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**TITLE 327 WATER POLLUTION CONTROL  
BOARD**

LSA Document #04-320(F)

**DIGEST**

Adds 327 IAC 3-2-1.5, 327 IAC 3-2-3.5, and 327 IAC 3-2-5.5 concerning state permits for the construction of water pollution treatment/control facilities and sanitary sewers. Effective 30 days after filing with the Secretary of State.

**HISTORY**

Second Notice of Comment Period and Notice of First Hearing: #04-320(WPCB) January 1, 2005, Indiana Register (28 IR 1368).

Date of First Hearing: March 9, 2005.

Publication of Proposed Rule and Notice of Second Hearing: LSA Document #04-320, April 1, 2005, Indiana Register (28 IR 2192).

Date of Second Hearing and Final Adoption: April 13, 2005.

**327 IAC 3-2-1.5**

**327 IAC 3-2-3.5**

**327 IAC 3-2-5.5**

SECTION 1. 327 IAC 3-2-1.5 IS ADDED TO READ AS FOLLOWS:

**327 IAC 3-2-1.5 Valid permit requirement**

**Authority:** IC 13-14-9; IC 13-15-1-2; IC 13-15-2-1; IC 13-18-3-1; IC 13-18-4-1

**Affected:** IC 13-18-2

**Sec. 1.5. No person shall cause or allow the construction, installation, or modification of any water pollution treatment/control facility or sanitary sewer without a valid construction permit issued by the commissioner. (*Water Pollution Control Board; 327 IAC 3-2-1.5; filed Jul 20, 2005, 1:00 p.m.: 28 IR 3551*)**

SECTION 2. 327 IAC 3-2-3.5 IS ADDED TO READ AS FOLLOWS:

**327 IAC 3-2-3.5 Conditions of approval**

**Authority:** IC 13-14-9; IC 13-15-1-2; IC 13-15-2-1; IC 13-18-3-1; IC 13-18-4-1

**Affected:** IC 13-18-2

**Sec. 3.5. (a) The permit may specify expiration dates by which the construction must be started and completed, which dates shall be compatible with any federal or state, or both, grants or grant funds impacted. The commissioner may grant an extension of time for start and completion of construction if the commissioner believes the extension is necessary and justified.**

**(b) The commissioner shall have the authority to specify the limits and conditions necessary to ensure proper design and ease of operation of water pollution treatment/control facilities.**

**(c) Sanitary sewers that have been issued construction permits shall be tested for infiltration/exfiltration in a method approved by the commissioner. All force mains shall be tested for leakage in an approved method. Results of the infiltration/exfiltration test for sanitary sewers and leakage test for force mains shall be submitted for approval within ninety (90) days of completion of construction. Failure to submit test results within the allotted time period or failure to meet guidelines for infiltration/inflow and leakage would be subject to enforcement proceedings as provided by 327 IAC 3-5-3.**

**(d) Sanitary sewers that are flexible in type and that are issued construction permits shall be tested for vertical deflection. The tests shall be conducted after the final backfill has been in place at least thirty (30) days. No flexible sewer shall exceed a vertical deflection of five percent (5%).** (*Water Pollution Control Board; 327 IAC 3-2-3.5; filed Jul 20, 2005, 1:00 p.m.: 28 IR 3552*)

SECTION 3. 327 IAC 3-2-5.5 IS ADDED TO READ AS FOLLOWS:

**327 IAC 3-2-5.5 Nonsite-specific permit**

**Authority:** IC 13-14-9; IC 13-15-1-2; IC 13-15-2-1; IC 13-18-3-1; IC 13-18-4-1

**Affected:** IC 13-18-2

**Sec. 5.5. The commissioner may grant a nonsite-specific construction permit for the following category of discharger: Short term drainage/sediment control lagoons.**

**(1) Said lagoons are those constructed according to approved general plans and specifications; however, the specific site location changes with time.**

**(2) Any request for issuance of such a nonsite-specific, ongoing construction permit shall be made by the applicant in conjunction with the application information presented in section 2 of this rule.**

**(3) It shall be the responsibility of the recipient of such a permit to notify the commissioner each time of a change in location of the permitted facility.**

*(Water Pollution Control Board; 327 IAC 3-2-5.5; filed Jul 20, 2005, 1:00 p.m.: 28 IR 3552)*

*LSA Document #04-320(F)*

*Proposed Rule Published: April 1, 2005; 28 IR 2192*

*Hearing Held: April 13, 2005*

*Approved by Attorney General: July 6, 2005*

*Approved by Governor: July 18, 2005*

*Filed with Secretary of State: July 20, 2005, 1:00 p.m.*

*IC 4-22-7-5(c) Notice from Secretary of State Regarding Documents Incorporated by Reference: None Received by Publisher*