



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

MAY 22 2012

REPLY TO THE ATTENTION OF:  
WQ-16J

2012 MAY 30 A 10: 37

IDEA  
OFFICE OF  
WATER QUALITY

Bruno Pigott, Assistant Commissioner  
Office of Water Quality  
Indiana Department of Environmental  
Management  
Mail Code IGCN 1315  
100 North Senate Avenue  
Indianapolis, Indiana 46204-2251

Dear Mr. Pigott:

Thank you for your letter of March 19, 2012 requesting approval from the U.S. Environmental Protection Agency, under section 303(c) of the Clean Water Act (CWA), of Indiana's proposed variance for chloride for the City of Angola Wastewater Treatment Plant (NPDES Permit Number IN0021296). The proposed action would grant Angola a variance from Indiana's water quality criteria for Angola's discharge to the H.D. Wood Ditch which flows to Mud Creek and then to Pigeon Creek. Initially Angola will have chloride interim limits of 792 mg/L (monthly average) and 1,089 mg/L (daily maximum) for a period of 24-months. The interim limits for chloride will be followed by variance-based effluent limits of 768 mg/L (monthly average) and 1,056 mg/L (daily maximum).

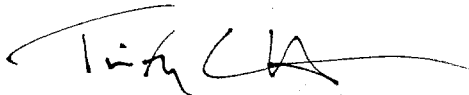
Consistent with section 303(c) of the CWA and federal regulation at 40 CFR 131.21, the EPA is required to review and approve state water quality standards. EPA has reviewed the information submitted in support of the proposed variance and hereby approves the proposed variance pursuant to section 303(c) of the CWA and federal regulations at 40 CFR 131.21 subject to completion of consultation under section 7 of the Endangered Species Act (ESA).

As required under section 7 of ESA, the EPA evaluated whether approval of this variance would affect federally-listed threatened or endangered species or designated critical habitat. To date EPA has initiated, but not completed, consultation with the U.S. Fish and Wildlife Service on the revised standard approved above. EPA has determined that this approval action does not violate section 7(d) of the ESA, which prohibits irreversible or irretrievable commitments of resources that have the effect of foreclosing the formulation or implementation of reasonable and prudent alternatives, and has included in the record the basis for the conclusion that there are no impacts of concern during the interim period until the consultation is completed.

NO \$

If you or your staff has any questions regarding this approval, please contact Barbara Mazur of my staff at (312) 886-1491.

Sincerely,

A handwritten signature in black ink, appearing to read "Tinka G. Hyde". The signature is stylized with a long horizontal stroke extending to the right.

Tinka G. Hyde  
Director, Water Division

cc: Paul Higginbotham, IDEM  
Bill Stenner, IDEM  
Scott E. Pruitt, USFWS