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**TITLE 312 NATURAL RESOURCES COMMISSION**

LSA Document #00-40(F)

**DIGEST**

Adds 312 IAC 16-1-19.5, 312 IAC 16-1-21.5, 312 IAC 16-1-28.5, 312 IAC 16-1-31.5, 312 IAC 16-1-43.5, 312 IAC 16-1-43.7, 312 IAC 16-1-44.5, 312 IAC 16-1-45.5, and 312 IAC 16-1-50.5 to establish new definitions for oil and gas operations. Adds 312 IAC 16-5-22, 312 IAC 16-5-23, 312 IAC 16-5-24, 312 IAC 16-5-25, 312 IAC 16-5-26, 312 IAC 16-5-27, 312 IAC 16-5-28, and 312 IAC 16-5-29 and attendant definitions to allow the department of natural resources, division of oil and gas, to manage the reporting, containment, and cleanup of spills of oil and saltwater. Specifies the reporting criteria, containment requirements, and cleanup standards that will be applied to spills of oil or saltwater from oil and gas operations at a facility defined by the rule. Effective 30 days after filing with the secretary of state.

<b>312 IAC 16-1-19.5</b>	<b>312 IAC 16-5-22</b>
<b>312 IAC 16-1-21.5</b>	<b>312 IAC 16-5-23</b>
<b>312 IAC 16-1-28.5</b>	<b>312 IAC 16-5-24</b>
<b>312 IAC 16-1-31.5</b>	<b>312 IAC 16-5-25</b>
<b>312 IAC 16-1-43.5</b>	<b>312 IAC 16-5-26</b>
<b>312 IAC 16-1-43.7</b>	<b>312 IAC 16-5-27</b>
<b>312 IAC 16-1-44.5</b>	<b>312 IAC 16-5-28</b>
<b>312 IAC 16-1-45.5</b>	<b>312 IAC 16-5-29</b>
<b>312 IAC 16-1-50.5</b>	

SECTION 1. 312 IAC 16-1-19.5 IS ADDED TO READ AS FOLLOWS:

**312 IAC 16-1-19.5 “Facility” defined**

**Authority:** IC 14-37-3

**Affected:** IC 14-37

**Sec. 19.5. “Facility” means an oil and gas exploration or production operation contained within a single lease or group of leases communized into a single operating unit.** *(Natural Resources Commission; 312 IAC 16-1-19.5; filed Sep 11, 2000, 3:31 p.m.: 24 IR 278)*

SECTION 2. 312 IAC 16-1-21.5 IS ADDED TO READ AS FOLLOWS:

**312 IAC 16-1-21.5 “Fluid contaminated with oil or saltwater” defined**

**Authority:** IC 14-37-3

**Affected:** IC 14-37

**Sec. 21.5. “Fluid contaminated with oil or saltwater” means a fluid that contains:**

- (1) oil, as defined at 312 IAC 16-1-37 [section 37 of this rule]; or**
- (2) saltwater, as defined at 312 IAC 16-1-43.1 [section 43.5 of this rule].**

**A fluid is contaminated with saltwater if the total dissolved solids content of a representative sample of the fluid is greater than seven hundred fifty milligrams per liter (750 mg/l).** *(Natural Resources Commission; 312 IAC 16-1-21.5; filed Sep 11, 2000, 3:31 p.m.: 24 IR 278)*

SECTION 3. 312 IAC 16-1-28.5 IS ADDED TO READ AS FOLLOWS:

**312 IAC 16-1-28.5 “Indiana department of environmental management” or “IDEM” defined**

**Authority: IC 14-37-3**  
**Affected: IC 13-13-1; IC 14-37**

**Sec. 28.5. “Indiana department of environmental management” or “IDEM” means the agency established under IC 13-13-1.** *(Natural Resources Commission; 312 IAC 16-1-28.5; filed Sep 11, 2000, 3:31 p.m.: 24 IR 278)*

SECTION 4. 312 IAC 16-1-31.5 IS ADDED TO READ AS FOLLOWS:

**312 IAC 16-1-31.5 “Lease” defined**  
**Authority: IC 14-37-3**  
**Affected: IC 14-37**

**Sec. 31.5. “Lease” means the property from which an owner may produce oil or gas.** *(Natural Resources Commission; 312 IAC 16-1-31.5; filed Sep 11, 2000, 3:31 p.m.: 24 IR 278)*

SECTION 5. 312 IAC 16-1-43.5 IS ADDED TO READ AS FOLLOWS:

**312 IAC 16-1-43.5 “Saltwater” defined**  
**Authority: IC 14-37-3**  
**Affected: IC 14-37**

**Sec. 43.5. “Saltwater” means water that is brought to the surface in connection with conventional oil or gas production or wastewater (other than wastewaters classified as hazardous waste) from gas plants that are an integral part of production operations. The term includes fluids contaminated with saltwater.** *(Natural Resources Commission; 312 IAC 16-1-43.5; filed Sep 11, 2000, 3:31 p.m.: 24 IR 278)*

SECTION 6. 312 IAC 16-1-43.7 IS ADDED TO READ AS FOLLOWS:

**312 IAC 16-1-43.7 “Secondary containment structure” defined**  
**Authority: IC 14-37-3**  
**Affected: IC 14-37**

**Sec. 43.7. “Secondary containment structure” means a structure specifically constructed to contain a spill of crude oil or saltwater for a period of no less than seventy-two (72) hours.** *(Natural Resources Commission; 312 IAC 16-1-43.7; filed Sep 11, 2000, 3:31 p.m.: 24 IR 278)*

SECTION 7. 312 IAC 16-1-44.5 IS ADDED TO READ AS FOLLOWS:

**312 IAC 16-1-44.5 “Spill” defined**  
**Authority: IC 14-37-3**  
**Affected: IC 14-37; IC 14-38**

**Sec. 44.5. “Spill” means any unexpected, unintended, abnormal, or unapproved dumping, leakage, drainage, seepage, discharge, or other loss of crude oil or saltwater from any operation governed by IC 14-37 or IC 14-38.** *(Natural Resources Commission; 312 IAC 16-1-44.5; filed Sep 11, 2000, 3:31 p.m.: 24 IR 279)*

SECTION 8. 312 IAC 16-1-45.5 IS ADDED TO READ AS FOLLOWS:

**312 IAC 16-1-45.5 “Tank bottoms” defined**  
**Authority: IC 14-37-3**  
**Affected: IC 14-37**

**Sec. 45.5. “Tank bottoms” means fluids, consisting primarily of emulsified oil, bottom sediments, and water, from stock tanks that are a part of primary field operations.** *(Natural Resources Commission; 312 IAC 16-1-45.5; filed Sep 11, 2000, 3:31 p.m.: 24 IR 279)*

SECTION 9. 312 IAC 16-1-50.5 IS ADDED TO READ AS FOLLOWS:

**312 IAC 16-1-50.5 “Waters of the state” defined**

**Authority:** IC 14-37-3  
**Affected:** IC 14-37

**Sec. 50.5.** “Waters of the state” means such accumulations of water, surface and underground, natural and artificial, public and private, or parts thereof, which are wholly or partially within, flow through, or border upon this state, but the term does not include any private pond, or any off-stream pond, reservoir, or facility built for reduction or control of pollution or cooling of water prior to discharge unless the discharge therefrom causes or threatens to cause water pollution. *(Natural Resources Commission; 312 IAC 16-1-50.5; filed Sep 11, 2000, 3:31 p.m.: 24 IR 279)*

SECTION 10. 312 IAC 16-5-22 IS ADDED TO READ AS FOLLOWS:

**312 IAC 16-5-22 Spill containment**

**Authority:** IC 14-37-3  
**Affected:** IC 14-37

**Sec. 22. (a)** An owner or operator shall contain all spills of oil or saltwater as required by this section.

**(b)** Spills that are not confined within a secondary containment structure shall be contained by the placement of absorbent materials, emergency excavations, or by other collection means designed to prevent the migration of the spill.

**(c)** Used absorbent materials shall be disposed of as follows:

- (1)** in a municipal solid waste landfill permitted under 329 IAC 10; or
- (2)** in another manner approved by the division.

*(Natural Resources Commission; 312 IAC 16-5-22; filed Sep 11, 2000, 3:31 p.m.: 24 IR 279)*

SECTION 11. 312 IAC 16-5-23 IS ADDED TO READ AS FOLLOWS:

**312 IAC 16-5-23 Spill reporting**

**Authority:** IC 14-37-3  
**Affected:** IC 14-37

**Sec. 23. (a)** An owner or operator shall report all spills of oil or saltwater as required by Table 1.

**Table 1. Spill Reporting Requirements**

Size and Location of the Spill	Report the Spill to the:	
	Indiana Department of Natural Resources	Indiana Department of Environmental Management
More than 2,000 gallons of oil or saltwater that is contained in a secondary containment structure approved by the Department of Natural Resources.	Not more than 48 hours after discovery of the spill.	
More than 1,000 gallons of oil or saltwater that is not contained in a secondary containment structure approved by the Department of Natural Resources.		Not more than 2 hours after discovery of the spill.

Less than 1,000 gallons but more than 42 gallons of oil or saltwater that is not contained in a secondary containment structure approved by the Department of Natural Resources but is contained within the boundary of the facility.	Not more than 48 hours after discovery of the spill.	
More than 55 gallons of oil that is not contained within the boundary of a facility.		Not more than 2 hours after discovery of the spill.
Less than 55 gallons of oil or saltwater that is not contained within the boundary of a facility.	Not more than 48 hours after discovery of the spill.	
Any spill of oil or saltwater that enters waters of the state.		Not more than 2 hours after discovery of the spill.
Any spill of oil or saltwater: (1) that has not been cleaned up in accordance with section 24 of this rule; or (2) for which cleanup has not been started in accordance with section 24 of this rule.		Not more than 2 hours after discovery of the spill.
Any spill of less than 42 gallons of oil or saltwater that does not enter waters of the state.	No report required.	

(b) Spills required by Table 1 to be reported to the Indiana department of natural resources must be reported to the Evansville field office by telephone at (812) 477-8773, or by facsimile at (812) 477-8952.

(c) Spills required by Table 1 to be reported to the Indiana department of environmental management must be reported to the office of environmental response at (317) 233-7745 or (888) 233-7745 (toll-free in Indiana).

(d) Each report of a spill must include all of the following information:

- (1) The name, address, and telephone number of the person making the report.
- (2) The name, address, and telephone number of a contact person, if different than the person making the report.
- (3) The location of the spill, including lease name, township, range, and section.
- (4) The time of the spill.
- (5) The identification of the substance spilled.
- (6) The approximate quantity of the substance that has been spilled or may be spilled.
- (7) The duration of the spill.
- (8) The source of the spill.
- (9) The name and location of waters damaged.
- (10) The identity of any response organization responding to the spill.
- (11) What measures have been or will be undertaken to perform a spill response.

**(12) Any other information that may be significant to the response action.**

*(Natural Resources Commission; 312 IAC 16-5-23; filed Sep 11, 2000, 3:31 p.m.: 24 IR 279)*

SECTION 12. 312 IAC 16-5-24 IS ADDED TO READ AS FOLLOWS:

**312 IAC 16-5-24 Spill cleanup**

**Authority:** IC 14-37-3

**Affected:** IC 14-37

**Sec. 24. (a) An owner or operator shall clean up spills of oil, fluids contaminated with oil, or saltwater as required by this section.**

**(b) Oil or fluid contaminated with oil that is confined within a secondary containment structure or collected as required by 312 IAC 16-5-22 [section 22 of this rule] must be:**

- (1) removed within seventy-two (72) hours;**
- (2) placed in a nonleaking storage tank; and**
- (3) managed or disposed of in accordance with 312 IAC 16-5-27(a) [section 27(a) of this rule].**

**(c) Saltwater that is confined within a secondary containment structure or collected as required by 312 IAC 16-5-22 [section 22 of this rule] must be:**

- (1) removed within seventy-two (72) hours;**
- (2) placed in a nonleaking storage tank; and**
- (3) disposed of in accordance with 312 IAC 16-5-27(b) [section 27(b) of this rule].**

**(d) Fluid placed in a nonleaking storage tank under subsection (b) or subsection (c) must be disposed of in accordance with 312 IAC 16-5-27 [section 27 of this rule] within thirty (30) days after discovery of the spill unless additional time is approved by the division.**

**(e) Soils contaminated with more than one (1) gallon of oil must be cleaned up as follows:**

- (1) Soils that meet the conditions for remediation in 312 IAC 16-5-25(c) [section 25(c) of this rule] may be:**
  - (A) remediated at the facility as required by 312 IAC 16-5-25 [section 25 of this rule];**
  - (B) applied to lease roads in accordance with 312 IAC 16-5-27(a)(1) [section 27(a)(1) of this rule]; or**
  - (C) excavated and disposed of as required by 312 IAC 16-5-27(d) [section 27(d) of this rule].**
- (2) Soils that do not meet the conditions for remediation in 312 IAC 16-5-25(c) [section 25(c) of this rule] must be excavated and disposed of as required by 312 IAC 16-5-27(e) [section 27(e) of this rule].**

**(f) Soils contaminated with saltwater must be cleaned up as required by 329 IAC 16-5-26 [section 26 of this rule].**

**(g) Soils contaminated with oil that will be remediated under 312 IAC 16-5-25 [section 25 of this rule] must be managed to prevent discharge of oil to unaffected soil or waters of the state. *(Natural Resources Commission; 312 IAC 16-5-24; filed Sep 11, 2000, 3:31 p.m.: 24 IR 280)***

SECTION 13. 312 IAC 16-5-25 IS ADDED TO READ AS FOLLOWS:

**312 IAC 16-5-25 Remediation of soils contaminated with oil**

**Authority:** IC 14-37-3

**Affected:** IC 14-37

**Sec. 25. (a) The owner or operator may clean up soils contaminated with oil using remediation at the facility only as required by this section.**

**(b) The owner or operator may use a remediation method for soils contaminated with crude oil that is documented with a standard or procedure published by one (1) of the following:**

- (1) A department or agency of the federal government.**
- (2) A state environmental or natural resources agency.**

- (3) American Society for Testing and Materials.
- (4) National Fire Protection Association.
- (5) American Petroleum Institute.

(c) Remediation may be used at a facility only if all of the following conditions are met:

- (1) Remediation is not prohibited by Table 2 [in subsection (e)].
- (2) The slope of the remediation site is less than six percent (6%).
- (3) The remediation site is not:
  - (A) subject to frequent, common, or occasional flooding as described in the soil survey prepared for the county by the natural resources conservation service;
  - (B) located in a flood plain or a floodway as defined at 310 IAC 6-1-3; or
  - (C) a wetland.
- (4) The surface soil at the remediation site is not classified as a hydric soil in the soil survey prepared for the county by the Natural Resources Conservation Service. Soil surveys are available from the Natural Resources Conservation Service, P.O. Box 2890, Washington, D.C. 20013; from the State Conservationist, 6013 Lakeside Blvd., Indianapolis, IN 46278, (317) 290-3200 ext. 301; or from the cooperative extension service office in the county.
- (5) The entire remediation site is within the boundary of the facility.
- (6) No part of the remediation site is within one hundred (100) feet of any surface water or field tile.
- (7) No part of the remediation site is within fifteen hundred [one thousand five hundred] (1,500) feet of any public water supply well.
- (8) No part of the remediation site is within five hundred (500) feet of any domestic water well.
- (9) No part of the remediation site is within a wellhead protection area that is delineated and approved in accordance with rules of the water pollution control board at 327 IAC 8-4.1.

(d) Contaminated soil that is not permitted to be remediated by Table 2 [in subsection (e)] must be excavated and disposed of as required by 312 IAC 16-5-27 [section 27 of this rule].

(e) The remediation method to be used must be determined by the soil characteristics that exist at the remediation site as described in Table 2:

**Table 2. Requirements for Remediation Based on Permeability of Surface Soil and Depth of Ground Water at the Remediation Site**

Permeability <sup>1</sup> and Depth of Ground Water <sup>1</sup>	Remediation Requirements
More than 2.0 inches/hour permeability and Less than 6 feet depth to ground water	Remediation is not permitted.
More than 2.0 inches/hour permeability and More than 6 feet depth to ground water	Use a liner that meets the requirements of subsection (f).
Less than 2.0 inches/hour permeability and Less than 6 feet depth to ground water	Use a liner that meets the requirements of subsection (f).
Less than 2.0 inches/hour permeability and More than 6 feet depth to ground water	No restrictions.

<sup>1</sup>Permeability of surface soil and depth of ground water during the remediation as described in the soil survey prepared for the county by the Natural Resources Conservation Service or by on-site inspection and analysis by a qualified soil scientist or licensed professional geologist. Soil surveys are available from the Natural Resources Conservation Service, P.O. Box 2890, Washington, D.C. 20013; from the State Conservationist, 6013 Lakeside Blvd., Indianapolis, IN 46278, (317) 290-3200 ext. 301; or from the cooperative extension service office in your county.

(f) If a liner is required by Table 2 [in subsection (e)], remediation may be conducted on any site where one (1) of the following has been constructed:

- (1) A synthetic liner that meets all of the following requirements:
  - (A) Constructed of a minimum of twenty (20) mil polyethylene or its equivalent.
  - (B) Hydraulic conductivity of  $1 \times 10^{-6}$  centimeters per second or less.
  - (C) Installed in accordance with the manufacturer's directions.
  - (D) Equipped with a leachate collection system that collects all leachate from the remediation site for monitoring and proper disposal.
  - (E) Installed at least two (2) feet above the depth of ground water.
- (2) A compacted soil liner that meets all of the following requirements:
  - (A) Constructed of soil compacted to a depth of two (2) feet.
  - (B) Hydraulic conductivity of  $1 \times 10^{-6}$  centimeters per second or less.
  - (C) Installed at least two (2) feet above the depth of ground water.

(g) The owner or operator shall:

- (1) begin remediation as soon as practicable but not more than one hundred twenty (120) days after discovery of the spill;
- (2) notify the division within seven (7) days after beginning remediation;
- (3) follow the remediation method or procedure selected as closely as possible;
- (4) monitor the remediation site as required by 312 IAC 16-5-28 [section 28 of this rule] during remediation; and
- (5) complete remediation as described in subsection (h) within:
  - (A) three hundred sixty-five (365) days after beginning remediation; or
  - (B) another time period approved by the division.

(h) Remediation of soils contaminated with oil is complete when the concentration of polynuclear aromatic hydrocarbons in the soil is reduced to the values shown in Table 3:

Table 3. Criteria for Completion of Remediation of Soils Contaminated with Oil

Contaminant	Maximum Concentration <sup>1</sup>
Acenaphthene	130 ppm
Anthracene	51 ppm
Benzo(a)anthracene <sup>2</sup>	5.0 ppm
Benzo(b)fluoranthene <sup>2</sup>	5.0 ppm
Benzo(k)fluoranthene <sup>2</sup>	39 ppm
Benzo(a)pyrene <sup>2</sup>	0.50 ppm
Chrysene <sup>2</sup>	26 ppm
Dibenz(a,h)anthracene <sup>2</sup>	0.5 ppm
Fluoranthene	880 ppm
Fluorene	170 ppm
Indeno(1,2,3-cd)pyrene <sup>2</sup>	3.0 ppm
Naphthalene	0.70 ppm

Pyrene

570 ppm

<sup>1</sup>The maximum concentration of polynuclear aromatic hydrocarbons in soil contaminated with oil is determined by testing a representative sample of that soil using U.S. EPA Method 8310, "Polynuclear Aromatic Hydrocarbons". Method 8310 is found in the U.S. Environmental Protection Agency Publication SW-846, Third Edition (November 1986), "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods", as amended by Updates I (July 1992), II (September 1994), IIA (August 1993), IIB (January 1995), and III (December 1996). U.S. Environmental Protection Agency Publication SW-846 is available from the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402, (202) 512-1800.

<sup>2</sup>This substance is a carcinogen identified in the RISC Technical Resources Guidance Document, Draft February 18, 1999.

(i) If the contaminated soil does not meet the completion criteria in subsection (h) within:

- (1) three hundred sixty-five (365) days after beginning remediation; or
- (2) another time period approved by the division;

the owner or operator shall excavate all soil that does not meet the completion criteria in subsection (h) and dispose of that soil as required by 312 IAC 16-5-27 [section 27 of this rule]. (Natural Resources Commission; 312 IAC 16-5-25; filed Sep 11, 2000, 3:31 p.m.: 24 IR 281)

SECTION 14. 312 IAC 16-5-26 IS ADDED TO READ AS FOLLOWS:

**312 IAC 16-5-26 Remediation of soils contaminated with saltwater**

Authority: IC 14-37-3

Affected: IC 14-37

Sec. 26. (a) The owner or operator shall clean up soils contaminated with saltwater using remediation at the facility only as required by this section.

(b) The owner or operator may use a remediation method for soils contaminated with saltwater that is documented with a standard or procedure published by one (1) of the following:

- (1) A department or agency of the federal government.
- (2) A state environmental or natural resources agency.
- (3) American Society of Testing and Materials.
- (4) American Petroleum Institute.

(c) Instead of using a method described in subsection (b), the owner or operator may submit to the division a written remediation plan that is designed to:

- (1) prevent additional soil damage;
- (2) prevent soil erosion;
- (3) where feasible, remediate the soil to a condition where it can support vegetation;
- (4) establish vegetative cover; and
- (5) where feasible, use a vegetative cover with palatability and seasons of use characteristics similar to the vegetation already present on adjoining uncontaminated sites.

(d) If the division approves a remediation plan submitted under subsection (c), the owner or operator may use that approved remediation plan to clean up soils contaminated with saltwater at the facility. (Natural Resources Commission; 312 IAC 16-5-26; filed Sep 11, 2000, 3:31 p.m.: 24 IR 282)



SECTION 15. 312 IAC 16-5-27 IS ADDED TO READ AS FOLLOWS:

**312 IAC 16-5-27 Disposal**

**Authority: IC 14-37-3**

**Affected: IC 14-37**

**Sec. 27. (a) Oil or fluid contaminated with oil must be managed using one (1) of the following methods:**

**(1) Oil or fluid contaminated with oil may be applied to lease roads for the purpose of dust suppression in a manner designed to insure [ensure] that the materials do not leave the roadbed. Oil or fluid contaminated with oil must be:**

**(A) stored in a leak-free tank; and**

**(B) applied to lease roads within seventy-two (72) hours of removal from the secondary containment unless a longer period of time is authorized by the division.**

**(2) Oil or fluid contaminated with oil may be:**

**(A) placed in a leak-free tank; and**

**(B) returned to crude oil production in accordance with this article.**

**(3) Oil or fluid contaminated with oil may be disposed of in a solid waste land disposal facility if such disposal is approved by the department of environmental management.**

**(b) Saltwater or fluid contaminated with saltwater must be:**

**(1) injected into a Class II well authorized under 312 IAC 16-3; or**

**(2) discharged under a NPDES permit issued by the Indiana department of environmental management.**

**(c) Soil contaminated with oil or saltwater may be disposed of as alternate daily cover in a municipal solid waste landfill permitted under 329 IAC 10 in accordance with:**

**(1) 329 IAC 10-20-14.1; and**

**(2) the permit issued to the landfill under 329 IAC 10.**

**(d) After three hundred sixty-five (365) days of remediation, or another time period approved by the division, all soil contaminated with oil that has a remaining concentration of polynuclear aromatic hydrocarbons greater than the values listed in Table 3 in section 25(h) of this rule must be:**

**(1) excavated;**

**(2) removed from the facility;**

**(3) disposed of in accordance with 329 IAC 10-8.1-13 in a municipal solid waste landfill permitted by the Indiana department of environmental management under 329 IAC 10; and**

**(4) replaced with comparable uncontaminated soil.**

**(e) All soil contaminated with oil that is not permitted to be remediated under section 25 of this rule must be:**

**(1) excavated;**

**(2) removed from the facility;**

**(3) disposed of in accordance with 329 IAC 10-8.1-13 in a municipal solid waste landfill permitted by the Indiana department of environmental management under 329 IAC 10; and**

**(4) replaced with comparable uncontaminated soil.**

*(Natural Resources Commission; 312 IAC 16-5-27; filed Sep 11, 2000, 3:31 p.m.: 24 IR 283)*

SECTION 16. 312 IAC 16-5-28 IS ADDED TO READ AS FOLLOWS:

**312 IAC 16-5-28 Monitoring**

**Authority: IC 14-37-3**

**Affected: IC 14-37**

**Sec. 28. (a) The owner or operator shall monitor a remediation site for releases or discharges of oil or fluid contaminated with oil to surface waters as required by Table 4:**

**Table 4. Requirements for Monitoring a Remediation Site for Discharges to Surface Waters**

Remediation Site Location	Type of Monitoring
More than 1,500 feet from surface water or field tile.	No requirement.
500 to 1,500 feet from surface water or field tile.	Once every 30 days, conduct a visual inspection during daylight hours of all surface water or field tile within 500 to 1,500 feet of remediation site for visible film, sheen, or discoloration of the surface of the water or sludge or emulsion beneath the surface or upon adjoining shorelines.
100 to 500 feet from surface water or field tile.	(1) Once every 7 days, conduct a visual inspection during daylight hours of all surface water within 100 to 500 feet of remediation site for visible film, sheen, or discoloration of the surface of the water or sludge or emulsion beneath the surface or upon adjoining shorelines. (2) If a visible film, sheen, or discoloration of the surface of the water or sludge or emulsion beneath the surface or upon adjoining shorelines is noted, sample any surface water within 100 to 500 feet from the remediation site and analyze the samples for violation of applicable water standards in 327 IAC 2, using a method described in 327 IAC 2.
Less than 100 feet from surface water or field tile.	Remediation is not permitted less than 100 feet from surface water or field tile.

(b) The owner or operator shall:

- (1) record the date, time, and results of each monitoring event required by Table 4 [in subsection (a)]; and
- (2) make the records available to the division upon request.

*(Natural Resources Commission; 312 IAC 16-5-28; filed Sep 11, 2000, 3:31 p.m.: 24 IR 283)*

SECTION 17. 312 IAC 16-5-29 IS ADDED TO READ AS FOLLOWS:

### 312 IAC 16-5-29 Reporting

Authority: IC 14-37-3

Affected: IC 14-37

Sec. 29. (a) The owner or operator shall report any discharge of oil from the remediation site that is required to be reported by 329 IAC 2-6.1 to the Indiana department of environmental management at (317) 233-7745 or (888) 233-7745 (toll free in Indiana).

(b) When remediation under 329 IAC 16-5-25 [section 25 of this rule] is determined to be complete, the owner or operator shall send a written report to the division within seven (7) days of completion that includes the following information:

- (1) The name and address of the person responsible for the remediation.
- (2) The identity of the facility where the remediation was done.
- (3) The type and approximate amount of the waste remediated at the facility.
- (4) The method used to remediate the waste.

**(5) The concentrations of polynuclear aromatic hydrocarbons listed in Table 3 in section 25(h) of this rule remaining in the soil at the remediation site.**

**(6) How the concentration of polynuclear aromatic hydrocarbons reported under subdivision (5) was determined.**

**(7) A copy of the laboratory report showing the concentrations of polynuclear aromatic hydrocarbons reported under subdivision (5).**

*(Natural Resources Commission; 312 IAC 16-5-29; filed Sep 11, 2000, 3:31 p.m.: 24 IR 284)*

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