

## INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT (IDEM)

### Environmental Regulation Executive Summary - Water Permits

The following is intended to be a high-level guide for businesses seeking to navigate Indiana's environmental water permitting processes. The executive summary provides information on the most common permitting needs related to the Indiana Department of Environmental Management's (IDEM) Office of Water Quality. All forms that may be necessary when submitting a permit application may be found on the IDEM forms page, [here](#).

#### OFFICE OF WATER QUALITY

*Administered by the Indiana Department of Environmental Management*

One of the many responsibilities of IDEM is to protect the quality of Indiana's water. This is accomplished through IDEM's Office of Water Quality's (OWQ), whose mission is to monitor, protect, and improve Indiana's water quality to ensure its continued use as a drinking water source, habitat for wildlife, recreational resource and economic asset. Indiana's Water Quality Standards as mandated by the federal Clean Water Act are the measure used for these activities.

#### BASIC OVERVIEW

- ▶ Base Water Permit Fees: Range from no application fee or the lowest application fee of \$50 plus an additional annual operation fee up to \$2500 (excluding coal mines) and not counting any of the annual fees based on flow.
- ▶ NPDES Statutory Timeline Range: 180 days to 270 days, additional 90 days if project is deemed to significantly lower water quality
  - While the state cannot guarantee any permit approvals before the statutory deadlines, IDEM has no backlog on permits to approve and can, in many instances, work with the applicant to meet necessary deadlines.

#### MOST COMMON WATER PERMITS

##### 1. National Pollution Discharge Elimination Systems (NPDES)

**Description:** Authorized by Section 402 of the federal Clean Water Act. The purpose of the NPDES permit is to control the point source discharge of pollutants into the waters of the State of Indiana such that the quality of the water is maintained.

**Timeline:**

**Major Facility:** Statutory 270 days\*

**Minor Facility:** Statutory 180 days\*

*\*If significant lowering of water quality is triggered, an antidegradation demonstration is required and can add a minimum of 90 days to the permit timeframes noted above\**

**Application Fees and Operation Fees:** \$100 for a new/renewed permit (\$50 for a modification). There are additional base fees based on outfalls and additional fees based on flow.

##### 2. Construction Stormwater General Permit (CSGP)

**Description:** Performance-based NPDES general permit (GP) designed to reduce pollutants that are associated with construction and/or land-disturbing activities. If the land-disturbing activity results in the disturbance of less than one acre of total land area but is part of a larger common plan of development or sale, the project must obtain permit coverage under the CSGP.

**Timeline:** Associated notice of intent (NOI) may be submitted 28 days after the plan is submitted to the IDEM, and the NOI must be submitted at least 48 hours prior to any land disturbing activities beginning.

**Application Fees and Operation Fees:** \$175

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT (IDEM)**

## Environmental Regulation Executive Summary - Water Permits, cont.

**3. Industrial Stormwater Permit**

**Description:** Industrial storm water permits are required for facilities where activities of the industrial operation are exposed to storm water and run-off is discharged through a point source to waters of the state.

**Timeline:** For newly constructed industrial facilities, the NOI letter shall be submitted 90 days prior to start of industrial operations

**Application Fees and Operation Fees:** \$175, if claimed the no exposure exclusion it could be only \$50, so a range from \$50-\$175.

**4. Dredge and Fill Permits – Federal 401/404 and State Regulated Wetlands**

**401/404:** Any person or company planning to discharge fill materials to Indiana wetlands or other water bodies such as streams, rivers, and lakes by filling, excavating, open-trench cutting, or mechanical clearing, must receive Section 401 Water Quality Certification authorization from IDEM and must also apply for, and receive, a federal Section 404 Dredge and Fill Permit from the U.S. Army Corps of Engineers.

**Timeline:** On average, individual permit decisions are made within two to three months from receipt of a complete application. This does not include recommended pre-filing meeting 30 days prior to application submission for major projects.

**Application Fees and Operation Fees:** \$100

**State Regulated Wetlands:** Separate jurisdiction from those regulated by the federal government, and as such IDEM must be contacted to determine which, if any state authorization(s) is/are needed before an applicant may legally discharge pollutants (including fill materials) to wetland, streams, rivers, lakes, and other waters. Only applies to Class II and III wetlands.

**Timeline:** Within 90 days upon receipt of complete application

**Application Fees and Operation Fees:** n/a

**5. Industrial Wastewater Pretreatment Permit**

**Description:** Industrial wastewater pretreatment permit is designed to address distinct wastewater needs from a given industrial site. IDEM will consult with the site's designated wastewater treatment plant to determine if industrial wastewater pretreatment permitting is necessary.

**Timeline:** Statutory 180 days

**Application Fees and Operation Fees:**

If necessary, a construction permit for industrial wastewater pretreatment in non-delegated communities will include a one-time application fee ( $\leq 500,000$  gpd = \$1,250;  $> 500,000$  gpd = \$2,500).

- ▶ Construction permit issued within 90 days of complete application

**6. Drinking Water Permitting**

**Description:** In order to construct, install, or modify a facility, equipment, or device for a public water system, one must obtain a general construction permit from IDEM, which allows water lines to extend to areas of industrial parks and subdivisions.

**Timeline:** Notice of Intent must be submitted at least 30 days in advance of construction commencing.

**Application Fees and Operation Fees:** \$100 to \$2500. There are additional; annual operation fees based on population served.