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City of Berne

Great Lakes Basin Combined Sewer Overflow
Annual Public Notice
April 2023

A Wealth of Resources to Master a Common Goal.

City of Berne, Indiana

Great Lakes Basin Combined Sewer Overflow

Annual Public Notice

In accordance with 40 CFR 122.38, the City of Berne is required to comply with the Great Lakes Basin Combined Sewer Overflow (CSO) public notification provisions as authorized by Section 425 of the Consolidated Appropriations Act of 2016; Public Law 114-113; and FWPCA 33 U.S.C. 1251. Through close coordination with the Indiana Department of Environmental Management (IDEM) Office of Water Quality (OWQ), the City of Berne has completed the following milestones and activities to ensure compliance with this rule:

July 2018	Updated the City's current CSO Public Notification Plan per 40 CFR 122.38 (c);
August 3, 2018	Submitted the Updated CSO Public Notification Plan to IDEM OWQ for review;
August 24, 2018	Received IDEM OWQ Approval of Updated CSO Public Notification Plan;
November 7, 2018	Initiated implementation of the Updated CSO Public Notification Requirements that includes the following: • Initial Notice of CSO Discharges per 40 CFR 122.38(a)(3)(i) and (ii): • Supplemental Notice of CSO Discharges per 40 CFR 122.38(a)(3)(i) and (ii); and • Outreach to Local Health Department and Other Affected Public Entities per 40 CFR 122.38(a)(2)(ii).
April 25, 2019	Submitted to IDEM OWQ and posted online the Annual Great Lakes Basin Combined Sewer Overflow Public Notice
April 2, 2020	Posted 2019 Annual Great Lakes Basin Combined Sewer Overflow Public Notice to City's website and notified IDEM OWQ
April 30, 2021	Posted 2020 Annual Great Lakes Basin Combined Sewer Overflow Public Notice to City's website and notified IDEM OWQ
April 2022	Posted 2021 Annual Great Lakes Basin Combined Sewer Overflow Public Notice to City's website and notified IDEM OWQ
April 2023	Posted 2022 Annual Great Lakes Basin Combined Sewer Overflow Public Notice to City's website and notified IDEM OWQ

The above information immediately above regarding the initial and supplemental CSO notifications is available for review on the following website:

http://cityofberne.com/cso-discharge-notice

The City of Berne is also required to prepare an Annual Notice per 40 CFR 122.38(b), which is the purpose of this document and the required contents are included herein.

A. *Description of locations of CSOs*

- **a.** The Attachment A of the City of Berne's current National Pollutant Discharge Elimination System (NPDES) Permit No. IN0021369 information related to the location of the City's remaining CSO (046) and other related provisions. The NPDES Permit is included in **Appendix A**. The System Aerial Map is included in **Appendix B** to illustrate the location of CSOs and other relevant facilities.

B. *Receiving water*

- **a.** One (1) CSO outfall, 046, is maintained by the City of Berne and the outfall discharges to the Sprunger Ditch during certain rainfall and/or snow melt events. CSO 046 is monitored for frequency and volume of CSO in accordance with Attachment A of the City of Berne's current NPDES Permit No. IN0021369 utilizing the NPDES CSO Monthly Report of Operation From (State Form 50546 R3/7-13).

C. *Any treatment provided*

- **a.** There is no CSO treatment provided for CSO 046; however, the City of Berne currently operates a Class II, 1.08 MGD treatment facility with a partial-mix aerated lagoon, a secondary lagoon, four (4) submerged attached growth reactors, two (2) secondary clarifiers, phosphorus removal via chemical addition, disc filters and ultraviolet light disinfection. This facility has a peak design flow of 1.92 MGD and treatment is maximized during wet weather as to minimize the discharge of untreated CSO from 046.

D. *Date, location and approximate duration, measured estimated volume, and cause for each wet weather event that occurred in the past year.*

- **a.** See attached 2021 CSO MRO (State Form 50546 R3/7-13) monthly reports in **Appendix C**.

E. *Date, location, duration, volume and cause of each dry weather CSO discharge in past calendar year.*

- **a.** No recorded dry weather CSO discharge events occurred within the past year.

F. *Summary of monitoring data to CSO discharges.*

a. See the attached 2022 CSO MRO (State Form 50546 R3/7-13) monthly reports in **Appendix C**.

G. *Description of any public access areas potentially impacted by CSOs*.

a. There is no public access to the Sprunger Ditch.

H. *Representative precipitation data in total inches (closest 0.1 inches) that resulted in in a CSO discharge*

a. Precipitation information is included in the attached 2022 CSO MRO (State Form 50546 R3/7-13) monthly reports in **Appendix C**.

I. *Permittee contact information, if not listed elsewhere on website*.

a. Mayor Gregg A. Sprunger

i. Phone: 260-589-0081

ii. Address: 158 W. Franklin Street, Berne, Indiana 46711

iii. Email: mayor@cityofberne.com

b. Wastewater Supervisor, Terry L. Kongar

i. Phone: 260-589-3425

ii. Address: 158 W. Franklin Street, Berne, Indiana 46711

iii. Email: sewage@cityofberne.com

J. *Concise summary of implementation of 9 minimum controls and LTCP implementation status*.

a. ***9 minimum controls***

i. ***Proper Operation and Maintenance Program***: There are seven (7) city employees that are cross-trained to share collection system and WWTP operations and maintenance. Several categories of maintenance are conducted for lift stations; sanitary, storm and combined sewer systems; and street sweeping. Collection system point repairs are made on an as needed basis.

ii. ***Maximization of Storage in the Collection System***: In order to maximize collection system storage to minimize the frequency and volume of CSO events, the City of Berne has raised CSO diversion structures to the extent possible. In addition, the fixed effluent weir at pond 1 of the WWTP has been raised to allow for an increase in operational depth to facilitate additional storage.

iii. ***Review of Pretreatment Ordinance***: Currently, there are no Categorical Industrial Users (CIUs) or Significant Industrial Users

(SIUs) that discharge industrial wastewater to the City of Berne's collection system. The City's Wastewater Ordinances and Code contains provisions that classify residential, commercial and industrial users so that any new industrial users can be identified and properly regulated by the City and IDEM OWQ.

iv. ***Operation to Maximize Treatment***: The City of Berne currently operates a Class II, 1.08 MGD treatment facility with a partial-mix aerated lagoon, a secondary lagoon, four (4) submerged attached growth reactors, two (2) secondary clarifiers, phosphorus removal via chemical addition, disc filters and ultraviolet light disinfection. This facility has a peak design flow of 1.92 MGD and treatment is maximized during wet weather as to minimize the discharge of untreated CSO from 046.

v. ***Ensure the elimination of Dry Weather Flows***: The City believes implementing the operation and maintenance program outlined in Section J.a.i. is the most effective method to reduce the risk of dry weather overflows. Additionally, the City's lift stations and CSO structures are equipped with a Supervisory control and data acquisition (SCADA) system so that staff are made aware when operating levels are at a point in which a dry or wet weather CSO may occur. And finally, several provisions in the City's Sewer Use Ordinance (SUO) in order to protect against discharges that may have the potential to cause a dry weather overflow due to exceeding the capacity of the collection system and/or sewer clogging.

vi. ***Control of Solids and Floatables***: Maintenance practices including sewer cleaning and street sweeping are the most effective measure in preventing the discharge of floatables and solids from the City's CSOs. In addition, the 1.08 MGD, with a peak daily flow of 1.92 MGD, is crucial to maximize the capture and treatment of solids and floatables.

vii. ***Implementation of Pollution Prevention Measures***: The City of Berne and Adams County maintain several programs that raise awareness of pollution prevention activities. These programs include recycling, solid waste/trash pick-up, and yard waste pickup. The City has also implemented a Wellhead Protection Plan (WHPP) to identify potential sources of contamination and reduce the risk of contamination to the City drinking water. While these programs are not directly related to CSO discharges, they do raise awareness of pollution prevention.

viii. ***Implementation of a Public Notification Process***: The City's Public Notification Plan was amended in July and August of 2018 in order to comply with the Great Lakes Basin CSO public notification provisions. The revised plan was submitted to IDEM OWQ for review on August 3, 2018 and approved on August 24, 2018. This Annual Public Notice also allows for compliance with the City's public notification requirements. Signage is maintained at the City's remaining CSO outfall and the Annual CSO Public Notice each March in the local newspaper. A Citizen Advisory Committee has also been formed in order to guide local officials and the public through the ongoing LTCP process.

ix. ***Monitor and Characterize CSO Impacts and Efficacy of Controls***: The remaining CSO 046 is equipped with a flow meter to record overflow duration and volume so that the City can monitor CSO impacts and the efficacy of CSO controls. Precipitation data is also collected so that conditions that trigger CSO events can be characterized. These efforts will be even more imperative for post construction monitoring purposes when Berne completes the implementation of the LTCP as described in the section below.

b. ***LTCP implementation status***

i. Construction of the WWTP expansion as described above was completed in 2014. The City of Berne submitted an LTCP Amendment to IDEM OWQ for review in August of 2017 and the LTCP Amendment was approved in November 2017. The Sewer Separation Preliminary Engineering Report (PER) was completed in 2018 and the final design was completed in 2019. Construction of the sewer separation project was initiated February 24, 2020 and substantial completion was on November 23, 2020. On January 14, 2021, the City of Berne submitted a notification letter to IDEM OWQ regarding the status of the sewer separation project and this correspondence can be reviewed in greater detail in **Appendix D**. The revised CSO LTCP schedule is included on the following page.

CSO LTCP Implementation Schedule

Phase	Project	Year Completion	Task
I	Sewer Separation	2018	Prepare PER & Evaluate Funding Options
		2019	Final Design
		2020-2021	Construction
2022 – Post Construction Monitoring, CSO LTCP, & CSOOP Review			
II	Storage & Pumping Project	2023	Prepare PER & Evaluate Funding Options
		2024	Final Design
		2025-2026	Construction
2027 – Post Construction Monitoring, CSO LTCP, & CSOOP Review			

Appendix A

NPDES Permit No. IN0021369 (2018)

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
We Protect Hoosiers and Our Environment.
100 N. Senate Avenue • Indianapolis, IN 46204
(800) 451-6027 • (317) 232-8603 • www.idem.IN.gov

Eric J. Holcomb
Governor

Bruno Pigott
Commissioner

January 24, 2018

VIA ELECTRONIC MAIL

The Honorable William McKean, Mayor
City of Berne
158 West Franklin Street
Berne, Indiana 46711

Dear Mayor McKean:

Re: Final Modification of NPDES Permit
No. IN0021369 for the City of Berne
Wastewater Treatment Plant
Adams County

Your request for modification of the above-referenced discharge permit has been processed in accordance with Section 402 and 405 of the Federal Water Pollution Control Act, as amended (33 U.S.C. 1251, et seq.), and IDEM's permitting authority under IC 13-15 (formerly IC 13-7).

The enclosed Pages 1 through 32 of 32 are intended to replace the corresponding pages of the existing permit. This modification, as requested in a letter dated September 19, 2017, is to reflect the deletion of Whole Effluent Toxicity testing and pretreatment program requirements because the facility no longer accepts industrial wastestreams.

The enclosed NPDES permit amendment covers your existing NPDES Permit No. IN0021369. All discharges from the referenced facility shall be consistent with the terms and conditions of this permit, as amended.

One condition of your permit requires monthly reporting of several effluent parameters. You are required to submit both federal discharge monitoring reports (DMRs) and state Monthly Reports of Operation (MROs) on a routine basis. The MRO form is available on the internet at the following web site: http://www.in.gov/idem/cleanwater/2396.htm.

Once you are on this page, select the "IDEM Forms" page and locate the version of the MRO applicable to your plant under the "Wastewater Facilities" heading. We recommend selecting the "XLS" version as it will complete all of the calculations on the data entered.

All NPDES permit holders are required to submit their monitoring data to IDEM using NetDMR. Please contact Rose McDaniel at (317) 233-2653 or Helen Demmings (317) 232-8815 if you would like more information on NetDMR. Information is also available on our website at http://IN.gov/idem/cleanwater/2422.htm.

Please note that this permit modification can be appealed. An appeal must be filed under procedures outlined in IC 13-15-6, IC 4-21.5, and the enclosed public notice. The appeal must be initiated by filing a petition for administrative review with the Office of Environmental Adjudication (OEA) within fifteen (15) days of the emailing of an electronic copy of this letter or within eighteen (18) days of the mailing of this letter by filing at the following addresses:

Director
Office of Environmental Adjudication
Indiana Government Center North
Room N103
100 North Senate Avenue
Indianapolis, Indiana 46204

Commissioner
Indiana Department of Environmental Management
Indiana Government Center North
Room 1301
100 North Senate Avenue
Indianapolis, Indiana 46204

If you have any questions concerning this modification, please contact Jason House at 317/233-0470 or jahouse@idem.IN.gov. Questions concerning appeal procedures should be directed to the Office of Environmental Adjudication at 317/233-0850.

Sincerely,

Jerry Dittmer, Chief
Permits Branch
Office of Water Quality

Enclosures
cc: Brady Dryer, Commonwealth Engineers
U.S. EPA, Region 5

STATE OF INDIANA

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

AMENDED AUTHORIZATION TO DISCHARGE UNDER THE

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

In compliance with the provisions of the Federal Water Pollution Control Act, as amended, (33 U.S.C. 1251 et seq., the "Act"), Title 13 of the Indiana Code, and regulations adopted by the Water Pollution Control Board, the Indiana Department of Environmental Management (IDEM) is issuing this permit to the

CITY OF BERNE

hereinafter referred to as "the permittee." The permittee owns and/or operates the **City of Berne Wastewater Treatment Plant,** a major municipal wastewater treatment plant located at 343 East 550 South, Berne, Indiana, Adams County. The permittee is hereby authorized to discharge from the outfalls identified in Part I of this permit to receiving waters named the Wabash River in accordance with the effluent limitations, monitoring requirements, and other conditions set forth in the permit. The permittee is also authorized to discharge from combined sewer overflow outfalls listed in Attachment A of this permit, to receiving waters named Sprunger Ditch in accordance with the effluent limitations, monitoring requirements, and other conditions set forth in this permit. This permit may be revoked for the nonpayment of applicable fees in accordance with IC 13-18-20.

The permit, as issued on December 16, 2016, is hereby amended as contained herein. The amended provisions shall become effective __February 1, 2018_____. All terms and conditions of the permit not modified at this time remain in effect. Further, any existing condition or term affected by the modifications will remain in effect until the modified provisions become effective.

This permit and authorization to discharge, as amended, shall expire at midnight, December 31, 2021. In order to receive authorization to discharge beyond the date of expiration, the permittee shall submit such information and forms as are required by the Indiana Department of Environmental Management no later than 180 days prior to the date of expiration.

Issued on ___January 24, 2018_____ for the Indiana Department of Environmental Management.

Jerry Dittmer, Chief
Permits Branch
Office of Water Quality

TREATMENT FACILITY DESCRIPTION

The permittee currently operates a Class II, 1.08 MGD treatment facility. The treatment facility was recently upgraded as approved in Construction Approval Permit No. L-0439, issued on June 16, 2014, from a 0.683 MGD controlled discharge waste stabilization lagoon facility. The upgraded 1.08 MGD facility consists of a partial-mix aerated lagoon, a secondary lagoon, four (4) submerged attached growth reactors, two (2) secondary clarifiers, phosphorus removal via chemical addition, disc filters, and ultraviolet light disinfection.

The collection system is comprised of combined sanitary and storm sewers with one (1) Combined Sewer Overflow (CSO) location. The CSO location has been identified and permitted with provisions in Attachment A of the permit.

The mass limits for $CBOD_5$, TSS and ammonia-nitrogen have been calculated utilizing the peak design flow of 1.92 MGD. This is to facilitate the maximization of flow through the treatment facility in accordance with this Office's CSO policy.

PART I

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

The permittee is authorized to discharge from the outfall listed below in accordance with the terms and conditions of this permit. The permittee shall take samples and measurements at a location representative of each discharge to determine whether the effluent limitations have been met. Refer to Part I.B of this permit for additional monitoring and reporting requirements.

1. Beginning on the effective date of this permit, the permittee is authorized to discharge from Outfall 001, which is located at Latitude: 40° 36' 55" N, Longitude: 84° 56' 25" W. The discharge is subject to the following requirements:

TABLE 1

	Quantity or Loading			**Quality or Concentration**			**Monitoring Requirements**	
Parameter	Monthly Average	Weekly Average	Units	Monthly Average	Weekly Average	Units	Measurement Frequency	Sample Type
Flow [1]	Report	----	MGD	----	----	----	5 X Weekly	24-Hr. Total
$CBOD_5$								
Summer [2]	320	481	lbs/day	20	30	mg/l	3 X Weekly	24-Hr. Composite
Winter [3]	401	641	lbs/day	25	40	mg/l	3 X Weekly	24-Hr. Composite
TSS								
Summer [2]	385	577	lbs/day	24	36	mg/l	3 X Weekly	24-Hr. Composite
Winter [3]	481	721	lbs/day	30	45	mg/l	3 X Weekly	24-Hr. Composite
Ammonia-nitrogen								
Summer [2]	24.0	36.9	lbs/day	1.5	2.3	mg/l	3 X Weekly	24-Hr. Composite
Winter [3]	60.9	91.3	lbs/day	3.8	5.7	mg/l	3 X Weekly	24-Hr. Composite
Phosphorus	----	----	----	1.0	----	mg/l	3 X Weekly	24-Hr. Composite

TABLE 2

	Quality or Concentration				Monitoring Requirements	
Parameter	Daily Minimum	Monthly Average	Daily Maximum	Units	Measurement Frequency	Sample Type
pH [4]	6.0	----	9.0	s.u.	5 X Weekly	Grab
Dissolved Oxygen [5]						
Summer [2]	5.0	----	----	mg/l	5 X Weekly	3 Grabs/24-Hrs.
Winter [3]	4.0	----	----	mg/l	5 X Weekly	3 Grabs/24-Hrs.
E. coli [6]	----	125 [7]	235 [8]	cfu/100 ml	3 X Weekly	Grab

[1] Effluent flow measurement is required per 327 IAC 5-2-13. The flow meter(s) shall be calibrated at least once every twelve months.

[2] Summer limitations apply from May 1 through November 30 of each year.

[3] Winter limitations apply from December 1 through April 30 of each year.

[4] If the permittee collects more than one grab sample on a given day for pH, the values shall not be averaged for reporting daily maximums or daily minimums. The permittee must report the individual minimum and the individual maximum pH value of any sample during the month on the Monthly Report of Operation forms.

[5] The daily minimum concentration of dissolved oxygen in the effluent shall be reported as the arithmetic mean determined by summation of the three (3) daily grab sample results divided by the number of daily grab samples. These samples are to be collected over equal time intervals.

[6] The effluent shall be disinfected on a continuous basis such that violations of the applicable bacteriological limitations (*E. coli*) do not occur from April 1 through October 31, annually.

The *Escherichia coli (E. coli)* limitations apply from April 1 through October 31 annually. IDEM has specified the following methods as allowable for the detection and enumeration of *Escherichia coli (E. coli)*:

1. Coliscan MF® Method
2. EPA Method 1603 Modified m-TEC agar
3. mColi Blue-24®
4. Colilert® MPN Method or Colilert-18® MPN Method

[7] The monthly average *E. coli* value shall be calculated as a geometric mean. Per 327 IAC 5-10-6, the concentration of *E. coli* shall not exceed one hundred twenty-five (125) cfu or mpn per 100 milliliters as a geometric mean of the effluent samples taken in a calendar month. No samples may be excluded when calculating the monthly geometric mean.

[8] If less than ten samples are taken and analyzed for *E. coli* in a calendar month, no samples may exceed two hundred thirty-five (235) cfu or mpn as a daily maximum. However, when ten (10) or more samples are taken and analyzed for *E. coli* in a calendar month, not more than ten percent (10%) of those samples may exceed two hundred thirty-five (235) cfu or mpn as a daily maximum. When calculating ten percent, the result must not be rounded up. In reporting for compliance purposes on the Discharge Monitoring Report (DMR) form, the permittee shall record the highest non-excluded value for the daily maximum.

2. Minimum Narrative Limitations

At all times the discharge from any and all point sources specified within this permit shall not cause receiving waters:

a. including the mixing zone, to contain substances, materials, floating debris, oil, scum or other pollutants:

(1) that will settle to form putrescent or otherwise objectionable deposits;

(2) that are in amounts sufficient to be unsightly or deleterious;

(3) that produce color, visible oil sheen, odor, or other conditions in such degree as to create a nuisance;

(4) which are in amounts sufficient to be acutely toxic to, or to otherwise severely injure or kill aquatic life, other animals, plants, or humans;

(5) which are in concentrations or combinations that will cause or contribute to the growth of aquatic plants or algae to such a degree as to create a nuisance, be unsightly, or otherwise impair the designated uses.

b. outside the mixing zone, to contain substances in concentrations which on the basis of available scientific data are believed to be sufficient to injure, be chronically toxic to, or be carcinogenic, mutagenic, or teratogenic to humans, animals, aquatic life, or plants.

3. Additional Discharge Limitations and Monitoring Requirements

Beginning on the effective date of the permit, the effluent from Outfall 001 shall be limited and monitored by the permittee as follows:

TABLE 3

	Quality or Concentration			Monitoring Requirements	
Pollutant	Monthly Average	Daily Maximum	Unit	Measurement Frequency	Sample Type
Mercury [1][2]	----	Report	ng/l	6 X Annually	Grab

[1] The permittee shall measure and report this parameter as Total Recoverable Metal. Concentrations less than the Limit of Quantitation (LOQ) and greater than or equal to the Limit of Detection (LOD) shall be reported by the permittee on the discharge monitoring report forms as the actual measured value. Concentrations less than the limit of detection shall be reported on the discharge monitoring report forms as less than the value of the limit of detection. For example, if a substance is not detected and the LOD is 0.1 mg/l, report the value as < 0.1 mg/l.

The following EPA test methods and/or Standard Methods and associated LODs and LOQs are recommended for use in the analysis of the effluent samples. Alternative 40 CFR 136 approved methods may be used provided the LOD is less than the monthly average and/or daily maximum effluent limitations.

The permittee may determine a case-specific Method Detection Level (MDL) using one of the analytical methods specified below, or any other test method which is approved by IDEM prior to use. The MDL shall be derived by the procedure specified for MDLs contained in 40 CFR Part 136, Appendix B, and the limit of quantitation shall be set equal to 3.18 times the MDL. NOTE: The MDL for purposes of this document, is synonymous with the "limit of detection" or "LOD" as defined in 327 IAC 5-1.5-26: "the minimum concentration of a substance that can be measured and reported with ninety-nine percent (99%) confidence that the analyte concentration is greater than zero (0) for a particular analytical method and sample matrix".

Parameter	EPA Method	LOD	LOQ
Mercury	1631, Revision E	0.2 ng/l	0.5 ng/l

[2] Mercury monitoring shall be conducted six times annually (i.e. every other month) for the term of the permit. Monitoring shall be conducted in the months of February, April, June, August, October, and December of each year. Mercury monitoring and analysis will be performed using EPA Test Method 1631, Revision E. If Method 1631, Revision E is further revised during the term of this permit, the permittee and/or its contract laboratory is required to utilize the most current version of the method immediately after approval by EPA.

4. Additional Monitoring Requirements

Beginning on the effective date of this permit, the permittee shall conduct the following monitoring activities:

a. Influent Monitoring

In addition to the requirements contained in Part I.B.2 of the NPDES permit, the permittee shall monitor the influent to its wastewater treatment facility for the following pollutants. Samples shall be representative of the raw influent in accordance with 327 IAC 5-2-13(b).

TABLE 4

	Quality or Concentration			**Monitoring Requirements**	
Parameter	Monthly Average	Daily Maximum	Unit	Measurement Frequency	Sample Type
Mercury [1][2]	----	Report	ng/l	6 X Annually	Grab

[1] The permittee shall measure and report this parameter as Total Recoverable Metal. Concentrations less than the Limit of Quantitation (LOQ) and greater than or equal to the Limit of Detection (LOD) shall be reported by the permittee on the discharge monitoring report forms as the actual measured value. Concentrations less than the limit of detection shall be reported on the discharge monitoring report forms as less than the value of the limit of detection. For example, if a substance is not detected and the LOD is 0.1 mg/l, report the value as < 0.1 mg/l.

[2] Mercury monitoring shall be conducted six times annually (i.e. every other month) for the term of the permit. Monitoring shall be conducted in the months of February, April, June, August, October, and December of each year. Mercury monitoring and analysis will be performed using EPA Test Method 1631, Revision E. If Method 1631, Revision E is further revised during the term of this permit, the permittee and/or its contract laboratory is required to utilize the most current version of the method immediately after approval by EPA.

B. MONITORING AND REPORTING

1. Representative Sampling

Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge flow and shall be taken at times which reflect the full range and concentration of effluent parameters normally expected to be present. Samples shall not be taken at times to avoid showing elevated levels of any parameters.

2. Data on Plant Operation

The raw influent and the wastewater from intermediate unit treatment processes, as well as the final effluent shall be sampled and analyzed for the pollutants and operational parameters specified by the applicable Monthly Report of Operation Form, as appropriate, in accordance with 327 IAC 5-2-13. Except where the permit specifically

states otherwise, the sample frequency for the raw influent and intermediate unit treatment process shall be at a minimum the same frequency as that for the final effluent. The measurement frequencies specified in each of the tables in Part I.A. are the minimum frequencies required by this permit.

3. Monthly Reporting

The permittee shall submit accurate monitoring reports to the Indiana Department of Environmental Management containing results obtained during the previous monitoring period and shall be postmarked no later than the 28th day of the month following each completed monitoring period. The first report shall be submitted by the 28th day of the month following the monitoring period in which the permit becomes effective. These reports shall include, but not necessarily be limited to, the Discharge Monitoring Report (DMR) and the Monthly Report of Operation (MRO). Permittees with combined sewer overflow discharges must also submit the CSO Monthly Report of Operation to IDEM by the 28th day of the month following each completed monitoring period. Until December 31, 2016, all reports shall be mailed to IDEM, Office of Water Quality –Compliance Data Section, 100 North Senate Ave., Indianapolis, Indiana 46204-2251or submitted to IDEM electronically by using the NetDMR application, upon registration and approval receipt. Electronically submitted reports (using NetDMR) have the same deadline as mailed reports. After December 31, 2016, all reports shall be submitted using NetDMR, and paper reports will no longer be accepted. The Regional Administrator may request the permittee to submit monitoring reports to the Environmental Protection Agency if it is deemed necessary to assure compliance with the permit.

A calendar week will begin on Sunday and end on Saturday. Partial weeks consisting of four or more days at the end of any month will include the remaining days of the week, which occur in the following month in order to calculate a consecutive seven-day average. This value will be reported as a weekly average or seven-day average on the MRO for the month containing the partial week of four or more days. Partial calendar weeks consisting of less than four days at the end of any month will be carried forward to the succeeding month and reported as a weekly average or a seven-day average for the calendar week that ends with the first Saturday of that month.

4. Definitions

a. Calculation of Averages

Pursuant to 327 IAC 5-2-11(a)(5), the calculation of the average of discharge data shall be determined as follows: For all parameters except fecal coliform and *E. coli*, calculations that require averaging of sample analyses or measurements of daily discharges shall use an arithmetic mean unless otherwise specified in this permit. For fecal coliform, the monthly average discharge and weekly average discharge, as concentrations, shall be calculated as a geometric mean. For *E. coli*, the monthly average discharge, as a concentration, shall be calculated as a geometric mean.

b. Terms

(1) "Monthly Average" -The monthly average discharge means the total mass or flow-weighted concentration of all daily discharges during a calendar month on which daily discharges are sampled or measured, divided by the number of daily discharges sampled and/or measured during such calendar month. The monthly average discharge limitation is the highest allowable average monthly discharge for any calendar month.

(2) "Weekly Average" - The weekly average discharge means the total mass or flow weighted concentration of all daily discharges during any calendar week for which daily discharges are sampled or measured, divided by the number of daily discharges sampled and/or measured during such calendar week. The average weekly discharge limitation is the maximum allowable average weekly discharge for any calendar week.

(3) "Daily Maximum" - The daily maximum discharge limitation is the maximum allowable daily discharge for any calendar day. The "daily discharge" means the total mass of a pollutant discharged during the calendar day or, in the case of a pollutant limited in terms other than mass pursuant to 327 IAC 5-2-11(e), the average concentration or other measurement of the pollutant specified over the calendar day or any twenty-four hour period that represents the calendar day for purposes of sampling.

(4) "24-hour Composite" - A 24-hour composite sample consists of at least three (3) individual flow-proportioned samples of wastewater, taken by the grab sample method over equal time intervals during the period of operator attendance or by an automatic sampler, and which are combined prior to analysis. A flow proportioned composite sample shall be obtained by:

(a) recording the discharge flow rate at the time each individual sample is taken,

(b) adding together the discharge flow rates recorded from each individual sampling time to formulate the "total flow value,"

(c) dividing the discharge flow rate of each individual sampling time by the total flow value to determine its percentage of the total flow value, and

(d) multiplying the volume of the total composite sample by each individual sample's percentage to determine the volume of that individual sample which will be included in the total composite sample.

Alternatively, a 24-hour composite sample may be obtained by an automatic sampler on an equal time interval basis over a twenty-four hour period provided that a minimum of 24 samples are taken and combined prior to analysis. The

samples do not need to be flow-proportioned if the permittee collects samples in this manner.

(5) $CBOD_5$: Five-day Carbonaceous Biochemical Oxygen Demand

(6) TSS: Total Suspended Solids

(7) *E. coli*: Escherichia coli bacteria

(8) The "Regional Administrator" is defined as the Region V Administrator, U.S. EPA, located at 77 West Jackson Boulevard, Chicago, Illinois 60604.

(9) The "Commissioner" is defined as the Commissioner of the Indiana Department of Environmental Management, located at the following address: 100 North Senate Avenue, Indianapolis, Indiana 46204-2251.

(10) Limit of Detection or LOD is defined as a measurement of the concentration of a substance that can be measured and reported with 99% confidence that the analyte concentration is greater than zero (0) for a particular analytical method and sample matrix. The LOD is equivalent to the Method Detection Level or MDL.

(11) Limit of Quantitation or LOQ is defined as a measurement of the concentration of a contaminant obtained by using a specified laboratory procedure calibrated at a specified concentration above the method detection level. It is considered the lowest concentration at which a particular contaminant can be quantitatively measured using a specified laboratory procedure for monitoring of the contaminant. This term is also called the limit of quantification or quantification level.

(12) Method Detection Level or MDL is defined as the minimum concentration of an analyte (substance) that can be measured and reported with a ninety-nine percent (99%) confidence that the analyte concentration is greater than zero (0) as determined by the procedure set forth in 40 CFR Part 136, Appendix B. The method detection level or MDL is equivalent to the LOD.

5. Test Procedures

The analytical and sampling methods used shall conform to the current version of 40 CFR, Part 136, unless otherwise specified within this permit. Multiple editions of Standard Methods for the Examination of Water and Wastewater are currently approved for most methods, however, 40 CFR Part 136 should be checked to ascertain if a particular method is approved for a particular analyte. The approved methods may be included in the texts listed below. However, different but equivalent methods are allowable if they receive the prior written approval of the State agency and the U.S. Environmental Protection Agency.

a. Standard Methods for the Examination of Water and Wastewater
18th, 19th, or 20th Editions, 1992, 1995 or 1998 American Public Health Association, Washington, D.C. 20005.

b. A.S.T.M. Standards, Part 23, Water; Atmospheric Analysis
1972 American Society for Testing and Materials, Philadelphia, PA 19103.

c. Methods for Chemical Analysis of Water and Wastes
June 1974, Revised, March 1983, Environmental Protection Agency, Water Quality Office, Analytical Quality Control Laboratory, 1014 Broadway, Cincinnati, OH 45202.

6. Recording of Results

For each measurement or sample taken pursuant to the requirements of this permit, the permittee shall record and maintain records of all monitoring information on activities under this permit, including the following information:

a. The exact place, date, and time of sampling or measurements;

b. The person(s) who performed the sampling or measurements;

c. The dates and times the analyses were performed;

d. The person(s) who performed the analyses;

e. The analytical techniques or methods used; and

f. The results of all required analyses and measurements.

7. Additional Monitoring by Permittee

If the permittee monitors any pollutant at the location(s) designated herein more frequently than required by this permit, using approved analytical methods as specified above, the results of such monitoring shall be included in the calculation and reporting of the values required in the Monthly Discharge Monitoring Report and on the Monthly Report of Operation form. Such increased frequency shall also be indicated on these forms. Any such additional monitoring data which indicates a violation of a permit limitation shall be followed up by the permittee, whenever feasible, with a monitoring sample obtained and analyzed pursuant to approved analytical methods. The results of the follow-up sample shall be reported to the Commissioner in the Monthly Discharge Monitoring Report.

8. Records Retention

All records and information resulting from the monitoring activities required by this permit, including all records of analyses performed and calibration and maintenance of instrumentation and recording from continuous monitoring instrumentation, shall be retained for a minimum of three (3) years. In cases where the original records are kept at another location, a copy of all such records shall be kept at the permitted facility. The three-year period shall be extended:

a. automatically during the course of any unresolved litigation regarding the discharge of pollutants by the permittee or regarding promulgated effluent guidelines applicable to the permittee; or

b. as requested by the Regional Administrator or the Indiana Department of Environmental Management.

C. REOPENING CLAUSES

In addition to the reopening clause provisions cited at 327 IAC 5-2-16, the following reopening clauses are incorporated into this permit:

1. This permit may be modified or, alternately, revoked and reissued after public notice and opportunity for hearing to incorporate effluent limitations reflecting the results of a wasteload allocation if the Department of Environmental Management determines that such effluent limitations are needed to assure that State Water Quality Standards are met in the receiving stream.

2. This permit may be modified due to a change in sludge disposal standards pursuant to Section 405(d) of the Clean Water Act, if the standards when promulgated contain different conditions, are otherwise more stringent, or control pollutants not addressed by this permit.

3. This permit may be modified, or, alternately, revoked and reissued, to comply with any applicable effluent limitation or standard issued or approved under section 301(b)(2)(C), (D) and (E), 304(b)(2), and 307(a)(2) of the Clean Water Act, if the effluent limitation or standard so issued or approved:

   a. contains different conditions or is otherwise more stringent than any effluent limitation in the permit; or

   b. controls any pollutant not limited in the permit.

4. This permit may be modified, or, alternately, revoked and reissued, after public notice and opportunity for hearing to:

a. reduce the mercury monitoring frequency, if a minimum of 12 months (six (6) consecutive samples) of monitoring data indicates that there is not a reasonable potential for mercury to exceed water quality standards, or

b. include effluent limitations for mercury, if the mercury is found to be discharged at a level that will cause, have the reasonable potential to cause, or contribute to an excursion above a water quality criteria.

PART II

STANDARD CONDITIONS FOR NPDES PERMITS

A. GENERAL CONDITIONS

1. Duty to Comply

The permittee shall comply with all terms and conditions of this permit in accordance with 327 IAC 5-2-8(1) and all other requirements of 327 IAC 5-2-8. Any permit noncompliance constitutes a violation of the Clean Water Act and IC 13 and is grounds for enforcement action or permit termination, revocation and reissuance, modification, or denial of a permit renewal application.

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of the permit.

2. Duty to Mitigate

In accordance with 327 IAC 5-2-8(3), the permittee shall take all reasonable steps to minimize or correct any adverse impact to the environment resulting from noncompliance with this permit. During periods of noncompliance, the permittee shall conduct such accelerated or additional monitoring for the affected parameters, as appropriate or as requested by IDEM, to determine the nature and impact of the noncompliance.

3. Duty to Provide Information

The permittee shall submit any information that the permittee knows or has reason to believe would constitute cause for modification or revocation and reissuance of the permit at the earliest time such information becomes available, such as plans for physical alterations or additions to the facility that:

a. could significantly change the nature of, or increase the quantity of, pollutants discharged; or

b. the Commissioner may request to evaluate whether such cause exists.

In accordance with 327 IAC 5-1-3(a)(5), the permittee must also provide any information reasonably requested by the Commissioner.

4. Duty to Reapply

If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must obtain and submit a renewal of this permit in accordance with 327 IAC 5-3-2(a)(2). It is the permittee's responsibility to obtain and

submit the application. In accordance with 327 IAC 5-2-3(c), the owner of the facility or operation from which a discharge of pollutants occurs is responsible for applying for and obtaining the NPDES permit, except where the facility or operation is operated by a person other than an employee of the owner in which case it is the operator's responsibility to apply for and obtain the permit. The application must be submitted at least 180 days before the expiration date of this permit. This deadline may be extended if:

a. permission is requested in writing before such deadline;

b. IDEM grants permission to submit the application after the deadline; and

c. the application is received no later than the permit expiration date.

As required under 327 IAC 5-2-3(g)(1) and (2), POTWs with design influent flows equal to or greater than one million (1,000,000) gallons per day and POTWs with an approved pretreatment program or that are required to develop a pretreatment program, will be required to provide the results of whole effluent toxicity testing as part of their NPDES renewal application.

5. Transfers

In accordance with 327 IAC 5-2-8(4)(D), this permit is nontransferable to any person except in accordance with 327 IAC 5-2-6(c). This permit may be transferred to another person by the permittee, without modification or revocation and reissuance being required under 327 IAC 5-2-16(c)(1) or 16(e)(4), if the following occurs:

a. the current permittee notified the Commissioner at least thirty (30) days in advance of the proposed transfer date.

b. a written agreement containing a specific date of transfer of permit responsibility and coverage between the current permittee and the transferee (including acknowledgment that the existing permittee is liable for violations up to that date, and the transferee is liable for violations from that date on) is submitted to the Commissioner.

c. the transferee certifies in writing to the Commissioner their intent to operate the facility without making such material and substantial alterations or additions to the facility as would significantly change the nature or quantities of pollutants discharged and thus constitute cause for permit modification under 327 IAC 5-2-16(d). However, the Commissioner may allow a temporary transfer of the permit without permit modification for good cause, e.g., to enable the transferee to purge and empty the facility's treatment system prior to making alterations, despite the transferee's intent to make such material and substantial alterations or additions to the facility.

d. the Commissioner, within thirty (30) days, does not notify the current permittee and the transferee of the intent to modify, revoke and reissue, or terminate the permit and to require that a new application be filed rather than agreeing to the transfer of the permit.

The Commissioner may require modification or revocation and reissuance of the permit to identify the new permittee and incorporate such other requirements as may be necessary under the Clean Water Act or state law.

6. Permit Actions

In accordance with 327 IAC 5-2-16(b) and 327 IAC 5-2-8(4), this permit may be modified, revoked and reissued, or terminated for cause, including, but not limited to, the following:

a. Violation of any terms or conditions of this permit;

b. Failure of the permittee to disclose fully all relevant facts or misrepresentation of any relevant facts in the application, or during the permit issuance process; or

c. A change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge controlled by the permittee (e.g., plant closure, termination of the discharge by connecting to a POTW, a change in state law or information indicating the discharge poses a substantial threat to human health or welfare).

Filing of either of the following items does not stay or suspend any permit condition: (1) a request by the permittee for a permit modification, revocation and reissuance, or termination, or (2) submittal of information specified in Part II.A.3 of the permit including planned changes or anticipated noncompliance.

The permittee shall submit any information that the permittee knows or has reason to believe would constitute cause for modification or revocation and reissuance of the permit at the earliest time such information becomes available, such as plans for physical alterations or additions to the permitted facility that:

1. could significantly change the nature of, or increase the quantity of, pollutants discharged; or

2. the commissioner may request to evaluate whether such cause exists.

7. Property Rights

Pursuant to 327 IAC 5-2-8(6) and 327 IAC 5-2-5(b), the issuance of this permit does not convey any property rights of any sort or any exclusive privileges, nor does it authorize any injury to persons or private property or an invasion of rights, any infringement of

federal, state, or local laws or regulations. The issuance of the permit also does not preempt any duty to obtain any other state, or local assent required by law for the discharge or for the construction or operation of the facility from which a discharge is made.

8. Severability

In accordance with 327 IAC 1-1-3, the provisions of this permit are severable and, if any provision of this permit or the application of any provision of this permit to any person or circumstance is held invalid, the invalidity shall not affect any other provisions or applications of the permit which can be given effect without the invalid provision or application.

9. Oil and Hazardous Substance Liability

Nothing in this permit shall be construed to relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject to under Section 311 of the Clean Water Act.

10. State Laws

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable state law or regulation under authority preserved by Section 510 of the Clean Water Act or state law.

11. Penalties for Violation of Permit Conditions

Pursuant to IC 13-30-4, a person who violates any provision of this permit, the water pollution control laws; environmental management laws; or a rule or standard adopted by the Water Pollution Control Board is liable for a civil penalty not to exceed twenty-five thousand dollars ($25,000) per day of any violation. Pursuant to IC 13-30-5, a person who obstructs, delays, resists, prevents, or interferes with (1) the department; or (2) the department's personnel or designated agent in the performance of an inspection or investigation commits a class C infraction.

Pursuant to IC 13-30-10, a person who intentionally, knowingly, or recklessly violates any provision of this permit, the water pollution control laws or a rule or standard adopted by the Water Pollution Control Board commits a class D felony punishable by the term of imprisonment established under IC 35-50-2-7(a) (up to one year), and/or by a fine of not less than five thousand dollars ($5,000) and not more than fifty thousand dollars ($50,000) per day of violation. A person convicted for a violation committed after a first conviction of such person under this provision is subject to a fine of not more than one hundred thousand dollars ($100,000) per day of violation, or by imprisonment for not more than two (2) years, or both.

12. Penalties for Tampering or Falsification

In accordance with 327 IAC 5-2-8(10), the permittee shall comply with monitoring, recording, and reporting requirements of this permit. The Clean Water Act, as well as IC 13-30-10, provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under a permit shall, upon conviction, be punished by a fine of not more than ten thousand dollars ($10,000) per violation, or by imprisonment for not more than one hundred eighty (180) days per violation, or by both.

13. Toxic Pollutants

If any applicable effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is established under Section 307(a) of the Clean Water Act for a toxic pollutant injurious to human health, and that standard or prohibition is more stringent than any limitation for such pollutant in this permit, this permit shall be modified or revoked and reissued to conform to the toxic effluent standard or prohibition in accordance with 327 IAC 5-2-8(5). Effluent standards or prohibitions established under Section 307(a) of the Clean Water Act for toxic pollutants injurious to human health are effective and must be complied with, if applicable to the permittee, within the time provided in the implementing regulations, even absent permit modification.

14. Operator Certification

The permittee shall have the wastewater treatment facilities under the responsible charge of an operator certified by the Commissioner in a classification corresponding to the classification of the wastewater treatment plant as required by IC 13-18-11-11 and 327 IAC 5-22. In order to operate a wastewater treatment plant the operator shall have qualifications as established in 327 IAC 5-22-7. The permittee shall designate one (1) person as the certified operator with complete responsibility for the proper operations of the wastewater facility.

327 IAC 5-22-10.5(a) provides that a certified operator may be designated as being in responsible charge of more than one (1) wastewater treatment plant, if it can be shown that he will give adequate supervision to all units involved. Adequate supervision means that sufficient time is spent at the plant on a regular basis to assure that the certified operator is knowledgeable of the actual operations and that test reports and results are representative of the actual operations conditions. In accordance with 327 IAC 5-22-3(11), “responsible charge” means the person responsible for the overall daily operation, supervision, or management of a wastewater facility.

Pursuant to 327 IAC 5-22-10(4), the permittee shall notify IDEM when there is a change of the person serving as the certified operator in responsible charge of the wastewater treatment facility. The notification shall be made no later than thirty (30) days after a change in the operator.

15. Construction Permit

Except in accordance with 327 IAC 3, the permittee shall not construct, install, or modify any water pollution treatment/control facility as defined in 327 IAC 3-1-2(24). Upon completion of any construction, the permittee must notify the Compliance Data Section of the Office of Water Quality in writing.

16. Inspection and Entry

In accordance with 327 IAC 5-2-8(8), the permittee shall allow the Commissioner, or an authorized representative, (including an authorized contractor acting as a representative of the Commissioner) upon the presentation of credentials and other documents as may be required by law, to:

a. Enter upon the permittee's premises where a point source, regulated facility, or activity is located or conducted, or where records must be kept pursuant to the conditions of this permit;

b. Have access to and copy, at reasonable times, any records that must be kept under the terms and conditions of this permit;

c. Inspect at reasonable times any facilities, equipment or methods (including monitoring and control equipment), practices, or operations regulated or required pursuant to this permit; and

d. Sample or monitor at reasonable times, any discharge of pollutants or internal wastestreams for the purposes of evaluating compliance with the permit or as otherwise authorized.

17. New or Increased Discharge of Pollutants

This permit prohibits the permittee from undertaking any action that would result in a new or increased discharge of a bioaccumulative chemical of concern (BCC) or a new or increased permit limit for a regulated pollutant that is not a BCC unless one of the following is completed prior to the commencement of the action:

a. Information is submitted to the Commissioner demonstrating that the proposed new or increased discharges will not cause a significant lowering of water quality as defined under 327 IAC 2-1.3-2(50). Upon review of this information, the Commissioner may request additional information or may determine that the proposed increase is a significant lowering of water quality and require the submittal of an antidegradation demonstration.

b. An antidegradation demonstration is submitted to and approved by the Commissioner in accordance with 327 IAC 2-1.3-5 and 327 IAC 2-1.3-6.

B. MANAGEMENT REQUIREMENTS

1. Facility Operation, Maintenance and Quality Control

a. In accordance with 327 IAC 5-2-8(9), the permittee shall at all times maintain in good working order and efficiently operate all facilities and systems (and related appurtenances) for collection and treatment that are:

(1) installed or used by the permittee; and

(2) necessary for achieving compliance with the terms and conditions of the permit.

Neither 327 IAC 5-2-8(9), nor this provision, shall be construed to require the operation of installed treatment facilities that are unnecessary for achieving compliance with the terms and conditions of the permit. Taking redundant treatment units off line does not violate the bypass provisions of the permit, provided that the permittee is at all times: maintaining in good working order and efficiently operating all facilities and systems; providing best quality effluent; and achieving compliance with the terms and conditions of the permit.

b. The permittee shall operate the permitted facility in a manner which will minimize upsets and discharges of excessive pollutants. The permittee shall properly remove and dispose of excessive solids and sludges.

c. The permittee shall provide an adequate operating staff which is duly qualified to carry out the operation, maintenance, and testing functions required to ensure compliance with the conditions of this permit.

d. Maintenance of all waste collection, control, treatment, and disposal facilities shall be conducted in a manner that complies with the bypass provisions set forth below.

e. Any extensions to the sewer system must continue to be constructed on a separated basis. Plans and specifications, when required, for extension of the sanitary system must be submitted to the Facility Construction and Engineering Support Section, Office of Water Quality in accordance with 327 IAC 3-2-2. There shall also be an ongoing preventative maintenance program for the sanitary sewer system.

2. Bypass of Treatment Facilities

Pursuant to 327 IAC 5-2-8(12):

a. Terms as defined in 327 IAC 5-2-8(12)(A):

(1) “Bypass” means the intentional diversion of a waste stream from any portion of a treatment facility.

(2) "Severe property damage" means substantial physical damage to property, damage to the treatment facilities which would cause them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

b. Bypasses, as defined above, are prohibited, and the Commissioner may take enforcement action against a permittee for bypass, unless:

(1) The bypass was unavoidable to prevent loss of life, personal injury, or severe property damage, as defined above;

(2) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass that occurred during normal periods of equipment downtime or preventive maintenance; and

(3) The permittee submitted notices as required under Part II.B.2.d; or

(4) The condition under Part II.B.2.f below is met.

c. Bypasses that result in death or acute injury or illness to animals or humans must be reported in accordance with the "Spill Response and Reporting Requirements" in 327 IAC 2-6.1, including calling 888/233-7745 as soon as possible, but within two (2) hours of discovery. However, under 327 IAC 2-6.1-3(1), when the constituents of the bypass are regulated by this permit, and death or acute injury or illness to animals or humans does not occur, the reporting requirements of 327 IAC 2-6.1 do not apply.

d. The permittee must provide the Commissioner with the following notice:

(1) If the permittee knows or should have known in advance of the need for a bypass (anticipated bypass), it shall submit prior written notice. If possible, such notice shall be provided at least ten (10) days before the date of the bypass for approval by the Commissioner.

(2) The permittee shall orally report or fax a report of an unanticipated bypass within 24 hours of becoming aware of the bypass event. The permittee must also provide a written report within five (5) days of the time the permittee becomes aware of the bypass event. The written report must contain a description of the noncompliance (i.e. the bypass) and its cause; the period of noncompliance, including exact dates and times; if the cause of noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate and prevent recurrence of the bypass event. If a complete fax or email submittal is sent within 24 hours of the time that the

permittee became aware of the unanticipated bypass event, then that report will satisfy both the oral and written reporting requirement.

e. The Commissioner may approve an anticipated bypass, after considering its adverse effects, if the Commissioner determines that it will meet the conditions listed above in Part II.B.2.b. The Commissioner may impose any conditions determined to be necessary to minimize any adverse effects.

f. The permittee may allow any bypass to occur that does not cause a violation of the effluent limitations in the permit, but only if it also is for essential maintenance to ensure efficient operation. These bypasses are not subject to the provisions of Part II.B.2.b.,d and e of this permit.

3. Upset Conditions

Pursuant to 327 IAC 5-2-8(13):

a. "Upset" means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

b. An upset shall constitute an affirmative defense to an action brought for noncompliance with such technology-based permit effluent limitations if the requirements of Paragraph c of this subsection, are met.

c. A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs or other relevant evidence, that:

(1) An upset occurred and the permittee has identified the specific cause(s) of the upset;

(2) The permitted facility was at the time being operated in compliance with proper operation and maintenance procedures;

(3) The permittee complied with any remedial measures required under "Duty to Mitigate", Part II.A.2; and

(4) The permittee submitted notice of the upset as required in the "Incident Reporting Requirements," Part II.C.3, or 327 IAC 2-6.1, whichever is applicable. However, under 327 IAC 2-6.1-3(1), when the constituents of the discharge are regulated by this permit, and death or acute injury or illness to animals or humans does not occur, the reporting requirements of 327 IAC 2-6.1 do not apply.

d. In any enforcement proceeding, the permittee seeking to establish the occurrence of an upset has the burden of proof pursuant to 40 CFR 122.41(n)(4).

4. Removed Substances

Solids, sludges, filter backwash, or other pollutants removed from or resulting from treatment or control of wastewaters shall be disposed of in a manner such as to prevent any pollutant from such materials from entering waters of the State and to be in compliance with all Indiana statutes and regulations relative to liquid and/or solid waste disposal.

a. Collected screenings, slurries, sludges, and other such pollutants shall be disposed of in accordance with provisions set forth in 329 IAC 10, 327 IAC 6.1, or another method approved by the Commissioner.

b. The permittee shall comply with existing federal regulations governing solids disposal, and with applicable provisions of 40 CFR Part 503, the federal sludge disposal regulation standards.

c. The permittee shall notify the Commissioner prior to any changes in sludge use or disposal practices.

d. The permittee shall maintain records to demonstrate its compliance with the above disposal requirements.

5. Power Failures

In accordance with 327 IAC 5-2-10 and 327 IAC 5-2-8(14) in order to maintain compliance with the effluent limitations and prohibitions of this permit, the permittee shall either:

a. provide an alternative power source sufficient to operate facilities utilized by the permittee to maintain compliance with the effluent limitations and conditions of this permit, or

b. shall halt, reduce or otherwise control all discharge in order to maintain compliance with the effluent limitations and conditions of this permit upon the reduction, loss, or failure of one or more of the primary sources of power to facilities utilized by the permittee to maintain compliance with the effluent limitations and conditions of this permit.

6. Unauthorized Discharge

Any overflow or release of sanitary wastewater from the wastewater treatment facilities or collection system that results in a discharge to waters of the state and is not specifically

authorized by this permit is expressly prohibited. These discharges are subject to the reporting requirements in Part II.C.3 of this permit.

C. REPORTING REQUIREMENTS

1. Planned Changes in Facility or Discharge

Pursuant to 327 IAC 5-2-8(11)(F) and 5-2-16(d), the permittee shall give notice to the Commissioner as soon as possible of any planned alterations or additions to the facility (which includes any point source) that could significantly change the nature of, or increase the quantity of, pollutants discharged. Following such notice, the permit may be modified to revise existing pollutant limitations and/or to specify and limit any pollutants not previously limited. Material and substantial alterations or additions to the permittee's operation that were not covered in the permit (e.g., production changes, relocation or combination of discharge points, changes in the nature or mix of products produced) are also cause for modification of the permit. However those alterations which constitute total replacement of the process or the production equipment causing the discharge converts it into a new source, which requires the submittal of a new NPDES application.

2. Monitoring Reports

Pursuant to 327 IAC 5-2-8(10), 327 IAC 5-2-13, and 327 IAC 5-2-15, monitoring results shall be reported at the intervals and in the form specified in "Data On Plant Operation", Part I.B.2.

3. Incident Reporting Requirements

Pursuant to 327 IAC 5-2-8(11) and 327 IAC 5-1-3, the permittee shall orally report to the Commissioner information on the following incidents within 24 hours from the time permittee becomes aware of such occurrence. If the incident meets the emergency criteria of item b (Part II.C.3.b) or 327 IAC 2-6.1, then the report shall be made as soon as possible, but within two (2) hours of discovery. However, under 327 IAC 2-6.1-3(1), when the constituents of the discharge are regulated by this permit, and death or acute injury or illness to animals or humans does not occur, the reporting requirements of 327 IAC 2-6.1 do not apply.

a. Any unanticipated bypass which exceeds any effluent limitation in the permit;

b. Any emergency incident which may pose a significant danger to human health or the environment. Reports under this item shall be made as soon as the permittee becomes aware of the incident by calling 317/233-7745 (888/233-7745 toll free in Indiana). This number should only be called when reporting these emergency events;

c. Any upset (as defined in Part II.B.3 above) that exceeds any technology-based effluent limitations in the permit;

d. Any release, including basement backups, from the sanitary sewer system (including satellite sewer systems operated or maintained by the permittee) not specifically authorized by this permit. Reporting of known releases from private laterals not caused by a problem in the sewer system owned or operated by the permittee is not required under Part II.C.3, however, documentation of such events must be maintained by the permittee and available for review by IDEM staff; or

e. Any discharge from any outfall from which discharge is explicitly prohibited by this permit as well as any discharge from any other outfall or point not listed in this permit.

The permittee can make the oral reports by calling 317/232-8670 during regular business hours. A written submission shall also be provided within five (5) days of the time the permittee becomes aware of the circumstances. For incidents involving effluent limit violations or discharges, the written submission shall contain: a description of the event and its cause; the period of occurrence, including exact dates and times, and, if the event has not concluded, the anticipated time it is expected to continue; and steps taken or planned to reduce, mitigate and eliminate the event and steps taken or planned to prevent its recurrence. For sewer releases which do not meet the definition of a discharge, the written submission shall contain: a description of the event and its believed cause; the period of occurrence; and any steps taken or planned to mitigate the event and steps taken or planned to prevent its recurrence. The permittee may submit a "Bypass Overflow/Incident Report" or a "Noncompliance Notification Report", whichever is applicable, to IDEM at 317/232-8637 or 317/232-8406 or to wwreports@idem.IN.gov. If a complete fax or email submittal is sent within 24 hours of the time that the permittee became aware of the occurrence, then that report will satisfy both the oral and written reporting requirements.

4. Other Noncompliance

Pursuant to 327 IAC 5-2-8(11)(D), the permittee shall report any instance of noncompliance not reported under the "Incident Reporting Requirements" in Part II.C.3 at the time the pertinent Discharge Monitoring Report is submitted. The written submission shall contain: a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and, if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate and prevent the noncompliance.

5. Other Information

Pursuant to 327 IAC 5-2-8(11)(E), where the permittee becomes aware that it failed to submit any relevant facts or submitted incorrect information in a permit application or in any report to the Commissioner, the permittee shall promptly submit such facts or corrected information to the Commissioner.

6. Signatory Requirements

Pursuant to 327 IAC 5-2-22 and 327 IAC 5-2-8(15):

a. All reports required by the permit and other information requested by the Commissioner shall be signed and certified by a person described below or by a duly authorized representative of that person:

(1) For a corporation: by a principal executive defined as a president, secretary, treasurer, any vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy-making functions for the corporation or the manager of one or more manufacturing, production, or operating facilities employing more than two hundred fifty (250) persons or having gross annual sales or expenditures exceeding twenty-five million dollars ($25,000,000) (in second quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

(2) For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or

(3) For a federal, state, or local governmental body or any agency or political subdivision thereof: by either a principal executive officer or ranking elected official.

b. A person is a duly authorized representative only if:

(1) The authorization is made in writing by a person described above.

(2) The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of plant manager, operator of a well or a well field, superintendent, or position of equivalent responsibility. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.); and

(3) The authorization is submitted to the Commissioner.

c. Certification. Any person signing a document identified under paragraphs a and b of this section, shall make the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are

significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

7. Availability of Reports

Except for data determined to be confidential under 327 IAC 12.1, all reports prepared in accordance with the terms of this permit shall be available for public inspection at the offices of the Indiana Department of Environmental Management and the Regional Administrator. As required by the Clean Water Act, permit applications, permits, and effluent data shall not be considered confidential.

8. Penalties for Falsification of Reports

IC 13-30 and 327 IAC 5-2-8(15) provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or noncompliance, shall, upon conviction, be punished by a fine of not more than $10,000 per violation, or by imprisonment for not more than 180 days per violation, or by both.

9. Progress Reports

In accordance with 327 IAC 5-2-8(11)(A), reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than fourteen (14) days following each schedule date.

10. Advance Notice for Planned Changes

In accordance with 327 IAC 5-2-8(11)(B), the permittee shall give advance notice to IDEM of any planned changes in the permitted facility, any activity, or other circumstances that the permittee has reason to believe may result in noncompliance with permit requirements.

11. Additional Requirements for POTWs and/or Treatment Works Treating Domestic Sewage

a. All POTWs shall identify, in terms of character and volume of pollutants, any significant indirect discharges into the POTW which are subject to pretreatment standards under section 307(b) and 307 (c) of the CWA.

b. All POTWs must provide adequate notice to the Commissioner of the following:

(1) Any new introduction of pollutants into the POTW from an indirect discharger that would be subject to section 301 or 306 of the CWA if it were directly discharging those pollutants.

(2) Any substantial change in the volume or character of pollutants being introduced into that POTW by any source where such change would render the source subject to pretreatment standards under section 307(b) or 307(c) of the CWA or would result in a modified application of such standards.

As used in this clause, "adequate notice" includes information on the quality and quantity of effluent introduced into the POTW, and any anticipated impact of the change on the quantity or quality of the effluent to be discharged from the POTW.

c. This permit incorporates any conditions imposed in grants made by the U.S. EPA and/or IDEM to a POTW pursuant to Sections 201 and 204 of the Clean Water Act, that are reasonably necessary for the achievement of effluent limitations required by Section 301 of the Clean Water Act.

d. This permit incorporates any requirements of Section 405 of the Clean Water Act governing the disposal of sewage sludge from POTWs or any other treatment works treating domestic sewage for any use for which rules have been established in accordance with any applicable rules.

e. POTWs must develop and submit to the Commissioner a POTW pretreatment program when required by 40 CFR 403 and 327 IAC 5-19-1, in order to assure compliance by industrial users of the POTW with applicable pretreatment standards established under Sections 307(b) and 307(c) of the Clean Water Act. The pretreatment program shall meet the criteria of 327 IAC 5-19-3 and, once approved, shall be incorporated into the POTW's NPDES permit.

D. ADDRESSES

1. Municipal NPDES Permits Section

Indiana Department of Environmental Management
Office of Water Quality – Mail Code 65-42
Municipal NPDES Permits Section
100 N. Senate Avenue
Indianapolis, Indiana 46204-2251

The following correspondence shall be sent to the Municipal NPDES Permits Section:

a. NPDES permit applications (new, renewal or modifications) with fee

b. Preliminary Effluent Limits request letters

c. Comment letters pertaining to draft NPDES permits

d. NPDES permit transfer of ownership requests

e. NPDES permit termination requests

f. Notifications of substantial changes to a treatment facility, including new industrial sources

g. Combined Sewer Overflow (CSO) Operational Plans

h. CSO Long Term Control Plans (LTCP)

i. Stream Reach Characterization and Evaluation Reports (SRCER)

2. Facility Construction and Engineering Support Section

Indiana Department of Environmental Management
Office of Water Quality – Mail Code 65-42
Facility Construction and Engineering Support Section
100 N. Senate Avenue
Indianapolis, Indiana 46204-2251

The following correspondence shall be sent to the Facility Construction and Engineering Support Section:

a. Construction permit applications with fee

3. Compliance Data Section

Indiana Department of Environmental Management
Office of Water Quality – Mail Code 65-42
Compliance Data Section
100 N. Senate Avenue
Indianapolis, Indiana 46204-2251

The following correspondence shall be sent to the Compliance Data Section:

a. Discharge Monitoring Reports (DMRs)

b. Monthly Reports of Operation (MROs)

c. Monthly Monitoring Reports (MMRs)

d. CSO MROs

e. Gauging station and flow meter calibration documentation

f. Compliance schedule progress reports

g. Completion of Construction notifications

h. Whole Effluent Toxicity Testing reports

i. Toxicity Reduction Evaluation (TRE) plans and progress reports

j. Bypass/Overflow Reports

k. Anticipated Bypass/Overflow Reports

l. Streamlined Mercury Variance Annual Reports

4. Pretreatment Group

Indiana Department of Environmental Management
Office of Water Quality – Mail Code 65-42
Compliance Data Section – Pretreatment Group
100 N. Senate Avenue
Indianapolis, Indiana 46204-2251

The following correspondence shall be sent to the Pretreatment Group:

a. Organic Pollutant Monitoring Reports

b. Significant Industrial User (SIU) Quarterly Noncompliance Reports

c. Pretreatment Program Annual Reports

d. Sewer Use Ordinances

e. Enforcement Response Plans (ERP)

f. Sludge analytical results

ATTACHMENT A

Precipitation Related Combined Sewer Overflow Discharge Authorization Requirements

I. Discharge Authorization

A. Combined Sewer Overflows are point sources subject to both technology-based and water quality-based requirements of the Clean Water Act and state law. The permittee is authorized to have wet weather discharges from outfall(s) listed below subject to the requirements and provisions of this permit, including Attachment A.

Outfall	Location	Receiving Water
046	North of East Waters Street 40º 39' 35" N 84º 56' 20" W	Sprunger Ditch

B. At all times the discharge from any and all CSO outfalls herein shall not cause receiving waters:

1. including the mixing zone, to contain substances, materials, floating debris, oil, scum, or other pollutants:
   a. that will settle to form putrescent or otherwise objectionable deposits;
   b. that are in amounts sufficient to be unsightly or deleterious;
   c. that produce color, visible oil sheen, odor, or other conditions in such a degree as to create a nuisance;
   d. which are in amounts sufficient to be acutely toxic to, or otherwise severely injure or kill aquatic life, other animals, plants, or humans;
   e. which are in concentrations or combinations that will cause or contribute to the growth of aquatic plants or algae to such a degree as to create a nuisance, be unsightly, or otherwise impair the designated uses.
2. outside the mixing zone, to contain substances in concentrations which on the basis of available scientific data are believed to be sufficient to injure, be chronically toxic to, or be carcinogenic, mutagenic, or teratogenic to humans, animals, aquatic life, or plants.

C. Dry weather discharges from any portion of the sewer collection system, except WWTP outfall No. 001, are prohibited. If such a prohibited discharge should occur, the permittee is required to report the discharge in accordance with the provisions in Part II.C.3 of this permit.

II. Monitoring and Reporting Requirements

The permittee shall complete and submit accurate monitoring reports to the Indiana Department of Environmental Management. The permittee shall submit data specified on the CSO Monthly Report of Operation (MRO) for untreated CSO events (State Form 50546 (R3/7-13)), including but not limited to, WWTP data, precipitation data, and

performance data for all discharges from untreated CSO Outfalls identified in Part I of this Attachment A. Submitted CSO MROs shall contain results obtained during each month (a monitoring period) and shall be postmarked no later than 28 days following each completed monitoring period.

All reports shall be mailed to IDEM, Office of Water Quality – Mail Code 65-42, Compliance Data Section, 100 North Senate Ave., Indianapolis, Indiana 46204-2251. Please note that IDEM will no longer accept paper DMR or MRO forms after December 31, 2016. After that date all NPDES permit holders will be required to submit their monitoring data to IDEM using NetDMR. Electronically submitted reports (using NetDMR) have the same deadline as mailed reports.

III. CSO Operational Plan

A. The permittee shall comply with the following minimum technology-based controls, in accordance with EPA's National CSO Control Policy:

1. The permittee shall implement proper operation and regular maintenance programs for the sewer system and the CSOs. The purpose of the operation and maintenance programs is to reduce the magnitude, frequency and duration of CSOs. The programs shall consider regular sewer inspections; sewer, catch basin, and regulator cleaning; equipment and sewer collection system repair or replacement, where necessary; and disconnection of illegal connections.
2. The permittee shall implement procedures that will maximize the use of collection system for wastewater storage that can be accommodated by the storage capacity of the collection system in order to reduce the magnitude, frequency and duration of CSOs.
3. The permittee shall review and modify, as appropriate, its existing pretreatment program to minimize CSO impacts from non-domestic users. The permittee shall identify all industrial users that discharge to the collection system upstream of any CSO outfalls; this identification shall also include the pollutants in the industrial user's wastewater and the specific CSO outfall(s) that are likely to discharge the wastewater.
4. The permittee shall operate the POTW at the maximum treatable flow during all wet weather flow conditions to reduce the magnitude, frequency and duration of CSOs. The permittee shall deliver all flows to the treatment plant within the constraints of the treatment capacity of the POTW.
5. Dry weather overflows from CSO outfalls are prohibited. Each dry weather overflow must be reported to IDEM as soon as the permittee becomes aware of the overflow. When the permittee detects a dry weather overflow, it shall begin corrective action immediately. The permittee shall inspect the dry weather overflow each subsequent day until the overflow has been eliminated.
6. The permittee shall implement measures to control solid and floatable materials in CSO discharges.
7. The permittee shall implement a pollution prevention program focused on reducing the impact of CSOs on receiving waters.

8. The permittee shall implement a public notification process to inform citizens of when and where CSO discharges occur and their impacts. This notification must also be done in accordance with 327 IAC 5-2.1.
9. The permittee shall monitor to effectively characterize CSO impacts and the efficacy of CSO controls.

B. The permittee's implementation of each of the minimum controls in Part III.A of this Attachment A shall be documented in its approved CSO Operational Plan (CSOOP). The permittee shall update the CSOOP, as necessary, to reflect changes in its operation or maintenance practices; changes to measures taken to implement the above minimum requirements; and changes to the treatment plant or collection system, including changes in collection system flow characteristics, collection system or WWTP capacity or discharge characteristics (including volume, duration, frequency and pollutant concentration). All updates to the CSOOP must be submitted to IDEM, Office of Water Quality, Municipal NPDES Permits Section for approval.

The CSOOP update(s) shall include a summary of the proposed revisions to the CSOOP as well as a reference to the page(s) that have been modified. Any CSOOP updates shall not result in:

1. a lower amount of flow being sent to and through the plant for treatment, or
2. more discharges (measured either by volume, duration, frequency, or pollutant concentration) occurring from the CSO outfalls.

The permittee shall maintain a current CSO Operational Plan, including all approved updates, on file at the POTW.

IV. Sewer Use Ordinance Review/Revision and Enforcement

The permittee's Sewer Use Ordinance must contain provisions which: (1) prohibit introduction of inflow sources to any sanitary sewer; (2) prohibit construction of new combined sewers outside of the existing combined sewer service area; and (3) provide that for any new building the inflow/clear water connection to a combined sewer shall be made separate and distinct from sanitary waste connection to facilitate disconnection of the former if a separate storm sewer subsequently becomes available. The permittee shall continuously enforce these provisions.

V. Reopening Clauses

A. This permit may be reopened to address changes in the EPA National CSO Policy or state or federal law.
B. The permit may be reopened, after public notice and opportunity for hearing, to incorporate applicable provisions of IC 13-18.

Fact Sheet
September 2017

City of Berne Wastewater Treatment Plant
located at 343 East 550 South, Berne, Indiana, Adams County

Outfall Location	Latitude:	40° 36' 55" N
	Longitude:	84° 56' 25" W

NPDES Permit No. IN0021369

Background

This is the modification of the NPDES permit for the City of Berne Wastewater Treatment Plant. The facility's current permit was effective on January 1, 2017 and has an expiration date of December 31, 2021. A request for permit modification was received from the permittee on September 22, 2017. The permittee requests a permit modification to delete the pretreatment program requirements of the permit and the Whole Effluent Toxicity (WET) testing requirements of the permit. The permittee is requesting these changes because industrial wastewater sources no longer discharge to the City of Berne Wastewater Treatment Plant.

Modification

The following changes have been made for the modification of the NPDES permit:

Page 1 of 32	This page has been modified to reflect the modification effective date for the permit.
Pages 2-32 of 32	The permit was modified to remove the pretreatment program requirements and the WET testing requirements of the permit. Due to the deletion of these requirements, the permit pages have been renumbered.

Expiration Date

The expiration date of the permit has not changed. The permit, as modified, will expire at midnight on Deember 31, 2021.

Drafted by: Jason House
September 2017

STATE OF INDIANA
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
PUBLIC NOTICE NO: 2018 – 1C – F
DATE OF NOTICE: JANUARY 24, 2018

The Office of Water Quality issues the following NPDES FINAL PERMIT.

MAJOR – MODIFICATION

BERNE (city) WWTP, Permit No. IN0021369, ADAMS COUNTY, 343 E 550 S, Berne, IN. This major municipal modification removes pretreatment program requirements because there are no industrial discharges. Permit Manager: Jason House, jahouse@idem.in.gov, 317-233-0470.

Notice of Right to Administrative Review [Permits]

If you wish to challenge this Permit, you must file a Petition for Administrative Review with the Office of Environmental Adjudication (OEA), and serve a copy of the Petition upon IDEM. The requirements for filing a Petition for Administrative Review are found in IC 4-21.5-3-7, IC 13-15-6-1 and 315 IAC 1-3-2. A summary of the requirements of these laws is provided below.

A Petition for Administrative Review must be filed with the Office of Environmental Adjudication (OEA) within fifteen (15) days of the issuance of this notice (eighteen (18) days if you received this notice by U.S. Mail), and a copy must be served upon IDEM. Addresses are:

Director
Office of Environmental Adjudication
Indiana Government Center North
100 North Senate Avenue - Room N103
Indianapolis, Indiana 46204

Commissioner
Indiana Department of Environmental Management
Indiana Government Center North
100 North Senate Avenue - Room 1301
Indianapolis, Indiana 46204

The Petition must contain the following information:

1. The name, address and telephone number of each petitioner.
2. A description of each petitioner's interest in the Permit.
3. A statement of facts demonstrating that each petitioner is:
    a. a person to whom the order is directed;
    b. aggrieved or adversely affected by the Permit;
    c. entitled to administrative review under any law.
4. The reasons for the request for administrative review.
5. The particular legal issues proposed for review.
6. The alleged environmental concerns or technical deficiencies of the Permit.
7. The Permit terms and conditions that the petitioner believes would be appropriate and would comply with the law.
8. The identity of any persons represented by the petitioner.
9. The identity of the person against whom administrative review is sought.
10. A copy of the Permit that is the basis of the petition.
11. A statement identifying petitioner's attorney or other representative, if any.

Failure to meet the requirements of the law with respect to a Petition for Administrative Review may result in a waiver of your right to seek administrative review of the Permit. Examples are:

1. Failure to file a Petition by the applicable deadline;
2. Failure to serve a copy of the Petition upon IDEM when it is filed; or
3. Failure to include the information required by law.

If you seek to have a Permit stayed during the Administrative Review, you may need to file a Petition for a Stay of Effectiveness. The specific requirements for such a Petition can be found in 315 IAC 1-3-2 and 315 IAC 1-3-2.1.
Pursuant to IC 4-21.5-3-17, OEA will provide all parties with Notice of any pre-hearing conferences, preliminary hearings, hearings, stays, or orders disposing of the review of this action. If you are entitled to Notice under IC 4-21.5-3-5(b) and would like to obtain notices of any pre-hearing conferences, preliminary hearings, hearings, stays, or orders disposing of the review of this action without intervening in the proceeding you must submit a written request to OEA at the address above.
If you have procedural or scheduling questions regarding your Petition for Administrative Review you may contact the Office of Environmental Adjudication at (317) 233-0850 or see OEA's website at http://www.in.gov/oea.

WILLIAM F. MCKEAN, MAYOR

GWENDOLYN J. MALLER, CLERK-TREASURER

City of Berne

FOUNDED 1887
158 WEST FRANKLIN STREET
BERNE, INDIANA 46711
(260) 589-8526 · (260) 589-0081
FAX (260) 589-3983

CITY COUNCIL
RONALD N. DULL
PHILIP E. PROVOST
GREGG A. SPRUNGER
CURTIS L. WURSTER
MARK D. WYNN

September 19, 2017

2017 SEP 22 A 8:56
IDEM OFFICE OF WATER QUALITY

Ms. Leigh Voss, Section Chief
Municipal NPDES Permits Section
Office of Water Quality – Mail Code 65-42
Indiana Department of Environmental Management
100 North Senate Avenue
Indianapolis, Indiana 46204

HAND DELIVERED

RE: City of Berne Wastewater Treatment Plant
NPDES Permit No. IN0021369 Modification Request
Removal of Non-Delegated Pretreatment Program Requirements
Adams County

Dear Ms. Voss:

Per recent correspondence (attached) from Brady Dryer of Commonwealth Engineers, Inc. to Jason House, Permit Manager, with the Indiana Department of Environmental Management (IDEM) Office of Water Quality (OWQ), the City of Berne desires to modify NPDES Permit No. IN0021369 to remove the Non-Delegated Pretreatment Program Requirements included in Part III (p. 34 of 48) of the permit. In addition, we are also requesting that the annual Whole Effluent Toxicity Testing (WETT) requirements identified in Part I.D.1.d. be removed from the permit as it is understood that the annual WETT testing requirement is due to the presence of a permitted Industrial User. The above-mentioned request is founded based on the fact that Indiana Coatings, Inc., located at 917 Liechty Road, no longer discharges industrial wastewater to the City of Berne's wastewater facility. As Indiana Coatings, Inc. is no longer in operation, the associated discharge permit (IWP Permit No. INP000069) was terminated on February 28, 2017 as documented in the attached correspondence.

Included with this correspondence is the required $50.00 NPDES Permit Modification Fee. We hope that you will find this request to be satisfactory, and we appreciate your attention to the matter. If you have any questions, please contact Brady Dryer of Commonwealth Engineers by phone at 317-888-1177 or via e-mail at bdryer@contactcei.com.

Sincerely,

CITY OF BERNE

William McKean, Mayor

Natalie Maupin, State Pretreatment Coordinator – IDEM OWQ
Kurt Dailey, Workforce Manager – City of Berne
Terry L Kongar, Certified Operator – City of Berne
Commonwealth Engineers, Inc.

From: Brady Dryer
To: Amanda Nurre
Subject: FW: Berne NPDES Non-Delegated Pretreatment Program Removal
Date: Monday, September 18, 2017 12:23:33 PM
Attachments: Indiana Coatings NPDES Termination 02-28-17.pdf

Brady Dryer | Compliance Manager
Commonwealth Engineers, Inc.

From: HOUSE, JASON [mailto:JAHOUSE@idem.IN.gov]
Sent: Tuesday, August 29, 2017 10:42 AM
To: Brady Dryer <bdryer@contactcei.com>; MAUPIN, NATALIE <NMAUPIN@idem.IN.gov>
Cc: VOSS, LEIGH <LVOSS@idem.IN.gov>; Gardner, Nicole <ngardner@idem.IN.gov>
Subject: RE: Berne NPDES Non-Delegated Pretreatment Program Removal

Yes, you are correct, it should go to accounting first since a fee is involved.

Best,

Jason House
Indiana Department of Environmental Management
Office of Water Quality - Municipal NPDES Permits
100 N. Senate Avenue, Mail Code 65-42
Indianapolis, IN 46204
Phone: 317/233-0470 - Fax: 317/232-8637
Toll Free: 1-800/451-6027
http://in.gov/idem/cleanwater/2432.htm

From: Brady Dryer [mailto:bdryer@contactcei.com]
Sent: Tuesday, August 29, 2017 10:38 AM
To: HOUSE, JASON <JAHOUSE@idem.IN.gov>; MAUPIN, NATALIE <NMAUPIN@idem.IN.gov>
Cc: VOSS, LEIGH <LVOSS@idem.IN.gov>; Gardner, Nicole <ngardner@idem.IN.gov>
Subject: RE: Berne NPDES Non-Delegated Pretreatment Program Removal

---

Hey Jason.

The Indiana Coatings IWP was terminated on Feb. 28, 2017. See attached.

The Minth acquisition of Indiana Coatings fell through last year and for that reason, I do not believe a permit transfer took place.

I'll go ahead and get a letter together for the Mayor's signature stating that the City no longer accepts Industrial wastewater from Indiana Coatings or any other IUs. Once signed, I'll submit the letter and the

$50 check. I presume that this should be submitted to the Accounting Dept. on the 13th floor since a fee is involved.

Thanks.

Brady Dryer | Compliance Manager
Commonwealth Engineers, Inc.

From: HOUSE, JASON [mailto:JAHOUSE@idem.IN.gov]
Sent: Tuesday, August 29, 2017 10:18 AM
To: Brady Dryer <bdryer@contactcei.com>; MAUPIN, NATALIE <NMAUPIN@idem.IN.gov>
Cc: VOSS, LEIGH <LVOSS@idem.IN.gov>; Gardner, Nicole <ngardner@idem.IN.gov>
Subject: RE: Berne NPDES Non-Delegated Pretreatment Program Removal

Brady,

Does Indiana Coatings or Minth have a pretreatment permit? If so, this permit would need to be terminated before this Section would entertain a permit modification to remove the WET testing and pretreatment requirements. If there are no pretreatment permits, this Section would need a written modification request (including the modification fee of 50 dollars) from the City of Berne requesting that these requirements be removed because no industrial wastewater is being received. Since this is a major change to the permit, it will be a major modification requiring Public Notice.

If you have questions, please let me know.

Best,

Jason House
Indiana Department of Environmental Management
Office of Water Quality - Municipal NPDES Permits
100 N. Senate Avenue, Mail Code 65-42
Indianapolis, IN 46204
Phone: 317/233-0470 - Fax: 317/232-8637
Toll Free: 1-800/451-6027
http://in.gov/idem/cleanwater/2432.htm

From: Brady Dryer [mailto:bdryer@contactcei.com]
Sent: Tuesday, August 29, 2017 10:00 AM
To: MAUPIN, NATALIE <NMAUPIN@idem.IN.gov>; HOUSE, JASON <JAHOUSE@idem.IN.gov>
Subject: Berne NPDES Non-Delegated Pretreatment Program Removal

---

Morning, Natalie and Jason.

I'd like to touch base with both of you to determine next steps to modify Berne's NPDES permit to get the Non-Delegated Pretreatment Program requirements removed, as well as the annual WETT testing

requirement.

Jason – as a refresher, this was a revoke/reissue from last year that was done to incorporate WWTP improvements, including SAGR and a capacity increase. This puppy was final on Jan 1, 2017 and also included Non-Delegated Pretreatment requirements and annual WETT due to the Indiana coatings IWP.

Natalie – we worked very closely and diligently on the SUO and ERP development and approval due to the possibility of the Minth Corp's plans to relocate in the Indiana Coatings facility. Since August of last year, the Minth deal fell through and there has been no production and/or discharge from Indiana Coatings. I was able to talk to a few of the guys from Berne at the IWEA conference last week and they confirmed that the Indiana Coatings facility is currently vacant. That being said, the Pretreatment Annual Report requirement is unnecessary and I've been told that there is nothing on the horizon with respect to new IUs coming to town.

Now that I've provided a refresher, how shall I proceed? Do we need to prepare an NPDES modification package with the $50 check or can this be processed/issued as a permit correction?

This is not an urgent matter, but I just wanted to reach out to you both while this was on my mind.

Thanks in advance for your help.

Brady Dryer | Compliance Manager
Commonwealth Engineers, Inc.
7256 Company Dr. Indianapolis, IN 46237
T-317.888.1177 | F-317.887.8641 |
bdryer@contactcei.com

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INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
We Protect Hoosiers and Our Environment.
100 N. Senate Avenue • Indianapolis, IN 46204
(800) 451-6027 • (317) 232-8603 • www.idem.IN.gov

Eric J. Holcomb
Governor

Bruno Pigott
Commissioner

VIA ELECTRONIC MAIL

February 28, 2017

Mr. Bruce Boyce
Indiana Coatings, Inc.
917 Lietchy Road
Berne, IN 46711

Dear Mr. Boyce:

Re: Fina Termination: IWP Permit No. INP000069
Indiana Coatings, Inc
Berne, IN - Adams County

Based on an internal report that DMRs have not been submitted for this facility for several months and following confirmation from the wastewater inspector, this agency has determined that Indiana Coatings, Inc. is no longer in operation and the permit, issued March 30, 2016 is hereby revoked effective 18 days from the mailing date of this letter.

Any party adversely affected or aggrieved by this decision may appeal by filing a petition for administrative review with the Office of Environmental Adjudication (OEA) within fifteen (15) days of the emailing of an electronic copy of this letter or within eighteen (18) days of the mailing of this letter by filing at the addresses provided below. Any appeal request must be filed in accordance with IC 4-21.5-3-7 and must include facts demonstrating that the party requesting appeal is the applicant, a person aggrieved or adversely affected by this termination or otherwise entitled to review by law. Pursuant to IC 13-15-7-3, this decision shall remain in effect pending a decision on any appeal that has been timely requested under the provisions of IC 4-21.5. The addresses are:

Director
Office of Environmental Adjudication
Indiana Government Center North
Room 501
100 North Senate Avenue
Indianapolis, Indiana 46204

Commissioner
Indiana Department of Environmental Management
Indiana Government Center North
Room 1301
100 North Senate Avenue
Indianapolis, Indiana 46204

You are reminded that any future discharge to the POTW must be preceded by the submission of an IWP application at least 180 days prior to the commencement of such discharge. If you have any questions regarding this matter, please contact me at 317/ 232-8707 or by email at ngardner@idem.in.gov.

Sincerely,

Paul Novak

Paul Novak, Chief
Permits Branch
Office of Water Quality

cc: Terry Konger, Certified Operator, Berne POTW

STATE OF INDIANA
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
PUBLIC NOTICE NO: 2017 – 2B – F
DATE OF NOTICE: FEBRUARY 28, 2017

The Office of Water Quality issues the following NPDES FINAL PERMIT.

PRETREATMENT – TERMINATION

INDIANA COATINGS, INC, Permit No. INP000069, ADAMS COUNTY, 917 Liechty Rd, Berne, IN. This industrial pretreatment permit is terminated because the facility is closed. Permit Manager: Nicole Gardner, ngardner@idem.in.gov or 317/232-8707.

Notice of Right to Administrative Review [Permits]

If you wish to challenge this Permit, you must file a Petition for Administrative Review with the Office of Environmental Adjudication (OEA), and serve a copy of the Petition upon IDEM. The requirements for filing a Petition for Administrative Review are found in IC 4-21.5-3-7, IC 13-15-6-1 and 315 IAC 1-3-2. A summary of the requirements of these laws is provided below.

A Petition for Administrative Review must be filed with the Office of Environmental Adjudication (OEA) within fifteen (15) days of the issuance of this notice (eighteen (18) days if you received this notice by U.S. Mail), and a copy must be served upon IDEM. Addresses are:

Director
Office of Environmental Adjudication
Indiana Government Center North
Room 501
100 North Senate Avenue
Indianapolis, Indiana 46204

Commissioner
Indiana Department of Environmental Management
Indiana Government Center North
Room 1301
100 North Senate Avenue
Indianapolis, Indiana 46204

The Petition must contain the following information:

1. The name, address and telephone number of each petitioner.
2. A description of each petitioner's interest in the Permit.
3. A statement of facts demonstrating that each petitioner is:
    a. a person to whom the order is directed;
    b. aggrieved or adversely affected by the Permit; or
    c. entitled to administrative review under any law.
4. The reasons for the request for administrative review.
5. The particular legal issues proposed for review.
6. The alleged environmental concerns or technical deficiencies of the Permit.
7. The Permit terms and conditions that the petitioner believes would be appropriate and would comply with the law.
8. The identity of any persons represented by the petitioner.
9. The identity of the person against whom administrative review is sought.
10. A copy of the Permit that is the basis of the petition.
11. A statement identifying petitioner's attorney or other representative, if any.

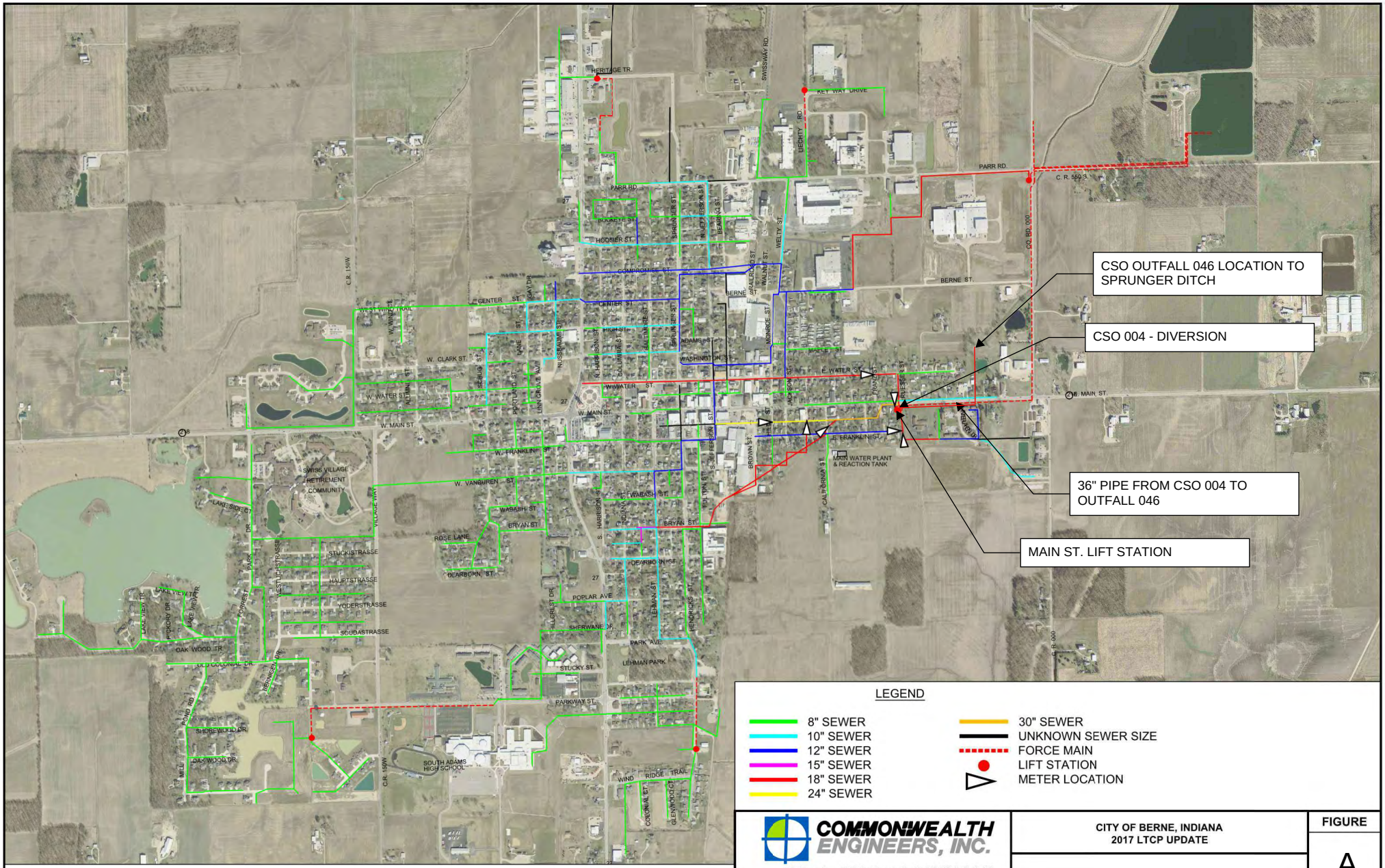
Failure to meet the requirements of the law with respect to a Petition for Administrative Review may result in a waiver of your right to seek administrative review of the Permit. Examples are:

1. Failure to file a Petition by the applicable deadline;
2. Failure to serve a copy of the Petition upon IDEM when it is filed; or
3. Failure to include the information required by law.

If you seek to have a Permit stayed during the Administrative Review, you may need to file a Petition for a Stay of Effectiveness. The specific requirements for such a Petition can be found in 315 IAC 1-3-2 and 315 IAC 1-3-2.1.
Pursuant to IC 4-21.5-3-17, OEA will provide all parties with Notice of any pre-hearing conferences, preliminary hearings, hearings, stays, or orders disposing of the review of this action. If you are entitled to Notice under IC 4-21.5-3-5(b) and would like to obtain notices of any pre-hearing conferences, preliminary hearings, hearings, stays, or orders disposing of the review of this action without intervening in the proceeding you must submit a written request to OEA at the address above.
If you have procedural or scheduling questions regarding your Petition for Administrative Review you may contact the Office of Environmental Adjudication at (317) 232-8591 or see OEA's website at http://www.in.gov/oea.

Appendix B

System Aerial Map



COMMONWEALTH ENGINEERS, INC.

7256 Company Dr. Indianapolis, IN 46237 (317) 888-1177
1419 W. Lloyd Expressway, Ste. 401 Evansville, IN 47710 (812) 474-1177
9684 Coldwater Rd. Ste. 203 Fort Wayne, IN 46825 (260) 494-3223

CITY OF BERNE, INDIANA
2017 LTCP UPDATE

SYSTEM AERIAL MAP

FIGURE
A

Appendix C

CSO Monthly Reports of Operation

National Pollutant Discharge Elimination System (NPDES)
CSO Monthly Report of Operation (CSO MRO)
State Form 50546 (R3 / 7-13)
INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

City:	City of Berne								Page 1 of 2					Permit Number: IN0021369					
Facility: Berne WWTP													Public Notification Requirements Met? Y						
Monitoring Period: January 2022													Check box if no CSO discharge occurred for the month: ☐						
Design Peak Hourly Flow (MGD): 1.92			Design Average Flow (MGD): 1.08						Measured/Metered (M) or Estimated (E) must be specified										
WWTP Influent Data			Precipitation Data					CSO Outfall No. 046						CSO Outfall No. [#]					
Day of Month	Average Daily Flow (MGD)	Peak Hourly Flow (MGD)	Time Precip. Began (am/pm)	Precip. Duration (Hours)	Total Daily Precip. (Inches)	Peak Intensity (Inch/hr)	Measurement Interval (hr, 30 m, 15 m)	Time Discharge Began	M or E	Event Duration (Hours)	M or E	Event Discharge (MG)	M or E	Time Discharge Began	M or E	Event Duration (Hours)	M or E	Event Discharge (MG)	M or E
1	1.24	0.12	12:00 PM	7.00		0.08	15 min	1:00 PM	M	11.00	M	0.005	M						
2	1.08	0.11			0.30			12:00 AM	M	13.00	M	0.003	M						
3	0.90	0.09																	
4	0.75	0.08																	
5	0.65	0.07																	
6	0.61	0.06																	
7	0.61	0.06																	
8	0.68	0.07																	
9	0.73	0.07			0.27														
10	0.63	0.06																	
11	0.58	0.06																	
12	0.52	0.05																	
13	0.53	0.05																	
14	0.56	0.06																	
15	0.50	0.05																	
16	0.49	0.05																	
17	0.49	0.05																	
18	0.54	0.05			0.02														
19	0.49	0.05																	
20	0.50	0.05																	
21	0.50	0.05																	
22	0.47	0.05																	
23	0.48	0.05																	
24	0.52	0.05			0.22														
25	0.54	0.05			0.18														
26	0.49	0.05																	
27	0.53	0.05																	
28	0.47	0.05																	
29	0.51	0.05																	
30	0.49	0.05																	
31	0.52	0.05																	
Totals:	18.60			7.00	0.99			2	Days	24.00		0.008		0	Days	0.00		0	

Typed or Printed Name and Title of Principal Executive Officer or Authorized Agent	Telephone
Terry Kongar Certified Operator	260-589-8526

I CERTIFY UNDER PENALTY OF LAW THAT THIS DOCUMENT AND ALL ATTACHMENTS WERE PREPARED UNDER MY DIRECTION OR SUPERVISION IN ACCORDANCE WITH A SYSTEM DESIGNED TO ASSURE THAT QUALIFIED PERSONNEL PROPERLY GATHER AND EVALUATE THE INFORMATION SUBMITTED. BASED ON MY INQUIRY OF THE PERSONS WHO MANAGE THE SYSTEM OR THOSE PERSONS DIRECTLY RESPONSIBLE FOR GATHERING THE INFORMATION; THE INFORMATION SUBMITTED IS, TO THE BEST OF MY KNOWLEDGE AND BELIEF, TRUE, ACCURATE, AND COMPLETE. I AM AWARE THAT THERE ARE SIGNIFICANT PENALTIES FOR SUBMITTING FALSE INFORMATION, INCLUDING THE POSSIBILITY OF FINE AND IMPRISONMENT FOR KNOWING VIOLATIONS.

Signature of Principal Executive Officer or Authorized Agent	Date *(mm/dd/yy)*
Terry L Kongar	02/25/22

National Pollutant Discharge Elimination System (NPDES)
CSO Monthly Report of Operation (CSO MRO)
State Form 50546 (R3 / 7-13)
INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

City: City of Berne				**Page:** 2 of 2	**Permit Number:** IN0021369
Facility: Berne WWTP				**Public Notification Requirements Met?** Y	
Monitoring Period: January Year:	2022			**Check box if no CSO discharge occurred for the month:** ☐	
Design Peak Hourly Flow (MGD):	1.92	**Design Average Flow (MGD):**	1.08		

Day of Month	Comments (further explanation as to why each CSO event occurred)
1	System Full
2	System Full
3	
4	
5	
6	
7	
8	
9	
10	
11	
12	
13	
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Typed or Printed Name and Title of Principal Executive Officer or Authorized Agent	Telephone
Terry L Kongar Certified Operator	260-589-8526

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Signature of Principal Executive Officer or Authorized Agent	Date *(mm/dd/yy)*
Terry L Kongar	02/25/22

National Pollutant Discharge Elimination System (NPDES)
CSO Monthly Report of Operation (CSO MRO)
State Form 50546 (R3 / 7-13)
INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

City:	City of Berne								Page 1 of 2					Permit Number: IN0021369						
Facility:	Berne WWTP								Public Notification Requirements Met? Y											
Monitoring Period:	February	2022							Check box if no CSO discharge occurred for the month: ☐											
Design Peak Hourly Flow (MGD):		1.92	**Design Average Flow (MGD):**		1.08				Measured/Metered (M) or Estimated (E) must be specified											
WWTP Influent Data			**Precipitation Data**					**CSO Outfall No. 046**						**CSO Outfall No. [#]**						
Day of Month	**Average Daily Flow (MGD)**	**Peak Hourly Flow (MGD)**	**Time Precip. Began (am/pm)**	**Precip. Duration (Hours)**	**Total Daily Precip. (Inches)**	**Peak Intensity (Inch/hr)**	**Measurement Interval (hr, 30 m, 15 m)**	**Time Discharge Began**	**M or E**	**Event Duration (Hours)**	**M or E**	**Event Discharge (MG)**	**M or E**	**Time Discharge Began**	**M or E**	**Event Duration (Hours)**	**M or E**	**Event Discharge (MG)**	**M or E**	
1	0.55	0.06																		
2	1.56	0.16	9:00 AM	8.00	0.02	0.19	15 min	10:00 AM	M	14.00	M	0.17	M							
3	0.81	0.08			1.02															
4	0.68	0.07			0.53															
5	0.57	0.06																		
6	0.62	0.06																		
7	0.61	0.06																		
8	0.59	0.06																		
9	0.90	0.09																		
10	0.82	0.08																		
11	1.45	0.15	12:00 PM	3.00		0.13	15 min	3:00 PM	M	9.00	M	0.07	M							
12	1.00	0.10			0.25															
13	0.74	0.07																		
14	0.69	0.07																		
15	0.65	0.07																		
16	1.55	0.16	3:00 PM	7.00		0.22	15 min	4:00 PM	M	8.00	M	0.05	M							
17	2.36	0.24			0.50			7:00 AM	M	17.00	M	1.01	M							
18	1.49	0.15			0.57			12:00 AM	M	21.00	M	0.26	M							
19	0.99	0.10																		
20	0.99	0.10																		
21	1.10	0.11																		
22	1.60	0.16	1:00 AM	6.00	0.16	0.09	15 min	4:00 AM	M	20.00	M	0.18	M							
23	1.10	0.11			0.13			12:00 AM	M	12.00	M	0.01	M							
24	0.91	0.09			0.05															
25	0.92	0.09			0.16															
26	0.81	0.08																		
27	0.77	0.08																		
28	0.75	0.08																		
29																				
Totals:	27.58			24.00	3.39			7	Days	101.00		1.75		0	Days	0.00		0		

Typed or Printed Name and Title of Principal Executive Officer or Authorized Agent	**Telephone**
Terry Kongar Certified Operator	260-589-8526

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Signature of Principal Executive Officer or Authorized Agent	**Date *(mm/dd/yy)***
Terry Kongar	03/28/22

National Pollutant Discharge Elimination System (NPDES)
CSO Monthly Report of Operation (CSO MRO)
State Form 50546 (R3 / 7-13)
INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

City:	**City of Berne**			**Page:** **2 of 2**	**Permit Number:** **IN0021369**
Facility:	**Berne WWTP**			**Public Notification Requirements Met?** **Y**	
Monitoring Period:	**February**	**2022**		**Check box if no CSO discharge occurred for the month:** ☐	
Design Peak Hourly Flow (MGD):	**1.92**	**Design Average Flow (MGD):**	**1.08**		

Day of Month	Comments (further explanation as to why each CSO event occurred)
1	
2	System Full
3	
4	
5	
6	
7	
8	
9	
10	
11	System Full
12	
13	
14	
15	
16	System Full
17	System Full
18	System Full
19	
20	
21	
22	System Full
23	System Full
24	
25	
26	
27	
28	
29	
30	
31	

Typed or Printed Name and Title of Principal Executive Officer or Authorized Agent	Telephone
Terry Kongar Certified Operator	260-589-8526

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Signature of Principal Executive Officer or Authorized Agent	Date *(mm/dd/yy)*
Terry Kongar	03/28/22

National Pollutant Discharge Elimination System (NPDES)
CSO Monthly Report of Operation (CSO MRO)
State Form 50546 (R3 / 7-13)
INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

City:	City of Berne								Page 1 of 2					Permit Number: IN0021369						
Facility:	Berne WWTP								Public Notification Requirements Met? Y											
Monitoring Period:	March	2022							Check box if no CSO discharge occurred for the month: ☐											
Design Peak Hourly Flow (MGD):	1.92	**Design Average Flow (MGD):**	1.08						Measured/Metered (M) or Estimated (E) must be specified											

WWTP Influent Data			Precipitation Data					CSO Outfall No. 046						CSO Outfall No. [#]					
Day of Month	Average Daily Flow (MGD)	Peak Hourly Flow (MGD)	Time Precip. Began (am/pm)	Precip. Duration (Hours)	Total Daily Precip. (Inches)	Peak Intensity (Inch/hr)	Measurement Interval (hr, 30 m, 15 m)	Time Discharge Began	M or E	Event Duration (Hours)	M or E	Event Discharge (MG)	M or E	Time Discharge Began	M or E	Event Duration (Hours)	M or E	Event Discharge (MG)	M or E
1	0.76	0.08																	
2	0.75	0.08																	
3	0.69	0.07																	
4	0.65	0.07																	
5	0.73	0.07																	
6	1.41	0.14			0.30														
7	2.16	0.22	1:00 AM	9.00	1.31	0.17	15 min	3:00 AM	M	21.00	M	1.34	M						
8	1.24	0.12			0.03			12:00 AM	M	9.00	M	0.01	M						
9	0.95	0.10																	
10	0.78	0.08																	
11	0.78	0.08																	
12	0.67	0.07																	
13	0.66	0.07																	
14	0.63	0.06																	
15	0.60	0.06																	
16	0.63	0.06																	
17	0.61	0.06																	
18	1.16	0.12	10:00 PM	4.00		0.06	15 min												
19	1.14	0.11			0.61			12:30 AM	M	2.00	M	0.01	M						
20	0.96	0.10			0.13														
21	0.78	0.08																	
22	1.39	0.14	11:00 PM	3.00		0.09	15 min												
23	1.75	0.18			0.57			12:00 AM	M	12.00	M	0.013	M						
24	1.04	0.10			0.23														
25	0.91	0.09																	
26	0.75	0.08			0.14														
27	0.66	0.07																	
28	0.63	0.06																	
29	0.64	0.06																	
30	0.59	0.06																	
31	0.59	0.06			0.05														
Totals:	27.69			16.00	3.37			4	Days	44.00		1.373		0	Days	0.00		0	

Typed or Printed Name and Title of Principal Executive Officer or Authorized Agent	Telephone
Terry L Kongar Certified Operator	260-589-8526

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Signature of Principal Executive Officer or Authorized Agent	Date *(mm/dd/yy)*
Terry L Kongar	04/28/22

National Pollutant Discharge Elimination System (NPDES)
CSO Monthly Report of Operation (CSO MRO)
State Form 50546 (R3 / 7-13)
INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

City:	**City of Berne**			**Page:** **2 of 2**	**Permit Number:** **IN0021369**
Facility:	**Berne WWTP**			**Public Notification Requirements Met?** **Y**	
Monitoring Period:	**March**	**2022**		**Check box if no CSO discharge occurred for the month:**	☐
Design Peak Hourly Flow (MGD):	**1.92**	**Design Average Flow (MGD):**	**1.08**		

Day of Month	Comments (further explanation as to why each CSO event occurred)
1	
2	
3	
4	
5	
6	
7	System Full
8	System Full
9	
10	
11	
12	
13	
14	
15	
16	
17	
18	
19	System Full
20	
21	
22	
23	System Full
24	
25	
26	
27	
28	
29	
30	
31	

Typed or Printed Name and Title of Principal Executive Officer or Authorized Agent	Telephone
Terry Kongar Certified Operator	260-589-8526

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Signature of Principal Executive Officer or Authorized Agent	Date *(mm/dd/yy)*
Terry Kongar	04/28/22

National Pollutant Discharge Elimination System (NPDES)
CSO Monthly Report of Operation (CSO MRO)
State Form 50546 (R3 / 7-13)
INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

City:	City of Berne								Page 1 of 2					Permit Number: IN0021369								
Facility:	Berne WWTP								Public Notification Requirements Met? Y													
Monitoring Period:	April	2022							Check box if no CSO discharge occurred for the month: ☐													
Design Peak Hourly Flow (MGD):	1.92	**Design Average Flow (MGD):**	1.08						Measured/Metered (M) or Estimated (E) must be specified													

WWTP Influent Data			Precipitation Data					CSO Outfall No. 046						CSO Outfall No. [#]					
Day of Month	Average Daily Flow (MGD)	Peak Hourly Flow (MGD)	Time Precip. Began (am/pm)	Precip. Duration (Hours)	Total Daily Precip. (Inches)	Peak Intensity (Inch/hr)	Measurement Interval (hr, 30 m, 15 m)	Time Discharge Began	M or E	Event Duration (Hours)	M or E	Event Discharge (MG)	M or E	Time Discharge Began	M or E	Event Duration (Hours)	M or E	Event Discharge (MG)	M or E
1	0.59	0.06			0.02														
2	0.57	0.06																	
3	0.59	0.06			0.14														
4	0.73	0.07			0.11														
5	0.62	0.06			0.07														
6	0.95	0.10			0.07														
7	0.73	0.07			0.28														
8	0.73	0.07			0.03														
9	0.79	0.08			0.11														
10	0.66	0.07			0.05														
11	0.69	0.07			0.01														
12	0.67	0.07			0.08														
13	1.07	0.11																	
14	1.02	0.10			0.43														
15	0.70	0.07																	
16	0.61	0.06			0.06														
17	0.55	0.06																	
18	0.67	0.07																	
19	0.59	0.06			0.10														
20	0.53	0.05																	
21	0.54	0.05			0.06														
22	0.50	0.05																	
23	0.50	0.05																	
24	0.69	0.07																	
25	1.13	0.11	11:00 AM	4.00	0.47	0.09	15 min	12:00 PM	M	1.00	M	0.11	M						
26	0.64	0.06			0.17														
27	0.56	0.06																	
28	0.52	0.05																	
29	0.53	0.05																	
30	1.24	0.12	5:30 PM	5.00	0.02	1.20	15 min	6:00 PM	M	6.00	M	0.75	M						
Totals:	20.91			9.00	2.28			2	Days	7.00		0.86		0	Days	0.00		0	

Typed or Printed Name and Title of Principal Executive Officer or Authorized Agent	Telephone
Terry Kongar Certified Operator	260-589-3425

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Signature of Principal Executive Officer or Authorized Agent	Date *(mm/dd/yy)*
Terry Kongar	05/27/22

National Pollutant Discharge Elimination System (NPDES)
CSO Monthly Report of Operation (CSO MRO)
State Form 50546 (R3 / 7-13)
INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

City:	**City of Berne**			**Page:** **2 of 2**	**Permit Number:** **IN0021369**
Facility:	**Berne WWTP**			**Public Notification Requirements Met?** **Y**	
Monitoring Period:	**April**	**2022**		**Check box if no CSO discharge occurred for the month:** ☐	
Design Peak Hourly Flow (MGD):	**1.92**	**Design Average Flow (MGD):**	**1.08**		

Day of Month	Comments (further explanation as to why each CSO event occurred)
1	
2	
3	
4	
5	
6	
7	
8	
9	
10	
11	
12	
13	
14	
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16	
17	
18	
19	
20	
21	
22	
23	
24	
25	System Full
26	
27	
28	
29	
30	System Full
31	

Typed or Printed Name and Title of Principal Executive Officer or Authorized Agent	Telephone
Terry Kongar Certified Operator	260-589-3425

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Signature of Principal Executive Officer or Authorized Agent	Date *(mm/dd/yy)*
Terry Kongar	05/27/22

National Pollutant Discharge Elimination System (NPDES)
CSO Monthly Report of Operation (CSO MRO)
State Form 50546 (R3 / 7-13)
INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

City:	City of Berne								**Page 1 of**	2				**Permit Number:**	IN0021369					
Facility:	Berne WWTP								**Public Notification Requirements Met?**	Y										
Monitoring Period:	May	2022							**Check box if no CSO discharge occurred for the month:** ☐											
Design Peak Hourly Flow (MGD):	1.92	**Design Average Flow (MGD):**	1.08						**Measured/Metered (M) or Estimated (E) must be specified**											

WWTP Influent Data			**Precipitation Data**					**CSO Outfall No. 046**						**CSO Outfall No. [#]**						
Day of Month	**Average Daily Flow (MGD)**	**Peak Hourly Flow (MGD)**	**Time Precip. Began (am/pm)**	**Precip. Duration (Hours)**	**Total Daily Precip. (Inches)**	**Peak Intensity (Inch/hr)**	**Measurement Interval (hr, 30 m, 15 m)**	**Time Discharge Began**	**M or E**	**Event Duration (Hours)**	**M or E**	**Event Discharge (MG)**	**M or E**	**Time Discharge Began**	**M or E**	**Event Duration (Hours)**	**M or E**	**Event Discharge (MG)**	**M or E**
1	1.94	0.19			1.73			12:00 AM	M	16.00	M	1.03	M						
2	0.88	0.09			0.02														
3	1.99	0.20	3:30 PM	1.00	0.06	8.00	15 min	4:00 PM	M	8.00	M	0.27	M						
4	1.32	0.13			0.75			12:00 AM	M	6.00	M	0.02	M						
5	1.61	0.16	3:00 PM	3.00	0.01	1.30	15 min	7:00 PM	M	5.00	M	0.12	M						
6	2.60	0.26	2:00 PM	4.00	0.76	0.90	15 min	12:00 AM	M	24.00	M	1.04	M						
7	1.49	0.15			0.85			12:00 AM	M	14.00	M	0.24	M						
8	0.88	0.09																	
9	0.75	0.08																	
10	0.66	0.07																	
11	0.58	0.06																	
12	0.60	0.06																	
13	0.59	0.06																	
14	0.53	0.05																	
15	0.73	0.07			0.01														
16	0.67	0.07			0.38														
17	0.58	0.06																	
18	0.74	0.07			0.02														
19	0.61	0.06			0.28														
20	0.53	0.05																	
21	0.62	0.06																	
22	0.48	0.05			0.10														
23	0.50	0.05																	
24	0.45	0.05																	
25	1.07	0.17	8:45 PM	1.00		3.20	15 min	9:00 PM	M	2.00	M	0.03	M						
26	1.45	0.15	12:45 PM	1.00	0.73	3.80	15 min	1:00 PM	M	9.00	M	0.1	M						
27	0.77	0.08			0.58														
28	0.57	0.06			0.01														
29	0.49	0.05																	
30	0.54	0.05																	
31	0.51	0.05																	
Totals:	27.73			10.00	6.29			8	Days	84.00		2.85		0	Days	0.00		0	

Typed or Printed Name and Title of Principal Executive Officer or Authorized Agent	**Telephone**
Terry L Kongar Certified Operator	260-589-8526

I CERTIFY UNDER PENALTY OF LAW THAT THIS DOCUMENT AND ALL ATTACHMENTS WERE PREPARED UNDER MY DIRECTION OR SUPERVISION IN ACCORDANCE WITH A SYSTEM DESIGNED TO ASSURE THAT QUALIFIED PERSONNEL PROPERLY GATHER AND EVALUATE THE INFORMATION SUBMITTED. BASED ON MY INQUIRY OF THE PERSONS WHO MANAGE THE SYSTEM OR THOSE PERSONS DIRECTLY RESPONSIBLE FOR GATHERING THE INFORMATION; THE INFORMATION SUBMITTED IS, TO THE BEST OF MY KNOWLEDGE AND BELIEF, TRUE, ACCURATE, AND COMPLETE. I AM AWARE THAT THERE ARE SIGNIFICANT PENALTIES FOR SUBMITTING FALSE INFORMATION, INCLUDING THE POSSIBILITY OF FINE AND IMPRISONMENT FOR KNOWING VIOLATIONS.

Signature of Principal Executive Officer or Authorized Agent	**Date *(mm/dd/yy)***
Terry L Kongar	06/28/22

National Pollutant Discharge Elimination System (NPDES)
CSO Monthly Report of Operation (CSO MRO)
State Form 50546 (R3 / 7-13)
INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

City:	City of Berne							Page 1 of 2						Permit Number: IN0021369					
Facility: Berne WWTP														Public Notification Requirements Met? Y					
Monitoring Period:	June	2022												Check box if no CSO discharge occurred for the month: ☐					
Design Peak Hourly Flow (MGD):	1.92	Design Average Flow (MGD):	1.08					Measured/Metered (M) or Estimated (E) must be specified											
WWTP Influent Data			Precipitation Data					CSO Outfall No. 046						CSO Outfall No. [#]					
Day of Month	Average Daily Flow (MGD)	Peak Hourly Flow (MGD)	Time Precip. Began (am/pm)	Precip. Duration (Hours)	Total Daily Precip. (Inches)	Peak Intensity (Inch/hr)	Measurement Interval (hr, 30 m, 15 m)	Time Discharge Began	M or E	Event Duration (Hours)	M or E	Event Discharge (MG)	M or E	Time Discharge Began	M or E	Event Duration (Hours)	M or E	Event Discharge (MG)	M or E
1	0.84	0.08																	
2	0.47	0.05																	
3	0.47	0.05			0.02														
4	0.44	0.04																	
5	0.41	0.04																	
6	1.20	0.12	5:00 PM	2.00		4.90	15 min	5:30 PM	M	6.00	M	0.3	M						
7	0.84	0.08			1.23														
8	0.99	0.10																	
9	0.69	0.07			0.35														
10	0.60	0.06																	
11	0.54	0.05			0.02														
12	0.60	0.06			0.01														
13	0.59	0.06			0.11														
14	0.62	0.06			0.02														
15	0.73	0.07																	
16	0.61	0.06																	
17	0.44	0.04																	
18	0.42	0.04																	
19	0.40	0.04																	
20	0.50	0.05																	
21	0.42	0.04																	
22	0.43	0.04																	
23	0.43	0.04																	
24	0.42	0.04																	
25	0.43	0.04																	
26	0.42	0.04			0.07														
27	0.43	0.04																	
28	0.40	0.04																	
29	0.43	0.04																	
30	0.38	0.04																	
Totals:	16.59			2.00	1.83			1	Days	6.00		0.3		0	Days	0.00		0	

Typed or Printed Name and Title of Principal Executive Officer or Authorized Agent	Telephone
Terry L Kongar Certified Operator	260-589-8526

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Signature of Principal Executive Officer or Authorized Agent	Date *(mm/dd/yy)*
Terry L Kongar	07/20/22

National Pollutant Discharge Elimination System (NPDES)
CSO Monthly Report of Operation (CSO MRO)
State Form 50546 (R3 / 7-13)
INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

City:	**City of Berne**			**Page:** **2 of 2**	**Permit Number:** **IN0021369**
Facility:	**Berne WWTP**			**Public Notification Requirements Met?** **Y**	
Monitoring Period:	**June**	**2022**		**Check box if no CSO discharge occurred for the month:**	☐
Design Peak Hourly Flow (MGD):	**1.92**	**Design Average Flow (MGD):**	**1.08**		

Day of Month	Comments (further explanation as to why each CSO event occurred)
1	
2	
3	
4	
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6	System Full
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Typed or Printed Name and Title of Principal Executive Officer or Authorized Agent	Telephone
Terry L Kongar Certified Operator	260-589-8526

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Signature of Principal Executive Officer or Authorized Agent	Date *(mm/dd/yy)*
Terry L Kongar	07/20/22

National Pollutant Discharge Elimination System (NPDES)
CSO Monthly Report of Operation (CSO MRO)
State Form 50546 (R3 / 7-13)
INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

City:	City of Berne								Page 1 of 2					Permit Number: IN0021369								
Facility:	Berne WWTP								Public Notification Requirements Met? Y													
Monitoring Period:	July	2022							Check box if no CSO discharge occurred for the month: ☐													
Design Peak Hourly Flow (MGD):	1.92	**Design Average Flow (MGD):**	1.08						Measured/Metered (M) or Estimated (E) must be specified													

WWTP Influent Data			Precipitation Data					CSO Outfall No. 046						CSO Outfall No. [#]					
Day of Month	Average Daily Flow (MGD)	Peak Hourly Flow (MGD)	Time Precip. Began (am/pm)	Precip. Duration (Hours)	Total Daily Precip. (Inches)	Peak Intensity (Inch/hr)	Measurement Interval (hr, 30 m, 15 m)	Time Discharge Began	M or E	Event Duration (Hours)	M or E	Event Discharge (MG)	M or E	Time Discharge Began	M or E	Event Duration (Hours)	M or E	Event Discharge (MG)	M or E
1	0.40	0.04																	
2	0.35	0.04																	
3	0.38	0.04																	
4	0.43	0.04																	
5	1.29	0.13	8:45 AM	3.00	0.45	1.95	15 min	10:00 AM	M	8.00	M	0.24	M						
6	1.02	0.10			1.36														
7	0.54	0.05			0.20														
8	0.99	0.10	7:30 AM	2.00	0.02	0.62	15 min	8:00 AM	M	8.00	M	0.05	M						
9	0.50	0.05			0.46														
10	0.45	0.05																	
11	0.43	0.04																	
12	0.45	0.05																	
13	0.53	0.05																	
14	0.43	0.04																	
15	0.54	0.05																	
16	0.68	0.07			0.51														
17	2.22	0.22	10:15 AM	5.00	0.15	4.00	15 min	10:30 AM	M	13.50	M	1.58	M						
18	1.10	0.11			3.03			12:00 AM	M	20.00	M	0.18	M						
19	0.65	0.07																	
20	0.52	0.05																	
21	0.50	0.05																	
22	0.41	0.04																	
23	0.92	0.09	8:40 AM	2.00		1.10	15 min	9:00 AM	M	7.00	M	0.52	M						
24	0.78	0.08			0.69														
25	0.51	0.05			0.36														
26	0.47	0.05																	
27	0.47	0.05																	
28	0.42	0.04																	
29	0.39	0.04																	
30	0.39	0.04																	
31	0.38	0.04																	
Totals:	19.54			12.00	7.23			5	Days	56.50		2.57		0	Days	0.00		0	

Typed or Printed Name and Title of Principal Executive Officer or Authorized Agent	Telephone
Terry L. Kongar Certified Operator	260-589-8526

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Signature of Principal Executive Officer or Authorized Agent	Date *(mm/dd/yy)*
Terry L. Kongar	08/26/22

National Pollutant Discharge Elimination System (NPDES)
CSO Monthly Report of Operation (CSO MRO)
State Form 50546 (R3 / 7-13)
INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

City:	City of Berne								Page 1 of 2					Permit Number: IN0021369								
Facility:	Berne WWTP								Public Notification Requirements Met? Y													
Monitoring Period:	August	2022							Check box if no CSO discharge occurred for the month: ☐													
Design Peak Hourly Flow (MGD):	1.92	**Design Average Flow (MGD):**	1.08						Measured/Metered (M) or Estimated (E) must be specified													

WWTP Influent Data			Precipitation Data					CSO Outfall No. 046						CSO Outfall No. [#]					
Day of Month	Average Daily Flow (MGD)	Peak Hourly Flow (MGD)	Time Precip. Began (am/pm)	Precip. Duration (Hours)	Total Daily Precip. (Inches)	Peak Intensity (Inch/hr)	Measurement Interval (hr, 30 m, 15 m)	Time Discharge Began	M or E	Event Duration (Hours)	M or E	Event Discharge (MG)	M or E	Time Discharge Began	M or E	Event Duration (Hours)	M or E	Event Discharge (MG)	M or E
1	0.43	0.04																	
2	0.37	0.04			0.03														
3	0.37	0.04																	
4	0.36	0.04																	
5	0.40	0.04																	
6	0.38	0.04																	
7	0.40	0.04																	
8	0.48	0.05																	
9	0.38	0.04			0.20														
10	0.36	0.04			0.05														
11	0.36	0.04																	
12	0.35	0.04																	
13	0.40	0.04																	
14	0.35	0.04																	
15	0.35	0.04																	
16	0.31	0.03																	
17	0.38	0.04																	
18	0.36	0.04																	
19	0.35	0.04																	
20	1.57	0.16	12:30 PM	1.00		4.80	15 min	1:00 PM	M	4.00	M	0.28	M						
21	0.49	0.05			0.76														
22	0.39	0.04			0.17														
23	0.29	0.03																	
24	0.26	0.03																	
25	0.35	0.04																	
26	0.39	0.04																	
27	0.41	0.04																	
28	0.46	0.05																	
29	1.47	0.15	2:30 AM	2.00	0.79	4.70	15 min	3:00 AM	M	7.00	M	0.22	M						
30	0.80	0.08			0.11														
31	0.52	0.05																	
Totals:	14.54			3.00	2.11			2	Days	11.00		0.5		0	Days	0.00		0	

Typed or Printed Name and Title of Principal Executive Officer or Authorized Agent	Telephone
Terry Kongar Certified Operator	260-589-3425

I CERTIFY UNDER PENALTY OF LAW THAT THIS DOCUMENT AND ALL ATTACHMENTS WERE PREPARED UNDER MY DIRECTION OR SUPERVISION IN ACCORDANCE WITH A SYSTEM DESIGNED TO ASSURE THAT QUALIFIED PERSONNEL PROPERLY GATHER AND EVALUATE THE INFORMATION SUBMITTED. BASED ON MY INQUIRY OF THE PERSONS WHO MANAGE THE SYSTEM OR THOSE PERSONS DIRECTLY RESPONSIBLE FOR GATHERING THE INFORMATION; THE INFORMATION SUBMITTED IS, TO THE BEST OF MY KNOWLEDGE AND BELIEF, TRUE, ACCURATE, AND COMPLETE. I AM AWARE THAT THERE ARE SIGNIFICANT PENALTIES FOR SUBMITTING FALSE INFORMATION, INCLUDING THE POSSIBILITY OF FINE AND IMPRISONMENT FOR KNOWING VIOLATIONS.

Signature of Principal Executive Officer or Authorized Agent	Date *(mm/dd/yy)*
Terry Kongar	09/28/22

National Pollutant Discharge Elimination System (NPDES)
CSO Monthly Report of Operation (CSO MRO)
State Form 50546 (R3 / 7-13)
INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

City:	**City of Berne**			**Page:** **2 of 2**	**Permit Number:** **IN0021369**
Facility:	**Berne WWTP**			**Public Notification Requirements Met?** **Y**	
Monitoring Period:	**August**	**2022**		**Check box if no CSO discharge occurred for the month:**	☐
Design Peak Hourly Flow (MGD):	**1.92**	**Design Average Flow (MGD):**	**1.08**		

Day of Month	Comments (further explanation as to why each CSO event occurred)
1	
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18	
19	
20	System Full
21	
22	
23	
24	
25	
26	
27	
28	
29	System Full
30	
31	

Typed or Printed Name and Title of Principal Executive Officer or Authorized Agent	Telephone
Terry Kongar Certified Operator	260-589-3425

I CERTIFY UNDER PENALTY OF LAW THAT THIS DOCUMENT AND ALL ATTACHMENTS WERE PREPARED UNDER MY DIRECTION OR SUPERVISION IN ACCORDANCE WITH A SYSTEM DESIGNED TO ASSURE THAT QUALIFIED PERSONNEL PROPERLY GATHER AND EVALUATE THE INFORMATION SUBMITTED. BASED ON MY INQUIRY OF THE PERSONS WHO MANAGE THE SYSTEM OR THOSE PERSONS DIRECTLY RESPONSIBLE FOR GATHERING THE INFORMATION; THE INFORMATION SUBMITTED IS, TO THE BEST OF MY KNOWLEDGE AND BELIEF, TRUE, ACCURATE, AND COMPLETE. I AM AWARE THAT THERE ARE SIGNIFICANT PENALTIES FOR SUBMITTING FALSE INFORMATION, INCLUDING THE POSSIBILITY OF FINE AND IMPRISONMENT FOR KNOWING VIOLATIONS.

Signature of Principal Executive Officer or Authorized Agent	Date *(mm/dd/yy)*
Terry Kongar	09/28/22

National Pollutant Discharge Elimination System (NPDES)
CSO Monthly Report of Operation (CSO MRO)
State Form 50546 (R3 / 7-13)
INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

City:	City of Berne							Page 1 of 2						Permit Number:	IN0021369				
Facility:	Berne WWTP													Public Notification Requirements Met?	Y				
Monitoring Period:	September	2022												Check box if no CSO discharge occurred for the month:	☐				
Design Peak Hourly Flow (MGD):	1.92	Design Average Flow (MGD):	1.08					Measured/Metered (M) or Estimated (E) must be specified											

	WWTP Influent Data		Precipitation Data					CSO Outfall No. 046						CSO Outfall No. [#]					
Day of Month	Average Daily Flow (MGD)	Peak Hourly Flow (MGD)	Time Precip. Began (am/pm)	Precip. Duration (Hours)	Total Daily Precip. (Inches)	Peak Intensity (Inch/hr)	Measurement Interval (hr, 30 m, 15 m)	Time Discharge Began	M or E	Event Duration (Hours)	M or E	Event Discharge (MG)	M or E	Time Discharge Began	M or E	Event Duration (Hours)	M or E	Event Discharge (MG)	M or E
1	0.43	0.04																	
2	0.40	0.04																	
3	0.38	0.04																	
4	0.36	0.04																	
5	0.38	0.04			0.05														
6	0.37	0.04																	
7	0.37	0.04																	
8	0.39	0.04																	
9	0.41	0.04																	
10	0.40	0.04			0.27														
11	1.14	0.11	9;30 AM	2.00	0.14	1.90	15 min	10:00 AM	M	12.00	M	0.05	M						
12	1.26	0.13	8:00 PM	1.00	1.16	0.90	15 min	9:00 PM	M	3.00	M	0.01	M						
13	1.10	0.11	1:00 AM	1.00	0.77	1.30	15 min	12:00 AM	M	5.00	M	0.03	M						
14	0.68	0.07			0.02														
15	0.47	0.05																	
16	0.43	0.04																	
17	0.39	0.04																	
18	0.35	0.04																	
19	0.38	0.04			0.02														
20	0.31	0.03																	
21	0.46	0.05																	
22	0.42	0.04			0.13														
23	0.38	0.04																	
24	0.36	0.04																	
25	0.39	0.04																	
26	0.41	0.04																	
27	0.41	0.04			0.03														
28	0.36	0.04																	
29	0.36	0.04																	
30	0.37	0.04																	
Totals:	14.32			4.00	2.59			3	Days	20.00		0.09		0	Days	0.00		0	

Typed or Printed Name and Title of Principal Executive Officer or Authorized Agent	Telephone
Terry Kongar Certified Operator	260-589-8526

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Signature of Principal Executive Officer or Authorized Agent	Date *(mm/dd/yy)*
Terry Kongar Certified Operator	10/27/22

National Pollutant Discharge Elimination System (NPDES)
CSO Monthly Report of Operation (CSO MRO)
State Form 50546 (R3 / 7-13)
INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

City:	**City of Berne**			**Page:** **2 of 2**	**Permit Number:** **IN0021369**
Facility:	**Berne WWTP**			**Public Notification Requirements Met?** **Y**	
Monitoring Period:	**September**	**2022**		**Check box if no CSO discharge occurred for the month:**	☐
Design Peak Hourly Flow (MGD):	**1.92**	**Design Average Flow (MGD):**	**1.08**		

Day of Month	Comments (further explanation as to why each CSO event occurred)
1	
2	
3	
4	
5	
6	
7	
8	
9	
10	
11	System Full
12	System Full
13	System Full
14	
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Typed or Printed Name and Title of Principal Executive Officer or Authorized Agent	Telephone
Terry Kongar Certified Operator	260-589-8526

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Signature of Principal Executive Officer or Authorized Agent	Date *(mm/dd/yy)*
Terry Kongar Certified Operator	10/27/22

National Pollutant Discharge Elimination System (NPDES)
CSO Monthly Report of Operation (CSO MRO)
State Form 50546 (R3 / 7-13)
INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

City:	**City of Berne**								**Page 1 of 2**						**Permit Number:**		**IN0021369**			
Facility:	**Berne WWTP**														**Public Notification Requirements Met?**		**Y**			
Monitoring Period:		**October**	**2022**												**Check box if no CSO discharge occurred for the month:**					☐
Design Peak Hourly Flow (MGD):			**1.92**	**Design Average Flow (MGD):**		**1.08**			**Measured/Metered (M) or Estimated (E) must be specified**											

WWTP Influent Data			**Precipitation Data**					**CSO Outfall No. 046**						**CSO Outfall No. [#]**					
Day of Month	**Average Daily Flow (MGD)**	**Peak Hourly Flow (MGD)**	**Time Precip. Began (am/pm)**	**Precip. Duration (Hours)**	**Total Daily Precip. (Inches)**	**Peak Intensity (Inch/hr)**	**Measurement Interval (hr, 30 m, 15 m)**	**Time Discharge Began**	**M or E**	**Event Duration (Hours)**	**M or E**	**Event Discharge (MG)**	**M or E**	**Time Discharge Began**	**M or E**	**Event Duration (Hours)**	**M or E**	**Event Discharge (MG)**	**M or E**
1	0.36	0.04																	
2	0.38	0.04																	
3	0.40	0.04																	
4	0.37	0.04																	
5	0.36	0.04																	
6	0.36	0.04																	
7	0.37	0.04																	
8	0.36	0.04																	
9	0.41	0.04																	
10	0.37	0.04																	
11	0.35	0.04																	
12	0.37	0.04																	
13	0.40	0.04			0.11														
14	0.41	0.04																	
15	0.44	0.04																	
16	0.40	0.04																	
17	0.50	0.05																	
18	0.45	0.05			0.25														
19	0.46	0.05			0.15														
20	0.38	0.04			0.05														
21	0.37	0.04																	
22	0.40	0.04																	
23	0.37	0.04																	
24	0.42	0.04																	
25	0.71	0.07																	
26	0.53	0.05			0.47														
27	0.43	0.04			0.07														
28	0.42	0.04																	
29	0.45	0.05																	
30	0.60	0.06																	
31	0.63	0.06			0.42														
Totals:	13.23			0.00	1.52			0	Days	0.00		0		0	Days	0.00		0	

Typed or Printed Name and Title of Principal Executive Officer or Authorized Agent	**Telephone**
Terry Kongar Certified Operator	260-589-8526

I CERTIFY UNDER PENALTY OF LAW THAT THIS DOCUMENT AND ALL ATTACHMENTS WERE PREPARED UNDER MY DIRECTION OR SUPERVISION IN ACCORDANCE WITH A SYSTEM DESIGNED TO ASSURE THAT QUALIFIED PERSONNEL PROPERLY GATHER AND EVALUATE THE INFORMATION SUBMITTED. BASED ON MY INQUIRY OF THE PERSONS WHO MANAGE THE SYSTEM OR THOSE PERSONS DIRECTLY RESPONSIBLE FOR GATHERING THE INFORMATION; THE INFORMATION SUBMITTED IS, TO THE BEST OF MY KNOWLEDGE AND BELIEF, TRUE, ACCURATE, AND COMPLETE. I AM AWARE THAT THERE ARE SIGNIFICANT PENALTIES FOR SUBMITTING FALSE INFORMATION, INCLUDING THE POSSIBILITY OF FINE AND IMPRISONMENT FOR KNOWING VIOLATIONS.

Signature of Principal Executive Officer or Authorized Agent	**Date *(mm/dd/yy)***
Terry Kongar	11/28/22

National Pollutant Discharge Elimination System (NPDES)
CSO Monthly Report of Operation (CSO MRO)
State Form 50546 (R3 / 7-13)
INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

City:	**City of Berne**			**Page: 2 of 2**	**Permit Number: IN0021369**
Facility: Berne WWTP				**Public Notification Requirements Met?**	**Y**
Monitoring Period:	**October**	**2022**		**Check box if no CSO discharge occurred for the month:**	☐
Design Peak Hourly Flow (MGD):	**1.92**	**Design Average Flow (MGD):**	**1.08**		

Day of Month	Comments (further explanation as to why each CSO event occurred)
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Typed or Printed Name and Title of Principal Executive Officer or Authorized Agent	Telephone
Terry Kongar Operator Certified	260-589-8526

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Terry Kongar	11/28/22

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City:	City of Berne							Page 1 of 2						Permit Number:	IN0021369				
Facility:	Berne WWTP													Public Notification Requirements Met?	Y				
Monitoring Period:	November	2022												Check box if no CSO discharge occurred for the month:	☐				
Design Peak Hourly Flow (MGD):	1.92	Design Average Flow (MGD):	1.08					Measured/Metered (M) or Estimated (E) must be specified											

	WWTP Influent Data		Precipitation Data					CSO Outfall No. 046						CSO Outfall No. [#]					
Day of Month	Average Daily Flow (MGD)	Peak Hourly Flow (MGD)	Time Precip. Began (am/pm)	Precip. Duration (Hours)	Total Daily Precip. (Inches)	Peak Intensity (Inch/hr)	Measurement Interval (hr, 30 m, 15 m)	Time Discharge Began	M or E	Event Duration (Hours)	M or E	Event Discharge (MG)	M or E	Time Discharge Began	M or E	Event Duration (Hours)	M or E	Event Discharge (MG)	M or E
1	0.48	0.05			0.11														
2	0.45	0.05																	
3	0.42	0.04																	
4	0.44	0.04																	
5	0.39	0.04																	
6	0.39	0.04																	
7	0.43	0.04																	
8	0.39	0.04																	
9	0.40	0.04																	
10	0.39	0.04																	
11	0.45	0.05																	
12	0.45	0.05																	
13	0.45	0.05			0.28														
14	0.45	0.05																	
15	0.43	0.04																	
16	0.42	0.04			0.05														
17	0.48	0.05			0.05														
18	0.41	0.04																	
19	0.37	0.04																	
20	0.40	0.04																	
21	0.43	0.04																	
22	0.45	0.05																	
23	0.47	0.05																	
24	0.38	0.04																	
25	0.38	0.04			0.05														
26	0.55	0.06																	
27	1.41	0.14	9:00 AM	5.00	0.45	0.16	15 min	11:30 AM	M	7.00	M	0.04	M						
28	0.56	0.06			0.54														
29	0.57	0.06																	
30	0.53	0.05			0.13														
Totals:	14.22			5.00	1.66			1	Days	7.00		0.04		0	Days	0.00		0	

Typed or Printed Name and Title of Principal Executive Officer or Authorized Agent	Telephone
Terry Kongar Certified Operator	260-589-8526

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Signature of Principal Executive Officer or Authorized Agent	Date *(mm/dd/yy)*
Terry Kongar Certified Operator	12/12/22

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City:	**City of Berne**			**Page: 2 of 2**	**Permit Number: IN0021369**
Facility: Berne WWTP				**Public Notification Requirements Met?**	**Y**
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Day of Month	Comments (further explanation as to why each CSO event occurred)
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27	System Full
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Typed or Printed Name and Title of Principal Executive Officer or Authorized Agent	Telephone
Terry Kongar Certified Operator	260-589-8526

I CERTIFY UNDER PENALTY OF LAW THAT THIS DOCUMENT AND ALL ATTACHMENTS WERE PREPARED UNDER MY DIRECTION OR SUPERVISION IN ACCORDANCE WITH A SYSTEM DESIGNED TO ASSURE THAT QUALIFIED PERSONNEL PROPERLY GATHER AND EVALUATE THE INFORMATION SUBMITTED. BASED ON MY INQUIRY OF THE PERSONS WHO MANAGE THE SYSTEM OR THOSE PERSONS DIRECTLY RESPONSIBLE FOR GATHERING THE INFORMATION; THE INFORMATION SUBMITTED IS, TO THE BEST OF MY KNOWLEDGE AND BELIEF, TRUE, ACCURATE, AND COMPLETE. I AM AWARE THAT THERE ARE SIGNIFICANT PENALTIES FOR SUBMITTING FALSE INFORMATION, INCLUDING THE POSSIBILITY OF FINE AND IMPRISONMENT FOR KNOWING VIOLATIONS.

Signature of Principal Executive Officer or Authorized Agent	Date *(mm/dd/yy)*
Terry Kongar Certified Operator	12/12/22

Appendix D

City of Berne CSO LTCP Phase I Completion

City of Berne

Settled 1852
158 W. Franklin Street • Berne, Indiana 46711
(260) 589-8526
Gregg A. Sprunger, Mayor
Gwendolyn J. Maller, Clerk-Treasurer

January 14, 2021

Office of Water Quality
Indiana Department of Environmental Management
100 North Senate Avenue
Mail Code 65-42 IGCN 1255
Indianapolis, IN 46204

Attn: Cara Kitchen, CSO Manager
Municipal NPDES Permits
Permits Branch

Re: CSO LTCP Phase I Sewer Separation Update
Agreed Order Case No. 2004-14217-W
NPDES No. IN0021369
City of Berne
Adams County, Indiana

Dear Mrs. Kitchen,

The purpose of this correspondence is to provide the Indiana Department of Environmental Management (IDEM) Office of Water Quality (OWQ) an update regarding the implementation of the City's Combined Sewer Overflow (CSO) Long Term Control Plan (LTCP) that is enforced through Agreed Order Case No. 2004-14217-W.

We are pleased to report that the Phase I Combined Sewer Separation construction commenced on February 24, 2020 and substantial completion was issued to the contractor on November 23, 2020. We will continue with the remaining CSO LTCP Amendment milestones as approved by IDEM OWQ dated January 22, 2018.

If you should have any questions on the matters discussed above, please contact me at (260) 589-8526 or Brady Dryer by phone at (317) 888-1177 or by email at bdryer@contactcei.com.

Sincerely,
CITY OF BERNE

The Honorable Mayor Gregg A. Sprunger

cc: Terry Kongar, Wastewater Superintendent – City of Berne
Kurt Dailey, Workforce Manager – City of Berne
Ben Adams, P.E., Commonwealth Engineers, Inc.