

**IC 13-18-19 Chapter 19. NPDES Permits**

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**IC 13-18-19-1 Application**

Sec. 1. When the department receives an application for an original National Pollutant Discharge Elimination System (NPDES) permit required for discharge into a stream, the department shall do the following:

- (1) Send a list in writing, on a monthly basis, of original applications received during the month to the county surveyor of the affected county, not later than thirty (30) days after receipt of the application.
- (2) Advise the applicant in writing that if the stream is a regulated drain under IC 36-9-27, the county drainage board must also review the application for approval under IC 36-9-27.

[Pre-1996 Recodification Citation: 13-7-10-2(f).]

*As added by P.L.1-1996, SEC.8.*

**IC 13-18-19-2 Issuance of NPDES permits**

Sec. 2. (a) The department may issue National Pollutant Discharge Elimination System (NPDES) permits containing conditions that include alternate water quality based effluent limits that:

- (1) are based on receiving water flows associated with, or characteristic of:
  - (A) wet weather events of various degrees of duration and intensity; or
  - (B) low flow stream conditions derived on a monthly, quarterly, or annual basis;
- (2) provide increased mass limitations, concentration limitations, or mass and concentration limitations, for publicly owned treatment works (POTW) that:
  - (A) are capable of treating wastewater flows that exceed the design flow used to calculate normal water quality based effluent limitations; and
  - (B) as a result of the increased limitations, can reduce the volume of discharge of wastewater from plant bypasses or combined sewer overflows; or
- (3) include any factor or combination of factors described in subdivisions (1) and (2).

(b) The department may require an applicant for an NPDES permit containing at least one (1) of the conditions described in subsection (a) to document, in a reasonable manner, stream conditions and local controls that are germane to a condition described in subsection (a) before the department issues the NPDES permit.

*As added by P.L.140-2000, SEC.22.*