

INDUSTRIAL STORMWATER

Rule 6

Rule 6 Stormwater

- Formally known as
- 327 IAC 16-6 Storm Water Discharges Exposed to Industrial Activity
- IDEM is in the process of changing from its current Permit-by-Rule, which is a general permit established by rules promulgated by the Indiana Department of Environmental Management to an Administratively Issued Permit
- This basically means that it becomes an actual permit (Master General Permit – EPA terminology) rather than just a Rule.

Rule 6

- With approximately 3200 facilities currently regulated under Rule 6 IDEM plans on establishing a General NPDES Permit rather than rely upon Individual Permits for most facilities.
 - Other than that change the requirements will basically remain unchanged
- Under the Clean Water Act (33 U.S.C. 1251 et seq.) one cannot discharge pollutants to Waters of the U.S. (WOTUS) from a point source unless you have an NPDES (National Pollutant Discharge Elimination System) permit.

Rule 6 Stormwater

- Rule 6 (Permit) allows the authorized discharge of stormwater and allowable non-stormwater to WOTUS from specifically listed facilities where industrial activities occur.
- There are 30 sectors of industrial activity covered by this Permit. All based upon SIC codes (Standard Industry Classification codes).
 - Only 4 of these actually apply to agriculture

Application to Agriculture

- SIC 2015: Poultry Slaughtering and Processing
- Industry Group 202
 - 2021 Creamery Butter
 - 2022 Natural, Processed and Immitation Cheese
 - 2023 Dry, Condensed and Evaporated Milk
 - 2024 Ice Cream and Frozen Desserts
 - 2026 Fluid Milk

Application to Agriculture Con't

- Industry Group 203
 - 2032 Canned Specialties
 - 2033 Canned Fruits, Vegetables, Preserves, Jams, Jellies
 - 2034 Dried and Dehydrated Fruits, Vegetables, and Soup Mixes
 - 2035 Pickled Fruits and Vegetables, Vegetable Sauces and Seasonings and Salad Dressings
 - 2037 Frozen Fruits, Fruit Juices, and Vegetables
 - 2038 Frozen Specialties not Elsewhere Classified

Application to Agriculture Con't

- SIC 2411: Logging
- Industry Group 242: Sawmills and Planing Mills
 - 2421 Sawmills and Planing Mills, General
 - 2426 Hardwood Dimension and Flooring Mills
 - 2429 Special Product Sawmills Not elsewhere Classified

Rule 6.1: Land Application of Biosolids, Industrial Waste Product or Pollutant-Bearing Water

- 327 IAC 6.1
- If applying any of these to land must have a permit.
- Does not include: Manure, Solid and Hazardous Waste, Sand, Gravel, cinders and Screenings from preliminary treatment of domestic sewage treatment works.

General Permit Conversion Process

- In response to U.S. EPA, IDEM is in the process of converting general permits promulgated rule to administratively issued master general permits
- Reason for change:
 - Potential conflicts with approval process for administrative rules
- The status of the three stormwater programs:
 - Construction Stormwater (Effective December 18, 2021)
 - Municipal Separate Storm Sewer Systems (MS4s) (Effective December 18, 2021)
 - Industrial Stormwater Run-off

General Permit Conversion Process

- Perspective on current stormwater rules:
 - Rules last updated in 2003
- Draft permits will be based on:
 - Experiences in implementing 327 IAC 15-6
 - U.S. EPA:
 - ◆ Industrial Multi-Sector General Permit

General Permit Conversion Process

- Overview of IDEM procedure to issue a permit:
 - 1) Draft the general permit
 - 2) Submit the draft general permit to U.S. EPA for review
 - 3) Assemble an advisory group
 - 4) Incorporate changes into the draft permit
 - 5) Submit a final draft to U.S. EPA for final review and concurrence (no objection letter)
 - 6) Hold informational meeting(s)
 - 7) Public notice the final permit