

**STATE OF INDIANA
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
PUBLIC NOTICE NO 20240528 – INJ064742– D**

DATE OF NOTICE: May 28, 2024

DATE RESPONSE DUE: June 27, 2024

The Office of Water Quality proposes the following **DRAFT OPERATIONAL PERMIT:**

MINOR RENEWAL:

Bastian Solutions, LLC Westfield, Permit INJ064742, HAMILTON COUNTY, 1821 Bastian Court, Westfield, IN. This facility manufactures material handling/conveyer equipment. The permittee discharges treated process water to the Citizens of Westfield, LLC Wastewater Treatment Plant. Permit Manager: Devery DeBoy at 317-232-8701 or ddeboy@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

May 28, 2024

VIA ELECTRONIC MAIL

Drew Dishman, Team Lead
Bastian Solutions, LLC Westfield
1821 Bastian Court
Westfield, IN 46074

Dear Mr. Dishman:

Re: Draft Operational Permit No. INJ064742
Bastian Solutions, LLC Westfield
Westfield, IN – Hamilton County

Your application and supporting documents have been reviewed and processed in accordance with rules adopted under 327 IAC 3. Enclosed is draft Operational Permit No. INJ064742 which applies to the discharges associated with the metal finishing facility.

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/>. A 30-day comment period is available to solicit input from interested parties, including the public

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. We suggest that you meet with us to discuss major concerns or objections you may have with the draft permit. If you have any questions concerning this proposed permit, please contact Ms. Devery J. DeBoy, 317/232-8701 or DDeboy@idem.in.gov.

Sincerely,

Richard Hamblin, Chief
Industrial NPDES Permits Section
Office of Water Quality

Enclosures

cc: Chief, Permits Section, U.S. EPA, Region 5
Hamilton County Health Department
Jared Dowd, Plant Manager
Jeff Guin, Citizens of Westfield, LLC Environmental Coordinator
Aaron Deeter, IDEM

STATE OF INDIANA

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

AUTHORIZATION TO DISCHARGE UNDER THE OPERATIONAL PERMIT PROGRAM

In accordance with IDEM's permitting authority under IC 13-15, as amended (formerly IC 13-7), and 327 IAC 3-4,

BASTIAN SOLUTIONS, LLC WESTFIELD

is authorized to discharge from the metal finishing facility, located at 1821 Bastian Court, Westfield, IN, Hamilton County, to the Citizens Wastewater of Westfield, LLC, in accordance with effluent limitations, monitoring requirements, and other conditions set forth in Parts I and II hereof.

Effective Date: _____

Expiration Date: _____

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. This permit may be revoked for the nonpayment of applicable fees in accordance with IC 13-18-20.

Issued on _____ for the Indiana Department of Environmental Management.

Jerry Dittmer, Chief
Permits Branch
Office of Water Quality

PART I

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

- (1) During the period beginning on the effective date of this permit, the permittee is authorized to discharge from Outfall 001[1][2]. Outfall 001 is located at the sump pit at southwest corner of the facility. Such discharge shall be limited and monitored by the permittee as specified below:

DISCHARGE LIMITATIONS

Outfall 001

Table 1

Parameter[3]	Discharge Limitations		Monitoring Requirements		
	Daily Maximum	Monthly Average	Unit	Measurement Frequency[4]	Sample Type
Flow [5]	Report	Report	MGD	Daily	24-Hr. Total
Cadmium [Cd]	0.11 [6]	0.07 [6]	mg/l	1 X Monthly	24-Hr. Comp.
T. Chromium [Cr(T)]	2.77 [6]	1.71 [6]	mg/l	1 X Monthly	24-Hr. Comp.
Chromium VI	0.25 [7]	0.09 [7]	mg/l	1 X Monthly	24-Hr. Comp.
Copper [Cu]	2.0 [7]	1.0 [7]	mg/l	1 X Monthly	24-Hr. Comp.
Lead [Pb]	0.69 [6]	0.43 [6]	mg/l	1 X Monthly	24-Hr. Comp.
Nickel [Ni]	3.6 [7]	1.8 [7]	mg/l	1 X Monthly	24-Hr. Comp.
Silver [Ag]	0.43 [6]	0.24 [6]	mg/l	1 X Monthly	24-Hr. Comp.
Tin [Sn]	2.0 [7]	1.0 [7]	mg/l	1 X Monthly	24-Hr. Comp.
Zinc [Zn]	2.61 [6]	1.48 [6]	mg/l	1 X Monthly	24-Hr. Comp.
T. Cyanide [CN(T)][8]	0.64 [7]	0.24 [7]	mg/l	1 X Monthly	Grab
Amenable Cyanide	0.20 [7]	0.08 [7]	mg/l	1 X Monthly	Grab
TTO [9]	2.13 [6]	-----	mg/l	1 X Monthly	Grab
Oil & Grease [O&G]	52 [6]	26 [6]	mg/l	1 X Monthly	Grab
TSS	60 [6]	31 [6]	mg/l	1 X Monthly	Grab

Table 2

Parameter	Quality or Concentration		Monitoring Requirements		
	Daily Minimum	Daily Maximum	Units	Measurement Frequency	Sample Type
pH [10]	5.0 [7]	9.0 [7]	s.u.	Daily	Grab

[1] Outfall 001 shall be designated as process wastewaters and contains no dilution streams.

[2] The discharge shall not exceed the local limits in the Citizens Wastewater of Westfield, LLC contract upon entering the Privately Owned Treatment Works.

- [3] All metals shall be analyzed as Total Recoverable Metals.
- [4] A “24-hour composite sample” means a sample consisting of at least 3 individual flow-proportional samples of wastewater, consisting of aliquots withdrawn throughout the 24-hour discharge period. The aliquots may be: (i) uniform aliquots withdrawn at uniform flow intervals; (ii) flow-proportional aliquots withdrawn at uniform time intervals; or (iii) for batch discharge, uniform aliquots withdrawn from uniform batch volumes. A flow-proportioned composite sample may be obtained by:
- (1) recording the discharge flow rate at the time each individual sample is taken,
 - (2) adding together the discharge flow rates recorded from each individual sampling time to formulate the “total flow” value,
 - (3) the discharge flow rate of each individual sampling time is divided by the total flow value to determine its percentage of the total flow value,
 - (4) then multiply the volume of the total composite sample by each individual sample’s percentage to determine the volume of that individual sample which will be included in the total composite sample.
- Alternatively, a 24-hour composite sample may be obtained by an automatic sampler on an equal time interval basis over a twenty-four hour period provided that a minimum of 24 samples are taken and combined prior to analysis. The samples do not need to be flow-proportioned if the permittee collects samples in this manner.
- [5] The flow must be measured and recorded using valid flow measurement devices, not estimated. The flow monitoring device must be calibrated at least once every twelve (12) months.
- [6] Based on categorical standards [40 CFR 433.16]. The Standard is concentration-based (mg/l).
- [7] Based on Citizens Wastewater of Westfield, LLC Contract (adopted April 2018).
- [8] The CN(T) parameter includes all cyanide, chelated (bound to heavy metals) and unchelated (free). The Metal Finishing Standard for CN(T) applies only to the CN-bearing flows prior to mixing with the non-CN Metal Finishing flows. If the permittee does not use CN, the CN(T) samples should be collected at the end-of-process site.
- [9] The Total Toxic Organics (TTO) parameter is defined as the sum of the concentration values above 0.01 mg/l for the toxic organic compounds that constitute this parameter under the applicable categorical standard. See part I.D. (“TTO MONITORING REQUIREMENTS”) of this permit.
- [10] If the permittee collects more than one grab sample on a given day for pH, the values shall not be averaged for reporting daily maximums or daily minimums. The permittee must report the individual minimum and the individual maximum pH value of any sample during the month on the Monthly Monitoring Report form.

2. ADDITIONAL DISCHARGE PROHIBITIONS

The permittee shall not allow the introduction of the following into the Privately Owned Treatment Works from any location, including Outfall 001:

- a. A pollutant from any source of nondomestic wastewaters that could pass through or cause interference with the operation or performance of the Privately Owned Treatment Works.
- b. A pollutant that could create a fire or explosion hazard in the Privately Owned Treatment Works, including waste streams with a closed cup flashpoint of less than 140° F degrees Fahrenheit (60° C) using the test methods in 40 CFR 261.21.
- c. A pollutant that could cause corrosive structural damage to the Privately Owned Treatment Works including a discharge with pH lower than five (5.0), unless the Privately Owned Treatment Works is specifically designed to accommodate such a discharge.
- d. A solid or viscous pollutant in an amount that could cause obstruction to the flow in a sewer or other interference with the operation of the Privately Owned Treatment Works.
- e. A pollutant, including an oxygen demanding pollutant (such as biochemical oxygen demand) released in a discharge at a flow rate or pollutant concentration that could cause interference in the Privately Owned Treatment Works.
- f. Heat in an amount that could:
 - (1) inhibit biological activity in the Privately Owned Treatment Works and result in interference or damage to the Privately Owned Treatment Works; or
 - (2) exceed 40° C or 104° F at the Privately Owned Treatment Works' treatment plant unless the Commissioner, upon request of the Privately Owned Treatment Works, approves alternate temperature limits.
- g. Petroleum, oil, non-biodegradable cutting oil, or products of mineral oil origin in an amount that could cause interference or pass through.
- h. A pollutant that could result in the presence of toxic gases, vapors, or fumes within the Privately Owned Treatment Works in a quantity that may cause acute worker health and safety problems.

- i. A trucked or hauled pollutant, except:
 - (1) with the written permission of Citizens Wastewater of Westfield, LLC; and
 - (2) when introduced to Citizens Wastewater of Westfield, LLC at a discharge point designated by the Privately Owned Treatment Works.

B. DEFINITIONS

- 1. “Monthly Average” 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. “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 reasonably represents the calendar day for the purposes of sampling.
- 3. “Daily Maximum” means the maximum allowable daily discharge for any calendar day.
- 4. A “24-hour composite sample” means a sample consisting of at least 3 individual flow-proportioned samples of wastewater, taken by the grab sample method or by an automatic sampler, which are taken at approximately equally spaced time intervals for the duration of the discharge within a 24-hour period and which are combined prior to analysis. A flow-proportioned composite sample may 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 individuals sampling time to formulate the “total flow” value,
 - c. the discharge flow rate of each individual sampling time is divided by the total flow value to determine its percentage of the total flow value,

- d. then multiply the volume of the total composite sample by each individual sample's percentage to determine the volume of that individual sample which will be included in the total composite sample.
5. "Concentration" means the weight of any given material present in a unit volume of liquid. Unless otherwise indicated in this permit, concentration values shall be expressed in milligrams per liter (mg/l).
6. The "Commissioner" is defined as the Commissioner of the Indiana Department of Environmental Management, which is located at the following address: 100 North Senate Avenue, Indianapolis, Indiana 46204.
7. "Grab Sample" means a sample which is taken from a wastestream on a one-time basis without consideration of the flow rate of the wastestream and without considerations of time.

C. MONITORING AND REPORTING

1. Representative Sampling

Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge flow and shall be taken at times which reflect the full range and concentration of effluent parameters normally expected to be present. Samples shall not be taken at times to avoid showing elevated levels of any parameters.

2. Reporting

The permittee shall submit monitoring reports to the Indiana Department of Environmental Management and Citizens Wastewater of Westfield, LLC containing results obtained during the previous month and shall be submitted no later than the 28th day of the month following each completed monitoring period. The first report shall be submitted by the 28th day of the month following the month in which the permit becomes effective. These reports shall include, but not necessarily be limited to, the Discharge Monitoring Report (DMR) and the Monthly Monitoring Report (MMR). All reports shall be submitted electronically by using the NetDMR application, upon registration, receipt of the NetDMR Subscriber Agreement, and IDEM approval of the proposed NetDMR Signatory. Access the NetDMR website (for initial registration and DMR/MMR submittal) via CDX at: <https://cdx.epa.gov/>. See Part II.C.10 of this permit for Future Electronic Reporting Requirements.

If Citizens Wastewater of Westfield, LLC is agreeable to receiving an electronic version of the monthly reports, copies can be sent to Citizens Wastewater of Westfield, LLC via NetDMR. An acceptable email address for Citizens Wastewater of Westfield, LLC must be provided to IDEM's Compliance Data Section. Any non-NetDMR reports sent to the Citizens Wastewater of Westfield, LLC shall be sent to the following:

Attn: Environmental Stewardship
Citizens Wastewater of Westfield, LLC
2020 North Meridian Street
Indianapolis, IN, 46202

3. Test Procedure

The analytical and sampling methods used shall conform to the version of 40 CFR 136 incorporated by reference in 327 IAC 5. Different but equivalent methods are allowable if they receive the prior written approval of the Commissioner and the U.S. Environmental Protection Agency. When more than one test procedure is approved for the purposes of the NPDES program under 40 CFR 136 for the analysis of a pollutant or pollutant parameter, the test procedure must be sufficiently sensitive as defined at 40 CFR 122.21(e)(3) and 122.44(i)(1)(iv).

4. Recording of Results

For each measurement or sample taken pursuant to the requirements of this permit, the permittee shall maintain records of all monitoring information and monitoring activities, including:

- a. The exact place, date, and time of sampling;
- b. The person(s) who performed the sampling or measurements;
- c. The date(s) the analyses were performed;
- d. The person(s) who performed the analyses;
- e. The analytical techniques or methods used, and
- f. The results of all required analyses and measurements.

5. Additional Monitoring by Permittee

If the permittee monitors any pollutant at the location(s) designated herein more frequently than required by this permit, using approved analytical methods as specified above, the results of this monitoring shall be included in the calculation and reporting of the values required in the monthly Discharge Monitoring Report (DMR) and Monthly Monitoring Report (MMR). Such increased frequency shall also be indicated. Other monitoring data not specifically required in this permit (such as internal process or internal waste stream data) which is collected by or for the permittee need not be submitted unless requested by the Commissioner.

6. Records Retention

All records and information resulting from the monitoring activities required by this permit, including all records of analyses performed and calibration and maintenance of instrumentation and recording from continuous monitoring instrumentation, shall be retained for a minimum of three (3) years. In cases where the original records are kept at another location, a copy of all such records shall be kept at the permitted facility. The three-year shall be extended:

- a. automatically during the course of any unresolved litigation regarding the discharge of pollutants by the permittee or regarding promulgated effluent guidelines applicable to the permittee; or
- a. as requested by the Indiana Department of Environmental Management.

7. Receiving Privately Owned Treatment Works

Citizens Wastewater of Westfield, LLC
Westfield Wastewater Treatment Plant
3303 W 166th Street
Westfield, IN
Hamilton County
NPDES Permit #IN0059544

D. TTO MONITORING REQUIREMENTS

- 1. The Total Toxic Organics (TTO) limitation is defined as the summation of all quantifiable values greater than 0.01 mg/l for the toxic organic compounds listed in Table 1 that would reasonably be expected to be found. The sum of all values shall not exceed the TTO limitation(s) in Part I.A.

All toxic organic samples must be collected, preserved and stored in accordance with 40 CFR 136, Appendix A. Samples for volatile organics must be analyzed within 14 days of collection. Samples for semi-volatile organics, PCBs and pesticides must be extracted within 7 days of collection and analyzed within 40 days of extraction.

Toxic organics shall be analyzed using U.S. EPA methods 624 (volatile organics), 625 (semi-volatile organics) and 608 (PCBs and pesticides) in 40 CFR 136, or other equivalent methods approved by U.S. EPA. Equivalent methods must be at least as sensitive and specific as methods 624, 625 and 608.

1. Monitoring Alternative for TTO:

In lieu of monitoring for TTO, and at the discretion of the State, the permittee may make the following certification:

“Based on my inquiry of the persons directly responsible for managing compliance with the standard for total toxic organics (TTO), I certify that, to the best of my knowledge and belief, no dumping of concentrated toxic organics into the wastewater has occurred since filing the last discharge monitoring report. I further certify that this facility is implementing the solvent management plan submitted to the State.”

This statement must be signed by the signatory on the DMR.

In requesting that no monitoring be required, the permittee shall submit a solvent management plan that specifies to the State's satisfaction the following conditions:

- a. the toxic organic compounds used;
- b. the method of disposal used instead of dumping, such as reclamation, contract hauling, incineration, etc.; and
- b. the procedures for assuring that toxic organics do not routinely spill or leak into the wastewater.

In requesting that no monitoring be required, the permittee shall monitor for all toxic organics listed in Table 1 at least once and submit a copy of the analytical report(s) to the State. If the permittee can demonstrate compliance with the TTO limit and chooses the certification option in lieu of monitoring, the analytical report(s) shall be conducted and submitted for State approval within six months from the effective date of this permit.

If the permittee is capable of complying with the above conditions and chooses the certification option in lieu of monitoring, a solvent management plan shall be submitted to the Compliance Data Section of the Office of Water Quality for review and approval within six months from the effective date of this permit.

If it is determined that monitoring is necessary to ensure compliance with the TTO limit, the permittee need analyze only for those toxic organics which would reasonably be expected to be present in the discharge.

E. REOPENING CLAUSES

In accordance with 327 IAC 3-4-4(b), 327 IAC 5-3-6 and 327 IAC 5-2-16, this permit may be modified, or alternately, revoked and reissued, to reflect any conditions as specified in 327 IAC 5-2-16.

PART II
STANDARD CONDITIONS FOR OPERATIONAL PERMITS
FOR INDUSTRIAL FACILITIES

A. GENERAL CONDITIONS

1. Authority

The terms and conditions of this permit are authorized under:

- a. 327 IAC 3-4-3, which requires an operational permit to contain such terms and conditions as the Commissioner determines necessary to assure that the water pollution control facility will be operated in such a manner that any pollutants released or threatened to be released by the facility into the environment will not cause or contribute to violations of applicable water quality standards, or otherwise cause a significant adverse impact on the environment or the public health.
- b. 327 IAC 3-4-4(b), which requires that the provisions of 327 IAC 5-3-2, 327 IAC 5-3-3, 327 IAC 5-3-6, 327 IAC 5-3-7, 327 IAC 5-3-14, 327 IAC 5-3-15, and 327 IAC 5-3-16 be applied to the issuance of an operational permit.
- c. 327 IAC 5-3-6 (applicable under 327 IAC 3-4-4(b) above), which requires that the provisions of 327 IAC 5-2-6, 327 IAC 5-2-8, 327 IAC 5-2-9, 327 IAC 5-2-10, 327 IAC 5-2-13, 327 IAC 5-2-14, and 327 IAC 5-2-15 be contained in the draft permit.
- d. the miscellaneous administrative provisions of 327 IAC 3-5.

2. Duty to Comply

The permittee shall comply with all terms and conditions of this permit in accordance with 327 IAC 5-2-8(1) and all other requirements of 327 IAC 5-2-8. Any permit noncompliance constitutes a violation of IC 13 and is grounds for enforcement action or permit termination, revocation and reissuance, modification, or denial of a permit renewal application.

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of the permit.

3. Duty to Mitigate Adverse Impact

In accordance with 327 IAC 5-2-8(3), the permittee shall take all reasonable steps to minimize or correct any adverse impact to the environment resulting from noncompliance with this permit. During periods of noncompliance, the permittee shall conduct such accelerated or additional monitoring for the affected parameters, as appropriate or as requested by IDEM, to determine the nature and impact of the noncompliance.

The permittee shall take all reasonable steps to minimize any adverse impact to the Privately Owned Treatment Works or to waters of the State resulting from noncompliance with the permit, including such accelerated or additional monitoring necessary to determine the nature and impact of the non-complying discharge.

4. Change in Discharge

If the permittee intends to add a pollutant not limited by this permit or increase discharge of a pollutant limited by this permit, the permittee must notify the receiving Privately Owned Treatment Works and apply for a permit modification from the Commissioner prior to commencing discharge containing the additional pollutant. The application for permit modification must:

- a. be completed on a form prescribed by the Commissioner;
- b. be signed in accordance with 327 IAC 5-2-22(a); and
- c. be submitted to the Commissioner no later than 120 days prior to the date that the permittee intends to commence discharge containing the additional pollutant.

5. Noncompliance Notification

- a. If the permittee does not or will not be able to comply for any reason with any discharge limitation specified in this permit, the permittee shall provide the Indiana Department of Environmental Management and Citizens Wastewater of Westfield, LLC with the following information in writing, within twenty-four (24) hours of becoming aware of the noncompliance.
 1. A description of the discharge and cause of noncompliance.
 2. The period of noncompliance, including exact dates and times of the noncomplying event and the anticipated time when the discharge will return to compliance.
 3. Steps being taken to reduce, eliminate, and prevent recurrence of the noncomplying discharge.

The permittee may email the written report of noncompliance to IDEM at wwreports@idem.in.gov. The permittee shall also notify Citizens Wastewater of Westfield, LLC at pretreatment@citizensenergygroup.com.

- b. If the permittee has any unexpected, unintended, abnormal, or unapproved discharge from the facility into the Privately Owned Treatment Works, the permittee shall comply with the spill reporting and response requirements contained in 327 IAC 2-6.1-7, including the requirement to report the discharge to IDEM and to the receiving Privately Owned Treatment Works within two hours of discovery of the discharge.

6. Duty to Reapply

If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must obtain and submit a renewal of this permit in accordance with 327 IAC 5-3-2(a)(2). It is the permittee's responsibility to obtain and submit the application. The application must be submitted at least 180 days before the expiration date of this permit. This deadline may be extended if:

- a. permission is requested in writing before such deadline;
- b. IDEM grants permission to submit the application after the deadline; and
- c. the application is received no later than the permit expiration date.

7. Permit Transfers

In accordance with 327 IAC 3-5-2 this permit may be transferred to another person by a permittee without modification or revocation and reissuance being required, if:

- a. The permittee notifies the commissioner of the proposed transfer.
- b. The transferee certifies in writing to the commissioner that he does not intend to significantly alter the permitted activity.
- c. A written agreement containing a specific date for transfer of permit responsibility and coverage between the current and new permittee (including acknowledgement that the existing permittee is liable for violations from that date on) is submitted to the commissioner.
- d. The commissioner within thirty (30) days does not notify the current permittee and the new permittee of his or her intent to modify, revoke and reissue, or terminate the permit and to require that a new permit be filed rather than agreeing to the transfer of the permit.

The Commissioner may require modification or revocation and reissuance of the permit to identify the new permittee and incorporate such other requirements as may be necessary under state law.

8. Permit Actions

- a. In accordance with 327 IAC 5-2-16(b) and 327 IAC 5-2-8(4), this permit may be modified, revoked and reissued, or terminated for cause, including, but not limited to, the following:
 1. Violation of any terms or conditions of this permit;
 2. Failure of the permittee to disclose fully all relevant facts or misrepresentation of any relevant facts in the application, or during the permit issuance process; or
 3. A change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge controlled by the permittee (e.g., plant closure, , a change in state law or information indicating the discharge poses a substantial threat to human health or welfare).
- b. Filing of either of the following items does not stay or suspend any permit condition: (1) a request by the permittee for a permit modification, revocation and reissuance, or termination, or (2) submittal of information specified in Part II.A.3 of the permit including planned changes or anticipated noncompliance.

The permittee shall submit any information that the permittee knows or has reason to believe would constitute cause for modification or revocation and reissuance of the permit at the earliest time such information becomes available, such as plans for physical alterations or additions to the permitted facility that:

1. could significantly change the nature of, or increase the quantity of, pollutants discharged; or
2. the Commissioner may request to evaluate whether such cause exists.

9. Property Rights

The issuance of this permit does not convey any property rights of any sort or any exclusive privileges, nor does it authorize any injury to persons or private property or an invasion of rights, any infringement of federal, state, or local laws or regulations. The issuance of the permit also does not preempt any duty to obtain any other state, or local assent required by law for the discharge or for the construction or operation of the facility from which a discharge is made.

10. Severability

In accordance with 327 IAC 1-1-3, the provisions of this permit are severable and, if any provision of this permit or the application of any provision of this permit to any person or circumstance is held invalid, the invalidity shall not affect any other provisions or applications of the permit which can be given effect without the invalid provision or application.

11. Oil and Hazardous Substance Liability

Nothing in this permit shall be construed to relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject to under Section 311 of the Clean Water Act.

12. Containment Facilities

When cyanide or cyanogen compounds are used in any of the processes at this facility, the permittee shall provide approved facilities for the containment of any losses of these compounds in accordance with the requirements of 327 IAC 2-2-1.

13. State Laws

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable state law or regulation.

14. Penalties for Violations of Permit Conditions

Pursuant to IC 13-30-4, a person who violates any provision of this permit, the water pollution control laws; environmental management laws; or a rule or standard adopted by the Environmental Rules Board is liable for a civil penalty not to exceed twenty-five thousand dollars (\$25,000) per day of any violation.

Pursuant to IC 13-30-5, a person who obstructs, delays, resists, prevents, or interferes with (1) the department; or (2) the department's personnel or designated agent in the performance of an inspection or investigation performed under IC 13-14-2-2 commits a class C infraction.

Pursuant to IC 13-30-10-1.5(e), a person who willfully or negligently violates any NPDES permit condition or filing requirement, or any applicable standards or limitations of IC 13-18-3-2.4, IC 13-18-4-5, IC 13-18-12, IC 13-18-14, IC 13-18-15, or IC 13-18-16, commits a Class A misdemeanor.

Pursuant to IC 13-30-10-1.5(i), an offense under IC 13-30-10-1.5(e) is a Level 4 felony if the person knowingly commits the offense or knows that the commission of the offense places another person in imminent danger of death or serious bodily injury. An offense under IC 13-30-10-1.5(e) is a Level 3 felony if it results in serious bodily injury to any person, and a Level 2 felony if it results in death to any person.

Pursuant to IC 13-30-10-1.5(g), a person who willfully or recklessly violates any applicable standards or limitations of IC 13-18-8 commits a Class B misdemeanor.

Pursuant to IC 13-30-10-1.5(h), a person who willfully or recklessly violates any applicable standards or limitations of IC 13-18-9, IC 13-18-10, or IC 13-18-10.5 commits a Class C misdemeanor.

Pursuant to IC 13-30-10-1, a person who knowingly or intentionally makes any false material statement, representation, or certification in any NPDES form, notice, or report commits a Class B misdemeanor.

15. Penalties for Tampering or Falsification

In accordance with 327 IAC 5-2-8(10), the permittee shall comply with monitoring, recording, and reporting requirements of this permit. The Clean Water Act, as well as IC 13-30-10-1, provides that any person who knowingly or intentionally (a) destroys, alters, conceals, or falsely certifies a record, (b) tampers with, falsifies, or renders inaccurate or inoperative a recording or monitoring device or method, including the data gathered from the device or method, or (c) makes a false material statement or representation in any label, manifest, record, report, or other document; all required to be maintained under the terms of a permit issued by the department commits a Class B misdemeanor.

16. Construction Permit

Except in accordance with 327 IAC 3, the permittee shall not construct, install, or modify any water pollution treatment/control facility as defined in 327 IAC 3-1-2(24). Upon completion of any construction, the permittee must notify the Compliance Data Section of the Office of Water Quality in writing.

17. Wastewater Treatment Plant and Certified Operators

Pursuant to IC 13-18-11-11 and 327 IAC 5-23-6, a permittee's wastewater treatment plant must be under the responsible charge of an operator certified by the Commissioner in a classification corresponding to the classification of the wastewater treatment plant as determined under 327 IAC 5-23-4.

A certified operator may be designated as being in responsible charge of more than one (1) wastewater treatment plant if the requirements under 327 IAC 5-23-7(b) are met. "Operator in responsible charge" is defined at 327 IAC 5-23-2(16).

Pursuant to 327 IAC 5-23-6(4)(A), the permittee shall notify IDEM when there is a change in the person serving as the certified operator in responsible charge of the wastewater treatment facility. The notification shall be made no later than thirty (30) days after a change in the operator and submitted via e-mail to the Compliance Data Section of the Office of Water Quality at WWReports@idem.IN.gov.

18. Inspection and Entry

In accordance with 327 IAC 3-5-6, the Commissioner or his authorized representative, upon presentation of proper credentials:

- a. Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
- b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
- c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
- d. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized in accordance with 327 IAC 3-5-6(c), any substances or parameters at any location.

19. Duty to Provide Information

The permittee shall submit any information that the permittee knows or has reason to believe would constitute cause for modification or revocation and reissuance of the permit at the earliest time such information becomes available, such as plans for physical alterations or additions to the facility that:

- a. could significantly change the nature of, or increase the quantity of, pollutants discharged; or
- b. the Commissioner may request to evaluate whether such cause exists.

In accordance with 327 IAC 3-5-6, the permittee must also provide any information reasonably requested by the Commissioner.

B. MANAGEMENT REQUIREMENTS

1. Proper Operation and Maintenance

In accordance with 327 IAC 5-2-8(9), the permittee shall at all times maintain in good working order and efficiently operate all facilities and systems (and related appurtenances) for collection that are:

- a. installed or used by the permittee; and
- b. necessary for achieving compliance with the terms and conditions of the permit.

2. Bypass of Treatment Facilities

a. Definitions:

- (1) "Bypass" means the intentional diversion of a waste stream from any portion of a treatment facility normally utilized for treatment of the waste stream.
- (2) "Severe property damage" means substantial physical damage to property, damage to the treatment facilities which would cause them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production at the permittee's facility.

- b. Bypass may occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of paragraphs (c) or (d) of this subsection.
- c. Bypass which causes, or is likely to cause, applicable effluent limitations to be exceeded is prohibited unless the following three conditions are met:

- (1) Bypass is unavoidable to prevent loss of life, personal injury or severe property damage;
 - (2) There are no feasible alternatives to bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment down-time; and
 - (3) The permittee submits notice of an unanticipated bypass to the Commissioner within 24 hours of becoming aware of the bypass (if this information is provided orally, a written submission must be provided within five days). Where the permittee knows or should have known in advance of the need for a bypass, this prior notification shall be submitted for approval to the Commissioner, if possible, at least ten days before the date of the bypass.
- d. An anticipated bypass which meets the three criteria of Paragraph b of this subsection, may be allowed under conditions determined to be necessary by the Commissioner to minimize any adverse effects.

3. Upset Conditions

- a. "Upset" means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.
- b. An upset shall constitute an affirmative defense to an action brought for noncompliance with such technology-based permit effluent limitations if the requirements of Paragraph c of this subsection, are met.
- c. A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs or other relevant evidence, that:
 - (1) An upset occurred and the permittee has identified the specific cause(s) of the upset, if possible;
 - (2) The permitted facility was at the time being operated in compliance with proper operation and maintenance procedures; and

- (3) The permittee complied with any remedial measures required under Part II.A.3.

4. Removed Substances

Solids, sludge, filter backwash, or other pollutants removed from or resulting from treatment or control of wastewaters shall be disposed of in a manner such as to prevent any pollutant from such materials from entering navigable waters and to be in compliance with all Indiana statutes and regulations relative to liquid and/or solid waste disposal.

5. Power Failures

When a power source is used to operate wastewater treatment facilities in order to maintain compliance with the effluent limitations and prohibitions of this permit, the permittee shall either:

- a. provide an alternative power source sufficient to operate facilities utilized by the permittee to maintain compliance with the effluent limitations and conditions of this permit; or
- b. upon the reduction, loss, or failure of one or more of the primary sources of power to facilities utilized by the permittee to maintain compliance with the effluent limitations and conditions of this permit, the permittee shall halt, reduce, or otherwise control production and/or discharge in order to maintain compliance with the effluent limitations and conditions of this permit.

C. REPORTING REQUIREMENTS

1. Planned Changes in Facility or Discharge

Pursuant to 327 IAC 5-2-8(11)(F), the permittee shall give notice to the Commissioner as soon as possible of any planned physical alterations or additions to the permitted facility. In this context, permitted facility refers to a point source discharge, not a wastewater treatment facility. Notice is required only when either of the following applies:

- a. The alteration or addition may meet one of the criteria for determining whether the facility is a new source as defined in 327 IAC 5-1.5.
- b. The alteration or addition could significantly change the nature of, or increase the quantity of, pollutants discharged. This notification applies to pollutants that are subject neither to effluent limitations in Part I.A. nor to notification requirements in Part II.C.7. of this permit.

Following such notice, the permit may be modified to revise existing pollutant limitations and/or to specify and limit any pollutants not previously limited.

2. Monitoring Reports

Pursuant to 327 IAC 5-2-8(10) and 327 IAC 5-2-13 through 15, monitoring results shall be reported at the intervals and in the form specified in "Monthly Reporting", Part I.C.2.

3. Twenty-Four Hour Reporting

Pursuant to 327 IAC 5-2-8(11)(C), the permittee shall orally report to the Commissioner information on the following types of noncompliance within 24 hours from the time permittee becomes aware of such noncompliance. If the noncompliance meets the requirements of item b (Part II.C.3.b) or 327 IAC 2-6.1, then the report shall be made within those prescribed time frames. However, under 327 IAC 2-6.1-3(1), when the constituents of the discharge that is in noncompliance are regulated by this permit, and death or acute injury or illness to animals or humans does not occur, the reporting requirements of 327 IAC 2-6.1 do not apply.

- a. Any unanticipated bypass which exceeds any effluent limitation in the permit;
- b. Any noncompliance which may pose a significant danger to human health or the environment. Reports under this item shall be made as soon as the permittee becomes aware of the noncomplying circumstances; or
- c. Any upset (as defined in Part II.B.3 above) that causes an exceedance of any effluent limitation in the permit.

The permittee can make the oral reports by calling (317)232-8670 during regular business hours and asking for the Compliance Data Section or by calling (317) 233-7745 ((888)233-7745 toll free in Indiana) during non-business hours. A written submission shall also be provided within 5 days of the time the permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and, if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce and eliminate the noncompliance and prevent its recurrence. The Commissioner may waive the written report on a case-by-case basis if the oral report has been received within 24 hours. Alternatively the permittee may submit a "Bypass/Overflow Report" (State Form 48373) or a "Noncompliance 24-Hour

Notification Report” (State Form 54215), whichever is appropriate, to IDEM at (317) 232-8637 or wwreports@idem.in.gov. If a complete e-mail submittal is sent within 24 hours of the time that the permittee became aware of the occurrence, then the email report will satisfy both the oral and written reporting requirements.

4. Compliance Schedules

In accordance with 327 IAC 5-2-8(11)(A), reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than fourteen (14) days following each schedule date. Any reports of noncompliance shall include the cause of noncompliance, any remedial actions taken, and the probability of meeting the next scheduled requirement.

5. Other Compliance/Noncompliance Reporting

Pursuant to 327 IAC 5-2-8(11)(D), the permittee shall report any instance of noncompliance not reported under the “Twenty-Four Hour Reporting Requirements” in Part II.C.3 or any compliance schedules at the time the pertinent Discharge Monitoring Report is submitted. The written submission shall contain: a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and, if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate and prevent the noncompliance.

6. Other Information

Pursuant to 327 IAC 5-2-8(11)(E), where the permittee becomes aware of a failure to submit any relevant facts or submitted incorrect information in a permit application or in any report, the permittee shall promptly submit such facts or corrected information to the Commissioner.

7. Changes in Discharge of Toxic Substances

Pursuant to 327 IAC 5-2-9, the permittee shall notify the Commissioner as soon as it knows or has reason to know:

- a. That any activity has occurred or will occur which would result in the discharge of any toxic pollutant that is not limited in the permit if that discharge will exceed the highest of the following notification levels.

- (1) One hundred micrograms per liter (100 µg/l);

- (2) Two hundred micrograms per liter (200 µg/l) for acrolein and acrylonitrile; five hundred micrograms per liter (500 µg/l) for 2,4-dinitrophenol and 2-methyl-4,6-dinitrophenol; and one milligram per liter (1 mg/l) for antimony;
- (3) Five (5) times the maximum concentration value reported for that pollutant in the permit application in accordance with 40 CFR 122.21(g)(7); or
- (4) A notification level established by the Commissioner on a case-by-case basis, either at the Commissioner's own initiative or upon a petition by the permittee. This notification level may exceed the level specified in subdivisions (1), (2), or (3) but may not exceed the level which can be achieved by the technology-based treatment requirements applicable to the permittee under the CWA (see 327 IAC 5-5-2).

- b. That it has begun or expects to begin to use or manufacture, as an intermediate or final product or byproduct, any toxic pollutant that was not reported in the permit application under 40 CFR 122.21(g)(9). However, this subsection b. does not apply to the permittee's use or manufacture of a toxic pollutant solely under research or laboratory conditions.

8. Signatory Requirements

- a. All reports required by the permit and other information requested by the Commissioner shall be signed and certified by a person described below or by a duly authorized representative of that person:
 - (1) The manager of one (1) or more manufacturing, production, or operating facilities provided the manager is authorized to make management decisions that govern the operation of the regulated facility including having the explicit or implicit duty to make major capital investment recommendations, and initiating and directing other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

- (2) For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or
 - (3) For a Federal, State, or local governmental body or any agency or political subdivision thereof: by either a principal executive officer or ranking elected official.
- b. A person is duly authorized representative only if:
- (1) The authorization is made in writing by a person described above.
 - (2) The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of plant manager, operator of a well or a well field, superintendent, or position of equivalent responsibility. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.); and
 - (3) The authorization is submitted to the Commissioner.
- c. Electronic Signatures. If documents described in this section are submitted electronically by or on behalf of the facility, any person providing the electronic signature for such documents shall meet all relevant requirements of this section, and shall ensure that all of the relevant requirements of 40 CFR part 3 (including, in all cases, subpart D to part 3) (Cross-Media Electronic Reporting) and 40 CFR part 127 (NPDES Electronic Reporting Requirements) are met for that submission.
- d. Certification. Any person signing a document identified under Part II.C.8., shall make the following certification:
- "I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

9. Availability of Reports

Except for data determined to be confidential under 327 IAC 12.1, all reports prepared in accordance with the terms of this permit shall be available for public inspection at the offices of the Indiana Department of Environmental Management. Permit applications, permits, and effluent data shall not be considered confidential.

10. Future Electronic Reporting Requirements

IDEM is currently developing the technology and infrastructure necessary to allow compliance with the EPA Phase 2 e-reporting requirements per 40 CFR 127.16 and to allow electronic reporting of applications, notices, plans, reports, and other information not covered by the federal e-reporting regulations.

IDEM will notify the permittee when IDEM's e-reporting system is ready for use for one or more applications, notices, plans, reports, or other information. This IDEM notice will identify the specific applications, notices, plans, reports, or other information that are to be submitted electronically and the permittee will be required to use the IDEM electronic reporting system to submit the identified application(s), notice(s), plan(s), report(s), or other information.

See Part I.C.2. of this permit for the current electronic reporting requirements for the submittal of monthly monitoring reports such as the Discharge Monitoring Report (DMR) and the Monthly Monitoring Report (MMR).

TABLE 1.
TOXIC ORGANICS

I.	ETHERS	V.	AROMATICS
	Ether, bis(2-chloroethyl)		Benzene
	Ether, bis(2-chloroisopropyl)		Benzene, chloro-
	Ether, 2-chloroethyl vinyl		Benzene, 1,2-dichloro-
	Ether, 4-chlorophenyl phenyl		Benzene, 1,3-dichloro-
	Ether, 4-bromophenyl phenyl		Benzene, 1,4-dichloro-
	Bis (2-chloroethoxy) methane		Benzene, 1,2,4-trichloro-
			Benzene, hexachloro-; HCB
			Benzene, ethyl-
II.	PHTHALATES		Benzene, nitro-
	Phthalate, dimethyl; DMP		Toluene
	Phthalate, diethyl; DEP		Toluene, 2,4-dinitro-; DNT
	Phthalate, di-n-butyl; DBP		Toluene, 2,6-dinitro-
	Phthalate, di-n-octyl; DOP		
	Phthalate, bis(2-ethylhexyl); DEHP	VI.	POLYNUCLEAR AROMATIC
	Phthalate, butyl benzyl; BBP		HYDROCARBONS (PAHs)
III.	NITROGEN COMPOUNDS		2-Chloronaphthalene
	Nitrosamine, dimethyl-		Benzo (a) anthracene
	Nitrosamine, diphenyl-		Benzo (b) fluoranthene; B(b)F
	Nitrosamine, di-n-propyl-		Benzo (k) fluoranthene; B(k)F
	Benzidine		Benzo (a) pyrene; B(a)P
	Benzidine, 3,3'-dichloro-		Ideno (1,2,3-cd) pyrene; IP
	Hydrazine, 1,2-diphenyl-		Dibenzo (a,h) anthracene; DBA
	Acrylonitrile		Benzo (ghi) perylene
IV.	PHENOLS		Acenaphthene
	Phenol		Acenaphthylene
	Phenol, 2-chloro		Anthracene
	Phenol, 2,4-dichloro-; 2,4-DCP		Chrysene
	Phenol, 2,4,6-trichloro-		Fluoranthene
	Phenol, pentachloro-; PCP		Fluorene
	Phenol, 2-nitro-		Naphthalene
	Phenol, 4-nitro-		Phenanthrene
	Phenol, 2,4-dinitro-; 2,4-DNP		Pyrene
	Phenol, 2,4-dimethyl-	VII.	PCB's
	m-Cresol, p-chloro-		PCB-1016; Aroclor 1016
	o-Cresol, 4,6-dinitro-; DNOC		PCB-1221; Aroclor 1221
			PCB-1232; Aroclor 1232
			PCB-1242; Aroclor 1242
			PCB-1248; Aroclor 1248
			PCB-1254; Aroclor 1254
			PCB-1260; Aroclor 1260

TABLE 1.
 (CONTINUED)
TOXIC ORGANICS

VIII.	HALOGENATED HYDROCARBONS; HALOGENATED ALIPHATICS Methane, chloro-; methyl chloride Methane, dichloro-; Methylene chloride Methane, trichloro-; chloroform Methane, tetrachloro-; Carbon tetrachloride Methane, bromo-; methyl bromide Methane, dichlorobromo- Methane, chlorodibromo- Methane, tribromo-; bromoform Ethane, chloro- Ethane, 1,1-dichloro- Ethane, 1,2-dichloro- Ethane, 1,1,1-trichloro- Ethane, 1,1,2-trichloro- Ethane, 1,1,2,2-tetrachloro- Ethane, hexachloro- Ethylene, chloro-; Vinyl Chloride Ethylene, 1,1-dichloro-; 1,1-DCE Ethylene, 1,2-trans-dichloro- Ethylene, trichloro-; TCE Ethylene, tetrachloro-; Perchloroethylene Propane, 1,2-dichloro- Propylene, 1,3-dichloro- Butadiene, hexachloro-; HCBD Cyclopentadiene, hexachloro-; HCCPD	IX.	PESTICIDES alpha-Endosulfan Endosulfan sulfate beta-Endosulfan Hexachlorocyclohexanes: alpha-BHC beta-BHC gamma-BHC delta-BHC; Lindane Aldrin; HHDN Dieldrin; HEOD 4,4'-DDE 4,4'-DDT; p,p'-DDT 4,4'-DDD; p,p'-DDD; p,p'-TDE Endrin Endrin aldehyde Heptachlor Heptachlor epoxide Chlordane Toxaphene
		X.	OXYGENATED COMPOUNDS Acrolein
		XI.	MISCELLANEOUS Isophorone 2,3,7,8-tetrachlorodibenzo-p-dioxin; TCDD; dioxin



**Operational Permit
Briefing Memo for
Bastian Solutions, LLC Westfield
Draft: May 2024
Final: TBD**

Indiana Department of Environmental Management

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

Permittee:	Bastian Solutions, LLC Westfield 1821 Bastian Court Westfield, IN, 46074
Existing Permit Information:	Permit Number: INJ064742 Expiration Date: 3/31/2024
Facility Contact:	Jared Dowd, Plant Manager (317) 575-9992, jdowd@bastiansolutions.com
Facility Location:	1821 Bastian Court Westfield, IN, 46074 Hamilton County
Receiving WW Plant:	Citizens of Westfield, LLC 3303 W 166th Street Westfield, IN, 46074 Hamilton County NPDES Permit #IN0059544
Proposed Action:	Renew Date Application Received: 3/27/2024
Source Category	Minor - Operational
Permit Writer:	Ms. Devery J. DeBoy (317) 232-8702, DDeboy@idem.IN.gov

Table of Contents

1.0 Introduction.....	3
2.0 General	4
2.1 Facility Description	4
2.2 Receiving Wastewater Treatment Plant	4
2.3 Discharge Description	4
2.4 Wastewater Pretreatment.....	5
2.5 Changes in Operation.....	5
3.0 Permit History	5
3.1 Compliance history	5
4.0 Permit DRAFT DISCUSSION	5
4.1 Discharge Limitations	5
4.2 Technology-Based Effluent Limits (TBEL).....	6
4.3 Monitoring Conditions and Rationale.....	7
4.4 Summary of Limits and Basis for Each:.....	7
4.5 Schedule of Compliance.....	9
4.6 Special Conditions and Other Permit Requirements	9
4.7 Spill Response and Reporting Requirement.....	10
4.8 Permit Processing/Public Comment.....	10

1.0 INTRODUCTION

The Indiana Department of Environmental Management (IDEM) received a permit application from Bastian Solutions, LLC Westfield on March 27, 2024. A five year permit is proposed in accordance with 327 IAC 5-2-6(a).

Operational permits are regulated by the provisions of 327 IAC 3-4. 327 IAC 3-4-3 provides the general regulatory authority under which IDEM administers the operational permit program. This rule states that the operational permit must contain the terms and conditions necessary to assure that the water pollution control facility will be operated in such a manner that any pollutants released or threatened to be released by the facility into the environment will not cause or contribute to violations of applicable water quality standards, or otherwise cause a significant adverse impact on the environment or the public health.

More specifically, 327 IAC 3-4-4(b) requires that the procedures for the issuance of NPDES permits under 327 IAC 5-3-2, 327 IAC 5-3-3, 327 IAC 5-3-6, 327 IAC 5-3-7, 327 IAC 5-3-14, 327 IAC 5-3-15, and 327 IAC 5-3-16, apply to the issuance of the operational permit. These rules address the application requirements, permit modifications, tentative permit decisions, briefing memos, permit issuance and effective dates, response to comment procedures, and judicial reviews applicable to the operational permit. 327 IAC 5-3-6 (applicable under 327 IAC 3-4-4(b) above) requires that the basic NPDES requirements addressed in 327 IAC 5-2-6, 327 IAC 5-2-8, 327 IAC 5-2-9, 327 IAC 5-2-10, 327 IAC 5-2-13, 327 IAC 5-2-14, and 327 IAC 5-2-15 be incorporated in the operational permit. Finally, 327 IAC 3-5 provides the regulatory authority specific to operational permits for various miscellaneous administrative provisions including enforcement, penalties and fees.

The operational permit includes NPDES regulatory citations where applicable as described above. In some instances, an NPDES regulation not directly applicable to the operational permit has been cited as applicable under the general regulatory authority of 327 IAC 3-4-3.

IDEM has determined that an Operational Permit is necessary for Bastian Solutions, LLC Westfield. in order to protect the receiving privately owned treatment works from upset, pass through, or interference; prevent negative impact on the privately owned treatment works' ability to meet the limits in NPDES Permit #IN0059544, and ultimately protect the receiving stream to which the privately owned treatment works discharges.

This Briefing Memo was prepared in order to document the factors considered in the development of Operational Permit effluent limitations. The technical basis for the Briefing Memo may consist of evaluations of promulgated effluent guidelines, existing effluent quality, receiving water conditions, and wasteload allocations to meet Indiana Water Quality Standards. Decisions to award variances to Water Quality Standards or promulgated effluent guidelines are justified in the Briefing Memo where necessary.

2.0 GENERAL

2.1 Facility Description

The permittee performs material handling/conveyer equipment manufacturing (includes both fabrication and assembly of final product). Manufacturing processes include pretreatment and cleaning of steel parts for powder coating operation. The process is a 3-step wash. The first step involves applying a Neutra-Lift degreaser to remove the cutting oils. The second step involves washing the parts with a DuraTEC Wand FRP zircoization solution to pretreat the parts for corrosion resistance. The final step is a plain water rinse to wash away excess solution from the second step. The plant normally operates 8 hours/day, 5 days/week.

2.2 Receiving Wastewater Treatment Plant

The permittee discharges to the Citizens of Westfield, LLC Wastewater Treatment Plant: a 3.0 MGD Class III plant consisting of primary screening using a coarse bar rack and a mechanical fine bar screen, grit removal, biological treatment using sequencing batch reactors, ultraviolet light disinfection and post aeration. Sludge is treated by aerobic digestion and disposed by land application. Plant design peak flow is 10.8MGD. The Westfield Wastewater Treatment Plant also serves Indiana Mills and Manufacturing, Inc. (INJ064670).

The Citizens of Westfield, LLC Wastewater Treatment Plant discharges to Little Eagle Creek (Q7,10 =0.0 CFS), a tributary to the White River.

2.3 Discharge Description

The permittee discharges wastewaters from the following sources to the Citizens of Westfield, LLC:

<u>Source</u>	<u>Flow (GPD)</u>
Process Wastestream #1:	500 (1)
Sanitary:	1000

- (1) Process Wastestream #1 is wastewater from the 3-step process wash.

2.4 Wastewater Pretreatment

The permittee shall have the wastewater treatment facilities under the responsible charge of an operator certified by the Commissioner in a classification corresponding to the classification of the wastewater treatment plant as required by IC 13-18-11-11 and 327 IAC 5-23-6.

IDEM has determined that the permittee doesn't operate a wastewater treatment plant as described in 327 IAC 5-23-5.

2.5 Changes in Operation

There are no identified changes in operations at this facility during the previous permit period.

3.0 PERMIT HISTORY

3.1 Compliance history

A review of this facility's discharge monitoring data was conducted for compliance verification. This review indicates the following permit limitation violations at Outfall 001 between January 2021 and March 2024; 4 copper, 1 TSS, and one Oil & Grease violation.

4.0 PERMIT DRAFT DISCUSSION

4.1 Discharge Limitations

Two categories of effluent limitations exist for permits: Technology-Based Effluent Limits (TBELs) and Water Quality-Based Effluent Limits (WQBELs).

TBELs require every individual member of a discharge class or category to operate their water pollution control technologies according to industry-wide standards and accepted engineering practices. TBELs are developed by applying the National Effluent Limitation Guidelines (ELGs) established by USEPA for specific industrial categories. Technology based treatment requirements under section 301(b) of the CWA represent the minimum level of control/treatment using available technology that must be imposed in a section 402 permit (40 CFR 125.3(a)).

In the absence of ELGs, TBELs can also be based upon Best Professional Judgment (BPJ) under 40 CFR 122.43, 122.44, 125.3, and Section 402(a)(1) of the Clean Water Act (CWA).

WQBELs are designed to be protective of the beneficial uses of the receiving water and are independent of the available treatment technology. WQBELs are based on water quality criteria in 327 IAC 2-1.5-8 or under the procedures described in 327 IAC 2-1.5-11 through 327 IAC 2-1.5-16 and implementation procedures in 327 IAC 5. Limitations and/or monitoring are required for parameters identified by applications of the reasonable potential to exceed WQBEL under 327 IAC 5-2-11.5.

According to 327 IAC 5-2-10, permit limits are based on either TBELs, BPJ where applicable, or WQBELs, whichever is most stringent. The decision to limit or monitor the parameters contained in this permit is based on information contained in the permittee's permit application. In addition, when performing a permit renewal, existing permit limits must be considered. These may be TBELs, WQBELs, or limits based on BPJ. When renewing a permit, the antibacksliding provisions identified in 327 IAC 5-2-10(11) are taken into consideration.

WQBELs have not been proposed for this facility because it does not discharge directly to a water of the state.

This permit regulates the substances and parameters in the permittee's wastewater that are subject to both the Effluent Limitation Guidelines (ELG) and the "Special Contract For The Authorization To Discharge Industrial Wastewater To The Sanitary Sewer System" between Citizens Wastewater of Westfield, LLC and the permittee in order to protect the Citizens Wastewater of Westfield, LLC from upset, pass through, or interference.

4.2 Technology-Based Effluent Limits (TBEL)

BPJ/NSPS

EPA has been developing Effluent Limitation Guidelines (ELG) for existing industrial and commercial activities since 1972 as directed in the original Federal Water Pollution Control Act (40 CFR 403 through 471 inclusive). ELGs are Technology Based Effluent Limitations (TBEL). The intent of a TBEL is to require a minimum level of treatment for industrial point sources based on currently available treatment technologies. Where EPA has not yet developed guidelines for a particular industry, permit limitations may be established using Best Professional Judgment (BPJ) under 40 CFR 122.43, 122.44, 125.3, and Section 402(a)(1) of the Clean Water Act (CWA).

Citizens Wastewater of Westfield, LLC is a privately owned treatment plant and therefore is not subject to the same pretreatment requirements as publicly owned treatment works. Pursuant to 327 IAC 5-2-1.8(6), discharges to privately owned treatment works do not require an NPDES permit except as the Commissioner may otherwise require under 327 IAC 5-2-10(a)(4). IDEM is not requiring Bastian Solutions, LLC Westfield to obtain an NPDES permit, but is instead requiring an Operational permit under 327 IAC 3-4. IDEM has established TBELs in the proposed permit utilizing BPJ, which IDEM has determined are necessary under 327 IAC 3-4-3 to protect the privately owned treatment works' discharges and receiving stream to which the privately owned treatment works discharges.

The Citizens Wastewater of Westfield, LLC Contract (CWW Contract) contains discharge limits for specific pollutants to prohibit contribution by industrial users that may cause interference or pass through at the Privately Owned Treatment Works. The limits in the contract are expressed as daily maximums and monthly averages, and some are more stringent than the applicable categorical pretreatment limits. Therefore, the CWW Contract monthly average limitations for Total Cyanide have been incorporated into the permit to comply with 327 IAC 3-4-3.

4.3 Monitoring Conditions and Rationale

To assure compliance with the limits and terms of this permit, in accordance with 327 IAC 5-2-13, 327 IAC 5-2-14, and 327 IAC 5-2-15, the permittee is required to: (i) monitor the final pretreated discharge at a minimum frequency; and (ii) report the results to this agency. To fulfill this requirement, the samples must be: (i) representative of the daily discharge; and (ii) collected, preserved and analyzed using U.S. EPA-approved materials and methods.

4.4 Summary of Limits and Basis for Each:

Outfall 001

During the period beginning on the effective date of this permit, the permittee is authorized to discharge from Outfall 001[1][2]. Outfall 001 is located at the sump pit at southwest corner of the facility. Such discharge shall be limited and monitored by the permittee as specified below:

Table 1

<u>Parameter</u> [3]	<u>Discharge Limitations</u>		<u>Unit</u>	<u>Monitoring Requirements</u>	
	Daily <u>Maximum</u> Report	Monthly <u>Average</u> Report		<u>Measurement Frequency</u> [4]	<u>Sample Type</u>
Flow [5]			MGD	Daily	24-Hr. Total
Cadmium [Cd]	0.11 [6]	0.07 [6]	mg/l	1 X Monthly	24-Hr. Comp.
T. Chromium [Cr(T)]	2.77 [6]	1.71 [6]	mg/l	1 X Monthly	24-Hr. Comp.
Chromium VI	0.25 [7]	0.09 [7]	mg/l	1 X Monthly	24-Hr. Comp.
Copper [Cu]	2.0 [7]	1.0 [7]	mg/l	1 X Monthly	24-Hr. Comp.
Lead [Pb]	0.69 [6]	0.43 [6]	mg/l	1 X Monthly	24-Hr. Comp.
Nickel [Ni]	3.6 [7]	1.8 [7]	mg/l	1 X Monthly	24-Hr. Comp.
Silver [Ag]	0.43 [6]	0.24 [6]	mg/l	1 X Monthly	24-Hr. Comp.
Tin [Sn]	2.0 [7]	1.0 [7]	mg/l	1 X Monthly	24-Hr. Comp.
Zinc [Zn]	2.61 [6]	1.48 [6]	mg/l	1 X Monthly	24-Hr. Comp.
T. Cyanide [CN(T)][8]	0.64 [7]	0.24 [7]	mg/l	1 X Monthly	Grab
Amenable Cyanide	0.20 [7]	0.08 [7]	mg/l	1 X Monthly	Grab
TTO [9]	2.13 [6]	-----	mg/l	1 X Monthly	Grab
Oil & Grease [O&G]	52 [6]	26 [6]	mg/l	1 X Monthly	Grab
TSS	60 [6]	31 [6]	mg/l	1 X Monthly	Grab

Table 2

<u>Parameter</u>	<u>Quality or Concentration</u>			<u>Monitoring Requirements</u>	
	Daily <u>Minimum</u>	Daily <u>Maximum</u>	<u>Units</u>	<u>Measurement Frequency</u>	<u>Sample Type</u>
pH [10]	5.0 [7]	9.0 [7]	s.u.	Daily	Grab

- [1] Outfall 001 shall be designated as process wastewaters and contains no dilution streams.
- [2] The discharge shall not exceed the local limits in the Citizens Wastewater of Westfield, LLC Contract (CWW Contract) upon entering the Privately Owned Treatment Works.
- [3] All metals shall be analyzed as Total Recoverable Metals.
- [4] A “24-hour composite sample” means a sample consisting of at least 3 individual flow-proportional samples of wastewater, consisting of aliquots withdrawn throughout the 24-hour discharge period. The aliquots may be: (i) uniform aliquots withdrawn at uniform flow intervals; (ii) flow-proportional aliquots withdrawn at uniform time intervals; or (iii) for batch discharge, uniform aliquots withdrawn from uniform batch volumes. A flow-proportioned composite sample may be obtained by:

- (1) recording the discharge flow rate at the time each individual sample is taken,
- (2) adding together the discharge flow rates recorded from each individual's sampling time to formulate the "total flow" value,
- (3) the discharge flow rate of each individual sampling time is divided by the total flow value to determine its percentage of the total flow value,
- (4) then multiply the volume of the total composite sample by each individual sample's percentage to determine the volume of that individual sample which will be included in the total composite sample.

Alternatively, a 24-hour composite sample may be obtained by an automatic sampler on an equal time interval basis over a twenty-four hour period provided that a minimum of 24 samples are taken and combined prior to analysis. The samples do not need to be flow-proportioned if the permittee collects samples in this manner.

- [5] The flow must be measured and recorded using valid flow measurement devices, not estimated. The flow monitoring device must be calibrated at least once every twelve (12) months.
- [6] Based on categorical standards [40 CFR 433.16]. The Standard is concentration-based (mg/l).
- [7] Based on CWW Contract (adopted April 2018).
- [8] The CN(T) parameter includes all cyanide, chelated (bound to heavy metals) and unchelated (free). The Metal Finishing Standard for CN(T) applies only to the CN-bearing flows prior to mixing with the non-CN Metal Finishing flows. If the permittee does not use CN, the CN(T) samples should be collected at the end-of-process site.
- [9] The Total Toxic Organics (TTO) parameter is defined as the sum of the concentration values above 0.01 mg/l for the toxic organic compounds that constitute this parameter under the applicable categorical standard.
- [10] If the permittee collects more than one grab sample on a given day for pH, the values shall not be averaged for reporting daily maximums or daily minimums. The permittee must report the individual minimum and the individual maximum pH value of any sample during the month on the Monthly Monitoring Report form.

4.5 Schedule of Compliance

The circumstances in this permit do not qualify for a schedule of compliance.

4.6 Special Conditions and Other Permit Requirements

There are no special conditions on this permit.

4.7 Spill Response and Reporting Requirement

Reporting requirements associated with the Spill Reporting, Containment, and Response requirements of 327 IAC 2-6.1 are included in Part II.B.2.(d), Part II.B.3.(c), and Part II.C.3. of the permit. Spills from the permitted facility meeting the definition of a spill under 327 IAC 2-6.1-4(15), the applicability requirements of 327 IAC 2-6.1-1, and the Reportable Spills requirements of 327 IAC 2-6.1-5 (other than those meeting an exclusion under 327 IAC 2-6.1-3 or the criteria outlined below) are subject to the Reporting Responsibilities of 327 IAC 2-6.1-7.

It should be noted that the reporting requirements of 327 IAC 2-6.1 do not apply to those discharges or exceedances that are under the jurisdiction of an applicable permit when the substance in question is covered by the permit and death or acute injury or illness to animals or humans does not occur. In order for a discharge or exceedance to be under the jurisdiction of this permit, the substance in question (a) must have been discharged in the normal course of operation from an outfall listed in this permit, and (b) must have been discharged from an outfall for which the permittee has authorization to discharge that substance.

4.8 Permit Processing/Public Comment

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/>. A 30-day comment period is available to solicit input from interested parties, including the public.