

# Preserving Effective NPDES Permitting for Indiana Aggregate Mining

**Purpose:** Align industry understanding around why permit overlap works for mining operations—and why the real risk is fragmentation, not consolidation.

## Key Concept

**Overlap is consolidation.** Fragmentation is duplication.

For Indiana mining operations, overlapping NPDES permits have historically worked together to manage stormwater and simple wastewater (pH, TSS) within a single, integrated compliance system.

## Why This Matters to Mining Operations

- One water management system
- One set of outfalls doing real compliance work
- Clear operational expectations for operators and inspectors
- Lower risk of inconsistent enforcement

## What Currently Makes the System Work

- Rule 12 (ING490000) anchors wastewater accountability
- The Tim Method Letter aligns Rule 12 with industrial and construction stormwater programs
- ISGP Sector J preserves the Rule 12 carve-out
- Compliance remains consolidated, not fragmented

## The Emerging Risk

- Erosion of interpretive clarity as permits evolve
- CSGP no longer explicitly referencing Rule 12
- Increasing permit complexity driven by federal templates
- Potential future where stormwater and wastewater are split across multiple permits

## Practical Path Forward

### Start with collaboration:

- Build industry consensus on what is workable
- Engage IDEM early during permit development
- Use policy memos to clarify intent and preserve consolidation

### Keep backstops in reserve:

- EO 14192 as a guardrail against permit creep
- Litigation only as a last resort

## Bottom Line

**This is not an argument for less regulation.**

It is an effort to preserve a permitting structure that already works—by keeping requirements integrated, implementable, and predictable on the ground.