

TITLE 327 WATER POLLUTION CONTROL DIVISION

Rule Information Sheet

IC 13-14-9.5-1.1 Notice of Review of Nonexpiring Rules for Title 327
LSA Document #20-185

Overview

Certain rules described in IC 13-14-9.5-1.1 do not expire after seven years. These types of rules are: (1) rules required to receive or maintain delegation, primacy, or approval for implementation or operation of a program established under federal law; and (2) rules required to begin or continue receiving federal funding for implementation or operation of a program.

The Indiana Department of Environmental Management (IDEM) is required to publish a list of these rules that have been effective for seven years and request comment, in a 30 day comment period, on any specific rule that should be reviewed through the regular rulemaking process under IC 13-14-9. This notice was published in the Indiana Register on April 8, 2020 at DIN: 20200408-IR-327200185BNA. No comments were received during the comment period. IDEM must also hold a public hearing before the Environmental Rules Board (board). The board, after considering the comments, responses, and testimony at the hearing, will direct IDEM on whether additional rulemaking actions must be started to address concerns raised to the board.

The affected rules can be viewed online by clicking on the list of citations in the IC 13-14-9.5-1.1 Notice of Review of Nonexpiring Rules <http://iac.iga.in.gov/iac//20200408-IR-327200185BNA.xml.pdf>.

Citations Affected

327 IAC 2-1-1	Applicability of rule
327 IAC 2-1-1.5	Water quality goals
327 IAC 2-1-3	Surface water use designations multiple uses
327 IAC 2-1-4	Mixing zone guidelines
327 IAC 2-1-6	Minimum surface water quality standards
327 IAC 2-1-8.4	Determination of the terrestrial life cycle safe concentration (TLSC)
327 IAC 2-1-8.5	Determination of the human life cycle safe concentration (HLSC)
327 IAC 2-1-8.6	Determination of concentration providing an acceptable degree of protection to public health for cancer
327 IAC 2-1-8.8	Variances from water quality standards; conditions
327 IAC 2-1-9	Definitions
327 IAC 2-1-10	Proposals for limited use designation or outstanding state resource water classification
327 IAC 2-1-11	Limited use and outstanding state resource waters
327 IAC 2-1.5-1	Applicability of rule
327 IAC 2-1.5-3	Water quality goals
327 IAC 2-1.5-5	Surface water use designations; multiple uses
327 IAC 2-1.5-7	Mixing zone guidelines

327 IAC 2-1.5-12	Determination of Tier II aquatic life values
327 IAC 2-1.5-18	Designation of a waterbody as a limited use water or classification as an outstanding state resource water
327 IAC 2-1.5-19	Limited use waters and outstanding state resource waters
327 IAC 5-2-1	Purpose and scope
327 IAC 5-2-2	Requirement to have a permit
327 IAC 5-2-5	Effect of permit issuance
327 IAC 5-2-6	Duration of permits and transferability of permits
327 IAC 5-2-7	Prohibitions
327 IAC 5-2-11	Considerations in the calculation and specification of effluent limitations
327 IAC 5-2-12	Schedules of compliance
327 IAC 5-2-16	Permit modification, revocation and reissuance, and termination
327 IAC 5-2-18	Basic NPDES requirements; public access to information
327 IAC 5-2-19	Transmission of information to EPA
327 IAC 5-2-23	Primary industrial point source categories
327 IAC 5-4-1	Purpose
327 IAC 5-4-2	Underground injection of pollutants
327 IAC 5-4-4	Concentrated aquatic animal production facilities
327 IAC 5-4-5	Aquaculture projects
327 IAC 5-4-6	Storm water discharges
327 IAC 5-4-7	Silvicultural activities
327 IAC 8-12	Classification of Community Public Water System and Nontransient Noncommunity Public Water System Treatment Plants and Distribution Systems; Examination and Certification of Operators
327 IAC 15-2-8	Transferability of notification requirements
327 IAC 15-4-2	Management requirements

Affected Persons

This rulemaking affects no additional persons that were not already affected by the rules in the last seven years. These affected persons will benefit from the stability of a consistent regulatory environment and the ability to comment on the rules on a statutorily defined schedule.

Reasons for the Rule

This rulemaking to review rules that do not expire under IC 13-14-9.5 is a statutory requirement under IC 13-14-9.5-1.1.

Economic Impact of the Rule

This rulemaking creates no fiscal impact on any person.

Scheduled Board Action and Hearings

First Public Hearing: September 9, 2020, at 1:30 p.m., held remotely through Zoom

Join Zoom Meeting

<https://zoom.us/j/98588137995?pwd=SEpGdm9GVlVtclRlZm5iZHpSV3NlZz09>

By phone:

+1 301 715 8592
+1 312 626 6799

Meeting ID: 985 8813 7995
Password: 063903

IDEM Contact

Additional information regarding this rulemaking action can be obtained from MaryAnn Stevens, Rules Development Branch, Office of Legal Counsel, (317) 232-8635, (800) 451-6027 (in Indiana), or mstevens@idem.in.gov.