



**Indiana Department of Environmental Management
Indiana Water Environment Association – Government Affairs Committee**

Meeting Minutes

Conference Call

July 31, 2020

1:00 PM – 2:30 PM

Agenda:

1. Introductions
 - a. Paul Higginbotham (IDEM), Martha Clark-Mettler (IDEM), Camille Meiners (IFA), Craig Williams (Angola), Tim Healy (Greely-Hansen), Andrea Alexander (South Bend), Sarah Mitchell (Elkhart), Miranda Braun (Fort Wayne), Tracy Williams (Donohue) and Brady Dryer (CEI).
2. IFA-SRF Update
 - a. Project Priority List issued for Fiscal Year July 1, 2020 to June 30, 2021
 - b. Wastewater SRF
 - i. Large Systems - \$140M
 - ii. Small Systems - \$135M
 - c. Drinking Water SRF - \$55M
 - d. COVID-19 Wastewater Testing for Utilities with Colleges
 - i. IFA to cover eligible costs
 - ii. >1,000 enrollment
 - iii. IFA Partnership with 120 Water (outreach materials attached)
 - iv. Testing Monitors RNA with intent to predict outbreaks/enhance local public health decision making.
 - v. Ideal sampling locations - WWTP influent and university sewershed
3. IDEM Staffing Updates
 - a. Limited replenishment of positions that are vacant due to retirement, etc.
 - b. Samantha Groce (Enforcement Section Chief) also serving as WW Inspections Section Chief
 - c. Jim Stahl of Watershed Assessment/Planning now retired
4. IDEM COVID-19 Operational Update
 - a. Drinking Water Inspections remained full time
 - b. Wastewater Inspections back to full field operations



- c. Wetlands (401 WQC) Inspections back to full field operations
 - d. Office staff working from home – required to report every 2 weeks
 - e. IDEM visits – must be appointment only and wear mask
 - f. Enforcement Discretion will be applied on a case by case basis for noncompliance due to COVID-19.
- 5. Total Nitrogen Monitoring Notification for Major (≥ 1.0 MGD) Municipal Dischargers
 - a. 35 Major Municipal Permits now monitoring since Jan. 2019
- 6. Federal NPDES Rule Update
 - a. Requires use of updated Municipal NPDES Renewal Forms
 - b. See link for proposed NPDES Renewal Forms:
<https://www.epa.gov/npdes/npdes-application-forms>
 - c. IDEM requested feedback on forms found at link above.
 - d. IDEM continued use of old forms noted as program deficiency in recent EPA Permit Quality Review
- 7. Senate Enrolled Act 4 – Asset Management Program Implementation
 - a. Applies to new and expanded WTPs and WWTPs
 - b. Both Drinking Water and Wastewater Guidance Final (attached)
 - c. Requires:
 - i. Life Cycle Cost analysis
 - ii. Capital Asset Management Plan
 - iii. Cybersecurity Plan
- 8. Water Quality Criteria for Metals Status
 - a. Selenium calculation finalized.
 - b. No Aluminum included.
 - c. Minor re-organization of Water Quality Standard tables.
 - d. Submitted to EPA for review.
 - e. Adoption expected at November ERB Meeting
- 9. EPA POTW Secondary Treatment Questionnaire Status
 - a. < 10% participation rate
 - b. Recent reminder sent by EPA
 - c. Additional info found here: <https://www.epa.gov/eg/potw-nutrient-survey>
- 10. EPA Region 5 State Per and Polyfluoroalkyl Substances (PFAs) Drinking Water and Water Quality Standards
 - a. Only Drinking Water Systems Monitoring in IN



- b. Surface water monitoring on hold to follow states/EPA
- 11. EPA Peak Flow Management Proposed Rulemaking
 - a. Minimal update provided.
 - b. Additional information found at the following EPA website:
<https://www.epa.gov/npdes/peak-flows-sewage-treatment-plants>
- 12. 2012 RWQC Update
 - a. Citizens Petition public hearing scheduled for October 28, 2020 at 1:30 PM
(<https://calendar.in.gov/site/idem/event/citizens-petition-hearing-environmental-rules-board/>)
- 13. CSO Compliance – National Trends, Integrated Planning, etc.
 - a. EPA/States find Indiana SEA 620/UAA Approach favorable
 - b. Citizens Water Authority (Indy) Wet Weather Limited Use Subcategory approved in Jan. 2020 – not effective until full LTCP implementation
- 14. 303 (d) and TMDL Update & NPDES Implications
 - a. 303 (d) list presented at July 8, 2020 ERB Zoom Meeting
 - b. Currently Under review by EPA
- 15. Compliance/Enforcement Updates
 - a. See attached Early Warning and Sewer Ban Lists
 - b. Recent public records request for Sanitary Sewer Overflow (SSO) info.
- 16. Operator Certification Rule Work Group Update
 - a. Ongoing
- 17. Construction/MS4 General Permit and Program Update
 - a. Rulemaking for Construction and MS4 General Permits initiated at the Environmental Rules Board (ERB) meeting on September 9, 2020.
 - b. MS4 audits currently inactive
 - c. Reminder – Annual MS4 Reports due every other year with April 1, 2021 deadline for 2019-2020 reporting period.
- 18. 2020 IDEM Initiatives
 - a. Agency currently managing June 22, 2020 WOTUS decision and impacts to 401/404 permitting.



State Revolving Fund Loan Program
an Indiana Finance Authority Environmental Program

100 North Senate Avenue, Room 1275
Indianapolis, Indiana 46204
www.srf.in.gov

James P McGoff
Director of Environmental Programs
(317) 233-4337
jmcgoff@ifa.in.gov

July 28, 2020

VIA E-MAIL

Re: COVID-19 Testing

Dear Wastewater Utility Manager:

The Indiana Finance Authority (“IFA”) has been made aware of the ability to sample and detect COVID-19 RNA in wastewater in advance of traditional symptoms becoming evident in the population served. Consequently, the IFA is contracting with 120Water (<https://120water.com/>), a company based in Zionsville, Indiana, to offer a sampling program to eligible wastewater utilities. All sampling costs will be covered by the IFA. The IFA believes this could be an important tool for communities with utilities that serve college campuses to enable the utility to possibly detect an increasing presence of COVID-19 in their systems as students return to campuses.

The IFA sponsored sampling program will include virtual training on how and where to collect samples, sample bottles and testing (at a certified laboratory). The program will run for twelve weeks (August-October 2020), spanning the weeks prior to and following students return to campus. 120Water will provide utility-specific results data to each participating utility.

Your utility is receiving this letter because we believe it serves at least one Indiana college or university that provides on-campus housing and serves more than 1,000 students.

Please refer to the attached for more information about the program. If your utility is interested in participating in this **voluntary** program, please either [fill out this enrollment survey](#) or contact Erica Walker at 120Water by email (erica@120wateraudit.com) or phone (312) 405-8484.

Because time is short before students return to campus, 120Water will host an informational webinar this Friday, July 31, 2020 at 2pm. If you would like to learn more about this opportunity, [please register for the webinar here.](#)

If you have general questions, please contact Sarah Hudson at sahudson@ifa.in.gov.

We look forward to working with you.

Sincerely,

James P. McGoff



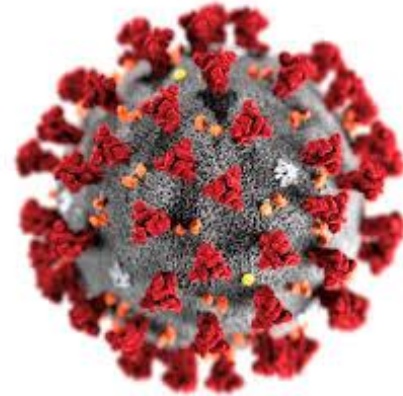
120Water

**Indiana's SARS-CoV-2 Wastewater
Surveillance Program**

SARS-CoV-2 Wastewater Surveillance Program

Why Should You Participate?

Current research suggests wastewater analysis of SARS-CoV-2 RNA may help communities discover COVID-19 outbreaks earlier and cases in the US are on the rise



How the Program Works

- 1. 120Water will host a short training webinar to prepare you to collect and return the samples**
- 2. 120Water will work with you to select sample site locations sample collection schedule**
- 3. 120Water will ship your sample kits and provide return shipping to route samples to the lab**
- 4. 5 -7 Days after collection you will receive your results with summary of findings from a public health researcher**

Program Design

Plan

Enroll
Participants

35 WWTPS
serving public &
private universities
with > 1,000
students

Train
operators

Sample collection
and deliverables

Design
sample plans

Work with operators
to select 2 sample
locations,
standardize plans,
collect important
system data, and
schedule collections



Monitor

Send sample
kits to
operators

See next slide on sample collection

Operators
collect at
WWTP &
subsites



Analyze

Lab results in
120W
platform

EDD results
shipped to
platform & shared
with operators and
state partners

Health
Researcher
reviews

Analyze/interpret
results & make
recommendations
weekly



SCV2 Program Sample Collection

WWTP Sample Site



24 hour
composite
sample
from raw
influent



Sub-sample Site



Grab sample
from nearest
University
WW effluent
point

- Operators will collect samples 3 times per week at two different locations
 - Raw WWTP primary influent: 24 hr composite samples
 - University effluent: grab samples
- Sub sample sites could provide valuable information about viral loads & community risk within university wastewater
- WWTP influent results can then be compared to university effluent results

This methodology may help cities pinpoint potential outbreaks in high risk areas

SCV2 Program Potential Partners & Advisors

Program Advisor & Interlab Comparative Analysis



Dr. Kyle Bibby, PHD PE
University of Notre Dame, College
of Engineering

Currently running a WW surveillance initiative with several WWTPs in Indiana. Oversees comparative lab analysis, delivers findings & provides recommendations on program design

Technical Advisor, WWTP



Jase Hixon, IU PHD Candidate
Bynum Fanyo Utilities, WWTP
Operator

WQ researcher and certified operator. Will collaborate on program design and execution, co-facilitates training of WWTP operators

Public Health Researcher



Dr. Alex Perkins
University of Notre Dame, Infectious
Disease Epidemiology & Population
Biology

Analyzes & interprets WW sample results and provides recommendations to stakeholders

Timeline

- 7/28 Enrollment Begins
- 8/10 Training Begins
- 8/17 Weekly Sampling Begins
- 10/30 Sampling Ends
- 11/20 Program Report Delivered

Have questions or want to enroll?

Contact Erica Walker

120Water

erica@120wateraudit.com

312-405-8484

EXAMPLE

IC 13-18-26 Certification of Completion Wastewater

Indiana Code 13-18-26 requires the permit applicant to certify that the following documents have been prepared and completed:

- A Life Cycle Cost-Benefit Analysis, as described in IC 13-18-26-3;
- A Capital Asset Management Plan, as described in IC 13-18-26-4; and
- A Cybersecurity Plan, as described in IC 13-18-26-5.

The certification of completion must be submitted to IDEM along with the permit application, and must be notarized. The plans and analyses must be reviewed and revised (as necessary) at least once every five years. A new certification must be submitted to IDEM (with the NPDES renewal application) if any plan or analysis is revised during the five-year review.

I hereby certify that I am an authorized representative for the permit applicant and pursuant to IC 13-18-26, the permit applicant has developed and completed a life cycle cost-benefit analysis; a capital asset management plan; and a cybersecurity plan that meet the requirements of IC 13-18-26-3, IC 13-18-26-4, and IC 13-18-26-5. To the extent required under IC 13-18-26-6, the plans and analyses are available for public inspection.

Permit Applicant (Printed)

Signature

Date

Authorized Representative (Printed)

Signature

Date

Notary (Printed)

Signature

My Commission Expires: _____

(seal)



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We Protect Hoosiers and Our Environment.

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(800) 451-6027 • (317) 232-8603 • www.idem.IN.gov

Eric J. Holcomb
Governor

Bruno L. Pigott
Commissioner

Applicability and Implementation of IC 13-18-26: Wastewater Treatment Plants

Certification Requirements for Wastewater Permitting:

Amendments to Indiana Code 13-18-26, which went into effect on July 1, 2019, require certain NPDES permit applicants to certify that they have prepared and completed a life cycle cost-benefit analysis, a capital asset management plan, and a cybersecurity plan. The certification must be submitted to IDEM along with the NPDES permit application.

The requirements of IC 13-18-26 are applicable to the following NPDES permitting actions:

1. A permit for a new wastewater treatment plant with an average design flow greater than .1 MGD. The definition of “wastewater treatment plant” under IC 13-11-2-258(b) excludes industrial wastewater facilities.
2. A permit for the modification or expansion of a wastewater treatment plant greater than .1 MGD that increases the average design flow. The renewal of an NPDES permit that does not increase average design flow does not require a certification.

Due to the time and resources necessary to complete the plans and analyses, if an applicant cannot meet the certification requirements at the time of application submittal, IDEM will work with the applicant on a transitional basis up to June 1, 2020. After June 1, 2020, IDEM will not issue a permit to an applicant that is subject to IC 13-18-26 if the required certification is not included with the application packet, as required by IC 13-18-26-1(b).

Certification Example:

Attached to this applicability memo is an example certification that meets the requirements of IC 13-18-26. A permit applicant may use this form, or develop their own form that meets the statutory requirements. Please note that the certification must be notarized.

Five-Year Review:

The permittee must review the life cycle cost-benefit analysis, capital asset management plan, and cybersecurity plan at least once every five years. If any of the plans or analyses are revised during the five-year review, the permittee must submit a new certification to IDEM with its NPDES renewal application.

Guidance on Developing Analyses and Plans:

IC 13-18-26 describes what must be included in the life cycle cost-benefit analysis, capital asset management plan, and cybersecurity plan. Similar analyses and plans are required by the Indiana Finance Authority’s State Revolving Fund (SRF) Loan Program under a different statute. IDEM is providing the following links to SRF guidance documents with information permit applicants may find helpful in meeting the requirements of IC 13-18-26. Please refer to IC 13-18-26, a copy of which is attached to this memo, for the specific requirements applicable to the certification submitted to IDEM.

Asset Management Plan:

Checklist: <https://www.in.gov/ifa/srf/files/AMP%20Checklist%20for%20Borrowers%20July%202018.pdf>

Guidance: <https://www.in.gov/ifa/srf/files/AMP%20Guidance%20Packet%20update%209-17-2019.pdf>

Cost Benefit Analysis (see Chapter 4):

<https://www.in.gov/ifa/srf/files/ww%20per%20requirements%20july%202018%20-2.pdf>

Cyber Security Checklist (see Appendix C):

<https://www.in.gov/ifa/srf/files/AMP%20Guidance%20Packet%20update%209-17-2019.pdf>

EXAMPLE

IC 13-18-26 Certification of Completion
Drinking Water
PWSID No. _____

Indiana Code 13-18-26 requires the permit applicant to certify that the following documents have been prepared and completed:

- A Life Cycle Cost-Benefit Analysis, as described in IC 13-18-26-3;
- A Capital Asset Management Plan, as described in IC 13-18-26-4; and
- A Cybersecurity Plan, as described in IC 13-18-26-5.

The certification of completion must be submitted to IDEM along with the permit application, and must be notarized. The plans and analyses must be reviewed and revised (as necessary) at least once every five years. A new certification must be submitted to IDEM if any plan or analysis is revised during the five-year review.

I hereby certify that I am an authorized representative for the permit applicant and pursuant to IC 13-18-26, the permit applicant has developed and completed a life cycle cost-benefit analysis; a capital asset management plan; and a cybersecurity plan that meet the requirements of IC 13-18-26-3, IC 13-18-26-4, and IC 13-18-26-5. To the extent required under IC 13-18-26-6, the plans and analyses are available for public inspection.

Permit Applicant (Printed)

Signature

Date

Authorized Representative (Printed)

Signature

Date

Notary (Printed)

Signature

My Commission Expires: _____

(seal)



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Applicability and Implementation of IC 13-18-26: Permit Applications for Community Public Water System (PWS) Treatment Plants.

Certification Requirements for PWS Permitting:

Amendments to Indiana Code 13-18-26, which went into effect on July 1, 2019, require certain Community PWS permit applicants to certify that they have prepared and completed a life cycle cost-benefit analysis, a capital asset management plan, and a cybersecurity plan. The certification must be submitted to IDEM along with the PWS permit application under IC 13-18-16.

The requirements of IC 13-18-26 are applicable to the following PWS permitting actions:

1. A permit for a new PWS treatment plant, defined by IC 13-11-2-264, for a community water system.
2. A permit for the modification or expansion of a community PWS treatment plant that increases the system design capacity of the plant.

A system does not increase system design capacity if it is applying for a permit or submitting a notice of intent for:

1. The installation of new water mains.
2. The replacement of an existing drinking water well.
3. Chemical treatment that does not increase system design capacity.
4. Any other treatment improvements, process changes or modifications that do not increase system design capacity.

The requirements of IC 13-18-26 do not apply to noncommunity PWSs, including transient and nontransient noncommunity PWS.

Due to the time and resources necessary to complete the plans and analyses, if an applicant cannot meet the certification requirements at the time of application submittal, IDEM will work with the applicant on a transitional basis up to October 1, 2020. After October 1, 2020 IDEM will not issue a permit to an applicant that is subject to IC 13-18-26 if the required certification is not included with the application packet, as required by IC 13-18-26-1(b).

Certification Example:

Attached to this applicability memo is an example certification that meets the requirements of IC 13-18-26. A permit applicant may use this form, or develop their own form that meets the statutory requirements. Please note that the certification must be notarized.

Five-Year Review:

The permittee must review the life cycle cost-benefit analysis, capital asset management plan, and cybersecurity plan at least once every five years. If any of the plans or analyses are revised during the five-year review, the permittee must submit a new certification to IDEM.

Guidance on Developing Analyses and Plans:

IC 13-18-26 describes what must be included in the life cycle cost-benefit analysis, capital asset management plan, and cybersecurity plan. Similar analyses and plans are required by the Indiana Finance Authority's State Revolving Fund (SRF) Loan Program under a different statute. IDEM is providing the following links to SRF guidance documents with information permit applicants may find helpful in meeting the requirements of IC 13-18-26. Please refer to IC 13-18-26, a copy of which is attached to this memo, for the specific requirements applicable to the certification submitted to IDEM.

Asset Management Plan:

Checklist: <https://www.in.gov/ifa/srf/files/AMP%20Checklist%20for%20Borrowers%20July%202018.pdf>

Guidance: <https://www.in.gov/ifa/srf/files/AMP%20Guidance%20Packet%20update%209-17-2019.pdf>

Cost Benefit Analysis (see Chapter 4):

<https://www.in.gov/ifa/srf/files/DWSRF%20PER%20Guidance%20July%202018.pdf>

Cyber Security Checklist (see Appendix C):

<https://www.in.gov/ifa/srf/files/AMP%20Guidance%20Packet%20update%209-17-2019.pdf>

IC 13-18-26 Chapter 26. Permit and Permit Application Conditions for Water and Wastewater Treatment Plants

13-18-26-1	Certificate of completion required
13-18-26-2	Certification that documents have been prepared
13-18-26-3	Life cycle cost-benefit analysis
13-18-26-4	Capital asset management plan
13-18-26-5	Cybersecurity plan
13-18-26-6	Completion, periodic revision, and public disclosure of analysis and plans
13-18-26-7	Denial of permit application for failure to include notarized certification

IC 13-18-26-1 Certificate of completion required

Sec. 1. (a) Except as provided in subsection (c), a permit required under IC 13-18-16 for the operation of a public water system may not be issued unless the application contains the certification of completion required under section 2 of this chapter.

(b) Except as provided in subsection (c), the department may not issue a permit required under environmental management laws for the discharge from a wastewater treatment plant, as defined in IC 13-11-2-258(b), unless the application contains the certification of completion required under section 2 of this chapter.

(c) The requirement of a certification of completion under section 2 of this chapter does not apply to the following:

- (1) A noncommunity public water system that has fewer than fifteen (15) service connections used by year-round residents.
- (2) A noncommunity public water system that regularly serves fewer than twenty-five (25) year-round residents.
- (3) A permit for the modification or expansion of a drinking water treatment plant that does not increase system design capacity.
- (4) A permit for a wastewater treatment plant with an average design flow of not more than one hundred thousand (100,000) gallons per day.
- (5) A permit for the modification or expansion of a wastewater treatment plant that does not increase average design flow.
- (6) The renewal of an NPDES permit for the discharge from a wastewater treatment plant that does not include a modification or expansion as described in subdivision (5).

As added by P.L.126-2018, SEC.6. Amended by P.L.15-2019, SEC.12.

IC 13-18-26-2 Certification that documents have been prepared

Sec. 2. A permit described in section 1(a) or 1(b) of this chapter may not be issued unless the applicant submits, along with the permit application, a certification that all of the following documents have been prepared and are complete under the requirements of this chapter:

- (1) A life cycle cost-benefit analysis, as described in section 3 of this chapter.
- (2) A capital asset management plan, as described in section 4 of this chapter.
- (3) A cybersecurity plan, as described in section 5 of this chapter.

As added by P.L.126-2018, SEC.6. Amended by P.L.15-2019, SEC.13.

IC 13-18-26-3 Life cycle cost-benefit analysis

Sec. 3. A life cycle cost-benefit analysis must include a comparison of the alternatives of:

- (1) meeting the water supply or wastewater service needs of the community or area served or proposed to be served through the operation of the water and wastewater treatment plant, as:
 - (A) owned and operated; or
 - (B) proposed to be owned and operated;according to the terms of the permit application; and
- (2) meeting the water supply or wastewater service needs of the community or area

served or proposed to be served through one (1) or more other potential means.
As added by P.L.126-2018, SEC.6.

IC 13-18-26-4 Capital asset management plan

Sec. 4. A capital asset management plan must include all of the following:

- (1) A plan to annually review infrastructure needs of the water or wastewater treatment plant.
- (2) A detailed engineering analysis of asset conditions and useful life, to be used to develop an infrastructure inspection, repair, and maintenance plan.
- (3) An analysis of customer rates necessary to support the capital asset management plan, including emergency repairs.
- (4) A certification that the water or wastewater treatment plant has:
 - (A) a certified operator;
 - (B) a corporate officer or system manager; and
 - (C) access to an engineer, either on staff or by contract.

As added by P.L.126-2018, SEC.6.

IC 13-18-26-5 Cybersecurity plan

Sec. 5. A cybersecurity plan must provide for the protection of the water or wastewater treatment plant from unauthorized use, alteration, or destruction of electronic data.

As added by P.L.126-2018, SEC.6.

IC 13-18-26-6 Completion, periodic revision, and public disclosure of analysis and plans

Sec. 6. (a) The analyses and plans described in sections 3, 4, and 5 of this chapter must be:

- (1) complete under the requirements of this chapter at the time an application for a permit described in section 1(a) or 1(b) of this chapter is submitted;
- (2) reviewed and revised at least once every five (5) years, for as long as the permit holder operates the water treatment plant or wastewater treatment plant; and
- (3) except for customer specific data, including information excluded from public access under IC 5-14-3-4(a), or for a cybersecurity plan required under section 5 of this chapter, made publicly available.

(b) A certification that the analyses and plans described in sections 3, 4, and 5 of this chapter are complete under the requirements of this chapter must be submitted to the department:

- (1) under section 2 of this chapter at the time an application for a permit described in section 1(a) or 1(b) of this chapter is submitted; and
- (2) at least once every five (5) years after an application for a permit described in section 1(a) or 1(b) of this chapter is submitted, when the analysis and plans are reviewed and revised.

(c) A certification submitted to the department under this chapter must be notarized.

As added by P.L.126-2018, SEC.6. Amended by P.L.15-2019, SEC.14.

IC 13-18-26-7 Denial of permit application for failure to include notarized certification

Sec. 7. Failure to include a notarized certification with an application for a permit described in section 1(a) or 1(b) of this chapter constitutes grounds for denial of the permit application.

As added by P.L.126-2018, SEC.6. Amended by P.L.15-2019, SEC.15.