



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

June 20, 2024

VIA ELECTRONIC MAIL

Ms. Jennifer Brennan, Sr. Advisor Environment
Enbridge Energy Limited Partnership
26 East Superior Street, Suite 309
Duluth, MN 55802

Dear Ms. Brennan:

Re: NPDES Permit No. IN0064910
Permit Modification
Enbridge Energy, LP – Griffith Terminal
Griffith, IN – Lake County

Your request for modification of the above-referenced discharge permit has been processed in accordance with Section 402 and 405 of the Federal Water Pollution Control Act, as amended (33 U.S.C. 1251, et seq.), and IDEM's permitting authority under IC 13-15.

The enclosed Pages 1 and 10a through 10c of 49 are intended to replace the corresponding pages of your existing NPDES Permit No. IN0064910. An accompanying Briefing Memo itemizes and explains the rationale for the revisions. All discharges from the referenced facility shall be consistent with the terms and conditions of this permit, as modified.

The draft NPDES permit for Enbridge Energy LP – Griffith Terminal was made available for public comment from May 2, 2024 through June 3, 2024 as part of Public Notice No. 20240502 – IN0064910 – D on IDEM's website at <https://www.in.gov/idem/public-notices/public-notices-all-regions/>. A response to the comments contained in the letter dated May 17, 2024, from Ms. Jennifer Brennan, Sr. Advisor Environment at Enbridge, pertaining to the draft NPDES permit is contained in the Post Public Notice Addendum. The Post Public Notice Addendum is located at the end of the Briefing Memo.

Pursuant to IC 4-21.5-3-5(f), the determination of modification in this letter becomes effective fifteen (15) days after it has been served; however, pursuant to IC 4-21.5-3-2(e), if it is served by mail it becomes effective eighteen (18) days after issued. It should also be noted that any appeal must be filed under procedures outlined in IC 13-15-6, IC 4-21.5, and the enclosed Public Notice.

The appeal must be initiated by filing a petition for administrative review with the Office of Environmental Adjudication (OEA) within fifteen (15) days of the emailing of an



A State that Works

electronic copy of this letter or within eighteen (18) days of the mailing of this letter by filing at the following addresses:

Director
Office of Environmental Adjudication
Indiana Government Center North
Room N103
100 North Senate Avenue
Indianapolis, Indiana 46204

Commissioner
Indiana Department of Environmental Management
Indiana Government Center North
Room 1301
100 North Senate Avenue
Indianapolis, Indiana 46204

Any appeal request must be filed in accordance with IC 4-21.5-3-7, IC 13-15-7, and the enclosed Public Notice. The appeal request must include facts demonstrating that the party requesting appeal is the applicant, a person aggrieved or adversely affected by this modification or otherwise entitled to review by law. Pursuant to IC 13-15-7-3, the permit shall remain in force pending a decision on any appeal that has been timely requested under the provisions of IC 4-21.5 and IC 13-15-7.

One condition of your permit requires periodic reporting of several effluent parameters. You are required to submit both federal discharge monitoring reports (DMRs) and state Monthly Monitoring Reports (MMRs) on a routine basis. The MMR form is available on the internet at the following web site:

<https://www.in.gov/idem/cleanwater/wastewater-compliance/wastewater-reporting-forms-notices-and-instructions/>.

Once you are on this page, select the "IDEM Forms" page and locate the "Monthly Monitoring Report (MMR) for Industrial Discharge Permits-30530" under the Wastewater Facilities heading. We recommend selecting the "XLS" version because it will complete all of the calculations when you enter the data.

All NPDES permit holders are required to submit their monitoring data to IDEM using NetDMR. Please contact Rose McDaniel at (317) 233-2653 or Helen Demmings at (317) 232-8815 if you would like more information on NetDMR. Information is also available on our website at <https://www.in.gov/idem/cleanwater/resources/netdmr/>.

If you have questions concerning this modification, please contact Matt Warrenner at 317-233-0798 or mwarrene@idem.in.gov. More information on the appeal review process is available at the website for the Office of Environmental Adjudication at <http://www.in.gov/oea>.

Sincerely,



Jerry Dittmer, Chief
Permits Branch
Office of Water Quality

Enclosures

cc: Lake County Health Department
Shane Yokom, Enbridge Energy, LP
Nick Ream, IDEM
IDEM Northwest Regional Office
Tom Swinford, IDNR
Ron Hellmich, IDNR
Matthew Beatty, IDNR

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 IDEM's permitting authority under IC 13-15,

ENBRIDGE ENERGY, LP – GRIFFITH TERMINAL

is authorized to discharge from a crude petroleum pipeline terminal located at 1500 West Main Street, Griffith, Indiana to receiving waters identified as an unnamed tributary to Cady Marsh Ditch in accordance with effluent limitations, monitoring requirements, and other conditions set forth in Parts I and II hereof.

The permit, as issued on June 25, 2021 is hereby amended, as contained herein. The amended provisions shall become effective July 1, 2024. All terms and conditions of the permit not modified at this time remain in effect. Further, any existing condition or term affected by the amendments will remain in effect until the amended provisions become effective. This permit may be revoked for the nonpayment of applicable fees in accordance with IC 13-18-20.

This permit and the authorization to discharge, as amended, shall expire at midnight June 30, 2026. 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 June 20, 2024 for the Indiana Department of Environmental Management.



Jerry Dittmer, Chief
Permits Branch
Office of Water Quality

**DISCHARGE LIMITATIONS FOR TEMPORARY DISCHARGES OF TREATED
 GROUNDWATER FROM DEWATERING ACTIVITIES ASSOCIATED WITH
 CONSTRUCTION PROJECTS [1][2][3][7]**
 Outfall 001d

Table 1

Parameter	Quantity or Loading			Quality or Concentration			Monitoring Requirements	
	Monthly Average	Daily Maximum	Units	Monthly Average	Daily Maximum	Units	Measurement Frequency	Sample Type
Flow [4]	Report	Report	MGD	----	----	----	Daily	Instantaneous
Total Flow [4]	----	Report	Mgal	----	----	----	1 X Monthly	Cumulative monthly total
Benzene				Report	5	µg/l	1 X Weekly	Grab
BTEX				Report	100	µg/l	1 X Weekly	Grab
Naphthalene				Report	10	µg/l	1 X Weekly	Grab
Total VOCs	----	----	----	Report	Report	µg/l	1 X Weekly	Grab
Oil & Grease	----	----	----	10	15	mg/l	1 X Weekly	Grab
Total Suspended Solids	----	----	----	30	45	mg/l	1 X Weekly	Grab
Ammonia as N	----	----	----	Report	Report	mg/l	1 X Weekly	Grab
Lead [5]	----	----	----	Report	Report	mg/l	1 X Weekly	Grab
Chemical Oxygen Demand (COD)	----	----	----	Report	Report	mg/l	1 X Weekly	Grab

Table 2

Parameter	Quality or Concentration				Monitoring Requirements	
	Daily Minimum	Monthly Average	Daily Maximum	Units	Measurement Frequency	Sample Type
pH [6]	6.0	----	9.0	s.u.	Daily	Grab

[1] See Part I.B. of the permit for the minimum narrative limitations.

[2] The permittee must comply with the following terms associated with this discharge:

- a) The water must be treated with the carbon adsorption treatment system prior to discharge.
- b) The permittee shall utilize all means available to mitigate any potential impacts to the State Nature Preserve. This includes the use of pads and tank containment areas for temporary storage of treated water to enable better control of water volumes and to create a more consistent discharge rate from the facility in consideration of adjacent landowners.

The anticipated discharge flow rate from dewatering operations is 0.250 MGD. The flow rate must be monitored on a daily basis to ensure that the discharge does not result in erosion or scouring in the receiving stream. Care must also be taken to ensure that the discharge does not result in flooding of the Nature Preserve property.

- c) The permittee shall notify the IDNR staff who oversee activities at the Hoosier Prairie State Nature Preserve each day when these discharges are occurring. This notification should be sent to Matt Beatty at (219) 204-6231 or MBeatty1@dnr.IN.gov or to Ronald Hellmich at RHellmich@dnr.IN.gov.
 - d) If the discharge causes any undue problems at the Hoosier Prairie State Nature Preserve, the permittee must take action to cease the discharge until the situation is mitigated.
 - e) The permittee must send a copy of all discharge reports to Mr. Matt Beatty at the Hoosier Prairie State Nature Preserve (IDNR) at the email address above.
- [3] In the event that a new water treatment additive is to be used that will contribute to this Outfall, or changes are to be made in the use of water treatment additives, including dosage, the permittee must apply for and receive approval from IDEM prior to such discharge. Discharges of any such additives must meet Indiana water quality standards. The permittee must apply for permission to use water treatment additives by completing and submitting State Form 50000 (Application for Approval to Use Water Treatment Additives) currently available at <https://www.in.gov/idem/forms/idem-agency-forms/>.
- [4] Monitoring and reporting of effluent flow is required; flow volume may be estimated.

- [5] Metals are to be reported metals as total recoverable metals.
- [6] 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(s) taken during the month on the Monthly Monitoring Report form.
- [7] Samples and measurements taken as required in this section shall be representative of the volume and nature of the monitored discharge. Samples taken in compliance with the monitoring requirements in this section shall be taken at a point representative of the discharge but prior to entry into waters of the state. Test methods shall be selected that will provide adequately sensitive data results.



National Pollutant Discharge Elimination System
Briefing Memo for
Enbridge Energy, LP – Griffith Terminal
Draft modification: April 2024
Final modification: June 2024

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:	Enbridge Energy, LP – Griffith Terminal 26 East Superior Street, Suite 309 Duluth, MN 55802
Existing Permit Information:	Permit Number: IN0064910 Expiration Date: June 30, 2026
Facility Contact:	Jennifer Brennan, Sr. Advisor Environment 218-864-3772 jennifer.brennan@enbridge.com
Facility Location:	1500 West Main Street Griffith, IN 46319 Lake County
Receiving Stream:	Unnamed Tributary to Cady Marsh Ditch
GLI/Non-GLI:	GLI
Proposed Permit Action:	Modify
Date Application Received:	February 14, 2024
Source Category	NPDES Minor – Industrial
Permit Writer:	Matt Warrener 317-233-0798 mwarrene@idem.in.gov

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1.0 INTRODUCTION

The Indiana Department of Environmental Management (IDEM) received a request from Enbridge Energy, LP – Griffith Terminal on February 14, 2024 to modify National Pollutant Discharge Elimination System (NPDES) Permit IN0064910. The current five year permit was issued with an effective date of June 30, 2026 in accordance with 327 IAC 5-2-6(a).

The Federal Water Pollution Control Act (more commonly known as the Clean Water Act), as amended, (Title 33 of the United States Code (U.S.C.) Section 1251 et seq.), requires an NPDES permit for the discharge of pollutants into surface waters. Furthermore, Indiana law requires a permit to control or limit the discharge of any contaminants into state waters or into a publicly owned treatment works. This proposed permit action by IDEM complies with and implements these federal and state requirements.

In accordance with Title 40 of the Code of Federal Regulations (CFR) Section 124.7, as well as Title 327 of the Indiana Administrative Code (IAC) 327 Article 5-3-7, a Statement of Basis, or Briefing Memo, is required for certain NPDES permits. This document fulfills the requirements established in these regulations. This Briefing Memo was prepared in order to document the factors considered in the development of NPDES Permit effluent limitations. The technical basis for the Briefing Memo may consist of evaluations of promulgated effluent guidelines, existing effluent quality, receiving water conditions, Indiana water quality standards-based wasteload allocations, and other information available to IDEM. Decisions to award variances to Water Quality Standards or promulgated effluent guidelines are justified in the Briefing Memo where necessary. This Briefing Memo also identifies the modified pages of the permit as issued on June 25, 2021.

2.0 FACILITY DESCRIPTION

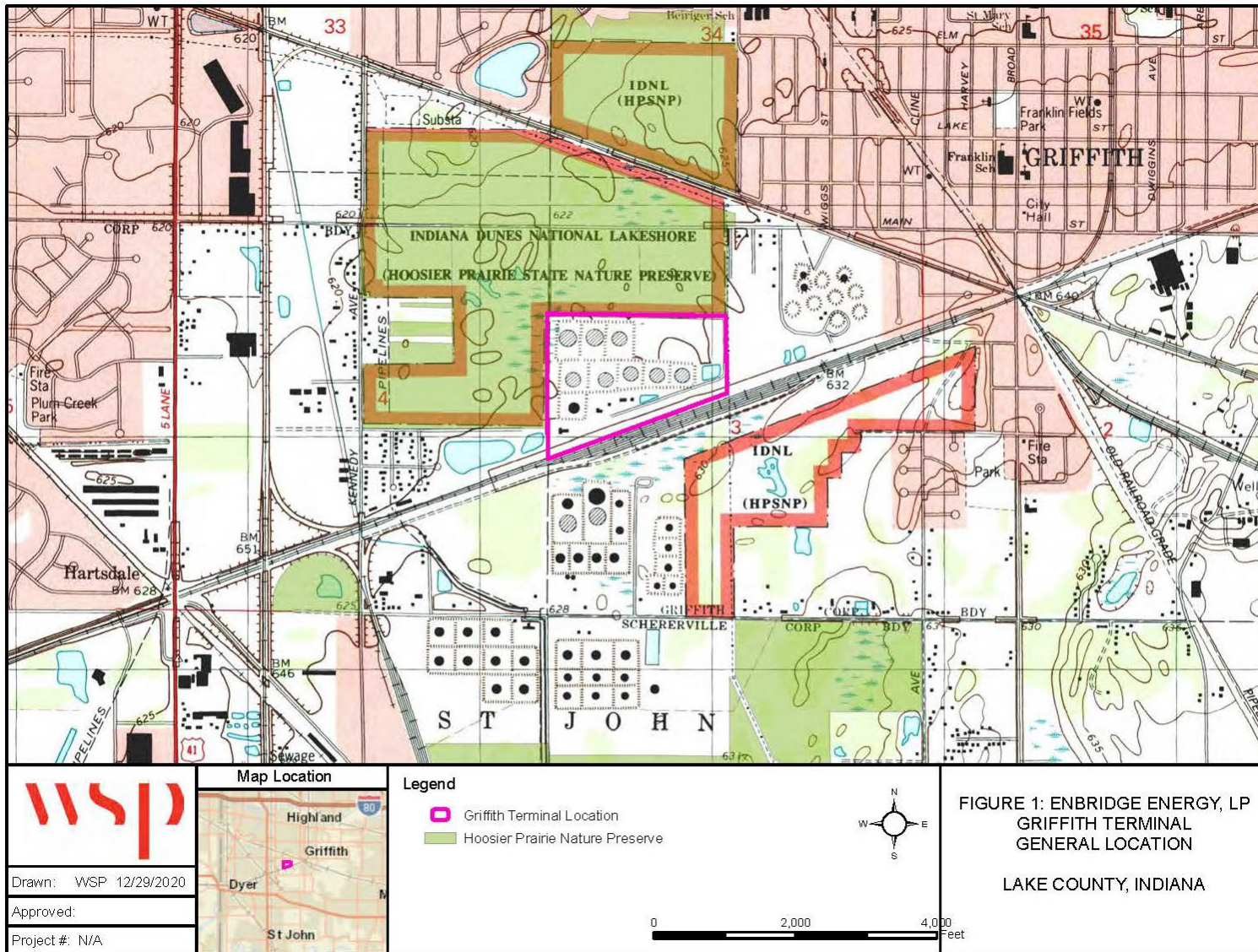
2.1 General

ENBRIDGE ENERGY, LP – GRIFFITH TERMINAL is classified under Standard Industrial Classification (SIC) Code 4612-Crude Petroleum Pipelines.

The facility is an energy delivery company that owns and operates a diversified portfolio of crude oil transportation systems in the United States.

A map showing the location of the facility has been included as Figure 1.

Figure 1: Facility Location



1500 West Main Street
Griffith, IN 46319
Lake County

2.2 Outfall Locations

Outfall 001	Latitude: 41° 31' 10" N
	Longitude: 87° 27' 7" W

In order to comply with Office policy on rounding, the GPS coordinates for Outfall 001 have been changed to round the 'seconds' portion of the measurement to the nearest whole number. However, the physical location of the outfall has not changed.

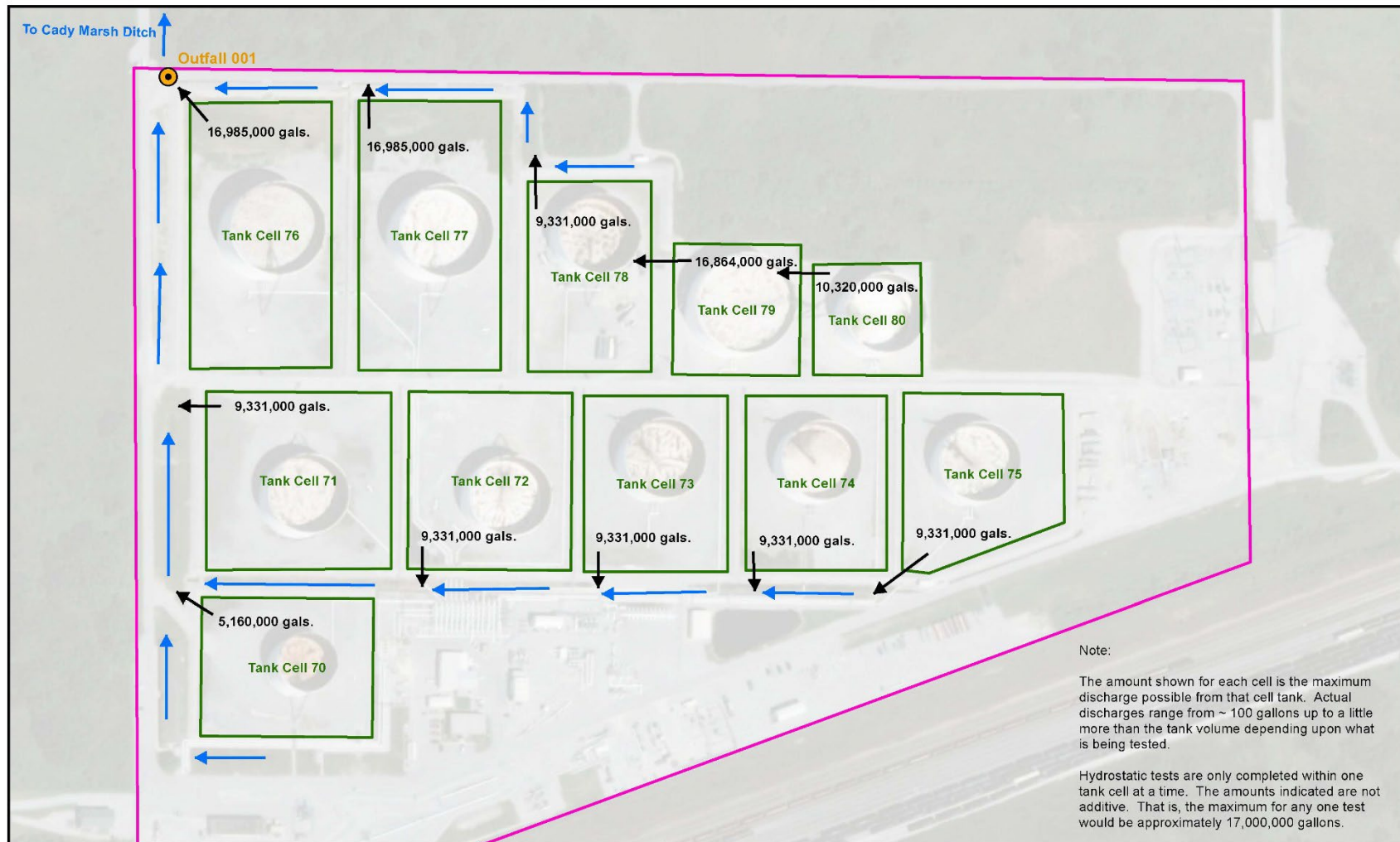
3.0 PERMIT MODIFICATION









3.1 Modification Request

This permit modification has been issued to allow temporary discharges of treated groundwater from dewatering activities associated with construction projects. Previously, the discharge was covered under General Permit ING420030 which has been terminated; this permit modification is intended to provide replacement permit coverage for the same discharge. Applicable limits and reporting requirements which appeared in the terminated General Permit have been carried over to this permit. Based on a review of historical monitoring data, TRC is not expected to be present in the discharge of treated groundwater and has therefore been removed. The discharge location and receiving stream (Unnamed Tributary to Cady Marsh Ditch) remain the same. Outfall 001d has been added to this permit to allow separate monitoring and data reporting on the MMR/DMR.

A Water Balance Diagram has been included as Figure 2.

Figure 2: Water Balance Diagram



	Facility Location 	Legend <ul style="list-style-type: none">  Outfall Location (001)  Cell Discharge  Surface Flow  Tank Cell Berms  Griffith Terminal Boundary 		<p>FIGURE 2: ENBRIDGE ENERGY, LP GRIFFITH TERMINAL HYDROSTATIC TEST WATER DISCHARGE FLOW DIAGRAM</p> <p>LAKE COUNTY, INDIANA</p>
	Drawn: WSP 03/25/2021			
	Approved:			
Project #: N/A				

3.2 IDEM's Proposed Modification

This permit has been modified to include temporary discharges of treated groundwater from dewatering activities associated with construction projects. Outfall 001d has been incorporated into the permit via pages 10a – 10c of 49 found in the permit modification.

3.3 Antibacksliding

Indiana's prohibitions on backsliding under 327 IAC 5-2-10(a)(11) are applicable to BPJ case-by-case technology-based effluent limitations, when proposed to be increased based on subsequently promulgated effluent guidelines under Section 304(b) of the CWA, and limitations based on Indiana water quality standards or treatment standards (327 IAC 5-10). Prohibitions on other types of backsliding (e.g., backsliding from limitations derived from effluent guidelines, from existing case-by-case limitations to new case-by-case limitations, and from conditions such as monitoring requirements that are not effluent limitations) are covered under federal regulation at 40 CFR 122.44(l)(1).

Under 327 IAC 5-2-10(a)(11), unless an exception under 327 IAC 5-2-10(a)(11)(B) applies, a permit may not be renewed, reissued or modified to contain effluent limitations that are less stringent than the comparable effluent limitations in the previous permit. For effluent limitations based on Indiana water quality or treatment standards, less stringent effluent limitations may also be allowed if they are in compliance with Section 303(d)(4) of the CWA. Under 40 CFR 122.44(l)(1), a permit may not be renewed or reissued to contain less stringent interim effluent limitations, standards or conditions than the final effluent limitations, standards or conditions in the previous permit unless the circumstances on which the previous permit was based have materially and substantially changed since the time the permit was issued and would constitute cause for permit modification or revocation and reissuance under 40 CFR 122.62.

None of the limits included in this permit are less stringent than the effluent limitations in the previous permit or the General Permit which previously covered the new discharges in this modification, therefore, backsliding is not an issue in accordance with 327 IAC 5-2-10(a)(11) and 40 CFR 122.44(l)(1).

3.4 Antidegradation

Indiana's Antidegradation Standards and Implementation procedures are outlined in 327 IAC 2-1.3. The antidegradation standards established by 327 IAC 2-1.3-3 apply to all surface waters of the state. The permittee is prohibited from undertaking any deliberate action that would result in a new or increased discharge of a bioaccumulative chemical of concern (BCC) or a new or increased permit limit for a regulated pollutant that is not a BCC unless information is submitted to the commissioner demonstrating that the proposed new or increased discharge will not cause a significant lowering of water quality, or an antidegradation demonstration submitted and approved in accordance 327 IAC 2-1.3-5 and 2-1.3-6.

This NPDES permit modification establishes new/increased loading of regulated pollutants via a new discharge from Outfall 001d. However, the new discharge which appears in this permit modification replaces the equivalent discharge which was previously covered under General Permit ING420030 (which has been terminated). As such, the net discharge of regulated pollutants to the receiving stream has not changed. Therefore, the Antidegradation Implementation Procedures in 327 IAC 2-1.3-5 and 2-1.3-6 do not apply to the permitted discharge.

3.5 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 NPDES 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 NPDES 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.

3.6 Post Public Notice Addendum

Indiana Department of Environmental Management				
Search IDEM				
Enbridge Energy - Griffith Terminal	NPDES Draft Permit Public Notice (PDF)	05/02/2024 - 06/03/2024	Yes	Permit Number: IN0064910 Project Manager: Warrenner, Matt

The draft NPDES permit for Enbridge Energy LP – Griffith Terminal was made available for public comment from May 2, 2024 through June 3, 2024 as part of Public Notice No. 20240502 – IN0064910 – D on IDEM’s website at <https://www.in.gov/idem/public-notices/public-notices-all-regions/>. During this comment period, a comment letter dated May 17, 2024, from Ms. Jennifer Brennan, Sr. Advisor Environment at Enbridge, was received. The comments submitted by Ms. Brennan, and this Office’s corresponding responses are summarized below: Any changes to the permit and/or Briefing Memo are so noted below.

Comment 1: Footnote [2], Subpart C (pg. 10b of 49) requires the permittee to contact the IDNR each day when discharges are occurring. Ms. Brennan requested clarification of whether the IDEM must also be contacted each day when discharges occur.

Response 1: The above requirement was carried over from the previous permit. The permittee only needs to contact the IDNR each day when discharges are occurring. However, please note that daily flows must be recorded on the Discharge Monitoring Report (DMR) which is to be submitted to the IDEM.

Comment 2: Footnote [2], Subpart E (pg. 10b of 49) requires the permittee also submit completed DMR forms to the IDNR. Ms. Brennan requested confirmation that this requirement was contained in the previous permit.

Response 2: The above requirement was carried over from the previous permit. All DMR reports must also be submitted to the IDNR for review.

STATE OF INDIANA
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
PUBLIC NOTICE NO: 20240620 – IN0064910 – F
DATE OF NOTICE: June 20, 2024

The Office of Water Quality has issued the following **FINAL NPDES PERMIT**:

MINOR – MODIFICATION:

Enbridge Energy, LP – Griffith Terminal, Permit IN0064910, LAKE COUNTY, 1500 West Main Street, Griffith, IN. This facility is an energy delivery company that owns and operates a diversified portfolio of crude oil transportation systems. IDEM agreed to modify this permit to include temporary discharges of treated groundwater from dewatering activities associated with construction projects which will result in the addition of Outfall 001d. The GPS Location for Outfall 001d is Latitude 41° 31' 10", Longitude 87° 27' 7" W. Permit Manager Matt Warrener at 317-233-0798 or mwarrene@idem.in.gov. Posted online at <https://www.in.gov/idem/public-notices/>.

Notice of Right to Administrative Review

If you wish to challenge this Permit, you must file a Petition for Administrative Review with the Office of Adjudication (OEA) and serve a copy of the Petition upon IDEM. The requirements for filing a Petition for Administrative Review are found in IC 4-21.5-3-7, IC 13-15-6-1 and 315 IAC 1-3-2. A summary of the requirements of these laws is provided below.

A Petition for Administrative Review must be filed with the Office of Environmental Adjudication (OEA) within fifteen (15) days of the issuance of this notice (eighteen (18) days if you received this notice by U.S. Mail), and a copy must be served upon IDEM. Addresses are:

Director
Office of Environmental Adjudication
Indiana Government Center North
100 North Senate Avenue - Room N103
Indianapolis, Indiana 46204

Commissioner
Indiana Department of Environmental Management
Indiana Government Center North
100 North Senate Avenue - Room 1301
Indianapolis, Indiana 46204

The Petition must contain the following information:

1. The name, address and telephone number of each petitioner.
2. A description of each petitioner's interest in the Permit.
3. A statement of facts demonstrating that each petitioner is:
 - a. a person to whom the order is directed.
 - b. aggrieved or adversely affected by the Permit.
 - c. entitled to administrative review under any law.
4. The reasons for the request for administrative review.

5. The particular legal issues proposed for review.
6. The alleged environmental concerns or technical deficiencies of the Permit.
7. The Permit terms and conditions that the petitioner believes would be appropriate and would comply with the law.
8. The identity of any persons represented by the petitioner.
9. The identity of the person against whom administrative review is sought.
10. A copy of the Permit that is the basis of the petition.
11. A statement identifying petitioner's attorney or other representative, if any.

Failure to meet the requirements of the law with respect to a Petition for Administrative Review may result in a waiver of your right to seek administrative review of the Permit.

Examples are:

1. Failure to file a Petition by the applicable deadline.
2. Failure to serve a copy of the Petition upon IDEM when it is filed; or
3. Failure to include the information required by law.

If you seek to have a Permit stayed during the Administrative Review, you may need to file a Petition for a Stay of Effectiveness. The specific requirements for such a Petition can be found in 315 IAC 1-3-2 and 315 IAC 1-3-2.1.

Pursuant to IC 4-21.5-3-17, OEA will provide all parties with Notice of any pre-hearing conferences, preliminary hearings, hearings, stays, or orders disposing of the review of this action. If you are entitled to Notice under IC 4-21.5-3-5(b) and would like to obtain notices of any pre-hearing conferences, preliminary hearings, hearings, stays, or orders disposing of the review of this action without intervening in the proceeding you must submit a written request to OEA at the address above. More information on the appeal review process is available on the website for the Office of Environmental Adjudication at <http://www.in.gov/oea>.