

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
PUBLIC NOTICE OF DRAFT GENERAL NPDES PERMIT RENEWAL
HYDROSTATIC TESTING OF COMMERCIAL PIPELINES
PUBLIC NOTICE NO: 20200914 – ING670000-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 ING670000 for hydrostatic testing of commercial pipelines with discharges to surface waters of the state. The current permit was issued in 2015 with an expiration date of October 31, 2020. IDEM proposes to renew the permit for a new five-year term.

The purpose of this permit is to establish requirements for point source discharges of waters used for the hydrostatic testing of commercial pipelines which are used for the transportation of natural gas, crude oil, and liquid or gaseous petroleum.

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 due to 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 or industrial 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;
- 9) discharges that contain pollutants classified as bioaccumulative chemicals of concern (BCCs); and
- 10) 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 page for public notices, specifically at <https://www.in.gov/idem/6777.htm> (for statewide public notices). The draft general NPDES permit documents are available for 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 ING670000

2020 Draft NPDES Fact Sheet

2020 Draft Notice of Intent Form

U.S. EPA Non-objection Letter 09/10/2020 Regarding the Pre-PN draft permit

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

In compliance with the provisions of the Federal Water Pollution Control Act, as amended, (33 U.S.C. 1251 et seq., the “Clean Water Act” or “CWA”) Title 13 of the Indiana Code, Articles 5 and 15 of Title 327 the Indiana Administrative Code, and regulations adopted by the Environmental Rules Board, the Indiana Department of Environmental Management (IDEM) is issuing this General NPDES permit to regulate discharges of wastewater from hydrostatic testing of commercial pipelines into surface waters of the State of Indiana.

This permit is issued on: _____

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

This permit expires on: **October 31, 2025**

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

Paul Higginbotham
Deputy Assistant Commissioner
Office of Water Quality

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1.0 GENERAL PERMIT COVERAGE

1.1 Permit Area

This hydrostatic test water general permit covers all areas of the State of Indiana.

1.2 Discharges Authorized/Covered by this Permit

This general permit covers any new or existing discharges of hydrostatic test water from commercial pipelines to surface waters of the State of Indiana. It authorizes discharges from hydrostatic testing of commercial pipelines and flowlines which are used for the transportation of natural gas, crude oil, and liquid or gaseous petroleum hydrocarbons. These discharges will henceforth in this permit be described as hydrostatic test water.

This general permit serves as a National Pollutant Discharge Elimination System (NPDES) general permit and is issued to be effective for a maximum 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 hydrostatic test water to surface waters of the state in accordance with the terms of this general permit. This authorization to discharge shall become effective upon receipt of notification of inclusion/coverage by the Commissioner. Any discharges of hydrostatic test water to a surface water of the state that are not permitted under this general permit or by another NPDES permit are unlawful.

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

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

1.3 Eligibility

- a) This general permit covers discharges of hydrostatic test water from commercial pipelines to surface waters of the state, except as limited in paragraph b below.
- b) The following discharges of hydrostatic test water are not authorized by this permit:
 - 1) direct discharges into waters that are designated as an Outstanding National Resource Water (ONRW) defined at IC 13-11-2-149.5 or an Outstanding State Resource Water (OSRW) defined at IC 13-11-2-149.6 and listed at 327 IAC 2-1.3-3(d);
 - 2) discharges to a receiving water when the discharge results in an increase in the ambient concentration of a pollutant which contributes to the impairment of the receiving water for that pollutant as identified on the current 303(d) list of impaired waters;
 - 3) discharges containing water treatment additives (WTAs) which have not received prior written approval from IDEM for the specific additive, use, and dosage at the particular site 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 or industrial 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;
 - 9) discharges that contain pollutants classified as bioaccumulative chemicals of concern (BCCs); and
 - 10) 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 standards in the receiving water for any discharges authorized by this permit, with compliance required upon beginning such a discharge. Numeric water quality standards are required to be met before water leaves a facility site. Narrative water quality standards must be met in all receiving waters after water leaves a permitted site.

2.1 Discharge Limitations

Table 1

| Parameter | Quantity or Loading | | | Quality or Concentration | | | Monitoring Requirements | |
|--------------------------------------|---------------------|---------------|------------|--------------------------|---------------|-------|-------------------------|--------------------------|
| | Monthly average | Daily maximum | Units | Monthly average | Daily maximum | Units | Measurement frequency | Sample type |
| Flow[1] | Report | Report | MGD | | | | Daily | 24 Hr. Total |
| Total Flow | | Report | Mgal/month | | | | 1 x monthly | Cumulative monthly total |
| TSS | | | | | 45 | mg/l | Daily | Grab [2] |
| Oil and grease | | | | | 15 | mg/l | Daily | Grab [2] |
| Total Residual Chlorine (TRC) [3][4] | | | | | 0.02 | mg/l | Daily | Grab [2] |
| [*] | | | | | | | | |

Table 2

| Parameter | Quality or Concentration | | | Monitoring Requirements | |
|-----------|--------------------------|---------------|-------|-------------------------|-------------|
| | Daily minimum | Daily maximum | Units | Measurement frequency | Sample type |
| pH | 6.0 | 9.0 | s.u. | Daily | Grab |

[*] IDEM will evaluate the NOI and other available information relating to the facility/site and the receiving waterbody to determine whether there is a need to include additional parameters, effluent limitations, and/or monitoring requirements. 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. Any additional effluent limitations and/or monitoring requirements will be included in the Notice of Coverage Letter which will advise the applicant of acceptance of coverage under this general permit.

[1] Measurement of flow is required. The discharge flow volume may be estimated by calculating the volume of water which can be contained in the section of pipeline being tested.

[2] Grab samples shall be taken of the hydrostatic test water being discharged as it leaves the pipeline being tested or after receiving 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.

- [3] The effluent limitation for Total Residual Chlorine (TRC) shall apply whenever chlorinated intake water is used to hydrostatically test pipelines. For any months in which chlorinated intake water is not used for hydrostatically testing, the permittee shall be allowed to 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.
- [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.

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

Case-Specific LOD/LOQ

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

2.2 Narrative Water Quality Standards

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

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

3.0 MONITORING REQUIREMENTS AND PROCEDURES

3.1 What to Sample

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

3.2 Measurement Frequency

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

3.3 Representative Sampling

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

3.4 Additional Monitoring by Permittee

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

3.5 Testing Procedures

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

3.6 Recording of Results

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

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

3.7 Reporting Monitoring Results

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

3.8 Reporting Effluent Data on the Federal Discharge Monitoring Reports

- a) 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, if the LOD for a substance is 0.1 µg/l, and it is not detected at that concentration, you may 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.

3.9 Records Retention

All records and information resulting from the monitoring activities required by this permit, including all records of analyses performed, 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 the following circumstances:

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

3.10 Reopening Clauses

- a) This general permit may be modified, or alternately, revoked and reissued, after public notice and opportunity for hearing to include any applicable effluent limitation or standard issued or approved under 301(b)(2)(C),(D) and (E), 304 (b)(2), and 307(a)(2) of the Clean Water Act, when the effluent limitation or standard so issued or approved:
 - 1) contains different conditions or is otherwise more stringent than any effluent limitation in the permit; or
 - 2) controls any pollutant not limited in the permit.
- b) This general permit may be modified, or alternately, revoked and reissued, after public notice and opportunity for hearing to incorporate any of the reopening clause provisions cited at 327 IAC 5-2-16.
- c) When this general permit is modified or revoked and reissued all persons regulated under it will be notified by IDEM. Those persons notified under this Section shall, within one hundred twenty (120) days of the receipt of notification:
 - 1) submit a complete NOI containing the information required under the modified or reissued permit; or
 - 2) submit an application for an individual NPDES permit.

4.0 NOTICE OF INTENT (NOI) REQUIREMENTS

4.1 NOI Format

A person seeking coverage under this general permit shall submit a complete and timely Notice of Intent (NOI) form (State Form 55918) for this specific general permit. 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 pipeline, an NOI shall be submitted at least thirty (30) days before any discharge occurs.
- b) For a pipeline that has existing, effective coverage under the 2015 general permit ING670000 on the effective date of this general permit, the existing coverage shall automatically be extended provided that the permittee takes one of the following actions within ninety (90) days following the date that the Commissioner makes the NOI form available to the permittee.
 - 1) The permittee submits a new NOI in accordance with Section 4.0 of this general permit to affirm he/she intends to comply with the requirements of this new general permit;
 - 2) The permittee notifies IDEM in writing of his/her intent to terminate general permit coverage in accordance with Section 5.0 of this general permit; or
 - 3) The permittee submits an individual NPDES application or modification to IDEM for the existing discharge permitted by the former general permit. In such cases, the general permit coverage will remain in effect until the effective date of coverage under an individual NPDES permit.
- c) For subsequent renewals of 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.
- e) The Commissioner may, with good cause shown in writing, extend any of the submission deadline time periods required above.

4.3 Submitting the NOI and Processing Fee

The NOI and all supporting documents and fees shall be submitted as follows:

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

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

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

4.4 NOI Content Requirements

The following information must be included in an NOI:

- a) name of the operator of the site 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, telephone number, email and mailing addresses of a contact person who is knowledgeable about the site;
- d) name of contact for submission of monthly monitoring reports and contact's telephone number and email and mailing addresses for submission of monthly monitoring reports;
- e) the location address of the site itself, and the latitudinal and longitudinal coordinates (to the nearest second) of the center of the site;
- f) the four-digit SIC (Standard Industrial Classification) code and the six-digit NAICS (North American Industry Classification System) Code that best describes the primary activity conducted at the site;
- g) brief description of the activities conducted at the site that result in the discharge
- h) estimate of the volume of hydrostatic test water to be discharged, in million gallons per day (mgd);
- i) latitudinal and longitudinal coordinates of each outfall location that will be discharging hydrostatic test water, including outfall numbers;

- j) location of each sampling point;
- k) name of the surface waters receiving each discharge;
- l) identification of the source of the water to be used for hydrostatic testing (i.e. municipal, well, or surface water);
- m) information regarding the pipe to be tested, including what type of product it previously contained where the pipe is not of new construction;
- n) facility location map which identifies, via names of at least two intersecting nearby streets and any permanent structures, the location of the site where the activity resulting in the discharge will be conducted, the location where the discharge will occur, and the waters receiving the discharge. The location map must show boundaries which extend at least a one-mile radius beyond the facility property. This information may be placed on top of a topographic map if it remains legible. If not, a separate topographic map is required to be submitted;
- o) a flow schematic diagram which shows how the water will flow through the site from the source water to the discharge point(s);
- p) a completed Potentially Affected Parties form (per IC 4-21.5, and mailing labels with the mail codes (Mail Code 65-42 PS) inserted on the first line of the label for each person listed;
- q) The NOI letter submittal must also contain proof of publication of the following statement in a newspaper of the 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 the National Pollutant Discharge Elimination System (NPDES) general permit ING670000 for discharges of hydrostatic test water from commercial pipelines. 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 general NPDES 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”.

- r) documentation of IDEM pre-approval for the use of any water treatment additives (WTAs) to be used with the hydrostatic test water;
- s) required permit application fee as per IC 13-18-20-12;
- t) certification statement signed by the authorized signatory as set forth in 40 CFR 122.22, and
- u) any additional information deemed necessary by the Commissioner.

5.0 REQUESTING TERMINATION OF COVERAGE

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

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

6.0 ADDITIONAL REQUIREMENTS

6.1 Standard Conditions for General Permits

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

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

6.2 Change of Ownership/Transfer

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

- a) The current permittee notifies IDEM at least thirty (30) days in advance of the proposed transfer date.
- b) A written agreement containing a specific date of transfer of permit responsibility and coverage between the current permittee and the transferee (including acknowledgment that the existing permittee is liable for violations up to that date, and the transferee is liable for violations from that date on) is submitted to IDEM.

- c) The transferee certifies in writing to IDEM the intent to operate the facility without making such material and substantial alterations or additions to the facility as would significantly change the nature or quantities of pollutants discharged.
- d) In addition to the submittal of the written agreement for transfer the new owner or operator must also submit a new NOI in accordance with the provisions of Section 4.0 of this permit.

6.3 Planned Changes in Facility or Discharge

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

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

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

6.4 Other Information

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

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

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

6.5 Effect of Noncompliance

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

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

6.6 Reporting Spills and Noncompliance

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

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

The permittee shall report any noncompliance and other information that is subject to the reporting requirements of 40 CFR 122.41(l)-(m) and 40 CFR 122.42(a) of this general permit within 24 hours of the person becoming aware of the permit noncompliance if it does not meet either of the conditions listed above. The permittee shall make the oral reports to IDEM by calling (317) 232-8670 during regular business hours or by calling (317) 233-7745 ((888) 233-7745 toll free in Indiana) during non-business hours. Written reports shall be submitted to IDEM within 5 days of the time the permittee becomes aware of the circumstances and may be submitted by U.S. Mail, by hand delivery, or 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. 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 written reports which are sent to IDEM via email shall be sent to wwreports@idem.IN.gov. Any other permit noncompliance that is not subject to the reporting requirements of 40 CFR 122.41(l)-(m), 40 CFR 122.42(a), or 327 IAC 2-6.1 shall be reported at the time of submittal of the applicable Discharge Monitoring Report as referenced in Section 3.7 of this general permit.

6.7 Certified Operator

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

6.8 Individual or Alternative General NPDES Permit

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

6.9 State and Local Laws

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

6.10 Future Electronic Reporting Requirements

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

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

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

6.11 Penalties for Violation of Permit Conditions

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

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

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

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

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

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

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

6.12 Penalties for Tampering or Falsification

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

6.13 Severability

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

6.14 Availability of Reports

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

6.15 Definitions

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

- a) "Commercial pipeline" means a pipeline, generally underground, that transports petroleum or natural gas.
- b) "Concentration" means the mass of any given material present in a unit volume of liquid. Unless otherwise indicated in this permit, concentration values shall be expressed in milligrams per liter (mg/l).
- c) "Daily Maximum" - The daily maximum discharge limitation is the maximum allowable daily discharge for any calendar day. The "daily discharge" means the total mass of a pollutant discharged during the calendar day or, in the case of a pollutant limited in terms other than mass pursuant to 327 IAC 5-2-11(e), the average concentration or other measurement of the pollutant specified over the calendar day or any twenty-four hour period that represents the calendar day for purposes of sampling.
- d) "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.
- e) "Wastewater discharge associated with hydrostatic testing of commercial pipelines" means the discharge from any conveyance which is used for collecting and conveying wastewater which is directly related to commercial pipelines. This includes discharge of water used for hydrostatically testing new or existing pipelines.



National Pollutant Discharge Elimination System

GENERAL PERMIT FACT SHEET for
 Hydrostatic Testing of Commercial Pipelines
 NPDES Permit No. ING670000
 September 10, 2020

Indiana Department of Environmental Management

Office of Water Quality
 100 North Senate Avenue
 Indianapolis, Indiana 46204
www.idem.IN.gov

| | |
|-------------------------------------|---|
| Existing Permit Information: | <p><u>General Permit Number</u> ING670000. Existing facilities permitted under the general permit ING670000 issued in 2015 will retain their existing general permit tracking numbers, and new permitted facilities will have tracking numbers using same numbering protocol (ING670XXX).</p> <p><u>Expiration Date:</u> Under this general permit all permitted facilities will have the same expiration date of October 31, 2025.</p> |
| Source Location: | State-wide |
| Receiving water: | All waters of the state of Indiana, except for Outstanding State Resource Waters and Outstanding National Resource Waters |
| Proposed Action: | General NPDES permit to replace existing general NPDES permit ING670000 that was issued in 2015 |
| Source Category | NPDES Minor – Industrial |
| Contacts: | <p>Name: C. Anne Burget or Catherine Hess Contact Information: cburget@idem.IN.gov; chess@idem.IN.gov</p> <p>Telephone: (317) 234-8745 or (317) 232-8704</p> |

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

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 associated with hydrostatic testing of commercial pipelines so that the public health, existing uses, and aquatic biota are protected. "Wastewater discharge associated with hydrostatic testing of commercial pipelines" means the discharge from a conveyance used for collecting and conveying wastewater which is directly related to commercial pipelines. This includes discharge of water used for hydrostatic testing of new or used pipelines. A "commercial pipeline" is a pipeline, generally underground, that transports petroleum or natural gas.

NPDES general permits are developed and issued to cover multiple facilities engaged in the same process category instead of an individual facility within the State of Indiana. IDEM first developed a general NPDES permit-by-rule (327 IAC 15-11) for discharges of hydrostatic test water in 1994. As a result of statutory changes to Indiana law in 2011, this was repealed in 2015 and replaced with an administrative general permit ING670000. IDEM now administers NPDES general permits via a "master general permit" (EPA terminology) which will be reevaluated and renewed on a five-year interval. Persons who seek coverage under the master general permit will continue to be assigned permit tracking numbers beginning with "ING67" but coverage under the general permit is limited to the permit term established in the master general permit.

Discharges of wastewater associated with hydrostatic testing of commercial pipelines are similar and require generally the same effluent limitations and monitoring requirements. As of September 2020, there are approximately three (3) facilities which are currently regulated under ING670000. The facilities covered by this general NPDES permit have typical daily flow volumes ranging from 0.0001 to 0.1 million gallons per day (MGD). The discharges are typically infrequent and may only occur on a single day or over a period of a few days during a month. Since the permit requirements for all these discharges are similar, it is the opinion of IDEM that this category of dischargers is controlled more appropriately under a NPDES general permit. These discharges are similar in the following ways:

- 1) They are comprised solely of hydrostatic test water discharges.
- 2) They originate from metallic or PVC pipelines.
- 3) The pipelines being tested are intended for future transport or have previously transported or contained petroleum or petroleum-derived gases or liquids.

B. Geographic area covered:

This general permit is intended to cover any discharge of hydrostatic test water from a commercial pipeline within the boundaries of the state of Indiana, except as denoted herein.

C. Receiving waters:

This general permit will authorize discharges to all surface waters of the State of Indiana, except for direct discharges to Outstanding State Resource Waters (OSRWs) and Outstanding National Resource Waters (ONRWs). Direct dischargers to OSRWs or ONRWs are required to obtain an individual NPDES permit to regulate their discharges.

D. Eligibility

Discharges covered under this general permit will be from industrial facilities with discharges solely comprised of wastewater from hydrostatic testing of commercial pipelines. This general permit contains certain specific exclusions from coverage which are denoted in Section 1.3 of the permit. Applicants proposing discharges not authorized by this permit will be required to apply for an individual NPDES permit.

The following discharges of hydrostatic test water from commercial pipelines are **not** authorized by this general permit:

- 1) direct discharges into waters that are designated as an Outstanding National Resource Water (ONRW) defined at IC 13-11-2-149.5 or an Outstanding State Resource Water (OSRW) defined at IC 13-11-2-149.6 and listed at 327 IAC 2-1.3-3(d);
- 2) discharges to a receiving water when the discharge results in an increase in the ambient concentration of a pollutant which contributes to the impairment of the receiving water for that pollutant as identified on the current 303(d) list of impaired waters;
- 3) discharges containing water treatment additives (WTAs) which have not received prior written approval from IDEM for the specific additive, use, and dosage at the particular site 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 or industrial 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;
- 9) discharges that contain pollutants classified as bioaccumulative chemicals of concern (BCCs); and
- 10) discharges for which the Commissioner requests an individual permit application.

E. Application for Coverage:

This general permit proposes to provide coverage for any discharges composed entirely of hydrostatic test water which meet the general permit criteria, are not precluded from general permit coverage, and where the discharger agrees to be regulated under the terms of the general permit.

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

F. Antidegradation Evaluation

Nature of Discharge

Hydrostatic testing of pipelines is generally done on a periodic basis resulting in discharges that only last for a short, temporary period. In accordance with Indiana's Antidegradation Standards and Implementation Procedures at 327 IAC 2-1.3-4, a new or increased discharge of non-bioaccumulative chemicals of concern which only occurs for a short term, temporary period lasting less than 12 months does not constitute a significant lowering of water quality and is not subject to further antidegradation review.

Wastewater Characterization

The pollutants expected to be discharged from a new pipeline include oil and grease (O & G), total suspended solids (TSS), and if using a municipal water source for pipeline testing, potentially total residual chlorine (TRC). The purpose of issuing the NPDES permit to those discharging hydrostatic test water from commercial pipelines 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, Indiana's minimum surface water quality standards.

The general permit imposes effluent limits based on treatment technology and water quality standards. The effluent limits are set at levels to ensure there is not a significant lowering of water quality of the stream receiving the discharge. Monitoring and limiting these parameters will ensure the proper operation of these systems and the best management practices being employed to control the wastewater being discharged.

Total residual chlorine limits and monitoring requirements are also included for facilities which use a municipal water supply to test the pipes. Dischargers are not authorized to introduce chlorine for treatment of the source water or wastewater. The purpose of adding total residual chlorine (TRC) limits is to acknowledge the potential use of water from a municipal source and to ensure only de minimis discharges of TRC when this water is used for hydrostatic testing.

Eligibility

Pursuant to 327 IAC 15-2-9(b)(1)(A), applicable requirements contained in this general permit must be adequate to ensure compliance with the water quality standards contained in 327 IAC 2-1, or 327 IAC 2-1.5. Although existing commercial pipelines may contain crude petroleum, petroleum refined products and natural gas, pollutants which have numeric water quality criteria are not expected to be present due to the source and nature of this discharge. The NOI requests information about the pipeline to be tested, including the type of product it previously contained. Additional effluent limitations and monitoring requirements may be added to the Notice of Coverage letter as a result of this information. However, when a substance is found to be present in the discharge which shows a reasonable potential to exceed a numeric water quality criterion, that facility will be required to obtain an individual NPDES permit prior to discharging.

G. When to Apply

All dischargers desiring coverage under this general permit must timely submit a Notice of Intent (NOI). Both the current and the proposed general NPDES permit ING670000 require 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, appropriate submission time frames, depending on the situation of the discharger are proposed (see Section 4.0 of general permit).

H. Permit Conditions:

1) Narrative Water Quality Based Limits

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

2) Current Numeric Permit 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. This is not the case with discharges of hydrostatic test water; thus, IDEM used best professional judgment (BPJ) to choose effluent limitations that meet technology based levels equivalent to BAT.

- a) **Flow** is a standard parameter to be monitored in all NPDES permits. The requirement to report both the monthly average and daily maximum flows for each month has been retained from the general permit ING670000. This parameter is required of all NPDES permits and is included in this permit in accordance with 327 IAC 5-2-13(a)(2).
- b) **Oil and Grease** is a common industrial pollutant and has the potential to be present in hydrostatic test water. The daily maximum effluent limitation for oil and grease of 15 mg/l is 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 which prohibit a visible oil sheen on receiving waters. The effluent limitations and monitoring requirement for oil and grease is the same as that which exists in the current (2015) general NPDES permit ING670000.
- c) **pH** is included in the general permit to ensure that the discharge will not violate Indiana water quality standards. The proposed limit of 6.0 to 9.0 standard units (s.u.) is in accordance with the Indiana Water Quality Standards (327 IAC 2-1-6 and 327 IAC 2-1.5-8). The effluent limitations and monitoring requirement for pH is the same as that which exists in the current (2015) general NPDES permit ING670000.
- d) **Total Suspended Solids (TSS)** is limited to a daily maximum of 30 mg/l. This limitation is based on the best professional judgment (BPJ) of the technology and corresponding effluent limitations equivalent to the best conventional treatment (BCT) in accordance with 327 IAC 5-2-10(6). The effluent limitations and monitoring requirements for TSS are the same as that which exists in the current (2015) general NPDES permit ING670000.
- e) **Total Flow**. An additional reporting requirement is being added to require permittees to monitor and report the total flow value for the month in units of million gallons (mgal). This requirement has been a parameter listed on the Discharge Monitoring Report forms for all NPDES permittees for the past several years, and it is included to assist IDEM in properly assessing the annual permit operating fees set forth under IC 13-18-20.
- f) **Total Residual Chlorine (TRC)** is limited to a daily maximum of 0.02 mg/l. The effluent limitation for TRC is 0.02 mg/l as a daily maximum. This limit is derived from 327 IAC 2-1-6. (Table 1 - Water Quality Criteria for Specific Substances) and 327 IAC 2-1.5-8 (Table 8-1; Surface Water Quality Criteria for Protection of Aquatic Life) and assumes that the discharge is likely to occur when there is little or no dilution available in the receiving waters. Since this effluent limitation (0.02 mg/l) is less than the LOQ value (0.06 mg/l), the permittee may report "< 0.06" for the daily maximum if the testing result(s) are less than the LOQ value. For any month in which the permittee does not utilize chlorinated intake water, the permittee may report "N/A" on the DMR and MMR. This parameter is included in the event that a municipal water supply is utilized as the source water for the hydrostatic test water.

3) Monitoring and Reporting Requirements

Monitoring requirements for all pollutant parameters are set at 1 x daily. Grab samples of each pollutant parameter shall be taken of the hydrostatic test water being discharged as it leaves the pipeline being tested or after receiving 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. If the permittee does not utilize a municipal water supply as the source water for the hydrostatic testing, then the permittee can report "N/A" for TRC on the federal Discharge Monitoring Reports (DMRs) and state Monthly Monitoring Reports (MMRs).

Total monthly flow volume must be calculated once monthly. The permittee is required to complete and submit DMRs and MMRs to IDEM by the 28th day of each month following the previous month's monitoring period.

The permittee and/or his or her consultant is now required to enroll in the NetDMR program for the electronic submittal of the DMRs and the MMRs in lieu of submitting them via U.S. Mail.

I. Reporting Spills and Noncompliance

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

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

The permittee shall also submit a written report to IDEM within 5 days of becoming aware of the incident; and the report may be submitted by U.S. Mail, by fax, or by email at 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 when death or

acute injury or illness to animals or humans does not occur. In order for a discharge or exceedance to be under the jurisdiction of this NPDES permit, the substance in question (a) must have been discharged in the normal course of operation from an outfall listed in this permit, and (b) must have been discharged from an outfall for which the permittee has authorization to discharge that substance.

J. Fees

In accordance with IC 13-18-20-12, any application for a new permit, renewal or modification of an existing permit, or request for variance from a permit requirement must be accompanied by an application fee, which is currently \$50.00. 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>. IDEM sends out invoices for the annual fees. Both the application fees and annual fees may be remitted by check via U.S. mail or may be remitted via IDEM's online payment portal at <https://www.in.gov/idem/6973.htm>, which can accept e-checks and some credit cards.

K. Reopening Clauses

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

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

L. Permit Term

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

M. Forms, References, and Guidance Documents

The IDEM website is under construction regarding NPDES general permits, but will soon contain information about each of the NPDES general permits including the permit(s) themselves, fact sheets, Notice of Intent (NOI) forms, Notice of Termination (NOT) forms, and helpful reference documents to assist the regulated community and the general public. This web page is still in development as of the date of this fact sheet.

N. Proposed Changes to the General Permit

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

- 1) The eligibility requirements in Section 1.3 were expanded to further restrict the types of discharge activities which can be authorized under this general permit.
- 2) A new paragraph was added to Section 2.2 of the permit to specify that the discharge shall not contain substances that would cause toxicity outside of the mixing zone of the receiving water.
- 3) Section 3.0 of the permit has been updated to reflect the requirement for all NPDES permittees to enroll in NetDMR for electronic submittal of the monthly reports.
- 4) Section 4.0 of the permit and the NOI form have been updated to require a flow schematic diagram of the permitted site.
- 5) The NOI has been updated to request email addresses if available for the listed Potentially Affected Persons who require notifications under IC 4-21.5.
- 6) The certification statement on the NOI form has been updated to include language from Title 13-30 of the Indiana Code.
- 7) Additional standard permit conditions were added to the permit as Sections 6.10 thru 6.14. A new section of definitions was also added as Section 6.15.

O. Public Notice of Draft General Permit

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

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



**NOTICE OF INTENT (NOI) LETTER
GENERAL NPDES PERMIT ING670000 for
HYDROSTATIC TESTING
OF COMMERCIAL PIPELINES**

State Form 55918 (mm-yy)
Approved by State Board of Accounts, 20xx
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 hydrostatic testing of commercial pipelines pursuant to NPDES Permit No. ING670000.**
- **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 A at the end of this form.**

For questions regarding this form, the required attachments, or permit requirements, contact IDEM General NPDES Permits staff at (317) 232-8704 or (800) 451-6027, ext. 28704 (within Indiana).

ELIGIBILITY REQUIREMENTS

This general permit covers discharge of hydrostatic test water to surface waters of the State from pipelines and flowlines used for the transportation of natural gas, crude oil, and liquid or gaseous petroleum hydrocarbons, **except** as stated below.

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

- 1) direct discharges into waters 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) those discharging to a receiving stream when the discharge results in an increased 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) those containing water treatment additives (WTAs) which have not received prior written approval from IDEM for the specific additive, use, and dosage at the particular site for which the Notice of Intent (NOI) is submitted; and
- 4) those resulting from the cleaning of tanks and/or pipelines;
- 5) storm water discharges associated with construction or industrial activity, as defined at 40 CFR 122.26;
- 6) discharges to combined or sanitary sewer systems;
- 7) discharges that are commingled with hazardous wastes or hazardous materials;
- 8) bypasses or upsets of any kind from a treatment works or collection system;
- 9) discharges that contain pollutants classified as bioaccumulative chemicals of concern (BCCs); and
- 10) 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
- RENEWAL
- MODIFICATION

PERMIT NUMBER, IF APPLICABLE

OTHER PERMIT NUMBER(S) APPLICABLE TO SITE

DESCRIPTION OF PROPOSED MODIFICATION, IF APPLICABLE

PART A: GENERAL INFORMATION FOR FACILITY

1. PIPELINE OWNER'S NAME and SPECIFIC PIPELINE PROJECT NAME (See Appendix A A)

2. PIPELINE OWNER'S MAILING ADDRESS (See Appendix A A)

STREET ADDRESS

3. FACILITY PHYSICAL LOCATION / WHERE TESTING WILL OCCUR

STREET ADDRESS

CITY

STATE

ZIP CODE

CITY

STATE

ZIP CODE

| | | | | | | | | |
|---|-------|----------|---|-------------------------|---|-----------|--------|--------|
| PARENT COMPANY/OWNER'S COMPLETE MAILING ADDRESS, IF DIFFERENT FROM ABOVE | | | 5a. FACILITY SIC CODE | 5b. FACILITY NAICS CODE | 6. COUNTY OF PIPELINE'S TESTING LOCATION(S) | | | |
| COMPANY NAME | | | | | | | | |
| STREET ADDRESS (number and street) | | | 7. LATITUDE AND LONGITUDE OF INITIAL FACILITY SITE (See Appendix A 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: natural gas production and distribution) | | | | | | | | |
| 9. Provide a brief description of the facility operations that result in the discharge. (Example: hydrostatic testing of a new natural gas pipeline). <u>Also include information regarding the method which is used for flow measurement at this site.</u> | | | | | | | | |

| PART B: CONTACT INFORMATION FOR RESPONSIBLE OFFICIAL (AUTHORIZED NOI SIGNATORY) | |
|---|---|
| Provide information regarding the <u>responsible official</u> who has the authorization to sign this NOI in accordance with 40 CFR 122.22. If the responsible official wishes to delegate signatory authority for reports and other correspondence related to this NOI, that delegation must be made in writing to IDEM. This delegation of authority may occur either via this NOI or via a letter (signed and dated by the responsible official) which shall be submitted to the address at the top of the front page of this form. | |
| 10. NAME OF RESPONSIBLE OFFICIAL | 11. NAME OF ALTERNATE PERSON DELEGATED TO SIGN NOI AND ASSOCIATED DOCUMENTS |
| | |
| RESPONSIBLE OFFICIAL'S TITLE | ALTERNATE SIGNATORY PERSON'S TITLE |
| | |
| RESPONSIBLE OFFICIAL'S TELEPHONE NUMBER | ALTERNATE SIGNATORY PERSON'S TELEPHONE NUMBER |
| | |
| RESPONSIBLE OFFICIAL'S PERSON'S EMAIL ADDRESS | ALTERNATE SIGNATORY PERSON'S EMAIL ADDRESS |
| | |

| PART C: OTHER CONTACT INFORMATION | | | |
|---|-------------------------------------|-------|----------|
| NAME OF PERSON RESPONSIBLE FOR 12. DISCHARGE MONITORING REPORTS | RESPONSIBLE PERSON AND COMPANY NAME | | |
| | | | |
| TELEPHONE NUMBER | STREET ADDRESS | | |
| EMAIL ADDRESS | CITY | STATE | ZIP CODE |
| 13. ANNUAL FEE AND FINANCIAL CONTACT AND BILLING ADDRESS | RESPONSIBLE PERSON AND COMPANY NAME | | |
| | | | |
| TELEPHONE NUMBER | STREET ADDRESS | | |
| EMAIL ADDRESS | CITY | STATE | ZIP CODE |
| 14. OPERATOR / OTHER CONTACT AND MAILING INFORMATION (OPTIONAL) | CONTACT PERSON AND COMPANY NAME | | |
| | | | |
| CONTACT TELEPHONE NUMBER | STREET ADDRESS | | |
| CONTACT EMAIL ADDRESS | CITY | STATE | ZIP CODE |
| | | | |

PART D: SOURCE WATER INFORMATION

Please provide the volume of the water, in millions of gallons per day (MGD), that you propose to withdraw from each of the following sources for use for the hydrostatic testing of commercial pipelines.

| | | | |
|------------|---------------|---------------------|-------|
| WELL WATER | SURFACE WATER | PUBLIC WATER SUPPLY | UNITS |
| | | | MGD |

PART E: TYPE OF PIPE TO BE HYDROSTATICALLY TESTED (mark all that apply.) For testing of any existing pipeline, (i.e. which has previously contained any product), please describe the product it contained.

| | | |
|--|--------------------------------------|------------------------------|
| NEW (Unused) <input type="checkbox"/> | EXISTING <input type="checkbox"/> | PIPELINE CONTENT INFORMATION |
|--|--------------------------------------|------------------------------|

PART F: OUTFALL INFORMATION:

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

| 15. OUTFALL NUMBER | 16. LATITUDE | | | 16. LONGITUDE | | | 17. RECEIVING WATER | 18. FOR ANY DISCHARGE INTO A STORM SEWER, IDENTIFY THE STORM SEWER OWNER | 19. ANTICIPATED DAILY VOLUME OF DISCHARGE in MGD AND METHOD OF DETERMINATION OF VOLUME |
|--------------------|--------------|-----|------|---------------|------|------|---------------------|--|--|
| | DEG. | MIN | SEC. | DEG. | MIN. | SEC. | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |

PART G: EFFLUENT CHARACTERISTICS

Provide the following **information for all outfalls/discharges** to be covered by this permit. This page may be copied and used to report data for every discharge site.

- A. Existing Sources – Provide measurements for the parameters listed in the left hand column, unless waived by the permitting authority. (See Appendix A A)
- B. New Dischargers- Provide estimates for the parameters listed in the left-hand column below, unless waived by the permitting authority. In lieu of the number of measurements taken, provide the source of estimated value. (See Appendix A A)

| | (1) 20. Maximum Daily Value (include units) | | (2) 21. Average Daily Value Over Last Year (include units) | | 22. (3) or (4) | |
|---|---|---------------|--|---------------|--|--|
| | Mass | Concentration | Mass | Concentration | Number of Measurements Taken (last year) | Source of Estimate (if new discharger) |
| Biochemical Oxygen Demand (BOD) | | | | | | |
| Total Suspended Solids (TSS) | | | | | | |
| Fecal coliform (if present or believed present) (units in count/100 ml) | | | | | | |
| Total Residual Chlorine (if chlorine or chlorinated water is used) | | | | | | |
| Oil and Grease | | | | | | |
| Ammonia (as N) | | | | | | |
| Discharge Flow | VALUE in MGD | | VALUE IN MGD | | | |
| Temperature (Winter; in degrees F) | VALUE in DEGREES FAHRENHEIT | | VALUE in DEGREES FAHRENHEIT | | | |
| Temperature (Summer; in degrees F) | VALUE in DEGREES FAHRENHEIT | | VALUE in DEGREES FAHRENHEIT | | | |
| pH (S.U.) | MINIMUM | | MAXIMUM | | | |

PART G: ADDITIONAL TABLE for EFFLUENT CHARACTERISTICS (if applicable)

Provide the following **information for all outfalls/discharges** to be covered by this permit. This page may be copied and used to report data for every discharge site.

- A. Existing Sources – Provide measurements for the parameters listed in the left hand column, unless waived by the permitting authority. (See Appendix A A)
- B. New Dischargers- Provide estimates for the parameters listed in the left-hand column below, unless waived by the permitting authority. In lieu of the number of measurements taken, provide the source of estimated value. (See Appendix A A)

| | (1) 20. Maximum Daily Value (include units) | | (2) 21. Average Daily Value Over Last Year (include units) | | 22. (3) | or | (4) |
|---|---|---------------|--|---------------|--|----|--|
| | Mass | Concentration | Mass | Concentration | Number of Measurements Taken (last year) | | Source of Estimate (if new discharger) |
| Biochemical Oxygen Demand (BOD) | | | | | | | |
| Total Suspended Solids (TSS) | | | | | | | |
| Fecal coliform (if present or believed present) (units in count/100 ml) | | | | | | | |
| Total Residual Chlorine (if chlorine or chlorinated water is used) | | | | | | | |
| Oil and Grease | | | | | | | |
| Ammonia (as N) | | | | | | | |
| Discharge Flow | VALUE in MGD | | VALUE IN MGD | | | | |
| Temperature (Winter; in degrees F) | VALUE in DEGREES FAHRENHEIT | | VALUE in DEGREES FAHRENHEIT | | | | |
| Temperature (Summer; in degrees F) | VALUE in DEGREES FAHRENHEIT | | VALUE in DEGREES FAHRENHEIT | | | | |
| pH (S.U.) | MINIMUM | | MAXIMUM | | | | |

PART H: WATER TREATMENT ADDITIVES: (WTAs)

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. See the Appendix A A for more information on WTAs or if you will need to use a water treatment additive that has not yet been approved by IDEM.

| 23. OUTFALL NUMBER | 24. WATER TREATMENT ADDITIVES TO BE USED (Attach a copy of IDEM approval letter for each WTA to be used.) |
|--------------------|--|
| | |
| | |
| | |
| | |

PART I: IDENTIFICATION OF POTENTIALLY AFFECTED PERSONS

25. Pursuant to IC 4-21.5 and IC 13-15-3-1 each applicant for general permit coverage is required to provide a listing of all persons who are potentially affected by the discharge(s) to be covered under the general permit. **PLEASE NOTE THAT MAILING LABELS ARE ALSO REQUIRED WITH THIS SUBMITTAL.** (See instructions in Appendix A.)

Please list here any and all persons whom you have reason to believe have a substantial or proprietary interest in this matter, or could otherwise be considered to be potentially affected under the law. Failure to notify any person who is later determined to be potentially affected could result in voiding our decision on procedural grounds. To ensure conformance with the Administrative Orders and Procedures Act (AOPA) and to avoid reversal of a decision, please list all such parties. Attach additional names and addresses on a separate sheet of paper, as needed. **NOTE: Email addresses for potentially affected persons are NOT required; but the information is very helpful.**

| | |
|--|--|
| Name: | Name: |
| Street address (<i>number and street</i>): | Street address (<i>number and street</i>): |
| City/State/ZIP code: | City/State/ZIP code: |
| Email Address | Email address |
| | |
| Name: | Name: |
| Street address (<i>number and street</i>): | Street address (<i>number and street</i>): |
| City/State/ZIP code: | City/State/ZIP code: |
| Email Address | Email address |
| | |
| Name: | Name: |
| Street address (<i>number and street</i>): | Street address (<i>number and street</i>): |
| City/State/ZIP code: | City/State/ZIP code: |
| Email Address | Email address |
| | |
| Name: | Name: |
| Street address (<i>number and street</i>): | Street address (<i>number and street</i>): |
| City/State/ZIP code: | City/State/ZIP code: |
| Email Address | Email address |
| | |
| Name: | Name: |
| Street address (<i>number and street</i>): | Street address (<i>number and street</i>): |
| City/State/ZIP code: | City/State/ZIP code: |
| Email Address | Email address |
| | |
| Name: | Name: |
| Street address (<i>number and street</i>): | Street address (<i>number and street</i>): |
| City/State/ZIP code: | City/State/ZIP code: |
| Email Address | Email address |
| | |
| Name: | Name: |
| Street address (<i>number and street</i>): | Street address (<i>number and street</i>): |
| City/State/ZIP code: | City/State/ZIP code: |
| Email Address | Email address |
| | |
| Name: | Name: |
| Street address (<i>number and street</i>): | Street address (<i>number and street</i>): |
| City/State/ZIP code: | City/State/ZIP code: |
| Email Address | Email address |
| | |

PART J: ADDITIONAL ATTACHMENTS

26. PROOF OF PUBLICATION

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

(Facility name, address, address of the location of the discharging facility) "is submitting a Notice of Intent to notify the Indiana Department of Environmental Management of our intent to comply with the requirements under the National Pollutant Discharge Elimination System (NPDES) general permit ING670000 for discharges of hydrostatic test water from commercial pipelines. 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 number and email address)*. The decision to issue coverage under this NPDES general permit for this discharge is appealable per IC 13-15-6. Any person who wants to be informed of IDEM's decision regarding granting or denying coverage to this facility under this NPDES general permit, and who would like to be informed of procedures to appeal the decision may contact IDEM at OWQWWPER@idem.IN.gov and ask to be placed on a mailing list to receive notification of IDEM's decision."

27. REQUIRED MAPS

The following maps are required:

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

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

PART K: APPLICATION FEE

28. A \$50 fee is required to be submitted with this NOI in accordance with IC 13-18-20-12. The \$50 fee is applicable for each new NOI, renewal, and modification. Updates to information in Parts B and C shall not be subject to the \$50 fee for modifications. Checks or money orders shall be made payable to IDEM. IDEM also accepts e-checks and some credit card payments via its Online Payment Portal at <https://www.in.gov/idem/6973.htm>.

PART L: SIGNATORY CERTIFICATION STATEMENT

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

APPENDIX A / SUPPLEMENTAL INSTRUCTIONS

Application type: For the purposes of this form, a modification includes removing an existing outfall, adding an outfall in a new location, updating the volume of discharge anticipated, or updating an NOI wastewater characterization table if determined that actual sampling data differs significantly from what was originally submitted in the Notice of Intent. Outfall locations are considered, for the purposes of this permit, to be discrete points. If an outfall is relocated, an NOI requesting permit modification must be submitted, requesting to remove the outfall from its previous location, and add a new outfall with a new outfall number to the permit coverage.

Changes in contact information must be reported to IDEM, but may be done via a letter on company letterhead or an updated NOI. Either document is required to be signed by the signatory (Part B Item 10) or delegated signatory authority (Part B Item 11). When simply updating contact information, neither a fee, potentially affected parties list, nor proof of publication in a newspaper is required.

Part A, Item 1: Provide the name of the OWNER of the pipeline as well as the name of the specific pipeline project that is to be permitted, differentiated from other projects by name/location and/or project number.

Part A, Items 2 and 3: Provide address or location description of pipeline's start, terminal/end, location of discharge, and/or other location information. If the facility's mailing address is not sufficient to allow a person who wishes to visit the discharge site to find it, then section 3 should be a description of the testing site's location. Often, the testing location will not have a physical address, so please attach additional sheets if the space provided in the NOI is not big enough to provide a proper location description.

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

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

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

Convert decimal latitude 45.1234567 to degrees/minutes/ seconds

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

Part B, item 10: To be authorized to sign NPDES documents, a Responsible Official or Responsible Person must meet at least one of the following requirements:

- a) For a corporation, the responsible person must be a 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; or
 - (2) the manager of one or more including of the following: manufacturing, production, or operation of facilities, provided the manager is authorized to make management decisions which govern the operation of the regulated facility. This would include 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 is authorized to ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements. This person has been given authority to sign documents in accordance with corporate procedures.
- b) For a partnership or sole proprietorship, the responsible person must be a general partner or the proprietor, respectively.
- c) For a municipality, state, federal, or other public agency or political subdivision thereof, the 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 F, Item 15: Enter a three number designation for each point of discharge, for example, 001, 002, 003, etc.

Part F Item 16, see Part A, Item 7, above.

Part F, Item 17: Enter the name of the water of the state to which discharge will be directed for each outfall, as either the body of water itself, if the discharge is direct, or taking into account tributaries if applicable. EXAMPLE: "Upland area draining to Stone Creek", or "Connor Ditch to Stone Creek"; or "unnamed tributary to Connor Ditch to Stone Creek". Please label all water bodies on the map.

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

Part G, items 20 and 21: All pollutant data must be reported as concentration and as total mass. Total mass is the total weight of pollutants discharged over a day. Use the following abbreviations for units:

Concentration

ppm.....parts per million
mg/l..... milligrams per liter
ug/l.....micrograms per liter
ng/l.....nanograms per liter

Mass

lbs.....pounds
ppb.....parts per billion
g.....grams

Existing Sources

At least one analysis is required for each pollutant or parameter listed that is known or believed to be present. Data reported must be representative of the facility's current operation (average daily value over the previous 365 days). Pollutants not present should be marked N/A.

The pollutants or parameters required to be tested for include the following: average flow, biochemical oxygen demand (BOD), total suspended solids (TSS), fecal coliform (if believed present), pH, total residual chlorine (if chlorine or chlorinated water is used), temperature (winter and summer), oil and grease, and ammonia (as N). The analysis of these pollutants or parameters must be done in accordance with procedures promulgated in 40 CFR Part 136. Grab samples must be used for pH, total suspended solids (TSS), temperature, residual chlorine, oil and grease, and fecal coliform. For all other pollutants, 24-hour composite samples must be used. Any further questions on sampling or analysis should be directed to (317) 232-8704 or OWQWWPER@idem.IN.gov.

The Commissioner may request that additional testing be done, if appropriate and on a case by case basis under Section 308 of the Clean Water Act (CWA). If a pollutant is expected to be present solely as a result of its presence in intake water, this information should be provided on a separate piece of paper submitted with the Notice of Intent form.

New Dischargers

An estimated maximum daily and average daily value for each pollutant or parameter must be provided (exceptions noted on the NOI form). Sampling and analysis are not required with the initial Notice of Intent. If, however, data from such analyses are available, then the data should be reported. The source of the estimates should be provided in the second column of item 22. Determination of whether or not a pollutant will be present in the discharge should be based on knowledge of the proposed facility's use of maintenance chemicals and any analyses of this facility's effluent or of effluent from a similar facility or outfall. Estimates may also be based on available in-house or contractor's engineering reports, or on any other studies performed on the proposed facility. If a pollutant is expected to be present solely as a result of its presence in intake water, this information should be provided on a separate piece of paper and submitted with the Notice of Intent form. The following codes may be used to report any results:

Engineering Study Code

- Actual data pilot plants..... 1
- Estimates from other engineering studies2
- Data from other similar plants3
- Best professional estimates4
- Others Specify on the form

Testing Waivers

To request a waiver from reporting any of these pollutants or parameters, the applicant (whether a new or existing discharger) must submit to IDEM a written request specifying the pollutants or parameters that should be waived, and the reason(s) for requesting a waiver. This request may be submitted to the permitting authority either before submitting the NOI, or with the NOI. The permitting authority may waive the requirements for information about any pollutant or parameter if s/he determines that less stringent reporting requirements are adequate to support approval of discharge permit coverage.

Part H, Item 24: Water treatment additives may only be used for waters discharging through outfalls covered by this general permit, and only after the applicant has received prior approval from IDEM. To apply for approval of a water treatment additive, State Form 50000 should be submitted to IDEM either before or with your Notice of Intent; Form 5000 may be found at <https://www.in.gov/idem/5157.htm>. For more information, please contact us at (317) 232-8704 or OWQWWPER@idem.IN.gov.

Part I, Item 25: Identification of Potentially Affected Persons

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

- 1) Each person to whom the decision is specifically directed;
- 2) Each person to whom a law requires notice to be given;
- 3) Each competitor who has applied to 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 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 result in either of the following:
 - 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 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 entities:

- 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 submit the names of those persons affected by these statutes on the attached form **and include the completed mailing labels with your NOI**. These mailing labels should include the names and addresses of the affected parties along with our mailing code (65-42PS) listed above each affected party listing. Example: **65-42PS**

**John Doe
111 Circle Drive
City, State, Zip Code**

Part L: See instructions for Part B, item 10, above.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

REPLY TO THE ATTENTION OF:

WP-16J

September 10, 2020

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

Re: Review of Draft NPDES General Permit ING6700000 for Hydrostatic Testing of
Commercial Pipelines

Dear Mr. Dittmer:

The U.S. Environmental Protection Agency reviewed the public notice draft National Pollutant Discharge Elimination System general permit, fact sheet, and supporting documents for Hydrostatic Testing of Commercial Pipelines, permit no. ING6700000. The draft permit was received on August 6, 2020.

Based on our review to date, EPA does not intend to object to issuance of the permit. However, our position could change if any of the following occurs:

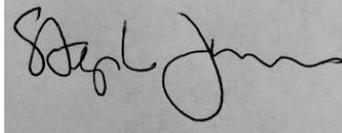
- a. Prior to the date of issuance of the proposed permit, an effluent guideline or standard is promulgated which is applicable to the permit and which would require revision or modification of a limitation or condition set forth in the public notice draft permit;
- b. A decision is made to grant or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

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

When the proposed permit is issued, please forward one copy and any significant comments received during any public notice period to r5npdes@epa.gov. Please include the NPDES permit number and words "proposed permit" in the message title. If you have any technical questions related to EPA's review, please contact Wilonda Quinn at (312) 886-0956 or by email at quinn.wilonda@epa.gov.

Thank you for your cooperation during the review process and your thoughtful consideration of our comments.

Sincerely,

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

Stephen M. Jann
Chief, Permits Branch
Water Division

Enclosure

cc: chess@idem.in.gov
phigginb@idem.in.gov
cburget@idem.in.gov

bcc: Andrea Schaller, EPA Permits Branch Chief, Section 1
Wilonda Quinn, EPA Permits Branch, Section 1

Path and File Name: RTR SharePoint

Enclosure A

U.S. Environmental Protection Agency
Public Notice NPDES Draft General Permit Received August 6, 2020
Hydrostatic Testing of Commercial Pipelines
Permit No. ING670000

Please consider these comments to clarify and improve the draft permit:

Hydrostatic Testing of Commercial Pipelines General Permit

1. NPDES regulations at 40 CFR 122.44(i) and (iii) state that NPDES permits must include monitoring requirements to assure compliance with permit limitations, including monitoring for noncontinuous discharges as determined to be necessary. Section 2 of the draft permit requires the permittee to control discharges to meet narrative water quality standards. The permit incorporates those standards by reference to 327 IAC 2-1-6 and 2-1.5-8 and expressly in Section 2.2 a) through f). However, the draft permit does not include a requirement to monitor for these conditions. EPA recommends including a requirement in Section 2 to report outfall monthly observations of the outfall as “yes” or “no” where “yes” means the observation was made and “no” if observation requirement was not completed.
2. In conjunction with the yes/no reporting recommended above, the permit should include a requirement to report whether the observation detected any unusual characteristic of the discharge (i.e., unnatural turbidity, color, oil film, floating solids, foams, turbidity, or deposits) within five days of the observation (or some other appropriate timeframe determined by IDEM), and steps taken to remedy the unusual characteristic.
3. Throughout the permit IDEM inconsistently uses the terms “receiving streams” and “waters”. EPA recommends IDEM revise the permit to reference “water(s)” in order to capture all regulated waters that may receive discharge from this general permit and to make the permit consistent with the prohibition in Section 2.2 that protects narrative water quality standards.