

Filing Requirements for Rule 5

(Steps 1-3 to be completed a minimum of 30 days prior to land disturbing activities. More time may be required if the plan is not approved on first review)

1. Develop an Erosion and Sediment Control Plan

- Develop an Erosion and Sediment Control Plan in accordance with the requirements listed under 327 IAC 15-5-6.5, IAC 15-5-7, and IAC 15-5-7.5.

2. Submit Plan to Daviess County SWCD for Review

- Deliver a copy of the Erosion and Sediment Control Plan to the Daviess County Soil and Water Conservation District (SWCD) for review. The Daviess County SWCD will have 28 days to review the plan for compliance with the rule. (Note: If 28 days have passed from the date the Daviess County SWCD has received the plan and you have not received word that the plan is approved or deficient, proceed with filing the Notice of Intent with IDEM). While not required, it would also be to your benefit to include a draft copy of the completed Notice of Intent (NOI) form for review along with the plan.

3. Public Notification

- Public Notification must be done in a newspaper of general circulation in the affected area to notify the public that construction activity under this rule is to commence. Suggested verbiage is exhibited in IAC 327 15-5-5, a, 9. A copy of the notice will be needed to accompany the NOI sent to the Indiana Department of Environmental Management (IDEM).

PLEASE NOTE: Step 4 to be **completed after steps 1-3 and a minimum of 48 hours prior to** land disturbing activity.

4. File Notice of Intent and Supporting Documentation with IDEM

- **A Notice of Intent (NOI) form** completed, signed, and dated along with supporting documentation must be filed with IDEM a minimum of 48 hours prior to land disturbing activities. **A copy of this information also needs to be filed with the Daviess County SWCD.** Notice of Intent forms are available on the IDEM website.
- Supporting documentation includes the following:
 1. **Proof of Publication:** a copy of the Public Notification as it appeared in the newspaper.
 2. **Notice of an Approved Plan:** a copy of the Notice of an Approved plan that you receive from the Daviess County SWCD
- Send all information to:
 - Indiana Department of Environmental Management
 - Attn: Rule 5 Storm Water Coordinator
 - Office of Water Quality, Urban Wet Weather Section
 - 100 North Senate Avenue
 - PO Box 6015
 - Indianapolis, IN 46206-6015

For additional Questions or Comments contact the Daviess County Soil and Water Conservation District at 812-254-4780 ext. 3.