

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT (IDEM)
OFFICE OF WATER QUALITY, PERMITS ADMINISTRATION SECTION
100 N SENATE AVE, IGCN 12TH FLOOR, INDIANAPOLIS, IN 46204

PUBLIC NOTICE of FINAL REVOCATION & REISSUANCE of
NPDES GENERAL PERMIT ING410000
PUBLIC NOTICE NO: 20241112-ING410000-F
DATE OF NOTICE: NOVEMBER 12, 2024

IDEM has issued the revocation and reissuance of NPDES General Permit ING410000 which regulates discharges from Onsite Residential Sewage Discharging Disposal Systems. The original administrative general permit ING410000 was issued in 2021 but it only authorized such systems in Allen County, Indiana. In 2023, there were statutory changes which expanded the potential universe of these systems statewide. As a result, it was necessary to modify the content of the master general permit (and the Notice of Intent form) to incorporate these changes. Due to the substantial changes being made to the permit, IDEM staff determined that the best course of action is to revoke the existing permit and reissue it for a new five-year term. The new effective date of the (simultaneous) revocation and reissuance of this master general permit is December 1, 2024. The new expiration date is November 30, 2029.

In accordance with state and federal rules pertaining to the issuance of general permits, each general permit contains specific eligibility requirements. Only Onsite Waste Management Districts existing within the boundaries of Indiana may obtain NPDES general permit coverage. The NOI form can be submitted to IDEM any time on or after December 1, 2024.

Copies of the final issued permit are being distributed to each of the county health departments in Indiana, all persons who provided comments during the official public notice comment period, and other interested parties. The final NPDES general permit, (including the fact sheet and the Notice of Intent form), is posted with this notice on IDEM's web page for statewide public notices <https://www.in.gov/idem/public-notices/public-notices-statewide/>. It is also available online in IDEM's Virtual File Cabinet. When the revised Notice of Intent form receives final state form approval from the Indiana Archives and Records Administration, it will be available on IDEM's website on the Forms webpage. Until that occurs, potential applicants can utilize the form which is attached to the fact sheet, or they may request a copy of the form to be sent to them by contacting the permit manager, Mrs. Catherine Hess by telephone at (317) 232-8704 or via email at chess@idem.IN.gov.

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 Administrative Law Proceedings (OALP) 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 OALP 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. The addresses are as follows:

Director
Office of Administrative Law Proceedings
Indiana Government Center North
100 North Senate Avenue - Suite N802
Indianapolis, IN 46204

Commissioner
Indiana Department of Environmental Management
Indiana Government Center North
100 North Senate Avenue - Room 1301
Indianapolis, IN 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, or
 - 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, the OALP 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 the OALP at the address above.

If you have procedural or scheduling questions regarding your Petition for Administrative Review, please refer to the OALP's website at <https://www.in.gov/oalp/>.

Indiana Department of Environmental Management
Office of Water Quality, Permits Branch
100 North Senate Avenue, Mail Code 65-42 PS
Indianapolis, Indiana 46204
(317) 232-8670
Toll Free (800) 451-6027
www.idem.IN.gov

In compliance with the provisions of the Federal Water Pollution Control Act, as amended by the Clean Water Act of 1977 (33 U.S.C. 1251, et seq., the "Act"), Title 13 of the Indiana Code, Articles 5 and 15 of Title 327 the Indiana Administrative Code, and regulations adopted by the Environmental Rules Board, the Indiana Department of Environmental Management (IDEM) is issuing this NPDES general permit to regulate discharges of treated sanitary wastewater from onsite residential sewage discharging disposal systems with discharges to surface waters of the State of Indiana.

This permit is issued on: **November 12, 2024**

This permit is effective on: **December 1, 2024**

This permit expires on: **November 30, 2029**

In accordance with IC 13-15-3-6, 40 CFR 122.6, and 123.25, the conditions of this permit remain fully effective and enforceable after the expiration date of the permit if each Onsite Waste Management District (District) has submitted a timely Notice of Intent letter (NOI) for a new term of coverage and IDEM has not, through no fault of the District(s), issued a new permit on or before the expiration date of this permit.



Paul Higginbotham
Deputy Assistant Commissioner
Office of Water Quality

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1.0 GENERAL PERMIT COVERAGE

1.1 Permit Area

This general permit for onsite residential sewage discharging disposal systems covers Indiana counties that have formed Onsite Waste Management Districts (henceforth called “Districts”) pursuant to IC 36-11. However the area covered in this permit does not include any discharges to waters located in Indian country, which is defined in United States Code 18 USC Section 1151 as “(a) all land within the limits of any Indian reservation under the jurisdiction of the United States Government, notwithstanding the issuance of any patent, and, including any rights-of-way running through the reservation, (b) all dependent Indian communities within the borders of the United States whether within the original or subsequently acquired territory thereof, and whether within or without the limits of a state, and (c) all Indian allotments, the Indian titles to which have not been extinguished, including the rights-of-way running through the same.”

1.2 Discharges Authorized/Covered by This Permit

This general permit covers discharges of treated sanitary wastewater from onsite residential sewage discharging disposal systems located within the Onsite Waste Management Districts in Indiana that have been installed to repair or replace a sewage disposal system that fails to meet public health and environmental standards and for which an operating permit has been issued pursuant to IC 13-18-12-9. Such systems are generally designed to discharge one thousand (1,000) gallons or less per day of treated sanitary wastewater.

This National Pollutant Discharge Elimination System (NPDES) general permit shall be in effect for a term of five (5) years. To obtain authorization to discharge under this permit, a homeowner must first have followed the statutory and local ordinance requirements of the county health department and the County Onsite Waste Management District (hereinafter referred to as the “District”). Once the homeowner receives approval from the county health department to install an onsite residential sewage discharging disposal system, the homeowner must submit a Notice of Intent (NOI) to the District to become a member of the District and to affirm their intent to abide by the terms and conditions of this general permit. The District must file a Notice of Intent to IDEM which includes a complete listing of all residences in the District which have active onsite residential sewage discharging disposal systems.

Except as provided in Section 1.3, when a Notice of Intent (NOI) is submitted to IDEM by the District as set forth in Section 4.0 below, a homeowner is permitted to discharge treated sanitary wastewater from onsite residential sewage discharging disposal systems to surface waters of the state in accordance with the terms of this general permit. This authorization to discharge shall become effective after IDEM staff has reviewed and approved the NOI submittal. A Notice of Coverage letter will be issued which will set forth the parameters and requirements for each District’s

coverage. Any discharges of sanitary wastewater from these systems to a surface water of the state not permitted under this general permit or by an individual permit are unlawful.

The District and its members (homeowners) who are covered by this general permit will remain covered under this permit until the earliest of the following:

- a) The District receives authorization for coverage under a reissued or replacement version of this permit, or
- b) IDEM's receipt of the District's submittal of a Notice of Termination (see Section 5.0), or
- c) Issuance or modification of an individual permit for the discharges covered by this general permit, or
- d) A final decision by IDEM either to revoke or to not reissue this general permit, at which time IDEM will identify a reasonable time period for the District and/or its covered dischargers to seek coverage under an alternative general permit or an individual permit. Coverage under this permit will remain in effect until coverage under a different NPDES permit is authorized.

1.3 Eligibility

- a) This general permit covers discharges comprised solely of wastewater from onsite residential sewage discharging disposal systems to surface waters of the state, except as limited in paragraph b below.
- b) Limitations of Coverage; the following discharges are not authorized by this permit:
 - 1) direct discharges into waters that are designated as an Outstanding National Resource Water (ONRW) defined at IC 13-11-2-149.5;
 - 2) discharges located less than twenty-five (25) feet from the edge of a sinkhole, as identified by a professional soil scientist registered under IC 25-31.5-4;
 - 3) discharges from new surface discharging systems located either in newly created lots or otherwise undeveloped property;
 - 4) discharges to a receiving stream when the discharge results in an increase in the ambient concentration of a pollutant which contributes to the impairment of the receiving stream for that pollutant as identified on the current 303(d) list of impaired waters; and
 - 5) discharges within Indian country as described in Section 1.1 of this permit.

2.0 EFFLUENT LIMITATIONS

The District and its covered members must control discharges, as necessary, to meet numeric and narrative water quality standards in the receiving water for any discharges authorized by this permit, with compliance required upon commencement of the discharge.

2.1 Discharge Limitations

(a) Numeric Effluent Limitations

Table 1

| Parameter | Quality or Concentration | | Units | Monitoring Requirements | |
|--|--------------------------|---------------|---------------------|--------------------------|-------------------|
| | Daily minimum | Daily maximum | | Measurement frequency... | Sample type |
| Effluent Flow [1] | ----- | Report | GPD | 1 x monthly | 24-hour Total [1] |
| CBOD ₅ | ----- | 15 | mg/l | 2 x annually [4] | Grab |
| Total Residual Chlorine [5][6] (LOQ=<0.06 mg/l) | ----- | 0.02 | mg/l | 1 x quarterly [3] | Grab |
| TSS | ----- | 18 | mg/l | 2 x annually [4] | Grab |
| Ammonia-nitrogen | ----- | 2 | mg/l | 2 x annually [4] | Grab |
| pH | 6.0 | 9.0 | s.u. | 2 x annually [4] | Grab |
| Dissolved Oxygen [2] | 5.0 | ----- | mg/l | 2 x annually [4] | Grab |
| <i>E. coli</i> | ----- | 235 | Colonies/ 100 ml | 1 x quarterly [3] | Grab |

[1] Flow monitoring and reporting is required in accordance with 327 IAC 5-2-13. Flows may be estimated.

[2] Dissolved oxygen must be monitored at least twice annually, preferably once during the winter monitoring period (December 1 through April 30), and once during the summer monitoring period (May 1 through November 30).

[3] At least one sample shall be collected each calendar quarter for these parameters. January 1 – March 31 is the 1st calendar quarter. April 1 thru June 30 is the 2nd calendar quarter. July 1 thru September 30 is the 3rd calendar quarter. October 1 thru December 31 is the 4th calendar quarter. Quarterly sampling shall be conducted approximately three months apart, unless follow-up sampling is necessary due to any observed noncompliance.

[4] Semi-annual sampling shall be conducted approximately six months apart, unless follow-up sampling is necessary due to any observed noncompliance.

[5] The daily maximum water quality-based effluent limit (WQBEL) for chlorine is greater than or equal to the limit of detection (LOD) but less than the limit of quantitation (LOQ) as defined below, which is specified in the permit. Compliance with the daily maximum limit will be demonstrated if the observed effluent concentrations are less than the LOQ.

| <u>Parameter</u> | <u>Test Method</u> | <u>LOD</u> | <u>LOQ</u> |
|------------------|--------------------|------------|------------|
| Chlorine | 4500-CI-D | 0.02 mg/l | 0.06 mg/l |
| Chlorine | 4500-CI-E | 0.02 mg/l | 0.06 mg/l |
| Chlorine | 4500-CI-G | 0.02 mg/l | 0.06 mg/l |

Case-Specific LOD/LOQ

The service provider may determine a case-specific LOD or LOQ using the analytical method specified above, or any other test method which is approved by IDEM prior to use. The LOD shall be derived by the procedure specified for method detection limits contained in 40 CFR Part 136, and the LOQ shall be equal to 3.18 times the LOD. Other methods may be used if first approved by IDEM.

[6] Disinfection of the effluent is required on a year-round basis, annually, in accordance with 327 IAC 5-10-6 and 327 IAC 5-10-4. If chlorine is used as a disinfectant, the residual prior to dechlorination shall be maintained at a minimum concentration of 0.5 mg/l at all times. Dechlorination is required such that the concentration of residual chlorine does not exceed the limit of quantification of 0.06 mg/l.

(b) Samples and measurements required by this general permit shall:

- (1) be representative of the volume and nature of the monitored discharge flow;
- (2) be taken at times that reflect the full range of effluent parameters normally expected to be present,
- (3) be taken at times that represent seasonal variability unless otherwise approved by the Commissioner,
- (4) not be taken at times or in a manner to avoid showing nonrepresentative elevated or reduced levels of any parameter, and
- (5) be analyzed by a laboratory using approved methods.

(c) The homeowner or the homeowner's certified service provider shall visually inspect the system at least one (1) time each month and complete a visual inspection form provided by the District. Completed visual inspection forms shall be maintained by the owner of the system and made available for inspection by the District or IDEM. If the person inspecting the system discovers any problem in the operation or maintenance of the system, the person shall contact the District immediately.

(d) The analytical results of monitoring required by this general permit shall be reported as follows:

- (1) The homeowner or the homeowner's certified service provider shall submit to the District the required analytical results on or before the twenty-eighth day of the month following the month in which the samples were collected.
- (2) The District shall submit to the Department on an annual basis all sampling results (including confirmation test results) for all of the onsite residential sewage discharging disposal systems that are regulated under this general permit. The annual report is due by March 31 of the following calendar year. Refer to Section 3.7 of this permit for more information about the content requirements of the annual report.

- (3) Monitoring results shall be submitted to the Department in a format approved by the Department. The District shall submit a draft report format to the Department to obtain such approval. This draft report format shall be submitted to the following email address, to the attention of the OWQ Compliance Data Section: OWQ@idem.in.gov.
- (e) If the results of any compliance monitoring show an exceedance of an effluent limitation under this section, an additional confirmation test must be conducted for each exceeded limitation as soon as possible, but no later than thirty (30) days from the date that the original sample was taken. Results of the confirmation sampling must be submitted to the District as soon as received but, in no case, later than seven (7) days after receipt of the sampling results. A confirmation test must be conducted every thirty (30) days until the effluent limitation is met.
- (f) If two (2) consecutive sampling results, including the confirmation samples required under subsection (e), exceed an effluent limitation, the homeowner or his certified service provider must submit a corrective action plan to the District within thirty (30) days of receipt of results of the second sample. The plan shall include information on corrective action taken to ensure compliance with each exceeded limitation and a plan to ensure future compliance with the limitation. The District must submit the corrective action plan to IDEM by no later than sixty (60) days from the receipt of results of the second consecutive effluent limit exceedance. The corrective action plan must be submitted to the following email address, to the attention of the OWQ Compliance Data Section: OWQ@idem.in.gov.

2.2 Narrative Water Quality Standards

The following permit requirements are included to ensure that all discharges permitted by this general permit will meet the minimum narrative water quality standards set forth in 327 IAC 2-1-6 and 2-1.5-8.

- a) The discharge shall not contain substances, materials, floating debris, oil, scum, or other pollutants that will settle to form putrescent or otherwise objectionable deposits,
- b) The discharge shall not contain substances, materials, floating debris, oil, scum, or other pollutants that are in amounts sufficient to be unsightly or deleterious,
- c) The discharge shall not contain oil or other substances that produce color, visible oil sheen, odor, or other conditions in such degree as to create a nuisance,
- d) The discharge shall not contain substances, materials, floating debris, oil, scum, or other pollutants which are in amounts sufficient to be acutely toxic to, or to otherwise severely injure or kill aquatic life, other animals, plants, or humans,

- e) The discharge shall not contain substances, materials, floating debris, oil, scum, or other pollutants which 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,
- f) The discharge shall not cause the receiving water(s) outside the mixing zone, to contain substances in concentrations which, 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.

3.0 MONITORING REQUIREMENTS AND PROCEDURES

3.1 What to Sample

Samples shall be taken in accordance with the sample type specified in Section 2.1 of this general permit. The Commissioner may require the District to sample for additional parameters. When this becomes the case, the District shall be notified in writing and given the reasons for the additional sampling requirement.

3.2 Measurement Frequency

Measurement frequency of each parameter is identified in Section 2.1 above. The Commissioner may require the District to conduct more frequent measurement of one or more of these parameters. When this becomes the case, the District shall be notified in writing and given the reasons for the more frequent sampling requirement.

3.3 Representative Sampling

Samples and measurements taken in compliance with the monitoring requirements specified above shall be representative of the volume and nature of the discharge. The samples and measurements shall be taken prior to mixing with any other waters and prior to discharging to the receiving stream.

3.4 Reporting of Additional Monitoring Results

When a service provider monitors any pollutant at the location(s) designated herein more frequently than required by this permit, using approved analytical methods as specified in section 3.5 below, the results of this monitoring shall be included in the calculation and reporting of the values required in the annual monitoring reports. 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 homeowner need not be submitted unless requested by the Commissioner.

3.5 Testing Procedures

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).

3.6 Recording of Results

For each measurement or sample taken pursuant to the requirements of this general permit, the certified service provider shall record the following information:

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

3.7 Reporting Monitoring Results

- a) The District shall submit complete monitoring reports to the Commissioner containing results obtained during the previous calendar year on an annual basis. These results shall be summarized in the annual report, which shall also contain details about any noncompliance and remedial actions, and shall be submitted to IDEM by no later than March 31st of each year.

The District is required to utilize an electronic submittal process for the annual reports in lieu of submitting them via U.S. Mail. The reports shall be created in a format approved by the Department and shall be submitted to OWQ@idem.IN.gov.

The Regional Administrator may request the District to submit monitoring reports to the Environmental Protection Agency if it is deemed necessary to assure compliance with the permit. See Section 6.10 of this permit for Future Electronic Reporting Requirements.

- b) The annual report must contain the following components:
 1. All sampling data results collected during the calendar year for each of the permitted onsite residential sewage discharging systems sites. This shall also include all confirmation test results.
 2. Information regarding all inspections which were conducted at the permitted sites.

3. Summary of any compliance or enforcement actions taken regarding any permitted sites which were in non-compliance during the calendar year. Such reports shall also include information regarding the treatment system being employed by the non-compliant systems. Those systems which were required to develop and submit Corrective Action Plans shall be particularly denoted.
4. Information shall be provided in the annual report which identifies the lab(s) which performed the analyses for each of the permitted sites.
5. The annual report must be signed and certified by the head of the governing body of the District, or his or her duly authorized representative. Such authorization must be submitted in writing and must explain the duties and responsibilities of the authorized representative.
6. Any communication regarding compliance with the conditions of this general permit must be addressed to both the District and also to:

Indiana Department of Environmental Management
Office of Water Quality, IGCN Room 1255
Compliance Data Section
100 North Senate Avenue
Indianapolis, IN 46204-2251.

Please submit the report to IDEM via email at OWQ@idem.IN.gov.

3.8 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. All records shall be kept at the District office or in such a manner that the reports will be readily available for IDEM compliance staff review. The three-year retention requirement shall be extended under the following conditions:

- a) automatically during the course of any litigation regarding the discharge of pollutants by the permittee; or
- b) as requested by the Regional Administrator of U.S. EPA or the Commissioner.

3.9 Reopening Clause

This general permit may be modified, or alternately, revoked and reissued, after public notice and opportunity for hearing to include any applicable effluent limitation or standard issued or approved under 301(b)(2)(C),(D) and (E), 304 (b)(2), and

307(a)(2) of the Clean Water Act, when the effluent limitation or standard so issued or approved does either of the following:

- 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.

If this general permit is modified or revoked and reissued all persons regulated under it will be notified by IDEM. Those persons notified under this Section shall, within one hundred twenty (120) days of the receipt of notification:

- 1) submit a complete NOI containing the information required under the modified or reissued permit, or
- 2) apply for an individual NPDES permit, or
- 3) submit a Notice of Termination (NOT) of discharge.

4.0 NOTICE OF INTENT (NOI) REQUIREMENTS

4.1 NOI Format

The District must submit a Notice of Intent (NOI) to IDEM to seek coverage under this general permit. This action will demonstrate the District's intent to comply with the general permit. Per IC 36-11 each homeowner who has an onsite residential sewage discharging disposal system and who has complied with all requirements of the District (which includes submitting an NOI to the District) will then automatically be covered by this general permit. The NOI form for ING410000 from the District to IDEM must be signed by the head of the governing body of the District.

4.2 Deadlines for NOI Submittal

- a) For the District that has existing coverage under the general permit (ING410000) on the effective date of this new expanded NPDES general permit, the existing coverage shall automatically be extended provided that the District takes one of the following actions within ninety (90) days of the effective date of the general permit:
 - 1) The District submits a new NOI in accordance with Section 4.0 of this general permit to affirm it intends to comply with the requirements of this new general permit;
 - 2) The District notifies IDEM in writing of its intent to terminate general permit coverage in accordance with Section 5.0 of this general permit; or
 - 3) The District submits an individual NPDES application or modification to IDEM for the existing discharge permitted by the former general permit. In such cases, the general permit coverage will remain in effect until the effective date of coverage under an individual NPDES permit.

- b) For newly-formed Districts, the NOI shall be submitted at any time after the effective date of the general permit, but at least fifteen (15) days before any discharges of wastewater, unless a later date is allowed by the Commissioner.
- c) For subsequent renewals of general permit coverage under this general permit, an NOI shall be submitted to IDEM by the District not less than ninety (90) days before the general permit expires.
- d) Adding Previously Unpermitted Sites: If a (previously unpermitted) site is approved by the District after the effective date of this general permit, the District shall submit an amended NOI to IDEM at least fifteen (15) days before any discharges of wastewater, unless a later date is allowed by the Commissioner. Documentation must also be submitted which shows that the newly requested site meets all of the eligibility requirements.
- e) In the case of a transfer of ownership of a permitted site under this general permit, the homeowner is required to notify the new owner of the property of the existence of the onsite residential sewage discharging disposal system and the requirements of this general permit. The homeowner shall also promptly notify the District of the change in ownership for the property. The District shall notify IDEM of the updated names, addresses, and contact information via the annual reports.
- f) In the event of any plans for the dissolution of a District, in accordance with IC 36-11-3-3, the District shall submit the dissolution NOI to IDEM as soon as possible along with a complete inventory of its permitted sites. The submittal shall explain the reason(s) for the dissolution of the District and shall also contain a proposed plan for the future permitting needs for any existing permitted sites.
- g) In accordance with 40 CFR 122.28(b)(3)(v) any qualifying source excluded from coverage under this general permit solely because it already has an individual permit may request that the individual permit be revoked, and that it be covered by the general permit.
- h) The Commissioner may, with good cause shown in writing, extend any of the submission deadline time periods required above.
- i) Pursuant to the provisions of 40 CFR 122.28(b)(3)(i), any person may petition the Commissioner to take action to require an individual permit.

4.3 Submitting the Notice of Intent

The Notice of Intent and all supporting documents shall be submitted by the District as follows:

- a) The NOI form may be scanned electronically and submitted via e-mail to OWQ@idem.IN.gov. The NOI fee may be remitted online by visiting IDEM's online payment portal at <https://www.in.gov/idem/resources/e-services/online-payment-options/>.
- b) Alternatively, hard copies of the NOI and payments in the form of checks should be submitted to this address:

Indiana Department of Environmental Management
Office of Water Quality, Permits Administration Section
Indiana Government Center North, Room 1255
100 North Senate Ave.
Indianapolis, IN 46204-2251

IDEM continues to develop means of electronic submittals for Notice of Intent and Notice of Termination forms. Upon availability and notification by the Commissioner of an electronic application process, the District may choose to or, may be required to, utilize this process to file the NOI, NOT and other submission requirements. Pursuant to 40 CFR 122.64(c) and 122.28(b)(2)(i), as of December 21, 2025, all NOIs and NOTs must be submitted electronically by the permittee to the Commissioner.

If the applicant does not have the ability to submit NOIs or NOTs electronically, he or she may request an exemption from the requirement which shall include the justification of the inability to utilize an electronic filing system.

4.4 Content of the NOI from the District to IDEM

The following information must be included in an NOI:

- a) Name, email address, mailing address and telephone number of the head of the governing body of the District;
- b) Name, email address, mailing address and telephone number of any delegated representative for the head of the governing body of the District;
- c) name, telephone number, and email and mailing addresses of a contact person who is knowledgeable about the site, if other than the head of the governing body of the District;
- d) name, email address, mailing address, and phone number of contact person who will submit semi-annual monitoring reports to IDEM;
- e) a listing of all permitted onsite residential sewage discharging disposal system sites, which include the name of the current homeowner, the associated email address, the address of the site itself, and the latitudinal and longitudinal coordinates (to the nearest second) of each outfall location, the name of the surface waters receiving each discharge, identification of any storm sewers which may initially receive any of the discharges and a general description of the Onsite sewage treatment system which has been installed (or is planned for installation) at each of the permitted sites;
- f) documentation of the establishment of the Onsite Waste Management District must be submitted with this NOI. This shall include the submittal of a copy of

the original Notice of Intent which was filed in accordance with IC 36-11-3-1(c) for the District's formation. Additionally the District must submit to IDEM copies of any enacted ordinances. The District must show that it has met the statutory requirements for its legal formation and that it has the necessary foundation and framework to carry out the requirements of this general permit.

- g) a written determination from the local health department certifying for each permitted onsite residential sewage discharging disposal system that:
 - i. the system is capable of operating properly;
 - ii. the system does not discharge effluent that violates water quality standards;
 - iii. an acceptable septic tank soil absorption system cannot be located on the property served by the system because of soil characteristics, size, or topographical conditions;
 - iv. the system was properly installed by a qualified installer and provides the best available technology for residential discharging onsite sewage disposal systems;
 - v. the system is the only possible technology that can be used to effect a repair of the system without causing unreasonable economic hardship to the system owner; and
 - vi. the system cannot be connected to a sanitary sewer because there is no connection available, the sanitary sewer operator refuses connection, or unreasonable economic hardship would result because of the connection requirements or the distance to the sanitary sewer.
- h) site map(s) identifying, via names of nearby streets or permanent structures, the location of the permitted sites where the discharges will occur; and the surface waters receiving the discharge. Multiple maps may be used if the location of the receiving waters is sufficiently distant from the site that too much detail is lost on a single map;
- i) a completed Potentially Affected Parties form (per IC 4-21.5, and mailing labels with the mail codes (Mail Code 65-42 PS) inserted on the first line of the label for each person listed; and
- j) a certification statement signed by the head of the governing body of the District.

5.0 REQUESTING TERMINATION OF COVERAGE

The District may request termination of coverage under this general permit when discharges of water to surface waters of the State have ceased. In order to do so, the District shall complete and submit a Notice of Termination (NOT) according to Section 4.3 of this permit.

The District will continue to be responsible for submitting all reports required by this permit until IDEM approves the NOT.

6.0 ADDITIONAL REQUIREMENTS

6.1 Standard Conditions for General Permits

The following standard permit conditions are incorporated by reference, as applicable to general permits.

| Standard Conditions | Federal Regulatory Cite |
|--|--------------------------------|
| a) Duty to comply | 40 CFR 122.41(a) |
| b) Duty to reapply | 40 CFR 122.41(b) |
| c) Need to halt or reduce activity not a defense | 40 CFR 122.41(c) |
| d) Duty to mitigate | 40 CFR 122.41(d) |
| e) Proper operation and maintenance | 40 CFR 122.41(e) |
| f) Permit actions | 40 CFR 122.41(f) |
| g) Property rights | 40 CFR 122.41(g) |
| h) Duty to provide information | 40 CFR 122.41(h) |
| i) Inspection and entry | 40 CFR 122.41(i) |
| j) Monitoring and records | 40 CFR 122.41(j) |
| k) Signatory requirements | 40 CFR 122.41(k) |
| l) Reporting requirements | 40 CFR 122.41(l) |
| m) Bypass reporting | 40 CFR 122.41(m) |
| n) Upset reporting | 40 CFR 122.41(n) |

- o) The homeowner of an onsite residential sewage discharging disposal system shall allow the District, the Commissioner or an authorized representative, upon presentation of credentials, to enter upon the premises where an onsite residential sewage discharging disposal system is located to determine compliance with this general permit and state water quality standards.
- p) The District shall allow the Commissioner or an authorized representative, upon presentation of credentials, to enter the District office and have access to and copy any records that must be kept under the conditions of this general permit, in accordance with 327 IAC 15-4-1(l).
- q) The conditions of this general permit are subject to enforcement pursuant to 327 IAC 15-4-1 and IC 13-30.

- r) The District shall maintain the following records within the District office and make them available for inspection pursuant to section 3.7 of this general permit:
- (1) Monitoring reports required under section 2.1 of this general permit for each system within the District.
 - (2) A copy of the operating permit issued by the local health department for each system within the District.
 - (3) Signed requests for inclusion in the District and coverage under this general permit for each system within the District.
 - (4) A complete up-to-date listing of all active onsite residential sewage discharging disposal systems in the District along with current contact information for each homeowner.

6.2 Other Information

When the District becomes aware of a failure to submit any relevant facts or the submission of incorrect information in an NOI or in any report, the District shall promptly submit such facts or corrected information to the Commissioner. The District shall promptly provide to IDEM written notice of any changes to items listed on the NOI. These would include:

- a) any changes in contacts or responsible party;
- b) any changes to addresses for any contact or responsible party;
- c) any changes to telephone numbers for any contact person or responsible party; or
- d) any changes involving the person or position with delegated signature authority for any forms or reports required by this general permit as set forth in Section 6.1(k) of this general permit.

6.3 Effect of Noncompliance

All discharges shall be consistent with the terms and conditions of this general permit. Any noncompliance constitutes a violation of applicable State and Federal laws, the Clean Water Act and IC 13 and is grounds for enforcement action, termination of coverage under the permit, requiring an individual permit, and/or denial of permit coverage renewal.

When IDEM or the U.S. EPA determines that the effluent limitations contained in Sections 2.1 or 2.2 of this general permit are not being met consistently, or that the discharge is causing or contributing to an excursion above any applicable water quality standard, the District may be notified by the Commissioner in writing that an individual permit application is necessary.

6.4 Reporting Spills and Noncompliance

The District must report to IDEM any adverse incidents (including spills and leaks) which reach any surface water of the state. When the District observes or is otherwise made aware of any permit noncompliance or any adverse incident that

may have resulted from a discharge from any of the permitted residential sites, the District must notify IDEM by telephone at **(888) 233-7745**:

- a) immediately for bypasses, adverse incidents or noncompliance which pose a significant danger to human health or the environment, and
- b) as soon as possible but within two (2) hours of discovery for any bypasses, adverse incidents, or noncompliance resulting in death or acute injury or illness to animals or humans (see “Spill Response and Reporting Requirements” in 327 IAC 2-6.1).

The District shall report any noncompliance and other information that is subject to the reporting requirements of 40 CFR 122.41(l)-(m) and 40 CFR 122.42(a) of this general permit within 24 hours of the District becoming aware of the permit noncompliance if it does not meet either of the conditions listed above.

The District shall make the oral reports to IDEM by calling (317) 232-8670 during regular business hours or by calling (317) 233-7745 ((888) 233-7745 toll free in Indiana) during non-business hours. Written reports shall be submitted to IDEM within 5 days of the time the District becomes aware of the circumstances and may be submitted via email. 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. Written reports of noncompliance shall be submitted to IDEM via email at wwreports@idem.IN.gov.

6.5 Individual or Alternative General NPDES Permit

- a) IDEM may require the District to obtain an individual NPDES permit or an alternative general permit in accordance with the provisions of 327 IAC 15-2-9 or 40 CFR 122.28(b)(3).
- b) Any discharger authorized for coverage under this general permit may apply for coverage under an individual NPDES permit by submitting an individual NPDES application or modification to IDEM.

6.6 State and Local Laws

Coverage under this permit 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. Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the District from any responsibilities, liabilities, or penalties established pursuant to any applicable state law or regulation or the Clean Water Act, as amended.

6.7 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.

6.8 Penalties for Violation 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 and knows that the commission of the offense places another person in imminent danger of death or serious bodily injury. The offense becomes 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.

6.9 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.

6.10 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.

6.11 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 and the Regional Administrator. As required by the Clean Water Act, permit applications, permits, and effluent data shall not be considered confidential.

6.12 Definitions

Except as provided below, the general definitions, abbreviations and methods of analysis set forth in 40 CFR Parts 122 and 401, 327 IAC 5, and 327 IAC 15 shall be applicable within this permit:

- a) "CBOD5" means Five (5)-day Carbonaceous Biochemical Oxygen Demand.
- b) The "Commissioner" is defined as the Commissioner of the Indiana Department of Environmental Management, which is located at the following address: 100 North Senate Ave., Indianapolis, IN 46204.
- c) "Concentration" means the mass 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).

- d) “Daily Maximum” - The daily maximum discharge limitation is the maximum allowable daily discharge for any calendar day. The “daily discharge” means the total mass of a pollutant discharged during the calendar day or, in the case of a pollutant limited in terms other than mass pursuant to 327 IAC 5-2-11(e), the average concentration or other measurement of the pollutant specified over the calendar day or any twenty-four-hour period that represents the calendar day for purposes of sampling.
- e) “Department” means the Indiana Department of Environmental Management.
- f) “District” means the county onsite waste management district established under IC 36-11.
- g) “E. coli” means Escherichia coli bacteria.
- h) “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.
- i) “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.
- j) “New Discharging System” means a residential site on a developed lot or parcel of property which has previously had an installed onsite septic system which did not have an off-site discharge.
- k) “Newly created lot” means an undeveloped property which has not previously had any type of residential structure or any installed wastewater treatment or disposal system.
- l) “Notice of Intent letter” or “NOI” means a written notification indicating a person’s intention to comply with the terms of a specified general permit rule in lieu of applying for an individual National Pollutant Discharge Elimination System (NPDES) permit and includes information as required by Section 4.4 of this permit.
- m) “Onsite residential sewage discharging disposal system” means a sewage disposal system that:
 - (1) is located on a site with and serves a one (1) or two (2) family residence; and
 - (2) discharges effluent off-site.
- n) “Permittee” means, for purposes of this general permit, the District as defined in subdivision (f) when it has filed an NOI to obtain NPDES general permit coverage.
- o) “The “Regional Administrator” is defined as the Region 5 Administrator, U.S. EPA, located at 77 West Jackson Boulevard, Chicago, IL 60604.

- p) "Sewage disposal system" means septic tanks, wastewater holding tanks, seepage pits, cesspools, privies, composting toilets, interceptors or grease traps, portable sanitary units, and other equipment, facilities, or devices used to:
store, treat, make inoffensive, or dispose of, human excrement or liquid carrying wastes of a domestic nature.
- q) "TSS" means total suspended solids.



**National Pollutant Discharge Elimination System
GENERAL PERMIT FACT SHEET for
Onsite Residential Sewage Discharging Disposal Systems
NPDES Permit No. ING410000**

DRAFT: July 29, 2024

FINAL: October 3, 2024

Indiana Department of Environmental Management

Office of Water Quality, Permits Branch

100 North Senate Avenue

Indianapolis, Indiana 46204

(317) 232-8603

Toll Free (800) 451-6027

www.idem.IN.gov

| | |
|-------------------------------------|---|
| Existing Permit Information: | <u>Permit Number:</u> Existing facilities have general permit tracking numbers using the following format ING4100xx (to be retained). <u>Expiration Date:</u> The current general permit has an expiration date of November 30, 2026. IDEM proposes to revoke the current administrative general permit and reissue it for a new full 5-year term. |
| Source Location: | All Counties in the State of Indiana |
| Receiving Stream: | All surface waters of the state of Indiana except for Outstanding National Resource Waters |
| Proposed Action: | The current NPDES general permit has an expiration date of November 30, 2026. IDEM proposes to revoke the current administrative general permit and reissue it for a new full 5-year term. |
| Source Category | NPDES Minor – Semipublic |
| Contact: | Name: Catherine Hess Contact Information: chess@idem.in.gov Telephone: (317) 232-8704 |

The Federal Water Pollution Control Act (also referred to as The Clean Water Act (CWA) (33 U.S.C. 1251 et seq.), which was enacted in 1972, provides that the discharge of pollutants to the waters of the United States from any point source is unlawful, unless the discharge is in compliance with a National Pollutant Discharge Elimination System (NPDES) permit. The primary condition determining eligibility is ensuring that the discharge consists of only treated sanitary wastewater from onsite residential sewage discharging disposal systems within a county Onsite Waste Management District (hereinafter referred to as the “District”) which has complied with all statute-based ordinance requirements. The District will become the legal permitted entity and will be responsible for ensuring that the District itself and all of its discharging systems meet the eligibility requirements in order to obtain coverage under this NPDES general permit. Otherwise each discharging system would be subject to coverage under an individual NPDES permit, which is not supported by current rule or statute. This general permit is proposed to be in effect for a five-year term.

Development of a Fact Sheet for NPDES permits is required by Title 40 of the Code of Federal Regulations, Section 124.8 and 124.56. This document fulfills the requirements established in those regulations by providing the information necessary to inform the public of actions proposed by the Indiana Department of Environmental Management (IDEM) as outlined in 40 CFR 122.28 and 327 IAC 5-3-8.

A. Description of General Permit Category:

The purpose of this general permit is to regulate the discharge of wastewater so that the public health, existing uses, and aquatic biota are protected. "Onsite Residential Sewage Discharging Disposal System" is defined at IC 13-11-2-144.7 as a sewage disposal system that is both (1) located on a site with and serves a one-family or two-family residence and (2) discharges effluent offsite.

NPDES general permits are developed and issued to cover multiple facilities engaged in the same process category instead of an individual facility within the State of Indiana. IDEM first developed a general NPDES permit-by-rule (327 IAC 15-14) for discharges of wastewater from onsite residential sewage discharging disposal systems in 2003 as directed by state law. In 2021, IDEM repealed the permit-by-rule and replaced it with a NPDES general permit in an administrative format which utilizes a "master general permit" (EPA terminology) which will be renewed and reevaluated on a five-year interval. Persons who are covered under the master general permit will be assigned permit tracking numbers beginning with "ING41" but coverage under the general permit is limited to the permit term established in the master general permit. In 2023 the state legislature enacted SEA 414 which expands the potential universe of Indiana counties which can avail themselves of this general permit, subject to the provisions of IC 13-18-12-9 and IC 36-11.

Sanitary discharges from residences generally require the same effluent limitations and monitoring requirements. Since the permit requirements for all these discharges are similar and because of the, often, large number of such dischargers, it is the opinion of IDEM that this category of sources is controlled more appropriately under a NPDES general permit rather than under individual permits. Also, IDEM was required by state statute to create a general permit to cover such discharges. These discharges are similar in the following ways:

- 1) They are comprised solely of treated sanitary wastewater from individual residences which had failing septic systems within the District,
- 2) The volume of wastewater from each affected residence is generally 1,000 gallons per day or less, and
- 3) The homeowners have complied with all District requirements and have evaluated and ruled out all other disposal methods in accordance with IC 13-18-12-9.
- 4) Each District will be the permitted entity and is responsible for ensuring that it meets the statutory requirements for its formation and operations,

Except as provided in IC 13-18-12-9 (c), the point source discharge of sewage, treated or untreated, from a dwelling or its associated residential sewage disposal system to waters is prohibited. IC 13-18-12-9 (c) says the point source discharge of treated sewage from an onsite residential sewage discharging disposal system to waters is permitted if any of the following criteria hold true:

- 1) the local health department for the jurisdiction in which the system is located issues an operating permit for the system under IC 13-18-12-9 (d), and
- 2) the discharge is authorized under a general permit issued under 40 CFR 122.28.

IC 13-18-12-9 (d) specifies the following: In a county onsite waste management district established under [IC 36-11](#) that performs all the functions related to onsite waste management listed in [IC 36-11-2-1](#), the local health department for the jurisdiction in which the system is located may issue an operating permit for an onsite residential sewage discharging disposal system. This may be done if the system is installed to repair a sewage disposal system that fails to meet public health and environmental standards and if all of the following are true:

- 1) the local health department adopts procedural rules for monitoring onsite residential sewage discharging disposal systems in the jurisdiction, including fines or penalties, or both, for noncompliance, to ensure that both the required maintenance is performed on the systems and that the systems do not discharge effluent that violates water quality standards,
- 2) the local health department certifies, with respect to the system for which the permit is issued, that all of these criteria hold true:
 - A) the system is capable of operating properly; and
 - B) the system does not discharge effluent that violates water quality standards; and
 - C) an acceptable septic tank soil absorption system cannot be located on the property served by the system due to any or all of the following:
 - i) improper site soil characteristics
 - ii) insufficient lot size; or
 - iii) improper topographical conditions, and
 - D) the system meets both of these conditions:
 - i) was properly installed by a qualified installer; and
 - ii) provides the best available technology for residential discharging onsite sewage disposal systems; and that
 - E) the local health department has:
 - i) investigated all technologies available for repair of the sewage disposal system that fails to meet public health and environmental standards other than the use of an onsite residential sewage discharging disposal system and
 - ii) determined that an onsite residential sewage discharging disposal system is the only possible technology that can be used to repair of the sewage disposal system that fails to meet public health and environmental standards without causing unreasonable economic hardship to the system owner; and
- 3) the system for which the permit is issued cannot be connected to a sanitary sewer due to any or all of the following reasons:
 - A) there is not a sanitary sewer connection available,

- B) the sanitary sewer operator refuses connection; or
- C) unreasonable economic hardship would result to the system owner due to the financial requirements of connecting to the sanitary sewer either due to its hookup fee or the cost associated with being located an excessive distance from the sewer hookup location.

B. Geographic area covered:

This general permit for onsite residential sewage discharging disposal systems covers Indiana counties that have formed Onsite Waste Management Districts (henceforth called "Districts") pursuant to IC 36-11. However the area covered in this permit does not include any discharges to waters located in Indian country, which is defined in United States Code 18 USC Section 1151 as "(a) all land within the limits of any Indian reservation under the jurisdiction of the United States Government, notwithstanding the issuance of any patent, and, including any rights-of-way running through the reservation, (b) all dependent Indian communities within the borders of the United States whether within the original or subsequently acquired territory thereof, and whether within or without the limits of a state, and (c) all Indian allotments, the Indian titles to which have not been extinguished, including the rights-of-way running through the same."

C. Receiving waters:

This general permit will authorize discharges to all surface waters of the State of Indiana within the District except for those described in Part D of this fact sheet.

D. Discharges Not Authorized by This General Permit

Discharges covered under this general permit will be from private residences with onsite residential sewage discharges that are solely comprised of treated sanitary wastewater and have obtained an operating permit for the system from the local health department in which the system is located. This general permit contains certain specific exclusions from coverage under the general permit which are denoted in Section 1.3 of the permit. In such instances the person will be required to apply for an individual NPDES permit. The following discharges are not authorized by this permit:

- a) direct discharges into waters that are designated as an Outstanding National Resource Water (ONRW) defined at IC 13-11-2-149.5;
- b) discharges located less than twenty-five (25) feet from the edge of a sinkhole, as identified by a professional soil scientist registered under IC 25-31.5-4;
- c) discharges from new surface discharging systems located either in newly created lots or otherwise undeveloped property;
- d) discharges to a receiving stream when the discharge results in an increase in the ambient concentration of a pollutant which contributes to the impairment of the receiving

stream for that pollutant as identified on the current 303(d) list of impaired waters. The Indiana 303(d) list can be found at: <https://www.in.gov/idem/nps/watershed-assessment/water-quality-assessments-and-reporting/section-303d-list-of-impaired-waters/>;and

- e) discharges to a receiving stream located in Indian country as described in Section B of this fact sheet.

E. Application for Coverage

This general permit proposes to provide coverage for any facility with discharges composed entirely of treated sanitary wastewater which meet the criteria listed in Section A above and agree to be regulated under the terms of the general permit.

The District must submit a Notice of Intent (NOI) to IDEM to seek coverage under this general permit. Each homeowner within the District who has an onsite residential sewage discharging disposal system permitted by the local health department and who has complied with all requirements of the District, including submitting an NOI to the District, will then automatically be covered by this general permit. Such coverage is not permissible for any new construction or developments. In each case, any residence which is allowed to install one of these systems must demonstrate that this installation is to repair or replace an existing failed system and there are no other viable remedies available.

Federal regulations found in 40 CFR 122.21(a) exclude persons covered by general permits from requirements to submit an application for an individual permit. NOI requirements are intended to establish a mechanism that can be used to establish a clear accounting of the number of permittees covered by the general permit, the identities, locations, mailing addresses, and nature of discharge.

F. Antidegradation Evaluation

327 IAC 2-1.3 outlines the state's Antidegradation Standards and Implementation Procedures. The Tier 1 antidegradation standard found in 327 IAC 2-1.3-3(a) applies to all surface waters of the state regardless of their existing water quality. Based on this standard, for all surface waters of the state, existing uses and the level of water quality necessary to protect existing uses shall be maintained and protected. IDEM implements the Tier 1 antidegradation standard by requiring NPDES permits to contain effluent limits and best management practices for regulated pollutants that ensure the narrative and numeric water quality criteria applicable to the designated use are achieved in the water and any designated use of the downstream water is maintained and protected. Effluent limits for the following regulated pollutants are being included in this NPDES permit to satisfy the Tier 1 antidegradation standard include carbonaceous biological oxygen demand over a 5-day period (CBOD₅) and total suspended solids (TSS).

The Tier 2 antidegradation standard found in 327 IAC 2-1.3-3(b) applies to surface waters of the state where the existing quality for a parameter is better than the water quality criterion for that parameter established in 327 IAC 2-1-6 and 327 IAC 2-1.5. These surface

waters are considered high quality for the parameter and this high quality shall be maintained and protected unless the commissioner finds that allowing a significant lowering of water quality is necessary and accommodates important social or economic development in the area in which the waters are located. IDEM implements the Tier 2 antidegradation standard for regulated pollutants with numeric water quality criteria quality adopted in or developed pursuant to 327 IAC 2-1 and 327 IAC 2-1.5 and utilizes the antidegradation implementation procedures in 327 IAC 2-1.3-5 and 2-1.3-6. Ammonia-nitrogen and Total Residual Chlorine (TRC) are Tier II pollutants.

According to 327 IAC 2-1.3-1(b), the antidegradation implementation procedures in 327 IAC 2-1.3-5 and 2-1.3-6 apply to a proposed new or increased loading of a regulated pollutant to surface waters of the state from a deliberate activity subject to the Clean Water Act, including a change in process or operation that will result in a significant lowering of water quality.

The following antidegradation determination is based on 327 IAC 2-1.3. The effluent limitations in the general permit for discharges of wastewater from an Onsite Residential Sewage Discharging Disposal System are based on best achievable technology effluent limitations and most of the effluent limitations and monitoring requirements are also carried forward from the previous general permit. The only exception is the effluent limitation for Dissolved Oxygen (D.O.). Concerns were raised about the ability of these small treatment systems to consistently achieve the D.O. limits set forth in that rule. Consequently alternative limits were derived based upon the best professional judgment of the best available treatment in accordance with 327 IAC 5-5-2 and Indiana water quality standards.

The eligibility requirements of the general permit and the requirements of IC 13-18-12-9 have the effect of limiting the applicability of the permit to only those discharges where there are no options other than an onsite residential sewage discharging disposal system. The homeowner who wishes to install one of these systems must follow a rigorous process to first evaluate and eliminate all other treatment and disposal alternatives. The selected system is required to be installed by a qualified installer and must provide the best available technology for residential discharging onsite sewage disposal systems. Therefore, any proposed new or increased loading for ammonia-nitrogen and/or total residual chlorine would be necessary in order to implement a corrective action to abate a polluted condition as set forth in IC 13-18-7. As a result, IDEM has determined that the District (and its members) shall be exempt from the antidegradation demonstration requirements of 327 IAC 2-1.3-5 because any new or increased loading of the regulated pollutants would meet the provisions of subsection (b)(2)(C)(4).

Wastewater Characterization

The pollutants expected to be discharged from an Onsite Residential Sewage Discharging Disposal System include CBOD₅, TSS, Ammonia-nitrogen, Total Residual Chlorine (TRC), *E. coli*, pH and D.O. The purpose of issuing the NPDES permit to these entities is to ensure that the discharge to the receiving stream does not result in deleterious effects to aquatic life and is in compliance with 327 IAC

2-1-6 and 327 IAC 2-1.5-8, the minimum surface water quality standards. These parameters shall be limited and monitored for facilities regulated by this general permit to ensure the proper operation of these systems and the best management practices being employed to control the wastewater being discharged.

The general permit imposes effluent limits based on treatment technology and water quality standards. The effluent limits are not based upon federal effluent guidelines.

Eligibility

The point source discharge of treated sewage from a residential sewage discharging disposal system is prohibited unless the District has:

- a. determined that an acceptable septic tank soil absorption system cannot be located on the property because of soil characteristics; lot size; or topographical conditions,
- b. investigated all available technologies for repair of the existing soil absorption system,
- c. verified that the system cannot be connected to a sanitary sewer, and
- d. certified that the onsite residential sewage discharging disposal system for which this permit is issued is capable of operating properly and does not discharge effluent which violates water quality standards.

G. When to Apply

State NPDES rules typically require individual permit applications to be filed at least 180 days prior to the commencement of the activity. The current NPDES general permit ING410000 allows an NOI to be filed at least fifteen (15) days prior to the commencement of the proposed activity. Under the terms and conditions of this general permit, the following time frames are proposed:

- a) For all Districts that have existing, effective coverage under the general permit on the effective date of this proposed revocation and reissuance of the NPDES general permit, the existing coverage shall automatically be extended provided that the District takes one of the following actions within ninety (90) days following the date that the Commissioner makes the NOI form available to the District:
 - 1) submits a new NOI to IDEM in accordance with Section 4.0 of this general permit to affirm it intends to comply with the requirements of this new general permit,
 - 2) notifies IDEM, in writing, of its intent to terminate general permit coverage in accordance with Section 5.0 of this general permit; or

- 3) submits an individual NPDES application or modification to IDEM for the existing discharge permitted by the former general permit. In such cases, the general permit coverage will remain in effect until the effective date of coverage under an individual NPDES permit.
- b) Newly Formed District Applicants : When a new (previously unpermitted) District is formed pursuant to IC 36-11 and wishes to obtain coverage under this general permit, it may file an NOI any time after the effective date of this general permit, but at least fifteen (15) days before any discharges of wastewater to a surface water of the state, unless a later date is allowed by the Commissioner.
 - c) For subsequent renewals of general permit coverage under this general permit, an NOI shall be submitted by the District no less than ninety (90) days before the general permit expires.
 - d) Previously Unpermitted Sites: When a previously unpermitted site is approved by the District after the District has already obtained its original general permit coverage under this general permit, the District shall submit an amended NOI to IDEM at least fifteen (15) days before any discharges of wastewater commences, unless a later date is allowed by the Commissioner. Documentation must also be submitted which shows that the newly requested site meets all of the eligibility requirements.
 - e) In the case of a transfer of ownership, the homeowner is required to notify the new owner of the property of the existence of the onsite residential sewage discharging disposal system and the requirements of this general permit. The homeowner shall also promptly notify the District of the change in ownership for the property in order for the discharge authorization to continue.
 - f) In the event of any plans for the dissolution of a District, in accordance with IC 36-11-3-3, the District shall submit the dissolution NOI to IDEM as soon as possible along with a complete inventory of its permitted sites. The submittal shall explain the reason(s) for the dissolution of the District and shall also contain a proposed plan for the future permitting needs for any existing permitted sites.
 - g) In accordance with 40 CFR 122.28(b)(3)(v) any qualifying source excluded from coverage under this general permit solely because it already has an individual permit may request that the individual permit be revoked, and that it be covered by the general permit.
 - h) The Commissioner may, with good cause shown in writing, extend any of the submission deadline time periods required above.
 - i) Pursuant to the provisions of 40 CFR 122.28(b)(3)(i), any person may petition the Commissioner to take action to require an individual permit.

H. Permit Conditions:

1) Effluent Limits & Monitoring Requirements

Under State and Federal law and regulations 40 CFR 122.44 and 327 IAC 5, a discharge permit must establish effluent limitations equivalent to best available technology economically achievable (BAT). If no national technology-based limitations have been promulgated, as is the case for onsite residential sewage discharging disposal systems, such limitations must be established based on best professional judgment (BPJ) (40 CFR 122.44, 124.3). IDEM, as supported by IC 13-18-12-9(a), has established a zero discharge effluent limitation using BPJ for residential sewage disposal systems when a zero discharge system (including a septic tank soil absorption system) is technologically and economically feasible. This feasibility analysis is governed by IC 13-18-12-9(c). In order to qualify for the zero discharge exception and for coverage under the general permit, the NOI submitted by the District to IDEM must include a written determination from the local health department certifying for each permitted onsite residential sewage discharging disposal system that:

- a. the system is capable of operating properly;
- b. the system does not discharge effluent that violates water quality standards;
- c. an acceptable septic tank soil absorption system cannot be located on the property served by the system because of soil characteristics, size, or topographical conditions;
- d. the system was properly installed by a qualified installer and provides the best available technology for residential discharging onsite sewage disposal systems;
- e. the system is the only possible technology that can be used to effect a repair of the system without causing unreasonable economic hardship to the system owner; and
- f. the system cannot be connected to a sanitary sewer because there is no connection available, the sanitary sewer operator refuses connection, or unreasonable economic hardship would result because of the connection requirements or the distance to the sanitary sewer.

Parameters regulated under the existing permit include flow, CBOD₅, TSS, Total Residual Chlorine, Ammonia-nitrogen, Dissolved Oxygen, pH, and *E. coli*. Except for temperature, these are baseline effluent limitations and monitoring requirements which are typically required of all discharges of treated sanitary wastewater. The current general permit requires temperature monitoring to determine compliance with the Dissolved Oxygen limits. IDEM is proposing to delete the temperature monitoring and revise the summer Dissolved Oxygen limits as discussed below.

- a) **Flow** is a standard parameter to be monitored in all NPDES permits. As in the general permit-by-rule, the requirement to report both the daily maximum flows for each month has been retained. This parameter is required of all NPDES permits and is included in this permit in accordance with 327 IAC 5-2-13(a)(2). Flow monitoring is required once monthly and may be estimated.

- b) **pH** is included in the general permit to ensure that the discharge will not violate Indiana water quality standards. The pH limits are 6.0 to 9.0 standard units. This parameter shall be monitored twice annually.
- c) **Carbonaceous Biological Oxygen Demand 5 (CBOD₅)** concentration is limited to 15 mg/l as a daily maximum. The effluent limit is based upon best achievable technology effluent limitations for the treatment of sanitary wastewater. Monitoring for this parameter is required twice annually by grab sample. The effluent limitations and monitoring requirements for CBOD₅ is the same as that which exists in the current general permit.
- d) **Total Suspended Solids (TSS)** concentration is limited to 18 mg/l as a daily maximum. The effluent limit is based upon best achievable technology effluent limitations for the treatment of sanitary wastewater. Monitoring for TSS is required twice annually by grab sample. The effluent limitations and monitoring requirements for TSS are the same as that which exists in the current general permit.
- e) **Total Residual Chlorine (TRC)**. If chlorine is used as a disinfectant, the residual prior to dechlorination shall be maintained at a minimum of 0.5 mg/l at all times. Dechlorination is required such that the concentration of residual chlorine does not exceed the limit of quantification of 0.06 mg/l before entering the receiving stream. The water quality-based effluent limit is set at a daily maximum of 0.02 mg/l. This limitation is based on Indiana water quality standards. Monitoring for this parameter is required once quarterly by grab sample. The effluent limitations and monitoring requirements for TRC is the same as that which exists in the current general permit,
- f) **Ammonia-Nitrogen** concentration is limited to 2 mg/l as a daily maximum. The effluent limit is based upon best achievable technology effluent limitations for the treatment of sanitary wastewater. Monitoring for this pollutant is required twice annually by grab sample. The effluent limitations and monitoring requirements for ammonia-nitrogen are the same as that which exists in the current general permit.
- g) **Dissolved Oxygen (D.O.)** concentration is limited as a daily minimum value. In the current general permit there are different effluent limits for summer and winter monitoring periods, however the summer effluent limits are based upon a complicated formula which factors in the instream temperature to calculate the actual effluent limitation. The current winter limit for D.O. is the daily minimum average concentration of 5.0 mg/l. IDEM proposes to make this 5.0 mg/l effluent limitation a year-round requirement to ensure that the required minimum in-stream dissolved oxygen levels are attained.
- h) ***E. coli*** is limited as a daily maximum value of 235 colonies/100 ml. This limit is based on 327 IAC 5-10-6. Monitoring for this parameter is required once quarterly by grab sample. The effluent limitations and monitoring requirements for *E. coli* is the same as those in the current general permit except that when IDEM issued the initial administrative version of the general permit, the disinfection requirements were proposed to be reduced to the standard disinfection season of April 1 to October 31, annually. Now that the scope of this general permit is being

broadened to potentially cover any county in the state there are other rules which prescribe year-round disinfection requirements for certain receiving waters. Due to the nature and location of these systems, IDEM is proposing that all of these systems be required to disinfect the effluent on a year-round basis.

2. Narrative Water Quality Based Limits

The narrative water quality standards contained in 327 IAC 2-1-6(a)(1) (A)-(E) and 327 IAC 2-1.5-8 have been included in this general permit to ensure that the narrative water quality criteria are met.

3. Corrective Actions for Effluent Violations:

If the results of any compliance monitoring show an exceedance of an effluent limitation under this section, a confirmation test must be conducted for each exceeded limitation no later than thirty (30) days from the date that the original sample was taken. Results of the confirmation sampling must be submitted to the District as soon as received but, in no case, later than seven (7) days after receipt of the sampling results. A confirmation test must be conducted every thirty (30) days until the effluent limitation is met.

If two (2) consecutive sampling results, including the confirmation samples, exceed an effluent limitation, the homeowner or certified service provider must submit a corrective action plan to the District within thirty (30) days of receipt of results of the second sample. The plan shall include information on corrective action taken to ensure compliance with each exceeded limitation and a plan to ensure future compliance with the limitation. The District shall review the corrective action plan and shall submit a copy of the plan to IDEM at wwreports@idem.IN.gov within sixty (60) days of the consecutive effluent exceedance.

4. Annual Reports:

Each District shall submit annual reports, by March 31 of each year, to IDEM summarizing the monitoring results for each residence with an onsite discharging system. The report shall provide details regarding the compliance and enforcement activities within the District for each of its permitted sites for the previous calendar year. IDEM is proposing to remove the requirement for NetDMR submissions of the monitoring data in favor of this approach, due to the expansion of the scope of the permit and the logistics of keeping up with anticipated fluctuations in the number of residences which will have the potential to become members of the Districts. Since each District is ultimately responsible for compiling and submitting the reports representing all of its members (i.e. permitted sites) IDEM staff perceives this as being a somewhat analogous framework as the reporting requirements for POTWs with federally-delegated pretreatment programs. Additionally we have noted that other states which have NPDES permits in place for individual residential systems do not require the use of Net-DMR and in many cases have little to no reporting requirements. We are concerned that the required use of Net-DMR for the Districts' reporting requirements is overly burdensome. Additionally there are logistical problems with submitting the data by the 28th day of the month following the completed monitoring period, since that is the due date for the homeowner to provide their data to the District. Therefore, the District will need time to compile the data from all of its permitted sites, and to properly report on any follow-up compliance activities.

Components of the annual reports shall include the following:

- a. All sampling data results collected during the calendar year for each of the permitted onsite residential sewage discharging systems sites. This shall also include all confirmation test results.
- b. Information regarding all inspections which were conducted at the permitted sites.
- c. Summary of any compliance or enforcement actions taken regarding any permitted sites which were in non-compliance during the calendar year. Such reports shall also include information regarding the treatment system being employed by the non-compliant systems. Those systems which were required to develop and submit Corrective Action Plans shall be particularly denoted.
- d. Information shall be provided on the annual report which identifies the lab(s) which performed the analyses for each of the permitted sites.
- e. The annual report must be signed and certified by the head of the governing body of the District, or his or her duly authorized representative. Such authorization must be submitted in writing and must explain the duties and responsibilities of the authorized representative.

I. Spill Response and Reporting Requirement

Spills from any of the permitted facilities 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.

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.

J. Fees

The District must remit a \$50 application fee with the initial NOI submittal. IDEM will not require the submittal of annual fees for the entities covered by this general permit.

K. Re-opening Clause

This general permit may be modified, or alternately, revoked and reissued, after public notice and opportunity for hearing to include any applicable effluent limitation or standard issued or approved under 301(b)(2)(C),(D) and (E), 304 (b)(2), and 307(a)(2) of the Clean Water Act, when the effluent limitation or standard so issued or approved does either of the following:

- 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.

L. Permit Term

This general permit is proposed to be in effect for a five-year term.

M. Forms, References, and Guidance Documents

The IDEM website will contain information about each of the NPDES general permits, including the issued permit(s), Notice of Intent forms, Notice of Termination Forms, and helpful reference documents to assist the regulated community and the general public. This web page is still in development as of the date of this fact sheet.

N. Post Public Notice Addendum

The draft NPDES general permit was made available for public comment from August 1, 2024 through September 3, 2024 as part of Public Notice No. 20240801-ING410000-D

on IDEM's website at <https://www.in.gov/idem/public-notices/public-notices-statewide/>. The web posting included the public notice document, the draft permit, the fact sheet and the draft edits to the Notice of Intent form. Notices were also published in the following newspapers: the Indianapolis Star, the Fort Wayne Journal Gazette, and the Corydon Democrat.

The screenshot shows the Indiana Department of Environmental Management website with a search bar and a table of public notices. A green arrow points to the 'COMMENT' column header in the table.

| Indiana Department of Environmental Management | | | | |
|---|--|-------------------------|---------|--|
| Search IDEM | | | | |
| | | | COMMENT | |
| Industrial Stormwater General Permit (ISGP) | NPDES Draft Permit Public Notice [PDF] | 09/20/2024 - 11/19/2024 | Yes | Permit Number: INRM00000 & INRX00000 Project Manager: Braun, Randy |
| 2024-543-00-RGP-WQC Regional General Permit | Public Notice 2024-543-00-RGP-WQC Regional General Permit [PDF] | 09/09/2024 - 09/29/2024 | Yes | IDEM ID Number: 2024-543-00-RGP-WQC Project Manager: Turner, James |
| Permitting for the Placement of Fill into Isolated Wetlands NPD | Nonrule Policy Document Under Comment Period Public Notice [PDF] | 07/31/2024 - 09/16/2024 | Yes | IDEM ID Number: Water-021-NPD-R0 Project Manager: Farren, Amari |
| Counties which have formed Onsite Waste Management Districts pursuant to IC 36-11 | NPDES Draft General Permit Public Notice [PDF] | 07/31/2024 - 09/03/2024 | Yes | Permit Number: ING410000 Project Manager: Hess, Catherine IDEM is proposing to revoke and reissue the existing NPDES general permit for a new 5-year term and broaden its applicability. |

During this comment period, several email messages were received by IDEM with letters attached which were all in support of the draft permit. No changes were made to the proposed general permit following the close of the official public notice comment period.



**NOTICE OF INTENT (NOI) FORM
GENERAL NPDES PERMIT ING410000 FOR ONSITE
RESIDENTIAL SEWAGE DISCHARGING DISPOSAL
SYSTEMS IN INDIANA**

State Form 53050 (11-22) - Proposed 2024 revision
INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
Approved by State Board of Accounts, 2022

This completed form may be submitted via e-mail to OWQ@idem.IN.gov. Fee payments can also be submitted online at <https://www.in.gov/idem/resources/e-services/online-payment-options/>

OR mail this form and required attachments to:

**INDIANA DEPARTMENT OF ENVIRONMENTAL
MANAGEMENT**
Office of Water Quality
Permits Administration Section
100 North Senate Avenue, IGCN Room 1255
Indianapolis, IN 46204-2251

INSTRUCTIONS

This form must be used to apply for coverage under the General NPDES Permit for Onsite Residential Sewage Discharging Disposal Systems in Indiana pursuant to NPDES Permit No. ING410000.

- *Please type or print in ink. Do not use white-out to correct errors. Strike-through and initial any corrections.*
- *Further item-specific instructions are provided in Appendix A at the end of this form.*

For questions regarding this form, the required attachments, and permit requirements, contact IDEM General NPDES Permits at (317) 232-8704 or (800) 451-6027, (toll-free within Indiana). E-mail inquiries may also be sent to owqwwper@idem.IN.gov.

ELIGIBILITY REQUIREMENTS

This general permit covers discharges of treated sanitary wastewater from on-site residential sewage discharging disposal systems located within an On-site Waste Management District that have been installed to repair or replace a sewage disposal system that failed to meet public health and environmental standards and for which an operating permit has been issued in accordance with the requirements of IC 13-18-12-9, including, but not limited to, the technological and economic hardship analyses.

Discharges **NOT** authorized by this permit include the following:

- direct discharges into waters that are designated as an Outstanding National Resource Water (ONRW) defined at IC 13-11-2-149.5; and
- discharges to a receiving stream when the discharge results in an increase in the ambient concentration of a pollutant which contributes to the impairment of the receiving stream for that pollutant as identified on the current 303(d) list of impaired waters;

The District and its members (the persons listed in Part F of this NOI) request to be covered by General NPDES Permit ING410000. It is our intent to comply with all terms and conditions of the issued permit. (Please check this box to affirm all properties for which you are seeking coverage meet the eligibility requirements.)

APPLICATION TYPE AND INFORMATION

| | | |
|---|--------------------------|---|
| INITIAL NOI TO COMPLY WITH ING410000 | <input type="checkbox"/> | DESCRIPTION OF PROPOSED MODIFICATION, IF APPLICABLE |
| MODIFICATION TO ADD PROPERTIES FOR COVERAGE | <input type="checkbox"/> | |
| MODIFICATION TO DELETE PROPERTIES FROM COVERAGE (no fee required) | <input type="checkbox"/> | |
| UPDATE PROPERTY OWNERSHIP/CONTACT INFO (no fee required) | <input type="checkbox"/> | |

PART A: GENERAL INFORMATION FOR FACILITY

| | | | | | |
|---|---------|-----------|-------------------------------------|-------------------|---------------------|
| 1. APPLICANT (DISTRICT) NAME | | | | | |
| | | | | | |
| 2. DISTRICT MAILING ADDRESS | | | 3. DISTRICT PHYSICAL LOCATION | | |
| STREET ADDRESS (number and street) or Post Office Box | | | STREET ADDRESS (number and street) | | |
| CITY | STATE | ZIP CODE | CITY | STATE | ZIP CODE |
| 4. LATITUDE AND LONGITUDE OF CENTER OF DISTRICT | | | 5. SIC AND NAICS CODES FOR DISTRICT | | |
| LATITUDE | | LONGITUDE | | DISTRICT SIC CODE | DISTRICT NAICS CODE |
| degrees | minutes | seconds | degrees | minutes | seconds |
| | | | | | |

PART B: CONTACT INFORMATION FOR RESPONSIBLE OFFICIAL (AUTHORIZED NOI SIGNATORY)

Provide information regarding the responsible official who has the authorization to sign this NOI in accordance with 40 CFR 122.22. If the responsible official wishes to delegate signatory authority for reports and other correspondence related to this NOI, that delegation must be made in writing to IDEM. This delegation of authority may occur either via this NOI or via a letter (signed and dated by the responsible official) which shall be submitted to the address on Page 1 of this NOI form.

| | |
|--|--|
| 6. NAME OF RESPONSIBLE OFFICIAL | 7. DELEGATED SIGNATORY PERSON (OR POSITION) TO SIGN REPORTS AND FILE ADDITIONAL NOI CONTENT REQUIREMENTS |
| RESPONSIBLE OFFICIAL'S TITLE | DELEGATED SIGNATORY PERSON'S TITLE or POSITION |
| RESPONSIBLE OFFICIAL'S TELEPHONE NUMBER | DELEGATED SIGNATORY PERSON'S TELEPHONE NUMBER |
| RESPONSIBLE OFFICIAL'S MAILING ADDRESS | DELEGATED SIGNATORY MAILING ADDRESS |
| RESPONSIBLE OFFICIAL'S PERSON'S E-MAIL ADDRESS | DELEGATED SIGNATORY PERSON'S E-MAIL ADDRESS |

PART C: OTHER CONTACT INFORMATION

8. ANNUAL REPORTS CONTACT PERSON AND MAILING INFORMATION

| | | | |
|---|-----------------------------------|-------|----------|
| CONTACT PERSON AND COMPANY NAME | | | |
| STREET ADDRESS (<i>number and street</i>) | CITY | STATE | ZIP CODE |
| CONTACT PERSON'S E-MAIL ADDRESS | CONTACT PERSON'S TELEPHONE NUMBER | | |

9. ADDITIONAL CONTACT PERSONS FOR DISTRICT (*Optional*)

| | | | |
|---|-----------------------------------|-------|----------|
| CONTACT PERSON AND TITLE | | | |
| STREET ADDRESS (<i>number and street</i>) | CITY | STATE | ZIP CODE |
| CONTACT PERSON'S E-MAIL ADDRESS | CONTACT PERSON'S TELEPHONE NUMBER | | |

PART D: ADDITIONAL REQUIRED ATTACHMENTS

10. REQUIRED MAPS AND TECHNOLOGICAL AND ECONOMIC HARDSHIP FEASIBILITY INFORMATION

Documentation of the establishment of the Onsite Waste Management District must be submitted with this NOI. This shall include the submittal of a copy of the original Notice of Intent which was filed in accordance with IC 36-11-3-1(c) for the District's formation. Additionally the District must submit to IDEM copies of any enacted ordinances. The District must show that it has met the statutory requirements for its legal formation and that it has the necessary foundation and framework to carry out the requirements of this general permit.

A site map or topographical map must be submitted with this NOI depicting the geographic location of all permitted residences of the District which are subject to this general permit. The map must include the following items:

- (A) the location of each of the residences shown clearly and identified by name and by mark;
- (B) the receiving water (including any storm sewers) for each of the discharges shown clearly and identified by name; and
- (C) any existing permanent structures or roads in the area shown clearly and identified by name.

A written determination from the local health department must be submitted with this NOI certifying for each permitted onsite residential sewage discharging disposal system that:

- i. the system is capable of operating properly;
- ii. the system does not discharge effluent that violates water quality standards;
- iii. an acceptable septic tank soil absorption system cannot be located on the property served by the system because of soil characteristics, size, or topographical conditions;
- iv. the system was properly installed by a qualified installer and provides the best available technology for residential discharging onsite sewage disposal systems;
- v. the system is the only possible technology that can be used to effect a repair of the system without causing unreasonable economic hardship to the system owner; and
- vi. the system cannot be connected to a sanitary sewer because there is no connection available, the sanitary sewer operator refuses connection, or unreasonable economic hardship would result because of the connection requirements or the distance to the sanitary sewer.

PART F: IDENTIFICATION OF POTENTIALLY AFFECTED PERSONS

19. Pursuant to IC 4-21.5 and IC 13-15-3-1 each applicant for general permit coverage is required to provide a listing of all persons who are potentially affected by the discharge(s) to be covered under the general permit. **PLEASE NOTE THAT MAILING LABELS ARE ALSO REQUIRED WITH THIS SUBMITTAL.** (See instructions in Appendix A.)

Please list here all persons whom you have reason to believe have a substantial or proprietary interest in this matter or could otherwise be considered to be potentially affected under the law. Failure to notify any person who is later determined to be potentially affected could result in voiding our decision on procedural grounds. To ensure conformance with AOPA and to avoid reversal of a decision, please list all such parties. Attach additional names and addresses on a separate sheet of paper, as needed.

| | |
|-------------------------------------|-------------------------------------|
| Name: | Name: |
| Street address (number and street): | Street address (number and street): |
| City/State/ZIP Code: | City/State/ZIP Code: |
| E-mail address: | E-mail address: |
| Name: | Name: |
| Street address (number and street): | Street address (number and street): |
| City/State/ZIP Code: | City/State/ZIP Code: |
| E-mail address: | E-mail address: |
| Name: | Name: |
| Street address (number and street): | Street address (number and street): |
| City/State/ZIP Code: | City/State/ZIP Code: |
| E-mail address: | E-mail address: |
| Name: | Name: |
| Street address (number and street): | Street address (number and street): |
| City/State/ZIP Code: | City/State/ZIP Code: |
| E-mail address: | E-mail address: |
| Name: | Name: |
| Street address (number and street): | Street address (number and street): |
| City/State/ZIP Code: | City/State/ZIP Code: |
| E-mail address: | E-mail address: |
| Name: | Name: |
| Street address (number and street): | Street address (number and street): |
| City/State/ZIP Code: | City/State/ZIP Code: |
| E-mail address: | E-mail address: |
| Name: | Name: |
| Street address (number and street): | Street address (number and street): |
| City/State/ZIP Code: | City/State/ZIP Code: |
| E-mail address: | E-mail address: |
| Name: | Name: |
| Street address (number and street): | Street address (number and street): |
| City/State/ZIP Code: | City/State/ZIP Code: |
| E-mail address: | E-mail address: |
| Name: | Name: |
| Street address (number and street): | Street address (number and street): |
| City/State/ZIP Code: | City/State/ZIP Code: |
| E-mail address: | E-mail address: |

PART G: APPLICATION FEE

20. A \$50 fee is required to be submitted with this NOI in accordance with IC 13-18-20-12. The \$50 fee is applicable for each new application, renewals, and modifications. (Updates to information shall not be subject to the \$50 fee for modifications.) Checks or money orders shall be made payable to IDEM.

PART H: SIGNATORY CERTIFICATION STATEMENT

21. The NOI must be signed by the head of the governing body for the District:

"I certify under penalty of law that this document and all its 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.

I swear or affirm, under penalty of perjury as specified by IC 35-44.1-2-1 and other penalties specified by IC 13-30-10 and IC 13-15-7-1(3), that the statements and representations in this NOI are true, accurate, and complete.

| | |
|---|--------------------------------|
| Printed or Typed Name of Responsible Official | Title |
| Signature | Date signed (month, day, year) |

PART I

22. Please use the address at the top of page 1 of the NOI form to submit completed NOI form, attachments, and fee.

APPENDIX A: SUPPLEMENTAL INSTRUCTIONS

APPLICATION TYPE: For the purposes of this form a modification would consist of adding or deleting an onsite residential sewage discharging disposal system. Please note that outfall locations are considered for the purposes of this permit to be discrete points. If you relocate an outfall you must apply for a modification to remove the outfall at the previous location, and add a new outfall with a new outfall number, to the permit. Changes in contact information must be reported, but you may do so with a letter signed by the signatory (Part B Item 10) or delegated signatory authority (Part B Item 11). An NOI modification submittal is not required for these changes.

ELIGIBILITY REQUIREMENTS: Please review the eligibility requirements and check the box on the form to indicate that all requested sites/outfalls are eligible for coverage under this general permit.

Part A, item 1: Enter the legal name of the On-site Waste Management District to be permitted.

Part A, Items 2 and 3: Provide the mailing address and also a physical location address for the Waste Management District.

Part A, Item 4: Provide the latitude and longitude of the approximate center of the District must be in the degrees/minutes/seconds format. Longitude and latitude can be obtained from United States Geological Survey (USGS) quadrangle or topographic map, by calling (888) 275-8747, or by accessing a locational (geocoding) website and conducting a search based on the facility street address. You may also access this information with the use of a handheld GPS unit at the site.

Longitude and Latitude in decimal degrees may be converted to degrees/minutes/seconds for proper entry on the NOI by following this example:

Convert decimal latitude 45.1234567 to degrees/minutes/ seconds

1. The numbers to the left of the decimal point are degrees: 45.
2. To obtain minutes multiply the first four number to the right of the decimal point by 0.006: $1234 \times 0.006 = 7.404$
3. The numbers to the left of the decimal point in the result obtained in (2) are the minutes: 7
4. To obtain seconds multiply the remaining three numbers to the right of the decimal from the result obtained in (2) by 0.06: $404 \times 0.06 = 24.24$.
5. Since the numbers to the right of the decimal are not used the result is 24 seconds.
6. The conversion for 45.1234567 is 45° (degrees), 7' (minutes), and 24" (seconds).

Part A, Item 5: Enter the four digit Standard Industrial Classification (SIC) code which identifies the facility's primary activity. SIC codes can be obtained from the Standard Industrial Classification Manual, 1987, by accessing the Occupational Safety and Health Administration (OSHA) website or by contacting the Indiana Department of Workforce Development. You should also provide the applicable NAICS Code, which is the six digit North American Industrial Classification System (NAICS) code, if known.

Part B, Items 6 and 7: Provide contact information for both the Responsible Official and the Delegated Signatory.

Part C, Items 8 and 9: Provide names and contact information for the person who will be responsible for submitting the Discharge Monitoring Reports and any other individuals who may have responsibilities on behalf of the District with regard to this permit.

Part B, item 10: Provide site map(s) and/or topographic map(s) depicting the location of all existing/active and proposed locations of properties which have approved onsite residential sewage discharging disposal systems.

Part E, Items 11 - 15: For each existing/active (or proposed) system site, provide the name of the homeowner, the physical location address of the property, and the e-mail address for the homeowner.

Part E, Item 16: Provide the latitude and longitude for each parcel or property which has an onsite residential sewage discharging disposal system approved by the District. Ultimately the latitude and longitude should represent the location of the onsite treatment system itself.

Part E, Item 17: Enter the name of the waters of the state into which the discharges from each outfall will occur, as either the body of water itself, if the discharge is direct, or taking into account tributaries, if applicable. **EXAMPLE:** "Stone Creek", or "Connor Ditch to Stone Creek"; or "unnamed tributary to Connor Ditch". If the discharge first enters a storm sewer, which then carries it to waters of the state, then please provide the name of the owner of the storm sewer. **EXAMPLE:** "Unnamed tributary to Connor Ditch via the Town of Anywhere storm sewer system"

Part E, Item 18: Provide information describing the installed (or planned) onsite wastewater treatment system. **EXAMPLE:** "Pressurized sand filter, with aeration and UV disinfection".

Part F, Item 19: Identification of Potentially Affected Persons

The Administrative Orders and Procedures Act (AOPA) IC 4-21.5-3-5(b), requires that the Indiana Department of Environmental Management (IDEM) give notice of its decision on your Notice of Intent to the following persons:

- 1) Each person to whom the decision is specifically directed;
- 2) Each person to whom a law requires notice to be given;
- 3) Each competitor who has applied to the IDEM for a mutually exclusive license, if issuance is the subject of the decision and the competitor's application has not been denied in an order for which all rights to judicial review have been waived or exhausted;
- 4) Each person who has provided the IDEM with a written request for notification of the decision;
- 5) Each person who has a substantial and direct proprietary interest in the issuance of the (permit/variance);
- 6) Each person whose absence as a party in the proceeding concerning the (permit) decision would deny another party complete relief in the proceeding or who claims an interest related to the issuance of the (permit) and is so situated that the disposition of the matter, in the person's absence may:
 - a) As a practical matter impair or impede the person's ability to protect that interest, or
 - b) Leave any other person who is a party to a proceeding concerning the permit subject to a substantial risk of incurring multiple or otherwise an inconsistent obligation by reason of the person's claimed interest.

IC 4-21.5-3-5(f) provides that we may request your assistance in identifying these people.

Additionally, IC 13-15-3-1 requires IDEM to send notice that the permit application has been received by the department to the following:

- a) The board of county commissioners of a county affected by the permit application and
- b) The mayor of a city that is affected by the permit application, or
- c) The president of a town council of a town affected by the permit application.

Please provide the names and addresses of those persons affected by these statutes **and include mailing labels with your NOI**. These mailing labels should have the names and addresses of the affected parties **along with our mailing code (65-42PS) listed above each** affected party listing.

Example: 65-42PS
 John Doe
 111 Circle Drive
 City, State, Zip Code

Part H, Item 21: 40 CFR 122.22 and 327 IAC 5-2-22 require that an application for an NPDES permit or an NOI for a general permit must be signed by a person who meets the definition of Responsible Official. Section 4.4 of General Permit ING410000 requires the NOI to be signed by the head of the governing body of the District.