

POND PERMIT

Permit #: _____

Date: _____

WHERE POND WILL BE LOCATED: _____

LEGAL DESCRIPTION: _____

OWNER OF PROPERTY: _____

ADDRESS: _____

PHONE NUMBER: _____

CONTRACTOR: _____

ADDRESS: _____

PHONE NUMBER: _____

PLEASE PROVIDE THE DEPARTMENT WITH SETBACK MEASUREMENTS
(Setbacks shall be measured to the toe of the slope of the bank of the Pond, or to
high water level of the Pond, whichever is closer to the property line or roadway.)
PLEASE SUBMIT A DRAWING ILLUSTRATING SETBACKS.

FRONT: _____ REAR: _____

BOTH SIDES: _____

WHAT WILL THE DEPTH OF THE WATER BE AT NORMAL ELEVATION? _____

ARE YOU AWARE OF ANY TILES ON THIS PROPERTY THAT MIGHT NEED TO BE RELOCATED?

(Please refer to the Surveyor's Office for further information in regards to tiles.) _____

ARE THERE ANY IMPROVEMENTS ON SAID PROPERTY, AND IF SO,
HOW FAR IS THE POND FROM THOSE IMPROVEMENTS? _____

IF KNOWN, THE DIRECTION OF THE FLOW OF WATER PRIOR TO THE CONSTRUCTION OF THE POND.

WHAT IS THE SIZE, LOCATION, AND ELEVATION OF THE OUTLET PIPE?

ARE YOU AWARE OF ANY FLOODING WHICH MAY OCCUR ON THE SUBJECT PROPERTY?

CONTACT WITH COUNTY SURVEYOR'S OFFICE:

COMMENTS: _____

Applicant Signature _____

Authorized Signature _____

TO BE COMPLETED BY DEPARTMENT

RECEIPT NUMBER: _____

DATE OF ISSUANCE: _____

INITIALS: _____ COST: _____

POND PROCEDURE

- Complete a Rule 5 permit application (Stormwater) with the Indiana Department of Emergency Management (IDEM) <http://www.in.gov/idem/stormwater/2369.htm> (IDEM Office of Water Quality, Permits Branch)
- Present the IDEM approved Rule 5 permit to the Soil & Conservation Department (Cheryl Jarrett, U.S. Farm Services Agency, 2040 Riverfork Drive, 356-6816).
- Once you have presented the Rule 5 permit to the Farm Services Agency, the Pond application will need to be given to the Surveyor's Office (County Courthouse) in order for them to conduct an initial site inspection. Once the Surveyor's Office initials the application, it will be brought back to the Department of Community Development.
- Once the Farm Services Agency gives approval of the Rule 5 permit, the Department of Community Development will be notified in writing and will then call and let the applicant know the Pond Permit is ready to be issued.
- This procedure is not required for ponds less than 1-acre in size. However, the 1-acre requirement includes ALL disturbed land. This is an erosion control and water quality control measure.



IDENTIFICATION OF POTENTIALLY AFFECTED PARTIES

State Form 49456 (R2 / 3-15)

Approved by State Board of Accounts, 2009

IDEM
Office of Water Quality, Permits Branch
100 North Senate Ave.
MC 65-42PS
Indianapolis, IN 46204-2251

The Administrative Orders and Procedures Act (AOPA) IC 4-21.5-3-5(b), requires that the Indiana Department of Environmental Management (IDEM) give notice of its decision on your application to the following persons:

- a) Each person to whom the decision is specifically directed;
- b) Each person to whom a law requires notice to be given;
- c) Each competitor who has applied to the IDEM for a mutually exclusive license, if issuance is the subject of the decision and the competitor's application has not been denied in an order for which all rights to judicial review have been waived or exhausted;
- d) Each person who has provided the IDEM with a written request for notification of the decision;
- e) Each person who has a substantial and direct proprietary interest in the issuance of the (permit/variance);
- f) Each person whose absence as a party in the proceeding concerning the (permit/variance) decision would deny another party complete relief in the proceeding or who claims an interest related to the issuance of the (permit/variance) and is so situated that the disposition of the matter, in the person's absence may:
 - 1) As a practical matter impair or impede the person's ability to protect that interest, or
 - 2) Leave any other person who is a party to a proceeding concerning the permit subject to a substantial risk of incurring multiple or otherwise an inconsistent obligation by reason of the person's claimed interest.

IC 4-21.5-3-5(f) provides that we may request your assistance in identifying these people.

Additionally, IC 13-15-3-1 requires IDEM to send notice that the permit application has been received by the department to the following:

- a) The board of county commissioners of a county affected by the permit application and
- b) The mayor of a city that is affected by the permit application, or
- c) The president of a town council of a town affected by the permit application.

Please provide on the following form the names of those persons affected by these statutes, and include mailing labels with your application. These mailing labels should have the names and addresses of the affected parties along with our mailing code (65-42PS) listed above each affected party listing.

Example: 65-42PS
John Doe
111 Circle Drive
City, State, Zip Code

II. Please complete this form by signing the following statement.

I certify to the best of my knowledge I have listed all potentially affected parties, as defined by IC 4-21.5.		
Signature:		
Printed name:		Date (month, day, year):
Name of facility:		
Address of facility (number and street):		
City of facility:	State of facility:	ZIP code:

III. Type of Action (check one)

- NPDES Permit-327 IAC 5
- Pretreatment Permit -327 IAC 5
- Construction Permit-327 IAC 3

A \$50.00 fee is required for a New permit, a Renewal or a Modification; if this is a renewal or modification request, include NPDES permit No. on check and return to:

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
Office of Water Quality – Mail Code 65-42
Room N1255
Permits Branch
100 North Senate Avenue
Indianapolis, Indiana 46204-2251

NPDES GENERAL PERMIT RULE PROGRAM

noncompliance within one (1) business day from the time the person becomes aware of such noncompliance:

(A) Any unanticipated bypass which exceeds any effluent limitation in the applicable general permit rule.

(B) Violation of a maximum daily discharge limitation for any of the pollutants listed by the commissioner in the rule to be reported within one (1) business day.

(C) Any noncompliance which may pose a significant danger to human health or the environment.

(2) A written submission shall also be provided to the office of water quality within five (5) business days of the time the person becomes aware of the circumstances. The written submission shall contain the following:

(A) A description of the noncompliance and its cause.

(B) The period of noncompliance, including exact dates and times, and, if the noncompliance has not been corrected, the anticipated duration.

(C) Steps taken or planned to reduce and eliminate the noncompliance and prevent its recurrence.

The commissioner may waive the written report on a case-by-case basis if the oral report has been received within one (1) business day.

(d) Persons regulated under rules 5, 6, 7, 13, or 14 of this article [327 IAC 15-5, 327 IAC 15-6, 327 IAC 15-7, 327 IAC 15-13, or 327 IAC 15-14] shall report any instance of noncompliance not reported under subsection (c) at the time the pertinent discharge monitoring report is submitted. The report shall contain the information specified under subsection (c)(2).

(e) When a person becomes aware that any relevant facts were omitted, or incorrect information was submitted in an NOI letter, or in any report required to be submitted under this article, the person shall promptly submit such facts or corrected information.

(f) Persons regulated under rules 5, 6, 7, 13, or 14 of this article [327 IAC 15-5, 327 IAC 15-6, 327 IAC 15-7, 327 IAC 15-13, or 327 IAC 15-14] shall notify the commissioner as soon as they know, or have reason to believe, the following:

(1) That any activity has occurred, or will occur, that would result in the discharge of any pollutant identified as toxic, under the CWA, which is not limited in the applicable general permit rule, if that discharge will exceed the highest of the following notification levels:

(A) One hundred (100) micrograms per liter.

(B) Two hundred (200) micrograms per liter for acrolein and acrylonitrile; five hundred (500) micrograms per liter for 2,4-dinitrophenol and 2-methyl-4,6-dinitrophenol; and one (1) milligram per liter for antimony.

(C) A level established elsewhere in an applicable rule by the commissioner.

(2) That any toxic pollutant not reported in the NOI letter is or will be used or manufactured as an intermediate or final product or byproduct.

(g) Signatory requirements for reports required by this article and other information requested by the commissioner shall be signed by a person or by a duly authorized representative of that person according to the following:

(1) For a corporation, by a responsible corporate officer. As used in this section, "responsible corporate officer" means:

(A) a president, secretary, treasurer, any vice president of the corporation in charge of a principal business function, or any other person who performs similar policy making or decision making functions for the corporation; or

(B) the manager of one (1) or more manufacturing, production, or operating facilities provided the manager:

(i) is authorized to make management decisions that govern the operation of the regulated facility including having the explicit or implicit duty to:

(AA) make major capital investment recommendations; and

(BB) initiate and direct other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; and

(ii) can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements;

and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

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

(3) For a municipality, state, federal, or other public agency or political subdivision thereof, by either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a federal agency includes:

(A) the chief executive officer of the agency; or

PLEASE NOTE

The contractor will need to contact the County Surveyor's Office before the work begins and must also notify the Surveyor's Office upon completion of the work but before the equipment is removed.

All ponds shall adhere to the following setbacks from property lines:

- Seventy-five (75) feet from the centerline of all county roads (high water level).
- Sixty (60) feet from the right-of-way line of all state and federal roads (high water level).
- Thirty-five (35) feet from the centerline of all county roads (excavating/site work).
- Thirty (30) feet from the right-of-way line of all state and federal roads (excavating/site work).
- Ten feet from all other property lines (toe of the bank).

In no case shall any excavation occur, or fill be placed, in the required setback areas or within any regulated drain easement.

In no case shall the direction or volume of water exiting the property be permanently altered due to the construction of the pond.

Drainage conditions that must be complied with:

- A. If any tiles are cut, broken down, or rendered useless during the construction activity on this tract, the landowner will be responsible for the repair, replacement, or relocation of the tile (on this tract) to maintain the amount of drainage through this tract that existed when this tract was created.
- B. The locations where surface water enters this tract and exits this tract that existed when this tract was created shall not be altered.
- C. Water which sheds off of a new structure (especially when the new structure is elevated and/or near a property line) shall exit the tract in the same location as where it did when the tract was created. Note: swales, tiles, etc. may need to be utilized to accomplish this condition.
- D. This tract may contain a county regulated drain. Indiana Code 36-9-27-1 through 36-9-27-113 and other codes may apply to this tract. Right-of-way widths are 75 feet "each side of the drain" with no permanent structures, no trees, no shrubs, nor woody vegetation planted in the right-of-way and no excavating, no filling, etc. within the right-of-way width without written consent of the County Drainage Board. Note: this is in no way a complete listing of prohibitions, but is intended to alert you to just a few of the items mentioned in the Drainage Code.