



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

REGION 5

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CHICAGO, IL 60604-3590

**MAY 17 2013**

REPLY TO THE ATTENTION OF:

Thomas Easterly  
Commissioner  
Indiana Department of Environmental Management  
100 North Senate Avenue  
Mail Code 50-01  
Indianapolis, Indiana 46204-2251

Dear Mr. Easterly:

The U.S. Environmental Protection Agency would like to thank you and your staff for participating in our enforcement program review of the Clean Air Act Stationary Source program, Clean Water Act National Pollutant Discharge Elimination System program, and Resource Conservation and Recovery Act Subtitle C hazardous waste program. We appreciate your staff's cooperation and assistance during this review.

Please find enclosed the final enforcement review report, which contains an executive summary, as well as detailed findings and recommendations concerning Indiana Department of Environmental Management's (IDEM) enforcement programs. We used an analysis of IDEM data and reviews of IDEM's case files, in addition to feedback from IDEM on the draft report, to develop the final report. As you can see, both agencies have committed to follow-up actions in many areas.

If you have any questions, please contact me at 312-886-3000 or Alan Walts, Director, Office of Enforcement and Compliance Assistance, at 312-353-8894 or [walts.alan@epa.gov](mailto:walts.alan@epa.gov).

Sincerely,

A handwritten signature in blue ink, appearing to read "B. Mathur".

Bharat Mathur  
Deputy Regional Administrator

Enclosure

# **STATE REVIEW FRAMEWORK**

**Indiana**

**Clean Water Act, Clean Air Act, and  
Resource Conservation and Recovery Act  
Implementation in Federal Fiscal Year 2011**

**U.S. Environmental Protection Agency  
Region 5, Chicago**

**Final Report  
May 17, 2013**

# SRF Executive Summary

## Introduction

State Review Framework (SRF) oversight reviews of the Indiana Department of Environmental Management (IDEM) were conducted August through September 2012 by EPA Region 5 enforcement staff.

The Clean Water Act National Pollutant Discharge Elimination System (CWA-NPDES), Clean Air Act (CAA) Stationary Source and Resource Conservation and Recovery Act (RCRA) Subtitle C programs were reviewed.

SRF findings are based on file metrics derived from file reviews, data metrics, and conversations with program staff.

## Priority Issues to Address

The following are the top priority issues affecting the state's program performance:

- CWA - The Region found that IDEM is not identifying or entering Single Event Violations (SEVs), and is not accurately identifying them as Significant Non Compliance (SNC) or non-SNC.
- CAA - EPA's review indicated instances where although the activities were accurately documented in the file, the compliance status was not reflective of IDEM's determinations in the Air Facility System (AFS), which is a minimum data requirement.

## Major SRF CWA-NPDES Program Findings

- The Region found that IDEM is not identifying or entering Single Event Violations (SEVs), and is not accurately identifying them as Significant Non Compliance (SNC) or non-SNC. Single Event Violations are used to capture any permit violations that are not automatically detected by ICIS. Such violations are often found during compliance monitor activities, but may also arise in other ways, such as failure to submit a timely permit application. While IDEM is addressing SNC and returning facilities to compliance, those actions are on occasion not completed in a timely manner. The Region recommends that IDEM develop a plan to address these issues and a formal policy statement, in order to accommodate any resource issues and meet national policy requirements.
- Minimum data requirements (MDRs) related to the general permit universe are not being properly reported to ICIS. IDEM has reported the majority of its general permits as individual permits. This diminishes EPA's ability to utilize SRF to provide proper oversight of IDEM's compliance monitoring and enforcement program. The Region believes that IDEM should resolve this issue by correcting

ICIS to properly reflect its general permits and the inspections and enforcement actions that IDEM is carrying out.

- The data metric analysis and file review found that IDEM is not linking violations to enforcement actions. Establishing this linkage is a minimum data requirement. As a result, violations appear to the public and EPA to be not addressed and not resolved because ICIS cannot determine that the violations have been resolved.

## **Major SRF CAA Stationary Source Program Findings**

- Compliance Monitoring Reports (CMRs) were well documented, written and inclusive. The Region recommends IDEM provide more detail on the CMR whether an inspection was a FCE or PCE. IDEM's CMR form listed objectives that were not clear as to the type of inspection that was conducted (i.e., CMS vs. Commitment and FCE vs. PCE). IDEM should provide more detail on CMRs regarding the enforcement history of the facility.
- The Briefing Memos and Enforcement Action Timelines in IDEM's enforcement case files were very comprehensive and organized including previous enforcement action history, which was helpful during the review. Penalty review sheets contained in enforcement case files were very detailed; however, the Region recommends that IDEM provide more information regarding economic benefit consideration.
- IDEM does an excellent job conducting compliance monitoring activities, making compliance determinations, and issuing appropriate enforcement actions. EPA's review indicated instances where although the activities were accurately documented in the file, the compliance status was not reflective of IDEM's determinations in the Air Facility System (AFS), which is a minimum data requirement.

## **Major SRF RCRA Subtitle C Program Findings**

The Region would like to highlight IDEM's performance with respect to the following:

- The majority of IDEM's RCRA inspection reports are complete, contain sufficient information to support identified violations, and are completed in a timely manner. Inspection report quality has improved since the last SRF review, particularly with respect to the detail in inspection report narratives.
- IDEM excels in the issuance of timely and appropriate enforcement actions. For the year under review, all of IDEM's enforcement actions against SNCs were issued in a timely manner. All of the enforcement files reviewed indicated that IDEM's SNC determinations and associated enforcements were appropriate. IDEM's SNC identification rate is significantly greater than the national average, an indication that IDEM has a strong RCRA enforcement program.

## **Major Follow-Up Actions**

Recommendations and actions identified from the SRF review will be tracked in the SRF Tracker.

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# State Review Framework

## I. Background on the State Review Framework

The State Review Framework (SRF) is designed to ensure that EPA conducts nationally consistent oversight. It reviews the following local, state, and EPA compliance and enforcement programs:

- Clean Air Act Stationary Source
- Clean Water Act National Pollutant Discharge Elimination System
- Resource Conservation and Recovery Act Subtitle C

Reviews cover these program areas:

- Data — completeness, timeliness, and quality
- Compliance monitoring — inspection coverage, inspection quality, identification of violations, meeting commitments
- Enforcement actions — appropriateness and timeliness, returning facilities to compliance
- Penalties — calculation, assessment, and collection

Reviews are conducted in three phases:

- Analyzing information from the national data systems
- Reviewing a limited set of state files
- Development of findings and recommendations

Consultation is also built into the process. This ensures that EPA and the state understand the causes of issues and seek agreement on actions needed to address them.

SRF reports are designed to capture the information and agreements developed during the review process in order to facilitate program improvements. EPA also uses the information in the reports to develop a better understanding of enforcement and compliance nationwide, and to identify any issues that require a national response.

Reports provide factual information. They do not include determinations of overall program adequacy, nor are they used to compare or rank state programs.

Each state's programs are reviewed once every four years. The first round of SRF reviews began in FY 2004. The third round of reviews began in FY 2012 and will continue through FY 2016.

## II. SRF Review Process

**Review period:** FY 2011

### **Key dates:**

- Kickoff letter sent to state: June 29, 2012
- Kickoff meeting conducted: July 31, 2012
- Data metric analysis and file selection list sent to state: August 2, 2012
- On-site file review conducted: August – September 2012
- Draft report sent to state: February 19, 2013
- Report finalized: May 17, 2013

**Communication with the state:** Throughout the SRF process, Region 5 communicated with IDEM through official letters sent to the IDEM Commissioner (attached in Appendix F) and continual conversations via phone and email. During the Opening Meeting, Region 5 presented a brief training of SRF Round 3 procedures and discussed issues and timelines for implementation in Indiana. In regard to file reviews, Region 5 opened the CAA file review with a meeting with IDEM personnel to discuss the file review steps. The majority of the CWA and RCRA file reviews were conducted electronically from the regional office and then completed at the IDEM offices where all file reviews closed with a discussion of initial review results.

### **State and EPA regional lead contacts for review:**

- SRF - Stephanie Cheaney/R5 (312-886-3509), Andy Anderson/R5 (312-353-9681), Mark Stanifer/IDEM (317-232-8431)
- CAA - Nathan Frank/R5 (312-886-3850), Debra Flowers/R5 (312-353-4410), Rochelle Marceillars/R5 (312-353-4370), Jennifer Wilson/R5 (312-353-3115), Michelle Heger/R5 (312-886-4510), Phil Perry/IDEM (317-232-8457), Craig Henry/IDEM (317-233-1136), Janusz Johnson/IDEM (317-233-1134), Lynne Sullivan/IDEM (317-233-5521), Keith Baugues/IDEM (317-232-8822), Roger Letterman/IDEM (317-232-8342), Dave Cline/IDEM (317-232-8443)
- CWA - Ken Gunter/R5 (312-353-9076), Rhiannon Dee/R5 (312-886-4882), James Coleman/R5 (312-886-0148), Mark Stanifer/IDEM (317-232-8431), Martha Clark Mettler /IDEM (317-232-8402), Mary Hollingsworth/IDEM (317-233-0275), Don Daily/IDEM (317-234-2579), Gary Starks/IDEM (317-232-8694)
- RCRA- Todd Brown/R5 (312-886-6091), Bruce Kizer/IDEM (317-232-8857), John Crawford/IDEM (317-234-6946), Theresa Bordenkecher/IDEM (317-234-6961), Nancy Johnston/IDEM (317-232-7207), Jenny Dooley/IDEM (317-232-8925)

### III. SRF Findings

Findings represent EPA's conclusions regarding state performance, and may be based on:

- Initial findings made during the data and/or file reviews
- Follow-up conversations with state agency personnel
- Additional information collected to determine an issue's severity and root causes
- Review of previous SRF reports, MOAs, and other data sources

There are four types of findings:

**Good Practice:** Activities, processes, or policies that the SRF metrics show are being implemented at the level of Meets Expectations, **and** are innovative and noteworthy, **and** can serve as models for other states. The explanation must discuss these innovative and noteworthy activities in detail. Furthermore, the state should be able to maintain high performance.

**Meets Expectations:** Describes a situation where either: a) no performance deficiencies are identified, or b) single or infrequent deficiencies are identified that do not constitute a pattern **or** problem. Generally, states are meeting expectations when falling between 91 to 100 percent of a national goal. The state is expected to maintain high performance.

**Area for State Attention:** The state has single or infrequent deficiencies that constitute a minor pattern or problem that does not pose a risk to human health or the environment. Generally, performance requires state attention when the state falls between 85 to 90 percent of a national goal. The state should correct these issues without additional EPA oversight. The state is expected to improve and achieve high performance. EPA may make recommendations to improve performance but they will not be monitored for completion.

**Area for State Improvement:** Activities, processes, or policies that SRF data and/or file metrics show as major problems requiring EPA oversight. These will generally be significant recurrent issues. However, there may be instances where single or infrequent cases reflect a major problem, particularly in instances where the total number of facilities under consideration is small. Generally, performance requires state improvement when the state falls below 85 percent of a national goal. Recommendations are required to address the root causes of these problems, and they must have well-defined timelines and milestones for completion. Recommendations will be monitored in the SRF Tracker.

## Clean Water Act Findings

### Element 1 — Data Completeness: Completeness of Minimum Data Requirements.

#### Finding

#### Area for State Attention

#### Description

Review of the fifteen data metrics under Element 1 shows that twelve of the MDRs were complete. Three MDRs were found to be incomplete.

Completeness of information entered into the ICIS-NPDES was reviewed for: active facility universe counts for all NPDES permit types including individual and general permits for major and non-major facilities; major permit limits and discharge monitoring reports (DMRs); major facilities with a manual override of reportable noncompliance/significant noncompliance (RNC/SNC) to compliant status; non-major permit limits and discharge monitoring reports (DMRs); informal action counts; formal action counts; and assessed penalties.

Although Data Metric 1A4 indicates zero active NPDES non-majors with general permits, in reality, there are 329 General Permits included as part of the universe of 1407 active NPDES non-Majors with individual permits. At any rate, the 329 general permits still represent a small percentage of the several thousand permitted or the more than one hundred inspected stormwater facilities covered by State Rules (7-12). As stated in the Executive Summary, IDEM should work on correcting the permit type discrepancy between general and individual permits, which is causing an erroneous 1A4 Data Metric result.

#### Explanation

Review of the data metrics under Element 1 shows that the MDRs were complete, with the exception of “DMR entrance rates for Major Facilities” which meets the SRF standard of 90-100% of a national goal, but not the national data system goal of 95% or greater. In addition, the Total Number of Informal Actions (1d1) is inaccurate due to the fact that IDEM is not entering all Notices of Violation into ICIS. The general permit universe is not being properly reported to ICIS. IDEM has reported the majority of its general permits as individual permits. The Region believes that IDEM should resolve the permit type discrepancy and enter all general permits and subsequent inspection and enforcement actions into ICIS to better reflect the full spectrum of work that IDEM is carrying out.

This finding is only an Area for State Attention because the Region believes that IDEM can improve performance in this area on its own without a recommendation.

## Relevant metrics

**Data Metric 1A4** – Zero active NPDES non-majors with general permits.

**Data Metric 1B2** – 92.4% DMR Entry Rate for major facilities. National Goal  $\geq$ 95%. National Average 98.6%.

**Data Metric 1E1** – 360 facilities with informal actions.

See Data Metric Analysis table.

## State response

- Data Metric 1a4: The State Review Framework (SRF) Metrics Query results from OTIS for the review period of FFY 2011 show that there are no general permits in Indiana. There are actually 329 general permits for general permit rules 327 IAC 15-7 through 12. These permits are all in ICIS and are routinely inspected by the Office of Water Quality (OWQ) Compliance Branch staff. The inspection commitment is to inspect 25% percent of these facilities per year. Inspection and enforcement actions involving these permittees are currently entered into ICIS.
- Other facilities with general permit coverage under Rule 5 (construction storm water), Rule 6 (industrial storm water) and Rule 13 (MS4s) are not in ICIS. While these facilities are not in ICIS, they are entered and tracked in a state level data base.
- A metrics query for 2012 shows four general permits which are all Illinois permits that contain Indiana business addresses. IDEM requests that EPA remove these four Illinois permits from the Indiana list.
- Data Metric 1b2. The EPA SRF report for the review period shows a DMR entry rate for major NPDES facilities as 92.4%, as compared to the national average of 98.6% and the goal of 95%. The largest reason for not meeting the federal goal is that Indianapolis reports CSO discharge points semi-annually as prescribed by a Federal Consent Decree. IDEM received and entered these CSO DMRs after the review period. As a result, the actual value of DMR entry rate increased to 95.7% and 99.9% as of February 19, 2013, exceeding the national goal. The ICIS entry rate varies throughout the year because of the timing of the receipt of Indianapolis CSO DMRs.
- Data Metric 1d1: The OTIS SRF Metrics query does not include the numbers for this metric because it was not included in Round 3 SRF reviews. OWQ has not entered Notices of Violation (NOVs) into ICIS. In Indiana, per state statute, an NOV is the required official notice of initiation of a formal enforcement action. It is the beginning of enforcement. Because IDEM enters adopted Agreed Orders (AOs) into ICIS, the state finds entering NOVs into ICIS an unnecessary administrative burden that does not add additional transparency.
- Data Metric 1e1: As a point of clarity, OWQ issues informal

enforcement actions in the form of Violation Letters. For permit holders with permit numbers beginning with IN0 or ING, violation letters may be initiated by the Compliance Data Section (CDS) through review of DMR data, or Inspection Section as part of an overall inspection report.

**Recommendation**

The Region recommends IDEM properly code general permits and enter all subsequent inspections and enforcement into ICIS.

## Element 2 — Data Accuracy: Accuracy of Minimum Data Requirements.

<b>Finding</b>	<b>Area for State Improvement</b>
<b>Description</b>	No formal enforcement actions were linked in ICIS to the violations that the actions addressed. Twenty-five of 39 reviewed files (64.1%) accurately reflected data reported to the national data systems.
<b>Explanation</b>	Data in fourteen of the 39 files reviewed were inaccurately reflected in OTIS. Examples of inaccuracies noted are: 1) four files had no reported NOV dates; 2) one file had an incorrect NOV date reported; 3) two files had incorrect facility names reported; and 4) one file did not have a violation letter reported.
<b>Relevant metrics</b>	<b>Data Metric 2A1</b> – Zero formal enforcement actions taken against major facilities with enforcement violation type codes entered. National Goal is 95%. <b>File Metric 2B</b> – 25 of 39 (64.1%) files reviewed where data are accurately reflected in the national data system.
<b>State response</b>	<ul style="list-style-type: none"><li>• Data Metric 2a1: IDEM works to ensure facilities in violation return to compliance. IDEM takes informal enforcement action including violation letters as well as formal enforcement action including NOV's and AOs where necessary. When taking enforcement action and entering the AO into ICIS, IDEM will resolve this administrative error by entering enforcement violation type codes.</li><li>• File Metric 2b: IDEM acknowledges minor administrative errors in some files. These errors have no impact on enforcement action or the Agency's work to address violations.</li></ul>
<b>Recommendation</b>	<ul style="list-style-type: none"><li>• By 60 days of the final report, IDEM should review current data entry procedures to reconcile issues found in this review as well as provide new or updated written procedures and training to staff to resolve data entry problems.</li><li>• Progress will be monitored by Region 5 through OTIS quarterly data pulls and steps will be taken as necessary to review implementation of recommended actions.</li></ul>

**Element 3 — Timeliness of Data Entry: Timely entry of Minimum Data Requirements.**

<b>Finding</b>	<b>Area for State Improvement</b>
<b>Description</b>	Thirty of 39 reviewed files (76.9%) demonstrated that mandatory data were entered in the national data system in a timely manner.
<b>Explanation</b>	It is important that data is entered in a timely manner to ensure transparency for the public, regulated community, and national CWA planning.
<b>Relevant metrics</b>	<b>File Metric 3A</b> – 30 of 39 (76.9%) timeliness of mandatory data entered in the national data system.
<b>State response</b>	File Metric 3a: IDEM is responsible for entering data from approximately 1500 facilities throughout the state every month. IDEM enters 100% of the DMRs into ICIS by the 28 <sup>th</sup> of the following month. Late DMRs cannot be entered within that same timeframe.
<b>Recommendation</b>	<ul style="list-style-type: none"><li>• By 60 days of the final report, IDEM should review current data entry procedures to reconcile issues found in this review as well as provide new or updated written procedures and training to staff to resolve data entry problems. Office of Water Quality should work with the Office of Land Quality to enter MDRs for CAFOs and Auto Salvage operations in ICIS.</li><li>• Progress will be monitored by Region 5 through OTIS quarterly data pulls and steps will be taken as necessary to review implementation of recommended actions.</li></ul>

**Element 4 — Completion of Commitments: Meeting all enforcement and compliance commitments made in state/EPA agreements.**

<b>Finding</b>	<b>Meets Expectations</b>
<b>Description</b>	IDEM met eight of 8 inspection commitments (100%) per the negotiated state-specific Compliance Monitoring Strategy (CMS) Plan. IDEM met eight of nine CWA compliance and enforcement commitments (88.9%) other than CMS commitments. Overall, 16 of 17 commitments (94%) were met.
<b>Explanation</b>	IDEM’s state-specific CMS is integrated into the state’s biennial EnPPA from 2011 – 2013. Based on further review, EPA agrees that IDEM met the CMS categories which either had a specific measurable goal or an overall commitment to inspect based on state priorities (i.e. Metric 4A7, 4A8 & 4A9). With respect to the non-CMS planned commitments in the state’s EnPPA, IDEM met eight of 9 commitments. In the next EnPPA cycle, EPA will discuss with IDEM how measurable commitments can be made for CMS commitments.
<b>Relevant metrics</b>	<p><b>Metric 4A1</b> – 9 of 9 (100%) pretreatment compliance inspections.</p> <p><b>Metric 4A2</b> - 78 of 70 (111.4%) SIUs by non-authorized POTWs.</p> <p><b>Metric 4A3</b> – 9 of 9 (100%) SIU inspections by approved POTWs</p> <p><b>Metric 4A4</b> – No CSO inspection commitments.</p> <p><b>Metric 4A5</b> – No SSOs evaluated as part of CEI inspections.</p> <p><b>Metric 4A6</b> – No Phase I MS4 inspection commitments.</p> <p><b>Metric 4A7</b> – 28 Phase II MS4 inspections conducted.</p> <p><b>Metric 4A8</b> – 31 Industrial stormwater inspections conducted.</p> <p><b>Metric 4A9</b> – 230 Phase I &amp; II stormwater construction inspections conducted.</p> <p><b>Metric 4A10</b> – 166 of 127 (130.7%) large &amp; medium NPDES-permitted CAFOs.</p> <p><b>Metric 4A11</b> – 358 of 354 (101.1%) non-permitted CAFOs</p> <p><b>Metric 4B</b> – 8 of 9 (88.9%) planned commitments completed</p>
<b>State response</b>	<ul style="list-style-type: none"> <li>IDEM balances its work priorities and resources not solely on the national level goals, but also based on state goals. In Indiana, IDEM focused its resources on ensuring MS4 entities are on track, following up on an Auto Salvage Yard initiative, and on construction sites outside of an MS4 Area. IDEM has six storm water staff, including an MS4 Program Coordinator, who conduct inspections and audits. This year IDEM focused on the following areas:  <b>MS4 Program (Metric 4A7):</b>  IDEM focused staff on conducting MS4 Audits. This effort was a</li> </ul>

priority to ensure that local MS4 entities were on track to effectively administer local storm water programs. If local entities effectively administer their MS4 programs, the programs are more successful and Construction Sites in those areas would be more effectively regulated at the local level. Metric 4A7 for MS4 Phase II entities was 96.6%. This was achieved by placing a greater emphasis on MS4 compliance.

**Industrial Sites (Metric 4A8):**

This year IDEM staff focused on Auto Salvage sites, which are a major contributor of pollutants in storm water runoff. The Office of Land Quality (OLQ) performs inspections through the Auto Salvage Initiative. OLQ staff members assess compliance with industrial storm water permits during inspections. At the time of this submittal, the program area had not yet received the number of inspections conducted by OLQ. They will be submitted as soon as they are available. In addition, during the year, an IDEM inspector devoted to inspecting industrial sites left the program.

**Construction Sites (Metric 4A9):**

For construction sites, IDEM's priority is to inspect those projects that are located outside of an MS4 area. In Indiana, the primary authority to regulate construction projects within an MS4 is the responsibility of the MS4. Each MS4 is required to carry out compliance inspections as well as enforcement. Therefore, the universe of projects on which IDEM metrics should be based are only those projects outside of an MS4 and those projects specifically owned and operated by an MS4. Yet, EPA evaluates Indiana based on the total number of construction sites that have obtained a permit in the reporting period as well as those that continued to operate from previous years. This number reflects the total number of active construction sites state wide. EPA should evaluate Indiana based only on those sites located outside of an MS4 or owned and operated by an MS4. IDEM has raised this issue to EPA several years ago and has not received a response. IDEM, therefore, will report the total number of projects permitted as well as a subset—those for which IDEM has primary authority to regulate.

**Future Initiative:**

In the future, IDEM will base its compliance inspection goals on the number of projects for which IDEM has primary authority to regulate. In addition, IDEM will be working to develop ways to track the number of construction inspections performed by each MS4. Finally, IDEM is developing a new data base that will house the construction site run off program, the industrial site run off program, and MS4 program data to aid in the creation of reports for EPA.

- **Metric 4b:**

This metric is for planned commitments other than CMS commitments. EPA's finding above states that IDEM met expectations for five of seven commitments. However, the Metric 4b Calculation table shows IDEM having met 7 of 9 commitments, including:

- CSO Long Term Control Plan compliance implementation
- Review and approval of CSO LTCPs and Consent Decrees
- Update EPA on the progress of the State SSO Strategy
- Evaluate stormwater violations and take appropriate action
- Attend EPA pretreatment training and submit plan to EPA
- Conduct QA/QC reviews of self monitoring data
- Follow up on Round 1 EPA SRF review recommendations.

The table illustrates that IDEM did not meet the goal of maintaining the SNC rate for majors, or the entry of SEVs into ICIS. Discussions about how to manage tracking of SEVs are ongoing. There is some confusion however over the SNC data as illustrated, because it appears that IDEM did actually meet both the annual criteria for this metric. That being the case, IDEM should have met 8 of 9 metrics for 89%.

**Recommendation** No action needed.

## Element 5 — Inspection Coverage: Completion of planned inspections.

<b>Finding</b>	<b>Meets Expectations</b>
<b>Description</b>	Three of three national inspection commitments (100%) were met.
<b>Explanation</b>	IDEM met national inspections commitments for NPDES majors and non-majors; and state specific CMS standard for wet weather programs. With respect to Data Metric 5B2, current result for this Metric is misleading. Please note that 329 State rule general permits are in ICIS, but entered as individual NPDES permit types. By the same token, IDEM exceeded their state-specific CMS commitment of 25%. Based on further review, EPA agrees that all three of the inspection commitments were met
<b>Relevant metrics</b>	<p><b>Metric 4A6</b> – No Phase I MS4 inspection commitments.</p> <p><b>Metric 4A7</b> – 28 Phase II MS4 inspections.</p> <p><b>Metric 4A8</b> – 31 Industrial stormwater inspections.</p> <p><b>Metric 4A9</b> – 230 Phase I &amp; II stormwater construction inspections.</p> <p><b>Data Metric 5A1</b> – 114 of 192 (59.4%) inspection NPDES-majors. National Goal is 100% state CMS Plan commitments. National Average is 54.4%.</p> <p><b>Data Metric 5B1</b> – 816 of 1407 (58.0%) inspection NPDES non-majors. National Goal is 100% state CMS Plan commitments. National Average is 23.7%.</p> <p><b>Data Metric 5B2</b> – Zero inspection NPDES non-majors with general permit. National Goal 100% state CMS Plan commitments. National Average is 19.2%.</p>
<b>State response</b>	<ul style="list-style-type: none"><li>• Data Metric 5a1: The Compliance Monitoring Strategy commitment is to inspect 50% of the universe of major dischargers annually. The universe of major dischargers is 192. Fifty percent of the universe of major dischargers is 96 facilities. Therefore, with 116 major dischargers having been inspected during the review period, and a goal of 96, the actual inspection coverage was 121% of the CMS commitment, which exceeds the CMS/ENPPA commitment.</li><li>• Data Metric 5b1: The CMS commitment is to inspect 50% of the universe of traditional/individual minors annually. The universe of minors is 1407. Of those 329 are general permits (ING) and 1078 are traditional individual permits (IN0). Fifty percent of 1078 is 539. Therefore with 677 inspections having been completed at traditional minors (IN0), and a goal of 539, the actual inspection coverage was 126% of the commitment, which exceeds the CMS/ENPPA commitment.</li></ul>

- Data Metric 5b2: IDEM has a universe of 329 general permits under 327 IAC 15, Rules 7 through 12. The CMS plan commitment for this group of general permits is to inspect 25% of the universe annually. Therefore, IDEM has 82 facilities to inspect (twenty five percent of 329). During the review period, OWQ inspectors completed 139 inspections of these general permit facilities, which is 170% of the commitment, significantly exceeding the CMS commitment.
- EPA found that OWQ met two of its three national inspection commitments for Element 5, and therefore this is an “Area for state improvement.” In fact, OWQ met all three of its commitments under Element 5 and should be evaluated as “Meets Expectations.”

**Recommendation** No action needed.

**Element 6 — Quality of Inspection Reports: Proper and accurate documentation of observations and timely report completion.**

<b>Finding</b>	<b>Area for State Attention</b>
<b>Description</b>	Thirty-six of 38 reviewed inspection reports (94.7%) provided sufficient documentation to determine compliance. Thirty-two of 38 reviewed inspection reports (84.2%) were timely.
<b>Explanation</b>	<p>Two of the 38 inspection reports reviewed were incomplete or did not provide sufficient information to determine compliance. Examples of inspection report discrepancies include: 1) inspection did not capture four stormwater violations as of 4/20/11 failure to develop, monitor, inspect, and maintain records; and 2) report lacked permit/regulation citations and failed to mention that this was an ongoing problem area for the city.</p> <p>This finding is only an Area for State Attention because the Region believes that IDEM can improve performance in this area on its own without a recommendation.</p>
<b>Relevant metrics</b>	<p><b>File Metric 6A</b> – 36 of 38 (94.7%) inspection reports reviewed that provide sufficient documentation to determine compliance at the facility</p> <p><b>File Metric 6B</b> – 32 of 38 (84.2%) inspection reports completed within prescribed timeframe.</p>
<b>State response</b>	File Metrics 6a and 6b: For Metric 6a, it is not clear which two files EPA found to be deficient so it is not possible to determine exactly what improvements need to be made. For Metric 6b, it is important to note that for the inspection reports EPA selected, the average time for review of inspection reports was 27 days, well within the 45 day time period. For the universe of inspection reports in 2011, the average timeframe for issuance of reports was 29 days, well within the timeframes. In an effort to increase both the quality and timeliness of inspection reports, IDEM began implementing a Digital Inspector software package in 2012 and is establishing processes for electronic review and approval of all inspection reports in 2013.
<b>Recommendation</b>	No action needed.

**Element 7 — Identification of Alleged Violations: Compliance determinations accurately made and promptly reported in national database based on inspection reports and other compliance monitoring information.**

<b>Finding</b>	<b>Area for State Improvement</b>
<b>Description</b>	It appears that single event violations (SEVs) are not being reported to ICIS-NPDES as required. Thirty-four of 35 reviewed inspection reports (97.1%) led to an accurate compliance determination.
<b>Explanation</b>	<p>Based on the Data Metric Analysis (DMA), it appears that IDEM is not fully reporting violations to ICIS-NPDES, and thus the OTIS report is not representative of actual violation identification or resolution in Indiana.</p> <p>Furthermore, to confirm the number of SEVs stated on the DMA (7A1, 7A2) a detailed review of the SEVs in ICIS was performed and found that the SEVs were either entered by EPA or had violation dates as early as FY89. In addition, as part of the file review process and as indicated in Element 8, there were violations found as a result of inspections, but not established as EPA SEVs and/or SNC and not recorded in ICIS-NPDES. As a general rule, compliance schedules related to enforcement actions and permit schedules should be managed accordingly to track compliance and prevent erroneous conclusions.</p> <p>A similar finding was noted in IDEM’s Round 1 SRF report and remains an issue.</p>
<b>Relevant metrics</b>	<p><b>Data Metric 7A1</b> – 6 major NPDES facilities with SEVs.  <b>Data Metric 7A2</b> – 18 non-major NPDES facilities with SEVs.  <b>Data Metric 7B1</b> - 6 facilities with compliance schedule violations.  <b>Data Metric 7C1</b> – 133 facilities with permit schedule violations.  <b>Data Metric 7D1</b> – 127 of 192 (66.1%) major facilities in non-compliance.  <b>File Metric 7E</b> – 34 of 35 (97.1%) inspection reports reviewed that led to an accurate compliance determination.  <b>Data Metric 7F1</b> – 289 non-major facilities in Category 1 non-compliance.  <b>Data Metric 7G1</b> – 435 non-major facilities in Category 2 non-compliance.  <b>Data Metric 7H1</b> – 730 of 1407 (51.9%) non-major facilities in non-compliance.  <b>File Metric 8B</b> – 0 of 26 (0%) percentage of SEVs accurately identified as SNC or non-SNC.  <b>File Metric 8C</b> – 0 of 1 (0%) SEVs identified as SNC that are reported timely.</p>

## State response

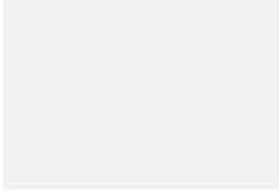
- Data Metric 7a1 and 2: OWQ has not been entering Single Event Violations (SEVs) into ICIS. OWQ has not made a commitment to enter this information into ICIS. Most of these violations are not recurring and are addressed by the permittee upon receipt of a violation letter and therefore are resolved quickly. Those that are not addressed through informal actions would become enforcement actions which are recorded in ICIS by reporting Agreed Orders. EPA's request means that IDEM would need to enter a single event violation into ICIS and shortly afterward remove it. Requesting states to enter SEVs into ICIS and then removing them shortly afterward places an unreasonable administrative burden that has significant administrative costs with little environmental benefit.
- Data Metric 7b: A review of the six facilities with state enforcement compliance schedule violations reveals that four of the six have terminated permits. There cannot be a violation when there is no longer a permit or a schedule. The other two facilities listed, Hammond Sanitary District and Crawfordsville are both subjects of Federal enforcement actions and IDEM is not able to clean up this data because it was entered and can only be edited by EPA.
- Data Metric 7c: The query of the FFY 2011 data shows 133 facilities with permit schedule violations. 116 of these permits were terminated, some as long ago as the 1980s. OWQ staff have manually terminated the violations in ICIS for those facilities with terminated permits, and have conducted other appropriate data clean up. As of the writing of this response the count of permit schedule violations stands at 13. Some of these old violations may have previously been terminated but were re-activated when data was migrated from PCS to ICIS.
- Data Metric 7d: The title "Major Facilities in Noncompliance" is misleading to the reader because it implies that these facilities are and/or remain in noncompliance. This metric is illustrating the number of major dischargers that reported any violation during the review period. These violations do not rise to the level of requiring a response from the agency because they were not recurring and did not rise to the level of Significant Noncompliance. Other violations among this set were addressed by informal enforcement actions. OWQ does not dispute the number but does not agree with the way it is portrayed.
- File Metric 7e: It is OWQ's intent to accurately determine compliance in all inspection reports.
- Data Metrics 7f and g: The numbers reported do not reflect any formal or informal enforcement actions IDEM took in response to the violations.

## **Recommendation**

- Data Metric 7h: OWQ's comment is the same here as for data metric 7d.
- By 90 days of the final report, in addition to data entry actions identified under Elements 2 and 3, IDEM must review national Single Event Violation (SEV) guidance and develop a plan that addresses identification and resolution of compliance schedule, permit schedule, and documentation of SEVs in ICIS-NPDES.
- By 120 days of the final report, solutions to identified issues that are included in the plan must be written into IDEM policy.
- Progress will be monitored by Region 5 and steps will be taken as necessary to review implementation of recommended actions.

**Element 8 — Identification of SNC and HPV: Accurate identification of significant noncompliance and high-priority violations, and timely entry into the national database.**

<b>Finding</b>	<b>Area for State Improvement</b>
<b>Description</b>	IDEM’s SNC rate is 13.20%, which is better than national average. Zero of 26 reviewed SEVs (0%) were accurately identified as SNC or non-SNC and reported timely.
<b>Explanation</b>	<p>IDEM’s SNC rate is less than the national average, which is a positive indicator. However, during the file review, the Region observed that no SEVs were being reported and/or appropriately being identified as SNC. This may artificially lower IDEM’s SNC rate.</p> <p>IDEM has stated that they do not have the resources to enter SEVs into ICIS-NPDES, beginning with the SRF Round 1. The finding is the same for the SRF Round 2 and the need for a plan to address SEVs as required by guidance remains.</p>
<b>Relevant metrics</b>	<p><b>Data Metric 8A1</b> – 26 major facilities in SNC.</p> <p><b>Data Metric 8A2</b> – 26 of 197 (13.2%) percentage of major facilities in SNC</p> <p><b>File Metric 8B</b> – 0 of 26 (0%) percentage of SEVs accurately identified as SNC or non-SNC</p> <p><b>File Metric 8C</b> – 0 of 1 (0%) SEVs identified as SNC that are reported timely.</p>
<b>State response</b>	File Metrics 8b and c: OWQ has not been entering Single Event Violations (SEVs) into ICIS. OWQ has not made a commitment to enter this information into ICIS. Most of these violations are not recurring and are addressed by the permittee upon receipt of a violation letter and therefore are resolved quickly. Those that are not addressed through informal actions would become enforcement actions which are recorded in ICIS by reporting Agreed Orders. EPA’s request means that IDEM would need to enter a single event violation into ICIS and shortly afterward remove it. Requesting states to enter SEVs into ICIS and then removing them shortly afterward places an unreasonable administrative burden that has significant administrative costs with little environmental benefit.
<b>Recommendation</b>	<ul style="list-style-type: none"> <li>By 90 days of the final report, in addition to data entry actions identified under Elements 2 and 3, IDEM must review national Single Event Violation (SEV) guidance and develop a plan that addresses identification and resolution of compliance schedules, permit schedules, and documentation and SNC escalation of SEVs in ICIS-NPDES.</li> </ul>



- By 120 days of the final report, solutions to identified issues that are included in the plan must be written into IDEM policy.
- Progress will be monitored by Region 5 and steps will be taken as necessary to review implementation of recommended actions.

**Element 9 — Enforcement Actions Promote Return to Compliance: Enforcement actions include required corrective action that will return facilities to compliance in specified timeframe.**

<b>Finding</b>	Meets Expectations
<b>Description</b>	Twenty of 20 reviewed enforcement responses (100%) returned, or will return, a source in violation to compliance.
<b>Explanation</b>	No performance deficiencies were identified by the Region.
<b>Relevant metrics</b>	<b>File Metric 9A</b> – 20 of 20 (100%) percentage of enforcement responses that return or will return source in SNC to compliance.
<b>State response</b>	IDEM strives to meet all minimum data requirements and works with Region 5 to address issues as they arise.
<b>Recommendation</b>	No action needed.

**Element 10 — Timely and Appropriate Action: Timely and appropriate enforcement action in accordance with policy relating to specific media.**

<b>Finding</b>	<b>Area for State Improvement</b>
<b>Description</b>	The data metric found zero of 11 reviewed facilities (0%) with enforcement actions during the review year addressed SNC violations at major facilities in a timely manner; however, EPA conducted further review explained below. Ten of 11 reviewed enforcement responses (90.9%) addressed SNC that are appropriate to the violations.
<b>Explanation</b>	<p>The file review shows that SNCs are being addressed appropriately; however, the data metric 10A1 indicates that addressing actions are not being accomplished or reported to ICIS-NPDES in a timely manner. With respect to data metric 10A1, a detailed review was performed on the 11 facilities. The review found that 4 of the 11 facilities should not have been included as part of the universe for various reasons (e.g. 2 are federal EPA cases). Of the remaining 7, 3 responses were not timely, 2 facilities had previous enforcement and continuing violations, and 2 returned to compliance the next quarter without formal enforcement.</p> <p>A similar finding was noted in IDEM’s Round 1 SRF report and remains an issue.</p>
<b>Relevant metrics</b>	<p><b>Data Metric 10A1</b> – 0 of 11 (0%) major facilities with timely action as appropriate. National Goal is 98%.</p> <p><b>File Metric 10B</b> – 10 of 11 (90.9%) enforcement responses reviewed that address SNC that are appropriate to the violation.</p>
<b>State response</b>	<ul style="list-style-type: none"><li>• Data Metric 10a: IDEM’s enforcement process and steps are outlined in state statute. IDEM measures timely and appropriate enforcement action by tracking the time it takes to issue an Agreed Order starting from the time a Notice of Violation was sent to a permittee. IDEM allows for a year from the time of the issuance of an NOV to the time an Agreed Order is signed. IDEM believes this is the most appropriate measure of whether or not timely enforcement action is taken and meets those timeframes.</li><li>• It appears that there is something significantly flawed with EPA’s national metric. According to the OTIS SRF Metrics Query, every state in Region 5 has a zero percent success rate. In fact, the current actual national average for states is only 3.1% and for EPA it is only 3.7%. It is unclear what timeframes the EPA metric is measuring and what the criteria are for an enforcement action to be considered timely.</li></ul>

## **Recommendation**

- By 90 days of the final report, IDEM must review national guidance and develop a plan for identifying, addressing, and reporting SNC violations in ICIS-NPDES in a timely manner.
- By 120 days of the final report, developed procedures to ensure timeliness from the plan must be written into IDEM policy.
- Progress will be monitored by Region 5 and steps will be taken as necessary to review implementation of recommended actions.

**Element 11 — Penalty Calculation Method: Documentation of gravity and economic benefit in initial penalty calculations using BEN model or other method to produce results consistent with national policy and guidance.**

<b>Finding</b>	<b>Meets Expectations</b>
<b>Description</b>	Fourteen of 15 reviewed penalty calculations (93.5%) considered and included, where appropriate, gravity and economic benefit.
<b>Explanation</b>	One penalty calculation did not document economic benefit consideration.
<b>Relevant metrics</b>	<b>File Metric 11A</b> – 14 of 15 (93.5%) penalty calculations that include gravity and economic benefit.
<b>State response</b>	File Metric 11a: It is OWQ policy to consider both gravity and economic benefit in every formal enforcement case, and to document such in the Briefing Memo. IDEM strives to meet all minimum data requirements and works with EPA Region 5 to address issues as they arise.
<b>Recommendation</b>	No action needed.

**Element 12 — Final Penalty Assessment and Collection: Differences between initial and final penalty and collection of final penalty documented in file.**

<b>Finding</b>	Meets Expectations
<b>Description</b>	Fifteen of 15 reviewed penalties (100%) documented the rationale for the final value assessed compared to the initial value assessed. Fourteen of 14 reviewed penalty files (100%) documented collection of penalty.
<b>Explanation</b>	No performance deficiencies were identified by the Region.
<b>Relevant metrics</b>	<b>File Metric 12A</b> – 15 of 15 (100%) documentation on difference between initial and final penalty. <b>File Metric 12B</b> – 14 of 14 (100%) penalties collected.
<b>State response</b>	IDEM strives to meet all minimum data requirements and works with EPA Region 5 to address issues as they arise.
<b>Recommendation</b>	No action needed.

## Clean Air Act Findings

### Element 1 — Data Completeness: Completeness of Minimum Data Requirements.

<b>Finding</b>	<b>Meets Expectations</b>
<b>Description</b>	<p>Review of the thirty-three data metrics under Element 1 shows that all of the MDRs were complete.</p>
<b>Explanation</b>	<p>This element measures whether reporting of MDRs into AFS is complete for: federally reportable majors, synthetic minors, minors, Tier I minor and other sources (CMS sources), Tier I minor and other sources (active HPVs) and Tier II minors and others (formal enforcement); NSPS Part 60 universe, NESHAP Part 61 universe, MACT Part 63 universe, and Title V universe; Tier I sources with FCEs -source count, FCEs at Tier I sources -activity count, Tier II sources with FCEs -source count, and FCEs at Tier II sources -activity count; Tier I sources with violations and Tier II sources with violations; informal actions issued to Tier I sources and Tier I sources subject to informal actions; HPV activity count and HPV source count; formal enforcement actions issued to Tier I sources, Tier I sources with formal actions, formal enforcement actions issued to Tier II sources, and Tier II sources with formal actions; total assessed penalties and formal enforcement actions with penalty assessed; stack tests with passing results, stack tests with failing results, stack tests with pending results, stack tests without a results code, stack tests observed and reviewed, and stack tests reviewed only; and Title V annual compliance certifications reviewed.</p>
<b>Relevant metrics</b>	<p><b>Data Metrics 1A1-6, 1B1-4, 1C1-4, 1D1-2, 1E1-2, 1F1-2, 1G1-4, 1H1-2, 1I1-6, and 1J</b> - no performance deficiencies were identified by the Region. See Data Metric Analysis table.</p>
<b>State response</b>	<p>IDEM strives to meet all minimum data requirements and works with EPA Region 5 to address issues as they arise.</p>
<b>Recommendation</b>	<p>No action needed.</p>

## Element 2 — Data Accuracy: Accuracy of Minimum Data Requirements.

<b>Finding</b>	<b>Area for State Improvement</b>
<b>Description</b>	Four Title V major sources were missing a CMS code in for the review year. Eighteen of 36 reviewed files (50.0%) accurately reflected MDR data reported to AFS.
<b>Explanation</b>	<p>Data Metric 2A uses the historic CMS code captured on the last day of the review year for sources classified as major. Major sources without a CMS code may be an indication that they are not part of a CMS plan. In accordance with the CMS policy, all Title V major sources should be assigned a CMS code and an evaluation frequency.</p> <p>Data in eighteen of the 36 files reviewed were inaccurately reflected in OTIS. Examples of inaccuracies noted are: 1) seven files had incorrect addresses; 2) three files had incorrect inspection dates; 3) two files did not have failed stack tests reported; 3) three files has inaccurate compliance status reported; 4) one file was reported as a Title V instead of a FESOP; 5) three files were missing Title V reviews; and 6) two files were missing CMR documentation.</p> <p>A similar finding was noted in IDEM’s Round 1 SRF report and remains an issue.</p>
<b>Relevant metrics</b>	<p><b>Data Metric 2A</b> – 4 major sources missing CMS codes. <b>File Metric 2B</b> – 18 of 36 files (50.0%) accurate MDR data in AFS.</p>
<b>State response</b>	<ul style="list-style-type: none"><li>• IDEM believes the findings are not accurate. IDEM flagged the CMS codes as instructed by EPA Region 5. Three (3) of the 4 sources (003-00383, 005-00104, 141-00574) missing CMS codes were added into AFS on July 7, 2011. They were new sources added to AFS after the CMS was negotiated and accepted by EPA. Note that CMS Flags for FY11 should have been set during September 2010 with back and forth revisions and corrections done during October 2010 that same year. EPA Region 5 instructed IDEM at the time that once the CMS flags were set, they were not supposed to be touched until September 2011 the following year (for the next CMS planning cycle). Therefore, CMS Flags were blank simply because they were supposed to be blank. IDEM acknowledges that the 4<sup>th</sup> source (039-00620) missing the CMS flag should have been included as part of IDEM’s FY11 CMS. This was a new source added into AFS on Nov 24, 2008.</li><li>• The three files reported as having inaccurate compliance status reported is incorrect. The compliance determination contained in</li></ul>

**Recommendation**

the Notice of Inspection is a preliminary finding and provided at the time of the inspection and not a final determination. The Notice of Inspection is used to provide documentation of the oral report given to the source about the preliminary findings. It is not a final compliance determination. On some occasions, the inspector will mark additional information required on the Notice of Inspection to allow time for additional research or to review additional records prior to making a final compliance determination. The final compliance determination is contained in the Inspection Report or CMR and Inspection Summary letters as it was in these cases. IDEM believes the 3 files were accurately reported to AFS.

- Citizens Gas and Coke Utility should not have been included in the SRF because they ceased operation in 2007. Their Title V permit was renewed in 2011 to preserve any emission credits and to aid with sale or redevelopment of the property.
- By 60 days of the final report, EPA will pull OTIS data and discuss with IDEM during monthly conference calls concerning data entry.
- If issues are not resolved through monthly conference calls, IDEM will propose a plan to address them, including specific actions to address data gaps identified above and milestones for implementation.
- Progress will be monitored by Region 5 through monthly conference calls and steps will be taken as necessary to review implementation of recommended actions.

### Element 3 — Timeliness of Data Entry: Timely entry of Minimum Data Requirements.

<b>Finding</b>	<b>Area for State Improvement</b>
<b>Description</b>	Twenty HPV actions were reported to AFS beyond 60 days. The national goal for timely entry (entered in 60 days or less) of compliance and enforcement MDRs and (entered in 120 days or less) of stack test MDRs is 100%. IDEM entered 91.4% compliance monitoring MDRs, 87.3% enforcement MDRs, and 39.8% stack test MDRs in a timely manner.
<b>Explanation</b>	<p>EPA realizes that the percentages established in the SRF report do not reflect the whole picture of the compliance and enforcement activities conducted by IDEM, but they provide a process to effectively manage oversight. EPA suggests recommendations to IDEM for improvements in order to run a more efficient compliance and enforcement state program.</p> <p>A similar finding was noted in IDEM’s Round 1 SRF report and remains an issue.</p>
<b>Relevant metrics</b>	<p><b>Data Metric 3A1</b> – 8 timely entries of HPV determinations. National Goal is &lt;60 days.</p> <p><b>Data Metric 3A2</b> – 20 untimely entries of HPV determinations. National Goal is &lt;60 days.</p> <p><b>Data Metric 3B1</b> – 91.4% timely reporting of Compliance monitoring MDRs. National Goal is 100%. National Average is 78.6%.</p> <p><b>Data Metric 3B2</b> – 39.8% timely reporting of stack test MDRs. National Goal is 100%. National Average is 75.5%.</p> <p><b>Data Metric 3B3</b> – 87.3% timely reporting of enforcement MDRs. National Goal is 100%. National Average is 76.1%.</p>
<b>State response</b>	<ul style="list-style-type: none"><li>• IDEM has improved significantly in the area of timely entry of HPV data from the September 28, 2006 SRF Final Report. IDEM has changed its enforcement process and operating procedures to identify HPV’s earlier in the compliance and enforcement process. We have implemented standard operating procedures and a checklist to identify HPV’s earlier in the process.</li><li>• Metric 3B2 is not an accurate reflection of the requirement to submit stack test results. NESHAP test reports are required to be reported by sources within 60 days. Requiring the agency to enter the results before the results are even submitted makes the metric unattainable. The General Provisions in 40 CFR 63.7 allows sources to submit the results within 60 days of completion of a test. EPA thought that the 60 day Data Metric 3B2 was unreasonable and has revised the metric to 120 days.</li><li>• IDEM has already updated standard operating procedures and</li></ul>

**Recommendation**

provided training to staff responsible for reporting stack tests to ensure stack test results are entered in the data system within 60-120 days of receipt of the test results. IDEM has already improved to 91.7% reporting of stack test MDRs for 2013 data.

- By 60 days of the final report, IDEM will update its standard operating procedures and provide training to staff responsible for reporting HPV determinations and stack tests MDRs to AFS.
- If issues are not resolved through monthly conference calls, IDEM will propose a plan to address them, including specific actions to address data gaps identified above and milestones for implementation.
- Progress will be monitored by Region 5 through monthly conference calls and steps will be taken as necessary to review implementation of recommended actions.

**Element 4 — Completion of Commitments: Meeting all enforcement and compliance commitments made in state/EPA agreements.**

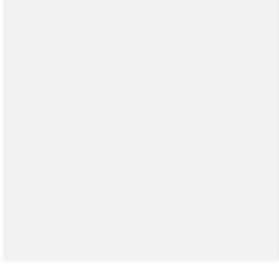
<b>Finding</b>	<b>Meets Expectations</b>
<b>Description</b>	347 of 236 (147.0%) planned Title V Major FCEs were completed. 173 of 35 (494.3%) planned SM-80 FCEs were completed. Three of three compliance and enforcement commitments other than CMS commitments were completed.
<b>Explanation</b>	<p>All EnPPA and non-EnPPA commitments were met or exceeded.</p> <p>IDEM’s management and staff were very helpful, organized and knowledgeable of their Air Compliance and Enforcement program. The Virtual File Cabinet (online file system) was easy to use, especially with the information IDEM provided the workgroup during the review.</p> <p>Briefing Memos in enforcement case files were excellent and very detailed which included previous enforcement action history. Also in the enforcement case files was an Enforcement Action Timeline which was very organized and helpful during the review. There were a number of checklists developed and used by IDEM that were excellent. These checklists included Title V ACC review sheet, HPV checklist, Notice of Inspection form, Inspection Summary letter with CMR, etc. The checklists assisted in providing specific information the reviewer was looking for.</p>
<b>Relevant metrics</b>	<p><b>File Metric 4A1</b> – 347 of 236 (147.0%) Title V Major FCEs.</p> <p><b>File Metric 4A2</b> – 173 of 35 (494.3%) SM-80 FCEs.</p> <p><b>File Metric 4B</b> – 3 of 3 (100%) planned commitments completed.</p>
<b>State response</b>	IDEM appreciates EPA’s recognition of our efforts to meet all commitments.
<b>Recommendation</b>	No action needed.

## Element 5 — Inspection Coverage: Completion of planned inspections.

<b>Finding</b>	<b>Area for State Attention</b>
<b>Description</b>	85.1% of CMS majors and mega-sites received an FCE. 86.4% of CMS SM-80s received an FCE. IDEM has reviewed Title V annual compliance certificates (ACC) for 88.3% of the active Title V universe.
<b>Explanation</b>	<p>IDEM completed FCEs at 343 of 403 at majors and mega-sites, 178 of 206 FCEs at SM-80s, and 534 of 605 of the active Title V universe had Title V annual compliance certificate reviews completed.</p> <p>Based on EPA findings under CAA Element 4, the Region believes that performance under Element 4 metrics in meeting inspection commitments under the state’s compliance monitoring strategy plan is a more accurate characterization of state performance than those reported under Element 5. Element 4 examines the specific universe of facilities that the state committed to inspect, rather than the more general set of all facilities included under Element 5 inspection coverage metrics. See Element 4 discussion for additional details.</p>
<b>Relevant metrics</b>	<p><b>Data Metric 5A</b> – 343 of 403 (85.1%) FCE Coverage Major. National Goal 100%. National Average 90.0%.</p> <p><b>Data Metric 5B</b> – 178 of 206 (86.4%) FCE Coverage SM-80. National Goal 100%. National Average 90.6%.</p> <p><b>Data Metric 5E</b> – 534 of 605 (88.3%) Title V ACCs Reviews Completed. National Goal 100%. National Average 72.5%.</p>
<b>State response</b>	<p>IDEM believes the data metric results are higher than identified by EPA. Some of this may be attributed to timeliness of data uploads, data uploaded past the freeze date (typically Nov 30<sup>th</sup> each year), duplication, and the received dates of annual compliance certifications (ACC’s). IDEM identified a list of 25 ACC’s that were timely uploaded to AFS as part of our FY11 CMS Plan that were not included in the list of 234 compiled by the EPA. All but one of the 25 ACCs were timely uploaded to AFS. IDEM’s correct total should have then been 558 (534+24) instead of the 534 EPA reported. This information was provided to EPA Region 5, but not included in the SRF.</p>
<b>Recommendation</b>	No action needed.

**Element 6 — Quality of Inspection Reports: Proper and accurate documentation of observations and timely report completion.**

<b>Finding</b>	<b>Area for State Improvement</b>
<b>Description</b>	Of the 31 full compliance evaluations reviewed, most files had one or more of the Compliance Monitoring (CMR) checklist criteria missing or incomplete. Fourteen of 31 reviewed FCEs (45.2%) met all criteria in the CMR checklist. However, many (28) of the 31 files reviewed (90.3%) provided sufficient documentation to determine source compliance.
<b>Explanation</b>	<p>Seventeen of the 31 CMRs reviewed were partially incomplete. Examples of CMR discrepancies include: 1) four CMRs had incorrect or missing address information; 2) seven CMRs were missing previous enforcement action history; 3) three CMRs did not have CMS checked, which would indicate an FCE as per IDEM’s CMS Plan and instead Commitment was checked, therefore, it was unclear if it was actually an FCE conducted; 4) five CMRs lacked process descriptions; and 5) five CMRs recorded sources’ names incorrectly.</p> <p>A similar finding was noted in IDEM’s Round 1 SRF report and remains an issue.</p>
<b>Relevant metrics</b>	<p><b>File Metric 6A</b> – 14 of 31 (45.2%) documentation of FCE elements.</p> <p><b>File Metric 6B</b> – 28 of 31 (90.3%) CMRs with sufficient documentation to determine compliance.</p>
<b>State response</b>	IDEM believes the inspection reports or CMRs accurately reflect the findings and information provided at the time of the inspections. For example, some sources did not have any enforcement history. Therefore, there was nothing to include other than a response that there were no previous compliance issues. The observations are subjective and IDEM believes the inspection reports or CMR templates include sufficient documentation of the FCE elements and sufficient documentation to determine compliance of the source. IDEM is not required by the CMS to follow a particular format. Another example is that an inspection report or CMR marked as a Commitment and not as a CMS is still reported as an FCE. IDEM accurately reported the FCEs to AFS.
<b>Recommendation</b>	<ul style="list-style-type: none"> <li>• By 30 days of the final report, EPA and IDEM will meet to discuss and analyze IDEM’s FCE/CMR template to ensure that it contains the required elements of FCEs and CMRs.</li> <li>• If it is found that the template and/or procedure to use the template need to be updated, IDEM will complete the update and provide inspection staff guidance on FCE and CMR completeness by 90</li> </ul>



days of the final report.

- Progress will be monitored by Region 5 through monthly conference calls and steps will be taken as necessary to review implementation of recommended actions.

**Element 7 — Identification of Alleged Violations: Compliance determinations accurately made and promptly reported in national database based on inspection reports and other compliance monitoring information.**

<b>Finding</b>	<b>Area for State Improvement</b>
<b>Description</b>	Fourteen of 32 reviewed CMRs or source files led to accurate compliance determinations and were accurately reported in AFS. Twenty-nine of 45 Tier I sources (64.4%) that received a notice of violation (informal enforcement action) during the review year and a compliance status of either in violation or meeting schedule were recorded in AFS during the review year.
<b>Explanation</b>	<p>IDEM accurately identifies violations, however, reporting of the violations are not accurately reflected in AFS. Eighteen of 32 reviewed CMRs containing information and documentation used by IDEM to determine compliance were inaccurately reported in AFS. “Three Year Compliance Status by Quarter” section of the OTIS Detailed Facility Report (DFR) did not match information found in 18 CMRs reviewed.</p> <p>A similar finding was noted in IDEM’s Round 1 SRF report and remains an issue.</p>
<b>Relevant metrics</b>	<p><b>File Metric 7A</b> – 14 of 32 (43.8%) accuracy of compliance determinations.</p> <p><b>Data Metric 7B1</b> – 29 of 45 (64.4%) alleged violations reported per informal enforcement actions (Tier I only). National Goal 100%. National Average 62.2%.</p> <p><b>Data Metric 7B2</b> – 8 of 14 (57.1%) alleged violations reported per failed stack tests. National Average 54.0%.</p> <p><b>Data Metric 7B3</b> – 18 of 20 (90.0%) alleged violations reported per HPV identified. National Goal 100%. National Average 69.6%.</p>
<b>State response</b>	<ul style="list-style-type: none"> <li>• IDEM believes the data metric results are higher than identified by EPA.</li> <li>• Metric 7A - Most of sources at issue had “unknown” compliance status in database. “Unknown” will supersede “compliance” in AFS/OTIS/ECHO. IDEM does not modify compliance status, except for HPV cases (formal or informal). Informal enforcement actions such as the issuance of a Violation Letter are not reported to AFS unless the violations are HPV.</li> <li>• The historic status of many sources has remained static. Historically, sources were created in “unknown” status. AFS can auto change certain statuses to “unknown” items such as late ACC submission. EPA made mass changes to specific air program and/or pollutants to “unknown” when rules changed. EPA made</li> </ul>

source specific individual historic changes prior to IDEM taking responsibility for own data entry (circa 2008-2009). These issues were raised to Lisa Lund at EPA HQ in 2010.

- EPA identified other sources claiming wrong compliance status. The most frequent cause is due to date entry:
  - Changing a compliance status in AFS begins on the date status was changed (EPA HQ/TRC can do retroactive dates). OTIS/ECHO only shows the worst case for the quarter (i.e. a status change within a quarter won't be evident until the following quarter),
  - Only worst case is shown aka "bubble up." For example, Citizen Energy Group (EPA field shows violation, State Field shows meeting compliance status)
- As discussed in Metric 2B, the compliance determination contained in the Notice of Inspection is a preliminary finding. On some occasions, the inspector will mark additional information required on the Notice of Inspection to allow time for additional research or to review additional records prior to making a final compliance determination. The final compliance determination is contained in the Inspection Report or CMR and Inspection Summary letters as it was in these cases and accurately reported to AFS.

### **Recommendation**

- Solutions to issues regarding data entry will be resolved under Elements 2 and 3 of this report.
- If issues are not resolved through monthly conference calls, IDEM will propose a plan to address them, including specific actions to address data gaps identified above and milestones for implementation.
- Progress will be monitored by Region 5 through monthly conference calls and steps will be taken as necessary to review implementation of recommended actions.

**Element 8 — Identification of SNC and HPV: Accurate identification of significant noncompliance and high-priority violations, and timely entry into the national database.**

<b>Finding</b>	<b>Area for State Improvement</b>
<b>Description</b>	IDEM’s HPV discovery rate is 3.2%, which is lower than the national average of 3.9%. Thirteen of 16 reviewed violations (81.3%) were accurately determined to be HPVs.
<b>Explanation</b>	<p>Three of the 16 violations reviewed were inaccurately determined to be HPVs for the following reasons: 1) no documentation proving IDEM determined the Title V certification violation to be non-HPV/non-substantial; 2) HPV Checklist states day zero date after the inspection and stack test reviews, however, the DFR states source was not an HPV; and 3) DFR shows “unaddressed-state” for Quarter 9, no documentation in file for any formal enforcement action.</p> <p>A similar finding was noted in IDEM’s Round 1 SRF report and remains an issue.</p>
<b>Relevant metrics</b>	<p><b>Data Metric 8A</b> – 20 of 630 (3.2%) HPV discovery rate per major facility universe. National Average is 3.9%.</p> <p><b>Data Metric 8B</b> – 5 of 9 (55.6%) HPV reporting indicator at majors with failed stack tests. National Average is 20.5%.</p> <p><b>File Metric 8C</b> – 13 of 16 (81.3%) accuracy of HPV determinations.</p>
<b>State response</b>	<p>IDEM’s compliance and enforcement program is not limited to the discovery of HPV’s to assure sources maintain compliance with the rules and permits. IDEM actively promotes compliance through a variety of activities and has seen compliance rates rise in Indiana. IDEM’s identification of HPV’s has remained consistent over the years. IDEM continues to identify violations through inspections, compliance reviews, stack tests and other compliance determinations. IDEM Compliance and Enforcement Managers also conduct a variety of outreach, and assistance activities to promote and increase compliance in addition to Compliance Monitoring Strategy Full and Partial Compliance Evaluations. Some of these activities to promote and increase compliance include:</p> <ul style="list-style-type: none"> <li>• Conduct permit compliance assistance visits where compliance and enforcement managers meet with permittees to walk through their permit requirements</li> <li>• Send compliance reminder letters (e.g. permit renewals)</li> <li>• Identify potential issues or potential compliance problems during inspections</li> <li>• Provide training to sources</li> </ul>

- Development of guidance documents, checklists, fact sheets, training manuals
- Follow up calls and/or source visits when there is a violation
- Participate in commerce or sector based associations, professional association meetings or training
- Respond to telephone and email compliance inquiries
- Meetings with sources, consultants, attorneys, local officials etc. to discuss compliance related matters
- Respond to Compliance and Technical Assistance (CTAP) inquiries
- Assist in the development of CTAP's sector-based notebooks, guides, checklists, publications, and fact sheets
- Identify P2 opportunities during inspections
- Encourage sources' participation in the Environmental Stewardship Programs during inspections and other compliance opportunities
- Post compliance assistance tools on web
- Meet with sources at their request
- Meet with city and counties officials.
- Develop Air Non-Rule Policy Documents
- Conduct Environmental Results Programs

The specific sources or files in the Explanation were not listed or provided so IDEM cannot provide any further response.

### **Recommendation**

- Solutions to issues 1, 2 and 3 in Explanation above regarding data entry will be resolved under Elements 2 and 3 of this report.
- If issues are not resolved through monthly conference calls, IDEM will propose a plan to address them, including specific actions to address data gaps identified above and milestones for implementation.
- Progress will be monitored by Region 5 through monthly conference calls and steps will be taken as necessary to review implementation of recommended actions.

**Element 9 — Enforcement Actions Promote Return to Compliance: Enforcement actions include required corrective action that will return facilities to compliance in specified timeframe.**

<b>Finding</b>	Meets Expectations
<b>Description</b>	Thirteen of 13 reviewed formal enforcement responses (100.0%) included required corrective actions that will return the source to compliance in a specified time frame.
<b>Explanation</b>	No performance deficiencies were identified by the Region.
<b>Relevant metrics</b>	<b>File Metric 9A</b> – 13 of 13 (100.0%) formal enforcement return facilities to compliance.
<b>State response</b>	IDEM appreciates EPA’s recognition of our efforts to return sources to compliance.
<b>Recommendation</b>	No action needed.

**Element 10 — Timely and Appropriate Action: Timely and appropriate enforcement action in accordance with policy relating to specific media.**

<b>Finding</b>	<b>Area for State Improvement</b>
<b>Description</b>	Four of 8 reviewed HPV addressing actions (50.0%) met the timeliness standard in the HPV Policy. Seven of 7 reviewed HPVs (100.0%) demonstrated the violation was appropriately addressed.
<b>Explanation</b>	<p>Three HPV addressing actions were not addressed within 270 days of the Day Zero Date achieved. 1) 1year, 4 months; 2) 294 days; 3) 342 days and 4) 291 days.</p> <p>A similar finding was noted in IDEM’s Round 1 SRF report and remains an issue.</p>
<b>Relevant metrics</b>	<p><b>Data Metric 10A</b> – 13 of 25 (52.0%) HPV cases which meet the timeliness goal of HPV Policy. National Average is 63.7%.</p> <p><b>File Metric 10A</b> – 4 of 8 (50.0%) timely action taken to address HPVs.</p> <p><b>File Metric 10B</b> – 8 of 8 (100.0%) appropriate enforcement responses for HPVs.</p>
<b>State response</b>	IDEM continues to work with EPA Region 5 to address the timeliness and actions involving complex HPV cases. The number of state lead cases on the Watch List has decreased over the years and currently only 4 sources remain on the list. The specific sources or files in the Explanation were not provided so IDEM cannot provide any further response.
<b>Recommendation</b>	<ul style="list-style-type: none"> <li>• By 60 days of the final report, EPA and IDEM will discuss options for improving ability to meet timeliness goals. Solutions determined during these discussions will be implemented by a date agreed upon by both parties.</li> <li>• Progress will be monitored by Region 5 through monthly calls and steps will be taken as necessary to review implementation of recommended actions.</li> </ul>

**Element 11 — Penalty Calculation Method: Documentation of gravity and economic benefit in initial penalty calculations using BEN model or other method to produce results consistent with national policy and guidance.**

<b>Finding</b>	<b>Area for State Improvement</b>
<b>Description</b>	Six of 12 penalty calculations (50.0%) reviewed that consider and include, where appropriate, gravity and economic benefit.
<b>Explanation</b>	<p>Five of the penalty calculations reviewed did not document economic benefit consideration. One of the penalty calculations reviewed did not document gravity consideration.</p> <p>IDEM generally maintains effective penalty calculation records. The Region recommends that IDEM add a line item to its penalty calculation worksheet to ensure that economic benefit consideration is recorded for each penalty.</p> <p>A similar finding was noted in IDEM’s Round 1 SRF report and remains an issue.</p>
<b>Relevant metrics</b>	<b>File Metric 11A</b> – 6 of 12 (50.0%) penalty calculations consider and include gravity and economic benefit.
<b>State response</b>	<ul style="list-style-type: none"> <li>• IDEM believes the data metric results are higher than identified by EPA. The gravity portion of the penalty calculations is considered in every enforcement action, otherwise there would be no penalties. The exceptions would be cases that qualify for penalty mitigation under self-disclosure policies and inability to pay determinations. As examples, the gravity portion of the penalty along with economic benefit was considered in the Hendrickson Trailer 011-00037 case as was noted in the case documentation. Economic benefit was also included in the E&amp;B Paving 057-05038 case and was noted in the case documentation at the time of EPA’s review.</li> <li>• The recommendation to update the penalty calculation worksheet is unnecessary since the penalty calculation sheet reviewed by EPA at the time of the SRF already included economic benefit on the sheet.</li> </ul>
<b>Recommendation</b>	By 60 days of the final report, IDEM will update and submit to Region 5 a revised penalty calculation worksheet to be used and included in case files.

**Element 12 — Final Penalty Assessment and Collection: Differences between initial and final penalty and collection of final penalty documented in file.**

<b>Finding</b>	<b>Area for State Attention</b>
<b>Description</b>	Thirteen of 13 reviewed penalties (100.0%) documented the rationale for the final value assessed compared to the initial value assessed. Ten of 13 reviewed penalty files (83.3%) documented collection of penalty.
<b>Explanation</b>	<p>Three files lacked documentation that the penalty had been collected. However, IDEM reported to AFS the dates penalties were collected and one file included documentation that the facility had begun the agreed upon Supplemental Environment Project.</p> <p>This finding is only an Area for State Attention because the Region believes that IDEM can improve performance in this area on its own without a recommendation.</p>
<b>Relevant metrics</b>	<p><b>File Metric 12A</b> – 13 of 13 (100%) documenting difference between initial and final penalty.</p> <p><b>File Metric 12B</b> – 10 of 13 (76.9%) penalties collected documentation.</p>
<b>State response</b>	<ul style="list-style-type: none"> <li>• This is an incorrect reflection of the penalties collected for closed cases. The penalties are tracked in IDEM’s PeopleSoft Financial System and the Multimedia Enforcement Tracking System (METS) and reported to AFS. Three of the cases were still open because the sources still had some open Agreed Order compliance schedule items that still needed to be completed by the source. IDEM will not close a case until the source has complied with all terms and conditions of an Agreed Order including penalty payment. Penalty payments are verified by IDEM’s Cashier’s Office before closing cases and current IDEM files show that 2 of the 3 cases are still open. The documentation for the third case, Hendrickson Trailer (011-00037) shows payment being received and with a closeout letter.</li> <li>• The AFS payment entry (Z8), in the case of payment plans, is only made when the final payment has been received and deposited. This is to prevent duplicate entries and possibly inflating payments received.</li> </ul>
<b>Recommendation</b>	No action needed.

## Resource Conservation and Recovery Act Findings

### Element 1 — Data Completeness: Completeness of Minimum Data Requirements.

<b>Finding</b>	Meets Expectations
<b>Description</b>	Review of the seventeen data metrics under Element 1 shows that all of the MDRs were complete.
<b>Explanation</b>	According to RCRAInfo, the following data metrics were complete: operating treatment, storage, and disposal facilities (TSDFs), active large quantity generators (LQGs), and active small quantity generators (SQGs) site universe counts; inspection counts; violation counts; informal enforcement action counts; SNC counts; formal enforcement action counts; total dollar amount of final penalties; and formal enforcement actions that include penalty for IDEM.
<b>Relevant metrics</b>	<b>Data Metrics 1A1-5, 1B1-2, 1C1-2, 1D1-2, 1E1-2, 1F1-2, 1G, and 1H</b> - no performance deficiencies were identified by the Region, see Data Metric Analysis table.
<b>State response</b>	State did not provide a comment.
<b>Recommendation</b>	No action needed.

## Element 2 — Data Accuracy: Accuracy of Minimum Data Requirements.

<b>Finding</b>	<b>Area for State Attention</b>
<b>Description</b>	142 sites in RCRAInfo were in violation for greater than 240 days without being evaluated for re-designation as SNCs. Twenty-six of 30 files (86.7%) contained data that was accurately reflected in RCRAInfo.
<b>Explanation</b>	<p>Four of the 30 files reviewed were inaccurately reflected in OTIS. Examples of inaccuracies noted are: 1) in one file, two inspections were recorded in RCRAInfo as having occurred on the same day, while a subsequent follow-up inspection was not recorded in the database; 2) two files listed several more violations than entered in RCRAInfo; 3) in one file, a single inspection prompted by two separate causes was recorded as two separate inspections RCRAInfo.</p> <p>Also, with respect to the 142 sites in violation for greater than 240 days without subsequent SNC designation as of the time of the file review, IDEM reported that: (1) 35 had been updated after SRF data had been frozen; (2) 61 were subsequently corrected to reflect a return to compliance; (3) seven were EPA-lead enforcements; and (4) 29 of the sites were the subject of formal enforcement proceeding and/or had on-going remediation, closure or compliance activities to complete before the State could appropriate return the sites to compliance. Eleven of those 29 sites had been previously designated as SNCs.</p> <p>This finding is only an Area of State Attention because the Region believes that IDEM can improve performance in this area on its own without a recommendation.</p>
<b>Relevant metrics</b>	<b>Data Metric 2A</b> – 142 sites in RCRAInfo have been in violation for greater than 240 days without being evaluated for re-designation as SNCs. <b>File Metric 2B</b> – 26 of 30 files (86.7%) contained data that was accurately reflected in RCRAInfo.
<b>State response</b>	State did not provide a comment.
<b>Recommendation</b>	No action needed.

**Element 3 — Timeliness of Data Entry: Timely entry of Minimum Data Requirements.**

<b>Finding</b>	<b>Meets Expectations</b>
<b>Description</b>	Thirty of 30 reviewed files (100%) demonstrated that mandatory data were entered in RCRAInfo in a timely manner.
<b>Explanation</b>	No performance deficiencies were identified by the Region.
<b>Relevant metrics</b>	<b>File Metric 3A</b> – 30 of 30 files (100%) reviewed where mandatory data are entered in RCRAInfo in a timely manner.
<b>State response</b>	State did not provide a comment.
<b>Recommendation</b>	No action needed.

**Element 4 — Completion of Commitments: Meeting all enforcement and compliance commitments made in state/EPA agreements.**

<b>Finding</b>	Meets Expectations
<b>Description</b>	IDEM met five of six (83.3%) non-inspection commitments in the Environmental Performance Partnership Agreement (EnPPA).
<b>Explanation</b>	The one commitment that was not met during the EnPPA has been rolled into the current EnPPA and is being completed as of the writing of this report. The migration of Indiana RCRA Activities Tracking System (IRATS) to the agency Environmental Information System (EIS) is currently scheduled to be worked on during the next EnPPA cycle from June 2012 to March 2013.
<b>Relevant metrics</b>	<b>File Metric 4A</b> – 5 of 6 (83.3%) non-inspection commitments met <b>File Metric 4B</b> – IDEM does not have an alternative CMS.
<b>State response</b>	State did not provide a comment.
<b>Recommendation</b>	No action needed.

**Element 5 — Inspection Coverage: Completion of planned inspections.**

<b>Finding</b>	<b>Meets Expectations</b>
<b>Description</b>	In combination with Region 5, the national inspection goals for TSDFs (2 years) and LQGs (1 year and 5 year) were met.
<b>Explanation</b>	<p>IDEM conducted 17 of 18 inspections (94.4%) at Treatment, Storage, and Disposal Facilities (TSDFs) with operating permits. The one facility not inspected by IDEM is a state-owned facility. IDEM does not inspect that facility because Region 5 elects to inspect that facility on an annual basis. IDEM is consistently above 20% inspection coverage each year for Large Quantity Generators (LQGs). The five year average is affected by the changing universe, therefore EPA considers this metric met. The LQG universe of total facilities in Indiana increased by approximately 15% in the past five years. In FY07, IDEM had 427 LQGs reporting to the RCRA Biennial Report on hazardous waste generating facilities. In FY11, IDEM had 503 LQGs reporting. Factoring in the change in the LQG universe, IDEM achieved the national goal to inspect 100% of LQGs every 5 years.</p> <p>IDEM conducts additional CEI inspections of non-government TSDF's with operating permits each year. IDEM focuses the additional inspections on commercial TSDF's which handle the largest volume of hazardous waste. IDEM conducted a total of 45 inspections at non-government TSDF's during the two (2) year review period.</p>
<b>Relevant metrics</b>	<p><b>Data Metric 5A</b> – 17 of 18 (94.4%) two-year inspection coverage for operating TSDFs. National goal 100%. National Average 89.4%.</p> <p><b>Data Metric 5B</b> – 29.4% annual inspection coverage for LQGs. National goal 20%. National Average 22.6%.</p> <p><b>Data Metric 5C</b> – 85.6% five-year inspection coverage for LQGs. National goal 100%. National Average 62.9%</p>
<b>State response</b>	State did not provide a comment.
<b>Recommendation</b>	No action needed.

**Element 6 — Quality of Inspection Reports: Proper and accurate documentation of observations and timely report completion.**

<b>Finding</b>	<b>Meets Expectations</b>
<b>Description</b>	Twenty-nine of the 30 files contained at least one inspection report. In all of these cases, the inspection reports were completed in a timely fashion. There were 34 inspection reports in total (four files contained more than one report). Thirty-two of 34 reviewed inspection reports (94.1%) were considered complete, and provided sufficient documentation to determine compliance at the facility.
<b>Explanation</b>	Two of the 34 inspection reports reviewed were incomplete or did not provide sufficient information to determine compliance for the following reasons: 1) lacks specific information regarding one violation and 2) one report could not be located.
<b>Relevant metrics</b>	<b>File Metric 6A</b> – 32 of 34 inspection reports (94.1%) complete and sufficient to determine compliance. <b>File Metric 6B</b> – 29 of 29 inspection reports (100%) completed in a timely manner.
<b>State response</b>	State did not provide a comment.
<b>Recommendation</b>	No action needed.

**Element 7 — Identification of Alleged Violations: Compliance determinations accurately made and promptly reported in national database based on inspection reports and other compliance monitoring information.**

<b>Finding</b>	<b>Meets Expectations</b>
<b>Description</b>	Twenty-nine of 29 reviewed inspection files (100%) led to accurate compliance determinations. IDEM’s violation identification rate is 41.8% according to OTIS.
<b>Explanation</b>	IDEM has accurate compliance determinations.
<b>Relevant metrics</b>	<b>File Metric 7A</b> – 29 of 29 (100%) accurate compliance determinations. <b>Data Metric 7B</b> – 41.8% of sites with violations found during inspection. National average is 32.5%.
<b>State response</b>	State did not provide a comment.
<b>Recommendation</b>	No action needed.

**Element 8 — Identification of SNC and HPV: Accurate identification of significant noncompliance and high-priority violations, and timely entry into the national database.**

<b>Finding</b>	Meets Expectations
<b>Description</b>	IDEM's SNC identification rate is 4.1%, which is higher than national average of 2.1%. Nineteen of 19 reviewed files (100%) demonstrated significant noncompliance (SNC) status was appropriately determined. According to OTIS, IDEM is 100% for timeliness of SNC determinations.
<b>Explanation</b>	IDEM has accurate and timely SNC determinations.
<b>Relevant metrics</b>	<b>Data Metric 8A</b> – 21 of 517 (4.1%) SNC identification rate. National Average is 2.1%. <b>Data Metric 8B</b> – 100% of SNC determinations made in a timely manner. National goal is 100%. National Average is 81.7%. <b>File Metric 8C</b> – 19 of 19 files (100%) reviewed with appropriate SNC determinations.
<b>State response</b>	State did not provide a comment.
<b>Recommendation</b>	No action needed.

**Element 9 — Enforcement Actions Promote Return to Compliance: Enforcement actions include required corrective action that will return facilities to compliance in specified timeframe.**

<b>Finding</b>	<b>Area for State Attention</b>
<b>Description</b>	Ten of 10 reviewed enforcement responses (100%) returned or will return a site in SNC to compliance. Eight of nine reviewed enforcement responses (88.9%) returned or will return a secondary violator (SV) to compliance.
<b>Explanation</b>	<p>One violation involved failure to make a waste determination on 18 55-gallon containers of soil/ground water. There was no detail in report on what was inadequate. Also, the facility responded by saying it disposed of the waste. There was no information in file to demonstrate that the determination was appropriately made.</p> <p>EPA would typically classify a violator who failed to make a waste determination as SNC. However, in this case, there was a lack of information in the file regarding details of the inadequacy to make that determination. This deficiency has been reflected in the results of metrics 6A and 9B, regarding inspection report detail and return to compliance.</p> <p>This finding is only an Area of State Attention because the Region believes that IDEM can improve performance in this area on its own without a recommendation. Region 5 will monitor progress in the future.</p>
<b>Relevant metrics</b>	<p><b>File Metric 9A</b> – 10 of 10 (100%) enforcement that returns SNC sites to compliance.</p> <p><b>File Metric 9B</b> – 8 of 9 (88.9%) enforcement that returns SV sites to compliance.</p>
<b>State response</b>	State did not provide a comment.
<b>Recommendation</b>	No action needed.

**Element 10 — Timely and Appropriate Action: Timely and appropriate enforcement action in accordance with policy relating to specific media.**

<b>Finding</b>	Meets Expectations
<b>Description</b>	Seventeen of 17 reviewed SNC designations (100%) were addressed in a timely manner, according to OTIS. Nineteen of 19 reviewed files (100%) demonstrated enforcement responses appropriate to the violations.
<b>Explanation</b>	IDEM has timely and appropriate enforcement responses.
<b>Relevant metrics</b>	<b>Data Metric 10A</b> – 17 of 17 (100%) timely enforcement taken to address SNC. National Goal is 80%. National Average is 81.8%. <b>File Metric 10B</b> – 19 of 19 (100%) appropriate enforcement taken to address violations.
<b>State response</b>	State did not provide a comment.
<b>Recommendation</b>	No action needed.

**Element 11 — Penalty Calculation Method: Documentation of gravity and economic benefit in initial penalty calculations using BEN model or other method to produce results consistent with national policy and guidance.**

<b>Finding</b>	Meets Expectations
<b>Description</b>	Twelve of 12 reviewed penalty calculations (100%) considered and included, where appropriate, gravity and economic benefit.
<b>Explanation</b>	IDEM considers and includes gravity and economic benefit into its penalty calculations.
<b>Relevant metrics</b>	<b>Files Metric 11A</b> – 12 of 12 (100%) penalty calculations include gravity and economic benefit.
<b>State response</b>	State did not provide a comment.
<b>Recommendation</b>	No action needed.

**Element 12 — Final Penalty Assessment and Collection: Differences between initial and final penalty and collection of final penalty documented in file.**

<b>Finding</b>	Meets Expectations
<b>Description</b>	Eleven of 12 reviewed penalties (91.7%) documented the difference between the initial and final assessed penalty, and the rationale for that difference. Nine of nine reviewed files (100%) documented collection of penalty.
<b>Explanation</b>	Three penalties were reduced to zero due to demonstrated inability to pay. In one file, rationale regarding penalty adjustment was not clear from reading the narrative.
<b>Relevant metrics</b>	<b>File Metric 12A</b> – 11 of 12 (91.7%) documentation on difference between initial and final penalty. <b>File Metric 12B</b> – 9 of 9 (100%) penalties collected.
<b>State response</b>	State did not provide a comment.
<b>Recommendation</b>	No action needed.

## Appendix A: Data Metric Analysis

Attached below are the results of the SRF data metric analyses. All data metrics are analyzed prior to the on-site file review. This provides reviewers with essential advance knowledge of potential problems. It also guides the file selection process as these potential problems highlight areas for supplemental file review.

The initial findings are preliminary observations. They are used as a basis for further investigation during the file review and through dialogue with the state. Where applicable, this analysis evaluates state performance against the national goal and average. Final findings are developed only after evaluating the data alongside file review results and details from conversations with the state. Through this process, initial findings may be confirmed or modified. Final findings are presented in Section III of this report.

### Clean Water Act

Metric	Metric Name	Metric Type	Agency	Natl Goal	Natl Avg	Indiana	Count	Universe	Not Cntd	Initial Findings	Explanation
1a1	Number of Active NPDES Majors with Individual Permits	Data Verification	State			192					
			EPA			0					
1a2	Number of Active NPDES Majors with General Permits	Data Verification	State			0					
			EPA			0					
1a3	Number of Active NPDES Non-Majors with Individual Permits	Data Verification	State			1407					
			EPA			0					
1a4	Number of Active NPDES Non-Majors with General Permits	Data Verification	State			0				Supplemental Review	EPA expects IDEM to input source inspections or enforcement actions
			EPA			0					

Metric	Metric Name	Metric Type	Agency	Natl Goal	Natl Avg	Indiana	Count	Universe	Not Cntd	Initial Findings	Explanation
1b1	Permit Limits Rate for Major Facilities	Goal	State	>= 95%	98.60%	100%	192	192	0	Meets Expectations	
			EPA	>= 95%	98.80%	0/0	0	0	0		
1b2	DMR Entry Rate for Major Facilities.	Goal	State	>= 95%	96.50%	92.40%	13209	14290	1081	Meets Expectations	
			EPA	>= 95%	98.40%	0/0	0	0	0		
1b3	Number of Major Facilities with a Manual Override of RNC/SNC to a Compliant Status	Data Verification	State				3				
			EPA				0				
1c1	Permit Limits Rate for Non-Major Facilities	Informational only	State		66.10%	99%	1393	1407	14		
			EPA		87.50%	0/0	0	0	0		
1c2	DMR Entry Rate for Non-Major Facilities.	Informational only	State		72.60%	99.70%	22059	22118	59		
			EPA		87.20%	0/0	0	0	0		
1e1	Facilities with Informal Actions	Data Verification	State				360				
			EPA				1				
1e2	Total Number of Informal Actions at CWA NPDES Facilities	Data Verification	State				442				
			EPA				1				
1f1	Facilities with Formal Actions	Data Verification	State				55				
			EPA				4				
1f2	Total Number of Formal Actions at CWA NPDES Facilities	Data Verification	State				56				

Metric	Metric Name	Metric Type	Agency	Natl Goal	Natl Avg	Indiana	Count	Universe	Not Cntd	Initial Findings	Explanation
			EPA			3					
1g1	Number of Enforcement Actions with Penalties	Data Verification	State			33					
			EPA			1					
1g2	Total Penalties Assessed	Data Verification	State			\$100,891					
			EPA			\$420,000					
2a1	Number of formal enforcement actions, taken against major facilities, with enforcement violation type codes entered.	Data Verification	State	95%		0				Supplemental Review	EPA expects to see actions linked to violations.
			EPA			0					
5a1	Inspection Coverage - NPDES Majors	Goal metric	State	100% state's CMS Plan commitment	54.40%	59.40%	114	192	78	Meets Expectations	
			EPA		3.80%	2.10%	4	192	188		
5b1	Inspection Coverage - NPDES Non-Majors	Goal metric	State	100% state's CMS Plan commitment	23.70%	58%	816	1407	591	Meets Expectations	
			EPA		0.80%	0.40%	5	1407	1402		
5b2	Inspection Coverage - NPDES Non-Majors with General Permits	Goal metric	State	100% state's CMS Plan commitment	19.20%	0/0	0	0	0	Area for State Improvement	EPA expects CMS inspections to be recorded.
			EPA		1%	0/0	0	0	0		
7a1	Number of Major Facilities with Single Event Violations	Data Verification	State			6				Supplemental Review	Number is incorrect. EPA expects to see SEVs identified as required for majors.

Metric	Metric Name	Metric Type	Agency	Natl Goal	Natl Avg	Indiana	Count	Universe	Not Cntd	Initial Findings	Explanation
7a2	Number of Non-Major Facilities with Single Event Violations	Informational only	State			18				Supplemental Review	Number is incorrect.
			EPA			2					
7b1	Compliance schedule violations	Data Verification	State			6					
			EPA			0					
7c1	Permit schedule violations	Data Verification	State			133				Supplemental Review	
			EPA			0					
7d1	Major Facilities in Noncompliance	Review Indicator	State		71.20%	66.10%	127	192	65		
			EPA		63%	0/0	0	0	0		
7f1	Non-Major Facilities in Category 1 Noncompliance	Data Verification	State			289					
			EPA			0					
7g1	Non-Major Facilities in Category 2 Noncompliance	Data Verification	State			435					
			EPA			3					
7h1	Non-Major Facilities in Noncompliance	Informational only	State			51.90%	730	1407	677		
			EPA			0/0	0	0	0		
8a1	Major Facilities in SNC	Review indicator metric	State			26					
			EPA			0					
8a2	Percent of Major Facilities in SNC	Review indicator metric	State		22.30%	13.20%	26	197	171		
			EPA		29.40%	0/0	0	0	0		

Metric	Metric Name	Metric Type	Agency	Natl Goal	Natl Avg	Indiana	Count	Universe	Not Cntd	Initial Findings	Explanation
10a1	Major facilities with Timely Action as Appropriate	Goal metric	State	98%		0%	0	11	11	Area for State Improvement	EPA expects to see timely action.
			EPA				0	0			

### Clean Air Act

Metric	Metric Name	Metric Type	Agency	Natl Goal	Natl Avg	Indiana	Count	Universe	Not Cntd	Initial Findings	Explanation
1a1	Number of Active Major Facilities (Tier I)	Data Verification	State			630					
			EPA			630					
1a2	Number of Active Synthetic Minors (Tier I)	Data Verification	State			543					
			EPA			543					
1a3	Number of Active NESHAP Part 61 Minors (Tier I)	Data Verification	State			11				Supplemental Review	Verify number with IDEM during file review.
			EPA			11					
1a4	Number of Active CMS Minors and Facilities with Unknown Classification (Not counted in metric 1a3) that are Federally-Reportable (Tier I)	Data Verification	State			16				Supplemental Review	Verify number with IDEM during file review.
			EPA			0					

Metric	Metric Name	Metric Type	Agency	Natl Goal	Natl Avg	Indiana	Count	Universe	Not Cntd	Initial Findings	Explanation
1a5	Number of Active HPV Minors and Facilities with Unknown Classification (Not counted in metrics 1a3 or 1a4) that are Federally-Reportable (Tier I)	Data Verification	State			2				Supplemental Review	Verify number with IDEM during file review.
			EPA			0					
1a6	Number of Active Minors and Facilities with Unknown Classification Subject to a Formal Enforcement Action (Not counted in metrics 1a3, 1a4 or 1a5) that are Federally-Reportable (Tier II)	Data Verification	State			4				Supplemental Review	Verify number with IDEM during file review.
			EPA			2					
1b1	Number of Active Federally-Reportable NSPS (40 C.F.R. Part 60) Facilities	Data Verification	State			200					
			EPA			200					
1b2	Number of Active Federally-Reportable NESHAP (40 C.F.R. Part 61) Facilities	Data Verification	State			40					
			EPA			40					
1b3	Number of Active Federally-Reportable MACT (40 C.F.R. Part 63) Facilities	Data Verification	State			370					
			EPA			370					
1b4	Number of Active Federally-Reportable Title V Facilities	Data Verification	State			604				Supplemental Review	Number seems low. Verify number with IDEM during file review.
			EPA			604					

Metric	Metric Name	Metric Type	Agency	Natl Goal	Natl Avg	Indiana	Count	Universe	Not Cntd	Initial Findings	Explanation
1c1	Number of Tier I Facilities with an FCE (Facility Count)	Data Verification	State			559				Supplemental Review	Number seems high. Verify number with IDEM during file review.
			EPA			0					
1c2	Number of FCEs at Tier I Facilities (Activity Count)	Data Verification	State			561					
			EPA			0					
1c3	Number of Tier II Facilities with FCE (Facility Count)	Data Verification	State			0					
			EPA			0					
1c4	Number of FCEs at Tier II Facilities (Activity Count)	Data Verification	State			0					
			EPA			0					
1d1	Number of Tier I Facilities with Noncompliance Identified (Facility Count)	Data Verification	State			192				Supplemental Review	Verify number with IDEM during file review.
			EPA			79					
1d2	Number of Tier II Facilities with Noncompliance Identified (Facility Count)	Data Verification	State			3				Supplemental Review	Verify number with IDEM during file review.
			EPA			2					
1e1	Number of Informal Enforcement Actions Issued to Tier I Facilities (Activity Count)	Data Verification	State			48					
			EPA			10					

Metric	Metric Name	Metric Type	Agency	Natl Goal	Natl Avg	Indiana	Count	Universe	Not Cntd	Initial Findings	Explanation
1e2	Number of Tier I Facilities Subject to an Informal Enforcement Action (Facility Count)	Data Verification	State			45					
			EPA			10					
1f1	Number of HPVs Identified (Activity Count)	Data Verification	State			28					
			EPA			9					
1f2	Number of Facilities with an HPV Identified (Facility Count)	Data Verification	State			26					
			EPA			9					
1g1	Number of Formal Enforcement Actions Issued to Tier I Facilities (Activity Count)	Data Verification	State			48					
			EPA			11					
1g2	Number of Tier I Facilities Subject to a Formal Enforcement Action (Facility Count)	Data Verification	State			45					
			EPA			10					
1g3	Number of Formal Enforcement Actions Issued to Tier II Facilities (Activity Count)	Data Verification	State			4					
			EPA			0					
1g4	Number of Tier II Facilities Subject to a Formal Enforcement Action (Facility Count)	Data Verification	State			4					
			EPA			0					
1h1	Total Amount of Assessed Penalties	Data Verification	State			\$740,516					
			EPA			\$4,487,500					

Metric	Metric Name	Metric Type	Agency	Natl Goal	Natl Avg	Indiana	Count	Universe	Not Cntd	Initial Findings	Explanation
1h2	Number of Formal Enforcement Actions with an Assessed Penalty	Data Verification	State			46					
			EPA			7					
1i1	Number of Stack Tests with Passing Results	Data Verification	State			653					
			EPA			0					
1i2	Number of Stack Tests with Failing Results	Data Verification	State			18					
			EPA			0					
1i3	Number of Stack Tests with Pending Results	Data Verification	State			0					
			EPA			0					
1i4	Number of Stack Tests with No Results Reported	Data Verification	State			0					
			EPA			0					
1i5	Number of Stack Tests Observed & Reviewed	Data Verification	State			284					
			EPA			0					
1i6	Number of Stack Tests Reviewed Only	Data Verification	State			387					
			EPA			0					
1j	Number of Title V Annual Compliance Certifications Reviewed	Data Verification	State			607					
			EPA			1					
2a	Major Sources Missing CMS Source Category Code	Review Indicator	State			4					
			EPA			4					

Metric	Metric Name	Metric Type	Agency	Natl Goal	Natl Avg	Indiana	Count	Universe	Not Cntd	Initial Findings	Explanation
3a1	Timely Entry of HPV Determinations	Review Indicator	State	<60 days		8					
			EPA			2					
3a2	Untimely Entry of HPV Determinations	Goal	State	<60 days		20				Area for State Improvement	EPA expects timely entry of HPVs per HPV Policy.
			EPA	0		7					
3b1	Timely Reporting of Compliance Monitoring Minimum Data Requirements	Goal	State	100%	78.60%	91.40%	1068	1168	100	Meets Expectations	
			EPA	100%	73.40%	0%	0	1	1		
3b2	Timely Reporting of Stack Test Minimum Data Requirements	Goal	State	100%	75.50%	39.80%	267	671	404	Area for State Improvement	EPA expects timely entry of Stack Tests.
			EPA	100%	85.70%	0/0	0	0	0		
3b3	Timely Reporting of Enforcement Minimum Data Requirements	Goal	State	100%	76.10%	87.30%	89	102	13	Area for State Attention	
			EPA	100%	68.60%	95.20%	20	21	1		
5a	FCE Coverage Major	Goal	State	100%	90%	85.10%	343	403	60	Area for State Attention	
			EPA	100%	49.10%	0/0	0	0	0		
5b	FCE Coverage SM-80	Goal	State	100%	90.60%	86.40%	178	206	28	Area for State Attention	
			EPA	100%	0%	0/0	0	0	0		
5c	FCE Coverage Synthetic Minors (non SM-80)	Goal	State	100%	66.70%	0/0	0	0	0	Meets Expectations	Not required to report.
			EPA	100%	0%	0/0	0	0	0		

Metric	Metric Name	Metric Type	Agency	Natl Goal	Natl Avg	Indiana	Count	Universe	Not Cntd	Initial Findings	Explanation
5d	FCE Coverage Minors	Goal	State	100%	11.70%	0/0	0	0	0	Meets Expectations	Not required to report.
			EPA	100%	0%	0/0	0	0	0		
5e	Review of Title V Annual Compliance Certifications Completed	Goal	State	100%	72.50%	88.30%	534	605	71	Area for State Attention	
			EPA	100%	1%	0.20%	1	605	604		
7b1	Alleged Violations Reported Per Informal Enforcement Actions (Tier I only)	Goal	State	100%	62.20%	64.40%	29	45	16	Area for State Improvement	
			EPA	100%	52.60%	40%	4	10	6		
7b2	Alleged Violations Reported Per Failed Stack Tests	Review Indicator	State		54%	57.10%	8	14	6		
			EPA		0%	0/0	0	0	0		
7b3	Alleged Violations Reported Per HPV Identified	Goal	State	100%	69.60%	90%	18	20	2	Meets Expectations	
			EPA	100%	40.60%	71.40%	5	7	2		
8a	HPV Discovery Rate Per Major Facility Universe	Review Indicator	State		3.90%	3.20%	20	630	610		
			EPA		0.40%	1%	6	630	624		
8b	HPV Reporting Indicator at Majors with Failed Stack Tests	Review Indicator	State		20.50%	55.60%	5	9	4		
			EPA		0%	0/0	0	0	0		
10a	HPV cases which meet the timeliness goal of the HPV Policy	Review Indicator	State		63.70%	52%	13	25	12		
			EPA		48.60%	50%	1	2	1		

## Resource Conservation and Recovery Act

Metric	Metric Name	Metric Type	Agency	Natl Goal	Natl Avg	Indiana	Count	Universe	Not Cntd	Initial Findings	Explanation
1a1	Number of operating TSDFs	Data Verification	State			18					
			EPA			18					
1a2	Number of active LQGs	Data Verification	State			487					
			EPA			487					
1a3	Number of active SQGs	Data Verification	State			1068					
			EPA			1068					
1a4	All other active sites	Data Verification	State			6361					
			EPA			6361					
1a5	Number of BR LQGs	Data Verification	State			487					
			EPA			487					
1b1	Number of sites inspected	Data Verification	State			491					
			EPA			30					
1b2	Number of inspections	Data Verification	State			516					
			EPA			31					
1c1	Number of sites with new violations during review year	Data Verification	State			205					
			EPA			5					

Metric	Metric Name	Metric Type	Agency	Natl Goal	Natl Avg	Indiana	Count	Universe	Not Cntd	Initial Findings	Explanation
1c2	Number of sites in violation at any time during the review year regardless of determination date	Data Verification	State			376					
			EPA			88					
1d1	Number of sites with informal enforcement actions	Data Verification	State			192					
			EPA			5					
1d2	Number of informal enforcement actions	Data Verification	State			198					
			EPA			5					
1e1	Number of sites with new SNC during year	Data Verification	State			21					
			EPA			1					
1e2	Number of sites in SNC regardless of determination date	Data Verification	State			37					
			EPA			3					
1f1	Number of sites with formal enforcement actions	Data Verification	State			41					
			EPA			1					
1f2	Number of formal enforcement actions	Data Verification	State			96					
			EPA			1					
1g	Total dollar amount of final penalties	Data Verification	State			\$291,609					
			EPA			\$0					

Metric	Metric Name	Metric Type	Agency	Natl Goal	Natl Avg	Indiana	Count	Universe	Not Cntd	Initial Findings	Explanation
1h	Number of final formal actions with penalty in last 1 FY	Data Verification	State			27					
			EPA			0					
2a	Long-standing secondary violators	Review Indicator	State			142				Supplemental Review	Number seems high. Verify number with IDEM during file review.
			EPA			74					
5a	Two-year inspection coverage for operating TSDFs	Goal	State	100%	89.40%	94.40%	17	18	1	Meets Expectations	The one facility not inspected by IDEM is a State-owned facility. IDEM does not inspect that facility because the U.S. EPA elects to inspect that facility on an annual basis.
			Combined	100%	94.20%	100%	18	18	0		
5b	Annual inspection coverage for LQGs	Goal	State	20%	22.60%	29.40%	143	487	344	Meets Expectations	
			Combined	20%	24.70%	31.20%	152	487	335		
5c	Five-year inspection coverage for LQGs	Goal	State	100%	62.90%	85.60%	417	487	70	Meets Expectations	IDEM is consistently above 20% each year. 5year average is affected by changing universe.
			Combined	100%	67.60%	87.70%	427	487	60		

Metric	Metric Name	Metric Type	Agency	Natl Goal	Natl Avg	Indiana	Count	Universe	Not Cntd	Initial Findings	Explanation
5d	Five-year inspection coverage for active SQGs	Informational Only	State		11%	55.50%	593	1068	475		
			Combined		11.60%	56.70%	606	1068	462		
5e1	Five-year inspection coverage at other sites (CESQGs)	Informational Only	State			347					
			Combined			358					
5e2	Five-year inspection coverage at other sites (Transporters)	Informational Only	State			49					
			Combined			50					
5e3	Five-year inspection coverage at other sites (Non-notifiers)	Informational Only	State			0					
			Combined			0					
5e4	Five-year inspection coverage at other sites (not covered by metrics 5a-5e3)	Informational Only	State			351					
			Combined			360					
7b	Violations found during inspections	Review Indicator	State		32.50%	41.80%	204	488	284		
			EPA		33.20%	16.70%	5	30	25		
8a	SNC identification rate	Review Indicator	State		2.10%	4.10%	21	517	496		
			EPA		5.20%	2.80%	1	36	35		
8b	Timeliness of SNC determinations	Goal	State	100%	81.70%	100%	21	21	0	Meets Expectations	
			EPA	100%	72.20%	0%	0	1	1		
10a	Timely enforcement taken to address SNC	Review Indicator	State	80%	81.80%	100%	17	17	0	Meets Expectations	

Metric	Metric Name	Metric Type	Agency	Natl Goal	Natl Avg	Indiana	Count	Universe	Not Cntd	Initial Findings	Explanation
			EPA	80%	33.30%	0/0	0	0	0		
			EPA			0					

## Appendix B: File Metric Analysis

This section presents file metric values with EPA's initial observations on program performance. Initial findings are developed by EPA at the conclusion of the file review. Initial findings are statements of fact about observed performance. They should indicate whether there is a potential issue and the nature of the issue. They are developed after comparing the data metrics to the file metrics and talking to the state. Final findings are presented above in the SRF Findings section. Because of limited sample size, statistical comparisons among programs or across states cannot be made.

CWA Metric #	Description	Numerator	Denominator	Metric Value	Goal	Initial Findings	Details
2b	<b>Files reviewed where data are accurately reflected in the national data system:</b> Percentage of files reviewed where data in the file are accurately reflected in the national data systems	25	39	64.1%	95%	State Improvement	
3a	<b>Timeliness of mandatory data entered in the national data system</b>	30	39	76.9%	100%	State Improvement	
4a1	<b>Pretreatment compliance inspections and audits</b>	9	9	100.0%	100% of CMS goal	Meets Requirements	
4a2	<b>Significant industrial user (SIU) inspections for SIUs discharging to non-authorized POTWs</b>	78	70	111.4%	100% of CMS goal	Meets Requirements	
4a3	<b>EPA and state oversight of SIU inspections by approved POTWs</b>	9	9	100.0%	100% of CMS goal	Meets Requirements	
4a4	<b>Major CSO inspections</b>	0	0	100.0%	100% of CMS goal	Meets Requirements	No CSO inspection commitments. EnPPA commitment based on Review/Approve/Monitor compliance of LTCPs. 5 audits of Major dischargers.
4a5	<b>SSO inspections</b>	0	0	100.0%	100% of CMS goal	Meets Requirements	SSOs evaluated as part of CEI inspection. No Quantitative provided
4a6	<b>Phase I MS4 audits or inspections</b>	0	0	100.0%	100% of	Meets Requirements	

CWA Metric #	Description	Numerator	Denominator	Metric Value	Goal	Initial Findings	Details
					CMS goal		
4a7	Phase II MS4 audits or inspections	28	0	100%	100% of CMS goal	Meets Requirements	No Phase II MS4 commitment.
4a8	Industrial stormwater inspections	31	0	100%	100% of CMS goal	Meets Requirements	No Industrial Stormwater commitments.
4a9	Phase I and II stormwater construction inspections	230	0	100%	100% of CMS goal	Meets Requirements	No Phase I & II commitments
4a10	Inspections of large and medium NPDES-permitted CAFOs	166	127	130.7%	100% of CMS goal	Meets Requirements	
4a11	Inspections of non-permitted CAFOs	358	354	101.1%	100% of CMS goal	Meets Requirements	
4b	<b>Planned commitments completed:</b> CWA compliance and enforcement commitments other than CMS commitments, including work products/commitments in PPAs, PPGs, grant agreements, MOAs, MOUs or other relevant agreements	8	9	88.9%	100%	State Attention	
6a	<b>Inspection reports reviewed that provide sufficient documentation to determine compliance at the facility</b>	36	38	94.7%	100%	Meets Requirements	
6b	<b>Inspection reports completed within prescribed timeframe:</b> Percentage of inspection reports reviewed that are timely	32	38	84.2%	100%	State Attention	
7e	<b>Inspection reports reviewed that led to an accurate compliance determination</b>	34	35	97.1%	100%	Meets Requirements	
8b	<b>Single-event violation(s) accurately identified as SNC or non-SNC</b>	0	26	0.0%	100%	State Improvement	

CWA Metric #	Description	Numerator	Denominator	Metric Value	Goal	Initial Findings	Details
8c	<b>Percentage of SEVs Identified as SNC Reported Timely:</b> Percentage of SEVs accurately identified as SNC that were reported timely	0	1	0.0%	100%	State Improvement	
9a	<b>Percentage of enforcement responses that return or will return source in SNC to compliance</b>	20	20	100.0%	100%	Meets Requirements	
10b	<b>Enforcement responses reviewed that address SNC that are appropriate to the violations</b>	10	11	90.9%	100%	Meets Requirements	
11a	<b>Penalty calculations that include gravity and economic benefit:</b> Percentage of penalty calculations reviewed that consider and include, where appropriate, gravity and economic benefit	14	15	93.5%	100%	Meets Requirements	
12a	<b>Documentation on difference between initial and final penalty:</b> Percentage of penalties reviewed that document the difference between the initial and final assessed penalty, and the rationale for that difference	15	15	100.0%	100%	Meets Requirements	
12b	<b>Penalties collected:</b> Percentage of penalty files reviewed that document collection of penalty	14	14	100.0%	100%	Meets Requirements	
CAA Metric #	CAA File Review Metric Description	Numerator	Denominator	Percentage	Goal	Initial Findings	Details
2b	<b>Accurate MDR data in AFS:</b> Percentage of files reviewed where MDR data are accurately reflected in AFS	18	36	50.0%	100%	State Improvement	
4a1	<b>Planned evaluations completed:</b> Title V Major FCEs	347	236	147.0%	100%	Meets Requirements	
4a2	<b>Planned evaluations completed:</b> SM-80 FCEs	173	35	494.3%	100%	Meets Requirements	

CAA Metric #	CAA File Review Metric Description	Numerator	Denominator	Percentage	Goal	Initial Findings	Details
4a3	<b>Planned evaluations completed:</b> Synthetic Minor FCEs	N/A	N/A	N/A	100%	Meets Requirements	
4a4	<b>Planned evaluations completed:</b> Other Minor FCEs	N/A	N/A	N/A	100%	Meets Requirements	
4a5	<b>Planned evaluations completed:</b> Title V Major PCEs	N/A	N/A	N/A	100%	Meets Requirements	
4a6	<b>Planned evaluations completed:</b> SM-80 PCEs	N/A	N/A	N/A	100%	Meets Requirements	
4a7	<b>Planned evaluations completed:</b> Synthetic Minor PCEs	N/A	N/A	N/A	100%	Meets Requirements	
4a8	<b>Planned evaluations completed:</b> Other Minor PCEs	N/A	N/A	N/A	100%	Meets Requirements	
4b	<b>Planned commitments completed:</b> CAA compliance and enforcement commitments other than CMS commitments	3	3	100.0%	100%	Meets Requirements	
6a	<b>Documentation of FCE elements:</b> Percentage of FCEs in the files reviewed that meet the definition of a FCE per the CMS policy	14	31	45.2%	100%	State Improvement	
6b	<b>Compliance Monitoring Reports (CMRs) or facility files reviewed that provide sufficient documentation to determine compliance of the facility:</b> Percentage of CMRs or facility files reviewed that provide sufficient documentation to determine facility compliance	28	31	90.3%	100%	Meets Requirements	
7a	<b>Accuracy of compliance determinations:</b> Percentage of CMRs or facility files reviewed that led to accurate compliance determinations	14	32	43.8%	100%	State Improvement	
8c	<b>Accuracy of HPV determinations:</b> Percentage of violations in files reviewed that were accurately determined to be HPVs	13	16	81.3%	100%	State Improvement	

CAA Metric #	CAA File Review Metric Description	Numerator	Denominator	Percentage	Goal	Initial Findings	Details
9a	<b>Formal enforcement responses that include required corrective action that will return the facility to compliance in a specified time frame:</b> Percentage of formal enforcement responses reviewed that include required corrective actions that will return the facility to compliance in a specified time frame	13	13	100.0%	100%	Meets Requirements	
10a	<b>Timely action taken to address HPVs:</b> Percentage of HPV addressing actions that meet the timeliness standard in the HPV Policy	4	8	50.0%	100%	State Improvement	
10b	<b>Appropriate Enforcement Responses for HPVs:</b> Percentage of enforcement responses for HPVs that appropriately address the violations	8	8	100.0%	100%	Meets Requirements	
11a	<b>Penalty calculations reviewed that consider and include gravity and economic benefit:</b> Percentage of penalty calculations reviewed that consider and include, where appropriate, gravity and economic benefit	6	12	50.0%	100%	State Improvement	
12a	<b>Documentation on difference between initial and final penalty and rationale:</b> Percentage of penalties reviewed that document the difference between the initial and final assessed penalty, and the rationale for that difference	13	13	100.0%	100%	Meets Requirements	
12b	<b>Penalties collected:</b> Percentage of penalty files reviewed that document collection of penalty	10	13	76.9%	100%	State Improvement	

RCRA Metric #	Name and Description	Numerator	Denominator	Metric %	Goal	Initial Findings	Details
2b	<b>Accurate entry of mandatory data:</b> Percentage of files reviewed where mandatory data are accurately reflected in the national data system	26	30	86.7%	100%	Area for Attention	
3a	<b>Timely entry of mandatory data:</b> Percentage of files reviewed where mandatory data are entered in the national data system in a timely manner	30	30	100.0%	100%	Meets Requirements	
4a	<b>Planned non-inspection commitments completed:</b> Percentage of non-inspection commitments completed in the review year	5	6	83.3%	100%	Meets Requirements	
4b1	<b>Planned inspections completed:</b> LQGs	n/a	n/a	n/a	n/a	n/a	
4b2	<b>Planned inspections completed:</b> SQGs	n/a	n/a	n/a	n/a	n/a	
4b3	<b>Planned inspections completed:</b> CESQGs	n/a	n/a	n/a	n/a	n/a	
4b4	<b>Planned inspections completed:</b> Transporters	n/a	n/a	n/a	n/a	n/a	
6a	<b>Inspection reports complete and sufficient to determine compliance:</b> Percentage of inspection reports reviewed that are complete and provide sufficient documentation to determine compliance	32	34	94.1%	N/A	Meets Requirements	
6b	<b>Timeliness of inspection report completion:</b> Percentage of inspection reports reviewed that are completed in a timely manner	29	29	100.0%	100%	Meets Requirements	
7a	<b>Accurate compliance determinations:</b> Percentage of inspection reports reviewed that led to accurate compliance determinations	29	29	100.0%	100%	Meets Requirements	

RCRA Metric #	Name and Description	Numerator	Denominator	Metric %	Goal	Initial Findings	Details
8c	<b>Appropriate SNC determinations:</b> Percentage of files reviewed in which significant noncompliance (SNC) status was appropriately determined during the review year	19	19	100.0%	100%	Meets Requirements	
9a	<b>Enforcement that returns SNC sites to compliance:</b> Percentage of enforcement responses that have returned or will return a site in SNC to compliance	10	10	100.0%	100%	Meets Requirements	
9b	<b>Enforcement that returns SV sites to compliance:</b> Percentage of enforcement responses that have returned or will return a secondary violator to compliance	8	9	88.9%	100%	Area for Attention	
10b	<b>Appropriate enforcement taken to address violations:</b> Percentage of files with enforcement responses that are appropriate to the violations	19	19	100.0%	100%	Meets Requirements	
11a	<b>Penalty calculations include gravity and economic benefit:</b> Percentage of reviewed penalty calculations that consider and include, where appropriate, gravity and economic benefit	12	12	100.0%	100%	Meets Requirements	
12a	<b>Documentation on difference between initial and final penalty:</b> Percentage of penalties reviewed that document the difference between the initial and final assessed penalty, and the rationale for that difference	11	12	91.7%	100%	Meets Requirements	
12b	<b>Penalties collected:</b> Percentage of files that document collection of penalty	9	9	100.0%	100%	Meets Requirements	

## Appendix C: File Selection

Files are selected according to a standard protocol using a web-based file selection tool. These are designed to provide consistency and transparency to the process. Based on the description of the file selection process below, states should be able to recreate the results in the table.

### Clean Water Act

#### File Selection Process

Region 5 followed the SRF Round 3 File Selection Protocol. The universe of CWA files (inspections, enforcement actions, and violations reported — occurring during the year reviewed) from which to pick was 1308. Per the Protocol, the range of files selected for a universe that size is 35 to 40. As a result, Region 5 picked 40 files to use for its random, representative file selection which included 3 CAFO files and 3 SSO files resulting from IDEM’s Appendix C.CMS Table. These files are an assortment of the following categories and are geographically distributed across the state:

- Majors or Minors
- Inspections or no inspections
- SNCs or no SNCs
- Informal or formal actions
- Different permit types
- Violation and no violations
- Penalties or no penalties
- Geographic location

#### File Selection Table

ID Number	Facility Name	Universe	Permit Components	Inspections	Violation	SEV	SNC	Informal Actions	Formal Actions	Penalties	Selection
IN0039705	ADVANCE WWTP, TOWN OF	Non- Major	POTW	1	Yes	1	No	0	0	\$ -	R
IN0050661	ASPHALT MATERIALS INC	Non- Major		2	Yes	4	No	0	0	\$ -	R
IN0020222	ATTICA MUNICIPAL	Non- Major	CSO, POTW	1	Yes	0	No	2	0	\$ -	R

ID Number	Facility Name	Universe	Permit Components	Inspections	Violation	SEV	SNC	Informal Actions	Formal Actions	Penalties	Selection
	WWTP										
IN0031399	BLUE RIVER VALLEY JR-SR HS	Non-Major		2	Yes	0	No	2	1	\$ -	R
ING806155	Bos Dairy Site 4	Non-Major	CAFO	1	Yes				1	\$ 2,000.00	R
IN0022462	BUTLER WWTP	Major	CSO, POTW, Pretreatment	0	Yes	0	SNC	0	0	\$ -	R
IN0047473	CORUNNA WWTP	Non-Major	POTW	1	Yes	0	Category 1	1	0	\$ -	R
IN0000388	DANA LIGHT AXLE PRODUCTS, LLC	Major		1	Yes	0	No	2	1	\$ 4,950.00	R
IN0000124	DEAN H MITCHELL GEN STATION	Major		1	No	0	No	0	0	\$ -	R
IN0021377	DELPHI MUNICIPAL WWTP	Major	Biosolids, POTW	1	Yes	0	SNC	2	1	\$ -	R
IN0022829	EAST CHICAGO SANITARY DISTRICT	Major	Biosolids, CSO, POTW, Pretreatment	1	Yes	0	SNC	3	1	\$ 13,125.00	R
IN0032191	FORT WAYNE WWTP	Major	Biosolids, CSO, POTW, Pretreatment	0	No	0	No	0	1	\$ 11,250.00	R
IN0060143	HAZLETON WATER DEPARTMENT	Non-Major		1	Yes	0	Category 1	1	0	\$ -	R
IN0003093	HUNTINGBURG MUNICIPAL WATER UTILITY	Non-Major		1	No	0	No	0	0	\$ -	R
IN0023183	INDIANAPOLIS BELMONT AND SOUTHPORT ADVNCD WTP	Major	Biosolids, CSO, POTW, Pretreatment	0	Yes	2	No	1	2	\$ -	R

ID Number	Facility Name	Universe	Permit Components	Inspections	Violation	SEV	SNC	Informal Actions	Formal Actions	Penalties	Selection
IN0052949	JACKSON COUNTY REGIONAL SEWER DISTRICT	Non-Major	POTW	1	Yes	0	No	0	0	\$ -	R
IN0061735	JUPITER COIL COATING DIVISION	Non-Major		0	Yes	0	No	0	1	\$ 12,500.00	R
IN0031275	KANKAKEE REST AREA	Non-Major		0	Yes	0	Category 1	0	0	\$ -	R
FarmID:6637	Kolish Farms	Non-Major	CAFO	1	Yes				1	\$ -	R
IN0051870	LEN DEL MOBILE HOME PARK	Non-Major		1	Yes	0	Category 1	1	1	\$ 2,500.00	R
IN0023752	MICHIGAN CITY - J. B. GIFFORD WWTP	Major	Biosolids, CSO, POTW, Pretreatment	1	Yes	3	No	1	0	\$ -	R
IN0021059	NEW PEKIN WASTEWATER TREATMENT PLANT	Non-Major	POTW	1	No	0	No	0	0	\$ -	R
IN0021342	OXFORD MUNICIPAL WWTP	Non-Major	CSO, POTW	1	Yes	0	Category 1	1	1	\$ -	R
IN0040479	PARAGON WWTP	Non-Major	POTW	1	No	0	No	1	1	\$ 500.00	R
IN0050326	PINEVIEW LODGE & GOLF COURSE	Non-Major		1	Yes	0	Category 1	1	0	\$ -	R
IN0062456	PLAINFIELD SOUTH WWTP, TOWN OF	Major		1	Yes	0	No	0	0	\$ -	R
INP000270	PRO TECH METAL FINISHING, INC.	Non-Major		0	Yes	0	Category 1	0	0	\$ -	R

ID Number	Facility Name	Universe	Permit Components	Inspections	Violation	SEV	SNC	Informal Actions	Formal Actions	Penalties	Selection
FarmID:4859	Richard Arvin	Non-Major	CAFO		Yes				1	\$ 2,000.00	R
IN0045667	RICHMOND MOBILE HOME PARK	Non-Major		1	Yes	0	Category 1	1	1	\$ 1,700.00	R
IN0024473	SEYMOUR WWTP, CITY OF	Major	Biosolids, CSO, POTW, Pretreatment	0	Yes	0	No	1	0	\$ -	R
IN0057151	SPRING CREEK TRAVEL PLAZA	Non-Major		1	Yes	0	Category 1	1	1	\$ 1,100.00	R
IN0030236	SPRING MILL STATE PARK WWTP	Non-Major		2	Yes	0	Category 1	1	0	\$ -	R
IN0037001	SWAYZEE WWTP	Non-Major	CSO, POTW	1	Yes	0	Category 1	1	0	\$ -	R
IN0059251	THYSSENKRUP P WAUPACA INC PLT 5	Non-Major		1	Yes	0	No	0	0	\$ -	R
IN0033065	TIMBERBROOK MOBILE HOME PARK	Non-Major		1	Yes	0	No	0	0	\$ -	R
IN0060852	TOWN OF MONTEREY WWTP	Non-Major	POTW	1	Yes	0	Category 1	1	0	\$ -	R
IN0044491	TWIN LAKES MOBILE HOME COURT	Non-Major		2	Yes	0	Category 1	1	0	\$ -	R
IN0039411	WEST COLLEGE CORNER WWTP, TOWN OF	Non-Major		1	Yes	0	No	0	0	\$ -	R
IN0054445	WHITE OAKS ON THE LAKE WWTP	Non-Major		1	Yes	0	No	0	0	\$ -	R

ID Number	Facility Name	Universe	Permit Components	Inspections	Violation	SEV	SNC	Informal Actions	Formal Actions	Penalties	Selection
IN0040789	WINSLOW MUNICIPAL WWTP	Non-Major	POTW	1	Yes	0	No	0	0	\$ -	R

## Clean Air Act

### File Selection Process

Region 5 followed the SRF Round 3 File Selection Protocol. The universe of CAA files (inspections, enforcement actions, and violations reported — occurring during the year reviewed) from which to pick was 712. Per the Protocol, the range of files selected for a universe that size is 30 to 35. As a result, Region 5 picked 35 files to use for its random, representative file selection. These files are an assortment of the following categories and are geographically distributed across the state:

- Major sources and SM-80s
- Full and Partial Compliance Evaluations (FCEs/PCEs)
- Violations and no violations
- Stack tests
- Title V Annual Compliance Certification
- High Priority Violations (HPVs) and no HPVs
- Informal and formal actions
- Penalties and no penalties

### File Selection Table

ID Number	Facility Name	County Code	Universe	Full Compliance	Stack Tests Failed	Violations	HPVs	Informal Actions	Formal Actions	Penalties	Selection
1803100002	ADVANCED BEARING MATERIALS LLC	31	Synthetic Minor	1	0	0	0	1	1	\$ 9,600.00	R
1817300002	ALCOA - WARRICK POWER PLT, AGC DIV OF AL	173	Major	1	2	1	0	0	0	\$ -	R
1808900318	ARCELORMITTAL INDIANA HARBOR,	89	Major	2	0	2	0	0	0	\$ -	R

ID Number	Facility Name	County Code	Universe	Full Compliance	Stack Tests Failed	Violations	HPVs	Informal Actions	Formal Actions	Penalties	Selection
	LLC										
1803300044	AUTOLINE INDUSTRIES INDIANA, LLC	33	Major	1	0	0	0	0	0	\$ -	R
1800100005	BUNGE NORTH AMERICA	1	Major	0	0	2	0	0	0	\$ -	R
1813500033	CARDINAL ETHANOL, LLC	135	Major	1	0	0	0	0	0	\$ -	R
1801703118	CENTRAL PAVING, INC.	17	Major	1	0	0	0	0	0	\$ -	R
1809700061	CITIZENS GAS AND COKE UTILITY	97	Major	1	0	2	0	0	0	\$ -	R
1814700047	CORN ISLAND SHIPYARD	147	Synthetic Minor	1	0	0	0	1	1	\$ 5,625.00	R
1805705038	E & B PAVING, INC.	57	Synthetic Minor	0	0	0	0	1	1	\$ 1,500.00	R
1803900274	ELKHART COUNTY LANDFILL	39	Major	1	0	0	0	0	0	\$ -	R
1809700589	ENERDEL, INC.	97	Synthetic Minor	1	0	0	0	1	1	\$ 2,400.00	R
1810700007	FRICION PRODUCTS COMPANY, LLC	107	Major	0	0	1	0	1	1	\$ 50,875.00	R
1803900582	GENESIS PRODUCTS, INC. - HARDWOODS (PLAN	39	Tier I Minor	1	0	0	0	0	0	\$ -	R
1808300027	GOOD SAMARITAN HOSPITAL	83	Major	1	0	1	0	1	1	\$ 3,438.00	R
1801100037	HENDRICKSON TRAILER SUSPENSION SYSTEMS	11	Major	1	0	1	1	1	1	\$ 10,200.00	R
1812700091	HERR-VOSS STAMCO RCI	127	Tier I Minor	0	0	1	0	0	0	\$ -	R

ID Number	Facility Name	County Code	Universe	Full Compliance	Stack Tests Failed	Violations	HPVs	Informal Actions	Formal Actions	Penalties	Selection
1812500001	HOOSIER ENERGY REC, INC. - FRANK E. RATT	125	Major	1	0	2	1	1	3	\$ 428,400.00	R
1814500001	KNAUF INSULATION GMBH	145	Major	1	0	0	0	0	0	\$ -	R
1800300046	LINCOLN FOODSERVICE PRODUCTS, INC.	3	Major	1	0	0	0	0	0	\$ -	R
1803700015	MASTERBRAND CABINETS, INC. - CORPORATE I	37	Major	1	0	0	0	0	0	\$ -	R
1816700056	MENARD, INC.	167	Synthetic Minor	0	0	0	1	0	0	\$ -	R
1806300046	MERITOR HEAVY VEHICLE SYSTEMS LLC	63	Synthetic Minor	1	0	1	0	1	1	\$ 2,400.00	R
1814100033	NEW ENERGY COMPANY OF INDIANA, LP	141	Major	1	2	2	2	2	3	\$ 31,000.00	R
1816700001	NOVELIS	167	Major	1	0	1	0	1	1	\$ 13,125.00	R
1800300232	POLAR KING INTERNATIONAL, INC.	3	Major	1	0	0	0	0	0	\$ -	R
1808900177	PRAXAIR, INC.	89	Major	1	0	0	0	0	0	\$ -	R
1816300018	RED SPOT PAINT & VARNISH COMPANY, INC.	163	Major	0	2	0	0	0	0	\$ -	R
1809705319	RIETH-RILEY CONSTRUCTION CO	97	Synthetic Minor	1	0	0	0	0	0	\$ -	R
1804900002	ROCHESTER METAL PRODUCTS CORPORATION	49	Major	0	0	1	1	1	1	\$ 10,000.00	R
1808300015	SCEPTER, INC., BICKNELL OPERATIONS	83	Synthetic Minor	0	0	0	1	0	0	\$ -	R

ID Number	Facility Name	County Code	Universe	Full Compliance	Stack Tests Failed	Violations	HPVs	Informal Actions	Formal Actions	Penalties	Selection
1806700053	SYNDICATE SALES, INC.	67	Synthetic Minor	1	0	0	0	0	0	\$ -	R
1807300025	TALBERT MANUFACTURING, INC.	73	Major	1	0	0	0	0	0	\$ -	R
1802300021	THE KAY COMPANY, INC.	23	Major	1	0	0	0	0	0	\$ -	R
1808900469	UNITED TRANSPORTATION GROUP	89	Synthetic Minor	1	0	0	0	0	0	\$ -	R

## Resource Conservation and Recovery Act

### File Selection Process

Region 5 followed the SRF Round 3 File Selection Protocol. The universe of RCRA files (inspections, enforcement actions, and violations reported — occurring during the year reviewed) from which to pick was 564. Per the Protocol, the range of files selected for a universe that size is 30 to 35. As a result, Region 5 picked 30 files to use for its random, representative file selection. These files are an assortment of the following categories and are geographically distributed across the state:

- Generator status (LQG, SQG, CESQG, Transporter and TSDF)
- Violations and non-violations
- Evaluations
- SNCs
- Informal or formal actions
- Penalties or no penalties.

### File Selection Table

ID Number	Facility Name	County Code	Universe	Inspections	Violations	SNC	Informal Actions	Formal Actions	Penalty	Selection
IND003913423	ARCELORMITTAL BURNS HARBOR LLC	IN127	LQG	3	3	0	0	3	\$17,200.00	R
IND086782224	BIOMET INC	IN085	LQG	2	3	1	2	2	\$ 3,400.00	R

ID Number	Facility Name	County Code	Universe	Inspections	Violations	SNC	Informal Actions	Formal Actions	Penalty	Selection
IND079573192	BUTLER UNIVERSITY	IN097	SQG	1	1	0	1	0	\$ -	R
INR000125252	DOC G KEYS & SON CONSTRUCTION INC	IN097	Other	0	0	0	0	2	\$ -	R
IND984873430	DOORS AND DRAWERS INC	IN039	SQG	1	0	0	0	0	\$ -	R
INR000014597	DSE INC DBA SCREEN TECH DESIGNS	IN005	SQG	1	0	0	0	0	\$ -	R
IND005240015	ELPACO COATINGS CORP	IN039	Other	0	0	0	0	2	\$ -	R
IND006418263	FIRESTONE INDUSTRIAL PRODUCTS	IN057	Other	1	0	0	0	0	\$ -	R
INR000018960	GARDNER TRANSPORT SVCS INC	IN013	Transporter	1	0	0	0	0	\$ -	R
INT190010405	HBR HEALTHCARE CO INC	IN177	CESQG	1	0	0	0	0	\$ -	R
INR000000919	HERITAGE TRANSPORT LLC	IN097	LQG Transporter	1	0	0	0	0	\$ -	R
IND061154092	HOBSON CLEANERS INC	IN067	CESQG	1	0	0	0	0	\$ -	R
IND006371330	JEFFBOAT LLC	IN019	LQG	0	0	0	1	3	\$21,400.00	R
INR000119479	KOUNTRY WOOD PRODUCTS	IN039	LQG	1	1	0	1	0	\$ -	R
IND006419022	LIFT A LOFT CORP	IN035	CESQG	1	9	1	1	1	\$ -	R
IND006374938	MIDWEST RUBBER PRODUCTS INC	IN051	SQG	1	4	0	1	0	\$ -	R
IND115305781	NF FRICTION COMPOSITES INC	IN017	SQG	0	0	0	0	5	\$25,118.00	R
IND077045680	NIAGRA LASALLE CORP	IN089	LQG	1	2	1	1	3	\$ 6,000.00	R
IND085616837	PARTS CLEANING TECHNOLOGIES LLC	IN097	LQG	0	0	1	1	3	\$11,300.00	R
INR000127647	RIVER WOODWORKING LLC	IN087	Other	0	0	0	0	2	\$12,400.00	R

ID Number	Facility Name	County Code	Universe	Inspections	Violations	SNC	Informal Actions	Formal Actions	Penalty	Selection
IND000806836	ROLLS-ROYCE CORP	IN097	LQG	1	10	1	0	0	\$ -	R
IND006376362	SABIC INNOVATIVE PLASTICS MT. VERNON LLC	IN129	TSDF LQG	1	0	0	0	0	\$ -	R
INR000012583	SACO INDUSTRIES INC	IN089	LQG	1	1	0	1	0	\$ -	R
IND000807016	SIEMENS HEALTHCARE DIAGNOSTICS INC	IN039	LQG	1	0	0	0	0	\$ -	R
IND163838253	SRAGG BODY SHOP	IN045	SQG	1	0	0	0	0	\$ -	R
INR000012120	STEEL DYNAMICS INC - ENGINEERED BAR PR	IN063	LQG	1	0	0	1	6	\$14,475.00	R
IND982066920	STELLA JONES CORP	IN125	LQG	1	2	0	1	0	\$ -	R
INR000127274	VAN SENUS AUTO PARTS	IN089	Other	1	0	0	0	0	\$ -	R
IND020424396	WISE TECHNICAL MARKETING	IN043	LQG	2	5	0	1	0	\$ -	R
IND005249099	ZINN KITCHENS INC	IN015	SQG	1	3	0	1	0	\$ -	R

## Appendix D: Status of Past SRF Recommendations

During the Round 1 SRF review of Indiana’s compliance and enforcement programs, EPA Region 5 recommended actions to address issues found during the review. The following table contains all outstanding recommendations for Round 1. For a complete and up-to-date list of recommendations from Rounds 1, visit the [SRF website](#).

Round	Status	Due Date	Media	E#	Element	Finding	Recommendation
IN - Round 1	Working	1/2/2012	CWA	E1	Inspection Universe	CAFO inspections not in ICIS-NPDES	Enter CAFO inspections into ICIS-NPDES
IN - Round 1	Working	1/2/2012	CWA	E4	SNC Accuracy	SEVs not reported	Report SEVs Consistent With Guidance

## **Appendix E: Program Overview**

**IDEM State Background Information  
State Review Framework  
September 25, 2012**

## **Agency Structure**

IDEM is primarily organized into five main offices: Air Quality, Land Quality, Water Quality, Compliance Support, and Chief of Staff. The Office of Compliance Support is broken down into the offices of: Planning and Assessment; Pollution Prevention and Technical Assistance; Training and Safety and four regional offices (Northern, Northwest, Southwest and Southeast). The Chief of Staff's Office includes Media Relations; Communication Services; Finance Division; Legal Counsel and Criminal Investigations; Human Resources; Business and Legislative Relations; and Agricultural Relations.

See Organizational Charts attached.

## **Compliance and Enforcement Program Structure**

Each of the three program area offices of IDEM, Air, Land and Water, has staff dedicated to permit issuance, compliance, and enforcement. While each of the three program offices are organized differently, each administers the various aspects of these functions in a relatively similar fashion in order to achieve a high rate of compliance. The basic tenants of IDEM's compliance goals, as described in the ENPPA are:

- Use a variety of compliance tools to encourage regulated facilities to maintain and, where possible, exceed compliance with environmental laws (e.g., compliance assistance, compliance assurance, administrative/civil enforcement, and criminal prosecution).
- Utilize joint preplanning to coordinate priorities, maximize agency resources, avoid duplication of efforts, eliminate "surprises," and institutionalize communication.
- Manage for internal and/or external environmental results.

The formal enforcement process is conducted in accordance with IC 13-30-3. This process involves the issuance of a Notice of Violation and a Proposed Agreed Order. IC 13-30-3-3 requires IDEM to offer the alleged violator an opportunity to enter into an Agreed Order and allows for a minimum 60 day negotiation period. During the 60 day negotiation period, an Agreed Order may be entered into by both parties. The Agreed Order includes appropriate injunctive relief and generally includes the assessment of a civil penalty. The majority of enforcement referrals are resolved through an Agreed Order. If settlement cannot be reached, a unilateral Commissioner's Order may be issued anytime after the 60 days.

The Office of Enforcement was reorganized in November 2008 to place each of the media enforcement programs into the various media compliance programs (Office of Air Quality, Office of Land Quality, and Office of Water Quality). The reorganization was designed with three goals in mind. First, IDEM sought to coordinate the various compliance and enforcement tools to improve compliance in each of the media programs. Second, the reorganization aimed to

provide enforcement case management technical resources needed to resolve enforcement cases. Finally, the process was also designed to increase efficiencies by bringing enforcement case managers into the program areas.

The Indiana Attorney General represents IDEM when enforcement of violations is pursued through the administrative hearing process or civil court. Deputy Attorney General's (DAGs) are imbedded in IDEM and work on enforcement cases for all of the programs. The enforcement staff of each office may make a referral to the Attorney General to compel compliance for noncompliance with an effective order and must work closely with the DAGs during civil enforcement.

## **Roles and Responsibilities**

IDEM's mission is to implement federal and state regulations to protect human health and the environment while allowing the environmentally sound operations of industrial, agricultural, commercial and government activities vital to a prosperous economy. Environmental protection in Indiana has come a long way since 1986, when the Indiana Department of Environmental Management (IDEM) was established. Since then, IDEM has grown to a staff of 900, and employs some of Indiana's most qualified engineers, scientists and environmental project managers specializing in air, land, pollution prevention and water quality issues. Our staff members work hard to provide quality environmental oversight and technical assistance in your community and around the state.

The joint priorities of EPA and the IDEM program offices are described on pages 8 and 9 of the 2011-2013 ENPPA. The roles and responsibilities of the three major program offices as well as the Office of Compliance Support are described in significant detail on pages 11 through 42 of the current ENPPA document.

The following is a description of the program structure within each Office:

### **Office of Air Quality**

The Office of Air Quality, Air Compliance and Enforcement Branch is responsible for determining compliance of regulated sources of air emissions in the State of Indiana through inspection, compliance monitoring, testing, and records review. There are 3 sections of compliance and enforcement managers along with 4 regional offices, whose primary functions are determining compliance at major sources of air pollution, conducting inspections, responding to complaints, taking appropriate enforcement actions for noncompliance, providing compliance assistance to sources, and to provide input on permits and rules. The functions also include inspections, review, and enforcement at minor permitted sources, asbestos sources, and exempt sources subject to various air pollution control requirements. A fourth section, the Compliance Data Section is responsible for the review and approval of stack tests and review of continuous emissions and opacity monitors. Additionally, all sections coordinate and provide oversight of the air compliance and enforcement related activities at the 4 IDEM regional offices.

In February 2009, the Office of Air Quality (OAQ), Air Compliance and Enforcement Branch conducted a value stream mapping event using a Kaizen approach that resulted in an integrated

air compliance and enforcement process beginning July 1, 2009. The process combined the air inspection and compliance responsibilities with enforcement responsibilities. Inspectors are now known as Compliance and Enforcement Managers and are now responsible for both air compliance and enforcement activities.

### **Office of Land Quality**

The RCRA Hazardous Waste program and the CWA Concentrated Animal Feeding program are managed within the Office of Land Quality, Compliance and Response Branch. There are five Sections within the Compliance and Response Branch. The Hazardous Waste Compliance Section is responsible for conducting compliance inspections at hazardous waste generators and Treatment, Storage, and Disposal Facilities (TSDF). The Confined Feeding Compliance Section is responsible for conducting compliance inspections at NPDES permitted Concentrated Animal Feeding Operations (CAFO's) (327 15-16) and at smaller animal feeding operations regulated under Indiana's Confined Feeding Rule (327 IAC 19). Both the Hazardous Waste Compliance Section and the Confined Feeding Compliance Section issue informal violation letters in response to secondary violations identified during inspections.

Inspection staff members are also located within IDEM's Regional Offices. Coverage areas for the Regional Offices are shown in the attached map. All compliance inspections conducted in either program by a Regional Office inspector is reviewed by the Regional Office management and then routed for technical review to the Section Chief for the Hazardous Waste Compliance Section or the Confined Feeding Compliance Section as appropriate. Regional Office inspectors also issue informal violation letters in response to secondary violations identified during inspections.

The Office of Land Quality, Compliance and Response Branch, also includes the Enforcement Section. This Section manages all formal enforcement actions (and some informal violation letters) for the Hazardous Waste program and Confined Feeding Program, as well as other program areas in the Office of Land Quality.

Inspections identifying violations which meet the criteria for formal enforcement are reviewed by the Section Chief (and Regional Office Deputy Director if appropriate) and forwarded via SharePoint workflow to the OLQ Assistant Commissioner, Compliance and Response Branch Chief, and the Enforcement Section Chief. Each of those three managers receives the enforcement referral concurrently. Once approved by all three, the referral is assigned to staff in the Enforcement Section and maintained in the SharePoint Enforcement Site library. The Enforcement Section staff develops the appropriate enforcement response, negotiates the appropriate resolution and tracks the case until it is closed.

For enforcement cases addressing spills to waters of the state resulting in a fish kill, enforcement staff members coordinate with the Indiana Department of Natural Resources to recover natural resource damages for lost fish.

## **Office of Water Quality**

Enforcement and compliance activities within the OWQ are conducted by staff of three branches. The Compliance Branch has two sections consisting of Inspections and Compliance/Data. The Inspection Section conducts field inspections consisting of annual commitment inspections as well as additional inspections as they come up throughout the year, including complaint investigations. Inspection reports are now generated using the Digital Inspector 2 application, making for a more consistent work product. In addition to the inspectors conducting field inspections, there are also two operator assistance staff members who provide more detailed assistance to troubled wastewater treatment plants and do not do commitment inspections. The Compliance/Data Section is tasked primarily with non-field compliance tasks as well as the conducting of pretreatment compliance audits. One group within this section processes all of the NPDES DMRs by entering the data into ICIS, conducting quality assurance review, and assuring that they are entered into the Virtual File Cabinet. The other group reviews reported results for violations, manages the Significant Noncompliance (SNC) effort, sends Violation Letters, and refers cases for enforcement as necessary.

The Storm Water specialists are located in the Wetland Storm Water Section and Enforcement staff members are located in the Enforcement Section both sections are located in the Surface Water, Operations and Enforcement Branch. Storm Water specialists reviews applications, participates in pre-application and coordination meetings, reviews plans, issues permits/authorizations to perform work, conduct compliance inspections, and investigates complaints Construction Site Run-off, Industrial Storm Water, and Municipal Separate Storm Sewer Systems. The Enforcement staff conducts all of the administrative enforcement actions for the OWQ, including those involving violations of the Safe Drinking Water Act.

The third branch is the Permit Branch. Located in this Branch is the Municipal NPDES Section where CSO staff are positioned.

### **Local Agencies Included and Excluded From Review**

The Office of Air Quality discontinued contracts and delegation with local agencies in February 2009 in the interest of providing efficient, consistent, and more streamlined services with respect to air quality. This brought air quality services under one roof, reducing duplication of governmental services and helping to ensure regulatory consistency for all 92 Indiana counties. IDEM continues to work with the remaining local agencies to address and resolve air quality concerns that may arise from time to time, but the local agencies have not been delegated any authority to implement the Clean Air Act program and are excluded from review under the State Review Framework.

In the water program, there is a Memorandum of Understanding with the Indiana Department of Natural Resources for the administration of the NPDES program for coal mines. IDEM issues the NPDES permits and manages the compliance data, while IDNR conducts inspections, compliance, and enforcement activities. The inspection reports for NPDES permitted coal facilities are entered into ICIS by the OWQ Compliance/Data staff.

Additionally, there are 47 communities in Indiana that have been delegated the responsibilities for administration of the pretreatment program. These communities maintain their own authorities and staff to write permits and conduct inspections at significant industrial users. IDEM compliance staff oversee these communities through periodic pretreatment audits.

No part of the Hazardous Waste or Confined Feeding programs is managed at the local government level. Local Planning Commissions or Counties may set zoning requirements in addition to the State rules.

## Resources, Staffing and Training

The state program for hiring is fully automated and is available at <http://www.in.gov/spd/2334.htm>. The hiring process begins once a position is vacated.

### Office of Air Quality

The following table provides the number of Full Time Equivalents (FTE) for the programs managed in the Air Compliance and Enforcement Branch. This includes the regional office compliance and enforcement managers.

	Central Office	Regional Offices
Compliance and Enforcement Supervisors	5	
Compliance and Enforcement Managers	20	16
Compliance and Enforcement Resource Staff	2	
Compliance Data Staff (Stack Test Observers)	9	
Data Management Staff	1	
Administrative Staff	7	
Subtotal	44	16
Total Compliance and Enforcement FTEs	60	

The Air Compliance and Enforcement Branch and the regional offices are essentially fully staffed. The Office of Air Quality is able to fill vacancies as they occur. The program was recently impacted by as many as 5 vacancies, but the branch and regional office were able to fill those positions and have been training the new staff. There are 2 vacant positions due to promotions and those positions are in the process of being filled. The Air Compliance and Enforcement Branch is able to continue to meet all Compliance Monitoring Strategy Requirements with current staff workloads.

### Office of Land Quality

The following table provides the number of Full Time Equivalents (FTE) for the programs managed in the Compliance and Response Branch. This includes the Regional Office inspectors.

	Inspection		Enforcement	Office of Legal Counsel
	Central Office	Regional Offices		
Hazardous	13	2	3.75	1.5

Waste				
Confined Feeding	8.5	2	1.75	1.5

The Office of Land Quality staff managing the Hazardous Waste and Confined Feeding programs is essentially fully staffed. Management has successfully filled any vacancies that have occurred to date.

### **Office of Water Quality**

The following table provides the number of Full Time Equivalents (FTE) for OWQ compliance, inspection, data and enforcement programs. This includes the Regional Office inspectors.

	Central Office	Regional Offices
NPDES Inspections	7	7
Stormwater Inspections	5	2
Operator Assistance	2	0
Pretreatment Compliance Audits	1	0
Compliance Review	2	0
Data Management	9	0
Enforcement	6	0

There are three section chief level positions supervising the individuals in this grouping. Currently one data management staff position is vacant. The vacant position is expected to be filled in the near future. There are additional managers in the four regional offices supporting the field inspector positions.

## **Data Reporting Systems and Architecture**

### **Office of Air Quality**

The Air Compliance and Enforcement Branch uses 2 database systems to manage compliance and enforcement data. The Air Compliance and Enforcement System (ACES) manages the inspection, reporting, stack testing, CEMS and COMS, complaints, and targeting compliance information. The Multimedia Enforcement Tracking Systems (METS) is an agency database and manages the enforcement and High Priority Violation (HPV) data. METS is used by the each of the program areas (air, land, and water) to track enforcement actions.

All of the EPA minimum data requirements (MDRs) are tracked in ACES and METS along with additional state specific information.

The Air Compliance and Enforcement Branch uses various reports designed to extract the required information from ACES and METS to manually upload compliance and enforcement data to Air Facility System (AFS). Data is uploaded to AFS by batch reports and manually. Batch reports are uploaded from ACES to AFS for compliance related data. Enforcement and HPV data from METS is directly entered into AFS at this time.

A third data system is used to track complaints received by IDEM. The Air Compliance and Enforcement Branch currently uses ACES to track complaints and data is manually loaded to the agency data system, Tools for Environmental Management and Protection Organizations (TEMPO). TEMPO is long term agency project to integrate permits, compliance, enforcement, and complaints into one data system for air, land, and water. Currently, the Air Compliance and Enforcement Branch only provides complaint information to TEMPO, but does not actively use it to manage complaints. Future plans are the transfer and manage all of the air compliance and enforcement data into TEMPO within the next few years. At that time, a data flow will be established directly from TEMPO to AFS.

### **Office of Land Quality**

The State of Indiana is a direct entry state into the EPA RCRAInfo data system for the Handler, Compliance Monitoring & Enforcement, Permitting, Corrective Action, Biennial report, and Financial Assurance modules.

Indiana is currently using a state developed Oracle based data system to track the information for all of the referenced modules with the exception of the Enforcement Section. This system is called IRATS – the Indiana RCRA Activity Tracking System. All of the MDRs are tracked in IRATS along with additional state specific information. The enforcement data is tracked in METS, which is a multi-media enforcement tracking database. Reports have been designed which extract the required information from IRATS and METS and this information is manually loaded into RCRAInfo. Plans are in process to translate all of the RCRA data into IDEM's agency wide data system called Tools for Environmental Management and Protection Organizations (TEMPO) within the next few years. At that time a data flow will be established directly from TEMPO to RCRAInfo.

### **Office of Water Quality**

OWQ enters NPDES permits, compliance and enforcement data directly into ICIS. As required by the ENPPA, IDEM reports to USEPA the necessary information as required and agreed upon, including required timelines. Much effort is put into populating national databases or to tracking performance against priority activities identified in the internal IDEM work plans. For several years IDEM has been adapting a comprehensive application (TEMPO) for use in several program areas, including the NPDES program. The long-term objective is to have TEMPO, ICIS, VFC and Digital Inspector work together and update each other.

## **Major State Priorities and Accomplishments**

### **OFFICE OF AIR QUALITY**

#### **Priorities:**

The Air Compliance and Enforcement Branch's primary priorities are outlined in the 2011-2013 EnPPA. The main focus of the Air Compliance and Enforcement Branch is to implement the Compliance Monitoring Strategy plan for Title V and FESOP source compliance evaluations consistent with the September 2010 Clean Air Act Stationary Source Compliance Monitoring Strategy, respond to complaints, and implement a compliance and enforcement program for asbestos.

#### **Accomplishments:**

##### **Improved Air Quality**

In 2009, for the first time since air quality standards were developed in the 1970s, all Hoosiers were breathing air that met current health-based standards. This was a significant accomplishment, considering as recently as 2005, Indiana had 24 counties and townships in violation of the ozone standard and 17 counties and townships in violation of the annual standard for fine particulate matter.

##### **Tightened Standards Lead to New Challenges**

Since 2005, the EPA has set new ambient air quality standards for five criteria air pollutants: particulate matter, lead, nitrogen dioxide, sulfur dioxide and ozone. Current monitoring data indicates that all of Indiana meets the new particulate matter, nitrogen dioxide and ozone standards; however a small area does not meet the new lead standard and there will likely be areas that do not meet the new sulfur dioxide standard. Once areas not meeting the standard are identified, IDEM works to identify and control the sources of pollution causing the area to exceed the standard.

##### **Unification of Compliance and Enforcement Functions**

The Office of Enforcement was reorganized in November 2008 and placed in the compliance programs of the Office of Air Quality, Office of Land Quality and Office of Water Quality. The reorganization increased efficiency, communication and accountability within each of the compliance programs and created a more efficient process to address and resolve noncompliance.

In February 2009, the Office of Air Quality (OAQ), Air Compliance and Enforcement Branch conducted a value stream mapping event using a Kaizen approach that resulted in an integrated air compliance and enforcement process beginning July 1, 2009. The process combined the air inspection and compliance responsibilities with enforcement responsibilities. Inspectors are now known as Compliance and Enforcement Managers and are now responsible for both air compliance and enforcement activities.

##### **Compliance Monitoring Strategy**

The Air Compliance and Enforcement Branch completed the FY 2012 Compliance Monitoring Strategy (CMS) and continues to conduct full compliance evaluations on Part 70 and FESOP sources beyond the requirements of the CMS. The branch is able to report CMS activities on a monthly basis exceeding the CMS exceeding the 60 day reporting standard. The Air Compliance and Enforcement Branch has responded to 571 complaints during the federal fiscal year 2012 (October 1, 2011 to September 30, 2012) including those complaints referred from EPA.

### **Compliance Assistance**

In addition to conducting inspections, responding to complaints, approving stack tests and reviewing emissions monitors, IDEM offers compliance assistance. In 2008, the Air Compliance and Enforcement Branch implemented a program to help air-permitted facilities with their Title V permits, Federally Enforceable State Operation Permits (FESOPs), Minor Source Operating Permits (MSOPs), permit renewals and significant source permit modifications. The Air Compliance and Enforcement Branch offered to meet with sources, review permit requirements and discuss new air permit requirements. IDEM has sent 1493 letters offering the compliance assistance in the last 5 years with 226 sources taking advantage of the opportunity. The Compliance and Enforcement Branch continue to implement this program of providing on-site compliance assistance to permittees.

IDEM also provides assistance when new regulations go into effect or information has the potential to change a permit or compliance status. Some of the assistance activities have included a surface coating initiative, a foundry carbon monoxide permit limited liability initiative, mint farm permit applicability initiative, automotive refinishing outreach and training, secondary aluminum die cast outreach and verification of compliance, bakeries and the identification of VOC emissions from proof boxes, and the implementation of the new Outdoor Hydronic Rule.

### **Conclusion**

The purpose of IDEM's Office of Air Quality is to assure that every Hoosier has healthy air to breathe. In order to meet this purpose, IDEM routinely samples Indiana's air quality, provides timely air permits to qualified applicants, and verifies compliance with applicable state and federal air pollution laws and regulations. IDEM strives to issue air permits that are protective of human health and the environment; create industry-specific rules that limit air emissions; and verify that businesses comply with their state permits. Additionally, IDEM works with regional partnerships and outreach initiatives to ensure that Hoosiers are better educated about air quality. The result of these efforts is that Indiana's air quality continues to improve. U.S. EPA has tightened air quality standards and will continue to do so in the future. IDEM will continue to work to reduce pollutant levels and keep Indiana's air healthy.

## OFFICE OF LAND QUALITY

### Accomplishments:

#### Improved Land Quality

Keeping our land healthy includes properly managing petroleum and chemical releases, as well as cleaning up contamination that may have occurred decades before regulations were adopted to protect the environment. Therefore, it's what we don't find that is a reflection of environmental quality. Looking back just a few decades, it was common to find mismanaged hazardous waste; pest-infested open garbage dumps near every urban area; large tire dumps in woodlands and streams; careless tire fires that contaminated air, land and water; and abandoned warehouses filled with hundreds of drums of caustic, flammable and toxic industrial waste. While these environmental problems were not uncommon 30 to 40 years ago, today they are essentially extinct. This is the result of the development of a cradle-to-grave system for managing hazardous waste and Indiana's aggressive compliance, enforcement and permitting programs for all types of waste. Our primary focus has shifted from reacting to the imminent threats common in the past to ensuring the long-term protection of Hoosiers and our environment.

#### OVERSEEING CLEANUPS

Indiana uses six main programs to ensure the cleanup of contamination. The Emergency Response program addresses contamination from spills that are often completely cleaned up during the initial response. If the contamination cannot be cleaned up through emergency response action, the responsibility is transferred to one of IDEM's other cleanup programs. The most serious contamination often qualifies for the federal Superfund program, where U.S. EPA provides financial and technical assistance to assist IDEM in making sure that the contamination is properly addressed and that any identifiable parties contributing to the contamination pay their share of the cleanup costs.

If the contaminated site does not qualify for federal assistance under Superfund, assistance may be available under IDEM's State Cleanup Program, which is Indiana's version of Superfund (IDEM's State Cleanup Program does not receive federal funding). Indiana also has a Voluntary Remediation Program (VRP) that allows responsible parties to clean up contaminated properties under IDEM supervision. When the contamination is successfully remediated under VRP, the owner may receive a Covenant Not to Sue from the state for the pollutants that were addressed. The management of hazardous waste regulated under the federal Resource Conservation and Recovery Act (RCRA) is overseen by IDEM's RCRA program. Finally, IDEM's Underground Storage Tank (UST) program deals with petroleum contamination from underground storage tanks. Together, these IDEM remediation programs have successfully ensured the cleanup of contamination from thousands of sites in Indiana. More detail on these programs follows.

#### Emergency Response Program

When spills and releases occur, containment and cleanup is essential to protecting human health and our environment. From traffic accidents involving hazardous cargo or petroleum releases to emergencies at industrial facilities, communities and businesses around the state rely on IDEM's oversight and guidance when emergencies arise. When calls come into the IDEM hotline, highly trained responders work alongside other agencies to help the businesses

and individuals responsible for the incident provide effective environmental protection. Environmental emergencies can be reported to IDEM's 24-hour spill line at (888) 233-7745.

### **Cleaning up Hazardous Waste at Industrial Sites**

Under the federal Government Performance and Results Act, industrial sites that treated, stored or disposed of hazardous waste are actively assessed for soil and ground water contamination.

Since 2005, potential exposure to harmful contaminants has been eliminated or controlled at 58 hazardous waste sites, with ground water contamination being controlled at 55 of these sites.

IDEM will continue coordinating with U.S. EPA to meet goals for effective assessments and ensure necessary measures are taken to protect Hoosiers and our environment.

### **Helping Businesses Protect Our Environment**

Businesses that close due to economic hardship often face the added responsibility of managing large amounts of chemicals and waste materials. IDEM identified and conducted site visits at 75 facilities that were in the process of closing and identified over 190,000 pounds of associated waste that needed to be properly managed. IDEM was often able to help companies transfer their unneeded chemicals to another business that could properly use the material. The sites were identified using the U.S. Department of Labor's Worker Adjustment and Retraining Notification (WARN) system, which provides advance notice of plant closings and mass layoffs.

Many small businesses that store and dispose of hazardous waste may not be aware of the regulations they must comply with, including the need for registration with U.S. EPA. In partnership with the Indiana Manufacturer's Association, IDEM instituted a non-notifier program. Under the initiative, IDEM staff contacted manufacturing facilities that were not registered as "notifiers" with U.S. EPA and provided them with compliance assistance documents, including self-audits and self-certifications.

### **Indiana Clean Yard Program**

Since 2006, IDEM has been concentrating on outreach to auto salvage facilities that must manage automotive fluids, refrigerant and mercury switches. These substances can pose significant environmental impacts if mismanaged or improperly disposed. In the fall of 2009, IDEM launched the Indiana Clean Yard Program, an incentive program to educate and encourage operations to meet their environmental responsibilities and reward those facilities that go above and beyond the requirements of law. To date, 12 facilities have received recognition through the program. Over 47 additional applications have been received by the agency and are currently being reviewed. More information about the Clean Yard Program can be found online at [www.idem.IN.gov/4993.htm](http://www.idem.IN.gov/4993.htm).

### **Animal Feeding Operation Programs**

There are currently 1,997 animal feeding operations permitted in Indiana and inspected on a routine basis. These include 635 concentrated animal feeding operations (CAFOs) and 1,362 smaller feeding operations called confined feeding operations (CFOs). Indiana's standards for CAFOs are stricter than federal regulations. While the federal regulations for CAFOs do not

contain standards for the construction of manure storage facilities, Indiana has had construction standards and requirements in place since the mid-1970s.

Although not required by U.S. EPA, IDEM also regulates CFOs under a state rule. IDEM's CFO program includes operational requirements for the land application of manure. Information about IDEM's regulatory program for CAFOs and CFOs can be found online at [www.idem.IN.gov/4994.htm](http://www.idem.IN.gov/4994.htm).

### **Removal of VX Nerve Agent from the Newport Chemical Depot**

In 2007, the entire 1,269-ton stockpile of VX nerve agent that had been stored in Newport, Indiana was safely and completely destroyed. VX is so toxic that a single drop on a person's skin can be fatal. The stockpile had been stored since 1969, when the United States chemical weapons program ended. IDEM's handling of the project has been cited by the U.S. Army as a model for other similar projects.

### **Clandestine Drug Lab Cleanups**

IDEM has developed a program in response to a law passed by the Indiana General Assembly to train and certify contractors and set standards for the cleanup of properties contaminated by illegal drug labs. Currently, 56 contractors have been certified to help property owners, local health departments and communities ensure properties are safe for occupants. For more information, visit [www.idem.IN.gov/4184.htm](http://www.idem.IN.gov/4184.htm).

### **Unwanted Medicines**

Historical practices have encouraged the disposal of unwanted or expired medicines by flushing them down the toilet or pouring them down a drain. However, wastewater treatment plants and septic systems are not designed to deal with pharmaceutical waste. Medicines pass through the systems and are released into streams, lakes and ground water. Medication traces remaining in surface water may cause adverse effects in fish and other aquatic wildlife, as well as unintentional human exposure to chemicals in the medication. Thrown carelessly in the trash, unwanted medicines pose a risk of accidental poisoning for pets and children and a risk of identity theft for individuals whose personal information is visible on the labels. The best way to reduce the impact of pharmaceutical waste on the environment is to dispose of medicine properly. The good news is that more communities are holding collections to help Hoosiers safely dispose of unwanted medicines. Beginning in 2008, IDEM began partnering with Marsh Pharmacies, the Indiana Poison Center, CLS/Med-Turn and Statewide Medical Services to offer biennial collections at 44 central Indiana Marsh Pharmacy locations. Since then, more than 74,000 prescription bottles have been collected.

IDEM, Indiana's pharmacists, educators, health care providers and waste managers are working in partnership to raise public awareness about the proper disposal of unwanted medicines.

Hoosiers can find more information, including a list of local collection programs and a recycling database, on the Recycle Indiana website [www.recycle.IN.gov](http://www.recycle.IN.gov).

### **Solid Waste Management Program**

Although the number of landfills has decreased since the early 1990s, the average size of each has grown. In 2008, permitted operating solid waste landfills accounted for 5.7 square miles of the state's land area and had a combined capacity of 337 million tons. If disposal rates remain constant, landfill space is predicted to last until 2037.

Local solid waste management districts and communities are working together to offer collection locations and curbside pick-up programs to encourage recycling of paper, plastic, glass, steel and aluminum. Household hazardous waste (HHW) collections are also held in communities throughout the state, which helps the environment by preventing accidental releases of unwanted paints, cleaners, batteries, pesticides, motor oils, used oil filters and unwanted medicines.

### **Institutional Control Registry**

IDEM developed the Risk Integrated System of Closure (RISC) to provide consistency in the closure of cleanup projects. Under RISC, an "institutional control" may be appropriate to prevent public exposure to harmful levels of contaminants at a property by restricting property use or access. The public can find the IDEM Institutional Controls Registry Report, which is a list of sites with institutional controls, on the IDEM website at [www.idem.IN.gov/5959.htm](http://www.idem.IN.gov/5959.htm).

### **Contained-In Determination**

The 'contained-in' determination is an IDEM policy based upon an EPA policy where IDEM will exempt media (groundwater and/or soil) contaminated with listed hazardous wastes from the hazardous waste regulations and allowing it to be disposed of as a solid waste. More specifically, contaminated media, impacted by listed hazardous wastes and therefore also carrying the same hazardous waste listing, if found to contain levels of the listed constituents meeting IDEM RISC health-based closure levels, is excluded from the hazardous waste regulations. The media cannot exhibit a characteristic of a hazardous waste and the exemption is dependent on the contaminant levels and the potential type a disposal requested. The 'contained-in' approval process has allowed mildly contaminated media to be disposed of in a more cost effective yet still environmentally sound manner. The lower costs associated with disposing of solid wastes rather than hazardous wastes has allowed for minimally contaminated sites to be cleaned up. In many instances, those minimally contaminated sites would otherwise have been left unaddressed and not been cleaned up if the resulting minimally contaminated media had to be addressed and disposed of as a listed hazardous waste. During the past year (2011) the OLQ Compliance and Response Branch received and processed seventy-seven (77) requests for 'contained-in' determination. Those requests resulted in approximately 15854.5 tons of contaminated soil and 251,360 gallons of contaminated groundwater approved for disposal under the 'contained-in' program.

### **Conclusion**

IDEM's Office of Land Quality protects Indiana's soil and ground water by striving to make sure regulated facilities understand and are prepared to meet their environmental responsibilities. Along with educating and providing technical assistance to businesses and communities, IDEM's work to issue permits, conduct inspections, respond to accidental spills and oversee cleanups continues to foster marked improvement in the state's land quality each year.

## **OFFICE OF WATER QUALITY**

### **Accomplishments:**

#### **Improved Water Quality**

The Office of Water Quality has worked hard to improve Indiana's water quality. New rules are in place to ensure that Hoosiers drink the highest quality water from their taps. Meanwhile, over 99 percent of the population served by community public water systems receives water that meets all state and federal requirements for drinking water. Initiatives such as the Nonpoint Source Grant program keep hundreds of thousands of pounds of phosphorus, nitrogen and sediment out of Indiana's waterways. Additionally, IDEM's work with combined sewer overflow (CSO) communities will prevent the discharge of billions of gallons of untreated sewage annually, as infrastructure projects are completed. Finally, the reduction of backlogged water quality permits ensures that facilities around the state are operating within current, more stringent water quality standards. While IDEM is still learning more about the state of Indiana lakes and streams, the number of assessments of Hoosier waters is at an all-time high, providing vital information necessary to target projects and water quality improvement. Through grants and increasingly stringent permits, IDEM works with Hoosiers to improve the quality of our water.

#### **Antidegradation Rule Adopted**

IDEM has worked to craft a statewide Antidegradation Rule. Antidegradation is a federal requirement that allows new or increased point source discharges to waters under specific circumstances. The IDEM held work group sessions with stakeholders over the past two years to and drafted a rule that increases public opportunities for input, protects swimmable/fishable uses of waters, allows for the issuance of legal permits for discharges to waters, and prohibits violations of water quality standards. On March 14, 2012, the Indiana Water Pollution Control Board finally adopted this statewide rule. The rule is currently at USEPA for review and approval.

#### **Backlog of NPDES Permits Dramatically Reduced**

In 2005, IDEM had a backlog of 263 NPDES permits. Some had not been renewed for 20 years and had outdated requirements. Working aggressively, by the end of 2011 OWQ had issued all 263 of the original backlogged permits.

#### **Combined Sewer Overflow Communities**

108 communities in Indiana have combined sewer systems that discharge raw sewage into Indiana's waters when it rains. In 2005 only one community had an IDEM-approved long term control plan (LTCP) to address combined sewer discharges, and only 12 had completed the separation of storm and sanitary sewers. The other communities were facing the challenge of meeting federal requirements to dramatically reduce discharges from combined sewers. Over the last seven years, IDEM has worked with communities to commit to making improvements. Communities were initially required to enter into enforceable agreements with IDEM to devise and submit plans that would dramatically reduce discharges. Today, 102 communities have approved plans and are making infrastructure improvements to dramatically reduce discharges during rain storms. Today, thirty-two communities have completed their projects. As a result,

estimates currently indicate that system-wide improvements over the next 20 years will reduce raw sewage discharges by over 30 billion gallons annually.

### **Improving Watersheds**

Over the last year, IDEM completed another 106 total daily maximum loads (TMDLs) on Indiana's streams, bringing the total number to 969 since 2005. TMDLs are reports on streams that aren't meeting water quality standards. TMDLs contain extensive details about the quality of the water within the given watershed and the sources and pollutants that could be contributing to the problems. TMDLs help local communities, businesses, groups and government agencies within a common watershed come together to find and implement solutions for improving their streams and lakes. Where data shows streams have improved and are meeting standards, they can be removed from the state's list of impaired waterways. IDEM is proposing to remove two stream segments in the Bull Run/West Creek watershed in Northwest Indiana from the list of impaired waters.

### **Blue-green Algae**

IDEM continues to coordinate with the Indiana State Department of Health, the Indiana Department of Natural Resources and the Indiana University-Purdue University Indianapolis to monitor lakes, provide notice, and educate the public about harmful algal blooms. IDEM regularly sampled eleven lakes throughout the state and updated the [www.algae.IN.gov](http://www.algae.IN.gov) website with results for blue green algae and toxic bacteria during the summer sampling season. This information raised public awareness about the need to protect pets and family members from exposure to lakes with toxic algal blooms. IDEM and its partner agencies are continuing to get the word out about responsible management of fertilizer containing phosphorus, which can contribute to algal blooms.

### **Nonpoint Source Program and Total Maximum Daily Loads**

Grant programs are another important tool IDEM uses to ensure lakes, rivers and streams meet high water quality standards. Since 2005, IDEM has awarded millions of dollars through two grant programs to fund projects to reduce nonpoint source pollution. Nonpoint source pollution results from land run-off, precipitation, atmospheric deposition, drainage, seepage or hydrologic modification, when water moving across the landscape picks up contaminants such as oil, fertilizer, sediment and other materials. These locally-led projects prevent more than 250,000 tons of sediment, almost 500,000 pounds of phosphorus, and over 800,000 pounds of nitrogen from entering Indiana waters annually, according to modeled estimates. These reductions of pollutants are among the highest reductions in the Midwest. Water quality improvement success stories have been documented in three watersheds, Big Walnut Creek, Pigeon Creek and Lower Clifty Creek.

### **Grand Calumet River Dredging Project**

Located in the northwestern corner of the Hoosier state, the Grand Calumet River stands as a testament to overall improvements in the state's water quality. Industrial development in the Calumet River area began during the 1870s, and by 1890, the west reach of the Grand Calumet River was heavily polluted. Sediment in the Grand Calumet River was contaminated from industrial and municipal discharges long before today's regulations were imposed. These legacy contaminants extend 20 feet deep and continue to restrict industrial, commercial and

recreational uses. Additionally, water quality issues have made it nearly impossible for aquatic life to use the Grand Calumet River as a habitat. In 1987, the International Joint Commission (IJC) listed the Grand Calumet River and Indiana Harbor Ship Canal as an area of concern, or a severely degraded site on the Great Lakes. The IJC is a United States and Canadian-run entity that works to protect shared North American water resources. Two years later, IDEM completed a Phase I Remedial Action Plan to identify the problems in the Areas of Concern, finding that all 14 of the designated beneficial uses for surface water were considered impaired.

In 1998, a group of industries expressed interest in working with Indiana's Natural Resources Trustees to complete a Natural Resource Damage Assessment (NRDA). Eventually, a settlement of \$60 million was reached, with eight industries contributing to the cleanup of legacy contaminants. The settlement was one of the largest NRDA hazardous waste settlements in history.

Efforts have been underway for the past several decades to limit or remove sources of pollutants to the Grand Calumet River ecosystem. While point source pollutants have been greatly reduced, the legacy contaminants found in the sediment continue to affect water quality. In 2008, the West Branch Grand Calumet River Sediment Remediation project was announced, and as its goal, the removal of 131,000 cubic yards of sediment from a one mile stretch of the Grand Calumet River. It would be followed by adding a reactive cap which would seal off remaining sediment contaminants. This dredging project was completed in 2011, and a remediation project on 25 acres of the Roxana Marsh was completed in 2012.

IDEM continues to spearhead remediation projects in the Grand Calumet River with the hope that one day the river will be able to support diverse aquatic life. Additionally, construction is scheduled for a project in the DuPont reach of the East Branch Grand Calumet River, which will include over 80 acres of wetlands.

## **Conclusion**

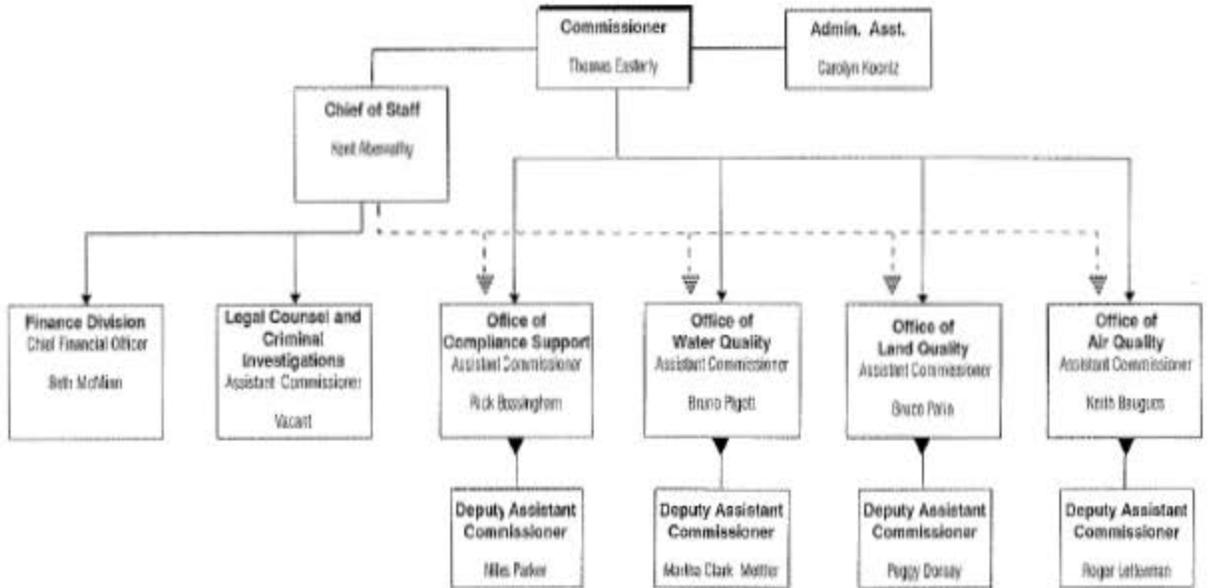
IDEM's Office of Water Quality is working toward the future when all of Indiana's waters will be safe for swimming and fishing, and critical ground water will be suitable for all uses, including drinking. Through continued assessment and adherence to water quality health standards, IDEM is working to further water protection and pollution prevention. Initiatives, such as the nonpoint source grant program, keep millions of pounds of phosphorus, nitrogen and sediment out of Indiana's waterways. IDEM's work with CSO communities will prevent the discharge of billions of gallons of untreated sewage annually as infrastructure projects are completed. Additionally, the reduction of a backlog of water quality permits ensures that facilities around the state are operating within current, more stringent water quality standards.

# IDEM Organizational Chart



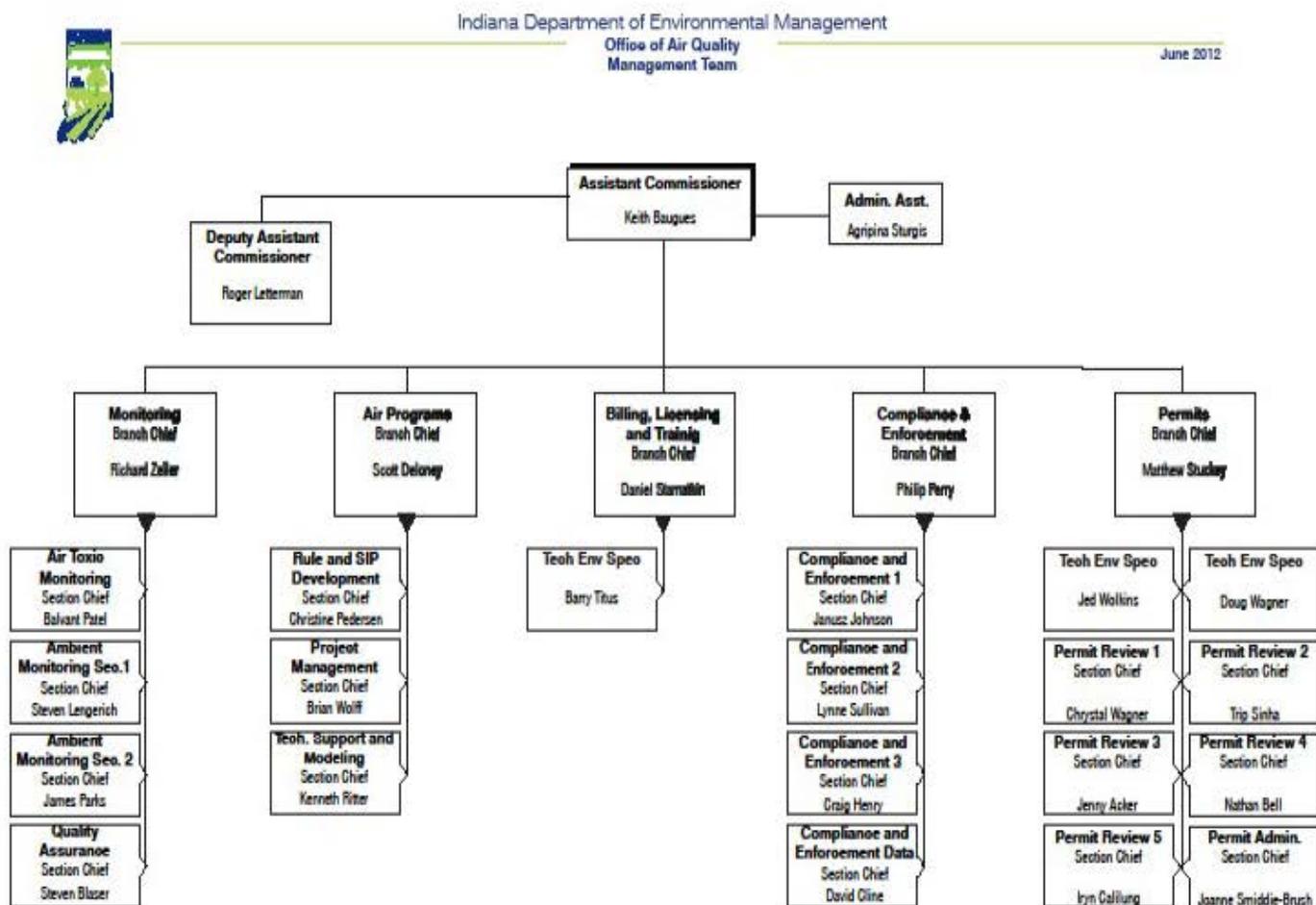
## Indiana Department of Environmental Management Leadership Team

June 2012



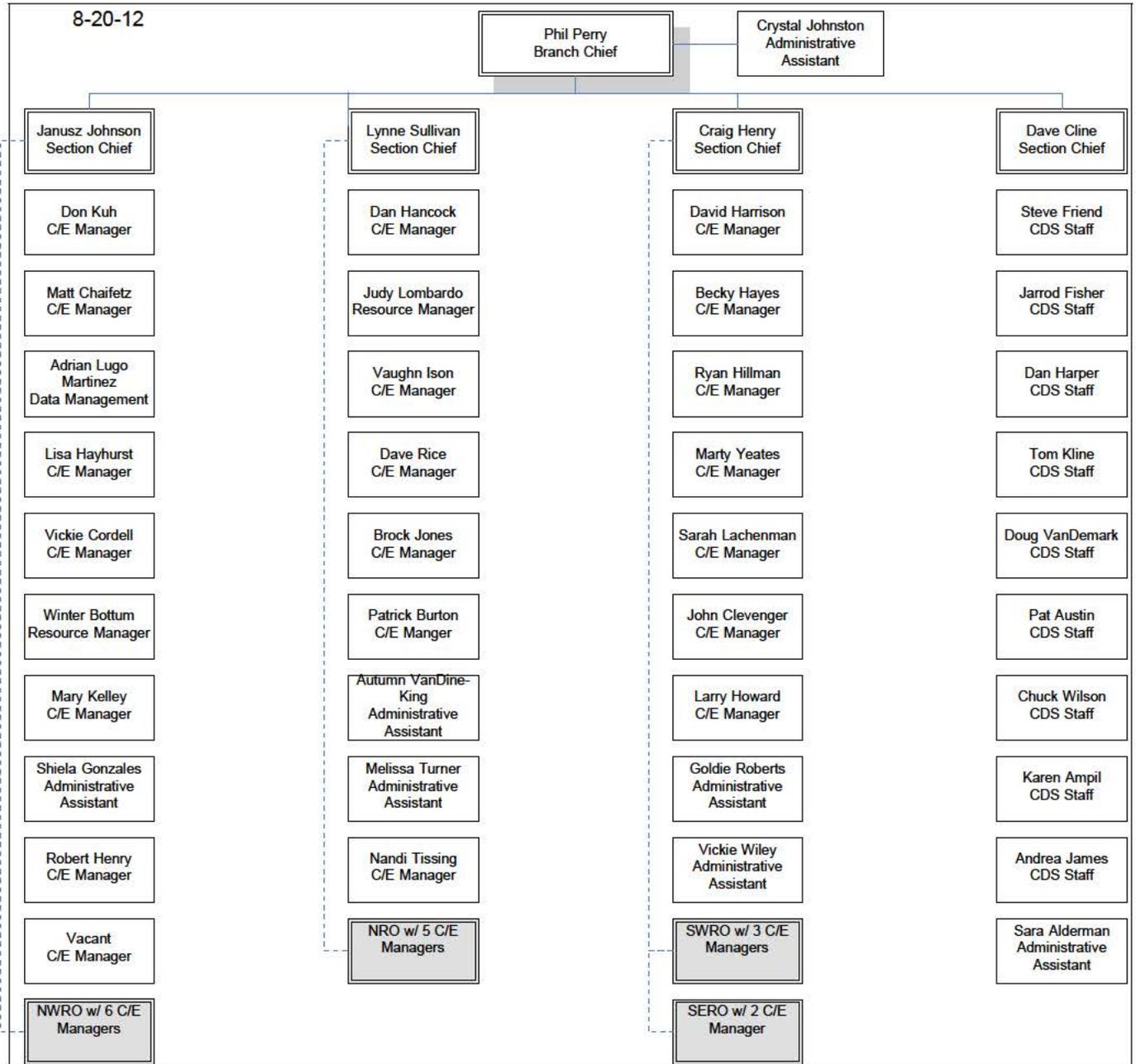
## Office of Air Quality

The following organization chart provides the Office of Air Quality management team and the various branches and sections within the office.



The following staffing charts provide the number of staff within the sections assigned to carry out specific air compliance and enforcement activities. The first chart is for the Air Compliance and Enforcement Branch. The second chart is the regional office staff assigned to the air compliance and enforcement program.

### Air Compliance and Enforcement Branch



Office of Compliance Support  
Regional Offices  
Air Compliance and Enforcement Managers

8-20-12

Office of Compliance  
Support  
Regional Offices

NWRO

NRO

SWRO

SERO

Dave Sampias  
C/E Manager

Greg Wingstrom  
C/E Manager

Tammy Haug  
C/E Manager

Angie Willoughby  
C/E Manager

Ramesh Tejuja  
C/E Manager

Rick Reynolds  
C/E Manager

Quentin Gilbert  
C/E Manager

Melissa Ernst  
C/E Manager

Mike Hall  
C/E Manager

Paul Karkiewicz  
C/E Manager

Andrea Alltop  
C/E Manager

Amanda Kulpa  
C/E Manager

Adrienne Mishler  
C/E Manager

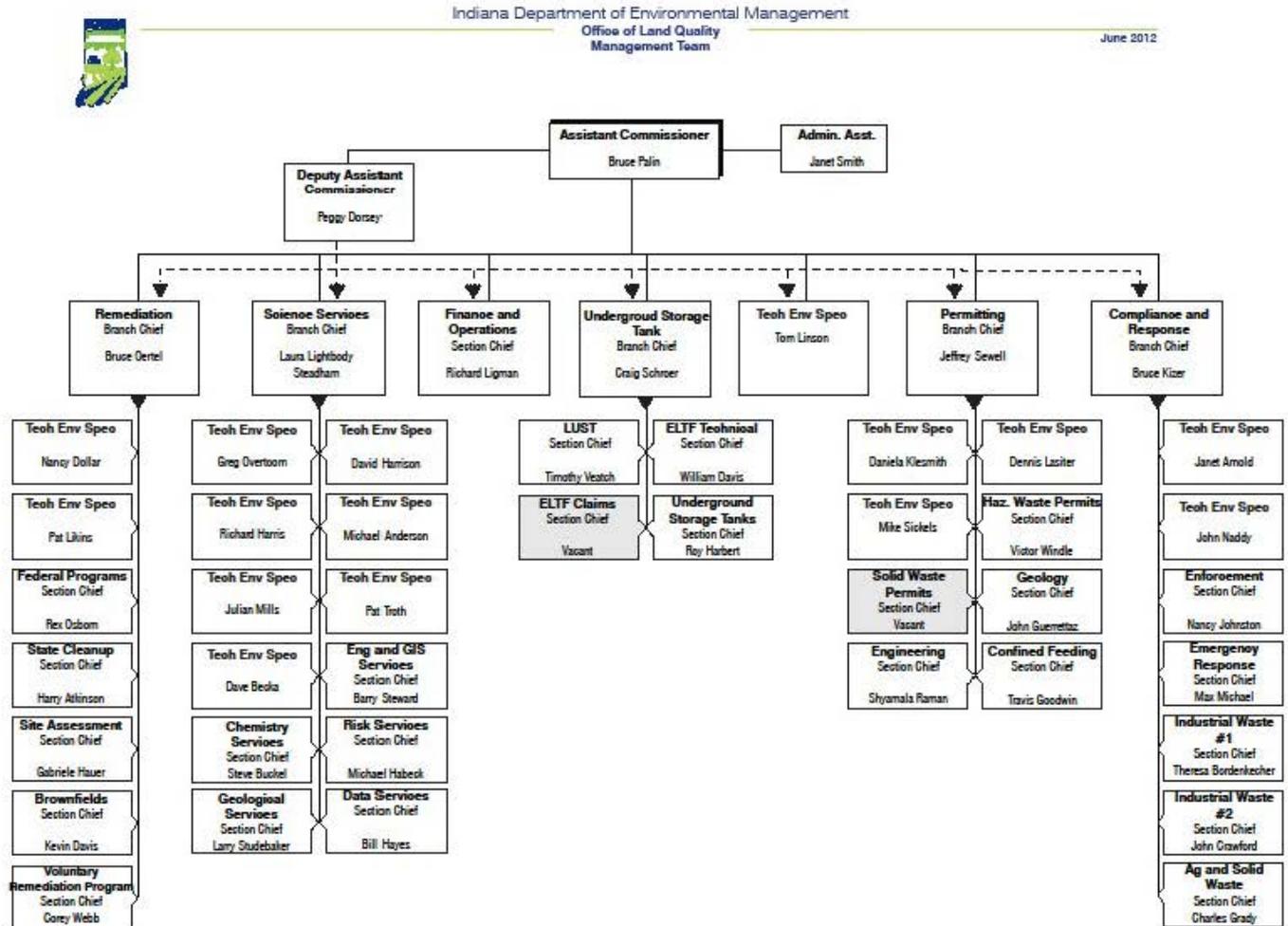
Letty Zepeda  
C/E Manager

Doyle Houser  
C/E Manager

Vacant  
C/E Manager

# Office of Land Quality

The following staffing chart provides the number of staff within the sections assigned to carry out specific program management.



**COMPLIANCE & RESPONSE BRANCH**

Bruce Kizer EBC6 - 10029593	John Naddy Tech E7 - 10029571	Janet Arnold Tech E7 - 10028873	VACANT SEM 1 - 10029617	Donna Emanuel AA3 - 10029706	Fred Jackson Sec3 - 10029525	Nannette Landes Sec3 - 10029528
						Sharon Herring Sec3 - 10029536

Industrial Waste
Theresa Bordenkeche SEM S3 - 10029695
Gary Romesser SEM 1 - 10029670
Tracy Barnes SEM 1 - 10029572
George Ritchotte SEM1 - 10029671
Megan Nagle EM2 - 10029672
VACANT EM2 - 10029686
Lori Freeman EM2 - 10029675
Philip Guntle EM2 - 10029573
Alan Minne EM2 - 10029677
Dan Chesterson EM2 - 10029699
Christopher Purvis ES3 - 10029575
Mary Lewis AA5 - 10029588

Haz Waste Compl.
John Crawford SEM S3 - 10029680
Roger Wilson SEM 1 - 10029681
Lee Parsons SEM 1 - 10029697
Said Asgari EE1 - 10029696
Bahman Ossivand EE1 - 10029611
Mike Penington EM2 - 10029683
Chris Lowell EM2 - 10029685
Debbie Chesterson EM2 - 10029682
Bob Malone EM2 - 10029684
Theresa Pichtel EM2 - 10029674
Scott Draschill EM2 - 10029574
Kim Whittington EM2 - 10029687

Ag & SW Compliance
Charles Grady SEM S3 - 10029599
Randy Jones SEM 1 - 10029601
Jon Ware EM2 - 10029605
Stu Miller EM2 - 10029603
VACANT EM2 - 10029604
Anne Weinkauff EM2 - 10029609
Tim Hotz EM2 - 10029610
Julie Arquette EM2 - 10029614
Joe Williams EM2 - 10028804
Julie Lamberson ES3 - 10029756

Land Enforcement
Nancy Johnston SEM S3 - 10028875
VACANT SEM1 - 10028877
Christina Halloran SEM1 - 10028886
Brenda Lepter SEM1 - 10028883
Sherri Bass SEM1 - 10028881
Tom Newcomb SEM1 - 10028901
Jennifer Reno SEM1 - 10028901
Chiki Okeke EM2 - 10028884
Idelia Walker-Glover EM2 - 10028880
Donna Bates AA5 - 10028908

Emergency Resp.
Max Michael SEM S3 - 10029709
Mike Sutton SEM 1 - 10029713
Brian Smith SEM 1 - 10029711
Dave Daugherty SEM1 - 10029714
David Cage SEM1 - 10029716
Bill Myers SEM1 - 10029717
Greg Carter SEM1 - 10029715
Pat Colcord SEM1 - 10029720
Lavern Beauchamp ES3 - 10029721
Randy Jurgens ElecTech1 - 10029846

Industrial Waste
N - Vacant - EM2 - 10029798
N - John Howard - SEM1 - 10028814
NW - Scott Ormsby - SEM1 - 10028792

Ag & SW
N - Steve Schafer - EM2 - 10028815
NW - Cheryl Satkus - EM2 - 10028789
SW - VACANT - EM2 - 10029547
SW - Kaye Driskill - EM2 - 10029602
SE - Mark McCory - EM2 - 10029608

Regional Office Staff Who Work With OLQ Programs		
<b>Industrial Waste</b> VACANT - NRO John Howard - NRO Scott Ormsby - NWRO	<b>Emergency Response</b> Richard Hackel - NRO David Greinke - NWRO Andy Stinchfield - SWRO	<b>LUST</b> Rick Massoels - NWRO Cliff Rice - SERO
<b>Ag &amp; SW</b> Steve Schafer - NRO Cheryl Satkus - NWRO VACANT - SWRO Kaye Driskill - SWRO Mark McCory - SERO	<b>UST</b> VACANT - NRO Bob Strimbu - NWRO Matt Hills - SWRO	

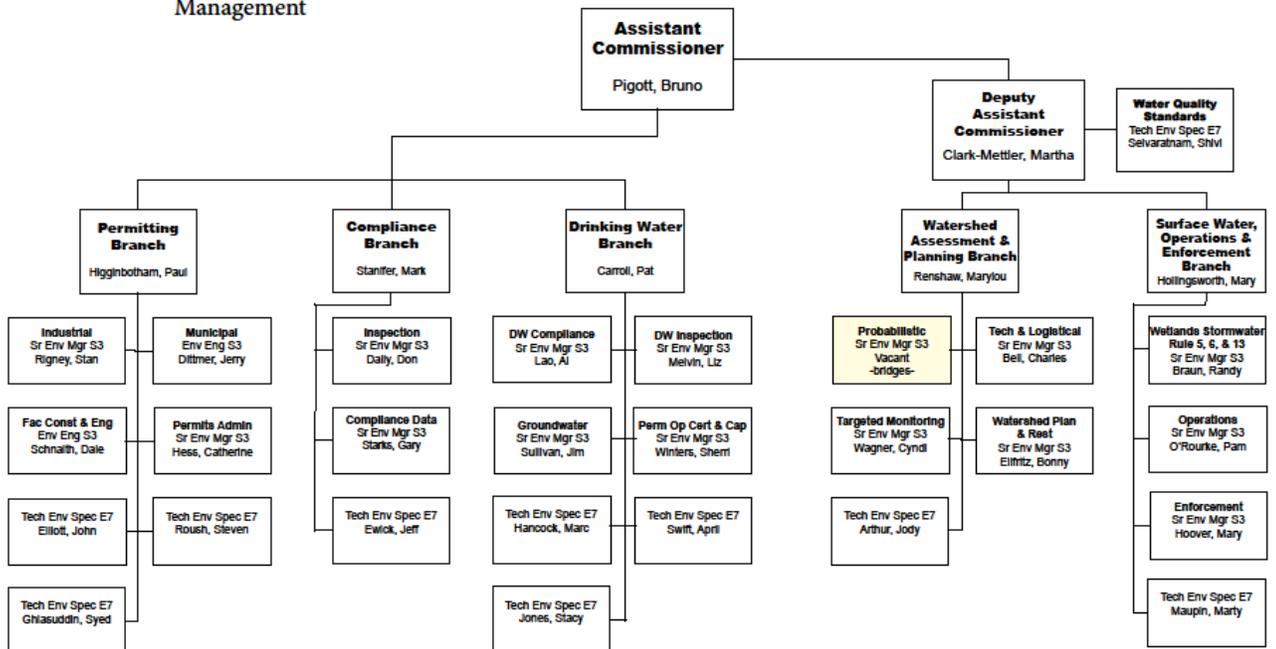
## IDEM Office of Water Quality

The Office of Water Quality's (OWQ) mission is to monitor, protect, and improve Indiana's water quality to ensure its continued use as a drinking water source, habitat for wildlife, recreational resource and economic asset.

The office achieves this by: developing rules, guidance, policies and procedures; assessing surface and ground water quality; regulating and monitoring drinking water supplies and waste water facilities; protecting watersheds and wetlands and providing outreach and assistance to the regulated community and the public while supporting environmentally-responsible economic development.

# Office of Water Quality

## Management



# Office of Water Quality

Compliance Branch  
January 11, 2013 10:43 AM

197094			197096			
Env Bmch C E6 10029279 Stanifer, Mark 2830-100600	Tech Env Spec E7 10029459 Ewick, Jeff 2830-100600	Env Mgr 2 10029300 McMonigle, Rebecca 2830-100600	Program Coord 3 10029444 Fuller-White, Tonja 2830-100600			
197092			197096			
Inspection Sr Env Mgr S3 10029364 Dally, Don 2830-100600			Compliance Data Sr Env Mgr S3 10029369 Starks, Gary 2830-100600			
Sr Env Mgr 10029302 Denman, David 2830-100600	Sr Env Mgr 10029361 Counterman, Rex 2830-100600	Sr Env Mgr 10029390 Schmidt, Andrew 2830-100600	Sr Env Mgr 10029400 McDaniel, Rose 2830-100600 <i>In-Kind Perm &amp; Enf</i>	Sr Env Mgr 10029323 Grams, Pam 2830-100600	Sr Env Mgr 10029298 Maupin, Natalie 2830-100600	Sr Env Mgr V10029367 Glover, Greg 2830-100600
Sr Env Mgr 10029406 Green, Kevin 2830-100600	Sr Env Mgr 10029407 Ruark, Becky 2830-100600	Sr Env Mgr 10028855 Raisor, Lynn 2830-100600	Env Mgr 2 10029417 Demmings, Helen 2830-100600	Program Dir 2 10029376 Pham, H.T. 2830-100600	Env Sci 3 10029427 Knowles, Dan 2830-100600 <i>In-Kind Perm &amp; Enf</i>	Env Sci 3 10029413 Bye, Julie 2830-100600 <i>In-Kind Perm &amp; Enf</i>
Env Mgr 2 10029362 Nunney, Missy 2830-100600	Env Mgr 2 10029119 Palm, Jason 2830-100600	Env Mgr 2 10029368 Smith, Scot 2830-100600	Program Coord 3 10029445 McNeil, Tammie 2830-100600 <i>In-Kind Perm &amp; Enf</i>	Secretary 3 10028857 Means, Rommella 2830-100600 <i>In-Kind Perm &amp; Enf</i>	Adm Asst 4 10028920 Mathews, Anita 2830-100600 <i>In-Kind Perm &amp; Enf</i>	Adm Asst 5 10029418 Vacant 2830-100600 <i>In-Kind Perm &amp; Enf</i> <i>vacant</i>
Env Mgr 2 10029391 Deeter, Aaron 2830-100600					Env Sci Owens, Donald SEEP	

# Office of Water Quality

Permitting Branch  
January 11, 2013 10:45 AM

197143			
Env Bmch C E6 10029380 Higginbotham, Paul 2830-100600	Tech Env Spec E7 10029123 Elliott, John 2830-100600	Tech Env Spec E7 10029804 Roush, Steven 2830-100600	Tech Env Spec E7 10029334 Ghassuddin, Syed 3610-141400 2830-100600
197079	197080	197083	197078
Industrial Sr Env Mgr S3 10029351 Rigney, Stan 2830-100600	Municipal Env Eng S3 10029317 Dittmer, Jerry 2830-100600 <i>In-Kind PPG/GW</i>	Fac Const & Eng Env Eng S3 10029324 Schnalsh, Dale 2830-100600	Permits Admin Sr Env Mgr S3 10029291 Hess, Catherine 2830-100600
Env Eng 1 10029283 Hourmouz, Sholeh 2830-100600	Sr Env Mgr 10029284 Hambill, Richard 2830-100600	Sr Env Mgr 10029416 House, Jason 2830-100600 <i>In-Kind PPG/GW</i>	Sr Env Mgr 10029392 Trinkle, Todd 2830-100600 <i>In-Kind PPG/GW</i>
Env Eng 1 10029331 Parkshak, Dharmend 2830-100600	Env Eng 1 10029332 Florczyk, Matthew 2830-100600	Sr Env Mgr 10029293 Voes, Leigh 2830-100600	Env Mgr 2 10029288 Jordan, Sheri 2830-100600
Sr Env Mgr 10029322 Zurcher, Holly 2830-100600	Sr Env Mgr 10029285 Beumer, Alison 2830-100600	Sr Env Mgr 10029510 Stenner, William 2830-100600 <i>In-Kind PPG/GW</i>	Sr Env Mgr 10029299 Tennis, Dave 2830-100600 <i>In-Kind PPG/GW</i>
Sr Env Mgr 10029327 Worley, James 2830-100600	Env Eng 2 10029319 Soliven, Levy 2830-100600	Adm Asst 3 10029192 Carley, Charles 2830-100600	Adm Asst 5 10029297 Clinton, Sharon 2830-100600
Env Eng 1 10029301 Kedensson, Nahir 2830-101700 2830-100600	Sr Env Mgr 10029335 Gardner, Nicole 3610-141400 2830-100600	Sr Env Mgr 10029292 Donnellan, John 2830-100600 <i>In-Kind PPG/GW</i>	Env Mgr 2 2830-100600 <i>In-Kind PPG/GW</i>
Env Eng 1 10029328 Czemlakowski, Kevin 2830-100600	Env Eng 3 10029395 Miles, Mike 2830-100600	Env Mgr 2 10029295 Cook, Matthew 2830-100600 <i>In-Kind PPG/GW</i>	Env Mgr 2 2830-100600 <i>In-Kind PPG/GW</i>
Env Eng 1 10029338 Czemlakowski, Kevin 2830-100600	Env Eng 3 10029395 Miles, Mike 2830-100600	Env Mgr 2 10029292 Donnellan, John 2830-100600 <i>In-Kind PPG/GW</i>	Env Mgr 2 10029292 Donnellan, John 2830-100600 <i>In-Kind PPG/GW</i>
Env Mgr 2 10029435 Ritchie, Miranda 2830-100600	Env Eng 2 10029312 Sondhe, Gurdeo 2830-100600	Env Mgr 2 10029815 Wendholt, Kara 2830-100600 <i>In-Kind PPG/GW</i>	Env Mgr 2 10029374 Fellen, Alissa 2830-100600 <i>In-Kind PPG/GW</i>
Env Mgr 2 10029457 Carino, Jennifer 2830-100600	Env Eng 3 10029314 De, Asit K. 2830-100600 <i>In-Kind PPG/GW</i>	Env Mgr 2 10029314 De, Asit K. 2830-100600 <i>In-Kind PPG/GW</i>	Env Eng 3 10029314 De, Asit K. 2830-100600 <i>In-Kind PPG/GW</i>
Env Mgr 2 10029460 Gwinn, Joe 2830-100600	Secretary 3 10029271 Ivey, Danita 2830-100600	Secretary 3 10029272 Malone, Ramona 3610-141400 2830-100600	Secretary 3 10029272 Malone, Ramona 3610-141400 2830-100600

# Office of Water Quality

Surface Water, Operations, and Enforcement Branch  
January 25, 2013 10:36 AM

197077

Env Brnch C E6  
10029394  
Hollingsworth, Mary  
3610-141400

Tech Env Spec E7  
10029428  
Maupin, Marly  
3610-141400

197099

Wetlands Stormwater  
Rule 5, 6, & 13  
Sr Env Mgr S3  
10029421  
Braun, Randy  
3610-141400

Sr Env Mgr  
10029318  
Korthals, Reggie  
2830-100600  
Stormwater

Sr Env Mgr  
10029429  
Randolph, Jason  
3610-141400  
401/INDO7

Env Mgr 2  
10029397  
Parsons, Heather  
3610-141400  
401

Env Mgr 2  
10029296  
Vacant  
2830-100600  
Stormwater  
401

Env Mgr 2  
10029410  
McMahan, Aaron  
2830-100600  
401  
414

Env Mgr 2  
10029423  
Smedley, Matt  
3610-141400  
401

Env Mgr 2  
10058453  
Wolf, Doug  
2830-100600  
Stormwater  
3610-141400

Env Mgr 2  
10029430  
Carr, David  
3610-141400  
401

Env Mgr 2  
10028591  
Bock, Sue  
3610-141400  
Stormwater/EnvMfr  
008

Env Mgr 2  
10058456  
Beck, Rob  
2830-100600  
Stormwater  
3610-141400

Env Mgr 2  
10029290  
Jay Turner  
3610-141400  
401

Env Mgr 2  
10029305  
Groce, Samantha  
3610-141400  
401

Admv Ast 5  
10029462  
Kinshack, Karla  
3610-141400

Env Mgr 2  
10058454  
Schmid, Erika  
2830-100600  
Rule 5

197101

Operations  
Sr Env Mgr S3  
10029415  
O'Rourke, Pam  
2830-100600

Sr Env Mgr  
10029484  
Newton, Lynne  
3610-141400

Sr Env Mgr  
10029370  
Duff, David  
3610-141400  
319

Sr Env Mgr  
10029441  
Myers, Lance  
3610-141400  
319

Sr Env Mgr  
10029494  
Roberts, Jane  
(3610-140400)  
414

Env Mgr 2  
10029401  
Glover, Deb  
2830-101700

Program Dir 2  
10029443  
Colker, Nancy  
2830-100600

Admv Ast 5  
10029307  
Palmer, Donna  
2830-100600

Secretary 3  
10029274  
Kehner, Dollier  
2830-100600  
319

197102

Enforcement  
Sr Env Mgr S3  
10028674  
Hoover, Mary  
3610-141400

Sr Env Mgr  
10028905  
Claxton, Paul  
3610-141400

Sr Env Mgr  
10029455  
Ressler, Terry  
3610-141400  
008

Env Mgr 2  
10028593  
Judson, Edward  
2830-101700

Env Mgr 2  
10028592  
McGlinchey, Scott  
3610-141400  
008

Env Mgr 2  
10028589  
Knox, David  
3610-141400

Env Mgr 2  
10028594  
Lenahan, Aletha  
3610-141400

Admv Ast 4  
10028676  
Wheat, Rose  
3610-141400

## **Appendix F: SRF Correspondence**



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590  
**JUN 29 2012**

REPLY TO THE ATTENTION OF:

Thomas Easterly  
Commissioner  
Indiana Department of Environmental Management  
100 North Senate Avenue  
Mail Code 50-01  
Indianapolis, Indiana 46204-2251

Dear Mr. Easterly:

Through this letter, the U.S. Environmental Protection Agency is initiating a review of the Indiana Department of Environmental Management's (IDEM) Resource Conservation and Recovery Act Subtitle C, Clean Water Act National Pollutant Discharge Elimination System and Clean Air Act Stationary Source enforcement programs. We plan to review IDEM's inspection and enforcement activity from Federal Fiscal Year (FY) 2011.

As you may know, in FY 2007, the EPA regions completed the first round of reviews using the State Review Framework (SRF) protocol. This work created a baseline of performance from which future oversight of state compliance and enforcement programs can be tracked and managed. In early FY 2008, EPA evaluated the first round of reviews and a work group composed of EPA headquarters, regional managers and staff, ECOS, state media associations and other state representatives revised the SRF elements, metrics, process and guidance.

Round 2 of the SRF is a continuation of this national effort that allows Region 5 to ensure that IDEM meets agreed upon minimum performance levels in providing environmental and public health protection. We intend to assist IDEM in meeting federal standards and goals agreed to in IDEM's Performance Partnership Agreement.

EPA will contact IDEM enforcement managers and staff to schedule a meeting to discuss expectations, procedures and a time line for the review. EPA will send its analysis of the SRF data metrics and a list of selected facility files at a later date. Other documents used to evaluate the state's programs can be found on EPA's Online Tracking Information System (OTIS) website at <http://www.epa-otis.gov/otis/srf>.

We look forward to working with you on this project. If you have any questions, please contact me at (312) 886-3000 or Alan Walts, Director, Office of Enforcement and Compliance Assurance, at (312) 353-8894 or [walts.alan@epa.gov](mailto:walts.alan@epa.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Bharat Mathur".

Bharat Mathur  
Deputy Regional Administrator



## IDEM SRF DMA, File Selection and Background Information

**Stephanie Cheaney** to: MSTANIFE, BKIZER, PPERRY,  
bpigott

08/02/2012 09:39 PM

Cc: jereza.lorna, brown.todd, bahr.ryan, gunter.kenneth,  
coleman.james, balasa.kate, Dee.rhiannon, flowers.debra,  
frank.nathan, wilson.jennifera, heger.michelle,

---

Mark, Phil, Bruce, and Bruno,

Thank you for meeting with us on Tuesday .

Here are the File Selection and Data Metric Analysis spreadsheets for IDEM 's Round 2 SRF.



IDEM File Selection.xlsx IDEM DMA.xlsx

In addition, the below is an excerpt from the SRF Report Template for State Background information . Please provide the following information for IDEM by September 29, 2012.

### Agency Structure

*[How the agency is structured, including whether it is divided into regions, districts, or other units.]*

### Compliance and Enforcement Program Structure

*[How the Compliance and Enforcement program is structured, including whether it is centralized or separated by media program.]*

### Roles and Responsibilities

*[Who does what? Are other state or local organizations (such as other state agencies, state attorney general, or local governments) involved in the compliance and enforcement program? How do these organizations coordinate these roles and responsibilities?]*

### Local Agencies Included and Excluded From Review

*[If program responsibilities are assumed by local agencies, which agencies are included and excluded in the review, and which local agencies are being reviewed separately? Please explain based on the criteria in the Local Agency Guidance.]*

### Resources

- *[Provide the amount of FTE available for air, water, and hazardous waste respectively.]*
- *If available, provide the number of inspectors, attorneys, etc., employed to implement the state's compliance monitoring and enforcement program.*
- *If significant, include the number of contractors and other personnel who are employed to supplement the program.*
- *If the state has regional offices responsible for different geographic areas, please provide a breakout of the FTE distribution by regional office.*
- *Discuss any resource constraints that present major obstacles to implementation.]*

## **Staffing and Training**

- *[Indicate if the program is fully staffed or whether the program has been impacted by vacancies, or is expecting to be impacted in the near future.]*
- *Describe the state program for hiring and retaining qualified staff.]*

## **Data Reporting Systems and Architecture**

*[Discuss how the state program reports minimum data requirements (MDRs) to the EPA national data systems. If applicable, describe the state's own data system and how the architecture and data reporting requirements of the state system impact the ability to report the MDRs to EPA.]*

## **Major State Priorities and Accomplishments**

*[Directions for completing this section:*

1. *This is an opportunity to recognize state program elements that EPA feels are exemplary.*
2. *EPA should give the state the opportunity to provide information for this section. If state-provided information is included, EPA should insert language that indicates that it did not independently verify that information.*
3. *EPA may also choose to develop this section in conjunction with the state.*
4. *If the state does not provide any information for this section, it can be excluded.]*

**Priorities:** *[Include a brief summary of compliance and enforcement priorities provided by the state, and how they were established (e.g., legislature, EPA national priorities, tips/complaints).]*

**Accomplishments:** *[Highlight major accomplishments achieved through compliance monitoring, compliance assistance/outreach, pollution prevention, voluntary programs, and enforcement. These are accomplishments that exceed national policy/guidance minimum requirements. Outcome information is welcome.]*

**If you have any questions , please feel free to contact me or any of the media staff .**

Thank you,

---

**Stephanie L. Cheaney**

State Review Framework Coordinator and Analyst

Environmental Protection Agency - Region 5

Office of Enforcement and Compliance Assurance

Phone: 312-886-3509

[cheaney.stephanie@epa.gov](mailto:cheaney.stephanie@epa.gov)



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGIONAL ADMINISTRATOR  
REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

FEB 19 2013

Thomas Easterly  
Commissioner  
Indiana Department of Environmental Management  
100 North Senate Avenue  
Mail Code 50-01  
Indianapolis, Indiana 46204-2251

Dear Mr. Easterly:

As you know, the U.S. Environmental Protection Agency worked with the Indiana Department of Environmental Management to review IDEM's Clean Air Act Stationary Source, Clean Water Act National Pollutant Discharge Elimination System, and Resource Conservation and Recovery Act Subtitle C hazardous waste enforcement programs.

Enclosed for IDEM's review is a draft Enforcement Review Report that lists our detailed findings. Please send IDEM's response to Alan Walts, Director of Region 5's Office of Enforcement and Compliance Assurance, by March 18, 2013. We will then prepare a final report that incorporates IDEM's comments.

We appreciate IDEM's cooperation in this effort. If you have any questions or issues, feel free to contact me at 312-886-3000, or your staff may contact Alan Walts at 312-353-8894 or [walts.alan@epa.gov](mailto:walts.alan@epa.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Bharat Mathur", written over a horizontal line.

Bharat Mathur  
Deputy Regional Administrator

Enclosures