



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We Protect Hoosiers and Our Environment.

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Eric J. Holcomb
Governor

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Commissioner

March 15, 2023

VIA ELECTRONIC MAIL

Mr. Steve Mcavoy, Statewide Facilities Director
Indiana Department of Transportation
100 North Senate Ave., Room N758
Indianapolis, Indiana 46204

Dear Mr. Mcavoy:

Re: 327 IAC 3 Construction
Permit Application
Sanitary Sewer
I-70 Clear Creek Rest Stop
Lift Station and Force Main
Permit Approval No. 24930
West Terre Haute, Indiana
Vigo County

The application, plans and specifications, and supporting documents for the above-referenced project have been reviewed and processed in accordance with rules adopted under 327 IAC 3. Enclosed is the Construction Permit (Approval No. 24930), which applies to the construction of the above-referenced proposed sanitary sewer system to be located at the Clear Creek Rest Area near the I-70/National Avenue interchange. Construction will also occur along Old US 40 between the Clear Creek Rest Area and Gorham Place.

Please review the enclosed permit carefully and become familiar with its terms and conditions. In addition, it is imperative that the applicant, consulting architect/engineer (A/E), inspector, and contractor are aware of these terms, conditions, and reporting and testing requirements.

It should be noted that any person affected or aggrieved by the agency's decision in authorizing the construction of the above-referenced facility may, within fifteen (15) days from date of mailing, appeal this permit by filing a request with the Office of Environmental Adjudication for an adjudicatory hearing in accordance with IC 4-21.5-3-7 and IC 13-15-6. The procedure for appeal is outlined in more detail in Part III of the attached construction permit.

Plans and specifications were prepared by Beam, Longest and Neff, LLC, certified by Mr. Brian A. Bullock, P.E., and submitted for review on February 18, 2023, with additional information submitted on March 7, 2023.

Any questions concerning this permit may be addressed to Mr. Mike Miles of our staff, at 317/232-6548.

Sincerely,

Handwritten signature of Kevin D. Czerniakowski in black ink.

Kevin D. Czerniakowski, P.E.
Section Chief
Facility Construction and
Engineering Support Section
Office of Water Quality

Project No. SP-2206

Enclosures

cc: Vigo County Health Department

Beam, Longest and Neff, LLC

City of West Terre Haute

Attention: Mr. Ed Stewart, Wastewater Superintendent

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
AUTHORIZATION FOR CONSTRUCTION OF
SANITARY SEWER SYSTEM
UNDER 327 IAC 3

DECISION OF APPROVAL

The Indiana Department of Transportation, in accordance with the provisions of IC 13-15 and 327 IAC 3 is hereby issued a permit to construct the sanitary sewer system to be located at the Clear Creek Rest Stop near the I-70/National Avenue interchange. Construction will also occur along Old US 40 between the Clear Creek Rest Area and Gorham Place. The permittee is required to comply with requirements set forth in Parts I, II and III hereof. The permit is effective pursuant to IC 4-21.5-3-4(d). If a petition for review and a petition for stay of effectiveness are filed pursuant to IC 13-15-6, an Environmental Law Judge may be appointed for an adjudicatory hearing. The force and effect of any contested permit provision may be stayed at that time.

NOTICE OF EXPIRATION DATE

Authorization to initiate construction of this sanitary sewer system shall expire at midnight one year from the date of issuance of this construction permit. In order to receive authorization to initiate construction beyond this date, the permittee shall submit such information and forms as required by the Indiana Department of Environmental Management. It is requested that this information be submitted sixty (60) days prior to the expiration date to initiate construction. This permit shall be valid for a period of five (5) years from the date below for full construction completion.

Issued on March 15, 2023, for the Indiana Department of Environmental Management.



Kevin D. Czerniakowski, P.E.
Section Chief
Facility Construction and
Engineering Support Section
Office of Water Quality

SANITARY SEWER SYSTEM DESCRIPTION

The proposed project shall provide service for the Clear Creek Rest Area along I-70 and the average design flow is 6,900 GPD.

The proposed project shall consist of the following construction:

- Approximately 1,072 feet of 8-inch diameter PVC (ASTM D3034 SDR-26) sanitary sewer.
- A new sanitary sewer lift station to be located at the Clear Creek Rest Area. The lift station will contain two (2) variable speed submersible grinder pumps and each pump will have a capacity of 70 GPM at 127 feet of total dynamic head (TDH).
- Approximately 6,500 feet of 4-inch diameter HDPE (ASTM F714 DR-11, 160 PSI) sanitary sewer force main.

The new sanitary sewer will be connected to the lift station. The new force main will cross I-70 and National Drive and connect the lift station to an existing lift station located approximately 150 feet northeast of the intersection of National Drive and Gorham Place. The horizontal directional drilling installation of the 4-inch diameter HDPE (DR-11) force main is approved as an alternate to the Technical Standards per 327 IAC 3-6-32.

Inspection during construction of the sanitary sewer, lift station and force main will be provided by the Indiana Department of Transportation (INDOT). Maintenance after completion of construction will be provided by INDOT. Wastewater treatment will be provided by the City of West Terre Haute Wastewater Treatment Plant.

CONDITIONS AND LIMITATIONS TO THE AUTHORIZATION FOR
CONSTRUCTION OF SANITARY SEWERS

During the period beginning on the effective date of this permit and extending until the expiration date, the permittee is authorized to construct the above-described sanitary sewer system. Such construction shall conform to all provisions of State Rule 327 IAC 3 and the following specific provisions:

PART I

SPECIFIC CONDITIONS AND LIMITATIONS TO THE CONSTRUCTION PERMIT

Unless specific authorization is otherwise provided under the permit, the permittee shall comply with the following conditions:

1. Any local permits required for this project, along with easement acquisition, shall be obtained before construction is initiated.

2. If pollution or nuisance conditions are created, immediate corrective action will be taken by the permittee.
3. The separation of sanitary sewers from water mains and drinking water wells must comply with 327 IAC 3-6-9.
4. All gravity sewer pipe must be leak tested using either a hydrostatic test or air test in accordance with 327 IAC 3-6-19(d). If using a hydrostatic test, the rate of exfiltration or infiltration shall not exceed 200 gallons per inch of pipe diameter per linear mile per day. Air test shall be as prescribed.
5. The results of the gravity sewer leakage test and force main leakage test on the completed sewer shall be submitted to this office within three months of completion of construction.
6. Deflection tests must be performed on all flexible* pipe after the final backfill has been in place at least 30 days. No pipe shall exceed a vertical deflection of 5%. Deflection test results shall be submitted with the infiltration/exfiltration test results. (*The following are considered nonflexible pipes: vitrified clay pipe, concrete pipe, ductile iron pipe, cast iron pipe, asbestos cement pipe.)
7. Manholes shall be air tested in accordance with ASTM C1244-93, Standard Test Method for Concrete Sewer Manholes by the Negative Air Pressure (Vacuum) Test. The manhole test results shall be submitted with the gravity sewer leakage test results.
8. A drop pipe must be provided for all sewers entering a manhole at an elevation of 24 inches or more above the manhole invert.
9. Air relief valves shall be installed at high points in the new force main.
10. All force mains must be pressure and leak tested in accordance with 327 IAC 3-6-19(e).
11. An audio-visual alarm shall be installed for the proposed lift station.

Failure to submit test results within the allotted time period or failure to meet guidelines as set forth in the above conditions could be subject to enforcement proceedings as provided by 327 IAC 3-5-3.

PART II

GENERAL CONDITIONS

1. No significant or material changes in the scope of the plans or construction of this project shall be made unless the following provisions are met:
 - a. Request for permit modification is made 60 days in advance of the proposed significant or material changes in the scope of the plans or construction;
 - b. Submit a detailed statement of such proposed changes;
 - c. Submit revised plans and specifications including a revised design summary; and
 - d. Obtain a revised construction permit from this agency.
2. This permit may be modified, suspended, or revoked for cause including, but not limited to the following:
 - a. Violation of any term or conditions of this permit:
 - b. Obtaining this permit by misrepresentation or failure to disclose fully all relevant facts.
3. Nothing herein shall be construed as guaranteeing that the proposed sanitary sewer system shall meet standards, limitations or requirements of this or any other agency of state or federal government, as this agency has no direct control over the actual construction and/or operation of the proposed project.

PART III

NOTICE OF RIGHT TO ADMINISTRATIVE REVIEW

Anyone wishing to challenge this construction permit must do so by filing a Petition for Administrative Review with the Office of Environmental Adjudication (OEA), and serving a copy of the petition upon IDEM. The requirements for filing a Petition for Administrative Review are found in IC 4-21.5-3-7, IC 13-15-6-1 and 315 IAC 1-3-2. A summary of the requirements of these laws is provided below.

A Petition for Administrative Review must be filed with the Office of Environmental Adjudication (OEA) within fifteen (15) days of the issuance of this notice (eighteen (18) days if notice was received by U.S. Mail), and a copy must be served upon IDEM. Addresses are:

Director
Office of Environmental Adjudication
Indiana Government Center North
Room 103
100 North Senate Avenue
Indianapolis, Indiana 46204

Commissioner
Indiana Department of Environmental
Management
Indiana Government Center North
Room 1301
100 North Senate Avenue
Indianapolis, Indiana 46204

The petition must contain the following information:

1. The name, address and telephone number of each petitioner.
2. A description of each petitioner's interest in the permit.
3. A statement of facts demonstrating that each petitioner is:
 - a. a person to whom the order is directed;
 - b. aggrieved or adversely affected by the permit; or
 - c. entitled to administrative review under any law.
4. The reasons for the request for administrative review.
5. The particular legal issues proposed for review.
6. The alleged environmental concerns or technical deficiencies of the permit.
7. The permit terms and conditions that the petitioner believes would be appropriate and would comply with the law.
8. The identity of any persons represented by the petitioner.
9. The identity of the person against whom administrative review is sought.
10. A copy of the permit that is the basis of the petition.
11. A statement identifying petitioner's attorney or other representative, if any.

Failure to meet the requirements of the law with respect to a Petition for Administrative Review may result in a waiver of the Petitioner's right to seek administrative review of the permit. Examples are:

1. Failure to file a Petition by the applicable deadline;
2. Failure to serve a copy of the Petition upon IDEM when it is filed; or
3. Failure to include the information required by law.

If Petitioner seeks to have a permit stayed during the administrative review, he or she may need to file a Petition for a Stay of Effectiveness. The specific requirements for such a Petition can be found in 315 IAC 1-3-2 and 315 IAC 1-3-2.1.

Pursuant to IC 4-21.5-3-17, OEA will provide all parties with notice of any pre-hearing conferences, preliminary hearings, hearings, stays, or orders disposing of the review of this action. Those who are entitled to notice under IC 4-21.5-3-5(b) and would like to obtain notices of any pre-hearing conferences, preliminary hearings, hearings, stays, or orders disposing of the review of this action without intervening in the proceeding must submit a written request to OEA at the address above.

More information on the review process is available at the website for the Office of Environmental Adjudication at <http://www.in.gov/oea>.