INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
PUBLIC NOTICE OF DRAFT GENERAL NPDES PERMIT RENEWAL
PETROLEUM PRODUCT TERMINALS
PUBLIC NOTICE NO: 20200914 – ING340000-RD
DATE OF NOTICE: SEPTEMBER 14, 2020
RESPONSE DATE DUE: OCTOBER 14, 2020

The Indiana Department of Environmental Management (IDEM) proposes to renew General NPDES Permit ING340000 for petroleum product terminals with discharges to surface waters of the state. The current permit was issued in 2015 with an expiration date of October 31, 2020. IDEM proposes to renew the permit for a new five-year term.

The purpose of this permit is to establish requirements for certain point source discharges of wastewater from petroleum product terminals, including storm water runoff, hydrostatic testing, and tank bottom water.

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 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 resulting from the cleaning of tanks and/or pipelines.
5) storm water discharges associated with construction activity;
6) discharges to combined or sanitary sewer systems;
7) discharges that are commingled with hazardous wastes or hazardous materials;
8) discharges of domestic or sanitary wastewater; and
9) discharges for which the Commissioner requests an individual permit application.

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

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

a public hearing based upon the comments and the rationale for the request. All written comments received during the Public Notice period will be considered in the formulation of the final NPDES general permit. Please direct any comments submitted by email to: owqwwper@idem.in.gov.

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

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

Attachments: 2020 Draft General NPDES Permit ING340000

2020 Draft NPDES Fact Sheet

2020 Draft Notice of Intent Form

Indiana Department of Environmental Management
Office of Water Quality, Permits Branch
100 North Senate Avenue, Mail Code 65-42
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 wastewater from Petroleum Products Terminals 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 the permit remain fully effective and enforceable after the expiration date of the permit if the permittee has submitted a timely NOI application for a new permit and IDEM has not, through no fault of the person, issued a new permit on or before the expiration date of this permit.

_____
Paul Higginbotham
Deputy Assistant Commissioner
Office of Water Quality

Table of Contents

1.0 GENERAL PERMIT COVERAGE

1.1 Permit Area

This general permit regulating petroleum products terminals covers all areas of the State of Indiana.

1.2 Discharges Authorized/Covered by this Permit

"Petroleum products terminal" means a facility with an area where petroleum products are supplied by pipeline or barge; and where petroleum products are stored in above-ground tanks, or are transferred to trucks for transport to other locations, or both. This general permit authorizes new and existing discharges, described below, from petroleum products terminals to surface waters of the State of Indiana. :

a) discharges of hydrostatic test waters from storage tanks and on-site pipelines. These may be new vessels or existing ones which have been used for the storage, transfer, and/or conveyance of crude oil or liquid petroleum products;

b) discharges of stormwater runoff from the diked containment areas of these storage tanks; and

c) discharges of tank bottom water from these storage tanks. However, this permit does not authorize the discharge of any accumulated solids or sludges from the tank bottoms. The permittee is required to properly remove and dispose of such solids in accordance with 327 IAC 5-5-2.

d) discharges from each of the following may also be allowed through an outfall approved for coverage under this permit, provided they have not been identified by the applicant or by IDEM as a significant contributor of pollutants to a water of the state:

1. *Fire hydrant flushings;*
2. *Potable water used for water line flushings;*
3. *Irrigation drainage;*
4. *Landscape watering;*
5. *Routine external building washdowns;*
6. *Pavement washdowns where spills or leaks of hazardous materials have been removed;*
7. *Uncontaminated ground water or spring water;*
8. *Foundations or footing drains where flows are not contaminated with process materials;*
9. *Uncontaminated air conditioning or compressor condensate;*
10. *Vehicle wash waters where uncontaminated water is utilized; and*
11. *Runoff from the use of dust suppressants.*

In order to be authorized under this general permit, the permittee must provide information about these allowable non-storm water discharges in the NOI letter. Additionally if any of these discharges is determined to be a significant contributor of pollutants to a water of the state, an individual NPDES permit may be required for the discharge.

These discharges will henceforth in this permit be described as petroleum products terminal wastewater.

This general permit serves as a National Pollutant Discharge Elimination System (NPDES) general permit and is issued to be effective for a term of five (5) years. In order to obtain authorization to discharge under this permit, a person must submit 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 petroleum products terminals wastewater 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 petroleum products terminals wastewater are unlawful if not permitted under this general 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 occurs:

a) The permittee receives authorization for coverage under a reissued or replacement version of this permit; or

b) The permittee receives written confirmation from IDEM that the Notice of Termination has been approved (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 is made to 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 of wastewater from petroleum products terminals (as authorized in Section 1.2) to surface waters of the state, except as limited in paragraph “b” below.

b) The following discharges from petroleum products terminals are not authorized by this permit:

1) discharges directly to or to tributaries of waters that are designated as an Outstanding National Resource Water (ONRW) defined at IC 13-11-2-149.5 or discharges directly to an Outstanding State Resource Water (OSRW) defined at IC 13-11-2-149.6 and listed at 327 IAC 2-1.3-3(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 resulting from the cleaning of tanks and/or pipelines.

5) storm water discharges associated with construction activity;

6) discharges to combined or sanitary sewer systems;

7) discharges that are commingled with hazardous wastes or hazardous materials;

8) discharges of domestic or sanitary wastewater; and

9) discharges for which the Commissioner requests an individual permit application.

1.4 Fees (Application and Annual Maintenance)

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

2.0 EFFLUENT LIMITATIONS

All permittees must control discharges as necessary to meet numeric and narrative water quality criteria for any discharges authorized by this permit, with compliance required upon beginning such a discharge. Numeric effluent limitations are required to be met before water leaves a facility site. Narrative water quality standards are applicable to all receiving waters after water leaves a permitted site

2.1 Numeric Discharge Limitations for Storm Water Discharges

Table 1

	Quantity or Loading			Quality or Concentration			Monitoring Requirements	
Parameter	Monthly average	Daily maximum	Units	Monthly average	Daily maximum	Units	Measurement frequency	Sample type
Flow[1]	Report	Report	MGD				Daily	24-Hr Total
Total Flow		Report	Mgal				1 x monthly	Cumulative Recorded Total
Total Residual Chlorine (TRC) [4][5]					0.02	mg/l	1 x Monthly [3]	Grab
Oil & Grease				10	15	mg/l	1 x Monthly [3]	4-portion composite [2]
Total Suspended Solids (TSS)				30	45	mg/l	1 x Monthly [3]	4-portion composite [2]
Chemical Oxygen Demand (COD)				Report	Report	mg/l	1 x Monthly [3]	Grab
Ammonia (as N)				Report	Report	mg/l	1 x Monthly [3]	Grab
Lead				Report	Report	mg/l	1 x Monthly [3]	Grab
Benzene				Report	Report	µg/l	1 x Monthly [3]	Grab
Total BTEX				Report	Report	µg/l	1 x Monthly [3]	Grab
Naphthalene				Report	Report	µg/l	1 x Monthly [3]	Grab
Other [6]								

Table 2

	Quality or Concentration			Monitoring Requirements	
Parameter	Daily minimum	Daily maximum	Units	Measurement Frequency	Sample type
pH	6.0	9.0	Standard units	1 x Monthly	Grab

[1] Measurement of flow is required in accordance with 327 IAC 5-2-13(a)(2). The flow volume may be estimated.

[2] For oil & grease and TSS, a minimum of four (4) grab samples shall be collected at equally spaced time intervals during a forty-five (45) minute period. Each sample shall be analyzed individually, and the arithmetic mean of the measured concentrations shall be reported as the value for the twenty-four (24) hour period.

[3] The permittee may request a reduction of the sampling frequency for these parameters by submitting supporting documentation which demonstrates past compliance history and satisfactory SWP3 implementation at the permitted site.

[4] The monitoring requirements and effluent limitations for Total Residual Chlorine (TRC) shall apply whenever fire hydrant flushings, water line flushings, or any other authorized discharge of chlorinated water occurs. This parameter may be waived by the Commissioner if the NOI and compliance records show that no chlorinated water sources are likely to be present in the storm water discharge.

[5] The daily maximum water quality based effluent limit (WQBEL) for chlorine is greater than or equal to the limit of detection (LOD) but less than the limit of quantitation (LOQ) as defined below, which is specified in the permit. Compliance with the daily maximum limit will be demonstrated if the observed effluent concentrations are less than the LOQ.

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

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.

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

2.2 Numeric Discharge Limitations for Discharges of Hydrostatic Test Water from New Tanks or New On-site Pipeline Installation

Table 3

	Quantity or Loading			Quality or Concentration			Monitoring Requirements	
Parameter	Monthly average	Daily maximum	Units	Monthly average	Daily maximum	Units	Measurement frequency	Sample type
Flow[1]	Report	Report	MGD				Daily	24 Hr Total
Total Flow		Report	Mgal				1 x Monthly	Cumulative Recorded Total
Oil & Grease				10	15	mg/l	Daily	4-portion composite [2]
Total Suspended Solids (TSS)				30	45	mg/l	Daily	4-portion composite [2]
Total Residual Chlorine (TRC)[3][4]					0.02	mg/l	Daily	Grab

Table 4

	Quality or Concentration			Monitoring Requirements	
Parameter	Daily minimum	Daily maximum	Units	Measurement Frequency	Sample type
pH	6.0	9.0	Standard units	Daily	Grab

[1] Measurement of flow is required in accordance with 327 IAC 5-2-13(a)(2). The flow volume may be estimated.

[2] For oil & grease and TSS, a minimum of four (4) grab samples shall be collected at equally spaced time intervals during a forty-five (45) minute period. Each sample shall be analyzed individually, and the arithmetic mean of the measured concentrations shall be reported as the value for the twenty-four (24) hour period.

[3] The monitoring requirements and effluent limitations for Total Residual Chlorine (TRC) shall apply whenever discharges of hydrostatic test waters occur. This parameter may be waived by the Commissioner if the NOI and compliance records show that no chlorinated water sources are likely to be present in the discharge.

[4] 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.

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

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.

2.3 Numeric Discharge Limitations for Discharges of Tank Bottom Water or Hydrostatic Test Water from Existing Tanks and Existing On-site Pipeline(s)

Tables 5 and 6 are applicable to any discharges of tank bottom water, hydrostatic test water from any existing storage tanks or from any existing on-site pipeline which previously contained petroleum product(s). The permittee is not authorized to discharge any accumulated solids or sludges from the tank bottoms.

Table 5

	Quantity or Loading			Quality or Concentration			Monitoring Requirements	
Parameter	Monthly average	Daily maximum	Units	Monthly average	Daily maximum	Units	Measurement frequency	Sample type
Flow[1]	Report	Report	MGD				Daily	24 Hr Total
Total Flow	Report		Mgal				1 x Monthly	Cumulative Recorded total
Ammonia (as N)				Report	Report	mg/l	Daily [3]	4-portion Composite [4]
Benzene				Report	5	µg/l	Daily [3]	Grab
Chemical Oxygen Demand (COD)				Report	Report	mg/l	Daily [3]	4-portion Composite [4]
Lead				Report	Report	mg/l	Daily [3]	4-portion Composite [4]
Naphthalene				Report	10	µg/l	Daily [3]	Grab
Oil & Grease				10	15	mg/l	Daily [3]	4-portion Composite [2]
PAHs [5]				Report	Report	mg/l	Daily [3]	Grab
Total BTEX				Report	100	µg/l	Daily [3]	Grab
Total Cyanide				Report	Report	mg/l	Daily [3]	4-portion Composite [4]
Total Organic Carbon (TOC)				Report	Report	mg/l	Daily [3]	Grab
Total Residual Chlorine (TRC) [6][7]					0.02	mg/l	Daily [3]	Grab
Total Suspended Solids (TSS)				30	45	mg/l	Daily[3]	4-portion Composite [2]
Total Volatile Organic Compounds (VOCs) [8]				Report	Report	mg/l	Daily[3]	Grab
Other [9]								

Table 6

	Quality or Concentration			Monitoring Requirements	
Parameter	Daily minimum	Daily maximum	Units	Measurement Frequency	Sample type
pH	6.0	9.0	Standard units	Daily	Grab

[1] Measurement of flow is required in accordance with 327 IAC 5-2-13(a)(2). The flow volume may be estimated.

[2] For oil & grease and TSS, a minimum of four (4) grab samples shall be collected at equally spaced time intervals during a forty-five (45) minute period. Each sample shall be analyzed individually, and the arithmetic mean of the measured concentrations shall be reported as the value for the twenty-four (24) hour period.

[3] On days when tank bottom water is discharged and/or when any existing tanks or on-site pipeline which previously contained product(s) are hydrostatically tested, a person regulated under this general permit shall monitor for these parameters DAILY. This sampling must be performed when either or both types of these discharges occur.

[4] A minimum of four (4) equal volume grab samples shall be taken at equally spaced intervals during the period in which tank bottom water is discharged, or during a forty-five (45) minute period if tank bottom water is not being discharged. The four (4) grab samples shall be composited prior to analysis.

[5] Polynuclear Aromatic Hydrocarbons (PAHs) shall be the combined concentrations (i.e. the sum) of the following: anthracene, benzo(a)anthracene, benzo(k)fluoranthene, 3,4 benzofluoranthene (benzo(b)fluoranthene), benzo(g,h,i)perylene, benzo(a)pyrene, chrysene, dibenzo(a,h)anthracene, fluorene, indeno(1,2,3 c,d)pyrene, naphthalene, phenanthrene, and pyrene.

[6] The monitoring requirements and effluent limitations for Total Residual Chlorine (TRC) shall apply whenever chlorinated intake water is used to hydrostatically test tanks or on-site pipeline. For any months in which chlorinated intake water is not used for hydrostatic testing, the permittee is not required to monitor for Total Residual Chlorine, and should report “N/A” on the Discharge Monitoring Report (DMR) for this parameter. The permittee is not authorized to add chlorine to treat the source water as part of this general permit.

[7] 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.

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

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.

[8] Total volatile organic compounds (VOCs) shall be characterized by an organic chemical scan. Wastewater samples shall be prepared and analyzed in accordance with U.S. EPA Analytical Method 624 (40 CFR 136, Appendix A), as referenced in 327 IAC 5-2-13(d)(1). During the quantitative analysis for total VOCs, the additional organic compounds that are not listed as priority pollutants in Method 624 shall be identified and quantified. This identification and quantification shall be performed when these additional organic compounds are indicated to be present in the extracts by peaks on the reconstructed gas chromatograms (total ion plots) in magnitudes of more than ten (10) times higher than the peak-to-peak background noise. Identification shall be by reference to the EPA/NIH computerized library of mass spectra, with visual confirmation by an experienced analyst. Quantification may be an order of magnitude estimate based upon comparison with an internal standard.

[9] 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.

2.4 Narrative Water Quality Requirements

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 that are in amounts sufficient to be unsightly or deleterious.

c) The discharge shall not contain oil or other substances 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 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 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 2.0 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 2.0 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 petroleum products terminals wastewater. 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 (such as internal process or internal waste stream data) which is collected by or for the permittee need not be submitted unless requested by the Commissioner.

3.5 Testing Procedures

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

3.6 Recording of Results

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

a) The date, exact place, and time of sampling or measurement;

b) The person(s) who performed the sampling or measurements;

c) The date(s) the analyses were performed;

d) The person(s) or laboratory who performed the analyses;

e) The analytical techniques or methods used; and

f) The results of all required analyses and measurements.

3.7 Reporting Monitoring Results

a) The permittee shall submit 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). These 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 6.11 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 at a concentration of 0.1 µg/l, report the value as <0.1 µg/l.

b) Effluent concentrations greater than or equal to the LOD and less than the LOQ that are reported on a DMR shall be reported as the actual value and annotated on the DMR to indicate that the value is not quantifiable.

c) Calculations that require averaging of measurements of daily values (both concentration and mass) shall use an arithmetic mean. Daily effluent values that are less than the LOQ and that are used to determine the monthly average effluent level shall be accommodated in the calculation of the average using statistical methods that have been approved by the Commissioner.

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 either or both of the following scenarios:

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) letter for this specific general permit, which will be provided by the Commissioner. The NOI form must be signed by a person who has the appropriate signatory authority as required by 40 CFR 122.22. The NOI shall be submitted to IDEM according to Section 4.3 of this general permit.

4.2 Deadlines for NOI Submittal

a) For a new facility, an NOI shall be submitted at least thirty (30) days before any discharge occurs.

b) For a facility that has existing, effective coverage under the general permit that was effective October 2015 through September 30, 2020, the existing coverage shall automatically be extended provided that the permittee has filed a renewal NOI prior to the expiration date of that permit. The permittee must then also submit a new NOI in accordance with Section 4.0 of this general permit within ninety (90) days following the effective date of this permit to affirm he or she, as a Responsible Official of his/her company, intends to comply with the requirements of this new general permit.

c) For subsequent renewals of general permit coverage under this general permit, an NOI shall be submitted no later than ninety (90) days before the permit expires.

d) In the case of a transfer of ownership, an NOI must be submitted no later than thirty (30) days before the transfer. Additional requirements for the transfer of general permit coverage are found in Section 6.2 of this general permit.

e) The Commissioner may, with good cause shown in writing, extend any of the submission deadline time periods listed above.

4.3 Submitting the NOI and Processing Fee

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

a) The NOI form may be scanned electronically and submitted via e-mail to OWQ@idem.IN.gov. The NOI fee may be remitted online by visiting IDEM's online payment portal at https://www.in.gov/idem/6973.htm.

b) Hard copies of the NOI and payments in the form of checks should be submitted to this address:
Indiana Department of Environmental Management
Office of Water Quality, Permits Administration Section
100 North Senate Avenue, IGCN Room 1255
Indianapolis, IN 46204-2251

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

4.4 NOI Content Requirements

The following information must be included in the 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) Name of a contact person who is knowledgeable about the site and his/her telephone number, and email and mailing addresses;

d) Name of contact person responsible for submission of monthly monitoring reports and contact's telephone number and email and mailing addresses

e) the location address of the site itself, and the latitudinal and longitudinal coordinates (degree minute second format) of the approximate center of the site;

f) the four-digit Standard Industrial Classification (SIC) code and the six-digit North America Industry Classification System (NAICS) code that best describes the primary activity conducted at the site;

g) a brief description of the activities conducted at the site that result in the discharge;

h) estimate of the volume of surface runoff, tank bottom water, and hydrostatic test water to be discharged, in million gallons per day (mgd);

i) estimate of the volume of source water, in millions of gallons per day, that will be withdrawn from surface water, well water, and public water supply sources for hydrostatic testing;

j) latitudinal and longitudinal coordinates of each outfall location that will be discharging wastewater, including three-digit outfall numbers;

k) location of each sampling point;

l) name of the surface waters receiving each discharge;

m) detailed information regarding the content of the storage tanks associated with each permitted outfall at the site;

n) characterization of all pollutant parameters known or believed to be present in the proposed discharge of wastewater based on an actual data pilot study, estimates from other engineering studies, data from other similar sites, or best professional estimates;

o) 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 it if remains legible to the naked eye. If not, a separate topographic map is required to be submitted;

p) a flow schematic diagram that shows how the wastewater travels through the facility from the point where the source water enters the site to the point where the petroleum products terminal wastewater is discharged (outfall point).

q) a completed Potentially Affected Parties form (per IC 4-21.5, and mailing labels with ‘Mail Code 65-42 PS” inserted on the first line of the label for each person listed;

r) The NOI letter must also contain 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 ING340000 to discharge non-process wastewater from a petroleum products terminal. Discharge will be to (*name(s) of the stream(s) or other water bodies receiving the discharge(s)*”.

“Any person wishing further information about the 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 to be placed on a mailing list to receive notification of IDEM''s decision."

s) documentation of IDEM pre-approval for the use of any water treatment additives (WTAs) currently in use or planned to be used to be used with the wastewater discharged from the petroleum products terminal;

t) required permit application fee as per IC 13-18-20-12;

u) certification statement signed by the authorized signatory as set forth in 40 CFR 122.22; and

v) any additional information which IDEM deems necessary.

5.0 REQUESTING TERMINATION OF COVERAGE

A permittee may request termination of coverage under this general permit when discharges of petroleum products terminal wastewaters 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 according to Indiana Statute IC 13-18-20 until IDEM approves the NOT.

6.0 ADDITIONAL REQUIREMENTS

6.1 Standard Conditions for General Permits

The following standard permit conditions are incorporated by reference.

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

6.2 Water Treatment Additives

In the event that a water treatment additive is deemed necessary, the permittee may still submit an application to the Commissioner for approval to use the new additive. The approval must be obtained prior to its use.

6.3 Change/Transfer of Ownership

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

a) the current permittee notifies IDEM at least thirty (30) days in advance of the proposed transfer date.

b) a written agreement containing a specific date of transfer of permit responsibility and coverage between the current permittee and the transferee (including acknowledgment that the existing permittee is liable for violations up to that date, and the transferee is liable for violations from that date on) is submitted to IDEM.

c) The transferee certifies in writing to IDEM the intent to operate the facility without making such material 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.

6.4 Planned Changes in Facility or Discharge

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

a) a discharge from a point previously not identified in the NOI;

b) 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) an alteration in the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject to either effluent limitations in the general permit, or to notification requirements under 40 CFR 122.42(a)(1); or

d) a change the amount or frequency of the discharge.

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

6.5 Other Information

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

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

a) any changes in contacts or responsible party;

b) any changes to addresses, either mailing address or email, for any contact or responsible party;

c) any changes to telephone numbers for any contact person or responsible party; or

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.

6.6 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 grounds for enforcement action, termination of coverage under the permit, requiring an individual permit, and/or denial of permit coverage renewal.

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

6.7 Reporting Spills and Noncompliance

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

a) immediately for bypasses, adverse incidents or noncompliance which pose a significant danger to human health or the environment, and

b) as soon as possible but within two (2) hours of discovery for any bypasses, adverse incidents, or noncompliance resulting in death or acute injury or illness to animals or humans (see “Spill Response and Reporting Requirements” in 327 IAC 2-6.1).

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

Any written reports which are sent to IDEM via email shall be sent to wwreports@idem.IN.gov.

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

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

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

6.8 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.

6.9 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.

6.10 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.

6.11 Future Electronic Reporting Requirements

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

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

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

6.12 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.

6.13 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.

6.14 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.

6.15 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.

6.16 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) The “Commissioner” is defined as the Commissioner of the Indiana Department of Environmental Management, which is located at the following address: 100 North Senate Avenue, Indianapolis, Indiana 46204.

b) “Concentration” means the weight of any given material present in a unit volume of liquid. Unless otherwise indicated in this permit, concentration values shall be expressed in micrograms per liter (µg/l).

c) “Cumulative Recorded Total” means that the permittee must monitor and cumulatively total all daily flow values in MGD for all days during the month when discharging.

d) “Daily maximum” means the maximum allowable daily discharge for any calendar day. The “daily discharge” means the total mass of a pollutant discharged during the calendar day or, in the case of a pollutant limited in terms other than mass pursuant to 327 IAC 5-2-11(e), the average concentration or other measurement of the pollutant specified over the calendar day or any twenty-four hour period that represents the calendar day for purposes of sampling.

e) “Grab Sample” means a sample which is taken from a wastestream on a one-time basis without consideration of the flow rate of the wastestream and without considerations of time.

f) “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.

g) The “Regional Administrator” is defined as the Region 5 Administrator, U.S. EPA, located at 77 West Jackson Boulevard, Chicago, Illinois 60604.

7.0 NON-NUMERIC TECHNOLOGY-BASED EFFLUENT LIMITS (BPT/BAT/BCT)

All storm water control measures, including BMPs, shall be designed and implemented to eliminate or reduce contact or exposure of pollutants to storm water or to remove pollutants from storm water prior to discharge from the facility. Design and implement Best Management Practices (BMPs) for all applicable storm water control measures are outlined below.

7.1 Eliminating and Reducing Exposure

Minimize the exposure of material storage areas (including loading and unloading, storage, disposal, cleaning, maintenance, and fueling operations) to rain, snow, snowmelt, and runoff by either locating these industrial materials and activities inside or protecting them with storm resistant coverings.

7.2 Good Housekeeping

Exposed areas that may contribute pollutants to storm water shall be kept sufficiently clean to reduce or eliminate contaminated storm water runoff. Typical problem areas include, but are not limited to, vehicle and equipment storage areas, fueling areas, material storage areas, vehicle and equipment cleaning areas, vehicle and equipment maintenance areas, trash containers, storage areas, loading docks and vehicle fueling and maintenance areas.

Permittees are required to fulfill the following responsibilities:

- Fueling Areas - Minimize contamination of stormwater runoff from fueling areas.
- Material Storage Areas - Maintain all material storage vessels (e.g., for used oil/oil filters, spent solvents, paint wastes, hydraulic fluids) to prevent contamination of stormwater and plainly label them (e.g., “Used Oil,” “Spent Solvents,” etc.).
- Vehicle and Equipment Storage Areas - Minimize the potential for stormwater exposure to leaky or leak-prone vehicles/equipment awaiting maintenance.
- Vehicle and Equipment Cleaning Areas - Minimize contamination of stormwater runoff from all areas used for vehicle/equipment cleaning.
- Vehicle and Equipment Maintenance Areas - Minimize contamination of stormwater runoff from all areas used for vehicle/equipment maintenance.

7.3 Maintenance

The permittee shall provide a schedule for inspection and maintenance of storm water management controls, like oil water separators, catch basins etc., as well as a schedule for equipment preventative maintenance to identify conditions that could cause breakdowns or failures that may result in leaks, spills, and other releases to storm water.

7.4 Spill Prevention and Response Requirements

The permittee shall minimize the potential for leaks, spills and other releases that may be exposed to stormwater and develop plans for effective response to such spills if or when they occur. Appropriate material handling procedures, storage requirements, use of equipment such as diversion valves, and procedures for cleaning up spills should be identified. The following areas should be addressed:

For receiving, unloading and storage areas and raw material storage areas, include measures to prevent spills & leaks, easy access for spill cleanup, quick and correct identification of materials, and employee training on cleanup and disposal techniques.

Storage of equipment - include procedures for proper cleanup and/or covering of equipment before storing outdoors.

Cleaners and rinse water - Include measures to control spills, build-up and disbursal of residuals from onsite operations, and use of less toxic cleaners.

Lubricating oils and hydraulic fluids – include procedures for using detection and control devices to reduce, prevent, and contain leaks and overflows.

Chemical storage areas - include a program to inspect containers and identify proper containment, disposal, and spill controls to prevent storm water contamination.

Spill Notification - contact information for individuals and emergency and regulatory agencies that must be notified in the event of a spill. When a spill or discharge of a potentially polluting material occurs, the Permittee shall immediately notify the Indiana Spill Line at (888) 233-7745.

7.5 Erosion Prevention and Sediment Control

BMPs must be selected and implemented to limit erosion on areas of the permitted site that, due to topography and land disturbance (e.g. construction, grading, landscaping), are likely to experience erosion of soil or other surface materials. Identify areas at the facility that implement structural, vegetative, and/or stabilization BMPs to prevent or control onsite erosion and reduce sediment loads in storm water discharges.

7.6 Management of Runoff.

Describe all permanent storm water BMPs implemented at the facility to manage runoff, including, but not limited to, the permanent structural BMPs used to divert storm water runoff away from fueling, storage, and disposal areas, and BMPs that treat, infiltrate, reuse, contain, or otherwise reduce pollutants in storm water discharges.

7.7 Eliminate Unauthorized Non-Storm Water Discharges

Identify and document that all unauthorized, non-storm water (dry weather) discharges directed to surface water or groundwater have been evaluated and all discharges not authorized by this permit or a separate NPDES permit have been eliminated. These discharges include any process water discharges not directed to a POTW sanitary sewer and any other discharges not described under this permit.

7.8 Employee Training Program.

The permittee must train all employees who work in areas where industrial materials or activities are exposed to stormwater, or others who are responsible for implementing activities necessary to meet the conditions of this permit (e.g., inspections, maintenance), including all members of the Pollution Prevention Team. Training must cover both the specific control measures to achieve the effluent limits, as well as the monitoring, inspection, planning, reporting, and documentation requirements in other parts of this permit.

The permittee shall train personnel at least once a year and address the following activities, as applicable: used oil and spent solvent management; fueling procedures; general good housekeeping practices; proper painting procedures; and used battery management.

8.0 STORM WATER POLLUTION PREVENTION PLAN (SWP3)

8.1 SWP3 Plan Development, Submittal, and Implementation Requirements

The permittee shall develop a Storm Water Pollution Prevention Plan (SWP3) that is specific to the industrial activity and site characteristics present at the permitted location. The permittee shall fully implement and periodically review and update as necessary the provisions of their SWP3 as a condition of this general permit.

The permittee shall develop and implement a SWP3 within six (6) months of IDEM's authorization of the permittee's general permit coverage. The permittee shall submit an SWP3 Completion Certification Form (soon to be available on IDEM's website) to IDEM upon completion. The SWP3 is to be retained on site and made available to IDEM upon request.

8.2 SWP3 Purpose and Guidance

The purpose of the SWP3 is to ensure the design, implementation, management, and maintenance of Best Management Practices (BMPs) in order to reduce the amount of pollutants released in storm water discharges at the facility. The SWP3 shall include the type and objective of the BMP used, and a description of how the BMP is evaluated to determine proper functioning.

As guidance, in developing the SWP3 and selecting BMP's, the permittee may use the concepts and methods described in these Environmental Protection Agency (EPA) documents:

EPA 833-B-09-002, entitled ***Developing Your Storm Water Pollution Prevention Plan - A Guide for Industrial Operators***, published in February, 2009.

EPA 833-F-06-031, entitled ***Industrial Stormwater Fact Sheet Series, Sector P: Petroleum Bulk Oil Stations and Terminals***, published December, 2006.

8.3 SWP3 Certification and Re-Certification Requirements

An individual knowledgeable in storm water management and control and familiar with the site characteristics of the facility shall develop the SWP3. Due to technical and site specific requirements in developing a SWP3, IDEM highly encourages and recommends that the SWP3 and any amendments be prepared by, or under the supervision of a licensed professional engineer. The SWP3 shall be reviewed by the permittee or their designee for compliance with accepted standards for storm water pollution prevention at least once every five (5) years, during the last year of the permit, and when compliance inspections indicate inadequacies.

If IDEM determines the SWP3 to be inadequate, IDEM reserves the right to require the permittee to obtain the services of a qualified consultant to correct any deficiencies in the SWP3.

8.4 Specific SWP3 Requirements

The SWP3 must contain the following elements:

a) Storm Water Pollution Prevention Team

The SWP3 shall identify, by position title, the member or members of the facility organization as members of a Storm Water Pollution Prevention Team who are responsible for developing the SWP3 and assisting the facility or plant manager in its implementation, maintenance, and revision. The plan shall clearly identify the responsibilities of each storm water pollution prevention team member. Each member of the storm water pollution prevention team must have ready access to either an electronic or paper copy of applicable portions of this permit and to the SWP3.

b) Facility Description, General Location Map, and Site Map

(1) Facility Description:

The plan shall include a narrative description of the industrial activities conducted at the facility, the total size of the facility property, in acres, and a calculation of the facility acreage that has industrial activity and/or significant materials in contact with storm water.

(2) General Location Map:

This map should show the location of the facility in relation to nearby roads, and surface waters receiving industrial storm water discharges from the facility. Please mark the names of names and receiving waters. This information is best submitted on a topographic map, and will ideally be in color and have a north arrow and scale.

(3) Site Map:

The site map shall include the following:

a) The size of the property in acres.

b) Footprint of all buildings and structures.

c) Location of all impervious surfaces within the facility property boundaries.

d) Directions of storm water flow indicated by arrows.

e) Location of all structural control measures.

f) Locations of all receiving waters in the immediate vicinity of your facility, indicating if any of the waters are impaired and, if so, whether the waters have TMDLs established for them.

g) Locations of all storm water conveyances including ditches, pipes, and swales.

h) Locations of potential pollutant sources.

i) Locations where significant spills or leaks have occurred.

j) Location of all storm water and wastewater monitoring points.

k) Locations of storm water inlets and outfalls, with a unique identification code for each outfall (e.g., Outfall No. 001, No. 002, etc.), indicating if you are treating one or more outfalls as “substantially identical”, and an approximate outline of the areas draining to each outfall.

l) Municipal separate storm sewer system(s) where your storm water discharges to it/them.

m) Location and description of any non-storm water discharges.

n) Locations of the following activities where such activities are exposed to precipitation:
- Fueling stations;
- Vehicle and equipment maintenance and/or cleaning areas;
- Loading/unloading areas;
- Locations used for the treatment, storage, or disposal of wastes;
- Liquid storage tanks;

- Processing and storage areas;
- Immediate access roads and rail lines used or traveled by carriers of raw materials, manufactured products, waste material, or by-products used or created by the facility;
- Transfer areas for substances in bulk; and
- Machinery

o) Locations and sources of run-on to your site from adjacent property that contains significant quantities of water and/or pollutants.

c) Description of Potential Pollutant Sources

The plan shall include an assessment of the areas at your facility where industrial materials or activities are exposed to storm water and identify potential pollutant discharge concerns.

Industrial materials or activities include, but are not limited to the following:

- material handling equipment or activities;
- industrial machinery;
- raw materials;
- industrial production and processes;
- fire-fighting exercises; and
- intermediate products, by-products, final products, and waste products.

Material handling activities include, but are not limited to the storage, loading and unloading, transportation, disposal, or conveyance of any raw material, intermediate product, final product or waste product.

For each area identified, the description must include:

1) Activities occurring in the area and a list of the industrial activities exposed to storm water (i.e. material storage; equipment fueling, maintenance, and cleaning; onsite waste storage or disposal; dirt/gravel parking areas for vehicles awaiting maintenance; illicit plumbing connections between shop floor drains and the stormwater conveyance system(s); and fueling areas).

2) List of the pollutant(s) or pollutant constituents (e.g. oil, sulfuric acid, and cleaning solvents) associated with each identified activity. The pollutant list must include all significant materials that have been handled, treated, stored, or disposed of, or exposed to storm water within the three (3) years prior to the date you prepare or amend your SWP3.

3) Risk Analysis - Where the chemicals or materials have the potential to be exposed to storm water discharges, the descriptions for each identified area must include a risk analysis of chemicals or materials stored or used within the area. The analysis must include all of the following:

a. Toxicity data for chemicals or materials used within the area, referencing appropriate material safety data sheet information locations;

b. The frequency and typical quantity of listed chemicals or materials to be stored within the area;

c. Potential ways in which storm water discharges may be exposed to listed chemicals and materials;

d. The likelihood and circumstances in which the listed chemicals and materials would come into contact with storm water.

4) Spills and Leaks - Document where potential spills and leaks could occur that could contribute pollutants to storm water discharges, and the corresponding outfall(s) that would be affected by such spills and leaks. You must document all significant spills and leaks of oil or toxic or hazardous pollutants that have actually occurred at these areas, or that have drained to a storm water conveyance in the three (3) years prior to the date you prepare or amend your SWP3.

   Note: Significant spills and leaks include, but are not limited to, releases of oil or hazardous substances in excess of quantities that are reportable under CWA Section 311 (see 40 CFR 110.6 and 40 CFR 117.21) or Section 102 of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), 42 USC §9602. This permit does not relieve the permittee of the reporting requirements of 40 CFR 110, 40 CFR 117, and 40 CFR 302 relating to spills or other releases of oils or hazardous substances.

5) Non-Storm water Discharges - Document that the permitted facility has been evaluated for the presence of non-storm water discharges and that all unauthorized discharges have been eliminated. Documentation of the evaluation must include:

   - The date of any evaluation;
   - A description of the evaluation criteria used;
   - A list of the outfalls or onsite drainage points that were directly observed during the evaluation;
   - The different types of non-storm water discharge(s) and source locations; and
   - The action(s) taken, such as a list of control measures used to eliminate unauthorized discharge(s), if any were identified. Examples of this would be that a floor drain was sealed, a sink drain was re-routed to sanitary, or an NPDES permit application was submitted for an unauthorized cooling water discharge.

6) Salt Storage - Document the location of any storage piles containing salt used for deicing or other commercial or industrial purposes.

7) Sampling Data - Summarize all storm water discharge sampling data collected at your facility during the previous permit term. Summarize the data by pollutant, and indicate whether the amounts of the pollutant exceeded any applicable effluent limit. Where pollutants levels exceeded the allowable effluent values, identify why that pollutant existed in elevated concentrations, what the potential sources of that pollutant are at your facility, and which potential measures you could use to reduce that pollutant.

d) Description of Control Measures and Best Management Practices (BMPs) –

The SWP3 shall document all BMPs used to comply with each applicable storm water control measure listed in Sections 7.1 through 7.8 of this general permit. BMPs shall be designed and implemented to address the potential pollutants associated with the activities and materials identified in Section 8.4(c) of this general permit.

e) Schedules and Procedures – The SWP3 shall document the following schedules and procedures pertaining to control measures, monitoring, and inspections.

1. Control Measures - The following schedules and procedures must be documented in the SWP3:

- Good Housekeeping – A schedule for regular pickup and disposal of waste materials, along with routine inspections for potential leaks in and conditions of drums, tanks and containers;
- Maintenance – A scheduled of preventative maintenance procedures, including regular inspections, testing, maintenance, and repair of all industrial equipment and systems and control measures put in place to avoid situations that may result in leaks, spills, and other releases; and any back-up practices put into place to control spills and runoff should an event occur while a control measure is off-line;
- Spill Prevention and Response Procedures – List procedures for preventing and responding to spills and leaks. You may reference the existence of other plans for Spill Prevention Control and Countermeasure (SPCC) developed for the facility under Section 311 of the CWA or BMP programs otherwise required by an NPDES permit for the facility, provided that you keep a copy of that other plan onsite and make it available for review; and
- Employee Training – A schedule for all necessary training.

2. Monitoring - Document in your SWP3 the schedules and procedures for conducting the analytical monitoring specified by this permit where applicable to your facility's effluent limitations monitoring (see Section 2.0 of this general permit).

   For each type of monitoring, the SWP3 must document:
   - Locations where samples are collected, including any determination that two or more outfalls are substantially identical;
   - Parameters for sampling and the frequency of sampling for each parameter;
   - Schedules for monitoring at your facility; and
   - Procedures (responsible staff, logistics, laboratory to be used, e.g.) for gathering storm event data.

3. Inspections

   The permittee shall document in the SWP3 the schedules and procedures for performing the following inspections:

   Routine facility inspections - Conduct routine facility inspections of all the following areas/activities: storage areas for vehicles/equipment awaiting maintenance; fueling areas; indoor and outdoor vehicle/equipment maintenance areas; material storage areas; vehicle/equipment cleaning areas and loading/unloading areas where activities are exposed to stormwater; and of all stormwater control measures. Routine facility inspections must be conducted at least quarterly (i.e. once each calendar quarter) although in many instances, more frequent inspection (i.e. monthly) may be appropriate for some types of equipment, processes, and control measures or areas of the facility with significant activities and materials exposed to stormwater. Perform these inspections during periods when the facility is in operation. These routine inspections must be performed by qualified personnel with at least one member of the stormwater pollution prevention team participating. At least once each calendar year, the routine facility inspection must be conducted during a period when a stormwater discharge is occurring. At a minimum, your documentation of each routine facility inspection must include all of the following data:
   - The inspection date and time;
   - The name(s) and signature(s) of the inspector(s);
   - Weather information and a description of any discharges occurring at the time of the inspection;
   - Any previously unidentified discharges of pollutants from the site;
   - Any control measures needing maintenance or repairs;
   - Any failed control measures that need replacement;
   - Any incidents of noncompliance observed; and

Any additional control measures needed to comply with the permit requirements.

Quarterly Visual Assessments - Once each quarter for the entire permit term, one (1) storm water sample from each identified storm water outfall shall be collected and a visual assessment of each of these samples shall be made. These samples should be collected in such a manner that the samples are representative of the storm water discharge. You must visually inspect the sample for the following water quality characteristics: color; odor; clarity; floating solids; settled solids; suspended solids; foam; oil sheen; and other obvious indicators of storm water pollution.

At a minimum, the documentation of the visual assessment must include the following data:

- Sample location(s)
- Sample collection date and time, and visual assessment date and time for each sample;
- Personnel collecting the sample and performing visual assessment, and their signatures;
- Nature of the discharge (i.e., runoff or snowmelt);
- Results of observations of the storm water discharge;
- Probable sources of any observed storm water contamination,
- If applicable, why it was not possible to take samples within the first 30 minutes.

Annual Comprehensive Site Evaluation -A comprehensive site compliance evaluation shall be conducted at least once a year. Comprehensive site inspections must be conducted by qualified personnel with at least one member of the storm water pollution prevention team participating.

Comprehensive site inspections must cover all areas of the facility identified as potential pollutant sources (see Section 8.4.3) in the SWP3 where industrial materials or activities are exposed to storm water, any areas where control measures are used, and areas where spills and leaks have occurred in the past three (3) years. The inspections must also include a review of monitoring data collected. Inspectors must consider the results of the past year’s visual and analytical monitoring when planning and conducting inspections. Inspectors must examine the following items:

- Industrial materials, residue, or trash that may have or could come into contact with storm water;
- Leaks or spills from industrial equipment, drums, tanks, and other containers;
- Offsite tracking of industrial or waste materials, or sediment where vehicles enter or exit the site;

- Tracking or blowing of raw, final, or waste materials from areas of no exposure to storm water to areas which are exposed to stormwater; and
- Pollution control measures needing replacement, maintenance, or repair.

At a minimum, the documentation of the comprehensive site inspection must include all of the following:

- The date of the inspection;
- The name(s) and title(s) of the personnel making the inspection;
- Findings from the examination of areas of your facility identified in Section 8.4 of this permit;
- All observations relating to the implementation of your control measures including:
  - previously unidentified discharges from the site;
  - previously unidentified pollutants in existing discharges;
  - evidence of, or the potential for, pollutants entering the drainage system;
  - evidence of pollutants discharging to receiving waters at all facility outfall(s), and the condition of and around the outfall, including flow dissipation measures to prevent scouring; and
  - additional control measures needed to address any conditions requiring corrective action identified during the inspection.
- Any revisions to the SWP3 that will be required as a result of the inspection;
- Any incidents of noncompliance observed or a certification stating the facility is in compliance with this permit (if there is no noncompliance); and
- A certification statement as set forth in 40 CFR 122.22 and signed by the authorized signatory.

f) SWP3 Certification and Modification – the SWP3 must be reviewed and signed by a qualified professional to be deemed sufficient. The SWP3 is a working document that will need to be reviewed and updated on a regular basis, typically as a result of site inspections and/or a review of your storm water sampling results. The SWP3 shall include a statement indicating the date the SWP3 was completed and implemented and the date(s) of subsequent modifications to the SWP3.

National Pollutant Discharge Elimination System
DRAFT NPDES FACT SHEET for
Renewal of General NPDES Permit ING340000
Petroleum Products Terminals
September 11, 2020
Indiana Department of Environmental Management

Office of Water Quality
100 North Senate Avenue
Indianapolis, Indiana 46204

(317) 232-8603
Toll Free (800) 451-6027
www.idem.IN.gov

Existing Permit Information:	Permit Number: Existing facilities under ING340000 have tracking numbers using the following format ING340xxx (to be retained). Expiration Date: The current general NPDES permit has an expiration date of 10/31/2020.
Source Location:	State-wide
Receiving Water:	All waters of the state of Indiana, except for Outstanding State Resource Waters and Outstanding Natural Resource Waters
Proposed Action:	Renewal of the first administrative General NPDES permit which was issued in 2015. This proposal is to renew this permit for a new five-year term.
Source Category	NPDES Minor – Industrial
Contact:	Name: Catherine Hess Contact Information: chess@idem.in.gov 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 is ensuring that the discharge consists of only wastewater from a petroleum products terminal. Dischargers who meet the eligibility requirements may apply for coverage by this General NPDES permit, instead of seeking coverage under an individual NPDES permit. This general permit is proposed to be in effect for a five-year term.

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

A. Description of General Permit Category:

The purpose of this general permit is to regulate the discharge of wastewater from petroleum products terminals so that the public health, existing uses, and aquatic biota are protected.

"Petroleum products terminal" (PPT) is defined as an area where petroleum products are supplied by pipeline or barge; where petroleum products are stored in aboveground tanks; and/or where petroleum products are transferred to trucks for transport to other locations. These typically have a primary SIC code of 5171, but other SIC codes may also be included.

"Petroleum products terminal wastewater" is defined as the discharge from any conveyance used for collecting and conveying wastewater which is directly related to the storage area of the petroleum products terminal. This includes storm water runoff, tank bottom water, and water used for hydrostatically testing the storage tanks or onsite pipelines.

General NPDES permits are developed and issued to cover multiple facilities engaged in the same process category instead of requiring an individual NPDES permit for each facility within the State of Indiana. IDEM first developed a general NPDES permit-by-rule (327 IAC 15-9) for discharges of Petroleum Products Terminals wastewater in 1994, which was repealed in 2015 and replaced with administrative general NPDES permit ING340000. IDEM is now administering general NPDES permits via a "master" general permit which will be renewed and reevaluated on a five-year interval. Persons who seek coverage under the master general permit will continue to be assigned permit tracking numbers beginning with "ING34" but coverage under the general permit will be limited to the permit term established in the master general permit.

As such, the discharges from PPTs generally require the same effluent limitations and monitoring requirements. As of July, 2020, there are approximately 37 facilities covered by the general permit. Since the permit requirements for all these discharges are similar and because of the number of such dischargers, it is the opinion of IDEM that this category of sources is controlled more appropriately under a general NPDES permit rather than under individual permits. These discharges are similar in the following ways:

1) They are comprised solely of petroleum products terminals wastewater discharges;

2) They contain used storage tanks, as addressed in this general permit, that contain or have contained petroleum or petroleum-derived liquids.

3) They may utilize chlorinated source water for the fire suppression activities and hydrostatic testing activities at the site.

B. Geographic Area Covered:

This general permit is intended to regulate any discharge of petroleum products terminals wastewater within the boundaries of the state of Indiana, except as denoted herein.

C. Receiving Waters:

This general permit authorizes discharges to all waters of the State of Indiana, except for Outstanding State Resource Waters (OSRWs) and Outstanding National Resource Waters (ONRWs). PPTs discharging to these receiving waters are required to obtain an individual NPDES permit instead of general permit coverage.

D. Discharges Not Authorized by This General Permit

Discharges covered under this general permit will be from primarily industrial facilities with discharges solely comprised of wastewater from petroleum products terminals. This general permit contains certain specific exclusions from coverage under the general permit which are denoted in Section 1.3 of the permit. In such instances, the person will be required to apply for an individual NPDES permit. The following discharges are **not** authorized by this permit:

1) discharges directly to or into a tributary of 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 resulting from the cleaning of tanks and/or pipelines.

5) storm water discharges associated with construction activity;

6) discharges to combined or sanitary sewer systems;

7) discharges that are commingled with hazardous wastes or hazardous materials;

8) discharges of domestic or sanitary wastewater; and

9) discharges for which the Commissioner requests an individual permit application.

E. Application for Coverage

This general permit proposes to provide coverage for any facility with discharges composed entirely of wastewater from petroleum products terminals which meet the criteria listed in Section A above and agree to be regulated under the terms of the general permit.

Each facility seeking coverage under this general permit must submit a fully completed Notice of Intent form (State Form 55919). 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, mailing addresses, and nature of discharge.

Due to the nature of the discharges regulated by this general permit, several new parameters are being included in the Effluent Characterization section of the 2020 proposed NOI letter. These include: Total BTEX, Naphthalene, Chemical Oxygen Demand (COD), Total Organic Carbon, PAHs, and Total VOCs.

F. When to Apply

State NPDES rules require individual permit applications to be filed at least 180 days prior to the commencement of the activity. The current General NPDES permit (ING340000) requires an NOI to be filed at least thirty (30) days prior to the commencement of the proposed activity. Under the terms and conditions of this general permit, the following time frames are proposed:

a) New Facility: For a new facility, an NOI shall be submitted at least thirty (30) days before any discharges of petroleum products terminals wastewater.

b) For a facility that has existing, effective coverage under the 2015 general permit, the existing coverage shall automatically be extended provided that the permittee has filed a renewal NOI prior to the expiration date of that permit. The permittee must then also submit a new NOI in accordance with Section 4.0 of this general permit within ninety (90) days following the effective date of this general permit to affirm that he or she, as a Responsible Official of his/her company, intends to comply with the requirements of this new general permit. Alternatively the permittee may submit 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. If, upon review of the conditions and requirements of the reissued permit, the applicant determines that coverage under said permit is not appropriate for the site, he/she may, within 90 days, withdraw the NOI and submit either an application for an individual NPDES permit, or a Notice of Termination (see section 5.0 of this permit).

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.

G. Antidegradation Evaluation

Nature of the Discharge

Petroleum products terminals may store crude petroleum, refined petroleum products, or liquid petroleum products. The general permit regulates three potential wastewater sources from the petroleum products terminal: storm water runoff from the diked containment areas at the terminal, hydrostatic testing water for the storage tanks or on-site pipelines, and tank bottom water. All of these are intermittent types of discharges and occur on a very infrequent basis.

The pollutants of concern from a petroleum products terminal include oil & grease, TSS, total VOC, total cyanide, TOC, ammonia (as N), benzene, BTEX, naphthalene, PAHs, and lead. Total residual chlorine (TRC) may also be present in the discharge if it is present in the source water. The purpose of issuing the NPDES permit to facilities discharging petroleum products terminals wastewater is to ensure that the discharge to the receiving water does not result in deleterious effects to aquatic life and is in compliance with 327 IAC 2-1-6 and 327 IAC 2-1.5-8, the minimum surface water quality standards. These parameters shall be limited and/or monitored for facilities regulated by this general permit to ensure the proper operation of these systems and that best management practices are being employed to control the wastewater being discharged.

The general permit imposes effluent limits based on treatment technology and water quality standards. The effluent limits are not based upon Federal Effluent Limitation Guidelines.

Antidegradation Evaluation

327 IAC 2-1.3 outlines the state's Antidegradation Standards and Implementation Procedures. The Tier 1 antidegradation standard found in 327 IAC 2-1.3-3(a) applies to all surface waters of the state regardless of their existing water quality. Based on this standard, for all surface waters of the state, existing uses and the level of water quality necessary to protect existing uses shall be maintained and protected. IDEM implements the Tier 1 antidegradation standard by requiring NPDES permits to contain effluent limits and best management practices for regulated pollutants that ensure the narrative and numeric water quality criteria applicable to the designated use are achieved in the water and 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: benzene, naphthalene, total residual chlorine (TRC), Oil & Grease, total suspended solids (TSS), and Total BTEX.

The Tier 2 antidegradation standard found in 327 IAC 2-1.3-3(b) applies to surface waters of the state where the existing quality for a parameter is better than the water quality criterion for that parameter established in 327 IAC 2-1-6 or 327 IAC 2-1.5. These surface waters are considered high quality for the parameter and this high quality shall be maintained and protected unless the commissioner finds that allowing a significant lowering of water quality is necessary and accommodates important social or economic development in the area in which the waters are

located. IDEM implements the Tier 2 antidegradation standard for regulated pollutants with numeric water quality criteria quality adopted in or developed pursuant to 327 IAC 2-1 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: total residual chlorine (TRC), benzene, and naphthalene.

The effluent limitations for benzene and naphthalene which are proposed in this general permit renewal are intended to address pollutants which are already likely to be present at these sites. The 2015 permit authorizes the discharge from this activity (the discharge of tank bottom water or the discharge from hydrostatic testing of existing storage tanks). The proposed effluent limitations are based on best professional judgment of the best available treatment in accordance with 327 IAC 5-5-2 and are more stringent than the water quality-based effluent limits (WQBELs) for these same parameters. Some form of advanced wastewater treatment, such as granular activated carbon treatment will be necessary in order to meet these effluent limitations.

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

	Water Quality Criterion (µg/l)	Daily Maximum Effluent Limitations (µg/l)	
	WQC	WQBEL	TBEL
Benzene	98	160	5
Naphthalene	26	43	10

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

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. For discharges covered under the existing general permit, the inclusion of new limits for the regulated pollutants benzenze and naphthalene is not the result of a deliberate activity taken by a facility, but rather additional restrictions being placed by IDEM on pollutants already believed to be present in these discharges. Therefore, for existing dischargers, this general permit does not propose to establish a new or increased loading of the regulated pollutants benzene and naphthalene, so the antidegradation implementation procedures in 327 IAC 2-1.3-5 and 2-1.3-6 do not apply to these regulated pollutants.

For a new facility being covered under this general permit, Tier 2 antidegradation was considered for the regulated pollutants TRC, benzene and naphthalene. TRC is limited in this general permit due its potential presence in the source water. The general permit does not otherwise authorize the applicant to introduce chlorine for treatment of the source water or any wastewater discharges. The TRC limit included in this general permit is the daily maximum WQBEL for TRC which is equal to the limit of detection (LOD) but less than the LOQ. Compliance will be demonstrated if the observed effluent concentrations are less than the LOQ. IDEM considers such compliance requirements to satisfy antidegradation for TRC.

For benzene, the TBEL of 5 µg/l as a daily maximum is less than 10% of the most stringent applicable water quality criterion. Therefore, the permit establishes a new loading of benzene that is less than a de minimis lowering of water quality under 327 IAC 2-1.3-4(c)(1)(A) and antidegradation is satisfied. For naphthalene, the TBEL of 10 µg/l as a daily maximum is equal to the LOQ. IDEM considers compliance with the LOQ to satisfy antidegradation for naphthalene.

The following antidegradation determination is based on 327 IAC 2-1.3. The effluent limitations for Total BTEX contained in the general permit for discharges of petroleum products terminals wastewater are based on best professional judgment of the best available treatment in accordance with 327 IAC 5-5-2 and the Indiana Tier 1 antidegradation standard. The effluent limits for TRC are based on protection of water quality and the effluent limits for benzene and naphthalene are based on best professional judgment of the best available treatment in accordance with 327 IAC 5-5-2. Such activities are typically of an intermittent nature, normally with durations lasting no more than several days each calendar year. IDEM concludes that the Tier 2 antidegradation standard has been met for total residual chlorine, benzene and naphthalene.

H. Permit Conditions:

1) Effluent Limits & Monitoring Requirements

Under State and Federal law and regulations 40 CFR 122.44 and 327 IAC 5, a discharge permit must establish effluent limitations equivalent to best available technology economically achievable (BAT). For some industry categories, such effluent limitations have already been established by the EPA.

The effluent parameters regulated under the 2015 permit include flow, oil & grease, pH, TSS, Total Residual Chlorine (TRC), Total VOCs, Total Organic Carbon (TOC), ammonia (as N), total cyanide and Lead. These are the baseline effluent limitations and monitoring requirements which are required of all discharges of petroleum products terminals wastewater. However in the 2015 general permit, several of the parameters were only applicable to the discharge of tank bottom water and hydrostatic testing of storage tanks. This resulted in a very limited set of parameters being monitored in the storm water runoff from these sites. IDEM is proposing some changes to the effluent limitations and monitoring requirements in the 2020 renewal of the general permit.

The main table of pollutant parameters in the 2015 permit (Table 1) is confusing and only provides a very limited set of parameters regardless of the discharge scenario. Based on staff review of the federal and state storm water rules, as well as EPCRA Section 313 Reporting Requirements, IDEM is proposing to add several new parameters to both the draft general permit and the NOI wastewater characterization requirements.

The effluent tables in Section 2.1 of the permit have also been updated and restructured to provide better clarity of the effluent limitations and monitoring requirements which are applicable to the various discharge scenarios.

Storm Water Discharges Associated With Industrial Activity

In Section 2.1 of the permit, Tables 1 and 2 reflect the effluent limitations and monitoring requirements for the discharges of storm water runoff associated with industrial activity. Several new pollutants of concern are being added to the monitoring requirements for this type of discharge, including: Benzene, Total BTEX, Naphthalene, Chemical Oxygen Demand (COD), Ammonia as (N), and Lead. IDEM reserves the right to include additional pollutants of concern in the Notice of Sufficiency letter based upon review of the NOI and other facility-specific information.

a) **Flow** is a standard parameter to be monitored in all NPDES permits. This parameter is required of all NPDES permits and is included in this permit in accordance with 327 IAC 5-2-13(a)(2). Flow monitoring is required daily.

b) **Total Flow** is to be monitored and reported each month in millions of gallons (mgal). This requirement is included to assist IDEM in properly assessing the annual permit operating fees set forth under IC 13-18-20.

c) **pH** is included in the general permit to ensure that the discharge will not violate Indiana water quality standards. The pH limits are 6.0 to 9.0 standard units. The monitoring frequency for this parameter for storm water runoff is once monthly.

d) **Oil and Grease -** The daily maximum effluent limitation of 15 mg/l and monthly average of 10 mg/l are considered sufficient to ensure compliance with the narrative water quality criteria in 327 IAC 2-1-6(a) and 327 IAC 2-1.5-8(a) that prohibits a visible oil sheen on receiving waters. The effluent limitations and monitoring requirements for Oil and Grease is the same as that which exists in the current general permit, ING340000, except that the monitoring frequency for this parameter is proposed to be reduced from twice monthly to once monthly.

e) **Total Suspended Solids (TSS)** TSS is limited to 30 mg/l as a monthly average and 45 mg/l as a daily maximum. This limitation is based on the Best Professional Judgment (BPJ) for the technology and corresponding effluent limitations equivalent to the Best Conventional Treatment (BCT) in accordance with 327 IAC 5-2-10(6) and 327 IAC 2-1-6(a). The monitoring frequency for this parameter is twice monthly. The effluent limitations and

monitoring requirements for TSS is the same as that which exists in the current general permit, ING340000, except that the monitoring frequency for this parameter is proposed to be reduced from twice monthly to once monthly.

f) **Total Residual Chlorine (TRC)** concentrations are limited to a daily maximum of 0.02 mg/l. This limitation is based on Indiana water quality standards. This parameter is included in the event that a potable water supply is utilized as the source water for the hydrostatic test water. The purpose of adding total residual chlorine limits is to acknowledge the potential use of potable water and to ensure that water quality standards are met at the discharge whenever it is used as the source water. This general permit does not authorize the applicant to introduce chlorine for treatment of the source water or any wastewater discharges.

g) **Benzene, Total BTEX, Naphthalene, Chemical Oxygen Demand (COD), Ammonia as (N), and Lead** are new pollutants of concern being added to this general permit specifically for the storm water monitoring requirements. The addition of COD is based upon the 2015 USEPA Multi-sector general permit requirements for Petroleum Bulk Terminals. The remaining parameters are added based upon the EPCRA Section 313 reporting requirements and BPJ. Monitoring is required once monthly by grab sample.

<u>Discharges from Hydrostatic Testing of New Storage Tanks or Pipelines</u>

In Section 2.2 of the permit, Tables 3 and 4 reflect the effluent limitations and monitoring requirements for the discharges of hydrostatic testing of new storage tanks or new onsite pipelines. The previous (2015) general permit only provided one set of effluent limits and monitoring requirements for hydrostatic testing activities, which assumed that all vessels had previously contained product. Based upon a request for a reduced set of requirements for the testing of new tanks and pipelines, IDEM has created these new tables to reflect the appropriate effluent limits and monitoring requirements.

h) **Flow** is a standard parameter to be monitored in all NPDES permits. This parameter is required of all NPDES permits and is included in this permit in accordance with 327 IAC 5-2-13(a)(2). Flow monitoring is required daily.

i) **Total Flow** is to be monitored and reported each month in millions of gallons (mgal). This requirement is included to assist IDEM in properly assessing the annual permit operating fees set forth under IC 13-18-20.

j) **pH** is included in the general permit to ensure that the discharge will not violate Indiana water quality standards. The pH limits are 6.0 to 9.0 standard units. The monitoring frequency for this parameter for hydrostatic testing discharges is once daily by grab sample.

k) **Oil and Grease -** The daily maximum effluent limitation of 15 mg/l and monthly average of 10 mg/l are considered sufficient to ensure compliance with the narrative water quality criteria in 327 IAC 2-1-6(a) and 327 IAC 2-1.5-8(a) that prohibits a visible oil sheen on receiving waters. The monitoring frequency for this parameter is daily by composited grab sample.

l) **Total Suspended Solids (TSS)** TSS is limited to 30 mg/l as a monthly average and 45 mg/l as a daily maximum. This limitation is based on the Best Professional Judgment (BPJ) for the technology and corresponding effluent limitations equivalent to the Best Conventional Treatment (BCT) in accordance with 327 IAC 5-2-10(6) and 327 IAC 2-1-6(a). The monitoring frequency for this parameter is daily by grab sample. The effluent limitations and monitoring requirements for TSS is the same as that which exists in the current general permit, ING340000.

m) **Total Residual Chlorine (TRC)** concentrations are limited to a daily maximum of 0.02 mg/l. This limitation is based on Indiana water quality standards. This parameter is included in the event that a potable water supply is utilized as the source water for the hydrostatic test water. The purpose of adding total residual chlorine limits is to acknowledge the potential use of potable water and to ensure that water quality standards are met at the discharge whenever it is used as the source water. This general permit does not authorize the applicant to introduce chlorine for treatment of the source water or any wastewater discharges. Monitoring for TRC is required daily by grab sample.

Discharges of Tank Bottom Water and/or from Hydrostatic Testing of Existing Storage Tanks or Pipelines

In Section 2.3 of the permit, Tables 5 and 6 reflect the effluent limitations and monitoring requirements for any discharges of tank bottom water or hydrostatic testing of existing storage tanks or onsite pipelines (i.e. those which have previously contained petroleum products). These requirements are the same as those in the previous (2015) general permit except that five new parameters have been added to the list of pollutants to be monitored. These additional pollutants of concern are likely to be applicable regardless of the type(s) of petroleum products which may be stored at these facilities. Effluent limitations have been added to the permit based upon BAT/BPJ. The monitoring frequency for any discharges of this type is daily by grab sample. IDEM reserves the right to include additional pollutants of concern in the Notice of Sufficiency letter based upon review of the NOI and other facility-specific information.

The same effluent limitations and monitoring requirements for flow, Total Flow, pH, oil and grease, TSS and TRC are the same as those described in items (h)-(m) above.

n) **Total VOC, TOC, ammonia as (N), total cyanide, and lead -**These pollutants are included as monitor-only requirements for discharges of tank bottom water and/or for any discharges of hydrostatic test water involving a storage tank or onsite pipeline which previously contained product. These monitor-only requirements are carried forward from the 2015 general permit and are continued to be required on a daily basis when these types of discharges are occurring.

o) **Benzene :** Benzene is being added as an indicator of the volatile organic compounds present in most petroleum products. The benzene limitation of 5 micrograms per liter (5 µg/l) has been established based upon Best Available Technology (BAT) in accordance with 327 IAC 5-5-2. This parameter shall be monitored daily by grab sample.

p) **Chemical Oxygen Demand –** Monitoring and reporting requirements for COD are proposed to be added to this general permit applicable to this discharge. Monitoring shall occur on a daily basis by grab sample.

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

r) **Polynuclear Aromatic Hydrocarbons (PAHs)**: Monitoring for this parameter has been added to this general permit based on BPJ. The monitoring shall occur on a daily basis by grab sample.

s) **Total BTEX:** The Total BTEX limitation of 100 micrograms per liter (100 µg/l) is established based upon Best Professional Judgment of the Best Available Technology (BPJ/BAT) in accordance with 327 IAC 5-5-2.
BTEX is the sum of the four alkyl benzenes: benzene, toluene, ethylbenzene, and total xylenes (i.e., the sum of the ortho, para, and meta isomers of xylene). Under aerobic conditions, when mixtures of BTEX are present, toluene usually degrades first, followed by xylene, and lastly benzene and ethylbenzene, if they are degraded at all. BTEX compounds are present at relatively high concentrations in light distillates (e.g., approximately 2% ethylbenzene, 5% benzene, and 11-12% toluene and xylenes). However, the composition of petroleum products that contain BTEX is highly variable, and for some petroleum products, any one of the four BTEX compounds could be the dominant chemical of concern.

2. Narrative Water Quality Based Limits

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

3. Monitoring and reporting requirements will be as follows:

The proposed monitoring frequencies are discussed previously in this Fact Sheet. Grab samples for oil & grease and TSS shall be taken of the hydrostatic test water as it leaves the pipeline or tank being tested or after receiving any treatment at the beginning and at the end of the discharge and two (2) times during the discharge at evenly spaced time intervals. All of the grab samples shall be combined into one (1) composite sample at the end of the test period for analysis.

Total flow volume for the month must be calculated once monthly. The permittee is required to complete and submit federal Discharge Monitoring Reports (DMRs) and state Monthly Monitoring Reports to IDEM containing the results obtained during the previous monitoring period by the 28th day of the month following the monitoring period.

Permittees must enroll in the NetDMR program for the electronic submittal of the federal Discharge Monitoring Reports and the state Monthly Monitoring Report forms in lieu of submitting them via U.S. Mail. For more information about NetDMR, see www.IN.gov/IDEM/cleanwater/2422.htm.

I. Spill Response and Reporting Requirement

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

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

The permittee shall also submit a written report to IDEM within five (5) days of the permittee becoming aware of the incident and may be submitted by U.S. Mail or by email in which case the reports must be sent to: wwreports@idem.IN.gov. Spills from the permitted facility meeting the definition of a spill under 327 IAC 2-6.1-4(15), the applicability requirements of 327 IAC 2-6.1-1, and the Reportable Spills requirements of 327 IAC 2-6.1-5 (other than those meeting an exclusion under 327 IAC 2-6.1-3 or the criteria outlined below) are subject to the Reporting Responsibilities of 327 IAC 2-6.1-7.

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

outfall listed in this permit, and (b) must have been discharged from an outfall for which the permittee has authorization to discharge that substance.

J. Storm Water Pollution Prevention Plan (SWP3) and Best Management Practices (BMPs)

Since this general permit authorizes storm water discharges associated with industrial activity that are subject to regulation under 40 CFR 122.26, IDEM has incorporated certain specific provisions from EPA's Multi-sector General Permit into this general permit with regard to these discharges. Sections 7.0 and 8.0 of this general permit include Best Management Practices and Storm Water Pollution Prevention Plan requirements that are appropriate for these types of facilities.

K. Fees

In accordance with IC 13-18-20-12, any application for a new permit, renewal of a permit, modification of a permit, or variance from a permit requirement must be accompanied by an application fee, which is currently $50.00. These fees are also applicable to NOIs for general permits. Once approved for coverage under a general permit, the permittee is also subject to annual operating fees. These annual fees are set by statute (IC 13-18-20). For more information, please see https://www.IN.gov/IDEM/cleanwater2367.htm. Both the application fees and annual fees may be remitted by check via U.S. mail or may be remitted via IDEM's online payment portal at https://www.in.gov/idem/6973.htm, which can accept e-checks and some credit cards.

L. Reopening Clauses

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

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

M. Permit Term

This general permit is proposed to be in effect for a five-year term.

N. 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 forms, Notice of Termination Forms, and helpful reference documents to assist the regulated community and the general public. This web page is still in development as of the date of this fact sheet.

O. Proposed Changes to the General Permit

IDEM has updated the overall general permit template to ensure that the language reflects current federal rules and the current state rules and statutes. The following is a summary of the changes which IDEM is proposing in this general permit compared to the 2015 final general permit:

1) The eligibility requirements in Section 1.3 were expanded to further restrict the types of discharge activities which can be authorized under this general permit.

2) The 2015 permit allowed for some discharges of storm water to be authorized when the discharge is directly to an Outstanding State Resource Water, because such a provision existed in 327 IAC 15-6. This provision has been removed because it conflicts with the statutory requirements in IC 13-18-3-2(p) which only allows for such discharges if they are short-term temporary discharges.

3) Section 2.1 of the 2015 permit included a single table of effluent limits and monitoring requirements (Table 1) which attempted to set forth the varying requirements for different discharge scenarios: discharges of storm water runoff, and discharges of hydrostatic test water and/or tank bottom water. In this draft permit we have set forth 3 sets of tables in Sections 2.1, 2.2, and 2.3 to more clearly show which parameters are required to be monitored for each type of wastewater discharge. In both Sections 2.1 and 2.3 IDEM has included a listing of pollutants of concern, but has also included a provision to potentially add other parameters to the Notice of Coverage letter, as may be necessary, based upon review of the NOI and other facility-specific information.

4) The Narrative Water Quality Standards were moved from Section 2.2 to 2.4 of the permit. A new paragraph (f) was added to Section 2.4 of the permit to specify that the discharge shall not cause toxicity outside of the mixing zone.

5) 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 monitoring reports.

6) A new Section 6.11 has been added to the permit to include future electronic reporting requirements due to federal e-reporting requirements.

7) New Sections 6.12 thru 6.15 have been added which represent standard permit conditions for NPDES permits which was inadvertently omitted from the 2015 permit.

8) A new Section 6.15 has been added which includes definitions for various terms used in the general permit.

9) Section 4.0 of the permit and the NOI form have been updated to require a flow schematic diagram of the permitted site.

10) 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.

11) The certification statement on the NOI form has been updated to include language from Title 13-30 of the Indiana Code.

P. 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 ING340000 PETROLEUM PRODUCTS TERMINALS GENERAL NPDES PERMIT

State Form 55919 (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 to **OWQ@idem.IN.gov**. Online fee payments may be made at **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 petroleum products terminals pursuant to NPDES Permit No. ING340000.***
- ***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 General NPDES Permits at (317) 232-8704 or (800) 451-6027, ext 28704 (within Indiana).

ELIGIBILITY REQUIREMENTS

"Petroleum products terminal" refers to a facility where petroleum products are supplied by pipeline or barge and where petroleum products are stored in above-ground tanks, or are transferred to trucks for transport to other locations, or both. This general permit authorizes new and existing discharges, described as follows, from petroleum products terminals to surface waters of the State of Indiana:

a) discharges of hydrostatic test waters from storage tanks and onsite pipelines which may have been used for the storage and/or transfer or conveyance of crude oil or liquid petroleum products ;
b) discharges of stormwater runoff from the diked containment areas of these storage tanks; and
c) discharges of tank bottom water from these storage tanks. This permit does not, however, authorize the discharge of any accumulated solids or sludges from the tank bottoms. The permittee is required to properly remove and dispose of such solids in accordance with 327 IAC 5-5-2.
The following incidental discharges may also be authorized if properly characterized in this NOI: "fire hydrant flushings; potable water sources, including waterline flushings; uncontaminated ground water or spring water; uncontaminated air conditioning or compressor condensate; vehicle washwaters uncontaminated with detergents or solvents; and runoff from foundation or footing drains where flows are not contaminated with process materials such as solvents".

Discharges **NOT** authorized by this permit include the following:
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). s;
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 resulting from the cleaning of tanks or pipelines;
5) storm water discharges associated with construction activity;
6) discharges to combined or sanitary sewer systems;
7) discharges that are commingled with hazardous wastes or hazardous materials;
8) discharges of domestic or sanitary wastewater and
9) discharges for which the Commissioner requests an individual permit application.

☐ By checking this box I certify that this facility meets all eligibility requirements of this general permit.

APPLICATION TYPE

NEW ☐
RENEW ☐
MODIFICATION ☐

PERMIT NUMBER, IF APPLICABLE

OTHER PERMIT NUMBER(S) APPLICABLE TO SITE

DESCRIPTION OF PROPOSED MODIFICATION, IF APPLICABLE

PART A: FACILITY INFORMATION

1. FACILITY NAME *(See Appendix A)*

2. FACILITY MAILING ADDRESS			3. FACILITY PHYSICAL LOCATION		
STREET ADDRESS			STREET ADDRESS		
CITY	STATE	ZIP CODE	CITY	STATE	ZIP CODE

4. PARENT COMPANY/OWNER'S COMPLETE MAILING ADDRESS			5. FACILITY SIC & NAICS CODES *(See Appendix A)*		6. FACILITY COUNTY			
COMPANY NAME								
STREET ADDRESS			7. LATITUDE AND LONGITUDE OF APPROXIMATE CENTER OF FACILITY SITE *(See Appendix A)*					
			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: petroleum bulk storage terminal)								
9. Provide a brief description of the facility operations that result in the discharge. (Example: Stormwater runoff from diked areas containing crude oil storage tanks, plus occasional hydrostatic testing of new tanks)								

PART B: CONTACT INFORMATION FOR RESPONSIBLE OFFICIAL (AUTHORIZED NOI SIGNATORY)

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 General NPDES permit coverage, delegation must be made in writing to IDEM. This delegation of authority may occur either via this NOI or via a separate letter (signed and dated by the responsible official) which shall be submitted via email to OWQ@idem.IN.gov or to the address at the top of the front page of this form.

10. NAME OF RESPONSIBLE OFFICIAL	11. DELEGATED SIGNATORY PERSON (OR POSITION) TO SIGN REPORTS AND FILE ADDITIONAL NOI CONTENT REQUIREMENTS
RESPONSIBLE OFFICIAL'S TITLE	DELEGATED SIGNATORY PERSON'S TITLE or POSITION
RESPONSIBLE OFFICIAL'S TELEPHONE NUMBER	DELEGATED SIGNATORY PERSON'S TELEPHONE NUMBER
RESPONSIBLE OFFICIAL'S PERSON'S EMAIL ADDRESS	DELEGATED SIGNATORY PERSON'S EMAIL ADDRESS

PART C: OTHER CONTACT INFORMATION

12. DISCHARGE MONITORING REPORTS CONTACT AND MAILING INFORMATION	CONTACT PERSON AND COMPANY NAME		
CONTACT TELEPHONE NUMBER	STREET ADDRESS		
CONTACT EMAIL ADDRESS	CITY	STATE	ZIP CODE
13. ANNUAL FEE AND FINANCIAL CONTACT AND BILLING ADDRESS	CONTACT PERSON AND COMPANY NAME		
CONTACT TELEPHONE NUMBER	STREET ADDRESS		
CONTACT EMAIL ADDRESS	CITY	STATE	ZIP CODE

14. OPERATOR CONTACT AND MAILING INFORMATION	CONTACT PERSON AND COMPANY NAME		
CONTACT TELEPHONE NUMBER	STREET ADDRESS		
CONTACT EMAIL ADDRESS	CITY	STATE	ZIP CODE

PART D: SOURCE WATER INFORMATION

15. 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 hydrostatic testing of tanks or onsite pipelines to be covered by this general permit

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.

16. OUTFALL NUMBER	17. LATITUDE			LONGITUDE			18. RECEIVING WATER *(See Appendix A)*	19. FOR ANY DISCHARGE INTO A STORM SEWER IDENTIFY THE STORM SEWER OWNER. *(See Appendix A)*	20. ANTICIPATED DAILY VOLUME OF DISCHARGE in MGD AND METHOD OF DETERMINATION OF VOLUME
	deg	min	sec.	deg.	min.	sec.			

PART F: POTENTIALLY ALLOWABLE NON-STORM WATER CONTRIBUTIONS:

21 Storm water impacted by the following non-storm water sources is permitted to be discharged through the outfalls listed in Part E above: "firefighting activities; fire hydrant flushings; potable water sources, including waterline flushings; uncontaminated ground water or spring water; uncontaminated air conditioning or compressor condensate; vehicle wash waters uncontaminated with detergents or solvents; and runoff from foundation or footing drains where flows are not contaminated with process materials such as solvents".

Please check the appropriate boxes below to indicate which of these sources are expected to discharge through each outfall at this site.

OUTFALL NUMBER	Firefighting Activities	Hydrant flushings	Potable sources/ waterline flushings	Uncontaminated ground/spring water	Uncontaminated air conditioning or compressor condensate	Uncontaminated vehicle washwaters	Uncontaminated discharges from foundation/ footing drains

PART G: TYPE(S) OF PETROLEUM PRODUCTS STORED AT THE SITE IN PROXIMITY OF EACH OUTFALL:

22. For each outfall indicate the types of petroleum products which are typically stored at the site.

OUTFALL NUMBER	GASOLINE	Number 6 Fuel Oil	CRUDE OIL	NUMBER 2 FUEL OIL / DIESEL FUEL	LUBRICATING OILS	AVAIATION GAS	JET FUEL (JP-4)	SOLVENTS	CLEANING/ DISINFECTANT USES

PART H: EFFLUENT CHARACTERISTICS FOR EACH OUTFALL TO BE COVERED BY THIS PERMIT

Please provide the following information **for each outfall/discharge** to be covered by this general permit. If you have more than one outfall you may use the additional table in Appendix B at the end of this form. Insert the outfall number for each set of effluent data.

OUTFALL NUMBER:	

TABLE H-1 EFFLUENT CHARACTERISTICS FOR ALL DISCHARGES TO BE COVERED UNDER THIS PERMIT

The following table is to be completed for any of the types of wastewater that are covered by this general permit. Please provide the following information **for each outfall/discharge** to be covered by this general permit. If you have more than one outfall you may use the additional tables in Appendix B at the end of this form. Insert the outfall number for each set of effluent data.

A. Existing Sources – Provide measurements for the parameters listed below. You must use, or require your contract laboratory to use, an analytical method with a detection level low enough to provide a detectable value for the pollutant of concern. Please provide information on the method used and detection limit achieved by the laboratory. *(See Appendix A)*

B. New Dischargers- Provide estimates for the parameters listed below. In lieu of the number of measurements taken, provide the source of the estimated values. *(See Appendix A)*

TABLE H-1 PARAMETERS	(1) 23. Maximum Daily Value		(2) 24. Average Daily Value *(last year)*		25. (3) or (4) Number of Measurements Taken *(last year)*	Source of Estimate *(if new discharger)*	Analytical Method *(List method used and its detection limit.)*	
	Concentration	Units	Concentration	Units			Method	Detection Limit
Total Suspended Solids (TSS)								
Total Residual Chlorine (if chlorinated water is used)								
Oil and Grease								
Discharge Flow	VALUE in MGD		VALUE IN MGD					
pH (S.U.)	MINIMUM		MAXIMUM					

TABLE H-2 ADDITIONAL EFFLUENT CHARACTERISTICS FOR DISCHARGES OF STORM WATER

Please provide the following information **for each outfall/discharge** of storm water runoff to be covered by this general permit. .

A. Existing Sources – Provide measurements for the parameters listed below. You must use, or require your contract laboratory to use, an analytical method with a detection level low enough to provide a detectable value for the pollutant of concern. Please provide information on the method used and detection limit achieved by the laboratory. *(See Appendix A)*

B. New Dischargers- Provide estimates for the parameters listed below. In lieu of the number of measurements taken, provide the source of the estimated values. *(See Appendix A)*

TABLE H-2 PARAMETERS	(1) 23. Maximum Daily Value		(2) 24. Average Daily Value *(last year)*		25. (3) or (4) Number of Measurements Taken *(last year)*	Source of Estimate *(if new discharger)*	Analytical Method *(List method used and its detection limit.)*	
	Concentration	Units	Concentration	Units			Method	Detection Limit
Ammonia (as N)								
Lead								
Benzene								
BTEX								
Naphthalene								
Chemical Oxygen Demand (COD)								

TABLE H-3 ADDITIONAL EFFLUENT CHARACTERISTICS FOR DISCHARGES OF HYDROSTATIC TEST WATER FOR EXISTING TANKS OR PIPELINES OR FOR DISCHARGES OF TANK BOTTOM WATER

Please provide the following information **for each outfall/discharge** of tank bottom water or hydrostatic test water involving existing tanks or pipelines to be covered by this general permit. .

A. Existing Sources – Provide measurements for the parameters listed below. You must use, or require your contract laboratory to use, an analytical method with a detection level low enough to provide a detectable value for the pollutant of concern. Please provide information on the method used and detection limit achieved by the laboratory. *(See Appendix A)*

B. New Dischargers- Provide estimates for the parameters listed below. In lieu of the number of measurements taken, provide the source of the estimated values. *(See Appendix A)*

TABLE H-3 PARAMETERS	(1) 23. Maximum Daily Value		(2) 24. Average Daily Value *(last year)*		25. (3) or (4)		Analytical Method *(List method used and its detection limit.)*	
					Number of Measurements Taken *(last year)*	Source of Estimate *(if new discharger)*	Method	Detection Limit
	Concentration	Units	Concentration	Units				
Ammonia (as N)								
Lead								
Cyanide, free								
Cyanide, total								
Benzene								
BTEX								
Naphthalene								
Chemical Oxygen Demand (COD)								
PAHs								
Total Organic Carbon								
Total Volatile Organic Compounds								

PART I: WATER TREATMENT ADDITIVES:

26. 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 A for information about applying for approval of use for WTAs)

OUTFALL NUMBER	WATER TREATMENT ADDITIVES (WTAs) TO BE USED *(ATTACH A COPY OF IDEM APPROVAL LETTER FOR EACH WTA TO BE USED)*

PART J: ADDITIONAL REQUIRED ATTACHMENTS

27. 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, and 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 that 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 ING340000 to discharge non-process wastewater from a petroleum products terminal. Discharge will be to *(supply the names of the streams or water bodies 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 to be placed on a mailing list to receive notification of IDEM's decision."

28. REQUIRED MAPS

Please include the following maps and schematic diagrams with the NOI submittal:

1. A topographical map 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 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 K: IDENTIFICATION OF POTENTIALLY AFFECTED PERSONS

29. 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 information below and 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 and may expedite issuance of permit coverage. If email addresses for all potentially affected persons are provided here, mailing labels for those parties are not required.

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 L: APPLICATION FEE

30. 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 M: SIGNATORY CERTIFICATION STATEMENT

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

"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 *(month, day, year)*

PART N: ADDRESS

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

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

Part A, Item 7: The latitude and longitude of the approximate center of the facility site and all outfalls must be submitted 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 by using 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 x 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 x 0.06 =
5. The conversion for 45.1234567 is 45º (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, Item 15: Enter a three number designation for each point where you will discharge, for example, 001, 002, 003, etc.

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

Part E, 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 tributaries into account, if applicable. EXAMPLE: "Stone Creek", or "Connor Ditch to Stone Creek"; or "unnamed tributary to Connor Ditch to Stone Creek".

Part E, Item 19: 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 Storm Sewer to Sugar Creek" or "LaPorte Municipal Storm Sewer System to Connor Ditch to Sugar Creek".

Part F, item 21: Identify whether any of the listed potentially allowable non-storm water sources are present at the facility which may impact the discharges of storm water runoff from each outfall.

Part H, items 23 and 24: All pollutant levels must be reported as concentration and as total mass (except for discharge flow, pH, and temperature). There are 3 tables to be completed for each permitted outfall.. The first table (H-1) must be completed for all types of discharges. Table H-2 is also to be completed if storm water runoff is typically discharged via the outfall. Table H-3 must be completed for discharges of tank bottom water or for hydrostatic testing of tanks and/or pipelines which previously contained petroleum products. Use the following abbreviations for units:

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

A. Existing Sources

You are required to provide at least one analysis for each pollutant or parameter listed that is known or believed to be present by filling in the requested information 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, composite samples must be used. Questions on sampling or analysis should be directed to (317) 232-8704 or 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.

B. New Dischargers

If a facility has not begun operation yet, applicants are required to provide an estimated maximum daily and average daily value for each pollutant or parameter (exceptions noted on the form). Sampling and analysis are not required preliminarily. If, however, data from such analyses are available, then such data should be reported. The source of the estimates should be provided in the second column of item 22. In providing the estimates, the codes in the following table should be used to indicate the source of the estimates or data.

Engineering study Code

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

Part I, Item 26: 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.

Part K, Item 29: 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** listing.

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

Please note that **if email addresses are provided** for each potentially affected party, **you are not required to submit a mailing label for those persons**. If you do not provided email addresses, please provide a label for each person per the above instructions. If submitting your NOI and other documents by email, please provide names and addresses, including the mail code, formatted to be printed onto Avery 5160 labels by IDEM staff.

Part M, Item 32: 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.

APPENDIX B –ADDITIONAL TABLES (if needed) TO COMPLETE PART H OF THE NOI

OUTFALL NUMBER:

TABLE H-1 EFFLUENT CHARACTERISTICS FOR ALL DISCHARGES TO BE COVERED UNDER THIS PERMIT

Please provide the following information **for each outfall/discharge** to be covered by this general permit. If you have more than one outfall you may use the additional tables in Appendix B at the end of this form. Insert the outfall number for each set of effluent data.

B. Existing Sources – Provide measurements for the parameters listed below. You must use, or require your contract laboratory to use, an analytical method with a detection level low enough to provide a detectable value for the pollutant of concern. Please provide information on the method used and detection limit achieved by the laboratory. *(See Appendix A)*

B. New Dischargers- Provide estimates for the parameters listed below. In lieu of the number of measurements taken, provide the source of the estimated values. *(See Appendix A)*

TABLE H-1 PARAMETERS	(1) 23. Maximum Daily Value		(2) 24. Average Daily Value *(last year)*		25. (3) or (4) Number of Measurements Taken *(last year)*	Source of Estimate *(if new discharger)*	Analytical Method *(List method used and its detection limit.)*	
	Concentration	Units	Concentration	Units			Method	Detection Limit
Total Suspended Solids (TSS)								
Total Residual Chlorine (if chlorinated water is used)								
Oil and Grease								
Discharge Flow	VALUE in MGD		VALUE IN MGD					
pH (S.U.)	MINIMUM		MAXIMUM					

TABLE H-2 ADDITIONAL EFFLUENT CHARACTERISTICS FOR DISCHARGES OF STORM WATER

Please provide the following information **for each outfall/discharge** of storm water runoff to be covered by this general permit. .

B. Existing Sources – Provide measurements for the parameters listed below. You must use, or require your contract laboratory to use, an analytical method with a detection level low enough to provide a detectable value for the pollutant of concern. Please provide information on the method used and detection limit achieved by the laboratory. *(See Appendix A)*

B. New Dischargers- Provide estimates for the parameters listed below. In lieu of the number of measurements taken, provide the source of the estimated values. *(See Appendix A)*

TABLE H-2 PARAMETERS	(1) 23. Maximum Daily Value		(2) 24. Average Daily Value *(last year)*		25. (3) or (4) Number of Measurements Taken *(last year)*	Source of Estimate *(if new discharger)*	Analytical Method *(List method used and its detection limit.)*	
	Concentration	Units	Concentration	Units			Method	Detection Limit
Ammonia (as N)								
Lead								
Benzene								
BTEX								
Naphthalene								
Chemical Oxygen Demand (COD)								

TABLE H-3 ADDITIONAL EFFLUENT CHARACTERISTICS FOR DISCHARGES OF HYDROSTATIC TEST WATER FOR EXISTING TANKS OR PIPELINES OR FOR DISCHARGES OF TANK BOTTOM WATER

Please provide the following information **for each outfall/discharge** of tank bottom water or hydrostatic test water involving existing tanks or pipelines to be covered by this general permit. .

B. Existing Sources – Provide measurements for the parameters listed below. You must use, or require your contract laboratory to use, an analytical method with a detection level low enough to provide a detectable value for the pollutant of concern. Please provide information on the method used and detection limit achieved by the laboratory. *(See Appendix A)*

B. New Dischargers- Provide estimates for the parameters listed below. In lieu of the number of measurements taken, provide the source of the estimated values. *(See Appendix A)*

TABLE H-3 PARAMETERS	(1) 23. Maximum Daily Value		(2) 24. Average Daily Value *(last year)*		25. (3) or (4)		Analytical Method *(List method used and its detection limit.)*	
					Number of Measurements Taken *(last year)*	Source of Estimate *(if new discharger)*	Method	Detection Limit
	Concentration	Units	Concentration	Units				
Ammonia (as N)								
Lead								
Cyanide, free								
Cyanide, total								
Benzene								
BTEX								
Naphthalene								
Chemical Oxygen Demand (COD)								
PAHs								
Total Organic Carbon								
Total Volatile Organic Compounds								