



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We Protect Hoosiers and Our Environment.

100 N. Senate Avenue • Indianapolis, IN 46204
(800) 451-6027 • (317) 232-8603 • www.idem.IN.gov

Eric J. Holcomb
Governor

Bruno L. Pigott
Commissioner

VIA ELECTRONIC MAIL:

Dot.Marchand@yahoo.com

October 8, 2020

Mrs. Dorothy Marchand, Owner/Operator
Tom's Circle S
204 S. 7th St.
Cannelton, IN 47520

Dear Ms. Marchand:

Re: IDEM Approval of Request to Terminate
NPDES General Permit Coverage
ING080250
Tom's Circle S Station
UST # 3592
Facility ID # 351662385
204 S. 7th St.
Cannelton, IN
Perry County

We received a letter on July 31, 2020, submitted by Matt Yancy of Hinderliter Environmental Services on your behalf, requesting termination of permit coverage for Tom's Circle S Station. The letter states that the request is being made pursuant to the IDEM Office of Land Quality's recommendation that the ground water remediation system be shut down. Mr. Yancy states that the remediation system has been shut down since March 2018 and that you are awaiting a No Further Action status letter from IDEM. This letter will likely be issued after completion of the sampling of the monitoring wells for twelve (12) quarters, with the 12th being this year's 4th quarter.

Following our recent discussions with the staff of the IDEM Office of Land Quality (OLQ) and our review of correspondence between their project manager, Mr. Doug Bartz, and Mr. Yancy, we concur that it is appropriate to terminate the NPDES general permit coverage for this project. Therefore, National Pollutant Discharge Elimination System Permit # ING080250 is hereby **terminated, effective September 30, 2020.**

Please note that IDEM shall serve notice of its decision to terminate your facility's coverage under the general permit in accordance with the requirements of 327 IAC 5-3-14. It should also be noted that any appeal must be filed under procedures outlined in IC 13-15-6, IC 4-21.5, and the enclosed Public Notice. The appeal must be initiated by filing a petition for administrative review with the Office of Environmental Adjudication (OEA) within fifteen (15) days of the emailing of an electronic copy of this letter or within eighteen (18) days of the mailing of this letter. A copy must also be served upon IDEM.

Mrs. Dorothy Marchand, Owner/Operator

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Addresses are as follows:

Director
Office of Environmental Adjudication
Indiana Government Center North
Room 103
100 North Senate Ave.
Indianapolis, IN 46204

Commissioner
Indiana Department of Environmental Management
Indiana Government Center North
Room 1301
100 North Senate Ave.
Indianapolis, IN 46204

You are reminded that submission of monitoring data via NetDMR is required for all months up to the termination date of this general permit coverage. Also future discharge to waters of the state must be preceded by the submission of an NPDES application at least 180 days prior to the commencement of such discharge, unless a later date is allowed either by rule or by an applicable NPDES general permit.

Questions regarding this matter may be directed to Ms. C. Anne Burget of my staff at (317) 234-8745 or via email at cburget@idem.IN.gov.

Sincerely,

Catherine Hess

Catherine Hess, Chief
Permits Administration Section
Office of Water Quality

cc: Perry County Health Dept.
Mr. Doug Bartz, IDEM OLQ (DBartz@idem.IN.gov)
Mr. Matt Yancy, Mr. Clark Patterson; Hinderliter Environmental Services
(Myancy@hes-enviro.com); (Cpatterson@hes-enviro.com)

**STATE OF INDIANA
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**

PUBLIC NOTICE NO. 20201008 –ING080250 –GP

DATE OF NOTICE: October 8, 2020

The Office of Water Quality approves the following NPDES GENERAL PERMIT action:

TERMINATION

TOM'S CIRCLE S STATION General NPDES Permit No. ING080250, 204 S. 7th St, Cannelton, IN (PERRY COUNTY). Representatives for this facility requested termination of general NPDES permit coverage under ING080000, which regulates discharges from groundwater petroleum remediation systems to surface waters of the state. There is no longer a discharge because the remediation project is completed. This general permit coverage is no longer needed. Therefore, this termination of coverage is deemed effective on September 30, 2020. For more information regarding this termination of General NPDES Permit coverage, please contact Ms. C. Anne Burget at (317) 234-8745 or via e-mail at cburget@idem.IN.gov.

Notice of Right to Administrative Review

If you wish to challenge this permit, you must file a Petition for Administrative Review with the Office of Environmental Adjudication (OEA), and serve a copy of the petition upon IDEM. The requirements for filing a Petition for Administrative Review are found in IC 4-21.5-3-7, IC 13-15-6-1 and 315 IAC 1-3-2. A summary of the requirements of these laws is provided below.

A Petition for Administrative Review must be filed with the Office of Environmental Adjudication (OEA) within fifteen (15) days of the issuance of this notice (eighteen (18) days if you received this notice by U.S. Mail), and a copy must be served upon IDEM. Addresses are:

Director
Office of Environmental Adjudication
Indiana Government Center North
Room N103
100 North Senate Avenue
Indianapolis, Indiana 46204

Commissioner
Indiana Department of Environmental Management
Indiana Government Center North
Room 1301
100 North Senate Avenue
Indianapolis, Indiana 46204

The petition must contain the following information:

1. The name, address and telephone number of each petitioner.
2. A description of each petitioner's interest in the permit.
3. A statement of facts demonstrating that each petitioner is:
 - a. a person to whom the order is directed;
 - b. aggrieved or adversely affected by the permit; or
 - c. entitled to administrative review under any law.
4. The reasons for the request for administrative review.
5. The particular legal issues proposed for review.
6. The alleged environmental concerns or technical deficiencies of the permit.
7. The permit terms and conditions that the petitioner believes would be appropriate and would comply with the law.
8. The identity of any persons represented by the petitioner.
9. The identity of the person against whom administrative review is sought.
10. A copy of the permit that is the basis of the petition.
11. A statement identifying petitioner's attorney or other representative, if any.

Failure to meet the requirements of the law with respect to a Petition for Administrative Review may result in a waiver of your right to seek administrative review of the permit. Examples are:

1. Failure to file a Petition by the applicable deadline;
2. Failure to serve a copy of the Petition upon IDEM when it is filed; or
3. Failure to include the information required by law.

If you seek to have a permit stayed during the administrative review, you may need to file a Petition for a Stay of Effectiveness. The specific requirements for such a Petition can be found in 315 IAC 1-3-2 and 315 IAC 1-3-2.1.

Pursuant to IC 4-21.5-3-17, OEA will provide all parties with notice of any pre-hearing conferences, preliminary hearings, hearings, stays, or orders disposing of the review of this action. If you are entitled to notice under IC 4-21.5-3-5(b) and would like to obtain notices of any pre-hearing conferences, preliminary hearings, hearings, stays, or orders disposing of the review of this action without intervening in the proceeding you must submit a written request to OEA at the address above.

If you have procedural or scheduling questions regarding your Petition for Administrative Review please refer to OEA's website at <http://www.in.gov/oea>.

This Form Replaces Previous Form 2040-0086 (Please See Instructions Before Completing This Form)

NPDES
FORM
3510-7



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460
NOTICE OF TERMINATION (NOT) OF COVERAGE UNDER A NPDES GENERAL PERMIT
FOR STORMWATER DISCHARGES ASSOCIATED WITH INDUSTRIAL ACTIVITY

Form Approved.
OMB No. 2040-0086

Submission of this Notice of Termination (NOT) constitutes notice that the party identified in Section B of this form is no longer authorized to discharge stormwater associated with industrial activity under the NPDES program for the facility identified in Section C of this form. All necessary information must be included on this form. Refer to the instructions at the end of this form.

A. Permit Number:

1. NPDES Permit Tracking Number: I N G 0 8 0 2 5 0

2. Reason for Termination (check one only):
- a. You transferred operational control to another operator.
 - b. You no longer have a stormwater discharge associated with industrial activity subject to regulation under the NPDES program, and you have already implemented necessary sediment and erosion controls as required by Part 2.1.2.5.
 - c. You are a Sector G, H, or J facility and you have met the applicable termination requirements.
 - d. You obtained coverage under an alternative NPDES permit.

B. Facility Operator Information

1. Name: H i n d e r l i t e r E n v i r o n m e n t a l I n c

2. IRS Employer Identification Number (EIN): 3 5 - 1 9 4 8 7 0 9

3. Mailing Address:

a. Street: 3 6 0 1 N S t J o s e p h A v e

b. City: E v a n s v i l l e c. State: I N d. Zip Code: 4 7 7 2 0 -

e. Phone: 8 1 2 - 4 2 5 - 4 1 3 7 f. Fax (optional): 8 1 2 - 4 2 5 - 5 6 4 1 g. E-mail: c p a t t e r s o n @ h e s - e n v i r o . c o m

C. Facility Information

1. Facility Name: T o m ' s C i r c l e S

2. Location Address:

a. Street 2 0 4 S 7 t h S t r e e t

b. City: C a n n e l t o n

c. County or similar government subdivision: P e r r y d. State: I N e. Zip Code: 4 7 5 2 0 -

D. Certifier Name and Title

I certify under penalty of law that I have met at least one of the reasons for terminating permit coverage listed in Section A.2 above. I understand that by submitting this Notice of Termination, I am no longer authorized to discharge stormwater associated with industrial activity under this general permit, and that discharging pollutants in stormwater associated with industrial activity to waters of the United States is unlawful under the Clean Water Act where the discharge is not authorized by a NPDES permit. I also understand that the submittal of this Notice of Termination does not release an operator from liability for any violations of this permit or the Clean Water Act.

Print Name: C l a r k P a t t e r s o n

Title: P r o j e c t M a n a g e r

Signature: *Clark Patterson*

Date: 7 3 0 - 2 0

E-mail: c p a t t e r s o n @ h e s - e n v i r o . c o m

Instructions for Completing the Notice of Termination for Stormwater Discharges Associated with INDUSTRIAL ACTIVITY under the Multi-Sector General Permit (MSGP)

Who May File Notice of Termination (NOT) Form

Permittees currently covered by EPA's NPDES Stormwater Multi-Sector General Permit may submit a Notice of Termination (NOT) form. You must submit a NOT within 30 days after one or more of the following conditions have been met:

- a new owner or operator has assumed responsibility for the facility; or
- you have ceased operations at the facility and there are not or no longer will be discharges of stormwater associated with industrial activity from the facility, and you have already implemented necessary sediment and erosion controls as required by Part 2.1.2.5;
- you are a Sector G, H, or J facility and you have met the applicable termination requirements; or
- you have obtained coverage under an individual or alternative general permit for all discharges required to be covered by an NPDES permit.

See the MSGP Part 1.4 for more information.

Where to File NOT form

EPA encourages you to complete the NOT form online, via the Internet. The Electronic Notice of Intent System (eNOI) is found at www.epa.gov/npdes/eNOI. If you cannot access the electronic system, you must send the NOT to the address listed below.

NOTs sent regular mail:
Stormwater Notice of Termination (4203M)
USEPA
1200 Pennsylvania Avenue, NW
Washington, D.C. 20460

NOTs sent overnight/express
Stormwater Notice of Termination
US EPA East Building, Rm 7420
1201 Constitution Avenue, NW
Washington, D.C. 20004
(202) 564-9545

Completing the Form

To complete this form, type or print in uppercase letters in the appropriate areas only. Please make sure you complete all questions. Make sure you make a photocopy for your records before you send the completed original form to the address above. Please use ink when you sign the original document – DO NOT send copies. If you have any questions about this form, you may call the EPA's Stormwater Notice Processing Center at (866) 352-7755.

Section A. Permit Information

1. Enter the NPDES tracking number assigned by EPA's Stormwater Notice Processing Center to the facility. If you do not know the tracking number, you can find the tracking number assigned to your previous NOI on EPA's NOI Search website (www.epa.gov/npdes/noisearch).
2. Indicate your reason for submitting this Notice of Termination by checking the appropriate box (see MSGP Part 1.4 for more information).

Section B. Facility Operator Information

1. Give the legal name of the person, firm, public organization, or any other entity that operates the facility described in this application. The operator of the facility is the legal entity which controls the facility's operation, rather than the plant or site manager. Do not use a colloquial name.

2-3. Enter the facility operator's IRS Employer Identification Number (also known as the tax payer ID number). Enter the complete mailing address, email address and telephone number of the operator. This address will be used for any future correspondence between EPA and the facility operator.

Section C. Facility Information

1-2. Enter the facility's official or legal name and complete address, including city, county or similar government subdivision, state, and ZIP code.

Section D. Certification

Certification statement and signature (see Section B.11 of Appendix B of the MSGP for more information). Enter certifier's printed name, title and email address. Sign and date the form. Federal statutes provide for severe penalties for submitting false information on this application form. Federal regulations require this application to be signed as follows:

For a corporation: by a responsible corporate officer, which means: (i) president, secretary, treasurer, or vice-president of the corporation in charge of the principal business function, or any other person who performs similar policy or decision making functions, or (ii) the manager of one or more manufacturing, production, or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding \$25 million (in second-quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;

For a partnership or sole proprietorship: by a general partner or the proprietor; or

For a municipality, State, Federal, or other facility: by either a principal executive officer or ranking elected official.

Paperwork Reduction Act Notice

Public reporting burden for this application is estimated to average 0.5 hours per application, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate, any other aspect of the collection of information, or suggestions for improving this form, including any suggestions which may increase or reduce this burden to: Director, Office of Environmental Information Services, Collection Services Division (2823), USEPA, 1200 Pennsylvania Avenue, NW, Washington, DC 20460. Include the OMB control number of this form on any correspondence. Do not send the completed NOT form to this address.