



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

100 N. Senate Avenue • Indianapolis, IN 46204
(800) 451-6027 • (317) 232-8603 • Fax (317) 233-6647 • www.idem.IN.gov

Mike Braun
Governor

Clint Woods
Commissioner

October 9, 2026

Dear Pesticide Applicators & Interested Persons:

Re: Notice of IDEM Issuance of Renewal
of Master NPDES General Permit
ING870000 for Pesticide Applications

We are writing to notify you that today IDEM has issued the renewal of the Master NPDES General Permit ING870000 for Pesticide Applications. This general permit renewal shall become effective on October 31, 2026 and shall expire on October 30, 2031. Enclosed please find a copy of the final signed permit, the fact sheet, and the final Public Notice document which contains the appeal procedures.

The draft general permit was public noticed in July 2026 for a 30-day comment period, which ended on August 13, 2026. We did not receive any comments during that official comment period. We did not make any changes to the draft NPDES permit following the closure of the 30-day comment period, other than to prepare it for issuance. The Post Public Notice Addendum (PPNA) which is located on Page 9 of the NPDES Fact Sheet summarizes this process.

The biggest change that has occurred since the 2021 Master General Permit renewal was the statutory change which made it optional for some pesticide applicators to obtain a license from the Office of the Indiana State Chemist (OISC). As a result there may be applicators who are operating above the permit threshold levels who may no longer be exempt from having to file a Notice of Intent (NOI) form with IDEM. Any pesticide applicator that is not licensed by the OISC should become familiar with this permit to determine what they need to do to comply with its terms and conditions.

IDEM has prepared a Notice of Intent form which will become available on the IDEM website once it has been state form approval from the IARA. If you need a copy of the NOI form prior to its website publication, please contact Ms. Catherine Hess at (317) 232-8704 or via email at chess@idem.IN.gov.

Enclosed with this email is a copy of the final NPDES general permit package which includes the public notice (including appeal procedure information), the final NPDES general permit and the final NPDES Fact Sheet with the Post Public Notice Addendum which appears at the bottom of Page 9. The final issued permit is also being posted on the IDEM Public Notice website under the Statewide Region heading:
<https://www.in.gov/idem/public-notice/public-notice-statewide/>.

Visit on.IN.gov/survey or scan the QR code to provide feedback.

We appreciate your input!



Please note that the issuance of this general permit renewal can be appealed. A person who files an appeal of this general permit would be appealing the content of the general permit itself, not any specific facility's coverage. An appeal must be filed under procedures outlined in IC 13-15-6, IC 4-21.5, as noted below. The appeal must be initiated by filing a petition for administrative review with the Office of Administrative Law Proceedings (OALP) within fifteen (15) days of the emailing of an electronic copy of this letter or within eighteen (18) days of the mailing of this letter. See the enclosed public notice for detailed information about filing an appeal.

Questions regarding the general permit may be directed to me at (317) 232-8704 or to Ms. C. Anne Burget of my staff at (317) 234-8745. Alternatively you may contact us via email at owqwwper@idem.IN.gov.

Sincerely,

Catherine Hess

Catherine Hess, Chief
Permits Administration Section
Office of Water Quality

Enclosures



National Pollutant Discharge Elimination System (NPDES)

Permit No. ING870000

GENERAL PERMIT FOR PESTICIDE APPLICATIONS

Indiana Department of Environmental Management

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

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 of the Indiana Administrative Code, and regulations adopted by the Environmental Rules Board, the Indiana Department of Environmental Management (IDEM) is issuing this general permit to all persons who apply pesticides on or near surface waters of the State of Indiana.

This permit is issued on: **October 9, 2026**

This permit is effective on: **October 31, 2026**

This permit expires on: **October 30, 2031**

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

Paul Higginbotham
Deputy Assistant Commissioner
Office of Water Quality

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
**PESTICIDE GENERAL PERMIT FOR POINT SOURCE DISCHARGES TO
WATERS OF THE STATE FROM THE APPLICATION OF PESTICIDES**
Permit No. ING870000 (2026-2031)

1.0 GENERAL

This document is a general permit that covers pesticide discharges to surface waters of the state resulting from the activities described below and described in an applicant's Notice of Intent (NOI). Submittal of an NOI is required unless exempted by Section 5.1, Table 4, of this permit.

1.1 Permittees

If a person (as defined by IC 13-11-2-158) applies pesticides in a use pattern described in Column 1 of Table 1 (See Section 2.1 below), that person's pesticide discharges are automatically covered under this general permit as long as the person complies with all requirements of this permit. A person must comply with all conditions of this permit to maintain coverage for pesticide discharges under this permit.

1.2 Permitted locations

This permit is effective for pesticide discharges throughout the state of Indiana. However, the area covered in this permit does not include any discharges to waters located in Indian country, which is defined in United States Code 18 USC Section 1151 as "(a) all land within the limits of any Indian reservation under the jurisdiction of the United States Government, notwithstanding the issuance of any patent, and, including any rights-of-way running through the reservation, (b) all dependent Indian communities within the borders of the United States whether within the original or subsequently acquired territory thereof, and whether within or without the limits of a state, and (c) all Indian allotments, the Indian titles to which have not been extinguished, including the rights-of-way running through the same."

1.3 Effective dates

Authorization to discharge under this general permit begins on October 31, 2026. Authorization to discharge under this general permit ends on the earliest of the following:

- (1) Midnight on October 30, 2031, unless the Commissioner issues a new pesticide general permit to take effect on or after that date, in which case a person may continue to discharge under the new (successor) general permit as long as the person meets the requirements of the new (successor) general permit.
- (2) A person who has obtained coverage under this general permit requests to be excluded from the general permit, and applies for and is granted an individual permit, in which case coverage under the general permit terminates at the time that the individual permit takes effect.
- (3) A person who is covered under this general permit determines that such coverage is no longer required and submits a notice of termination under section 5.15 of this document, in which case, authorization to discharge under this general permit terminates at midnight of the day that a complete notice of termination is processed and posted on IDEM's website.
The Commissioner revokes a person's coverage under the general permit for cause, in which case authorization to discharge under this general permit terminates on the date of the Commissioner's written notice.

1.4 Definitions

The following definitions apply throughout this document:

- IC 13-11-2
- IC 15-16-4
- IC 15-16-5
- 327 IAC 2-1-9
- 327 IAC 2-1.5-2
- 327 IAC 2-6.1-4
- 327 IAC 5-1.5
- 355 IAC 4-0.5
- 357 IAC 1
- 7 U.S.C. 136
- 33 U.S.C. 1321
- 40 CFR 122
- 40 CFR 130.2
- 40 CFR 152.3
- 40 CFR 166.3
- 40 CFR 174.3
- The U.S. Environmental Protection Agency “NPDES Pesticide General Permit (PGP) for Point Source Discharges to Waters of the United States from the Application of Pesticides (Final)” effective October 31, 2026.

2.0 EFFLUENT LIMITATIONS

2.1 Which discharges are covered under this general permit?

Pesticide discharges from the following applications of pesticides are covered under this general permit:

- The application of pesticides directly to water in order to control pests. Examples of such applications include those necessary to control mosquito larvae, aquatic weeds, or other pests that are present in water.
- The application of pesticides to control pests that are present over water, including near the water, where a portion of the pesticides will unavoidably be deposited to the water in order to target the pests effectively. Examples of such applications include instances when insecticides are aerially applied to a forest canopy where water may be present below the canopy, or when pesticides are applied over or near water for control of adult mosquitoes or other pests.

Table 1 describes the specific pesticide uses that are covered under this general permit. If a person applies pesticides in a use pattern listed in Table 1, then regardless of the size of the annual treatment area, the discharge of pesticides to waters of the state resulting from such activities is authorized under this general permit as long as the person complies with the terms and conditions of this general permit.

Table 1. Pesticide Uses Covered Under this General Permit

Pesticide Use	Annual Treatment Area Thresholds for Determining NOI Submittal Requirements
Control of public health or nuisance pests and other flying insect pests that develop or are present during a portion of their life cycle in or above standing or flowing water. Public health or nuisance pests in this use category include, but are not limited to, mosquitoes and black flies.	6400 acres (cumulative for aduicide for the calendar year)
Control of invasive or other nuisance weeds and algae in water and at water's edge, including irrigation ditches and irrigation canals including but not limited to the following: (1) Treating weeds in a right-of-way or easement where to target the pests effectively, a portion of the pesticide will, unavoidably, be applied over and/or deposited to water; and (2) Control of aquatic vegetation through chemical or biological means in waters of the state under a permit issued by the Department of Natural Resources under IC 14-22-9-10 and 312 IAC 9-10-3.	80 acres in water 20 linear miles of ditch or other linear feature or at water's edge
Control of invasive or other nuisance animals in water and at the water's edge. Aquatic nuisance animals in this use category include, but are not limited to fish, lampreys, and mollusks.	80 acres in water 20 linear miles of ditch or other linear feature or at water's edge
Aerial or ground application of a pesticide over a forest canopy to control the population of a pest species, for example, an insect or pathogen, where to target the pests effectively, a portion of the pesticide will unavoidably be applied over and/or deposited to water.	6400 acres (cumulative for the calendar year)
Application of pesticides to outstanding state resource waters designated in 327 IAC 2-1.3-3(d) to restore or maintain water quality or to protect public health or the environment where those discharges either do not degrade water quality or only degrade water quality on a short-term or temporary basis.	No annual treatment area threshold. Applies to any pesticide application, regardless of the amount of area treated

Table 2. Pesticide Uses that ARE NOT Covered Under this General Permit

Agricultural pesticide application to the land or to terrestrial crops,
Agricultural stormwater runoff,
Pesticide application or discharge that violates IC 15-16-4, IC 15-16-5, the rules of the Indiana State Chemist at 355 IAC 4 or 355 IAC 5, the rules of the Indiana Pesticide Review Board at 357 IAC 1, or the pesticide product label,
Pesticide application that results in the discharge of any pesticide: (1) to waters that have been designated as any of the following: (A) impaired for that pesticide or its degradants; (B) outstanding state resource waters in 327 IAC 2-1.3-3(d) except as provided in Table 1; (2) that violates a water quality standard established in 327 IAC 2; or (3) within a pesticide setback established by the Indiana State Chemist or the Indiana Pesticide Review Board or described in the product label,
Discharges that are currently covered by another NPDES permit,
Discharges included in a permit that, within the last five (5) years, has been or is in the process of being denied, terminated, or revoked by IDEM.

2.2 Technology-based effluent limitations

When applying pesticides to or over waters of the state, a person must comply with all of the following:

- IC 15-16-4 for pesticide registration.
- IC 15-16-5 for pesticide use and application.
- 355 IAC 4 for pesticide use and application.
- 355 IAC 5 for storage and secondary containment of pesticides.
- 357 IAC 1 for use of pesticides.
- The pesticide product label required by Section 3 of the Federal Insecticide, Fungicide and Rodenticide Act (7 U.S.C. §136a).

2.3 Water quality-based effluent limitations

The discharge must be controlled as necessary to meet applicable numeric and narrative state water quality standards in 327 IAC 2-1 and 327 IAC 2-1.5. When applying pesticides to or over waters of the state, a person must comply with all of the following:

- 312 IAC 9-10-3 for pesticide applications under a permit issued by the Indiana Department of Natural Resources.
- 327 IAC 5-2-8 for standard conditions of NPDES permits.
- 327 IAC 5-2-22 for signatures.
- 327 IAC 2 for water quality standards.

3.0 MONITORING AND REPORTING REQUIREMENTS

3.1 General

When applying pesticides to or over waters of the state, a person must comply with all of the following:

- 327 IAC 2-6.1 for reporting of spills,
- 40 CFR 110.6 and 40 CFR 117.21 for reporting of spills to the National Response Center,
- IC 13-14-2-2 and 327 IAC 5-1-3(c) for inspection and entry,
- Section 311(b)(5) of the Federal Water Pollution Control Act (33 U.S.C. 1321(b)(5)).

3.2 Spills, Leaks, or Other Unpermitted Discharge Notification

A person covered by this general permit must report all leaks, spills, or other releases of pesticides to:

- IDEM as required by 327 IAC 2-6.1 at **(888) 233-7745**, and
- the National Response Center (NRC) at **(800) 424-8802** for spills of a reportable quantity, as soon as the person has knowledge of the release.

3.3 Adverse Incident Notification

3.3.1 Adverse Incidents to be Reported to IDEM's Emergency Response Section

Pursuant to 327 IAC 5-2-8(11) and 327 IAC 5-1-3, all persons covered by this general permit must monitor for, identify, and report adverse incidents to the Commissioner. If the incident poses significant danger to human health or the environment, then pursuant to 327 IAC 2-6.1, the report shall be made as soon as possible, but within two (2) hours of discovery, to IDEM's Emergency Response Section at (317) 233-7745 or (888) 233-7745 toll-free within Indiana. This number should only be called when reporting these emergency events.

Emergency adverse incident reports to IDEM must include the following information:

- The caller's name and telephone number;
- Operator name and mailing address;
- If covered under an NOI, the NPDES permit coverage number;
- The name and telephone number of a contact person, if different than the person providing the 24-hour notice;
- How and when the person became aware of the adverse incident;
- Description of the location of the adverse incident;
- Description of the adverse incident identified and the EPA pesticide registration number for each product the person applied in the area of the adverse incident; and
- Description of any steps the person has taken or will take to correct, repair, remedy, clean up, or otherwise address any adverse effects.

3.3.2 Non-Emergency Adverse Incident Reporting

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, and the 24-hour reporting requirement applies instead.

For incidents not requiring notification to IDEM's Emergency Response Section, the permittee may make oral reports by calling (317) 232-8670 during regular business hours and asking for the Compliance Data Section. 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 the following information:

- Information required to be provided above in Section 3.2.1;
- Date and time the person notified IDEM of the adverse incident, the name of the IDEM employee taking the call and any instructions the person received from the IDEM employee;
- Location of incident, including the names of any waters affected and appearance of those waters (sheen, color, clarity, etc.);
- A description of the circumstances and cause of the adverse incident including species affected, estimated number of and the approximate size of dead or distressed organisms;
- Magnitude and scope of the affected area (e.g. aquatic square area or total stream distance affected);
- Pesticide application rate, intended use site (e.g., banks, above, or direct to water), method of application, and name of pesticide product, description of pesticide ingredients, and EPA registration number;
- Description of the habitat and the circumstances under which the adverse incident occurred (including any available ambient water data for pesticides applied);
- If laboratory tests were performed, indicate which test(s) were performed and the time(s) they were performed. Provide a summary of the test results within five (5) days after they become available;
- If applicable, explain why the person believes the adverse incident could not have been caused by exposure to the pesticide;
- Actions to be taken to prevent recurrence of adverse incidents; and
- The person's signature and date in accordance with 327 IAC 5-2-22.

The Commissioner may waive the written report on a case-by-case basis if the oral report has been received within 24 hours of the incident. Alternatively, the permittee may submit a "Bypass/Overflow Report" (State Form 48373) or a "Noncompliance 24-Hour Notification Report" (State Form 52415), whichever is appropriate, to IDEM at wwreports@idem.in.gov. If a complete e-mail submittal is sent within 24 hours of the time that the permittee became aware of the occurrence, then the email report will satisfy both the oral and written reporting requirements.

3.3.3 Adverse Incident Reporting For Federally Listed Threatened or Endangered Species

If a person becomes aware of an adverse incident to a federally listed threatened or endangered species or its federally designated critical habitat that may have resulted from a discharge from the pesticide application, the person must immediately notify the National Marine Fisheries Service Northeast Regional Office (NMFS) at **(978) 281-9300**. The person must immediately notify the in the case of an anadromous or marine species, or to the U.S. Fish and Wildlife Service (FWS) Indianapolis Law Enforcement Office at **(317) 346-7014** in the case of a terrestrial or freshwater species. This notification must be made by telephone immediately upon becoming aware of the adverse incident and must include the following information:

- The caller's name and telephone number;
- The Operator's (pesticide applicator's) name and mailing address;
- The name of the affected species;
- The time and method by which the person became aware of the adverse incident;
- Description of the location of the adverse incident;

- Description of the adverse incident, including the EPA pesticide registration number for each product the person applied in the area of the adverse incident; and
- Description of any steps the person has taken or will take to alleviate the adverse impact to the species.

3.3.4 Adverse Incident Reporting For State Listed Rare, Threatened or Endangered Species

If a person becomes aware of an adverse incident to a state listed rare, threatened or endangered species or its critical habitat that may have resulted from a discharge from the pesticide application, the person must immediately notify the Indiana Department of Natural Resources at **(317) 234-8440**. This notification must be made by telephone immediately upon becoming aware of the adverse incident and must include the information required in Section 3.3.3 above.

4.0 SPECIAL PERMIT CONDITIONS

4.1 Threatened and endangered species

When applying pesticides to or over waters of the state, the person must comply with the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) and IC 14-22-34 for non-game endangered and threatened species.

4.2 Declared pest emergencies

If the person is applying pesticides in response to a declared pest emergency situation under 40 CFR 166, the person is authorized to discharge immediately for activities conducted in response to that declared pest emergency situation. The person must comply with 40 CFR 166 for use of pesticides in emergency conditions.

5.0 STANDARD PERMIT CONDITIONS

5.1 Notice of Intent (NOI)

If the person is listed in Table 3 and not listed in Table 4, the person must submit an NOI to IDEM by the date in the table. The person must submit the NOI on forms provided by the Commissioner or electronically in the format specified by the Commissioner. Additionally, any person required to submit an NOI must comply with Section 5.2 of this permit.

Table 3. Who Must Submit an NOI

Entity	Submittal Dates
A unit of federal or state government with pest control responsibility that exceeds an annual treatment area threshold as listed in Table 1	At least 10 days prior to commencement of pesticide application(s)
A person that employs or contracts with other persons to apply pesticides in a use pattern listed in Table 1 for pesticide applications that: (1) exceed the annual treatment area threshold in Table 1; (2) are not covered under another person's general permit coverage; and (3) which is not a small business as defined in IC 5-28-2-6.	At least 10 days prior to commencement of pesticide application(s)
A person who applies pesticides to outstanding state resource waters designated in 327 IAC 2-1.3-3(d). The person must update the NOI to include outstanding state resource waters no later than 10 days before pesticide application and add additional treatment areas as they occur that were not included in the previous NOI.	At least 10 days before applying pesticides to outstanding state resource waters.

Table 4. Who is Not Required to Submit an NOI

A person who is certified or licensed to apply pesticides by the Office of the Indiana State Chemist (OISC) or a person who has received a GN number issued by the OISC in any of the following categories: 2 – Forest Pest Management; 3B – Turf Management; 5 – Aquatic Pest Management; 6 – Industrial Weed Management; 7A - Industrial, Institutional, Structural, and Health-Related Pest Management; 8 – Mosquito Management; and 11 – Aerial Application. (A "GN number" is the OISC identifier number that is assigned to a "government or not-for-hire pesticide application operating location".)
A person who applies pesticides under a permit issued by the Indiana Department of Natural Resources under IC 14-22-9-10 and 312 IAC 9-10-3.
A person engaged in pesticide research and development activities.

5.2 Pesticide Discharge Management Plan

Any person who is required to submit an NOI, as set forth in Section 5.1 of this general permit, must also develop a Pesticide Discharge Management Plan (PDMP) by the date that the NOI is due.

The PDMP must be in the form specified by the Office of the Indiana State Chemist. The Plan is not required to be submitted to IDEM or OISC for approval prior to its implementation. A copy of the PDMP shall be maintained by the person and shall be made available for agency (IDEM or OISC) review upon request.

Exceptions to the PDMP rule:

- **Declared Pest Emergencies:** You are not required to have a PDMP prepared prior to the NOI/application if the pesticides are being applied in response to a declared pest emergency.
- **Small Entities & Small Dischargers:** If you qualify as a small entity (or fall below specific annual treatment thresholds), you are generally exempt from the PDMP requirement altogether.

5.3 Compliance with applicable federal and state laws and rules

When applying pesticides to or over waters of the state, the person must comply with all of the following:

- IC 15-16-4 for pesticide registration.
- IC 15-16-5 for pesticide use and application.
- 355 IAC 4 for pesticide use and application.
- 355 IAC 5 for storage and secondary containment of pesticides.
- 357 IAC 1 for use of pesticides.
- The pesticide product label required by Section 3 of the Federal Insecticide, Fungicide and Rodenticide Act (7 U.S.C. §136a).
- 312 IAC 9-10-3 for pesticide applications under a permit issued by the Indiana Department of Natural Resources.
- 327 IAC 5-2-8 for standard conditions for NPDES permits.
- 327 IAC 5-2-22 for signatures.
- 327 IAC 2 for water quality standards.
- 327 IAC 2-6.1 for reporting of spills.
- 40 CFR 110.6 and 40 CFR 117.21 for reporting of spills to the National Response Center.
- IC 13-14-2-2 and 327 IAC 5-1-3(c) for inspection and entry.
- Section 311(b)(5) of the Federal Water Pollution Control Act (33 U.S.C. 1321(b)(5)).
- The Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).
- IC 14-22-34 for non-game endangered and threatened species.
- 40 CFR 166 for use of pesticides in emergency conditions.

5.4 Need to Halt or Reduce Activity Not a Defense

Pursuant to 40 CFR 122.41(c), it shall not be a defense for a person 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 this permit.

5.5 Duty to Mitigate

Pursuant to 40 CFR 122.41(d), a person covered by this general permit must take all reasonable steps to minimize or prevent any discharge in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

5.6 Property Rights

Pursuant to 40 CFR 122.41(g), this permit does not convey any property rights of any sort, or any exclusive privileges.

5.7 Duty to Provide Information

Pursuant to 40 CFR 122.41(h), a person covered by this general permit must furnish to the department or an authorized representative, within a reasonable time, any information which the department may request to determine if cause exists for modifying, revoking and reissuing, or terminating this permit or to determine compliance with this permit. A person covered by this general permit must also furnish to the department or an authorized representative, upon request, copies of records required to be kept by this permit.

5.8 Transfers

General permit coverage under this permit is not transferable to any person.

5.9 Inspections

As provided in 327 IAC 5-1-3(c), the Commissioner or the Commissioner's designated representative may inspect any facility, establishment, or pesticide management area covered under this general permit at any time.

5.10 Violations

Any permit noncompliance constitutes a violation of IC 13-30 and the Clean Water Act and is grounds for enforcement action, permit termination, revocation and reissuance, modification, or denial of permit renewal.

5.11 Penalties

Indiana criminal penalties are described in IC 13-30-10. Indiana civil penalties are described in IC 13-30-4. Federal criminal, civil and administrative penalties are described in section 309 of the Federal Water Pollution Control Act (33 U.S.C. 1319). Any person violating any provision of this document shall be subject to enforcement and penalties as set forth under 327 IAC 5-2-20.

5.12 Revocation

The Commissioner may revoke a person's coverage under this general permit during its term for cause, including but not limited to, violation of applicable laws, regulations, or administrative documents. To revoke a person's coverage under this general permit, the Commissioner will provide written notice that the person's general permit coverage will be revoked. Upon receipt of written notice of revocation from the Commissioner, the person must submit an application for an individual permit no later than ninety (90) days after receiving the notice of revocation. Filing of a request for a permit modification, revocation and reissuance, or termination, or for a notification of planned changes or anticipated noncompliance does not stay any permit condition.

5.13 Obtaining an individual NPDES permit

The Commissioner may require a person covered by this general permit to apply for and obtain an individual NPDES permit when any of the following occur:

- The discharge currently is, or potentially may be, a significant contributor of pollution.
- The person is not, or previously has not been, in compliance with the conditions of this NPDES general permit.
- A change has occurred in the availability of demonstrated technology or practices for the control or abatement of pollutants applicable to the point source.
- Effluent limitation guidelines are promulgated for point sources covered by the general permit.
- The water is identified as impaired by that pesticide or its degradants pursuant to section 303(d) of the Federal Water Pollution Control Act (33 U.S.C. 1313(d)).

- The Commissioner has notified the person that coverage under the general permit coverage is being revoked.

If a person has general permit coverage and does not apply for an individual permit within ninety (90) days after receiving notification from the Commissioner to submit such an application to the department, then that person's existing general permit coverage will be terminated. Any interested person(s) may petition the Commissioner to take action under this section.

5.14 Changes to the terms and conditions of this general permit

If IDEM determines that it is necessary to change the terms and conditions of this general permit, the permit will be reopened, and the modification will be noticed for public comment. Any changes will be posted on the IDEM website for 30 days. IDEM will explain the process for making public comments on the changes in the posting. Following the public comment period, any comments submitted will be evaluated. The final changes to the terms and conditions, with any modifications resulting from the public comments, will be incorporated into the general permit and clearly marked.

5.15 Requesting termination of coverage

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

6.0 CONTACT INFORMATION

Indiana Department of Environmental Management

Office of Water Quality – Permits Branch
100 N. Senate Ave. IGCN 12th Floor
Indianapolis, IN 46204-2251
(317) 232-8670
owqwwper@idem.IN.gov

Office of Indiana State Chemist & Seed Commissioner (Sarah Caffery, current on March 1, 2026)

175 S. University St.
West Lafayette, IN 47907-2063
(765) 494-1492
scaffery@purdue.edu

Indiana Department of Natural Resources (Amanda Wuestefeld, current on March 1, 2026)

Division of Fish and Wildlife
402 W. Washington St., Room W273
Indianapolis, IN 46204
(317) 234-8442
awuestefeld@dnr.IN.gov

Indiana Department of Natural Resources (Megan Abraham, current on March 1, 2026)

Division of Entomology and Plant Pathology
402 W. Washington St., Room W290
Indianapolis, IN 46204
(317) 605-9468
mabraham@dnr.IN.gov

NPDES PERMIT FACT SHEET
**PESTICIDE GENERAL PERMIT FOR POINT SOURCE DISCHARGES TO
WATERS OF THE STATE FROM THE APPLICATION OF PESTICIDES**
Renewal of General Permit No. ING870000 (2026-2031)

GENERAL FACILITY INFORMATION

The Indiana Department of Environmental Management (IDEM) proposes to renew its National Pollutant Discharge Elimination System (NPDES) general permit ING870000 that covers discharges to surface waters of the state of Indiana resulting from the application of pesticides, as described below. The existing permit was issued and became effective on October 31, 2021 with an expiration date of October 30, 2026.

Description of activities covered under this permit

Pesticide discharges from the following applications of pesticides are covered under this general permit:

- (1) The application of pesticides directly to water in order to control pests. Examples of such applications include applications to control mosquito larvae, aquatic weeds, or other pests that are present in water.
- (2) The application of pesticides to control pests that are present over water, including near the water, where a portion of the pesticide(s) will unavoidably be deposited to the water in order to target the pests effectively. Examples of such applications include scenarios where insecticides are aerially applied to a forest canopy where water may be present below the canopy, or when pesticides are applied over or near water for control of adult mosquitoes or other pests.

Specific pesticide uses that are covered under this general permit include the following:

- (1) Control of public health or nuisance pests and other flying insect pests that develop or are present during a portion of their life cycle in or above standing or flowing water. Public health or nuisance pests in this use category include but are not limited to mosquitoes and black flies.
- (2) Control of invasive or other nuisance weeds and algae in water and at water's edge, including irrigation ditches and irrigation canals including but not limited to:
 - Treating weeds in a right-of-way or easement where to target the pests effectively, a portion of the pesticide will be unavoidably applied over and/or deposited to the water; and/or
 - Control of aquatic vegetation through chemical or biological means in waters of the state under a permit issued by the Department of Natural Resources under IC 14-22-9-10 and 312 IAC 9-10-3.
- (3) Control of invasive or other nuisance animals in water and at the water's edge. Aquatic nuisance animals in this use category include, but are not limited to fish, lampreys, and mollusks.

- (4) Aerial or ground application of a pesticide over a forest canopy to control the population of a pest species, for example, an insect or pathogen, where to target the pests effectively, a portion of the pesticide will unavoidably be applied over and deposited to the water.
- (5) Application of pesticides to outstanding state resource waters designated in 327 IAC 2-1.3-3(d) to restore or maintain water quality or to protect public health or the environment where those discharges either do not degrade water quality or only degrade water quality on a short-term or temporary basis.

Description of activities that are not covered under this permit

Pesticide uses that are not covered under this general permit include the following:

- (1) Agricultural pesticide applications to the land or to terrestrial crops.
- (2) Agricultural stormwater runoff.
- (3) Pesticide applications or discharges that violate IC 15-16-4, IC 15-16-5, the rules of the Office of the Indiana State Chemist (OISC) at 355 IAC 4 or 355 IAC 5, the rules of the Indiana Pesticide Review Board (IPRB) at 357 IAC 1, or the pesticide product label.
- (4) Pesticide applications that result in the discharge of any pesticide to waters that have been designated as impaired for that pesticide or its degradants or as outstanding state resource waters designated in 327 IAC 2-1.3-3(d) except as otherwise provided, that violates a water quality standard established in 327 IAC 2, or within a pesticide setback established by the OISC or the IPRB or described in the product label.
- (5) Discharges that are currently covered by another NPDES permit.
- (6) Discharges included in a permit that, within the last five (5) years, has been or is in the process of being denied, terminated, or revoked by the department.

Detailed description of the discharge location

Pesticide discharge locations exist throughout Indiana. However, the area covered in this permit does not include any discharges to waters located in Indian country, which is defined in United States Code 18 USC Section 1151 as “(a) all land within the limits of any Indian reservation under the jurisdiction of the United States Government, notwithstanding the issuance of any patent, and, including any rights-of-way running through the reservation, (b) all dependent Indian communities within the borders of the United States whether within the original or subsequently acquired territory thereof, and whether within or without the limits of a state, and (c) all Indian allotments, the Indian titles to which have not been extinguished, including the rights-of-way running through the same.”

Pesticide discharge locations include the following:

- (1) Aquatic weed and vegetation control. Indiana has numerous water bodies and waterways that frequently require pesticide use to control nuisance or invasive vegetation to maintain water and habitat quality, navigation, resource use, etc. These areas exist throughout Indiana.

- (2) Aquatic invasive species. Indiana Department of Natural Resources, the U.S. Fish & Wildlife Service and others control a variety of aquatic invasive species. The range and extent of these activities are documented in the "[Indiana Aquatic Invasive Species \(AIS\) Management Plan](#) 2020."
- (3) Mosquito control activities. Mosquito control is carried out at locations throughout Indiana.
- (4) *Lymantria dispar dispar* (aka spongy moth) and other nuisance insect management in forests. *Lymantria dispar dispar* management occurs in northern Indiana and can occur throughout Indiana under [Indiana's Strategic Plan for Spongy Moth Management](#).
- (5) Blue-green algae. Treatment of surface drinking water supplies for blue-green algae blooms by utilities or reservoir managers.

Type and quantity of wastes or pollutants discharged

Pollutants covered under this permit are pesticides used to control nuisance pests in or over the water in quantities authorized by the OISC. Pesticides applied include those approved by and registered with the OISC under IC 15-16-4-61 for control of aquatic and terrestrial pests. A person covered by this general permit may only utilize pesticides which are currently registered with the OISC for aquatic use in Indiana and during the course of this permit, the list of registered pesticides may change. The quantities of these pesticides used for aquatic application has not been specifically analyzed. In addition, it is not known how much of each pesticide becomes waste after it is applied. Using current monitoring and data measurement techniques, it is not possible to meaningfully quantify the amount discharged as a pollutant at this time.

SUMMARY RATIONALE OF PERMIT CONDITIONS

Division of authority under Indiana law

Under current Indiana law (IC 13-13-5-1(1) and IC 15-16-4), IDEM is responsible for implementation of the Clean Water Act and the OISC is charged with regulation of pesticide use. As a result of this divided jurisdiction, the general permit contains those conditions that are relevant to the Clean Water Act (CWA) and does not intrude on the statutory jurisdiction of the OISC.

Indiana pesticide rules equivalent to federal standards

The OISC has determined that Indiana law and the rules of the Indiana Pesticide Review Board and the OISC are equivalent to and as protective as the standards of the Environmental Protection Agency's final (2026) pesticide general permit (EPA PGP) pertaining to application of pesticides.

Definitions

The definitions in the following apply throughout this document:

- IC 13-11-2
- IC 15-16-4
- IC 15-16-5
- 327 IAC 2-1-9
- 327 IAC 2-1.5-2

- 327 IAC 2-6.1-4
- 327 IAC 5-1.5
- 355 IAC 4-0.5
- 357 IAC 1
- 7 U.S.C. 136
- 33 U.S.C.1321
- 40 CFR 122
- 40 CFR 130.2
- 40 CFR 152.3
- 40 CFR 166.3
- 40 CFR 174.3
- The U.S. Environmental Protection Agency “NPDES Pesticide General Permit (EPA PGP) for Point Source Discharges to Waters of the United States from the Application of Pesticides (Final)” effective October 31, 2026.

The term “Person” has the meaning set forth in IC 13-11-2-158:

(a) "Person", for purposes of:

- (1) IC 13-21;
- (2) air pollution control laws;
- (3) water pollution control laws; and
- (4) environmental management laws, except as provided in subsections (c), (d), (e), and (h);

means an individual, a partnership, a co-partnership, a firm, a company, a corporation, an association, a joint stock company, a trust, an estate, a municipal corporation, a city, a school city, a town, a school town, a school district, a school corporation, a county, any consolidated unit of government, political subdivision, state agency, a contractor, or any other legal entity.

Antidegradation Review

The discharges that are to be covered by this permit are of a temporary nature. In accordance with Indiana’s Antidegradation Standards and Implementation Procedures at 327 IAC 2-1.3-4, a new or increased discharge of non-bioaccumulative chemicals of concern which only occurs for a short-term, temporary period lasting less than 12 months or 365 consecutive calendar days does not constitute a significant lowering of water and is not subject to further antidegradation review.

Notices of Intent

This permit will require large-scale pesticide applicators to submit a Notice of Intent (NOI), unless they have been issued a GN number by the OISC. A “GN number” is the OISC identifier number that is assigned to a “government or not-for-hire pesticide application operating location”. These operators would potentially include the following if they exceed a use pattern threshold or have a discharge to an outstanding state resource water:

- (1) The Indiana Department of Natural Resources (IDNR), which conducts aquatic pesticide applications with its employees, contracts for pesticide application by registered applicators, and permits application of aquatic pesticides to Indiana water bodies and waterways under Indiana law. IDNR also contracts for and supervises aerial pesticide application to control the European spongy moth (*Lymantria dispar dispar*) and other invasive species.
- (2) The Indiana Department of Transportation, which uses its employees and contractors to apply pesticides to ditches and ditch banks to maintain public rights-of-way.
- (3) The U.S. Forest Service when it performs or contracts for pesticide application to control pests in national forests.
- (4) Utilities, railroads and other entities that apply pesticides to rights-of-way to control invasive or nuisance vegetation if they exceed a use pattern threshold and are not a small business as defined in Indiana law (IC 5-28-2-6).

Under 40 CFR 122.28(b)(2)(v), the Commissioner has determined that submission of an NOI under this permit by pesticide applicators other than the pesticide applicators described above is unnecessary but is not prohibited. Most pesticide applications that would exceed a threshold in the permit are (1) conducted by the state of Indiana or a federal agency utilizing its employees or contractors or by large companies such as utilities and railroads, (2) are permitted by the state, or (3) are carried out by persons registered or certified by the OISC. All of these pesticide applications are a matter of public record. All pesticide application in the State of Indiana is regulated by the OISC. As a result of this determination, submission of an NOI by every pesticide applicator will not be required under this general permit. An NOI is only required of those persons who meet the criteria of Tables 1, 2 & 3 of the permit and who are not exempted by Table 4 of the permit.

Pesticide Discharge Management Plans

This permit will require only those persons who are required to submit an NOI to also develop a Pesticide Discharge Management Plan (PDMP). The form of the plan will be specified by the OISC since the PDMP consists of standards and procedures applicable to the planning and control of pesticide application and the OISC is the agency tasked by Indiana law with controlling the application of pesticides in Indiana. The Plan is not required to be submitted to IDEM or OISC for approval prior to its implementation. A copy of the PDMP shall be maintained by the permitted person and shall be made available for agency (IDEM or OISC) review upon request.

Declared Pest Emergencies

Persons applying pesticides in response to a declared pest emergency situation under 40 CFR 166 will be authorized to discharge immediately for activities conducted in response to that declared pest emergency situation.

DETAILED RATIONALE OF PERMIT CONDITIONS

Permit conditions

Permittees will be required to comply with the following to maintain coverage under this permit. The permit contains all provisions of the EPA PGP relating to CWA implementation, including notification of spills, leaks and other unpermitted discharges and adverse incident notification, termination, revocation, requirement to obtain an individual NPDES permit, and provisions for changes to the terms and conditions of the general permit.

Technology-based effluent limitations

Permit conditions to comply with technology-based effluent limitations:

- (1) IC 15-16-4 covers pesticide approvals, registration of pesticides, handling, storage and disposal of pesticides.
- (2) IC 15-16-5 covers pesticide use and application, licensing, certification and registration of pesticide applicators, enforcement and violations.
- (3) 355 IAC 4 covers pesticide applicator certification and registration, supervision of applicators, site awareness and on-site supervision, liability coverage, record-keeping.
- (4) 355 IAC 5 covers storage and secondary containment of pesticides.
- (5) 357 IAC 1 covers violations and enforcement, use of pesticides in wellhead protection areas and near community public water supply system wells, community-wide mosquito abatement, pesticide drift, open burning of pesticide containers, use of pesticide service containers, and use of pesticides at golf courses.
- (6) The pesticide product label required by Section 3 of the Federal Insecticide, Fungicide and Rodenticide Act (7 U.S.C. §136a).

Water quality-based effluent limitations

Permit conditions to comply with applicable numeric and narrative state water quality standards and water quality-based effluent limitations:

- (1) IC 14-22-9-10 and 312 IAC 9-10-3 cover aquatic pesticide applications under a permit issued by the IDNR for control of aquatic vegetation.
- (2) 327 IAC 5-2-8 covers general standards and requirements for NPDES permits.
- (3) 327 IAC 2 covers numeric and narrative water quality standards in Indiana.

Monitoring and reporting requirements

This permit requires permittees to report spills under existing Indiana rules found at 327 IAC 2-6.1. This permit also requires permittees to report spills in accordance with section 311 of the Clean Water Act (33 U.S.C. 1321). Since the spill reporting provisions are matters of longstanding law and rule, they are not further restated in this permit. This permit also requires permittees to monitor for, identify and report adverse incidents. The language for this requirement was drawn from the EPA PGP. Permit conditions to comply with state and federal reporting requirements are specified in:

- (1) 327 IAC 2-6.1 for reporting of spills.
- (2) 40 CFR 110.6 and 40 CFR 117.21 for reporting of spills to the National Response Center.
- (3) IC 13-14-2-2 and 327 IAC 5-1-3(c) for inspection and entry.
- (4) Section 311(b)(5) of the Federal Water Pollution Control Act (33 U.S.C. 1321(b)(5)).

Record-keeping

In accordance with 327 IAC 5-2-8 and 40 CFR 122.41(j), the permittee shall maintain records of their pesticide application activities. Recordkeeping requirements are also found at IC 15-16-5-59 and 355 IAC 4-4. The Office of the Indiana State Chemist (OISC) requires recordkeeping for applicators of Restricted Use Products (RUP). Records are required for applications to schools and golf courses and for any termiticide applications.

Public health, nuisance & flying insect pests, life cycle – water

OISC coordinates with the largest organized mosquito control programs in the state. They track and record their own pesticide use information (for both restricted use and general use pesticides), summarize it, and then include it as part of their annual report that they prepare for purposes other than NPDES permit compliance. They routinely supply OISC with copies of their annual report. Smaller mosquito control programs keep pesticide use records for their own liability purposes. Keeping track of annual pesticide use for a smaller program is obviously much easier than it would be for a large program. Their pesticide use choices are usually more limited and the water bodies (and watersheds) near which they operate are much easier to identify.

Invasive or other nuisance weeds and algae in water and at water's edge

IDNR permits require record keeping of all pesticide products applied to water to control aquatic weeds.

Under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), U.S. EPA performs a risk assessment when making a registration decision about the approved use of a pesticide. They also factor in whether a pesticide can be used without unreasonable adverse effects when determining whether certain uses should be classified as RUPs.

Unreasonable adverse effects to water are one of the criteria used in determining RUP classification. For example, if a product like atrazine is a threat to water, then it gets classified as a RUP. As a result of EPA's diligence during the pesticide registration and re-registration processes, a requirement to keep application records is created with the RUP classification. In spite of this automatic recordkeeping requirement for pesticides that may be problematic when used around water, most aquatic pesticide applications are made by certified and licensed individuals who keep records for all pesticide applications. The OISC has not conducted a pesticide use/misuse investigation for aquatic applications within the last 15 years, to which the applicator has not been able to provide application records. They keep the records for personal liability purposes.

Invasive or other nuisance animals in water and at the water's edge - DNR & FWS control of invasive animals

IDNR-Fish and Wildlife Services (IDNR-FWS) has procedures in place to ensure that all of their applications for nuisance/invasive animals are performed by certified and licensed IDNR staff or certified and licensed contractors. The IDNR does a risk assessment before determining if a pesticide will be applied. Many of the pesticides they use are RUPs, so records are mandated. Even for the general use pesticides, the risk assessment will dictate the pesticide choice, rates, locations, and timing. As a result, IDNR-FWS keeps a record of everything that they apply or that is applied by their contractor(s).

Forest canopy

According to the IDNR State Entomologist and IDNR State Forester, currently, the only type of forest canopy pesticide application work being done in Indiana is for *Lymantria dispar dispar* management but there could be pesticide application work needed for other forest pests such as forest tent caterpillar. These applications are made aerially. Regardless of the pest, the work is contracted by IDNR to certified and licensed applicators (businesses). IDNR dictates in those contracts the specific pesticide to be used, the application rate, the application timing and the application location. IDNR also keeps, as part of their application records, the actual geo-located applicator flight patterns including spray nozzle on and off records. These records are a matter of public record.

Special requirements

This NPDES general permit requires compliance with the Endangered Species Act and Indiana law concerning non-game endangered and threatened species as specified in:

- (1) The Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).
- (2) IC 14-22-34 for non-game endangered and threatened species.

This permit also makes special provisions for use of pesticides in declared pest emergency conditions under 40 CFR 166.

Requirements for document signatures are found in 327 IAC 5-2-22.

Please note that IDEM is required to review all permit applications to apply pesticides to or near drinking water intakes. In this case, applicants or their representative must notify IDEM any aquatic algacide or herbicide treatment application as follows:

- a. via email at least twenty-four (24) hours prior to the treatment application
- b. via email within twenty-four (24) hours after treatment with any Endothall or Diquat containing herbicide. The applicant must supply the name of the herbicide used and the amount applied as measured in pounds or gallons per application area.

This approval for treatment applications must be performed under controlled conditions that will be required by IDEM. If you have any questions regarding this matter, please contact April Sims, Drinking Water Branch at (317) 234-7453 or Asims@idem.IN.gov, or call IDEM's main number at (800) 451-6027.

ADMINISTRATIVE REQUIREMENTS

Procedures for reaching a final decision on the general permit

This permit is based on the 2026 EPA PGP. As a delegated state, Indiana is required to develop a permit that is not less stringent than permits issued under the federal NPDES program. Conversely, IDEM is strongly discouraged from developing permit conditions that are substantively more stringent than the federal program. Therefore, Indiana is not making any changes to its PGP, other than updating references and regulatory citations that have changed since 2021.

Public comment period

As provided in 40 CFR 124.10, the public was notified of the availability of a 30-day comment period by publication of a public notice (including a copy of the draft permit renewal) posted on IDEM's web site for the duration of the 30-day period (July 14, 2026 - August 13, 2026). After the end of the 30-day comment period, the permit will be issued as a final administrative general permit, with any modifications requested by U.S. EPA Region 5 or resulting from public comments received during the public comment period. Please see the Post Public Notice Addendum below.

Procedures for requesting a hearing

In addition to the requirements of 40 CFR 124.12, procedures for requesting a public hearing are found in 327 IAC 5-3.

Other procedures for public participation

IDEM complies with the public participation requirements of 40 CFR 122 and 40 CFR 124. Other procedures for public participation are found in 327 IAC 5-3.

CONTACT FOR MORE INFORMATION

Please direct comments and questions about this fact sheet or the general permit to owqwwper@idem.IN.gov.

POST PUBLIC NOTICE ADDENDUM – October 6, 2026

Notice of the availability of a 30-day comment period regarding the draft permit renewal was provided by publication of the notice (including the full text of the draft permit and fact sheet) on IDEM's website from July 14, 2026 until August 13, 2026, and by sending (via email) a copy of the draft permit packet (i.e. the public notice, the draft permit, and the fact sheet) to various stakeholders including county health departments in Indiana and past licensees of the Office of the Indiana State Chemist. No comments were received during the official public comment period. As a result, IDEM has determined that no changes to the permit are necessary.

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
PUBLIC NOTICE of FINAL ISSUANCE
RENEWAL of MASTER NPDES GENERAL PERMIT ING870000
FOR PESTICIDE APPLICATIONS

PUBLIC NOTICE NO: 20261009 – ING870000 - F

DATE OF NOTICE: October 9, 2026

RESPONSE DATE DUE: October 27, 2026

The Indiana Department of Environmental Management (IDEM) has issued the renewal of the Master NPDES General Permit Number ING870000 which pertains to Pesticide Applications (commonly referred to as the Pesticide General Permit) for a new five-year term which shall commence on October 31, 2026 and expires on October 30, 2031. The purpose of this NPDES general permit is to establish requirements for point source discharges statewide from the application of pesticides to or near waters of the state. These requirements are consistent with the U.S. Environmental Protection Agency (EPA) pesticide general permit requirements published under 40 CFR 122. The NPDES general permit is applicable to pesticide applications to land areas adjacent to waters of the state and also directly on waters of the state of Indiana.

The following categories of pesticide discharges are covered under this general permit: Mosquitos and Other Flying Insect Pest Management; Aquatic Weed and Vegetation Control; Aquatic Nuisance Animal Control; Forest Canopy Pest Control; Ditch Bank or Conveyance Weed Control; Control of Aquatic Vegetation under a DNR Permit; and Aquatic Weed and Algae Control in Private Ponds.

The draft NPDES general permit was made available for public review and comment via posting on IDEM's website at <https://www.in.gov/idem/public-notices/public-notices-statewide/> from July 14, 2026 through August 13, 2026 as part of Public Notice No. 20260714-D-ING870000. No comments were received during the official public comment period. This notice and the final issued permit are posted online at <https://www.in.gov/idem/public-notices/>. Please tell others whom you think would be interested in this matter. See these sites for information concerning your rights and responsibilities: <https://www.in.gov/idem/resources/citizens-guide-to-idem/> and <https://www.in.gov/idem/public-notices/>. Questions may be sent to the following:

IDEM Contact Person: Ms. Catherine Hess,
IDEM, Office of Water Quality, Permits Branch
IGC-North 12th Floor East
100 North Senate Avenue
Indianapolis, IN 46204-2251
Telephone No. (317) 232-8704
Email address: chess@idem.IN.gov

General inquiries may also be sent to OWQ@idem.IN.gov.

Notice of Right to Administrative Review

If you wish to challenge this permit, you must file a Petition for Administrative Review with the Office of Administrative Law Proceedings (OALP) and serve a copy of the petition upon IDEM. The requirements for filing a Petition for Administrative Review are found in IC 4-21.5-3-7, IC 13-15-6-1 and 41 IAC 2-2-1. A summary of the requirements of these laws is provided below.

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

Director
Office of Administrative Law Proceedings
Indiana Government Center North
Suite 802
100 N. Senate Ave.
Indianapolis, IN 46204

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

The petition must contain the following information:

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

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

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

If you seek to have a permit stayed during the administrative review, you may need to file a Petition for a Stay of Effectiveness. The specific requirements for such a Petition can be found in 41 IAC 2-2-1 and 41 IAC 2-2-3.

Pursuant to IC 4-21.5-3-17, OALP will provide all parties with notice of any pre-hearing conferences, preliminary hearings, hearings, stays, or orders disposing of the review of this action. If you are entitled to notice under IC 4-21.5-3-5(b) and would like to obtain notices of any pre-hearing conferences, preliminary hearings, hearings, stays, or orders disposing of the review of this action without intervening in the proceeding you must submit a written request to OALP at the address above. If you have procedural or scheduling questions regarding your Petition for Administrative Review, please refer to the OALP website at <http://www.in.gov/OALP/>.