

STATE OF INDIANA
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
PUBLIC NOTICE NO 20240829 – IN0024503– D

DATE OF NOTICE: August 29, 2024

DATE RESPONSE DUE: September 30, 2024

The Office of Water Quality proposes the following DRAFT NPDES PERMIT:

Minor Modification :

Town of Shirley WWTP, Permit No. IN0024503, HANCOCK COUNTY, 10784 East County Road 650 North, Shirley, IN. This minor municipal facility has an average design flow of 0.375 million gallons daily of treated sanitary wastewater into Smith Ditch via Outfall 001. Outfall 001 is located at Latitude: 39° 53' 02" N, Longitude: 85° 35' 42" W. The permittee requests a permit modification to reclassify the wastewater treatment plant from Class II to Class I, and to reduce the monitoring frequencies for CBOD₅, TSS, ammonia-nitrogen, and *E. coli* from three times weekly to two times weekly. Permit Manager: Jay Hanko at 317-233-0704 or jhanko@idem.in.gov. Posted online at <https://www.in.gov/idem/public-notices/>.

PROCEDURES TO FILE A RESPONSE

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

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

To Request a Public Hearing: Any person may request a public hearing. A written request must be submitted to the above address on or before the Response Due Date. The written request shall include: the name and address of the person making the request, the interest of the person making the request, persons represented by the person making the request, the reason for the request and the issues proposed for consideration at the hearing. The Department will determine whether to hold a public hearing based upon the comments and the rationale for the request. Public Notice of such a hearing will be circulated in at least one newspaper in the geographical area of the discharge and to those persons submitting comments and/or on the mailing list at least 30 days prior to the hearing.



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We Protect Hoosiers and Our Environment.

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

Eric J. Holcomb
Governor

Brian C. Rockensuess
Commissioner

August 29, 2024

VIA ELECTRONIC MAIL

Mr. David Messer, Council President
Town of Shirley
409 Main St., P.O. Box 90
Shirley, Indiana 47384

Dear Mr. Messer:

Re: Draft Modification NPDES Permit No. IN025403
Town of Shirley Wastewater Treatment Plant
Hancock County

Your request for permit modification, submitted July 12, 2024, has been reviewed and processed in accordance with rules adopted under 327 IAC 5. Enclosed is the draft modification of NPDES Permit No. IN0025403 which applies to the discharge from the Town of Shirley Wastewater Treatment Plant (WWTP). The enclosed Pages 1, 2, 5, and 9 of 34 are intended to replace the corresponding pages in the facility's current permit.

Pursuant to IC 13-15-5-1, IDEM will publish the draft permit document online at <https://www.in.gov/idem/public-notices/>. Additional information on public participation can be found in the "Citizens' Guide to IDEM", available at <https://www.in.gov/idem/resources/citizens-guide-to-idem/>.

Please review this document carefully and become familiar with the proposed terms and conditions. Comments concerning the draft permit should be submitted in accordance with the procedure outlined in the enclosed public notice form. If you have any questions concerning this modification, please contact Jay Hanko at 317/233-0704 or Jhanko@idem.IN.gov.

Sincerely,

Leigh Voss, Chief
Municipal NPDES Permits Section
Office of Water Quality

Enclosures

cc: Brian Vaughn, Certified Operator
Joseph Benjamin, P.E.

STATE OF INDIANA
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
AMENDED AUTHORIZATION TO DISCHARGE UNDER THE
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

In compliance with the provisions of the Federal Water Pollution Control Act, as amended, (33 U.S.C. 1251 et seq., the “Clean Water Act”) or (CWA), and IDEMs authority under IC 13-5, the Indiana Department of Environmental Management (IDEM) is issuing this permit to the

TOWN OF SHIRLEY

hereinafter referred to as “the permittee.” The permittee owns and/or operates the **Town of Shirley Wastewater Treatment Plant**, a minor municipal wastewater treatment plant located at 10784 East County Road 650 North, Shirley, Indiana, Hancock County. The permittee is hereby authorized to discharge from the outfalls identified in Part I of this permit to receiving waters named Smith Ditch in accordance with the effluent limitations, monitoring requirements, and other conditions set forth in the permit. This permit may be revoked for the nonpayment of applicable fees in accordance with IC 13-18-20.

The permit, as issued on August 25, 2023 is hereby amended as contained herein. The amended provisions shall become effective on _____. All terms and conditions of the permit not modified at this time remain in effect. Further, any existing condition or term affected by the modifications will remain in effect until the modified provisions become effective.

This permit and authorization to discharge, as amended, shall expire at midnight, September 30, 2028. In order to receive authorization to discharge beyond the date of expiration, the permittee shall submit such information and forms as are required by the Indiana Department of Environmental Management no later than 180 days prior to the date of expiration.

Issued on _____ for the Indiana Department of Environmental Management.

Leigh Voss, Chief
Municipal NPDES Permits Section
Office of Water Quality

TREATMENT FACILITY DESCRIPTION

The permittee currently operates a Class I-SP, 0.155 MGD controlled discharge waste stabilization lagoon treatment facility consisting of two treatment lagoons totaling 31.6 million gallons of storage capacity, one storage/polishing lagoon totaling 38.3 million gallons of storage capacity, influent and effluent flow meters, and a stream gauge.

The facility is currently under construction, as permitted by this Office under SRF Project Permit Approval No. L-0701, dated March 8, 2023. Upon completion, the permittee will operate a Class I, 0.375 MGD continuous discharge wastewater stabilization lagoon system consisting of two primary facultative lagoons, a storage lagoon, a Submerged Attached Growth Reactor (SAGR), ultraviolet disinfection, and effluent flow metering.

The collection system is comprised of 100% separate sanitary sewers by design with one Sanitary Sewer Overflow (SSO) flow or bypass point. The SSO location has been identified and prohibited in Attachment A of the permit.

PART I

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

The permittee is authorized to discharge from the outfall listed below in accordance with the terms and conditions of this permit. The permittee shall take samples and measurements at a location representative of each discharge to determine whether the effluent limitations have been met. Refer to Part I.C of this permit for additional monitoring and reporting requirements.

1. Beginning on the effective date of this permit, the permittee is authorized to discharge from Outfall 001, which is located at Latitude: 39° 53' 02" N, Longitude: 85° 35' 42" W. The discharge is subject to the following requirements:

INTERIM TABLE 1 [1]

Parameter	Quantity or Loading			Quality or Concentration			Monitoring Requirements	
	Monthly Average	Weekly Average	Units	Monthly Average	Weekly Average	Units	Measurement Frequency	Sample Type
Stream Flow [2]	Report	----	MGD	----	----	----	Daily	Gauge
Influent Flow [2]	Report	----	MGD	----	----	----	Daily	24-Hr. Total
Effluent Flow [2]	Report	----	MGD	----	----	----	Daily	24-Hr. Total
CBOD ₅ [3]	----	----	lbs/day	25	40	mg/l	Weekly	Grab
TSS [3]	----	----	lbs/day	70	105	mg/l	Weekly	Grab
Ammonia-nitrogen [3]								
Summer [4]	----	----	lbs/day	8.6	12.9	mg/l	Weekly	Grab
Winter [5]	----	----	lbs/day	9.3	14.0	mg/l	Weekly	Grab

(5) are in concentrations or combinations that will cause or contribute to the growth of aquatic plants or algae to such a degree as to create a nuisance, be unsightly, or otherwise impair the designated uses.

- b. outside the mixing zone, to contain substances in concentrations that on the basis of available scientific data are believed to be sufficient to injure, be chronically toxic to, or be carcinogenic, mutagenic, or teratogenic to humans, animals, aquatic life, or plants.

B. FINAL EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

The permittee is authorized to discharge from the outfall listed below in accordance with the terms and conditions of this permit. The permittee shall take samples and measurements at a location representative of each discharge to determine whether the effluent limitations have been met. Refer to Part I.C of this permit for additional monitoring and reporting requirements.

1. During the period beginning thirty (30) days following completion of the proposed construction activities, the permittee is authorized to discharge from Outfall 001, which is located at Latitude: 39° 53' 02" N, Longitude: 85° 35' 42" W. The discharge is subject to the following requirements:

FINAL TABLE 3 [1]

Parameter	Quantity or Loading			Quality or Concentration			Monitoring Requirements	
	Monthly Average	Weekly Average	Units	Monthly Average	Weekly Average	Units	Measurement Frequency	Sample Type
Flow [2]	Report	----	MGD	----	----	----	5 X Weekly	24-Hr. Total
CBOD ₅								
Summer [3]	47.0	72.0	lbs/day	15	23	mg/l	2 X Weekly	24-Hr. Comp.
Winter [4]	78.2	125.2	lbs/day	25	40	mg/l	2 X Weekly	24-Hr. Comp.
TSS								
Summer [3]	56.3	84.5	lbs/day	18	27	mg/l	2 X Weekly	24-Hr. Comp.
Winter [4]	94.0	140.8	lbs/day	30	45	mg/l	2 X Weekly	24-Hr. Comp.
Ammonia-nitrogen								
Summer [3]	5.0	7.5	lbs/day	1.6	2.4	mg/l	2 X Weekly	24-Hr. Comp.
Winter [4]	10.0	15.0	lbs/day	3.2	4.8	mg/l	2 X Weekly	24-Hr. Comp.

FINAL TABLE 4 [1]

Parameter	Quality or Concentration				Monitoring Requirements	
	Daily Minimum	Monthly Average	Daily Maximum	Units	Measurement Frequency	Sample Type
pH [5][6]	6.0	----	9.0	s.u.	5 X Weekly	Grab
Dissolved Oxygen [7]						
Summer [3]	6.0	----	----	mg/l	2 X Weekly	2 Grabs/24-Hrs.
Winter [4]	5.0	----	----	mg/l	2 X Weekly	2 Grabs/24-Hrs.
<i>E. coli</i> [8]	----	125 [9]	235 [10]	cfu/100 ml	2 X Weekly	Grab

[1] Refer to the Notification Requirement in Part I.E. of the permit.

measurements of daily discharges shall use an arithmetic mean unless otherwise specified in this permit. For fecal coliform, the monthly average discharge and weekly average discharge, as concentrations, shall be calculated as a geometric mean. For *E. coli*, the monthly average discharge, as a concentration, shall be calculated as a geometric mean.

b. Terms

- (1) “Monthly Average” -The monthly average discharge means the total mass or flow-weighted concentration of all daily discharges during a calendar month on which daily discharges are sampled or measured, divided by the number of daily discharges sampled and/or measured during such calendar month. The monthly average discharge limitation is the highest allowable average monthly discharge for any calendar month.
- (2) “Weekly Average” – The weekly average discharge means the total mass or flow weighted concentration of all daily discharges during any calendar week for which daily discharges are sampled or measured, divided by the number of daily discharges sampled and/or measured during such calendar week. The average weekly discharge limitation is the maximum allowable average weekly discharge for any calendar week.
- (3) “Daily Maximum” – The daily maximum discharge limitation is the maximum allowable daily discharge for any calendar day. The “daily discharge” means the total mass of a pollutant discharged during the calendar day or, in the case of a pollutant limited in terms other than mass pursuant to 327 IAC 5-2-11(e), the average concentration or other measurement of the pollutant specified over the calendar day or any twenty-four hour period that represents the calendar day for purposes of sampling.
- (4) “24-hour Composite” – A 24-hour composite sample consists of at least two (2) individual flow-proportioned samples of wastewater, taken by the grab sample method over equal time intervals during the period of operator attendance or by an automatic sampler, and which are combined prior to analysis. A flow proportioned composite sample shall be obtained by:
 - (a) recording the discharge flow rate at the time each individual sample is taken,
 - (b) adding together the discharge flow rates recorded from each individual sampling time to formulate the “total flow value,”
 - (c) dividing the discharge flow rate of each individual sampling time by the total flow value to determine its percentage of the total flow value, and



**National Pollutant Discharge Elimination System
Briefing Memo for
Town of Shirley Wastewater Treatment Plant**

**Draft: July 2024
Final: TBD**

Indiana Department of Environmental Management
100 North Senate Avenue
Indianapolis, Indiana 46204
(317) 232-8603
Toll Free (800) 451-6027

Permittee:	Mr. David Messer, Council President Town of Shirley 409 Main St., P.O. Box 90 Shirley, Indiana 47384 (765) 738-6561 shirleytowncouncil@gmail.com
Existing Permit Information:	Permit Number: IN0025403 Expiration Date: September 30, 2028
Facility Contact:	Brian Vaughn, Certified Operator 765/977-3457 shirley.maintdept@gmail.com
Facility Location:	10784 East County Road 650 North Shirley, Indiana Hancock County
Receiving Stream:	Smith Ditch
GLI/Non-GLI:	Non-GLI
Proposed Permit Action:	Modification
Date Application Received:	July 12, 2024
Facility Category:	NPDES Minor Municipal
Permit Writer:	Jay Hanko 317/233-0704 Jhanko@idem.IN.gov

Outfall Location

Latitude: 39° 53' 02" N
Longitude: 85° 35' 42" W

While the actual location of the outfall has not changed, the coordinates have been updated from the previous permit utilizing GIS programs to more accurately represent the location of the outfall.

Background

This is the modification of the NPDES permit for the Town of Shirley Wastewater Treatment Plant. The facility's current permit was effective on October 1, 2023 and has an expiration date of September 30, 2028. A request for permit modification was received from the permittee on July 12, 2024. The permittee requests a permit modification to reclassify the wastewater treatment plant from Class II to Class I, and to reduce the monitoring frequencies for CBODs, TSS, ammonia-nitrogen, and *E. coli* from three times weekly to two times weekly, and the daily number of dissolved oxygen samples from three daily grab samples to a single daily grab sample.

IDEM's Facility Construction & Engineering Support Section in the Office of Water Quality reviewed the reclassification request and agreed that the wastewater treatment plant can be classified as Class I. Additionally, The Municipal NPDES Permits Section has agreed to reduce the monitoring frequencies for CBODs, TSS, ammonia-nitrogen, and *E. coli* from three times weekly to two times weekly in Table 3, and Dissolved Oxygen from five times weekly to two times weekly in Table 4. The number of required grab samples to complete a 24-Hour Composite sample has been reduced from at least three individual flow-proportioned samples to two.

Modification

The following changes have been made for the modification of the NPDES permit:

- | | |
|---------------|--|
| Page 1 of 34 | This page has been modified to reflect the modification effective date for the permit. |
| Pages 2 of 34 | This page has been modified to show the the wastewater treatment plsnt has been reclassified to a Class I wastewater treatment plant. |
| Pages 5 of 34 | This page has been modified to to reflect the revisions to the monitoring frequencies in Tales 3 and 4 as described above. |
| Pages 9 of 34 | This page has been modified to revise the definition for 24-hour Composite in Part I.C.4.b(4) to consist of at least two (2) individual flow-proportioned samples. |

Expiration Date

The expiration date of the permit has not changed. The permit, as modified, will expire at midnight on September 30, 2028.

Permit Processing/Public Comment

Pursuant to IC 13-15-5-1, IDEM will publish the draft permit modification document online at <https://www.in.gov/idem/public-notices/>. Additional information on public participation can be found in the "Citizens' Guide to IDEM", available at <https://www.in.gov/idem/resources/citizens-guide-to-idem/>. A 30-day comment period is available to solicit input from interested parties, including the public.