

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT (IDEM)  
 NPDES PUBLIC NOTICE NO. 2023-INS040001-SW-RD  
 PUBLIC NOTICE DATE: DECEMBER 15, 2023  
 RESPONSE DUE DATE: JANUARY 16, 2024

The Office of Water Quality proposes the following draft NPDES permit renewal:

**INDIANAPOLIS MUNICIPAL SEPARATE STORM SEWER SYSTEM.** Applicant: City of Indianapolis, Department of Public Works, 1200 S. Madison Ave., Suite 200, Indianapolis, IN 46225, NPDES Permit No. INS040001, MARION COUNTY. The applicant has applied for renewal of its individual NPDES permit to discharge storm water from all municipal separate storm sewer system outfalls owned or operated by the consolidated City of Indianapolis, to various surface waters including, but not limited to, the White River, Buck Creek, Pleasant Run (south), East Fork of White Lick Creek, Grassy Creek, Flat Branch, Eagle Creek, Fall Creek, and their tributaries located in Marion County. The permittee is required to sample at least seventeen (17) in-stream sites. The approximate location and outfall designations of the current sampling sites are:

<b>Outfall ID</b>	<b>General Description</b>	<b>Latitude</b>	<b>Longitude</b>
001S	Little Buck Creek and SR 37/Belmont Ave	39°39'59.824"N	-86°11'50.795"W
002S	Lick Creek and Harding St	39°42'30.181"N	-86°11'13.363"W
006S	Crooked Creek and Cold Spring Rd	39°49'03.447"N	-86°12'02.665"W
036S	Little Eagle and W Michigan	39°46'25.615"N	-86°13'29.769"W
007S	Fall Creek and Emerson	39°51'07.303"N	-86°05'13.420"W
009S	Fall Creek and 71st St	39°53'01.055"N	-86°00'16.758"W
010S	Big Eagle Creek and Dandy Trail	39°48'50.459"N	-86°18'11.320"W
037S	Big Eagle and Holt Rd	39°45'54.701"N	-86°13'36.203"W
038S	Big Eagle and Morris	39°45'02.1"N	-86°12'28.4"W
015S	Pleasant Run and 16th St	39°47'20.397"N	-86°03'10.906"W
020S	Pogues Run and Emerson Ave	39°48'27.142"N	-86°04'59.726"W
017S	Pogues Run and 21st St	39°47'46.595"N	-86°05'55.044"W
027S	White River and 82nd St	39°54'36.182"N	-86°06'17.750"W
029S	White River and Southport Rd	39°39'46.584"N	-86°14'09.993"W
040S	Big Eagle at Lafayette Rd	39°53'15.806"N	-86°18'01.123"W
039S	Lick and Southeastern	39°44'25.9"N	-86°04'29.2"W
004S	Buck Creek and Maze Rd	39°38'31.171"N	-85°57'17.118"W

Permit Contacts: Randy Braun at (317) 234-3980 or Staci Goodwin at (317) 234-1601. Email addresses: [rbraun@idem.in.gov](mailto:rbraun@idem.in.gov) and [sgoodwin@idem.in.gov](mailto:sgoodwin@idem.in.gov). Posted on IDEM's website at <https://www.in.gov/idem/public-notices/>.

## PROCEDURES TO FILE A RESPONSE

You are hereby notified of the availability of a 30-day public comment period regarding the referenced draft permit, in accordance with 327 IAC 5-3-9. The application and draft permit documents are available for inspection at IDEM, Office of Water Quality, Indiana Government Center North - Room 1255, 100 N. Senate Ave, Indianapolis, IN 46204 from 9:00 a.m. until 4:00 p.m., Monday thru Friday, (copies 10¢ per page). The draft permit and fact sheet are posted online (attached to the public notice document) on the above-referenced IDEM public notice web page. A courtesy copy has also been sent via email to the local County Health Department. Please tell others whom you think would be interested in this matter. For more information about public participation including your rights & responsibilities, please see <https://www.in.gov/idem/public-notices/>. You may want to consult our online Citizens' Guide to IDEM: <https://www.in.gov/idem/resources/citizens-guide-to-idem/>.

Comments: The proposed decision to issue a permit is tentative. Interested persons are invited to submit written comments on the draft permit. All comments must be delivered to IDEM or postmarked no later than the Response Due Date noted to be considered in the decision to issue a final permit. Deliver or mail all requests or comments to the attention of the Permit Manager at the above address.

To Request a Public Hearing: Any person may request a public hearing. A written request must be submitted to the above address on or before the Response Due Date. The written request 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. Public Notice of such a hearing will be circulated in at least one newspaper in the geographical area of the discharge and to those persons submitting comments and/or on the mailing list at least 30 days prior to the hearing.

**Indiana Department of Environmental Management**

Office of Water Quality, Surface Water and Operations Branch

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In compliance with the provisions of the Federal Water Pollution Control Act, as amended by the Clean Water Act of 1977 ([33 U.S.C. 1251](#), et seq., the "Act"), Title 13 of the Indiana Code, Articles 5 and 15 of Title 327 the Indiana Administrative Code, and regulations adopted by the Environmental Rules Board, the Indiana Department of Environmental Management (IDEM) is issuing this NPDES permit to regulate discharges of stormwater from the City of Indianapolis Municipal Separate Storm Sewer System (MS4) into waters of the State of Indiana.

In order to receive authorization to discharge beyond the date of expiration, the permittee shall submit such information and forms as are required by the Indiana Department of Environmental Management no later than one-hundred eighty (180) days prior to the date of expiration.

This permit is issued on: \_\_\_\_\_

This permit is effective on: \_\_\_\_\_

This permit expires on: \_\_\_\_\_

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Martha Clark Mettler  
Assistant Commissioner  
Office of Water Quality

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**1.0 Permit Coverage**

1.1 Permit Area

- (a) This permit applies to municipal separate storm sewer system (MS4) conveyances and outfalls located within the Consolidated City of Indianapolis and Marion County, Indiana, and not to any such conveyances and outfalls of the municipalities and the Indiana Department of Transportation (INDOT) that are designated by IDEM as NPDES Phase II MS4 communities within the consolidated boundaries.
- (b) This permit applies to the five (5) Marion County Universities that discharge to the City’s MS4 storm sewer system. These institutions include Butler University, Purdue University Indianapolis, Indiana University Indianapolis, Marian University, and the University of Indianapolis.

1.2 Discharges Authorized by this Permit:

- (a) This permit authorizes the discharge of stormwater (including snowmelt) to waters of the state from all outfalls and conveyances that are owned and/or operated by the MS4 entity and universities listed in Section 1.1. New areas (and their associated outfalls) shall be added to the MS4 area in accordance with the requirements of this permit.
- (b) This permit also authorizes the discharge of stormwater commingled with other discharges either regulated by other NPDES permits or determined by IDEM or the MS4 entity to not be a significant source of pollutants, included without limitation, or are otherwise authorized below.

The following non-stormwater discharges or flows are authorized by this permit provided they are not identified by either the City, or the Department as significant sources of pollutants to waters of the state. The City shall implement and incorporate appropriate control measures in the Stormwater Quality Management Program (SWQMP), described in Section 3.0 of this permit, if any of the following discharges are identified as significant sources of pollutants. Stormwater commingled with other discharges either regulated by other NPDES permits or determined by IDEM or the MS4 entity to not be a significant source of pollutants, included without limitation, the following:

<b>Allowable Non-stormwater Discharges</b>	
(1) Water line and hydrant flushing for maintenance.	(2) Irrigation water.
(3) Footing, foundation, and crawl space drains (Uncontaminated).	(4) Excess Storm sewer cleaning water not collected by a vacuum truck (Uncontaminated).

(5) Fire suppression activities.	(6) Uncontaminated pumped ground water.
(7) Springs.	(8) Residential car washing.
(9) Non-commercial car washing by community organizations	(10) Vehicle and external building wash down, without detergents
(11) Dechlorinated/dibrominated residential swimming pool discharge.	(12) Uncontaminated ground water infiltration (as defined at 40 CFR 35.2005(20)).
(13) Pavement wash water provided spills or leaks of toxic or hazardous material have not occurred (unless all spill material has been removed) and where detergents are not used.	(14) Uncontaminated condensate from air conditioning units, coolers, and other compressors, and from outside storage of refrigerated gasses or liquids.
(15) Industrial NPDES permitting discharges meeting the discharge limits and/or requirements.	

- (c) Stormwater and allowable non-stormwater discharges from the MS4 shall meet the conditions listed in this permit. If a stormwater discharge from the MS4 causes or contributes to any impairment of a designated or existing use or any violation water quality standards, the City shall modify the SWQMP within forty-five (45) days of the violation to address the deficiencies and to prevent future impairments or water quality violations.
- (d) Discharges shall:
- (1) Not impair designated or existing uses of the receiving waters.
  - (2) Be free from substances, materials, floating debris, oil, or scum that will settle to form putrescent or otherwise objectionable deposits in the receiving waters.
  - (3) Be free of substances that are in amounts sufficient to be unsightly or deleterious or which produce color, visible oil sheen, odor, or other conditions in the receiving waters in such degree as to create a nuisance.
  - (4) Not contain any substance in an amount sufficient to be acutely toxic to, or to otherwise severely injure or kill aquatic life, other animals, plants or humans in the receiving waters.
  - (5) Not contain any substances or combination of substances in amounts that will cause or contribute to the growth of aquatic plants or algae to

such degree as to create a nuisance, be unsightly or otherwise impair the designated uses of the receiving waters.

## **2.0 Permittee Responsibility**

The City is responsible for:

- (a) Compliance with permit conditions relating to discharges from the MS4 conveyances which the City owns and/or operates.
- (b) Implementation of the SWQMP in the City's MS4 area.
- (c) Implementation of additional control measures, where necessary, to reduce the discharge of pollutants in stormwater to meet the water quality standards listed in 327 IAC 2-1-6.
- (d) Coordination, data compilation, and documentation of the compliance and implementation responsibilities.
- (e) Providing personnel and fiscal resources for the necessary updates of the SWQMP and its components.
- (f) Providing technical and administrative support for committees that will be organized to implement the SWQMP and its components.
- (g) Providing technical support for the watershed teams identified by the City.
- (h) Compliance with annual reporting requirements identified in this permit.
- (i) Collection, evaluation, assessment, and reporting of monitoring data as required in this permit.

## **3.0 Stormwater Quality Management Program (SWQMP)**

The City is required to implement and enforce a Stormwater Quality Management Program (SWQMP) as identified in Sections 4.0 through 10.0. The SWQMP shall include controls necessary to reduce the discharge of pollutants from the MS4 conveyances to meet the Indiana narrative water quality standards listed in 327 IAC 2-1-6.

If requested, a revised SWQMP must be submitted to the Department for review no later than ninety (90) days from the date of the request.

### **3.1 Water Quality Characterization**

A MS4 entity must characterize the water quality of representative waters that receive stormwater outfall discharges from the MS4 area. The characterization must begin with the representative receiving waters identified in Section 13.1 and include Ambient Receiving Water Sampling Designation and Location, and, as additional receiving waters are identified, the characterization may be expanded to further develop program goals.



### 3.2 Water Quality Characterization Report:

- (a) The water quality characterization report (WQCR) shall use the most current data available but may also consider additional data that describes the chemical, biological, and/or physical condition of the receiving waters of the MS4 jurisdictional area.
- (b) If monitoring is conducted as part of the characterization, the monitoring of receiving waters shall be either at, or in proximity to, representative stormwater outfalls.
- (c) The WQCR must include:
  - (1) An assessment of general land use based on geographic area and/or sub watershed.
  - (2) An inventory of MS4 owned/operated structural stormwater management measures that are operated for purposes of stormwater quality, stormwater management, and flood control, including an identification number, geographic coordinate, and structural condition. This information may be summarized with a link or reference to the data.
  - (3) Identification of all receiving waters that receive discharges from outfalls within the MS4, including wetlands and lakes.
  - (4) Any 303d listed impaired waters or TMDLs for receiving waters.
  - (5) Identification of unique resource areas within the MS4.
  - (6) A review and summary of existing and available monitoring data of the MS4 receiving waters.
  - (7) Identification of areas, when issues are noted in data evaluation, which have a reasonable potential for or are contributing to stormwater quality problems based on available land use and complaint information and relevant chemical, biological, and physical data.
  - (8) An evaluation of data collected to determine which areas or specific discharge points that may need to be considered for future planning and implementation of new stormwater measures or modification of existing measures. The highest priority should be given to sensitive areas and the prohibition of new or significantly increased MS4 discharges.

### 3.3 Water Quality Characterization Report - Submittal:

- (a) A WQCR addressing the requirements of this Section must be submitted to IDEM within the annual report.
- (b) An update to the WQCR must be included for existing MS4s:
  - (1) In the annual report.
  - (2) When permit coverage is renewed.

#### **4.0 Legal Authority**

The City shall operate, pursuant to their legal authority, to control discharges to and from those portions of the MS4 conveyances which it owns and/or operates. When existing legal authority is not sufficient, the City shall seek the additional authority to:

- (a) Manage impacts of stormwater run-off and the contributing pollutants to the MS4 conveyances.
- (b) Prohibit illicit discharges to the MS4 conveyances and require removal of illicit connections.
- (c) Control the discharge of spills and the dumping or disposal of materials other than stormwater and allowable non-stormwater into MS4 conveyances.
- (d) Require compliance with conditions in City ordinances, permits, contracts, or orders.
- (e) Carry out inspection, surveillance, and monitoring procedures necessary to determine compliance with permit conditions, including the prohibition of illicit discharges to the MS4 conveyances.

#### **5.0 Public Education, Outreach, and Involvement**

The City must develop measurable goals and implement a public education, outreach, and participation and involvement program that must include strategies to inform identified constituent groups about the impacts of stormwater run-off. The City, at a minimum, must develop and implement a strategy to achieve the requirements within specific deadlines as outlined in this permit. The MS4 is required to:

- (a) Develop or update and revise a plan to:
  - (1) Identify target constituents and develop and/or update a plan for public education and involvement.
  - (2) Identify at least three (3) community wide stormwater quality issues in the first year of permit coverage targeting at least one event during the permit cycle to each of the following groups:
    - (A) Construction.
    - (B) Residential.
    - (C) Commercial and industrial.
  - (3) Conduct a minimum of two (2) public events annually or work collaboratively with other entities to achieve this requirement.
  - (4) Develop educational materials for distribution and outreach opportunities for constituents.
  - (5) Provide and make available annual training for builders, developers, contractors, engineers, related to the construction site run-off and post-

construction MCMs. The training may be completed in cooperation with other entities.

- (b) Develop and implement a program for educating public employees, schools, businesses, and the general public about illicit discharges and proper disposal of waste. The educational effort must include, but is not limited to:
  - (1) Informational brochures and guidance documents that target specific audiences.
  - (2) An outreach plan for distribution of educational materials.
- (c) Create, revise, or update a stormwater public information web page or links to direct the public to a location that contains the required information. Update the web page at least annually and as necessary to ensure required information is current. At a minimum the web page must include:
  - (1) A method and location for the public to report stormwater quality issues.
  - (2) Information and resources to educate visitors to the site.
  - (3) MS4 stormwater ordinances.
  - (4) Stormwater fees and rates (if applicable).
  - (5) MS4 program information, including the SWQMP, annual reports, and other information that informs citizens of activities of the MS4 entity.
- (d) Maintain documentation of all public education materials developed and used throughout the permit cycle, including those resources from existing programs.
- (e) Report stormwater program updates to elected officials or an advisory board annually.
- (f) Implement and assess the program annually and update goals as necessary. Describe changes resulting from implementation of the program.
- (g) Report progress in an annual report (Section 8.0) that at a minimum includes:
  - (1) Status of measurable goals, program requirements, compliance schedules, and timetables for this MCM. If objectives are not being met for a specific program element, explain the implementation problems encountered, and changes made to resolve problems identified.
  - (2) A list of each public participation and outreach event and activities conducted, a description of the activity, an estimate of the number of attendees, and an assessment if the goals and objectives were met.
  - (3) The number and types of construction and/or post-construction stormwater training opportunities that were provided to contractors, developers and builders, property owners (commercial, industrial, residential, homeowner associations, and other targeted entities) during the reporting period.
  - (4) Documentation that presentations were made to elected officials or boards.

- (5) Describe each targeted audience selected and how they were reached during the reporting period.
- (6) Documentation of all public education materials used during the reporting period.

## **6.0 Illicit Discharge Detection and Elimination**

The City shall implement a program designed to detect and remove illicit discharges and improper disposal into the MS4 conveyances, or if applicable, notify the Department of the identity of the discharger so that the Department may require the discharger to obtain an NPDES permit for the discharge.

### **6.1 Illicit Discharge Regulatory Program**

The MS4 will:

- (a) Implement and enforce illicit discharge ordinance and, as appropriate, update the ordinance.

### **6.2 Illicit Discharge Inspection Program**

The MS4 will:

- (a) Screen twenty (20) percent of all prioritized and new outfalls annually, with 100 percent to be completed by the end of the 5th year of the permit term.
- (b) Continue to investigate areas of the MS4 that, based on the results of dry weather screening or other information, indicate a reasonable potential for containing illicit discharges or other sources of unauthorized non-stormwater.

The procedures to resolve violations shall include:

- (1) The use of permittee's legal authority and follow-up inspections to remove the illicit discharges or unauthorized non-stormwater discharges.
- (2) Upon identification of a responsible party, requirements for the responsible party to stop the discharge immediately and/or clean up the dumped materials as necessary.
- (3) Referral of the discharger to the Department to investigate the need for a NPDES permit.

### **6.3 MS4 Mapping:**

- (a) The City shall maintain a storm sewer system map in accordance with the MS4 Standard Operating Procedures. The map must include:
  - (1) All conveyance systems and outfalls, excluding privately owned or mutual drains, yard swales, curbs and gutters, and agricultural tiles and outfalls.
  - (2) The location of all such outfall systems and names and locations of waters that receive discharges from those outfalls.
  - (3) The longitude and latitude expressed in decimal degrees, or, if a global positioning system is utilized, mapping-grade accuracy data shall be

collected, where the accuracy discrepancy is less than five (5) meters.

#### 6.4 Spill Prevention:

- (a) The City shall administer and maintain a program aimed at spill prevention and response, which may include the Marion County Public Health Department programs for reporting spills and illegal dumping.
- (b) The City shall track the number of spill reports received and field responses conducted. Data shall be tracked on the number and type of responses and materials spilled or dumped that potentially have an impact on stormwater quality.

#### 6.5 Management of Used Oil and Toxics:

- (a) The City shall continue the existing used oil collection and household hazardous waste collection programs in the County.

### **7.0 Construction Site Stormwater Run-off**

The City must administer a comprehensive erosion and sediment control program. The program must include a strategy to manage the program, monitor compliance, and, as necessary, enforce violations.

#### 7.1 Program Implementation:

- (a) Scope:
  - (1) The program must, at a minimum, regulate construction activities that disturb one (1) or more acres of land, or disturbances of less than one (1) acre that are part of a larger common plan of development or sale when the larger common plan will ultimately disturb one (1) or more acres of land.
- (b) Ordinance or Regulatory Mechanism and Legal Authority:
  - (1) At a minimum, the program must:
    - (A) Include the requirements of the Indiana Construction Stormwater General Permit with the exception of state permitting process references and submittal deadlines for construction plans and permit applications.
    - (B) Update the appropriate ordinances no later than two years from the effective date of the Indiana CSGP.
    - (C) Establish a requirement that any project within the MS4 area that meets the applicability of the Construction Stormwater General Permit must submit a Notice of Intent (NOI) to obtain permit coverage from IDEM in addition to any procedural requirements for submittal to the MS4 entity or MS4 designated entity.

- (D) Develop and/or adopt written standards and specifications for the implementation of stormwater quality measures on construction sites.
  - (E) Establish written policy and procedures to enforce the local ordinance or regulatory mechanism including, but not limited to:
    - 1) Legal authority to enforce the ordinance.
    - 2) Procedural steps and actions that will be used to address violations, including compliance and escalating enforcement.
  - (F) Develop written standard operating procedures for receipt, resolution, and tracking of Public Information Requests, complaints, and other information submitted regarding local construction projects.
- (c) Permitting:
- (1) Establish permitting procedures, internal processes, and timetables for submittal and review of construction plans and applications. At a minimum, the MS4 entity must:
    - (A) Establish written procedures to review and determine compliance with the local ordinance or regulatory mechanism for construction plans submitted to the MS4 entity for privately owned (non-MS4) projects before construction activities commence.
    - (B) Utilize a form, checklist, or an alternative document based on the local ordinance and regulatory mechanism that at a minimum includes:
      - 1) A method to notify responsible individuals of the status of the plan.
      - 2) Identification of the MS4 or MS4(s) for which the plan review is being conducted, the individual that reviewed the plan including plan reviewer name, affiliation, address, telephone number, and email address.
- (d) Inspection:
- (1) Establish written procedures and internal processes to inspect construction sites to ensure that construction stormwater quality measures are properly installed and are maintained, to achieve the objectives of the ordinance or regulatory mechanism. At a minimum, the MS4 entity must:
    - (A) Utilize a form, checklist, or an alternative, which at a minimum meets the requirements of the MS4 ordinance to document inspections and a method to notify responsible individuals of compliance status.

- (B) Identify priority sites for inspection based on the nature and extent of the construction activity, topography, threat to the degradation of water quality, characteristics of soils, complaints, and other factors as determined by MS4 priorities.
- (C) Inspect active construction sites of one acre or more of land disturbance or part of larger common plan of development. Project sites that are out of compliance must include follow-up inspections and/or actions as identified in the MS4's policy and procedures to enforce the local ordinance. Project sites must be inspected based on the following minimum frequency.
  - 1) One hundred (100) percent of new construction sites, as required by this permit must be inspected at least once during the initial phase of construction that includes the installation of infrastructure (grading, roads, and utilities) followed by:
    - a) One hundred (100) percent of all active construction sites with land-disturbing activities of five (5) acres or more and priority sites identified by the MS4 must be inspected biannually.
    - b) Fifty (50) percent of active construction sites with land-disturbing activities of less than five (5) acres, but at least one acre must be inspected annually.
  - 2) Investigate one hundred (100) percent of all complaints that are received and conduct follow-up inspections for sites that have violations of the local ordinance. Follow-up inspections are required until violations are resolved.
- (2) Continue to implement the Interlocal Agreement (ILA) between the City of Indianapolis and the Marion County Soil and Water Conservation District (SWCD) that includes the specific roles and responsibilities that will be administered by each entity.

The role of the SWCD and the City must be incorporated into the ILA to ensure the responsibilities are administered and acted upon. If the ILA is to be terminated, the City's must have, in advance, a plan in place to administer the program to ensure all activities performed by the SWCD are absorbed into the City MS4 program without a lapse in program coverage. Indianapolis must notify the Department in writing of termination of the ILA and their plan to administer the responsibilities that the SWCD performed in the ILA 30 days in advance of the ILA being terminated.

- (e) Training:

- (1) Document annual training attended by MS4 staff and/or contractual staff that are specific to the responsibility (i.e. plan review, inspection, compliance, and enforcement) the individual performs for the MS4 entity. The documentation must at a minimum include:
  - (A) Name of individual and affiliation.
  - (B) Responsibility of individual.
  - (C) Dates and types of training attended.
  - (D) Any professional certifications MS4 staff have obtained or maintain.
- (f) Public Projects:
  - (1) Comply with the requirements of the Construction Stormwater General Permit for projects that are owned and/or operated by the MS4 entity and in addition:
    - (A) Submit construction/stormwater pollution prevention plans to the SWCD or, when directed, to IDEM for review and a determination that the plan meets the minimum requirements of the Construction Stormwater General Permit.
    - (B) Comply with the provisions of the MS4 ordinance.
    - (C) Develop policy and procedures to ensure compliance with the Construction Stormwater General Permit that addresses coordination across departments within the MS4 entity's organizational structure. The policy and procedures at a minimum must include project self-monitoring.
- (g) Inventory:
  - (1) Maintain an inventory of all construction site projects that are subject to the Construction Stormwater General Permit, the MS4 ordinance, and those that are owned and/or operated by the MS4 entity. The MS4 entity is required to:
    - (A) Track project information, including:
      - 1) Project name.
      - 2) Latitude and longitude of the project and where applicable the address.
      - 3) Receiving water(s).
      - 4) Project start date.
      - 5) Status of the project (i.e., active, terminated).
      - 6) An indication of compliance status, including enforcement actions undertaken (does not apply to projects owned and/or operated by the MS4 entity).



- (2) Upon notification by IDEM, submit an inventory report:
  - (A) Within 48 hours.
  - (B) On a regular schedule as designated by IDEM, but no more frequently than monthly.
- (h) Program Evaluation:
  - (1) Perform an evaluation and an assessment of the effectiveness of the program annually and update as necessary.
    - (A) Evaluate and assess the following:
      - 1) Regulatory mechanism(s) (i.e., ordinance).
      - 2) Plan review process, policy, and procedures.
      - 3) Site Inspection process, policy, and procedures.
      - 4) Standards and specifications manual and/or guidance documents.
      - 5) Policy and procedures related to management and compliance of MS4 owned and/or operated projects.
      - 6) Coordination with other departments within the MS4.
  - (2) Develop and implement a plan and schedule to address program deficiencies, improvements, and modifications to the program.
- (i) Annual Reporting:
  - (1) Report progress in an annual report that at a minimum includes:
    - (A) Status of measurable goals, program requirements, compliance schedules, and timetables. If objectives are not being met for a specific program element, explain the implementation problems encountered, and changes made to resolve problems identified.
    - (B) The number of construction projects owned and/or operated by the MS4 entity that are active in the reporting year
    - (C) The number of construction sites obtaining a MS4 entity-issued stormwater run-off permit or authorization to discharge.
    - (D) The number of construction site inspections.
    - (E) The number and type of enforcement actions taken.
    - (F) The number of freedom of information act requests and/or complaints received.

## 8.0 Post-construction Stormwater Run-off (New development and Redevelopment)

### 8.1 Program Implementation

- (a) Scope:
  - (1) The City must administer a comprehensive program to address discharges of post-construction stormwater run-off from new development and redevelopment.
  - (2) The program must include a strategy to manage the program, monitor compliance, and, as necessary, enforce violations of the local ordinance.
- (b) Ordinance or Regulatory Mechanism and Legal Authority:
  - (1) The MS4 is required to:
    - (A) Develop or update and revise an ordinance or other regulatory mechanism. Update the appropriate ordinances no later than two years from the effective date of the Indiana CSGP. The post-construction requirement must at a minimum meet the requirements of the CSGP for water quality and quantity.
    - (B) The ordinance or regulatory mechanism must, at a minimum, address post-construction stormwater run-off including, but not limited to:
      - 1) All new development and redevelopment with land-disturbing activities of one (1) or more acres of land or disturbances of less than one (1) acre of land that are part of a larger common plan of development or sale when the larger common plan will ultimately disturb one or more acres of land and result in an increase of impervious surfaces that result in an increase in run-off from the previous land use.
      - 2) New retail gasoline outlets (1/2 acre of disturbance or more in size), including new MS4-owned fueling areas. These facilities are required to install appropriate measures to reduce lead, copper, zinc, and polyaromatic hydrocarbons in stormwater run-off.
- (c) Design:
  - (1) The MS4 is required to:
    - (A) Incorporate performance standards into an ordinance and/or other resource documents. The program, at a minimum, must:
      - 1) Establish design criteria to reduce TSS and floatables and manage stormwater quantity and stormwater quality volume.
      - 2) Develop a list of stormwater management measures and standards that are appropriate for improving water quality. The

measures may include structural, and non-structural practices, and low impact/green infrastructure principles.

- (B) Implement post-construction stormwater management measures to manage the discharge of stormwater run-off to address quality and quantity. Measures must be designed and engineered in accordance with the following standards and at a minimum:
- 1) The run-off rate of stormwater run-off and/or volume from the project site must meet local requirements to address stormwater quantity as established by ordinance or other regulatory mechanism. The post development run-off discharge from the project site must at a minimum not exceed the pre-development discharge based on the two-year, ten-year, and one-hundred-year peak storm events.
  - 2) Run-off from the project site must be managed to minimize pollutants. To achieve pollutant minimization goals, measures must be selected and meet the requirements as established by ordinance or other regulatory mechanism. The post-construction measures must at a minimum be selected based on correct sizing to address the Water Quality Volume (WQv) or water quality flow rate to comply with 327 IAC 2-1-6(a)(1)(A-D)
  - 3) One (1) or more post-construction measures working in tandem, or series must be utilized to treat stormwater run-off and increase the overall efficiency of individual and specialized measures.
  - 4) In combination with proper post-construction measure selection, design and development strategies may be selected and incorporated into the plan to minimize the discharge of pollutants. These strategies may include, but are not limited to:
    - a) Low Impact Development (LID) and green infrastructure.
    - b) Infiltration measures. When selected, these measures must take into consideration the pollutants associated with run-off and the potential to contaminate ground water resources. When there is a potential for contamination, alternative measures or measures that pre-treat run-off to eliminate or reduce the pollutants of concern must be chosen.
- (A) Register with U.S. EPA all MS4 owned and/or operated stormwater measures that are defined as a Class V injection well. When a MS4

requires the installation of a Class V injection well as a post-construction measure, the MS4 should direct the entity installing the measure to register the well. Refer to the U.S. EPA Underground Injection Well Program for definitions and complete registration process.

- (B) Select and utilize any combination of practices or controls that promote volume reduction, infiltration, filtering, harvesting, evapotranspiration, vegetative practices, or alternative treatment systems. The following standards are required and must be utilized in the decision-making process:
  - 1) Infiltration practices will not be allowed in wellhead protection areas as the primary water quality treatment measure, unless the measure is designed to treat the pollutant(s) of concern that originate in the drainage area of the measure.

(d) Operation and Maintenance

(1) The MS4 is required to:

- (A) Develop and implement a written operational and maintenance plan or requirement for all stormwater structural measures that are owned and/or operated by the MS4 entity and those within private development to ensure the long-term operation and maintenance of the measures. The requirements must be enforceable and include one or more of the following:
  - 1) The owner/operator signed statement accepting responsibility for maintenance when the property is legally transferred to another party.
  - 2) Written conditions in a sales or lease agreement that require the recipient to assume responsibility for maintenance.
  - 3) Written conditions for residential properties operated by a homeowner's association or other entity.
  - 4) Any other legal agreement that assigns permanent responsibility for maintenance of structural stormwater management measures.

(e) Inspection:

(1) The MS4 is required to:

- (A) Administer an inspection program to ensure that all post-construction measures are maintained and operational for those owned and/or operated by the MS4 entity and as appropriate for those measures operated by private entities.
- (B) Develop written procedures and internal processes to inspect post-construction measures that were installed beginning in 2017 to ensure the measures are maintained and operational for those owned and/or operated by the MS4 entity and as appropriate for

those measures required to be installed at the direction of the MS4 entity and operated by private entities. At a minimum, the MS4 entity must:

- 1) Develop a form, checklist, or an alternative to document inspections and a method to notify responsible individuals of compliance.
- 2) Inspect one hundred (100) percent of all post-construction measures owned and/or operated by the MS4 entity by the end of the permit cycle.
- 3) Inspect post-construction measures. All privately owned measures are to be inspected at a frequency to ensure that 50 percent of the measures are inspected within the five (5) year permit cycle. Measures that are not inspected during the current permit cycle must be considered for an inspection in the next permit cycle.
- 4) Inspect all measures for which complaints are received. Take corrective action or, as necessary, enforcement action for measures that are not functioning or where compliance issues have been identified.

(f) Training:

- (1) The MS4 is required to document annual training attended by MS4 staff and/or contractual staff that is specific to the responsibility (i.e., plan review, inspection, compliance, and enforcement) the individual performs for the MS4. The documentation must at a minimum include:
  - (A) Name of individual and affiliation
  - (B) Responsibility of individual.
  - (C) Dates and types of training attended.
  - (D) List of professional certifications MS4 staff have obtained or maintain.

(g) Program Evaluation:

- (1) The MS4 is required to:
  - (A) Review and assess the program annually and update as necessary. Evaluate and assess the following:
    - 1) Regulatory mechanism(s) (i.e., ordinance).
    - 2) Plan review process, policy, and procedures.
    - 3) Site Inspection process, policy, and procedures.
    - 4) Standards and specification manual and/or guidance documents.
    - 5) Policy and procedures related to management and compliance of MS4 owned and/or operated projects.
    - 6) Assess coordination with other MS4 departments.
  - (B) Develop and implement a plan and schedule to address program deficiencies, improvements, and modifications to the program.

(h) Annual Reporting:

- (1) The MS4 is required to:
  - (A) Report progress in an annual report that at a minimum includes:
    - 1) Status of measurable goals, program requirements, compliance schedules, and timetables. If objectives are not being met for a specific program element, explain the implementation problems encountered, and changes made to resolve problems identified.
    - 2) Updates to the post-construction ordinance or regulatory mechanism.
    - 3) Number of sites requiring post-construction controls.
    - 4) Number of structural measures installed and or modified.
    - 5) Number, of structural measures inspected to ensure each meets design requirements and/or are being maintained.

## **9.0 Municipal Operations, Pollution Prevention, and Good Housekeeping**

The City's MS4 must implement a comprehensive pollution prevention and good housekeeping program. The program must include a commitment to prevent or reduce pollutant run-off from MS4 owned and/or operated facilities.

### **9.1 MS4 Conveyance, Maintenance Activities:**

- (a) The MS4 conveyances and stormwater structural treatment control measures owned and/or operated by the City shall be operated in a manner to reduce the discharge of pollutants to meet the Indiana narrative water quality standards.
- (b) At a minimum, the City shall:
  - (1) Maintain procedures for the proper documented disposal of stormwater, waste or materials removed from storm sewer systems and operational areas. All materials removed, including dredge spoil, accumulated sediments, floatables, and debris, must be reused, recycled, or disposed of in accordance with applicable solid waste and other applicable regulations.
  - (2) Maintain procedures and inspections and maintenance schedules for conveyances, open channels and ditches, post-construction treatment controls, and outfalls, which may include prioritization.

### **9.2 Roadways:**

- (a) Public streets, roads, and highways owned and/or operated by the City shall be operated and maintained in a manner to reduce the discharge of pollutants, including those pollutants related to deicing or sanding activities, from the MS4 conveyances to meet the Indiana narrative water quality standards listed in 327 IAC 2-1-6.

- (b) The City must:
  - (1) Clean prioritized catch basins and inlets within the City's MS4.
  - (2) Continue to prioritize curbed streets and/or street segments within the City's MS4 for sweeping based on methods such as the observed and historical volumes of trash and/or debris accumulated on the streets or traffic volumes.
  - (3) Report the results of the street sweeping program in the annual report.
  - (4) Continue to identify and correct damaged and/or eroding areas owned and/or operated by the City requiring immediate corrective action. The program must include:
    - (A) An inspection and a repair component based upon priorities and budgets.
    - (B) Tracking data related to the identification and corrective action taken.
    - (C) A reference to the data in the annual report.

### 9.3 Maintenance Facilities

- (a) Scope:
  - (1) The City shall implement stormwater pollution prevention practices for MS4 owned and operated maintenance facilities, material storage facilities, and vehicle yard areas which have the potential to discharge pollutants in stormwater.
- (b) The program must include:
  - (1) An inventory of MS4 owned and/or operated facilities. The inventory must, at a minimum include:
    - (A) The facility name or description of the facility and the street address or, if an address, is not available the latitude and longitude of each facility
    - (B) A list of stormwater and wastewater permits issued to the facility, including the permit number.
    - (C) Identification of facilities that have the greatest potential to generate stormwater pollution.
    - (D) The manager and an alternate contact person for each facility; including contact information.
  - (2) Implementation and maintenance of operational procedures to achieve performance objectives for stormwater management including, but not limited to:
    - (A) Maintaining each facility, minimizing pollutant sources through eliminating exposure, administering good housekeeping procedures, and utilizing proper storage.

- (B) Prohibiting the discharge of wash water associated with pavement, external building, and equipment or vehicle cleaning when the activity includes the use of soaps, solvents, or detergents.
- (D) Properly disposing of waste collected, including animal waste from dog parks.
- (E) Managing and storing salt and other de-icing materials to minimize the discharge of stormwater run-off from the facility by:
  - 1) Minimizing run-off and run-on.
  - 2) Utilizing and maintaining permanent structures and/or coverings, thereby reducing the discharge of polluted stormwater run-off.
  - 3) Managing operations to address tracking and spillage.
- (F) Taking corrective action upon identification of an issue at the facility.
- (G) Developing and implementing written spill prevention standard operating procedures (SOP). The SOP, at a minimum must include:
  - 1) Requirements for the location of spill kits that are easily accessible and properly sized in areas where spills are likely to occur.
  - 2) Spill prevention procedures and contact information in case of a spill, including the location the information will be displayed.
  - 3) Protocol and procedures to perform inspections of the facility.
  - 4) General maintenance procedures and disposal requirements at the facility.
  - 5) Compliance with Spill Prevention Control and Countermeasures (SPCC) planning as required by 40 CFR 112.
- (H) A requirement to implement and maintain Stormwater Pollution Prevention Plans (SWPPPs) for each facility within the listed scope. Plans must include:
  - 1) Facility inspection reports
  - 2) A map that locates all stormwater management measures, stormwater conveyance systems and outfalls, and the receiving waters to which each discharge. The map must be maintained and updated as conditions at the facility change.
  - 3) Facility information and contacts
  - 4) Facility discharge locations and impairments
  - 5) Facility stormwater team members
  - 6) A description of facility activities and potential pollutants
  - 7) A description of stormwater practices, housekeeping practices,



material storage control, leak and spill control, illicit discharge control, and inspection frequency.

- (I) Review the SWPPPs annually and update as needed.
- (J) Perform facility inspections.
  - 1) Document quarterly inspections to ensure materials and equipment are clean and orderly and to minimize the potential for pollutant discharge for all facilities.
  - 2) Records must be kept with the SWPPP.
  - 3) The inspection report must, at a minimum, include any identified deficiencies and the corrective actions to address the deficiencies must be documented.
  - 4) Annual facility review is to be completed by the MS4 Coordinator or a designated individual.
- (K) Written documentation of maintenance activities performed, maintenance schedules, and long-term inspection procedures for all stormwater management measures implemented at the facility.
- (3) Complete an annual assessment of all MS4 owned and/or operated facilities in scope. The assessment, at a minimum must:
  - (A) Review and update the facility SWPPP.
  - (B) Identify the potential pollutants that are stored and used at each facility.
  - (C) Assess the existing operations at each facility. This must include, but is not limited to material storage, housekeeping practices, erosional features, vehicle washing, proximity of activities to drains and outfalls.
  - (D) Identify and map existing structural and non-structural stormwater management measures that have been implemented to address each type of pollutant and/or sources of pollutants.

#### 9.4 Flood Control Projects:

The City shall utilize current procedures for new public flood or stormwater management projects. The City shall:

- (a) Incorporate stormwater quality measures into project design to improve water quality.
- (b) Report significant or fundamental changes in the procedures in the annual report.

#### 9.5 Spill Response and Reporting Requirement

The City must:

- (a) Comply with the requirements of 327 IAC 2-6.1 for facilities they own and/or

operate.

- (b) Notify the Department's Office of Land Quality, Emergency Response Section at 317-233-7745 or 888-233-7745 (toll-free within Indiana) of any discharges which meet the criteria of 327 IAC 2-6.1.

#### 9.6 Employee Training

The City shall implement an annual training program for employees in targeted positions described in this Section (whose interactions, jobs, and activities affect or potentially affect stormwater water quality) regarding the requirements of the SWQMP. At a minimum each MS4 employee responsible for implementing the program must receive twelve (12) hours of annual training with at least eight (8) of the twelve (12) hours of training distributed amongst the specific minimum control measure(s) for which they are responsible for administering. The training program must include:

- (a) Records of all employee education and training activities including staff names, dates, and titles.
- (b) Certification of all employee training in the annual report.

#### 9.8 Annual Reporting

Report progress in an annual report (Section 8.0) that, at a minimum, includes:

- (a) Status of measurable goals, program requirements, compliance schedules, and timetables. If objectives are not being met for a specific element, explain the implementation problems encountered, and changes made to resolve the problems identified.
- (b) Number of stormwater outfalls and conveyance systems that have been repaired.
- (c) Estimated amount of material collected from stormwater drainage system cleaning including the disposal methods utilized.
- (d) Estimated amount of material collected from street sweeping, if applicable, including the disposal methods utilized.
- (e) A summary of the maintenance facility SWPPP inspections indicating the number of facilities inspected and the number of deficiencies found, and the corrective action(s) taken.

## 10.0 Industrial Run-off

The MS4 must identify, monitor, and control pollutants in the stormwater discharges to the MS4 conveyances from restaurants, municipal landfills, hazardous waste treatment, storage, disposal and recycling facilities, industrial facilities subject to Title III, Section 313 of the Superfund Amendments and Reauthorization Act of 1986 (SARA), and industrial facilities that the City determines are contributing a substantial pollutant loading to the MS4 conveyances.

### 10.1 Industrial and High-Risk Run-off

- (a) The industrial run-off control program shall consist of:
  - (1) Identification of the above-mentioned industrial sources that discharge into the MS4 conveyances.
  - (2) Utilization of information from Federal and State data sources.
  - (3) Maintenance of an inventory or database of the above-mentioned facilities. Information shall include the facility name, facility address, and coverage under a NPDES permit. The tracked information shall be reviewed and updated annually.
  - (4) Conducting inspections at all facilities in the categories listed above as specified in the following.
  - (5) Identification of a facility's deficiencies in its pollution prevention measures and practices. Deficiencies require the City to direct the facility to correct the deficiencies and provide proof of compliance.
- (b) The City is required to inspect:
  - (1) Restaurants:
    - (A) The City, in cooperation with the Marion County Health Department, during the permit term shall inspect restaurants in the City's MS4 to confirm that stormwater practices are being effectively implemented in compliance with State law and local County and municipal ordinances. Restaurants include facilities holding an active permit with the Marion County Public Health Department (MCPHD) that prepares and serves food to customers, but which is not a temporary or seasonal facility or have a risk index of 180, 270 or 360.
    - (B) At each restaurant, inspectors shall inspect to determine if the restaurant:
      - 1) Has received educational materials on stormwater pollution prevention practices.
      - 2) Does not pour oil and grease or oil and grease residue onto a parking lot, street, or catch basin.

- 3) Keeps the trash bin area clean, trash bin lids closed, and does not fill trash bins with washout water or any other liquid.
  - 4) Does not allow illicit discharges, such as discharge of wash water from floor mats, floors, porches, parking lots, alleys, sidewalks, and street areas in the immediate vicinity of the establishment, filters, or garbage/trash containers.
  - 5) Removes food waste, rubbish or other materials from parking lot areas in a sanitary manner that does not create a nuisance or discharge to the storm drain.
- (2) Automotive Service Facilities:
- (A) The City shall inspect fifty (50) automotive service facilities annually and provide educational materials.
  - (B) Inspections will be conducted, and the results evaluated, in time to report the inspections with each annual report.
  - (C) Inspection results that indicate the automotive service facilities require additional employee education, will require the City to develop a revised education strategy that will be provided in the annual report.
- (3) Retail Gasoline Outlets:
- (A) The City shall inspect fifty (50) retail gasoline outlets annually and provide educational materials.
  - (B) The inspections will be conducted, and the results evaluated, in time to report the inspections with each annual report.
  - (C) If the results indicate that retail gasoline outlets require additional employee education, the City will develop a revised educational strategy that will be provided to the Department with the annual report.
- (4) Municipal Landfills:
- (A) The City shall inspect all operating licensed municipal landfills within the City's jurisdiction at a minimum of once during the permit term to confirm that stormwater BMPs are being effectively implemented in compliance with County and municipal ordinances and the SWQMP.
  - (B) At each landfill, inspectors shall verify, through a landfill records review, that each operator has a current stormwater discharge permit coverage under the Industrial Stormwater General Permit and/or a current landfill permit that addresses stormwater run-off quality under 329 IAC 10, an on-site Stormwater Pollution Prevention Plan, and inspects for illicit discharges.

- (5) Hazardous Material Treatment, Storage, Disposal, and Recycling Facilities:
  - (A) During the permit term, the City shall inspect all hazardous material treatment, storage, disposal and recycling facilities to confirm that stormwater BMPs are being effectively implemented in compliance with County and municipal ordinances, and the SWQMP.
  - (B) At each facility, inspectors shall verify, through a facility records review, that each operator has a current operational permit under 329 IAC 10 and inspects for illicit discharges.
- (6) Title III Industrial Facilities:
  - (A) During the permit term, the City shall inspect all facilities subject to Title III, Section 313 of SARA permit, as determined by a Toxic Reporting Inventory (TRI) report submission in the permit term, to confirm that stormwater BMPs are being effectively implemented in compliance with County and municipal ordinances, and the SWQMP.
  - (B) At each facility, inspectors shall verify, through a facility records review, that each operator has a current operational permit under 329 IAC 11 and inspect for illicit discharges.
- (7) Industrial Facilities:
  - (A) During the permit term, the City shall identify industrial and manufacturing facilities that are contributing pollutants to the MS4 conveyance system.
  - (B) Identification will primarily be associated with dischargers that are in violation of the MS4 IDDE ordinance or a complaint received by the City.
  - (C) The City will investigate these discharges and report the potential violation to IDEM. IDEM will coordinate with the City and follow-up with the entity to ensure compliance with an applicable NPDES permit.
- (c) The inspection program must include:
  - (1) Maintaining records, including inspection reports, supporting documentation for proving substantial pollutant loading contributions, warning letters, notices of violations, and any other enforcement records, which demonstrate a good faith effort to bring facilities into compliance.
  - (2) For facilities inspected, controlling the contribution of pollutants from stormwater discharges from facilities or notifying the Department of such discharges that the City determines are contributing a substantial pollutant loading to the MS4 conveyances and, if possible, providing the

name of the discharger to assist the Department in pursuing any enforcement action under 327 IAC 15 or the IDEM Industrial General Permit.

- (3) Notifying the Department of facilities which may need to obtain a NPDES permit for stormwater discharges associated with industrial activity.

## **11.0 Program Revisions**

### **11.1 City Requested SWQMP Modifications**

The City may change the SWQMP during the life of the permit in accordance with the following procedures:

- (a) Updates to the SWQMP shall be included in the annual report.
- (b) Replacing ineffective or infeasible BMPs specifically identified in the SWQMP with an alternate measure(s).

### **11.2 Department Requested SWQMP Modifications**

The Commissioner may require changes to the SWQMP as needed to address:

- (a) Changes in state or federal statutes or regulations applicable to discharges of stormwater.
- (b) Exceedances of water quality standards caused or contributed to by discharges from the MS4 conveyances.
- (c) Compliance with regional, watershed specific requirements, or waste load allocations developed and approved pursuant to the process for the designation and implementation of Total Maximum Daily Loads (TMDLs) for impaired water bodies.
- (d) Other modifications deemed necessary by the Commissioner to meet the requirements of the Clean Water Act, state or federal regulations or permit conditions. Changes requested by the Commissioner shall be made in writing, set forth a time schedule for the City for development, and offer the City the opportunity to propose alternative program changes to meet the objective of the request.

### **11.3 Management Area Expansion**

The City shall:

- (a) Implement the SWQMP in all new or annexed areas for which the City becomes responsible and which are added to the MS4 area as expeditiously as practicable, but not later than three (3) years from addition of the new areas. Implementation may be accomplished in a phased manner to allow additional time for controls that cannot be implemented immediately.
- (b) Submit to the Department a schedule within ninety (90) days after the completion of land annexation, for extending the SWQMP to the annexed

areas and notification of the transfer of responsibility for the affected portions of the MS4 area.

## **12.0 Assessment of Controls**

### **12.1 Annual Review**

- (a) The City shall conduct an annual review to assess the effectiveness of their current SWQMP, (including both structural and non-structural practices), in conjunction with the preparation of the annual report. The review shall, at a minimum, consist of:
  - (1) An estimate of reductions in loadings of pollutants discharged from the MS4 conveyances. This may include a review of monitoring data for trends, including reductions in annual pollutant loadings, to estimate program effectiveness. Reductions may also be assessed by indirect or programmatic measurements.
  - (2) Identification of areas or locations where structural stormwater controls will be placed to improve water quality within the MS4 area.
- (b) The City shall conduct or participate in studies to evaluate the effectiveness of structural control BMPs and shall develop recommendations for appropriate BMPs for the reduction of pollutants of concern in stormwater within the MS4 area as part of the continued implementation and support for Chapter 700 of the Stormwater Design and Construction Specifications Manual.

## **13.0 Monitoring Requirements**

Sampling of ambient receiving water conditions shall be conducted to provide data to characterize stormwater discharge quality, assess the effectiveness and adequacy of BMPs implemented under the SWQMP, identify and prioritize areas of the City's MS4 that may be contributing excessive levels of pollutants and will therefore require additional controls, estimate pollutant loadings and mean concentrations for each identified location and identify water quality improvements or degradation.

### **13.1 Ambient Receiving Water Sampling Designation and Location:**

- (a) The permittee shall sample at least seventeen (17) in-stream sites. The approximate location and outfall designations of the seventeen (17) sampling sites are:

<b>Outfall ID</b>	<b>General Description</b>	<b>Latitude</b>	<b>Longitude</b>
001S	Little Buck Creek and SR 37/Belmont Ave	39°39'59.824"N	-86°11'50.795"W
002S	Lick Creek and Harding St	39°42'30.181"N	-86°11'13.363"W
006S	Crooked Creek and Cold Spring Rd	39°49'03.447"N	-86°12'02.665"W
036S	Little Eagle and W Michigan	39°46'25.615"N	-86°13'29.769"W
007S	Fall Creek and Emerson	39°51'07.303"N	-86°05'13.420"W
009S	Fall Creek and 71st St	39°53'01.055"N	-86°00'16.758"W
010S	Big Eagle Creek and Dandy Trail	39°48'50.459"N	-86°18'11.320"W
037S	Big Eagle and Holt Rd	39°45'54.701"N	-86°13'36.203"W
038S	Big Eagle and Morris	39°45'02.1"N	-86°12'28.4"W
015S	Pleasant Run and 16th St	39°47'20.397"N	-86°03'10.906"W
020S	Pogues Run and Emerson Ave	39°48'27.142"N	-86°04'59.726"W
017S	Pogues Run and 21st St	39°47'46.595"N	-86°05'55.044"W
027S	White River and 82nd St	39°54'36.182"N	-86°06'17.750"W
029S	White River and Southport Rd	39°39'46.584"N	-86°14'09.993"W
040S	Big Eagle at Lafayette Rd	39°53'15.806"N	-86°18'01.123"W
039S	Lick and Southeastern	39°44'25.9"N	-86°04'29.2"W
004S	Buck Creek and Maze Rd	39°38'31.171"N	-85°57'17.118"W

- (b) Prior to abandoning or re-locating a monitoring point, the City shall make a request to the Department in writing and include the rationale for the requested change in location. Upon approval by the Department and agreement on the outfall designation number, the City may begin monitoring at the new location.
- (c) In addition to the sampling conducted at the seventeen in-stream sites, the City shall coordinate their monitoring efforts with, and develop joint



conclusions based on the existing Marion County Health Department monitoring programs.

- (d) Pollutant Analysis: The permittee shall analyze collected samples for the pollutants listed in Table 13.2. Analysis and collection of samples shall be done in accordance with the methods specified at 40 CFR Part 136.

Sample Type and Collection: A grab sample shall be taken at each of the locations identified in 13.1 on a quarterly basis to determine ambient conditions of the MS4 area-receiving waters. During each year of the permit term, at least three (3) of the four (4) quarterly sample collections for ambient receiving water shall be reflective of wet weather discharges into the receiving waters. Over the permit cycle, a wet weather sample, shall be collected during each quarter.

Samples shall be collected after a storm event that is greater than one-tenth (0.1) inches of rainfall and at least seventy-two (72) hours from the previously measurable (greater than one-tenth (0.1) inches) storm event. The required seventy-two (72) hour storm event interval is waived where the preceding measurable storm event did not result in a measurable stormwater discharge into the receiving water, or where the permittee documents that less than a seventy-two (72) hour interval is representative for local storm events during the season when sampling is being conducted.

- (e) Record Keeping: In addition to the Table 13.2 sample parameters, the permittee shall record the date and time of sample collection, and the duration (in hours) between the sample collection and the end of the previous measurable (greater than one-tenth (0.1) inch rainfall) storm event. The permittee shall also maintain records of the storm events: date and duration (in hours), and rainfall measurements or estimates (in inches).
- (f) The rainfall (inches), duration (hours), and the dry days preceding precipitation event can be recorded on the DMR (monitoring report) form noting the sampling date in the "comments" or in an attached letter.
- (g) Loadings and Mean Concentrations: All necessary sampling data shall be collected to provide estimates of pollutant loadings and mean concentrations for the parameters listed in Table 13.2. Other sources of data may also be used to provide these estimates. Estimates of the pollutant loadings and mean concentrations and a description of the procedures used for calculating these values shall be included in the annual report.

### 13.2 Stormwater Monitoring Requirements

(a) The following parameters are required to be sampled at each outfall.

Parameter	Concentration Limit	Units	Measurement Frequency	Sample Type	Detection Limit
Flow	Report	Gal	Quarterly	Estimate Total	None
Temperature	Report	Degrees F	Quarterly	Grab	None
Conductivity	Report	µS/cm	Quarterly	Grab	1.0 µS/cm
Dissolved Oxygen	Report	mg/L	Quarterly	Grab	1.0 mg/L
Total Suspended Solids	Report	mg/L	Quarterly	Grab	4.0 mg/L
Total Dissolved Solids	Report	mg/L	Quarterly	Grab	6.0 mg/L
pH	Report	s.u.	Quarterly	Grab	None
Oil & Grease [2]	Report	mg/L	Quarterly	Grab	5.0 mg/L
Total Kjeldahl Nitrogen	Report	mg/L	Quarterly	Grab	0.05 mg/L
Nitrate plus Nitrite Nitrogen	Report	mg/L	Quarterly	Grab	0.01 mg/L
Total Phosphorus	Report	mg/L	Quarterly	Grab	0.01 mg/L
Ammonia Nitrogen	Report	mg/L	Quarterly	Grab	0.03 mg/L
Chlorides [3]	Report	mg/L	Quarterly	Grab	1.0 mg/L
E. coli	Report	CFU/100 ml	Quarterly	Grab	1CFU/100 ml
Hardness as CaCO <sub>3</sub>	Report	mg/L	Quarterly	Grab	1.0 mg/L
Total Cadmium [1]	Report	µg/L	Quarterly	Grab	2.0 µg/L
Total Copper [1]	Report	µg/L	Quarterly	Grab	2.0 µg/L
Total Lead [1]	Report	µg/L	Quarterly	Grab	2.0 µg/L

[1] The City shall measure and report these parameters as **total recoverable** metal.

[2] Oil and grease analysis is only required for samples obtained during wet weather and, for samples collected during dry weather, when a noticeable sheen is present during the sample collection.

[3] Chloride sampling shall be collected quarterly, but only during the quarters when deicing compounds are applied to impervious surfaces, regardless of the source. At a minimum, chlorides shall be sampled and analyzed during the first and fourth quarters.

### 13.3 Test Procedures:

(a) With the exception of dry weather screening, the analytical and sampling methods used shall conform to the current version of 40 CFR 136. Multiple editions of Standard Methods for the Examination of Water and Wastewater are currently approved for most methods; however, 40 CFR Part 136 should be checked to ascertain if a particular method is approved for a particular analyte. The approved methods may be included in the texts listed below. However, different but equivalent methods are allowable if they receive the prior written approval of the Department and the U.S. EPA.

- (1) Standard Methods for the Examination of Water and Wastewater 18th, 19th, or 20th Editions, 1992, 1995, or 1998 American Public Health Association, Washington, D.C. 20005.
- (2) A.S.T.M. Standards, Part 23, Water; Atmospheric Analysis 1972 American Society for Testing and Materials, Philadelphia, PA 19103.
- (3) Methods for Chemical Analysis of Water and Wastes June 1974, Revised, March 1983, Environmental Protection Agency, Water Quality Office, Analytical Quality Control Laboratory, 1014 Broadway, Cincinnati, OH 45202.

#### 13.4 Recording Results:

- (a) For each measurement or sample taken pursuant to the requirements of this permit, the permittee shall record the following information:
  - (1) The exact place, date, and time of sampling;
  - (2) The person(s) who performed the sampling or measurements;
  - (3) The dates the analyses were performed;
  - (4) The person(s) who performed the analyses;
  - (5) The analytical techniques or methods used; and
  - (6) The results of all required analyses and measurements.

#### 13.5 Additional Monitoring by Permittee:

- (a) If the permittee monitors any pollutant at the location(s) designated herein more frequently than required by this permit, using approved analytical methods as specified above, then the results of this monitoring shall be included in the calculation and reporting of the values required in the discharge monitoring report. Such increased frequency shall also be indicated. Other monitoring data not specifically required in this permit which is collected by or for the permittee need not be submitted unless requested by the Commissioner.

#### 13.6 Water Quality Based Effluent Limitations

Compliance with the conditions in this permit constitutes compliance with the MS4 entity's obligations under the Clean Water Act and the corresponding federal and state regulations.

If at any time, conditions associated with a discharge from a MS4 are observed that indicate a discharge that does not meet the applicable water quality standards, corrective action is required.

IDEM may also impose additional water quality-based limitations on a site-specific basis or require an individual permit. This may include the requirement to install additional measures to comply with a waste load allocation in a U.S. EPA established or approved TMDL.

### 13.7 Discharge Limitations for Impaired Waters and TMDL implementation

- (a) When a MS4 entity determines that stormwater discharges from any part of its MS4 flows to a waterbody with a U.S. EPA approved TMDL, the MS4 must determine if the discharges have any pollutant(s) of concern relative to the TMDL. The MS4 entity may review the U.S. EPA approved TMDLs at: <https://www.in.gov/idem/nps/2652.htm>.
- (b) The TMDL will identify entities subject to applicable waste load allocations (WLAs). When the TMDL identifies that MS4 discharges are contributing pollutants of concern and a WLA(s) is established for MS4 discharges, the MS4 entity is subject to the applicable WLA. The MS4 shall show compliance with the WLA by documentation of measures and education no additional modeling by the MS4 is required.
- (c) When the MS4 entity determines that it is subject to an applicable newly approved TMDL WLA or a TMDL approved prior to the effective date of this permit the following requirements apply:
  - (1) In the first year of the permit, the MS4 must identify the waterbody the TMDL is written for and the parameters to which a WLA applies to within the MS4.
  - (2) In year two, the MS4 entity must implement a program and update its SWQMP to incorporate appropriate stormwater management measures that will be implemented to reduce loadings of the pollutant(s) of concern and achieve the applicable WLA. This may include, but is not limited to:
    - (A) Strengthening or expanding the illicit discharge detection and elimination (IDDE) program to increase the focus on the pollutant(s) of concern.
    - (B) Strengthening or expanding pollution prevention and good housekeeping for municipal operations which more effectively control the pollutant(s) of concern.
    - (C) Implementing additional stormwater management measures to reduce loadings for the pollutant(s) of concern.
    - (D) Retrofitting MS4 owned and/or operated structural stormwater management measures to reduce loadings of pollutants of concern.
  - (3) The SWQMP must:

- (A) Identify additional or enhanced stormwater management measures the MS4 will use to reduce the loadings of the pollutant(s) of concern.
  - (B) Document/summarize the information used to determine that the identified stormwater management measures will reduce loadings of the pollutant(s) of concern.
  - (C) Define a schedule for implementing the stormwater management measures being implemented to meet needed reductions. Targets should be established to facilitate assessment of progress towards meeting the water quality standards.
- (4) Every year following the creation of the implementation plan for the TMDL, the MS4 must continue to implement the plan and provide documentation in the annual report of the installation and maintenance of stormwater management measures and principles that have been implemented.

## 14.0 Reporting

### 14.1 Requirements:

- (a) **Monitoring Reports:** The City shall submit discharge monitoring reports to the Department containing stormwater sampling results obtained during the previous quarterly monitoring period. The United States Environmental Protection Agency (U.S. EPA) Regional Administrator may request the City submit monitoring reports to the U.S. EPA if it is deemed necessary to assure compliance with the permit.
- (b) **Annual Report:** Reports will be submitted within the first quarter (before April 1) and cover the previous calendar year. The report requirements are outlined in the sections of this permit. The report shall include all the requirements outlined in the permit
- (c) All reports required by this permit shall be signed and certified in accordance with Section 15.6. A signed copy of required reports (excludes submittal of DMRs, which must be submitted electronically) shall be submitted to the following address:

Indiana Department of Environmental Management  
Office of Water Quality, Stormwater Program  
MS4 Coordinator  
100 North Senate Avenue, Room 1255  
Indianapolis, Indiana 46206-6015

IDEM continues to develop means of electronic submittals. Upon availability and notification by the Commissioner of an electronic process, the City's MS4 will be required to utilize this process to submit documents required by this permit.

## 15.0 Standard Conditions

### 15.1 General Conditions

(a) Duty to Comply:

The permittee shall comply with all conditions of this permit in accordance with 327 IAC 5-2-8(1) and all other requirements of 327 IAC 5-2-8. Any permit noncompliance constitutes a violation of the Clean Water Act and IC 13 and is grounds for enforcement action or permit termination, revocation and reissuance, modification, or denial of a permit renewal application.

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of the permit.

(b) Duty to Mitigate

In accordance with 327 IAC 5-2-8 (3), the permittee shall take all reasonable steps to minimize or prevent any adverse impact on the environment resulting from noncompliance with this permit. During periods of noncompliance, the permittee shall conduct such accelerated or additional monitoring for the affected parameters, as appropriate or as requested by IDEM, to determine the nature and impact of the noncompliance.

(c) Duty to Reapply:

If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must obtain and submit an application for renewal of this permit in accordance with 327 IAC 5-2-8(2). Pursuant to 327 IAC 5-3-2(a) (2), the application must be submitted at least 180 days before the expiration date of this permit. This deadline may be extended if:

- (1) Permission is requested in writing before such deadline.
- (2) IDEM grants permission to submit the application after the deadline.
- (3) The application is received no later than the permit expiration date.

Under the terms of the proposed Federal E-Reporting Rule, the permittee may be required to submit its application for renewal electronically in the future.

(d) Permit Transfers:

In accordance with 327 IAC 5-2-8 (4)(D), this permit is nontransferable to any person except in accordance with 327 IAC 5-2-6(c).

(e) Permit Actions:

In accordance with 327 IAC 5-2-16(b) and 327 IAC 5-2-8(4), this permit may be modified, revoked and reissued, or terminated for cause, including, but not limited to, the following:

- (1) Violation of any terms or conditions of this permit.
- (2) Failure of the permittee to fully disclose any relevant facts or misrepresentation of any relevant facts in the application, or during the permit issuance process.
- (3) A change in any condition that requires either a temporary or a permanent reduction or elimination of any discharge controlled by a permit, a change in state law that requires the reduction or elimination of the discharge, or information indicating that the permitted discharge poses a substantial threat to human health or welfare.

Filing either of (1) a request by the permittee for a permit modification, revocation and reissuance, or termination, or (2) a notification of planned changes or anticipated noncompliance, does not stay any permit condition.

The permittee shall submit any information that the permittee knows or has reason to believe would constitute cause for modification or revocation and reissuance of the permit at the earliest time such information becomes available, such as plans for physical alterations or additions to the permitted entity that:

- (A) Could significantly change the nature of, or increase the quantity of pollutants discharged; or
- (B) The Commissioner may request to evaluate whether such cause exists.

In accordance with 327 IAC 5-1-3(a) (5), the permittee must also provide any information reasonably requested by the Commissioner.

(f) Property Rights:

Pursuant to 327 IAC 5-2-8(6) and 327 IAC 5-2-5(b), the issuance of this permit does not convey any property rights of any sort or any exclusive privileges, nor does it authorize any injury to persons or private property or invasion of other private rights, any infringement of federal, state, or local laws or regulations.

The issuance of the permit also 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.

(g) 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 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.

(h) Oil and Hazardous Substance Liability:

Nothing in this permit shall be construed to relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject to under Section 311 of the Clean Water Act.

(i) State Laws:

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 under authority preserved by Section 510 of the Clean Water Act or state law.

(j) Penalties for Violation of Permit Conditions:

Pursuant to IC 13-30, any 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(k), a person who willfully or recklessly violates any NPDES permit condition or filing requirement, any applicable standards or limitations of IC 13-18-3-2.4, IC 13-18-4-5, IC 13-18-8, IC 13-18-9, IC 13-18-10, IC 13-18-12, IC 13-18-14, IC 13-18-15, or IC 13-18-16, or who knowingly makes any false material statement, representation, or certification in any NPDES form, notice, or report commits a Class C misdemeanor.

Pursuant to IC 13-30-10-1.5(l), an offense under IC 13-30-10-1.5(k) is a Class D felony if the offense results in damage to the environment that renders the environment unfit for human or vertebrate animal life. An offense under IC 13-



30-10-1.5(k) is a Class C felony if the offense results in the death of another person.

(k) 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 that is required to be maintained under the terms of a permit issued by the department; and may be used to determine the status of compliance, (b) renders inaccurate or inoperative a recording device or a monitoring device required to be maintained by a permit issued by the department, or (c) falsifies testing or monitoring data required by a permit issued by the department commits a Class B misdemeanor.

(l) Toxic Pollutants:

If any applicable effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is established under Section 307(a) of the Clean Water Act for a toxic pollutant injurious to human health, and that standard or prohibition is more stringent than any limitation for such pollutant in this permit, this permit shall be modified or revoked and reissued to conform to the toxic effluent standard or prohibition in accordance with 327 IAC 5-2-8(5). Effluent standards or prohibitions established under Section 307(a) of the Clean Water Act for toxic pollutants injurious to human health are effective and must be complied with, if applicable to the permittee, within the time provided in the implementing regulations, even absent permit modification.

(m) Construction Permit:

In accordance with IC 13-14-8-11.6, a discharger is not required to obtain a state permit for the modification or construction of a water pollution treatment or control facility if the discharger has an effective NPDES permit.

If the discharger modifies their existing water pollution treatment or control facility or constructs a new water pollution treatment or control facility for the treatment or control of any new influent pollutant or increased levels of any existing pollutant, then, within thirty (30) days after commencement of operation, the discharger shall file with the Department of Environment Management a notice of installation for the additional pollutant control equipment and a design summary of any modifications.

(n) Reopening Clause:

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

- (1) Commissioner determines that additional monitoring requirements, effluent limitations or other measures are needed to assure that the discharges do not cause or contribute to exceedances of Indiana water quality standards.
- (2) To include, as co-permittees, operators of discharges from other municipal separate storm sewer systems designated by the Commissioner as part of the City's MS4 conveyance.

(o) Inspection and Entry:

In accordance with 327 IAC 5-2-8(8), the permittee shall allow the Commissioner, or an authorized representative, upon the presentation of credentials and other documents as may be required by law, to:

- (1) Enter upon the permittee's premises where the MS4 conveyances or discharges from the MS4 conveyances are located or conducted, or where records must be kept pursuant to the conditions of this permit;
- (2) Have access to and copy, at reasonable times, any records that must be kept under the terms and conditions of this permit;
- (3) Inspect at reasonable times any facilities, equipment or methods (including monitoring and control equipment), practices, or operations regulated or required pursuant to this permit; and
- (4) Sample or monitor at reasonable times, any discharge of pollutants or internal waste streams for the purposes of evaluating compliance with the permit or as otherwise authorized.

15.2 Management Requirements:

(a) Proper Operation, Maintenance:

The permittee shall at all times maintain in good working order and efficiently operate all stormwater collection, control, treatment and disposal facilities and systems for the collection and treatment which are installed or used by which are necessary for achieving compliance with the terms and the permittee, and conditions of this permit in accordance with 327 IAC 5-2-8(9).

Neither 327 IAC 5-2-8(9), nor this provision, shall be construed to require the operation of installed treatment facilities that are unnecessary for achieving compliance with the terms and conditions of the permit.

- (b) Bypass of Treatment Facilities:
- (1) Pursuant to 327 IAC 5-2-8(12):
    - (A) Terms as defined in 327 IAC 5-2-8(12)(A):
      - 1) "Bypass" means the intentional diversion of a waste stream from any portion of a treatment facility.
      - 2) "Severe property damage" means substantial physical damage to property, damage to the treatment facilities which would cause them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.
    - (B) The permittee may allow a bypass to occur that does not cause a violation of the effluent limitations in the permit, but only if it is also for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of Section 15.2 (b)(1)(C), (E) and (F) of this permit.
    - (C) Bypasses, as defined in (A) above, are prohibited, and the Commissioner may take enforcement action against a permittee for a bypass, unless the following occur:
      - 1) The bypass was unavoidable to prevent loss of life, personal injury, or severe property damage, as defined above;
      - 2) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass that occurred during normal periods of equipment downtime or preventive maintenance; and
      - 3) The permittee submitted notices as required under Section 15.2 (b)(1)(E); or
      - 4) The condition under Section 15.2 (b)(1)(B) above is met.
    - (D) Bypasses that result in death or acute injury or illness to animals or humans must be reported in accordance with the "Spill Response and Reporting Requirements" in 327 IAC 2-6.1, including calling 888/233-7745 as soon as possible, but within two (2) hours of

discovery. However, under 327 IAC 2-6.1-3(1), when the constituents of the bypass are regulated by this permit, and death or acute injury or illness to animals or humans does not occur, the reporting requirements of 327 IAC 2-6.1 do not apply.

(E) The permittee must provide the Commissioner with the following notice:

1) If the permittee knows or should have known in advance of the need for a bypass (anticipated bypass), it shall submit prior written notice. If possible, such notice shall be provided at least ten (10) days before the date of the bypass for approval by the Commissioner.

2) The permittee shall orally report an unanticipated bypass that exceeds any effluent limitations in the permit within 24 hours of becoming aware of the bypass noncompliance. The permittee must also provide a written report within five (5) days of the time the permittee becomes aware of the bypass event. The written report must contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times; if the cause of noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the bypass event. If a complete e-mail submittal is provided within 24 hours of the time that the permittee became aware of the unanticipated bypass event, then that report will satisfy both the oral and written reporting requirement.

(F) The Commissioner may approve an anticipated bypass, after considering its adverse effects, if the Commissioner determines that it will meet the conditions listed above in Section 15.2 (b)(1)(C). The Commissioner may impose any conditions determined to be necessary to minimize any adverse effects.

(c) Upset Conditions:

(1) Pursuant to 327 IAC 5-2-8(13):

(A) "Upset" means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance

to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

- (B) An upset shall constitute an affirmative defense to an action brought for noncompliance with such technology-based permit effluent limitations if the requirements of paragraph (C) of this Section, are met.
  - (C) A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs or other relevant evidence, that:
    - 1) An upset occurred and the permittee has identified the specific cause(s) of the upset;
    - 2) The permitted facility was at the time being operated in compliance with proper operation and maintenance procedures; and
    - 3) The permittee complied with any remedial measures required under Section 15.1(b).
    - 4) The permittee submitted notice of the upset as required in the Twenty-Four-Hour Reporting Requirements, Section 15.3 (C) or 327 IAC 2-6.1, whichever is applicable. However, under 327 IAC 2-6.1-3(1), when the constituents of the discharge are regulated by this permit, and death or acute injury or illness to animals or humans does not occur, the reporting requirements of 327 IAC 2-6.1 do not apply.
  - (D) In any enforcement proceeding, the permittee seeking to establish the occurrence of an upset has the burden of proof pursuant to 40 CFR 122.41(n)(4).
- (d) Removed Substances:
- (1) Solids, sludges, filter backwash, or other pollutants removed from or resulting from treatment or structural control of stormwater shall be disposed of in a manner such as to prevent any pollutant from such materials from entering waters of the State and to be in compliance with all Indiana statutes and regulations relative to liquid and/or solid waste disposal.

### 15.3 Monitoring and Reporting Requirements

(a) Representative Sampling:

- (1) Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge.

(b) Monitoring Reports:

- (1) Monitoring results shall be reported at the intervals and in the form specified in this permit.

(c) Twenty-Four Hour Reporting:

- (1) Pursuant to 327 IAC 5-2-8(11)(C), the permittee shall orally report to the Commissioner information on any of the following types of noncompliance within twenty-four (24) hours from the time permittee becomes aware of such noncompliance. If the noncompliance meets the requirements of item (B) below or 327 IAC 2-6.1, then the report shall be made within those prescribed time frames. However, under 327 IAC 2-6.1-3(1), when the constituents of the discharge that is in noncompliance are regulated by this permit, and death or acute injury or illness to animals or humans does not occur, the reporting requirements of 327 IAC 2-6.1 do not apply.

- (A) Any unanticipated bypass which exceeds any effluent limitation in the permit.
- (B) Any noncompliance which may pose a significant danger to human health or the environment. Reports under this item shall be made as soon as the permittee becomes aware of the noncomplying circumstances.
- (C) Any upset that causes an exceedance of any effluent limitation in the permit.

The permittee can make the oral reports by calling (317) 234-1601 during regular business hours or by calling (317) 233-7745 during non-business hours. A written submission shall also be provided within five (5) days of the time the permittee becomes aware of the circumstances. 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 Commissioner may waive the

written report on a case-by-case basis if the oral report has been received within twenty-four (24) hours.

#### 15.4 Other Compliance/Noncompliance Reporting

- (a) Pursuant to 327 IAC 5-2-8(11)(D), the permittee shall report any instance of noncompliance not reported under the Twenty-Four-Hour Reporting Requirements or any compliance schedules at the time the pertinent Discharge Monitoring Report is submitted. The report shall contain the information specified in Section 15.3 (C).

#### 15.5 Other Information:

- (a) Pursuant to 327 IAC 5-2-8(11)(E), where the permittee becomes aware that it failed to submit any relevant facts in a permit application or submitted incorrect information in a permit application or in any report, the permittee shall promptly submit such facts or corrected information to the Commissioner.

#### 15.6 Signatory Requirements:

- (a) Pursuant to 327 IAC 5-2-22 and 327 IAC 5-2-8(15):
  - (1) All reports required by the permit and other information requested by the Commissioner shall be signed and certified by a person described below or by a duly authorized representative of that person:
    - (A) For a Federal, State, or local governmental body or any agency or political subdivision thereof: by either a principal executive officer, ranking elected official, or delegate.
    - (B) Under the proposed Federal E-Reporting Rule, a method will be developed for submittal of all affected reports and documents using electronic signatures that is compliant with the Cross-Media Electronic Reporting Regulation (CROMERR). Enrollment and use of NetDMR currently provides for CROMERR-compliant report submittal.
  - (2) A person is a duly authorized representative only if:
    - (A) The authorization is made in writing by a person described above.
    - (B) The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of plant manager, operator of a well or a well field, superintendent, or position of equivalent responsibility. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.); and
    - (C) The authorization is submitted to the Commissioner.

- (3) Certification. Any person signing a document identified under this section shall make the following certification:

"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."

15.7 Availability of Reports:

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

15.8 Penalties for Falsification of Reports:

- (a) IC 13-30 provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or noncompliance, shall, upon conviction, be punished by a fine or not more than ten thousand dollars (\$10,000) per violation, or by imprisonment for not more than six (6) months per violation, or by both.



15.9 Records Retention:

- (a) All records and information resulting from the monitoring activities required by this permit, including all records of analyses performed and calibration and maintenance of instrumentation and recording from continuous monitoring instrumentation, shall be retained for a minimum of three (3) years. The permittee shall retain a copy of the SWQMP developed in accordance with this permit for at least three (3) years after coverage under this permit terminates. The three (3)-year period shall be extended:
  - (1) Automatically during the course of any unresolved litigation regarding the discharge of pollutants by the permittee; or
  - (2) As requested by the U.S. EPA Regional Administrator or the Department.

## Appendix A: Definitions

- (1) "Dechlorinated/debrominated swimming pool discharges" means a pool discharge that contains chlorine or bromine concentrations below five one-hundredths (0.05) milligram per liter of residual.
- (2) "Illicit connection" means a physical connection to an MS4 conveyance that conveys illicit discharges into the MS4 conveyance.
- (3) "Illicit discharge" means any discharge or seepage to an MS4 conveyance that is not composed entirely of stormwater except discharges authorized by this permit. Illicit discharges include non-stormwater discharges through illicit connections, and dumping of motor vehicle fluids, household hazardous wastes, grass clippings, leaf litter, animal wastes, or any other waste directly into an MS4 conveyance.
- (4) "Watershed management area" means a geographical land area that corresponds to an eleven-digit Hydrologic Unit Code watershed. Marion County currently has seven (7) identified watershed management areas: Eagle Creek, Upper White River, Fall Creek, Grassy/Buck Creek, Lower White River, and the East Fork of White Lick/Goose Creek.
- (5) "Watershed team" means a group of individuals with an interest in a watershed management area that meet to coordinate, among other things, stormwater quality projects and issues on a watershed basis.
- (6) "Class V injection well" means a type of well, which typically has a depth greater than its largest surface dimension, emplaces fluids into the subsurface, and does not meet the definitions of Class I through Class IV wells as defined under 40 CFR 146.5. While the term includes the specific examples described in 40 CFR 144.81, septic systems that serve more than one (1) single-family dwelling or provide service for nondomestic waste, dug wells, bored wells, improved sinkholes, French drains, infiltration sumps, and infiltration galleries, it does not include surface impoundments, trenches, or ditches that are wider than they are deep.
- (7) "Commercial facility" means facilities that are not residential including, but not limited to, a restaurant, retail facility, office, manufacturing or industrial facility, markets, office buildings, hotels, motels, boarding and lodging houses, tourist cabins, hostels, shopping centers, theaters, government facilities and schools, multi-family dwellings and hospitals,
- (8) "Commissioner" refers to the commissioner of the department of environmental

management.

- (9) "Construction plan" means a representation of an overall project, including infrastructure, project layout, and the stormwater pollution prevention plan.
- (10) "Conveyance" means any structural process for transferring stormwater between at least two (2) points. The term includes piping, ditches, swales, curbs, gutters, catch basins, channels, storm drains, and roadways.
- (11) "Disposal" means the discharge; deposit; injection; spilling; leaking; or placing; of any solid waste or hazardous waste into or on any land or water so that the solid waste or hazardous waste, or any constituent of the waste, may enter the environment, be emitted into the air, or be discharged into any waters, including ground waters.
- (12) "Dog Park" means a designated public location where dogs are confined, and animal waste may accumulate. For the purposes of this rule, the term does not include kennels, municipal dog impoundments, or humane society buildings
- (13) "Dry weather screening" refers to field observations and field screening monitoring
- (14) done to determine if there are sources of illicit discharges into a MS4 conveyance. Dry weather is defined as a time period where there has not been a precipitation event for three days.
- (15) "Facility" means any real property including, but not limited to buildings, parks, or other improvements owned and/or operated by a MS4.
- (16) "Floatable" means any solid waste that, due to its physical characteristics, will float on the surface of water. For the purposes of this rule, the term does not include naturally occurring floatables, such as leaves or tree limbs.
- (17) "Ground water" means such accumulations of underground water, natural or artificial, public and private, or parts thereof, which are wholly or partially within, flow through, or border upon this state. The term does not include manmade underground storage or conveyance structures.
- (18) "Illicit discharge" means any discharge to a MS4 conveyance that is not composed entirely of stormwater, except naturally introduced floatables, such as leaves or tree limbs. Sources of illicit discharges include but is not limited to sanitary wastewater, septic tank effluent, commercial car wash wastewater, oil spills or disposal, radiator flushing disposal, laundry wastewater, roadway accident spillage, pollutant run-off, and household hazardous wastes.
- (19) "Impervious surface" means any surface that prevents or significantly reduces

stormwater to readily infiltrate into the underlying natural soil.

- (20) "Infiltration practices" means any structural system designed to facilitate the percolation of run-off through the soil to ground water. Examples include infiltration basins or trenches, dry wells, and porous pavement.
- (21) "Larger common plan of development or sale" means a plan, undertaken by a single developer or a group of developers acting in concert, to offer lots for sale or lease; where such land is contiguous, or is known, designed, purchased, or advertised as a common unit or by a common name, such land shall be presumed as being offered for sale or lease as part of a larger common plan. The term also includes phased construction by a single entity for its own use.
- (22) "Load allocation" means the portion of a receiving waterbody's loading capacity that is attributed either to one (1) of its existing or future nonpoint sources of pollution or to natural background sources.
- (23) "Municipal separate storm sewer system entity" means a public or private body that owns, operates, or maintains a stormwater conveyance system, including a transportation agency operated by that body. The term can also include federal, state, city, town, county, district, association, or township public bodies and privately owned universities, colleges, or stormwater utilities. For the purposes of this permit, the term does not include non-MS4 entity-owned shopping malls, office parks, apartment complexes, golf courses, churches, or hotels.
- (24) "Municipal separate storm sewer system" or "MS4" means a conveyance or system of conveyances, including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains, that is:
  - (a) Owned or operated by a federal, state, city, town, county, district, association, or other public body (created by or pursuant to state law) having jurisdiction over stormwater, including special districts under state law such as a sewer district,
  - (b) Flood control district, or drainage district, or similar entity, or a designated and approved management agency under Section 208 of the Clean Water Act (33 U.S.C. 1288) that discharges into waters of the state; or privately owned stormwater utility, hospital, university, or college having jurisdiction over:
    - (1) Stormwater that discharges into waters of the state;
    - (2) Designed or used for collecting or conveying stormwater;
    - (3) Not a combined sewer; and
    - (4) Not part of a publicly owned treatment works (POTW) as defined at 40 CFR 122.2.

- (25) "Mutual drain" means a drain that:
- (a) is located on two (2) or more tracts of land that are under different ownership;
  - (b) was established by the mutual consent of all the owners; and
  - (c) was not established under or made subject to any drainage statute.
- (26) "Outfall" means a point source discharge via a conveyance of stormwater run-off into a receiving stream or other body of water.
- (27) "Receiving water" means a waterbody that receives a discharge from an outfall. The term does not include private drains, retention and detention basins, or constructed wetlands used as treatment.
- (28) "Redevelopment" means alterations of a property that change a site or building in such a way that there is disturbance of one (1) acre or more of land. The term does not include such activities as exterior remodeling.
- (29) "Retail gasoline outlets" means an operating gasoline or diesel fueling facility whose primary function is the resale of fuels.
- (30) "Significant source of pollutants" means a MS4 entity or industrial facility that contributes pollutants into a MS4 conveyance in such a quantity or quality and to such a degree that it impacts the receiving MS4 operator's ability to comply with applicable state or federal law.
- (31) "Soil and water conservation district" or "SWCD" means a political subdivision established under IC 14-32.
- (32) "Solid waste" means any garbage, refuse, sludge from a waste treatment plant, sludge from a water supply treatment plant, sludge from an air pollution control facility, or other discarded material, including solid, liquid, semisolid, or contained gaseous material resulting from industrial, commercial, mining, or agricultural operations or from community activities. The term does not include solid or dissolved material in:
- (a) domestic sewage; or
  - (b) irrigation return flows or industrial discharges; that are point sources subject to permits under Section 402 of the Federal Water Pollution Control Act Amendments (33 U.S.C. 1342).
  - (a) source, special nuclear, or byproduct material (as defined by the Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.);
  - (b) manures or crop residues returned to the soil at the point of generation as fertilizers or soil conditioners as part of a total farm operation; or
  - (c) vegetative matter at composting facilities registered under IC 13-20-10.

- (33) "Spill" means the unexpected, unintended, abnormal, or unapproved dumping, leakage, drainage, seepage, discharge, or other loss of petroleum, hazardous substances, extremely hazardous substances, or objectionable substances. The term does not include releases to impervious surfaces when the substance does not migrate off the surface or penetrate the surface and enter the soil.
- (34) "Stormwater Pollution Prevention Plan" means a site-specific, written document that (1) identifies all of the activities and conditions at a site or facility that could result in water pollution, and (2) details the steps the entity will take to prevent the discharge of any unpermitted pollutant.
- (35) "Stormwater Quality Management Plan" means a comprehensive written document that outlines the activities that will be implemented and administered by a MS4 entity to address stormwater run-off to improve water quality.
- (36) "Structural stormwater management measures" means measures designed with the purpose of stormwater quality, stormwater management, and flood control.
- (37) "Total maximum daily load" or "TMDL" means the sum of the daily individual waste load allocations for point sources and load allocations for nonpoint sources and natural background minus the sum of a specified margin of safety and any capacity reserved for growth. A TMDL sets and allocates the maximum daily amount of a pollutant that may be introduced into a waterbody and still assure attainment and maintenance of water quality standards.
- (38) "Vegetative practices" utilizes various forms of vegetation to enhance pollutant removal, maintain and improve natural site hydrology, promote healthier habitats, and increase aesthetic appeal. Examples include but are not limited to grass swales, filter strips, buffer strips, constructed wetlands, and rain gardens.
- (39) "Waste Load Allocation (WLA)" means the portion of a receiving water's loading capacity that is allocated to one of its existing or future point sources of pollution. Waste load allocations constitute a type of water quality-based effluent limitation. (40 CFR 130.2)
- (40) "Wellhead protection area" has the meaning set forth at 327 IAC 8-4.1-1 (27).



## National Pollutant Discharge Elimination System

FACT SHEET for

City of Indianapolis

NPDES Phase I Individual Storm Water Permit

November 16, 2023

## Indiana Department of Environmental Management

100 North Senate Avenue  
Indianapolis, Indiana 46204

(317) 232-8603

Toll Free (800) 451-6027

[www.idem.IN.gov](http://www.idem.IN.gov)

<b>Permittee:</b>	City of Indianapolis - Department of Public Works 604 North Sherman Drive Indianapolis, IN 46201 Marion County
<b>Existing Permit Information:</b>	Permit Number: INS040001 Expiration Date: December 31, 2023
<b>Facility Contact:</b>	Daniel J. Parker, Director, Department of Public Works
<b>Facility Location:</b>	City of Indianapolis-Marion County Unigov area, exclusive of the MS4 areas in City of Beech Grove, City of Lawrence, City of Southport, and Town of Speedway
<b>Receiving Stream:</b>	The City of Indianapolis lies in the White River watershed. Major tributaries of the White River that receive storm water discharges from the City of Indianapolis include: Big Run, Buck Creek, Crooked Creek, Dollar Hide Creek, Eagle Creek, East Fork of White Lick Creek, Fall Creek, Flat Branch, Goose Creek, Grassy Creek, Howland Ditch, Lick Creek, Little Buck Creek, Pleasant Run, Pogues Run, State Ditch, Wildcat Brook, Wildcat Run, and Williams Creek
<b>Proposed Action:</b>	Renewed NPDES Individual Phase I stormwater permit.
<b>Facility Category</b>	NPDES Major - Domestic
<b>Permit Writer:</b>	Staci Goodwin, MS4 Coordinator Indiana Department of Environmental Management 100 N Senate Ave Suite 1255 Indianapolis, Indiana 46206 317-234-1601 <a href="mailto:sgoodwin@idem.in.gov">sgoodwin@idem.in.gov</a>

## **1.0 INTRODUCTION**

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The Indiana Department of Environmental Management (IDEM) received a National Pollutant Discharge Elimination System (NPDES) Permit application from the City of Indianapolis on May 3, 2018. A five-year permit is proposed in accordance with 327 IAC 5-2-6(a).

In compliance with the provisions with the Federal Water Pollution Control Act as amended, (33 U.S.C. 1251 et seq., the “Act”), and the Indiana Department of Environmental Management’s permitting authority under IC 13-15, as amended, the City of Indianapolis has requested authorization to discharge stormwater and allowable non-stormwater from all municipal separate storm sewer system outfalls owned or operated by the consolidated City of Indianapolis to identified receiving waters of the state.

In accordance with Title 40 of the Code of Federal Regulations (CFR) Sections 124.8 and 124.6, as well as Indiana Administrative Code (IAC) 327 Section 5, development of a Fact Sheet is required for NPDES permits. This document fulfills the requirements established in those regulations.

## **2.0 APPLICABILITY**

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### **2.1 Regulatory Basis for the Permit**

The conditions established in this permit are based on Section 402(p)(3)(B) of the Clean Water Act, which mandates that a permit for discharges from regulated MS4 conveyances must: effectively prohibit the discharge of non-stormwater to the MS4 conveyances; and require controls to reduce the discharge of pollutants from the MS4 conveyances to the maximum extent practical. This permit specifies minimum practices, measures and controls that IDEM determined appropriate for complying with pollutant reduction control requirements.

The City of Indianapolis (the City) is not exempt from compliance with state water quality standards. Discharges from regulated MS4 conveyances must achieve state water quality standards. Although some state standards are numeric, no numeric limitations are proposed in this permit. Implementation of the Stormwater Quality Management Plan (SWQMP) is expected to provide adequate protection to achieve Indiana water quality standards.

### **2.2 Permit Coverage Area**

This permit applies to MS4 conveyances and outfalls located within the area established under the Indianapolis-Marion County Unigov statute (IC 36-3-5). This MS4 area, excluding the City of Beech Grove, City of Lawrence, City of Southport, and Town of Speedway.

This permit also applies to the four (4) Marion County universities designated by IDEM as regulated MS4 entities. The institutions, Butler University, Indiana



University-Purdue University Indianapolis (IUPUI), Marion University, and the University of Indianapolis.

### **2.3 Receiving Waters**

The City MS4 area lies in the White River watershed. Major tributaries of the White River that receive stormwater discharges from the City of Indianapolis include: Big Run, Buck Creek, Crooked Creek, Dollar Hide Creek, Eagle Creek, East Fork of White Lick Creek, Fall Creek, Flat Branch, Goose Creek, Grassy Creek, Howland Ditch, Lick Creek, Little Buck Creek, Pleasant Run, Pogues Run, State Ditch, Wildcat Brook, Wildcat Run, and Williams Creek.

### **2.4 Discharges Authorized Under the Permit**

- (A) **Stormwater:** This permit authorizes the discharge of stormwater to waters of the state from all outfalls of the MS4 conveyances, identified in the most recent annual report submittal to the Department.
- (B) **Non-stormwater:** This permit also authorizes the discharge of stormwater commingled with flows contributed by process wastewater, non-process wastewater, stormwater associated with industrial activity, or other non-stormwater discharges, to waters of the state from outfalls of the MS4 conveyances owned or operated by the City, provided the discharges are regulated by other NPDES permits.

### **2.5 The Permittee's Responsibilities**

The City is responsible for:

1. Compliance with permit conditions relating to discharges from the MS4 conveyances which the City own and/or operate.
2. Implementation of the SWQMP in the MS4 area.
3. Implementation of additional control measures, where necessary, to reduce the discharge of pollutants in stormwater to meet the water quality standards listed in 327 IAC 2-1-6.
4. Coordination, data compilation, and documentation of the compliance and implementation responsibilities.
5. Providing personnel and fiscal resources for the necessary updates of the SWQMP and its components.
6. Providing technical and administrative support for committees that will be organized to implement the SWQMP and its components.
7. Providing technical support for the watershed teams identified by the City.
8. Compliance with annual reporting requirements identified in this permit.

9. Collection, evaluation, assessment, and reporting of monitoring data as required in this permit.

### **3.0 STORMWATER QUALITY MANAGEMENT PLAN**

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The City is required to develop, implement and enforce a Stormwater Quality Management Plan (SWQMP) that shall include controls necessary to reduce the discharge of pollutants from the MS4 conveyances to meet the Indiana water quality standards listed in 327 IAC 2-1-6

#### **3.1 Minimum Control Measures**

The minimum SWQMP requirements are divided into component sections within this permit, and include requirements for (1) pollution prevention, operations, and maintenance, (2) post-construction stormwater run-off control for new development and redevelopment, (3) illicit discharges and improper disposal, (4) industrial run-off control, (5) construction site run-off control, (6) public education and outreach/public participation and involvement, (7) and control assessment.

#### **3.2 Legal Authority**

The City shall operate pursuant to its legal authority to control discharges to and from those portions of the MS4 conveyances which it owns or operates. This legal authority may be a combination of statute, ordinance, permit, contract, order, or similar means enabling the City to meet the criteria below.

The City shall continue to enter into legal contracts or agreements with the other MS4 entities identified in the permit to control discharges to and from those portions of the MS4 area that are owned or operated by the entities. The City will also carry out inspections, surveillance, and monitoring procedures necessary to determine compliance with permit conditions, including the prohibition of illicit discharges to MS4 conveyances.

#### **3.1 Assessment of Controls**

- (A) The City of Indianapolis shall conduct an annual review to assess the effectiveness of their current SWQMP. The review shall, at a minimum, consist of:
  - 1) An estimate of overall reductions in loadings of pollutants discharged from the MS4 conveyances.
  - 2) Identification of known impacts of stormwater controls on ground water
  - 3) Identification of areas or locations where structural stormwater controls will be placed to improve water quality within the MS4 area.

## **4.0 STORMWATER MONITORING**

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The City of Indianapolis is required to sample discharges at representative outfalls of the MS4 conveyances, as well as in receiving waters within the MS4 area. Sampling of ambient receiving water conditions will be conducted to (1) provide data to characterize stormwater discharge quality, (2) assess the effectiveness and adequacy of BMPs implemented under the SWQMP, (3) identify and prioritize areas of the MS4 area that may be contributing excessive levels of pollutants and will therefore require additional controls, (4) estimate quarterly pollutant loadings and mean concentrations for each identified location, and (5) identify water quality improvements or degradation.

## **5.0 ANNUAL REPORT**

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The City will submit a detailed annual report to IDEM. The annual report will be submitted in electronic format. The annual report shall include:

- (A) A summary evaluation of the SWQMP, including identification of water quality improvements or degradation, areas of accomplishment, areas needing improvement and the future direction of the program
- (B) The status of implementing the SWQMP and compliance with any schedules established under this permit
- (C) Proposed revisions to the SWQMP or the monitoring program
- (D) A summary of the Assessment of Controls
- (E) A summary and analysis of the data, including monitoring data that is generated throughout the reporting year
- (F) A summary of statistical information related to stormwater management programs such as the number and nature of enforcement actions, inspections, and the volume of hazardous waste collected
- (G) A summary of public education activities
- (H) A summary of catch basin cleaning and sweeping of curbed streets
- (I) Summary for the operation and maintenance of structural treatment controls
- (J) A summary of MS4 conveyance maintenance activities
- (K) Summary of the household hazardous waste and used oil program
- (L) Progress of inventory and mapping efforts
- (M) Results of automotive service facility and retail gasoline outlet inspection evaluations
- (N) Summary of the evaluation of the educational outreach
- (O) Estimates of pollutant loadings and mean concentrations
- (P) Outreach strategy for the sustainable development / green stormwater infrastructure program

### **5.2 Certifications**

The City of Indianapolis will submit required certifications and reports as attachments to the annual report.

### **5.3 Reopening Clauses**

- (A) This permit may be modified, or alternately, revoked and reissued if the Commissioner determines that additional monitoring requirements, effluent limitations or other measures are needed to assure that the discharges do not cause or contribute to exceedances of Indiana water quality standards.
- (B) This permit may be modified, or alternately, revoked and reissued to include, as co-permittees, operators of discharges from other municipal separate storm sewer systems designated by the Commissioner as part of the City's MS4 conveyances.