



## INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

*We Protect Hoosiers and Our Environment.*

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Eric J. Holcomb  
*Governor*

Bruno L. Pigott  
*Commissioner*

March 6, 2020

Kurt Thiede, Regional Administrator  
United States (U.S.) Environmental Protection Agency (EPA), Region 5 (R5)  
77 West Jackson Boulevard  
Chicago, IL 60604-3507

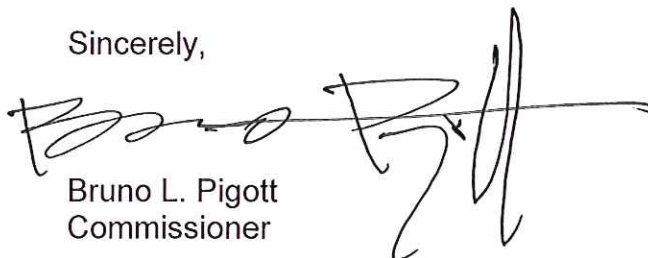
Dear Mr. Theide:

Re: 2017 – 2019 Performance Partnership  
Agreement (PPA) Final Assessment (FA)  
Report

Please find the Indiana Department of Environmental Management (IDEM) 2017 – 2019 Performance Partnership Agreement Final Assessment Report attached. This is the final report and includes status updates for all activities performed during the July 1, 2017 – June 30, 2019 PPA cycle.

Please contact Pat Daniel at (317) 234-6562 or Dora J. Fields at (317) 232-8209 with any questions or to request additional information.

Sincerely,



Bruno L. Pigott  
Commissioner

Enclosure

cc: Julia Wickard, Assistant Commissioner, OPS, IDEM  
Martha Robinson, U.S. EPA R5



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

MAR 16 2020

REPLY TO THE ATTENTION OF

Mr. Bruno L. Pigott  
Commissioner  
Indiana Department of Environmental Management  
100 North Senate Avenue  
Indianapolis, Indiana 46204

Dear Mr. Pigott:

The U.S. Environmental Protection Agency is pleased to enclose the Final Joint Assessment Report for the Indiana Department of Environmental Management (IDEM) 2017-2019 Environmental Performance Partnership Agreement (PPA) and Performance Partnership Grant (PPG) BG 98543215-D. This report, which was submitted by IDEM and reviewed by EPA, describes all activities and joint priorities for the PPA and related PPG from July 1, 2017 to June 30, 2019.

The report shows the accomplishments that EPA and IDEM have made on our mutual environmental agenda. EPA looks forward to continuing to work with IDEM to provide communities throughout Indiana with a safer, healthier environment.

If you have any questions, please contact me at (312) 886-3000 or your staff may contact Allen Melcer, of the Land, Chemicals and Redevelopment Division at (312) 886-1498.

Sincerely,

A handwritten signature in blue ink, appearing to read "Kurt A. Thiede", is positioned above the printed name.

Kurt A. Thiede  
Regional Administrator

Enclosures



2017 to 2019

## *Performance Partnership Agreement*



Indiana Department of Environmental Management  
U.S. Environmental Protection Agency, Region 5

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



**2017 – 2019 Performance Partnership Agreement Joint Assessment Report**

Status covering *July 1, 2017 through June 30, 2018*

*EPA received report 9/14/18.*

EPA reviewed and concurred to the report on 12/3/18.

**2017 – 2019 Performance Partnership Agreement Final Assessment Report**

Status covering *July 1, 2017 through June 30, 2019*

*EPA received report November 1, 2019*

EPA reviewed and concurred to the report on *December 3, 2019.*

September 30, 2019

## Authorizing Signatures

The Indiana Department of Environmental Management and the U.S. Environmental Protection Agency, Region 5 2017-2019 Performance Partnership Agreement Final Assessment Report is approved on the date of the last signature received.

For the State of Indiana:

A handwritten signature in black ink, appearing to read "Bruno L. Pigott", written over a horizontal line.

Bruno L. Pigott, Commissioner  
Indiana Department of Environmental Management

2/25/20  
Date

For the Environmental Protection Agency, Region 5:

A handwritten signature in blue ink, appearing to read "Kurt Thiede", written over a horizontal line.

Kurt Thiede, Regional Administrator  
U.S. EPA Region 5

3/16/20  
Date

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**Performance Partnership Agreement – Joint Assessment Report**  
**between**  
**Indiana Department of Environmental Management**  
**and**  
**Environmental Protection Agency, Region 5**  
**July 1, 2017 – June 30, 2019**

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### **Purpose of the PPA**

The Indiana Department of Environmental Management (IDEM) and the Environmental Protection Agency, Region 5 (EPA R5) have entered into their 11<sup>th</sup> Performance Partnership Agreement (PPA). This biennial agreement identifies agency priorities and joint priorities, and objectives between the two agencies. The purpose of this agreement includes:

1. Identifying joint priorities and specific program goals.
2. Outlining key strategies for each priority and goal.
3. Describing each agency's roles and responsibilities.
4. Setting the term of this agreement from July 1, 2017, to June 30, 2019.

The PPA is a product of the National Environmental Performance Partnership System (NEPPS), a joint initiative of U.S. EPA Headquarters (HQ) and the Environmental Council of States (ECOS). The objective of the NEPPS initiative is to strengthen protection of public health and the environment by directing limited resources toward a state's most pressing environmental issues. The PPA, formed under NEPPS, is designed to provide states and U.S. EPA HQ with flexibility in achieving environmental results and to enhance accountability in realizing environmental progress. The Performance Partnership Grant (PPG) is the federal grant used to fund many of the PPA activities.

### **Scope of the PPA**

The PPA primarily focuses on activities that are funded by PPG dollars. The scope of the PPA does not encompass the entire workload of each agency, but is designed to be a concise, strategic document used to focus limited resources on specific outcomes. In addition to the activities described within the PPA, IDEM has more detailed work plans to address and complete the elements committed to within this agreement.

### **Grants Covered Under the PPA**



IDEM utilizes the PPA to serve as the work plan for activities to be funded through the PPG. IDEM chooses to include non-PPG federal and state grant activities in the PPA as this structure has successfully provided IDEM more flexibility in the use of federal financial resources to address environmental issues using a multifaceted approach, and has reduced the administrative burden of having numerous specific categorical grants tied to work plans. The PPG allows for the continuance of key resource investments that have already been determined to be priority activities. All personnel costs for the 2017-2019 PPG will be provided in detail by individual program function in the budget narrative portion of the 2017-2019 PPG grant application.

The following PPG federal grant fund activities are included in the PPA:

1. Air Section 105
2. Public Water Supervision
3. Surface Water Section 106
4. Ground Water Section 106
5. Resource Conservation Recovery Act
6. Toxic Substances Control Act - Polychlorinated Biphenyls

The following non-PPG activities, funded by non-PPG federal grants, are included in the PPA:

1. Solid Waste Disposal Act of 1976
2. Counter Terrorism Safe Drinking Water Act
3. Diesel Emissions Reduction Act

The following activities funded by state monies are included in the PPA:

1. Title V Operating Permits
2. Dedicated Asbestos Trust Fund
3. Water Quality Permits
4. Compliance Monitoring Strategy Funds
5. Permitting and Enforcement Grant
6. Outreach Operator Training
7. Total Maximum Daily Loads Fees

## **Fiscal Responsibility**

With the receipt of federal funds comes the responsibility to successfully track the achievements of the program and demonstrate results. To achieve the goals of transparent grants management, IDEM has incorporated standard operating procedures (SOPs), a grants management policy, and a grants data tracking system to direct the application, receipt, use and closeout of all grants the agency receives. This approach provides for easy information sharing and interaction between the awarding agencies and IDEM.

## Development and Elements of the PPA

The development process includes the following:

- a) **Draft Objectives and Activities:** An initial list of PPA activities is drafted by IDEM staff discussing and listing the past, present and future goals of each program area.
- b) **Draft Joint Priority List:** The draft joint priority list is developed from the initial draft of objectives and activities, focusing on those priorities that are funded primarily by EPA R5 grants.
- c) **Draft PPA:** The draft joint priorities are confirmed by IDEM senior staff and compiled into a draft PPA that is then shared with EPA R5 and the rest of the agency.
- d) **Kickoff Meeting:** The draft PPA is presented to EPA R5 during a kickoff meeting, with special time dedicated to the discussion of joint priorities.
- e) **Program Work Group Discussion:** Program work groups from both agencies will meet jointly to discuss work plans, goals and PPA priorities.
- f) **Final PPA:** The final PPA is a result of shared discussions and mutual agreement between the agencies.

The elements include the following:

1. **Accountability:** The PPA provides a framework for accountability by clearly identifying IDEM and EPA R5 actions, roles and program area contacts.
2. **Joint Assessment:** The PPA requires a joint assessment of the activity work plans. The joint assessment is comprised of two activities between IDEM and EPA R5: The Joint Assessment Meeting and the Joint Assessment (JA) Report. The meeting and report occur at the end of the first year of a PPA cycle and highlight successful program achievements, identify areas that need improvement and/or additional resources, and provide a mechanism for discussions and adjustments in specific program directions or approaches.
3. **Final Report:** The reporting elements of the PPA will be incorporated into a formal closure report, referred to in this agreement as the Final Assessment (FA) Report.
4. **Flexibility:** The PPA is viewed as a “living document” that is flexible and can be modified, upon agreement, to reflect changes in IDEM and EPA R5 needs.

## Roles of IDEM and EPA R5

This agreement defines the roles that both IDEM and EPA R5 will undertake to meet the program commitments. IDEM and EPA R5 recognize the primary role of IDEM is administering federal environmental programs delegated to the state under federal law and carrying out state programs prescribed under state law. EPA R5's role in assisting IDEM includes: addressing multi-state or national issues directly, implementing

programs not delegated to IDEM, and working on targeted sectors, watersheds or air sheds in conjunction with IDEM. Several activities are common to both IDEM and EPA R5, such as permitting, compliance, enforcement, monitoring and outreach.

## **Enforcement and Compliance Assurance**

Program specific compliance and enforcement activities accomplished during the term of this PPA are included in the detailed branch level priorities and the state program specific plans. The following tenets serve as the foundation for IDEM and EPA R5 relationships with respect to compliance and enforcement activities:

- Utilization of the most effective application of compliance tools to encourage regulated facilities to maintain and, where possible, exceed compliance with environmental laws (e.g., compliance assistance, compliance assurance, administrative/civil enforcement and criminal prosecution).
- Utilization of joint preplanning to coordinate priorities, maximize agency resources, avoid duplication of efforts, eliminate “surprises” and institutionalize communication.
- Management for internal and/or external environmental results.

In addition to providing guidance to IDEM, EPA R5 has a continuing role in environmental protection in Indiana. EPA R5 carries out its responsibilities in a variety of ways, including:

- Acting as an environmental steward, ensuring that national standards for the protection of human health and the environment are implemented, monitored and enforced consistently in all states.
- Assisting in conducting inspections and enforcement actions.
- Providing compliance and technical assistance to the state and its regulated entities.
- Providing science-based information to the state and its regulated entities.

Under this agreement, IDEM and EPA R5 retain their authorities and responsibilities to conduct enforcement and compliance assistance. Enforcement will be accomplished in the spirit of cooperation and trust. Specific federal enforcement and compliance assistance responsibilities include, but are not limited to, the following:

- Working on national priorities and regional priorities.
- Ensuring a level playing field and national consistency across state boundaries.
- Addressing interstate and international pollution (e.g., watersheds and ambient air).
- Addressing criminal violations.

- Conducting enforcement to assure compliance with federal consent decrees, consent agreements, federal interagency agreements, judgments and orders.
- Conducting state reviews in accordance with the National State Review Framework, ensuring that follow-up actions that resulted from this review are carried out in a timely and effective manner.

### **Nondiscrimination**

The following tenet serves as the foundation for IDEM and EPA R5 relationships with respect to the utilization of consistently sound science and policy, and utilization of resources to aid all communities in being informed participants in decision-making that affects their environment, health, and well-being. It is IDEM's policy that all Hoosiers deserve clean air, water, and land. All members of the public shall be treated equally and fairly with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies.

### **Quality Management Plans**

IDEM's Quality Management Plan (QMP) documents IDEM's current quality system for environmental data operations. IDEM's QMP, dated September 27, 2012, was approved by EPA R5 effective February 28, 2013, and will be valid for up to five years, through February 27, 2018. A revised and updated QMP must be submitted for EPA R5 review and approval if significant changes to IDEM's structure, operations, or quality system occur.

Under the current approved QMP, IDEM will continue to self-approve all Quality Assurance Project Plans (QAPPs) and any other quality system documentation required by non-competitive assistance agreements and delegated programs. All QAPPs and associated quality system documentation required under competitive assistance agreements, by EPA R5 programs, and/or by federal statute to be approved by EPA R5 will be submitted as required for review and approval.

To allow EPA R5 to assess implementation of IDEM's approved QMP as well as quality activities related to assistance agreements, IDEM will submit the following information to the EPA R5 Quality Manager:

1. Electronic copies of all signed, self-approved QAPPs on a quarterly basis. IDEM, at their option, may upload QAPPs on an on-going basis to the EPA R5/Great Lakes National Program Office (GLNPO) QA Track database. EPA R5 will provide written feedback to IDEM on self-approved QAPPs submitted.
2. An annual report submitted by January 31 of each year, as required by the QMP, accompanied by a letter that confirms that the quality system documented in the approved QMP is still in effect, identifies any minor revisions incorporated in the

QMP during the preceding year as well as any that are anticipated, and lists all QAPPs that were self-approved during the preceding year. IDEM and EPA R5 will continue their on-going periodic (currently quarterly) QA conference calls to share information intended to assist with implementation of IDEM's quality program. IDEM also participates in monthly Great Lakes Restoration Initiative (GLRI) QA conference calls chaired by the Great Lakes National Program Office (GLNPO) QA Manager.

3. IDEM's QMP expires on May 1, 2023. A revised and updated QMP must be submitted to EPA R5 for review and approval not later than six months prior to expiration of the current approved QMP. A draft revised/updated QMP should be submitted to EPA R5 by November 1, 2022. The QMP will be reviewed by EPA R5 and written comments will be provided.

**JA Status:** (EPA R5 comment) IDEM has an updated QMP document.

**FA Status:** IDEM's Quality Management Plan (QMP) documents IDEM's current quality system for environmental data operations. IDEM's QMP, dated March 16, 2018, was approved by EPA R5 effective May 1, 2018, and will be valid for up to five years, through May 1, 2023. A revised and updated QMP must be submitted for EPA R5 review and approval if significant changes to IDEM's structure, operations, or quality system occur.

**FA Status:** (EPA R5 comment) IDEM has met all reporting requirements for QA.

## Reporting

IDEM will continue to report to EPA R5 the necessary information, as required and agreed upon, including required timelines. It is recognized that reporting requirements beyond those specifically mentioned in this agreement do exist. Those requirements often relate to populating national databases or to tracking performance against priority activities identified in the internal IDEM work plans. These requirements may be embodied in a variety of existing agreements and are not reiterated in this agreement. IDEM will reference its website and other existing reports as supporting documentation for the PPA and the PPG. Both IDEM and EPA R5 will report through the JA and FA Reports.

Reporting through the JA Report and the FA Report is completed using the following status tools and a justification of that status for each performance measure:

1. **Complete.** The performance measure elements are complete.
2. **In progress.** The performance measure is progressing towards a specific goal, objective or deadline.
3. **Ongoing.** The performance measure is progressing and will be a continuing measure in the next PPA cycle.
4. **Incomplete.** The performance measure has not been adequately addressed.

5. **Project withdrawn.** The performance measure has been withdrawn due to stated reasons or fiscal constraints.

Along with contacts for both IDEM and EPA R5, at least one goal and objective from the FY 2014-2018 U.S. EPA's Strategic Plan is assigned to each activity to demonstrate IDEM's efforts to contribute to U.S. EPA's overall goals.

Additionally, the funding sources for each activity are indicated by one of the following:

1. **PPG.** Funds come from the PPG, including the state and federal match portions.
2. **State.** Funds come from the State of Indiana and no federal funds are received to support this measure.
3. **Federal.** Funds come from a federal grant other than the PPG, and, when possible, the specific grant is listed.

If IDEM is presented with a funding shortfall for any performance measure funded by federal dollars agreed upon or negotiated in the PPA, both parties reserve the right to renegotiate and discuss removal of performance measures from the PPA.

## Joint Priorities

Joint priorities represent a subset of environmental program responsibilities that IDEM and EPA R5 agree represent investment priorities.

Examples of joint priorities are as follows:

1. The program area is an important, newly developed initiative that requires the attention of both IDEM and EPA R5 to adequately develop and implement.
2. The program area is at risk of functioning inadequately, creating a significant vulnerability to the integrity of environmental protection.
3. The program area represents a long-term strategic investment opportunity.
4. The program area offers the opportunity to demonstrate innovations to promote environmental improvements or enable efficiency enhancements.

IDEM and EPA R5 have identified the following Joint Priorities:

### Air Quality Joint Priorities

There are no joint priorities for the Air Program.

### Land Quality Joint Priorities

EPA R5 and IDEM will focus their efforts at Resource Conservation and Recovery Act (RCRA) Corrective Action sites that could re-contaminate remediated sections of the Grand Calumet River. They will coordinate to ensure there is a comprehensive public participation and comment process for EPA R5 and IDEM's proposed approval of the Indiana Harbor confined disposal facility as a disposal site for Toxic Substance Control Act (TSCA) regulated sediment dredged from Indiana Harbor. The Office of Resource



Conservation and Recovery has prioritized the completion of corrective action cleanups by the end of FY20. EPA R5 will coordinate with IDEM to maximize our efforts on investigating and selecting remedies for IN corrective action sites prior to FY21.

EPA R5 and IDEM will work collaboratively on Indiana's efforts to develop a coal combustion residual (CCR) permitting program and become a "participating state" as defined under Section 4005 of the Resource Conservation and Recovery act, as amended by the Water Infrastructure Improvements for the Nation's (WIIN) Act.

- EPA R5 will review and comment on draft state regulations to ensure consistency with 40 CFR Part 257 Subpart D requirements and will provide direction as to required components for a permit program application package.
- IDEM will follow the rulemaking schedule provided in their approved CCR solid waste management plan, dated February 23, 2017, and submit a complete permit program application package once the CCR regulations are in place.

**JA Status:** Ongoing.

**FA Status:** Ongoing

**JA Status:** (EPA R5 comment) EPA and IDEM continue to work closely on IHCDF considering public comments received for an offsite solution. EPA has evaluated an offsite solution for PCB contaminated sediment disposal and will providing the public the results of its Feasibility Study in December 2018. EPA continues to focus its clean-up efforts at facilities near the Grand Calumet River issuing a Final Decision Response to Comments for the DuPont/Chemours site located in East Chicago in FY18.

**FA Status:** (EPA R5 comment) EPA and IDEM continue to work on CCR issues. IDEM has not shared draft rules with EPA yet, but has elevated site-specific and rule implementation issues as they continue to evaluate closure plans for CCR surface impoundments.

#### Water Quality Joint Priorities

There are no joint priorities for the Water Program.

#### E-Enterprise Joint Priorities

EPA R5 and IDEM will work to collaboratively streamline and apply advanced technology across agencies and programs to make business processes more efficient and effective. eEnterprise will be implemented by operating in a joint governance partnership to: 1) improve environmental protection through better program performance by streamlining and modernizing business processes and promoting the use of advanced information and monitoring technologies; and 2) enhance services to

stakeholders and partners while reducing transaction costs and burdens for the regulated community and governmental agencies.

**JA Status:** IDEM has made significant progress with its Agency Modernization program. The primary goals of the program are to improve customer service and improve operational efficiencies. These goals are aligned with the E-Enterprise Joint Priorities, as the improving customer service goal and will be met through an improved citizen portal delivered via Indiana's INBiz portal. IDEM will improve operational efficiencies that include automation, workflow transparency and access to data. These improvements will be realized through formal process improvement workshops - that are a part of every program system implementation within the Modernization program. IDEM is in the process of executing 3 pilot projects that will precede a larger request for proposal (RFP) for an agency-wide system implementation. IDEM has also partnered with an Organizational Change Management vendor to assist our agency with staffing, process changes, communications, marketing, and training.

**FA Status:** IDEM has established an agency-wide process improvement program and has conducted workshops with the underground storage tanks program, construction storm water, and is currently working on a joint project with the IN Department of Natural Resources on the State's Waterways permitting programs. The outcomes of all workshops includes future state processes, 'do now' activities, and for Tanks and CSW, implementation projects. IDEM (and DNR) will determine at a later date what implementation projects are needed. IDEM has also established a Project Management Office as well as a portfolio management for projects, systems, and processes. IDEM as noted is working on implementations for the OAQ's Asbestos Notifications program and OWQ's Non-point Source program.

**JA Status:** (EPA R5 comment) IDEM participates with the other Region 5 states in the EPA/State E-Enterprise workgroup, where members demonstrate new IT applications and discuss efforts to share new applications to save time and resources. EPA Region 5 continues working with IDEM and commends IDEM for its efforts incorporating E-Enterprise.

**FA Status:** (EPA R5 comment) EPA R5 appreciates the work IDEM has done on improving efficiency, transparency and effectiveness through its E-Enterprise work. IDEM continues to be involved and participating on the Region 5 State/Tribe/EPA E-Enterprise workgroup.

### **Joint Planning and Evaluation of Performance**

40 CFR 35.115 requires Indiana and U.S. EPA to develop a process for jointly evaluating the work plan components and activities agreed to under this PPA. The evaluation process will include:

1. A discussion of accomplishments as measured against work plan commitments;

2. A discussion of the cumulative effectiveness of the work performed under all work plan components;
3. A discussion of existing and potential problem areas; and
4. Suggestions for improvement, including, where feasible, schedules for making improvements

The R5 Joint Evaluation process includes three main components:

1. Review of the Annual Performance Report (called the Joint Assessment Report and Final Assessment Report in the IDEM-EPA R5 PPA.)
2. Program evaluation activities including program meetings, conference calls, on-site visits, or advanced post-award monitoring activities defined under U.S. [EPA Order 5700.6A2](#), "Policy on Compliance, Review and Monitoring"
3. Midterm Assessment Meeting (optional)

Indiana and EPA R5 agree that evaluations will occur via the submission of the Annual Performance Report and in accordance with each program's post-award management process (e.g. meetings, conference calls, on-site reviews, etc.)

The Annual Performance Report will be submitted 90 calendar days after the annual reporting period for this PPA and will meet the requirements of 2 CFR 200.328 and 40 CFR 35.115. Final financial and performance reports will also be submitted 90 calendar days after the end of the PPA period per the closeout requirements of 2 CFR 200.343. Indiana will notify the EPA R5 if there are delays in meeting these deadlines.

Additionally, program meetings, conference calls, and other post-award management activities may be used to satisfy the Joint Evaluation requirements only if:

1. The activity covers the evaluation process requirements of 40 CFR 35.115; and
2. There is documentation summarizing the evaluation activity. Program documentation may include email/letter correspondence, meeting minutes, or a program report.

Indiana and EPA R5 agree that all evaluation reports will be included in both agencies' files in accordance with 35.115(d). The evaluation process schedule is as follows:

### **Actions/Deadlines**

2017-2019 PPA begins	July 1, 2017
Final Assessment (FA) Report (2015-2017 PPA)	September 30, 2017
EPA R5 sends comments on FA Report (2015-2017 PPA)	December 2017
Joint Assessment Meeting (if needed) (2017-2019 PPA)	June 2018

Joint Assessment (JA) Report (2017-2019 PPA)	September 30, 2018
EPA R5 sends comments on JA Report (2017-2019 PPA)	December 2018
IDEM Senior Management Planning Meeting (2019-2021 PPA)	February 2019
IDEM and EPA R5 Kickoff Meeting (2019-2021 PPA)	March/April 2019
Draft PPA negotiated and finalized (2019-2021 PPA)	March-May 2019
2019-2021 PPA begins	July 1, 2019
FA Report (2017-2019 PPA)	September 30, 2019

### **Mutual Accountability**

The approach from direct oversight to mutual accountability and joint assessment is a shift from the traditional approach. IDEM and EPA R5 will jointly assess each program element and determine the appropriate course change as needed. EPA R5 will review and act on new regulations in program areas that impact Indiana's authorization or where federal statute, or regulation requires EPA R5 review and approval of state actions (e.g., water quality standards).

### **Dispute Resolution Process**

IDEM and EPA R5 will use the following agreed-upon dispute resolution process to handle the conflicts that may arise during the execution of this agreement. The resolution process will be treated as an opportunity to improve joint efforts and not as an indication of failure. For the purpose of this agreement, the following definitions will apply:

- **Dispute:** Any disagreement over an issue that prevents a matter from going forward.
- **Resolution Process:** A process whereby the parties move from disagreement to agreement over an issue.

### **Informal Dispute Resolution Guiding Principles**

- Recognize conflict as a normal part of the state/federal relationship.
- Approach disagreement as a mutual problem requiring efforts from both agencies to resolve.
- Approach the conflict as an opportunity to improve joint efforts.
- Aim for resolution at the staff level, while keeping management informed.

- Disclose underlying assumptions, frames of reference and other driving forces.
- Clearly differentiate positions and check understanding of content and process with all appropriate or affected parties.
- Document discussions to minimize future misunderstandings.
- Pay attention to time frames and/or deadlines and escalate quickly when necessary.

### Formal Conflict Resolution

There are several formalized programmatic conflict resolution procedures that may need to be invoked if the informal route has failed to resolve all issues. Examples include:

- 40 CFR 31.70 (outlines the formal grant dispute procedures).
- National Pollutant Discharge Elimination System (NPDES) conflict resolution procedure.
- Superfund program dispute resolution contract that provides neutral third parties to facilitate conflict resolution for projects accepted into the program.

For matters involving this agreement, the following procedures will be utilized:

1. **Principle:** Disputes should be resolved at the front line or staff level, when feasible.
2. **Time frame:** Disputes should be resolved as quickly as possible and within two weeks of the issue arising at the staff level. If unresolved at the end of two weeks, the issue should be raised to the next staff level of each agency.
3. **Escalation:** When there is no resolution of the issue and the two weeks have passed, there should be comparable escalation in each agency, accompanied by a statement of the issue and a one-page issue paper. A conference call between the parties should be held as soon as possible. Disputes that need to be raised to a higher level should again be raised in comparable fashion in each agency, until resolution is obtained.

### Environmental Conditions in Indiana

While objective environmental quality measurements show that Hoosiers and the environment are safer today than at any time since data has been collected, a number of environmental challenges still need to be addressed. IDEM's history shows that IDEM can continue to build on its improvements in order to protect Hoosier health and our environment. Below are steps IDEM has taken to provide a cleaner, healthier Indiana for all Hoosiers.

## **Air**

Indiana's air quality has improved significantly during the last 30 years. Regulatory programs aimed at emission reductions for vehicles and industry have reduced smog and dust levels throughout the state. Voluntary programs, such as ozone education and awareness, diesel retrofits and anti-idling policies, have played an important role in improving Indiana's air quality. In 2009, for the first time since air quality standards were developed in the 1970s, all Hoosiers were breathing air that met current health-based standards. A 2017 report, *State's View of the Air*, shows an improved trend in air quality continuing in the Hoosier state. Indiana is close to meeting all standards throughout the state.

IDEM has been operating an air toxics monitoring network to measure and track hazardous air pollutants since 1999. IDEM has adopted into state law the national emission standards for hazardous air pollutants, which provide industry-specific control technology requirements, so that the state can enforce these federal standards, reducing Hoosiers' exposure to harmful air toxics. IDEM will continue to work to reduce pollutant levels so every Hoosier has healthy air to breathe.

## **Land**

Considerable progress has been made by IDEM's Office of Land Quality (OLQ). Regulations, compliance and enforcement programs aimed at addressing entities that treat, store, generate or dispose of contaminants have had significant impact on the quality of land in Indiana.

In addition to other programs, IDEM has, and will continue to, focus on corrective actions at hazardous waste facilities and leaking underground storage tank sites. Considerable resources have been focused on obtaining and addressing the environmental indicators established through the Government Performance and Results Act. In addition to corrective actions, IDEM is working to more accurately identify owners and operators of underground storage tanks and provide assistance to assure compliance with tank regulations.

A major priority for IDEM has been work on the Grand Calumet River and Indiana Harbor Shipping Canal. IDEM provides technical assistance and permit review for the U.S. Army Corp of Engineers (USACE) Federal navigational dredging project in the Indiana Harbor Shipping Canal. Dredging commenced in September 2012 and will continue for the next thirty (30) years. IDEM will continue to assist the USACE with all applicable permitting and technical issues throughout the project. IDEM will also continue to fulfill its role as beneficiary to settlement trust funds from the 1990 bankruptcy of the former East Chicago, Indiana (ECI) Facility in East Chicago. These funds are administered by the East Chicago Waterway Management District for the cleanup of the ECI properties and long-term monitoring and maintenance of the on-site CDF. IDEM reviews and approves the use of the funds.

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Along with educating and providing technical assistance to businesses and communities, IDEM's work to issue permits, conduct inspections, respond to accidental spills and oversee cleanups continues to foster marked improvement in the state's land quality each year.

## **Water**

IDEM continues to monitor and assess water quality and to identify general causes and sources of surface water impairments within the state. Many of the specific outputs listed within the water work plan section of this agreement are intended to focus on and address water impairments. IDEM will continue to develop total maximum daily load (TMDL) calculations for priority classes of waters as identified for U.S. EPA's TMDL vision and as required by Section 303(d) of the federal Clean Water Act, to identify sources contributing to the impairment of Indiana's surface water. Additionally, IDEM issues 401 Water Quality Certifications to ensure Indiana's water quality standards are met.

IDEM is a national leader in issuing National Pollutant Discharge Elimination System (NPDES) permits and maintains exemplary compliance and enforcement of those permits, including storm water discharges covered by general permits, to reduce water impairments resulting from point sources. Additionally, IDEM has made significant progress on tracking long term control plan (LTCP) implementation to reduce the incidence of combined sewer overflows (CSOs), which also contribute to the impairment of Indiana's waters.

Reduction of impairments is critical for the protection of Indiana's public water supply systems (PWSSs). IDEM has assessed most of Indiana's PWSSs to inventory potential contaminants and determine water system susceptibility to contamination. IDEM works with PWSSs to help them understand the assessment information and develop and implement plans to protect drinking water sources and maintain compliance to ensure safe water is delivered to the public.

IDEM's Office of Water Quality (OWQ) is committed to meeting its obligations outlined within this agreement. OWQ is working to identify additional resources necessary to meet those commitments, including trade-offs that may result in discussions during the execution of this agreement.

## **Outlook**

Indiana, in partnership with EPA R5 and other stakeholders, can be proud of its environmental record, but must be ready for continuing challenges. This agreement, addressing near-term focus points and program specific elements and corresponding work plans, is designed to outline those commitments. The outcomes are intended to

improve environmental conditions in the state of Indiana and provide a mechanism to track the improvement.

# Work Plans for Joint Priorities and Program Goals and Objectives

## Office of Air Quality (OAQ)

Title V Operating Permits (TVOPs)		A-1
IDEM Contact(s): Jenny Acker EPA R5 Role: Provide program assistance.		EPA R5 Contact(s): Genevieve Damico Due Date: Ongoing
Goal 1:	Improving air quality.	
Objective 1.2:	Improve air quality.	
Funding:	State fees for Title V; and EPA R5 with state match for PSD/NA NSR programs.	

While EPA R5 has established goals for each objective, the tasks covered do not always encompass all phases of the goal. For example, many objectives are listed under the goal, "Taking action on climate change and improving air quality." In many cases the actual tasks do not cover any activities related to climate change.

Issue all TVOPs and PSD/NA NSR permits in a timely manner consistent with federal and state requirements:

- a) Track progress of all TVOP applications received by IDEM.

**JA Status:** Ongoing. All applications are tracked in IDEM's permit database and progress for each permitting action is documented in that system. Through this system IDEM has real-time data about each pending permit, including calendar days in-house, dates of public notice, dates of EPA R5 review, and any notices of deficiency issued to the applicant.

**FA Status:** Ongoing. All applications are tracked in IDEM's permit database and progress for each permitting action is documented in that system. Through this system IDEM has real-time data about each pending permit, including calendar days in-house, dates of public notice, dates of EPA R5 review, and any notices of deficiency issued to the applicant.

- b) Timely issuance of all TVOPs – IDEM will ensure progress is made on all pending initial TVOP applications.

**JA Status:** Ongoing. Routine meetings between staff and managers are conducted to ensure that progress is made on all permits pending with Office of Air Quality. Weekly, monthly, quarterly, semi-annual and annual reports are run to track progress and

ensure that permits are on schedule to be issued in the prescribed timeframes. IDEM issues virtually all of its permits within the required time periods.

**FA Status:** Ongoing. Routine meetings between staff and managers are conducted to ensure that progress is made on all permits pending with Office of Air Quality. Weekly, monthly, quarterly, semi-annual and annual reports are run to track progress and ensure that permits are on schedule to be issued in the prescribed timeframes. IDEM issues virtually all of its permits within the required time periods.

- c) Timely issuance of all TVOP renewals – IDEM will ensure progress is made on all pending TVOP renewal applications so that these renewals are issued prior to the expiration of their current TVOP, or so that late applications are issued within nine (9) months of receipt of the application.

**JA Status:** Ongoing. Routine meetings between staff and managers are conducted to ensure that progress is made on all permits pending with Office of Air Quality. Weekly, monthly, quarterly, semi-annual and annual reports are run to track progress and ensure that permits are on schedule to be issued in the prescribed timeframes. IDEM issues virtually all of its permits within the required time periods.

**FA Status:** Ongoing. Routine meetings between staff and managers are conducted to ensure that progress is made on all permits pending with Office of Air Quality. Weekly, monthly, quarterly, semi-annual and annual reports are run to track progress and ensure that permits are on schedule to be issued in the prescribed timeframes. IDEM issues virtually all of its permits within the required time periods.

- d) IDEM will provide semi-annual updates to the Title V Operating Permit System (TOPS) database by January 31 and July 31 of each year.

**JA Status:** Ongoing. Office of Air Quality consistently provides the TOPS reports before the January and July deadlines each year.

**FA Status:** Ongoing. Office of Air Quality consistently provides the TOPS reports before the January and July deadlines each year.

- e) Provide quarterly updates to the Reasonably Available Control Technology/Best Available Control Technology/Lowest Achievable Emission Rate (RACT/BACT/LAER) Clearinghouse (RBLC) for each PSD/NA NSR permit issued.

**JA Status:** Ongoing. Office of Air Quality's protocol is that entries for the RBLC are completed at the time the permit is issued. Through this protocol, IDEM is current in the RBLC and continue to add new determinations at the time of issuance. There is no backlog.

**FA Status:** Ongoing. Office of Air Quality's protocol is that entries for the RBLC are completed at the time the permit is issued. Through this protocol, IDEM is current in the

RBLC and continues to add new determinations at the time of issuance. There is no backlog.

- f) IDEM will identify issues and EPA R5 will provide program assistance for TVOPs, PSD/NA NSR permits, and synthetic minor permits as necessary.

**JA Status:** Ongoing. Office of Air Quality has regular monthly calls with EPA R5 and when necessary, will request input or assistance through e-mails or phone calls. This approach provides sufficient access to EPA R5, and allows IDEM to work through any issues that arise as part of the permit development.

**FA Status:** Ongoing. Office of Air Quality has regular monthly calls with EPA R5 and when necessary, will request input or assistance through e-mails or phone calls. This approach provides sufficient access to EPA R5, and allows IDEM to work through any issues that arise as part of the permit development.

Conduct Ambient Air Quality Monitoring Throughout Indiana		A-2
IDEM Contact(s): Steve Lengerich	EPA R5 Contact(s): Michael Compher	Due Date: Ongoing
EPA R5 Role: Regulatory advice, funding and review.		
Goal1:	Improving air quality.	
Objective 1.2:	Improve air quality.	
Funding:	PPG	

- a) Operate monitors for National Ambient Air Quality Standards (NAAQS) pollutants and Photochemical Assessment Monitoring Stations (PAMS) according to 40 CFR 58, approved monitoring plans, and the quality management plan/quality assurance project plans (QMP/QAPPS).

**JA Status:** Ongoing.

**FA Status:** Ongoing. Operation of the ambient air network in Indiana will continue into the next PPA.

- b) Submit annual network plan required by 40 CFR 58.10 by July 1 of the prior year, unless another schedule has been approved by EPA R5.

**JA Status:** Complete for 2018. ANP was submitted to EPA R5 and posted to IDEM's website on June 22. The plan with any changes and responses to Region 5's feedback was sent to EPA R5 on July 26.

**JA Status:** (EPA R5 comment) EPA signed and approved IDEM's 2018 ANP on September 18, 2018.

**FA Status:** ANP for 2020, was submitted to EPA R5 and was posted to IDEM website, for comments, for 30 days on May 15, 2019. Two comments were received and

addressed. Plan was submitted to EPA R5 for review on June 28. IDEM is awaiting EPA R5's response

**FA Status:** (EPA Comment) EPA signed and approved IDEM's 2020 ANP on November 1st, 2019

- c) Maintain certification lab operation by the continued use of the most current lab standards, and continued use of state-of-the-art techniques to produce the most accurate certifications possible.

**JA Status:** Ongoing.

**FA Status:** Ongoing. Operation of the standards lab will continue into next PPA.

- d) Investigate new equivalent analytical methods of testing through new equipment.

**JA Status:** Ongoing.

**FA Status:** Four Purple Air PM2.5 monitors were purchased. Comparison data with FEM monitors is being collected to determine the usefulness of the units.

- e) Provide for (or participate in) adequate, independent quality assurance audits for the monitoring activities supported by this grant, including Pb Performance Evaluation Program (Pb-PEP) and National Performance Audit Program (NPAP).

**JA Status:** Ongoing. The Air Monitoring Branch participates in all required PEP and NPAP audits conducted by the EPA R5, audit contractor.

**FA Status:** Ongoing. The Air Monitoring Branch participates in all required PEP and NPAP audits conducted by the EPA R5, audit contractor. These programs will continue into the next PPA.

- f) Operate, evaluate and improve monitoring procedures and data reporting of the Photochemical Analytical Monitoring Strategy (PAMS) monitoring in Indianapolis, Indiana.

**JA Status:** In progress. IDEM began the PAMS monitoring on June 1 at Washington Park as an Early Adopter. All parameters were operational. The procedures and methods identified in the current TAD were adopted as far as the current monitor would allow. A new auto GC is planned to be deployed for 2019.

**FA Status:** Ongoing. Even though the official startup date for the PAMS program is in the process of being moved to 2021. IDEM planned and attempted to implement the completed program in 2019. A new Markes/Agilent auto GC was purchased in 2018. Setup by factory personnel was attempted in early 2019. The unit had several issues and parts which did not operate properly. Markes/Agilent staff were on site in July of 2019, to repair and startup unit. Valid data collection began in August 2019. All other PAMS parameters are in operation. Operation of the PAMS program will continue into the next PPA.



- g) Continue to use the Interagency Monitoring of Protected Visual Environments (IMPROVE)-style carbon samplers at PM<sub>2.5</sub> speciation trends and supplemental sites.

**JA Status:** Ongoing.

**FA Status:** Ongoing. Operation of the PM<sub>2.5</sub> speciation trends and supplemental sites will continue into next PPA.

- h) Continue to operate the source and population-oriented monitors for the revised Lead (Pb) standard.

**JA Status:** Ongoing.

**FA Status:** Ongoing. Operation of the lead monitoring network will continue into next PPA. A new source-oriented lead site began operation at Hammond – Lakeview in August 2018 due to issues and complaints regarding Whiting Metals.

- i) Submit 5-year network assessments required by 40 CFR part 58.10(d).

**JA Status:** In progress. The 5-year network assessment is due in 2020.

**FA Status:** In progress. Work has begun on the 2020 5-year network assessment. Conference calls with Region 5 states and LADCO are held on a regular basis to complete the assessment by July 1, 2020.

- j) Submit certification to EPA R5 each year that:

- Confirms IDEM's QMP is still in effect.
- Identifies needed revisions to the QMP.
- Identifies all QAPPs encompassed by the agencies QMP.

**JA Status:** Ongoing. The Air Monitoring Branch QAPP is currently undergoing revision to comply with formatting used by other EPA R5 states. This revision is on track to be completed by the end of 2018.

**FA Status:** Ongoing. The first revised QAPP for gaseous pollutants has been submitted to EPA. The remaining four QAPPs plan to be submitted in 2020.

**FA Status:** (EPA Comment) The Particulate Matter (PM) QAPP is expected to be submitted to EPA in December 2019. The remaining outstanding QAPPs are expected shortly afterwards in 2020

- k) Commit funds to adequately support the monitoring program.

**JA Status:** Ongoing.

**FA Status:** Ongoing. Grant funds, as well as State funds have been used to continue operation of the ambient air monitoring program. This will continue into the next PPA.

- l) Coordinate and oversee work performed by contractors or other organizations.

**JA Status:** Ongoing.

**FA Status:** Ongoing. The monitoring networks operated by other contractors and organizations in Indiana are reviewed each year by AMB.

m) EPA R5 will provide regulatory advice, funding and review.

**JA Status:** (EPA R5 comment) Ongoing.

**FA Status:** (EPA R5 comment) Ongoing.

Air Toxics Monitoring, Risk Analysis and Reduction		A-3
IDEM Contact(s): Steve Lengerich	EPA R5 Contact(s): Michael Compher, Rae Trine	Due Date: Ongoing
EPA R5 Role: Risk assessment and data analysis advice, special grant funding and review. Collaborate with IDEM as appropriate to evaluate and mitigate localized air toxics.		
Goal 1:	Improving air quality.	
Objective 1.2:	Improve air quality.	
Funding:	PPG	

Conduct effective non-criteria pollutant monitoring.

a) Maintain Indiana Air Toxic Monitoring Program.

**JA Status:** Ongoing.

**FA Status:** Ongoing. The AMB will continue to operate the Air Toxics Monitoring Program in Indiana in the next PPA.

b) EPA R5 will provide risk assessment and data analysis advice, inform IDEM of special grant funding and review, and collaborate with IDEM, as appropriate, to evaluate and mitigate localized air toxics.

**JA Status:** (EPA R5 comment) U.S. EPA publicly released the 2014 National Air Toxics Assessment (NATA) in August 2018. We appreciate the emissions corrections IDEM provided to U.S. EPA. Region 5 also provides quarterly conference calls to answer questions and present information to IDEM staff on the latest air toxic and risk assessment issues.

**FA Status:** (EPA R5 comment) Ongoing. EPA R5 will continue to provide risk assessment and data analysis to IDEM and will continue to provide quarterly conference calls. This will continue into the next PPA.

Make Air Monitoring Information Publicly Available		A-4
IDEM Contact(s): Steve Lengerich	EPA R5 Contact(s): Michael Compher	Due Date: Ongoing
EPA R5 Role: Timely advice and reviews.		
Goal 1:	Improving air quality.	
Objective 1.2:	Improve air quality.	
Funding:	PPG	

Continue to assess and modify Indiana's air monitoring program and make monitoring information available to the public.

- a) Perform a quality assurance (QA) network evaluation.

**JA Status:** Ongoing.

**FA Status:** Ongoing.

- b) Conduct data analysis to determine improvement and degradation of air quality.

**JA Status:** Ongoing.

**FA Status:** Ongoing. Data analysis will continue into next PPA.

- c) Perform annual industry evaluations (systems audit). Provide information to EPA R5.

**JA Status:** Ongoing.

**FA Status:** Ongoing. Annual industrial evaluations will continue into next PPA.

- d) Annually review and update the OAQ Quality Assurance Manual.

**JA Status:** Ongoing.

**FA Status:** Project withdrawn. The OAQ Quality Assurance Manual is in the process of being converted into five QAPPs.

- e) Submit ambient concentration and quality assurance data to Air Quality System (AQS), according to schedule in 40 CFR 58.

**JA Status:** Ongoing. Complete through the first quarter of 2018.

**FA Status:** Ongoing. Complete through the first quarter of 2019. Submittal of data will continue into next PPA.

- f) Produce daily and hourly ozone and PM<sub>2.5</sub> data and maps to be posted on the Internet, as per U.S. EPA HQ Ozone and PM<sub>2.5</sub> Mapping Projects.

**JA Status:** Ongoing.

**FA Status:** Ongoing. Posting of maps and data will continue into next PPA.

- g) Maintain air quality index (AQI) reporting in designated cities.

**JA Status:** Ongoing.

**FA Status:** Ongoing. Reporting of AQI will continue into next PPA.

- h) Certify all parameters required under 40 CFR part 58.15 according to the schedule in that part.

**JA Status:** Ongoing. 2017 data was certified in AQS.

**FA Status:** Ongoing. Certification documents for all data from 2018 was submitted to EPA on April 18, 2019.

- i) Submit ozone, PM<sub>2.5</sub> and meteorological data to AIRNow.

**JA Status:** Ongoing.

**FA Status:** Ongoing. Submittal of data to AIRNow will continue into next PPA.

- j) EPA R5 will provide timely advice and reviews.

**JA Status:** (EPA R5 comment) Ongoing.

**FA Status:** (EPA R5 comment) Ongoing.

Leading Environmental Analysis and Display System (LEADS <sup>®</sup> )		A-5
IDEM Contact(s): James Parks EPA R5 Role: Timely advice and reviews.	EPA R5 Contact(s): Michael Compher	Due Date: Ongoing
Goal 1:	Improving air quality.	
Objective 1.2:	Improve air quality.	
Funding:	PPG	

Collect real time air quality information using LEADS<sup>®</sup>.

- a) Maintain automatic calibration equipment at all continuous monitoring sites.

**JA Status:** Ongoing.

**FA Status:** Ongoing. Submittal of data to AIRNow will continue into next PPA.

- b) Deploy LEADS<sup>®</sup> at all newly established continuous monitoring site locations.

**JA Status:** In progress. LEADS was deployed at Hammond – 167<sup>th</sup> St. on February 1, 2018.

**FA Status:** Ongoing. LEADS was deployed at Jeffersonville – Bates Bowyer in May 2019.

- c) Provide current data from all active continuous monitoring sites to the public via the agency website.

**JA Status:** Ongoing.

**FA Status:** Ongoing. Providing data from all active continuous sites to the public will continue into next PPA.

- d) Provide past data from active continuous monitoring sites and past data from recently discontinued sites.

**JA Status:** Complete.

**FA Status:** Complete. All past data are available through LEADS.

- e) EPA R5 will provide timely advice and reviews.

**JA Status:** (EPA R5 comment) Ongoing.

**FA Status:** (EPA R5 comment) Ongoing.

Persistent Bioaccumulative Toxics Great Lakes Air Deposition		A-6
IDEM Contact(s): Scott Deloney EPA R5 Role: Timely advice, adequate funding, and timely reviews.		EPA R5 Contact(s): Erin Newman Due Date: Ongoing
Goal 1:	Improving air quality.	
Objective 1.2:	Improve air quality.	
Funding:	PPG	

IDEM will undertake activities to evaluate persistent bioaccumulative toxics (PBTs).

- a) IDEM will post a request for proposals for projects to evaluate persistent bioaccumulative toxics in Indiana. Projects can include research, monitoring, data evaluation, and any other activities that will further knowledge concerning PBTs in Indiana.

**JA Status:** In progress. FFY 2018 project solicitation, selection and award complete. Project implementation in progress. FFY 2019 funding recently announced and redirected for ongoing projects. With the program now part of the PPG, it is recommended this element be removed once FFY 2018 project is complete.

**FA Status:** All projects completed to date.

- b) IDEM will use staff time to identify and quantify source types and emissions that contribute PBTs to lakes through atmospheric deposition to better address PBTs.

**JA Status:** Ongoing. No projects identified this period.

**FA Status:** Ongoing. No projects identified this period.

- c) EPA R5 will provide timely advice and reviews.

**JA Status:** (EPA R5 comment) EPA has provided GLAD advice and reviews as requested. EPA concurs that IDEM has met all GLAD requirements.

**FA Status:** (EPA R5 Comment) IDEM conducted quality PBT projects with funding as outlined within the PPG.

Implementation of 2008 Ozone National Ambient Air Quality Standards (NAAQS)		A-7
IDEM Contact(s): Scott Deloney EPA R5 Role: Timely advice and reviews.	EPA R5 Contact(s): Doug Aburano	Due Date: Ongoing
Goal 1:	Improving air quality.	
Objective 1.2:	Improve air quality.	
Funding:	PPG	

Successfully implement the 2008 and 2015 Ozone National Ambient Air Quality Standards (NAAQS).

- a) Monitor attainment status for areas designated nonattainment.

**JA Status:** Ongoing. No changes in air quality status for affected areas this period.

**FA Status:** Ongoing. No changes in air quality status for affected areas this period for the 2015 Ozone NAAQS. Anticipate re-designation for 2008 Ozone NAAQS based on 2017-2019 ozone monitoring data.

- b) Develop and submit State Implementation Plans (SIPs), if necessary.

**JA Status:** In progress. Office of Air Quality is preparing an infrastructure SIP for the 2015 ozone standard. This SIP will go on public notice in September 2018 for final submission in October 2018.

**FA Status:** Infrastructure SIP for 2015 standard complete. Preliminary 2017-2019 ozone monitoring data indicates redesignation for 2008 standard for Lake and Porter.

- c) EPA R5 will provide timely advice and reviews.

**JA Status:** (EPA R5 comment) Ongoing.

**FA Status:** (EPA R5 comment) Ongoing

SO <sub>2</sub> National Ambient Air Quality Standards (NAAQS)		A-8
IDEM Contact(s): Scott Deloney	EPA R5 Contact(s): Doug Aburano	Due Date: Ongoing
EPA R5 Role: Timely advice and reviews.		
Goal 1:	Improving air quality.	
Objective 1.2:	Improve air quality.	
Funding:	PPG	

- a) Implement the data requirements rule. This includes overseeing the deployment of monitoring or modeling on a case by case basis.

**JA Status:** In progress. Monitoring was deployed for Mittal Steel in Porter County January 1, 2017 and is ongoing. Office of Air Quality submitted Indiana's modeling for affected sources in January 2017.

**FA Status:** Monitoring data for Porter County will be complete at end of 2019

- b) Complete designation processes as necessary based on monitoring and modeling outcomes.

**JA Status:** Complete. Areas converted by modeling have been designated accordingly.

**FA Status:** Complete. Porter County recommendation will be made upon the close of 2019 monitoring season with anticipation of no violations of the 2010 1-hour SO<sub>2</sub> NAAQS.

- c) Prepare and submit attainment SIPs as necessary.

**JA Status:** Ongoing, with one area pending (Huntington County).

**FA Status:** Ongoing, with four Indiana attainment SIPs submitted for monitored nonattainment areas and one area pending (Huntington County).

- d) Monitor attainment status for areas designated nonattainment.

**JA Status:** Ongoing, no changes to date.

**FA Status:** Ongoing. Redesignations submitted for Vigo, Marion, Morgan, Pike, and Daviess counties.

- e) EPA R5 will provide timely advice and reviews.

**JA Status:** (EPA R5 comment) Ongoing.

**FA Status:** (EPA R5 comment) Ongoing. EPA will use the Porter monitoring data and IN's rec to complete 2010 SO<sub>2</sub> NAAQS area designations by the end of the calendar year 2020.

Redesignation Petitions and Maintenance Plans		A-9
IDEM Contact(s): Scott Deloney	EPA R5 Contact(s): Doug Aburano and Pam Blakley	Due Date: Ongoing
EPA R5 Role: Timely advice and reviews.		
Goal 1:	Improving air quality.	
Objective 1.2:	Improve air quality.	
Funding:	PPG	

- a) Prepare and submit redesignation petitions and maintenance plans within six (6) months of monitoring data being quality assured for each new area that attains an NAAQS.

**JA Status:** Ongoing. Office of Air Quality prepared and submitted a redesignation petition for Marion County for SO<sub>2</sub> in mid-2017. Office of Air Quality is currently preparing petitions for portions of Vigo, Pike, Davies, and Morgan counties for SO<sub>2</sub> redesignation. These will be submitted in the fall of 2018.

**FA Status:** Ongoing. Submissions made for Vigo, Marion, Morgan, Pike, and Daviess counties for 1-hour SO<sub>2</sub>. Preparation for submission for 8-hour Ozone for the 2008 NAAQS for Lake and Porter Counties for the Chicago-Naperville IL-IN-WI area.

- b) Develop and submit attainment SIPs as necessary.

**JA Status:** Ongoing. No SIPs are currently due or underway.

**FA Status:** Ongoing. Work underway to evaluate Huntington County for 1-hour SO<sub>2</sub> nonattainment designation.

- c) EPA R5 will provide timely advice and reviews.

**JA Status:** (EPA R5 comment) Ongoing.

**FA Status:** (EPA R5 comment) Ongoing. Vigo is done, EPA re-designated Terre Haute (84 FR 32317, July 8, 2019). Marion has an SSM comment. EPA is evaluating next steps regarding the SSM policy. Morgan received and under review. Pike and Daviess need to approve attainment demo before redesignation can move forward. EPA is providing guidance as needed on Indiana's preparation of the 2008 ozone Chicago area redesignation package.



Regional Haze		A-10
IDEM Contact(s): Scott Deloney	EPA R5 Contact(s): Doug Aburano	Due Date: January 2018
EPA R5 Role: Timely advice and reviews.		
Goal 1:	Improving air quality.	
Objective 1.2:	Improve air quality.	
Funding:	PPG	

- a) Coordinate through the Lake Michigan Air Directors Consortium to prepare and submit comprehensive SIP revisions to the Regional Haze SIP by 2021.

**JA Status:** In progress. Office of Air Quality continues to work with LADCO and EPA R5 in preparing for a 2021 submission. All work is on target to meet deadline.

**FA Status:** In progress. IDEM continues to work with LADCO and EPA R5 in preparing for a 2021 submission. All work is on target to meet deadline. EPA R5 will provide timely advice and reviews.

**JA Status:** (EPA R5 comment) Ongoing.

**FA Status:** (EPA R5 comment) Ongoing.

Transportation Conformity		A-11
IDEM Contact(s): Shawn Seals	EPA R5 Contact(s): Pamela Blakley, Francisco Acevedo, Anthony Maietta	Due Date: Ongoing
EPA R5 Role: Timely advice and reviews.		
Goal 1:	Improving air quality.	
Objective 1.2:	Improve air quality.	
Funding:	PPG	

- a) Work with local Metropolitan Planning Organizations, EPA R5, and state and federal transportation agencies on future conformity determinations, as needed.

**JA Status:** Ongoing. Participation in transportation conformity consultation calls as need continues.

**FA Status:** Ongoing. Participation in transportation conformity consultation calls continues as needed.

**FA Status:** (EPA R5 comment) EPA will continue to provide timely advice and reviews and continue to participate in interagency group consultation calls and emails as needed.

- b) Work with transportation agencies as appropriate to update mobile SIP budgets in response to changing needs such as updates to the mobile model MOVES or other changes.

**JA Status:** Ongoing. No notable mobile model changes have been released recently, but IDEM is staying current with MOVES model discussions.

**FA Status:** Ongoing. No notable mobile model changes have been released recently, but IDEM is staying current with MOVES model discussions with cooperation from LADCO and OTAQ.

Compliance Monitoring Strategy (CMS) for Asbestos			A-12
IDEM Contact(s): Phil Perry & Dan Stamatkin	EPA R5 Contact(s): Nathan Frank and Rochelle Marceillars	Due Date: September 30, 2019	
EPA R5 Role: Provide program assistance as requested.			
Goal 5:	Enforcing environmental laws.		
Objective 5.1:	Enforce environmental laws.		
Funding:	Dedicated – Asbestos Trust		

- a) Implement a compliance and enforcement program for asbestos inspections and compliance evaluation of asbestos notifications, licensed asbestos contractors, and stationary asbestos sources.

**JA Status:** Ongoing. IDEM began implementation of the FY 2018 asbestos compliance and enforcement program on October 1, 2017. Asbestos inspections and evaluation of asbestos notifications, licensed asbestos contractors, and stationary asbestos sources continues and will be completed September 30, 2018 for FY 2018.

**FA Status:** Complete. IDEM began implementation of the FY 2018 asbestos compliance and enforcement program on October 1, 2017. IDEM completed asbestos inspections and evaluation of asbestos notifications, licensed asbestos contractors, and stationary asbestos sources on September 30, 2018. IDEM began implementation of the FY 2019 asbestos compliance and enforcement program on October 1, 2018. IDEM completed asbestos inspections and evaluation of asbestos notifications, licensed asbestos contractors, and stationary asbestos sources on September 30, 2019.

- b) Submit an annual report to EPA R5 on asbestos demolition/renovation notifications submitted by the owner/operator, compliance evaluations conducted, and enforcement actions initiated by IDEM. The report will be submitted by October 31, 2018, for FY18 and by October 31, 2019, for FY19. The report will be submitted alphabetically by owner/operator and will include the number of asbestos demolition/renovation notifications received, warning letters, Notice of Violations (NOVs), Referrals, Agreed Orders, State Court Orders/Decrees, and penalties assessed.

**JA Status:** Ongoing. The Fiscal Year (FY) 2018 report will be submitted by October 31, 2018, since the FY 2018 covers the period October 1, 2017 – September 30, 2018 and the FY 2019 covering the period October 1, 2018 – September 30, 2019, report will be submitted by October 31, 2019. The Asbestos Annual Report for FY 2018 report is not due until October 31, 2018.

**FA Status:** Complete. The Asbestos Annual Report for FY2018 was submitted to U.S. EPA on October 28, 2018. The Asbestos Annual Report for FY2019 is not due until October 31, 2019 and will be submitted under the goals of the 2019-2021 PPA.

Compliance Monitoring Strategy (CMS) for Title V and Federally Enforceable State Operating Permit (FESOP)		A-13
IDEM Contact(s): Phil Perry	EPA R5 Contact(s): Nathan Frank and Rochelle Marceillars	Due Date: September 30, 2019
EPA R5 Role: Review Clean Air Act Stationary Source Compliance Monitoring Strategy (CMS) Policy and work closely with OAQ staff to ensure any issues are satisfactorily addressed.		
Goal 5:	Enforcing environmental laws.	
Objective 5.1:	Enforce environmental laws.	
Funding:	Dedicated Title V Fund	

Develop and implement the Clean Air Act Stationary Source Compliance Monitoring Strategy (CMS) Plan for Title V and Federally Enforceable State Operating Permitted (FESOP) source inspections and compliance evaluations consistent with the Clean Air Act Stationary Source Compliance Monitoring Strategy, October 2016.

- a) Submit CMS Plan for review and negotiation with EPA R5 by August 31, 2017 for FY18, and August 31, 2018 for FY19. Implementation of the final CMS Plan for FY18 will begin on October 1, 2017 and on October 1, 2018 for FY19. The CMS Plan will meet The Clean Air Act Stationary Source Compliance Monitoring Strategy, October 2016 policy. The CMS source category and frequency flags will be completed by IDEM for the Title V major and synthetic minor with the potential to emit at or above 80% major source threshold (SM80) source universe

in the Integrated Compliance Information System – Air (ICIS–Air) by November 30, 2017, for FY18 and November 30, 2018, for FY19.

**JA Status:** Ongoing. IDEM's FY 2018 CMS Plan was submitted on August 30, 2017. The CMS source category and frequency flags for the Title V major and SM80 source universe were completed in ICIS-Air by November 30, 2017 for FY18. Implementation of the IDEM's FY 2018 CMS Plan began on October 1, 2017 and is on target to be completed by September 30, 2018. IDEM's FY 2019 CMS Plan is not due until August 30, 2018, but is on target to be submitted by the deadline.

**FA Status:** Complete. IDEM's FY 2018 CMS Plan was submitted on August 30, 2017. The CMS source category and frequency flags for the Title V major and SM80 source universe were completed in ICIS-Air by November 30, 2017, for FY2018. Implementation of the IDEM's FY 2018 CMS Plan began on October 1, 2017, and was completed on September 30, 2018. IDEM's FY 2019 CMS Plan was submitted on August 29, 2018. The CMS source category and frequency flags for the Title V major and SM80 source universe were completed in ICIS-Air by November 30, 2018, for FY 2019. Implementation of the IDEM's FY 2019 CMS Plan began on October 1, 2018, and was completed on September 30, 2019.

- b) EPA R5 shall submit a written response to IDEM concerning the CMS plan by December 31, 2017, for FY18 and December 31, 2018, for FY19.

**JA Status:** Ongoing. EPA R5 approved IDEM's FY 2018 CMS Plan on November 30, 2017. IDEM's FY 2019 CMS Plan is not due until August 30, 2018, but is on target to be submitted by the deadline.

**FA Status:** Complete. EPA R5 approved IDEM's FY 2018 CMS Plan on November 30, 2017. EPA R5 approved IDEM's FY 2019 CMS Plan on February 8, 2019.

- c) Implement the CMS plan for full compliance evaluations:

- Conduct full compliance evaluations (FCE) of Part 70 sources once every two years, except mega-sites, gas compressor stations and gas turbines facilities.
- Mega-sites will be identified in the CMS plan and an FCE of those sites will be conducted once every three years.
- Gas compressor stations, gas turbine facilities, and contractors that are associated with the five mega-sites that have separate source identification numbers will be identified in the CMS plan as Alternate Frequency sources. The contractors that are associated with the five mega-sites that have separate source identification numbers will receive an FCE a minimum of once every three years and Title V major gas compressor station and gas/oil turbine generating station sources will receive an FCE a minimum of once every five years.

- Conduct full compliance evaluations of all FESOP sources once every five years, except as noted in the CMS.
- In those years where full compliance evaluations are not conducted, partial compliance evaluations will be completed, including review of annual compliance certifications, review of quarterly deviation reports, review of emergency reports and review of the various emissions reports.

**JA Status:** Ongoing. The Air Compliance and Enforcement Branch is on target to complete all FY 2018 FCEs at Part 70 sources and FESOP sources by September 30, 2018. The Air Compliance and Enforcement Branch continues to conduct FCEs on Part 70 and FESOP sources beyond the CMS. The FCEs are reported in the ICIS–Air database on a monthly basis. Mega-sites, their contractors that have separate source identification numbers, gas compressor stations, and gas turbine generating stations FCEs are conducted as part of Part 70 and FESOP sources noted above.

The Air Compliance and Enforcement Branch and Regional Offices continue to review Part 70 and FESOP annual compliance certifications (ACCs) received each calendar year. The ACCs and the reviews are reported to the ICIS–Air database on a monthly basis. ACCs are submitted and reviewed on a calendar year basis so there will always be a lag reporting completed ACC reviews based on the federal fiscal year used for the PPA.

The branch continues to conduct partial compliance evaluations including review of stack tests, continuous opacity and emissions data, quarterly deviation reports, review of emergency reports, and review of the various emissions reports.

**FA Status:** Complete. The Air Compliance and Enforcement Branch completed all FY 2018 and FY 2019 FCEs at Part 70 sources and FESOP sources by September 30, 2018, and September 30, 2019. The Air Compliance and Enforcement Branch continued to conduct FCEs on Part 70 and FESOP sources beyond the CMS. The FCEs were reported in the ICIS–Air database on a monthly basis. Mega-sites, their contractors that have separate source identification numbers, gas compressor stations, and gas turbine generating station FCEs were conducted as part of Part 70 and FESOP sources noted above.

The Air Compliance and Enforcement Branch and Regional Offices reviewed Part 70 and FESOP annual compliance certifications (ACCs) received each calendar year. The ACCs and the reviews were reported to the ICIS–Air database on a monthly basis. ACCs are submitted and reviewed on a calendar year basis so there will always be a lag reporting completed ACC reviews based on the federal fiscal year used for the PPA. The branch conducted partial compliance evaluations (PCE) including review of stack tests, continuous opacity and emissions data, quarterly deviation reports, review of emergency reports, and review of the various emissions reports. The PCEs were reported in the ICIS–Air database on a monthly basis

- d) Submit compliance and enforcement information within the standards required for reporting per The Clean Air Act Stationary Source Compliance Monitoring Strategy, October 2016 (CMS), The Clean Air Act National Stack Testing Guidance, April 27, 2009, Timely and Appropriate Enforcement Response to High Priority Violations – Revised 2014 (HPV policy), The Guidance on Federal Reportable Violations for Clean Air Act Stationary Sources – September 2014 (FRV policy), and the current Information Collection Request (ICR) for ICIS–Air. Ensure data is complete, accurate, timely, and that data is consistent with U.S. EPA policies and guidance. This reporting effort also includes the verification of data used by the State Review Framework (SRF) which is made available to the public.

**JA Status:** Ongoing. The Air Compliance and Enforcement Branch continues to upload data from ACES to ICIS–Air on a monthly basis exceeding the 60-day standard. The branch also directly inputs HPVs and FRVs into ICIS–Air as HPVs/FRVs/violations are identified. The Air Compliance and Enforcement Branch continue to work with U.S. EPA to ensure the data is complete, accurate, and timely. Issues are discussed during the bi-monthly U.S. EPA/IDEM Compliance and Enforcement and Data Management conference calls and through HPV e-mails and calls. The Air Compliance and Enforcement Branch’s Enforcement Data Steward reviews all current and recently closed enforcement cases on a monthly basis. Updates are made to IDEM’s enforcement database (METS). ICIS–Air is manually updated monthly with all required Minimum Data Requirements (MDR) entries based on data from METS. The Air Compliance and Enforcement Branch submitted the FY2017 Data Verification form on June 12, 2018 required to complete the State Review Framework (SRF) process.

**FA Status:** Complete. The Air Compliance and Enforcement Branch uploaded data from ACES to ICIS–Air on a monthly basis exceeding the 60-day standard. The branch also directly input HPVs and FRVs into ICIS–Air as HPVs/FRVs/violations were identified. The Air Compliance and Enforcement Branch continue to work with U.S. EPA to ensure the data is complete, accurate, and timely. Issues are discussed during the bi-monthly U.S. EPA/IDEM Compliance and Enforcement and Data Management conference calls and through HPV e-mails and calls. The Air Compliance and Enforcement Branch’s Enforcement Data Steward reviews all current and recently closed enforcement cases on a monthly basis. Updates are made to IDEM’s enforcement database (METS). ICIS–Air is manually updated monthly with all required Minimum Data Requirements (MDR) entries based on data from METS. The Air Compliance and Enforcement Branch submitted the FY 2018 Data Verification form on June 12, 2018, required to complete the State Review Framework (SRF) process.

- e) Respond to complaints, including those referred from EPA R5. Inspections are conducted where necessary.

**JA Status:** Ongoing. The Air Compliance and Enforcement Branch has responded to 529 complaints so far (October 1, 2017 – June 30, 2018) in FY 2018. The branch and regional offices continue to respond to all complaints including those referred from EPA R5.

**FA Status:** Ongoing. The Air Compliance and Enforcement Branch responded to 737 complaints in FY 2018 and 740 complaints in FY 2019. The branch and regional offices continue to respond to all complaints including those referred from EPA R5.

- f) EPA R5 will provide compliance and enforcement support and guidance and make training available to IDEM staff, as needed.

**JA Status:** Ongoing. The Air Compliance and Enforcement Branch and EPA R5 hold bi-monthly compliance, enforcement, data management and reporting conference calls. During the conference calls, compliance issues, enforcement issues, HPV cases, data deficiencies support, and guidance are discussed. The U.S. EPA facilitated or provided the following conferences and training: Data Verification Webinar, ECATT, Region 5 Clean Air Act State Enforcement Conference, and Region 5 Outdoor Hydronic Heaters Programs.

**FA Status:** Complete. The Air Compliance and Enforcement Branch and EPA R5 hold bi-monthly compliance, enforcement, data management and reporting conference calls. During the conference calls, compliance issues, enforcement issues, HPV cases, data deficiencies support, and guidance were discussed. The U.S. EPA facilitated or provided the following conferences and training: Data Verification Webinar, ECATT, Region 5 Clean Air Act State Enforcement Conferences, and Region 5 Outdoor Hydronic Heaters Programs.

- g) Prepare enforcement cases according to IDEM's Compliance and Enforcement Response Non-Rule Policy (CERP) and guidance, and U.S. EPA's Timely and Appropriate Enforcement Response to High Priority Violations (HPV policy) – Revised 2014. IDEM will review findings and prepare enforcement cases according to the HPV Policy, IDEM CERP and guidance, and the IDEM Civil Penalty Nonrule Policy for noncompliance with statutes, rules or permits.

**JA Status:** Ongoing. The Air Compliance and Enforcement Branch continue to review and follow IDEM's guidance and U.S. EPA's Timely and Appropriate Enforcement Response to High Priority Violations (HPV) Policy to prepare enforcement cases and follow-up, as appropriate. Violations are referred for enforcement consistent with the CERP and HPV Policy. A total of 115 Notice of Violations were signed during first three quarters of FY 2018 (October 1, 2017 – June 30, 2018) and a total of 114 Agreed Orders were adopted during the same period. The branch continues to review findings and prepare enforcement cases according to the HPV Policy and the Civil Penalty Policy.

**FA Status:** Ongoing. The Air Compliance and Enforcement Branch continue to review and follow IDEM's guidance and U.S. EPA's Timely and Appropriate Enforcement Response to High Priority Violations (HPV) Policy to prepare enforcement cases and follow-up, as appropriate. Violations are referred for enforcement consistent with the CERP and HPV Policy. A total of 160 Notice of Violations were signed during in FY 2018 and a total of 156 Agreed Orders were adopted during the same period. A total of 160 Notice of Violations were signed during in FY 2019 and a total of 143 Agreed Orders were adopted during the same period. The branch continues to review findings and prepare enforcement cases according to the HPV Policy and the Civil Penalty Policy.

**JA Status:** (EPA R5 comment) EPA retrieved ICIS-Air enforcement reports on October 10, 2018 for the first three quarters of FY2018. The NOV's reported to ICIS-Air were 70 and the Agreed Orders were 65. The total for FY2018 were 91 NOV's and 89 Agreed Orders. However, IDEM is required to report all activities conducted for FY2018 to ICIS-Air by November 30<sup>th</sup>.

**FA Status:** (EPA R5 comment) EPA retrieved ICIS-Air enforcement reports on November 21, 2019 for FY2019. The NOV's reported to ICIS-Air were 83 and the Agreed Orders were 84. However, IDEM is required to report all activities conducted for FY2019 to ICIS-Air by November 30<sup>th</sup>.

- h) Participate in enforcement/settlement negotiation conferences and follow-up on the requirements of IDEM's Agreed and/or Commissioner's Order.

**JA Status:** Ongoing. Compliance and Enforcement Branch managers continue to conduct pre-Notice of Violation meetings, settlement conferences, and follow-up on Agreed Orders. A total of 76 pre-Notice of Violation meetings have been held and a total of 29 settlement conferences have been held during the first three quarters of FY 2018 (October 1, 2017 – June 30, 2018).

**FA Status:** Ongoing. Compliance and Enforcement Branch managers continue to conduct pre-Notice of Violation meetings, settlement conferences, and follow-up on Agreed Orders. A total of 108 pre-Notice of Violation meetings were held and a total of 35 settlement conferences were held in FY 2018. A total of 105 pre-Notice of Violation meetings were held and a total of 32 settlement conferences were held in FY 2019.

- i) EPA R5 and IDEM will conduct bi-monthly conference calls to discuss planning, program progress, compliance and enforcement issues, HPV's, data issues, reporting, efforts to resolve violations and input on design and development of future ICIS–Air versions. EPA R5 and IDEM will have initial case-specific consultations to discuss case development and resolution timeframes for state lead HPV cases not addressed within 180 days from the Day Zero.

**JA Status:** Ongoing. The Air Compliance and Enforcement Branch and EPA R5 hold bi-monthly compliance, enforcement, and data management and reporting conference

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calls. Priorities, compliance and enforcement issues, complaints, HPV cases, data management, and reporting issues are discussed. Both IDEM and U.S. EPA used the March 20, 2018 call for the annual Air Program Planning to discuss current activities, issues, opportunities for collaboration and technical support, FY 2018 and FY 2019 priorities/initiatives.

**FA Status:** Ongoing. The Air Compliance and Enforcement Branch and EPA R5 hold bi-monthly compliance, enforcement, and data management and reporting conference calls. Priorities, compliance and enforcement issues, complaints, HPV cases, data management, and reporting issues are discussed. Both IDEM and U.S. EPA used the March 20, 2018, and the April 16, 2019, calls for the annual Air Program Planning to discuss current activities, issues, opportunities for collaboration and technical support, as well as discuss FY 2018 & FY 2019 priorities/initiatives.

- j) IDEM will track and update EPA R5 on a quarterly basis on the recommendations made from the Round 3 State Review Framework until completion.

**JA Status:** Ongoing. EPA R5 conducted IDEM's CAA Round 3 SRF on October 2016 and the final report was issued on May 23, 2018. The Compliance and Enforcement Branch continues to address the recommendations and discuss the recommendations during the bi-monthly compliance, enforcement, and data management and reporting conference calls.

**FA Status:** Completed. EPA R5 conducted IDEM's CAA Round 3 SRF in October 2016, and the final report was issued on May 23, 2018. The Compliance and Enforcement Branch addressed all the recommendations during the bi-monthly compliance, enforcement, and data management and reporting conference calls and via email.

## Office of Land Quality (OLQ)

Resource Conservation Recovery Act (RCRA) Corrective Action (CA)		L-1
IDEM Contact(s): Don Stilz & Becky Joniskan	EPA R5 Contact(s): Mike Beedle & Tammy Moore	Due Date: See below
EPA R5 Role: Contractor support for sampling and risk review at selected sites.		
Goal 3:	Cleaning up communities and advancing sustainable development.	
Objective 3.2:	Preserve land.	
Funding:	PPG	

IDEM supports EPA R5's Integrated Cleanup Initiative to improve the accountability, transparency, and effectiveness of all of our cleanup programs. IDEM will coordinate the activities of its RCRA CA, Leaking Underground Storage Tanks, Brownfields, Toxic Substances Control Act, and Superfund programs to reduce risks to human health and the environment, by assessing and cleaning up contaminated sites to appropriate land use-based levels, and put them back into productive use.

In support of our coordinated efforts, IDEM will meet the requirements of the Resource Conservation and Recovery Act (RCRA) Government Performance and Results Act (GPRA).

- a) For the 2020 Universe facilities, of which 80 are assigned for state lead, IDEM will achieve the following GPRA corrective action goals:
- By September 30, 2017: 71 facilities will reach CA725, 66 facilities will reach CA750, and 57 facilities will reach CA550 and 27 facilities will reach CA900/999. IDEM will strive to enter all event codes into RCRAInfo by September 1, 2017.
  - By September 30, 2018: 73 facilities will reach CA725, 68 facilities will reach CA750, and 59 facilities will reach CA550 and 29 facilities will reach CA900/999. IDEM will strive to enter all event codes into RCRAInfo by September 1, 2018.
  - By September 30, 2019: 75 facilities will reach CA725, 70 facilities will reach CA750, and 61 facilities will reach CA550 and 31 facilities will reach CA900/999. IDEM will strive to enter all event codes into RCRAInfo by September 1, 2019.
  - By September 30, 2020: IDEM will strive to have 95% of its lead sites with CA725, CA750 and CA550 criteria met.

**JA Status:** Ongoing.

CA725 Human Health (73 goal/72 actual) Warsaw Chemical

CA750 Groundwater (68 goal/68 actual) Arconic and RACER Trust  
(Indianapolis Stamping Plant)

CA550 Construction Completions (59 goal/59 actual) Richmond Liner and  
RACER Trust (Indianapolis Stamping Plant)

CA900/999 Performance Standards Attained (32 goal/32 actual) Carriage  
Inc. and Indianapolis Department of Transportation (Indianapolis Department  
of Public Works)

**JA Status:** (EPA R5 comment) EPA and IDEM continue to coordinate clean-up efforts on number of projects including but not limited to Crane Naval Base, Amland, and Indiana Harbor Confined Disposal Facility (IHCDF).

**FA Status:** Ongoing. By September 30, 2019, 73 facilities will reach CA725; 70 facilities will reach CA750; 61 facilities will reach CA550; and 33 facilities will reach CA900/999. The goals for CA750 and CA550 were met; the goal for CA900/999 was exceeded by two; and the goal for CA725 was missed, but EPA R5 was aware of this beforehand and, in fact, IDEM was able to accomplish an additional CA725 beyond the annual goals EPA R5 and IDEM had agreed to (Warsaw Chemical and Penn Capillary Tube Division). IDEM will ensure these event codes are entered into RCRAInfo by September 1, 2019.

**FA Status:** (EPA R5 comment) EPA and IDEM also continue to coordinate on the TSCA PCB remediation aspects of ANR/TransCanada St. John Compressor Station and Midwest Rail among others.

Hazardous Waste Permitting and Post-Closure		L-2
IDEM Contact(s): Don Stilz & Becky Joniskan	EPA R5 Contact(s): Jae Lee	Due Date: September 30, 2017 & September 30, 2018
EPA R5 Role: Provide program assistance.		
Goal 3:	Cleaning up communities and advancing sustainable development.	
Objective 3.2:	Preserve land.	
Funding:	PPG	

Permit priority will be given to application submittals that are subject to Indiana's permit accountability statute. EPA R5 is in the process of developing permit and renewal baselines. The FFY 18-19 baselines will be completed by the end of September 2017.

Issue permit renewals to 100% of the 2017-2019 baseline facilities within six months of expiration.

**JA Status:** Complete. Lone Star, Haynes, and Reclaimed Energy issued within six months of expiration. Corning requested and received an extension and

submitted application one week before expiration; issued final decision nine months after submittal of application. Applications are to be submitted 180 days in advance of expiration.

**FA Status:** Complete. Seven permit renewals were issued between July 1, 2017, and June 30, 2019. Five of those permits were issued within six months of expiration. The two permits that were not issued within six months of expiration are both post-closure permits.

- BP Products North America Inc. Lakefront Site, Evonik Industries, Haynes International, Lone Star Industries, Inc., and Reclaimed Energy all had their permits issued within six months of expiration.
  - RACER Trust failed to submit a timely renewal application. Despite the renewal application coming in just 94 days prior to expiration, the permit was issued within six months and 16 days of expiration.
  - Corning's permit was issued within three months and six days of its expiration. This delay was necessitated to allow the facility and IDEM to negotiate conditions of extending the post-closure period beyond the base 30-year period.
- a) Upon request, EPA R5 will provide timely boiler and industrial furnaces (BIF) and risk assessment assistance to complete hazardous waste facility permitting actions in accordance with U.S. EPA Government Performance and Results Act (GPRA) goals.

**JA Status:** Complete.

**JA Status:** (EPA R5 comment) EPA R5 has provided technical assistances in the areas of the Waste Analysis Plan review and Risk assessments of the Hazardous Waste Combustion facilities to complete RCRA permitting action.

**FA Status:** In progress. The permit for which EPA R5 provided Waste Analysis Plan assistance was issued in draft. IDEM is working with Heritage Environmental Services to address EPA R5's comments prior to issuing the final permit. IDEM did not receive risk assessment assistance for Hazardous Waste Combustion facilities during this PPA cycle.

**FA Status:** (EPA Comment) EPA R5 will continue to provide assistance to IDEM as requested.

Resource Conservation and Recovery Act (RCRA) Hazardous Waste			L-3
Inspections of Generators			
IDEM Contact(s): Susan Lowry		EPA R5 Contact(s): Robert Smith	Due Date: July 1, 2017-June 30, 2019
EPA R5 Role: Conduct inspections of at least six large quantity generators (LQGs). Inspect other facilities handling hazardous waste as necessary. Criteria for U.S. EPA's selection of installations may include: (a) requests from IDEM, (b) installations subject to open federal enforcement judicial and/or administrative decrees/orders, (c) installations that have not been inspected in the past, and (d) installations under Regional and National priority sectors and/or initiatives.			
Goal 3:	Cleaning up communities and advancing sustainable development.		
Objective 3.2:	Preserve land.		
Funding:	PPG		

- a) Each state fiscal year, IDEM will, by June 30 of that respective year, conduct Compliance Evaluation Inspections (CEIs) at a minimum of 20 percent of the large quantity generator (LQG) universe that exists in the RCRAInfo database. The universe will be determined using data that exists in the RCRAInfo database as of June 1 of that respective year. Under IDEM's Flexibility Plan for 2018, the traditional LQG universe is 507, and non-traditional is 294. Therefore, 20 percent of the traditional universe is 102, and 5% of the non-traditional universe is 15.

**JA Status:** Completed for FY18. Hazardous Waste Compliance staff conducted CEIs at 170 LQGs and 24 Non-traditional LQGs.

**FA Status:** Complete. For FY19, IDEM conducted CEIs at 151 LQGs and 26 non-traditional LQGs.

- b) EPA R5 will conduct inspections of at least six large quantity generators (LQGs). EPA R5 will inspect other facilities handling hazardous waste as necessary. Criteria for EPA R5's selection of installations may include: (a) requests from IDEM, (b) installations subject to open federal enforcement judicial and/or administrative decrees/orders, (c) installations that have not been inspected in the past, and (d) installations under regional and national priority sectors and/or initiatives.

**JA Status:** (EPA R5 comment) Completed for FFY18. EPA conducted 12 CEIs at LQGs.

**FA Status:** (EPA R5 comment) Completed for FFY 19. EPA conducted 18 CEIs at LQGs.

Resource Conservation and Recovery Act (RCRA) Hazardous Waste Inspections of Treatment, Storage and Disposal Facilities (TSDs)			L-4
IDEM Contact(s): Susan Lowry	EPA R5 Contact(s): Robert Smith	Due Date: July 1, 2017-June 30, 2019	
EPA R5 Role: EPA R5 will independently inspect at least two additional operating TSDs for all permit requirements for each year. EPA R5 will perform annual inspections at all operating TSDs owned or operated by state and local governments.			
Goal 3:	Cleaning up communities and advancing sustainable development.		
Objective 3.2:	Preserve land.		
Funding:	PPG		

- a) Each fiscal year, IDEM will inspect 50 percent of all Treatment, Storage and Disposal facilities (TSDs) with a current operating permit for active permitted units. IDEM will conduct a CEI at all 17 of the operating TSDFs at least once every two years.

**JA Status:** Completed for FY18. Hazardous Waste Compliance Staff conducted CEIs at 14 of 17 TSDs. Two other TSDs received focused inspections.

**FA Status:** IDEM conducted CEIs at 15 of 17 TSDs.

- b) IDEM will conduct a Financial Record Review at 100 percent of the facilities that require such review.

**JA Status:** Complete. IDEM staff conducted an annual Financial Record Review of all facilities that require such review.

**FA Status:** Complete. IDEM staff conducted an annual Financial Record Review of all facilities that require such review.

- c) EPA R5 will independently inspect at least two operating TSDs for all permit requirements for each year. EPA R5 will perform annual inspections at all operating TSDs owned or operated by federal, state and local governments.

**JA Status:** (EPA R5 comment) Complete for FFY 2018. EPA conducted CEIs at two (2) operating TSDs (Lone Star and Stericycle), a CEI at one (1) state-owned TSD (Purdue University), and one (1) CEI at a federal facility (US Naval Crane).

**FA Status:** (EPA R5 comment) Complete for FFY 2019. EPA conducted CEIs at two (2) operating TSDs (Sabic Innovative Plastics and Exide Technologies), a CEI at one (1) state-owned TSD (Purdue University), and one (1) CEI at a federal TSD facility (US Naval Crane).

Resource Conservation and Recovery Act (RCRA) Hazardous Waste Enforcement			L-5
IDEM Contact(s): Linda McClure	EPA R5 Contact(s): Robert Smith	Due Date: July 1, 2017-June 30, 2019	
EPA R5 Role: Issue enforcement responses to RCRA violations detected by EPA R5, or referred to EPA R5 by IDEM, in accordance with U.S. EPA's 2003 Hazardous Waste Civil Enforcement Response Policy, U.S. EPA's RCRA Civil Penalty Policy and relevant U.S. EPA enforcement strategies.			
Goal 3:	Cleaning up communities and advancing sustainable development.		
Objective 3.2:	Preserve land.		
Funding:	PPG		

- a) Issue enforcement responses to RCRA violations in accordance with IDEM's enforcement response strategy and U.S. EPA HQ's 2003 Hazardous Waste Civil Enforcement Response Policy.

**JA Status:** Ongoing. IDEM enforcement staff continue to issue enforcement responses to RCRA violations in accordance with the appropriate strategy and policies. From July 1, 2017 through June 30, 2018, IDEM issued 20 Agreed Orders (301 Final Orders) and 1 Commissioner's Order (210) for RCRA violations. During the same period, 12 new significant non-complier (SNC) determinations were made. In addition, enforcement staff continue to issue enforcement responses for industrial waste, auto salvage, solid waste, confined feeding, UST and LUST violations.

**FA Status:** Ongoing. IDEM enforcement staff continue to issue enforcement responses to RCRA violations in accordance with the appropriate strategy and policies. From July 1, 2018, through June 30, 2019, IDEM issued 25 Agreed Orders (301 Final Orders) and four Commissioner's Orders (210) for RCRA violations. During the same period, 20 new significant non-complier (SNC) determinations were made. In addition, enforcement staff continue to issue enforcement responses for industrial waste, auto salvage, solid waste, confined feeding, Underground Storage Tanks (UST) and Leaking Underground Storage Tanks (LUST) violations.

- b) EPA R5 will issue enforcement responses to RCRA violations detected by U.S. EPA R5 or referred to EPA R5 by IDEM, in accordance with enforcement strategies.

**JA Status:** (EPA R5 comment) In FFY 2018, EPA issued nine Notices of Violation and two Complaint/Consent Agreements and Final Orders (Heritage Environmental Services and US Naval Crane). Both included Supplemental Environmental Projects.

**FA Status:** (EPA R5 comment) In FFY 2019, EPA issued three Notices of Violation. EPA did not issue any Complaints or Consent Agreements and Final Orders.

Concentrated Animal Feeding Operations (CAFO) NPDES Permits & Enforcement			L-6
IDEM Contact(s): Charles Grady & Joseph Williams	EPA R5 Contact(s): Ryan Bahr & Julianne Socha	Due Date: July 1, 2017 & June 30, 2019	
EPA R5 Role (Water Division): Provide training on conducting CAFO inspections to IDEM staff, as requested. EPA R5 will be leading on enforcement where there is non-compliance with existing federal orders or where non-compliance is documented through a federal lead inspection.			
Goal 3:	Cleaning up communities and advancing sustainable development.		
Objective 3.2:	Preserve land.		
Funding:	PPG		

- a) Conduct compliance inspections at 20 percent of all CAFOs each fiscal year. There are currently 1,814 animal feeding operations permitted in Indiana. These include 796 concentrated animal feeding operations (CAFOs) and 1,018-smaller operations called confined feeding operations (CFOs). In addition to routinely inspecting 20 percent of the permitted CAFOs, inspections are also conducted in the categories listed below to determine whether facilities discharge or should be designated a CAFO.

- State regulated large and medium CAFOs with an NPDES permit.
- State regulated large CAFOs without an NPDES permit.
- State regulated medium AFOs without an NPDES permit.
- Small AFOs without an NPDES permit.

**JA Status:** Complete. The CFO compliance staff have conducted a total of 167 inspections at state regulated large and medium size CAFOs without an NPDES permit. Indiana does not have any state regulated large and medium CAFOs with an NPDES permit.

Inspections at medium AFOs without an NPDES were conducted at 194 facilities. While there were 44 inspections conducted at small AFOs without NPDES permits.

**FA Status:** Complete. The CFO compliance staff have conducted a total of 241 inspections at state regulated large and medium size CAFOs without an NPDES permit. Indiana does not have any state regulated large and medium CAFOs with an NPDES permit. Inspections at medium AFOs without an NPDES were conducted at 212 facilities. While there were 51 inspections conducted at small AFOs without NPDES permits.

- b) Issue NPDES permits to 100 percent of the CAFO Individual NPDES permit holders by September 30, 2017, whose expiration dates are on or before September 30, 2017.



**JA Status:** Complete. All the NPDES permits were converted to CFO permits that do not allow for discharges. These were all converted by December 31, 2016. No new applications for NPDES Individual Permits have been received or have been required.

- c) EPA R5 will provide training on conducting CAFO inspections to IDEM staff, as requested. EPA R5 will be the lead on enforcement where there is non-compliance with existing federal orders or where non-compliance is documented through a federal lead inspection.

**JA Status:** (EPA R5 comment) EPA R5 provides CAFO inspection training, if requested. Training was not requested. EPA will continue to work with IDEM when they request training.

**FA Status:** (EPA R5 comment) EPA R5 provides CAFO inspection training, if requested. Training was not requested. EPA will continue to work with IDEM when they request training.

Polychlorinated Biphenyl (PCB) Inspections			L-7
IDEM Contact(s): Zaidoon Al-Saleem	EPA R5 Contact(s): Kendall Moore	Due Date: July 1, 2017-June 30, 2019	
EPA R5 Role: Review IDEM's PCB inspection reports and, if necessary, issue the appropriate enforcement response. Provide technical assistance and guidance on federal PCB regulations. Conduct mid-year and year end reviews. Provide continuing refresher training to experienced inspectors and basic field investigation training to new inspectors. Provide enforcement training to allow IDEM to prepare penalty calculations.			
Goal 4:	Ensuring the safety of chemicals and preventing pollution.		
Objective 4.1:	Ensure chemical safety.		
Funding:	PPG		

- a) Conduct 28 Toxic Substance Control Act (TSCA) PCB inspections for FY18 and 28 PCB inspections for FY19.

**JA Status:** In progress. IDEM staff conducted 28 inspections in FY18, and plan to conduct another 28 in FY19.

**FA Status:** Complete. IDEM staff conducted 28 inspections for FY18, and conducted another 29 in FY19.

- b) Work with EPA R5 on oversight of PCB cleanups and provide technical assistance to the regulated community. Provide a yearly summary report detailing the status of oversight activities for each fiscal year.

**JA Status:** Ongoing. IDEM staff continue to work with EPA R5 on PCB clean-ups. A summary report will be provided to the EPA R5 for FY18 during the annual "End of Year" meeting with the EPA R5 to discuss the year's inspections.

**FA Status:** Ongoing. IDEM staff continue to work with EPA R5 on PCB clean-ups.

A summary report was provided to the EPA R5 for FY18 during the annual “End of Year” meeting with EPA R5. A summary report will be provided for FY19 during the annual “End of Year” meeting with EPA R5.

- c) Work with the EPA R5 Pesticides and Toxics Compliance Section (PTCS) in the annual targeting of facilities for TSCA PCB inspections, including critical points within natural gas pipeline transmission and distribution systems.

**JA Status:** Withdrawn. In its place, U.S. EPA has instructed IDEM staff to inspect used oil and warehousing facilities.

**FA Status:** During FY18 and FY19, IDEM conducted inspections at both facilities engaged in commercial used oil management and commercial warehousing facilities.

- d) IDEM will provide a quarterly inspection summary.

**JA Status:** Ongoing. IDEM continues to provide the EPA R5 with quarterly inspection summaries.

**FA Status:** Ongoing.

- e) EPA R5 will review IDEM's PCB inspection reports and, if necessary, issue the appropriate enforcement response, provide technical assistance and guidance on federal PCB regulations, conduct mid-year and year end reviews, provide continuing refresher training to experienced inspectors and basic field investigation training to new inspectors, and provide enforcement training to allow IDEM to prepare penalty calculations.

**JA Status:** (EPA R5 comment) Ongoing. EPA R5 continues to review IDEM inspection reports and provide technical support for the program. IDEM and EPA R5 mutually agreed to not to go through with enforcement training.

**FA Status:** (EPA R5 comment) Completed. EPA R5 reviewed IDEM inspection reports and provided technical support for the program.

Conservation Recovery Act (RCRA) RCRAInfo		L-8
IDEM Contact(s): Greg Overtom	EPA R5 Contact(s): Thomas Crosetto	Due Date: Monthly
EPA R5 Role: Provide program assistance.		
Goal 4:	Ensuring the safety of chemicals and preventing pollution.	
Objective 4.1:	Ensure chemical safety.	
Funding:	PPG	

Resource Conservation and Recovery Act (RCRA) information will be input into the RCRAInfo database on a weekly basis via RCRAInfo data flows

- a) IDEM will collect biennial reports for the 2018 cycle and load data into RCRAInfo.

**JA Status:** In progress. IDEM staff are reviewing submitted reports and planning to submit report corrections by September 7, 2018.

**FA Status:** Complete. IDEM submitted the final reports in October 2018.

- b) IDEM will investigate options for mobile inspections and, if feasible, implement a mobile inspection solution that will update RCRAInfo via IDEM's CME RCRAInfo data flow.

**JA Status:** In progress. IDEM is still looking into options for mobile inspections. We are currently entering data into our Regulatory Management database and updating CME via the RCRAInfo CME dataflow.

**FA Status:** In progress. IDEM currently uses a mobile inspection tool, Digital Inspector, for capturing inspection data. However, IDEM staff must manually enter the data into our Regulatory Management database.

- c) EPA R5 will provide program assistance for all data cleanup within RCRAInfo as needed. This includes all the modules within the national database.

**JA Status:** (EPA R5 comment) IDEM has completed its biennial report for 2018 and the report has passed quality checks and EPA HQ considers it complete. EPA R5 pledges to provide program assistance as needed for data cleanups within RCRAInfo, although this activity did not occur during FY18.

**FA Status:** (EPA R5 comment) EPA R5 pledges to provide program assistance as needed for data cleanups within RCRAInfo.

Rule Development		L-9
IDEM Contact(s): Chris Pedersen		EPA R5 Contact(s): Mary Setnicar
		Due Date: June 30, 2019
EPA R5 Role: Many rule updates are promulgated by EPA R5 and IDEM in mutually agreed upon time frames. Regarding the Research, Development and Demonstration (RDD) rule, EPA R5 will provide assistance, where applicable.		
Goal 5:	Enforcing environmental law.	
Objective 5.1:	Enforce environmental law.	
Funding:	PPG	

Develop equivalent legislation, regulations and program revision applications for RCRA and hazardous and solid waste amendments (HSWA) / non-HSWA

provisions for which the state is prepared to seek authorization. Submit current and future authorization packages within a mutually agreed upon time frame.

- a) IDEM will promulgate and pursue authorization for all RCRA Subtitle C annually and Subtitle I rule(s), as needed.

**JA Status:** Ongoing. IDEM has promulgated hazardous waste rule updates that are current with U.S. EPA rules promulgated until July 1, 2015, under RCRA Subtitle C. IDEM is currently working on a rulemaking that will propose the adoption of U.S. EPA hazardous waste rules promulgated after July 1, 2015, except for the response to the vacatur of the definition of solid waste published on May 30, 2018. This rulemaking is anticipated to be effective in mid-2019. IDEM plans to address the changes resulting from partial vacatur of the definition of solid waste in a separate future rulemaking.

IDEM has submitted a draft Hazardous Waste Authorization Revision Application to seek authorization for U.S. EPA rules promulgated until July 1, 2015. EPA R5 is currently reviewing this application for completeness and potential errors. When IDEM fully understands and addresses any issues that EPA has identified with the Authorization Revision Application, IDEM will submit a final application to U.S. EPA.

For Subtitle I, IDEM promulgated a rulemaking that adopted the UST updates included in the U.S. EPA rulemaking published on July 15, 2015. The rulemaking became effective on June 28, 2018. IDEM is promulgating a follow-up rulemaking that makes corrections to some effective dates that were incorporated by reference in the previous UST rulemaking. This follow-up UST rulemaking is anticipated to be effective in early 2019.

After the UST rulemaking is completed, IDEM plans to submit to U.S. EPA an application for UST State Program Approval.

**FA Status:** Ongoing. IDEM has promulgated hazardous waste rule updates that are current with US EPA rules promulgated until January 3, 2018, under RCRA subtitle C and are anticipated to be effective by the end of 2019. IDEM is currently working on a rulemaking that will propose the adoption of the response to the vacatur of the definition of solid waste published on May 30, 2018, and will include some state-specific requirements. EPA R5 has reviewed a draft Hazardous Waste Authorization Revision Application to seek authorization for US EPA rules promulgated until July 1, 2015. IDEM addressed any issues that identified with the Authorization Revision Application and submitted the application to Indiana's Attorney General for certification. When Indiana's AG has certified the application, IDEM will submit a final application to EPA R5. For Subtitle I, IDEM promulgated a rulemaking that adopted the UST updates included in the US EPA rulemaking published on July 15, 2015. The rulemaking became effective on June 28, 2018. IDEM promulgated a follow-up rulemaking that made corrections to some effective dates that were incorporated by reference in the previous UST rulemaking. The follow-up rulemaking became effective on April 17, 2019. IDEM

submitted an UST State Program Approval final application to US EPA R5 in October 2018. The review and approval of the application is still ongoing.

- b) EPA R5 will provide assistance, where applicable regarding the Research, Development and Demonstration (RDD) rule.

**JA Status:** (EPA R5 comment) EPA will continue to work with IDEM and provide assistance on the current Authorization Revision Application and new upcoming rulemakings. EPA will also continue to provide assistance where applicable, regarding the RDD Rule.

**FA Status:** (EPA R5 comment) EPA continues to work with IDEM on the current Authorization Revision Application.

## Office of Water Quality (OWQ)

Safe Drinking Water Act (SDWA)		W-1
IDEM Contact(s): a) Stacy Jones, b, c, d, e) Matt Prater f) Lucio Ternieden g) Mitt Denney		EPA R5 Contact(s): Tom Poy
EPA R5 Role: a) Review and approve rules, b) Provide support for continued development and improvement of the Safe Drinking Water Information System (SDWIS)/Prime database and the Compliance Monitoring Data Portal, c) Provide compliance assistance, e) Take necessary enforcement action to help reduce the level of non-compliance among small water systems, and f) Encourage CWA/SDWA Program Integration.		Due Date: a, b, c, d, g) Ongoing; e) Annually f) Ongoing.
Goal 2:	Protect America's waters.	
Objective 2.1:	Protect human health.	
Funding:	PPG	

- a) Implement new federal safe drinking water rules, including re-codifying state rules as outlined in the Annual Work Plan.

**JA Status:** In progress. IDEM is waiting on U.S. EPA to finalize changes to the federal lead and copper rule before the state rule is reopened – when the rule is reopened, OWQ will make the minor corrections U.S. EPA has requested. All other drinking water rules are codified and all are being implemented. IDEM awaits the Federal Register publication of Indiana's primacy status for the Revised Total Coliform Rule.

**FA Status:** Complete. Indiana submitted the RTCR primacy application on time. EPA R5 approved the RTCR primacy package and posted the FRN for public comments. There were no public comments submitted. Indiana officially received primacy of RTCR on November 26, 2018. IDEM will not be making EPA's requested changes to the state lead and copper rule (LCR) until the final version of the new LCR is promulgated by U.S. EPA.

- b) Submit all required federal reporting as referenced in the Annual Work Plan, which tracks Strategic Targets SDW-211, SP1.N11, SP2, SP4a, and SP4b, as well as Program Activity Measures SDW-01a, 04, 05, and SDWA02.

**JA Status:** Ongoing. Indiana's SDWIS/State data is reported quarterly to SDWIS/Fed following the guidelines provided by EPA R5. EPA finds that IDEM is doing a great job on reporting on time and correcting all errors each quarter. An evaluation of the data in 2017 Annual Compliance Report (ACR) shows the in-compliance rates at about seventy-three percent (73%) for monitoring and reporting (M/R) violations, ninety-nine percent (99%) for MCLs, and ninety-five (95%) for TT violations. The majority of violations are related to failing to collect and/or report samples. Approximately twenty-seven percent (27%) of the total number of active water systems have sampling (M/R) violations for at least one contaminant, but the majority of those systems (approximately 79%) are transient public water systems. The percentage of population that currently

meets health-based standards was measured quarterly and the average for the four quarterly results was ninety-nine percent (99%) of the population served by CWSs in Indiana meets all health standards.

**FA Status:** Ongoing and Completed. Indiana's SDWIS/State data is reported quarterly to SDWIS/Fed following the guidelines provided by EPA R5. Indiana submitted the 2018 Annual Compliance Report (ACR) in June 2019. The 2018 ACR indicates the in-compliance rates at about seventy-one percent (71%) for monitoring and reporting (M/R) violations, ninety-eight percent (98%) for MCLs, and ninety-four (94%) for TT violations. The majority of violations are related to failing to collect and/or report samples. Approximately twenty-nine percent (29%) of the total number of active water systems have sampling (M/R) violations for at least one contaminant, but the majority of those systems (approximately 75%) are transient public water systems. The percentage of population that currently meets health-based standards was measured quarterly and the average for the four quarterly results was ninety-nine percent (99%) of the population served by CWSs in Indiana meets all health standards. Indiana has fulfilled the Strategic Targets and Program Activity Measures set by U.S. EPA.

- c) Maintain the Public Water Supply Supervision Program by maintaining a database management system SDWIS that accurately tracks the inventory (including routine updates of system information), violations and enforcement, sampling information and compliance determination for all safe drinking water contaminants.

**JA Status:** Ongoing. IDEM plans to transition from SDWIS/State to the SDWIS Prime application as soon as U.S. EPA releases a working version for states to use. Indiana plans on being one of the first pilot states to test and use SDWIS Prime for production. EPA notes, that IDEM does not currently issue violations for late CCR submittals unless the submittals are later than the end of each calendar year. Further, the state is requesting that PWSs conduct Tier 3 public notification (PN) but is not able to track or issue Tier 3 PN violations due to the lack of staff resources.

**FA Status:** Ongoing. IDEM continues to utilize and maintain SDWIS/State until U.S. EPA releases an updated version for states to use. Indiana will continue to work with U.S. EPA on developing and transitioning to a new version of SDWIS/State. IDEM continues to issue CCR violations by the end of each calendar year. Tier 3 PN violations are not issued due to the lack of staff resources.

- d) All violations – All public water systems (PWSs) with violations will first receive a letter of noncompliance. For systems that do not correct the violation after receiving the letter of noncompliance, IDEM will initiate formal enforcement actions, as appropriate, consistent with agency policies and procedures.

**JA Status:** Ongoing. IDEM consistently responds to the quarterly U.S. EPA

Enforcement Targeting Tool (ETT) report and addresses PWSs with a score of 11 or above. PWSs with a score of 11 or above will be returned to compliance or put on a path to compliance with timeframes established by U.S. EPA.

**FA Status:** Ongoing and Completed. IDEM consistently responded to the quarterly U.S. EPA Enforcement Targeting Tool (ETT) report and addressed PWSs with a score of 11 or above. PWSs with a score of 11 or above will be returned to compliance or put on a path to compliance with timeframes established by U.S. EPA.

- e) Maximum Contaminant Level and Treatment Technique Violations – 92 percent of population served by community water systems will receive drinking water that meets all applicable health-based drinking water standards through approaches including effective treatment and source water protection (SDW–211).

**JA Status:** Ongoing. The percent of Hoosiers with Excellent Drinking Water was 98.24 percent for the 2<sup>nd</sup> quarter of 2018.

**FA Status:** Ongoing. The percent of Hoosiers with Excellent Drinking Water was 99.4 percent for the 2<sup>nd</sup> quarter of 2019.

- f) Sanitary surveys at public water supply systems (PWSs) – Complete sanitary surveys at PWSs consistent with SDWA and as outlined in the Annual Work Plan.

**JA Status:** Ongoing. IDEM is converting to a new Sanitary Survey (SS) tool. IDEM has contracted with Global Environmental Consultants (GEC) to develop, train and deploy the Safe Water Information Field Tool (SWIFT) survey. This new program will be able to communicate with SDWIS and eventually SDWIS Prime. It is anticipated that this new tool will enhance field operations in the Sanitary Survey inspection process. It will also allow the Field Inspection Section to track and present data more quickly and effectively. Indiana is working toward a seven-day turn-around on inspection reports, where reports are to be issued to the facility within seven days of the site visit. SWIFT will help achieve this goal because it will directly populate fields in the SS report that are already in SDWIS. This project is underway and full deployment is expected before the end of 2019. IDEM will continue to conduct SS inspections according to the time frame requirements set forth by the EPA.

**FA Status:** Ongoing. In February of 2019, IDEM transitioned to a new SS tool called SWIFT Survey. All field staff were able to transition to SWIFT Surveys and start developing actual field reports by Feb 1. This electronic reporting tool allows field staff to conduct electronic site visits at PWSs. The overall survey process is now streamlined and organized in a user-friendly way for field inspectors. SWIFT Surveys also has the capability to communicate with SDWIS. Indiana will continue to ensure that sanitary surveys are conducted periodically that, at a minimum, meet frequency requirements specified by rule. IDEM is continuing its effort to make conducting sanitary surveys a



high priority as a core component of the drinking water program.

- g) Encourage CWA/SDWA Program Integration – Assist the Clean Water Act Program in development of a methodology for assessing drinking water use. Where possible, encourage data sharing and protection of surface water sources of drinking.

**JA Status:** Ongoing. IDEM sampled six public surface water supply systems in 2016, five in 2017, and is sampling 10 in 2018 to measure the level of cyanobacteria and cyanotoxins at the PWS intakes and the effects of treatment on cyanobacteria and cyanotoxin levels in finished water. IDEM is sampling for cyanobacteria, cyanotoxins, nutrients, metals, general chemistry and genetic indicators. The primary objectives of this initiative are to determine: what and when cyanobacteria and cyanotoxins are present; if there are discernable cofactors for cyanobacteria growth or toxin production; what role genetic indicators play; and the efficacy of current algaecide treatments.

**FA Status:** Ongoing. IDEM is currently implementing a HABs sampling pilot project at surface water supplies on a round robin basis. IDEM is currently sampling for cyanobacteria and cyanotoxins at 10 PWSs throughout the state for the 2019 sampling season. There has not been any cyanotoxins detected in the finished water (after treatment), based on the results we have received so far in 2019.

h) EPA R5 will:

- Review and approve rules.
- Provide compliance assistance.
- Take necessary enforcement action to help reduce the level of non-compliance among small water supply systems.
- Provide support for continued development and improvement of SDWIS/Prime and CMDP.

**JA Status:** (EPA R5 comment)

- Review and approve rules: The Regional Administrator signed the Federal Register (FR) notice on October 3, 2018, tentatively approving RTCR primacy for IDEM, and this FR notice is expected to be published by November 2018.
- Provide compliance assistance: A Program Review Is underway by EPA to evaluate IDEM's implementation of the PWSS program. An on-site visit is scheduled for December 2018 and findings and recommendations will be provided in the final report in FY19.
- Take necessary enforcement action to help reduce the level of non-compliance among small water supply systems: EPA R5 issues quarterly Enforcement Targeting Tool (ETT) letters requesting

information and Federal referrals for PWSs with a score of 11 or above. When requested, EPA assists the State with Federal enforcement actions.

- Provide support for continued development and improvement of SDWIS/Prime and CMDP: Region 5 continues to inform the State and coordinate Exchange Network grants including the one awarded to them this year.

**FA Status:** (EPA R5 comment)

- The RTCR FR primacy approval for IDEM became final was on November 26, 2018.
- EPA held an on-site visit with IDEM to conduct a Program Review on December 11 and 12, 2018, to evaluate IDEM's implementation of the PWSS program. A draft report has been written and will be sent to IDEM for review in December 2019. Findings and recommendations will be provided in the final report in FY20.

Office of Water Quality (OWQ) Permits		W-2
IDEM Contact(s): a) Jerry Dittmer & Leigh Voss b) Jerry Dittmer & Nikki Gardner d) Martha Clark Mettler  EPA R5 Role: Provide timely review, technical assistance and comment and identify issues at an early stage in the process.		EPA R5 Contact(s): a) Kevin Pierard b) Kevin Pierard  Due Date: See below
Goal 2	Protecting America's waters.	
Objective 2.1:	Protect human health.	
Funding:	State	

a) Municipal National Pollutant Discharge Elimination System (NPDES) Permits – Issue 95 percent of all identified priority NPDES permits, issue new permits within statutory time frames.

- Issue municipal priority permits within requested time frames.
- Maintain the backlog of municipal permits at 10 percent or less.
- Issue new municipal NPDES permits within statutory time frames.
- EPA R5 will review NPDES discharge permits greater than five million gallons per day (MGD) in the Lake Michigan basin and NPDES

discharge permits greater than one million gallons per day (MGD) that directly discharge to Lake Michigan.

- Provide numbers for the following two pretreatment measures, twice a year (first week of April and October):
  - Number of Significant Industrial Users (SIUs) that are discharging to POTWs with Pretreatment Programs that have control mechanisms in place that implement applicable pretreatment standards and requirements.
  - Number of Categorical Industrial Users (CIUs) that are discharging to POTWs without Pretreatment Programs that have control mechanisms in place that implement applicable pretreatment standards and requirements.

**JA Status:** Ongoing. Due to IDEM's lack of a permit backlog, Indiana did not have any priority permits for FY18. Of the 18 permits that U.S. EPA identified to review (see table below) IDEM has issued all (14) of the individual permits and is actively working on converting the (four) general permits. As of July 1, 2018, IDEM had zero percent (0%) backlogged NPDES permits. All new municipal and industrial NPDES permits are issued within state statutory time frames.

The OWQ, Compliance Branch continues to timely provide the pretreatment measure information to U.S. EPA. There are 546 SIUs discharging to POTWs with delegated pretreatment programs, and there are 142 CIUs that discharge to non-delegated POTWs.

**FA Status:** Ongoing. Due to IDEM's continued lack of NPDES backlog, Indiana did not have any priority permits for FY19. IDEM was selected to take part in the Permit Quality Review (PQR) in 2019. The on-site portion of the

PQR took place in June 2019. Due to the PQR, the number of municipal permits that U.S. EPA identified to review was reduced to three. IDEM has issued all of the individual permits (IN0025585 Marion, IN0030651 South Haven, and IN0021270 Rushville). As of July 1, 2019, IDEM had zero percent (0%) backlogged NPDES permits. All new municipal NPDES permits are issued within state statutory time frames.

The OWQ Compliance Branch continues to provide the timely pretreatment measure information to U.S. EPA. There are 546 SIUs discharging to POTWs with delegated pretreatment programs, and there are 190 CIUs that discharge to non-delegated POTWs.

- b) Industrial NPDES permits – Issue 95 percent of all identified priority NPDES permits and issue new permits within statutory time frames.
  - Issue industrial priority permits within requested time frames.

- Maintain the backlog of industrial permits at 10 percent or less.
- Issue new industrial NPDES permits within statutory time frames.
- EPA R5 will review permits previously identified for review, all general permits and individual permits for the major dischargers are listed below. EPA R5 will provide a non-objection letter once any objectionable issues EPA R5 raised have been resolved. IDEM and EPA R5 will evaluate the list annually to identify additional permits for EPA R5 to review based on national and regional priorities and/or permits to remove from the list.

**JA Status:** Ongoing. Due to IDEM's lack of permit backlog, Indiana did not have any priority permits for FY18. Of the 18 permits that U.S. EPA identified to review (see table below) IDEM has issued all (14) of the individual permits and is actively working on converting the (four) general permits. As of July 1, 2018, IDEM had zero percent backlogged NPDES permits. All new municipal and industrial NPDES permits are issued within state statutory time frames.

**FA Status:** Ongoing. Due to IDEM's lack of NPDES permit backlog, Indiana did not have any priority permits for FY19. Zero (0) Industrial permits were identified by U.S. EPA for review in FY 2019 due to Indiana's EPA R5 will provide timely review, technical assistance, comments, and identify issues at an early stage in the process.

### **2017**

<b>NPDES</b>	<b>Name</b>
GP (Rule 13)	Storm Water Associated with MS4 Conveyances
GP (Rule 14)	On-Site Residential Sewage – Allen Co.
GP (Rule 5)	Storm Water Construction Activity
GP (Rule 6)	Storm Water Industrial Activity
IN0000094	Arcelor Mittal Indiana Harbor East
IN0000132	NIPSCO Bailly
IN0000205	Arcelor Mittal Indiana Harbor West
IN0002852	Eli Lilly Clinton Labs
IN0021181	Franklin WWTP, City of
IN0022977	Gary Sanitary District WWTP

IN0023060	Hammond Sanitary District
IN0024660	Valparaiso WWTP
IN0025640	Mishawaka WWTP
IN0025674	Elkhart WWTP
IN0055760	Clay Township RWD WWTP
IN0060950	AEP Lawrenceburg WWTP
IN0061077	USS Grand Calumet Dredging
IN0063711	Arcelor Mittal CWTP

- c) EPA R5 will provide timely review, technical assistance, comments, and identify issues at an early stage in the process.

**JA Status:** (EPA R5 comment) Ongoing. EPA R5 continues to work with IDEM to provide timely review of permits and provide technical assistance and to identify issues early in the permit review process. EPA R5 draft permits reviews for Indiana were completed in an average of 22.6 days which is below the goal of 45 days. Consistent with the goals to work through issues early in the process. The review of the proposed permits for FY 2018 was lower than that of the draft permits at 8.75 days. This average review of proposed permits was below the overall goal of 45-days.

**FA Status:** (EPA R5 Comment) Ongoing. EPA R5 continues to work with IDEM to provide timely review of permits and provide technical assistance and to identify issues early in the permit review process. EPA R5 draft permits reviews were completed in an average of 22.6 days which is below the goal of 45 days. Consistent with the goals to work through issues early in the process. The review of the proposed permits for FY 2019 was lower than that of the draft permits at 8.75 days. This average review of proposed permits was below the overall goal of 45-days.

- d) IDEM shall continue work on converting general permits-by-rule to administratively-issued general permits.
- IDEM will coordinate the issuance of the general permits with the General Permit rulemaking to ensure all current permittees retain coverage.
  - EPA R5 will continue to work expeditiously to review the draft general permit language and once EPA R5 agrees, EPA R5 will issue a non-objection letter so IDEM can proceed with the public notice of the draft

permit and subsequently the issuance of the final permit consistent with the MOA. EPA R5 has reviewed and provided such non-objection letters for five draft general permits.

- IDEM will submit a schedule by September 30, 2017 that includes dates by which IDEM will issue the following general permits and the dates by which IDEM will make available the associated Notice of Intents (NOIs):

**JA Status:** (EPA R5 comment) NPDES branch will need an updated GP conversion schedule from IDEM.

- Rule 5 - Construction Stormwater;
- Rule 6 - Industrial Stormwater;
- Rule 7 - Coal Mining;
- Rule 13 - Municipal Separate Stormwater Systems (MS4); and,
- Rule 14 - Allen County On-Site Systems.

IDEM is developing an updated/ revised GP conversion schedule. The schedule shall ensure that the issuance of the permits and associated NOIs are completed as soon as possible, but no later than April 20, 2020.

- IDEM will submit, through IDEM's Office of Legal Counsel, its response to U.S. EPA's October 11, 2016 letter (from Tinka Hyde to Martha Clark Mettler) within 90 days from signature of the PPA that outlines IDEM's plans to address issues raised in the letter and includes a schedule by which any necessary materials are presented to the Indiana Environmental Rules Board to support rulemaking

**JA Status:** Ongoing. On September 29, 2017, IDEM submitted a response to U.S. EPA's October 11, 2016 letter (from Tinka Hyde to Martha Clark Mettler) which included dates by which IDEM will issue the remaining general permits (GPs) and the dates by which IDEM will make available the associated Notice of Intents (NOIs). On January 31, 2018, IDEM submitted a more detailed response to U.S. EPA's October 11, 2016 letter and a revised GP conversion schedule. U.S. EPA is actively reviewing this response and will communicate its findings with IDEM. On March 23, 2018, IDEM sent a heads-up informing U.S. EPA that submission of the proposed final construction site runoff storm water GP would be delayed from March to April – it was submitted to U.S. EPA on May 2, 2018, for which EPA provided a non-objection letter to IDEM on June 4, 2018.

The proposed final Allen County onsite residential sewage systems GP was submitted to U.S. EPA on January 30, 2018 and additional supporting information was submitted on February 16, 2018. On July 27, 2018 the draft GP was public noticed with a public meeting scheduled for August 29, 2018 and the comment period ending September 7,

2018. U.S. EPA has provided a non-objection letter to IDEM regarding this draft general permit (ING410000). IDEM is in the process of developing the MS4 GP.

**FA Status:** Ongoing. IDEM continues to work on the conversion of the GPs. The Construction Storm water GP (Rule 5) is drafted and received a non-objection letter from EPA R5. The MS4 GP (Rule 13) is also drafted and has been reviewed by EPA R5 staff. IDEM is in the process of receiving feedback from stakeholders on the draft permit and expects to send a final version for EPA R5 review in October 2019. IDEM has a draft Industrial Storm water (Rule 6) permit written and undergoing senior management review prior to going to EPA R5. The rule making process has started.

**JA Status:** (EPA R5 comment) It is our understanding that this permit has not yet been sent to EPA for review. EPA requests that IDEM provide a date by which this will be submitted to EPA and that IDEM will participate in a conference call to discuss the schedule.

**FA Status:** (EPA R5 comment) According to IDEM, the pre-draft Industrial Storm Water general permit will be submitted to EPA for review in early 2020. IDEM is also finalizing the pre-draft Small MS4 general permit for EPA review.

**JA Status:** The General Permits rulemaking (to convert from permits by rule to administrative permits) first notice was posted in the Indiana Register on May 23, 2018 with a 45-day comment period which ended on July 9, 2018. U.S. EPA encourages IDEM to provide a pre-public notice version of the rule to U.S. EPA prior to its public notice so that timely and early feedback on clarifications or revisions can be provided.

**FA Status:** Ongoing. IDEM and EPA had a number of discussions regarding the second noticed rule language. Since another revision of the rule will be needed to repeal the permits-by-rule that remain, this revision was moved forward and the language was Preliminarily Adopted on 08/14/2019.

<u><b>FA Status:</b></u> Ongoing. IDEM and EPA had a number of discussions regarding the <b>Impaired Waters List and Water Quality Report</b>			<b>W-3</b>
IDEM Contact(s): a) Marylou Renshaw & Jody Arthur	EPA R5 Contact(s): Mathew Gluckman & Vilma Rivera-Carrero	Due Date: a) April 1, 2018	
EPA R5 Role: Timely review and comment on materials submitted. Provide guidance on report/list development. Provide continued support and guidance on the use of the Assessment Database.			
Goal 2	Protecting America's waters.		
Objective 2.2:	Protect and restore watersheds and aquatic eco-systems.		
Funding:	PPG		

- a) Prepare the Assessment Database (ADB) data for migration to ATTAINS in 2017. IDEM will submit the Integrated Report (IR), including 303(d) List of Impaired Waters by established deadlines and provide additional IR information (e.g., assessment methodology, GIS files) in other appropriate formats, as required by the IR Guidance (U.S. EPA WQ-7). *(Provided U.S. EPA can assist with the migration of data to ATTAINS and its quality assurance, the 303(d) List of Impaired Waters will be submitted through ATTAINS by established deadlines in 2018.)*

**JA Status:** (EPA R5 comment). In progress. IDEM provided a full set of all its water quality assessment data through the 2018 Integrated Reporting (IR) cycle to U.S. EPA on February 8, 2018 in the format necessary to upload the data set into the new ATTAINS system. U.S. EPA's most recent IR guidance calls for all states to use the new ATTAINS system for their IR submittals starting with the 2018 cycle. IDEM has done that to the extent possible. With the data in production (i.e. "live") in the ATTAINS system, IDEM will work with the data and use the system for submittal of the remaining components of its IR and open the supporting data for the IR to facilitate U.S. EPA review through ATTAINS. IDEM has provided all data and information pertaining to its Integrated Report requested by EPA R5 to date and awaits a formal decision from U.S. EPA regarding Indiana's 2012, 2014, 2016, and now 2018 303(d) lists.

**FA Status:** IDEM formally submitted its water quality assessment data for the 2018 Integrated Report cycle through ATTAINS on June 20, 2019. IDEM's submission occurred after EPA R5 notified IDEM of its combined, partial approval of Indiana's 303(d) lists for 2012 through 2018. As a result, IDEM had to "roll back" some of the changes made while finalizing its 303(d) list for the 2018 cycle in order to ensure the data in ATTAINS matched the approved 2018 303(d) list. Most of these changes were the result of assessment unit IDs that had been retired either in a previous cycle or after the draft 2018 303(d) list was published but which were not accounted for in U.S. EPA's final approval. These AUIDs will now have to be retired again for the 2020 cycle and their impairments transferred over to their updated AUIDs. IDEM has maintained an accurate inventory of these AUID impairments, which will make their resolution in the 2020 Integrated Report cycle relatively straightforward.

- b) EPA R5 will provide timely review and comments on materials submitted, guidance on report/list development, and support and guidance on the use of the ADB.

**JA Status:** (EPA R5 comment) Ongoing. EPA R5 continues to work with IDEM to provide technical assistance with regards to Indiana's 2018 IR data upload into the ATTAINS system. EPA R5 is also continuing its review of Indiana's 303(d) List, submitted to the Agency on August 14, 2018, and will provide comments regarding the submitted information. EPA R5 is working on an action regarding the 2012-2016 lists.



**FA Status:** (EPA R5 comment) Ongoing. EPA continues to work with IDEM to provide technical assistance with regards to Indiana's IR data uploads into the ATAINS system. IDEM's 2018 303(d) list was officially submitted and reviewed by EPA outside of the ATAINS system. EPA took action on IDEM's 2018 list on May 9, 2019. IDEM uploaded its 2018 list into ATAINS on June 20, 2019, and EPA verified that the uploaded list matched the 303(d) approved list. For the 2020 cycle, IDEM has committed to using the ATAINS system for the official 303(d) list submittal. EPA will review the Indiana's 303(d) list, submitted via ATAINS, and will provide comments regarding the submitted information.

Surface Water Quality Monitoring Strategy		W-4
IDEM Contact(s): a), b) & d) Marylou Renshaw, Cyndi Wagner, Stacey Sobat c) Kristen Arnold, (e) Jody Arthur EPA R5 Contact(s): Linda Holst, Mari Nord, & Ed Hammer Due Date: Annually		
EPA R5 Role: Provide assistance in revising monitoring strategy. Review and provide comments on draft and final products. Work with IDEM to implement the strategy and identify resources to address identified gaps. Work with IDEM to identify resources to address issues identified in the strategy and provide technical assistance/guidance as requested. Provide meeting support and travel support as available. Encourage CWA/SDWA Program integration.		
Goal 2:	Protect America's waters.	
Objective 2.2:	Protect and restore watersheds and aquatic ecosystems.	
Funding:	PPG	

- a) Implement the 2017 – 2021 Water Monitoring Strategy in the 2017 through 2019 monitoring seasons (U.S. EPA PAM WQ-6a). IDEM will use the PPA update reporting procedures to provide information on progress, with the elements and level of details agreed upon by IDEM and EPA R5.
- Monitor waters, utilizing the probabilistic monitoring design to provide sufficient data to adequately assess the status of Indiana's surface water quality following the schedule identified in the IDEM Monitoring Strategy. Assuming grant funds are awarded, participate in National Aquatic Resource Surveys: lakes in 2017, and rivers and streams in 2018 and 2019. During the current sampling season (summer 2017), IDEM will sample a minimum of 38 sites in the Upper Illinois River (Kankakee) basin. Next sampling season (summer 2018 and 2019), IDEM will sample a minimum of 38 sites in the Great Lakes basin and a minimum of 38 sites in the Ohio River tributaries.
  - Monitor waters employing a targeted design based on the data quality objectives and to support the following: WQS development, NPDES permitting and compliance, public health advisories, to address emerging

water quality issues, to determine water quality trends and to evaluate the performance of programs.

**JA Status:** Ongoing. IDEM was awarded grant funds and subcontracted the 2017 National Lakes Assessment (NLA) sampling to Indiana University School of Public and Environmental Affairs (IU SPEA) for the National Aquatic Resource Surveys. IDEM was awarded grant funds and subcontracted the 2018 and 2019 National Rivers and Streams Assessment (NRSA) sampling to United States Geological Survey (USGS).

The 2017 probabilistic monitoring of the Upper Illinois River (Kankakee) basin is complete. The 2018 probabilistic monitoring of tributaries in the Great Lakes basin began in April 2018 and should be completed by the end of October 2018.

To support development of numeric nutrient criteria for rivers and streams in Indiana, the monitoring for the nutrient pilot project was completed in 2017 which included general chemistry, nutrients, metals, habitat evaluations, and biological communities (diatoms, macroinvertebrates, fish) with additional data collected on soluble reactive phosphorus, ash free dry mass, and dissolved oxygen through the deployment of dissolved oxygen loggers. Analysis of the data continues and should be completed by spring 2019.

As part of a 10-year ongoing project to refine the IBI for aquatic assemblages, 30 reference sites were sampled beginning in May 2018 and should be completed by the end of October 2018.

To assist with NPDES permitting and compliance, thermal studies were completed in 2017 for Cayuga Electric Generating Station (EGS), Shiloh Industry, R.M. Schafer, and Petersburg EGS which included thermal profiles and biological sampling.

Bluegreen algae monitoring at 15-state owned or managed swimming beaches to assist in Public Health Advisories was done from May through August 2018.

Performance measures monitoring continues. Fish Community is completed for all 9 sites. All macroinvertebrate sampling for those sites and the one site that needs dissolved oxygen data will be completed by October 31, 2018.

**FA Status:** Ongoing. The 2018 probabilistic monitoring of tributaries in the Great Lakes basin was completed in October of 2019. The 2019 probabilistic monitoring of the Ohio River tributaries began in April 2019 and should be completed by the end of October 2019. Analysis of the data from the nutrient pilot project is complete and the report with recommendations are under peer review prior to its submission to upper management, which will occur by October 1, 2019.

As part of a 10-year ongoing project to refine the IBI for aquatic assemblages, 30 reference sites were completed in 2018 and another 30 reference sites were sampled beginning in April 2019, and should be completed by the end of October 2019.

To assist with NPDES permitting and compliance, thermal studies were completed in 2018 for Turtle Creek Reservoir in relation to the Hoosier Energy Merom Electric Generating Station (EGS), which included thermal profiles and biological sampling. Also, winter temperature monitoring and summer biological community assessments were conducted in Turtle Creek (2019) both upstream and downstream of Turtle Creek Reservoir.

Bluegreen algae monitoring at 15-state owned or managed swimming beaches to assist in Public Health Advisories was done from May through August 2019.

Performance measures monitoring was completed for 2018 and continues for 2019 to be completed by October 31, 2019.

- b) Participate in regional monitoring newsletter, webinars and activities, as resources allow.

**JA Status:** Ongoing. OWQ managers and staff participated in webinars and conferences regarding the National Aquatic Resource Surveys, U.S. EPA tools and resources, quality assurance, numeric nutrient criteria, harmful algal blooms, [Watershed Academy](#) modules, water research, water quality monitoring, and the Monitoring and Assessment Partnership. IDEM (James Stahl) contributed an article on the Great Lakes Consortium for the October 2017 U.S. EPA Fish and Shellfish Program Newsletter. IDEM (Cyndi Wagner) contributed an article in the spring 2018 National Water Quality Monitoring Conference newsletter on harmful algal blooms and human/pet health.

**FA Status:** Ongoing. OWQ managers participated in the November 2018 U.S. EPA Region 5 Water Quality Monitoring Managers Meeting. Staff attended NARS discussions and presented long term water quality trends in Indiana streams at the National Water Quality Monitoring Council Conference in March 2019.

- c) IDEM will continue to implement a regular schedule to upload water quality data to U.S. EPA HQ's national Storage and Retrieval (STORET) system through an updated Assessment Information Management System (AIMS) database.

**JA Status:** Ongoing. All surface water chemistry and bacteriological data are uploaded from the AIMS database to STORET through the IDEM WQX Node as soon as

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Watershed Assessment Planning Branch (WAPB) quality assurance processes are completed. WAPB surface water chemistry and bacteriological data generated from 2014 through May 2018 are available in the STORET file INSTOR\_WQX. Fish community data in AIMS from 2016 and 2017 were uploaded successfully to STORET. Fish community data will be uploaded on an annual basis following all verification and quality control processes. A macroinvertebrate community upload will be completed after discrepancies between AIMS and STORET naming conventions are rectified.

**FA Status:** Ongoing. All WAPB surface water chemistry and bacteriological data generated through May 2019 are available in the STORET file INSTOR\_WQX. Fish community data in AIMS through 2018, were uploaded successfully to STORET. Fish community data will continue to be uploaded on an annual basis following all verification and quality control processes. The macroinvertebrate community upload is still pending until discrepancies between AIMS and STORET naming conventions are rectified.

- d) IDEM will provide separate, timely reports, as required by the grant agreements, on all activities funded by the monitoring initiative funds (specific activities are identified in separate amended grant work plans, including implementation of the national surveys and monitoring strategy activities).

**JA Status:** Ongoing. FFY 14-15: Reference site selection completed. Fish and macroinvertebrate Biological Condition Gradient completed and reports published. New fish and macroinvertebrate Index of Biotic Integrity metrics were chosen and report published. Contractor still working with IDEM staff to enhance the AIMS database to accommodate the new metrics.

**FA Status:** Ongoing. FFY18: IDEM received funding to add the Indiana Biological Condition Gradient calculations for Fish and Macroinvertebrates to IDEM's Assessment Information Management System database. IDEM is also working with EPA R5 to develop an Index of Biotic Integrity for Diatom Communities.

- e) Develop an implementation plan for its methodology for assessing drinking water use. Where possible, encourage data sharing and protection of sources of drinking water.

**JA Status:** Ongoing. IDEM finalized its water quality assessment methodology for public water supply source waters for the 2018 cycle. However, very little data exists with which to implement it. IDEM is actively exploring different approaches to collecting the data necessary to conduct assessments for this designated use in future cycles.

**FA Status:** Ongoing. The WAPB and DWB are working together to determine if the data collected by the DWB through its 2016-2018 monitoring at public surface water supply systems can be used for assessments.

- f) EPA R5 will:

- Provide comments on monitoring strategy.
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- Review and provide comments on draft and final products.
- Work with IDEM to implement the strategy and identify resources to address identified gaps.
- Work with IDEM to identify resources to address issues identified in the strategy and provide technical assistance/guidance as requested.
- Work with IDEM to identify specific areas where CWA and SDWA resources can be used jointly to prevent and mitigate contamination of drinking water sources.

**JA Status:** (EPA R5 comment) IDEM updated and submitted their monitoring strategy in 2017. The Monitoring Strategy is used to identify gaps eligible for 106 monitoring initiative funds. EPA R5 encourages states to revisit and revise their monitoring strategy as needed. EPA R5 will continue to provide support and technical assistance where possible to address identified gaps and issues as requested.

EPA R5 and IDEM have discussed plans to have EPA R5 contract support assist with the development of a diatom IBI for Indiana rivers and streams with work beginning in FY19.

EPA R5 appreciates the effort and progress IDEM has made towards their STORET data submissions, while acknowledging there are remaining issues to be addressed. These relate primarily to the differences in naming conventions between AIMS and STORET. While we understand that there are ongoing efforts to resolve these issues, please feel free to contact R5 STORET coordinator Jonathan Burian ([burian.jonathan@epa.gov](mailto:burian.jonathan@epa.gov)) if further assistance is needed.

EPA R5 continues to provide technical and programmatic assistance to IDEM on the recent enhancements to the public water supply use assessment methodology.

Total Maximum Daily Loads (TMDLs)		W-5
IDEM Contact(s): a) & c) Marylou Renshaw & Angela Brown b) Marylou Renshaw & Cyndi Wagner		EPA R5 Contact(s): a) Peter Swenson b) David Werbach
		Due Date: a) September 30, 2017 & 2018 b) December 31, 2017 & 2018
EPA R5 Role: Timely review and comment, and contractor assistance, and provide guidance/other information on identifying causes/sources of impairment.		
Goal 2	Protecting America's waters.	
Objective 2.2:	Protect and restore watersheds and aquatic eco-systems.	
Funding:	State	

**FA Status:** (EPA R5 comment) No comment.

- a) TMDLs will be developed in accordance with the measures established by EPA R5 and U.S. EPA Headquarters' 303(d) Vision process for prioritizing and implementing the TMDL Program, and IDEM's established Vision priorities. IDEM will submit at least one watershed TMDL project each year. The number of segments/TMDLs will depend upon the watershed. For FFY17, IDEM will submit the South Fork Blue River Watershed TMDL, for FFY18 IDEM will submit the Salt Creek Watershed TMDL, and for FFY19 IDEM will submit the Lower East Fork White River Watershed TMDL. Additional TMDL work beyond this will depend on available resources and staff.

**JA Status:** Ongoing. The South Fork Blue River Watershed TMDL was submitted to U.S. EPA in August 2017 and was approved September 15, 2017 for 50 E. coli TMDLs. The report and decision document are available online at <https://www.in.gov/idem/nps/3942.htm>. The St. Joseph River Watershed TMDL was submitted to U.S. EPA on August 9, 2017 and was approved October 26, 2017 for 58 bacteria (E. coli) TMDLs, 15 nutrients (total phosphorus) TMDLs, and 12 sediments (total suspended solid) TMDLs. The report and decision document are available online at <https://www.in.gov/idem/nps/4003.htm>. The Lower Salt Creek TMDL is in progress. A preliminary draft of the document was transmitted to U.S. EPA in April 2018, and the final document will be submitted for approval before the end of federal fiscal year 2018. Monitoring for the Lower East Fork White River Watershed TMDL is ongoing and the TMDL is under development for submission to U.S. EPA in 2019.

**JA Status:** (EPA R5 comment) EPA continues to work with IDEM to develop TMDLs and ensure timely review of documents. IDEM has continued to develop TMDLs at the one-watershed per year pace. The Lower Salt Creek TMDL was submitted on August 20, 2018, and approved on September 10, 2018, addressing 43 bacteria TMDLs. EPA continues to provide technical support as needed to the IDEM TMDL program.

**FA Status:** Complete and ongoing. All commitments under the 303(d) Vision process (i.e. WQ-27) have been satisfied. The Lower Salt Creek TMDL was submitted to U.S. EPA on August 20, 2018, and was approved on September 10, 2018. Relevant documents are available online at <https://www.in.gov/idem/nps/3955.htm>. Impairments to be added to a Lower East Fork White River Watershed TMDL were published in the Indiana Register on June 5, 2019. Comments on this list of impairments are being accepted by IDEM until September 3, 2019, at which point a TMDL report can be finalized and placed on a 30-day public comment period prior to submission to U.S. EPA in the fall of 2019. Monitoring for the Laughery Creek Watershed TMDL project began in November of 2018 and TMDL completion is anticipated before the end of federal fiscal year 2020.

- b) Targeted (Watershed Characterization) Monitoring Studies - Monitor waters to provide information on sources and causes of impairments for use in the development of TMDLs and/or watershed plans. IDEM commits to at least one watershed characterization study a year.

**JA Status:** Ongoing. Watershed characteristic monitoring for the Lower East Fork White River Watershed to support the watershed group in TMDL implementation began in November 2017 and will finish in October 2018.

**FA Status:** Ongoing. Watershed characterization monitoring for the Lower East Fork White River Watershed to support TMDL implementation was completed in October 2018. Watershed characterization monitoring for the Laughery Creek Watershed to support TMDL preparation and implementation began in November 2018 and will continue through October 2019.

- c) EPA R5 will provide timely review, comments, contractor assistance and will provide guidance or other information on identifying causes/sources of impairment.

**JA Status:** (EPA R5 comment) See input for W-3 above.

**FA Status:** (EPA R5 comment) See input for W-3 above.

Wetland and Stream Impacts and Storm Water Permits		W-6
IDEM Contact(s): Brian Wolff & Randy Braun	EPA R5 Contact(s): a) Peter Swenson b) Brian Bell	Due Date: Ongoing
EPA R5 Role: Provide program assistance.		
Goal 2	Protecting America's waters.	
Objective 2.2:	Protect and restore watersheds and aquatic eco-systems.	
Funding:	Federal/State (Wetlands Mapping Impacts Grant)	

- a) Review applications and issue appropriate permits for wetland and stream impacts.

**JA Status:** Ongoing. Applications for 401 water quality certifications are timely reviewed and permits issued within statutory deadlines.

**FA Status:** Ongoing. IDEM reviewed and issued 1,057 Regional General Permits and 366 Individual Water Quality Certifications over the review period. All permits were issued within the statutory time frames. Permitting staff also conducted 772 compliance inspections during the evaluation period.



- b) Storm water permits – Review applications and issue appropriate permits for construction, municipal and industrial discharges of storm water.

**JA Status:** Ongoing. Storm water authorizations to discharge are administered through Indiana Administrative Code and are covered under general permits for all of the storm water program areas. The only individual permits issued are associated with one Phase I MS4 and where industrial storm water discharges are included in individual wastewater permits.

**FA Status:** Ongoing. Storm water staff did not issue any individual storm water permits however processed over 2,500 general permit applications. IDEM staff are in the process of implementing a new online permit application system and online communication system to assist the regulated community with managing storm water permits.

- c) EPA R5 will provide program assistance.

**JA Status:** EPA Region 5 will continue to work with IDEM on this measure. EPA Region 5 is always available to provide assistance when requested.

**FA Status:** (EPA R5 comment) Ongoing. EPA Region 5 wetlands program provides assistance in the form of wetland program development grants (WPDGs). IDEM received WPDG funding from EPA in fall of 2016. IDEM proposed to develop and deploy educational and mapping tools to assist the agency with wetland awareness, protection, and restoration activities with the state of Indiana. With these resources, IDEM will have the resources to better educate public and private entities on the functions and values wetland provide within the watersheds. The proposed interactive mapping tool will provide IDEM, local planning and zoning departments and other resource agencies the necessary tools to improve wetland preservation and mitigation strategies within the state. Funding was received in the fall of 2016 and the project was projected to span 3 years. The work directly addresses strategies in the States 2015-2020 Wetland Program Plan that was approved by EPA. Further, it has implications for indirect benefits to the state regulatory program for wetlands. This grant project is currently ongoing and planned to be completed in September 2020.

Water Quality Standards		W-7
IDEM Contact(s): a), b), c), d) & e) Martha Clark Mettler & Eileen Hack		EPA R5 Contact(s): Scott Ireland & David Pfeifer b),c) and e) d) Tom Poleck
EPA R5 Role: Participate in rulemaking workgroups or meetings, as requested by IDEM. Review draft IDEM work products and provide timely comments. To the extent that resources are available, assist IDEM with travel support for regional meetings, such as the Regional Technical Assistance Group (RTAG) and Water Quality Standards (WQS) meetings.		Due Date: Ongoing
Goal 2:	Protect America's waters.	
Objective 2.2:	Protect and restore watersheds and aquatic ecosystems.	
Funding:	Federal Water Quality Grants	



IDEM will work to complete timely water quality standards (WQS) revisions (U.S. EPA PAM WQ-3a).

- a) IDEM will work with external stakeholders to update metals criteria to reflect current science. IDEM's goal is to have the revised metals criteria language by December 30, 2017.

**JA Status:** In progress. IDEM published the 2<sup>nd</sup> Notice Metals Rulemaking on November 3, 2017. The comment period was extended to February 1, 2018 at the request of stakeholders. Twelve stakeholders and EPA R5 provided written comments. IDEM has worked with EPA R5 and stakeholders regarding proposed criteria updates and is in the process of preparing a response to comments and revised draft rule language for third notice.

**FA Status:** Ongoing. IDEM continues to work with EPA R5 and stakeholders regarding proposed criteria updates and is in the process of preparing a response to comments and revised draft rule language for preliminary adoption.

- b) IDEM will revise the nutrient criteria development plan to accurately reflect achievable milestones, including, but not limited to, reevaluating data and assessing options to overcome implementation challenges (U.S. EPA PAMs WQ-1a, WQ-1d, participate in regional activities (Regional Technical Assistance Group (RTAG)) meetings and conference calls), and provide EPA R5 with revisions to the nutrient criteria development plan by August 1 of each fiscal year and interim work products for EPA R5 input (U.S. EPA PAM WQ-1a and WQ-1d).

**JA Status:** Complete. IDEM submitted an updated nutrient criteria development plan to EPA R5 in August 2018.

**FA Status:** Complete. IDEM submitted an updated nutrient criteria development plan to EPA R5 in August 2018.

- c) IDEM will work with U.S. EPA headquarters (and R5) to provide data to test their model for deriving inland lake nutrient criteria.

**JA Status:** In progress. IDEM provided U.S. EPA four data sets for consideration for a case study to test their model to derive inland lake nutrient criteria. One data set (2012-2016) includes observational information, field measurements, and laboratory results associated with cyanotoxins monitoring (anatoxin-a, cylindrospermopsin and microcystin LR) at certain Indiana recreational lakes. In addition to the toxin results, the data set includes physical and water chemistry measurements: air temperature, ammonia-N, DO, DO saturation, nitrate/nitrite, TKN, total organic carbon, orthophosphate, pH, TP, sky conditions, specific conductance, water temperature, turbidity, wind direction and wind strength. A second data set (2010-2016) includes cell counts of the cyanotoxin-producing species at certain recreational lakes. A third data set, collected by the Indiana Clean Lakes Program, includes routine assessments of

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water quality on all Indiana lakes, including water chemistry, nutrients and algae/cyanobacteria cell counts. Finally, IDEM provided a 2007 report contracted to analyze lake nutrient data towards developing nutrient criteria. In addition to water chemistry, physical measurements and nutrient data, this study includes information on lake geomorphology, watershed area, ecoregion and lake type that may be useful for U.S. EPA's model when used in context of more recently collected data.

After reviewing Indiana's data sets, U.S. EPA determined that there is sufficient data to use the TN-microcystin model as a case study to develop a TN criterion for inland lakes. They have queued modeling Indiana data into the second round of case studies, projected for September of 2018.

**FA Status:** Ongoing. EPA has reinvigorated this work and is reevaluating IDEM's data. IDEM awaits the recommendations that result from EPA's analysis.

- d) IDEM will evaluate updating human health methods and human health criteria outside of the Great Lakes Basin.

**JA Status:** Ongoing. IDEM continues to evaluate and hopes to proceed with First Notice of Rulemaking (1) updating the human health methodology outside of the Great Lakes Basin, and (2) adopting U.S. EPA 2015 updated recommended ambient water quality criteria for the protection of human health, including recommendations for updated exposure inputs, health toxicity values, bioaccumulation factors and relative source contribution. In this rulemaking, IDEM will also propose to update the aquatic life methodology outside of the Great Lakes System.

**FA Status:** Ongoing. No change from JA Status.

- e) IDEM will evaluate adopting of U.S. EPA's published 304(a) aquatic life criteria recommendations for ammonia, cadmium, selenium, copper biotic ligand model, carbaryl, diazinon, nonylphenol, and tributyltin.

**JA Status:** Ongoing. IDEM proposed to adopt U.S. EPA's published 304(a) aquatic life criteria recommendations for cadmium and selenium in the Metals Rulemaking [see W-7(a)]. IDEM has postponed a decision on adopting the copper biotic ligand model pending recommendations from the U.S. EPA –Metals Association Cooperative Research and Development Agreement (CRADA) to develop a simplified modeling approach that can predict bioavailability and toxicity of metals (including copper) in the aquatic environment using the most current science. Regarding adoption of the 2013 304(a) aquatic life criteria recommendations for ammonia, IDEM is participating in an EPA R5 Ammonia Workgroup, and has convened an internal workgroup to evaluate implementation options. IDEM is considering adopting U.S. EPA's published 304(a) aquatic life criteria recommendations for carbaryl, diazinon, nonylphenol and tributyltin following a planned rulemaking to update human health and aquatic life methodologies outside of the Great Lakes System [see W-7 (c)].

**FA Status:** Ongoing. No change from JA Status.

- f) IDEM will review and initiate the process to update, if resources allow, its multiple discharger variance for mercury.

**JA Status:** Ongoing. IDEM will consider the multiple discharger variance for mercury as part of a larger internal review towards updating our variance rules to reflect updated U.S. EPA regulations at 40 CFR 131.14, adopted August of 2015.

**FA Status:** Ongoing. No change from JA Status.

- g) EPA R5 will:

- Participate in rulemaking workgroups or meetings, as requested by IDEM.
- Review draft IDEM work products and provide timely comments.
- Assist IDEM with travel support for regional meetings (RTAG, WQS) as resources are available.

**JA Status:** Ongoing. During 2018-2018, EPA R5 supported IDEM WQS program as follows:

- EPA R5 Held four conference calls with IDEM (December 18, 2017, January 8, 2018, January 22, 2018 and January 29, 2018) to provide input and guidance for the 2<sup>nd</sup> Notice Metals Rulemaking.
- EPA R5 provided written comments for the 2<sup>nd</sup> Notice Metals Rulemaking and 2018 Water Quality Standards Review.
- April 3-5, 2017, EPA R5 held a Region 5 State and Tribal Water Quality Standards Meeting at regional headquarters in Chicago. Travel funds were provided for participants.

**FA Status:** (EPA R5 comment) EPA R5 continues to hold regular calls with IDEM staff and management to address additional issues related to this rulemaking. We appreciate IDEM's commitment to continued dialog and resolution of these issues.

**JA Status:** (EPA R5 comment) Ongoing. During 2018, EPA R5 supported IDEM WQS program as follows:

- EPA R5 held an initial conference call with IDEM on May 21, 2018 to discuss issues involved with updating human health criteria and methodologies. R5 is working on as assessment and comparison of the methods in IDEM's current rule vs. national EPA guidance.
- EPA R5 reviewed and provided an assessment of several nutrient related data sets and will continue to assist and coordinate with EPA HQ and IDEM continues to develop nutrient criteria.
- EPA R5 will continue to work with IDEM as the metals criteria rule language is revised in response to comments and the third public notice issued. EPA

R5 encourages IDEM to continue participation in the EPA/State Aluminum Workgroup and consider adoption of the finalized 304(a) guidance expected by the end of CY 2018.

**FA Status:** (EPA R5 comment) EPA has continued its coordination and assistance with IDEM, particularly with nutrient and metal issues. We look forward to further work on these efforts in the future, although the nutrient analyses continue to be on-hold due to lack of resources at EPA HQ to support the analyses. EPA will continue to explore options for moving the Indiana nutrient analyses forward cases under federal lead. Evansville's LTCP has been approved, although a subsequent amendment is currently under review. Gary and Hammond LTCPs remain to be approved.

<b>Compliance Monitoring Strategy (CMS) for Wet Weather Programs, Combined Sewer Overflow (CSO) Long Term Control Plans (LTCP), Sanitary Sewer Overflow (SSO) and Storm Water</b>		<b>W-8</b>
IDEM Contact(s): a) & b) Paul Higginbotham & Jerry Dittmer c) Mark Stanifer, d), e), f) & g) Brian Wolff & Randy Braun	EPA R5 Contact(s): Kevin Pierard & Patrick Kuefler	Due Date: See below
EPA R5 Role: EPA R5 will be the lead on certain environmentally significant CSO communities, working in partnership with IDEM to reach agreement on approvable long-term control plans and implementation schedules. EPA R5 will provide timely review and comment on technical non-rule policy and other documents submitted by IDEM.		
Goal 5:	Enforcing environmental laws.	
Objective 5.1:	Enforce environmental laws.	
Funding:	State	

- a) IDEM will participate in the review and approval of the long-term control plans (LTCPs) and Consent Decree issues in CSO cases under federal lead, including Evansville, Gary, and Hammond (U.S. EPA PAM [SS-1]).

**JA Status:** Ongoing. IDEM participates in the review and approval of the long-term control plans (LTCPs) and Consent Decree issues in CSO cases under federal lead.

**FA Status:** Ongoing. IDEM participates in the review and approval of the long-term control plans (LTCPs) and Consent Decree issues in CSO cases under federal lead. Evansville's LTCP has been approved, although a subsequent amendment is currently under review. Gary and Hammond LTCPs remain to be approved.

- b) IDEM will continue LTCP compliance implementation by (U.S. EPA PAM [SS-1]):
- Monitoring milestone dates in the LTCP through site visits and review of documentation.

- Monitoring compliance with limits (as applicable) through review of submitted monitoring reports.
- Reviewing periodically the approved LTCPs.
- Setting meetings (as needed) with communities and their consultants on the status of the implementation of the LTCPs.
- Status of the implementation of the LTCPs.

Indiana has 72 major and 37 minor CSO communities. Of those 109 CSO Communities, 47 have fully implemented their LTCP. The CMS inspection frequency is to inspect all facilities every five years. In Indiana, that corresponds to approximately 15 major and seven minor inspections, or 22 total each year. However, this is an unrealistic number of annual CEI level inspections/CSO Audits due to the number of dedicated CSO Project Managers (3). In Indiana, 107 of the 109 communities have approved Long Term Control Plans in place. Based on the fact that the majority of CSO communities are now implementing approved LTCPs, IDEM is transitioning its CSO Wet Weather Program and existing staff (Three Full-time Equivalents, FTEs) from LTCP development to LTCP implementation and compliance monitoring/tracking. Due to the limited staff resources, IDEM has developed a thorough computer tracking system through the use of the TEMPO Database. This compliance tracking system allows IDEM to get “the biggest bang for the buck” by allowing the majority of compliance tracking to occur and be reported on from the desks of the CSO Project Managers. This allows for the most efficient and effective use of staff time and retains their ability to contact multiple CSO communities on daily basis on potential compliance issues that would not occur if the majority of their time was spent in the field driving between CSO communities, which can be a considerable distance apart. This compliance tracking approach is further enhanced by in the field inspections (CSO Audits) by the CSO Project Managers, as well CSO DMR and MRO reviews (also done in the office) as part of our compliance monitoring strategy. The compliance tracking systems capabilities are now fully developed and in operation to track and report on all CSO LTCP implementation milestones as well as to maintain other valuable information related to each community. At a minimum, reports are run from this system on a monthly basis to determine if any CSO community is behind on any milestone task. These compliance tracking reports are utilized by the CSO Project Managers to prioritize their work in addressing items of non-compliance that are found. This work could be in the form of: informal phone calls to communities; formal written correspondence with response requested; community identified for a CSO Audit; and/or referral for enforcement. It should also be noted that in addition to the work performed by CSO Project Managers, all the CSO communities are covered by routine inspections from dedicated Inspection Section staff that go to all NPDES permitted facilities on a more frequent basis as required by the CMS. The Inspection Section staff coordinates with CSO Project Managers on a routine basis. While the majority of the CSO Project Manager’s time is now spent on compliance monitoring/tracking, they still have to devote time and attention to participating in the

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remaining Federal CD LTCP negotiations to assure that agreed upon LTCPs are developed and approved (Gary and Hammond). Given IDEM's monthly in-office compliance monitoring/tracking approach combined with in the field CSO Audits and routine inspections performed by the Inspection Section, the intent of 22 inspections at CSO communities per year is met and exceeded by IDEM. IDEM can commit to performing eight CEI level inspections/CSO Audits per each ear of this PPA. IDEM will include the program code CWACSO when entering CSO inspections conducted pursuant to this CMS into ICIS-NPDES.

**JA Status:** Ongoing. IDEM CSO staff met the audit commitment and completed nine CEI CSO audits. Approximately 10 external meetings were held with CSO community representatives regarding LTCP issues. In addition, three level of control reviews were evaluated for communities with fully implemented LTCPs to determine compliance with achieving the required level of control.

**FA Status:** Ongoing. For FY2019, IDEM CSO staff met the audit commitment and completed 8 CEI CSO audits. Approximately 18 external meetings were held with CSO community representatives regarding LTCP issues. In addition, 6 level of control reviews were evaluated for communities with fully implemented LTCPs to determine compliance with achieving the required level of control. In addition, 13 LTCP amendments were approved. Also, most federal lead communities with previously approved LTCPs have submitted LTCP amendments, which are currently under joint IDEM/EPA review. As of July 1, 2019, a total of 53 of 109 CSO communities have fully implemented their LTCPs.

- c) The CMS policy calls for a minimum inspection frequency of five percent of the Sanitary Sewer Systems (SSS) universe each year. IDEM has 577 permitted SSS which includes POTWs and semi-public facilities. Separately owned satellite collection systems are not included in this inventory. This results in a CMS target of 29 systems per year. SSOs are evaluated as part of NPDES compliance inspections. Based on the commitments for NPDES compliance inspections (see W-7), IDEM already commits to inspect 289 systems with SSS each year and completes basic evaluations of the performance of these systems. Capacity and collection system inspections are the prescribed method for conducting basic evaluations of SSSs. In general, a complete evaluation thoroughly examines the following components of a sanitary sewer collection system: Early warning and sewer ban possibilities; 90% capacity rule; collection system maintenance, lift stations; manholes and their structures; chemicals that are used in the collection system; sewer use ordinance; sanitary sewer overflows and bypasses; satellite systems; flow meter structure; and calibration records for flow meters. In addition, flow charts and monthly reports are reviewed to determine if capacity concerns are only during rain or all the time. Focused SSO-specific inspections will be

scheduled as needed, based on information about overflow occurrences. IDEM will include the program code CWASSO when entering SSO inspections conducted pursuant to this CMS into ICIS-NPDES.

**JA Status:** Ongoing. For this assessment period (July 1, 2017 through June 30, 2018), Compliance Branch inspectors conducted 11 SSS inspections as defined here. While no new POTWs were placed on sewer ban, three new POTWs were placed on sewer ban early warnings (SBEW). No POTWs were released from SBs but two POTWs were released from SBEWs. In addition, two POTWs were referred for formal enforcement action based on excessive SSO events.

**FA Status:** Ongoing. For this assessment period (July 1, 2017 through June 30, 2019), Compliance Branch inspectors conducted 61 SSS inspections. Two new POTWs were placed on sewer ban and six new POTWs were placed on SBEW. This exceeds the goal of conducting a minimum of 29 SSS inspections per year.

- d) IDEM will administer storm water programs by performing compliance inspections in the following areas: construction/land disturbance and industrial and municipal separate storm sewer systems (MS4s).

**Construction/Land Disturbance:** IDEM evaluates compliance of construction and land disturbance sites using multiple tools. This is a complex mixture of IDEM site inspections and use of MS4 programs to regulate projects. IDEM inspects permitted construction sites and review storm water pollution prevention plans. IDEM starts by giving the highest importance to those projects for which the agency has received complaints, projects outside MS4s that are greater than five acres, and those project sites owned and/or operated by a MS4. Past experience has shown that small sites (one to two acres) do not require an extensive menu of storm water quality measures to remain in compliance or pose a significant threat to water quality as the larger project sites. IDEM also takes into consideration inspecting smaller sites if they are in an area where multiple smaller projects are within close proximity to one another. The construction site run-off program regulates land disturbing activities of one acre or more. The program is administered state-wide; however, the MS4 entities have an active role in regulating projects within their legal jurisdictions. Therefore, an MS4 is the primary entity assessing compliance of projects that occur within their jurisdiction. As part of the administration of the MS4 program, including reviewing annual reports and evaluating implementation of the MCMs over the last few years, IDEM has assessed the overall MS4 program and has identified the MS4s that have strong effective programs and those that may need improvement in administering one or more the MCMs. This internal knowledge of the MS4 program and the compliance status of individual MS4s will allow staff to prioritize which MS4s will be scheduled to further assess the program. IDEM has taken the approach that the MS4 is responsible for local projects. For example, the more confident IDEM is that the MS4 is meeting the MCM for construction site run-off, less over site IDEM will impose for sites within that MS4.

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Storm water staff is responsible for reviewing storm water pollution prevention plans, conducting MS4 audits for the construction site run-off and post-construction minimum control measures, and inspecting industrial storm water sites. The CMS target is to inspect 10 percent of the universe each year. Based on IDEM's estimated universe of 8,200, the commitment would be 820 inspections annually. With only six staff that also have other responsibilities IDEM can conduct 300 inspections per year. However, since over 60 percent of sites fall within the boundaries of MS4 programs, the actual number of sites inspected by qualified inspectors is much higher than 300. IDEM cannot commit to a specific number of inspections performed by MS4s but between IDEM and MS4 inspections, the overall goal of the CMS program would be met.

In addition to investigating complaints, project sites are prioritized based on those that impact a footprint of five acres or more and that discharge to waters of state or otherwise may have significant impact to water quality. Wetlands Project Managers have also been cross trained and will assess erosion and sediment control compliance when visiting a site to evaluate violations of 401 water Quality Certifications and the Indiana Isolated wetland law.

Storm water staff conducts a limited number of plan reviews and education as part of program goals. Education is a key component of the program to establish expectations for compliance within the regulated community. The plan reviews are selected based on the complexity of the project. For those projects that go through a formal review process, it is evident that deficiencies are identified that upon correction in the plans will avoid compliance issues in the field once the plan is implemented. In addition, the presence of a plan review component establishes an expectation in the regulated community that plans are randomly evaluated and that all requirements of the construction site run-off general permit must be met to avoid possible delays if a plan is found to be deficient.

**JA Status:** Ongoing. The number of active construction sites inspected for the reporting period beginning July 1, 2017 and ending June 30, 2018: 348

The number of construction site plan reviews for the reporting period beginning July 1, 2017 and ending June 30, 2018: 243

For the reporting period beginning July 1, 2017 and ending June 30, 2018, the program has had two vacancies for positions that are responsible to conduct construction site inspections. These vacancies were filled in January and the newly hired staff have been in training status, which has included job shadowing more experienced staff.

**FA Status:** Ongoing. The number of active construction sites inspected for the reporting period beginning July 1, 2017 and ending June 30, 2019: 726

The number of construction site plan reviews for the reporting period beginning July 1, 2017 and ending June 30, 2019: 523



Municipal Separate Storm Sewer System (MS4s): The primary methods of assessing compliance are program audits, facility inspections, and compliance meetings. A compliance meeting is a follow-up to an inspection and/or an audit that is conducted to assess progress towards compliance. This element is not counted towards CMS coverage, but an integral part to follow-up with MS4s to bring the entity into compliance. The focused inspections (audit) are conducted in the field and are for the purpose to assess implementation of the storm water quality management plan (SWQMP) and individual minimum control measures (MCMs). Indiana typically will conduct focused inspections (audit) on specific MCMs across the state within a given timeframe for all MS4s. This approach has allowed for more efficient use of staff time and provides a method for the agency to evaluate specific MS4 program components for all MS4 entities within a shorter timeframe. In subsequent years, other MCMs will become the focus for compliance assessment. The focused inspections (audits) are planned and scheduled in advance and compliance meetings and/or inspections may be a follow-up to an audit or an unannounced visit to further assess program compliance.

Indiana has 187 MS4's: 1 Phase I and 186 Phase II. The CMS minimum goal is to determine compliance of every MS4 every five years by way of an on-site audit, an MS4 inspection, or an off-site desk audit. Each MS4 should receive an on-site audit/inspection at least once every seven years.

As part of the administration of the MS4 program, including reviewing annual reports and evaluating implementation of the MCMs over the last few years, IDEM has assessed the overall MS4 program and has identified the MS4s that have strong effective programs and those that may need improvement in administering one or more the MCMs. This internal knowledge of the MS4 program and the compliance status of individual MS4s will allow staff to prioritize which MS4s will be scheduled to further assess the program. This prioritization will take place based on specific MCMs.

In addition, the entire storm water program participates in educational opportunities to present information to the MS4s. This is achieved through an annual MS4 meeting at which IDEM along with MS4s develop an agenda that is specific to issues and/or program deficiencies that have been identified during the previous year. Compliance issues with a common theme are placed on the agenda as are accomplishments and innovative approaches that a MS4 or group of MS4s has taken to improve their overall program implementation. This is another approach to emphasize expectations and share information to improve the overall performance of MS4s on a statewide basis. In addition to education, IDEM reviews annual reports to assess compliance and aid in identifying the status of a MS4 in administering their program.

Based on this prioritization process, IDEM plans to conduct focused inspections (audit) on specific MCMs across the state. Eighty percent of all MS4s will receive a comprehensive audit of all MCMs; the remainder will receive an audit of the specific

MCMs for which IDEM has determined to be deficient or operating at a level below expectations identified in the general permit.

To meet the seven-year goal, IDEM plans to conduct 25 focused inspections (audits) for the Construction and Post-construction MCMs annually. These MCMs include a field-based assessment (site inspection and plan review) of how the MS4 administers their regulatory responsibility under the local ordinance. The other MCMs will be scheduled and completed on a seven-year cycle based on 60 focused inspections (audits) annually. The MCMs that are selected in a given year will be prioritized by a specific MCM and as necessary may include additional MCMs for which a specific MS4 has not demonstrated compliance. Regardless of which MCM is targeted, staff is aware that the MS4 program is a complex and comprehensive approach to achieve water quality objectives within highly urbanized area and as necessary will make a determination to further investigate any and all program deficiencies that are discovered as part of focused inspection (audit). While this approach achieves water quality objectives that U.S. EPA is seeking, the documentation process does not match up with the standard CMS. However, IDEM feels that over the course of seven years that this strategy accomplishes the same if not more over site of the program than what is stated in the CMS guidance.

**JA Status:** Ongoing. The total number of minimum control measures (construction and post-construction [14 MS4s], good housekeeping, education, and public involvement [27 MS4s]) that were audited for the reporting period beginning July 1, 2017 and ending June 30, 2018: 105

For the reporting period beginning July 1, 2017 and ending June 30, 2018, the program has had two vacancies for positions that are responsible to conduct the audits of the construction and post-construction minimum control measures. These vacancies were filled in January and the newly hired staff have been in training status, which has included job shadowing more experienced staff.

**FA Status:** Ongoing. The total number of minimum control measures (construction and post-construction [14 MS4s], good housekeeping, education, and public involvement [27 MS4s]) that were audited for the reporting period beginning July 1, 2017 and ending June 30, 2019: 145.

Minimum Control measures evaluated:

- Construction and Post-Construction MCMs audited: **28**
- Good Housekeeping MCM audited: **37**
- Education-Public Involvement MCMs audited: **74**
- Illicit Discharge Detection and Elimination MCM audited: **6**

During the reporting period, the IDEM Storm Water Program has had several vacancies. The first round of vacancies occurred in the fall of 2017 when two staff resigned. These vacancies were not filled until early January of 2018. The second round of vacancies was in January of 2019, when two staff resigned. These two vacancies were backfilled in May and August of this year. The positions that were vacant had responsibility of construction site run-off and industrial storm water inspections and audits of the MS4 Construction and Post-construction Minimum control Measures.

Industrial Storm Water: The industrial storm water program is administered on a state-wide basis. Indianapolis, the only Phase I MS4 entity, is required to specifically address industrial storm water issues associated with industry. The Phase II entities do not have this requirement. However, the Phase II MS4s are often aware of storm water discharges from industrial sites that are either reported through citizen hotlines or discovered as part of the illicit discharge detection and elimination (IDDE) minimum control measure. Based on these criteria, the MS4 will refer these incidents to the IDEM Storm Water Program to further investigate. In addition, the MS4 may also levy fines based on the local IDDE ordinance. The Office of Land Quality also inspects facilities such as salvage yards and landfills. Many of these facilities also have industrial storm water permits. The Office of Land Quality has trained staff that is familiar with the storm water regulations and will cite a facility for a storm water violation and/or report the incident to the Storm Water Program to further assess compliance. The number of referrals annually averages 20 to 30 and will either prompt a follow-up inspection, issuance of a compliance letter, or a violation letter based on the severity of the issue identified in the OLQ inspection report. A similar process is in place for inspections conducted by the Office of Water Quality Wastewater inspectors, although their inspections are not focused on storm water issues, it is not uncommon for the Storm Water Program to receive referrals, including photos and observations of the wastewater inspector which allows storm water staff to follow-up with compliance and often collaborate between the two programs to pursue compliance.

IDEM does provide training and outreach to operators and organizations that are directly associated with industrial facilities subject to the storm water general permit rule. In addition, the storm water program has coordinated closely with the Compliance Technical Assistance Program (CTAP) of IDEM that meets with industry one on one and also conducts outreach.

Inspections completed by storm water staff will include operating facilities, as well as facilities that have claimed an exemption, and/or facilities that have been the subject of complaints. In addition to complaints, facilities are prioritized for inspections based on referrals from: MS4 entities that may have identified an illicit discharge; the IDEM Office of Land Quality and Office of Water Quality wastewater inspectors based on a facility that was identified to have significant facility management issues related to storm water run-off; facilities that discharge to waters of state or otherwise may have significant

impact to water quality (also included are facilities in portions of the state where discharges may be associated with infiltration or discharges to karst), and facilities that have submitted monitoring reports with elevated sampling parameters.

The CMS includes a goal of inspecting 10 percent of the universe each year. IDEM has 1600 active permits and 650 No-Exposure exclusions. The CMS annual goal is based on the number of active permits only and translates into 160 total inspections. These inspections are conducted by the same field staff that performs inspections on active construction sites and performs focused inspections (audits) of several of the minimum control measures under the MS4 permitting program. In addition, not all MS4 owned and operated facilities are required to obtain permit coverage under the industrial storm water permitting program. These facilities, when targeted for an inspection, will be considered as part of the industrial CMS commitment as many of the same elements are reviewed during the compliance inspection. Therefore, IDEM commits to 90 inspections per year between October 1 and September 30.

**JA Status:** Ongoing. The number of industrial facilities inspected for the reporting period beginning July 1, 2017 and ending June 30, 2018: 150 For the reporting period beginning July 1, 2017 and ending June 30, 2018, the program has had two vacancies for positions that are responsible to conduct storm water industrial inspections. These vacancies were filled in January and the newly hired staff have been in training status, which has included job shadowing more experienced staff.

**FA Status:** Ongoing. The number of industrial facilities inspected for the reporting period beginning July 1, 2017 and ending June 30, 2019: 264

For the reporting period beginning July 1, 2017 and ending June 30, 2019, the program has had two vacancies for positions that are responsible to conduct storm water industrial inspections. These vacancies were filled in January, and the newly hired staff have been in training status, which has included job shadowing more experienced staff.

**JA Status:** Ongoing. Staff of the storm water program continues to address violations as they are identified. IDEM continues to implement its EMS with formal enforcement action being initiated when referred to the Enforcement Section.

**FA Status:** Ongoing. Staff of the storm water program continues to address violations as they are identified. IDEM continues to implement its EMS with formal enforcement action being initiated when referred to the Enforcement Section.

- e) Track storm water compliance and compliance assurance actions in accordance with established data requirements and reporting time frames.

**JA Status:** Ongoing. The Compliance Data Section continues to enter industrial storm water inspections into ICIS-NPDES.

**FA Status:** Ongoing. The Compliance Data Section continues to enter industrial storm water inspections into ICIS-NPDES.

- f) EPA R5 will be the lead on certain environmentally significant CSO communities, working in partnership with IDEM to reach agreement on approvable LTCPs and implementation schedules. EPA R5 will provide timely review and comment on technical non-rule policy and other documents submitted by IDEM (U.S. EPA PAM [SS-1]).

**JA Status:** (EPA R5 comment) EPA R5 and IDEM continue to work collaboratively to reach agreements on several CD LTCP modifications. EPA/IDEM agreements currently in place for coordinating and sharing information. Region and State partnership ensure CSO LTCPs have positive water quality results and comply with state and federal law.

**FA Status:** (EPA R5 comment) Please see statement above.

Compliance Monitoring Strategy (CMS) for Core National Pollution Discharge Elimination System (NPDES) Programs		W-9
IDEM Contact(s): a) Mark Stanifer & Bridget Murphy, b) Mark Stanifer c) – f) Mark Stanifer & Gary Starks EPA R5 Role: Provide program assistance.		EPA R5 Contact(s): James Coleman, Ryan Bahr & Patrick Kuefler Due Date: a, b, c, d, g) Annual Basis; e, f) Ongoing.
Goal 5:	Enforcing environmental laws.	
Objective 5.1:	Enforce environmental laws.	
Funding:	State	

U.S. EPA HQ's current national CMS became effective at the beginning of Federal Fiscal year 2015. Indiana's continuing state-specific CMS, for purposes of this PPA agreement, runs from October 1, 2017, through September 30, 2019. The goal is to maintain an adequate enforcement and compliance assistance program to help ensure that NPDES violations are prevented and, when violations occur, they are adequately addressed.

- a) NPDES Compliance Inspections from October 1, 2017, through September 30, 2019:
- Majors: – Of 185 total, conduct compliance evaluation inspections (CEI) or compliance sampling inspections (CSI) at 50 percent of major NPDES facilities annually. The goal is that 100 percent of the universe will receive a CEI or CSI inspection every two (2) years, in accordance with the national CMS.

**JA Status:** Ongoing. During this review period, comprehensive inspections were conducted at 104 major NPDES facilities, which is 56% of the total (104/185). Additionally, 35 other inspections were conducted at majors during this time period.

IDEM is on goal to complete 100% of the universe during the term of this agreement.

**FA Status:** Ongoing. For this assessment period (July 1, 2017 through June 30, 2019), 239 comprehensive inspections were conducted on major NPDES facilities. Additionally, 43 other inspections were conducted at major NPDES facilities during this time period. This exceeds the 100 percent goal.

- Minors – Of 722 total municipal and industrial “IN0” facilities: Traditional minor NPDES facilities, for purposes of the PPA, include individual non-major municipal and industrial facilities with permit numbers beginning with “IN0.” Conduct inspections at 50 percent of “traditional” minor NPDES facilities annually. Half of those inspections are to be CEIs or CSIs. The goal is that 100% of the universe will receive some type of inspection every two years and 100% of the universe will receive a CEI or CSI inspection every four years.

**JA Status:** Ongoing. During this review period, 439 comprehensive inspections were conducted at minor individual municipal and industrial NPDES facilities, which is 63% of the total universe (439/699). IDEM is on goal to complete our commitments during the term of this agreement.

**FA Status:** Ongoing. For this assessment period (July 1, 2017 through June 30, 2019), 885 comprehensive inspections were conducted at minor individual municipal and industrial NPDES facilities. This exceeds the 100 percent goal.

- Minors – Of 172 total industrial pretreatment “INP” facilities: Conduct CEIs at 50% of the universe annually, and 100 percent of the universe will receive a CEI inspection every two years.

**JA Status:** Ongoing. During this review period, 166 CEIs were conducted at IWP facilities, which is 87% of the total (166/191). IDEM is on goal to significantly exceed 100% of the universe during the term of this agreement.

**FA Status:** Ongoing. For this assessment period (July 1, 2017 through June 30, 2019), 290 CEIs were conducted at INP facilities. This exceeds the 100 percent goal.

- Minors – Of 41 state and federal “IN0” facilities: Conduct CEIs at 100 percent of the universe every two years.

**JA Status:** Ongoing. During this review period, 23 CEIs were conducted at state and federally-owned NPDES facilities, which is 57 percent of the total (23/40). IDEM is on goal to complete 100 percent of the universe during the term of this agreement.

**FA Status:** Ongoing. For this assessment period (July 1, 2017 through June 30, 2019), 43 CEIs were conducted at state and federally-owned NPDES facilities, which exceeds the 100 percent goal.

- Major and minor mixed ownership or semi-public facilities: Of 269 total, conduct CEIs or CSIs at 50 percent of mixed ownership NPDES facilities annually. The goal is 100 percent of the universe will receive a CEI or CSI inspection every two years.

**JA Status:** Ongoing. During this review period, 149 comprehensive inspections were conducted at semipublic NPDES facilities, which is 57 percent of the total (145/253). IDEM is on goal to complete 100 percent of the universe during the term of this agreement.

**FA Status:** Ongoing. For this assessment period (July 1, 2017 through June 30, 2019), 307 comprehensive inspections were conducted at semipublic NPDES facilities. This exceeds the 100 percent goal.

- General permits “ING” facilities: Of 307 total, conduct CEIs, CSIs, or reconnaissance inspections at 25 percent of the universe each year. This excludes facilities with general permit coverage such as MS4s, industrial storm water sites, construction storm water sites, and those covered under the vessel general permit.

**JA Status:** Ongoing. During this review period, 108 comprehensive or reconnaissance inspections were conducted by IDEM staff at non-storm water “ING” NPDES facilities. In addition, there were 238 inspections of coal facilities by Indiana DNR staff (72 of which were CEIs), for a total number of compliance inspections conducted during this time of 346. Not counting the non-CEI inspections conducted by IDNR, the inspection coverage is 66 percent (180/271). IDEM is on track to complete the agreed-upon 50 percent of the universe during the term of this agreement.

**FA Status:** Ongoing. For this assessment period (July 1, 2017 through June 30, 2019), 186 comprehensive or reconnaissance inspections were conducted by IDEM staff at non-storm water ING NPDES facilities. In addition, there were 387 inspections of coal facilities by Indiana DNR staff (77 of which were CEIs). This results in a percentage of (263/307) approximately 85%, which exceeds the goal of this agreement.

- Respond to 100 percent of complaints.

**JA Status:** Ongoing. IDEM wastewater inspectors continue to respond to 100 percent of relevant complaints, as agreed upon. During the review period 88 complaint investigations were conducted.

**FA Status:** Ongoing. For this assessment period (July 1, 2017 through June 30, 2019), IDEM inspectors conducted 181 complaint investigations. IDEM inspectors continue to respond to 100 percent of complaints, as agreed upon.

- b) Conduct nine industrial pretreatment audits annually (20 percent of approved local pretreatment programs) assuring that all SIUs for those programs have control mechanisms.

**JA Status:** Ongoing. During this review period, pretreatment audits were conducted at 9 delegated major POTWs, which meets the agreed-upon expectation. IDEM expects to continue to complete the expected number of audits during the term of this agreement.

**FA Status:** Ongoing. During the review period, 19 pretreatment audits were conducted by IDEM staff at POTWs. This exceeds the commitment.

- c) Conduct QA/QC reviews of submitted self-monitoring data to evaluate reliability.

**JA Status:** Ongoing. Compliance Data Section Staff continue their regular duties of conducting QA/QC reviews of DMR data, and in contacting/working with permittees to get corrected data submitted and recorded.

**FA Status:** Ongoing. Compliance Data Section Staff continue their regular duties of conducting QA/QC reviews of DMR data, and in contacting/working with permittees to get corrected data submitted and recorded.

- d) Significant non-compliers (SNC):

- Goals are to maintain the SNC rate for majors below 10 percent, as measured on a quarterly basis. SNC rate shall be below 17 percent on an annual basis.

**JA Status:** Ongoing. During this review period, the overall SNC rate for majors was 17.3 percent (32/185), and as presented for each quarter:

- |  |     |
|--|-----|
| • Quarter 1 (July, August, September 2017)     | 13% |
| • Quarter 2 (October, November, December 2017) | 10% |
| • Quarter 3 (January, February, March 2018)    | 16% |
| • Quarter 4 (April, May, June 2018)            | 16% |

**FA Status:** Ongoing. Annual Major SNC Rate July 2017 – June 2018 – 16%  
Annual Major SNC Rate July 2018 – June 2019 – 23%

Overall SNC rates:

- |  |     |
|--|-----|
| • Quarter 1 (July, August, September 2018)     | 9%  |
| • Quarter 2 (October, November, December 2018) | 12% |
| • Quarter 3 (January, February, March 2019)    | 9%  |
| • Quarter 4 (April, May, June 2019)            | 13% |

- e) Evaluate all violations and take timely action (informal and formal), in accordance with the state's NPDES enforcement management system.



**JA Status:** Ongoing. Reportable and significant violations that were identified during the review period by Compliance and Inspections staff continue to be addressed with either informal or formal actions, in accordance with IDEM's CEMS, and recorded in ICIS.

**FA Status:** Ongoing. Reportable and significant violations that were identified during the review period by Compliance and Inspections staff continue to be addressed with either informal or formal actions, in accordance with IDEM's CEMS, and recorded in ICIS.

- f) Enter wastewater compliance monitoring and compliance assurance actions into Integrated Compliance Information System – National Pollutant Discharge Elimination System (ICIS–NPDES), in accordance with established data protocols.

**JA Status:** Ongoing. Compliance Data Section staff continue to record all compliance monitoring and compliance assurance actions into ICIS.

**FA Status:** Ongoing. Compliance Data Section staff continue to record all compliance monitoring and compliance assurance actions into ICIS.

- g) EPA R5 will provide program assistance.

**JA Status:** (EPA R5 comment) *EPA R5 provides program assistance as needed.* IDEM will work with EPA R5 to address SRF findings and implement acceptable recommendations identified in 2017 final report.

IDEM and EPA R5 will coordinate compliance and enforcement activities to avoid duplication. EPA R5 conducts inspections to implement national compliance initiatives and other regional priorities. EPA R5 will coordinate with IDEM on regional activities consistent with national guidance.

**JA Status:** Ongoing. IDEM Office of Water Quality staff continue dialog with EPA R5 to address SRF findings.

**JA Status:** (EPA R5 comment) The Final Indiana SRF Round 3-report was signed 6/7/2018. SRF follow-up items will be tracked and discussed quarterly until each action item is completed.

**FA Status:** Ongoing. IDEM Office of Water Quality staff continue dialog with EPA R5 to address SRF findings.

**FA Status:** (EPA R5 comment) EPA R5 provides program assistance as needed. SRF action items are being reviewed to determine if they have been completed.

## Office of Program Support (OPS)

Provide Compliance Assistance to Regulated Entities		P-1
IDEM Contact(s): Jennifer Collins	EPA R5 Contact(s): Adrienne Callahan	Due Date: See below
EPA R5 Role: Provide support and guidance.		
Goal 5:	Enforcing environmental laws.	
Objective 5.1:	Enforce environmental laws.	
Funding:	State	

- a) Work with businesses, municipalities, and trade associations to educate regulated entities on their compliance requirements. Provide guidance and technical assistance for compliance with air, waste and water regulations. Develop guidance, perform site visits, and answer calls about state and federal regulations.

**JA Status:** Ongoing. IDEM continues to offer compliance assistance through the Compliance and Technical Assistance Program (CTAP) in relation to all environmental regulatory programs: air, land and water. CTAP activities are tracked and the following metrics help to measure program success and staff performance.

### Compliance and Technical Assistance Numbers for July 1, 2017 to June 30, 2018:

- 528 total telephone contacts (breakdown by media below)

250 Air	49 Water
102 Land	127 Multi-Media/ Misc. Assistance

- 211 total assistance via e-mail or letter (breakdown by media below)

88 Air	29 Water
33 Land	61 Multi-Media/ Misc. Assistance

- 182 Compliance Assistance Site Visits- on-site visits at a regulated entity to assist them with a complete compliance status assessment or assess one area of the facility for compliance with regulations.
- 801 Introductory Site Visits-an in person visit to introduce the company to the

CTAP staff and program services.

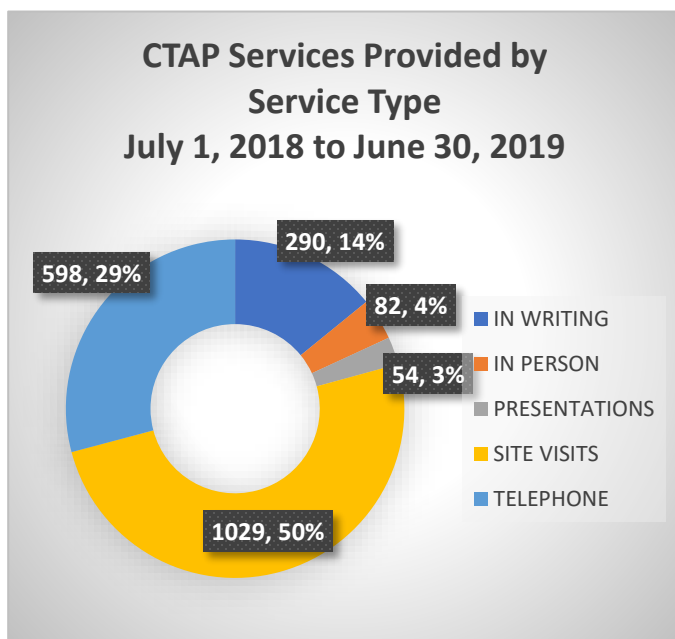
- Presented information at 49 events to over 4,660 attendees.

#### **Additional Technical Assistance Provided:**

- Worked to update the Environmental Management 101 trainings for small to medium sized companies with no EHS managers or with EHS managers that have little or no environmental experience to become knowledgeable in the basics of environmental management.
- Promoted cooperation between IDEM and regulated entities.
- Provided CTAP Follow-up Letters to each company assisted. Follow-up letters clarify requirements to the customer and can be used to demonstrate the customer is proactively pursuing compliance to IDEM inspectors.
- Continued to provide rule updates to small businesses from the Small Business Regulatory Coordinator within CTAP.

#### **FA Status:**

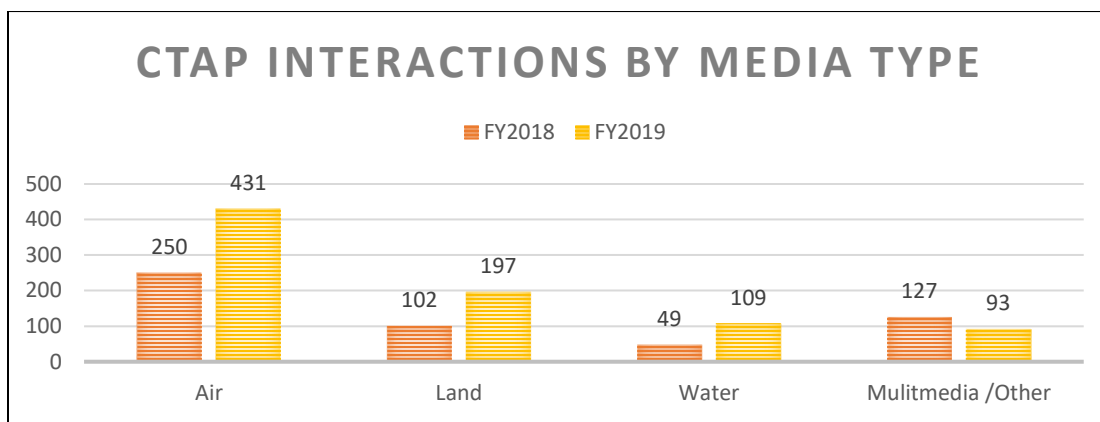
#### **Compliance and Technical Assistance Totals for 2018:**



#### **Site Visits**

CTAP staff conducted 874 introductory site visits at various businesses and organizations. These site visits are made to introduce the CTAP program to businesses that have been identified as potentially needing compliance assistance.

A more in-depth compliance site assessment was performed at 155 locations. During these more in-depth compliance site assessments, a business or organization invites the CTAP staff to visit and assist with compliance with an individual regulatory area or for a full compliance site assessment.



**Additional Technical Assistance Provided:**

- CTAP staff presented technical and regulatory information at 54 events to 3,363 attendees
- A Fact Sheet was developed on the regulatory requirements related to Power washing.
- Provided assistance to the Environmental Stewardship Program and CLEAN members.
- Made site visits to review activities and monitor environmental compliance of the Indiana Governor's Awards for Environmental Excellence applicants
- Updated CTAP website with current regulatory information and technical guidance
- Worked to update the Environmental Management 101 training for small to medium sized companies to become knowledgeable in the basics of environmental management. Presented the Environmental Management 101 Pollution Prevention Module at five regional locations in Indiana to assist Environmental Managers in developing a pollution prevention program at their facilities and to identify pollution prevention strategies that will assist the business in reducing their environmental impacts and costs.
- Continued to manage Small Business Regulatory Coordinator duties as described in IC 4-22-2-28.1 by providing Rule Summaries for Small Businesses.
- Developed a partnership with the Indiana Economic Development Corporation and Indiana Small Business Development Corporation to assist new businesses in understanding regulatory requirements for Indiana business development.

b) EPA R5 will provide support and guidance.

**JA Status:** (EPA R5 comment) Region 5 participates in State SBEAP calls, and provides support and guidance as requested. Region 5 also hosts annual SBEAP meetings for all Region 5 states.

**FA Status:** (EPA R5 comment) None

Pollution Prevention Training and Outreach		P-2
IDEM Contact(s): Jennifer Collins	EPA R5 Contact(s): Tony Martig	Due Date: See below
EPA R5 Role: Provide advice and guidance.		
Goal 4:	Ensuring the safety of chemicals and preventing pollution.	
Objective 4.2:	Promote pollution prevention.	
Funding:	State	

- a) Provide pollution prevention training to small businesses and manufacturers in Indiana to assist them in reducing their use of toxic chemicals and in reducing hazardous or solid waste, water discharges, or air emissions. Work to develop internal business capabilities in identifying pollution prevention projects. Develop success stories from businesses in Indiana who are implementing pollution prevention and share those stories with other businesses with similar processes.

**JA Status:** Ongoing. IDEM developed a pollution prevention (P2) module under our Environmental Management 101 (E101) training series. This module will train individuals from businesses and manufacturers on the foundations of P2, how to develop a P2 program at their business, how to plan and implement the P2 process, how to identify P2 opportunities at the business, how to get buy-in from management on P2 projects, how to calculate potential and actual benefits from P2, and how to access and utilize available P2 resources. The in person trainings will be offered in October and November 2018.

IDEM continues to train OPS staff on how to identify P2 opportunities at businesses. We will be working with Region 5 P2 staff to obtain training for our CTAP staff.

Success stories will be developed from the participants in our Voluntary Programs including the Environmental Stewardship Program (ESP), CLEAN communities, the Indiana Governor's Awards for Environmental Excellence (GAEE) and the Indiana Partners for Pollution Prevention.

**FA Status:** During the July 1, 2018 to June 30, 2019 timeframe, IDEM completed an Environmental Management 101 Pollution Prevention module. IDEM staff provided training to over 175 individuals on Pollution Prevention. This training module is posted on our website at <https://www.in.gov/idem/ctap/2471.htm>.

Region V staff assisted in connecting us with ISTC who provided a training on performing P2 assessments at the National Small Business Environmental Assistance Programs Annual Training held at Region V office on May 14-16. Several of the IDEM staff were able to attend this training. We will continue to look for opportunities to training our CTAP staff on conducting these assessments.

IDEM applied for and obtained a P2 grant to reduce toxics through a partnership with Purdue TAP and IDEM to conduct W.A.S.T.E. (Water, Air, Solid Waste, Toxics, and Energy) assessments and IDEM to provide seed money through P2 grants to those businesses who participate in the assessments. IDEM is continuing work on this over the next three years.

b) EPA R5 will provide advice and guidance.

**JA Status:** (EPA R5 comment) Region 5 appreciates IDEM's participation in quarterly conference calls to share updates and the status of active EPA P2 grants as well as pollution prevention and compliance assistance efforts.

Region 5 has been working with IDEM to identify a State Technical Assistance Provider who can provide P2 training at the upcoming National Small Business Environmental Assistance Program (SBEAP) conference scheduled for May in Region 5's Chicago office. Region 5 is also exploring opportunities to provide information to the Indiana/Ohio/Tennessee dry cleaning trade associations regarding the upcoming 2020 deadline for removing PERC machines from dry cleaning facilities in residential buildings. In addition, a Region 5 P2 representative will present information on the P2 Program and P2 Grant Opportunities at the upcoming Region 5 SBEAP/SBO Annual Meeting in Region 5's Chicago office on November 14.

**FA Status:** (EPA R5 comment) None

Measurement of State Recycling Rate		P-3
IDEM Contact(s): Pat Daniel		EPA R5 Contact(s): Jerri-Anne Garl
EPA R5 Role: Provide technical assistance and lend support accomplish this goal.		Due Date: See below
Goal 4:	Ensuring the safety of chemicals and preventing pollution.	
Objective 4.2:	Promote pollution prevention.	
Funding:	State	

- a) Continue to work with the waste hauler industry and recyclers to accurately report data regarding statewide recycling. The move from waste diversion estimates to actual recycling numbers will provide a more accurate percentage of statewide recycling and progress towards the goal of attaining a 50 percent

recycling rate. Continue to implement the best reporting methods to ensure accurate recycling numbers are obtained, and also reduce double counting.

**JA Status:** Completed. The IDEM 2017 Recycling Activity Summary report was completed in May 2018. The report summarized the 2017 data collection results and reported on the state's progress toward meeting the 50 percent recycling goal. The amount of municipal solid waste recovered for recycling and composting was 1,379,619 tons, up by 107,174 tons, but waste disposal was higher by 481,395 tons, for a total of 6.8 million tons. Indiana's 2017 recycling rate was 16.8 percent, slightly higher than last year.

**FA Status:** Completed. A preliminary draft of the IDEM 2018 Recycling Activity Summary Report was completed in May 2019. The report summarized the 2018 data collection results and reported on the state's progress toward meeting the 50 percent recycling goal. Indiana's 2018 recycling rate was 20 percent, up from 16.8 percent in 2017. The amount of municipal solid waste recovered for recycling and composting was 1,751,426 tons, an increase of 371,807 tons from 2017. The final destination of MSW generation consisted of 75 percent of landfills, 5 percent for waste-to-energy, and 20 percent for recycling and composting.

b) EPA R5 will provide advice and guidance.

**JA Status:** (EPA R5 comment) EPA Region 5 continues to support the national State Measurement Program for states to use to share data and programmatic information about their recycling and solid waste management programs. Region 5 appreciates IDEM's participation in this national effort. Using the programmatic and quantitative data provided by Indiana and other Region 5 states, Region 5 created state-specific fact sheets that provide a quick overall snapshot of solid waste management and recycling efforts in each state. These were distributed to Region 5 states prior to our annual Subtitle D meeting in September 2018.

**FA Status:** (EPA R5 comment) Updated fact sheets using the data IDEM entered into the state measurement program were distributed on 11/15/19.

Environmental Justice (EJ)		P-4
IDEM Contact(s): Angela Taylor		EPA R5 Contact(s): Reginald Harris
EPA R5 Role: Provide advice and guidance.		Due Date: See below
Goal 3:	Cleaning up communities and advancing sustainable development.	
Objective 3.3:	Promote livable communities and informed participation in environmental decision making.	
Funding:	State	

- a) Review grant and cooperative agreement opportunities to better focus IDEM's EJ outreach initiatives to local communities on targeted issues.

**JA Status:** In progress. IDEM transferred the EJ program from the Office of Legal Counsel to the Office of Program Support in May 2018. A point person, Angela Taylor, has been assigned the role of the Community Relations Coordinator and is supported by her management team, Jennifer Collins, Bob Lugar and Julia Wickard. Angela has begun meeting with U.S. EPA on the national and regional calls on Environmental Justice. She will begin to look into EJ grants or other opportunities, as the program is developed.

**FA Status:** In progress. IDEM is looking for a permanent coordinator position for the EJ program known as Environmental Stakeholder Inclusion (ESI). IDEM is further working with our Information Systems (IS) team to update our Regulatory Management (RM) system to be able to track EJ issues and make sure they are resolved. IDEM will be looking into grants for EJ as well as partnering with other agencies to learn what they are doing in their programs once we have a permanent coordinator.

- a) Update IDEM's "Nondiscrimination Policy" to better reflect IDEM's EJ objectives.

**JA Status:** In progress. The IDEM Policy was revised and approved on September 27, 2017. With the changes in management of the program, a newly updated policy has been drafted and is headed to the Commissioner for approval.

**FA Status:** Complete. The revised "Nondiscrimination Policy" became effective September 13, 2018.

- b) Update IDEM's website section on EJ to include policy changes and outreach initiatives.

**JA Status:** In progress. The website will be updated as the Office of Program Support develops this program. Staff have gathered historical information from the former EJ program at IDEM and ideas from other states to update the website.

**FA Status:** Ongoing. The ESI webpage is being drafted and will be going through upper management for content approval and web location before publishing.

**JA Status:** (EPA R5 comment) The Environmental Justice (EJ) section has been transferred to the Office of Program Support. The PPA Joint Assessment Report was updated to reflect this change. The Office of Legal Counsel no longer has an item listed in the work plans and joint priorities and program goals and objectives of the PPA.

**FA Status:** (EPA R5 Comment) EPA's Environmental Justice (EJ) program will work with the Office of Program Support to provide assistance and to collaborate in community engagement. We will also continue to host monthly calls with all Region 5 states, to support collaboration and information exchange.



## Office of the Chief of Staff (COS)

E-Enterprise		E-1
IDEM Contact(s): Brian Rockensuess & Jeremy Chenevert		EPA R5 Contact(s): Allen Melcer
EPA R5 Role: Provide advice and guidance.		Due Date: September 30, 2017 & 2019.
Goal 1:	Improve environmental protection through better program performance.	
Objective 1.1:	Continually improve the effectiveness and efficiency of programs within IDEM.	
Funding:	State	

- a) Improve environmental protection through better program performance.

**JA Status:** Ongoing. Through the Modernization, IDEM is 'front loading' all IT implementations with formal process improvement work-shops to identify the ideal future state and to ensure that the software implementations are supporting the best possible processes. These workshops will also help ensure that the programs have the most impact and are focusing on the core purpose of the program. IDEM has completed significant process improvement for the underground storage tanks (UST) program and construction storm water (CSW). As previously identified, IDEM will include process automation by routing received content through the portal to the virtual file cabinet (VFC) for not only these two programs but all subsequent programs. The portal applications that are being developed for UST and CSW will also allow IDEM to create workflows and tasks for staff based on the type of content submitted. IDEM continues to deploy Geographic Information System (GIS) based mapping application in Esri's ArcGIS Online.

**FA Status:** IDEM has established an agency wide process improvement program that includes a Six Sigma 'Master Black Belt' who has provided facilitation for workshops, Lean training for IDEM staff, and is currently working on documenting all processes in the agency for roadmap development. As noted, all implementations begin with process improvement workshops that consist of current and future state designs, return on investment analysis, and 'do now' activities. IDEM plans to continue to development out this program by maturing process improvement and continuous improvement throughout the agency.

- b) Enhance services to stakeholders and agency partners.

**JA Status:** Ongoing. IDEM has made customer service the core goal for the Modernization program that includes developing and delivering a citizen portal that will

allow citizens and the regulated community to both provide and retrieve data and information from our agency.

IDEM also continues its partnership with the current TEMPO/RM states through the multi-state grant for developing the NPDES eReporting rule functionality. IDEM is also partnered with several other Indiana agencies including the Secretary of State, Department of Revenue, Office of Technology, as well as the Governor's Office to move our Modernization program activities forward as well as deliver greater functionality and services to all of the stakeholders.

**FA Status:** A major part of our process improvement program is the 'voice of the customer' (VOC) which ensures that a clear problem statement is identified and that both real and perceived problems are identified. IDEM has continued to work on the EPA eReporting rule with the multi-state grant.

- c) Operate IDEM and EPA R5 partnership as a transformative model for joint governance.

**JA Status:** Ongoing. IDEM is the lead state in the multi-state grant that includes KY, MN, and LA for the NPDES eReporting Rule and is only waiting on final requirements from EPA R5 for the MS4s to complete this work. IDEM is also working with each state toward collective support of the TEMPO/RM platform as each moves through their own respective modernization projects.

IDEM is in the process of applying for the 2018 National Environmental Information Exchange Network (NEIEN) grant for the development of a Drinking Water Watch 2.0 reporting application that would interface directly with Safe Drinking Water Information System (SDWIS) Prime and could be used by any state that is using SDWIS Prime. Partner states currently being solicited would have input on the reporting functionality developed.

**FA Status:** IDEM is still working to finalize work on the NPDES eReporting rule baseline. IDEM has filed for a single year extension and expects to complete this work in 2020. IDEM was awarded the 2018 multi-state grant for the Drinking Water Watch 2.0 but delays with the SDWIS Prime system has required IDEM to file an extension on this project.

- d) IDEM will annually report a list of ongoing or planned activities that fall within the scope of elements a) through c).

**JA Status:** Ongoing.

- Improve environmental protection through better program performance.

Planned goals and projects

- Migrate to SharePoint Online™ Enterprise and agency wide permit management use.

- Agency-wide implementation of Esri Collector for mobile for field staff.
- Automation of content from Portal File Upload to VFC.
- Automation of workflow creation from defined activities in Portal by regulated community users.
- TEMPO360 implementations.

#### Accomplishments

- Agency wide implementation of ArcGIS Online for easier development and deployment of mapping applications. IDEM continues to develop map based application in ArcGIS Online.
- Completion of agency wide migration to SharePoint Online™ include development of additional workflows to assist program areas in electronic workflow.
- Project work related to integration of new systems for UST and CSW to integration with the VFC.
- Partnership with Indiana Secretary of State's INBiz portal as well as 'back end' systems to support workflow and data management for UST and CSW.

**JA Status:** (EPA R5 comment) IDEM participates with the other EPA R5 states in the EPA/State E-Enterprise workgroup, where members demonstrate new IT applications and discuss efforts to share new applications to save time and resources. EPA R5 continues working with IDEM and commends IDEM for its efforts incorporating E-Enterprise.

**FA Status:** IDEM has automated integration of new systems with the agency's document archiving tool VFC. We have also established common integrations for single sign on, online payment, and GIS. Coupled with process improvement, IDEM continually seeks to improve how operations are handled.

**FA Status:** (EPA R5 Comment) EPA Appreciates IDEM's efforts to modernize and streamline its work processes. IDEM attended the inspector smart tools training and continues to serve on the EPA/State/Tribal E-Enterprise workgroup. The work done to implement single sign-on and online payment are key to implementing portals for customers and the general public.