



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:
David.Hertzing@countrymark.com

October 8, 2020

Mr. David Hertzing, Manager, Regulatory Compliance
CountryMark Refining & Logistics, LLC
1200 Refinery Road
Mount Vernon, IN 47620

Dear Mr. Hertzing:

Re: IDEM Approval of Request to Terminate
NPDES General Permit Coverage
ING340070
CountryMark Refining and Logistics, LLC
Riverview Storage Facility
500 Old Highway 69 South
Mount Vernon, IN - Posey County

We have received your letter dated July 10, 2020 requesting termination of NPDES general permit coverage for the Riverview Storage Facility. Your letter states that “the operations at Riverview have changed over the last couple of years and that the operations no longer fit the description of a petroleum products terminal, and that the appropriate SIC code is no longer 5171. There are no finished petroleum products stored in bulk on the site, the large crude oil storage tank has been decommissioned, and there is no longer a working pipeline running to the property. Also, there has never been and will not be barge service or a truck loading rack”.

In light of this information, our Office agrees that it is appropriate to terminate permit coverage for this project under ING340000 and that the facility should instead be covered by 327 IAC 15-6 (“Rule 6”). According to your letter, you have already applied for coverage under this rule. We have consulted with the section responsible for Rule 6, and it is our understanding that your Rule 6 coverage became effective on August 17, 2020. Therefore, National Pollutant Discharge Elimination System Permit # ING340070 is hereby **terminated, effective August 31, 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.

Mr. David Hertzog, Manager, Regulatory Compliance
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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

Be advised that Monthly Monitoring Reports and Discharge Monitoring Reports are required for all months up to and including the month of termination of permit ING340000 coverage. Also, all 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: Posey County Health Dept.
Mr. Randy Braun, IDEM OWQ/Rule 6 (RBraun@idem.IN.gov)

**STATE OF INDIANA
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**

PUBLIC NOTICE NO. 20201008 –ING340070 –GP

DATE OF NOTICE: October 8, 2020

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

TERMINATION

CountryMark Refining and Logistics, LLC, Riverview Storage Facility, NPDES General Permit No. ING340070, 500 Old Highway 69 South, Mount Vernon, IN (POSEY COUNTY). Representatives for this facility requested termination of NPDES general permit coverage under ING340000, which regulates discharges from petroleum product terminals to surface waters of the state. There have been several changes at this facility including not only the SIC code, but also changes in operations such that the activities no longer appear to be appropriately covered by this NPDES general permit. The permittee submitted an NOI for coverage under 327 IAC 15-6, the general permit-by-rule for storm water discharges associated with industrial activity. Therefore, this termination of coverage is deemed effective on August 31, 2020. For more information regarding this termination of NPDES General 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>.



Countrymark Refining and Logistics, LLC
1200 Refinery Road
Mt. Vernon, IN 47620
Tel (800) 832-5490
www.countrymark.com

July 10, 2020

Indiana Department of Environmental Management
Office of Water Quality, NPDES General Permits
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251

***RE: Termination of Coverage under ING340070
CountryMark Refining and Logistics, LLC, Riverview Storage Facility
500 Old Highway 69 South, Mount Vernon, Indiana***

Dear Ms. Hess:

The CountryMark Refining and Logistics, LLC, Riverview Storage Facility (Riverview) is currently permitted under the National Pollutant Discharge Elimination System (NPDES) Indiana General Permit for Petroleum Products Terminals (ING3400070). Riverview operations have changed over the last couple of years and the operations no longer fit the description of a petroleum products terminal. There are no finished petroleum products stored in bulk on site. The large crude oil storage tank has been decommissioned, there is no longer a working pipeline to the property and the SIC is no longer 5171. There has not been, and will not be, barge service or a truck loading rack.

Because of these operational changes, CountryMark has submitted a Notice of Intent (NOI) to comply with the requirements of the NPDES under 327 IAC 15-6 in order to apply for a general permit to discharge storm water exposed to industrial activities. CountryMark requests that the permit coverage under ING340070 is terminated upon approval of the Rule 6 application.

If there are any questions, please contact me at (david.hertzing@countrymark.com), (812) 838-8543 or by fax at (812) 833-3619.

Sincerely,

A handwritten signature in black ink that reads 'David Hertzing'.

David Hertzing
Manager, Regulatory Compliance

Cc: Ash Titzer, CountryMark Director of Midstream
File