



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

MAR 20 2018



Jerry Dittmer, Chief  
Office of Water Quality Permits Branch  
Indiana Department of Environmental Management  
100 North Senate Avenue, IGCN 1255  
Indianapolis, Indiana 46204 – 2251

Re: U.S. Environmental Protection Agency Review of the Pre-public Notice Draft NPDES General Permit No. ING410000 for Discharges of Treated Sanitary Wastewater from Onsite Residential Sewage Discharging Disposal Systems Located in Allen County, Indiana

Dear Mr. Dittmer:

The U.S. Environmental Protection Agency (EPA) has reviewed the Pre-public Notice Draft National Pollutant Discharge Elimination System (NPDES) General Permit, fact sheet, and supporting documents for the General Permit for Discharges of Treated Sanitary Wastewater from Onsite Residential Sewage Discharging Disposal Systems Located in Allen County, Indiana, Permit No. ING410000, received on February 16, 2018. Based on our review, EPA would not object to issuance of the general permit. Our position could change if any of the following occur:

- a. Prior to the date of issuance of the Public Notice (Draft General Permit) or Post-public Notice (Proposed General Permit), an effluent guideline or standard is promulgated which is applicable to the permits and which would require revision or modification of a limitation or condition set forth in the Public Notice Draft General Permit;
- b. A decision is made to grant or deny a variance applicable to the permittee and the Draft or Proposed General Permit is modified to incorporate the results of that decision;
- c. Additional revisions are incorporated into the Draft or Proposed General Permit which have not been agreed to by EPA; or
- d. EPA learns of new information, including as the result of public comments, which causes EPA to reconsider its position.

Subject to the above conditions, the general permit may be issued in accordance with the Memorandum of Agreement and pursuant to the Clean Water Act. Although we currently do not intend to object to the issuance of this permit, EPA requests that you consider and address the comments provided in Enclosure A, which would strengthen or clarify certain permit provisions.

When the Proposed General Permit is issued, please forward a copy and any significant comments received during any public notice period to [r5npdes@epa.gov](mailto:r5npdes@epa.gov). Please include the NPDES number, facility name, and the words "Proposed Permit" in the message title. If you have any technical questions related to EPA's review, please contact Jason Hewitt at (312) 353-3114 or at [Hewitt.Jason@epa.gov](mailto:Hewitt.Jason@epa.gov).

Thank you for your assistance during the review process.

Sincerely,

A handwritten signature in cursive script that reads "Jodie Opie".

Jodie Opie, Acting Section Chief  
NPDES Programs Branch

Enclosure A

cc: Catherine Hess, Indiana Department of Environmental Management, Electronically

# Enclosure A

U.S. Environmental Protection Agency  
Pre-public Notice NPDES General Permit ING410000

EPA recommends that Indiana Department of Environmental Management consider adding the following information regarding some of the important aspects of the General Permit that are either referred to or incorporated by reference within the General Permit to the General Permit Fact Sheet. Some of the information that is incorporated by reference, but not specifically addressed otherwise in the General Permit, is integral to the efficacy of the General Permit. Including this information will improve the quality of the permit by providing more of the requirements, and information about those requirements, up front in the fact sheet for concerned permittees and potential permittees.

- 1) IC 13-18-12-9 is incorporated into the General Permit by reference. This code includes, among other relevant information, the requirements that qualified professionals use a combination of soil characteristics, lot size, and topographical conditions to determine that a soil absorption system cannot be located on the property, and that the local health department has determined that repairing the current system or installing any alternatives to surface discharging systems are technologically not possible for the property. This requirement is integral to fulfilling the requirements of the Clean Water Act. Spelling these requirements out in the fact sheet, or including IC 13-18-12-9 within the fact sheet, would serve to improve the clarity and the goals of the General Permit.
- 2) Limitations on coverage within the General Permit include discharges to waters that are designated as an Outstanding National Resource Water (ONRW) and discharges where the discharge results in an increase in the ambient concentration of a pollutant which contributes to the impairment of the receiving stream for the pollutant as identified on the current 303(d) list for Indiana. Homeowners seeking coverage under this General Permit through the Allen County Onsite Wastewater Management District may not be adept at determining their eligibility under these requirements. Therefore, it may be beneficial to spell out the pollutants of concern within the fact sheet when addressing this limitation, and include links or directions to where concerned parties may look up the Indiana 303(d) list and ONRW list.