

STATE OF INDIANA
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
PUBLIC NOTICE NO 20241024 – INM020346– D
DATE OF NOTICE: October 24, 2024
DATE RESPONSE DUE: November 25, 2024

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

Minor Modification :

City of New Haven Collection System, Permit No. INM020346, ALLEN COUNTY, 815 Lincoln Highway East, New Haven, IN. The New Haven collection system is connected to the Fort Wayne collection system, but the city is responsible for operating and maintaining its own partially combined (sanitary and storm water) collection system. The city has installed a wet weather treatment facility for its discharges into Martin Ditch via Outfall 001. Wet weather flow from the Rose Avenue Lift Station which exceeds 4.32 million gallons daily is diverted to the wet weather treatment facility (WWTF) and is discharged via Outfall 101. Outfall 101 and Outfall 001 share the same discharge pipe which is located at Latitude: 41° 04' 45" N, Longitude: 85° 00' 32" W. Permit Manager: Dave Tennis at 317-234-9558 or dtennis@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

October 24, 2024

VIA ELECTRONIC MAIL

The Honorable Steve McMichael, Mayor
City of New Haven
815 Lincoln Highway East
P.O. Box 570
New Haven, Indiana 46774

Dear Mayor McMichael:

Re: Draft Modification of NPDES Permit
No. INM020346
City of New Haven Collection System
Allen County

Your request for permit modification has been reviewed and processed in accordance with rules adopted under 327 IAC 5. Enclosed is the draft modification of NPDES Permit No. INM020346 which applies to the New Haven Collection System. The enclosed Pages 1, 2, 18, 19, 20, 21, 21a, 21b and 21c of 21 are intended to replace/extend 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/>. A 30-day comment period is available in order to solicit input from interested parties, including the general 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. If you have any questions concerning this modification, please contact Dave Tennis at 317/234-9558 or dtennis@idem.IN.gov.

Sincerely,

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

Enclosures

cc: Dave Jones, City of New Haven
Jeremy Waite, IDEM Wastewater Inspector

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

CITY OF NEW HAVEN

hereinafter referred to as "the permittee." The permittee owns and/or operates a combined sewer collection system located within the City of New Haven, Allen County. The permittee's combined sewer system conveys wastewater to the City of Fort Wayne for treatment at the P.L. Brunner Water Pollution Control Plant. The permittee is hereby authorized to discharge from the outfall identified in Part II of Attachment A of this permit to receiving waters named Martin Ditch in accordance with the effluent limitations, monitoring requirements, and other conditions set forth in the permit. This permit may be revoked for the nonpayment of applicable fees in accordance with IC 13-18-20.

The permit, as issued on April 5, 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, May 31, 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.

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

COLLECTION SYSTEM DESCRIPTION

The New Haven collection system is comprised of combined sanitary and storm sewers with one (1) Wet Weather Treatment Facility (WWTF) outfall. The WWTF outfall has been identified and is permitted with provisions in Attachment A of the permit.

The permittee's sewer system conveys wastewater to the City of Fort Wayne for treatment at the P.L. Brunner Water Pollution Control Plant.

PART I

A. SANITARY SEWER OVERFLOW PROHIBITION AND MONITORING REQUIREMENTS

1. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee is required to monitor and report any discharges from the collection system, other than the intended discharge into the Fort Wayne collection system, which transports the wastewater to the P.L. Brunner Water Pollution Control Plant, in accordance with the conditions set forth in the permit.

Overflows in the sanitary sewer system or in a sanitary portion of a combined sewer system are expressly **prohibited** from discharging at any time. Should any release from the sanitary sewer system occur, the permittee is required to provide notification within twenty-four (24) hours and in writing within five (5) days of the event in accordance with the requirements in Part II.C.2., of this permit.

The correspondence shall include the duration and cause of discharge as well as the remedial action taken to eliminate it.

2. Minimum Narrative Limitations

At all times the discharge from any portion of the collection system shall not cause receiving waters:

- a. including waters within the mixing zone, to contain substances, materials, floating debris, oil, scum attributable to municipal, industrial, agricultural, and other land use practices, or other discharges that do any of the following:
 - (1) will settle to form putrescent or otherwise objectionable deposits;
 - (2) are in amounts sufficient to be unsightly or deleterious;
 - (3) produce color, visible oil sheen, odor, or other conditions in such degree as to create a nuisance;
 - (4) are in amounts sufficient to be acutely toxic to, or to otherwise severely injure or kill aquatic life, other animals, plants, or humans;

ATTACHMENT A

Precipitation Related Combined Sewer Overflow Discharge Authorization Requirements

I. Discharge Prohibition and Reporting Requirements

Discharges from any portion of the sewer collection system, except authorized discharges from the Wet Weather Treatment Facility (WWTF) via Outfall 101, are prohibited. This prohibition includes discharges from outfall 001 identified below.

In addition to complying with the monitoring and reporting requirements in Part IV of this Attachment A, the permittee is also required to report prohibited discharges in accordance with Part II.C.3 of this permit.

Outfall	Location	Receiving Water
001	800' North of 1326 Rose Avenue; untreated CSO flow. Outfalls 001 and 101 (below) consist of two separate wastestreams yet share the same effluent pipe and latitude/longitude coordinates. 41° 04' 45" N 85° 00' 32" W	Martin Ditch

Monitoring for the purpose of reporting on the CSO Monthly Report of Operation (State Form 50546 (R4/9-15)) shall be conducted at a location representative of untreated CSO discharges. Monitoring from a CSO regulator structure contributing flow to the CSO outfall is acceptable provided flows at this location are representative and comprised of untreated CSO flows ultimately discharged through the CSO outfall. Monitoring at the CSO outfall is considered representative except in those instances where non-CSO flows (treated effluents, separate stormwater, etc.) are also discharged through a common outfall. All non-CSO flows shall be excluded from reporting on the CSO Monthly Report of Operation.

II. Wet Weather Treatment Facility Effluent Limitations and Monitoring Requirements

The permittee is authorized to discharge treated combined sewage from Outfall 101 when flows from the Rose Avenue Lift Station exceed 4.32 MGD. Wet weather flow beyond 4.32 MGD is diverted to the wet weather treatment facility (WWTF), and is discharged via Outfall 101. Outfall 101 is located at Latitude: 41° 04' 45" N, Longitude: 85° 00' 32" W and discharges to Martin Ditch. Any discharge from Outfall 101 is subject to the requirements and provisions of this permit including the following requirements:

TABLE 1

Parameter [5]	Quantity or Loading			Quality or Concentration			Monitoring Requirements	
	Daily Maximum	Monthly Average	Units	Daily Maximum	Monthly Average	Units	Measurement Frequency	Sample Type
Flow [1]	Report	Report	MGD	----	----	----	Daily	24-Hr. Total
CBOD ₅	----	----	----	Report	Report	mg/l	Daily	Composite [4]
TSS	----	----	----	Report	Report	mg/l	Daily	Composite [4]

TABLE 2

Parameter [5]	Quality or Concentration				Monitoring Requirements	
	Daily Minimum	Monthly Average	Daily Maximum	Units	Measurement Frequency	Sample Type
pH [6]	Report	----	Report	s.u.	Daily	Grab
<i>E. coli</i> [2] [3]	----	125	235	cfu/100 ml	Daily	Grab

NOTE- The permittee shall submit a written notice to the Compliance Data Section of the Office of Water Quality at 100 N. Senate Avenue, Indianapolis, IN 46204-2251 which specifies the expected completion date of disinfection facilities on discharges from the WWTF. This notice shall be submitted a minimum of thirty (30) days prior to completion of construction. Any deviation from the completion date specified in this notice will require a revised notice to be submitted to the same office. Notification of the construction completion date is necessary to ensure that the effluent limitations and monitoring requirements become effective at the correct time.

[1] Effluent flow measurement is required per 327 IAC 5-2-13. The flow meter(s) shall be calibrated at least once annually.

[2] The effluent shall be disinfected on a continuous basis such that violations of the applicable bacteriological limitations (fecal coliform or *E. coli*) do not occur from April 1 through October 31, annually.

The *E. coli* limitations and monitoring requirements apply from April 1 through October 31 annually. The monthly average *E. coli* value shall be calculated as a geometric mean.

[3] For *E. coli*, the daily maximum shall be the geometric mean of all grab samples on any discharge day, provided that 3 or more grab samples are collected. If less than 3 grab samples are taken then the arithmetic mean shall be reported. The *E. coli* monthly average shall be the geometric mean of all grab samples collected during the month, provided that 5 or more grab samples are collected. The goal of the effluent monitoring program is to collect at least 3 grab samples during each discharge event, and the

samples shall be collected at shorter intervals at the onset of the event, if the permittee estimates that the event duration may be less than 6 hours.

If there are discharges on three (3) or less days, the monthly average E.coli value is not reported on the DMR. If there are discharges on four (4) or more days, then the monthly average shall be reported on the Discharge Monitoring Report (DMR). For discharges of four (4) or more days during a calendar month, the monthly average E. coli value shall be calculated as a geometric mean of all grab samples collected and reported on the DMR.

- [4] Effluent composite sampling, either by automatic sampler collecting samples at set intervals or by grab samples collected during discharges from the wet weather treatment component, shall be representative of the discharge and of sufficient quantity to ensure that the parameters of Table 1 of Attachment A can be measured; shall be initiated within 30 minutes from the beginning of a discharge event; and shall continue at intervals determined by the permittee, but no less than every 2 hours during the duration of the event. If an event lasts for more than 24 hours a new sampling period shall be initiated. Analysis for the parameters identified in Table 1 of Attachment A shall be from the composite sample collected as described above.
- [5] For purposes of reporting on a discharge event which lasts less than 24 hours, but occurs during two calendar days, the pollutant concentrations for the event shall be reported as daily values on the day when the majority of the discharge occurred.
- [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 minimum or maximum pH value of any individual sample during the month on the Discharge Monitoring Report forms.

III. Minimum Narrative Limitations

- A. At all times the discharge from any and all CSO outfalls herein shall not cause receiving waters:
 - 1. including waters within the mixing zone, to contain substances, materials, floating debris, oil, scum attributable to municipal, industrial, agricultural, and other land use practices, or other discharges that do any of the following:
 - a. will settle to form putrescent or otherwise objectionable deposits;
 - b. are in amounts sufficient to be unsightly or deleterious;
 - c. produce color, visible oil sheen, odor, or other conditions in such a degree as to create a nuisance;
 - d. are in amounts sufficient to be acutely toxic to, or otherwise severely injure or kill aquatic life, other animals, plants, or humans;

- e. are in concentrations or combinations that will cause or contribute to the growth of aquatic plants or algae to such a degree as to create a nuisance, be unsightly, or otherwise impair the designated uses.
2. outside the mixing zone, to contain substances in concentrations that on the basis of available scientific data are believed to be sufficient to injure, be chronically toxic to, or be carcinogenic, mutagenic, or teratogenic to humans, animals, aquatic life, or plants.
- B. Discharges from any portion of the sewer collection system, except authorized discharges from the WWTF via Outfall 101, are prohibited. If such a prohibited discharge should occur, the permittee is required to report the discharge in accordance with the provisions in Part II.C.3 of this permit.

IV. Monitoring and Reporting Requirements

The permittee shall complete and submit accurate monitoring reports to the Indiana Department of Environmental Management. The permittee is required to report all discharges from the untreated CSO Outfall (001) identified in Part I of this Attachment A. The permittee shall submit data specified on the CSO Monthly Report of Operation (MRO) for untreated CSO events (State Form 50546 (R5/11-21)). The CSO MRO form includes the following reporting parameters:

- WWTP Influent Data: average daily flow, and peak hourly flow.
- Precipitation Data: time precipitation began, precipitation duration, total daily precipitation, peak precipitation intensity, and rain gauge measurement interval.
- CSO Outfall Information: time discharge began, whether the outfall is metered or estimated, event duration, amount of CSO discharge.

CSO MROs shall contain results obtained during each month (a monitoring period) and shall be submitted no later than 28 days following each completed monitoring period. All NPDES permit holders are now required to submit their monitoring data to IDEM using NetDMR.

The permittee shall monitor discharges from the Outfall identified in Part II of this Attachment A (101; WWTF effluent) in accordance with both Discharge Monitoring Report (DMR) forms and Monthly Monitoring Report (MMR) for WWTF forms provided by IDEM (State Form 56109 (R/12-21)). Submitted DMRs and MMRs shall contain results obtained during each month (a monitoring period) and shall be submitted no later than 28 days following each completed monitoring period. Discharge data from Outfall 101 shall not be included on the CSO MRO form for untreated CSO events (State Form 50546 (R5/11-21)).

V. CSO Operational Plan

- A. The permittee shall comply with the following minimum technology-based controls, in accordance with EPA's National CSO Control Policy:
1. The permittee shall implement proper operation and regular maintenance programs for the sewer system and the CSOs. The purpose of the operation and maintenance programs is to reduce the magnitude, frequency and duration of CSOs. The programs shall consider regular sewer inspections; sewer, catch basin, and regulator cleaning; equipment and sewer collection system repair or replacement, where necessary; and disconnection of illegal connections.
 2. The permittee shall implement procedures that will maximize the use of collection system for wastewater storage that can be accommodated by the storage capacity of the collection system in order to reduce the magnitude, frequency and duration of CSOs.
 3. The permittee shall review and modify, as appropriate, its existing pretreatment program to minimize CSO impacts from non-domestic users. The permittee shall identify all industrial users that discharge to the collection system upstream of any CSO outfalls; this identification shall also include the pollutants in the industrial user's wastewater and the specific CSO outfall(s) that are likely to discharge the wastewater.
 4. The permittee shall operate the POTW at the maximum treatable flow during all wet weather flow conditions to reduce the magnitude, frequency and duration of CSOs. The permittee shall deliver all flows to the treatment plant within the constraints of the treatment capacity of the POTW.
 5. Discharges from any portion of the sewer collection system, except authorized discharges from the WWTF via Outfall 101, are prohibited. If such a prohibited discharge should occur, the permittee is required to report the discharge in accordance with the provisions in Part II.C.3 of this permit. When the permittee detects a prohibited discharge, it shall begin corrective action immediately. The permittee shall inspect the prohibited discharge each subsequent day until the discharge has been eliminated.
 6. The permittee shall implement measures to control solid and floatable materials in CSO discharges.
 7. The permittee shall implement a pollution prevention program focused on reducing the impact of CSOs on receiving waters.
 8. The permittee shall implement a public notification process to inform the public, the local public health department, and other potentially affected entities of CSO discharges and their impacts. This notification must be done in accordance with 327 IAC 5-2.2 and 40 CFR 122.38.
 9. The permittee shall monitor to effectively characterize CSO impacts and the efficacy of CSO controls.

- B. The permittee's implementation of each of the minimum controls in Part V.A of this Attachment A shall be documented in its approved CSO Operational Plan (CSOOP). The permittee shall update the CSOOP, as necessary, to reflect changes in its operation or maintenance practices; changes to measures taken to implement the above minimum requirements; and changes to the treatment plant or collection system, including changes in collection system flow characteristics, collection system or WWTP capacity or discharge characteristics (including volume, duration, frequency and pollutant concentration). All updates to the CSOOP must be submitted to IDEM, Office of Water Quality, Municipal NPDES Permits Section for approval.

The CSOOP update(s) shall include a summary of the proposed revisions to the CSOOP as well as a reference to the page(s) that have been modified. Any CSOOP updates shall not result in:

1. a lower amount of flow being sent to the Fort Wayne WWTP for treatment, or
2. more discharges (measured either by volume, duration, frequency, or pollutant concentration) occurring from the CSO outfall.

The permittee shall maintain a current CSO Operational Plan, including all approved updates, on file at the POTW.

VI. Public Notification Requirements for CSO Discharges to the Great Lakes Basin

- A. The permittee shall comply with 327 IAC 5-2.2, which incorporates by reference 40 CFR 122.38, for the public notification of CSO discharges to the Great Lakes Basin:
1. The permittee shall implement the public notification requirements in 40 CFR 122.38(a).
 2. The permittee shall include the following information on each sign required by 40 CFR 122.38(a)(1):
 - a. The name of the permittee;
 - b. A description of the discharge and notice that sewage may be present in the water; and
 - c. The permittee contact information (telephone number, NPDES permit number, and CSO discharge point number).
 3. The permittee shall include signs at all CSO discharge points and potentially impacted public access areas in accordance with 40 CFR 122.38(a)(1)(i).
 4. The permittee shall notify the public, local public health department, and other potentially affected entities as soon as possible, but no later than four (4) hours after becoming aware of a CSO discharge and must supplement the initial notice within seven (7) days after the CSO discharge has ended. The notifications must include the minimum information required by 40 CFR 122.38(a)(2) and (3).
 5. The permittee shall monitor or estimate the volume and discharge duration of each CSO outfall listed in Attachment A to this permit.

6. The permittee shall submit an annual notice to U.S. EPA and IDEM by May 1 of each year in accordance with 40 CFR 122.38(b).
7. The permittee shall make the annual notice available to the public per 40 CFR 122.38(b).
8. The permittee shall submit its public notification plan and any updates or amendments to its public notification plan as part of all subsequent permit renewal applications as required by 327 IAC 5-2-3(q)(2).

VII. Sewer Use Ordinance Review/Revision and Enforcement

The permittee's Sewer Use Ordinance must contain provisions which: (1) prohibit introduction of inflow sources to any sanitary sewer; (2) prohibit construction of new combined sewers outside of the existing combined sewer service area; and (3) provide that for any new building the inflow/clear water connection to a combined sewer shall be made separate and distinct from sanitary waste connection to facilitate disconnection of the former if a separate storm sewer subsequently becomes available. The permittee shall continuously enforce these provisions.

VIII. Reopening Clauses

- A. This permit may be reopened to address changes in the EPA National CSO Policy or state or federal law.
- B. The permit may be reopened, after public notice and opportunity for hearing, to incorporate applicable provisions of IC 13-18.



National Pollutant Discharge Elimination System
Fact Sheet for
City of New Haven Collection System
Draft: October 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:	City of New Haven The Honorable Steve McMichael, Mayor 815 Lincoln Highway East P.O. Box 570 New Haven, Indiana, 46774 smcmichael@newhaven.in.gov 260/748-7070
Existing Permit Information:	Permit Number: INM020346 Expiration Date: May 31, 2027
Facility Contact:	Dave Jones, Utility Superintendent djones@newhaven.in.gov 260/748-7056
Facility Location:	815 Lincoln Highway East P.O. Box 570 New Haven, Indiana, 46774 Allen County
Receiving Stream:	Martin Ditch
GLI/Non-GLI:	GLI
Proposed Permit Action:	Modification
Date Application Received:	August 28, 2023
Facility Category:	NPDES Operational Permit
CSO Project Manager:	Dave Tennis dtennis@idem.in.gov 317/234-9558

Permit Writer: Dave Tennis dtennis@idem.in.gov 317/234-9558
--

Background

This is the modification of the NPDES permit for the City of New Haven sewer collection system. The City's current permit was effective on June 1, 2022, and has an expiration date of May 31, 2027. A request for permit modification was received from the permittee on August 28, 2023, to recognize construction of a Wet Weather Treatment Facility (WWTF) in New Haven. Due to the expected completion date of the WWTF being the Fall of 2024, IDEM decided to delay modifying this permit to coincide with completion of the WWTF.

Modification

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

- | | |
|---------------------|---|
| Page 1 of 21 | This page has been modified to reflect the modification effective date for the permit. |
| Page 2 of 21 | This page has been modified to recognize construction of a WWTF in the collection system description. |
| Pages 18-20 of 21 | These pages have been modified to incorporate effluent limits and monitoring requirements applicable to discharges from the WWTF Outfall 101. |
| Page 21 of 21 | This page has been modified to incorporate reporting requirements applicable to discharges from the WWTF outfall 101. |
| Pages 21a-21c of 21 | These pages have been modified to incorporate public notification requirements found at 40 CFR 122.38 and 327 IAC 5-2.2 due to the addition of the authorized WWTF outfall 101. |

Expiration Date

The expiration date of the permit has not changed. The permit, as modified, will expire at midnight on May 31, 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.