

STATE OF INDIANA
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
PUBLIC NOTICE NO 20240614 – IN0020150– D
DATE OF NOTICE: June 14, 2024
DATE RESPONSE DUE: July 15, 2024

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

Major Modification:

Town of Yorktown WWTP, Permit No. IN0020150, Delaware COUNTY, 2001 South West Street, Yorktown, IN. This major municipal facility discharges 2.0 MGD of treated sanitary and industrial wastewater into West Fork White River via Outfall 001. Outfall 001 is located at Latitude:40° 10' 29" N Longitude:85° 30' 15" W. Final solids will be hauled offsite. The permittee requests a permit modification to remove effluent limits for cadmium and copper and reduce the monitoring requirements to quarterly based on a Reasonable Potential to Exceed (RPE) analysis completed by IDEM on March 5, 2024. Permit Manager: John Donnellan, 317-234-0865, jdonnell@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

June 14, 2024

VIA ELECTRONIC MAIL

Mr. Rick Glaub, President
Town Council of Yorktown
9312 West Smith Street
Yorktown, Indiana 47396

Dear Mr. Glaub:

Re: Draft Modification of NPDES Permit
No. IN0020150 for the Town of Yorktown
Wastewater Treatment Plant
Delaware County

Your request for permit modification, received April 3, 2024 has been reviewed and processed in accordance with rules adopted under 327 IAC 5. Enclosed is the draft modification of NPDES Permit No. IN0020150 which applies to the discharge from the Town of Yorktown Wastewater Treatment Plant (WWTP). The enclosed Pages 1, 6-8, 14, 24, 25, and 38 of 59 are intended to replace the corresponding pages in the facility's current permit.

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

Please review this document carefully and become familiar with the proposed terms and conditions. Comments concerning the draft permit should be submitted in accordance with the procedure outlined in the enclosed public notice form. If you have any questions concerning this modification, please contact John Donnellan at 317/234-0865 or jdonnell@idem.IN.gov.

Sincerely,

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

Enclosures

cc: George Kane, Certified Operator

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 authority under IC 13-5, the Indiana Department of Environmental Management (IDEM) is issuing this permit to the

TOWN OF YORKTOWN

hereinafter referred to as “the permittee.” The permittee owns and/or operates the **Town of Yorktown Wastewater Treatment Plant**, a major municipal wastewater treatment plant located at 2001 South West Street, Yorktown, Indiana, Delaware County. The permittee is hereby authorized to discharge from the outfalls identified in Part I of this permit to receiving waters named the West Fork White River in accordance with the effluent limitations, monitoring requirements, and other conditions set forth in the permit. This permit may be revoked for the nonpayment of applicable fees in accordance with IC 13-18-20.

The permit, as issued on June 24, 2022 is hereby amended as contained herein. The amended provisions shall become effective on _____. All terms and conditions of the permit not modified at this time remain in effect. Further, any existing condition or term affected by the modifications will remain in effect until the modified provisions become effective.

This permit and authorization to discharge, as amended, shall expire at midnight, September 30, 2027. In order to receive authorization to discharge beyond the date of expiration, the permittee shall submit such information and forms as are required by the Indiana Department of Environmental Management no later than 180 days prior to the date of expiration.

Issued on _____ for the Indiana Department of Environmental Management.

Jerry Dittmer, Chief
Permits Branch
Office of Water Quality

chronically toxic to, or be carcinogenic, mutagenic, or teratogenic to humans, animals, aquatic life, or plants.

3. Additional Discharge Limitations and Monitoring Requirements

Beginning on the effective date of the permit, the effluent from Outfall 001 shall be limited and monitored by the permittee as follows:

TABLE 3

Parameter	Quality or Concentration			Monitoring Requirements	
	Monthly Average	Daily Maximum	Units	Measurement Frequency	Sample Type
Cadmium [1]	----	Report	mg/l	Quarterly	24 Hr. Comp.
Chromium [1]	----	Report	mg/l	Quarterly	24 Hr. Comp.
Copper [1]	----	Report	mg/l	Quarterly	24 Hr. Comp.
Cyanide [1]	----	Report	mg/l	Quarterly	Grab
Lead [1]	----	Report	mg/l	Quarterly	24 Hr. Comp.
Nickel [1]	----	Report	mg/l	Quarterly	24 Hr. Comp.
Silver [1]	----	Report	mg/l	Quarterly	24 Hr. Comp.
Zinc [1]	----	Report	mg/l	Quarterly	24 Hr. Comp.

NOTE: For measurement frequencies less than once per month, the permittee shall report the result from the monitoring period on the Discharge Monitoring Report (DMR) for the final month of the reporting timeframe, beginning with January of each year. For example, for quarterly monitoring, the permittee may conduct sampling within the month of January, February or March. The result from this reporting timeframe shall be reported on the March DMR, regardless of which of the months within the quarter the sample was taken.

[1] The permittee shall measure and report this parameter as Total Recoverable Metal. Cyanide shall be reported as Free Cyanide. Concentrations less than the Limit of Quantitation (LOQ) and greater than or equal to the Limit of Detection (LOD) shall be reported by the permittee on the discharge monitoring report forms as the actual measured value. Concentrations less than the limit of detection shall be reported on the discharge monitoring report forms as less than the value of the limit of detection. For example, if a substance is not detected and the LOD is 0.1 mg/l, report the value as < 0.1 mg/l.

The following EPA test methods and/or Standard Methods and associated LODs and LOQs are recommended for use in the analysis of the effluent samples. Alternative 40 CFR 136 approved methods may be used provided the LOQ is less than the monthly average and/or daily maximum effluent limitations.

The permittee may determine a case-specific Method Detection Level (MDL) using one of the analytical methods specified below, or any other test method which is approved by IDEM prior to use. The MDL shall be derived by the procedure specified for MDLs contained in 40 CFR Part 136, Appendix B, and the limit of quantitation shall be set equal to 3.18 times the MDL. NOTE: The MDL for purposes of this document, is synonymous with the "limit of detection" or "LOD" as defined in 327 IAC 5-1.5-26: "the minimum concentration of a substance that can be measured and reported with ninety-nine percent (99%) confidence that the analyte concentration is greater than zero (0) for a particular analytical method and sample matrix".

Parameter	EPA Method	LOD	LOQ
Cadmium	3113 B	0.1 µg/l	0.32 µg/l
Chromium	3111 C or 3113 B	2.0 µg/l	6.4 µg/l
Copper	3113 B	1.0 µg/l	3.2 µg/l
Cyanide, Available*	OIA-1677-09 (available)	0.5 µg/l	1.6 µg/l
Cyanide, Available*	Kelada-01 (available)	0.5 µg/l	1.6 µg/l
Lead	3113 B	1.0 µg/l	3.2 µg/l
Nickel	3113 B	1.0 µg/l	3.2 µg/l
Silver	3113 B	0.2 µg/l	0.64 µg/l
Zinc	200.7, Revision 4.4 or 3120 B	2.0 µg/l	6.4 µg/l

*Free cyanide shall be reported as free cyanide but measured using one of the approved EPA test methods above for available cyanide.

4. Additional Monitoring Requirements

Beginning on the effective date of this permit, the permittee shall conduct the following monitoring activities:

a. Influent Monitoring

In addition to the requirements contained in Part I.B.2 of the NPDES permit, the permittee shall monitor the influent to its wastewater treatment facility for the following pollutants. Samples shall be representative of the raw influent in accordance with 327 IAC 5-2-13(b).

TABLE 4

Parameter	Quality or Concentration			Monitoring Requirements	
	Monthly Average	Daily Maximum	Units	Measurement Frequency	Sample Type
Cadmium [1]	-----	Report	mg/l	Quarterly	24 Hr. Comp.
Chromium [1]	-----	Report	mg/l	Quarterly	24 Hr. Comp.
Copper [1]	-----	Report	mg/l	Quarterly	24 Hr. Comp.
Cyanide [1]	-----	Report	mg/l	Quarterly	Grab
Lead [1]	-----	Report	mg/l	Quarterly	24 Hr. Comp.
Nickel [1]	-----	Report	mg/l	Quarterly	24 Hr. Comp.
Silver [1]	-----	Report	mg/l	Quarterly	24 Hr. Comp.
Zinc [1]	-----	Report	mg/l	Quarterly	24 Hr. Comp.

NOTE: For measurement frequencies less than once per month, the permittee shall report the result from the monitoring period on the Discharge Monitoring Report (DMR) for the final month of the reporting timeframe, beginning with January of each year. For example, for quarterly monitoring, the permittee may conduct sampling within the month of January, February or March. The result from this reporting timeframe shall be reported on the March DMR, regardless of which of the months within the quarter the sample was taken.

[1] The permittee shall measure and report this parameter as Total Recoverable Metal. Cyanide shall be reported as Free Cyanide. Concentrations less than the Limit of Quantitation (LOQ) and greater than or equal to the Limit of Detection (LOD) shall be reported by the permittee on the discharge monitoring report forms as the actual measured value. Concentrations less than the limit of detection shall be reported on the discharge monitoring report forms as less than the value of the limit of detection. For example, if a substance is not detected and the LOD is 0.1 mg/l, report the value as < 0.1 mg/l.

B. 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.

3. This permit may be modified, or, alternately, revoked and reissued, to comply with any applicable effluent limitation or standard issued or approved under section 301(b)(2)(C), (D) and (E), 304(b)(2), and 307(a)(2) of the Clean Water Act, if the effluent limitation or standard so issued or approved:
 - a. contains different conditions or is otherwise more stringent than any effluent limitation in the permit; or
 - b. controls any pollutant not limited in the permit.
4. This permit may be modified or, alternatively, revoked and reissued after public notice and opportunity for hearing to incorporate monitoring requirements and effluent limitations for cadmium, chromium, copper, cyanide, lead, nickel, silver, and/or zinc if the Department of Environmental Management determines that such monitoring requirements and effluent limitations are needed to assure that State Water Quality standards are met in the receiving streams.
5. This permit may be modified, or alternately, revoked and reissued after public notice and opportunity for hearing to include Whole Effluent Toxicity (WET) limitations or to include limitations for specific toxicants if the results of the WET testing and/or the Toxicity Reduction Evaluation (TRE) study indicate that such limitations are necessary.
6. This permit may be modified, or alternately, revoked and reissued, after public notice and opportunity for hearing, to include a case-specific Method Detection Level (MDL). The permittee must demonstrate that such action is warranted in accordance with the procedure specified under Appendix B, 40 CFR Part 136, or approved by the Indiana Department of Environmental Management.

D. WHOLE EFFLUENT TOXICITY TESTING REQUIREMENTS

To adequately assess the effects of the effluent on aquatic life, the permittee is required by this section of the permit to conduct chronic Whole Effluent Toxicity (WET) testing. Part I.D.1. of this permit describes the testing procedures and Part I.D.2. describes the Toxicity Reduction Evaluation (TRE) which is only required if the effluent demonstrates toxicity in two (2) consecutive toxicity tests as described in Part I.D.1.f.

1. Whole Effluent Toxicity (WET) Tests

The permittee must conduct the series of aquatic toxicity tests described below to monitor the acute and chronic toxicity of the effluent discharged from Outfall 001.

- (4) After successful completion of the TRE, the permittee must resume the chronic toxicity tests required in Part I.D.1. The established starting date for the frequency in Part I.D.1.d. is the first day of the first month following successful completion of the post-TRE toxicity tests.

d. Reporting

- (1) Progress reports must be submitted every 90 days to the Compliance Data Section beginning six (6) months from the date of two (2) consecutive failed toxicity tests. Each TRE progress report must include a listing of proposed activities for the next quarter and a schedule to reduce toxicity in the effluent discharge to acceptable levels through control of the toxicant source or treatment of whole effluent.
- (2) Within 90 days of successfully completing the TRE, including the three (3) consecutive monthly tests required as part of the post-TRE toxicity testing requirements under Part I.D.2.c., the permittee must submit to the Compliance Data Section a final TRE Report that includes a discussion of the TRE results, along with the starting date established under Part I.D.2.c.(4). for the continuation of the toxicity testing required in Part I.D.1.

e. Compliance Date

The permittee must complete items a., b., c., and d. from Part I.D.2. and reduce toxicity in the effluent discharge to acceptable levels as soon as possible, but no later than three (3) years from the date that toxicity is initially demonstrated in two (2) consecutive toxicity tests (i.e. the date of the termination of the second test) as described in Part I.D.1.f.4.

THIS SPACE LEFT INTENTIONALLY BLANK

THIS PAGE LEFT INTENTIONALLY BLANK

However, under 327 IAC 2-6.1-3(1), when the constituents of the discharge 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 emergency incident 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 incident by calling 317/233-7745 (888/233-7745 toll free in Indiana). This number should only be called when reporting these emergency events;
- c. Any upset (as defined in Part II.B.3 above) that exceeds any technology-based effluent limitations in the permit;
- d. Any release, including basement backups, from the sanitary sewer system (including satellite sewer systems operated or maintained by the permittee) not specifically authorized by this permit. Reporting of known releases from private laterals not caused by a problem in the sewer system owned or operated by the permittee is not required under Part II.C.3, however, documentation of such events must be maintained by the permittee and available for review by IDEM staff; or
- e. Any discharge from any outfall from which discharge is explicitly prohibited by this permit as well as any discharge from any other outfall or point not listed in this 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 five (5) days of the time the permittee becomes aware of the circumstances. The written submission shall contain: a description of the event and its cause; the period of occurrence, including exact dates and times, and, if the event has not concluded, the anticipated time it is expected to continue; and steps taken or planned to reduce, mitigate and eliminate the event and steps taken or planned to 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/Incident Report" (State Form 48373) or a "Noncompliance Notification Report" (State Form 54215), whichever is appropriate, to IDEM at wwreports@idem.IN.gov. If a complete submittal is sent



National Pollutant Discharge Elimination System
Fact Sheet for the
Town of Yorktown Wastewater Treatment Plant
Draft: May 8, 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:	Town of Yorktown Mr. Rick Glaub, Town Council President 9312 West Smith Street Yorktown, Indiana 47396 rglaub@yorktownindiana.org 765-759-4003
Existing Permit Information:	Permit Number: IN0020150 Expiration Date: September 30, 2027
Facility Contact:	George Kane, Certified Operator gkane@yorktownindiana.org 765-744-4663
Facility Location:	2001 South West Street Yorktown, Indiana 47396 Delaware County
Receiving Stream:	West Fork White River
GLI/Non-GLI:	Non-GLI
Proposed Permit Action:	Modification
Date Application Received:	April 3, 2024
Facility Category:	NPDES Major Municipal
Permit Writer:	John Donnellan, Senior Environmental Manager jdonnell@idem.in.gov 317-234-0865

Outfall Location

Latitude: 40° 10' 29" N

Longitude: 85° 30' 15" W

Background

This is the modification of the NPDES permit for the Town of Yorktown Wastewater Treatment Plant. The facility's current permit was effective on October 1, 2022 and has an expiration date of September 30, 2027. A request for permit modification was received from the permittee on April 3, 2024. The permittee requests a permit modification to remove effluent limits for cadmium and copper and reduce the monitoring requirements to quarterly based on a Reasonable Potential to Exceed (RPE) analysis completed by IDEM on March 5, 2024.

Modification

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

- Page 1 of 59 This page has been modified to reflect the modification effective date for the permit.

- Pages 6-8 of 59 These pages have been modified to remove effluent limits for cadmium and copper and to change the monitoring frequency for these parameters to quarterly in Tables 3 and 4.

- Page 14 of 59 This page has been modified to add cadmium and copper to the list of parameters in reopening clause 4 in Part I.C.

- Pages 24-25 of 59 These pages have been modified to remove the schedule of compliance for cadmium and copper in Part I.D.

- Page 38 of 59 This page has been modified in Part II.C.3. to remove the reporting requirements related to the previous permit limits for cadmium and copper.

Expiration Date

The expiration date of the permit has not changed. The permit, as modified, will expire at midnight on September 30, 2027.

Permit Processing/Public Comment

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