



IDEM Regulatory Update

**Wednesday, June 13th
P4P2 Quarterly Meeting
General Motors
Fort Wayne, Indiana**



Small Business Regulatory Coordinator

- Jessica Faust-Hamblin
- Stays abreast of regulatory actions
- Attends pollution control Board meetings
- Provides [monthly summaries](#) of the Indiana Register



Office of Air Quality

Redesignation of Nonattainment Areas for PM_{2.5}

- Updated [Indiana Annual PM_{2.5} Nonattainment Areas](#) map
- Blue = Redesignated as having attainment
- Orange = IDEM coordinating with EPA to redesignate
 - Anticipated attainment = Clark and Floyd counties, as well as Madison Township of Jefferson County
 - Anticipated non-attainment = Hamilton, Hendricks, Johnson, Marion, and Morgan counties



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Guidance Documents Updated

- [Remediation Closure Guide](#)
 - Formerly *RISC Technical Resource Guidance Document*
 - Provides technical guidance for investigation, remedy selection, and closure of contaminated sites
- [Remediation Program Guide](#)
 - Formerly *RISC Users Guide*
 - Provides guidance regarding administrative processes involved in the investigation, remedy selection, and closure of contaminated sites



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UST Operator Training

- New Rules at 329 IAC 9-9, concerning Training of Persons who Operate Underground Storage Tank (UST) Systems
[LSA Document # 10-66](#)
- **Class A** certification = Responsible for compliance, day-to-day maintenance, and record keeping or responsible for hiring a contractor to do so
- **Class B** certification = Responsible for maintenance
- **Class C** certification = Responsible for responding to spills and shutting off the UST system
- Unattended facilities = Emergency information posted



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UST Operator Training

- Training must be completed by **August 8, 2012**
- IDEM [UST Operator Training](#) website
- [UST Operator Training Quick Start Guide](#)
 - Instructional guidance
 - Training must be completed electronically/on-line



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NetDMR

- What is [NetDMR](#)?
 - Free, web-based tool
 - Facilities with NPDES and IDEM issued Pretreatment permits
 - Complete, sign, and submit discharge monitoring reports electronically
- Getting started
 - Review “NetDMR Training Walk-Through”
 - Utilize in test environment
 - Gain approval from IDEM
 - Utilize in live environment



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NetDMR

- Benefits of NetDMR
 - Greater flexibility to report monitoring results on time
 - Data quality improvement
 - Instant confirmation of submission
 - Attachments and supplemental documentation submitted electronically
 - DMR revisions submitted electronically
 - Allows permittee to easily obtain current reporting requirements
 - Serves as a secure electronic filing cabinet



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Antidegradation, The Rule

- 327 IAC 2-1.3
 - Section 1. Applicability
 - Section 2. Definitions
 - Section 3. Antidegradation Standards
 - Section 4. Exemptions from Antidegradation Demonstration Requirements
 - Section 5. Antidegradation Demonstration Requirements
 - Section 6. Commissioner's Determination
 - Section 7. Water Quality Improvement for OSRW Degradation



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Antidegradation Applicability

- Applies to new or increased loading of a regulated pollutant to a surface water of the state resulting from a deliberate action
- General Permits
 - IDEM will complete an antidegradation review
 - Once review is conducted, activities covered will not be required to undergo additional review



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Antidegradation Standards

- Based on three tiers
 - Tier 1
 - Protection of *existing uses* & level of water quality necessary to protect *existing uses*
 - Provides absolute floor of water quality
 - Tier 2.0
 - Protection of HQW surface waters that are not OSRW
 - Tier 2.9
 - Protection of HQW surface water that are OSRW
 - No discharges of Bioaccumulative Chemicals of Concern (BCCs) except mercury allowed inside Great Lakes Basin (GLI)



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Antidegradation Exemptions

- Prevention or minimization of loading is required
- Exemptions include:
 - Short-term temporary discharges
 - De minimis discharges
 - Discharges from changes in loadings covered by the capacity and processes of an existing permit
- No de minimis for BCCs



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Antidegradation Demonstration

- **Components:**
 - Basic information regarding discharge
 - Explanation as to why the discharge is necessary
 - Outline of treatment alternatives
 - Explanation of social and economic benefit of discharges
- Some discharges may be required to submit more information or less information depending on the discharge



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Antidegradation Commissioner's Determination

- IDEM recommends applicant hold a public meeting prior to submittal of demonstration
- IDEM will public notice receipt of demonstration
- IDEM will hold a public meeting if:
 - In an OSRW
 - Twenty-five (25) people within a 10-digit watershed or within fifteen (15) miles petition
- IDEM will public notice its determination



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Antidegradation Water Quality Improvements for OSRW

- Non-de minimis discharges to OSRW must be offset by:
 - A water quality improvement project
 - A payment to the water quality improvement fund
- Water quality improvement project
 - Discharger proposes project to IDEM
 - IDEM public notices receipt of proposal
 - Proposal will be approved or denied based on:
 - Whether project can be successfully implemented
 - Whether the lowering of water quality will be offset



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Antidegradation Water Quality Improvements for OSRW

- Payment to the water quality improvement fund
 - In lieu of project
 - Payment based on:
 - Type and quantity of increased pollutant loadings
 - Cost of a project that could achieve overall improvement in water quality
 - Fee will not exceed \$500,000
 - IDEM will solicit input from interested parties to identify and select a project



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Antidegradation, The Rule

- Effective date = Thursday, June 28th
- Currently, gaining approval from US EPA
- IDEM developing implementation logistics



Further Questions

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Compliance and Technical Assistance Program

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