



# Indiana Department of Environmental Management

*We Protect Hoosiers and Our Environment.*

100 N. Senate Avenue • Indianapolis, IN 46204

(800) 451-6027 • (317) 232-8603 • [www.idem.IN.gov](http://www.idem.IN.gov)

**Michael R. Pence**  
Governor

**Carol S. Comer**  
Commissioner

VIA ELECTRONIC MAIL

December 16, 2016

Ms. Anne Ogle, President  
TENA, LLC  
P.O. Box 1100  
Columbus, Indiana 47202

Dear Ms. Ogle:

Re: Final NPDES Permit No. IN0059625  
Rockcreek Mobile Home Park  
Wastewater Treatment Plant  
Jennings County

Your application for a National Pollutant Discharge Elimination System (NPDES) permit has been processed in accordance with Sections 402 and 405 of the Federal Water Pollution Control Act as amended, (33 U.S.C. 1251, et seq.), and IDEM's permitting authority under IC 13-15. The enclosed NPDES permit covers your discharges to Rock Creek. All discharges from this facility shall be consistent with the terms and conditions of this permit.

One condition of your permit requires periodic reporting of several effluent parameters. You are required to submit both federal discharge monitoring reports (DMRs) and state Monthly Reports of Operation (MROs) on a routine basis. The MRO form can be found on IDEM's web site at <http://www.in.gov/idem/cleanwater/2396.htm>. Please note that IDEM will no longer accept paper DMR or MRO forms after December 28, 2016. After that date all NPDES permit holders are required to submit their monitoring data to IDEM using NetDMR. Please contact Rose McDaniel at (317) 233-2653 or Helen Demmings (317) 232-8815 if you would like more information on NetDMR. Information is also available on our website at <http://IN.gov/idem/cleanwater/2422.htm>.

Another condition which needs to be clearly understood concerns violation of the effluent limitations in the permit. Exceeding the limitations constitutes a violation of the permit and may bring criminal or civil penalties upon the permittee. (See Part II.A.1 and II.A.11 of this permit). It is very important that your office and treatment operator understand this part of the permit.

Please note that this permit issuance can be appealed. An appeal must be filed under procedures outlined in IC 13-15-6, IC 4-21.5, and the enclosed public notice. The appeal must be initiated by filing a petition for administrative review with the Office of Environmental Adjudication (OEA) within fifteen (15) days of the emailing of an electronic copy of this letter or within eighteen (18) days of the mailing of this letter by filing at the following address:

Ms. Anne Ogle, President  
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Office of Environmental Adjudication  
Indiana Government Center North  
100 North Senate Avenue, Room 501  
Indianapolis, IN 46204

Please send a copy of any such appeal to me at IDEM, Office of Water Quality-Mail Code 65-42, 100 North Senate Avenue, Indianapolis, Indiana 46204-2251.

The permit should be read and studied. It requires certain action at specific times by you, the discharger, or your authorized representative. One copy of this permit is also being sent to your operator to be kept at the treatment facility. You may wish to call this permit to the attention of your consulting engineer and/or attorney.

If you have any questions concerning your NPDES permit, please contact Lynn Riddle at 317/232-8619. Questions concerning appeal procedures should be directed to the Office of Environmental Adjudication, at 317/232-8591.

Sincerely,



Paul Novak, Chief  
Permits Branch  
Office of Water Quality

Enclosures

cc: Todd Colson, Certified Operator  
SERO

STATE OF INDIANA  
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
AUTHORIZATION TO DISCHARGE UNDER THE  
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

In compliance with the provisions of the Federal Water Pollution Control Act, as amended, (33 U.S.C. 1251 et seq., the "Act"), Title 13 of the Indiana Code, and regulations adopted by the Water Pollution Control Board, the Indiana Department of Environmental Management (IDEM) is issuing this permit to

**TENA, LLC**

hereinafter referred to as "the permittee." The permittee owns and/or operates the **Rockcreek Mobile Home Park Wastewater Treatment Plant**, a minor semi-public wastewater treatment plant located 0.125 miles west of State Road 7 on County Road 950 North near Elizabethtown, Indiana, Jennings County. The permittee is hereby authorized to discharge from the outfalls identified in Part I of this permit to receiving waters named Rock Creek in accordance with the effluent limitations, monitoring requirements, and other conditions set forth in the permit. This permit may be revoked for the nonpayment of applicable fees in accordance with IC 13-18-20.

Effective Date: April 1, 2017.

Expiration Date: March 31, 2022.

In order to receive authorization to discharge beyond the date of expiration, the permittee shall submit such information and application forms as are required by the Indiana Department of Environmental Management. The application shall be submitted to IDEM at least 180 days prior to the expiration date of this permit, unless a later date is allowed by the Commissioner in accordance with 327 IAC 5-3-2 and Part II.A.4 of this permit.

Issued December 16, 2016, for the Indiana Department of Environmental Management.



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Paul Novak, Chief  
Permits Branch  
Office of Water Quality

TREATMENT FACILITY DESCRIPTION

The permittee currently operates a Class I, 0.0044 MGD extended aeration treatment facility consisting of flow equalization, an aeration tank with coarse bubble aeration, secondary clarifiers, effluent chlorination/dechlorination facilities, and an effluent flow meter. Sludge will be hauled off-site.

The collection system is comprised of 100% separate sanitary sewers by design with no overflow or bypass points.

PART I

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

The permittee is authorized to discharge from the outfall listed below in accordance with the terms and conditions of this permit. The permittee shall take samples and measurements at a location representative of each discharge to determine whether the effluent limitations have been met. Refer to Part I.B of this permit for additional monitoring and reporting requirements.

1. Beginning on the effective date of this permit, the permittee is authorized to discharge from Outfall 001, which is located at Latitude: 39° 07' 20" N, Longitude: 85° 46' 00" W. The discharge is subject to the following requirements:

TABLE 1

<u>Parameter</u>	<u>Quantity or Loading</u>			<u>Quality or Concentration</u>			<u>Monitoring Requirements</u>	
	<u>Monthly Average</u>	<u>Weekly Average</u>	<u>Units</u>	<u>Monthly Average</u>	<u>Weekly Average</u>	<u>Units</u>	<u>Measurement Frequency</u>	<u>Sample Type</u>
Flow [1]	Report	----	MGD	----	----	----	5 X Weekly	24-Hr.
CBOD <sub>5</sub>								
Summer [2]	0.6	0.8	lbs/day	15 [4]	23	mg/l	Weekly	Grab
Winter [3]	0.9	1.5	lbs/day	25 [4]	40	mg/l	Weekly	Grab
TSS								
Summer [2]	0.7	1.0	lbs/day	18 [4]	27	mg/l	Weekly	Grab
Winter [3]	1.1	1.7	lbs/day	30 [4]	45	mg/l	Weekly	Grab
Ammonia-nitrogen								
Summer [2]	0.04	0.06	lbs/day	1.1	1.6	mg/l	Weekly	Grab
Winter [3]	0.06	0.09	lbs/day	1.6	2.4	mg/l	Weekly	Grab

TABLE 2

<u>Parameter</u>	<u>Quality or Concentration</u>				<u>Monitoring Requirements</u>	
	<u>Daily Minimum</u>	<u>Monthly Average</u>	<u>Daily Maximum</u>	<u>Units</u>	<u>Measurement Frequency</u>	<u>Sample Type</u>
pH [5]	6.0	----	9.0	s.u.	2 X Weekly	Grab
Dissolved Oxygen [6]						
Summer [2]	6.0	----	----	mg/l	2 X Weekly	2 Grabs/24-Hrs.
Winter [3]	5.0	----	----	mg/l	2 X Weekly	2 Grabs/24-Hrs.
Total Residual Chlorine [7]						
Contact Tank [8]	0.5	----	Report	mg/l	2 X Weekly	Grab
Final Effluent [9]	----	0.01	0.02	mg/l	2 X Weekly	Grab
<i>E. coli</i> [10]	----	125 [11]	235 [12]	cfu/100 ml	Weekly	Grab

- [1] Effluent flow measurement is required per 327 IAC 5-2-13. The flow meter(s) shall be calibrated at least once every twelve months.
- [2] Summer limitations apply from May 1 through November 30 of each year.
- [3] Winter limitations apply from December 1 through April 30 of each year.
- [4] The monthly average percent removal shall not be less than 85%. The percent removal shall be calculated from a comparison of raw influent to final effluent sampling results.
- [5] If the permittee collects more than one grab sample on a given day for pH, the values shall not be averaged for reporting daily maximums or daily minimums. The permittee must report the individual minimum and the individual maximum pH value of any sample during the month on the Monthly Report of Operation forms.
- [6] The daily minimum concentration of dissolved oxygen in the effluent shall be reported as the arithmetic mean determined by summation of the two (2) daily grab sample results divided by the number of daily grab samples. These samples are to be collected over equal time intervals.
- [7] The effluent shall be disinfected on a continuous basis such that violations of the applicable bacteriological limitations (fecal coliform or *E. coli*) do not occur from April 1 through October 31, annually. If the permittee uses chlorine for any reason, at any time including the period from November 1 through March 31, then the limits and monitoring requirements in Table 2 for Total Residual Chlorine (TRC) shall be in effect whenever chlorine is used.
- [8] The chlorine residual shall be maintained at a concentration not less than 0.5 mg/l as measured at the effluent end of the chlorine contact tank for the term of the permit. The daily maximum chlorine residual value at the chlorine contact tank shall also be reported.

[9] In accordance with 327 IAC 5-2-11.1(f), compliance with this permit will be demonstrated if the measured effluent concentrations are less than the limit of quantitation (0.06 mg/l). If the measured effluent concentrations are above the water quality-based permit limitations and above the Limit of Detection (LOD) specified by the permit in any of three (3) consecutive analyses or any five (5) out of nine (9) analyses, the permittee is required to reevaluate its chlorination/dechlorination practices to make any necessary changes to assure compliance with the permit limitation for TRC. These records must be retained in accordance with the record retention requirements of Part I.B.8 of this permit.

Effluent concentrations greater than or equal to the LOD but less than the Limit of Quantitation (LOQ), shall be reported on the discharge monitoring report forms as the measured value. A note must be included with the DMR indicating that the value is not quantifiable. Effluent concentrations less than the limit of detection shall be reported on the discharge monitoring report forms as less than the value of the limit of detection. For example, if a substance is not detected at a concentration of 0.01 mg/l, report the value as < 0.01 mg/l. At present, two methods are considered to be acceptable to IDEM, amperometric and DPD colorimetric methods, for chlorine concentrations at the level of 0.06 mg/l.

<u>Parameter</u>	<u>LOD</u>	<u>LOQ</u>
Chlorine	0.02 mg/l	0.06 mg/l

#### Case-Specific MDL

The permittee may determine a case-specific Method Detection Level (MDL) using one of the analytical methods specified above, or any other test method which is approved by IDEM prior to use. The MDL shall be derived by the procedure specified for MDLs contained in 40 CFR Part 136, Appendix B, and the limit of quantitation shall be set equal to 3.18 times the MDL. Other methods may be used if first approved by the U.S. EPA and IDEM.

[10] The *Escherichia coli* (*E. coli*) limitations apply from April 1 through October 31 annually. IDEM has specified the following methods as allowable for the detection and enumeration of *Escherichia coli* (*E. coli*):

1. Coliscan MF® Method
2. EPA Method 1603 Modified m-TEC agar
3. mColi Blue-24®
4. Colilert® MPN Method or Colilert-18® MPN Method

[11] The monthly average *E. coli* value shall be calculated as a geometric mean. Per 327 IAC 5-10-6, the concentration of *E. coli* shall not exceed one hundred twenty-five (125) cfu or mpn per 100 milliliters as a geometric mean of the effluent samples taken in a calendar month. No samples may be excluded when calculating the monthly geometric mean.

[12]If less than ten samples are taken and analyzed for *E. coli* in a calendar month, no samples may exceed two hundred thirty-five (235) cfu or mpn as a daily maximum. However, when ten (10) or more samples are taken and analyzed for *E. coli* in a calendar month, not more than ten percent (10%) of those samples may exceed two hundred thirty-five (235) cfu or mpn as a daily maximum. When calculating ten percent, the result must not be rounded up. In reporting for compliance purposes on the Discharge Monitoring Report (DMR) form, the permittee shall record the highest non-excluded value for the daily maximum.

## 2. Minimum Narrative Limitations

At all times the discharge from any and all point sources specified within this permit shall not cause receiving waters:

- a. including the mixing zone, to contain substances, materials, floating debris, oil, scum or other pollutants:
  - (1) that will settle to form putrescent or otherwise objectionable deposits;
  - (2) that are in amounts sufficient to be unsightly or deleterious;
  - (3) that produce color, visible oil sheen, odor, or other conditions in such degree as to create a nuisance;
  - (4) which are in amounts sufficient to be acutely toxic to, or to otherwise severely injure or kill aquatic life, other animals, plants, or humans;
  - (5) 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.
- b. 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.

## B. MONITORING AND REPORTING

### 1. Representative Sampling

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

2. Data on Plant Operation

The raw influent and the wastewater from intermediate unit treatment processes, as well as the final effluent shall be sampled and analyzed for the pollutants and operational parameters specified by the applicable Monthly Report of Operation Form, as appropriate, in accordance with 327 IAC 5-2-13. Except where the permit specifically states otherwise, the sample frequency for the raw influent and intermediate unit treatment process shall be at a minimum the same frequency as that for the final effluent. The measurement frequencies specified in each of the tables in Part I.A. are the minimum frequencies required by this permit.

3. Monthly Reporting

The permittee shall submit accurate monitoring reports to the Indiana Department of Environmental Management containing results obtained during the previous monitoring period and shall be postmarked no later than the 28th day of the month following each completed monitoring period. The first report shall be submitted by the 28th day of the month following the monitoring period in which the permit becomes effective. These reports shall include, but not necessarily be limited to, the Discharge Monitoring Report (DMR) and the Monthly Report of Operation (MRO). Until December 31, 2016, all reports shall be mailed to IDEM, Office of Water Quality –Compliance Data Section, 100 North Senate Ave., Indianapolis, Indiana 46204-2251 or submitted to IDEM electronically by using the NetDMR application, upon registration and approval receipt. Electronically submitted reports (using NetDMR) have the same deadline as mailed reports. After December 31, 2016, all reports shall be submitted using NetDMR, and paper reports will no longer be accepted. The Regional Administrator may request the permittee to submit monitoring reports to the Environmental Protection Agency if it is deemed necessary to assure compliance with the permit.

A calendar week will begin on Sunday and end on Saturday. Partial weeks consisting of four or more days at the end of any month will include the remaining days of the week, which occur in the following month in order to calculate a consecutive seven-day average. This value will be reported as a weekly average or seven-day average on the MRO for the month containing the partial week of four or more days. Partial calendar weeks consisting of less than four days at the end of any month will be carried forward to the succeeding month and reported as a weekly average or a seven-day average for the calendar week that ends with the first Saturday of that month.

4. Definitions

a. Calculation of Averages

Pursuant to 327 IAC 5-2-11(a)(5), the calculation of the average of discharge data shall be determined as follows: For all parameters except fecal coliform and *E. coli*, calculations that require averaging of sample analyses or measurements of daily discharges shall use an arithmetic mean unless otherwise specified in this permit. For fecal coliform, the monthly average discharge and weekly average discharge, as

concentrations, shall be calculated as a geometric mean. For *E. coli*, the monthly average discharge, as a concentration, shall be calculated as a geometric mean.

b. Terms

- (1) “Monthly Average” -The monthly average discharge means the total mass or flow-weighted concentration of all daily discharges during a calendar month on which daily discharges are sampled or measured, divided by the number of daily discharges sampled and/or measured during such calendar month. The monthly average discharge limitation is the highest allowable average monthly discharge for any calendar month.
- (2) “Weekly Average” - The weekly average discharge means the total mass or flow weighted concentration of all daily discharges during any calendar week for which daily discharges are sampled or measured, divided by the number of daily discharges sampled and/or measured during such calendar week. The average weekly discharge limitation is the maximum allowable average weekly discharge for any calendar week.
- (3) “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.
- (4) “24-hour Composite” - The 24-hour Composite Sample consists of a minimum of two (2) grab samples, one collected at a time representing the daily peak flow, and the other sample collected at a time representing the average daily flow. The grab samples for the composites shall be proportioned to flow. A flow proportioned composite sample is obtained by:
  - (a) recording the discharge flow rate at the time each individual sample is taken,
  - (b) adding together the discharge flow rates recorded from each individual sampling time to formulate the “total flow value,”
  - (c) dividing the discharge flow rate of each individual sampling time by the total flow value to determine its percentage of the total flow value, and
  - (d) multiplying the volume of the total composite sample by each individual sample’s percentage to determine the volume of that individual sample which will be included in the total composite sample.

Alternatively, a 24-hour composite sample may be obtained by an automatic sampler on an equal time interval basis over a twenty-four hour period provided

that a minimum of 24 samples are taken and combined prior to analysis. The samples do not need to be flow-proportioned if the permittee collects samples in this manner.

- (5) CBOD<sub>5</sub>: Five-day Carbonaceous Biochemical Oxygen Demand
- (6) TSS: Total Suspended Solids
- (7) *E. coli*: Escherichia coli bacteria
- (8) The “Regional Administrator” is defined as the Region V Administrator, U.S. EPA, located at 77 West Jackson Boulevard, Chicago, Illinois 60604.
- (9) The “Commissioner” is defined as the Commissioner of the Indiana Department of Environmental Management, located at the following address: 100 North Senate Avenue, Indianapolis, Indiana 46204-2251.
- (10) Limit of Detection or LOD is defined as a measurement of the concentration of a substance that can be measured and reported with 99% confidence that the analyte concentration is greater than zero (0) for a particular analytical method and sample matrix. The LOD is equivalent to the Method Detection Level or MDL.
- (11) Limit of Quantitation or LOQ is defined as a measurement of the concentration of a contaminant obtained by using a specified laboratory procedure calibrated at a specified concentration above the method detection level. It is considered the lowest concentration at which a particular contaminant can be quantitatively measured using a specified laboratory procedure for monitoring of the contaminant. This term is also called the limit of quantification or quantification level.
- (12) Method Detection Level or MDL is defined as the minimum concentration of an analyte (substance) that can be measured and reported with a ninety-nine percent (99%) confidence that the analyte concentration is greater than zero (0) as determined by the procedure set forth in 40 CFR Part 136, Appendix B. The method detection level or MDL is equivalent to the LOD.

## 5. Test Procedures

The analytical and sampling methods used shall conform to the current version of 40 CFR, Part 136, unless otherwise specified within this permit. Multiple editions of Standard Methods for the Examination of Water and Wastewater are currently approved for most methods, however, 40 CFR Part 136 should be checked to ascertain if a particular method is approved for a particular analyte. The approved methods may be included in the texts listed below. However, different but equivalent methods are allowable if they receive the prior written approval of the State agency and the U.S. Environmental Protection Agency.

- a. Standard Methods for the Examination of Water and Wastewater  
18<sup>th</sup>, 19<sup>th</sup>, or 20<sup>th</sup> Editions, 1992, 1995 or 1998 American Public Health Association,  
Washington, D.C. 20005.
  - b. A.S.T.M. Standards, Part 23, Water; Atmospheric Analysis  
1972 American Society for Testing and Materials,  
Philadelphia, PA 19103.
  - c. Methods for Chemical Analysis of Water and Wastes  
June 1974, Revised, March 1983, Environmental Protection  
Agency, Water Quality Office, Analytical Quality Control  
Laboratory, 1014 Broadway, Cincinnati, OH 45202.
6. Recording of Results

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

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

If the permittee monitors any pollutant at the location(s) designated herein more frequently than required by this permit, using approved analytical methods as specified above, the results of such monitoring shall be included in the calculation and reporting of the values required in the Monthly Discharge Monitoring Report and on the Monthly Report of Operation form. Such increased frequency shall also be indicated on these forms. Any such additional monitoring data which indicates a violation of a permit limitation shall be followed up by the permittee, whenever feasible, with a monitoring sample obtained and analyzed pursuant to approved analytical methods. The results of the follow-up sample shall be reported to the Commissioner in the Monthly Discharge Monitoring Report.

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. In cases where the original records are kept at another location, a copy of all such records shall be kept at the permitted facility. The three-year period shall be extended:

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

C. REOPENING CLAUSES

In addition to the reopening clause provisions cited at 327 IAC 5-2-16, the following reopening clauses are incorporated into this permit:

1. This permit may be modified or, alternately, revoked and reissued after public notice and opportunity for hearing to incorporate effluent limitations reflecting the results of a wasteload allocation if the Department of Environmental Management determines that such effluent limitations are needed to assure that State Water Quality Standards are met in the receiving stream.
2. This permit may be modified due to a change in sludge disposal standards pursuant to Section 405(d) of the Clean Water Act, if the standards when promulgated contain different conditions, are otherwise more stringent, or control pollutants not addressed by this permit.
3. This permit may be modified, or, alternately, revoked and reissued, to comply with any applicable effluent limitation or standard issued or approved under section 301(b)(2)(C), (D) and (E), 304(b)(2), and 307(a)(2) of the Clean Water Act, if the effluent limitation or standard so issued or approved:
  - a. contains different conditions or is otherwise more stringent than any effluent limitation in the permit; or
  - b. controls any pollutant not limited in the permit.
4. This permit may be modified, or alternately, revoked and reissued, after public notice and opportunity for hearing, to include a case-specific Method Detection Level (MDL). The permittee must demonstrate that such action is warranted in accordance with the procedure specified under Appendix B, 40 CFR Part 136, or approved by the Indiana Department of Environmental Management.

## PART II

### STANDARD CONDITIONS FOR NPDES PERMITS

#### A. GENERAL CONDITIONS

##### 1. Duty to Comply

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

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

##### 2. Duty to Mitigate

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

##### 3. Duty to Provide Information

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

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

In accordance with 327 IAC 5-1-3(a)(5), the permittee must also provide any information reasonably requested by the Commissioner.

##### 4. Duty to Reapply

If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must obtain and submit a renewal of this permit in accordance with 327 IAC 5-3-2(a)(2). It is the permittee's responsibility to obtain and submit the application. In accordance with 327 IAC 5-2-3(c), the owner of the facility or

operation from which a discharge of pollutants occurs is responsible for applying for and obtaining the NPDES permit, except where the facility or operation is operated by a person other than an employee of the owner in which case it is the operator's responsibility to apply for and obtain the permit. The application must be submitted at least 180 days before the expiration date of this permit. This deadline may be extended if:

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

As required under 327 IAC 5-2-3(g)(1) and (2), POTWs with design influent flows equal to or greater than one million (1,000,000) gallons per day and POTWs with an approved pretreatment program or that are required to develop a pretreatment program, will be required to provide the results of whole effluent toxicity testing as part of their NPDES renewal application.

#### 5. Transfers

In accordance with 327 IAC 5-2-8(4)(D), this permit is nontransferable to any person except in accordance with 327 IAC 5-2-6(c). This permit may be transferred to another person by the permittee, without modification or revocation and reissuance being required under 327 IAC 5-2-16(c)(1) or 16(e)(4), if the following occurs:

- a. the current permittee notified the Commissioner at least thirty (30) days in advance of the proposed transfer date.
- b. a written agreement containing a specific date of transfer of permit responsibility and coverage between the current permittee and the transferee (including acknowledgment that the existing permittee is liable for violations up to that date, and the transferee is liable for violations from that date on) is submitted to the Commissioner.
- c. the transferee certifies in writing to the Commissioner their intent to operate the facility without making such material and substantial alterations or additions to the facility as would significantly change the nature or quantities of pollutants discharged and thus constitute cause for permit modification under 327 IAC 5-2-16(d). However, the Commissioner may allow a temporary transfer of the permit without permit modification for good cause, e.g., to enable the transferee to purge and empty the facility's treatment system prior to making alterations, despite the transferee's intent to make such material and substantial alterations or additions to the facility.
- d. the Commissioner, within thirty (30) days, does not notify the current permittee and the transferee of the intent to modify, revoke and reissue, or terminate the permit and

to require that a new application be filed rather than agreeing to the transfer of the permit.

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

## 6. Permit Actions

In accordance with 327 IAC 5-2-16(b) and 327 IAC 5-2-8(4), this permit may be modified, revoked and reissued, or terminated for cause, including, but not limited to, the following:

- a. Violation of any terms or conditions of this permit;
- b. Failure of the permittee to disclose fully all relevant facts or misrepresentation of any relevant facts in the application, or during the permit issuance process; or
- c. A change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge controlled by the permittee (e.g., plant closure, termination of the discharge by connecting to a POTW, a change in state law or information indicating the discharge poses a substantial threat to human health or welfare).

Filing of either of the following items does not stay or suspend any permit condition: (1) a request by the permittee for a permit modification, revocation and reissuance, or termination, or (2) submittal of information specified in Part II.A.3 of the permit including planned changes or anticipated noncompliance.

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

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

## 7. Property Rights

Pursuant to 327 IAC 5-2-8(6) and 327 IAC 5-2-5(b), the issuance of this permit does not convey any property rights of any sort or any exclusive privileges, nor does it authorize any injury to persons or private property or an invasion of rights, any infringement of federal, state, or local laws or regulations. The issuance of the permit also does not preempt any duty to obtain any other state, or local assent required by law for the

discharge or for the construction or operation of the facility from which a discharge is made.

8. 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.

9. Oil and Hazardous Substance Liability

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

10. State Laws

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable state law or regulation under authority preserved by Section 510 of the Clean Water Act or state law.

11. 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 Water Pollution Control 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 commits a class C infraction.

Pursuant to IC 13-30-10, a person who intentionally, knowingly, or recklessly violates any provision of this permit, the water pollution control laws or a rule or standard adopted by the Water Pollution Control Board commits a class D felony punishable by the term of imprisonment established under IC 35-50-2-7(a) (up to one year), and/or by a fine of not less than five thousand dollars (\$5,000) and not more than fifty thousand dollars (\$50,000) per day of violation. A person convicted for a violation committed after a first conviction of such person under this provision is subject to a fine of not more than one hundred thousand dollars (\$100,000) per day of violation, or by imprisonment for not more than two (2) years, or both.

12. 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, provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under a permit shall, upon conviction, be punished by a fine of not more than ten thousand dollars (\$10,000) per violation, or by imprisonment for not more than one hundred eighty (180) days per violation, or by both.

13. Toxic Pollutants

If any applicable effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is established under Section 307(a) of the Clean Water Act for a toxic pollutant injurious to human health, and that standard or prohibition is more stringent than any limitation for such pollutant in this permit, this permit shall be modified or revoked and reissued to conform to the toxic effluent standard or prohibition in accordance with 327 IAC 5-2-8(5). Effluent standards or prohibitions established under Section 307(a) of the Clean Water Act for toxic pollutants injurious to human health are effective and must be complied with, if applicable to the permittee, within the time provided in the implementing regulations, even absent permit modification.

14. Operator Certification

The permittee shall have the wastewater treatment facilities under the responsible charge of an operator certified by the Commissioner in a classification corresponding to the classification of the wastewater treatment plant as required by IC 13-18-11-11 and 327 IAC 5-22. In order to operate a wastewater treatment plant the operator shall have qualifications as established in 327 IAC 5-22-7. The permittee shall designate one (1) person as the certified operator with complete responsibility for the proper operations of the wastewater facility.

327 IAC 5-22-10.5(a) provides that a certified operator may be designated as being in responsible charge of more than one (1) wastewater treatment plant, if it can be shown that he will give adequate supervision to all units involved. Adequate supervision means that sufficient time is spent at the plant on a regular basis to assure that the certified operator is knowledgeable of the actual operations and that test reports and results are representative of the actual operations conditions. In accordance with 327 IAC 5-22-3(11), "responsible charge" means the person responsible for the overall daily operation, supervision, or management of a wastewater facility.

Pursuant to 327 IAC 5-22-10(4), the permittee shall notify IDEM when there is a change of the person serving as the certified operator in responsible charge of the wastewater treatment facility. The notification shall be made no later than thirty (30) days after a change in the operator.

15. Construction Permit

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

16. Inspection and Entry

In accordance with 327 IAC 5-2-8(8), the permittee shall allow the Commissioner, or an authorized representative, (including an authorized contractor acting as a representative of the Commissioner) upon the presentation of credentials and other documents as may be required by law, to:

- a. Enter upon the permittee's premises where a point source, regulated facility, or activity is located or conducted, or where records must be kept pursuant to the conditions of this permit;
- b. Have access to and copy, at reasonable times, any records that must be kept under the terms and conditions of this permit;
- c. Inspect at reasonable times any facilities, equipment or methods (including monitoring and control equipment), practices, or operations regulated or required pursuant to this permit; and
- d. Sample or monitor at reasonable times, any discharge of pollutants or internal wastestreams for the purposes of evaluating compliance with the permit or as otherwise authorized.

B. MANAGEMENT REQUIREMENTS

1. Facility Operation, Maintenance and Quality Control

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

- (1) installed or used by the permittee; and
- (2) necessary for achieving compliance with the terms and conditions of the permit.

Neither 327 IAC 5-2-8(9), nor this provision, shall be construed to require the operation of installed treatment facilities that are unnecessary for achieving compliance with the terms and conditions of the permit. Taking redundant treatment units off line does not violate the bypass provisions of the permit, provided that the permittee is at all times: maintaining in good working order and efficiently operating

all facilities and systems; providing best quality effluent; and achieving compliance with the terms and conditions of the permit.

- b. The permittee shall operate the permitted facility in a manner which will minimize upsets and discharges of excessive pollutants. The permittee shall properly remove and dispose of excessive solids and sludges.
- c. The permittee shall provide an adequate operating staff which is duly qualified to carry out the operation, maintenance, and testing functions required to ensure compliance with the conditions of this permit.
- d. Maintenance of all waste collection, control, treatment, and disposal facilities shall be conducted in a manner that complies with the bypass provisions set forth below.
- e. Any extensions to the sewer system must continue to be constructed on a separated basis. Plans and specifications, when required, for extension of the sanitary system must be submitted to the Facility Construction and Engineering Support Section, Office of Water Quality in accordance with 327 IAC 3-2-2. There shall also be an ongoing preventative maintenance program for the sanitary sewer system.

## 2. Bypass of Treatment Facilities

Pursuant to 327 IAC 5-2-8(12):

- a. Terms as defined in 327 IAC 5-2-8(12)(A):
  - (1) "Bypass" means the intentional diversion of a waste stream from any portion of a treatment facility.
  - (2) "Severe property damage" means substantial physical damage to property, damage to the treatment facilities which would cause them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.
- b. Bypasses, as defined above, are prohibited, and the Commissioner may take enforcement action against a permittee for bypass, unless:
  - (1) The bypass was unavoidable to prevent loss of life, personal injury, or severe property damage, as defined above;
  - (2) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass that occurred during normal periods of equipment downtime or preventive maintenance; and

- (3) The permittee submitted notices as required under Part II.B.2.d; or
  - (4) The condition under Part II.B.2.f below is met.
- c. Bypasses that result in death or acute injury or illness to animals or humans must be reported in accordance with the “Spill Response and Reporting Requirements” in 327 IAC 2-6.1, including calling 888/233-7745 as soon as possible, but within two (2) hours of discovery. However, under 327 IAC 2-6.1-3(1), when the constituents of the bypass are regulated by this permit, and death or acute injury or illness to animals or humans does not occur, the reporting requirements of 327 IAC 2-6.1 do not apply.
  - d. The permittee must provide the Commissioner with the following notice:
    - (1) If the permittee knows or should have known in advance of the need for a bypass (anticipated bypass), it shall submit prior written notice. If possible, such notice shall be provided at least ten (10) days before the date of the bypass for approval by the Commissioner.
    - (2) The permittee shall orally report or fax a report of an unanticipated bypass within 24 hours of becoming aware of the bypass event. The permittee must also provide a written report within five (5) days of the time the permittee becomes aware of the bypass event. The written report must contain a description of the noncompliance (i.e. the bypass) and its cause; the period of noncompliance, including exact dates and times; if the cause of noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate and prevent recurrence of the bypass event. If a complete fax or email submittal is sent within 24 hours of the time that the permittee became aware of the unanticipated bypass event, then that report will satisfy both the oral and written reporting requirement.
  - e. The Commissioner may approve an anticipated bypass, after considering its adverse effects, if the Commissioner determines that it will meet the conditions listed above in Part II.B.2.b. The Commissioner may impose any conditions determined to be necessary to minimize any adverse effects.
  - f. The permittee may allow any bypass to occur that does not cause a violation of the effluent limitations in the permit, but only if it also is for essential maintenance to ensure efficient operation. These bypasses are not subject to the provisions of Part II.B.2.b.,d and e of this permit.

### 3. Upset Conditions

Pursuant to 327 IAC 5-2-8(13):

- a. “Upset” means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include

noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

- b. An upset shall constitute an affirmative defense to an action brought for noncompliance with such technology-based permit effluent limitations if the requirements of Paragraph c of this subsection, are met.
- c. A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs or other relevant evidence, that:
  - (1) An upset occurred and the permittee has identified the specific cause(s) of the upset;
  - (2) The permitted facility was at the time being operated in compliance with proper operation and maintenance procedures;
  - (3) The permittee complied with any remedial measures required under “Duty to Mitigate”, Part II.A.2; and
  - (4) The permittee submitted notice of the upset as required in the “Incident Reporting Requirements,” Part II.C.3, or 327 IAC 2-6.1, whichever is applicable. However, under 327 IAC 2-6.1-3(1), when the constituents of the discharge are regulated by this permit, and death or acute injury or illness to animals or humans does not occur, the reporting requirements of 327 IAC 2-6.1 do not apply.
- d. In any enforcement proceeding, the permittee seeking to establish the occurrence of an upset has the burden of proof pursuant to 40 CFR 122.41(n)(4).

#### 4. Removed Substances

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

- a. Collected screenings, slurries, sludges, and other such pollutants shall be disposed of in accordance with provisions set forth in 329 IAC 10, 327 IAC 6.1, or another method approved by the Commissioner.
- b. The permittee shall comply with existing federal regulations governing solids disposal, and with applicable provisions of 40 CFR Part 503, the federal sludge disposal regulation standards.

- c. The permittee shall notify the Commissioner prior to any changes in sludge use or disposal practices.
- d. The permittee shall maintain records to demonstrate its compliance with the above disposal requirements.

5. Power Failures

In accordance with 327 IAC 5-2-10 and 327 IAC 5-2-8(14) in order to maintain compliance with the effluent limitations and prohibitions of this permit, the permittee shall either:

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

6. Unauthorized Discharge

Any overflow or release of sanitary wastewater from the wastewater treatment facilities or collection system that results in a discharge to waters of the state and is not specifically authorized by this permit is expressly prohibited. These discharges are subject to the reporting requirements in Part II.C.3 of this permit.

C. REPORTING REQUIREMENTS

1. Planned Changes in Facility or Discharge

Pursuant to 327 IAC 5-2-8(11)(F) and 5-2-16(d), the permittee shall give notice to the Commissioner as soon as possible of any planned alterations or additions to the facility (which includes any point source) that could significantly change the nature of, or increase the quantity of, pollutants discharged. Following such notice, the permit may be modified to revise existing pollutant limitations and/or to specify and limit any pollutants not previously limited. Material and substantial alterations or additions to the permittee's operation that were not covered in the permit (e.g., production changes, relocation or combination of discharge points, changes in the nature or mix of products produced) are also cause for modification of the permit. However those alterations which constitute total replacement of the process or the production equipment causing the discharge converts it into a new source, which requires the submittal of a new NPDES application.

2. Monitoring Reports

Pursuant to 327 IAC 5-2-8(10), 327 IAC 5-2-13, and 327 IAC 5-2-15, monitoring results shall be reported at the intervals and in the form specified in “Data On Plant Operation”, Part I.B.2.

3. Incident Reporting Requirements

Pursuant to 327 IAC 5-2-8(11) and 327 IAC 5-1-3, the permittee shall orally report to the Commissioner information on the following incidents within 24 hours from the time permittee becomes aware of such occurrence. If the incident meets the emergency criteria of item b (Part II.C.3.b) or 327 IAC 2-6.1, then the report shall be made as soon as possible, but within two (2) hours of discovery. However, under 327 IAC 2-6.1-3(1), when the constituents of the discharge are regulated by this permit, and death or acute injury or illness to animals or humans does not occur, the reporting requirements of 327 IAC 2-6.1 do not apply.

- a. Any unanticipated bypass which exceeds any effluent limitation in the permit;
- b. Any emergency incident which may pose a significant danger to human health or the environment. Reports under this item shall be made as soon as the permittee becomes aware of the incident by calling 317/233-7745 (888/233-7745 toll free in Indiana). This number should only be called when reporting these emergency events;
- c. Any upset (as defined in Part II.B.3 above) that exceeds any technology-based effluent limitations in the permit;
- d. Any release, including basement backups, from the sanitary sewer system (including satellite sewer systems operated or maintained by the permittee) not specifically authorized by this permit. Reporting of known releases from private laterals not caused by a problem in the sewer system owned or operated by the permittee is not required under Part II.C.3, however, documentation of such events must be maintained by the permittee and available for review by IDEM staff; or
- e. Any discharge from any outfall from which discharge is explicitly prohibited by this permit as well as any discharge from any other outfall or point not listed in this permit.

The permittee can make the oral reports by calling 317/232-8670 during regular business hours. A written submission shall also be provided within five (5) days of the time the permittee becomes aware of the circumstances. For incidents involving effluent limit violations or discharges, the written submission shall contain: a description of the event and its cause; the period of occurrence, including exact dates and times, and, if the event has not concluded, the anticipated time it is expected to continue; and steps taken or planned to reduce, mitigate and eliminate the event and steps taken or planned to prevent its recurrence. For sewer releases which do not meet the definition of a discharge, the written submission shall contain: a description of the event and its believed cause; the

period of occurrence; and any steps taken or planned to mitigate the event and steps taken or planned to prevent its recurrence. The permittee may submit a “Bypass Overflow/Incident Report” or a “Noncompliance Notification Report”, whichever is applicable, to IDEM at 317/232-8637 or 317/232-8406 or to [wwreports@idem.IN.gov](mailto:wwreports@idem.IN.gov). If a complete fax or email submittal is sent within 24 hours of the time that the permittee became aware of the occurrence, then that report will satisfy both the oral and written reporting requirements.

4. Other Noncompliance

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

5. Other Information

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

6. Signatory Requirements

Pursuant to 327 IAC 5-2-22 and 327 IAC 5-2-8(15):

- a. All reports required by the permit and other information requested by the Commissioner shall be signed and certified by a person described below or by a duly authorized representative of that person:
  - (1) For a corporation: by a principal executive defined as a president, secretary, treasurer, any vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy-making functions for the corporation or the manager of one or more manufacturing, production, or operating facilities employing more than two hundred fifty (250) persons or having gross annual sales or expenditures exceeding twenty-five million dollars (\$25,000,000) (in second quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
  - (2) For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or

- (3) For a federal, state, or local governmental body or any agency or political subdivision thereof: by either a principal executive officer or ranking elected official.
- b. A person is a duly authorized representative only if:
- (1) The authorization is made in writing by a person described above.
  - (2) The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of plant manager, operator of a well or a well field, superintendent, or position of equivalent responsibility. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.); and
  - (3) The authorization is submitted to the Commissioner.
- c. Certification. Any person signing a document identified under paragraphs a and b of this section, shall make the following certification:

“I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”

#### 7. 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.

#### 8. Penalties for Falsification of Reports

IC 13-30 and 327 IAC 5-2-8(15) provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or noncompliance, shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than 180 days per violation, or by both.

9. Progress Reports

In accordance with 327 IAC 5-2-8(11)(A), reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than fourteen (14) days following each schedule date.

10. Advance Notice for Planned Changes

In accordance with 327 IAC 5-2-8(11)(B), the permittee shall give advance notice to IDEM of any planned changes in the permitted facility, any activity, or other circumstances that the permittee has reason to believe may result in noncompliance with permit requirements.

11. Additional Requirements for POTWs and/or Treatment Works Treating Domestic Sewage

- a. All POTWs shall identify, in terms of character and volume of pollutants, any significant indirect discharges into the POTW which are subject to pretreatment standards under section 307(b) and 307 (c) of the CWA.
- b. All POTWs must provide adequate notice to the Commissioner of the following:
  - (1) Any new introduction of pollutants into the POTW from an indirect discharger that would be subject to section 301 or 306 of the CWA if it were directly discharging those pollutants.
  - (2) Any substantial change in the volume or character of pollutants being introduced into that POTW by any source where such change would render the source subject to pretreatment standards under section 307(b) or 307(c) of the CWA or would result in a modified application of such standards.

As used in this clause, “adequate notice” includes information on the quality and quantity of effluent introduced into the POTW, and any anticipated impact of the change on the quantity or quality of the effluent to be discharged from the POTW.

- c. This permit incorporates any conditions imposed in grants made by the U.S. EPA and/or IDEM to a POTW pursuant to Sections 201 and 204 of the Clean Water Act, that are reasonably necessary for the achievement of effluent limitations required by Section 301 of the Clean Water Act.
- d. This permit incorporates any requirements of Section 405 of the Clean Water Act governing the disposal of sewage sludge from POTWs or any other treatment works treating domestic sewage for any use for which rules have been established in accordance with any applicable rules.

- e. POTWs must develop and submit to the Commissioner a POTW pretreatment program when required by 40 CFR 403 and 327 IAC 5-19-1, in order to assure compliance by industrial users of the POTW with applicable pretreatment standards established under Sections 307(b) and 307(c) of the Clean Water Act. The pretreatment program shall meet the criteria of 327 IAC 5-19-3 and, once approved, shall be incorporated into the POTW's NPDES permit.

#### D. ADDRESSES

##### 1. Municipal NPDES Permits Section

Indiana Department of Environmental Management  
Office of Water Quality – Mail Code 65-42  
Municipal NPDES Permits Section  
100 N. Senate Avenue  
Indianapolis, Indiana 46204-2251

The following correspondence shall be sent to the Municipal NPDES Permits Section:

- a. NPDES permit applications (new, renewal or modifications) with fee
  - b. Preliminary Effluent Limits request letters
  - c. Comment letters pertaining to draft NPDES permits
  - d. NPDES permit transfer of ownership requests
  - e. NPDES permit termination requests
  - f. Notifications of substantial changes to a treatment facility, including new industrial sources
  - g. Combined Sewer Overflow (CSO) Operational Plans
  - h. CSO Long Term Control Plans (LTCP)
  - i. Stream Reach Characterization and Evaluation Reports (SRCER)
- ##### 2. Facility Construction and Engineering Support Section

Indiana Department of Environmental Management  
Office of Water Quality – Mail Code 65-42  
Facility Construction and Engineering Support Section  
100 N. Senate Avenue  
Indianapolis, Indiana 46204-2251

The following correspondence shall be sent to the Facility Construction and Engineering Support Section:

- a. Construction permit applications with fee

3. Compliance Data Section

Indiana Department of Environmental Management  
Office of Water Quality – Mail Code 65-42  
Compliance Data Section  
100 N. Senate Avenue  
Indianapolis, Indiana 46204-2251

The following correspondence shall be sent to the Compliance Data Section:

- a. Discharge Monitoring Reports (DMRs)
- b. Monthly Reports of Operation (MROs)
- c. Monthly Monitoring Reports (MMRs)
- d. CSO MROs
- e. Gauging station and flow meter calibration documentation
- f. Compliance schedule progress reports
- g. Completion of Construction notifications
- h. Whole Effluent Toxicity Testing reports
- i. Toxicity Reduction Evaluation (TRE) plans and progress reports
- j. Bypass/Overflow Reports
- k. Anticipated Bypass/Overflow Reports
- l. Streamlined Mercury Variance Annual Reports

4. Pretreatment Group

Indiana Department of Environmental Management  
Office of Water Quality – Mail Code 65-42  
Compliance Data Section – Pretreatment Group  
100 N. Senate Avenue  
Indianapolis, Indiana 46204-2251

The following correspondence shall be sent to the Pretreatment Group:

- a. Organic Pollutant Monitoring Reports
- b. Significant Industrial User (SIU) Quarterly Noncompliance Reports
- c. Pretreatment Program Annual Reports
- d. Sewer Use Ordinances
- e. Enforcement Response Plans (ERP)
- f. Sludge analytical results

**Briefing Memo**  
September 15, 2016

Rockcreek Mobile Home Park Wastewater Treatment Plant  
located at 0.125 miles west of State Road 7 on County Road 950 North  
near Elizabethtown, Indiana, Jennings County

<u>Outfall Location</u>	Latitude:	39° 07' 20" N
	Longitude:	85° 46' 00" W

NPDES Permit No. IN0059625

**Background**

This is the proposed renewal of the NPDES permit for the Rockcreek Mobile Home Park Wastewater Treatment Plant which was issued on December 28, 2011 and has an expiration date of March 31, 2017. The permittee submitted an application for renewal which was received on September 13, 2016. The permittee currently operates a Class 1, 0.0044 MGD extended aeration treatment facility consisting of flow equalization, an aeration tank with coarse bubble aeration, secondary clarifiers, effluent chlorination/dechlorination facilities, and an effluent flow meter. Sludge will be hauled off-site.

**Collection System**

The collection system is comprised of 100% separate sanitary sewers by design with no overflow or bypass points.

**Spill Reporting Requirements**

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

It should be noted that the reporting requirements of 327 IAC 2-6.1 do not apply to those discharges or exceedences 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 exceedence 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.

## **Solids Disposal**

The permittee is required to dispose of its sludge in accordance with 329 IAC 10, 327 IAC 6.1, or 40 CFR Part 503.

## **Receiving Stream**

The facility discharges to Rock Creek via Outfall 001. The receiving water has a seven day, ten year low flow ( $Q_{7,10}$ ) of 0 cubic feet per second at the outfall location.

The receiving stream is designated for full body contact recreational use and shall be capable of supporting a well-balanced warm water aquatic community in accordance with 327 IAC 2-1.

## **Industrial Contributions**

There is no industrial flow to the wastewater treatment plant. This NPDES permit does not authorize the facility to accept industrial contributions until the permittee has provided the Indiana Department of Environmental Management with a characterization of the waste, including volume amounts, and this Office has determined whether effluent limitations are needed to ensure the State water quality standards are met in the receiving stream.

## **Antidegradation**

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.

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. 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 utilizes the antidegradation implementation procedures in 327 IAC 2-1.3-5 and 2-1.3-6.

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 NPDES permit does not propose to establish a new or increased loading of a regulated pollutant; therefore, the Antidegradation Implementation Procedures in 327 IAC 2-1.3-5 and 2-1.3-6 do not apply to the permitted discharge.

### **Effluent Limitations and Rationale**

The effluent limitations proposed herein are based on Indiana Water Quality Standards, NPDES regulations, and the Small Sanitary Discharger Rule in 327 IAC 5-10-5. These limits are in accordance with antibacksliding regulations specified in 327 IAC 5-2-10(a)(11)(A). Monitoring frequencies are based upon facility size and type.

The final effluent limitations to be limited and/or monitored include: Flow, Carbonaceous Biochemical Oxygen Demand (CBOD<sub>5</sub>), Total Suspended Solids (TSS), Ammonia-nitrogen (NH<sub>3</sub>-N), pH, Dissolved Oxygen (DO), Total Residual Chlorine (TRC), and *Escherichia coli* (*E. coli*).

### **Final Effluent Limitations**

The summer monitoring period runs from May 1 through November 30 of each year and the winter monitoring period runs from December 1 through April 30 of each year. The disinfection season runs from April 1 through October 31 of each year.

The mass limits for CBOD<sub>5</sub>, TSS, and ammonia-nitrogen are calculated by multiplying the average design flow (in MGD) by the corresponding concentration value and by 8.345.

### **Influent Monitoring**

The raw influent and the wastewater from intermediate unit treatment processes, as well as the final effluent shall be sampled and analyzed for the pollutants and operational parameters specified by the applicable Monthly Report of Operation Form, as appropriate, in accordance with 327 IAC 5-2-13 and Part I.B.2 of the permit. Except where the permit specifically states otherwise, the sample frequency for the raw influent and intermediate unit treatment process shall be at a minimum the same frequency as that for the final effluent. The measurement frequencies specified in each of the tables in Part I.A. are the minimum frequencies required by the permit.

### **Flow**

Flow is to be measured five (5) times weekly as a 24-hour total. Reporting of flow is required by 327 IAC 5-2-13.

### CBOD<sub>5</sub>

CBOD<sub>5</sub> is limited to 15 mg/l (0.6 lbs/day) as a monthly average and 23 mg/l (0.8 lbs/day) as a weekly average during the summer monitoring period. During the winter monitoring period, CBOD<sub>5</sub> is limited to 25 mg/l (0.9 lbs/day) as a monthly average and 40 mg/l (1.5 lbs/day) as a weekly average. The permit requires a monthly average percent removal of not less than 85%. The percent removal is to be calculated from a comparison of raw influent to final effluent sampling results and is to be reported as a monthly average.

Monitoring is to be conducted weekly by grab sampling. The CBOD<sub>5</sub> concentration limitations included in this permit are set in accordance with the Small Sanitary Discharger Rule specified in 327 IAC 5-10-5 and are the same as the concentration limitations found in the facility's previous permit. The 85% removal requirement is included in accordance with 40 CFR 133.102 and is a new requirement for this facility.

### TSS

TSS is limited to 18 mg/l (0.7 lbs/day) as a monthly average and 27 mg/l (1.0 lbs/day) as a weekly average during the summer monitoring period. During the winter monitoring period, TSS is limited to 30 mg/l (1.1 lbs/day) as a monthly average and 45 mg/l (1.7 lbs/day) as a weekly average. The permit requires a monthly average percent removal of not less than 85%. The percent removal is to be calculated from a comparison of raw influent to final effluent sampling results and is to be reported as a monthly average.

Monitoring is to be conducted weekly by grab sampling. The TSS concentration limitations included in this permit are set in accordance with the Small Sanitary Discharger Rule specified in 327 IAC 5-10-5 and are the same as the concentration limitations found in the facility's previous permit. The 85% removal requirement is included in accordance with 40 CFR 133.102 and is a new requirement for this facility.

### Ammonia-nitrogen

Ammonia-nitrogen is limited to 1.1 mg/l (0.04 lbs/day) as a monthly average and 1.6 mg/l (0.06 lbs/day) as a weekly average during the summer monitoring period. During the winter monitoring period, ammonia-nitrogen is limited to 1.6 mg/l (0.06 lbs/day) as a monthly average and 2.4 mg/l (0.09 lbs/day) as a weekly average.

Monitoring is to be conducted weekly by grab sampling. The ammonia-nitrogen concentration limitations included in this permit are set in accordance with the Small Sanitary Discharger Rule specified in 327 IAC 5-10-5 and are the same as the concentration limitations found in the facility's previous permit.

## pH

The pH limitations have been based on 40 CFR 133.102 which is cross-referenced in 327 IAC 5-5-3.

To ensure conditions necessary for the maintenance of a well-balanced aquatic community, the pH of the final effluent must be between 6.0 and 9.0 standard units in accordance with provisions in 327 IAC 2-1-6(b)(2).

pH must be measured two (2) times weekly by grab sampling. These pH limitations are the same as the limitations found in the facility's previous permit.

## Dissolved Oxygen

Dissolved oxygen shall not fall below 6.0 mg/l as a daily minimum average during the summer monitoring period. During the winter monitoring period, dissolved oxygen shall not fall below 5.0 mg/l as a daily minimum average.

These dissolved oxygen limitations are based on the Small Sanitary Discharger Rule specified in 327 IAC 5-10-5 and are the same as the concentration limitations found in the facility's previous permit. Dissolved oxygen measurements must be based on the average of two (2) grab samples taken within a 24-hr. period. This monitoring is to be conducted two (2) times weekly.

## Total Residual Chlorine

Disinfection of the effluent is required from April 1 through October 31, annually.

The chlorine residual shall be maintained at a concentration not less than 0.5 mg/l as measured at the effluent end of the chlorine contact tank for the term of the permit. The daily maximum chlorine residual value at the chlorine contact tank shall also be reported.

Effluent dechlorination will be required in order to protect aquatic life. In accordance with Indiana Water Quality Standards, the final effluent limits (end-of-pipe) for TRC are 0.01 mg/l monthly average and 0.02 mg/l daily maximum. Compliance will be demonstrated if the observed effluent concentrations are less than the limit of quantitation (0.06 mg/l). Disinfection requirements are established in 327 IAC 5-10-6. This monitoring is to be conducted two (2) times weekly by grab sampling.

## *E. coli*

The *E. coli* limitations and monitoring requirements apply from April 1 through October 31, annually. *E. coli* is limited to 125 count/100 ml as a monthly average, and 235 count/100 ml as a daily maximum. The monthly average *E. coli* value shall be calculated as a geometric mean. This monitoring is to be conducted weekly by grab sampling. These *E. coli* limitations are set in accordance with regulations specified in 327 IAC 5-10-6.

### **Backsliding**

None of the concentration limits included in this permit conflict with antibacksliding regulations found in 327 IAC 5-2-10(a)(11)(A), therefore, backsliding is not an issue.

### **Reopening Clauses**

Four (4) reopening clauses were incorporated into the permit in Part I.C. One clause is to incorporate effluent limits from any further wasteload allocations performed; a second clause is to allow for changes in the sludge disposal standards; a third clause is to incorporate any applicable effluent limitation or standard issued or approved under section 301(b)(2)(C), (D) and (E), 304(b)(2), and 307(a)(2) of the Clean Water Act; and a fourth clause is include a case-specific Method Detection Level (MDL).

### **Compliance Status**

The permittee entered into an Agreed Order (Order No. 2012-20905-W) with this Office in 2012. The Agreed Order cites the permittee for effluent violations, lack of backup power, and contained an order for the installation of an alarm system related to the backup power, and a demonstration of effluent limit compliance. The case was closed on February 4, 2013.

### **Expiration Date**

A five-year NPDES permit is proposed.

Drafted by: Lynn Riddle  
September 15, 2016

STATE OF INDIANA  
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

PUBLIC NOTICE NO: 2016 – 12B – F  
DATE OF NOTICE: DECEMBER 16, 2016

The Office of Water Quality issues the following NPDES FINAL PERMIT.

**MINOR - RENEWAL**

**ROCKCREEK MHP WWTP**, Permit No. IN0059625, JENNINGS COUNTY, 9501 N Private Rd 825 W, Elizabethtown, IN. This semi-public facility discharges 0.0044 million gallons daily of sanitary wastewater into Rock Creek. Permit Manager: Lynn Riddle, 317/232-8619, [griddle@idem.in.gov](mailto:griddle@idem.in.gov).

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**Notice of Right to Administrative Review [Permits]**

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

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

Director  
Office of Environmental Adjudication  
Indiana Government Center North  
Room 501  
100 North Senate Avenue  
Indianapolis, Indiana 46204

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

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, OEA will provide all parties with Notice of any pre-hearing conferences, preliminary hearings, hearings, stays, or orders disposing of the review of this action. If you are entitled to Notice under IC 4-21.5-3-5(b) and would like to obtain notices of any pre-hearing conferences, preliminary hearings, hearings, stays, or orders disposing of the review of this action without intervening in the proceeding you must submit a written request to OEA at the address above.

If you have procedural or scheduling questions regarding your Petition for Administrative Review you may contact the Office of Environmental Adjudication at (317) 232-8591 or see OEA's website at <http://www.in.gov/oea>.



**NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM  
SEMI PUBLIC AND MINOR MUNICIPAL PERMIT APPLICATION**

State Form 54924 (R / 3-15)  
Approved by State Board of Accounts, 2012  
INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
OFFICE OF WATER QUALITY

**NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM  
SEMI PUBLIC AND MINOR MUNICIPAL  
PERMIT APPLICATION PACKAGE**

This is an application for a National Pollutant Discharge Elimination System (NPDES) permit to discharge treated sanitary wastewater from a semi-public, minor municipal, State, or Federally owned wastewater treatment facility. Facilities with design flows of one (1) million gallons per day (MGD), or greater, are considered major facilities and must complete a Major Municipal Discharger Application.

Included in this package is a checklist noting all items to be submitted with the application. Please ensure that all items appearing on the checklist are accurately completed and submitted to avoid delays and/or denial of the application. Also included in this application package is an application form, a potentially affected persons form, instructions for completion of these forms, and information regarding the fifty dollar (\$50) application fee. For assistance in completing this application, call 317/ 232-8760.

The following information **must** be included as part of the NPDES permit application:

- Completed, signed Application Form
- Fifty dollar (\$50) Permit Application Fee
- Potentially Affected Persons List
- Topographic map showing plant and outfall(s) location(s)
- Additional facility diagrams, Combined Sewer Overflow (CSO) listings, etc. necessary to adequately describe facility

**Return Completed Application, Fee and Associated Materials to:**

Indiana Department of Environmental Management  
Office of Water Quality – Mail Code 65-42  
Municipal NPDES Permits Section  
100 North Senate Avenue  
Indianapolis, Indiana 46204-2251

OFFICE OF  
WATER QUALITY

2016 SEP 12 P 2: 42

I. NAME OF FACILITY ROCKCREEK MHP  
II. CURRENT NPDES PERMIT NUMBER IN0059625 (New applicants will be assigned a number later.)

III. MAILING ADDRESS  
Address: PO BOX 1100  
City: COLUMBUS State: IN ZIP: 47202

IV. OWNER OR LEGALLY RESPONSIBLE PARTY (TOWN BOARD/COUNCIL PRESIDENT, MAYOR, SUPERINTENDENT)  
Name: ANNE OGLE Title: PRESIDENT  
Address: PO BOX 1100  
City: COLUMBUS State: IN ZIP: 47202  
E-mail address: tenacorp@cs.com Telephone number: (812) 372-7266

V. WASTEWATER TREATMENT PLANT CERTIFIED OPERATOR  
Name: TODD COLSON Certification number: WW620034  
Classification: CLASS 1  
Address: PO BOX 1100  
City: COLUMBUS State: IN ZIP: 47202  
E-mail address: tenacorp@cs.com Work telephone number: (812) 372-7266

VI. RESIDENT MANAGER OR PERSON IN CHARGE ON SITE  
Name: NADIA OGLE  
Address: PO BOX 1100  
City: COLUMBUS State: IN ZIP: 47202  
E-mail address: tenacorp@cs.com Telephone number: (812) 372-7266

VII. CONSULTANT / ENGINEER: (IF APPLICABLE)  
Name: \_\_\_\_\_ Company: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP: \_\_\_\_\_  
E-mail address: \_\_\_\_\_ Telephone number: ( ) -

## NPDES SEMI PUBLIC AND MINOR MUNICIPAL INSTRUCTION SHEET

These instructions are provided to clarify the requirements of the NPDES Semi Public and Minor Municipal Permit Application. Each numbered statement corresponds to the numbered items in the application.

1. Check the appropriate box to indicate the type of ownership:

Semi-Public: any facility not municipally, state, or federally owned (i.e., mobile home parks, schools, restaurants, etc.)

Minor Municipal: any municipally owned facility with a design flow of less than 1 million gallons per day (MGD) (towns, cities)

State Owned: a facility owned by a state agency (state parks, state prisons, etc.)

Federally Owned: a facility owned by a federal agency (military installation, national park, federal penitentiary, etc.)

2. Type of permit requested:

New: the facility has never operated under an NPDES permit

Renewal: the facility is currently operating under a current or expired NPDES permit

Modification: the facility is operating under an NPDES permit but has made or is making significant changes (i.e., treatment process, or amount of flow)

3. Fill in issuance and expiration dates for current or expired NPDES permits.
4. List the actual physical location of the plant so that a person who has never been there can pinpoint it on a map. The description should include street names and addresses, county road numbers, and/or U.S. Geological Survey quadrangle name, section, township and range when applicable.
5. Insert the appropriate volumes in million gallons per day (MGD).

The Average Design Flow is defined as the volume of flow which the facility is designed to treat.

The Average Flow is defined as the average monthly volume of flow through the facility. This number is obtained by averaging the reported flows from the last twelve (12) months of operation.

The Maximum Flow is defined as the maximum amount of flow that the facility is designed to treat.

6. Check the appropriate type of sewer system. If the system is combined storm and sanitary sewers, then also include the percentage of the sewer system that is combined.
7. A Bypass Point is defined as any point in the system where wastewater can be intentionally diverted to avoid treatment at the facility. Check the appropriate box to indicate whether such points exist. Also, list the corresponding 3-digit ID number of each bypass, a detailed location description, and the receiving stream. If more than three (3) bypass points exist, attach a supplemental sheet to this application.
8. An Overflow Point is defined as any point in the collection system where wastewater can be unintentionally discharged from the collection system. Check the appropriate box to indicate whether such points exist. Also, list the corresponding 3-digit ID number of each overflow, a detailed location description, and the receiving stream. If more than three (3) overflow points exist, attach a supplemental sheet to this application.
9. Enter the number of existing plant outfalls other than bypass or overflow points. List all outfalls by their 3-digit ID numbers and provide a detailed description of their location (preferably using longitude and latitude) and their respective receiving streams. Mark each point on a topographic map.

10. Check whether the facility discharges within two (2) miles upstream of any lake, reservoir, or sinkhole. If it does, provide the name of the lake, reservoir, or state that it enters a sinkhole. The distance is to be calculated from the actual outfall point to the receiving stream's entry point to any lake, reservoir, or sinkhole.
11. Check whether the facility discharges within forty (40) miles upstream of any lake, reservoir, or sinkhole. If it does, provide the name of the lake, reservoir, or state that it enters a sinkhole. The distance is to be calculated from the actual outfall point to the receiving stream's entry point to any lake, reservoir, or sinkhole.
12. Enter the distance from this facility to the nearest publicly-owned treatment works measured as a straight line from facility to facility. Also, identify the name of the treatment facility.
13. List the name of the stream receiving the facility's discharge. If the receiving stream is an unnamed ditch, swale, or field tile, then also list the first named water body that the receiving stream flows into (i.e., an unnamed ditch to Blue River).
14. Identify any industries which contribute industrial process wastewater to the collection system. Also, estimate the percentage of total volume of influent that industrial wastewaters comprise and check all the contaminants that have the potential to be present in the industrial wastewaters.
15. If the facility is a municipal treatment facility with significant industrial flow, or is a new facility, enter the population served as well as the population equivalent. The population equivalent is defined by 327 IAC 5-22-3(9) as the calculated population which would contribute a particular amount of biochemical oxygen demand (BOD) per day, using the base of seventeen-hundredths (0.17) pounds of five (5) day BOD per capita per day.
16. If the facility is a semi-public treatment facility, enter the number of customers served.
17. Check the box that describes the level of treatment provided by the treatment facility. Note that any treatment facility designed to remove ammonia is considered to provide advanced treatment.
18. Indicate whether the facility operates as a controlled or continuous discharger. A controlled discharge is defined by 327 IAC 5-1-2-(8) as a discharge of wastewater from a wastewater treatment plant which is designed and operated to control the volume of discharge, either by manual adjustment or by an automated control mechanism, such that the discharge rate does not exceed a prescribed fraction of the stream flow rate at any given time.
19. Check all treatment processes currently in operation at the facility.
20. Check the type of disinfection utilized by the facility, as well as the application method used (i.e., Chlorine tablets, Chlorine gas, etc.). Do the same for the dechlorination question. If the facility utilizes ultra-violet (UV) light disinfection, also indicate whether a UV light intensity meter is installed. If another method of disinfection is utilized, or none at all, please explain.
21. Check the type of sludge handling method(s) utilized. If another method is used, explain.
22. Check the method of sludge disposal utilized. For land application of solid or liquid wastes, include the land application permit number as well. If another method of disposal is utilized, please explain.
23. List any recent, on-going, or proposed construction or change in treatment processes. Describe the construction or changes in detail, including the IDEM construction permit number and month of issuance. Add additional sheets, if necessary.
24. Describe the facility in detail including all equipment, processes and layout. Include a flow diagram, and a copy of a topographic map marking the location of the facility, all combined sewer overflow (CSO) and bypass points, and all plant outfalls.

**NPDES SEMI PUBLIC AND MINOR MUNICIPAL  
PERMIT APPLICATION**

NAME OF FACILITY: ROCKCREEK MHP

NPDES PERMIT NUMBER: IN00 59625

1. Facility Type:  
 Semi-Public       Minor Municipal       State Owned       Federally Owned

2. Type of Permit Action Requested:  
 New       Renewal       Modification

3. If Facility has an Existing Permit:  
Date of Issuance (month/day/year): 4 / 1 / 2012      Date of Expiration (month/day/year): 3 / 31 / 2017

4. **Facility Location:** List the actual physical location of the plant so that a person who has never been there can pinpoint it on a map. The description should include street names and addresses, county road numbers, and/or U.S. Geological Survey quadrangle name, section, township and range when applicable.

Address: 9501 N. PRIVATE RD. 825 W.

City: ELIZABETHTOWN      State: IN      ZIP: 47232      County: JENNINGS

LOCATED .125 MILES WEST OF STATE RD. 7 ON COUNTY RD. 950 NORTH  
NEAR ELIZABETHTOWN, INDIANA, JENNINGS COUNTY.

5. **Facility Capacity:** Please answer the following questions in million gallons per day (MGD):  
Average Design Flow 0.0044      Average Flow \_\_\_\_\_      Maximum Flow \_\_\_\_\_

6. **Collection System:** (check one of the following)  
 100 % Sanitary Sewers       Combined Storm and Sanitary Sewers  
If combined, what percentage of collection system is combined? \_\_\_\_\_%

7. Does the treatment system contain any bypass points?       Yes       No

If Yes, provide the bypass ID number(s) and corresponding location(s). (Attach additional sheets, if necessary.)

ID number: \_\_\_\_\_      Location: \_\_\_\_\_  
Receiving Stream: \_\_\_\_\_

ID number: \_\_\_\_\_      Location: \_\_\_\_\_  
Receiving Stream: \_\_\_\_\_

ID number: \_\_\_\_\_      Location: \_\_\_\_\_  
Receiving Stream: \_\_\_\_\_

8. Does the treatment system contain any overflow points?  Yes  No

If Yes, provide the bypass ID number(s) and corresponding location(s). (Attach additional sheets, if necessary.)

ID number: \_\_\_\_\_ Location: \_\_\_\_\_  
Latitude/Longitude: \_\_\_\_\_  
Receiving Stream: \_\_\_\_\_  
ID number: \_\_\_\_\_ Location: \_\_\_\_\_  
Latitude/Longitude: \_\_\_\_\_  
Receiving Stream: \_\_\_\_\_

**9. Facility Outfalls:**

Number of separate plant outfalls (other than bypass or overflow points): 1

List all separate plant outfalls below: (Attach additional sheets, if necessary.)

ID number: 001 Location: \_\_\_\_\_  
Latitude/Longitude: 39° 07' 20" N 85° 46' 00" W  
Receiving Stream: ROCK CREEK  
ID number: \_\_\_\_\_ Location: \_\_\_\_\_  
Latitude/Longitude: \_\_\_\_\_  
Receiving Stream: \_\_\_\_\_

10. Does the facility discharge within two (2) miles upstream of a lake, reservoir, or sinkhole?

Yes  No If Yes, name of lake, reservoir, or sinkhole \_\_\_\_\_

11. Does the facility discharge within forty (40) miles upstream of a lake or reservoir?

Yes  No If Yes, name of lake, reservoir, or sinkhole \_\_\_\_\_

12. What is the distance from this facility to the nearest publicly-owned treatment works? \_\_\_\_\_ Miles  
What is the name of this facility? \_\_\_\_\_

**13. Receiving Stream:**

Name of receiving stream: (If the immediate receiving stream is an unnamed ditch, swale, or field tile, so specify, but also give the name of the stream to which it is tributary.) ROCK CREEK

**14. Waste Contributors:**

Both Municipal and Non-Municipal:

List any industrial process water contributors: \_\_\_\_\_

Percentage of flow due to industry: \_\_\_\_\_ %

Does the discharge contain or have the potential to contain the following? (Check all that apply.)

Al  Cd  Cr  Cu  Pb  Hg  Zn  CN  Ni  Phenols

Others: \_\_\_\_\_

**15. Municipal:**

Population Served: \_\_\_\_\_ Population Equivalent: \_\_\_\_\_

NPDES PERMIT NUMBER: IN00 59625

**16. Semi-Public:** (Enter the number of customers currently served by the facility.)

Number of students: K thru 6 \_\_\_\_\_ Higher grades: \_\_\_\_\_  
Number of mobile home units: 3 Number of campground lots, or motel units: \_\_\_\_\_  
Beds: (If facility serves as a nursing home, hospital, etc.) \_\_\_\_\_  
Commercial Establishments: \_\_\_\_\_

**17. Treatment Description:**

Type of Treatment:

Primary       Secondary       Advanced

**18. Is your facility designed to operate as a controlled discharger?**  Yes  No

**19. Treatment Processes:** (Check all that apply.)

<input type="checkbox"/> Regular Activated Sludge	<input type="checkbox"/> Rotating Biological Contactors	<input type="checkbox"/> Anaerobic Digestion
<input type="checkbox"/> Two Day Lagoon	<input checked="" type="checkbox"/> Extended Aeration	<input type="checkbox"/> Aerobic Digestion
<input type="checkbox"/> Phosphorus Removal	<input type="checkbox"/> Oxidation Ditch	<input type="checkbox"/> Nitrification
<input type="checkbox"/> Rapid Sand Filter	<input type="checkbox"/> Sequential Batch Reactor	<input type="checkbox"/> Aerated Lagoons
<input type="checkbox"/> Microstrainer	<input type="checkbox"/> Post Aeration	<input type="checkbox"/> Trickling Filter
<input type="checkbox"/> Waste Stabilization Lagoon	<input checked="" type="checkbox"/> Flow Equalization	<input checked="" type="checkbox"/> Flow Meter
<input type="checkbox"/> Septic Tank	<input type="checkbox"/> Constructed Wetland	

If other processes are used, please check and explain as part of the facility description in item 24.

**20. Disinfection:**

Chlorination Type/Method: CHLORINE CONTACT TANK

Dechlorination Type/Method: DECHLORINATION CONTACT TANK

Ultra-violet Light If ultra-violet light is used, is a UV light intensity meter installed?  Yes  No

Other Method: (Please explain.) \_\_\_\_\_

**21. Sludge Handling/Disposal:**

**Handling:** (Check all that apply.)

Sludge Thickener     Sludge Drying Beds     Belt Dryer     Sludge Lagoons     Composting

Other types of Dewatering: (Please explain.) SLUDGE IS HAULED OFF-SITE

**22. Disposal:** (Check all that apply.)

Land Application Liquid Permit Number \_\_\_\_\_  Land Application Dried Permit Number \_\_\_\_\_

Landfill     Incineration     Stockpile     Hauling (hauler name) MOZINGO SANITATION

Other: \_\_\_\_\_

**23. Facility Construction/Modification:**

Is the facility proposing any new construction or facility modification at this time?

Yes       No

*If Yes, describe in detail the nature of the construction including proposed time tables, IDEM Construction Permit Approval Number, and date of construction approval:*

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**24. Facility Description:**

Provide a narrative description of the wastewater treatment facility detailing equipment and plant layout. Providing a separate, detailed flow diagram or design summary is also recommended.

0.0044 MGD EXTENDED AERATION TREATMENT FACILITY CONSISTING OF FLOW  
EQUALIZATION, AN AERATION TANK WITH COARSE BUBBLE AERATION, SECONDARY  
CLARIFIERS, EFFLUENT CHLORINATION/DECHLORINATION FACILITIES, AND AN  
EFFLUENT FLOW METER.

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**Signature Block:**

This application **must** be signed by a person in responsible charge (such as the owner, partner, a corporate officer, school board president, school superintendent, etc.) to be valid. This signature, attests to the following:

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe the information to be true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

NADIA OGUE

(Printed Name of Person Signing)

9/8/16

(Date of Application) (month/day/year)

VICE PRESIDENT OF OPERATIONS

(Title)

*Nadia Ogue*

(Signature of Applicant)

**Return Completed Application, Fee and Associated Materials to:**

Indiana Department of Environmental Management  
Office of Water Quality – Mail Code 65-42  
Municipal NPDES Permits Section  
100 North Senate Avenue  
Indianapolis, Indiana 46204-2251

## FEE INFORMATION FOR NPDES PERMIT APPLICATIONS

The following revised fees were established, pursuant to IC 13-18-20-12 to defray the costs of processing the permit applications for the NPDES permit program from **all** NPDES permit applicants:

- (1) When an application is filed with the Indiana Department of Environmental Management (IDEM), concerning a NPDES Permit action a fifty dollar (\$50) application fee must be remitted. A permit action includes an application for an initial permit, the renewal of a permit, the modification of a permit, or a variance of a permit or permit limitation. If the application fee is not remitted the IDEM shall deny the permit application.
- (2) The permittee will remit the fee at the time the application, or a request for modification is filed with the IDEM. No fee will be assessed for permit modifications initiated by the IDEM.
- (3) For construction activity subject to 327 IAC 15-5, a fee of one hundred dollars (\$100) shall be submitted with a Notice of Intent (NOI) letter.
- (4) **The fees specified above will be payable to the Indiana Department of Environmental Management.** Any fee submitted will not be refundable once substantive processing of the permit application has commenced.

Additionally the issuance of (or existence of) a NPDES Permit will require the permittee to pay an annual fee for which billing will be made by the IDEM, all in accordance with IC 13-18-20. If there are any questions pertaining to the annual fee schedule contained in the regulation, they should be directed to the Operations Section of the Office of Water Quality at 317/232-8472.

Please send the completed forms and appropriate fee together with a cover letter to the **Indiana Department of Environmental Management, Office of Water Quality – Mail Code 65-42, Municipal NPDES Permits Section, 100 North Senate Avenue, Indianapolis, Indiana 46204-2251.**

OWQ Form: Affected

TO: Applicant

FROM: Indiana Department of Environmental Management  
Office of Water Quality  
Municipal NPDES Permits Section

SUBJECT: Identification of Potentially Affected Persons

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

- (a) each person to whom the decision is specifically directed;
- (b) each person to whom a law requires notice be given;
- (c) 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;
- (d) each person who has provided the IDEM with a written request for notification of the decision;
- (e) each person who has a substantial and direct proprietary interest in the issuance the (permit) (variance);
- (f) each person whose absence as a party in the proceeding concerning the (permit) (variance) decision would deny another party complete relief in the proceeding or who claims an interest related to the issuance of the (permit) (variance) and is so situated that the disposition of the matter, in the person's absence may:

- (1) as a practical matter impair or impede the person's ability to protect that interest, or
- (2) leave any other person who is a party to a proceeding concerning the permit subject to a substantial risk of incurring multiple or otherwise inconsistent obligations by reason of the person's claim interest.

IC 4-21.5-3-5(f) provides that IDEM 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 county executive of a county affected by the permit application.
- (b) The executive of a city that is affected by the permit application.
- (c) The executive of a town council of a town affected by the permit application.

Please provide on the following form the names of those persons affected by these statutes, and include mailing labels with your application. 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

## IDENTIFICATION OF POTENTIALLY AFFECTED PERSONS

Please list here any and 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 Administrative Orders and Procedures Act (AOPA) and to avoid reversal of a decision, please list all such parties. The letter attached to this form will further explain the requirements under the AOPA. Attach additional names and addresses on a separate sheet of paper, as needed. Please indicate below the type of action you are requesting.

Name WILLIAM HENRY & ROSIE BARNES  
 Street 8395 W. CO. RD. 950 N.  
 City, State, and ZIP ELIZABETHTOWN, IN 47232

Name \_\_\_\_\_  
 Street \_\_\_\_\_  
 City, State, and ZIP \_\_\_\_\_

Name JACK & FRANCES SANDLIN  
 Street 8380 W. CR 950 N.  
 City, State, and ZIP ELIZABETHTOWN, IN 47232

Name \_\_\_\_\_  
 Street \_\_\_\_\_  
 City, State, and ZIP \_\_\_\_\_

Name MICHAEL & BETH BARNES  
 Street 8215 W. CR 950 N.  
 City, State, and ZIP ELIZABETHTOWN, IN 47232

Name \_\_\_\_\_  
 Street \_\_\_\_\_  
 City, State, and ZIP \_\_\_\_\_

Name JENNINGS CO BOARD OF HEALTH  
 Street 200 E. BROWN ST.  
 City, State, and ZIP VERNON, IN 47282

Name \_\_\_\_\_  
 Street \_\_\_\_\_  
 City, State, and ZIP \_\_\_\_\_

Please complete this form by signing the following statement:

I certify that to the best of my knowledge I have listed all potentially affected parties, as defined by IC 4-21.5.

Signature <u>Nadia Ogle</u>	Date (month/day/year) <u>9 / 15 / 16</u>
Printed Name <u>NADIA OGLE</u>	
Name of Facility <u>ROCKCREEK MOBILE HOME PARK</u>	
Address <u>9501 N. PRIVATE RD 825 W.</u>	
<u>ELIZABETHTOWN, IN 47232</u>	

**Type of Action:** (check one)

- NPDES Permit-327 IAC 5
- Land Application Permit-327 IAC 6.1
- Confined Feeding Approval-IC 13-18-10
- Sewer Ban Waiver Request-327 IAC 4
- Operator Certification-327 IAC 5-22
- Pretreatment Permit -327 IAC 5
- Construction Permit-327 IAC 3

**Return To:** (include NPDES permit number on check)

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
 Office of Water Quality – Mail Code 65-42  
 Municipal NPDES Permits Section  
 100 North Senate Avenue  
 Indianapolis, Indiana 46204-2251