

# TITLE 327 WATER POLLUTION CONTROL DIVISION

## Rule Information Sheet

IC 13-14-9.5-1.1 Notice of Review of Nonexpiring Rules for Title 327  
LSA Document #23-78

### Overview

Certain rules described in IC 13-14-9.5-1.1 do not expire after seven years. These types of rules are: (1) rules required to receive or maintain delegation, primacy, or approval for implementation or operation of a program established under federal law; and (2) rules required to begin or continue receiving federal funding for implementation or operation of a program.

The Indiana Department of Environmental Management (IDEM) is required to publish a list of these rules that have been effective for seven years and request comment, in a 30 day comment period, on any specific rule that should be reviewed through the regular rulemaking process under IC 13-14-9. This notice was published in the Indiana Register on March 15, 2023, at DIN: 20230315-IR-327230078BNA. No comments were received during the comment period. IDEM must also hold a public hearing before the Environmental Rules Board (board). The board, after considering the comments, responses, and testimony at the hearing, will direct IDEM on whether additional rulemaking actions must be started to address concerns raised to the board.

The affected rules can be viewed online by clicking on the list of citations in the IC 13-14-9.5-1.1 Notice of Review of Nonexpiring Rules (DIN: 20230315-IR-327230078BNA).

### Citations Affected

327 IAC 2-1-5	Exception to quality standards applicability
327 IAC 2-1-8.1	Calculation of criteria for toxic substances; general
327 IAC 2-1-13	Development of site-specific aquatic life criteria using the recalculation procedure
327 IAC 2-1.5-11	Determination of Tier I aquatic life criteria
327 IAC 5-2-11.1	Establishment of water quality-based effluent limitations for dischargers not discharging to waters within the Great Lakes system
327 IAC 5-2-13	Monitoring

### Affected Persons

This rulemaking affects no additional persons that were not already affected by the rules in the last seven years. These affected persons will benefit from the stability of a consistent regulatory environment and the ability to comment on the rules on a statutorily defined schedule.

### Reasons for the Rule

This rulemaking to review rules that do not expire under IC 13-14-9.5 is a statutory requirement under IC 13-14-9.5-1.1.

### Economic Impact of the Rule

This rulemaking creates no fiscal impact on any person.

**Scheduled Hearings**

Public Hearing: June 14, 2023, at 1:30 P.M., at the Indiana Government Center South, 10 North Senate Avenue, Conference Room A, Indianapolis, Indiana.

**IDEM Contact**

Additional information regarding this rulemaking action can be obtained from MaryAnn Stevens, Rules Development Branch, Office of Legal Counsel, (317) 232-8635, (800) 451-6027 (in Indiana), or [mstevens@idem.in.gov](mailto:mstevens@idem.in.gov).