

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
PUBLIC NOTICE OF DRAFT GENERAL NPDES PERMIT RENEWAL  
FOR DISCHARGES OF  
ONCE-THROUGH NONCONTACT COOLING WATER  
PUBLIC NOTICE NO: 20200914 – ING250000-RD  
DATE OF NOTICE: SEPTEMBER 14, 2020  
RESPONSE DATE DUE: OCTOBER 14, 2020

The Indiana Department of Environmental Management (IDEM) Office of Water Quality proposes to renew General NPDES Permit ING250000 for discharges of once-through noncontact cooling water 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 cooling water that is used for the sole purpose of removing unwanted heat from a process; only makes one pass through a unit that exchanges heat between the process and the cooling water (generally a heat exchanger); and does not come into contact with any raw material or manufactured product.

Discharges not authorized by this permit include the following:

- 1) 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);
- 2) discharges to a receiving water when the discharge results in an increase in the ambient concentration of a pollutant which contributes to the impairment of the receiving water for that pollutant as identified on the current 303(d) list of impaired waters;
- 3) discharges containing water treatment additives (WTAs) which have not received prior written approval from IDEM for the specific additive, use, and dosage at the particular facility for which the Notice of Intent (NOI) is submitted;
- 4) discharges from a facility that is not in compliance with section 316(b) of the Clean Water Act. Any facility which obtains cooling water from a surface water intake source must satisfy the following conditions in order to be eligible for coverage under this general permit: The water body where the cooling water is obtained (source water body) may not include threatened or endangered species in the vicinity of the cooling water intake structure. The design intake flow must be less than 5 percent of the mean annual flow of the source water body. The design intake velocity must be less than 0.5 feet per second. The source water withdrawals from surface waters cannot exceed 2 million gallons per day (MGD) under any circumstances. There shall be no impingement and entrainment of fish when drawing water from a surface water body.
- 5) discharges to salmonid waters (as defined in 327 IAC 2-1.5-5(a)(3)) or to the St. Joseph River (tributary to Lake Michigan) upstream of Twin Branch Dam;
- 6) discharges from steam electric power generation facilities, as defined under 40 CFR 423;
- 7) new sources of once-through noncontact cooling water;
- 8) discharges resulting from the cleaning of tanks and/or pipelines.

- 9) discharges to combined or sanitary sewer systems;
- 10) discharges that are commingled with hazardous wastes or hazardous materials;
- 11) bypasses or upsets of any kind from a treatment works or collection system;
- 12) discharges that contain pollutants classified as bioaccumulative chemicals of concern (BCCs); and
- 13) discharges for which the Commissioner requests an individual permit application.

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](mailto: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](mailto:owqwwper@idem.in.gov).

The draft general NPDES permit and related documents are posted on IDEM's web page for public notices, specifically at <https://www.in.gov/idem/6777.htm> (for statewide public notices). The draft general NPDES permit documents are available for also 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](mailto: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 ING250000

2020 Draft NPDES Fact Sheet

2020 Draft Notice of Intent Form

U.S. EPA Non-objection Letter for the Pre-PN Draft Permit

**Indiana Department of Environmental Management**

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

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 NPDES general permit to regulate discharges of once-through noncontact cooling water wastewater 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, 2025

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.

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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 discharges of once-through noncontact cooling water covers all areas of the State of Indiana.

### 1.2 Discharges Authorized/Covered by This Permit

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

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

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

Except as provided in Section 1.3, when a Notice of Intent (NOI) is submitted as set forth in Section 4.0 below, a facility is permitted to discharge once-through noncontact cooling water 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 once-through noncontact cooling water to a surface water of the state are unlawful unless permitted under a general NPDES permit or an individual NPDES permit.

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

- a) The permittee receives authorization for coverage under a reissued or replacement version of this permit; or
- b) IDEM receives and approves 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 once-through noncontact cooling water to surface waters of the state, except as limited in paragraph b below.
- b) Limitations on coverage; the following discharges are not authorized by this permit:
  - 1) 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);
  - 2) discharges to a receiving water when the discharge results in an increase in the ambient concentration of a pollutant which contributes to the impairment of the receiving water for that pollutant as identified on the current 303(d) list of impaired waters;
  - 3) discharges containing water treatment additives (WTAs) which have not received prior written approval from IDEM for the specific additive, use, and dosage at the particular facility for which the Notice of Intent (NOI) is submitted;
  - 4) discharges from a facility that is not in compliance with section 316(b) of the Clean Water Act. Any facility which obtains cooling water from a surface water intake source must satisfy the following conditions in order to be eligible for coverage under this general permit:
    - a) The water body where the cooling water is obtained (source water body) may not include threatened or endangered species in the vicinity of the cooling water intake structure;
    - b) The design intake flow must be less than 5 percent of the mean annual flow of the source water body;
    - c) The design intake velocity must be less than 0.5 feet per second.
    - d) The source water withdrawals from surface waters cannot exceed 2 million gallons per day (MGD) under any circumstances.
    - e) There shall be no impingement and entrainment of fish when drawing water from a surface water body.

- 5) discharges to salmonid waters (as defined in 327 IAC 2-1.5-5(a)(3)) or to the St. Joseph River (tributary to Lake Michigan) upstream of the Twin Branch Dam;
- 6) discharges from steam electric power generation facilities, as defined under 40 CFR 423;
- 7) new discharges of once-through noncontact cooling water from sources that do not have existing NPDES permit coverage;
- 8) 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);
- 9) discharges to a receiving water when the discharge results in an increase in the ambient concentration of a pollutant which contributes to the impairment of the receiving water for that pollutant as identified on the current 303(d) list of impaired waters;
- 10) 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 site for which the Notice of Intent (NOI) is submitted;
- 11) discharges resulting from the cleaning of tanks and/or pipelines.
- 12) discharges to combined or sanitary sewer systems;
- 13) discharges that are commingled with hazardous wastes or hazardous materials;
- 14) bypasses or upsets of any kind from a treatment works or collection system;
- 15) discharges that contain pollutants classified as bioaccumulative chemicals of concern (BCCs); and
- 16) discharges for which the Commissioner requests an individual permit application.

#### 1.4 NOI and Annual Maintenance Fees

Any person who seeks coverage under this general permit is required to remit a \$50 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 waters after water leaves a permitted site.

### 2.1 Numeric Discharge Limitations

Table 1

Parameter	Quantity or Loading			Quality or Concentration			Monitoring Requirements	
	Monthly average	Daily maximum	Units	Monthly average	Daily maximum	Units	Measurement frequency	Sample type
Flow[1][2]	Report	Report	MGD				Daily	24 Hr. Total
Total Monthly Flow [2]		Report	Mgal/month				1 x monthly	Recorded total
Total Residual Chlorine[2][6][7]					0.02	mg/l	2 x weekly	Grab
Temperature [2][3]				Report	See Tables 3 and 4 Below	°F	2 x monthly	Grab
Oil and grease[2][5]				Nondetect	Nondetect	mg/l	2 x monthly	Grab
Other [8]								

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.	2 x monthly	Grab

Table 3 (For all discharges except those to the Ohio River Main Stem)

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
Maximum Temperatures for Discharge (°F) [3]	50	50	60	70	80	90	90	90	90	78	70	57

Table 4 (For Discharges to the Ohio River Main Stem only)

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
Maximum Temperatures for Discharge (°F) [4]	50	50	60	70	80	87	89	89	87	78	70	57

[1] Measurement of flow is required per 327 IAC 5-2-13(a)(2).

- [2] Samples and measurements taken as required in this section shall be representative of the volume and nature of the monitored discharge. Temperature samples shall be representative of the highest temperature of the discharge. Samples taken in compliance with the monitoring requirements in this section shall be taken at a point representative of the discharge but prior to entry into surface waters of the state. The pH shall be reported in standard units (s.u.)
- [3] Temperature requirements in Table 3 shall apply to all permittees except for those whose discharges are to the Ohio River Main Stem.
- [4] Temperature requirements in Table 4 shall apply to only those permittees whose discharges are to the Ohio River Main Stem.
- [5] Grab samples shall be taken of the discharge water as it leaves the noncontact cooling water system or, if applicable, after receiving treatment. The permittee is required to investigate and eliminate the source of any detectable concentration of oil and grease in excess of 5 mg/l.
- [6] The daily maximum water quality based effluent limit (WQBEL) for chlorine is greater than or equal to the limit of detection (LOD) but less than the limit of quantitation (LOQ) as defined below, which is specified in the permit. Compliance with the daily maximum limit will be demonstrated if the observed effluent concentrations are less than the LOQ.

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

**Case-Specific LOD/LOQ**

The permittee may determine a case-specific LOD or LOQ using the analytical method specified above, or any other test method which is approved by IDEM prior to use. The LOD shall be derived by the procedure specified for method detection limits contained in 40 CFR Part 136, and the LOQ shall be equal to 3.18 times the LOD. Other methods may be used if first approved by IDEM.

- [7] The effluent limitation for TRC shall apply whenever chlorinated source water is used for noncontact cooling. For any months in which chlorinated intake water is not used, the permittee shall be allowed to report “N/A” on the monthly Discharge Monitoring Report for this parameter.

[8] Additional parameters, effluent limitations, and/or monitoring requirements may be included in the Notice of Coverage Letter based upon IDEM's evaluation of the NOI and other available information relating to the facility/site and the receiving waterbody. In accordance with 327 IAC 5-2-10 and 40 CFR 122.44, NPDES permit limits shall be based on either technology-based effluent limits (TBELs), (including TBELs developed on a case-by-case basis using BPJ, where applicable) or water quality-based effluent limits, whichever is most stringent.

## 2.2 Narrative Water Quality 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 reasons for the additional sampling requirement.

#### 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 once-through noncontact cooling water. The samples and measurements shall be taken prior to mixing with any other waters and prior to discharging to the receiving water.

#### 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 which is collected by or for the permittee such as internal process or internal waste stream data, 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) 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 with an LOD value of 0.1 µg/l is not detected, report the value as <0.1 µg/l.
- b) Effluent concentrations greater than or equal to the LOD and less than the limit of quantitation (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 55916. 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 discharger, an individual NPDES application must be submitted to IDEM at least 180 days prior to the commencement of the discharge. However, a facility with an individual NPDES permit which meets the eligibility requirements in Section 1.3 may submit an NOI to changeover to general permit coverage at any time after the effective date of this general permit.
- b) For a facility that has existing, effective coverage under the former (2015) general permit (ING250000), 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 it intends to comply with the requirements of this new general permit;
  - 2) The permittee notifies IDEM in writing of its intent to terminate general permit coverage in accordance with Section 5.0 of this general permit; or
  - 3) The permittee submits an individual NPDES application or modification to IDEM for the existing discharge permitted by the former general permit. In such cases, the general permit coverage will remain in effect until the effective date of coverage under an individual NPDES permit.
- c) For subsequent renewals of general permit coverage under this general permit, an NOI shall be submitted not less than ninety (90) days before the permit expires.
- d) 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.
- e) The Commissioner may, with good cause shown in writing, extend any of the submission deadline time periods required above.

#### 4.3 Submitting the NOI and Processing Fee

The 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](mailto: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

The following information must be included in a Notice of Intent (NOI):

- a) name of the operator of the site and operator's email and mailing addresses and telephone number;
- b) name of the owner of the site and owner's email and mailing addresses and telephone number;
- c) if applicable, the name, telephone number, email, and mailing addresses of another contact person who is knowledgeable about the site;
- d) name of contact person for responsible submission of monthly monitoring reports and contact's telephone number, email, and mailing addresses;
- 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 four-digit SIC (Standard Industrial Classification) and the six-digit NAICS (North American Industry Classification System) code that best describes the primary activity conducted at the site;
- g) brief description of the activities conducted at the site that result in the discharge;

- h) estimate of the volume of noncontact cooling water to be discharged, in million gallons per day (mgd);
- i) latitudinal and longitudinal coordinates of each outfall location that will be discharging once-through noncontact cooling water (NCCW), including outfall numbers;
- j) location of each sampling point;
- k) name of the surface waters receiving each discharge, and the basin, sub-basin, and watershed of the waters;
- l) identification of the source of the water to be used for noncontact cooling system (i.e. municipal, well, or surface water);
- m) 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;
- n) facility location map which identifies, via names of at least two intersecting nearby streets and 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 waters receiving 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;
- o) a flow schematic diagram that shows how noncontact cooling water travels through the facility from the point where the source water enters the site to the point where the noncontact cooling water is discharged (outfall point).
- 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 ING250000 to discharge non-process wastewater from a once-through noncontact cooling water operation. Discharge will be to Name(s) of the stream or water body(ies) receiving the discharge(s)”.*

“Any person wishing further information about this discharge may contact *Facility contact person’s name and telephone or email information*. The decision to issue coverage under this NPDES general permit for this discharge is appealable as per IC 13-15-6. 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](mailto:OWQWWPER@Idem.IN.gov) to be placed on a mailing list to receive notification of IDEM’s decision.”

- q) a completed Potentially Affected Parties form (per IC 4-21.5, and mailing labels with the mail codes (Mail Code 65-42 PS) inserted on the first line of the label for each person listed;
- r) documentation of IDEM pre-approval for the use of any water treatment additives (WTAs) to be used with the NCCW;
- s) required permit application fee as per IC 13-18-20-12;
- t) certification statement signed by the authorized signatory as set forth in 40 CFR 122.22;
- u) any additional information which IDEM or U.S. EPA deems necessary.

## 5.0 REQUESTING TERMINATION OF COVERAGE

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

The 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 terminates the permit coverage.

## 6.0 ADDITIONAL REQUIREMENTS

### 6.1 Standard Conditions for General Permits

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

<b>Standard Conditions</b>	<b>Federal Regulatory Cite</b>
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 each of the following occurs:

- a) the current permittee notifies IDEM at least thirty (30) days in advance of the proposed transfer date.
- b) a written agreement containing a specific date of transfer of permit responsibility and coverage between the current permittee and the transferee. This agreement will acknowledge that the existing permittee is liable for violations up to that date, and the transferee is liable for violations from that date on; this agreement will be submitted to IDEM.
- c) The transferee certifies in writing to IDEM the intent to operate the facility without making such material and substantial alterations or additions to the facility as would significantly change the nature or quantities of pollutants discharged.
- d) 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 one hundred and eighty (180) 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.

Any of these changes will likely necessitate the submittal of an individual NPDES application, along with the appropriate fee, in accordance with IC 13-18-20-12.

### 6.4 Other Information

When the permittee becomes aware of a failure to submit any relevant facts or the submission of incorrect information in 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 either mailing or email address 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 shall be consistent with the terms and conditions of this general permit. Any noncompliance constitutes a violation of applicable State and Federal laws, the Clean Water Act and IC 13 and is a ground for enforcement action, termination of coverage under the permit, requiring an individual permit, and/or denial of permit coverage 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 in either of the following scenarios**

- a) immediately for bypasses, adverse incidents or noncompliance which pose a significant danger to human health or the environment, and/or
- 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 five (5) days of the time the permittee becomes aware of the circumstances, and may be submitted by U.S. Mail, by hand delivery, or via email. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times; if the noncompliance has not been corrected, the anticipated length of time it is expected to continue; and steps taken or planned to reduce and eliminate the noncompliance and prevent its recurrence.

**Any written reports which are sent to IDEM via email shall be sent to [wwreports@idem.IN.gov](mailto:wwreports@idem.IN.gov).**

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.

## 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 mass of any given material present in a unit volume of liquid. Unless otherwise indicated in this permit, concentration values shall be expressed in milligrams per liter (mg/l).
- b) “Daily Maximum” - The daily maximum discharge limitation is the maximum allowable daily discharge for any calendar day. The “daily discharge” means the total mass of a pollutant discharged during the calendar day or, in the case of a pollutant limited in terms other than mass pursuant to 327 IAC 5-2-11(e), the average concentration or other measurement of the pollutant specified over the calendar day or any twenty-four hour period that represents the calendar day for purposes of sampling.
- c) “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.
- d) “Once-through noncontact cooling water” means cooling water that:
  - (1) is used for the sole purpose of removing unwanted heat from a process;
  - (2) only makes one (1) pass through a unit that exchanges heat between the process and the cooling water (generally a heat exchanger); and
  - (3) does not come into contact with any raw material or manufactured product”.



**National Pollutant Discharge Elimination System**  
**GENERAL PERMIT FACT SHEET for**  
**Once-Through Noncontact Cooling Water Discharges**  
**NPDES Permit No. ING250000**  
**September 10, 2020**

**Indiana Department of Environmental  
 Management**

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

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

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

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

## A. Description of General Permit Category

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

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

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

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

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

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

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

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

## **B. Geographic area covered**

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

## **C. Receiving waters**

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

## **D. Eligibility**

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

The following discharges are not authorized by this permit:

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

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

#### **E. Application for Coverage**

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

Each discharger seeking coverage under this general permit must submit a Notice of Intent (NOI) form. Federal regulations found in 40 CFR 122.21(a) exclude persons

covered by general permits from requirements to submit an application for an individual permit. NOI requirements are intended to establish a mechanism that can be used to establish a clear accounting of the number of permittees covered by the general permit, the identities, locations, and mailing addresses of those permittees, and the nature of the discharges covered by the permit.

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

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

## **F. Antidegradation Evaluation**

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

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

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

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

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

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

## **G. When to Apply**

All dischargers desiring coverage under this general permit must timely submit a complete Notice of Intent. The 2015 general NPDES permit requires an NOI to be filed at least ninety (90) days prior to the expiration date of the general permit.

Under the terms and conditions of this general permit, any existing permittee will also need to file an NOI within ninety (90) days following the date that the Commissioner makes the 2020 NOI form available to the permittee.

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

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

## **H. Permit Conditions**

### **1. Narrative Water Quality Based Limits**

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

### **2. Numeric Permit Limits & Monitoring Requirements**

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

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

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

- a. **Flow** is a standard parameter to be monitored for all NPDES permits. The requirement is to report both the monthly average and daily maximum flows for each month. This parameter is included in this permit in accordance with 327 IAC 5-2-13(a)(2).
- b. **Oil and Grease** are common industrial pollutants and have the potential to be present in once-through noncontact cooling water. The requirement is to monitor and report the concentration of this parameter on a twice monthly basis. This monitoring requirement for oil and grease is the same as that which exists in the current general permit, ING250000, which was issued in 2015.
- c. **pH** monitoring is included in the general permit to ensure that the discharge will not violate Indiana water quality standards. The proposed limit of 6.0 to 9.0 standard units (s.u.) is in accordance with the Water Quality Standards found at 327 IAC 2-1-6 and 327 IAC 2-1.5-8. This restriction is necessary due to the variable water supply sources and the potential for pH changes due to the use of approved water treatment additives. The effluent limitations and monitoring requirement for pH is the same as that which exists in the current general permit, ING250000, which was issued in 2015.
- d. **Total Residual Chlorine (TRC)** limits are included to account for permittees who utilize a chlorinated water supply as the source water for the OTNCCW. Some facilities utilize water which has been withdrawn directly from a stream or from an unchlorinated well, while others must use a public water supply (PWS) which typically is chlorinated for bacteria control. The effluent limitation for TRC shall apply whenever chlorinated intake water is used as the source water for a facility's OTNCCW system during any given month.
- The effluent limitation for TRC is 0.02 mg/l as a daily maximum. This limit is derived from 327 IAC 2-1-6. (Table 1 - Water Quality Criteria for Specific Substances) and 327 IAC 2-1.5-8 (Table 8-1; Surface Water Quality Criteria for Protection of Aquatic Life) and assumes that discharge is likely to occur when there is little or no dilution available in the receiving waters. Since this effluent limitation (0.02 mg/l) is less than the LOQ value (0.06 mg/l), the permittee may report "< 0.06" for the daily maximum if the testing result(s) are less than the LOQ value. For any month in which the permittee does not utilize chlorinated intake water, the permittee may report "N/A" for this pollutant. The effluent limitations and monitoring requirements for TRC are unchanged from the current general permit, ING250000.
- e. **Total Flow** reporting requirements are included, and facilities covered by this general permit must report the total flow value for the month in million gallons (mgal). This requirement is included to assist IDEM in properly assessing the annual permit operating fees set forth under IC 13-18-20. This requirement is unchanged from the current general permit ING250000.

**f. Temperature Requirements** are as shown in the tables below and are based on the various sets of thermal standards contained in the Indiana Water Quality Standards, 327 IAC 2. The first set of temperature requirements is applicable to direct discharges to the Ohio River. The second set of temperature requirements is applicable to all other Indiana streams, with the exception of those which are specifically excluded from general permit coverage as set forth in Section D of this fact sheet and Section 1.3 of the general permit. The Indiana water quality standards contain more stringent temperature requirements for salmonid streams and for Lake Michigan, and such discharges will be regulated by individual NPDES permits. These requirements are unchanged from the 2015 general NPDES permit.

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

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

### **3. Monitoring and Reporting Requirements**

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

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

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

#### **I. Reporting Spills and Noncompliance**

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

- immediately for incidents which pose a significant danger to human health or the environment,

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

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

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

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

## **J. Fees**

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

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

## **K. Reopening Clauses**

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

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

#### **L. Permit Term**

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

#### **M. Forms, References, and Guidance Documents**

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

#### **N. Proposed Changes to the General Permit**

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

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

- 6) The certification statement on the NOI form has been updated to include language from Title 13-30 of the Indiana Code.
- 7) Additional standard permit conditions were added to the permit as Sections 6.10 thru 6.14. A new section of definitions was also added as Section 6.15.

#### **O. Public Notice of Draft General Permit**

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

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 GENERAL NPDES PERMIT  
ING250000 for ONCE-THROUGH  
NONCONTACT COOLING WATER**

State Form 55916 (10-15)

Approved by State Board of Accounts, 2015  
INDIANA DEPARTMENT OF ENVIRONMENTAL  
MANAGEMENT

A scanned copy of all completed documents may be sent via [email](mailto:OWQ@idem.IN.gov) to [OWQ@idem.IN.gov](mailto:OWQ@idem.IN.gov). Online fee payments may be made at [www.in.gov/idem/6973.htm](http://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 once-through noncontact cooling water operations pursuant to NPDES Permit No. ING250000.*
- *This form must be completed fully.*
- *If you do not use a computer to complete this form, please type or print in ink. Do not use white-out to correct errors.*
- *Further item-specific instructions are provided in Appendix A at the end of this form.*

For questions regarding this form, the required attachments, and permit requirements, contact IDEM Office of Water Quality, Permits Administration Section, at (317) 232-8704 or (800) 451-6027, ext. 28704 (within Indiana).

**ELIGIBILITY REQUIREMENTS**

This general permit covers discharges comprised solely of once through noncontact cooling water (OTNCCW) to surface waters of the state, except as excluded below. "Once through noncontact cooling water" is defined as "cooling water that:

- (a) is used for the sole purpose of removing unwanted heat from a process;
  - (b) only makes one (1) pass through a unit that exchanges heat between the process and the cooling water (generally a heat exchanger); and
  - (c) does not come into contact with any raw material or manufactured product.
- In the context of this general permit, the term excludes discharges from steam electric power generation facilities defined under 40 CFR 423."

The following discharges are **NOT** authorized by this permit:

- 1) direct discharges into waters that are designated as an Outstanding National Resource Water (ONRW) defined at IC 13-11-2-149.5 or an Outstanding State Resource Water (OSRW) defined at IC 13-11-2-149.6 and listed at 327 IAC 2-1.3-3(d);
- 2) discharges to a receiving stream when the discharge results in an increase in the ambient concentration of a pollutant which contributes to the impairment of the receiving stream for that pollutant as identified on the current 303(d) list of impaired waters;
- 3) discharges containing water treatment additives (WTAs) which have not received prior written approval from IDEM for the specific additive, use, and dosage at the particular facility for which the Notice of Intent (NOI) is submitted;
- 4) discharges from a facility that is not in compliance with section 316(b) of the Clean Water Act. Any facility which obtains cooling water from a surface water intake source must satisfy the following conditions in order to be eligible for coverage under this general permit:
  - a. The water body where the cooling water is obtained (source water body) may not include threatened or endangered species in the vicinity of the cooling water intake structure;
  - b. The design intake flow must be less than 5 percent of the mean annual flow of the source water body;
  - c. The design intake velocity must be less than 0.5 feet per second.
  - d. The source water withdrawals from surface waters cannot exceed 2 million gallons per day (MGD) under any circumstances.
  - e. There shall be no impingement and entrainment of fish when drawing water from a surface water body.
- 5) discharges to salmonid waters (as defined in 327 IAC 2-1.5-5(a)(3)) or to the St. Joseph River (tributary to Lake Michigan) upstream of the Twin Branch Dam;
- 6) discharges from steam electric power generation facilities, as defined under 40 CFR 423;
- 7) new sources of once through noncontact cooling water from facilities that do not have existing NPDES permit coverage for that type of discharge;
- 8) discharges resulting from the cleaning of tanks and/or pipelines.
- 9) discharges to combined or sanitary sewer systems;
- 10) discharges that are commingled with hazardous wastes or hazardous materials;
- 11) bypasses or upsets of any kind from a treatment works or collection system;
- 12) discharges that contain pollutants classified as bioaccumulative chemicals of concern (BCCs); and
- 13) discharges for which the Commissioner requests an individual permit application.

**By checking this box I certify that this project is exempt from the requirements of section 316(b) of the Clean Water Act, and meets all of the eligibility requirements for this general permit.**

APPLICATION TYPE	PERMIT NUMBER, IF APPLICABLE:	OTHER PERMIT NUMBER(S) APPLICABLE TO SITE:	DESCRIPTION OF PROPOSED MODIFICATION, IF APPLICABLE
<b>RENEWAL</b> <input type="checkbox"/> <b>MODIFICATION</b> <input type="checkbox"/> <b>NEW COVERAGE</b> <input type="checkbox"/> <b>(Conversion from Individual)</b>			

PART A: GENERAL INFORMATION FOR FACILITY								
1. FACILITY NAME								
2. FACILITY MAILING ADDRESS			3. FACILITY PHYSICAL LOCATION					
STREET ADDRESS			STREET ADDRESS					
CITY	STATE	ZIP CODE	CITY	STATE	ZIP CODE			
4. OWNER'S COMPLETE MAILING ADDRESS			5. FACILITY SIC CODE <i>(See Appendix)</i>	FACILITY NAICS CODE <i>(See Appendix)</i>	6. FACILITY COUNTY			
COMPANY NAME								
STREET ADDRESS			7. LATITUDE AND LONGITUDE OF APPROXIMATE CENTER OF FACILITY SITE					
			LATITUDE			LONGITUDE		
			DEGREE	MINUTE	SECOND	DEGREE	MINUTE	SECOND
CITY	STATE	ZIP CODE						
8. What is the nature of the primary business conducted at the facility or site? (Example: Food production facility)								
9. Provide a brief description of the facility operations that result in the discharge. (Example: Once through non-contact cooling water cools production equipment)								

PART B: CONTACT INFORMATION FOR RESPONSIBLE OFFICIAL (AUTHORIZED NOI SIGNATORY)	
Provide information regarding the <u>responsible official</u> 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 last page of this NOI form. <i>(See Appendix.)</i>	
10. NAME OF RESPONSIBLE OFFICIAL	11. ALTERNATE DELEGATED SIGNATORY PERSON TO SIGN REPORTS AND FILE ADDITIONAL NOI CONTENT REQUIREMENTS
RESPONSIBLE OFFICIAL'S TITLE	ALTERNATE DELEGATED SIGNATORY PERSON'S TITLE or POSITION
RESPONSIBLE OFFICIAL'S TELEPHONE NUMBER	ALTERNATE DELEGATED SIGNATORY PERSON'S TELEPHONE NUMBER
RESPONSIBLE OFFICIAL'S PERSON'S EMAIL ADDRESS	ALTERNATE DELEGATED SIGNATORY PERSON'S EMAIL ADDRESS

PART C: OTHER CONTACT INFORMATION			
<b>12. DISCHARGE MONITORING REPORTS CONTACT AND MAILING INFORMATION</b>		CONTACT PERSON AND COMPANY NAME	
CONTACT TELEPHONE NUMBER		STREET ADDRESS ( <i>number and street</i> )	
CONTACT EMAIL ADDRESS		CITY	STATE      ZIP CODE

<b>13. ANNUAL FEE AND FINANCIAL CONTACT AND BILLING ADDRESS</b>		CONTACT PERSON AND COMPANY NAME	
CONTACT TELEPHONE NUMBER		STREET ADDRESS ( <i>number and street</i> )	
CONTACT EMAIL ADDRESS		CITY	STATE      ZIP CODE
<b>14. OPERATOR/OTHER CONTACT AND MAILING INFORMATION (IF APPLICABLE)</b>		CONTACT PERSON AND COMPANY NAME	
CONTACT TELEPHONE NUMBER		STREET ADDRESS ( <i>number and street</i> )	
CONTACT EMAIL ADDRESS		CITY	STATE      ZIP CODE

PART D: SOURCE WATER INFORMATION			
Please provide information regarding the volume of water, in millions of gallons per day (MGD), which you propose to withdraw on a daily basis from each of the following sources for use for the once-through noncontact cooling water to be covered by this general permit. If you plan to use a surface water intake, you will also need to determine if you are eligible for general permit coverage due to restrictions of Section 316(b) of the Clean Water Act.			
WELL WATER	SURFACE WATER	PUBLIC WATER SUPPLY	UNITS
			MGD

PART E: 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			16. LONGITUDE			17. RECEIVING WATER ( <i>See Appendix.</i> )	18. FOR ANY DISCHARGE INTO A STORM SEWER, IDENTIFY THE STORM SEWER OWNER. ( <i>See Appendix.</i> )	19. ANTICIPATED DAILY VOLUME OF DISCHARGE in MGD AND METHOD OF DETERMINATION OF VOLUME
	deg	min	sec	deg	Min	sec			

**PART F: EFFLUENT CHARACTERISTICS**

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

Existing Sources – Provide measurements for the parameters listed in the left hand column, unless waived by the permitting authority.  
(See Appendix)

	(1) 20. Maximum Daily Value (include units)		(2) 21. Average Daily Value (last year) (include units)		22. (3)	or	(4)
	Mass	Concentration	Mass	Concentration	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 (if chlorine or chlorinated water is used)							
Oil and Grease							
*Chemical Oxygen Demand (COD)							
*Total Organic Carbon (TOC)							
Ammonia (as N)							
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				

**EFFLUENT CHARACTERISTICS FOR ADDITIONAL OUTFALL (if applicable)**

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

Existing Sources – Provide measurements for the parameters listed in the left hand column, unless waived by the permitting authority.  
(See Appendix)

	(1) 20. Maximum Daily Value (include units)		(2) 21. Average Daily Value (last year) (include units)		22. (3)	or	(4)
	Mass	Concentration	Mass	Concentration	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 (if chlorine or chlorinated water is used)							
Oil and Grease							
*Chemical Oxygen Demand (COD)							
*Total Organic Carbon (TOC)							
Ammonia (as N)							
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 G: WATER TREATMENT ADDITIVES:	
23. 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 that 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)	
OUTFALL NUMBER	WATER TREATMENT ADDITIVES (WTAs) TO BE USED (ATTACH A COPY OF IDEM APPROVAL LETTER FOR EACH WTA TO BE USED.)

**PART H: ADDITIONAL REQUIRED ATTACHMENTS**

**24. 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:

*(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 ING250000 to discharge non-process wastewater from a once through non-contact cooling water operation. Discharge will be to *(Name(s) of the streams or water body(ies) receiving the discharge(s))*"

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

**25. REQUIRED MAPS**

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).

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

**PART I: IDENTIFICATION OF POTENTIALLY AFFECTED PERSONS**

**26.** Pursuant to IC 4-21.5 and IC 13-15-3-1 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 A.)

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 the Administrative Orders and Procedures Act (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:
Street address (number and street):	Street address (number and street):
City/State/ZIP code:	City/State/ZIP code:
Email Address	Email address
Name:	Name:
Street address (number and street):	Street address (number and street):
City/State/ZIP code:	City/State/ZIP code:
Email Address	Email address
Name:	Name:
Street address (number and street):	Street address (number and street):
City/State/ZIP code:	City/State/ZIP code:
Email Address	Email address
Name:	Name:
Street address (number and street):	Street address (number and street):
City/State/ZIP code:	City/State/ZIP code:
Email Address	Email address
Name:	Name:
Street address (number and street):	Street address (number and street):
City/State/ZIP code:	City/State/ZIP code:
Email Address	Email address
Name:	Name:
Street address (number and street):	Street address (number and street):
City/State/ZIP code:	City/State/ZIP code:
Email Address	Email address
Name:	Name:
Street address (number and street):	Street address (number and street):
City/State/ZIP code:	City/State/ZIP code:
Email Address	Email address
Name:	Name:
Street address (number and street):	Street address (number and street):
City/State/ZIP code:	City/State/ZIP code:
Email Address	Email address
Name:	Name:
Street address (number and street):	Street address (number and street):
City/State/ZIP code:	City/State/ZIP code:
Email Address	Email address
Name:	Name:
Street address (number and street):	Street address (number and street):
City/State/ZIP code:	City/State/ZIP code:
Email Address	Email address

**PART J: APPLICATION FEE**

27. 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. IDEM also accepts e-checks and some credit card payments via its Online Payment Portal at <https://www.in.gov/idem/6973.htm>.

**PART K: SIGNATORY CERTIFICATION STATEMENT**

28. The NOI must be signed by the Responsible Official (as identified in Part B, item 10; also 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.

_____	_____
Printed or Typed Name of Responsible Official	Title
_____	_____
Signature	Date signed ( <i>month, day, year</i> )

**PART L: 29.** Please use the address at the top of page 1 of the NOI form to submit completed NOI form, attachments, and fee.

## APPENDIX A: SUPPLEMENTAL INSTRUCTIONS

**APPLICATION TYPE:** For a new facility, new NPDES coverage is required. For the purposes of this form, modification consists of removing an existing outfall, adding an outfall in a new location, updating the amount of discharge anticipated or being witnessed, 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 modification of coverage 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 signatory (Part B Item 10) or delegated signatory authority (Part B Item 11). An updated NOI is required in this case, but neither proof of publication, a Potentially Affected Parties list, nor a fee is required.

**ELIGIBILITY REQUIREMENTS:** Prior written approval from IDEM is required for any substance or water treatment additive (WTA) that is to be added to the water that is to be discharged. To obtain this approval, see State Form 50000, which can be found at <https://www.in.gov/idem/forms.htm>. A copy of this approval must be submitted with your NOI form.

**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.

**Part A, Item 5:** Enter the four digit Standard Industrial Classification (SIC) code which identifies the facility's primary activity. SIC codes can be obtained from the Standard Industrial Classification Manual, 1987, accessing the Occupational Safety and Health Administration (OSHA) website, by contacting the IN Department of Workforce Development, or visiting this site: <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 site 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 (geocoding) website and conducting a search based on the facility street address. This information may also be accessed 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 numbers to the left of the decimal point are degrees: 45.
2. To obtain minutes multiply the first four number 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 seconds multiply the remaining three numbers to the right of the decimal from the result obtained in (2) by 0.06:  $404 \times 0.06 = 24.24$
5. The conversion for 45.1234567 is 45° (degrees), 7' (minutes), and 24.24" (seconds).

**Part B, item 10:** 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 Page 1 of this NOI form. The Responsible Official must meet one of the following requirements:

- a) For a corporation, the responsible official 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) The 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 responsible official must be a general partner or the proprietor, respectively.
- c) For a municipality, state, federal, or other public agency or political subdivision thereof, the responsible official 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).

**Part E:** Provide information regarding the type of pipe to be hydrostatically tested. Check the box for "New" pipe only if the pipe has never contained any sort of liquid or gaseous products. Otherwise, check the box for "Existing" and then in the next column provide detailed information regarding the type of product which the pipe previously contained.

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

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

**Part F, Item 17:** Enter the name of the waters of the state into which the discharges from each outfall will flow, 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 to Stone Creek".

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

**Part F, 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 the course of a day. Use the following abbreviations for units:

<b>Concentration</b>	<b>Mass</b>
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	

**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 under 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 applicable or not believed to be present should be marked "N/A".

The analysis of the listed pollutants or parameters must be done in accordance with procedures promulgated in 40 CFR Part 136. Grab samples must be used for pH, residual chlorine, and oil and grease. For all other pollutants, a 24-hour composite samples must be used. Questions on sampling or analysis should be directed to (317) 232-8704 or [OWQWWPER@idem.IN.gov](mailto:OWQWWPER@idem.IN.gov).

The Commissioner may request that additional testing be performed, if appropriate, on a case by case basis under Section 308 of the Clean Water Act (CWA). If you expect a pollutant to be present solely as a result of its presence in your intake water, provide this information on a separate piece of paper attached to the NOI form.

**Part G, Item 23:** Water Treatment Additives may only be used at outfalls 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](mailto:OWQWWPER@idem.IN.gov).

**Part J, Item 26: 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 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  
Address  
City, State, Zip Code

**Part L, Item 28:** 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.



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

REPLY TO THE ATTENTION OF: WP-16J

September 10, 2020

Jerry Dittmer, Chief  
Permits Section  
Office of Water Quality  
Indiana Department of Environmental Management  
100 North Senate Ave.  
Indianapolis, Indiana 46204-2251

Re: Review of Draft NPDES General Permit ING250000 for Once-Through Noncontact Cooling Water

Dear Mr. Dittmer:

The U.S. Environmental Protection Agency has reviewed the public notice draft National Pollutant Discharge Elimination System general permit, fact sheet, and notice of intent (NOI) form that were submitted to this office on August 12, 2020 for Once-Through Noncontact Cooling Water.

Based on our review, EPA would not object to the issuance of that permit. However, our position could change if any of the following occur.

- a. Prior to the actual date of issuance of a proposed permit, an effluent guideline or standard is promulgated which is applicable to the permit and which would require revision or modification of a limitation or condition set forth in the draft permit;
- b. A variance is granted, and the general permit is modified to incorporate the results of that variance;
- c. There are additional revisions to be incorporated into the general permit which have not been agreed to by EPA; or
- d. EPA learns of new information, including as the result of public comments, that causes EPA to reconsider its position.

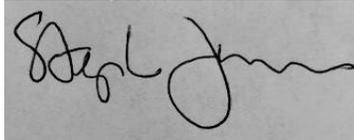
Subject to the above conditions, the general permit may be issued in accordance with the Memorandum of Agreement and pursuant to the Clean Water Act.

Although we currently do not intend to object to the issuance of this permit, EPA requests that you consider and address the comments provided in Enclosure A to strengthen or clarify certain permit provisions.

Thank you for your cooperation during the review process. When the proposed permit is prepared, please forward one copy and any significant comments received during any public notice period to this office at [r5NPDES@epa.gov](mailto:r5NPDES@epa.gov). Please include the permit number in the Subject line and cc: [opie.jodie@epa.gov](mailto:opie.jodie@epa.gov).

If you have any technical questions related to EPA's review, please contact Jodie Opie of my staff at (312) 353-1938 or [opie.jodie@epa.gov](mailto:opie.jodie@epa.gov).

Sincerely,

A handwritten signature in black ink on a light gray background. The signature is cursive and appears to read "Stephen M. Jann".

Stephen M. Jann  
Chief, Permits Branch  
Water Division

Enclosure

cc: Catherine Hess [chess@idem.IN.gov](mailto:chess@idem.IN.gov)  
Catherine (Anne) Burget [CBurget@idem.IN.gov](mailto:CBurget@idem.IN.gov)

Please consider and address the following recommendations on the public notice draft permit.

1. NPDES regulations at 40 CFR 122.44(i) and (iii) state that NPDES permits must include monitoring requirements to assure compliance with permit limitations, including monitoring for noncontinuous discharges as determined to be necessary. Section 2 of the draft permit requires the permittee to control discharges to meet narrative water quality standards. The permit incorporates those standards by reference to 327 IAC 2-1-6 and 2-1.5-8 and expressly in Section 2.2 a) through f). However, the draft permit does not include a requirement to monitor for these conditions. EPA recommends including a requirement in Section 2 to report outfall monthly observations of the outfall as “yes” or “no” where “yes” means the observation was made and “no” if observation requirement was not completed.
2. In conjunction with the yes/no reporting recommended above, the permit should include a requirement to report whether the observation detected any unusual characteristic of the discharge (i.e., unnatural turbidity, color, oil film, floating solids, foams, turbidity, or deposits) within five days of the observation (or some other appropriate timeframe determined by IDEM), and steps taken to remedy the unusual characteristic.
3. Section 3.5 states, “The analytical and sampling methods used shall conform to the version of 40 CFR 136 incorporated by reference in 327 IAC 5.” Please revise this sentence so that sampling methods used are the most current methods available.