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*N. Parker*



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
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CHICAGO, IL 60604-3590

APR 13 2016

REPLY TO THE ATTENTION OF:

Ms. Carol S. Comer  
Commissioner  
Indiana Department of Environmental Management  
100 North Senate Avenue  
Indianapolis, Indiana 46204

Dear Ms. Comer:

The U.S. Environmental Protection Agency is pleased to enclose the Final Joint Assessment Conditions Report for the Indiana Department of Environmental Management (IDEM) 2013-2015 Environmental Performance Partnership Agreement (PPA) and Performance Partnership Grant (PPG) BG 98543213. This report, which was submitted by IDEM and reviewed by EPA, describes the status of all activities and joint priorities for the term of the PPA related PPG.

The report shows the progress EPA and IDEM have made on our mutual environmental agenda. EPA looks forward to continuing to work with IDEM to provide communities throughout Indiana with a safer healthier environment.

If you have any questions, please contact me at (312) 886-0399 or your staff may contact Allen Melcer, of the Land and Chemicals Division at (312) 886-1498.

Sincerely,

A handwritten signature in blue ink that reads "Robert A. Kaplan".

Robert Kaplan  
Acting Regional Administrator

Enclosures

cc: Niles Parker, IDEM  
Jacob Schmicker, IDEM

# Indiana Department of Environmental Management Final Environmental Conditions Report

2013 - 2015

## ENPPA

Environmental Performance Partnership Agreement



Indiana Department of Environmental Management  
U.S. Environmental Protection Agency, Region 5

[www.idem.IN.gov](http://www.idem.IN.gov)

OCS-1001-OT • 02-13

## Authorizing Signatures

The Indiana Department of Environmental Management and the U.S. Environmental Protection Agency, Region 5 2013-2015 Ninth Environmental Performance Partnership Agreement Final Report is approved on the date of the last signature received.

For the State of Indiana:



Carol S. Comer, Commissioner  
Indiana Department of Environmental Management

3/16/2016  
Date

For the U.S. Environmental Protection Agency, Region 5:



Robert Kaplan, Acting Regional Administrator  
U.S. Environmental Protection Agency, Region 5

4/7/15  
Date

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**Environmental Performance Partnership Agreement  
between  
Indiana Department of Environmental Management  
and  
U.S. Environmental Protection Agency, Region 5  
July 1, 2013 – June 30, 2015**

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### **Purpose of the EnPPA**

The Indiana Department of Environmental Management (IDEM) and the U.S. Environmental Protection Agency, Region 5 (U.S. EPA R5) have entered into their ninth (9th) Environmental Performance Partnership Agreement (EnPPA). This biennial agreement identifies program specific priorities and program specific joint priorities and objectives between the two agencies. The purpose of this agreement includes:

1. Identifying joint priorities and specific program goals.
2. Outlining key strategies for each priority and goal.
3. Describing each agency's roles and responsibilities.
4. Setting the term of this agreement from July 1, 2013, to June 30, 2015.

The EnPPA is a product of the National Environmental Performance Partnership System (NEPPS), a joint initiative of U.S. EPA Headquarters (HQ) and the Environmental Council of States (ECOS). The objective of the NEPPS initiative is to strengthen protection of public health and the environment by directing limited resources toward a state's most pressing environmental issues. The EnPPA, formed under NEPPS, is designed to provide states and U.S. EPA HQ with flexibility in achieving environmental results and to enhance accountability in realizing environmental progress. The Performance Partnership Grant (PPG) is the federal grant used to fund many of the EnPPA activities.

### **Scope of the EnPPA**

The EnPPA primarily focuses on activities that are funded by PPG dollars. The scope of the EnPPA does not encompass the entire work load of each agency, but identifies priorities shared with U.S. EPA R5. The EnPPA is intended to complement IDEM's strategies and U.S. EPA R5's regional work plan. It is designed to be a concise, strategic document used to focus limited resources on specific outcomes. In addition to the activities described within the EnPPA, IDEM has more detailed work plans to address and complete the elements committed to within this agreement.

### **Grants Covered Under the EnPPA**

IDEM utilizes the EnPPA to serve as the work plan for activities to be funded through the PPG. IDEM also chooses to include non-PPG federal and state grant activities in the EnPPA. The PPG structure has successfully provided IDEM more flexibility in the use of federal financial resources to address environmental issues using a multifaceted approach, and has reduced the administrative burden of having numerous specific categorical grants tied to work plans. The PPG allows for the continuance of key resource investments that have already been determined to be priority activities. All personnel costs for the 2013-2015 PPG will be provided in detail by individual program function in the budget narrative portion of the 2013-2015 PPG grant application.

The following PPG federal grants fund activities are included in the EnPPA:

1. Air Section 105
2. Public Water Supervision
3. Surface Water Section 106
4. Ground Water Section 106
5. Resource Conservation Recovery Act
6. Polychlorinated Biphenyls

The following non-PPG activities, funded by non-PPG federal grants are included in the EnPPA:

1. Solid Waste Disposal Act of 1976
2. Counter Terrorism Safe Drinking Water Act
3. Biowatch – Homeland Security Act of 2002
4. Diesel Emissions Reduction Act

The following activities funded by state monies are included in the EnPPA:

1. Title V Operating Permits
2. Dedicated Asbestos Trust Fund
3. Water Quality Permits
4. Compliance Monitoring Strategy Funds
5. Permitting and Enforcement Grant
6. Outreach Operator Training
7. Total Maximum Daily Loads Fees

### **Fiscal Responsibility**

With the receipt of federal funds comes the responsibility to successfully track the achievements of the program and demonstrate results. To achieve the goals of transparent grants management, IDEM has incorporated standard operating procedures (SOPs), a grants management policy, and a grants data tracking system to direct the application, receipt, use, and closeout of all grants the agency receives. This approach provides for easy information sharing and interaction between the awarding agencies and IDEM.

### **Development and Elements of the EnPPA**

The development process includes the following:

- a) **Draft Objectives and Activities:** An initial list of EnPPA activities is drafted by IDEM staff discussing and listing the past, present and future goals of each program area.
- b) **Draft Joint Priority List:** The draft joint priority list is developed from the initial draft of objectives and activities, focusing on those priorities that are funded primarily by U.S. EPA R5 grants.
- c) **Draft EnPPA:** The draft joint priorities are confirmed by IDEM senior staff and compiled into a draft EnPPA that is then shared with U.S. EPA R5 and the rest of the agency.

- d) **Kickoff Meeting:** The draft EnPPA is presented to U.S. EPA R5 during a kickoff meeting held at the IDEM Northwest Regional Office, with special time dedicated to the discussion of joint priorities.
- e) **Program Work Group Discussion:** Program work groups from both agencies will meet jointly to discuss work plans, goals, and EnPPA priorities.
- f) **Final EnPPA:** The final EnPPA is a result of shared discussions and mutual agreement between the agencies.

The elements include the following:

1. **Accountability:** The EnPPA provides a framework for accountability by clearly identifying IDEM and U.S. EPA R5 actions, roles and program area contacts.
2. **Joint Assessment:** The EnPPA requires a joint assessment of the activity work plans. The joint assessment is comprised of two activities between IDEM and U.S. EPA R5: the Joint Assessment Process Meeting and the Joint Assessment Process Conditions (JAPC) Report. The meeting and report occur at the end of the first year of an EnPPA cycle and highlight successful program achievements, identify areas that need improvement and/or additional resources, and provide a mechanism for discussions and adjustments in specific program directions or approaches.
3. **Final Report:** The reporting elements of the EnPPA will be incorporated into a formal closure report, referred to in this agreement as the Final Environmental Conditions (FEC) Report.
4. **Flexibility:** The EnPPA is viewed as a “living document” that is flexible and can be modified, upon agreement, to reflect changes in IDEM and U.S. EPA R5 needs.

## **Roles of IDEM and U.S. EPA R5**

This agreement defines the roles that both IDEM and U.S. EPA R5 will undertake to meet the program commitments. IDEM and U.S. EPA R5 recognize the primary role of IDEM is administering federal environmental programs delegated to the state under federal law and carrying out state programs prescribed under state law. U.S. EPA R5’s role in assisting IDEM includes addressing multi-state or national issues directly, implementing programs not delegated to IDEM, and working on targeted sectors, watersheds, or airsheds in conjunction with IDEM. Several activities are common to both IDEM and U.S. EPA R5, such as permitting, compliance, enforcement, monitoring, and outreach.

## **Enforcement and Compliance Assurance**

Program specific compliance and enforcement activities accomplished during the term of this EnPPA are included in the detailed branch level priorities and the state program specific plans. The following tenets serve as the foundation for IDEM and U.S. EPA R5 relationships with respect to compliance and enforcement activities:

- Utilization of the most effective application of compliance tools to encourage regulated facilities to maintain and, where possible, exceed compliance with environmental laws (e.g., compliance assistance, compliance assurance, administrative/civil enforcement, and criminal prosecution).
- Utilization of joint preplanning to coordinate priorities, maximize agency resources, avoid duplication of efforts, eliminate “surprises”, and institutionalize communication.
- Management for internal and/or external environmental results.

In addition to providing guidance to IDEM, U.S. EPA R5 has a continuing role in environmental protection in the State of Indiana. U.S. EPA R5 carries out its responsibilities in a variety of ways, including:

- Acting as an environmental steward, ensuring that national standards for the protection of human health and the environment are implemented, monitored, and enforced consistently in all states.
- Assisting in conducting inspections and enforcement actions.
- Providing compliance and technical assistance to the state and its regulated entities.
- Providing science-based information to the state and its regulated entities.

Under this agreement, IDEM and U.S. EPA R5 retain their authorities and responsibilities to conduct enforcement and compliance assistance. Enforcement will be accomplished in the spirit of cooperation and trust. Specific federal enforcement and compliance assistance responsibilities include, but are not limited to, the following:

- Working on national priorities and regional priorities.
- Ensuring a level playing field and national consistency across state boundaries.
- Addressing interstate and international pollution (e.g., watersheds and ambient air).
- Addressing criminal violations.
- Conducting enforcement to assure compliance with federal consent decrees, consent agreements, federal interagency agreements, judgments, and orders.
- Conducting state reviews in accordance with the National State Review Framework, ensuring that follow-up actions that resulted from this review are carried out in a timely and effective manner.

### **Quality Management Plans**

IDEM's Quality Management Plan (QMP) documents IDEM's current quality system for environmental data operations. IDEM's QMP, dated September 27, 2012, was approved by U.S. EPA R5 effective February 28, 2013, and will be valid for up to five years through February 27, 2018. A revised and updated QMP must be submitted for U.S. EPA R5 review and approval not later than six months prior to expiration of the current approved QMP, or earlier if significant changes to IDEM's structure, operations, or quality system occur.

Under the approved QMP, IDEM will continue to self-approve all Quality Assurance Project Plans (QAPPs) and any other quality system documentation required by non-competitive assistance agreements and delegated programs. All QAPPs and associated quality system documentation required under competitive assistance agreements, by U.S. EPA R5 programs, and/or by federal statute to be approved by U.S. EPA R5 will be submitted as required for review and approval.

To allow U.S. EPA R5 to assess implementation of IDEM's approved QMP as well as quality activities related to assistance agreements, IDEM will submit the following information to the U.S. EPA R5 Quality Manager:

1. Electronic copies of all signed, self-approved QAPPs on a quarterly basis.
2. An annual report submitted by January 31 of each year, as required by the

QMP, accompanied by a letter that confirms that the quality system documented in the approved QMP is still in effect, identifies any minor revisions incorporated in the QMP during the preceding year as well as any that are anticipated, and lists all QAPPs that were self-approved during the preceding year.

**JAPC Status:** U.S. EPA R5 Update: U.S. EPA R5 concurs that IDEM is complying with their PPA commitments with respect to their QMP and quality program. Based on the relatively small number of QAPPs, which they are self-approving, we have agreed that they can submit their QAPPs electronically when they submit their annual QA report versus quarterly. They submitted their most recent annual QA report in January 2015. We will also be able to offer IDEM the ability to upload their self-approved QAPPs in the near future directly to GLNPO QA Track – this will allow them to upload QAPPs, as they become available following approval.

In addition, IDEM QA staff confers with the Office of the Regional Administrator (ORA) Planning and QA Group (PQAG) on a quarterly basis to discuss and, where necessary, resolve quality-related issues. IDEM QA staff also participates with PQAG and the GLNPO QA Manager on the Great Lakes Restoration Initiative (GLRI) Quality Management monthly calls. The IDEM QA Manager has continuously demonstrated IDEM's commitment toward implementing their quality program.

**FEC Status:** U.S. EPA R5 concurs with IDEM's QMP final report and has no additional comments.

## Reporting

IDEM will continue to report to U.S. EPA R5 the necessary information, as required and agreed upon, including required timelines. It is recognized that reporting requirements beyond those specifically mentioned in this agreement do exist. Those requirements often relate to populating national databases or to tracking performance against priority activities identified in the internal IDEM work plans. These requirements may be embodied in a variety of existing agreements and are not reiterated in this agreement. IDEM will reference its website and other existing reports as supporting documentation for the EnPPA and the PPG. Both IDEM and U.S. EPA R5 will report through the JAPC and FEC Reports.

Reporting through the JAPC Report and the FEC Report is completed using the following status tools and a justification of that status for each performance measure:

1. **Complete.** The performance measure elements are complete.
2. **In progress.** The performance measure is progressing towards a specific goal, objective, or deadline.
3. **Ongoing.** The performance measure is progressing and will be a continuing measure in the next EnPPA cycle.
4. **Incomplete.** The performance measure has not been adequately addressed.

5. **Project withdrawn.** The performance measure has been withdrawn due to stated reasons or fiscal constraints.

Along with contacts for both IDEM and U.S. EPA R5, at least one goal and objective from the FY 2011-2015 U.S. EPA HQ's Strategic Plan is assigned to each activity to demonstrate IDEM's efforts to contribute to U.S. EPA HQ's overall goals.

Additionally, the funding sources for each activity are indicated by one of the following:

1. **PPG.** Funds come from the PPG, including the state and federal match portions.
2. **State.** Funds come from the State of Indiana and no federal funds are received to support this measure.
3. **Federal.** Funds come from a federal grant other than the PPG, and, when possible, the specific grant is listed.

If IDEM is presented with a funding shortfall for any performance measure funded by federal dollars agreed upon or negotiated in the EnPPA, both parties reserve the right to renegotiate and discuss removal of performance measures from the EnPPA.

### **Joint Priorities**

Joint priorities represent a subset of environmental program responsibilities that IDEM and U.S. EPA R5 agree represent investment priorities.

Examples of joint priorities are as follows:

1. The program area is an important, newly developed initiative that requires the attention of both IDEM and U.S. EPA R5 to adequately develop and implement.
2. The program area is at risk of functioning inadequately, creating a significant vulnerability to the integrity of environmental protection.
3. The program area represents a long-term strategic investment opportunity.
4. The program area offers the opportunity to demonstrate innovations to promote environmental improvements or enable efficiency enhancements.

IDEM and U.S. EPA R5 have identified the following Joint Priorities:

#### Air Quality Joint Priorities

- Indiana Lakeshore Air Toxics Study Risk Communication - IDEM and U.S. EPA R5 will collectively work on an air toxics assessment, considering the results of the Indiana Lakeshore Air Toxics Study.

**JAPC Status:** U.S. EPA R5 Update on Indiana Lakeshore Air Toxics Study: IDEM has provided to U.S. EPA R5 detailed information and draft reports for this study, and U.S. EPA R5 has participated with IDEM in two public meetings. U.S. EPA R5 concurs with IDEM that the Air Joint Priority in the current PPA regarding the Northwest Indiana Lakeshore Air Toxics Study Risk Communication effort was completed. We commend IDEM for its continued efforts in addressing air toxics and risk reduction in Indiana.

IDEM Response: IDEM agrees.

**FEC Status:**

- Complete an American Meteorological Society/Environmental Protection Agency Regulatory Model (AERMOD) evaluation study.
  - *If significant overprediction is found, IDEM will work with U.S. EPA R5 to look for refinements to make to the AERMOD to improve model performance.*

**JAPC Status:** U.S. EPA R5's Update on AERMOD Evaluation: Indiana has coordinated with U.S. EPA R5 (primarily OAQPS) on an evaluation of AERMOD using emissions and monitoring data near two power plants located in southwest Indiana. A paper detailing the results of the analysis was published by IDEM in the February 2014 Journal of the Air and Waste Management Association. The results of the evaluation showed, generally, good model performance when using standard evaluation metrics consistent with the manner in which AERMOD is used for regulatory purposes. IDEM has focused on the model's poorer performance using stringent evaluation metrics that compare model results to observations paired in time and space. U.S. EPA R5 very much appreciates IDEM's efforts in conducting the evaluation study as it provides useful information. For example, the original evaluation results for the Gibson plant showed significant over prediction (by a factor of 3) using on-site meteorological data from a 60m tower, however; the location of the meteorological tower next to a large cooling pond negatively affected the representativeness of the data. Model performance was significantly improved by limiting the meteorological inputs to the 60m level, which is least affected by the cooling pond, and model performance improved further based on using data from the nearest airport (Evansville, Indiana) located about 40 km from the plant. While there are always AERMOD model improvement activities underway, there is nothing specific being discussed regarding AERMOD's performance based on IDEM's study.

IDEM Response: In regards to the AERMOD modeling evaluation, the study looked at only one power plant, not two. We have not completed our study so it is premature for U.S. EPA R5 to comment on what the results will show or whether the model overpredicts and by how much. We hope to have this study completed by mid-2015 and at that time, we will request that U.S. EPA R5 provide feedback and comments on the full report.

**FEC Status:** IDEM has completed the report and submitted it to both U.S. EPA R5 and OAQPS. The report does show that AERMOD significantly over-predicts SO<sub>2</sub> levels near the Gibson plant, especially when predicted concentrations are near the national ambient air quality standard. In the report, U.S. EPA R5 was provided with some recommendations to improve model performance and we hope they will follow-up on IDEM suggestions.

U.S. EPA R5 comment: U.S. EPA R5 appreciates the work IDEM has done conducting this study. While there remains some disagreement regarding the results, U.S. EPA R5 understands the concerns raised by the analysis and, in fact, has already proposed some actions to address certain issues. The proposed language changes to Appendix W (Guideline on Air Quality Models)

and the proposed options in AERMOD generally address some of the concerns raised although results depend on specific source characteristics. Enhancing AERMOD performance is an ongoing process and U.S. EPA R5 will take IDEM's study into consideration for future model advancements.

#### Land Quality Joint Priorities

- U.S. EPA R5 and IDEM will focus their efforts at Resource Conservation Recovery Act (RCRA) Corrective Action sites that could recontaminate remediated sections of the Grand Calumet River. Coordinate with the U.S. Army Corps of Engineers (USACE) for a timely application and decision regarding the disposal of PCBs under the Toxic Substance Control Act (TSCA) at the confined disposal facility.

**JAPC Status:** U.S. EPA R5's Update: U.S. EPA R5 made progress on cleanup at the following sites with potential to impact the Grand Calumet River—Ralston Street Lagoon; DuPont, US Steel. Coordination with USACE on use of the Confined Disposal Facility continues, as required.

IDEM Response: IDEM agrees.

**FEC Status:** IDEM has worked with the Gary Airport in developing a storm water management plan that will protect the Grand Calumet from oil discharges from a ditch on airport property. A draft of the PCB disposal approval for the confined disposal facility has been issued. RCRA staff has also worked with USS Lead to address erosion concerns with the closure cap.

**FEC Update:** At the request of the USACE, it has only been provided to the USACE, the East Chicago Waterway Management District (ECWMD), and the ECWMD's legal representative. IDEM plans to move forward with the public notice sometime in January, and conduct a public hearing (if determined necessary) in February, allowing for the issuance of the final permit prior to the commencement of the 2016 dredging season.

**U.S. EPA R5 and IDEM have come to an agreement regarding the update on this joint priority as follows:** - IDEM has worked with the Gary Airport in developing a storm water management plan that will protect the Grand Calumet from oil discharges from a ditch on airport property. A draft of the PCB disposal approval for the confined disposal facility has been shared with the USACE, the East Chicago Waterway Management District (ECWMD), and the ECWMD's legal representative. IDEM plans are to move forward with the public notice sometime in January, and conducting a public hearing (if determined necessary) in February allowing for the issuance of the final permit prior to the commencement of the 2016 dredging season. U.S. EPA R5 RCRA staff has worked with USS Lead to address erosion concerns with the closure cap.

## Water Quality Joint Priorities

- Implement the schedule to convert general permits-by-rule to administratively issued general permits.
  - IDEM will coordinate the issuance of the general permits with the General Permit rulemaking to ensure all current permittees retain coverage.
  - U.S. EPA R5 will work expeditiously to review the draft general permit language and once U.S. EPA R5 agrees, U.S. EPA R5 will issue a non-objection letter so IDEM can proceed with the public notice of the draft permit and subsequently the issuance of the final permit.

**JAPC Status:** U.S. EPA R5's Update: U.S. EPA R5 review of draft general permits – U.S. EPA R5 reviewed and provided non-objection letters on five pre-public notice general permits. The Region has received no additional general permits. IDEM failed to meet the original schedule, and the subsequent revised schedules, for completion of this effort which was intended to address significant program deficiencies identified by U.S. EPA R5 in response to a petition to withdraw the Indiana NPDES program. IDEM has not established any new deadline for completion of this effort or interim deadlines for completion of individual tasks or milestones. IDEM continues utilizing the existing permits by rule to authorize new discharges.

IDEM Response: IDEM has kept U.S. EPA R5 informed of our progress and challenges in completion of this priority. As we have shared before, we have made significant headway in regards to general permits. The initial 5 general permits have been public noticed and 3 major stormwater general permits are drafted and undergoing internal review. There is a glitch in the rulemaking progress, which is being resolved by our legal counsel. There is also an outstanding court case that is impacting how we proceed on another permit.

**FEC Status:** IDEM has kept U.S. EPA R5 informed of our progress and challenges in completion of this priority. As IDEM has shared before, IDEM has made significant headway in regards to general permits. The initial 5 general permits have been public noticed and 3 major stormwater general permits are drafted and undergoing internal review. Additionally, the Environmental Rules Board recently passed changes to 327 IAC 15 that extract the provisions of the five general permits that have been public noticed. Once the rule is through the state approval process, IDEM will begin issuing those five permits administratively. There is also an outstanding court case that is impacting how IDEM proceeds on another permit.

IDEM will issue the initial five general permits when the rule is final and in effect. IDEM is working on first noticing a rule which is needed to convert the remaining five general permits, which IDEM is actively drafting.

- Finalize NPDES permit templates - IDEM and U.S. EPA R5 will work together to evaluate the Indiana NPDES permit template and revise, if necessary.

**JAPC Status:** U.S. EPA R5's Update: Finalize NPDES permit templates. U.S. EPA R5 received IDEM's responses to U.S. EPA R5's original comments. Initial review finds that most of the issues appear to have been addressed. U.S. EPA R5 expects to complete its review of the IDEM responses by December 20, 2014.

IDEM Response: *IDEM agrees.*

**FEC Status:**

- Promote asset management implementation in NPDES program - IDEM and U.S. EPA R5 will work to develop and implement a strategy for the inclusion of asset management elements into Indiana's NPDES program.

**JAPC Status:** U.S. EPA R5's Update: Promote asset management implementation. IDEM currently has been unwilling to incorporate asset management provisions into permits. Currently, only capacity, management, operations and maintenance (CMOM) requirements, which is an aspect of asset management, is included in any IDEM issued NPDES permits. Since IDEM is not amenable to inclusion of significant asset management requirements into permits, it is recommended that the item be discontinued as a joint priority.

IDEM Response: IDEM is still considering whether, how, and what language we might add and under what circumstances we might include asset management. We concur that it be discontinued as a joint priority.

**FEC Status:**

## **Joint Planning and Evaluation Process**

IDEM and U.S. EPA R5 both agree that it is important to clearly articulate how all the components of the performance partnership agreement are evaluated. In order to evaluate this agreement and complete the previous one, both agencies will participate in a joint planning and evaluation process. The process timeline is as follows:

### **Actions/Deadlines**

2013-2015 EnPPA begins	July 1, 2013
Final Environmental Conditions (FEC) Report (2011-2013 EnPPA)	September 30, 2013
U.S. EPA R5 sends comments on FEC Report (2011-2013 EnPPA)	December 2013
Joint Assessment Process Meeting (if needed) (2013-2015 EnPPA)	June 2014
Joint Assessment Process Conditions Report (JAPC) Report (2013-2015 EnPPA)	September 30, 2014
U.S. EPA R5 sends comments on JAPC Report (2013-2015 EnPPA)	December 2014
IDEM Senior Management Planning Meeting (2015-2017 EnPPA)	February 2015
IDEM and U.S. EPA R5 Kickoff Meeting (2015-2017 EnPPA)	March/April 2015
Draft EnPPA negotiated and finalized (2015-2017 EnPPA)	March-May 2015
2015-2017 EnPPA begins	July 1, 2015
FEC Report (2013-2015 EnPPA)	September 30, 2015

The JAPC Report will:

- Provide general discussion, measurements of outcomes and analysis of the environmental and programmatic results of each element.
- Identify emerging issues, environmental trends, and strategies for improvement.
- Provide flexibility in both form and substance, as warranted by program performance.
- Seek to eliminate duplicative or unnecessary efforts and reporting.
- Respond with appropriate solutions, including redirecting goals and resources.
- Encourage IDEM to find innovative program implementation alternatives, as long as the desired result is able to be measured and achieved.

The success of each outcome of this agreement relies on clear, constructive communication and the commitment of IDEM and U.S. EPA R5 to work together to implement IDEM's **Plan-Do-Check-Act** model to solve problems and improve the programs. If any differences exist on specific issues or problems, IDEM and U.S. EPA R5 should move quickly to resolve them at the staff level or elevate the issue through the dispute resolution process.

The signing of the Authorizing Signatures page for the final EnPPA will be the U.S. EPA R5 Regional Administrator and the IDEM Commissioner. The U.S. EPA R5 Deputy Regional Administrator and the IDEM Commissioner will sign a similar Authorizing Signatures page to note the finalization of the JAPC and FEC Reports. Hard copies of the documents shall be addressed to the U.S. EPA R5 Regional Administrator and mailed to the U.S. EPA R5 project officer.

### **Mutual Accountability**

The approach from direct oversight to mutual accountability and joint assessment is a shift from the traditional approach. IDEM and U.S. EPA R5 will jointly assess each program element and determine the appropriate course change as needed. U.S. EPA R5 will review and act on new regulations in program areas that impact Indiana's authorization or where federal statute or regulation requires U.S. EPA R5 review and approval of state actions (e.g., water quality standards).

### **Dispute Resolution Process**

IDEM and U.S. EPA R5 will use the following agreed-upon dispute resolution process to handle the conflicts that may arise during the execution of this agreement. The resolution process will be treated as an opportunity to improve joint efforts and not as an indication of failure. For the purpose of this agreement, the following definitions will apply:

- **Dispute:** Any disagreement over an issue that prevents a matter from going forward.
- **Resolution Process:** A process whereby the parties move from disagreement to agreement over an issue.

## Informal Dispute Resolution Guiding Principles

- Recognize conflict as a normal part of the state/federal relationship.
- Approach disagreement as a mutual problem requiring efforts from both agencies to resolve.
- Approach the conflict as an opportunity to improve joint efforts.
- Aim for resolution at the staff level, while keeping management informed.
- Disclose underlying assumptions, frames of reference and other driving forces.
- Clearly differentiate positions and check understanding of content and process with all appropriate or affected parties.
- Document discussions to minimize future misunderstandings.
- Pay attention to time frames and/or deadlines and escalate quickly when necessary.

## Formal Conflict Resolution

There are several formalized programmatic conflict resolution procedures that may need to be invoked if the informal route has failed to resolve all issues. Examples include:

- 40 CFR 31.70 (outlines the formal grant dispute procedures).
- National Pollutant Discharge Elimination System (NPDES) conflict resolution procedure.
- Superfund program dispute resolution contract that provides neutral third parties to facilitate conflict resolution for projects accepted into the program.

For matters involving this agreement, the following procedures will be utilized:

1. **Principle:** Disputes should be resolved at the front line or staff level, when feasible.
2. **Time frame:** Disputes should be resolved as quickly as possible and within two (2) weeks of the issue arising at the staff level. If unresolved at the end of two (2) weeks, the issue should be raised to the next staff level of each agency.
3. **Escalation:** When there is no resolution of the issue and the two (2) weeks have passed, there should be comparable escalation in each agency, accompanied by a statement of the issue and a one-page issue paper. A conference call between the parties should be held as soon as possible. Disputes that need to be raised to a higher level should again be raised in comparable fashion in each agency, until resolution is obtained.

## Environmental Conditions in Indiana

While objective environmental quality measurements show that Hoosiers and the environment are safer today than at any time since data has been collected, a number of environmental challenges still need to be addressed. IDEM's history shows that IDEM can continue to build on its improvements in order to protect Hoosier health and our environment. Below are steps IDEM has taken to provide a cleaner, healthier Indiana for all Hoosiers.

## Air

Indiana's air quality has improved significantly during the last 30 years. Regulatory programs aimed at emission reductions for vehicles and industry have reduced smog and dust levels throughout the state. Voluntary programs, such as ozone education and awareness, diesel retrofits and anti-idling policies, have played an important role in improving Indiana's air quality. In 2009, for the first time since air quality standards were developed in the 1970s, all Hoosiers were breathing air that met current health based standards. In 2010, U.S. EPA HQ set a new standard to further reduce exposure to lead in the air we breathe; consequently, approximately 700 out of 6.5 million Hoosiers currently may be exposed to lead concentrations considered unacceptable under the new health standard. IDEM is working to ensure that these Hoosiers again have air that meets all health based standards.

Levels of air toxic chemicals are also of concern in Indiana. IDEM has been operating an air toxics monitoring network to measure and track hazardous air pollutants since 1999. IDEM has adopted into state law the national emission standards for hazardous air pollutants, which provide industry-specific control technology requirements, so that the state can enforce these federal standards, reducing Hoosiers' exposure to harmful air toxics. IDEM works to provide compliance assistance to industries that are subject to these new standards. Risk assessment capabilities have also been developed to investigate air toxics and better understand risks at the community and state level.

IDEM's air permitting program has made tremendous progress in reducing the agency's permit backlog and issuing permits in a timely fashion. In 2009, all original backlogged permits were completed, and IDEM continued to lower the average number of days for permit completion from 141 to 127 days. U.S. EPA R5 was instrumental in accomplishing these improvements. Further efficiency improvements are planned for the air-permitting program.

IDEM will continue to work to reduce pollutant levels so every Hoosier has healthy air to breathe. IDEM's Office of Air Quality (OAQ) challenges include working with U.S. EPA R5 to achieve anticipated outcomes as a result of completing the priorities listed in the OAQ section of this agreement.

### Non-PPG State Activities

- Open Burning Approvals
- Asbestos Accreditation
- Rule Revisions
- Community Outreach Efforts
- Area Source National Emissions Standards Hazardous Air Pollutants (NESHAPs)
- Government Efficiency
- Air PM<sub>2.5</sub> Section 103-activities under CFDA 66.034
- Title V Air Permit Program
- Diesel Emission Reduction Act (DERA)
- Asbestos Hazard Emergency Response Act (AHERA) Asbestos in Schools

## Land

Considerable progress has been made by IDEM's Office of Land Quality (OLQ). Regulations, compliance and enforcement programs aimed at addressing entities that treat, store, generate, or dispose of contaminants have had significant impact on the quality of land in Indiana. IDEM encourages responsible management of regulated facilities—one example is the Indiana Clean Yard Program, which educates and encourages auto salvage facilities to go above and beyond the requirements of the law. Currently, 12 facilities have been recognized, with another 47 applications under review.

In addition to other programs, IDEM has, and will continue to, focus on corrective actions at hazardous waste facilities and leaking underground storage tank sites. Considerable resources have been focused on obtaining and addressing the environmental indicators established through the Government Performance and Results Act. In addition to corrective actions, IDEM is working to establish preemptive processes. New rules have been implemented to help strengthen the protection of underground storage tanks, and a free training program for owners and operators is currently in place.

There are currently 1,927 animal operations permitted in Indiana and inspected on a routine basis. These include 587 concentrated animal feeding operations (CAFOs) and 1,340 smaller feeding operations called confined feeding operations (CFOs). Indiana's standards for CAFOs are stricter than federal regulations. While the federal regulations for CAFOs do not contain standards for the construction of manure storage facilities, Indiana has had construction standards and requirements in place since the mid-1970s. Additionally, though not required by U.S. EPA R5, IDEM also regulates CFOs under a state rule. IDEM's CFO program includes operational requirements for the land application of manure.

Indiana uses six (6) main programs to ensure the cleanup of contamination. The Emergency Response program which continues to receive 2,000 to 3,000 calls annually, addresses contamination from spills that are often completely cleaned up during the initial response. If the contamination cannot be cleaned up through emergency response action, the responsibility is transferred to one of IDEM's other cleanup programs. IDEM works through the federal Superfund Program, and its state counterpart, the State Cleanup Program. Hazardous waste cleanup falls under the state's Resource Conservation and Recovery Act Program, which is regulated under federal law. The Underground Storage Tank Program also deals with contamination from petroleum. Indiana also has a Voluntary Remediation Program that allows responsible parties to clean up contaminated properties under IDEM supervision. In the last several years, hundreds of contaminated sites have been addressed through the diligent work of IDEM staff.

A major priority for IDEM has been work on the Grand Calumet River and Indiana Harbor Shipping Canal. IDEM provides technical assistance and permit review for the USACE Federal navigational dredging project in the Indiana Harbor Shipping Canal. Dredging commenced in September 2012, and will continue for the next thirty (30) years. IDEM will continue to assist the USACE with all applicable permitting and technical issues throughout the project. IDEM will also continue to fulfill its role as beneficiary to settlement trust funds from the 1990 bankruptcy of the former East Chicago, Indiana (ECI) Facility in East Chicago. These funds are administered by the

East Chicago Waterway Management District for the cleanup of the ECI properties and long term monitoring and maintenance of the on-site CDF. IDEM reviews and approves the use of the funds.

Implementation of Great Lakes Legacy Act projects in the West Branch of the Grand Calumet River have resulted in the removal of approximately 289,000 cubic yards of contaminated sediment from 2.4 miles of river and 32 acres of riverine wetlands. Following dredging, a reactive cap was added, sealing off remaining contaminants. These projects, completed in 2011 and 2012, are the first of several in the Area of Concern. Construction of a project in the East Branch of the Grand Calumet River, started in February 2013, will restore 1.9 miles of river bottom and 60 acres of adjacent wetlands through dredging and capping. A third project near the Indiana/Illinois state line is currently in design, and construction is anticipated to begin in early 2014. This project will result in dredging of approximately 12,000 cubic yards of sediments and capping of about 1,500 feet of the West Branch of the Grand Calumet River. IDEM is also working with the Great Lakes National Program Office to identify local sponsors and potential costs for dredging and capping additional areas of the Grand Calumet River and Indiana Harbor Shipping Canal.

Along with educating and providing technical assistance to businesses and communities, IDEM's work to issue permits, conduct inspections, respond to accidental spills, and oversee cleanups continues to foster marked improvement in the state's land quality each year.

Additionally, significant resources will be focused to implement the Energy Policy Act of 2005. The OLQ staff is committed to continuous improvement through adaptation and development of rules and policies, including the reorganization of roles within the department to further refine protection and as a response to new technologies. Through OLQ's compliance assistance efforts, the expected outcomes include providing the regulated communities with a comprehensive understanding of rules, regulations, and expectations, thus improving their ability to comply with applicable requirements.

#### Non-PPG State Activities

- Solid waste processing facilities
- Solid waste disposal sites
- Waste tire processing and storage sites
- Waste tire transporters
- Vegetative compost sites
- Septage haulers and land application sites
- Confined feeding operations (CFOs) that are smaller than CAFOs
- Auto salvage sites
- Industrial waste generators
- Open dump complaints
- Voluntary Remediation Program and State Cleanup
- Underground Storage Tank Excess Liability Trust Fund Program
- Methamphetamine Cleanup
- Twenty-four/Seven Emergency Response Program

## Water

Indiana surface waters today are decidedly cleaner than they were decades ago. Indiana's probabilistic surface water monitoring strategy has allowed a comprehensive, basin-scale assessment of all Indiana rivers and streams. IDEM has assessed approximately 28,790 stream miles to date based on the 2012 Integrated Report and using single category reporting in which each waterbody is placed in a single category regardless of the number of designated uses for which it has been assessed. These miles represent more than 63 percent of the streams in Indiana. IDEM has site-specifically assessed approximately 49.2 percent of Indiana's stream miles for recreational uses and has found that 23 percent (4,776 miles) of those assessed are fully supporting of full body contact recreational uses. Approximately 57.3 percent of Indiana's stream miles have been assessed for aquatic life use support, and 72.1 percent of these (17,461 miles) were found to be fully supporting of healthy aquatic communities (macroinvertebrates and/or fish).

IDEM continues to identify general causes and sources of surface water impairments within the state. Many of the specific outputs listed within the water work plan section of this agreement are intended to focus on and address water impairments. The proposed 2012 303(d) List of Impaired Waters, currently under review with U.S. EPA R5, identifies waterbodies not meeting Indiana's water quality standards. IDEM continues to develop total maximum daily load (TMDL) calculations, as required by Section 303(d) of the federal Clean Water Act, to identify sources contributing to the impairment of Indiana's surface water. IDEM continues to target impaired waterbodies for water quality improvement projects and provides support for those projects that will reduce nonpoint source pollution through utilization of the 319 grant fund.

Watershed management has become the heart of successful water quality restoration and protection. Coordinated efforts between IDEM and local communities and targeted use of 319 grant funds have helped launch projects estimated to prevent over 95,200,000 pounds of sediment, 94,000 pounds of phosphorus and 142,000 pounds of nitrogen from entering rivers and streams annually. Assessments of segments of Bull Run, Stott's Creek, Mill Creek, and Metcalf Ditch show quality has improved significantly, and previously polluted portions of these streams now meet water quality standards. Additionally, the creation of the comprehensive website, at [www.watersheds.IN.gov](http://www.watersheds.IN.gov), continues to provide resources for Hoosiers to learn how they can improve water quality in the state.

IDEM recognizes the need to timely issue National Pollutant Discharge Elimination System (NPDES) permits and maintain adequate compliance and enforcement of those permits to reduce water impairments resulting from point sources. IDEM has essentially eliminated its permit backlog. Additionally, IDEM has made significant progress on the initiative to have long-term control plans (LTCPs) in place to reduce the incidence of combined sewer overflows (CSOs), which also contribute to the impairment of Indiana's waters. Currently, 106 Indiana CSO communities have approved plans to develop or implement a LTCP, and are under timelines detailed in enforceable documents.

Reduction of impairments is critical for the protection of Indiana's public water supply systems (PWSSs). IDEM has assessed most of Indiana's PWSSs to inventory potential contaminants and determine water system susceptibility to contamination. IDEM works with PWSSs to help them understand the assessment information, develop, and

implement plans to protect drinking water sources. Additionally, IDEM utilizes regulatory, compliance and enforcement tools to ensure the safety of Indiana's public drinking water supplies. Currently, more than 99 percent of the population served by community systems receives drinking water that meets all state and federal requirements.

IDEM's Office of Water Quality (OWQ) is committed to meeting its obligations outlined within this agreement. OWQ is working to identify additional resources necessary to meet those commitments, including trade-offs that may result in discussions during the execution of this agreement.

#### Non-PPG State Activities

- Overall program leadership, operational and administrative support
- State construction permits for wastewater
- Data support, QA/QC and GIS
- Operator assistance at wastewater treatment plants
- Wastewater operator certification
- Ground water programs
- State construction permits for water, capacity development for drinking water systems and drinking water operator certification
- 319 Nonpoint Source (NPS) Reduction Grant Program and 205(j) Water Quality Planning Grant Program
- State Revolving Fund Loan Program

#### **Outlook**

Indiana, in partnership with U.S. EPA R5 and other stakeholders, can be proud of its environmental record, but must be ready for continuing challenges. This agreement, addressing near-term focus points and program specific elements and corresponding work plans, is designed to outline those commitments. The outcomes are intended to improve environmental conditions in the State of Indiana and provide a mechanism to track the improvement.

# Work Plans for Joint Priorities and Program Goals and Objectives

## Office of Air Quality (OAQ)

While U.S. EPA R5 has established goals for each objective, the tasks covered do not always encompass all phases of the goal. For example, many objectives are listed under the goal “Taking action on climate change and improving air quality.” In many cases, the actual tasks do not cover any activities related to climate change.

U.S. EPA R5 OAQ concurs with IDEM’s OAQ final report with comments (A1, A4, A6, A7, A9, A11, and A12). U.S. EPA R5 and IDEM’s agreement on final comments for this report.

Title V Operating Permits (TVOPs) and Prevention of Significant Deterioration (PSD)/Nonattainment New Source Review (NA NSR) Construction Permits		A-1
IDEM Contact(s): Matt Stuckey		U.S. EPA R5 Contact(s): Genevieve Damico Due Date: Ongoing
U.S. EPA R5 Role: Provide program assistance.		
Goal 1:	Taking action on climate change and improving air quality.	
Objective 1.1:	Address climate change.	
Objective 1.2:	Improve air quality.	
Funding:	State fees for Title V; and U.S. EPA R5 with state match for PSD/NA NSR programs.	

Issue all TVOPs in a timely manner consistent with federal and state requirements:

- a) Track progress of all TVOP applications received by IDEM.

**JAPC Status:** Ongoing

The ongoing activities are being conducted as outlined in the goal above.

**FEC Status:** Ongoing

U.S. EPA R5 and IDEM joint comment: All applications are tracked in our permit database and progress for each permitting action is documented in that system. Through this system, we have real-time data about each pending permit including calendar days in-house, dates of public notice, dates of U.S. EPA R5 review, and any notices of deficiency issued to the applicant.

- b) Timely issuance of all TVOPs – IDEM will ensure progress is made on all pending initial TVOP applications.

**JAPC Status:** Ongoing

The ongoing activities are being conducted as outlined in the goal above.

**FEC Status:** Ongoing

U.S. EPA R5 and IDEM joint comment: IDEM held routine meetings between staff and managers to ensure that progress was made on all permits pending with OAQ. Weekly, monthly, quarterly, semi-annual, and annual reports were run to track progress and ensure that permits were on schedule to be issued in the prescribed timeframes. IDEM issued virtually all of its initial TVOPs within the required time as reported in the IDEM permit database.

- c) Timely issuance of all TVOP renewals – IDEM will ensure progress is made on all pending TVOP renewal applications so that these renewals are issued prior to the expiration of their current TVOP, or so that late applications are issued within nine (9) months of receipt of the application.

**JAPC Status:** Ongoing

The ongoing activities are being conducted as outlined in the goal above.

**FEC Status:** Ongoing

U.S. EPA R5 and IDEM joint comment: IDEM held routine meetings between staff and managers to ensure that progress was made on all permits pending with OAQ. Weekly, monthly, quarterly, semi-annual, and annual reports were run to track progress and ensure that permits were on schedule to be issued in the prescribed timeframes. IDEM's renewal backlog remained less than 5% in the last fiscal year as reported in TOPs.

- d) Provide quarterly updates to the Reasonably Available Control Technology/Best Available Control Technology/Lowest Achievable Emission Rate (RACT/BACT/LAER) Clearinghouse for each PSD/NA NSR permit issued.

**JAPC Status:** Ongoing

The ongoing activities are being conducted as outlined in the goal above.

**FEC Status:** Ongoing

U.S. EPA R5 and IDEM joint comment: OAQ's protocol is that entries for the RBLC are completed at the time the permit is issued. Through this protocol, we are current in the RBLC and continue to add new determinations at the time of issuance so there is no backlog.

- e) Provide semi-annual updates to the Title V Operating Permits System (TOPS) database.

**JAPC Status:** Ongoing

The ongoing activities are being conducted as outlined in the goal above.

**FEC Status:** Ongoing

U.S. EPA R5 and IDEM joint comment: OAQ provided our TOPS report well before the January and July deadlines this year.

- f) IDEM will identify issues and U.S. EPA R5 will provide program assistance for TVOPs, PSD/NA NSR permits, and synthetic minor permits as necessary.

**JAPC Status:** Ongoing

The ongoing activities are being conducted as outlined in the goal above.

**FEC Status:** Ongoing

U.S. EPA R5 and IDEM joint comment: OAQ had regular monthly calls with U.S. EPA R5 and when necessary requested input or assistance through e-mails and phone calls. This approach provided sufficient access to U.S. EPA R5, and allowed us to work through the issues that arose this past year as part of our permit development.

**Compliance Monitoring Strategy (CMS) for Title V and Federally Enforceable State Operating Permit (FESOP) A-2**

IDEM Contact(s): Phil Perry	U.S. EPA R5 Contact(s): Nathan Frank, Debra Flowers, and Rochelle Marceillars	Due Date: September 30, 2015
U.S. EPA R5 Role: Review Clean Air Act Stationary Source Compliance Monitoring Strategy (CMS) Policy and work closely with OAQ staff to ensure any issues are satisfactorily addressed.		
Goal 5:	Enforcing environmental laws.	
Objective 5.1:	Enforce environmental laws.	
Funding:	Dedicated Title V Fund	

Develop and implement the Compliance Monitoring Strategy (CMS) plan for Title V and Federally Enforceable State Operating Permit (FESOP) source inspections and FESOP source and compliance evaluations consistent with the September 2010 Clean Air Act (CAA) Stationary Source Compliance Monitoring Strategy.

- a) Submit CMS plan for review and negotiation with U.S. EPA R5 by August 31, 2013 for FY14, and August 31, 2014 for FY15. Implementation of the final CMS plan for FY 14 will begin on October 1, 2013, and for FY15 on October 1, 2014. The CMS plan will meet the 2010 CAA Stationary Source CMS policy. The CMS source category and frequency flags in the Air Facility System (AFS) will be completed by IDEM for the Title V major and synthetic minor with the potential to emit at or above 80% major source threshold (SM80) source universe by November 30, 2013, for FY14 and November 30, 2014, for FY15.

**JAPC Status:** In progress

The FY14 CMS Plan was submitted to U.S. EPA R5 on August 30, 2013. The FY15 CMS Plan is not due until October 1, 2014.

**FEC Status:** Complete

The FY14 CMS Plan was submitted to U.S. EPA R5 on August 30, 2013 to meet the 2010 CAA Stationary Source CMS policy. The FY15 CMS Plan was submitted to U.S. EPA R5 on August 29, 2014 to meet the 2014 CAA Stationary Source CMS policy. The CMS source category and frequency flags in the Air Facility System (AFS) were completed by IDEM for the Title V major and synthetic minor with the potential to emit at or above 80% major source threshold (SM80) source universe by November 30, 2013 for FY14 and November 30, 2014 for FY15.

- b) U.S. EPA R5 shall submit a written response to IDEM concerning the CMS plan by December 31, 2013, for FY14 and December 31, 2014, for FY15.

**JAPC Status:** In progress

U.S. EPA R5 accepted the FY14 CMS Plan on November 19, 2013. The FY15 CMS Plan is not due until October 1, 2014.

**FEC Status:** Complete

U.S. EPA R5 accepted the FY14 CMS Plan on November 19, 2013 and the FY15 CMS Plan on February 10, 2015.

- c) Implement the CMS plan for full compliance evaluations:
- Conduct full compliance evaluations of Part 70 sources once every two (2) years, except mega-sites, gas compressor stations and gas turbines facilities.
  - Mega-sites will be identified in the CMS plan and a full compliance evaluation of those sites will be conducted once every three (3) years.
  - Gas compressor stations and gas turbines facilities will be identified in the CMS plan and full compliance evaluations of those sites will be conducted once every five (5) years.
  - Conduct full compliance evaluations of all FESOP sources once every five (5) years, except as noted in the CMS.
  - In those years where full compliance evaluations are not conducted, partial compliance evaluations will be completed, including review of annual compliance certifications, review of quarterly deviation reports, review of emergency reports and review of the various emissions reports.

**JAPC Status:** In Progress

The Air Compliance and Enforcement Branch conducted 156 full compliance evaluations at Part 70 sources and 70 full compliance evaluations at FESOP sources in FY14 (October 1, 2013 - March 30, 2014). The Air Compliance and Enforcement Branch continues to conduct full compliance evaluations on Part 70 and FESOP sources beyond the CMS. These full compliance evaluations are reported in the AFS database on a monthly basis. Mega sites and gas compressor

station full compliance evaluations are conducted as part of Part 70 and FESOP sources noted above.

The Air Compliance and Enforcement Branch and Regional Offices have reviewed 157 of the 296 Part 70 annual compliance certifications (ACCs) received in FY14 (October 1, 2013 - March 30, 2014) and reviewed 164 of the 288 FESOP ACCs for the same period. It should be noted that ACCs are submitted and reviewed on a calendar year basis so there will always be a lag reporting completed ACC reviews for the EnPPA. The branch continues to review 2013 Part 70 and FESOP ACCs received in calendar year 2014.

The branch continues to conduct partial compliance evaluations including review of stack tests, continuous opacity and emissions data, quarterly deviation reports, review of emergency reports, and review of the various emissions reports.

**FEC Status:** In progress

The Air Compliance and Enforcement Branch completed the Part 70 source and FESOP source full compliance evaluations as required by the FY14 CMS. The Air Compliance and Enforcement Branch continue to conduct full compliance evaluations on Part 70 and FESOP source full compliance evaluations for the FY15 CMS. The branch is on target to complete the full compliance evaluations for the FY15 CMS. The Air Compliance and Enforcement Branch continue to conduct full compliance evaluations for sources beyond the CMS. These full compliance evaluations are reported in the ICIS-Air database on a monthly basis. Mega sites, gas compressor stations, and gas turbine full compliance evaluations are conducted as part of Part 70 and FESOP sources full and partial compliance evaluations.

The Air Compliance and Enforcement Branch have completed review of the Part 70 ACCs received in FY14. The Air Compliance and Enforcement Branch and Regional Offices continue to review the Part 70 ACCs received in FY15. It should be noted that ACCs are submitted and reviewed on a calendar year basis so there will be a difference in reporting completed ACC reviews for the fiscal year under the EnPPA.

The branch continues to conduct partial compliance evaluations including review of stack tests, continuous opacity and emissions data, quarterly deviation reports, review of emergency reports, and review of the various emissions reports. These stack tests are reported in the ICIS-Air database on a monthly basis.

- d) Submit compliance and enforcement information to meet U.S. EPA HQ's Minimum Data Requirements (MDRs) within the 60-day standard required for reporting by the 2012 AFS Information Collection Request (ICR), 1998 Timely and Appropriate Enforcement Response to High Priority Violations (HPVs) policy, and the 1986 Guidance on Federal Reportable Violations (FRVs) for stationary sources. Ensure data is complete, accurate, and timely and that data is consistent with U.S. EPA HQ's policies and guidance.

**JAPC Status:** Ongoing

The Air Compliance and Enforcement Branch continues to upload data from ACES to AFS on a monthly basis exceeding the 60 day standard. The branch also directly inputs HPVs (and non-HPV cases of regulated facilities) into AFS as HPVs/enforcement are identified or updated. The Air Compliance and Enforcement

Branch continues to work with U.S. EPA R5 to ensure the data is complete, accurate, and timely. Issues are discussed during the monthly U.S. EPA R5/IDEM Compliance and Enforcement and Data Management conference calls and through HPV e-mails and calls. The Air Compliance and Enforcement Branch's Enforcement Data Steward reviews all current and recently closed enforcement cases on a monthly basis. Updates are made to IDEM's enforcement database (METS). AFS is manually updated monthly with all required MDR entries based on data from METS.

**FEC Status:** Ongoing

The Air Compliance and Enforcement Branch continue to upload data from ACES to ICIS-Air on a monthly basis exceeding the 60 day standard. The branch also directly inputs HPVs (and non-HPV cases of regulated facilities) into ICIS-Air as HPVs/enforcement are identified or updated. The Air Compliance and Enforcement Branch continue to work with U.S. EPA R5 to ensure the data is complete, accurate, and timely. Issues are discussed during the monthly U.S. EPA R5/IDEM Compliance and Enforcement and Data Management conference calls and through HPV e-mails and calls. The Air Compliance and Enforcement Branch's Enforcement Data Steward reviews all current and recently closed enforcement cases on a monthly basis. Updates are made to IDEM's enforcement database (METS). ICIS-Air is manually updated monthly with all required MDR entries based on data from METS.

- e) Respond to complaints, including those referred from U.S. EPA R5. Inspections are conducted where necessary.

**JAPC Status:** Ongoing

The Air Compliance and Enforcement Branch responded to 214 complaints in FY14 (October 1, 2013 - March 30, 2014). The branch and Regional Offices continue to respond to all complaints including those referred from U.S. EPA R5.

**FEC Status:** Ongoing

The Air Compliance and Enforcement Branch responded to 621 complaints in FY14 and responded to 440 complaints so far in FY15 (October 1, 2013 – July 31, 2015). The branch and Regional Offices continue to respond to all complaints including those referred from U.S. EPA R5.

- f) U.S. EPA R5 will provide compliance and enforcement support and guidance and make training available to IDEM staff, as needed.

**JAPC Status:** Ongoing

The Air Compliance and Enforcement Branch and U.S. EPA R5 hold monthly Compliance, Enforcement, and Data Management conference calls. During the conference calls compliance issues, enforcement issues, support, and guidance are all topics that are part of the discussions.

**FEC Status:** Ongoing

The Air Compliance and Enforcement Branch and U.S. EPA R5 hold monthly Compliance, Enforcement, and Data Management conference calls. Compliance issues, enforcement issues, support, and guidance are all topics that are part of the discussions during the monthly conference calls.

- g) Prepare enforcement cases according to IDEM's Compliance and Enforcement Response Nonrule Policy (CERP) and guidance, and U.S. EPA HQ's Timely and Appropriate Enforcement Response to HPV Policy. IDEM will review findings and prepare enforcement cases according to the HPV Policy, IDEM CERP and guidance, and the IDEM Civil Penalty Nonrule Policy for noncompliance with statutes, rules, or permits.

**JAPC Status:** Ongoing

The Air Compliance and Enforcement Branch continue to review and follow IDEM's guidance and U.S. EPA R5's Timely and Appropriate Enforcement Response to High Priority Violations (HPV) Policy to prepare enforcement cases and follow-up, as appropriate. Violations are referred for enforcement consistent with the CERP and HPV Policy. A total of 54 Notice of Violations were signed during FY14 (October 1, 2013 - March 30, 2014) and a total of 51 Agreed Orders were adopted during the same period. The branch continues to review findings and prepare enforcement cases according to the HPV Policy and the Civil Penalty Policy. IDEM has provided input to U.S. EPA R5 on the revised HPV Policy.

**FEC Status:** Ongoing

The Air Compliance and Enforcement Branch continue to review and follow IDEM's guidance and U.S. EPA's August 25, 2014 Timely and Appropriate Enforcement Response to High Priority Violations (HPV) Policy to prepare enforcement cases and follow-up, as appropriate. Violations are referred for enforcement consistent with the CERP and HPV Policy. The branch continues to review findings and prepare enforcement cases according to the HPV Policy and the Civil Penalty Policy.

- h) Participate in enforcement/settlement negotiation conferences and follow-up on the requirements of IDEM's Agreed and/or Commissioner's Order.

**JAPC Status:** Ongoing

Compliance and enforcement managers in the branch continue to conduct pre-Notice of Violation meetings, settlement conferences, and follow-up on Agreed Orders. A total of 17 pre-Notice of Violation meetings have been held and a total of 6 settlement conferences have been held for FY14 (October 1, 2013 - March 30, 2014).

**FEC Status:** Ongoing

Compliance and enforcement managers in the branch continue to conduct pre-Notice of Violation meetings, settlement conferences, and follow-up on Agreed Orders. A total of 27 pre-Notice of Violation meetings and a total of 23 settlement conferences were held in FY14. A total of 31 pre-Notice of Violation meetings and a total of 26 settlement conferences have been held so far in FY15 (October 1, 2014 – July 31, 2015).

- i) U.S. EPA R5 and IDEM will conduct monthly conference calls to discuss planning, program progress, compliance and enforcement issues, HPVs, data management and reporting, and efforts to resolve violations. For state lead HPV cases unaddressed over the 270 day time frame, U.S. EPA R5 and IDEM will determine which agency is best suited to take or maintain the lead for the case and what will be

the best method of returning the source back into compliance. Any data issues, including resolutions, will also be discussed on these monthly conference calls.

**JAPC Status:** Ongoing

The Air Compliance and Enforcement Branch and U.S. EPA R5 hold monthly Compliance, Enforcement, and Data Management conference calls. Priorities, compliance and enforcement issues, complaints, HPV cases, data management, and reporting issues are discussed. Both IDEM and U.S. EPA R5 participated in the March 18, 2014 and April 29, 2014 joint planning calls/webinar.

**FEC Status:** Ongoing

The Air Compliance and Enforcement Branch and U.S. EPA R5 hold monthly Compliance, Enforcement, and Data Management conference calls. Priorities, compliance and enforcement issues, complaints, HPV cases, data management, and reporting issues are discussed. IDEM and U.S. EPA R5 continue to monitor cases that are not addressed within 180 days consistent with the August 25, 2014 Timely and Appropriate Enforcement Response to High Priority Violations (HPV) Policy. Both IDEM and U.S. EPA R5 participated in the March 18, 2014, April 29, 2014, and June 17, 2015 joint planning calls/video conferences.

- j) IDEM will track and update U.S. EPA R5 quarterly on the recommendations made from the Round 3 State Review Framework until completion.

**JAPC Status:** Ongoing

IDEM and U.S. EPA R5 continue to discuss and track progress of the findings and recommendations during the monthly calls.

**FEC Status:** Ongoing

IDEM and U.S. EPA R5 continue to discuss and track progress of the findings and recommendations during the monthly calls.

- k) IDEM will provide U.S. EPA R5 with quarterly updates of the status code and explanation for state lead HPV sources listed on U.S. EPA HQ's Watch List. The Watch List ensures timely and appropriate response to significant noncompliers or longstanding violators through better data analysis and routine discussions between U.S. EPA HQ's (OECA), U.S. EPA R5, and/or IDEM.

**JAPC Status:** Ongoing

U.S. EPA R5 HQ's Watch List was suspended in September 2013. Prior to the suspension of the Watch List, the U.S. EPA R5 Data Steward was sending a copy of the quarterly Watch List when issued. The Compliance and Enforcement Branch reviewed the state lead cases and submitted status codes and descriptions to the U.S. EPA R5 Data Steward within 14 days. IDEM and U.S. EPA R5 continue to monitor cases on U.S. EPA R5's IN HPVs Unaddressed 270 Days or More report. The Air Compliance and Enforcement Branch and U.S. EPA R5 discuss unaddressed HPVs that are greater than 270 days during each monthly U.S. EPA R5/IDEM Compliance, Enforcement, and Data Management conference call.

**FEC Status:** Project withdrawn

U.S. EPA R5 HQ's Watch List was suspended in September 2013. IDEM and U.S. EPA R5 continue to monitor cases that are not addressed within 180 days consistent with the August 25, 2014 Timely and Appropriate Enforcement Response to High Priority Violations (HPV) Policy. The Air Compliance and Enforcement Branch and U.S. EPA R5 discuss unaddressed HPVs at each monthly U.S. EPA R5/IDEM Compliance, Enforcement, and Data Management conference call.

- l) U.S. EPA R5 will review CAA Stationary Source CMS Policy and work closely with OAQ staff to ensure any issues are satisfactorily addressed.

**JAPC Status:** Ongoing

U.S. EPA R5 has provided copies of the CMS, HPV, and FRV revised policies to IDEM for review and comment. IDEM has provided comments on all three policies.

**FEC Status:** Ongoing

U.S. EPA R5 provided final copies of the CMS, HPV, and FRV revised policies to IDEM. The Air Compliance and Enforcement Branch and U.S. EPA R5 continue to discuss implementation of these policies at each monthly U.S. EPA R5/IDEM Compliance, Enforcement, and Data Management conference call.

<b>Compliance Monitoring Strategy (CMS) for Asbestos</b>		<b>A-3</b>
IDEM Contact(s): Phil Perry & Dan Stamatkin	U.S. EPA R5 Contact(s): Nathan Frank, Debra Flowers, and Rochelle Marceillars	Due Date: September 30, 2015
U.S. EPA R5 Role: Provide program assistance as requested.		
Goal 5:	Enforcing environmental laws.	
Objective 5.1:	Enforce environmental laws.	
Funding:	Dedicated – Asbestos Trust	

Implement a compliance and enforcement program for asbestos inspections and compliance evaluation of asbestos notifications, licensed asbestos contractors, and stationary asbestos sources.

- a) Submit an annual report to U.S. EPA R5 on asbestos demolition/renovation notifications submitted by the owner/operator, compliance evaluations conducted, and enforcement actions initiated by IDEM. The report will be submitted by October 31, 2013, for FY13 and by October 31, 2014, for FY14. The report will be submitted alphabetically by owner/operator and include the number of asbestos demolition/renovation notifications received, warning letters, Notice of Violations (NOVs), Referrals, Agreed Orders, State Court Orders/Decrees, and penalties assessed.

**JAPC Status:** In progress

IDEM’s OAQ Compliance and Enforcement Branch and the Operations Branch continue to implement the asbestos compliance and enforcement program and the asbestos licensing program. The Compliance and Enforcement Branch continues to review asbestos demolition/renovation notifications, conduct inspections, respond to asbestos related complaints, and take appropriate enforcement actions to address noncompliance. The Operations Branch continues to review training course providers, asbestos training, and asbestos license applications. The Operations Branch in coordination with the Indiana Professional Licensing Agency created the Indiana Online Licensing system so that individuals and contractors can obtain their licenses online. The Asbestos Annual Report FY13 report was submitted to U.S. EPA R5 on October 25, 2013. The FY14 report is not due until October 31, 2014.

**FEC Status:** Complete

The Asbestos Annual Report for FY13 report was submitted to U.S. EPA R5 on October 25, 2013. The Asbestos Annual Report for FY14 was submitted to U.S. EPA R5 on October 31, 2014.

<b>Conduct Ambient Air Quality Monitoring Throughout Indiana</b>		<b>A-4</b>
IDEM Contact(s): Richard Zeiler & Steve Lengerich	U.S. EPA R5 Contact(s): Michael Compher	Due Date: Ongoing.
U.S. EPA R5 Role: Regulatory advice, funding and review.		
Goal 1:	Taking action on climate change and improving air quality.	
Objective 1.2:	Improve air quality.	
Funding:	PPG	

- a) Operate monitors for National Ambient Air Quality Standards (NAAQS) pollutants and Photochemical Assessment Monitoring Stations (PAMS) according to 40 CFR 58, approved monitoring plans, and the quality management plan/quality assurance project plans (QMP/QAPPS).

**JAPC Status:** Ongoing

The ongoing activities are being conducted as outlined in the goal above.

U.S. EPA R5 Comment: This is an ongoing commitment. IDEM performs this function well, achieving high completeness rates and good QA results.

**FEC Status:** Ongoing

The ongoing activities are being conducted as outlined in the goal above.

U.S. EPA R5 Comment: This is an ongoing commitment. IDEM performs this function well, achieving high completeness rates and good QA results.

- b) Submit annual network plan required by 40 CFR 58.10 by July 1 of the prior year, unless another schedule has been approved by U.S. EPA R5.

**JAPC Status:** Complete

The completed activities are sufficiently described above.

U.S. EPA R5 Comment: IDEM's annual network plan was received by July, 2014. It was reviewed and approved by U.S. EPA R5 in October 2014.

**FEC Status:** Complete

The completed activities are sufficiently described above.

U.S. EPA R5 Comment: IDEM's annual network plan was received in July (2015) and it is being reviewed by U.S. EPA R5.

- c) Improve certification lab operation by the continued use of the most current lab standards, and continued use of state-of-the-art techniques to produce the most accurate certifications possible.

**JAPC Status:** Ongoing

The ongoing activities are being conducted as outlined in the goal above.

U.S. EPA R5 Comment: IDEM generally does well in this area. IDEM could improve work in traceability. U.S. EPA R5 Air and Radiation Division (ARD) will follow up with IDEM's Office of Air Quality directly to provide detailed comments and to explain our reporting expectations. U.S. EPA R5 accepts this report. However, we expect more explanation and specific details to be included in the final report regarding this commitment.

**FEC Status:** Ongoing

The ongoing activities are being conducted and new sources of instrument certifications are being explored. The Roots meter and the Hg barometer will be certified by the Indiana Standards Lab while the MoIBloc flow rate standard will be returned to the manufacturer for recertification. A new certified standard has been secured for the primary temperature standard. NIST traceable standards are used for all gaseous pollutants except ozone which is certified by U.S. EPA R5.

U.S. EPA R5 Comment: U.S. EPA R5 concurs with the status and observed the above standards during a comprehensive Technical Systems Audit of IDEM's air quality monitoring program in July 2015.

- d) Investigate new analytical methods of testing through new equipment.

**JAPC Status:** Ongoing

The ongoing activities are being conducted as outlined in the goal above.

U.S. EPA R5 Comment: U.S. EPA R5, ARD will follow up with IDEM's Office of Air Quality directly to provide detailed comments and to explain our reporting expectations. EPA accepts this report however; we expect more explanation and specific details to be included in the final report regarding this commitment.

**FEC Status:** Ongoing

The ongoing activities are being conducted as well as new instrument evaluations on API 602, Grimm, and Dust Track continuous particulate instruments and 2B Tech ozone analyzers.

- e) Ensure adequate, independent QA audits of NAAQS monitors.

**JAPC Status:** Ongoing

The ongoing activities are being conducted as outlined in the goal above.

U.S. EPA R5 Comment: IDEM participates in the National Performance Audit Program for criteria pollutants.

**FEC Status:** Ongoing

The ongoing activities are being conducted as outlined in the goal above.

- f) Conduct speciation monitoring for PM<sub>2.5</sub> and submit data to U.S. EPA HQ's Air Quality System (AQS) database.

**JAPC Status:** Ongoing

The ongoing activities are being conducted as outlined in the goal above.

U.S. EPA R5 Comment: In 2014, IDEM operated 6 speciation sites and 1 speciation monitor at their NCore site. Due to a national assessment of the CSN, IDEM is operating 1 less speciation monitor in 2015.

**FEC Status:** Ongoing

The ongoing activities are being conducted as outlined in the goal above.

- g) Conduct Aethalometer™ monitoring.

**JAPC Status:** Ongoing

The ongoing activities are being conducted as outlined in the goal above.

U.S. EPA R5 Comment: IDEM collects black carbon and UV carbon at 4 sites. They meet the 75% completeness criteria at 3 sites. One site does not have Q4 data submitted but this is not due until April 1, 2015.

**FEC Status:** Ongoing

The ongoing activities are being conducted. All black carbon sites are meeting the 75% completeness criteria.

- h) Operate, evaluate and improve monitoring procedures and data reporting of the Photochemical Analytical Monitoring Strategy (PAMS) monitoring in Northwest Indiana.

**JAPC Status:** Ongoing

The ongoing activities are being conducted as outlined in the goal above.

U.S. EPA R5 Comment: IDEM operates and reports PAMS data along with their NAAQS network. EPA needs more information to evaluate whether IDEM is evaluating and improving monitoring procedures. EPA, ARD will follow up with IDEM's Office of Air Quality directly to provide detailed comments and to explain our reporting expectations. EPA accepts this report however; we expect more explanation and specific details to be included in the final report regarding this commitment.

**FEC Status:** Ongoing

The ongoing activities are being conducted as outlined in the goal above. The PAMS site GC was rebuilt completely during this grant period and the cryogenic pre-concentrator will be replaced during the next grant period.

- i) Continue to use the Interagency Monitoring of Protected Visual Environments (IMPROVE)-style carbon samplers at PM<sub>2.5</sub> speciation trends and supplemental sites.

**JAPC Status:** Ongoing

The ongoing activities are being conducted as outlined in the goal above.

U.S. EPA R5 Comment: EPA, ARD will follow up with IDEM's Office of Air Quality directly to provide detailed comments and to explain our reporting expectations. EPA accepts this report however; we expect more explanation and specific details to be included in the final report regarding this commitment.

**FEC Status:** Ongoing

The ongoing activities are being conducted as outlined in the goal above. All sites are meeting the 75% completeness criteria.

- j) Continue to operate the source and population-oriented monitors for the revised Lead (Pb) standard.

**JAPC Status:** Ongoing

The ongoing activities are being conducted as outlined in the goal above.

U.S. EPA R5 Comment: IDEM continues to do this along with the other NAAQS monitoring.

**FEC Status:** Ongoing

The ongoing activities are being conducted as outlined in the goal above.

- k) Continue to operate NCore site in Indianapolis.

**JAPC Status:** Ongoing

The ongoing activities are being conducted as outlined in the goal above.

U.S. EPA R5 Comment: IDEM continues to do this along with the other NAAQS monitoring with good results.

**FEC Status:** Ongoing

The ongoing activities are being conducted as outlined in the goal above.

- l) Assist industry with the siting of any new NAAQS stations, as required for SO<sub>2</sub> source-oriented monitoring.

**JAPC Status:** In progress

The in progress activities are being conducted as outlined in the goal above.

U.S. EPA R5 Comment: IDEM requires industry to collect SO<sub>2</sub> data using the same requirements as their own NAAQS network. The data is submitted with IDEM's data and certified accurate each year. The completeness and QA results are good. Some approval dates for industry QAPPs for SO<sub>2</sub> collections are not being submitted. If industries operate under their own QAPPs, IDEM should ensure they review those under similar schedules to IDEM and ensure the approval dates are properly reported to AQS.

**FEC Status:** In progress

The industrial SO<sub>2</sub> monitoring networks have updated and approved QAPP's in place or have adapted the IDEM QA manual as an approvable QAPP. All instruments used for calibrations and audits for industrial and/or consulting firms are certified by the IDEM QA Certification Lab.

U.S. EPA R5 Comment: U.S. EPA R5 concurs with the status. IDEM has provided review and quality assurance oversight of the recently installed SO<sub>2</sub> sites at Alcoa.

- m) Site new NAAQS stations, as required, for near-roadway NO<sub>2</sub> and CO monitoring. Stations to be operational by January 1, 2014.

**JAPC Status:** Complete

The completed activities are sufficiently described above.

U.S. EPA R5 Comment: IDEM's Phase I site began operation on February 7, 2014.

**FEC Status:** Complete

The completed activities are sufficiently described above.

- n) U.S. EPA R5 will provide regulatory advice, funding and review.

**JAPC Status:** Ongoing

The ongoing activities are being conducted as outlined in the goal above.

U.S. EPA R5 Comment: U.S. EPA R5 provides this information to IDEM through regularly scheduled calls, and as questions or issues arise.

**FEC Status:** Ongoing

The ongoing activities are being conducted as outlined in the goal above.

Air Toxics Monitoring, Risk Analysis and Reduction		A-5
IDEM Contact(s): Richard Zeiler & Steve Lengerich	U.S. EPA R5 Contact(s): Loretta Lehrman, Motria Caudill & Carl Nash	Due Date: Ongoing.
U.S. EPA R5 Role: Risk assessment and data analysis advice, special grant funding and review. Collaborate with IDEM as appropriate to evaluate and mitigate localized air toxics.		
Goal 1:	Taking action on climate change and improving air quality.	
Objective 1.2:	Improve air quality.	
Funding:	PPG	

Conduct effective non-criteria pollutant monitoring.

- a) Maintain Indiana Air Toxic Monitoring Program.

**JAPC Status:** Ongoing

IDEM continues to operate nine air toxic monitors that are scattered throughout the State of Indiana and these toxic monitor's purpose is to collect air toxic data.

U.S.EPA R5 Comment: IDEM voluntarily collects toxics data at multiple sites. There are no completeness requirements for this. They also voluntarily participate in the NATTS performance tests and regional round-robin with passing results.

**FEC Status:** Ongoing

IDEM continues to operate nine air toxic monitors that are scattered throughout the State of Indiana and these toxic monitor's purpose is to collect air toxic data.

- b) U.S. EPA R5 will provide risk assessment and data analysis advice, offer special grant funding and review, and collaborate with IDEM, as appropriate, to evaluate and mitigate localized air toxics.

**JAPC Status:** Ongoing

U.S. EPA R5 provides quarterly conference calls to answer questions and present information to IDEM staff on the latest air toxic and risk assessment issues.

U.S. EPA R5 Comment: U.S. EPA R5 provides this information to IDEM through regularly scheduled calls, and as questions or issues arise.

**FEC Status:** Ongoing

U.S. EPA R5 provides quarterly conference calls to answer questions and present information to IDEM staff on the latest air toxic and risk assessment issues.

<b>Make Air Monitoring Information Publicly Available</b>		<b>A-6</b>
IDEM Contact(s): Richard Zeiler & Steve Lengerich	U.S. EPA R5 Contact(s): Loretta Lehrman & Pat Schraufnagel	Due Date: Ongoing.
U.S. EPA R5 Role: Timely advice and reviews.		
Goal 1:	Taking action on climate change and improving air quality.	
Objective 1.2:	Improve air quality.	
Funding:	PPG	

Assess and modify Indiana’s air monitoring program and make monitoring information available to the public.

- a) Perform a quality assurance (QA) network evaluation.

**JAPC Status:** Ongoing

The Quality Assurance Section reviews the siting criteria of the monitoring network annually.

U.S. EPA R5 Comment: U.S. EPA R5, ARD will follow up with IDEM's Office of Air Quality directly to provide detailed comments and to explain our reporting expectations. U.S. EPA R5 accepts this report; however, we expect more explanation and specific details to be included in the final report regarding this commitment.

**FEC Status:** Ongoing

The Quality Assurance Section reviews the siting criteria of the monitoring network annually.

U.S. EPA R5 Comment: U.S. EPA R5 concurs with the status, however; several nonconforming siting criteria were identified in the recent Technical Systems Audit that will require corrective action.

- b) Conduct data analysis to determine improvement and degradation of air quality.

**JAPC Status:** Ongoing

Air quality data and data trend reports are available at <http://www.in.gov/idem/airquality/2346.htm>.

U.S. EPA R5 Comment: This site has trend reports for each area of Indiana.

**FEC Status:** Ongoing

Air quality data and data trend reports are available at <http://www.in.gov/idem/airquality/2346.htm>.

- c) Perform annual industry evaluations (systems audit).

**JAPC Status:** In progress

The industrial evaluations are conducted annually as per the schedule established by the Quality Assurance Section.

U.S. EPA R5 Comment: U.S. EPA R5, ARD will follow up with IDEM's Office of Air Quality directly to provide detailed comments and to explain our reporting expectations. U.S. EPA R5 accepts this report; however, we expect more explanation and specific details to be included in the final report regarding this commitment.

**FEC Status:** In progress

The industrial evaluations are conducted annually as per the schedule established by the Quality Assurance Section.

U.S. EPA R5 Comment: U.S. EPA R5 concurs with the status and commends IDEM for providing thorough oversight of the industrial monitoring networks in Indiana. Evidence of this oversight was observed during the recent Technical Systems Audit.

- d) Annually review and update the OAQ Quality Assurance Manual.

**JAPC Status:** In progress

The Quality Assurance Section performs a complete review of the Quality Assurance Manual every five years. The individual portions are updated annually as new programs, regulations, or guidance are promulgated.

**FEC Status:** In progress

The Quality Assurance Section performs a complete review of the Quality Assurance Manual every five years. The individual portions are updated annually as new programs, regulations, or guidance are promulgated.

- e) Submit NAAQS pollutant data, PAMS and QA data to AQS, according to schedule in 40 CFR 58.

**JAPC Status:** Ongoing

All NAAQS pollutant data, PAMS data, and QA data are entered into AQS within 90 days of the quarter in which it was collected.

U.S. EPA R5 Comment: IDEM is timely and complete in submitting data.

**FEC Status:** Ongoing

All NAAQS pollutant data, PAMS data, and QA data are entered into AQS within 90 days of the quarter in which it was collected.

- f) Produce daily and hourly ozone and PM<sub>2.5</sub> data and maps to be posted on the Internet, as per U.S. EPA HQ Ozone and PM<sub>2.5</sub> Mapping Projects.

**JAPC Status:** Ongoing

The data collected is automatically uploaded every hour.

U.S. EPA R5 Comment: IDEM has an advanced data collection system that automatically collects hourly data. The maps are available on their web site.

**FEC Status:** Ongoing

The data collected is automatically uploaded every hour.

- g) Maintain air quality index (AQI) reporting in designated cities.

**JAPC Status:** Ongoing

AQI values for all areas of the state are available on IDEM's website at [http://idem.tx.sutron.com/cgi-bin/aqi\\_rpt.pl](http://idem.tx.sutron.com/cgi-bin/aqi_rpt.pl).

U.S. EPA R5 Comment: IDEM automatically reports AQI information to the listed website.

**FEC Status:** Ongoing

AQI values for all areas of the state are available on IDEM's website at [http://idem.tx.sutron.com/cgi-bin/aqi\\_rpt.pl](http://idem.tx.sutron.com/cgi-bin/aqi_rpt.pl).

- h) Certify NAAQS pollutant data in AQS and provide supporting documentation by the schedule in 40 CFR 58.

**JAPC Status:** Complete

The 2013 data was certified prior to May 1, 2014.

U.S. EPA R5 Comment: IDEM certified their data before this date with a complete certification package.

**FEC Status:** Complete

The 2014 data was certified prior to May 1, 2015.

- i) Submit ozone, PM<sub>2.5</sub> and meteorological data to AIRNow.

**JAPC Status:** Ongoing

The data that is collected is submitted on an hourly basis to AIRNow.

U.S. EPA R5 Comment: IDEM's data collection system automatically submits this data to AIRNow.

**FEC Status:** Ongoing

The data that is collected is submitted on an hourly basis to AIRNow.

- j) U.S. EPA R5 will provide timely advice and reviews.

**JAPC Status:** Ongoing

U.S. EPA R5 staff has been available to answer questions and do so in a timely manner.

U.S. EPA R5 Comment: U.S. EPA R5 provides this information to IDEM through regularly scheduled calls, and as questions or issues arise.

**FEC Status:** Ongoing

U.S. EPA R5 staff has been available to answer questions and do so in a timely manner.

<b>Leading Environmental Analysis and Display System (LEADS ®)</b>		<b>A-7</b>
IDEM Contact(s): Richard Zeiler & Steve Lengerich	U.S. EPA R5 Contact(s): Loretta Lehrman & Pat Schraufnagel	Due Date: Ongoing.
U.S. EPA R5 Role: Timely advice and reviews.		
Goal 1:	Taking action on climate change and improving air quality.	
Objective 1.2:	Improve air quality.	
Funding:	PPG	

Collect real time air quality information using LEADS ®.

a) Maintain automatic calibration equipment at all continuous monitoring sites.

**JAPC Status:** Ongoing

The calibration equipment is maintained by using operating manuals and SOPs. The calibrators are certified and audited based on the Quality Assurance Section's approved schedule.

**FEC Status:** Ongoing

The calibration equipment is maintained by using operating manuals and SOPs. The calibrators are certified and audited based on the Quality Assurance Section's approved schedule.

U.S. EPA R5 Comment: U.S. EPA R5 concurs with the status. U.S. EPA R5 identified a potential issue with the automated calibrations of ozone monitors during the Technical Systems Audit that will require corrective action by IDEM.

b) Deploy LEADS® at all newly established continuous monitoring site locations.

**JAPC Status:** Complete

LEADS was deployed at 4 locations. These 4 locations were: Indianapolis IN, Kokomo IN, Helmsburg IN, and Columbus IN in the year 2014.

**FEC Status:** Complete

There were no new LEADS sites established during 2015.

c) Provide current data from all active continuous monitoring sites to the public via the agency website.

**JAPC Status:** Ongoing

There is current data from all active continuous monitoring sites that has been made available to the public at <http://idem.tx.sutron.com/>.

**FEC Status:** Ongoing

There is current data from all active continuous monitoring sites that has been made available to the public at <http://idem.tx.sutron.com/>.

- d) Provide past data from active continuous monitoring sites and past data from recently discontinued sites.

**JAPC Status:** Complete

There is past data from all active continuous monitoring sites that has been made available to the public at <http://idem.tx.sutron.com/>.

**FEC Status:** Complete

There is past data from all active continuous monitoring sites that has been made available to the public at <http://idem.tx.sutron.com/>.

- e) U.S. EPA R5 will provide timely advice and reviews.

**JAPC Status:** Ongoing

U.S. EPA R5 staff has been available to answer questions and do so in a timely manner.

**FEC Status:** Ongoing

U.S. EPA R5 staff has been available to answer questions and do so in a timely manner.

<b>Persistent Bioaccumulative Toxics Great Lakes Air Deposition</b>		<b>A-8</b>
IDEM Contact(s): Scott Deloney	U.S. EPA R5 Contact(s): Erin Newman	Due Date: Ongoing.
U.S. EPA R5 Role: Timely advice, adequate funding, and timely reviews.		
Goal 1:	Taking action on climate change and improving air quality.	
Objective 1.2:	Improve air quality.	
Funding:	PPG	

IDEM will undertake several activities to evaluate persistent bioaccumulative toxics (PBTs).

- a) IDEM will support emissions inventory work regarding PBTs.

**JAPC Status:** In progress

IDEM participates in mercury air monitoring projects throughout the State of Indiana and Midwest. Currently, there are three mercury monitors proposed for Indiana. One monitor is located in Northwest Indiana, one is located in Southwest Indiana along the Illinois border, and the third is in Southeast Indiana near the Ohio River. Additionally, under this funding for persistent and bioaccumulative toxics, IDEM is in the process of evaluating historical and currently reported heavy metal emissions as well as historical metals monitoring data. As part of this evaluation, IDEM is developing a web-based application tool that will allow the public to obtain information about emissions and ambient concentrations in their neighborhood.

**FEC Status:** In progress

IDEM participates in mercury air monitoring projects throughout the State of Indiana and Midwest. Currently, there are three mercury monitors operating in Indiana. One monitor is located in Northwest Indiana, one is located in Southwest Indiana along the Illinois border, and the third is in Southeast Indiana near the Ohio River. Additionally, under this funding for persistent and bioaccumulative toxics, IDEM has

evaluated historical and currently reported heavy metal emissions as well as historical metals monitoring data. As part of this evaluation, IDEM is developing a web-based application tool that will allow the public to obtain information about emissions and ambient concentrations in their neighborhood.

- b) IDEM will use staff time to identify and quantify source types and emissions that contribute PBTs to lakes through atmospheric deposition to better address PBTs. For FY2013, IDEM will conduct a health and environmental impact screening analysis of ambient metals from sources located in Northwest Indiana adjacent to Lake Michigan. For FY2014 and 2015, IDEM will conduct analyses for PBTs as agreed with U.S. EPA R5.

**JAPC Status:** In progress

IDEM developed a web-based application to identify and quantify sources and amounts of emissions of PBTs to the state. The tool is currently being refined but U.S. EPA R5 staff has had the opportunity to preview the tool.

**FEC Status:** In progress

IDEM developed a web-based application to identify and quantify sources and amounts of emissions of PBTs to the state. The tool is currently being refined and U.S. EPA R5 staff has had the opportunity to preview the tool.

- c) IDEM will analyze and interpret historic PBT monitoring information in Indiana. IDEM will prepare and submit a GLAD update of findings and recommendations to U.S. EPA R5 annually.

**JAPC Status:** In progress

IDEM is in the process of evaluating historic and current heavy metal emissions as well as historic monitoring data. As part of this evaluation, IDEM is developing a web based application tool that will allow the public to obtain information about emissions and ambient concentrations in their neighborhood.

**FEC Status:** In progress

IDEM completed an evaluation of historic and current heavy metal emissions as well as historic monitoring data. As part of this evaluation, IDEM is developing a web based application tool that will allow the public to obtain information about emissions and ambient concentrations in their neighborhood.

- d) U.S. EPA R5 will provide timely advice and reviews.

**JAPC Status:** Ongoing

U.S. EPA R5 has provided feedback and guidance when needed.

**FEC Status:** Ongoing

U.S. EPA R5 has provided feedback and guidance when needed.

**Implementation of 2008 Ozone National Ambient Air Quality Standards (NAAQS)****A-9**

IDEM Contact(s): Scott Deloney	U.S. EPA R5 Contact(s): Doug Aburano	Due Date: Ongoing
U.S. EPA R5 Role: Timely advice and reviews.		
Goal 1:	Taking action on climate change and improving air quality.	
Objective 1.2:	Improve air quality.	
Funding:	PPG	

Successfully implement the 2008 Ozone National Ambient Air Quality Standards (NAAQS).

- a) Monitor attainment status for areas designated nonattainment.

**JAPC Status:** Ongoing

**FEC Status:** Ongoing

The Cincinnati area is now eligible for redesignation. IDEM is working on a redesignation petition and maintenance plan. This document will go on notice in August 2015.

- b) Develop and submit attainment State Implementation Plans (SIPs), if necessary.

**JAPC Status:** Ongoing

No SIPs are currently due for Indiana at this time.

**FEC Status:** Ongoing

No SIPs are currently due for Indiana at this time. IDEM is working on a redesignation SIP based on eligibility for Indiana's portion of Cincinnati.

U.S. EPA R5 Comment: While attainment demonstration SIPs are not currently due, emissions inventory and emissions statement SIPs were due on July 20, 2014 and have not yet been submitted.

- c) U.S. EPA R5 will provide timely advice and reviews.

**JAPC Status:** Ongoing

**FEC Status:** Ongoing

**2012 Annual PM<sub>2.5</sub> National Ambient Air Quality Standards (NAAQS)****A-10**

IDEM Contact(s): Scott Deloney	U.S. EPA R5 Contact(s): Doug Aburano	Due Date: Ongoing
U.S. EPA R5 Role: Timely advice and reviews.		
Goal 1:	Taking action on climate change and improving air quality.	
Objective 1.2:	Improve air quality.	
Funding:	PPG	

- a) Prepare and submit designation recommendations and maintain ongoing dialogue with U.S. EPA R5 throughout designation process.

**JAPC Status:** Ongoing

Indiana provided designation recommendations in December 2013 and supplemented those recommendations with 2013 data in May 2014.

**FEC Status:** Ongoing

Indiana provided designation recommendations in December 2013 and supplemented those recommendations with 2013 data in May 2014.

- b) Prepare and submit SIPs.

**JAPC Status:** Ongoing

No SIPs are currently due for Indiana at this time.

**FEC Status:** Ongoing

No SIPs are currently due for Indiana at this time.

- c) Monitor attainment status for areas designated nonattainment.

**JAPC Status:** Ongoing

**FEC Status:** Ongoing

- d) Develop and submit attainment SIPs, as necessary.

**JAPC Status:** Ongoing

No SIPs are currently due for Indiana at this time.

**FEC Status:** Ongoing

No SIPs are currently due for Indiana at this time.

- e) U.S. EPA R5 will provide timely advice and reviews.

**JAPC Status:** Ongoing

**FEC Status:** Ongoing

<b>SO<sub>2</sub> National Ambient Air Quality Standards (NAAQS)</b>		<b>A-11</b>
IDEM Contact(s): Scott Deloney	U.S. EPA R5 Contact(s): Doug Aburano	Due Date: Ongoing
U.S. EPA R5 Role: Timely advice and reviews.		
Goal 1:	Taking action on climate change and improving air quality.	
Objective 1.2:	Improve air quality.	
Funding:	PPG	

- a) Consult with U.S. EPA R5 on designation recommendations provided and maintain ongoing dialogue with U.S. EPA R5 throughout the designation process.

**JAPC Status:** Complete

**FEC Status:** Complete

- b) Prepare and submit SIPs.

**JAPC Status:** In progress

U.S. EPA R5 provided SIP guidance in April 2014. SIPs are due April 2015. IDEM is on schedule to complete this task on time. Infrastructure SIP was submitted well in advance of the deadline.

**FEC Status:** In progress

U.S. EPA R5 provided SIP guidance in April 2014. SIPs are due April 2015. IDEM has completed this SIP and it will be submitted in early fall after the public process concludes. Infrastructure SIP was submitted well in advance of the deadline.

- c) Monitor attainment status for areas designated nonattainment.

**JAPC Status:** Ongoing

**FEC Status:** Ongoing

- d) Develop and submit attainment SIPs as necessary.

**JAPC Status:** In progress

U.S. EPA R5 provided SIP guidance in April 2014. SIPs are due April 2015. IDEM is on schedule to complete this task on time.

**FEC Status:** In progress

U.S. EPA R5 provided SIP guidance in April 2014. SIPs are due April 2015. IDEM has completed this SIP and it will be submitted in early fall after the public process concludes.

- e) Implement steps necessary to comply with federal guidelines yet to be established for unclassifiable areas.

**JAPC Status:** Ongoing

Federal rulemaking is currently pending for all areas other than those designated nonattainment.

**FEC Status:** Ongoing

Federal rulemaking is currently pending for all areas other than those designated nonattainment.

U.S. EPA R5 Comment: Federal rulemaking was published on August 21, 2015. U.S. EPA R5 expects IDEM will provide designation recommendations and subsequent attainment SIPs as necessary.

- f) U.S. EPA R5 will provide timely advice and reviews.

**JAPC Status:** Ongoing

**FEC Status:** Ongoing

Redesignation Petitions and Maintenance Plans		A-12
IDEM Contact(s): Scott Deloney	U.S. EPA R5 Contact(s): Doug Aburano and Pam Blakley	Due Date: Ongoing
U.S. EPA R5 Role: Timely advice and reviews.		
Goal 1:	Taking action on climate change and improving air quality.	
Objective 1.2:	Improve air quality.	
Funding:	PPG	

- a) Prepare and submit redesignation petitions and maintenance plans within six (6) months of monitoring data being quality assured for each new area that attains an NAAQS.

**JAPC Status:** Ongoing

There are no new areas eligible as of close of 2013. The redesignation petition and maintenance plan element was checked as ongoing because there were no areas eligible during the period, meaning no activity. However, ongoing implies that work could be initiated following the certification of new data prior to the end of the period.

**FEC Status:** Ongoing

There are no new areas eligible as of close of 2014. The redesignation petition and maintenance plan element was checked as ongoing because there were no areas eligible during the period, meaning no activity. However, ongoing implies that work could be initiated following the certification of new data prior to the end of the period.

U.S. EPA R5 comments: We encourage Indiana to early certify data for the Louisville area and provide any necessary information supplemental to what has been previously submitted to support the area’s redesignation for the 1997 annual PM<sub>2.5</sub> standard. In addition, IDEM is working on a redesignation SIP for Indiana’s portion of the Cincinnati, OH-KY-IN 2008 8-hour ozone nonattainment area.

- b) Develop and submit attainment SIPs as necessary.

**JAPC Status:** Ongoing

SO<sub>2</sub> attainment SIPs are due April 15, 2015. SIP development is underway and on schedule.

U.S. EPA R5 comment: This does not seem to belong in the redesignation section.

**FEC Status:** Ongoing

U.S. EPA R5 comment: This does not seem to belong in the redesignation section.

- c) U.S. EPA R5 will provide timely advice and reviews.

**JAPC Status:** Ongoing

**FEC Status:** Ongoing

Regional Haze		A-13
IDEM Contact(s): Scott Deloney	U.S. EPA R5 Contact(s): Doug Aburano	Due Date: January 2016
U.S. EPA R5 Role: Timely advice and reviews.		
Goal 1:	Taking action on climate change and improving air quality.	
Objective 1.2:	Improve air quality.	
Funding:	PPG	

- a) Coordinate through the Lake Michigan Air Directors Consortium to prepare and submit a five (5) year progress report on the Regional Haze SIP.

**JAPC Status:** In progress

A report is currently being created and is on schedule for submission in advance of January 2016.

**FEC Status:** In progress

A report is currently being created and is on schedule for submission in advance of January 2016.

- b) U.S. EPA R5 will provide timely advice and reviews.

**JAPC Status:** Ongoing

**FEC Status:** Ongoing

# Office of Land Quality (OLQ)

U.S. EPA R5 OLQ concurs with IDEM’s OLQ final report with comments (L1, L5, L6, L7, and L8). U.S. EPA R5 and IDEM’s agreement on final comments for this report.

<b>Resource Conservation Recovery Act (RCRA) Corrective Action (CA)</b>			<b>L-1</b>
IDEM Contact(s): Vic Windle & Mike Sickels	U.S. EPA R5 Contact(s): Paul Little & Tammy Moore	Due Date: See below	
U.S. EPA R5 Role: Contractor support for sampling and risk review at selected sites.			
Goal 3:	Cleaning up communities and advancing sustainable development.		
Objective 3.2:	Preserve land.		
Funding:	PPG		

IDEM supports U.S. EPA R5’s Integrated Cleanup Initiative to improve the accountability, transparency, and effectiveness of all of our cleanup programs. IDEM will coordinate the activities of its RCRA CA, Leaking Underground Storage Tanks, Brownfields, Toxic Substances Control Act, and Superfund programs to reduce risks to human health and the environment, by assessing and cleaning up contaminated sites to appropriate land use based levels, and put them back into productive use.

In support of our coordinated efforts, IDEM will meet the requirements of the Resource Conservation and Recovery Act (RCRA) Government Performance and Results Act (GPRA).

- a) For the 2020 Universe facilities, IDEM will achieve the following GPRA corrective action goals:
  - By September 30, 2013: 78% of the CA725, 71% for the CA750, and 52% for CA550.

**JAPC Status:** Complete

**FEC Status:** Complete

CA550 = 72.9%, CA725 = 87.3%, CA750 = 80.0%, based on a total of 70 IDEM lead baseline facilities. IDEM met all of the Goals for 2013.

By September 30, 2014: 89% of the CA725, 80% for the CA750, and 60% for CA550.

**JAPC Status:** In progress

**FEC Status:** Complete

U.S. EPA R5 Comment - As noted in above report, IDEM did not meet the goal of having CA725 at 89% of their corrective action sites in FY14. U.S. EPA R5 strongly encourages our state partners to meet their FY goals.

CA550 = 72.9%, CA725 = 87.1%, CA750 = 81.4%, based on a total of 70 IDEM lead baseline facilities. IDEM met all the goals, except for 89% for CA725, for which IDEM attained 87.1%.

By September 30, 2015: 92% of the CA725, 86% for the CA750, and 67% for CA550.

**JAPC Status:** In progress

**FEC Status:** Completed

Presently CA550 = 65%, CA725 = 86.3%, CA750 = 80%, based on a total of 80 IDEM lead baseline facilities. It should be noted that U.S. EPA R5's internal tracking was revised to delete the completion dates for Talma Fastener that was transferred from U.S. EPA R5 lead to IDEM when IDEM discovered that appropriate documentation for CA725 and CA750 did not exist. IDEM will work with U.S. EPA R5 to determine why there is an additional discrepancy with the CA750 and staff will discuss with U.S. EPA R5 during the quarterly conference call.

U.S. EPA R5 and IDEM will reconcile numbers for FY15 and correct totals as needed in the 2015-2017 PPA. U.S. EPA R5 and IDEM agreed that this item has been completed on this PPA.

- b) IDEM will support U.S. EPA R5's efforts to return facilities to productive use by reporting all facilities that meet the Site Wide Ready for Anticipated Use (SWRAU) criteria for each federal fiscal year.

**JAPC Status:** In progress

**FEC Status:** In progress

U.S. EPA R5 Comment - IDEM did not report any facilities meeting RAU for FY15.

- c) IDEM will issue permits, orders and voluntary agreements that will help achieve U.S. EPA R5's 2020 Government Performance and Results Act (GPRA) goals.

**JAPC Status:** In progress

**FEC Status:** In progress

- d) U.S. EPA R5 will provide contractor support for sampling and risk review at selected sites.

**JAPC Status:** In progress

**FEC Status:** In progress

<b>Hazardous Waste Permitting and Post-Closure</b>		<b>L-2</b>
IDEM Contact(s): Vic Windle	U.S. EPA R5 Contact(s): Jae Lee	Due Date: September 30, 2013 & September 30, 2014
U.S. EPA R5 Role: Provide program assistance.		
Goal 3:	Cleaning up communities and advancing sustainable development.	
Objective 3.2:	Preserve land.	
Funding:	PPG	

Permit priority will be given to application submittals that are subject to Indiana's permit accountability statute. U.S. EPA R5 is in the process of developing 2013-2015 permit and renewal baselines. The baselines will be completed by the end of June 2013.

- a) Issue permit renewals to 100% of the 2013-2015 baseline facilities within six (6) months of expiration.

**JAPC Status:** In progress

**FEC Status:** Incomplete

This goal has been met for all permits other than Vertellus. IDEM continues to await the completion of review of a risk assessment by U.S. EPA R5 before issuing the draft permit.

- b) Upon request, U.S. EPA R5 will provide timely boiler and industrial furnaces (BIF) and risk assessment assistance to complete hazardous waste facility permitting actions in accordance with U.S. EPA Government Performance and Results Act (GPRA) goals.

**JAPC Status:** In progress

**FEC Status:** Incomplete

See explanation above.

<b>Resource Conservation and Recovery Act (RCRA) Hazardous Waste Inspections of Generators</b>		<b>L-3</b>
IDEM Contact(s): Susan Lowry	U.S. EPA R5 Contact(s): Gary Victorine	Due Date: July 1, 2013-June 30, 2015
U.S. EPA R5 Role: Conduct inspections of at least six large quantity generators (LQGs). Inspect other facilities handling hazardous waste as necessary. Criteria for U.S. EPA's selection of installations may include: (a) requests from IDEM, (b) installations subject to open federal enforcement judicial and/or administrative decrees/orders, (c) installations that have not been inspected in the past, and (d) installations under Regional and National priority sectors and/or initiatives.		
Goal 3:	Cleaning up communities and advancing sustainable development.	
Objective 3.2:	Preserve land.	
Funding:	PPG	

- a) Each state fiscal year, IDEM will, by June 30 of that respective year, conduct Compliance Evaluation Inspections (CEIs) at a minimum of 20% of the large quantity generator (LQG) universe that exists in the RCRAInfo database. The universe will be determined using data that exists in the RCRAInfo database as of June 1 of that respective year.

**JAPC Status:** Complete

The LQG commitment was 106 LQGs (20% of 527). Since July 1, 2013, we have inspected approximately 130 LQGs.

**FEC Report:** Complete

The LQG commitment for July 1, 2014 through June 30, 2015 was 110. As agreed to with U.S. EPA R5, this number was based on the LQG universe in IRATS rather than RCRAInfo. The LQG universe in IRATS was 549, compared to 816 in RCRAInfo. We inspected 173 LQGs in FY15.

- b) U.S. EPA R5 will conduct inspections of at least six (6) large quantity generators (LQGs). U.S. EPA will inspect other facilities handling hazardous waste as necessary. Criteria for U.S. EPA R5's selection of installations may include: (a) requests from IDEM, (b) installations subject to open federal enforcement judicial and/or administrative decrees/orders, (c) installations that have not been inspected in the past, and (d) installations under regional and national priority sectors and/or initiatives.

**JAPC Status:** In progress

**FEC Status:**

Resource Conservation and Recovery Act (RCRA) Hazardous Waste Inspections of Treatment, Storage and Disposal Facilities (TSDs)			L-4
IDEM Contact(s): Susan Lowry	U.S. EPA R5 Contact(s): Gary Victorine	Due Date: July 1, 2013-June 30, 2015	
U.S. EPA R5 Role: U.S. EPA R5 will independently inspect the boiler and industrial furnace units at all four TSDs every other year, and inspect at least two additional operating TSDs for all permit requirements for each year. U.S. EPA R5 will perform annual inspections at all operating TSDs owned or operated by state and local governments.			
Goal 3:	Cleaning up communities and advancing sustainable development.		
Objective 3.2:	Preserve land.		
Funding:	PPG		

- a) Each fiscal year, IDEM will inspect 50% of all Treatment, Storage, and Disposal facilities (TSDs) with a current operating permit for active permitted units.

**JAPC Status:** Complete

Since July 1, 2013, we have inspected 14 of 16 permitted TSDs with active units.

**FEC Status:** Complete

From July 1, 2014 to June 30, 2015, IDEM inspected 16 active TSDs.

- b) IDEM will perform inspections each state fiscal year at operating TSDs owned or operated by the federal government.

**JAPC Status:** Complete

U.S. Naval Support Activity Crane Division was inspected in December 2013.

**FEC Status:** Complete

The U.S. Naval Support Activity Crane Division was inspected on November 7, 2014 and May 14, 2015.

- c) U.S. EPA R5 will independently inspect the boiler and industrial furnace units at all four (4) TSDs every other year, and inspect at least two (2) additional operating TSDs for all permit requirements for each year. Since IDEM received, authorization for BIFs as of June 6, 2013, U.S. EPA R5 and IDEM will revisit the issue, and collectively agree upon which agency will conduct those inspections for the remainder of the term. U.S. EPA R5 will perform annual inspections at all operating TSDs owned or operated by state and local governments.

**JAPC Status:** Ongoing

Regarding the BIF agreement, U.S. EPA R5 included the BIF inspection as part of a multi-media inspection conducted by NEIC at two BIFs (cement kilns). The remaining two BIFs will be inspected between July 1, 2014 and September 30, 2014.

**FEC Status:** Ongoing

U.S. EPA R5 and IDEM agreed that U.S. EPA R5 would take the lead on the BIF inspections and allow IDEM staff to accompany them for training. Additional BIF inspections are scheduled before the end of U.S. EPA R5's fiscal year.

<b>Resource Conservation and Recovery Act (RCRA) Hazardous Waste Enforcement</b>		<b>L-5</b>
IDEM Contact(s): Nancy Johnston	U.S. EPA R5 Contact(s): Todd Brown	Due Date: July 1, 2013-June 30, 2015
U.S. EPA R5 Role: Issue enforcement responses to RCRA violations detected by U.S. EPA R5, or referred to U.S. EPA R5 by IDEM, in accordance with U.S. EPA's 2003 Hazardous Waste Civil Enforcement Response Policy, U.S. EPA's RCRA Civil Penalty Policy and relevant U.S. EPA enforcement strategies.		
Goal 3:	Cleaning up communities and advancing sustainable development.	
Objective 3.2:	Preserve land.	
Funding:	PPG	

- a) Issue enforcement responses to RCRA violations in accordance with IDEM's enforcement response strategy and U.S. EPA HQ's 2003 Hazardous Waste Civil Enforcement Response Policy.

**JAPC Status:** Ongoing

IDEM enforcement staff continue to issue enforcement responses to RCRA violations in accordance with the appropriate strategies and policies. From July 1, 2013 through May 7, 2014, IDEM issued 25 Agreed Orders (310 Final Enforcement Orders) for RCRA violations. During the same time period, 14 new significant non-compliers (SNC) determinations were made. Enforcement staff also continues to issue enforcement responses for industrial waste, auto salvage, solid waste, UST, and LUST violations. Additional actions will be completed by June 30, 2014, but those numbers will not be available until after June 30, 2014.

**FEC Status:** Ongoing

IDEM enforcement staff continue to issue enforcement responses to RCRA violations in accordance with the appropriate strategies and policies. From July 1, 2013 through June 30, 2015, IDEM enforcement staff issued 62 Agreed Orders (310 Final Enforcement Orders) for RCRA violations. During the same time period, 47 new significant non-compliers (SNC) determinations were made. Enforcement staff also continues to issue enforcement responses to industrial waste, auto salvage, solid waste, UST, and LUST violations. From July 1, 2013 through June 30, 2015, IDEM enforcement staff issued 78 Agreed Orders, in addition to the 62 Agreed Orders above, for industrial waste, auto salvage, UST and LUST violations.

- b) U.S. EPA R5 will issue enforcement responses to RCRA violations detected by U.S. EPA R5 or referred to U.S. EPA R5 by IDEM, in accordance with enforcement strategies.

**JAPC Status:** Ongoing

**FEC Status:** Complete

U.S. EPA R5 completed this task on June 30, 2015.

<b>Polychlorinated Biphenyl (PCB) Inspections</b>		<b>L-6</b>
IDEM Contact(s): Theresa Bordenkecher	U.S. EPA R5 Contact(s): Kendall Moore	Due Date: July 1, 2013-June 30, 2015
U.S. EPA R5 Role: Review IDEM's PCB inspection reports and, if necessary, issue the appropriate enforcement response. Provide technical assistance and guidance on federal PCB regulations. Conduct mid-year and year end reviews. Provide continuing refresher training to experienced inspectors and basic field investigation training to new inspectors. Provide enforcement training to allow IDEM to prepare penalty calculations.		
Goal 4:	Ensuring the safety of chemicals and preventing pollution.	
Objective 4.1:	Ensure chemical safety.	
Funding:	PPG	

- a) Conduct 24 Toxic Substance Control Act (TSCA) PCB inspections for FY14 and 24 PCB inspections for FY15.

**JAPC Status:** In progress

IDEM anticipates completing all required inspections.

**FEC Status:** Complete

28 inspections were conducted in FY14 and 24 in FY15.

- b) IDEM will continue to participate in U.S. EPA R5's current electronic inspection pilot program. IDEM will complete the Digital Inspector (DI) template for PCB inspections by September 2013, and then begin template testing. IDEM will research an additional electronic field data collection system on a pilot basis, and pursue equipment purchase based on funding availability from IDEM and/or U.S. EPA R5. IDEM will provide feedback on issues and/or improvements that can be made to hardware and software for this e-field activity.

**JAPC Status:** Ongoing

Funding has not yet been made available for equipment purchase.

**FEC Status:** Ongoing

Funding has not yet been made available for equipment purchase.

- c) Work with U.S. EPA R5 on oversight of PCB cleanups and provide technical assistance to the regulated community. Provide a yearly summary report detailing the status of oversight activities for each fiscal year.

**JAPC Status:** Ongoing

**FEC Status:** Ongoing

- d) Work with the U.S. EPA R5 Pesticides and Toxics Compliance Section (PTCS) in the annual targeting of facilities for TSCA PCB inspections, including critical points within natural gas pipeline transmission and distribution systems.

**JAPC Status:** Ongoing

Four (4) facilities were selected and inspected.

**FEC Status:** Complete

Four (4) facilities were inspected each fiscal year.

- e) IDEM will provide a quarterly inspection summary.

**JAPC Status:** Ongoing

**FEC Status:** Ongoing

- f) U.S. EPA R5 will review IDEM’s PCB inspection reports and, if necessary, issue the appropriate enforcement response, provide technical assistance and guidance on federal PCB regulations, conduct mid-year and year end reviews, provide continuing refresher training to experienced inspectors and basic field investigation training to new inspectors, and provide enforcement training to allow IDEM to prepare penalty calculations.

**JAPC Status:** Ongoing

**FEC Status:** Ongoing

<b>Resource Conservation Recovery Act (RCRA) RCRAInfo</b>		<b>L-7</b>
IDEM Contact(s): Greg Overtoom	U.S. EPA R5 Contact(s): Allen Melcer and Darnell Wilson	Due Date: Monthly.
U.S. EPA R5 Role: Provide program assistance.		
Goal 4:	Ensuring the safety of chemicals and preventing pollution.	
Objective 4.1:	Ensure chemical safety.	
Funding:	PPG	

Resource Conservation and Recovery Act (RCRA) information will be input into the RCRAInfo database on a monthly basis.

- a) IDEM will migrate the Indiana RCRA Activities Tracking System (IRATS) into the agency’s Environmental Information System (EIS), IDEM’s agency-wide database. IRATS migration into the EIS is tentatively scheduled to be completed by the end of the second quarter of 2014. Once fully integrated, the EIS will be used to track all RCRA related regulatory activities and IRATS will be decommissioned. The handler data flow from IRATS to RCRAInfo via IDEM’s National Environmental Information Exchange Network (NEIEN) node developed in 2005-2007 will be modified to use the EIS data rather than IRATS.

**JAPC Status:** In progress

Due to staff resource and contractor staff resource issues, this project is now expected to be completed during the third quarter of 2015. The estimated cost for all enhancements exceeded the amount IDEM had available, and the scope of the project had to be narrowed to stay within funding limits.

**FEC Status:** In progress

IDEM is currently working on migrating data from IRATS to the EIS.

U.S. EPA R5 comment – U.S. EPA R5 acknowledges that IDEM had limited staff and contractor resource due to these issues, this project is expected to be completed during the second quarter 2016, under their new PPA that started on July 1, 2015 and will end on June 30, 2017.

- b) IDEM will continue improving field-based electronic forms for collecting RCRA compliance inspection information and synchronizing that information to IRATS and, eventually, to the EIS integration, once the IRATS project is completed. IDEM is currently refining outputs such as reports and letters and investigating the use of tablet and smart phone platforms.

**JAPC Status:** In progress

**FEC Status:** In progress

IDEM's EIS vendor is planning to release the first version of a tablet-based inspection application in the first quarter of 2016. In the meantime, earlier IDEM-produced digital inspector tools are in use by IDEM staff.

- c) Develop biennial report online reporting application and migrate to EIS for the 2014 reporting year.

**JAPC Status:** In progress

The cost to develop a fully online reporting system exceeded available funding, so IDEM has started work on a new solution that will allow direct upload of files generated by a third party vendor to our Environmental Information System. The new system will not significantly increase IDEM resources needed to support it or reduce functionality for users submitting biennial reports.

**FEC Status:** Complete

IDEM has completed work on an import function and will enable it when migration of data from IRATS to the EIS is complete.

- d) IDEM will develop Exchange Network data flows for all RCRAInfo schemas by April 2014.

**JAPC Status:** In progress

Due to IDEM staff resource limitations and delays in getting database modifications from our contractor, this project will not be completed until the third quarter of 2015. IDEM requested an extension for the 2011 NEIEN grant that is funding this work.

**FEC Status:** In progress

The RCRAInfo GIS dataflow is complete and will be going into production before the end of August 2015. Handler and Corrective action data has been successfully transferred from IDEM's test EIS system to RCRAInfo Pre-production. IDEM will not be able to put all of the data flows into production until data has been successfully migrated from IRATS to the EIS. Therefore, IDEM will be requesting a 1-year, no-cost extension to the 2011 grant.

U.S. EPA R5 comment – U.S. EPA R5 acknowledges that IDEM had staff limitations and delays in getting database modifications; this project is now slated to be completed during the second quarter of 2016, under their new PPA that stated on July 1, 2015 and will end on June 30, 2017.

- e) U.S. EPA R5 will provide program assistance.

**JAPC Status:** In progress

**FEC Status:** In progress

U.S. EPA R5 provided assistance to IDEM on correcting issues with violations in the Compliance Monitoring Enforcement Module within RCRAInfo. Those issues have been completed. U.S. EPA R5 will continue to provide program assistance to IDEM whenever possible.

<b>Rule Development</b>		<b>L-8</b>
IDEM Contact(s): Chris Pedersen	U.S. EPA R5 Contact(s): Mary Setnicar	Due Date: June 30, 2015
U.S. EPA R5 Role: Many rule updates are promulgated by U.S. EPA R5 and IDEM in mutually agreed upon time frames. Regarding the Research, Development, and Demonstration (RDD) rule, U.S. EPA R5 will provide assistance where applicable.		
Goal 5:	Enforcing environmental law.	
Objective 5.1:	Enforce environmental law.	
Funding:	PPG	

Develop equivalent legislation, regulations and program revision applications for RCRA and hazardous and solid waste amendments (HSWA) / non-HSWA provisions for which the state is prepared to seek authorization. Submit current and future authorization packages within a mutually agreed upon time frame.

- a) IDEM will promulgate and pursue authorization for all RCRA Subtitle C annually and Subtitle I rules, as needed.

**JAPC Status:** Ongoing

**FEC Status:** Ongoing

IDEM has completed a rulemaking that incorporates federal hazardous waste rules from January 8, 2010 through January 3, 2014. The state rule became effective on July 3, 2015. A new rulemaking is being initiated to address more recent federal hazardous waste rules. IDEM staff are coordinating with U.S. EPA R5 staff on the submittal of authorization packages.

- b) U.S. EPA R5 will provide assistance where applicable regarding the Research, Development, and Demonstration (RDD) rule.

**JAPC Status:** Ongoing

**FEC Status:** Ongoing

U.S. EPA R5 is developing a revision to the RDD rule to address issues raised by Indiana and other states regarding the permit time limit. U.S. EPA R5 is participating on the rulemaking workgroup and will continue to keep IDEM informed.

<b>Confined Animal Feeding Operations (CAFO) NPDES Permits &amp; Enforcement</b>		<b>L-9</b>
IDEM Contact(s): Charles Grady & Joseph Williams	U.S. EPA R5 Contact(s): Ryan Bahr & Julianne Socha	Due Date: June 30, 2014 and June 30, 2015
U.S. EPA R5 Role (Water Division): Provide training on conducting CAFO inspections to IDEM staff, as requested. U.S. EPA R5 will be leading on enforcement where there is non-compliance with existing federal orders or where non-compliance is documented through a federal lead inspection.		
Goal 3:	Cleaning up communities and advancing sustainable development.	
Objective 3.2:	Preserve land.	
Funding:	PPG	

- a) Conduct compliance inspections at 20% of all CAFOs each fiscal year.

**JAPC Status:** Complete

IDEM inspected 20% of its CAFOs in FY 2014. Inspections were conducted from a universe of 667 CAFOs. The CMS commitment for CAFO inspections includes two permitted and 209 unpermitted CAFOs. This is a total of 211 CAFO size farm inspections, which represents 31% of the universe.

**FEC Status:** Complete

IDEM inspected 20% of its CAFOs in FY 2015. Inspections were conducted from a universe of 707 CAFOs. The CMS commitment for CAFO inspections includes 1 permitted and 184 unpermitted CAFOs. This is a total of 185 CAFO size farm inspections, which represents 26% of the universe.

- b) Issue NPDES permits to 100% of the CAFO Individual NPDES permit holders by September 30, 2013, whose expiration dates are on or before September 30, 2013.

**JAPC Status:** Ongoing

IDEM will continue to issue NPDES permits to all CAFOs who discharge manure or pollutant-bearing water to waters of the state within Indiana's statutory time frames. We do not anticipate any problems with our EnPPA duties in this cycle.

**FEC Status:** Ongoing

There are two active NPDES Individual Permits with one having an application in process. Three NPDES Individual Permits are in expired status, but still have compliance review until manure is removed from site.

- c) U.S. EPA R5 will provide training on conducting CAFO inspections to IDEM staff, as requested. U.S. EPA R5 will be the lead on enforcement where there is non-compliance with existing federal orders or where non-compliance is documented through a federal lead inspection.

**JAPC Status:** Ongoing

IDEM has participated in discussions and inspections on three CAFOs in the state for which U.S. EPA R5 conducted inspections.

**FEC Status:** Complete

## Office of Water Quality (OWQ)

U.S. EPA R5 OWQ concurs with IDEM's OWQ final report with comments (W1, W2, W4, W7, W8, W9, and W10). U.S. EPA R5 and IDEM's agreement on final comments for this report.

Impaired Waters List and Water Quality Report		W-1
IDEM Contact(s): a) Marylou Renshaw & Jody Arthur b) Marylou Renshaw & Cyndi Wagner	U.S. EPA R5 Contact(s): Mathew Gluckman and Vilma Rivera-Carrero	Due Date: a) April 1, 2014 b) December 31, 2013 & December 31, 2014
U.S. EPA R5 Role: Timely review and comment on materials submitted. Provide guidance on report/list development. Provide continued support and guidance on the use of the Assessment Database.		
Goal 2	Protecting America's waters.	
Objective 2.2:	Protect and restore watersheds and aquatic eco-systems.	
Funding:	PPG	

- a) Use the Assessment Database (ADB) to submit the Integrated Report (IR), including 303(d) List of Impaired Waterways by established deadlines. Complete quality assurance of information in ADB to ensure consistency with 303(d) list and other IR categories. Provide additional IR information (e.g., assessment methodology, GIS files) in other appropriate formats, as required by the IR Guidance (U.S. EPA WQ-7).

**JAPC Status:** In progress

The IR, including the 303(d) List of Impaired Waters was submitted to U.S. EPA R5 on April 1, 2014. QA/QC of the ADB is in progress.

U.S. EPA R5 Comment: The IR, including the public-noticed draft 303(d) List of Impaired Waters was submitted to U.S. EPA R5 on April 1, 2014. U.S. EPA R5 provided comments on the draft list on Sept. 11, 2014. QA/QC of the ADB is in progress.

**FEC Status:** In progress

IDEM is expanding the QA/QC of the ADB to do the additional work necessary to facilitate the migration of its assessment data to U.S. EPA R5's new ATTAINS SYSTEM. This work is expected to be completed by the end of 2016.

IDEM sent responses and comments to U.S. EPA R5 on 5/14/2015.

- b) Monitor waters, utilizing the probabilistic monitoring design to provide sufficient data to adequately assess the status of Indiana's surface water quality following the schedule identified in the IDEM Monitoring Strategy. During the current sampling season (summer 2013), IDEM will sample a minimum of 38 sites in the East Fork White River basin. Next sampling season (summer 2014), IDEM will sample a minimum of 38 sites in the Great Miami River basin (U.S. EPA PAM WQ-5).

**JAPC Status:** In progress

The 2013 probabilistic monitoring of the East Fork White River was completed. The 2014 probabilistic sampling of the Great Miami River basin is currently underway.

**FEC Status:** Complete

The 2014 probabilistic sampling of the Great Miami River basin was completed.

- c) U.S. EPA R5 will provide timely review and comments on materials submitted, guidance on report/list development, and support, and guidance on the use of the ADB.

**JAPC Status:** In progress

U.S. EPA R5 sent comments on the 2012 303(d) List of Impaired Waters submittal on May 19, 2014.

U.S. EPA R5 Comment: U.S. EPA R5 is reviewing the data IDEM submitted in response to U.S. EPA R5's comments.

**FEC Status:** Complete

IDEM sent responses and comments to U.S. EPA R5 on May 14, 2015.

Total Maximum Daily Loads (TMDLs)		W-2
IDEM Contact(s): a) & c) Marylou Renshaw & Bonny Elifritz b) Marylou Renshaw & Cyndi Wagner		U.S. EPA R5 Contact(s): a) Peter Swenson b) David Werbach
		Due Date: a) September 30, 2013 & 2014 b) December 31, 2013 & 2014
U.S. EPA R5 Role: Timely review and comment, and contractor assistance, and provide guidance/other information on identifying causes/sources of impairment.		
Goal 2	Protecting America's waters.	
Objective 2.2:	Protect and restore watersheds and aquatic eco-systems.	
Funding:	State	

- a) Total maximum daily loads (TMDLs) on water body segments – TMDLs will be developed in accordance with the measures established by U.S. EPA R5. IDEM has committed to 76 TMDLs in FY13 and will submit 76 TMDLs in FY14. However, IDEM is transitioning to the U.S. EPA HQ's TMDL Vision process for prioritizing and implementing the TMDL program.

**JAPC Status:** In progress

U.S. EPA R5 approved the Big Raccoon Creek TMDL for E. coli (55 segments) and IBC (two segments) on September 20, 2013 and the Otter Creek TMDL for E. coli (23 segments) on September 20, 2013 for a total of 78 TMDLs. IDEM is currently working on the Lower Big Blue River and the Deep River-Portage Burns TMDLs.

**FEC Status:** Complete

U.S. EPA R5 approved the Lower Big Blue River TMDL for E. coli (25 segments) on July 14, 2014 and the Deep River-Portage Burns TMDL for E. coli, total phosphorous (TP) and total suspended solids (TSS) (66 segments) on September 26, 2014 for a total of 91 TMDLs.

- b) Targeted Monitoring Studies - Monitor waters to provide information on sources and causes of impairments for use in the development of TMDLs and/or watershed plans. Depending on resources and following the plans outlined in the IDEM Monitoring Strategy, IDEM will do one (1) to 10 studies per sampling season.

**JAPC Status:** In progress

Targeted monitoring started and was completed in 2013. This targeted monitoring included Performance Measures monitoring in the Blue River and tributaries to the Upper Tippecanoe River; toxic algae monitoring at 14 beaches in 12 state owned parks or managed recreational areas; and BUI delisting sampling in the Grand Calumet-Indiana Harbor. Watershed characterization monitoring for TMDLs and baseline watershed planning purposes commenced in Deep River and ended in March 2014; commenced in Southern Whitewater basin and will end in October 2014. Watershed characterization monitoring for TMDLs and baseline watershed planning purposes commenced in April 2014 for the Mississinewa River and will commence in November 2014 for the South Fork Blue River. Performance measures monitoring will commence in 2014 for Tanners Creek and Hogan Creek. Monitoring for the National Water Quality Initiative (NWQI) commenced in April 2014.

**FEC Status:** In progress

Targeted monitoring projects included watershed characterization monitoring for TMDLs, performance measures monitoring, dissolved metals sampling, cyanobacteria monitoring at 14 beaches in 12 state owned parks or managed recreational areas, and monitoring for the National Water Quality Initiative.

Watershed characterization monitoring for TMDLs and baseline watershed planning is as follows.

Projects completed:

- Deep River, March 2014
- Southern Whitewater, October 2014
- Mississinewa River, March 2015

Projects in progress:

- South Fork Blue River, November 2014 through October 2015

Performance measures monitoring

Projects completed:

- Tanners Creek, 2014
- Hogan Creek, 2014

Projects in progress:

- Flowers Creek Watershed, April through October 2015
- Long Run Watershed, April through October 2015
- Silver Creek Watershed, April through October 2015

Dissolved metals project for a reassessment of selected sites from the Indiana 2010 303(d) List of Impaired Waters commenced in February 2015 and ended in May 2015 on the following waterbodies: Turkey Creek, Fall Creek, Cicero Creek, Eel River, Big Walnut Creek, Sulphur Creek, Muscatatuck River, East Fork White River, West Fork White River, Big Walnut Creek, and Mill Creek.

Cyanobacteria monitoring commenced in 2010 and is ongoing.

National Water Quality Initiative (NWQI) monitoring commenced in April 2014 and is ongoing.

- c) U.S. EPA R5 will provide timely review, comments, and contractor assistance and will provide guidance or other information on identifying causes/sources of impairment.

**JAPC Status:** In progress

Complete for 2013 but has not started for 2014.

**FEC Status:** Complete

<b>Wetland and Stream Impacts and Storm Water Permits</b>		<b>W-3</b>
IDEM Contact(s): Randy Braun		U.S. EPA R5 Contact(s): a) Peter Swenson Due Date: Ongoing. b) Brian Bell
U.S. EPA R5 Role: Provide program assistance.		
Goal 2	Protecting America's waters.	
Objective 2.2:	Protect and restore watersheds and aquatic eco-systems.	
Funding:	Federal/State (Wetlands Mapping Impacts Grant)	

- a) Review applications and issue appropriate permits for wetland and stream impacts.

**JAPC Status:** In progress

IDEM continues to review and issue all required permits within the required time frames.

**FEC Status:** Complete

- b) Storm water permits – Review applications and issue appropriate permits for construction, municipal and industrial discharges of storm water.

**JAPC Status:** In progress

IDEM continues to review and issue all required permits within the required time frames.

**FEC Status:** Complete

- c) U.S. EPA R5 will provide program assistance.

**JAPC Status:** In progress

IDEM continues to work with U.S. EPA R5 on matters of assistance in this program area.

**FEC Status:** Complete

<b>Office of Water Quality (OWQ) Permits</b>		<b>W-4</b>
IDEM Contact(s): a) Paul Higginbotham & Jerry Dittmer b) Paul Higginbotham & Stan Rigney		U.S. EPA R5 Contact(s): a) Kevin Pierard b) Kevin Pierard Due Date: See below.
U.S. EPA R5 Role: Provide timely review, technical assistance and comment and identify issues at an early stage in the process.		
Goal 2	Protecting America's waters.	
Objective 2.1:	Protect human health.	
Funding:	State	

a) Municipal National Pollutant Discharge Elimination System (NPDES) Permits – Issue 95% of all identified priority NPDES permits, issue new permits within statutory time frames.

- Issue municipal priority permits within requested time frames.

**JAPC Status:** In progress

IDEM continues to review and issue all required permits within the statutory time frames.

**FEC Status:** Complete

IDEM has and/or exceeded the 95% requirement and all new permits have been issued within statutory timeframes.

- Maintain the backlog of municipal permits at 10% or less.

**JAPC Status:** Complete

IDEM currently has a zero backlog of municipal permits (utilizing U.S. EPA's definition of backlog as being six months past expiration).

**FEC Status:** Complete

- Issue new municipal NPDES permits within statutory time frames.

**JAPC Status:** In progress

IDEM continues to review and issue all required permits within the required time frames.

**FEC Status:** Complete

IDEM has reviewed and issued all required permits within the required time frames.

- U.S. EPA R5 will review NPDES discharge permits greater than 5 million gallons per day (MGD) in the Lake Michigan basin and all direct dischargers to Lake Michigan.

**JAPC Status:** In progress

IDEM submits the required permits to U.S. EPA R5 prior to public notice and U.S. EPA R5 reviews and submits comments back to IDEM prior to public notice.

**FEC Status:** Complete

IDEM has submitted the required permits to U.S. EPA R5 prior to public notice and U.S. EPA R5 reviewed and submitted comments back to IDEM prior to public notice.

b) Industrial NPDES permits – Issue 95% of all identified priority NPDES permits and issue new permits within statutory time frames.

- Issue industrial priority permits within requested time frames.

**JAPC Status:** In progress

IDEM continues to review and issue all required permits within the statutory time frames.

**FEC Status:** Complete

IDEM has met and/or exceeded the 95% requirement and has issued all new permits within statutory timeframes.

- Maintain the backlog of industrial permits at 10% or less.

**JAPC Status:** Complete

IDEM currently has a zero backlog of industrial permits (utilizing U.S. EPA's definition of backlog as six months past expiration).

**FEC Status:** Complete

- Issue new industrial NPDES permits within statutory time frames.

**JAPC Status:** In progress

IDEM continues to issue any new permits within statutory time frames.

**FEC Status:** Complete

IDEM has issued all new permits within statutory time frames.

- U.S. EPA R5 will review permits previously identified for review, all general permits and individual permits for major dischargers listed below. U.S. EPA R5 will timely provide a non-objection letter once any objectionable issues U.S. EPA R5 raised have been resolved. IDEM and U.S. EPA R5 will evaluate the list annually (e.g. FY15 midterm adjustment) to identify additional permits for U.S. EPA R5 review based on national and regional priorities and/or permits to remove from the list.

Permittee	Permit#	MGD
AQUA INDIANA, INC., SOUTH HAVEN SEWER WORKS INC	IN0030651	2.0
HOBART WASTEWATER TREATMENT PLANT	IN0061344	4.8
CHESTERTON WWTP, TOWN OF	IN0022578	4.6
ANGOLA WWTP	IN0021296	1.7
MICHIGAN CITY - J.B. GIFFORD WWTP	IN0023752	15.0
NAPPANEE WWTP, CITY OF	IN0021466	1.9
PRAXAIR, INC., LAKESIDE PLANT	IN0000035	98.0
U.S. STEEL CORP - GARY WORKS	IN0000281	558.1
CROWN POINT WWTP, CITY OF	IN0025763	4.1
NIPSCO, D H MITCHELL GENERATING STATION	IN0000124	290.8
PORTAGE UTILITY SERVICE FACILITY WWTP	IN0024368	5.0
Lafayette WWTP	IN0032468	
Muncie WWTP	IN0025631	
Indianapolis MS-4	INS040001	
BP	IN0000108	

**JAPC Status:** In progress

U.S. EPA R5 has reviewed and provided non-objection letters on five general permits to date. IDEM plans to do some outreach on the GPs to affected parties prior to final issuance. South Haven and Hobart permits are currently on public notice as they were delayed due to discussions between IDEM and U.S. EPA R5

over possible objection issues. Lafayette, Muncie and Indianapolis MS-4 are complete. IDEM will work with U.S. EPA R5 on the remaining permits.

**FEC Status:** In progress

U.S. EPA R5 has reviewed and provided non-objection letters on five general permits to date. IDEM performed outreach on the GPs with the affected parties, public noticed the Draft GPs for 30 days, received final approval from the Environmental Rules Board on the GP Rule and is set to final issue the 5 GPs once the rule is effective (approximately October 2015). IDEM has issued all the above noted individual permits, with the exception of Portage Utility Service Facility WWTP and U.S. Steel – Gary Works which have been public noticed.

U.S. EPA R5 comment: IDEM expanded the scope of the Groundwater Petroleum Remediation general permit and submitted it to U.S. EPA R5 for review on August 28, 2015. U.S. EPA R5 communicated comments and questions on this general permit back to IDEM.

- c) U.S. EPA R5 will provide timely review, technical assistance and comment and identify issues at an early stage in the process.

**JAPC Status:** In progress

U.S. EPA R5 has provided timely review of permits and provided comments early in the review process, but IDEM and U.S. EPA R5 have been at odds on some issues raised during U.S. EPA R5's review, which has caused delays in the permitting process.

**FEC Status:** Complete

<b>Compliance Monitoring Strategy (CMS) for Wet Weather Programs, Combined Sewer Overflow (CSO) Long Term Control Plans (LTCP), Sanitary Sewer Overflow (SSO) and Storm Water</b>		<b>W-5</b>
IDEM Contact(s): a) & b) Paul Higginbotham & Jerry Dittmer c) Mark Stanifer, d), e), f) & g) & Randy Braun	U.S. EPA R5 Contact(s): Kevin Pierard, Jack Bajor & Patrick Kuefler	Due Date: See below.
U.S. EPA R5 Role: U.S. EPA R5 will be the lead on certain environmentally significant CSO communities, working in partnership with IDEM to reach agreement on approvable long-term control plans and implementation schedules. U.S. EPA R5 will provide timely review and comment on technical non-rule policy and other documents submitted by IDEM.		
Goal 5:	Enforcing environmental laws.	
Objective 5.1:	Enforce environmental laws.	
Funding:	State	

Implement the state-specific CMS for National Wet Weather Priorities. CAFO inspections will be conducted by the Office of Land Quality (see L-9).

- a) IDEM will participate in the review and approval of the long term control plans (LTCPs) and Consent Decree issues in CSO cases under federal lead, including Evansville, Gary, Hammond, and Mishawaka (U.S. EPA PAM [SS-1]).

**JAPC Status:** In progress

IDEM continues to work with U.S. EPA R5 on the federal CSO lead cases involving Evansville, Gary, Hammond and Mishawaka.

**FEC Status:** In progress

Mishawaka LTCP has been approved.

b) IDEM will continue LTCP compliance implementation by (U.S. EPA PAM [SS-1]):

- Monitoring milestone dates in the LTCP through site visits and review of documentation.
- Monitoring compliance with limits (as applicable) through review of submitted monitoring reports.
- Reviewing periodically the approved LTCPs.
- Setting meetings (as needed) with communities and their consultants on the status of the implementation of the LTCPs.

The CSO program is in transition, shifting focus from LTCP development to implementation and IDEM has a strategy to build long-term successes. This strategy requires investment of limited resources into developing the necessary infrastructure to establish a long-term milestone tracking system for compliance. Once that system is established, IDEM will use the information from the system to more efficiently target compliance evaluations and/or inspections of the right facilities. In the interim, IDEM will complete five inspections (CEIs) annually between October 1 and September 30.

**JAPC Status:** Ongoing

IDEM continues to conduct site visits of CSO communities as well as reviewing monitoring reports for compliance with limits and approved LTCPs. In addition, IDEM utilizes the TEMPO database for all aspects of tracking compliance with approved LTCPs. As of May 12, 2014, IDEM has conducted eight (8) inspections (CEIs) at CSO communities.

**FEC Status:** Ongoing

By September 30, 2015, IDEM will have completed 6 CEI inspections at CSO communities since October 2014.

c) There is no set inspection frequency or goal for SSO inspections. Inspections will be scheduled as needed, based on information about overflow occurrences.

**JAPC Status:** Ongoing

SSO inspections and reviews are conducted as part of CEI inspections.

**FEC Status:** Ongoing

CEI inspections are being conducted as scheduled, and the number of reported SSO events is evaluated and addressed in the inspection report.

- IDEM will administer storm water programs by performing compliance inspections in the following areas: construction/land disturbance and industrial and municipal separate storm sewer systems (MS4s). Construction/Land Disturbance (327 IAC 15-5): Inspect permitted construction sites and review storm water pollution prevention plans, giving highest importance to those projects for which the agency has received complaints. IDEM will complete 200 compliance inspections annually between October 1 and September 30.

**JAPC Status:** In progress

The storm water staff inspected 200 construction sites.

**FEC Status:** In progress

The storm water staff is on track to inspect another 200 construction sites by September 30, 2015.

- **Municipal Separate Storm Sewer System (MS4s) (327 IAC 15-13):** Inspections of Phase I MS4s should be conducted on an as needed basis, and by October 2014. Also, conduct an appropriate combination of audits and inspections to determine compliance of Phase II MS4s by October 2014. IDEM will complete 20 inspections annually between October 1 and September 30.

**JAPC Status:** In progress

The storm water staff conducted 17 IDDE Audits; which includes a total of 20 MS4 due to co-permit statuses. The storm water staff conducted one inspection on a MS4 Facility and conducted five MS4 Compliance meetings.

**FEC Status:** In progress

IDEM is on track to complete another 20 or more audits by September 30, 2015. The audits for this cycle are specifically directed to the Good Housekeeping Minimum Control Measure.

- **Industrial Storm Water (327 IAC 15-6):** Inspections will include operational facilities, as well as facilities that have claimed an exemption, and/or facilities that have been the subject of complaints. IDEM will complete 60 inspections annually between October 1 and September 30.

**JAPC Status:** In progress

The storm water staff inspected 20 Industrial facilities. The agency employs five storm water field staff responsible for inspecting construction sites, industrial sites, and MS4 activities related to construction and post-construction. Given resource constraints, IDEM makes timely follow-ups on complaints its top inspection priority. The bulk of complaints involve active construction sites. A second IDEM priority in addition to complaints is further assessment of MS4 administration of local construction programs. IDEM, therefore, inspected active construction sites in MS4 areas, which is not commonly part of the daily workload for IDEM staff. Based on these priorities, IDEM inspected 468 construction sites, which was above the CMS goal, but fell short of the industrial inspection goal.

**FEC Status:** In progress

The storm water staff has inspected 55 industrial sites between October 1, 2014 and June 30, 2015. A small portion of these inspections were conducted by the Office of Land Quality. The Office of Land Quality reports any storm water compliance issues to the storm water program for follow-up. Staff is on target to exceed the 60 inspections as required by the CMS goal.

- d) Evaluate storm water violations and take timely action in accordance with the state's NPDES enforcement management system.

**JAPC Status:** In progress

Storm Water Section staff continue to address violations as they are identified. IDEM continues to implement its EMS with formal enforcement action being initiated when referred from the Storm Water Section to the Enforcement Section.

**FEC Status:** In progress

Storm Water Section staff continue to address violations as they are identified. IDEM continues to implement its EMS with formal enforcement action being initiated when referred from the Storm Water Section to the Enforcement Section.

- e) Track storm water compliance monitoring and compliance assurance actions in accordance with established data requirements and reporting time frames.

**JAPC Status:** In progress

Storm water inspections are not currently being entered into ICIS-NPDES due to resource constraints. Storm water inspections will eventually be entered into TEMPO, a comprehensive IDEM database. TEMPO is currently in the developmental stage. The storm water programs are some of the first programs to be incorporated into TEMPO for permitting and tracking purposes. Work is also underway to develop the capability for storm water data in TEMPO to be uploaded into ICIS-NPDES.

**FEC Status:** In progress

Storm water inspections are not currently being entered into ICIS-NPDES due to resource constraints. Storm water inspections will eventually be entered into TEMPO, a comprehensive IDEM database. TEMPO is currently in the developmental stage. The storm water programs are some of the first programs to be incorporated into TEMPO for permitting and tracking purposes. Work is also underway to develop the capability for storm water data in TEMPO to be uploaded into ICIS-NPDES.

- f) Report storm water CMS inspection numbers at mid-year and at the end of the federal fiscal year. Review plans and commitments prior to the beginning of the federal fiscal year and at mid-year. Variations from the inspection frequencies and proposed revisions to numerical end-of-year commitments will be justified (i.e., issues related to staffing, funding, etc.).

**JAPC Status:** In progress

IDEM reports inspection numbers as agreed to in the CMS by entering them into ICIS.

**FEC Status:** In progress

IDEM reports inspection numbers as agreed to in the CMS.

- g) U.S. EPA R5 will be the lead on certain environmentally significant CSO communities, working in partnership with IDEM to reach agreement on approvable LTCPs and implementation schedules. U.S. EPA R5 will provide timely review and comment on technical nonrule policy and other documents submitted by IDEM (U.S. EPA PAM [SS-1]).

**JAPC Status:** Ongoing

U.S. EPA R5 provides program assistance as needed.

**FEC Status:** Ongoing

<b>Joint State/U.S. EPA R5 Clean Water Act (CWA) Enforcement and Permitting Work Plan</b>		<b>W-6</b>
IDEM Contact(s): Paul Higginbotham, Mark Stanifer & Mary Hoover	U.S. EPA R5 Contact(s): James Coleman, Jack Bajor & Ryan Bahr	Due Date: Annual Basis.
U.S. EPA R5 Role: Lead, assist or work share as specified in the annual work plan. U.S. EPA R5 will submit a summary report to Headquarters on behalf of the state by December 31 annually thereafter. Take action to improve performance if IDEM is not meeting performance expectations. Ensure compliance with all federal consent decrees and administrative orders.		
Goal 5:	Enforcing environmental laws.	
Objective 5.1:	Enforce environmental laws.	
Funding:	Federal/State (Permitting and Enforcement Grant)	

U.S. EPA R5 and IDEM, working together, will conduct a CWA annual planning process to identify and discuss national, regional, and state priorities versus available resources at both the state and federal levels consistent with CWA Action Plan guidance, to be concluded no later than September 30 of each year. The resulting collaborative annual work plans will use all available mechanisms to get work done, such as federal and state work sharing and innovative approaches to monitoring facilities or addressing violations.

- a) Cooperate in developing and implementing the annual Joint State/U.S. EPA R5 CWA Enforcement and Permitting Work Plan.
- Participate in annual planning meetings to develop collaborative annual work plans, which may be conducted during the initiation and/or midterm EnPPA evaluations.

**JAPC Status:** In progress

IDEM enforcement staff will continue to work with U.S. EPA R5 to develop and implement the annual Joint State/U.S. EPA R5 CWA Enforcement and Permitting Work Plan. IDEM has been and will continue to participate in annual planning meetings.

**FEC Status:** In progress

IDEM enforcement staff will continue to work with U.S. EPA R5 to develop and implement the annual Joint State/U.S. EPA R5 CWA Enforcement and Permitting Work Plan. IDEM has been and will continue to participate in annual planning meetings.

- Participate in routine and regular meetings to discuss progress toward meeting annual permitting and enforcement commitments, and how the state has been performing overall in the NPDES program.

**JAPC Status:** In progress

IDEM enforcement staff participates in regular meetings. SNC meetings are held routinely.

**FEC Status:** In progress

Compliance staff continues to identify NPDES facilities in SNC status and to coordinate routine meetings to review SNC facilities and determine the appropriate response.

- b) Track priorities established and selected for each federal fiscal year.

**JAPC Status:** In progress

Established priorities are tracked.

**FEC Status:** In progress

Established priorities are tracked.

- c) U.S. EPA R5 will lead, assist or work share, as specified, in the annual work plan. U.S. EPA R5 will submit a summary report to Headquarters on behalf of the state annually, by December 31. U.S. EPA R5 will take action to improve performance if IDEM is not meeting performance expectations, and will ensure compliance with all federal Consent Decrees and Administrative Orders.

**JAPC Status:** Ongoing

U.S. EPA R5 provides program assistance as needed.

**FEC Status:** Ongoing

<b>Compliance Monitoring Strategy (CMS) for Core National Pollution Discharge Elimination System (NPDES) Programs</b>			<b>W-7</b>
IDEM Contact(s): a) Mark Stanifer & Bridget Murphy, b) Mark Stanifer c) – g) Mark Stanifer & Gary Starks	U.S. EPA R5 Contact(s): James Coleman, Jack Bajor & Patrick Kuefler	Due Date: a, b, c, d, g, h) Annual Basis; e, f, i) Ongoing.	
U.S. EPA R5 Role: Provide program assistance.			
Goal 5:	Enforcing environmental laws.		
Objective 5.1:	Enforce environmental laws.		
Funding:	State		

U.S. EPA HQ’s national CMS began October 1, 2011, and ends September 30, 2015, with implementation over five (5) annual inspection cycles. Indiana’s continuing state-specific CMS, for purposes of this EnPPA agreement, runs from October 1, 2013, through September 30, 2015. The goal is to maintain an adequate enforcement and compliance assistance program to help ensure that NPDES violations are prevented and, when violations occur, they are adequately addressed.

- a) NPDES Compliance Inspections from October 1, 2013, through September 30, 2015:
  - Majors: conduct compliance evaluation inspections (CEI) or compliance sampling inspections (CSI) at 50% of major NPDES facilities annually. The goal is that 100% of the universe will receive a CEI or CSI inspection every two (2) years, in accordance with the national CMS.

**JAPC Status:** In progress

Inspections of NPDES facilities continue as scheduled. Between October 1, 2013 and March 31, 2014, a total of 85 major facilities were inspected.

**FEC Status:** In progress

Inspections are being conducted as planned and the commitment for major discharger inspections will be completed by September 30, 2015.

- Minors - municipal and industrial “IN0” facilities: Traditional minor NPDES facilities, for purposes of the EnPPA, include individual non-major municipal and industrial facilities with permit numbers beginning with “IN0.” Conduct inspections at 50% of “traditional” minor NPDES facilities annually. Half of those inspections are to be CEIs or CSIs. The goal is that 100% of the universe will receive some type of inspection every two (2) years and 100% of the universe will receive a CEI or CSI inspection every four (4) years.

**JAPC Status:** In progress

Between October 1, 2013 and March 31, 2014, a total of 342 minor industrial and municipal NPDES permit holders with “IN0” permits were inspected.

**FEC Status:** In progress

Inspections are being conducted as planned and the commitment for minor discharger inspections will be completed by September 30, 2015.

- Minors - industrial pretreatment “INP” facilities: Conduct CEIs at 100% of the universe every two (2) years.

**JAPC Status:** In progress

Between October 1, 2013 and March 31, 2014, a total of 82 NPDES permit holders with “INP” permits were inspected.

**FEC Status:** In progress

Inspections are being conducted as planned and the commitment for “INP” inspections will be completed by September 30, 2015.

- Minors - state and federal “IN0” facilities: Conduct CEIs at 100% of the universe every two (2) years.

**JAPC Status:** In progress

Between October 1, 2013 and March 31, 2014, a total of 11 minor state and federal NPDES permit holders with “IN0” permits were inspected.

**FEC Status:** In progress

Inspections are being conducted as planned and the commitment for state and federal discharger inspections will be completed by September 30, 2015.

- Major and minor mixed ownership or semi-public facilities: Conduct CEIs or CSIs at 50% of mixed ownership NPDES facilities annually. The goal is 100% of the universe will receive a CEI or CSI inspection every two (2) years.

**JAPC Status:** In progress

Between October 1, 2013 and March 31, 2014, a total of 149 semi-public NPDES permit holders with “IN0” permits were inspected, which includes four major facilities.

**FEC Status:** In progress

Inspections are being conducted as planned and the commitment for mixed ownership (semi-public) discharger inspections will be completed by September 30, 2015.

- General permits “ING” facilities: Conduct CEIs, CSIs, or reconnaissance inspections at 25% of the universe each year. This excludes facilities with general permit coverage such as MS4s, industrial storm water sites, construction storm water sites, and under the vessel general permit.

**JAPC Status:** In progress

Between October 1, 2013 and March 31, 2014, a total of 60 general NPDES permit holders with “ING” permits were inspected.

**FEC Status:** In progress

Inspections are being conducted as planned and the commitment for ING permit inspections will be completed by September 30, 2015.

- Respond to 100% of complaints.

**JAPC Status:** In progress

OWQ continues to respond to 100% of complaints.

**FEC Status:** Ongoing

OWQ continues to respond to 100% of complaints.

- b) Conduct nine (9) industrial pretreatment audits annually (20% of approved local pretreatment programs) assuring that all SIUs for those programs have control mechanisms (U.S. EPA PAM [WQ-14a]).

**JAPC Status:** In progress

Between October 1, 2013 and March 31, 2014, a total of four pretreatment audits were conducted.

**FEC Status:** In progress

All planned industrial pretreatment audits will be completed by September 30, 2015. Several pretreatment-related on-site evaluations were conducted with IDEM wastewater inspectors. In addition to conducting the pretreatment audits as committed to in this item, and the inspections at facilities holding IDEM-issued pretreatment permits as reported in W-7 a. above, OWQ continues to issue new industrial wastewater pretreatment (IWP) permits and are reissuing expiring permits to SIUs in non-delegated POTW communities, under its authority from 327 IAC 5-21. As with the NPDES permits issued by this office, a zero balance of backlogged IWP permits is maintained. These permits are identified with permit numbers beginning with INP. Currently, there is a universe of 177 INP permits in effect.

- c) Conduct QA/QC reviews of submitted self-monitoring data to evaluate reliability.

**JAPC Status:** In progress

The Compliance Data Section continues to dedicate several full time staff to conduct QA/QC reviews of discharge monitoring reports.

**FEC Status:** Ongoing

The Compliance Data Section continues to dedicate several full time staff to conduct QA/QC reviews of discharge monitoring reports. The specific details of this task continue to change with more permittees participating in electronic reporting.

d) Significant non-compliers (SNC):

- Goals are to maintain the SNC rate for majors below 10%, as measured on a quarterly basis. SNC rate shall be below 17% on an annual basis.

**JAPC Status:** In progress

The routine teleconferences with U.S. EPA R5 to discuss SNC will continue to take place. The SNC rate commitment continues to be met. IDEM OWQ staff continue to meet regularly to discuss all majors identified in SNC. U.S. EPA R5 is included in these conversations and the decisions concerning next steps that come from them. During the FFY 2014, the following information relates to the 191 Indiana major dischargers:

- 42 facilities were listed as SNC at some point during the year, which is 22% of all majors. These include 10 industries, 30 municipalities and 2 semi-publics (BPPs).
- The average duration of SNC listing for these facilities is two quarters.
- In the first quarter, there were 19 facilities listed, or 10% of the total. These included 7 for late/missing DMRs, 2 for schedule violations, 6 for effluent violations, and 4 for other non-SNC violations accompanying some SNC violation.
- In the second quarter, there were 24 facilities listed, or 12.6% of the total. These included 3 for late/missing DMRs, 3 for schedule violations, 11 for effluent violations, and 7 for other non-SNC violations accompanying some SNC violation.
- In the third quarter, there were 26 facilities listed, or 13.6% of the total. These included 1 for late/missing DMRs, 9 for schedule violations, 12 for effluent violations, and 4 for other non-SNC violations accompanying some SNC violation.
- In the fourth quarter, there were 17 facilities listed, or 8.9% of the total. These included 4 for late/missing DMRs, 1 for schedule violations, 9 for effluent violations, and 3 for other non-SNC violations accompanying some SNC violation.
- The most common effluent violations are for chlorine, ammonia nitrogen, and copper. Chlorine and copper violations are often attributed to the very low limits that are set, usually near the detection level. Many ammonia violations this year were attributed to the very cold winter that we experienced.
- While every instance of SNC is reviewed for the appropriate response, only certain ones are selected for formal enforcement. The following were the enforcement responses for the 42 listed facilities:
  - One is under an existing federal Consent Decree.

- 6 already had existing state Agreed Orders for substantially similar violations.
- 5 had state AOs completed during the review period.
- 26 had informal enforcement during the review period (with 7 overlapping other categories).
- 2 have had state AOs completed after the review period.
- 6 have been referred to enforcement and formal enforcement is pending.

**FEC Status:** Ongoing

The routine teleconferences with U.S. EPA R5 to discuss SNC continue to take place. The SNC rate commitment continues to be met. IDEM Office of Water Quality staff continue to routinely evaluate all majors identified in SNC. For the 3<sup>rd</sup> quarter (April – June) of 2015: Of the 192 Indiana major NPDES permit holders there are fourteen appearing on the list, or 7.3%. Nine with effluent violations, three with missing DMR violations and two with compliance schedule violations. The circumstances for the violations are being reviewed, and IDEM is developing appropriate compliance or enforcement measures (violation letters or enforcement referrals) to address and return the facilities to compliance.

- IDEM and U.S. EPA R5 will monitor facilities on the watch list and take action, as appropriate.

**JAPC Status:** In progress

IDEM continues to monitor facilities on the Watch List and takes appropriate action when necessary.

**FEC Status:** Complete

Because IDEM understands that U.S. EPA R5 is no longer actively using the watch list, facilities with chronic violations are being managed through the SNC review process discussed above.

- e) Evaluate all violations and take timely action (informal and formal), in accordance with the state’s NPDES enforcement management system (EMS).

**JAPC Status:** In progress

The Compliance Branch continues to track violations identified through inspections, as well as self-reported violations, in accordance with the EMS.

**FEC Status:** Ongoing

This task continues as planned. While many violations are addressed through informal enforcement actions (violation letters), others are escalated to referrals for formal enforcement action.

- f) Enter wastewater compliance monitoring and compliance assurance actions into Integrated Compliance Information System – National Pollution Discharge Elimination System (ICIS-NPDES), in accordance with established data requirements and reporting time frames.

**JAPC Status:** In progress

The Compliance Data Section continues to enter DMRs, inspections, formal, and informal actions into ICIS.

**FEC Status:** Ongoing

This activity continues as planned, including the recording of SEVs identified through inspections for major dischargers in ICIS.

- g) Report wastewater CMS inspection numbers as of March 31 and September 30. Review plans and commitments prior to the beginning of the federal fiscal year and at mid-year. Variations from the inspection frequencies and proposed revisions to numerical end-of-year commitments will be justified (i.e., issues related to staffing, funding, new priorities).

**JAPC Status:** Complete

The CMS inspection numbers have been reported to U.S. EPA R5.

**FEC Status:** In progress

Other than as agreed in the new CMS, there have been no variances from the planned inspection frequencies. The biggest challenges facing IDEM at this point involve CSO communities and stormwater facilities.

- h) Cooperate in the triennial State Review Framework (SRF) Indiana review by providing data, in-person management and staff interviews as needed, for U.S. EPA R5 to assess IDEM's performance of compliance monitoring and enforcement activities in accordance with negotiated commitments. Develop a plan to address concerns identified during SRF reviews and implement that plan.

**JAPC Status:** Complete

The SRF was completed in 2013. U.S. EPA R5 completed the Round 2 State Review Framework for Indiana in early 2013. U.S. EPA R5 sent the final report to Commissioner Easterly in a document dated May 17, 2013. The following discussion summarizes the findings of this report and how OWQ Compliance has responded to the findings of that report, to date:

Element 1: Data Completeness

U.S. EPA R5 found that there was a permit type discrepancy between its expectation and how IDEM had entered the 329 facilities with non-stormwater general NPDES permits into ICIS. This caused erroneous 1A4 Data Metric results. This finding was accurate but the process was also intentional on IDEM's part because IDEM has always treated these general permits the same as individual permits. Once the new general permits currently on public notice are finalized and permit coverage for these facilities are transferred over to these new general permits, this issue will be resolved in ICIS.

U.S. EPA R5's findings state that all facilities with general permit coverage under Rules 5, 6, and 13 need to be entered into ICIS. This has not been done, with the plan for this to be done through TEMPO when it is ready.

U.S. EPA R5 found that Indiana's DMR entry rate (into ICIS) of 92.4% for major facilities met the SRF goal of 90% but not the national data system goal of 95%. As explained previously, this is almost entirely attributable to the federal consent decree with Indianapolis, which allows CSO DMRs to be submitted semiannually, even though ICIS is expecting them monthly, and therefore ICIS generates reporting violations for the ten months each year when Indianapolis does not submit these reports. For FFY 2014 the ECHO SRF results show Indiana with a 99.7% data entry rate.

U.S. EPA R5 also found that NOV's were not being entered into ICIS. NOV's for facilities with NPDES and IWP permits are now being entered into ICIS as informal enforcement actions.

#### Element 2: Data Accuracy

For this element, U.S. EPA R5 reviewed a select set of files for data accuracy. Several files were found to have some type of data entry deficiency. In addition, U.S. EPA R5 found that IDEM was not entering enforcement violation type codes into ICIS. Subsequent to EPA's report, staff have been directed to enter enforcement violation type codes into ICIS, and continuing effort is being made to include all required data into ICIS.

#### Element 3: Timeliness of Data Entry

As with Element 2, U.S. EPA R5 reviewed the same set of files for data timeliness. It found that 76.9% had all mandatory data entered in a timely basis. These files represented several areas including individual permits, stormwater permits and CAFOs. Subsequent to U.S. EPA R5's findings, OWQ worked with OLQ to enter all required elements for CAFOs holding NPDES permits. This task may still need to be done for auto salvage facilities overseen by OLQ. Continuing effort is being made by Compliance staff to enter all required data in a timely manner.

#### Element 4: Completion of Inspection Commitments

U.S. EPA R5 found that IDEM met almost all of its commitments during the review period. These include inspections conducted by Compliance Branch and SWOE Branch. There was some confusion over how Single Event Violations (SEVs) are entered into ICIS and generally how the rules of SNC apply. Of the minor issues that were identified, the most common was timeliness of inspection reports. With the full implementation of digital inspector after the SRF review, the timeliness issue has been resolved.

#### Elements 7 and 8: Identification of Alleged Violations; Identification of SNC

Some of the issues identified by U.S. EPA R5 under Elements 7 and 8 are linked to issues raised earlier under Elements 2, 3, and 4. The report requires IDEM to review the national SEV guidance and develop a plan for resolution of schedule violations and documentation of SEVs in ICIS. IDEM believes the schedule violation issue was largely resolved prior to the final SRF report, and IDEM has subsequently reviewed the SEV policy and begun entering SEVs identified in inspection reports into ICIS. SEVs identified during inspections of major dischargers are being entered into ICIS. SEVs are also entered and linked for all formal enforcement actions. SEVs are still not being manually flagged as SNC.

U.S. EPA R5 and IDEM staff are planning an event in early 2015 for U.S. EPA R5 staff to train IDEM on SNC. IDEM is looking forward to this event to better understand this process and address the issue above.

**Element 10: Timely and Appropriate Action**

U.S. EPA R5 found that IDEM enforcement actions are generally appropriate but not timely, and required IDEM to review national guidance and develop a plan for timely identifying, addressing, and reporting SNC violations in ICIS. Compliance staff believes that violations are identified and reported timely, but that when formal enforcement is the chosen route for resolution, our process generally does not allow a “final formal” action to be completed within EPA’s timeliness expectation.

As with Elements 7 and 8 discussed previously, IDEM plans to meet with U.S. EPA R5 and go through its presentation and training on SNC. While the Indiana statutes and rules prescribing IDEM’s enforcement process may not change, and IDEM’s overall policy of compliance-first may not change, this training will help IDEM staff in having a better understanding of how SNC works and what is expected.

**FEC Status:** In progress

The above issues have not changed significantly since the Joint Assessment Process Conditions report. The new general permits are not yet final, but once this is completed changes to the way general permits are recorded in ICIS will be made. IDEM’s Office of Water Quality is working on a major project with the Office of Information Services to develop applications to flow the stormwater permit information from TEMPO to ICIS, and prepare for the implementation of the eReporting Rule, particularly Phase 2.

- i) U.S. EPA R5 will provide program assistance.

**JAPC Status:** Ongoing

U.S. EPA R5 provides program assistance as needed.

**FEC Status:** Ongoing

<b>Safe Drinking Water Act (SDWA)</b>		<b>W-8</b>
IDEM Contact(s): a) Stacey Jones, b, c, d, e) & Al Lao f) & Liz Melvin	U.S. EPA R5 Contact(s): Tom Poy	Due Date: a, b, c, d) Ongoing; e) Annually f) Ongoing.
U.S. EPA R5 Role: a) Review and approve rules, b) Maintain and update the Safe Drinking Water Information System (SDWIS) database including the state version, SDWIS-state, c) Provide compliance assistance, e) Take necessary enforcement action to help reduce the level of non-compliance among small water systems, and f) Provide support for continued development and improvement of the electronic sanitary survey form.		
Goal 2:	Protect America’s waters.	
Objective 2.1:	Protect human health.	
Funding:	PPG	

- a) Implement new federal safe drinking water rules, including re-codifying state rules as outlined in the Annual Resource Deployment Plan (ARDP).

**JAPC Status:** In progress

The latest re-codified safe drinking water rule was the LT2ESWTR primacy application and was submitted to U.S. EPA R5 in May 2011 for primacy approval. IDEM is currently working on re-codifying the Revised Total Coliform Rule (RTCR).

**FEC Status:** In progress

IDEM continues to work on re-codifying the Revised Total Coliform Rule (RTCR). To ensure IDEM meets the April 2016 deadline, IDEM is proceeding with an emergency rule to adopt the Federal RTCR by reference. IDEM will simultaneously develop a more specific rule package to include any needed state RTCR requirements and clean-up and updates to LT2ESWTR, GWR, LCRSTR, and Stage 2 DDBPR, including changes needed to address U.S. EPA R5 comments which will be submitted with the FINAL RTCR Primacy application submission, but not in the emergency rule.

- b) Submit all required federal reporting as referenced in the Annual Resource Deployment Plan (ARDP), which tracks Strategic Targets SDW-211, SP1.N11, SP2, SP4a, and SP4b, as well as Program Activity Measures SDW-01a, 04, 05, and SDWA02.

**JAPC Status:** Ongoing

The final FY2013 ARDP was submitted to U.S. EPA R5 in December 2013. The activities necessary to meet the ARDP commitments are progressing in a satisfactory manner. IDEM has submitted the comments for the FY2014 ARDP.

**FEC Status:** Ongoing

IDEM is meeting its ARDP commitments.

- c) Maintain the Public Water Supply Supervision Program by maintaining a database management system SDWIS that accurately tracks the inventory (including routine updates of system information), violations and enforcement, sampling information and compliance determination for all safe drinking water contaminants.

**JAPC Status:** Ongoing

The Drinking Water Branch Compliance Section has been maintaining the SDWIS database for inventory, sampling, violations, enforcement, and compliance determination on a daily basis. IDEM's SDWIS/State utilizes the most current version of 3.2.1.

**FEC Status:** Ongoing

The Drinking Water Branch Compliance Section maintains the SDWIS database for inventory, sampling, violations, enforcement, and compliance determination on a daily basis. IDEM's SDWIS/State utilizes the most current version.

- d) Monitoring and reporting violations - All public water systems (PWSs) with violations will first receive a violation letter. For systems that do not correct the violation after receiving the violation letter, IDEM will initiate formal enforcement actions, as appropriate, consistent with agency policies and procedures.

**JAPC Status:** Ongoing

The monitoring and reporting (M/R) violation letter is issued monthly for noncompliant community water systems (CWS) and non-community water systems (NCWS) with populations greater than 1,000 for the total coliform rule (TCR); while quarterly the M/R violation letter is issued for NCWS with populations less than 1,000. These letters are issued within 30 days after the end of the monitoring period.

Likewise, for chemical contaminants, the M/R letter is issued within 30 days after the end of each monitoring period as well. If a public water system exceeds U.S. EPA's Enforcement Response Policy (ERP) Enforcement Targeting Tool (ETT) threshold of 10, IDEM will initiate appropriate formal enforcement actions if the violation cannot be resolved within 30 days.

**FEC Status:** Ongoing

The monitoring and reporting (M/R) violation letter is issued monthly for noncompliant community water systems (CWS) and non-community water systems (NCWS) with populations greater than 1,000 for the total coliform rule (TCR); while quarterly the M/R violation letter is issued for NCWS with populations less than 1,000. These letters are issued within 30 days after the end of the monitoring period. Likewise, for chemical contaminants, the M/R letter is issued within 30 days after the end of each monitoring period as well. If a public water system exceeds U.S. EPA's Enforcement Response Policy (ERP) Enforcement Targeting Tool (ETT) threshold of 10, IDEM will initiate appropriate formal enforcement actions if the violation cannot be resolved within 30 days.

Maximum Contaminant Level (MCL) Violations - 92% of population served by community water systems will receive drinking water that meets all applicable health-based drinking water standards through approaches including effective treatment and source water protection (SDW-211).

- e) Maximum Contaminant Level (MCL) Violations - 92% of population served by community water systems will receive drinking water that meets all applicable health-based drinking water standards through approaches including effective treatment and source water protection (SDW-211).

**JAPC Status:** Ongoing

For MCL violations, IDEM's compliance rate for all PWSs has exceeded 95% of the population served by CWSs.

**FEC Status:** Ongoing

For MCL violations, IDEM's compliance rate for all PWSs has exceeded 95% of the population served by CWSs – for the timeframe 2<sup>nd</sup> quarter 2014 through 1<sup>st</sup> quarter 2015; the compliance rate was 96.77%.

- f) Sanitary surveys at public water supply systems (PWSs) - Complete sanitary surveys at PWSs consistent with SDWA and as outlined in the ARDP.

**JAPC Status:** Ongoing

Sanitary surveys are being completed as outlined in IDEM's ARDP.

**FEC Status:** Ongoing

Sanitary surveys are being completed as outlined in IDEM's ARDP.

- g) U.S. EPA R5 will:
- Review and approve rules.
  - Maintain and update the SDWIS database including the state version, SDWIS-state.

- Provide compliance assistance.
- Take necessary enforcement action to help reduce the level of non-compliance among small water supply systems.
- Provide support for continued development and improvement of the electronic sanitary survey form.

**JAPC Status:** Ongoing

U.S. EPA R5 provides program assistance as needed.

**FEC Status:** Ongoing

<b>Surface Water Quality Monitoring Strategy</b>		<b>W-9</b>
IDEM Contact(s): a), b) & d) Marylou Renshaw, Cyndi Wagner, & Stacey Sobat c) Chuck Bell		U.S. EPA R5 Contact(s): Linda Holst, Mari Nord & Ed Hammer Due Date: Annually.
U.S. EPA R5 Role: Provide assistance in revising monitoring strategy. Review and provide comments on draft and final products. Work with IDEM to implement the strategy and identify resources to address identified gaps. Work with IDEM to identify resources to address issues identified in the strategy and provide technical assistance/guidance as requested. Provide meeting support and travel support as available.		
Goal 2:	Protect America's waters.	
Objective 2.2:	Protect and restore watersheds and aquatic ecosystems.	
Funding:	PPG	

- a) Implement the 2011-2019 Water Monitoring Strategy in the 2013 and 2014 monitoring seasons (U.S. EPA PAM WQ-5). IDEM will use the EnPPA update reporting procedures to provide information on progress, with the elements and level of details agreed upon by IDEM and U.S. EPA R5.

**JAPC Status:** In progress

IDEM has implemented and made adjustments to the 2011-2019 WQMS. IDEM had a bioassessment review completed by a U.S. EPA R5 contractor in January 2014, and is in the process of further revising and refining the WQMS for submission to U.S. EPA R5 by December 31, 2014.

**FEC Status:** Complete

See W-1 (b) and W-2 (b). IDEM did not submit an actual "revised" strategy; however IDEM did have a teleconference and face-to-face meeting with U.S. EPA R5 to address its comments and IDEM submitted its modified geometric design for the watershed characterization studies, which IDEM understands is sufficient to fulfill this commitment.

**U.S. EPA R5 and IDEM have come to an agreement regarding the update on this goal as follows:** IDEM did not submit an actual "revised" strategy; however, IDEM did have a teleconference and face-to-face meeting with U.S. EPA R5 to address its comments. In addition, IDEM submitted its modified geometric design for the watershed characterization studies, which IDEM understands is sufficient to fulfill this commitment.

- b) Participate in regional monitoring newsletter, webinars and activities, as resources allow.

**JAPC Status:** Ongoing

OWQ managers and staff have participated in webinars on NWQI, HABS, climate change stream monitoring etc., as well as a number of the Indiana Watershed Leadership Academy webinars and U.S. EPA R5 State Nutrient Reduction webinars, as time allows.

**FEC Status:** Ongoing

OWQ managers and staff have participated in webinars on NWQI, HABS, climate change stream monitoring etc., as well as a number of the Indiana Watershed Leadership Academy webinars and U.S. EPA R5 State Nutrient Reduction webinars, as time allows.

- c) IDEM will continue to implement a regular schedule to upload water quality data to U.S. EPA HQ's national Storage and Retrieval (STORET) system through an updated Assessment Information Management System (AIMS) database.

**JAPC Status:** Ongoing

All surface water chemistry and bacteriological data are uploaded from the AIMS database to STORET through the IDEM WQX Node as soon as WAPB Quality Assurance processes are completed on the data. WAPB surface water chemistry and bacteriological data generated from 1993 through 2013 are available in the STORET file INSTOR\_WQX. Biological data uploaded from fish and macroinvertebrate community sampling efforts are projected to be completed by the end of this year after conflicts between AIMS and STORET naming conventions are rectified.

**FEC Status:** Ongoing

The nomenclature issues for biological samples between AIMS and STORET have been resolved; thus, uploading of biological data is ongoing.

- d) Provide separate, timely reports, as required by the grant agreements, on all activities funded by the monitoring initiative funds (specific activities are identified in separate amended grant work plans, including implementation of the national surveys and monitoring strategy activities).

**JAPC Status:** Ongoing

The U.S. EPA Biological Assessment Program (BAP) review took place January 28-30, 2014. In April 2014, a work plan to modernize the IBI for fish and macroinvertebrate communities, as recommended by the BAP review, was submitted to U.S. EPA R5 for FY Section 106 Monitoring Initiative funds. IDEM will not be sampling for the National Coastal Condition Assessment or the National Rivers and Streams Assessment; however, IDEM continues to implement a statistical survey design to assess all waters of the state on a nine-year, rotating basin schedule.

**FEC Status:** Ongoing

IDEM provides separate, timely reports, as required by the grant agreements, on all activities funded by the monitoring initiative funds.

- e) U.S. EPA R5 will:
- Provide assistance in revising monitoring strategy.

- Review and provide comments on draft and final products.
- Work with IDEM to implement the strategy and identify resources to address identified gaps.
- Work with IDEM to identify resources to address issues identified in the strategy and provide technical assistance/guidance as requested.

**JAPC Status:** Ongoing

U.S. EPA R5 has reviewed draft IDEM work products and provided timely comments.

**FEC Status:** Ongoing

Water Quality Standards		W-10
IDEM Contact(s): a) and b) Martha Clark Mettler and Shivi Selvaratnam	U.S. EPA R5 Contact(s): Linda Holst, David Pfeifer, Holly Wirick (UAAs) & Brian Thompson (nutrients)	Due Date: Ongoing.
U.S. EPA R5 Role: Participate in rulemaking workgroups or meetings, as requested by IDEM. Review draft IDEM work products and provide timely comments. To the extent that resources are available, assist IDEM with travel support for regional meetings, such as the Regional Technical Assistance Group (RTAG) and Water Quality Standards (WQS) meetings.		
Goal 2:	Protect America's waters.	
Objective 2.2:	Protect and restore watersheds and aquatic ecosystems.	
Funding:	Federal Water Quality Grants	

IDEM will work to complete timely water quality standards (WQS) revisions.

- a) IDEM will work with external stakeholders to update metals criteria to reflect current science. IDEM's goal is to have the revised metals criteria language second noticed by December 30, 2013. IDEM will continue to evaluate how and when to incorporate other criteria revisions when U.S. EPA R5 publishes new 304(a) recommendations.

**JAPC Status:** In progress

IDEM first noticed in the Indiana Register the proposed revised metals criteria on March 5, 2014 with a 30 day comment period which ended April 4, 2014.

**FEC Status:** Ongoing

IDEM Office of Water (OWQ) Quality and Office of Legal Counsel are close to finalizing the second notice for comment on metals criteria updates. OWQ has monthly, internal discussions to understand implementation issues and prioritize 304(a) recommendations for rule revisions. IDEM's plan is to second notice by December 2015. Development of the second notice has been delayed by evaluating feedback received from stakeholders and by the need to update rule language (beyond the proposed metals criteria changes) to ensure consistency between the Great Lakes and "downstate" WQS and to conform with current Legislative Services Agency requirements.

- b) Implement nutrient criteria development plan (U.S. EPA PAMs WQ-1a and WQ-3a), participate in regional activities (Regional Technical Assistance Group (RTAG) meetings and conference calls), and provide U.S. EPA R5 with revisions to the nutrient criteria development plan by August 1 of each fiscal year and interim work products for U.S. EPA R5 input (U.S. EPA PAM WQ-26). IDEM's goal is to have rule language for a WQS for phosphorus in lakes adopted by December 31, 2014.

**JAPC Status:** In progress

IDEM continues to work to implement its nutrient criteria development plan and holds regular internal meetings to discuss challenges encountered in developing and implementing numeric nutrient criteria. This goal should be revised to align with the submitted schedule: proposing phosphorus WQS for lakes as December 2015 with a target to adopt the criteria by December 2016.

**FEC Status:** Ongoing

IDEM has submitted their nutrient criteria development plan.

c) U.S. EPA R5 will:

- Participate in rulemaking workgroups or meetings, as requested by IDEM.
- Review draft IDEM work products and provide timely comments.
- Assist IDEM with travel support for regional meetings (RTAG, WQS) as resources are available.
- IDEM is open to discussing the possibility of adjustments to IDEM's approach to managing mercury in NPDES discharges when the work with Battelle on an update to the 1997 report regarding the technical underpinnings for part of Indiana's mercury multiple-discharger variance is complete.

**JAPC Status:** In progress

U.S. EPA R5 has reviewed draft IDEM work products and provided timely comments.

**FEC Status:** Ongoing

# Homeland Security

U.S. EPA R5 HS concurs with IDEM's HS final report with comments (H1 and H2).

<b>Homeland Security</b>		<b>H-1</b>
IDEM Contact(s): Max Michael & Laura Steadham	U.S. EPA R5 Contact(s): Mark Durno	Due Date: To be established.
U.S. EPA R5 Role: Provide guidance and federal coordination.		
Goal 1:	Taking action on climate change and improving air quality.	
Objective 1.2:	Improve air quality.	
Funding:	Federal	
Goal 2:	Protect America's waters.	
Objective 2.1	Protect human health.	
Funding:	Federal	

Assist in the coordination for preventing, protecting against, responding to, and recovering from natural or man-made threats and events to people, property, and the economy.

- a) Provide agency representation for the Indiana Emergency Response Commission (IERC). The IERC is required by the Superfund Amendment and Reauthorization ACT (SARA) Title III and the Emergency Planning and Community Right-to-Know Act (EPCRA) of 1986 to maintain Title III records in Indiana with the local emergency planning committees.

**JAPC Status:** Ongoing

IDEM has two representatives for the IERC and these representatives attend all Commission meetings.

**FEC Status:** Ongoing

The IERC meets every month.

- b) Support the coordination of counter terrorism activities performed by the Counter Terrorism and Security Council (CTASC) for terrorist activities targeted at drinking water utilities and assist in improving the state's ability to respond to a terrorism incident at a drinking water facility.

**JAPC Status:** Ongoing

**FEC Status:** Ongoing

- c) Annually review and provide comments on the Indiana Strategy for Homeland Security.

**JAPC Status:** Ongoing

**FEC Status:** Ongoing

- d) Participate in Homeland Security tabletop exercises.

**JAPC Status:** Ongoing

**FEC Status:** Ongoing

- e) Continue to review and improve the state’s incident debris plan and process as needed. In the event of a significant natural or man-made disaster, work with appropriate agencies to ensure the proper management and disposition of incident debris (including biological or infectious debris and decontamination of related waste) in a manner that is protective of human health and the environment.

**JAPC Status:** Ongoing

**FEC Status:** Ongoing

- Incorporate new tools such as the Disaster Debris Recovery Network mapping tool, and work with U.S. EPA R5 to ensure the information for Indiana facilities is regularly updated.

**JAPC Status:** Ongoing

**FEC Status:** Ongoing

- f) U.S. EPA R5 will provide guidance and federal coordination.

**JAPC Status:** Ongoing

**FEC Status:** Ongoing

Indiana Water/Wastewater Agency Response Network (INWARN)		H-2
IDEM Contact(s): Martha Clark and Carrie Lowe	U.S. EPA R5 Contact(s): Mark Durno	Due Date: To be established.
U.S. EPA R5 Role: Guidance and federal coordination.		
Goal 2:	Protect America’s waters.	
Objective 2.1:	Protect human health.	
Funding:	Federal	

The INWARN is a formalized system of members of the water/wastewater regulated community that have come together to address mutual aid during natural and man-made disasters.

- a) Support and assist drinking water and wastewater utilities in developing, establishing and utilizing INWARN to facilitate utilities’ accessibility to aid during natural and man-made disasters.

**JAPC Status:** Ongoing

Membership has increased to 105 members, an increase of 4.76% since last correspondence on November 13, 2013. Progress is being made in getting smaller systems to join. One challenge is that small and medium systems continue to be reluctant to join.

**FEC Status:** Ongoing

Membership has increased to 131 members, an increase of roughly 25% since 2013. Some progress is being made in getting more systems to join. However, the challenge to get small and medium systems to join continues. The organization is proving successful in providing assistance to members when needed. The website has improved dramatically and members are able to send system wide alerts for assistance as needed. IDEM holds a seat in the organization which enables the

coordination between InWARN, IDEM, and the Emergency Operations Center during periods of activation.

- b) Support INWARN efforts, as requested, to market the INWARN mutual aid system to Indiana drinking water and wastewater utilities in order to maximize participation in, and effectiveness of, INWARN.

**JAPC Status:** Ongoing

Marketing is taking place on a regular basis at professional association meetings, workshops, written media, and inspections. IDEM has joined with professional associations to help with the marketing and to show a united stand. Inspectors discuss emergency response plans during surveys and let systems know about INWARN and advantages to joining. One challenge is that one-on-one discussion seems to be the most effective way to get small systems to join. This task is time consuming. Inspectors, during surveys, take advantage of the opportunity, but with survey schedules, this is not the most efficient way to reach small systems.

**FEC Status:** Ongoing

Marketing is taking place on a regular basis at professional association meetings, workshops, written media, and inspections. InWARN exhibits at all the major trade shows, including IRWA, Indiana Section AWWA, and Alliance of Indiana Rural Water. IDEM has joined with these and other professional associations to help with the marketing and to show support. Each year IDEM assists in the exhibit booth at the spring and fall conferences. Annually we are at a minimum of 7 conferences. In addition, updates specifically related to InWARN are presented at another 10 district spring and fall Indiana Section AWWA meetings. Inspectors routinely discuss emergency response plans during surveys and let systems know about InWARN and the advantages to joining. IDEM takes advantage of the opportunity, but with survey frequency schedules, this is not the most efficient way to reach small systems. IDEM continues to find that one-on-one discussion seems to be the most effective way to reach and get small systems to join. To that end, IDEM met with town boards and councils over the past two years with a good success rate. IDEM will continue with these tasks and also will try to find more ways to engage small and medium systems.

- c) U.S. EPA R5 will provide guidance and federal coordination.

**JAPC Status:** Ongoing

**FEC Status:** Ongoing

BioWatch		H-3
IDEM Contact(s): Dick Zeiler & Steve Lengerich	U.S. EPA R5 Contact(s): Shelly Lam & Leonard Zintask	Due Date: To be established.
U.S. EPA R5 Role: Guidance and federal coordination.		
Goal 1:	Taking action on climate change and improving air quality.	
Objective 1.2:	Improve air quality.	
Funding:	State	

- a) Conduct BioWatch monitoring in Indianapolis at eight (8) locations.

**JAPC Status:** Ongoing

**FEC Status:** Ongoing

All deviations to routine activities are reported to the Department of Homeland Security via the 48-Hour Reports and posted to the BioWatch Portal.

- b) U.S. EPA R5 will provide guidance and federal coordination.

**JAPC Status:** Ongoing

**FEC Status:** Ongoing

## Office of Compliance Support (OCS)

U.S. EPA R5 OCS concurs with IDEM's OCS final report.

<b>Provide Compliance Assistance to Regulated Entities</b>			<b>P-1</b>
IDEM Contact(s): Niles Parker	U.S. EPA R5 Contact(s): Marilou Martin	Due Date: See below.	
U.S. EPA R5 Role: Provide support and guidance.			
Goal 5:	Enforcing environmental laws.		
Objective 5.1:	Enforce environmental laws.		
Funding:	State		

- a) Work with businesses, municipalities, and trade associations to educate regulated entities on their compliance requirements. Provide guidance and technical assistance for compliance with air, waste, and water regulations. Develop guidance, perform site visits, and answer calls about state and federal regulations.

**JAPC Status:** Ongoing

**FEC Status:** Ongoing

- b) U.S. EPA R5 will provide support and guidance.

**JAPC Status:** Ongoing

**FEC Status:** Ongoing

<b>Unwanted Medicines Disposal Guidance in Indiana</b>			<b>P-2</b>
IDEM Contact(s): Niles Parker	U.S. EPA R5 Contact(s): Gary Victorine	Due Date: See below.	
U.S. EPA R5 Role: Provide advice and guidance.			
Goal 4:	Ensuring the safety of chemicals and preventing pollution.		
Objective 4.2:	Promote pollution prevention.		
Funding:	State		

- a) Provide guidance and technical assistance for proper disposal of unwanted medicines. Develop guidelines for collections conducted by law enforcement, solid waste management districts, pharmacies, and municipalities, as well as local drug task forces.

**JAPC Status:** In progress

IDEM is a member of the Prescription Drug Abuse Task Force in collaboration with the Indiana Office of the Attorney General (OAG). IDEM's involvement has secured language that aligns with IDEM's goals of creating clean water bodies. Specifically, IDEM collaborated on developing the "Safe Disposal" language for the OAG's "First No Harm: Toolkit" as part of the Bitter Pill initiative. The Bitter Pill initiative educates the general public, practitioners, and pharmacists about safe drugs disposal in general, as well as for environmental reasons. IDEM's goal in participating in this initiative is to mitigate the amount of unused/expired/unwanted medicine being disposed into our water bodies. IDEM also participated in a letter of support for the new-to-Indiana program called the Yellow Jug Old Drugs program, which is sponsored by the Great Lakes Clean Water Organization and the OAG. This program will first target pharmacies in central Indiana and will eventually reach all pharmacies state-wide. IDEM maintains an Unwanted Medicine website

(<http://www.in.gov/idem/recycle/2343.htm>) explaining how to properly dispose of medicines as well as a listing of safe disposal locations throughout the state. IDEM also communicates proper disposal methods with the Solid Waste Management Districts, who can then reach their local population for education on the topic.

**FEC Status:** In progress

IDEM is a member of the Prescription Drug Abuse Task Force in collaboration with the Indiana Office of the Attorney General (OAG). IDEM’s involvement has secured language that aligns with IDEM’s goals of creating clean water bodies. Specifically, IDEM collaborated on developing the “Safe Disposal” language for the OAG’s “First No Harm: Toolkit” as part of the Bitter Pill initiative. The Bitter Pill initiative educates the general public, practitioners, and pharmacists about safe drugs disposal in general, as well as for environmental reasons. IDEM’s goal in participating in this initiative is to mitigate the amount of unused/expired/unwanted medicine being disposed into our water bodies. IDEM also participated in a letter of support for the new-to-Indiana program called the Yellow Jug Old Drugs program, which is sponsored by the Great Lakes Clean Water Organization and the OAG. This program will first target pharmacies in central Indiana and will eventually reach all pharmacies state-wide. IDEM maintains an Unwanted Medicine website (<http://www.in.gov/idem/recycle/2343.htm>) explaining how to properly dispose of medicines as well as a listing of safe disposal locations throughout the state. IDEM also communicates proper disposal methods with the Solid Waste Management Districts, who can then reach their local population for education on the topic.

b) U.S. EPA R5 will provide advice and guidance.

**JAPC Status:** In progress

**FEC Status:** In progress

Measurement of Solid Waste Diversion and Recycling		P-3
IDEM Contact(s): Niles Parker	U.S. EPA R5 Contact(s): Jerri-Anne Garl	Due Date: See below.
U.S. EPA R5 Role: Provide technical assistance and lend support accomplish this goal.		
Goal 4:	Ensuring the safety of chemicals and preventing pollution.	
Objective 4.2:	Promote pollution prevention.	
Funding:	State	

a) Continue to work with the waste hauler industry to measure solid waste diverted from disposal or recycled. Research best measurement options that will enable IDEM to calculate these figures with high levels of accuracy.

**JAPC Status:** In progress

- House Enrolled Act (HEA) 1183, as signed by Governor Pence on March 25, 2014, establishes a new 50% recycling goal and implements new recycling data reporting requirements. The statute requires IDEM to provide a recycling activity report form on the agency website and an annual report to Legislative Services summarizing the information in a uniform manner by December 31, 2015 and each succeeding calendar year thereafter.
- A web-based reporting system using Re-TRAC Connect was proposed to improve IDEM’s ability for collecting, analyzing, and managing solid waste

disposal and recycling data involving multiple state forms. Program analytics and report generation requirements are being developed.

- The first report on the implementation of the Indiana E-Waste Law and summary results from the first three years of the Indiana e-waste program are now available on IDEM's recycling website at [www.recycle.in.gov](http://www.recycle.in.gov).

**FEC Status:** In progress

- Technical assistance and outreach were conducted to inform reporting entities about Indiana's new reporting for recycling activities. A Recycling Activity Report form and a fact sheet were completed in cooperation and support from solid waste management districts and waste haulers.
- A state contract for a web-based reporting system using Re-TRAC Connect was approved on May 28, 2015. The reporting includes solid waste and recycling data. On-line reporting of recycling data is to begin on October 1, 2015.
- The second report on the implementation of the Indiana E-Waste Law and summary results from the first four years of the Indiana E-cycle program are now available on IDEM's recycling website at [www.recycle.in.gov](http://www.recycle.in.gov).

b) U.S. EPA R5 will provide advice and guidance.

**JAPC Status:** In progress

- U.S. EPA R5 is facilitating the State Data Measurement Sharing Program to create a national template that addresses the reporting of recycling and solid waste disposal data by states. In the initial roll out, Indiana participated with 19 other states in submitting data through Re-TRAC Connect for the 2012 Data Measurement Template. Follow-up webinars were conducted to discuss suggestions for improvements, clarifications, definitions, and enhancements of data collection to be considered in the 2013 Measurement Template for next year.
- U.S. EPA R5 hosted webinars and conference calls with MACRO (Mid America Council of Recycling Officials) to discuss recycling and measurement issues. U.S. EPA R5 Fact Sheets also were prepared with assistance from U.S. EPA R5 states that addressed (1) state funding mechanisms for solid waste disposal and recycling; and (2) defining and measuring solid waste recycling and disposal.

**FEC Status:** In progress

- U.S. EPA R5 completed updates to the 2014 template for the State Data Measurement Sharing Program. Also, the reporting includes a State Resource Module & Feedback forms.
- Webinar training events were held to discuss the template as well as to get comments, suggestions and recommendations for national reporting of solid waste and recycling data.

## Environmental Justice (EJ)

U.S. EPA R5 EJ concurs with IDEM’s EJ final report with no comments.

<b>Environmental Justice (EJ)</b>			<b>P-4</b>
IDEM Contact(s): Niles Parker	U.S. EPA R5 Contact(s): Lara Lasky	Due Date: See below.	
U.S. EPA R5 Role: Provide advice and guidance.			
Goal 3:	Cleaning up communities and advancing sustainable development.		
Objective 3.3:	Promote sustainable and livable communities.		
Funding:	State		

- a) Frame EJ with sound science (fact-based decision making), sound policy; compliance with the law (the Constitution’s equal protection clause and federal and state environmental laws and regulations), and provide all communities with the information necessary to participate in the process of making informed decisions about their environment, health and well-being. IDEM is in a position to provide leadership in EJ policy development based on IDEM’s principle that “All Hoosiers deserve clean air, water, and land.”

**JAPC Status:** In progress

IDEM continues to use sound science and fact based decision making to aid communities in the clean-up of contaminated areas. IDEM continues to provide information and resources to communities to aid them in making informed decisions about their environment, health, and well-being. As part of this effort, IDEM has formed an Environmental Justice committee. The committee is in the process of reviewing current IDEM and U.S. EPA Environmental Justice policies in order to refine and improve IDEM’s Environmental Justice policy. This newly formed group will meet monthly until the policy is refined and then quarterly thereafter.

**FEC Status:** Ongoing

IDEM continues to use science and fact-based decision making in its permitting and enforcement actions, and in its participation in remediation activities that affect communities impacted by contamination. IDEM continues to provide information and resources to communities to aid them in making informed decisions about their environment, health, and well-being. As part of this effort, IDEM participates in monthly discussions with EPA. IDEM staff are also currently in the process of reviewing current IDEM and U.S. EPA Environmental Justice policies.

- b) Develop a summary document of IDEM’s commitment to protecting Indiana communities in relationship to U.S. EPA HQ’s “Plan EJ 2014” for advancing environmental justice across the agency—comparing and integrating federal with state initiatives when feasible.

**JAPC Status:** In progress

IDEM has developed a draft document outlining IDEM’s commitment to protecting Indiana communities and is outlining a plan for developing and/or enhancing relationships with communities throughout the state.

**FEC Status:** Incomplete

Draft document not finalized.

- c) Review grant and cooperative agreement opportunities to better focus IDEM's EJ outreach initiatives to local communities on targeted issues.

**JAPC Status:** Ongoing

IDEM continually searches for possible grant opportunities to assist in developing outreach tools and programs to help the agency be more involved with communities and environmental groups.

**FEC Status:** Ongoing

IDEM continually searches for possible grant opportunities to assist in developing outreach tools and programs to help the agency be more involved with communities and environmental groups.

- d) Update IDEM's website section on EJ.

**JAPC Status:** In progress

IDEM is currently in the process of refining the web page for Environmental Justice. The newly formed Environmental Justice committee has been tasked with addressing the web page updates.

**FEC Status:** In progress

IDEM is currently in the process of refining the web page for Environmental Justice.

- e) U.S. EPA R5 will provide advice and guidance.

**JAPC Status:** Ongoing

U.S. EPA R5 hosts monthly Environmental Justice calls to discuss the latest issues and policies concerning Environmental Justice. The meetings are informative and helpful and allow IDEM staff an opportunity to ask U.S. EPA R5 staff questions.

**FEC Status:** Ongoing

U.S. EPA R5 hosts monthly Environmental Justice calls to discuss the latest issues and policies concerning Environmental Justice. The meetings are informative and helpful and allow IDEM staff an opportunity to ask U.S. EPA R5 staff questions.