formulation of the final NPDES general permit. Please direct any comments submitted by email to: owqwwper@idem.in.gov.

The draft general NPDES permit and related documents are posted on IDEM's web site at <https://www.in.gov/idem/6777.htm> (for statewide public notices). The draft general NPDES permit documents are available for review at the IDEM Central Office, Indiana Government Center North, Room 1255, 100 N. Senate Avenue, Indianapolis, Indiana from 9:00 a.m. to 4:00 p.m., M - F, excluding state holidays (copies 10¢ per page). The documents are also available via email request. Please tell others whom you think would be interested in this matter. See these sites for information concerning your rights and responsibilities: <https://www.IN.gov/idem/5474.htm> and <https://www.IN.gov/idem/6900.htm>.

Questions may be directed to any of the following IDEM staff: Catherine Hess at (317) 232-8704 or C. Anne Burget at (317) 234-8745. Please send any email comments or inquiries to owqwwper@idem.in.gov. IDEM will provide notice of the final determination on this permit to all persons who submit written comments or who request such notice.

Attachments: 2020 Draft General NPDES Permit ING080000

2020 Draft NPDES Fact Sheet

2020 Draft Notice of Intent Form

Indiana Department of Environmental Management

Office of Water Quality, Permits Branch
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In compliance with the provisions of the Federal Water Pollution Control Act, as amended, (33 U.S.C. 1251 et seq., the "Clean Water Act" or "CWA"), Title 13 of the Indiana Code, Articles 5 and 15 of Title 327 the Indiana Administrative Code, and regulations adopted by the Environmental Rules Board, the Indiana Department of Environmental Management (IDEM) is issuing this general NPDES permit to regulate discharges of wastewater from Ground Water Petroleum Remediation Systems into surface waters of the State of Indiana.

This permit is issued on: _____

This permit is effective on: **November 1, 2020**

This permit expires on: **October 31, 2020**

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

Paul Higginbotham
Deputy Assistant Commissioner
Office of Water Quality

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1.0 GENERAL PERMIT COVERAGE

1.1 Permit Area

This general NPDES permit for discharge from ground water petroleum remediation systems covers all areas of the State of Indiana.

1.2 Discharges Authorized/Covered by this Permit

This general permit authorizes new or existing discharges to surface waters of the State of Indiana from any conveyance used for collecting and conveying wastewater which is directly related to a ground water petroleum remediation system. For the purposes of this permit, only sites dealing with gasoline, diesel fuel, or kerosene contamination are authorized. These discharges will henceforth in this permit be described as remediated groundwater.

This general permit serves as a National Pollutant Discharge Elimination System (NPDES) general permit and is issued to be effective for a term of five (5) years. In order to obtain authorization to discharge under this permit, a person must submit a Notice of Intent (NOI) pursuant to Section 4.0. The Commissioner may grant or deny coverage under this permit or require an application for an individual permit.

Except as provided in Section 1.3, when an NOI is submitted as set forth in Section 4.0 below, a facility is permitted to discharge remediated groundwater to surface waters of the state in accordance with the terms of this general permit. This authorization to discharge shall become effective upon receipt of notification of inclusion/coverage by the Commissioner. Any discharges of remediated groundwater to surface waters of the state that are not permitted under this general permit or by an individual permit are unlawful.

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

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

1.3 Eligibility

- a) This general permit covers discharges comprised solely of remediated groundwater from facilities involved in groundwater petroleum remediation systems to surface waters of the state, except as limited in Section 1.3(b) below.
- b) Limitations on Coverage. The following discharges of wastewater from Groundwater Petroleum Remediation Systems are **not** authorized by this permit:
 - 1) remediation sites that contain contaminants other than gasoline, diesel fuel, kerosene, or similar constituents.
 - 2) direct discharges into waters that are designated as an Outstanding National Resource Water (ONRW) defined at IC 13-11-2-149.5 or an Outstanding State Resource Water (OSRW) defined at IC 13-11-2-149.6 and listed at 327 IAC 2-1.3-3(d);
 - 3) discharges to a receiving stream when the discharge results in an increase in the ambient concentration of a pollutant which contributes to the impairment of the receiving stream for that pollutant as identified on the current 303(d) list of impaired waters;
 - 4) discharges containing water treatment additives (WTAs) which have not received prior written approval from IDEM for the specific additive, use, and dosage at the particular facility for which the Notice of Intent (NOI) is submitted.
 - 5) discharges to combined or sanitary sewer systems;
 - 6) discharges that are commingled with hazardous wastes or hazardous materials;
 - 7) bypasses or upsets of any kind from a treatment works or collection system;
 - 8) discharges that contain pollutants classified as bioaccumulative chemicals of concern (BCCs); and
 - 9) discharges for which the Commissioner requests an individual permit application.

1.4 Fees (Application and Annual Maintenance)

Any person who seeks coverage under this general permit is required to remit an application fee with the Notice of Intent (NOI) in accordance with IC 13-18-20-12. Pursuant to the statute this fee is required for a new NOI submittal, renewals, and modification requests including transfers of coverage requested under Section 6.2 and any planned facility changes referenced in Section 6.3 of this permit that would result in the need for an NOI. Persons covered by this general permit are also required by IC 13-18-20 to remit annual operating fees to IDEM for as long as coverage continues. Coverage under this general permit may be revoked for nonpayment of applicable fees as set forth in IC 13-18-20.

2.0 EFFLUENT LIMITATIONS

All permittees must control discharges as necessary to meet the numeric effluent limitations set forth below and the narrative water quality standards in 327 IAC 2-1-6 and 327 IAC 2-1.5-8 for any discharges authorized by this permit, with compliance required upon beginning such a discharge. Numeric effluent limitations are applicable before water leaves a facility site. Narrative water quality standards are applicable in all receiving streams after water leaves a permitted site.

2.1 Numeric Discharge Limitations

The limits and monitoring requirements in Tables 1 and 2 shall be applicable to all permittees. Additionally, the effluent limits and monitoring requirements in Table 3 shall be applicable for groundwater remediation projects involving other petroleum sources such as diesel fuel and kerosene. The IDEM approval letter shall specify any requirement for a permittee to monitor for Table 3 parameters, based upon IDEM review of the NOI and wastewater characterization data.

Table 1

Parameter	Quantity or Loading			Monitoring Requirements	
	Monthly average	Daily maximum	Units	Measurement frequency	Sample type
Flow [1]	Report	Report	MGD	Daily	24-Hr. Total
Total Flow [1]	---	Report	Mgal	1 x monthly	Cumulative monthly total

Table 2

Parameter	Quality or Concentration			Monitoring Requirements	
	Daily minimum	Daily maximum	Units	Measurement Frequency	Sample type
pH [2]	6.0	9.0	s.u.	1 x monthly	Grab
Benzene	---	5	µg/l	1 x monthly	Grab
Total BTEX [3]	---	100	µg/l	1 x monthly	Grab

Table 3

Parameter	Quality or Concentration		Monitoring Requirements	
	Daily maximum	Units	Measurement Frequency	Sample type
Naphthalene [4]	10	µg/l	1 x monthly	Grab
PAHs [4][5]	Report	µg/l	1 x monthly	Grab

[1] Measurement of flow is required; flow volume may be estimated. An “estimated” sample type means a reasonable approximation of the average daily flow based on a method approved by the Department. The permittee must have a reliable means of determining the total monthly flow volumes. The permittee is required to record the monthly flow volumes and calculate the monthly average flow on the Monthly Monitoring Reports (State Form 30530).

- [2] The pH shall be reported in standard units (s.u.)
- [3] Total BTEX shall be measured as the sum of benzene, toluene, ethylbenzene, and total xylenes.
- [4] The monitoring requirements for this parameter may be waived or reduced by the Commissioner based upon IDEM review of the wastewater characterization data and/or effluent data submitted with the NOI. Any such waiver shall be specified in IDEM's approval letter and shall not become effective until that time.
- [5] Polynuclear Aromatic Hydrocarbons (PAHs) shall be the combined concentrations (i.e. the sum) of the following: anthracene, benzo(a)anthracene, benzo(k)fluoranthene, 3,4 benzofluoranthene (benzo(b)fluoranthene), benzo(g,h,i)perylene, benzo(a)pyrene, chrysene, dibenzo(a,h)anthracene, fluorene, indeno(1,2,3 c,d)pyrene, naphthalene, phenanthrene, and pyrene.

2.2 Narrative Water Quality Standards

The following permit requirements are included to ensure that all discharges permitted by this general permit will meet the minimum narrative water quality standards set forth in 327 IAC 2-1-6 and 2-1.5-8.

- a) The discharge shall not contain substances, materials, floating debris, oil, scum, or other pollutants that will settle to form putrescent or otherwise objectionable deposits;
- b) The discharge shall not contain substances, materials, floating debris, oil, scum, or other pollutants that are in amounts sufficient to be unsightly or deleterious;
- c) The discharge shall not contain substances, materials, floating debris, oil, scum, or other pollutants that produce color, visible oil sheen, odor, or other conditions in such degree as to create a nuisance;
- d) The discharge shall not contain substances, materials, floating debris, oil, scum, or other pollutants which are in amounts sufficient to be acutely toxic to, or to otherwise severely injure or kill aquatic life, other animals, plants, or humans;
- e) The discharge shall not contain substances, materials, floating debris, oil, scum, or other pollutants which are in concentrations or combinations that will cause or contribute to the growth of aquatic plants or algae to such a degree as to create a nuisance, be unsightly, or otherwise impair the designated uses.
- f) The discharge shall not cause the receiving water(s) outside the mixing zone, to contain substances in concentrations which on the basis of available scientific data are believed to be sufficient to injure, be chronically toxic to, or be carcinogenic, mutagenic, or teratogenic to humans, animals, aquatic life, or plants.

3.0 MONITORING REQUIREMENTS AND PROCEDURES

3.1 What to Sample

Samples shall be taken in accordance with the sample type specified in Section 2.1 of this general permit. The Commissioner may require the permittee to sample for additional parameters. When this becomes the case, the permittee shall be notified in writing and given the reason(s) for the additional sampling requirement(s).

3.2 Measurement Frequency

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

3.3 Representative Sampling

Samples and measurements taken in compliance with the monitoring requirements specified above shall be representative of the volume and nature of discharges of remediated groundwater. The samples and measurements shall be taken prior to mixing with any other waters and prior to discharging to the receiving stream.

3.4 Additional Monitoring by Permittee

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

3.5 Testing Procedures

The analytical and sampling methods used shall conform to the version of 40 CFR 136 incorporated by reference in 327 IAC 5. Different but equivalent methods are allowable if they receive the prior written approval of the Commissioner and the U.S. Environmental Protection Agency. When more than one test procedure is approved for the purposes of the NPDES program under 40 CFR 136 for the analysis of a pollutant or pollutant parameter, the test procedure must be sufficiently sensitive as defined at 40 CFR 122.21(e)(3) and 122.44(i)(1)(iv).

3.6 Recording of Results

For each measurement or sample taken pursuant to the requirements of this general permit, the discharger shall record the following information:

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

3.7 Reporting Monitoring Results

- a) The permittee shall submit monitoring reports to the Indiana Department of Environmental Management (IDEM) containing results obtained during the previous month and shall be submitted no later than the 28th day of the month following each completed monitoring period. The first report shall be submitted by the 28th day of the month following the month in which the permit becomes effective. These reports shall include, but not necessarily be limited to, the Discharge Monitoring Report (DMR) and the Monthly Monitoring Report (MMR). All reports shall be submitted electronically by using the NetDMR application, upon registration, receipt of the NetDMR Subscriber Agreement, and IDEM approval of the proposed NetDMR Signatory. Access the NetDMR website (for initial registration and DMR/MMR submittal) via CDX at: <https://cdx.epa.gov/>. The Regional Administrator may request the permittee to submit monitoring reports to the Environmental Protection Agency if it is deemed necessary to assure compliance with the permit. See Section 6.10 of this permit for Future Electronic Reporting Requirements.
- b) DMRs must be signed and certified by a responsible corporate officer, or a general partner or the sole proprietor, or a principal municipal executive officer or ranking elected official, or his or her duly authorized representative. Such authorization must be submitted in writing and must explain the duties and responsibilities of the authorized representative.

3.8 Reporting Effluent Data on the Federal Discharge Monitoring Reports

- a) For parameters with monthly average water quality based effluent limitations (WQBELs) below the limit of quantitation (LOQ), daily effluent values that are less than the LOQ may be assigned a value of zero (0).
- b) For all other parameters for which the monthly average WQBEL is equal to or greater than the LOQ, calculations that require averaging of measurements of daily values (both concentration and mass) shall use an arithmetic mean.

When a daily discharge value is below the LOQ, a value of zero (0) shall be used for that value in the calculation to determine the monthly average unless otherwise specified or approved by the Commissioner.

- c) Effluent concentrations less than the limit of detection (LOD) shall be reported on the Discharge Monitoring Report (DMR) forms as < (less than) the value of the LOD. For example, when a substance that has an LOD of 0.1 µg/l is not detected at a concentration of 0.1 µg/l, report the value as <0.1 µg/l.
- d) Effluent concentrations greater than or equal to the LOD and less than the LOQ that are reported on a DMR shall be reported as the actual value and annotated on the DMR to indicate that the value is not quantifiable.

3.9 Records Retention

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

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

3.10 Reopening Clauses

- a) This general permit may be modified, or alternately, revoked and reissued, after public notice and opportunity for hearing to include any applicable effluent limitation or standard issued or approved under 301(b)(2)(C),(D) and (E), 304 (b)(2), and 307(a)(2) of the Clean Water Act, when the effluent limitation or standard so issued or approved:
 - 1) contains different conditions or is otherwise more stringent than any effluent limitation in the permit; or
 - 2) controls any pollutant not limited in the permit.
- b) This general permit may be modified, or alternately, revoked and reissued, after public notice and opportunity for hearing to incorporate any of the reopening clause provisions cited at 327 IAC 5-2-16.

- c) When this general permit is modified or revoked and reissued all persons regulated under it will be notified by IDEM. Those persons notified under this Section shall, within one hundred twenty (120) days of the receipt of notification:
 - 1) submit a complete NOI containing the information required under the modified or reissued permit; or
 - 2) apply for an individual NPDES permit.; or
 - 3) submit a Notice of Termination (NOT) of discharge.

4.0 NOTICE OF INTENT (NOI) REQUIREMENTS

4.1 NOI Format

An applicant seeking coverage under this general permit shall submit a Notice of Intent (NOI) form for this specific general permit, State Form 55945. The NOI form must be signed by a person who has the appropriate signatory authority as required by 40 CFR 122.22). The NOI shall be submitted to IDEM according to Section 4.3 of this general permit.

4.2 Deadlines for NOI Submittal

- a) For a new facility (i.e. new source), an NOI shall be submitted at least thirty (30) days before any discharge occurs.
- b) For a facility that has existing, effective coverage under the 2015 general permit ING080000, on the effective date of this general permit, the existing coverage shall automatically be extended provided that the permittee takes one of the following actions within ninety (90) days following the date that the Commissioner makes the NOI form available to the permittee.
 - 1) The permittee submits a new NOI in accordance with Section 4.0 of this general permit to affirm the permittee intends to comply with the requirements of this new general permit;
 - 2) The permittee notifies IDEM in writing of the permittee's intent to terminate general permit coverage in accordance with Section 5.0 of this general permit; or
 - 3) The permittee submits an individual NPDES application or modification to IDEM for the existing discharge permitted by the former general permit. In such cases, the general permit coverage will remain in effect until the effective date of coverage under an individual NPDES permit.

- c) For a facility with an existing individual NPDES permit which meets the eligibility requirements in Section 1.3, the NOI may be submitted to request a changeover to general permit coverage at any time after the effective date of this general permit.
- d) For subsequent renewals of general permit coverage under this general permit, an NOI shall be submitted not less than ninety (90) days before the permit expires. If, upon review of the conditions and requirements of the reissued permit, the permittee determines that coverage under said permit is not appropriate for the site, he/she may, within 90 days, withdraw the NOI and submit either an application for an individual NPDES permit, or a Notice of Termination (see section 5.0 of this permit).
- e) In the case of a transfer of ownership, an NOI must be submitted not less than thirty (30) days before the transfer. Additional requirements for the transfer of general permit coverage are found in Section 6.2 of this general permit.
- f) The Commissioner may, upon good cause shown in writing by the applicant, extend any of the submission deadline time periods required above.

4.3 Submitting the NOI and Processing Fee

The Notice of Intent and all supporting documents and fees shall be submitted as follows:

- a) The NOI form may be scanned electronically and submitted via e-mail to OWQ@idem.IN.gov. The NOI fee may be remitted online by visiting IDEM's online payment portal at <https://www.in.gov/idem/6973.htm>.
- b) Hard copies of the NOI and payments in the form of checks should be submitted to this address:

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

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

4.4 NOI Content Requirements

The following information must be included in an NOI:

- a) name of the operator of the site remediation project, his/her email and mailing addresses, and telephone number;
- b) name of the owner of the site, the owner's email and mailing addresses, and telephone number;
- c) name, telephone number, and email and mailing addresses of another contact person who is knowledgeable about the site (optional);
- d) name of person responsible for submission of monthly monitoring reports and contact's telephone number, email and mailing addresses for submission of monthly monitoring reports;
- e) the location address of the site itself, and the latitudinal and longitudinal coordinates (to the nearest second) of the approximate center of the site;
- f) the 4-digit SIC (Standard Industrial Classification) code and the 6-digit NAICS (North American Industry Classification System) code that best describe the primary activity conducted at the site;
- g) a brief description of the activities conducted at the site that result in the discharge, including the identification numbers assigned by the IDEM Office of Land Quality's Leaking Underground Storage Tank (LUST) Program (LUST # and Facility ID Number). NOIs for non-LUST remediation projects must contain a detailed explanation of the site and source water for which general permit coverage is being sought.
- h) an estimate of the volume of wastewater to be discharged, reported in million gallons per day (mgd);
- i) the 3-digit outfall number and latitudinal and longitudinal coordinates of each point source discharge location;
- j) the name of the surface waters receiving each discharge;
- k) characterization of all pollutant parameters known or believed to be present in the source water based on an actual data pilot study, estimates from other engineering studies, data from other similar sites, or best professional estimates;
- l) facility location map(s) which identifies, via names of at least two intersecting nearby streets or any permanent structures, the location of the site where the activity resulting in the discharge will be conducted; the location where the discharge will occur; and the surface waters which receive the discharge. The location map must show boundaries which extend at least a one mile radius beyond the facility property. This information may be placed on top of a topographic map if it remains legible to the naked eye. If not, a separate topographic map is required to be submitted;

- m) flow schematic diagram/map that shows how the process wastewater travels through the facility to the point(s) where it is discharged (outfall point);
- n) documentation of IDEM approval for the use of any water treatment additives (WTAs) to be used;
- o) a completed Potentially Affected Parties form (as required by IC 4-21.5) and mailing labels with the mail code "65-42 PS" inserted on the first line for each person listed/label;
- p) proof of publication of the following statement in a newspaper of largest circulation in the area of the discharge: (*Facility name, address, address of the location of the discharging facility*) "is submitting a Notice of Intent to notify the Indiana Department of Environmental Management of our intent to comply with the requirements under National Pollutant Discharge Elimination System (NPDES) general permit ING080000 to discharge non-process wastewater from a ground water petroleum remediation operation. Discharge will be to (*the name(s) of the stream(s) or other water body(ies) receiving the discharge(s)*)".

"Any person wishing further information about the discharge may contact (*facility contact person's name and telephone or email address*). The decision to issue coverage under this NPDES general permit for this discharge is appealable as per IC 4-21.5. Any person who wants to be informed of IDEM's decision regarding granting or denying coverage to this facility under this NPDES permit, and who wants to be informed of procedures to appeal the decision, may contact IDEM's offices at OWQWWPER@idem.IN.gov to be placed on a mailing list to receive notification of IDEM's decision.
- q) the required permit fee per IC 13-18-20-12;
- r) certification statement, as set forth in 40 CFR 122.22 and IC 13-30-10, signed by the authorized signatory; and
- s) any additional information deemed necessary by the Commissioner.

5.0 REQUESTING TERMINATION OF COVERAGE

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

The permittee will continue to be responsible for submitting all reports required by this permit and for remitting annual permit maintenance fees billed according to Indiana Statute IC 13-18-20 until IDEM approves the NOT.

6.0 ADDITIONAL REQUIREMENTS

6.1 Standard Conditions for General Permits

The following standard permit conditions are incorporated by reference.

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

6.2 Change of Ownership/Transfer

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

- a) the current permittee notifies IDEM at least thirty (30) days in advance of the proposed transfer date.
- b) a written agreement containing a specific date of transfer of permit responsibility and coverage between the current permittee and the transferee (including acknowledgment that the existing permittee is liable for violations up to that date, and the transferee is liable for violations from that date on) is submitted to IDEM.
- c) The transferee certifies in writing to IDEM the intent to operate the facility without making such material or substantial alterations or additions to the facility as would significantly change the nature or quantities of pollutants discharged.
- d) In addition to the submittal of the written agreement for transfer the new owner or operator must also submit a new NOI in accordance with the provisions of Section 4.0 of this permit.

6.3 Planned Changes in Facility or Discharge

The permittee shall give notice to IDEM no later than thirty (30) days prior to the initiation of any physical alterations or additions to the permitted facility that will or may:

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

Changes resulting in the addition (item a above) or deletion of a discharge point will necessitate the submission of a new NOI requesting this amendment, along with the appropriate fee in accordance with IC 13-18-20-12.

6.4 Other Information

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

The permittee shall promptly provide to IDEM written notice of any changes to items listed on the NOI. These would include:

- a) any changes in contacts or responsible party;
- b) any changes to addresses, mailing or email, for any contact or responsible party;
- c) any changes to telephone numbers for any contact person or responsible party;
- d) any changes involving the person or position with delegated signature authority for any forms or reports required by this general permit as set forth in Section 6.1(k) of this general permit.

6.5 Effect of Noncompliance

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

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

6.6 Reporting Spills and Noncompliance

The permittee must monitor for, identify, and report to IDEM any adverse incidents (including spills and leaks) which reach any surface water of the state. When the permittee observes or is otherwise made aware of any permit noncompliance or any adverse incident that may have resulted from a discharge from the permitted facility, the permittee must notify IDEM by telephone at **(888) 233-7745**:

- a) immediately for bypasses, adverse incidents or noncompliance which pose a significant danger to human health or the environment, and
- b) as soon as possible but within two (2) hours of discovery for any bypasses, adverse incidents, or noncompliance resulting in death or acute injury or illness to animals or humans (see "Spill Response and Reporting Requirements" in 327 IAC 2-6.1).

The permittee shall report any noncompliance and other information that is subject to the reporting requirements of 40 CFR 122.41(l)-(m) and 40 CFR 122.42(a) of this general permit within 24 hours of the person becoming aware of the permit noncompliance if it does not meet either of the conditions listed above. The permittee shall make the oral reports to IDEM by calling (317) 232-8670 during regular business hours or by calling (317) 233-7745 ((888) 233-7745 toll free in Indiana) during non-business hours. Written reports shall be submitted to IDEM within 5 days of the time the permittee becomes aware of the circumstances and may be submitted by U.S. Mail, by hand delivery, or email. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and, if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce and eliminate the noncompliance and prevent its recurrence.

Reports submitted by email should be sent to wwreports@idem.IN.gov.

For reports submitted by U.S. mail, the mailing address for the written report is:

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

Any other permit noncompliance that is not subject to the reporting requirements of 40 CFR 122.41(l)-(m), 40 CFR 122.42(a), or 327 IAC 2-6.1 shall be reported at the time of submittal of the applicable Discharge Monitoring Report as referenced in Section 3.7 of this general permit.

6.7 Certified Operator

The permittee shall have any wastewater treatment facility, when applicable, under the responsible charge of an operator certified by the Commissioner in a classification corresponding to the classification of the wastewater treatment plant as required by IC 13-18-11-11 and 327 IAC 5-22.

6.8 Individual or Alternative General NPDES Permit

- a) IDEM may require a person to obtain an individual NPDES permit or an alternative general permit in accordance with the provisions of 327 IAC 15-2-9 or 40 CFR 122.28(b)(3).
- b) Any discharger authorized for coverage under this general permit may apply for coverage under an individual NPDES permit by submitting an individual NPDES application or modification to IDEM.

6.9 State and Local Laws

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

6.10 Future Electronic Reporting Requirements

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

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

See Section 3.7 of this permit for the current electronic reporting requirements for the submittal of monthly monitoring reports such as the Discharge Monitoring Report (DMR) and the MMR or the QMR.

6.11 Penalties for Violation of Permit Conditions

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

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

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

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

Pursuant to IC 13-30-10-1.5(g), a person who willfully or recklessly violates any applicable standards or limitations of IC 13-18-8 commits a Class B misdemeanor.

Pursuant to IC 13-30-10-1.5(h), a person who willfully or recklessly violates any applicable standards or limitations of IC 13-18-9, IC 13-18-10, or IC 13-18-10.5 commits a Class C misdemeanor.

Pursuant to IC 13-30-10-1, a person who knowingly or intentionally makes any false material statement, representation, or certification in any NPDES form, notice, or report commits a Class B misdemeanor.

6.12 Penalties for Tampering or Falsification

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

6.13 Severability

In accordance with 327 IAC 1-1-3, the provisions of this permit are severable and, if any provision of this permit or the application of any provision of this permit to any person or circumstance is held invalid, the invalidity shall not affect any other provisions or applications of the permit which can be given effect without the invalid provision or application.

6.14 Availability of Reports

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

6.15 Definitions

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

- a) "Concentration" means the weight of any given material present in a unit volume of liquid. Unless otherwise indicated in this permit, concentration values shall be expressed in micrograms per liter ($\mu\text{g/l}$).
- b) "Daily maximum" means the maximum allowable daily discharge for any calendar day. The "daily discharge" means the total mass of a pollutant discharged during the calendar day or, in the case of a pollutant limited in terms other than mass pursuant to 327 IAC 5-2-11(e), the average concentration or other measurement of the pollutant specified over the calendar day or any twenty-four hour period that represents the calendar day for purposes of sampling.
- c) "Grab Sample" means a sample which is taken from a wastestream on a one-time basis without consideration of the flow rate of the wastestream and without considerations of time.

- d) "Ground water petroleum remediation wastewater" is defined as the discharge from any conveyance used for collecting and conveying wastewater which is directly related to ground water petroleum remediation systems or activities. This includes groundwater which has been contaminated by gasoline, diesel fuel, kerosene, and other petroleum products that are typically associated with gas stations and truck stops.
- e) "Monthly average concentration" means the arithmetic average (proportional to flow) of all daily determinations of concentration made during a calendar month. Daily determinations of concentration made using a composite sample shall be the concentration of the composite sample. When grab samples are used, the daily determinations of concentration shall be the arithmetic average (weighted by flow value) of all the samples collected during the calendar day.
- f) The "Regional Administrator" is defined as the Region 5 Administrator, U.S. EPA, located at 77 West Jackson Boulevard, Chicago, Illinois 60604.
- g) "Wastewater discharge associated with ground water remediation system" means the discharge from any conveyance which is used for collecting and conveying wastewater which is directly related to the ground water remediation system.



National Pollutant Discharge Elimination System
GENERAL PERMIT FACT SHEET for
Ground Water Petroleum Remediation Systems
NPDES Permit No. ING080000
September 10, 2020

Indiana Department of Environmental Management
 Office of Water Quality
 100 North Senate Avenue, IGCN Room 1255
 Indianapolis, Indiana 46204
www.idem.IN.gov

Existing Permit Information:	<p><u>Permit Number:</u> ING080000; Existing facilities permitted under ING080000 will retain their existing general permit tracking numbers, and new permitted facilities will have tracking numbers using same numbering protocol (ING080xxx).</p> <p><u>Expiration Date:</u> All facilities permitted under ING080000 will have the same expiration date, which will be five (5) years after the date that the permit becomes effective.</p>
Source Location:	State-wide
Receiving Stream:	All waters of the state of Indiana, except for Outstanding State Resource Waters and Outstanding National Resource Waters
Proposed Action:	New administrative NPDES general permit to replace existing NPDES general permit ING080000, which was issued in 2015
Source Category:	NPDES Minor – Industrial
Permit Writer:	<p>Name: C. Anne Burget, Permit Writer or Catherine Hess</p> <p>Contact Information: cburget@idem.IN.gov or chess@idem.in.gov</p> <p>Telephone: (317) 234-8745 or (317) 232-8704</p>

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

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

A. Description of Category:

The purpose of this general permit is to regulate the point source discharge of wastewater from Ground Water Petroleum Remediation systems into surface waters of the state so that the public health, existing uses, and aquatic biota are protected.

“Ground water petroleum remediation wastewater” is defined as the discharge from any conveyance used for collecting and conveying wastewater which is directly related to ground water petroleum remediation systems or activities. This includes groundwater which has been contaminated by gasoline, diesel fuel, kerosene, and other petroleum products that are typically associated with gas stations and truck stops.

NPDES general permits are developed and issued to cover multiple facilities engaged in the same process category instead of an individual facility within the State of Indiana. IDEM first developed a general NPDES permit-by-rule (327 IAC 15-10) for discharges of ground water petroleum wastewater in 1994, which was repealed in 2015 and replaced with an administrative general NPDES permit, ING080000. IDEM is now administering general NPDES permits via a “master” general permit which will be renewed and reevaluated on a five-year interval. Persons who seek coverage under the master general permit will continue to be assigned permit tracking numbers beginning with “ING08” but coverage under the general permit will be limited to the permit term established in the general permit.

As such, all of the permitted discharges from facilities like this generally require the same effluent limitations and monitoring requirements. As of July 2020, there are approximately 27 facilities which are currently regulated under ING080000. Since the permit requirements for all of these discharges are similar and because of the number of such dischargers, it is the opinion of IDEM that this category of sources is controlled more appropriately under a NPDES general permit rather than under individual permits. These discharges are similar in several ways:

- 1) They are comprised solely of ground water petroleum remediation wastewater;
and
- 2) The ground water at the facilities addressed in this general permit has contained petroleum or petroleum-derived liquids.

B. Geographic Area Covered

This general permit is intended to cover any discharge of ground water petroleum remediation wastewater within the boundaries of the state of Indiana, except as denoted herein, provided that they meet all applicability requirements.

C. Receiving Waters

This general permit will authorize discharges to all waters of the State of Indiana, except for Outstanding State Resource Waters and Outstanding National Resource Waters. Dischargers to these receiving waters are required to obtain an individual NPDES permit.

D. Eligibility

Discharges covered under this general permit will be from primarily industrial facilities with discharges solely comprised of wastewater from ground water petroleum remediation systems. This general permit contains eligibility criteria including certain specific exclusions from coverage under the general permit which are denoted in Section 1.3 of the permit. In such instances, operators will be required to apply for an individual NPDES permit.

The following discharges of wastewater from ground water petroleum remediation systems are **not** authorized by this permit:

- 1) remediation sites that contain contaminants other than gasoline, diesel fuel, kerosene, or similar constituents.
- 2) direct discharges into waters that are designated as an Outstanding National Resource Water (ONRW) defined at IC 13-11-2-149.5 or an Outstanding State Resource Water (OSRW) defined at IC 13-11-2-149.6 and listed at 327 IAC 2-1.3-3(d);
- 3) discharges to a receiving stream when the discharge results in an increase in the ambient concentration of a pollutant which contributes to the impairment of the receiving stream for that pollutant as identified on the current 303(d) list of impaired waters;
- 4) discharges containing water treatment additives (WTAs) which have not received prior written approval from IDEM for the specific additive, use, and dosage at the particular facility for which the Notice of Intent (NOI) is submitted.
- 5) discharges to combined or sanitary sewer systems;
- 6) discharges that are commingled with hazardous wastes or hazardous materials;
- 7) bypasses or upsets of any kind from a treatment works or collection system;
- 8) discharges that contain pollutants classified as bioaccumulative chemicals of concern (BCCs); and
- 9) discharges for which the Commissioner requests an individual permit application.

E. Application for Coverage:

This general permit proposes to provide coverage for any facility with discharges composed entirely of ground water petroleum remediation wastewater which meet the eligibility criteria listed in Section 1.3 of the permit and whose operators agree to be regulated under the terms of the general permit.

Each facility seeking coverage under this general permit must submit a Notice of Intent (NOI) to comply with the general permit requirements. Federal regulations found in 40 CFR 122.21(a) exclude persons covered by general permits from requirements to apply for an individual permit. NOI requirements are intended to establish a mechanism that can be used to establish a clear accounting of the number of permittees covered by the general permit, the identities, locations, mailing addresses, and nature of discharge.

F. When to Apply

State NPDES rules require individual permit applications to be filed at least one hundred eighty (180) days prior to the commencement of activity. The current NPDES general permit ING080000 requires an NOI to be filed at least thirty (30) days prior to the commencement of the proposed activity. For renewals of coverage, the 2015 general NPDES permit requires an NOI to be filed at least ninety (90) days prior to the expiration date of the general permit. Under the terms and conditions of this general permit, any existing permittee will also need to file an NOI within ninety (90) days following the date that the Commissioner makes the 2020 NOI form available to the permittee.

If a facility with existing general permit coverage determines that it cannot comply with the renewed general permit, then an individual NPDES application must be submitted within 120 days of the effective date of the general permit. Their existing general permit coverage will continue until the effective date of the individual NPDES permit.

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

G. Antidegradation Evaluation

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

The Tier 2 antidegradation standard found in 327 IAC 2-1.3-3(b) applies to surface waters of the state where the existing quality for a parameter is better than the water quality criterion for that parameter established in 327 IAC 2-1-6 and 327 IAC 2-1.5. These surface waters are considered high quality for the parameter and this high quality shall be maintained and protected unless the Commissioner finds that allowing a significant lowering of water quality is necessary and accommodates important social or economic development in the area in which the waters are located. IDEM implements the Tier 2 antidegradation standard for regulated pollutants with numeric water quality criteria quality adopted in or developed pursuant to 327 IAC 2-1 and 327 IAC 2-1.5 and utilizes the antidegradation implementation procedures in 327 IAC 2-1.3-5 and 2-1.3-6.

The effluent limits for benzene and naphthalene are unchanged from the 2015 general NPDES permit. Since there is no new or increased loading of these regulated pollutants proposed in this 2020 renewal, the Antidegradation Implementation Procedures in 327 IAC 2-1.3-5 and 2-1.3-6 do not apply to the permitted discharges.

However for facilities seeking new general permit coverage in the future, these limits are subject to Tier 2 antidegradation requirements. The effluent limitations for benzene and naphthalene contained in the general permit are also based on best professional judgment of the best available treatment in accordance with 327 IAC 5-5-2 and are more stringent than the water quality-based effluent limits for these same parameters.

The following table shows a comparison of the water quality-based effluent limits (WQBELs) for benzene and naphthalene, calculated without the benefit of a mixing zone to demonstrate the most protective limit, to the technology based limits using best professional judgment (BPJ) and best available technology (BAT):

Daily Maximum Effluent Limitations (µg/l)

	<u>WQBEL</u>	<u>TBEL</u>
Benzene	161.0	5.0
Naphthalene	18.0	10.0

The most stringent of the limits for each pollutant, based on either the water quality criteria or the treatment technology, is selected to ensure that both proper treatment of the wastewater is occurring and that the discharge is not harmful to aquatic life or human health. In these cases, the TBELs are more stringent than the limits based on water quality criteria.

It has been demonstrated historically that petroleum products in ground water can be effectively treated with the use of a combination of the following treatment processes including initial filtration, oil water separators, air stripping, and activated carbon filtration. These are mature treatment technologies which have been used as demonstrations of the most cost-effective treatment methods for these compounds. The effluent limitations in this permit are based upon the BPJ/BAT technology for petroleum-contaminated ground water. Additionally, IDEM concludes that the remediation activities authorized under this general permit are necessary and important for social and economic development in Indiana.

The following antidegradation determination is based on 327 IAC 2-1.3. The effluent limitations for Total BTEX contained in the general permit for discharges of wastewater associated with ground water petroleum remediation systems are based on best professional judgment of the best available treatment in accordance with 327 IAC 5-5-2 and the Indiana Tier 1 antidegradation standard. The effluent limits for benzene and naphthalene are also based on best professional judgment of the best available treatment in accordance with 327 IAC 5-5-2. With the inclusion of these limits along with the additional socio-economic benefit of treating contaminated ground water, IDEM concludes that the Tier 2 antidegradation standard has also been met.

H. Permit Conditions

1) Effluent Limitations & Monitoring Requirements

Under State and Federal law and regulations 40 CFR 122.44 and 327 IAC 5, a discharge permit must establish effluent limitations equivalent to best available technology economically achievable (BAT). For some industry categories, such effluent limitations have already been established by the EPA. This is not the case with discharges of ground water petroleum remediation wastewater; thus, IDEM has used Best Professional Judgment (BPJ) to choose effluent limitations that meet technology-based levels equivalent to BAT.

- a) **Flow** is a standard parameter to be monitored for all NPDES permits.

Reporting both the monthly average and daily maximum flows is required. Flow measurement may be estimated. This measurement is required for all NPDES permits and is included in this permit in accordance with 327 IAC 5-2-13(a)(2).

- b) **pH** is included in the general permit to ensure that the discharge will not violate Indiana water quality standards. The proposed limit of 6.0 to 9.0 standard units (s.u.) is in accordance with the Indiana Water Quality Standards (327 IAC 2-1-6 and 327 IAC 2-1.5-8). This limit is unchanged from the 2015 general permit.

- c) **Benzene:** Benzene is being used as an indicator of the volatile organic compounds present in the gasoline. The benzene limitation of 5 micrograms per liter (5.0 µg/l) has been established based upon Best Available Technology (BAT) in accordance with 327 IAC 5-5-2. This limit is unchanged from the 2015 general permit.

- d) **Total BTEX:** BTEX is the sum of the four alkyl benzenes: benzene, toluene, ethylbenzene, and total xylenes (i.e., the sum of the ortho, para, and meta isomers of xylene). Under aerobic conditions, when mixtures of BTEX are present, toluene usually degrades first, followed by xylene, and lastly benzene and ethylbenzene, if they are degraded at all. BTEX compounds are present at relatively high concentrations in light distillates (e.g., approximately 2% ethylbenzene, 5% benzene, and 11-12% toluene and xylenes). However, the composition of petroleum products that contain BTEX is highly variable, and for some petroleum products, any one of the four BTEX compounds could be the dominant chemical of concern.

Therefore, effluent limitations and monitoring requirements for BTEX are proposed to be included in this permit renewal and the limits are applicable to any type of remediation activity at the site. The Total BTEX limitation of 100 micrograms per liter (100 µg/l) is established based upon Best Professional Judgment of the Best Available Technology (BPJ/BAT) in accordance with 327 IAC 5-5-2.

- e) **Naphthalene:** Effluent limitations and monitoring requirements for naphthalene are included to the general permit in the event that diesel fuel or kerosene is present in the ground water. The Naphthalene limitation of ten micrograms per liter (10 µg/l) is established based upon Best Professional Judgment of the Best Available Technology (BPJ/BAT) in accordance with 327 IAC 5-5-2. The monitoring requirements for this pollutant may be waived or reduced (via an official IDEM approval letter) if the wastewater characterization data supports the waiver or reduction. This limit is unchanged from the 2015 general permit.

- f) **PAHs:** Monitoring requirements for polynuclear aromatic hydrocarbons (PAHs) are included in the general permit in the event that the wastewater characterization data shows the presence of PAHs, which can be due to the presence of diesel fuel, kerosene or other petroleum products typically associated with gas stations and truck stops. The requirement for sampling for these pollutants shall be determined based upon information provided in the NOI or IDEM records. The monitoring requirements for PAHs may be waived or reduced, via an official IDEM approval letter, if the wastewater characterization and/or the effluent data supports the waiver or reduction. This limit is unchanged from the 2015 general permit.

2) Narrative Water Quality Based Limits

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

3) Monitoring and Reporting Requirements

Monitoring requirements for flow and pH are set at 1 x daily. The total monthly flow volume must be calculated once monthly. The monitoring frequency for all other effluent parameters is set at once monthly.

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

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

I. Reporting Spills and Noncompliance

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

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

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

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

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

J. Fees

In accordance with IC 13-18-20-12, any application for a new permit, renewal of a permit, modification of a permit, or variance from a permit requirement must be accompanied by an application fee, which is currently \$50.00. These fees are also applicable to NOIs for general permits. Once approved for coverage under a general permit, the permittee is also subject to annual operating fees. These annual fees are set by statute (IC 13-18-20). For more information, please see <https://www.IN.gov/IDEM/cleanwater/2367.htm>. Both the application fees and annual fees may be remitted by check via U.S. mail or may be remitted via IDEM's online payment portal at <https://www.in.gov/idem/6973.htm>, which can accept e-checks and some credit cards.

K. Reopening Clauses

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

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

L. Permit Term

This general permit is proposed to be in effect for a five (5) year term.

M. Forms, References, and Guidance Documents

The IDEM website will contain information about each of the NPDES general permits, including the issued permit(s), Notice of Intent forms, Notice of Termination forms, and helpful reference documents to assist the regulated community and the general public. This web page is still in development as of the date of this fact sheet.

N. Proposed Changes to the General Permit

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

- 1) The eligibility requirements in Section 1.3 were expanded to further restrict the types of discharge activities which can be authorized under this general permit.
- 2) A new parameter and effluent limitation for BTEX has been added to Section 2.1 of the permit. The footnotes below the tables in Section 2.1 were updated which explain some of the various monitoring requirements. Footnote [1], which pertains to the flow monitoring requirements, was enhanced to include the permittee's obligation to provide info and obtain IDEM approval for flow measurement practices involving estimates as opposed to use of a flow meter.
- 3) A new paragraph was added to Section 2.2 of the permit to specify that the discharge shall not cause toxicity outside of the mixing zone of the receiving water.
- 4) Section 3.0 of the permit has been updated to reflect the requirement for all NPDES permittees to enroll in NetDMR for electronic submittal of the monthly reports.

- 5) Section 4.0 of the permit and the NOI form have been updated to require a flow schematic diagram of the permitted site.
- 6) The NOI has been updated to request email addresses if available for the listed Potentially Affected Persons who require notifications under IC 4-21.5.
- 7) The certification statement on the NOI form has been updated to include language from Title 13-30 of the Indiana Code.
- 8) Additional standard permit conditions were added to the permit as Sections 6.10 thru 6.14. A new section of definitions was also added as Section 6.15.

O. Public Notice of Draft General Permit

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

Please note that since the draft 2020 Notice of Intent form has not yet been finalized or sent for state form approval. It is attached to the back of this NPDES Fact Sheet.



**NOTICE OF INTENT (NOI) LETTER FOR ING080000
GROUND WATER PETROLEUM REMEDIATION
GENERAL NPDES PERMIT**

State Form 55945 (11-15)
Approved by State Board of Accounts, 2015
INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

A scanned copy of all completed documents may be sent via email to OWQ@idem.IN.gov. Online fee payments, see www.in.gov/idem/6973.htm.

Alternatively, this form, fee payment, and required attachments may be mailed to:
Indiana Dept. of Environmental Management
Office of Water Quality, Permits Administration Section
100 North Senate Avenue, IGCN Room 1255
Indianapolis, IN 46204-2251

INSTRUCTIONS:

- This form must be used to apply for coverage under the General NPDES Permit for wastewater from ground water petroleum remediation systems pursuant to NPDES Permit No. ING080000.
- Please type or print in ink. Do not use white-out to correct errors; strike-through and initial any corrections.
- Further item-specific instructions are provided in the appendix the end of this form.

For questions regarding this form, the required attachments, and permit requirements, contact the IDEM Office of Water Quality, Permits Administration Section staff at telephone number (317) 234-8745 or (800) 451-6027, ext 48745 (within Indiana). Questions may also be sent via email to OWQWWPER@idem.IN.gov.

ELIGIBILITY REQUIREMENTS

This general permit covers discharges of wastewater associated with ground water petroleum remediation systems which is defined as the discharge from any conveyance used for collecting and conveying wastewater which is directly related to ground water petroleum remediation systems or activities. Coverage does **not** apply to the following:

1. Remediation sites that contain contaminants other than gasoline, diesel fuel, kerosene, or similar constituents.
2. Discharges directly to waters designated as Outstanding National Resource Waters or Outstanding State Resource Waters (as defined in IC 13-11-2-149.5 and IC 13-11-2-149.6, and listed in 327 IAC 2-1.3-3(d).
3. Discharges containing water treatment additives that have not received prior written approval from IDEM for the specific additive, use, and dosage at the particular facility for which this Notice of Intent (NOI) is being submitted.
4. Discharges to a water body that is on the current 303(d) list of impaired waters that will result in an increase in the ambient concentration of a pollutant which contributes to the impairment of the water body for that pollutant as identified in the current 303(d) list;
5. Discharges to combined or sanitary sewer systems;
6. Discharges that are commingled with hazardous wastes or hazardous materials;
7. Bypasses or upsets of any kind from a treatment works or collection system;
8. Discharges that contain pollutants classified as bioaccumulative chemicals of concern (BCCs); and
9. Discharges for which the Commissioner requests an individual permit application.

By checking this box, I certify that this project is eligible for coverage under this general permit

APPLICATION TYPE

Application type: <input type="checkbox"/> New <input type="checkbox"/> Renewal <input type="checkbox"/> Modification			Facility identification number		
Permit number (if applicable.)		LUST identification number		Other permit number(s) applicable to site	
Description of proposed modification (if applicable)					

PART A: GENERAL INFORMATION FOR FACILITY

1. Name Of Facility					
2. Mailing Address of Facility					
3. Physical Location of Facility					
4. Mailing Address of Parent Company / Owner					
5a. Facility SIC Code (See Appendix.)		5b. Facility NAICS Code		6. County Of Facility	
7. Latitude And Longitude Of Center of Facility Site (See Appendix)					
Latitude			Longitude		
Degree	Minute	Second	Degree	Minute	Second
8. What is the nature of the primary business conducted at the facility or site? (Example: Gas Station)					

PART A: GENERAL INFORMATION FOR FACILITY (continued)

9. Provide a brief description of the facility operations that result in the discharge. (Example: extraction of gasoline from contaminated ground water). Remediation projects which are not subject to the IDEM, OLQ, Leaking Underground Storage Program must provide a detailed explanation of the site and source water for which general permit coverage is being sought.

PART B1: CONTACT INFORMATION FOR OWNER OR OFFICIAL

Provide information regarding the responsible official who has the authorization to sign this NOI in accordance with 40 CFR 122.22. If the responsible official wishes to delegate signatory authority for reports and other correspondence related to this NOI, that delegation must be made in writing to IDEM. This delegation of authority may occur either via this NOI or via a letter (signed and dated by the responsible official) which shall be submitted to the address on the front page of this NOI form.

10. Name of responsible official		Title of responsible official
Telephone number ()	Facsimile number ()	E-mail address
11. Name of delegated signatory person/or position to sign reports and file additional NOI content requirements		Title or position of delegated signatory person
Telephone number ()	Facsimile number ()	E-mail address

PART B2: CONTACT INFORMATION FOR REMEDIATION CONTRACTOR RESPONSIBLE PARTY

Provide information for the person in charge of remediation activities / contractor. Both the owner and the remediation contractor are required to sign this document, as well as the request for termination eventually. This person should be an officer or person in upper management for the consulting and/or remediation firm.

10. Name of Responsible Person / Official		Title of Responsible Person / Official
Telephone Number ()	Fax Number ()	E-Mail Address
11. Name of delegated signatory person/or position to sign reports and file additional NOI content requirements		Title or position of delegated signatory person
Telephone number ()	Fax Number ()	E-mail address

PART C: OTHER CONTACT INFORMATION**12. Discharge Monitoring Reports Contact and Mailing Information**

Name of company	Name of contact person
Address of company (<i>number and street, city, state, and ZIP code</i>)	
Telephone number of contact ()	E-mail address of contact

13. Annual Fee and Financial Contact and Billing Address

Name of company	Name of contact person
Address of company (<i>number and street, city, state, and ZIP code</i>)	
Telephone number of contact ()	E-mail address of contact

14. Operator / Other Contact and Mailing Address

Name of company	Name of contact person
Address of company (<i>number and street, city, state, and ZIP code</i>)	
Telephone number of contact ()	E-mail address of contact

PART D: OUTFALL INFORMATION

Provide the following information for all outfalls/discharges to be covered by this general permit. You may attach additional sheets if necessary.

15. OUTFALL NUMBER	16. LATITUDE			LOGITUDE			17. RECEIVING WATER (See Appendix)	18. FOR ANY DISCHARGE INTO A STORM SEWER, IDENTIFY THE STORM SEWER OWNER (See Appendix)	19. ANTICIPATED DAILY VOLUME OF DISCHARGE in MGD AND METHOD OF DETERMINATION OF VOLUME
	Degree	Minute	Second	Degree	Minute	Second			

PART E: UNTREATED WASTEWATER CHARACTERISTICS

Provide the following information for all outfalls/discharges to be covered by this general permit. The data shall be representative of the ground water prior to and after treatment or remediation. You may attach additional sheets if necessary.

- A. Existing Sources – Provide measurements for the parameters listed in the left hand column, unless waived by the permitting authority (See Appendix).
- B. New Dischargers- Provide measurements for the parameters listed in the left-hand column below, unless waived by the permitting authority. If for any reason measurements cannot be taken, the data may be estimated as long as information regarding the source of the estimated value is reported (See Appendix.).

	(1) 20. Maximum Daily Value (include units)		(2) 21. Average Daily Value (last year) (include units)		22. (3)	or (4)
	Raw Wastewater	Treated Wastewater	Raw Wastewater	Treated Wastewater	Number of Measurements Taken (last year)	Source of Estimate (if new discharger)
Biochemical Oxygen Demand (BOD)						
Total Suspended Solids (TSS)						
Fecal coliform (if present or believed present) (units in count/100 ml)						
Total Residual Chlorine (TRC), if used						
Oil and Grease						
Ammonia (as N)						
Benzene						
Toluene						
Ethylbenzene						
Total Xylenes						
BTEX (Total)						
Lead, Total Recoverable						
Methyl Tertiary Butyl Ether (MTBE)						
Naphthalene						
Polycyclic Aromatic Hydrocarbons, (PAHs). Report the sum of the concentrations of the following: anthracene, benzo(a)anthracene, benzo(k)fluoranthene, 3,4-benzofluoranthene (benzo(b)fluoranthene), benzo(g,h,i)perylene, benzo(a)pyrene, chrysene, dibenzo(a,h)anthracene, fluorene, indeno(1,2,3-c,d)pyrene, naphthalene, phenanthrene, and pyrene.						
Discharge Flow	VALUE in MGD		VALUE IN MGD			
Temperature (Winter)	VALUE in DEGREES FAHRENHEIT		VALUE in DEGREES FAHRENHEIT			
Temperature (Summer)	VALUE in DEGREES FAHRENHEIT		VALUE in DEGREES FAHRENHEIT			
pH (S.U.)	MINIMUM		MAXIMUM			

PART F: WATER TREATMENT ADDITIVES

Please fill out the following additional information about the discharge from each outfall. Note that the only additives that may be used under this permit are those which have been previously approved for use at this site by the Indiana Department of Environmental Management and that are already in use at the time of this submittal. You may attach additional sheets if necessary. (See Appendix.)

23. OUTFALL NUMBER	24. WATER TREATMENT ADDITIVES (WTAs) TO BE USED (Attach a copy of IDEM approval letter for each WTA to be used.)
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PART G: IDENTIFICATION OF POTENTIALLY AFFECTED PERSONS

25. Pursuant to IC 4-21.5 each applicant for general permit coverage is required to provide a listing of all persons who are potentially affected by the discharge(s) to be covered under the general permit. **PLEASE NOTE THAT MAILING LABELS ARE ALSO REQUIRED WITH THIS SUBMITTAL.** (See instructions in Appendix). Please list here any and all persons whom you have reason to believe have a substantial or proprietary interest in this matter, or could otherwise be considered to be potentially affected under the law. Failure to notify any person who is later determined to be potentially affected could result in voiding our decision on procedural grounds. To ensure conformance with AOPA and to avoid reversal of a decision, please list all such parties. Attach additional names and addresses on a separate sheet of paper, as needed.

NOTE: Email addresses for potentially affected persons are NOT required; however, the information is very helpful.

Name			Name		
Address (number and street)			Address (number and street)		
City	State	ZIP code	City	State	ZIP code
Email address			Email address		
Name			Name		
Address (number and street)			Address (number and street)		
City	State	ZIP code	City	State	ZIP code
Email address			Email address		
Name			Name		
Address (number and street)			Address (number and street)		
City	State	ZIP code	City	State	ZIP code
Email address			Email address		
Name			Name		
Address (number and street)			Address (number and street)		
City	State	ZIP code	City	State	ZIP code
Email address			Email address		
Name			Name		
Address (number and street)			Address (number and street)		
City	State	ZIP code	City	State	ZIP code
Email address			Email address		
Name			Name		
Address (number and street)			Address (number and street)		
City	State	ZIP code	City	State	ZIP code
Email address			Email address		

Email address			Email address		
Name			Name		
Address (number and street)			Address (number and street)		
City	State	ZIP code	City	State	ZIP code
Email address			Email address		

PART H: ADDITIONAL REQUIRED ATTACHMENTS

26. PROOF OF PUBLICATION

The applicant is required to publish a notice in a local newspaper of largest general circulation in the area of the discharge. The applicant is required to provide proof of that publication with this NOI letter. This legal ad must be published in the newspaper for a minimum of one day. Be advised that notices without the proper information will not be sufficient, and IDEM will require that a new public notice be placed in the newspaper. If the proof of publication is not available a legible photocopy of the article that contains the name of the newspaper and the date the article was run is also acceptable. Please use the following template statement for the newspaper notice:

(Name of facility owner, location address) "is submitting a Notice of Intent to notify the Indiana Department of Environmental Management of our intent to comply with the requirements under National Pollutant Discharge Elimination System (NPDES) general permit ING080000 to discharge remediated wastewater from a ground water petroleum remediation operation. . Discharge will be to *(name(s) of the water body(ies)) receiving the discharge(s)*.

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

27. REQUIRED MAPS

The following maps are required:

1. A topographical map must be submitted with this NOI which shall include the following items:
 - (A) the location of the operation shown clearly and identified by name and by mark;
 - (B) the location of each numbered outfall shown clearly and identified by number and by mark;
 - (C) the receiving streams that each outfall discharges to shown clearly and identified by name;
 - (D) any existing permanent structures or roads in the area shown clearly and identified by name; and
 - (E) the location of any surface water intake structures
2. A site map must also be submitted, which must show and identify the significant structures, including all piping, diked areas, all outfall and sampling locations, and any surface water intake structures.
3. A flow schematic diagram(s) that shows how the process wastewater travels through the facility to the point(s) where it is discharged (outfall point). This map may be added to the site map if it will be legible.

Maps should be no larger than 11" x 17" and in color, if possible.

PART I: APPLICATION FEE

28. A \$50 fee is required to be submitted with this NOI in accordance with IC 13-18-20-12. The \$50 fee is applicable for each new NOI, renewal, and modification. (Updates to information in Parts B and C shall not be subject to the \$50 fee for modifications.) Checks or money orders shall be made payable to IDEM, or credit card payment may be made at www.IN.gov/IDEM/6973.htm.

PART J: SIGNATORY CERTIFICATION STATEMENT

29. The NOI must be signed by the Responsible Official (as identified in Part B, item 10; see Appendix):

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine

and imprisonment for knowing violations.

I swear or affirm, under penalty of perjury as specified by IC 35-44.1-2-1 and other penalties specified by IC 13-30-10 and IC 13-15-7-1(3), that the statements and representations in this **NOI** are true, accurate, and complete.

Signature

Date signed (month, day, year)

Printed name of responsible official

Title

PART K: ADDRESS

30. Electronic submittal of this form and the required attachments may be utilized by sending the scanned documents to OWQ@idem.IN.gov or OWQWWPER@idem.IN.gov. As noted in item 28 above, the NOI fee may be remitted via IDEM's Online Payment Portal. If submitting the NOI and/or required attachments via U.S. Mail or hand-delivery, please use the address at the top of page 1 of the NOI form.

APPENDIX: SUPPLEMENTAL INSTRUCTIONS

APPLICATION TYPE: The Facility ID number and the LUST ID Number refer to the identifying numbers assigned by IDEM's Office of Land Quality's Leaking Underground Storage Tank (LUST) Program. Both of these identifying numbers should be provided in the boxes in this section. NOIs which lack a Facility ID number and a LUST ID Number must provide a very detailed description of the activities which are the basis for the NOI submittal with the information provided in response to Item 9.

For the purposes of this form a modification would consist of removing an existing outfall, adding an outfall in a new location, updating the quantity of discharge anticipated, or updating your wastewater characterization if it is determined that an actual value differs significantly from what you stated on a previous submittal. Please note that outfall locations are considered for the purposes of this permit to be discrete points. If you relocate an outfall you must apply for a modification to remove the outfall at the previous location, and add a new outfall, with a new outfall number, to the permit.

Changes in contact information must be reported, but you may do so with a letter signed by the responsible official (Part B, Item 10) or delegated signatory authority (Part B, Item 11). An NOI modification submittal is not required.

ELIGIBILITY REQUIREMENTS Item 4: Prior written approval from IDEM is required for any substance that is to be added to the water that is to be discharged. A copy of this approval must be submitted with your NOI form. To obtain this approval, see State Form 50000 (located on the "Forms" page of IDEM's website at <https://www.IN.gov/IDEM.forms.htm>).

Part A, item 1: Enter the name of the specific site location that is to be permitted. This will be a unique name to identify this single site in correspondence and conversation.

Part A, Items 2 and 3: If the physical location is the same as the mailing address of the site to be permitted, then both of these sections will be the same. In this case you may fill in the first and fill in "same" in the second. However, if the mailing address is not sufficient to allow a person who wishes to visit the site to find it, then section 3 should be a description of where the site itself is located. You may attach additional sheets if the boxes provided do not offer sufficient space to provide a proper location description.

Part A, Item 5a: Enter the four digit Standard Industrial Classification (SIC) code and the six-digit North American Industry Classification System (NAICS) code which identifies the facility's primary activity. SIC codes can be obtained from www.naics.com/naics-to-sic-sic-to-naics-crosswalks/, the Standard Industrial Classification Manual, 1987, by accessing the Occupational Safety and Health Administration (OSHA) website, or by contacting the Indiana Department of Workforce Development. The NAICS code can be obtained from <https://www.NAICS.com/naics-to-sic-sic-to-naics-crosswalks/>.

Part A, Item 7: The latitude and longitude of the approximate center of the facility must be in the degrees/minutes/seconds format. Longitude and latitude can be obtained from United States Geological Survey (USGS) quadrangle or topographic map, by calling (888) 275-8747, or by accessing a locational website and conducting a search based on the facility street address. You may also access this information with the use of a handheld GPS unit at the site.

Longitude and Latitude in decimal degrees may be converted to degrees/minutes/seconds for proper entry on the NOI by following this example:

Convert decimal latitude 45.1234567 to degrees/minutes/ seconds

1. The number to the left of the decimal point is the degrees: 45.
2. To obtain minutes multiply the first four numbers to the right of the decimal point by 0.006: $1234 \times 0.006 = 7.404$
3. The numbers to the left of the decimal point in the result obtained in (2) are the minutes: 7
4. To obtain the seconds. multiply the remaining three numbers to the right of the decimal from the result obtained in (2) by 0.06: $404 \times 0.06 = 24.24$ seconds.
5. The conversion for 45.1234567 is 45° (degrees), 7' (minutes), and 24.24" (seconds).

Part A, Item 9: All applicants for this general permit coverage must provide a brief description of the activities at the site which are the source of the discharge. Any ground water petroleum remediation site which does not have a Facility ID number or LUST ID number (assigned by the IDEM Office of Land Quality) must provide a very detailed description of the activities at the site for which general permit coverage is sought.

Part B, item 10: The Responsible Official must meet one of the following requirements:

- a) For a corporation, the person must be a responsible corporate officer, which means either of the following:
 - (1) A president, secretary, treasurer, any vice president of the corporation in charge of a principal business function, or any other person who performs similar policymaking or decision making functions for the corporation.
 - (2) A manager of one (1) or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility, including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
- b) For a partnership or sole proprietorship, the person must be a general partner or the proprietor, respectively.
- c) For a municipality, state, federal, or other public agency or political subdivision thereof, the person must be either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a Federal agency is:
 - (1) The chief executive officer of the agency, or
 - (2) A senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrator of U.S. EPA).

APPENDIX: SUPPLEMENTAL INSTRUCTIONS (continued)

Part D, Item 15: Enter a three number designation for each point where you will discharge, for example, 001, 002, 003, etc.

Part D, Item 16: See the instructions for Part A, Item 7, above.

Part D, Item 17: Enter the name of the waters of the state into which the discharges from each outfall will occur, as either the body of water itself, if the discharge is direct, or taking into account tributaries, if applicable; EXAMPLE: "Stone Creek", or "Connor Ditch to Stone Creek"; or "unnamed tributary to Connor Ditch".

Part D, Item 18: If the discharge first enters a storm sewer which then carries it to a water of the state, then please provide the name of the owner of the storm sewer; EXAMPLE: "City of Muncie Department of Public Works" or "LaPorte Storm Sewer System" to Connor Ditch.

Part E, Items 20 and 21: All pollutant levels must be reported as concentration and as total mass (except for discharge flow, pH, and temperature). Total mass is the total weight of pollutants discharged over a day. Use the following abbreviations for units:

Concentration	Mass
ppm.....parts per million	lbs.....pounds
mg/l.....milligrams per liter	ton.....tons (English tons)
ppb.....parts per billion	mg.....milligrams
ug/l.....micrograms per liter	g.....grams
kg.....kilograms	T.....tonnes (metric tons)
ng/l.....nanograms per liter	

A. Existing Sources

You are required to provide at least one analysis for each pollutant or parameter listed that is known or believed to be present by filling in the requested information in the applicable column. Data reported must be representative of the facility's current operation (average daily value over the previous 365 days should be reported). Parameters not present should be marked N/A.

The pollutants or parameters listed are average flow, biochemical oxygen demand (BOD), total suspended solids (TSS), fecal coliform (if believed present), pH, total residual chlorine (if chlorine or chlorinated water is used), temperature (winter and summer), oil and grease, ammonia (as N), benzene, toluene, ethyl benzene, xylene, Total BTEX, lead, Methyl Tertiary Butyl, Ether (MTBE), naphthalene, and polycyclic aromatic hydrocarbons (PAHs). The analysis of these pollutants or parameters must be done in accordance with procedures promulgated in 40 CFR Part 136. Grab samples must be used for pH, temperature, fecal coliform, total residual chlorine, oil and grease, benzene, toluene, ethyl benzene, xylene, Total BTEX, lead, Methyl Tertiary Butyl, Ether (MTBE), naphthalene, and PAHs. For all other pollutants, a 24-hour composite sample must be used. Any further questions on sampling or analysis should be directed to (317) 232-8704 or OWQWWPER@idem.IN.gov.

The Commissioner may request that you do additional testing, if appropriate, on a case by case basis under Section 308 of the Clean Water Act (CWA).

B. New Dischargers

You are required to provide at least one analysis for each pollutant or parameter listed that is known or believed to be present by filling in the requested information in the applicable column. Data reported must be representative of the ground water to be remediated, but prior to treatment. Parameters not present should be marked N/A. If, however, such data is not available, then the reported data may be estimated. The source of the estimates should be provided in the second column of item 22. Base your determination of whether a pollutant will be present in your discharge on your knowledge of the proposed facility's use of maintenance chemicals, and any analyses of the ground water at this site or of any similar effluent. You may also provide the estimates based on available in-house or contractor's engineering reports or any other studies performed on the proposed facility. In providing the estimates, use the codes in the following table to indicate the source of such information.

Engineering Study	Code
Actual data pilot plants.....	1
Estimates from other engineering studies	2
Data from other similar plants	3
Best professional estimates	4
Others	specify on the form

C. Testing Waivers

To request a waiver from reporting any of these pollutants or parameters, the applicant (whether a new or existing discharger) must submit to the permitting authority a written request specifying which pollutants or parameters should be waived and the reasons for requesting a waiver. This request should be submitted to the permitting authority before submitting the NOI, or with the NOI. The permitting authority may waive the requirements for information about any pollutant or parameter if it is determined that less stringent reporting requirements are adequate to support approval of discharge permit coverage. No extensive documentation of the request will normally be needed, but the applicant should contact the permitting authority if he or she wishes to receive instructions on what his or her particular request should contain.

Part F, Item 24: Water Treatment Additives may only be used at outfalls to be covered by this general permit if the applicant has received prior approval from IDEM, as denoted in the Eligibility Requirements on Page 1 of the NOI form. For more information, please contact us at (317) 232-8704 or OWQWWPER@idem.IN.gov.

Part G, Item 25: Identification of Potentially Affected Persons

The Administrative Orders and Procedures Act (AOPA) IC 4-21.5-3-5(b), requires that the Indiana Department of Environmental Management (IDEM) give notice of its decision on your Notice of Intent to the following persons:

- 1) Each person to whom the decision is specifically directed;

- 2) Each person to whom a law requires notice to be given;
- 3) Each competitor who has applied to the IDEM for a mutually exclusive license, if issuance is the subject of the decision and the competitor's application has not been denied in an order for which all rights to judicial review have been waived or exhausted;
- 4) Each person who has provided the IDEM with a written request for notification of the decision;
- 5) Each person who has a substantial and direct proprietary interest in the issuance of the permit/variance;
- 6) Each person whose absence as a party in the proceeding concerning the (permit) decision would deny another party complete relief in the proceeding or who claims an interest related to the issuance of the (permit) and is so situated that the disposition of the matter, in the person's absence may:
 - a) As a practical matter impair or impede the person's ability to protect that interest, or
 - b) Leave any other person who is a party to a proceeding concerning the permit subject to a substantial risk of incurring multiple or otherwise an inconsistent obligation by reason of the person's claimed interest.

IC 4-21.5-3-5(f) provides that we may request your assistance in identifying these people.

Additionally, IC 13-15-3-1 requires IDEM to send notice that the permit application has been received by the department to the following:

- a) The board of county commissioners of a county affected by the permit application and
- b) The mayor of a city that is affected by the permit application, or
- c) The president of a town council of a town affected by the permit application.

Please provide, on the following form, the names of those persons affected by these statutes, **and include mailing labels for each of these persons with your NOI**. These mailing labels should have the names and addresses of the affected parties along with our mailing code (65-42PS) listed above each affected party listing.

Example: 65-42PS
 John Doe
 111 Circle Drive
 City, State, Zip Code

Part J. Item 29: 40 CFR 122.22 and 327 IAC 5-2-22 require that an application for an NPDES permit or an NOI for a general permit must be signed by a person who meets the definition of Responsible Official. This definition is explained in the instructions for Part B, Item 10 above.