

EXHIBIT 9

PART I OF III

Terrence J. O'Brien
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Barbara J. McGowan
Vice President
Cynthia M. Santos
Chairman of Finance
Michael A. Alvarez
Frank Avila
Patricia Horton
Kathleen Therese Meany
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Mariyana T. Spyropoulos

Metropolitan Water Reclamation District of Greater Chicago

100 EAST ERIE STREET CHICAGO, ILLINOIS 60611-3154 312.751.5600

Manju P. Sharma, P.E., DEE, DWRE
Director of Maintenance and Operations
312.751.5101 f: 312.751.5145

July 27, 2012

Mr. S. Alan Keller, P.E.
Manager, Northern Municipal Unit
Permit Section
Division of Water Pollution Control
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield, IL 62794-9276

Dear Mr. Keller:

Subject: Renewal Application for Operating Permit
NPDES Permit No. IL0028070, Lemont WRP


Enclosed are two sets of the renewal application for the subject facility. The current permit is due to expire on January 31, 2013.

It is requested that the IEPA consider the information presented in the attached letter dated December 16, 2011, when reissuing the Lemont NPDES permit. If additional information is required, please contact Adam Gronski at extension (312) 751-5107.

Very truly yours,



Manju Prakash Sharma
Director of Maintenance and Operations



SES:SO/C:AG:GL
Enclosures

c: Granato/O'Connor/Hill (w/o attachments)
Conway (w/attachments)

FORM 1 GENERAL		U.S. ENVIRONMENTAL PROTECTION AGENCY GENERAL INFORMATION Consolidated Permits Program <i>(Read the "General Instructions" before starting.)</i>	I. EPA I.D. NUMBER																
		<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:5%;">S</td> <td style="width:15%;"></td> <td style="width:5%;">T/A</td> <td style="width:5%;">C</td> </tr> <tr> <td>F</td> <td></td> <td></td> <td>D</td> </tr> <tr> <td>1</td> <td>2</td> <td>13</td> <td>14</td> </tr> <tr> <td></td> <td></td> <td></td> <td>15</td> </tr> </table>		S		T/A	C	F			D	1	2	13	14				15
S		T/A	C																
F			D																
1	2	13	14																
			15																

LABEL ITEMS I. EPA I.D. NUMBER III. FACILITY NAME V. FACILITY MAILING ADDRESS VI. FACILITY LOCATION	PLEASE PLACE LABEL IN THIS SPACE	GENERAL INSTRUCTIONS If a preprinted label has been provided, affix it in the designated space. Review the information carefully; if any of it is incorrect, cross through it and enter the correct data in the appropriate fill-in area below. Also, if any of the preprinted data is absent (the area to the left of the label space lists the information that should appear), please provide it in the proper fill-in area(s) below. If the label is complete and correct, you need not complete Items I, III, V, and VI (except VI-B which must be completed regardless). Complete all items if no label has been provided. Refer to the instructions for detailed item descriptions and for the legal authorizations under which this data is collected.
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II. POLLUTANT CHARACTERISTICS

INSTRUCTIONS: Complete A through J to determine whether you need to submit any permit application forms to the EPA. If you answer "yes" to any questions, you must submit this form and the supplemental form listed in the parenthesis following the question. Mark "X" in the box in the third column if the supplemental form is attached. If you answer "no" to each question, you need not submit any of these forms. You may answer "no" if your activity is excluded from permit requirements; see Section C of the instructions. See also, Section D of the instructions for definitions of **bold-faced terms**.

SPECIFIC QUESTIONS	Mark "X"			SPECIFIC QUESTIONS	Mark "X"		
	YES	NO	FORM ATTACHED		YES	NO	FORM ATTACHED
A. Is this facility a publicly owned treatment works which results in a discharge to waters of the U.S. ? (FORM 2A)	X		X	B. Does or will this facility (either existing or proposed) include a concentrated animal feeding operation or aquatic animal production facility which results in a discharge to waters of the U.S. ? (FORM 2B)		X	
C. Is this a facility which currently results in discharges to waters of the U.S. other than those described in A or B above? (FORM 2C)		X		D. Is this a proposed facility (other than those described in A or B above) which will result in a discharge to waters of the U.S. ? (FORM 2D)		X	
E. Does or will this facility treat, store, or dispose of hazardous wastes ? (FORM 3)		X		F. Do you or will you inject at this facility industrial or municipal effluent below the lowermost stratum containing, within one quarter mile of the well bore, underground sources of drinking water? (FORM 4)		X	
G. Do you or will you inject at this facility any produced water or other fluids which are brought to the surface in connection with conventional oil or natural gas production, inject fluids used for enhanced recovery of oil or natural gas, or inject fluids for storage of liquid hydrocarbons? (FORM 4)		X		H. Do you or will you inject at this facility fluids for special processes such as mining of sulfur by the Frasch process, solution mining of minerals, in situ combustion of fossil fuel, or recovery of geothermal energy? (FORM 4)		X	
I. Is this facility a proposed stationary source which is one of the 28 industrial categories listed in the instructions and which will potentially emit 100 tons per year of any air pollutant regulated under the Clean Air Act and may affect or be located in an attainment area? (FORM 5)		X		J. Is this facility a proposed stationary source which is NOT one of the 28 industrial categories listed in the instructions and which will potentially emit 250 tons per year of any air pollutant regulated under the Clean Air Act and may affect or be located in an attainment area ? (FORM 5)		X	

III. NAME OF FACILITY

C	1	SKIP	MWRDGC Lemont WRP
	15	16 - 29	30

IV. FACILITY CONTACT

C	2	A. NAME & TITLE (last, first, & title)	B. PHONE (area code & no.)
	15	16	45
		Manju P. Sharma, Director of Maintenance and Operations	(312) 751-5101

V. FACILITY MAILING ADDRESS

C	3	A. STREET OR P.O. BOX	
	15	16	45
		13 Stephen Street	
C	4	B. CITY OR TOWN	C. STATE
	15	16	40
		Lemont	IL
C	4	D. ZIP CODE	
	15	16	47
		60439	

VI. FACILITY LOCATION

C	5	A. STREET, ROUTE NO. OR OTHER SPECIFIC IDENTIFIER	
	15	16	45
		13 Stephen Street	
C	6	B. COUNTY NAME	
	15	16	70
		Cook	
C	6	C. CITY OR TOWN	D. STATE
	15	16	40
		Lemont	IL
C	6	E. ZIP CODE	F. COUNTY CODE (if known)
	15	16	40
		60439	

CONTINUED FROM THE FRONT

VII. SIC CODES (4-digit, in order of priority)			
A. FIRST		B. SECOND	
C	7	(specify)	
15	16	18	19
C. THIRD		D. FOURTH	
C	7	(specify)	
15	16	18	19

VIII. OPERATOR INFORMATION	
A. NAME	
C	8 Metropolitan Water Reclamation District of Greater Chicago
15	16
B. Is the name listed in Item VIII-A also the owner? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	

C. STATUS OF OPERATOR (Enter the appropriate letter into the answer box: if "Other," specify.)		D. PHONE (area code & no.)
F = FEDERAL S = STATE P = PRIVATE	M = PUBLIC (other than federal or state) O = OTHER (specify)	(312) 751-5600
	M	
	56	

E. STREET OR P.O. BOX	
100 East Erie Street	
26	55

F. CITY OR TOWN		G. STATE	H. ZIP CODE	IX. INDIAN LAND
B Chicago		IL	60611	Is the facility located on Indian lands? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
15	16	40	41	42
		47	51	52

X. EXISTING ENVIRONMENTAL PERMITS			
A. NPDES (Discharges to Surface Water)		D. PSD (Air Emissions from Proposed Sources)	
C	T	I	
9	N	IL0028070	
15	16	17	18

B. UIC (Underground Injection of Fluids)		E. OTHER (specify)	
C	T	I	
9	U	ILR00 (ILR003181)	(specify) General Storm Water Permit
15	16	17	18

C. RCRA (Hazardous Wastes)		E. OTHER (specify)	
C	T	I	
9	R		(specify)
15	16	17	18

XI. MAP	
Attach to this application a topographic map of the area extending to at least one mile beyond property boundaries. The map must show the outline of the facility, the location of each of its existing and proposed intake and discharge structures, each of its hazardous waste treatment, storage, or disposal facilities, and each well where it injects fluids underground. Include all springs, rivers, and other surface water bodies in the map area. See instructions for precise requirements.	

XII. NATURE OF BUSINESS (provide a brief description)	
<p>The design average flow (DAF) for the existing facility is 2.3 million gallons per day (MGD) and the design maximum flow (DMF) for the facility is 4.0 MGD. Treatment consists of screening, grit removal, primary clarification, aeration, secondary clarification, sludge gravity thickening and sludge storage. Per the District's Long Term Control Plan (LTCP), which was approved by the IEPA on March 16, 2011, the existing treatment facility will be decommissioned and replaced by a new pump station, wet weather treatment facility, and wet weather equalization facility. The new pump station will convey wastewater from the Lemont basin to the Stickney Water Reclamation Plant. The existing outfall 001 will be utilized for discharges from the proposed wet weather treatment facility to the Chicago Sanitary and Ship Canal. The existing outfall 002 will be utilized for overflows from the proposed wet weather equalization facility. See attached letter dated December 16, 2011.</p>	

XIII. CERTIFICATION (see instructions)	
I certify under penalty of law that I have personally examined and am familiar with the information submitted in this application and all attachments and that, based on my inquiry of those persons immediately responsible for obtaining the information contained in the application, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment. *See Below	

A. NAME & OFFICIAL TITLE (type or print)	B. SIGNATURE	C. DATE SIGNED
M P SHARMA - DIRECTOR of MWD	MP SH	7-26-12

COMMENTS FOR OFFICIAL USE ONLY	
C	
15	16

SEE FORM 2A

Protecting Our Water Environment

BOARD OF COMMISSIONERS

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Debra Shore
Mariyana T. Spyropoulos

Metropolitan Water Reclamation District of Greater Chicago

100 EAST ERIE STREET CHICAGO, ILLINOIS 60611-3154 312.751.5600

Manju P. Sharma, P.E., DEE, DWRE
Director of Maintenance and Operations
312.751.5101 f: 312.751.5145

December 16, 2011

Mr. S. Alan Keller, P.E.
Permit Manager
Division of Water Pollution Control
Illinois Environmental Protection Agency (IEPA)
1021 North Grand Avenue East
P.O. Box 19276
Springfield, IL 62794-9276

Dear Mr. Keller:

Subject: National Pollution Discharge Elimination System (NPDES)
Lemont Water Reclamation Plant (LWRP)
Draft/Public Notice Permit No. IL 0028070

The Metropolitan Water Reclamation District of Greater Chicago (District) acknowledges receipt of the subject documents transmitted with the IEPA's letter dated November 18, 2011. The District's comments are listed below:

1. Page 2 - Public Notice/Fact Sheet, first paragraph.
The District requests that IEPA revise the first paragraph to read as follows: "Currently, the design average flow (DAF) for the existing facility is 2.3 million gallons per day (MGD) and the design maximum flow (DMF) for the facility is 4.0 MGD. Treatment consists of screening, grit removal, primary clarification, aeration, secondary clarification, sludge gravity thickening and sludge storage. Per the District's Long Term Control Plan (LTCP), which was approved by the IEPA on March 16, 2011, the existing treatment facility will be decommissioned and replaced by a new pump station, wet weather treatment facility, and wet weather equalization facility. The new pump station will convey wastewater from the Lemont basin to the Stickney Water Reclamation Plant. The existing outfall 001 will be utilized for discharges from the proposed wet weather treatment facility to the Chicago Sanitary and Ship Canal. The existing outfall 002 will be utilized for overflows from the proposed wet weather equalization facility."
2. Page 2 - Public Notice/Fact Sheet, item number 4.
The District requests that IEPA rename "proposed 003 Wet Weather Basin Outfall" to "proposed 003 Wet Weather Treatment Facility." The District is in the process of selecting the treatment technology for providing primary treatment to the wet weather flows in the combined sewer system in Lemont. The District is not planning to construct a basin for providing primary treatment.
3. Page 2 - Public Notice/Fact Sheet, paragraph 4.
Delete latitude and longitude for proposed outfall 001. The District is no longer planning to expand the plant and relocate outfall 001.

4. Page 2 – Public Notice/Fact Sheet, sixth paragraph.
In the fourth line, the District requests the phrase “from the combined sewer area” be added directly after the words “dry weather flow”, to read as follows “The Long Term Control Plan includes the construction of a pump station and force mains to convey all flows from the sanitary sewer system, as well as all dry weather flows and the first flush of storm flows from the combined sewer system to an interceptor sewer tributary to the District’s Stickney Water Reclamation Plant, where the flow will receive full treatment; a wet weather treatment facility that will provide the equivalent of primary treatment and disinfection for additional flows not less than ten times the average dry weather flow from the combined sewer area; and a wet weather equalization facility.”
5. Page 3 – Public Notice/Fact Sheet, 001 WRP Outfall (after plant expansion).
These load limits will no longer be applicable since the plant will not be expanded. Please delete in its entirety.
6. Page 4 – Public Notice/Fact Sheet, 002 Wet Weather Equalization Outfall.
The words “(proposed EHLO)” should be inserted after the discharge number and name. Per the District’s letter dated October 28, 2010 and the IEPA’s approval letter dated March 16, 2011 (enclosed), the District does not plan on installing dechlorination equipment at this outfall, so the chlorine residual limit should be deleted. Additionally, the 002 discharge includes a concentration limit for fecal coliform. The District does intend to provide disinfection for discharges from this outfall; however because discharges from this outfall will be very infrequent upon completion of the pump station, the District believes that investing additional capital expenditure to assure compliance with a fecal coliform limit for an EHLO is unwarranted. The District requests that the fecal coliform limit be deleted.
7. Page 4 – Public Notice/Fact Sheet, 003 Wet Weather Basin Outfall.
The District requests that IEPA rename “proposed 003 Wet Weather Basin Outfall” to “proposed 003 Wet Weather Treatment Facility.” The words “(proposed CSO)” should be inserted after the discharge number and name.
8. Page 5 – Public Notice/Fact Sheet, item number/special condition 16.
The item/special condition should be deleted since the District no longer intends to expand the plant.
9. Page 5 – Public Notice/Fact Sheet, location map.
This map should be revised to reflect the District’s approved LTCP. Enclosed is a map which reflects the activities in the District’s LTCP.
10. Page 2 Draft Permit, fourth paragraph.
The District requests the IEPA revise the fourth paragraph to read as follows: “From the modification date of this Permit until the completion of all construction activities as approved in the Long Term Control Plan, the effluent of the above discharge(s) shall be monitored and limited at all times as follows:”
11. Page 3 – Draft Permit, 001 WRP Outfall (after plant expansion).
These load limits will no longer be applicable since the plant will not be expanded. Please delete in its entirety.
12. Page 4 – Draft Permit, 002 Wet Weather Equalization Outfall.
The words “(proposed EHLO)” should be inserted after the discharge number and name. The District requests the IEPA revise the third paragraph to read as follows: “Upon completion of all construction activities as approved in the Long Term Control Plan, the effluent limits of the above discharge(s) shall be

monitored and limited at all times as follows:”. Further, the District’s letter dated October 28, 2010 and the IEPA’s approval letter dated March 16, 2011 (enclosed), the District does not plan on installing dechlorination equipment at this outfall, so the chlorine residual limit should be deleted. Additionally, the 002 discharge includes a concentration limit for fecal coliform. The District does intend to provide disinfection for discharges from this outfall; however because discharges from this outfall will be very infrequent upon completion of the pump station, the District believes that investing additional capital expenditure to assure compliance with a fecal coliform limit for an EHLO is unwarranted. The District requests that the fecal coliform limit be deleted.

13. Page 5 – Draft Permit, 003 Wet Weather Basin Outfall.

The District requests that IEPA rename “proposed 003 Wet Weather Basin Outfall” to “proposed 003 Wet Weather Treatment Facility.” The words “(proposed CSO)” should be inserted after the discharge number and name. Additionally, the District requests that IEPA revise the second and third paragraphs to read as follows: “These flow facilities shall not be utilized until the average dry weather flow and first flush flow from the combined sewer area be conveyed to the pump station for full treatment during the start of wet weather. Upon completion of all construction activities as approved in the Long Term Control Plan, the effluent limits of the above discharge(s) shall be monitored and limited at all times as follows:”.

14. Page 9 – Draft Permit, Special Condition 9.C.2.a.

Paragraphs one, two, and three were revised from the existing NPDES permit for the Lemont WRP. It is requested that the language in the existing NPDES permit remain as is (see enclosed NPDES permit).

15. Page 11 – Draft Permit, Special Condition 14.

It currently indicates that combined sewer overflows (CSOs) discharge through outfall 002, which is the case at the present time. However, after the improvements in the LTCP are implemented, CSOs will be directed to the new wet weather facility, which will discharge to the existing outfall 001. Outfall 002 will serve as a relief point for the future wet weather equalization facility.

16. Page 16 – Draft Permit, Special Condition 14.14.

Under “CSO Long-Term Control Plan (Paragraph 10)”, it indicates that the construction of the projects in the LTCP is to be completed by November 30, 2017. In the District’s LTCP, the estimated completion date of November 17, 2017 was based on obtaining the IEPA’s approval of the LTCP by November 15, 2010. Since the IEPA did not approve the LTCP until March 16, 2011, we respectfully request that the completion date be extended by the time of the delay, which was 121 days. Therefore, the completion date of the LTCP should be March 11, 2018.

17. Page 17 – Draft Permit, Special Condition 16.

The special condition should be deleted since the District no longer intends to expand the plant.

18. Page 17 – Draft Permit, Special Condition 18, first paragraph.

In the fourth line, the District requests that the words “dry weather” be added to the second sentence as follows “The Permittee may be required to construct additional sewage transport and/or treatment facilities in future permits or other enforceable documents should the implemented CMOM plan indicate that the Permittee’s facilities are not conveying and treating the dry weather flow which they were designed.”

19. Page 17 – Draft Permit, Special Condition 19.

It is not clear at this juncture what is intended by inclusion of this new Special Condition 19, please clarify.

Mr. Al Keller
IEPA

4

December 16, 2011

If you have any questions, please contact Mr. Adam Gronski of my staff at 312.751.5107.

Very truly yours,

A handwritten signature in black ink, appearing to read "M.P. Sharma". The signature is fluid and cursive, with a distinct flourish at the end.

Manju Prakash Sharma
Director of Maintenance and Operations

Enclosures

c: Sulski, IEPA Des Plaines
Dragovich, IEPA Springfield



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 North Grand Avenue East, P.O. Box 19276, Springfield, Illinois 62794-9276 • (217) 782-2829
James R. Thompson Center, 100 West Randolph, Suite 11-300, Chicago, IL 60601 • (312) 814-6026

PAT QUINN, GOVERNOR

217/782-0610

November 18, 2011

Metropolitan Water Reclamation District of Greater Chicago
100 East Erie Street
Chicago, Illinois 60611

Re: Metropolitan Water Reclamation District of Greater Chicago
MWRDGC Lemont WRP
NPDES Permit No. IL0028070
Draft Permit

NOV 23 AM 10:01
CHICAGO, ILL. CHGO.

Sergio
Mrs. Sherman: For your information and use
AS 12/2/11
DIRECTOR OF MWR

Gentlemen:

Attached to this letter is a copy of the draft Permit, Public Notice/Fact Sheet for your discharge. The Agency proposes to issue the NPDES Permit for your discharge as shown in the draft Permit.

Fifteen days from the date of this letter, the Agency proposes to distribute the attached Public Notice/Fact Sheet statewide. If you have objections to the content of the Public Notice/Fact Sheet, a written statement must be received by the Agency at the indicated address, attention: NPDES PN Clerk within 10 days.

The Agency will receive comments regarding the Permit for a period of 30 days after the Public Notice is issued. If you wish to comment or object to any of the terms and conditions of the Permit, you must state the objections in writing prior to the end of the public notice. The Agency may or may not change the Permit based on comments received from you or the public.

If you should have questions or comments regarding the above, please contact Amy L. Dragovich at 217/782-0610.

Sincerely,

Amy L. Dragovich, P.E.
Manager, Northern Municipal Unit, Permit Section
Division of Water Pollution Control

ALD:07082202.bah

Attachments: Draft Permit, Public Notice/Fact Sheet

cc: Records Unit
Compliance Assurance Section

Rockford • 4302 N. Main St., Rockford, IL 61103 • (815) 987-7760
Elgin • 595 S. State, Elgin, IL 60123 • (847) 608-3131
Bureau of Land - Peoria • 7620 N. University St., Peoria, IL 61614 • (309) 693-5462
Collinsville • 2009 Mail Street, Collinsville, IL 62234 • (618) 346-5120

Des Plaines • 9511 W. Harrison St., Des Plaines, IL 60016 • (847) 294-4000
Peoria • 5415 N. University St., Peoria, IL 61614 • (309) 693-5463
Champaign • 2125 S. First St., Champaign, IL 61820 • (217) 278-5800
Marion • 2309 W. Main St., Suite 116, Marion, IL 62959 • (618) 993-7200



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 North Grand Avenue East, P.O. Box 19276, Springfield, Illinois 62794-9276 • (217) 782-2829
James R. Thompson Center, 100 West Randolph, Suite 11-300, Chicago, IL 60601 • (312) 814-6026

PAT QUINN, GOVERNOR

DOUGLAS P. SCOTT, DIRECTOR

Adam, pls copy appropriate stuff
SR 3/25/11
Alan
Sergio / Susan
FID
mip
3-24-11
Susan

217/782-9852

CERTIFIED MAIL # 7009 2820 0001 7493 6709
RETURN RECEIPT REQUESTED

March 21, 2011

Ms. Manju Prakash Sharma
Director of Maintenance and Operations
Metropolitan Water Reclamation District of Greater Chicago
100 East Erie Street
Chicago, Illinois: 60611-3154

Re: **Compliance Commitment Acceptance, Violation Notice: W-2009-00242**
Facility I.D.: IL 0028070 – Lemont Water Reclamation Plant (WRP) - Lemont

Dear Ms. Sharma:

The Illinois Environmental Protection Agency ("Illinois EPA") **accepts** the Compliance Commitment Agreement ("CCA") proposed by MWRDGC - Lemont. The ("CCA") is accepted based upon the facility implementing the Long Term Control Plan (LTCP) which was approved on March 16, 2011.

Failure to fully comply with the CCA may, at the sole discretion of the Illinois EPA, result in referral of this matter to the Office of the Attorney General, the State's Attorney or the United States Environmental Protection Agency.

The CCA does not constitute a waiver or modification of the terms and conditions of any license or permit issued by the Illinois EPA or any other unit or department of local, state or federal government or of any local, state or federal statute or regulatory requirement.

Questions regarding this matter should be directed to Roger Callaway at 217/782-9852. Written communications should be directed to the Wastewater Violation Notice Coordinator at the Illinois Environmental Protection Agency, Bureau of Water, CAS #19, P.O. Box 19276, Springfield, IL 62794-9276, and all communications shall include reference to your Violation Notice Number W-2009-00242.

Sincerely,

Roger Callaway
Compliance Assurance Section
Bureau of Water

BOW ID: W0328990008

03 21 2011
11 08 AM
MWRDGC

Rockford • 4302 N. Main St., Rockford, IL 61103 • (815) 987-7760
Elgin • 595 S. State, Elgin, IL 60120 • (847) 608-3131
Bureau of Land - Peoria • 7620 N. University St., Peoria, IL 61614 • (309) 693-5462
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Marion • 2309 W. Main St., Suite 116, Marion, IL 62959 • (618) 993-7200



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

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James R. Thompson Center, 100 West Randolph, Suite 11-300, Chicago, IL 60601 • (312) 814-6026

PAT QUINN, GOVERNOR

DOUGLAS P. SCOTT, DIRECTOR

Seelan
Sergio

March 16, 2011

CERTIFIED MAIL # 7009 2820 0001 7493 6303
RETURN RECEIPT REQUESTED

Adam,
pyd - you may
want to enter it
as a recurring
task in outlook.
So
3/21

Ms. Manju Prakash Sharma
Director of Maintenance and Operations
Metropolitan water Reclamation District of Greater Chicago
100 East Erie Street
Chicago, Illinois: 60611-3154

Re: Lemont Water Reclamation Plant-Long Term Control Plan
NPDES Permit Number: IL0028070 -Cook County

Dear Ms.Sharma:


The Agency has received your Long Term Control Plan dated September 15, 2010 followed by a letter dated October 28, 2010.

After careful review, we find it acceptable.

Please submit the progress report to the Agency by the first day of June of each year or as stated in your permit or compliance schedule until the completion of final task.

Questions regarding this letter should be directed to Roger Callaway (217) 782-9720.

Sincerely,


Sanjay K. Sbfat
Division Manager
Division of Water Pollution Control
Bureau of Water

cc- Des Plaines-Jay Patel
CSQ File - Cathy Siders

100
MARCH 11
A.C.E.

Protecting Our Water Environment

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Cynthia M. Santos
Debra Shore
Maryana T. Spyropoulos

Metropolitan Water Reclamation District of Greater Chicago

100 EAST ERIE STREET CHICAGO, ILLINOIS 60611-3154 312-751-5600

Manju P. Sharma, P.E., DEE, DWRE
Director of Maintenance and Operations

312-751-5101 FAX 312-751-5145

October 28, 2010

Mr. Roger Callaway
Illinois Environmental Protection Agency (IEPA)
Bureau of Water
CAS #19
P.O. Box 19276
Springfield, IL 62794-9276

Subject: Violation Notice (VN): W-2009-00242
Facility I.D.: IL0028070 – Lemont Water Reclamation Plant (WRP)
Metropolitan Water Reclamation District of Greater Chicago (District)
Failure to Comply with NPDES Permit and Environmental Regulations

Dear Mr. Callaway:

Per a phone conversation with Mr. Rob Sulski of your Des Plaines office on October 12, 2010 regarding the District's proposed Long Term Control Plan for the Lemont basin (transmitted to the IEPA on September 15, 2010), the following points have been clarified by the IEPA:

- Combined Side - Average Dry Weather Flow (ADWF) + First Flush Flow (FFF) will be conveyed to the pump station for full treatment during the start of wet weather. Flows may be scaled back (depending upon storm intensity and duration) after FFF has been captured.
- Flows to the Chicago Sanitary and Ship Canal (CSSC) from the Equalization Facility will be classified as Emergency High Level Overflows (EHLOs) during the conditions set forth in 35 Ill. Adm. Code 370.450.c. Discharges to the CSSC that occur in conjunction with full operation will be classified as Sanitary Sewer Overflows (SSOs). EHLO and SSO flows will require disinfection (chlorination only would be acceptable) prior to discharge into the CSSC.

If we have misstated any of the above, please let us know; otherwise we will assume the above is accurate.

Mr. Roger Callaway
IEPA

2

October 28, 2010

If you have any questions, please contact Mr. Adam Gronski of my staff at 312.751.5107.

Sincerely,

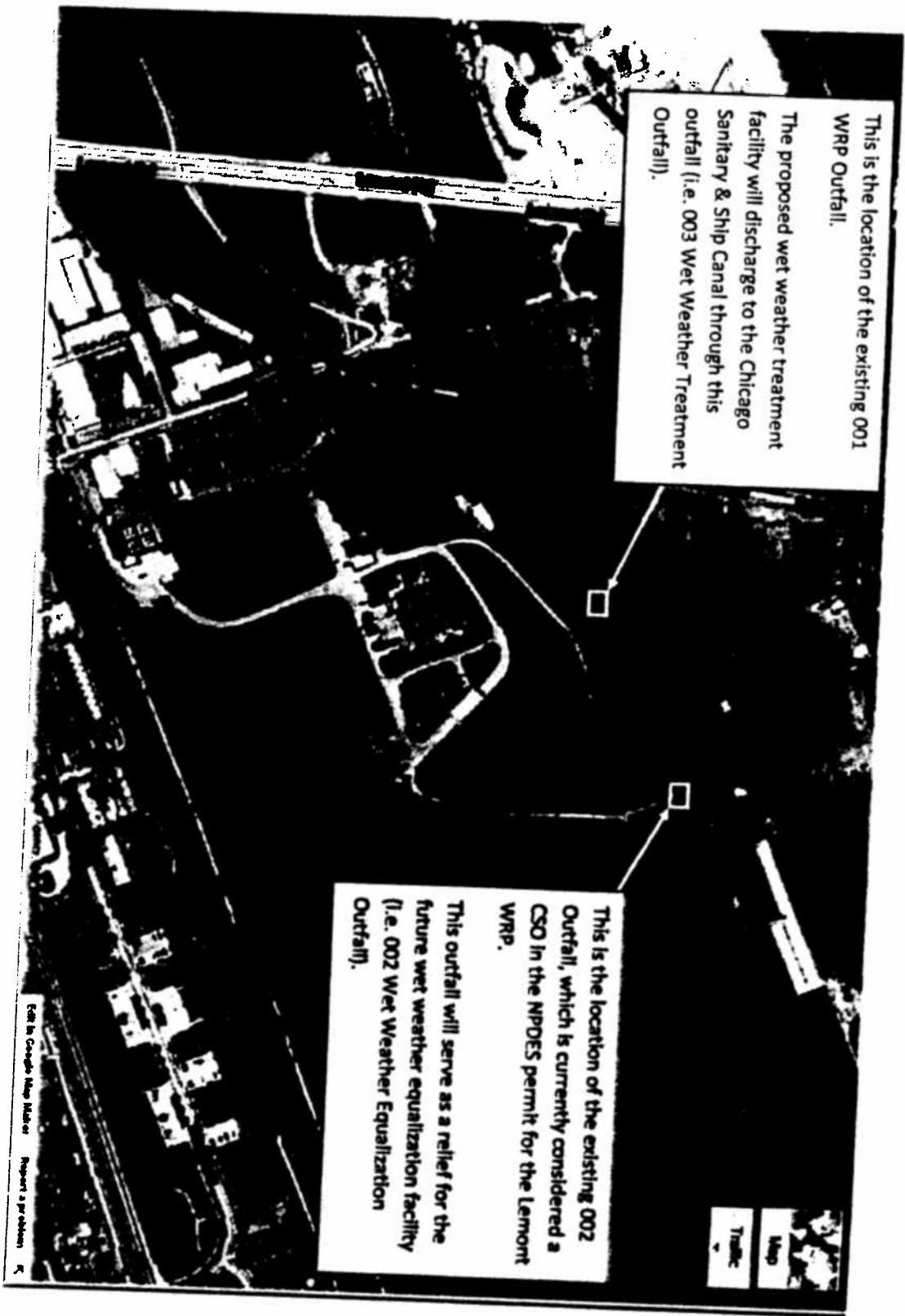
MP Sharma

Manju Prakash Sharma
Director of Maintenance and Operations

AG
SDC:AG

c: Lanyon/Feldman/Kits/Kollias/Garelli/Conway
Sulski/Patel, IEPA – Des Plaines

Location Map of Outfalls at the Lemont Water Reclamation Plant



EXISTING

Modification Date: March 31, 2008

NPDES Permit No. IL0028070

Special Conditions

- a. The influent and effluent shall be sampled and analyzed for the one hundred and ten (110) organic priority pollutants. The sampling shall be done during a day when industrial discharges are expected to be occurring at normal to maximum levels.

Samples for the analysis of acid and base/neutral extractable compounds, pesticides, and PCBs shall be 24-hour composites.

Six (6) grab samples shall be collected during a 24-hour period, to be analyzed for volatile organic compounds. A single analysis for volatile pollutants (Method 624) may be run for each 24-hour period by compositing equal volumes of each grab sample directly in the gas chromatograph (GC) purge and trap apparatus in the laboratory, with no less than one (1) mL of each grab included in the composite.

Wastewater samples must be handled, prepared, and analyzed by gas chromatograph/electron capture detector in accordance with USEPA Method 608 and GC/MS in accordance with USEPA Methods 624 and 625 of 40 CFR 136 as amended.

- b. The sludge shall be sampled and analyzed for the one hundred and ten (110) organic priority pollutants. A sludge sample shall be collected concurrent with a wastewater sample and taken as final sludge.

Sampling and analysis shall conform to USEPA Methods 608, 624 and 625 unless an alternate method has been approved by IEPA.

- c. Sample collection, preservation and storage shall conform to approved USEPA procedures and requirements.

3. In addition, the Permittee shall monitor any new toxic substances as defined by the Clean Water Act, as amended, following notification by the IEPA.
4. Permittee shall report any noncompliance with effluent or water quality standards in accordance with Standard Condition 12(e) of this Permit.
5. Analytical detection limits shall be in accordance with 40 CFR 136. Minimum detection limits for sludge analyses shall be in accordance with 40 CFR 503.

SPECIAL CONDITION 10. The Permittee has undergone a Monitoring Reduction review and the influent and effluent sample frequency has been reduced for BOD₅, CBOD₅, suspended solids and pH due to sustained compliance. The IEPA will require that the influent and effluent sampling frequency for these parameters be increased to 5 days/week if effluent deterioration occurs due to increased wasteload, operational, maintenance or other problems. The increased monitoring will be required Without Public Notice when a permit modification is received by the Permittee from the IEPA.

SPECIAL CONDITION 11. By August 31 of each year the Permittee shall submit annual fiscal data regarding sewerage system operations to the Illinois Environmental Protection Agency/Division of Water Pollution Control/Compliance Assurance Section. The Permittee may use any fiscal year period provided the period ends within twelve (12) months of the submission date.

Submission shall be on forms provided by IEPA titled "Fiscal Report Form For NPDES Permittees".

SPECIAL CONDITION 12. The Permittee shall conduct biomonitoring of the effluent from Discharge Number(s) 001.

Biomonitoring

1. Acute Toxicity - Standard definitive acute toxicity tests shall be run on at least two trophic levels of aquatic species (fish, invertebrate) representative of the aquatic community of the receiving stream. Testing must be consistent with Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms (Fifth Ed.) EPA/821-R-02-012. Unless substitute tests are pre-approved; the following tests are required:
- a. Fish - 96 hour static LC₅₀ Bioassay using fathead minnows (*Pimephales promelas*).
- b. Invertebrate 48-hour static LC₅₀ Bioassay using *Ceriodaphnia*.



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 North Grand Avenue East, P.O. Box 19276, Springfield, Illinois 62794-9276 • (217) 782-2829
James R. Thompson Center, 100 West Randolph, Suite 11-300, Chicago, IL 60601 • (312) 814-6026

PAT QUINN, GOVERNOR

217/782-0610

November 18, 2011

Metropolitan Water Reclamation District of Greater Chicago
100 East Erie Street
Chicago, Illinois 60611

Re: Metropolitan Water Reclamation District of Greater Chicago
MWRDGC Lemont WRP
NPDES Permit No. IL0028070
Draft Permit

NOV 23 AM 10:01
MWRDGC
CHICAGO, ILL.

Sergio
MRS. SHANNON: For your information and use
ES 12/2/11

Gentlemen:

Attached to this letter is a copy of the draft Permit, Public Notice/Fact Sheet for your discharge. The Agency proposes to issue the NPDES Permit for your discharge as shown in the draft Permit.

Fifteen days from the date of this letter, the Agency proposes to distribute the attached Public Notice/Fact Sheet statewide. If you have objections to the content of the Public Notice/Fact Sheet, a written statement must be received by the Agency at the indicated address, attention: NPDES PN Clerk within 10 days.

The Agency will receive comments regarding the Permit for a period of 30 days after the Public Notice is issued. If you wish to comment or object to any of the terms and conditions of the Permit, you must state the objections in writing prior to the end of the public notice. The Agency may or may not change the Permit based on comments received from you or the public.

If you should have questions or comments regarding the above, please contact Amy L. Dragovich at 217/782-0610.

Sincerely,

Amy L. Dragovich, P.E.
Manager, Northern Municipal Unit, Permit Section
Division of Water Pollution Control

ALD:07082202.bah

Attachments: Draft Permit, Public Notice/Fact Sheet

cc: Records Unit
Compliance Assurance Section

Rockford • 4302 N. Main St., Rockford, IL 61103 • (815) 987-7760
Elgin • 595 S. State, Elgin, IL 60123 • (847) 608-3131
Bureau of Land - Peoria • 7620 N. University St., Peoria, IL 61614 • (309) 693-5462
Collinsville • 2009 Mall Street, Collinsville, IL 62234 • (618) 346-5120

Des Plaines • 9511 W. Harrison St., Des Plaines, IL 60016 • (847) 294-4000
Peoria • 5415 N. University St., Peoria, IL 61614 • (309) 693-5462
Champaign • 2125 S. First St., Champaign, IL 61820 • (217) 278-5800
Marion • 2309 W. Main St., Suite 116, Marion, IL 62959 • (618) 993-7200

15 6 W 8-030 11

NPDES Permit No. IL0028070
Notice No. ALD:07082202.bah

Public Notice Beginning Date:

Public Notice Ending Date:

National Pollutant Discharge Elimination System (NPDES)
Permit Program

PUBLIC NOTICE/FACT SHEET
of
Draft Modified NPDES Permit to Discharge into Waters of the State

Public Notice/Fact Sheet Issued By:

Illinois EPA
Division of Water Pollution Control
Permit Section
1021 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276
217/782-0610

DIRECTOR OF M&R
2011 NOV 23 AM 10:01
OFFICE OF M&R
CHICAGO

Name and Address of Discharger:

Metropolitan Water Reclamation District of Greater Chicago
100 East Erie Street
Chicago, Illinois 60611

Name and Address of Facility:

MWRDGC Lemont WRP
13 Stephen Street
Lemont, Illinois
(Cook County)

The Illinois Environmental Protection Agency (IEPA) has made a tentative determination to issue a NPDES Permit to discharge into the waters of the state and has prepared a draft Permit and associated fact sheet for the above named discharger. The Public Notice period will begin and end on the dates indicated in the heading of this Public Notice/Fact Sheet. All comments on the draft Permit and requests for hearing must be received by the IEPA by U.S. Mail, carrier mail or hand delivered by the Public Notice Ending Date. Interested persons are invited to submit written comments on the draft Permit to the IEPA at the above address. Commentors shall provide his or her name and address and the nature of the issues proposed to be raised and the evidence proposed to be presented with regards to those issues. Commentors may include a request for public hearing. Persons submitting comments and/or requests for public hearing shall also send a copy of such comments or requests to the Permit applicant. The NPDES Permit and notice numbers must appear on each comment page.

The application, engineer's review notes including load limit calculations, Public Notice/Fact Sheet, draft Permit, comments received, and other documents are available for inspection and may be copied at the IEPA between 9:30 a.m. and 3:30 p.m. Monday through Friday when scheduled by the interested person.

If written comments or requests indicates a significant degree of public interest in the draft Permit, the permitting authority may, at its discretion, hold a public hearing. Public notice will be given 45 days before any public hearing. Response to comments will be provided when the final Permit is issued. For further information, please call Amy L. Dragovich at 217/782-0610.

The following water quality and effluent standards and limitations were applied to the discharge:

Title 35: Environmental Protection, Subtitle C: Water Pollution, Chapter I: Pollution Control Board and the Clean Water Act were applied in determining the applicable standards, limitations and conditions contained in the draft Permit.

The applicant is engaged in treating domestic and industrial wastewater for the Metropolitan Water Reclamation District of Greater Chicago.

The length of the Permit is approximately 5 years.

The main discharge number is 001. The seven day once in ten year low flow (7Q10) of the receiving stream, Chicago Sanitary and Ship Canal, is 1312.83 cfs.

The design average flow (DAF) for the existing facility is 2.3 million gallons per day (MGD) and the design maximum flow (DMF) for the facility is 4.0 MGD. Treatment consists of screening, grit removal, primary clarification, aeration, secondary clarification, sludge gravity thickening and sludge storage. The facility will be expanded to a DAF of 4.2 MGD and a DMF of 8.5 MGD. The expansion of the plant includes the relocation of outfall 001, using outfall 002 as a wet weather basin discharge point as well as combined sewer overflow, and construction of a wet weather basin and wet weather disinfection facilities.

This modified NPDES Permit does not increase the facility's DAF, DMF, concentration limits, and/or load limits.

The IEPA will accept comments on the following draft modifications to the Permit:

1. Special Condition 14 has been revised to include the requirements of the Long Term Control Plan and Sewer Summit Agreement.
2. Special Condition 18 has been added to include Capacity, Management, Operations and Maintenance (CMOM) requirements.
3. Special Condition 19 has been added to include the bypass and upset provisions.
4. Effluent limitations for the proposed 003 Wet Weather Basin Outfall have been added to the permit (see Page 5 of the draft Permit).

Application is made for the existing discharge(s) which is located in Cook County, Illinois. The following information identifies the discharge point, receiving stream and stream classifications:

Outfall	Receiving Stream	Latitude	Longitude	Stream Classification	Biological Stream Characterization
001 (Existing)	Chicago Sanitary and Ship Canal	41° 40' 46" North	87° 59' 55" West	Secondary Contact	D
001 (Proposed)	Chicago Sanitary and Ship Canal	41° 40' 48" North	87° 59' 48" West	Secondary Contact	D

This permit authorizes discharge from wet weather treatment facility CSOs in accordance with 35 Ill. Adm. Code 306.305.

The Long Term Control Plan includes the construction of a pump station and force mains to convey all flows from the sanitary sewer system, as well as all dry weather flows and the first flush of storm flows from the combined sewer system to an interceptor sewer tributary to the District's Stickney Water Reclamation Plant, where the flow will receive full treatment; a wet weather treatment facility that will provide the equivalent of primary treatment and disinfection for additional flows not less than ten times the average dry weather flow; and a wet weather equalization facility.

To assist you further in identifying the location of the discharge(s) please see the attached map.

The stream segment(s) receiving the discharge from outfall(s) 001 is on the Illinois 303 (d) list of impaired waters. The uses impaired for this segment were fish consumption, secondary contact and indigenous aquatic life.

The following parameters have been identified as the pollutants causing impairment:

Potential Causes

iron, total nitrogen as N, dissolved oxygen, oil and grease, PCBs (statistical guideline), and total phosphorus (statistical guideline)

Potential Sources

municipal point sources, combined sewer overflows, urban runoff/storm sewers, hydrologic/habitat modification, flow regulation/modification and source unknown

DRAFT

The discharge(s) from the facility is (are) proposed to be monitored and limited at all times as follows:

Discharge Number(s) and Name(s): 001 WRP Outfall (existing)

Load limits computed based on a design average flow (DAF) of 2.3 MGD (design maximum flow (DMF) of 4.0 MGD).

Parameter	LOAD LIMITS lbs/day*			CONCENTRATION LIMITS mg/L			Regulation
	Monthly Average	Weekly Average	Daily Maximum	Monthly Average	Weekly Average	Daily Maximum	
CBOD ₅	384 (667)	767 (1334)		20	40		35 IAC 304.120 40 CFR 133.102
Suspended Solids	480 (834)	863 (1501)		25	45		35 IAC 304.120 40 CFR 133.102
pH	Shall be in the range of 6 to 9 Standard Units						35 IAC 304.125

*Load Limits are calculated by using the formula: $8.34 \times (\text{Design Average and/or Maximum Flow in MGD}) \times (\text{Applicable Concentration in mg/L})$.

The discharge(s) from the facility is (are) proposed to be monitored and limited at all times as follows:
Discharge Number(s) and Name(s): 001 WRP (after Plant expansion)

Load limits computed based on a design average flow (DAF) of 4.2 MGD (design maximum flow (DMF) of 8.5 MGD).

Parameter	LOAD LIMITS lbs/day*			CONCENTRATION LIMITS mg/L			Regulation
	Monthly Average	Weekly Average	Daily Maximum	Monthly Average	Weekly Average	Daily Maximum	
CBOD ₅ **	384 (667)	767 (1334)		20	40		35 IAC 304.120 40 CFR 133.102
Suspended Solids	876 (1772)	1576 (3190)		25	45		35 IAC 304.120 40 CFR 133.102
pH	Shall be in the range of 6 to 9 Standard Units						35 IAC 304.125
Ammonia Nitrogen:							
April-Oct.	88 (177)		175 (354)	2.5		5.0	35 IAC 355 and
Nov.-March	140 (284)		280 (567)	4.0		8.0	35 IAC 302
Phosphorus	35 (71)			1.0			35 IAC 304.123

*Load Limits are calculated by using the formula: $8.34 \times (\text{Design Average and/or Maximum Flow in MGD}) \times (\text{Applicable Concentration in mg/L})$.

**Load limits for CBOD₅ are based on a design average flow of 2.3 MGD (DMF of 4.0 MGD).

This Permit contains an authorization to treat and discharge excess flow as follows:

Discharge Number(s) and Name(s): 002 Wet Weather Equalization Outfall

Parameter	CONCENTRATION LIMITS mg/L	
	Monthly Average	Regulation
BOD ₅		40 CFR 133.102
Suspended Solids		40 CFR 133.102
Fecal Coliform	Daily Maximum Shall Not Exceed 400 per 100 mL	35 IAC 304.121
pH	Shall be in the range of 6 to 9 Standard Units	35 IAC 304.125
Chlorine Residual	0.75	35 IAC 302.208

This Permit contains an authorization to treat and discharge excess flow as follows:

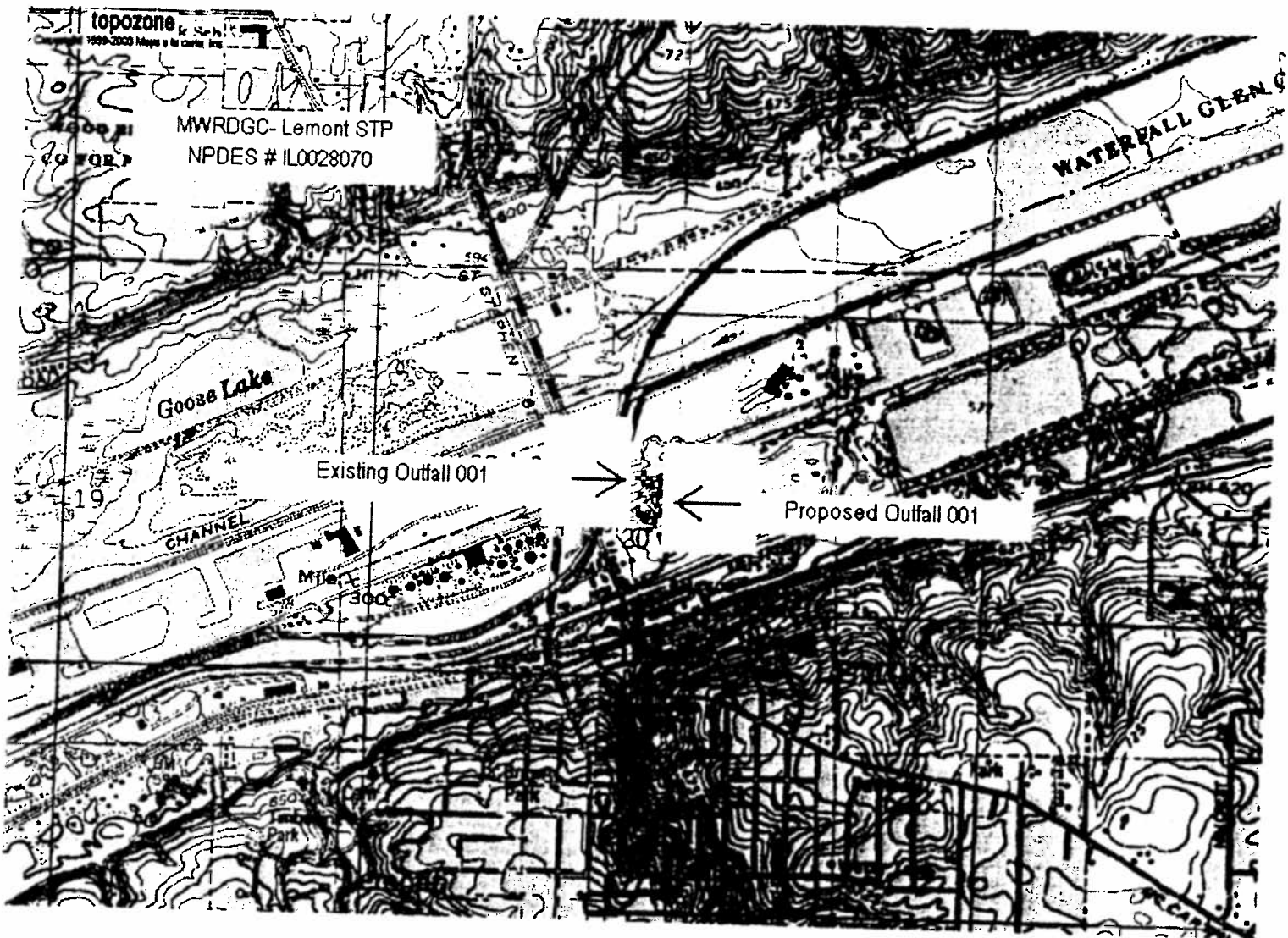
Discharge Number(s) and Name(s): 003 Wet Weather Basin Outfall (Proposed)

Parameter	CONCENTRATION LIMITS mg/L	
	Monthly Average	Regulation
BOD ₅		40 CFR 133.102
Suspended Solids		40 CFR 133.102
Fecal Coliform	Daily Maximum Shall Not Exceed 400 per 100 mL	35 IAC 304.121
pH	Shall be in the range of 6 to 9 Standard Units	35 IAC 304.125
Chlorine Residual	0.75	35 IAC 302.208

This draft Permit also contains the following requirements as special conditions:

1. Reopening of this Permit to include different final effluent limitations.
2. Operation of the facility by or under the supervision of a certified operator.
3. Submission of the operational data in a specified form and at a required frequency at any time during the effective term of this Permit.
4. More frequent monitoring requirement without Public Notice in the event of operational, maintenance or other problems resulting in possible effluent deterioration.
5. Prohibition against causing or contributing to violations of water quality standards.
6. Effluent sampling point location.
7. Controlling the sources of infiltration and inflow into the sewer system.
8. A requirement to monitor and a limit of 0.05 mg/L for residual chlorine when it is used.
9. The Permittee implements and administers an industrial pretreatment program pursuant to 40 CFR §403.
10. Burden reduction.
11. Submission of annual fiscal data.

12. The Permittee is required to perform biomonitoring tests in the 18th, 15th, 12th and 9th months prior to the expiration date of the Permit, and to submit the results of such tests to the IEPA within one week of receiving the results from the laboratory.
13. Submission of semi annual reports indicating the quantities of sludge generated and disposed.
14. An authorization of combined sewer and treatment plant discharges.
15. Recording the monitoring results on Discharge Monitoring Report Forms using one such form for each outfall each month and submitting the forms to IEPA each month.
16. Notify the IEPA upon completion and start of operation of the expanded plant.
17. Alternative or additional final limitations pursuant to the Use Attainability Analysis.
18. Capacity, Management, Operations and Maintenance (CMOM) requirements.
19. Bypass provisions of 40 CFR Section 122.41 (m) & (n).



NPDES Permit No. IL0028070
Illinois Environmental Protection Agency
Division of Water Pollution Control
1021 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

Reissued (NPDES) Permit

Expiration Date: January 31, 2013

Issue Date: January 25, 2008
Effective Date: February 1, 2008
Modification Date #1: March 21, 2008
Modification Date #2: March 31, 2008
Modification Date #3:

Name and Address of Permittee:

Metropolitan Water Reclamation District of Greater Chicago
100 East Erie Street
Chicago, Illinois 60611

Facility Name and Address:

MWRDGC Lemont WRP
13 Stephen Street
Lemont, Illinois
(Cook County)

Receiving Waters: Chicago Sanitary and Ship Canal

In compliance with the provisions of the Illinois Environmental Protection Act, Title 35 of the Ill. Adm. Code, Subtitle C, Chapter I, and the Clean Water Act (CWA), the above-named Permittee is hereby authorized to discharge at the above location to the above-named receiving stream in accordance with the standard conditions and attachments herein.

Permittee is not authorized to discharge after the above expiration date. In order to receive authorization to discharge beyond the expiration date, the Permittee shall submit the proper application as required by the Illinois Environmental Protection Agency (IEPA) not later than 180 days prior to the expiration date.

Alan Keller, P.E.
Manager, Permit Section
Division of Water Pollution Control

SAK:ALD:07082202.bah

DRAFT

NPDES Permit No. IL0028070

Effluent Limitations, Monitoring, and Reporting

FINAL

Discharge Number(s) and Name(s): 001 WRP Outfall (existing)

Load limits computed based on a design average flow (DAF) of 2.3 MGD (design maximum flow (DMF) of 4.0 MGD).

Excess flow facilities (if applicable) shall not be utilized until the main treatment facility is receiving its maximum practical flow.

From the modification date of this Permit until the start of operation of the expanded plant (4.2 MGD), the effluent of the above discharge(s) shall be monitored and limited at all times as follows:

Parameter	LOAD LIMITS lbs/day DAF (DMF)*			CONCENTRATION LIMITS MG/L			Sample Frequency	Sample Type
	Monthly Average	Weekly Average	Daily Maximum	Monthly Average	Weekly Average	Daily Maximum		
Flow (MGD)							Continuous	RIT
CBOD ₅ **	384 (667)	767 (1334)		20	40		2 Days/Week	Composite
Suspended Solids	480 (834)	863 (1501)		25	45		2 Days/Week	Composite
pH	Shall be in the range of 6 to 9 Standard Units						2 Days/Week	Grab

*Load limits based on design maximum flow shall apply only when flow exceeds design average flow.

**Carbonaceous BOD₅ (CBOD₅) testing shall be in accordance with 40 CFR 136.

Flow shall be reported on the Discharge Monitoring Report (DMR) as monthly average and daily maximum.

pH shall be reported on the DMR as minimum and maximum value.

RIT: Recording, Indicating, Totalizing.

NPDES Permit No. IL0028070

Effluent Limitations, Monitoring, and Reporting

FINAL

Discharge Number(s) and Name(s): 001 WRP Outfall (after plant expansion)

Load limits computed based on a design average flow (DAF) of 4.2 MGD (design maximum flow (DMF) of 8.5 MGD).

Excess flow facilities (if applicable) shall not be utilized until the main treatment facility is receiving its maximum practical flow.

From the start of the operation of the expanded plant until the expiration date of the permit, the effluent of the above discharge(s) shall be monitored and limited at all times as follows:

Parameter	LOAD LIMITS lbs/day <u>DAF (DMF)*</u>			CONCENTRATION <u>LIMITS MG/L</u>			Sample Frequency	Sample Type
	Monthly Average	Weekly Average	Daily Maximum	Monthly Average	Weekly Average	Daily Maximum		
Flow (MGD)							Continuous	
CBOD ₅ **	384 (667)	767 (1334)		20	40		2 Days/Week	Composite
Suspended Solids	876 (1772)	1576 (3190)		25	45		2 Days/Week	Composite
pH	Shall be in the range of 6 to 9 Standard Units						2 Days/Week	Grab
Ammonia Nitrogen as (N)								
April-October	88(177)		175 (354)	2.5		5.0	5 Days/Week	Composite
Nov.-March	140(284)		280 (567)	4.0		8.0	5 Days/Week	Composite
Phosphorus	35 (71)			1.0			5 Days/Week	Composite

*Load limits based on design maximum flow shall apply only when flow exceeds design average flow.

**Carbonaceous BOD₅ (CBOD₅) testing shall be in accordance with 40 CFR 136. Load limits for CBOD₅ are based on a DAF of 2.3 MGD (DMF of 4.0 MGD).

Flow shall be reported on the Discharge Monitoring Report (DMR) as monthly average and daily maximum.

pH shall be reported on the DMR as minimum and maximum value.

DRAFT

NPDES Permit No. IL0028070

Effluent Limitations, Monitoring, and Reporting

FINAL

Discharge Number(s) and Name(s): 002 Wet Weather Equalization Outfall

These flow facilities shall not be utilized until the main treatment facility is receiving its maximum practical flow.

From the start of operation of the wet weather equalization facility until the expiration date of the permit, the effluent of the above discharge(s) shall be monitored and limited at all times as follows:

Parameter	CONCENTRATION LIMITS mg/L	Sample Frequency	Sample Type
Total Flow (MG)	See Below	Daily When Discharging	Continuous
BOD ₅		Daily When Discharging	Grab
Suspended Solids		Daily When Discharging	Grab
Fecal Coliform	Daily Maximum Shall Not Exceed 400 per 100 mL	Daily When Discharging	Grab
pH	Shall be in the range of 6 to 9 Standard Units	Daily When Discharging	Grab
Chlorine Residual	0.75	Daily When Discharging	Grab

Total flow in million gallons shall be reported on the Discharge Monitoring Report (DMR) in the quantity maximum column.

Report the number of days of discharge in the comments section of the DMR.

Fecal Coliform shall be reported on the DMR as daily maximum.

Chlorine Residual shall be reported on the DMR as a monthly average concentration.

pH shall be reported on the DMR as a minimum and a maximum.

BOD₅ and Suspended Solids shall be reported on the DMR as a monthly average concentration.

NPDES Permit No. IL0028070

Effluent Limitations, Monitoring, and Reporting

FINAL

Discharge Number(s) and Name(s): 003 Wet Weather Basin Outfall

These flow facilities shall not be utilized until the main treatment facility is receiving its maximum practical flow.

From the start of operation of the wet weather basin facility until the expiration date of the permit, the effluent of the above discharge(s) shall be monitored and limited at all times as follows:

Parameter		CONCENTRATION LIMITS mg/L		Sample Frequency	Sample Type
		Monthly Average			
Total Flow (MG)	See Below			Daily When Discharging	Continuous
BOD ₅				Daily When Discharging	Grab
Suspended Solids				Daily When Discharging	Grab
Fecal Coliform	Daily Maximum Shall Not Exceed 400 per 100 mL			Daily When Discharging	Grab
pH	Shall be in the range of 6 to 9 Standard Units			Daily When Discharging	Grab
Chlorine Residual		0.75		Daily When Discharging	Grab

Total flow in million gallons shall be reported on the Discharge Monitoring Report (DMR) in the quantity maximum column.

Report the number of days of discharge in the comments section of the DMR.

Fecal Coliform shall be reported on the DMR as daily maximum.

Chlorine Residual shall be reported on the DMR as a monthly average concentration.

pH shall be reported on the DMR as a minimum and a maximum.

BOD₅ and Suspended Solids shall be reported on the DMR as a monthly average concentration.

DRAFT

NPDES Permit No. IL0028070

Influent Monitoring and Reporting

The influent to the plant shall be monitored as follows:

Parameter	Sample Frequency	Sample Type
Flow (MGD)	Continuous	
BOD ₅	2 Days/Week	Composite
Suspended Solids	2 Days/Week	Composite

Influent samples shall be taken at a point representative of the influent.

Flow (MGD) shall be reported on the Discharge Monitoring Report (DMR) as monthly average and daily maximum.

BOD₅ and Suspended Solids shall be reported on the DMR as a monthly average concentration.

NPDES Permit No. IL0028070

Modification Date:

Special Conditions

SPECIAL CONDITION 1. This Permit may be modified to include different final effluent limitations or requirements which are consistent with applicable laws, regulations, or judicial orders. The IEPA will public notice the permit modification.

SPECIAL CONDITION 2. The use or operation of this facility shall be by or under the supervision of a Certified Class 1 operator.

SPECIAL CONDITION 3. The IEPA may request in writing submittal of operational information in a specified form and at a required frequency at any time during the effective period of this Permit.

SPECIAL CONDITION 4. The IEPA may request more frequent monitoring by permit modification pursuant to 40 CFR § 122.63 and Without Public Notice in the event of operational, maintenance or other problems resulting in possible effluent deterioration.

SPECIAL CONDITION 5. The effluent, alone or in combination with other sources, shall not cause a violation of any applicable water quality standard outlined in 35 Ill. Adm. Code 302.

SPECIAL CONDITION 6. Samples taken in compliance with the effluent monitoring requirements shall be taken at a point representative of the discharge, but prior to entry into the receiving stream.

SPECIAL CONDITION 7. This Permit may be modified to include requirements for the Permittee on a continuing basis to evaluate and detail its efforts to effectively control sources of infiltration and inflow into the sewer system and to submit reports to the IEPA if necessary.

SPECIAL CONDITION 8. For Discharge No. 001, any use of chlorine to control slime growths, odors or as an operational control, etc. shall not exceed the limit of 0.05 mg/L (daily maximum) total residual chlorine in the effluent. Sampling is required on a daily grab basis during the chlorination process. Reporting shall be submitted on the DMR's on a monthly basis.

SPECIAL CONDITION 9.A. Publicly Owned Treatment Works (POTW) Pretreatment Program General Provisions

1. The Permittee shall implement and enforce its approved Pretreatment Program which was approved on November 18, 1985 and all approved subsequent modifications thereto. The Permittee shall maintain legal authority adequate to fully implement the Pretreatment Program in compliance with Federal (40 CFR 403), State, and local laws. The Permittee shall:
 - a. Carry out independent inspection and monitoring procedures at least once per year, which will determine whether each significant industrial user (SIU) is in compliance with applicable pretreatment standards;
 - b. Perform an evaluation, at least once every two (2) years, to determine whether each SIU needs a slug control plan. If needed, the SIU slug control plan shall include the items specified in 40 CFR § 403.8 (f)(2)(v);
 - c. Update its inventory of Industrial Users (IUs) at least annually and as needed to ensure that all SIUs are properly identified, characterized, and categorized;
 - d. Receive and review self monitoring and other IU reports to determine compliance with all pretreatment standards and requirements, and obtain appropriate remedies for noncompliance by any IU with any pretreatment standard and/or requirement;
 - e. Investigate instances of noncompliance, collect and analyze samples, and compile other information with sufficient care as to produce evidence admissible in enforcement proceedings, including judicial action;
 - f. Require development, as necessary, of compliance schedules by each industrial user for the installation of control technologies to meet applicable pretreatment standards; and,
 - g. Maintain an adequate revenue structure for continued operation of the Pretreatment Program.
2. The Permittee shall issue/reissue permits or equivalent control mechanisms to all SIUs prior to expiration of existing permits or prior to commencement of discharge in the case of new discharges. The permits at a minimum shall include the elements listed in 40 CFR § 403.8(f)(1)(iii).
3. The Permittee shall develop, maintain, and enforce, as necessary, local limits to implement the prohibitions in 40 CFR § 403.5 which prohibit the introduction of specific pollutants to the waste treatment system from any source of nondomestic discharge.

Special Conditions

4. In addition to the general limitations expressed in Paragraph 3 above, applicable pretreatment standards must be met by all industrial users of the POTW. These limitations include specific standards for certain industrial categories as determined by Section 307(b) and (c) of the Clean Water Act, State limits, or local limits, whichever are more stringent.
5. The USEPA and IEPA individually retain the right to take legal action against any industrial user and/or the POTW for those cases where an industrial user has failed to meet an applicable pretreatment standard by the deadline date regardless of whether or not such failure has resulted in a permit violation.
6. The Permittee shall establish agreements with all contributing jurisdictions, as necessary, to enable it to fulfill its requirements with respect to all IUs discharging to its system.
7. Unless already completed, the Permittee shall within six (6) months of the effective date of this Permit submit to USEPA and IEPA a proposal to modify and update its approved Pretreatment Program to incorporate Federal revisions to the general pretreatment regulations. The proposal shall include all changes to the approved program and the sewer use ordinance which are necessary to incorporate the regulations commonly referred to as PIRT and DSS, which were effective November 16, 1988 and August 23, 1990, respectively. This includes the development of an Enforcement Response Plan (ERP) and a technical re-evaluation of the Permittee's local limits.
8. The Permittee's Pretreatment Program has been modified to incorporate a Pretreatment Program Amendment approved on February 6, 1995, July 24, 1997, and September 27, 2005. The amendment became effective on the date of approval and is a fully enforceable provision of your Pretreatment Program.

Modifications of your Pretreatment Program shall be submitted in accordance with 40 CFR § 403.18, which established conditions for substantial and nonsubstantial modifications.

B. Reporting and Records Requirements

1. The Permittee shall provide an annual report briefly describing the permittee's pretreatment program activities over the previous calendar year. Permittees who operate multiple plants may provide a single report providing all plant-specific reporting requirements are met. Such report shall be submitted no later than June 30 of each year, and shall be in the format set forth in IEPA's POTW Pretreatment Report Package which contains information regarding:
 - a. An updated listing of the Permittee's industrial users.
 - b. A descriptive summary of the compliance activities including numbers of any major enforcement actions, (i.e., administrative orders, penalties, civil actions, etc.), and the outcome of those actions. This includes an assessment of the compliance status of the Permittee's industrial users and the effectiveness of the Permittee's Pretreatment Program in meeting its needs and objectives.
 - c. A description of all substantive changes made to the Permittee's Pretreatment Program. Changes which are "substantial modifications" as described in 40 CFR § 403.18(c) must receive prior approval from the Approval Authority.
 - d. Results of sampling and analysis of POTW influent, effluent, and sludge.
 - e. A summary of the findings from the priority pollutants sampling. As sufficient data becomes available the IEPA may modify this Permit to incorporate additional requirements relating to the evaluation, establishment, and enforcement of local limits for organic pollutants. Any permit modification is subject to formal due process procedures pursuant to State and Federal law and regulation. Upon a determination that an organic pollutant is present that causes interference or pass through, the Permittee shall establish local limits as required by 40 CFR § 403.5(c).
2. The Permittee shall maintain all pretreatment data and records for a minimum of three (3) years. This period shall be extended during the course of unresolved litigation or when requested by the IEPA or the Regional Administrator of USEPA. Records shall be available to USEPA and the IEPA upon request.
3. The Permittee shall establish public participation requirements of 40 CFR 25 in implementation of its Pretreatment Program. The Permittee shall at least annually, publish the names of all IU's which were in significant noncompliance (SNC), as defined by 40 CFR § 403.8(f)(2)(viii), in a newspaper of general circulation that provides meaningful public notice within the jurisdiction of the District or based on any more restrictive definition of SNC that the POTW may be using.

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4. The Permittee shall provide written notification to the Deputy Counsel for the Division of Water Pollution Control, IEPA, 1021 North Grand Avenue East, P.O. Box 19276, Springfield, Illinois 62794-9276 within five (5) days of receiving notice that any Industrial User of its sewage treatment plant is appealing to the Circuit Court any condition imposed by the Permittee in any permit issued to the Industrial User by Permittee. A copy of the Industrial User's appeal and all other pleadings filed by all parties shall be mailed to the Deputy Counsel within five (5) days of the pleadings being filed in Circuit Court.

C. Monitoring Requirements

1. The Permittee shall monitor its influent, effluent and sludge and report concentrations of the following parameters on monitoring report forms provided by the IEPA and include them in its annual report. Influent and effluent samples shall be taken at weekly intervals at the indicated reporting limit or better and consist of a 24-hour composite unless otherwise specified below. Monthly sludge samples shall be taken of final sludge and consist of a grab sample reported on a dry weight basis.

<u>STORET CODE</u>	<u>PARAMETER</u>	<u>Minimum reporting limit</u>
01097	Antimony	0.07 mg/L
01002	Arsenic	0.05 mg/L
01007	Barium	0.5 mg/L
01012	Beryllium	0.005 mg/L
01027	Cadmium	0.001 mg/L
01032	Chromium (hex - grab not to exceed 24 hours)*	0.01 mg/L
01034	Chromium (total)	0.05 mg/L
01042	Copper	0.005 mg/L
00718	Cyanide (grab) (weak acid dissociable)*	5.0 ug/L
00720	Cyanide (grab) (total)	5.0 ug/L
00951	Fluoride*	0.1 mg/L
01045	Iron (total)	0.5 mg/L
01046	Iron (Dissolved)*	0.5 mg/L
01051	Lead	0.05 mg/L
01055	Manganese	0.5 mg/L
71900	Mercury (effluent grab using USEPA Method 1631 or equivalent)***	1.0 ng/L**
01067	Nickel	0.005 mg/L
00556	Oil (hexane soluble or equivalent) (Grab Sample only)*	5.0 mg/L
32730	Phenols (grab)	0.005 mg/L
01147	Selenium	0.005 mg/L
01077	Silver (total)	0.003 mg/L
01059	Thallium	0.3 mg/L
01092	Zinc	0.025 mg/L

* Influent and effluent only

**1 ng/L = 1 part per trillion.

*** Other approved methods may be used for influent (composite) and sludge

Unless otherwise indicated, concentrations refer to the total amount of the constituent present in all phases, whether solid, suspended or dissolved, elemental or combined including all oxidation states. Where constituents are commonly measured as other than total, the phase is so indicated.

2. The Permittee shall conduct an analysis for the one hundred and ten (110) organic priority pollutants identified in 40 CFR 122 Appendix D, Table II as amended. This monitoring shall be done annually and reported on monitoring report forms provided by the IEPA and shall consist of the following:
- The influent and effluent shall be sampled and analyzed for the one hundred and ten (110) organic priority pollutants. The sampling shall be done during a day when industrial discharges are expected to be occurring at normal to maximum levels.

Samples for the analysis of acid and base/neutral extractable compounds shall be 24-hour composites.

Six (6) grab samples shall be collected during a 24-hour period. Samples are analyzed after adding equal volumes of each grab directly in the purge and trap apparatus.

Wastewater samples must be handled, prepared, and analyzed by GC/MS in accordance with USEPA Methods 608, 624 and 625 of 40 CFR 136 as amended.

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- b. The sludge shall be sampled and analyzed for the one hundred and ten (110) organic priority pollutants. A sludge sample shall be collected concurrent with a wastewater sample and taken as final sludge.
Sampling and analysis shall conform to USEPA Methods 608, 624 and 625 unless an alternate method has been approved by IEPA.
- c. Sample collection, preservation and storage shall conform to approved USEPA procedures and requirements.
3. In addition, the Permittee shall monitor any new toxic substances as defined by the Clean Water Act, as amended, following notification by the IEPA.
4. Permittee shall report any noncompliance with effluent or water quality standards in accordance with Standard Condition 12(e) of this Permit.
5. Analytical detection limits shall be in accordance with 40 CFR 136. Minimum detection limits for sludge analyses shall be in accordance with 40 CFR 503.

SPECIAL CONDITION 10. The Permittee has undergone a Monitoring Reduction review and the influent and effluent sample frequency has been reduced for BOD₅, CBOD₅, suspended solids and pH due to sustained compliance. The IEPA will require that the influent and effluent sampling frequency for these parameters be increased to 5 days/week if effluent deterioration occurs due to increased wasteload, operational, maintenance or other problems. The increased monitoring will be required Without Public Notice when a permit modification is received by the Permittee from the IEPA.

SPECIAL CONDITION 11. By August 31 of each year the Permittee shall submit annual fiscal data regarding sewerage system operations to the Illinois Environmental Protection Agency/Division of Water Pollution Control/Compliance Assurance Section. The Permittee may use any fiscal year period provided the period ends within twelve (12) months of the submission date.

Submission shall be on forms provided by IEPA titled "Fiscal Report Form For NPDES Permittees".

SPECIAL CONDITION 12. The Permittee shall conduct biomonitoring of the effluent from Discharge Number(s) 001.

Biomonitoring

1. Acute Toxicity - Standard definitive acute toxicity tests shall be run on at least two trophic levels of aquatic species (fish, invertebrate) representative of the aquatic community of the receiving stream. Testing must be consistent with Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms (Fifth Ed.) EPA/821-R-02-012. Unless substitute tests are pre-approved; the following tests are required:
 - a. Fish - 96 hour static LC₅₀ Bioassay using fathead minnows (*Pimephales promelas*).
 - b. Invertebrate 48-hour static LC₅₀ Bioassay using *Ceriodaphnia*.
2. Testing Frequency - The above tests shall be conducted using 24-hour composite samples unless otherwise authorized by the IEPA. Samples must be collected in the 18th, 15th, 12th, and 9th month prior to the expiration date of this Permit.
3. Reporting - Results shall be reported according to EPA/821-R-02-012, Section 12, Report Preparation, and shall be submitted to IEPA, Bureau of Water, Compliance Assurance Section within one week of receipt from the laboratory. Reports are due to the IEPA no later than the 16th, 13th, 10th, and 7th month prior to the expiration date of this Permit.
4. Toxicity Reduction Evaluation - Should the results of the biomonitoring program identify toxicity, the IEPA may require that the Permittee prepare a plan for toxicity reduction evaluation and identification. This plan shall be developed in accordance with Toxicity Reduction Evaluation Guidance for Municipal Wastewater Treatment Plants, EPA/833B-99/002, and shall include an evaluation to determine which chemicals have a potential for being discharged in the plant wastewater, a monitoring program to determine their presence or absence and to identify other compounds which are not being removed by treatment, and other measures as appropriate. The Permittee shall submit to the IEPA its plan for toxicity reduction evaluation within ninety (90) days following notification by the IEPA. The Permittee shall implement the plan within ninety (90) days or other such date as contained in a notification letter received from the IEPA.

The IEPA may modify this Permit during its term to incorporate additional requirements or limitations based on the results of the biomonitoring. In addition, after review of the monitoring results, the IEPA may modify this Permit to include numerical limitations for specific toxic pollutants. Modifications under this condition shall follow public notice and opportunity for hearing.

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SPECIAL CONDITION 13. For the duration of this Permit, the Permittee shall determine the quantity of sludge produced by the treatment facility in dry tons or gallons with average percent total solids analysis. The Permittee shall maintain adequate records of the quantities of sludge produced and have said records available for IEPA inspection. The Permittee shall submit to the IEPA, at a minimum, a semi-annual summary report of the quantities of sludge generated and disposed of, in units of dry tons or gallons (average total percent solids) by different disposal methods including but not limited to application on farmland, application on reclamation land, landfilling, public distribution, dedicated land disposal, sod farms, storage lagoons or any other specified disposal method. Said reports shall be submitted to the IEPA by January 31 and July 31 of each year reporting the preceding January thru June and July thru December interval of sludge disposal operations.

Duty to Mitigate. The Permittee shall take all reasonable steps to minimize any sludge use or disposal in violation of this Permit.

Sludge monitoring must be conducted according to test procedures approved under 40 CFR 136 unless otherwise specified in 40 CFR 503, unless other test procedures have been specified in this Permit.

Planned Changes. The Permittee shall give notice to the IEPA on the semi-annual report of any changes in sludge use and disposal.

The Permittee shall retain records of all sludge monitoring, and reports required by the Sludge Permit as referenced in Standard Condition 23 for a period of at least five (5) years from the date of this Permit.

If the Permittee monitors any pollutant more frequently than required by the Sludge Permit, the results of this monitoring shall be included in the reporting of data submitted to the IEPA.

Monitoring reports for sludge shall be reported on the form titled "Sludge Management Reports" to the following address:

Illinois Environmental Protection Agency
Bureau of Water
Compliance Assurance Section
Mail Code #19
1021 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276

SPECIAL CONDITION 14.

AUTHORIZATION OF
COMBINED SEWER AND TREATMENT PLANT DISCHARGES

The IEPA has determined that at least a portion of the collection system consists of combined sewers. References to the collection system and the sewer system refer only to those parts of the system which are owned and operated by the Permittee unless otherwise indicated. The Permittee is authorized to discharge from the overflow(s)/bypass(es) listed below provided the diversion structure is located on a combined sewer and the following terms and conditions are met:

<u>Discharge Number</u>	<u>Location</u>	<u>Receiving Water</u>
002	MWRDGC Lemont WRP	Chicago Sanitary & Ship Canal

Treatment Requirements

1. All combined sewer overflows and treatment plant bypasses shall be given sufficient treatment to prevent pollution and the violation of applicable water quality standards. Sufficient treatment shall consist of the following:
 - a. All dry weather flows, and the first flush of storm flows shall meet all applicable effluent standards and the effluent limitations as required for the main STP outfall;
 - b. Additional flows, but not less than ten times the average dry weather flow for the design year, shall receive a minimum of primary treatment and disinfection with adequate retention time; and,
 - c. Additional flows, shall be treated to the extent necessary to comply with applicable water quality standards and the federal Clean Water Act, including any amendments made by the Wet Weather Water Quality Act of 2000.

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2. All CSO discharges authorized by this Permit shall be treated, in whole or in part, to the extent necessary to prevent accumulations of sludge deposits, floating debris and solids in accordance with 35 Ill. Adm. Code 302.203 and to prevent depression of oxygen levels below the applicable water quality standards.
3. Overflows during dry weather are prohibited. Dry weather overflows shall be reported to the IEPA pursuant to Standard Condition 12(e) of this Permit (24 hour notice).
4. The collection system shall be operated to optimize transport of wastewater flows and to minimize CSO discharges.
5. The treatment system shall be operated to maximize treatment of wastewater flows.

Nine Minimum Controls

6. The Permittee shall comply with the nine minimum controls contained in the National CSO Control Policy published in the Federal Register on April 19, 1994. The nine minimum controls are:
 - a. Proper operation and maintenance programs for the sewer system and the CSOs (Compliance with this Item shall be met through the requirements imposed by Paragraph 8 of this Special Condition);
 - b. Maximum use of the collection system for storage (Compliance with this Item shall be met through the requirements imposed by Paragraphs 1, 4, and 8 of this Special Condition);
 - c. Review and modification of pretreatment requirements to assure CSO impacts are minimized (Compliance with this Item shall be met through the requirements imposed by Paragraph 9 of this Special Condition);
 - d. Maximization of flow to the POTW for treatment (Compliance with this Item shall be met through the requirements imposed by Paragraphs 4, 5, and 8 of this Special Condition);
 - e. Prohibition of CSOs during dry weather (Compliance with this Item shall be met through the requirements imposed by Paragraph 3 of this Special Condition);
 - f. Control of solids and floatable materials in CSOs (Compliance with this Item shall be met through the requirements imposed by Paragraphs 2 and 8 of this Special Condition);
 - g. Pollution prevention programs which focus on source control activities (Compliance with this Item shall be met through the requirements imposed by Paragraph 6 of this Special Condition, **See Below**);
 - h. Public notification to ensure that citizens receive adequate information regarding CSO occurrences and CSO impacts (Compliance with this Item shall be met through the requirements imposed by Paragraph 12 of this Special Condition); and,
 - i. Monitoring to characterize impacts and efficiency of CSO controls (Compliance with this Item shall be met through the requirements imposed by Paragraphs 10 and 11 of this Special Condition).

A pollution prevention plan (PPP) shall be developed by the Permittee unless one has already been prepared for this collection system. Any previously-prepared PPP shall be reviewed, and revised if necessary, by the Permittee to address the items contained in Chapter 8 of the U.S. EPA guidance document, Combined Sewer Overflows, Guidance For Nine Minimum Controls, and any items contained in previously-sent review documents from the IEPA concerning the PPP. Combined Sewer Overflows, Guidance For Nine Minimum Controls is available on line at <http://www.epa.gov/npdes/pubs/owm0030.pdf>. The PPP (or revised PPP) shall be presented to the general public at a public information meeting conducted by the Permittee within nine (9) months of the effective date of this Permit. The Permittee shall submit documentation that the pollution prevention plan complies with the requirements of this Permit and that the public information meeting was held. Such documentation shall be submitted to the IEPA within twelve (12) months of the effective date of this Permit and shall include a summary of all significant issues raised by the public, the Permittee's response to each issue, and two (2) copies of the "CSO Pollution Prevention Plan Certification" one (1) with original signatures. This certification form is available online at <http://www.epa.state.il.us/water/permits/waste-water/forms/cso-pol-prev.pdf>. Following the public meeting, the Permittee shall implement the pollution prevention plan within one (1) year and shall maintain a current pollution prevention plan, updated to reflect system modifications, on file at the sewage treatment works or other acceptable location and made available to the public. The pollution prevention plan shall be submitted to the IEPA upon written request.

Special ConditionsSensitive Area Considerations

7. Pursuant to Section II.C.3 of the federal CSO Control Policy of 1994, sensitive areas are any water likely to be impacted by a CSO discharge which meet one or more of the following criteria: (1) designated as an Outstanding National Resource Water; (2) found to contain shellfish beds; (3) found to contain threatened or endangered aquatic species or their habitat; (4) used for primary contact recreation; or, (5) within the protection area for a drinking water intake structure.

The IEPA has tentatively determined that none of the outfalls listed in this Special Condition discharge to sensitive areas. However, if information becomes available that causes the IEPA to reverse this determination, the IEPA will notify the Permittee in writing. Within three (3) months of the date of notification, or such other date contained in the notification letter, the Permittee shall submit two (2) copies of either a schedule to relocate, control, or treat discharges from these outfalls. If none of these options are possible, the Permittee shall submit adequate justification at that time as to why these options are not possible. Such justification shall be in accordance with Section II.C.3 of the National CSO Control Policy.

Operational and Maintenance Plans

8. The IEPA received a CSO operational and maintenance plan ("CSO O&M plan") for this sewerage system on March 15, 2007. The Permittee shall review and revise if needed, the CSO O&M plan to reflect system changes and any comments previously sent to the Permittee by the IEPA. The CSO O&M plan shall be presented to the general public at a public information meeting conducted by the Permittee within nine (9) months of the effective date of this Permit. The Permittee shall submit documentation that the CSO O&M plan complies with the requirements of this Permit and that the public information meeting was held. Such documentation shall be submitted to the IEPA within twelve (12) months of the effective date of this Permit and shall include a summary of all significant issues raised by the public, the Permittee's response to each issue, and two (2) copies of the "CSO Operational Plan Checklist and Certification", one (1) with original signatures. Copies of the "CSO Operational Plan Checklist and Certification" are available online at <http://www.epa.state.il.us/water/permits/waste-water/forms/cso-checklist.pdf>. Following the public meeting, the Permittee shall implement the CSO O&M plan within one (1) year and shall maintain a current CSO O&M plan, updated to reflect system modifications, on file at the sewage treatment works or other acceptable location and made available to the public. The CSO O&M plan shall be submitted to the IEPA upon written request.

The objectives of the CSO O&M plan are to reduce the total loading of pollutants and floatables entering the receiving stream and to ensure that the Permittee ultimately achieves compliance with water quality standards. These plans, tailored to the local government's collection and waste treatment systems, shall include mechanisms and specific procedures where applicable to ensure:

- a. Collection system inspection on a scheduled basis;
- b. Sewer, catch basin, and regulator cleaning and maintenance on a scheduled basis;
- c. Inspections are made and preventive maintenance is performed on all pump/lift stations;
- d. Collection system replacement, where necessary;
- e. Detection and elimination of illegal connections;
- f. Detection, prevention, and elimination of dry weather overflows;
- g. The collection system is operated to maximize storage capacity and the combined sewer portions of the collection system are operated to delay storm water entry into the system; and,
- h. The treatment and collection systems are operated to maximize treatment.

Sewer Use Ordinances

9. a. The District shall report to the IEPA's Compliance Assurance Section on an annual basis the progress obtained in its efforts to meet the goals of the Sewer Summit Agreement between MWRDGC and tributary communities of 1) Prevention of water pollution; and 2) Elimination of basement sewage backups and adverse surcharging conditions that cause health hazards and financial losses. Also included in this report shall be the results of the District's efforts to reduce and effectively control sources of infiltration and inflow. The report shall be submitted by November 15th of each year and shall include the most recent October 1 through September 30 time period.

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- b. The District shall implement and enforce all conditions and requirements of the Sewer Summit Agreement between MWRDGC and tributary communities that are the responsibility and/or under the jurisdiction of the District in the Agreement. The steps used to implement the Sewer Summit Agreement shall be included in the OMP contained in Paragraph 8 of this Special Condition.
- c. In the event that local sewer system owners have excessive I/I (any wet weather flows exceeding 150 gpcpd 24-hour average with peak flow not to exceed 100 gpcpd times an allowable peaking factor in accordance with the Illinois Recommended Standards for Sewage Works) in their separate sewer systems that cause or contribute to basement back-ups and/or sanitary sewer overflows, the Permittee shall require that the local sewer system owner implement measures in addition to those required under the Sewer Summit Agreement in an effort to reduce the excessive I/I. Such additional remedies may include sewer system evaluation studies, sewer rehabilitation or replacement, inflow source removal, and restrictions on the issuance of additional sewer connection permits. A summary of such additional measures shall be included with the Sewer Summit Agreement Report.

Long-Term Control Planning and Compliance with Water Quality Standards

10.
 - a. Pursuant to Section 301 of the federal Clean Water Act, 33 U.S.C. § 1311 and 40 CFR § 122.4, discharges from the CSOs, including the outfalls listed in this Special Condition and any other outfall listed as a "Treated Combined Sewage Outfall", shall not cause or contribute to violations of applicable water quality standards or cause use impairment in the receiving waters. In addition, discharges from CSOs shall comply with all applicable parts of 35 Ill. Adm. Code 306.305(a), (b), (c), and (d).
 - b. The Long Term Control Plan (LTCP), submitted September 15, 2010 was approved on March 16, 2011. Revisions of the approved LTCP were submitted August 5, 2011. The LTCP, once implemented, will meet the presumptive approach prescribed by Section 11.c.4.a.i of the federal CSO Control Policy. The implementation schedule can be found under the summary of Compliance Dates in this CSO Special Condition (Item 14). All provisions of this Special Condition shall stay in effect prior to and after completion of construction. Progress reports shall be submitted to the Agency six (6) months from Modification Date #3 of this Permit and every six (6) months thereafter.
 - c. Pursuant to Section I.C.1 and Section II.C.9 of the Policy, the Permittee shall develop a post-construction water quality monitoring program adequate to verify compliance with water quality standards and to verify protection of designated uses in the receiving water(s) and to ascertain the effectiveness of CSO controls. This program shall contain a plan that details the monitoring protocols to be followed, including any necessary effluent and ambient monitoring, and if appropriate, other monitoring protocols such as biological assessments, whole effluent toxicity testing, and sediment sampling. This plan shall be submitted to the IEPA and be presented to the public at an informational meeting within nine (9) months of Modification Date #3 of this Permit. Within twelve (12) months of Modification Date #3 of this Permit, the Permittee shall submit a summary of all significant issues raised by the public, the Permittee's response to each issue, and two (2) copies of the final plan (revised following the public meeting, if necessary) implementing the post-construction monitoring program. The post-construction monitoring plan shall be implemented within six (6) months of the date of IEPA approval. The Permittee shall respond to an IEPA review letter in writing within ninety (90) days of the date of such an initial review letter and within thirty (30) days of any subsequent review letter(s), if any. The sampling results shall be submitted with the progress reports. Within six (6) months of completion of construction activities, the results shall be submitted to the IEPA along with recommendations and conclusions as to whether or not the discharges from any of the CSOs (treated or untreated) authorized by this Permit are causing or contributing to violations of applicable water quality standards or causing use impairment in the receiving water(s).

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- d. Should the results of the post-construction water quality monitoring plan or if information becomes available that causes IEPA to conclude that the discharges from any of the CSOs (treated or untreated) authorized to discharge under this Permit are causing or contributing to violations of water quality standards or are causing use impairment in the receiving water(s), the IEPA will notify the Permittee in writing. Upon receiving such notification, the Permittee shall develop and implement a revised CSO Long-Term Control Plan (LTCP) for assuring that the discharges from the CSOs (treated or untreated) authorized in this Permit comply with the provisions of Paragraph 10.a above. The revised LTCP shall contain all applicable elements of Paragraph 10.e below including a schedule for implementation and provisions for re-evaluating compliance with applicable standards and regulations after complete implementation. Two (2) copies of the revised LTCP shall be submitted to the IEPA within twelve (12) months of receiving the IEPA written notice. The revised LTCP shall be:
1. Consistent with Section II.C.4.a.i of the Policy; or,
 2. Consistent with either Section II.C.4.a.ii, Section II.C.4.a.iii, or Section II.C.4.b of the Policy and be accompanied by data sufficient to demonstrate that the LTCP, when completely implemented, will be sufficient to meet water quality standards.
- e. Pursuant to the Policy, the required components of the LTCP include the following:
1. Characterization, monitoring, and modeling of Combined Sewer System (CSS);
 2. Consideration of Sensitive Areas;
 3. Evaluation of alternatives;
 4. Cost/Performance considerations;
 5. Revised CSO Operational Plan;
 6. Maximizing treatment at the treatment plant;
 7. Implementation schedule;
 8. Post-Construction compliance monitoring program; and
 9. Public participation.

Following submittal of the revised LTCP, the Permittee shall respond to any initial IEPA review letter in writing ninety (90) days of the date of such review letter, and within thirty (30) days of any subsequent review letter(s). Implementation of the revised LTCP shall be as indicated by IEPA in writing or other enforceable mechanism.

Monitoring, Reporting and Notification Requirements

11. The Permittee shall monitor the frequency of discharge (number of discharges per month) and estimate the duration (in hours) of each discharge from each outfall listed in this Special Condition. Estimates of storm duration and total rainfall shall be provided for each storm event.
- For frequency reporting, all discharges from the same storm, or occurring within 24 hours, shall be reported as one. The date that a discharge commences shall be recorded for each outfall. Reports shall be in the form specified by the IEPA and on forms provided by the IEPA. These forms shall be submitted to the IEPA monthly with the DMRs and covering the same reporting period as the DMRs. Parameters (other than flow frequency), if required in this Permit, shall be sampled and reported as indicated in the transmittal letter for such report forms.
12. A public notification program in accordance with Section 11.B.8 of the Federal CSO Control Policy of 1994 and the Wet Weather Act of 2000 shall continue to be implemented by the Permittee and the CSO Public Notification Plan and Program shall be modified should conditions change since the original plan was approved. The Permittee shall review the plan on an annual basis and make any needed changes and implementations by the commencement of the recreation season.
13. If any of the CSO discharge points listed in this Special Condition are eliminated, or if additional CSO discharge points, not listed in this Special Condition, are discovered, the Permittee shall notify the IEPA in writing within one (1) month of the respective outfall elimination or discovery. Such notification shall be in the form of a request for the appropriate modification of this NPDES Permit.

Summary of Compliance Dates in this CSO Special Condition

14. The following summarizes the dates that submittals contained in this Special Condition are due at the IEPA (unless otherwise indicated):

Submission of CSO Monitoring Data (Paragraph 11)	25th of every month
Elimination of a CSO or Discovery of Additional CSO Locations (Paragraph 13)	1 month from discovery or elimination

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- Control (or Justification for No Control) of CSOs to Sensitive Areas (Paragraph 7) 3 months from IEPA notification
- Development of post-construction water quality monitoring program (Paragraph 10) 9 months from Modification Date #3 of this Permit
- Final Post-Construction monitoring water quality plan (Paragraph 10) 12 months from Modification Date #3 of this Permit
- Sewer Use Ordinance Review (Paragraph 9) November 15th of each year
- Implement Post-Construction Monitoring Plan (Paragraph 10) **No Submittal Due with this Milestone** 6 months from the date of IEPA plan approval
- Conduct Pollution Prevention, OMP, and PN Public Information Meeting (Paragraphs 6, 8 and 12) **No Submittal Due with this Milestone** 9 months from the effective date of this permit
- Submit Pollution Prevention Certification, OMP Certification, and PN Information Meeting Summary (Paragraphs, 6, 8 and 12) 12 months from the effective date of this Permit
- CSO Long-Term Control Plan (Paragraph 10)

Action Items

Progress Reports

6 months from Modification Date #3 and every 6 months thereafter

Complete Construction Activities

November 30, 2017

Construction activities include the construction of a wet weather reservoir, wet weather treatment facility and the Lemont pump station and force main.

All submittals listed in this Special Condition can be mailed to the following address:

Illinois Environmental Protection Agency
Division of Water Pollution Control
1021 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276

Attention: CSO Coordinator, Compliance Assurance Section

All submittals hand carried shall be delivered to 1021 North Grand Avenue East.

Reopening and Modifying this Permit

- 15. The IEPA may initiate a modification for this Permit at any time to include requirements and compliance dates which have been submitted in writing by the Permittee and approved by the IEPA, or other requirements and dates which are necessary to carry out the provisions of the Illinois Environmental Protection Act, the Clean Water Act, or regulations promulgated under those Acts. Public Notice of such modifications and opportunity for public hearing shall be provided.

SPECIAL CONDITION 15. The Permittee shall record monitoring results on Discharge Monitoring Report (DMR) Forms using one such form for each outfall each month.

In the event that an outfall does not discharge during a monthly reporting period, the DMR Form shall be submitted with no discharge indicated.

The Permittee may choose to submit electronic DMRs (eDMRs) instead of mailing paper DMRs to the IEPA. More information, including registration information for the eDMR program, can be obtained on the IEPA website, <http://www.epa.state.il.us/water/edmr/index.html>.

The completed Discharge Monitoring Report forms shall be submitted to IEPA no later than the 25th day of the following month, unless otherwise specified by the permitting authority.

NPDES Permit No. IL0028070

Modification Date:

Special Conditions

Permittees not using eDMRs shall mail Discharge Monitoring Reports with an original signature to the IEPA at the following address:

Illinois Environmental Protection Agency
Division of Water Pollution Control
1021 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276

Attention: Compliance Assurance Section, Mail Code # 19

SPECIAL CONDITION 16. The Permittee shall notify the IEPA in writing once the treatment plant expansion has been completed. A letter stating the date that the expansion was completed shall be sent to the following address within fourteen (14) days of the expansion becoming operational:

Illinois Environmental Protection Agency
Bureau of Water
Compliance Assurance Section, Mail Code #19
1021 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276

SPECIAL CONDITION 17. This Permit will be modified to include alternative or additional final limitations pursuant to revisions in 35 Illinois Administrative Code Subtitle C pursuant to the Chicago Area Waterway System Use Attainability Analysis (UAA) report or any associated rule making by the IPCB.

SPECIAL CONDITION 18. The Permittee shall develop and submit to the IEPA a Capacity, Management, Operations, and Maintenance (CMOM) plan within twelve (12) months of the effective date of this Permit. The Permittee may be required to construct additional sewage transport and/or treatment facilities in future permits or other enforceable documents should the implemented CMOM plan indicate that the Permittee's facilities are not capable of conveying and treating the flow for which they were designed.

The CMOM plan shall include the following elements:

- A. Measures and Activities:
 - 1. A complete map of the collection system owned and operated by the Permittee;
 - 2. Schedules, checklists, and mechanisms to ensure that preventative maintenance is performed on equipment owned and operated by the Permittee;
 - 3. An assessment of the capacity of the collection and treatment system owned and operated by the Permittee at critical junctions and immediately upstream of locations where overflows and backups occur or are likely to occur; and
 - 4. Identification and prioritization of structural deficiencies in the system owned and operated by the Permittee.
- B. Design and Performance Provisions:
 - 1. Monitor the effectiveness of CMOM;
 - 2. Upgrade the elements of the CMOM plan as necessary; and,
 - 3. Maintain a summary of CMOM activities.
- C. Overflow Response Plan:
 - 1. Know where overflows within the facilities owned and operated by the Permittee occur;
 - 2. Respond to each overflow to determine additional actions such as clean up; and
 - 3. Implement measures with respect to local sewer system owners as described in Special Condition 14.9 above, as appropriate.
- D. System Evaluation Plan.
- E. Reporting and Monitoring Requirements.

SPECIAL CONDITION 19. The provisions of 40 CFR Section 122.41 (m) & (n) are applicable and are hereby incorporated by reference.

Attachment H

Standard Conditions

Definitions

Act means the Illinois Environmental Protection Act, 415 ILCS 5 as Amended.

Agency means the Illinois Environmental Protection Agency.

Board means the Illinois Pollution Control Board.

Clean Water Act (formerly referred to as the Federal Water Pollution Control Act) means Pub. L. 92-500, as amended. 33 U.S.C. 1251 et seq.

NPDES (National Pollutant Discharge Elimination System) means the national program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits, and imposing and enforcing pretreatment requirements, under Sections 307, 402, 318 and 405 of the Clean Water Act.

USEPA means the United States Environmental Protection Agency.

Daily Discharge means the discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in units of mass, the "daily discharge" is calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of measurements, the "daily discharge" is calculated as the average measurement of the pollutant over the day.

Maximum Daily Discharge Limitation (daily maximum) means the highest allowable daily discharge.

Average Monthly Discharge Limitation (30 day average) means the highest allowable average of daily discharges over a calendar month, calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month.

Average Weekly Discharge Limitation (7 day average) means the highest allowable average of daily discharges over a calendar week, calculated as the sum of all daily discharges measured during a calendar week divided by the number of daily discharges measured during that week.

Best Management Practices (BMPs) means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the State. BMPs also include treatment requirements; operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

Aliquot means a sample of specified volume used to make up a total composite sample.

Grab Sample means an individual sample of at least 100 milliliters collected at a randomly-selected time over a period not exceeding 15 minutes.

24-Hour Composite Sample means a combination of at least 8 sample aliquots of at least 100 milliliters, collected at periodic intervals during the operating hours of a facility over a 24-hour period.

8-Hour Composite Sample means a combination of at least 3 sample aliquots of at least 100 milliliters, collected at periodic intervals during the operating hours of a facility over an 8-hour period.

Flow Proportional Composite Sample means a combination of sample aliquots of at least 100 milliliters collected at periodic intervals such that either the time interval between each aliquot or the volume of each aliquot is proportional to either the stream flow at the time of sampling or the total stream flow since the collection of the previous aliquot.

- (1) **Duty to comply.** The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Act and is grounds for enforcement action, permit termination, revocation and reissuance, modification, or for denial of a permit renewal application. The permittee shall comply with effluent standards or prohibitions established under Section 307(a) of the Clean Water Act for toxic pollutants within the time provided in the regulations that establish these standards or prohibitions, even if the permit has not yet been modified to incorporate the requirements.
- (2) **Duty to reapply.** If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain a new permit. If the permittee submits a proper application as required by the Agency no later than 180 days prior to the expiration date, this permit shall continue in full force and effect until the final Agency decision on the application has been made.
- (3) **Need to halt or reduce activity not a defense.** It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.
- (4) **Duty to mitigate.** The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.
- (5) **Proper operation and maintenance.** The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with conditions of this permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of back-up, or auxiliary facilities, or similar systems only when necessary to achieve compliance with the conditions of the permit.
- (6) **Permit actions.** This permit may be modified, revoked and reissued, or terminated for cause by the Agency pursuant to 40 CFR 122.62 and 40 CFR 122.63. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.
- (7) **Property rights.** This permit does not convey any property rights of any sort, or any exclusive privilege.
- (8) **Duty to provide information.** The permittee shall furnish to the Agency within a reasonable time, any information which the Agency may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with the permit. The permittee shall also furnish to the Agency upon request, copies of records required to be kept by this permit.

- (9) **Inspection and entry.** The permittee shall allow an authorized representative of the Agency or USEPA (including an authorized contractor acting as a representative of the Agency or USEPA), upon the presentation of credentials and other documents as may be required by law, to:
- Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
 - Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
 - Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
 - Sample or monitor at reasonable times, for the purpose of assuring permit compliance, or as otherwise authorized by the Act, any substances or parameters at any location.
- (10) **Monitoring and records.**
- Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.
 - The permittee shall retain records of all monitoring information, including all calibration and maintenance records, and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least 3 years from the date of this permit, measurement, report or application. Records related to the permittee's sewage sludge use and disposal activities shall be retained for a period of at least five years (or longer as required by 40 CFR Part 503). This period may be extended by request of the Agency or USEPA at any time.
 - Records of monitoring information shall include:
 - The date, exact place, and time of sampling or measurements;
 - The individual(s) who performed the sampling or measurements;
 - The date(s) analyses were performed;
 - The individual(s) who performed the analyses;
 - The analytical techniques or methods used; and
 - The results of such analyses.
 - Monitoring must be conducted according to test procedures approved under 40 CFR Part 136, unless other test procedures have been specified in this permit. Where no test procedure under 40 CFR Part 136 has been approved, the permittee must submit to the Agency a test method for approval. The permittee shall calibrate and perform maintenance procedures on all monitoring and analytical instrumentation at intervals to ensure accuracy of measurements.
- (11) **Signatory requirement.** All applications, reports or information submitted to the Agency shall be signed and certified.
- Application.** All permit applications shall be signed as follows:
 - For a corporation: by a principal executive officer of at least the level of vice president or a person or position having overall responsibility for environmental matters for the corporation;
 - For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or
 - For a municipality, State, Federal, or other public agency: by either a principal executive officer or ranking elected official.
 - Reports.** All reports required by permits, or other information requested by the Agency shall be signed by a person described in paragraph (a) or by a duly authorized representative of that person. A person is a duly authorized representative only if:
 - The authorization is made in writing by a person described in paragraph (a); and
 - The authorization specifies either an individual or a position responsible for the overall operation of the facility, from which the discharge originates, such as a plant manager, superintendent or person of equivalent responsibility; and
 - The written authorization is submitted to the Agency.
 - Changes of Authorization.** If an authorization under (b) is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of (b) must be submitted to the Agency prior to or together with any reports, information, or applications to be signed by an authorized representative.
 - Certification.** Any person signing a document under paragraph (a) or (b) of this section shall make the following certification:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.
- (12) **Reporting requirements.**
- Planned changes.** The permittee shall give notice to the Agency as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required when:
 - The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source pursuant to 40 CFR 122.29 (b); or
 - The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in the permit, nor to notification requirements pursuant to 40 CFR 122.42 (a)(1).
 - The alteration or addition results in a significant change in the permittee's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan.
 - Anticipated noncompliance.** The permittee shall give advance notice to the Agency of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.
 - Transfers.** This permit is not transferable to any person except after notice to the Agency.
 - Compliance schedules.** Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date.
 - Monitoring reports.** Monitoring results shall be reported at the intervals specified elsewhere in this permit.
 - Monitoring results must be reported on a Discharge Monitoring Report (DMR).

- (2) If the permittee monitors any pollutant more frequently than required by the permit, using test procedures approved under 40 CFR 136 or as specified in the permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR.
- (3) Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified by the Agency in the permit.
- (f) **Twenty-four hour reporting.** The permittee shall report any noncompliance which may endanger health or the environment. Any information shall be provided orally within 24-hours from the time the permittee becomes aware of the circumstances. A written submission shall also be provided within 5 days of the time the permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and time; and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance. The following shall be included as information which must be reported within 24-hours:
- (1) Any unanticipated bypass which exceeds any effluent limitation in the permit.
 - (2) Any upset which exceeds any effluent limitation in the permit.
 - (3) Violation of a maximum daily discharge limitation for any of the pollutants listed by the Agency in the permit or any pollutant which may endanger health or the environment.
- The Agency may waive the written report on a case-by-case basis if the oral report has been received within 24-hours.
- (g) **Other noncompliance.** The permittee shall report all instances of noncompliance not reported under paragraphs (12) (d), (e), or (f), at the time monitoring reports are submitted. The reports shall contain the information listed in paragraph (12) (f).
- (h) **Other information.** Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application, or in any report to the Agency, it shall promptly submit such facts or information.
- (13) **Bypass.**
- (a) Definitions.
 - (1) Bypass means the intentional diversion of waste streams from any portion of a treatment facility.
 - (2) Severe property damage means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.
 - (b) Bypass not exceeding limitations. The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of paragraphs (13)(c) and (13)(d).
 - (c) Notice.
 - (1) Anticipated bypass. If the permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible at least ten days before the date of the bypass.
 - (2) Unanticipated bypass. The permittee shall submit notice of an unanticipated bypass as required in paragraph (12)(f) (24-hour notice).
 - (d) Prohibition of bypass.
 - (1) Bypass is prohibited, and the Agency may take enforcement action against a permittee for bypass, unless:
 - (i) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
 - (ii) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and
 - (iii) The permittee submitted notices as required under paragraph (13)(c).
 - (2) The Agency may approve an anticipated bypass, after considering its adverse effects, if the Agency determines that it will meet the three conditions listed above in paragraph (13)(d)(1).
- (14) **Upset.**
- (a) Definition. Upset means an exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.
 - (b) Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology based permit effluent limitations if the requirements of paragraph (14)(c) are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.
 - (c) Conditions necessary for a demonstration of upset. A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
 - (1) An upset occurred and that the permittee can identify the cause(s) of the upset;
 - (2) The permitted facility was at the time being properly operated; and
 - (3) The permittee submitted notice of the upset as required in paragraph (12)(f)(2) (24-hour notice).
 - (4) The permittee complied with any remedial measures required under paragraph (4).
 - (d) Burden of proof. In any enforcement proceeding the permittee seeking to establish the occurrence of an upset has the burden of proof.
- (15) **Transfer of permits.** Permits may be transferred by modification or automatic transfer as described below:
- (a) Transfers by modification. Except as provided in paragraph (b), a permit may be transferred by the permittee to a new owner or operator only if the permit has been modified or revoked and reissued pursuant to 40 CFR 122.62 (b) (2), or a minor modification made pursuant to 40 CFR 122.63 (d), to identify the new permittee and incorporate such other requirements as may be necessary under the Clean Water Act.
 - (b) Automatic transfers. As an alternative to transfers under paragraph (a), any NPDES permit may be automatically transferred to a new permittee if:

- (1) The current permittee notifies the Agency at least 30 days in advance of the proposed transfer date;
 - (2) The notice includes a written agreement between the existing and new permittees containing a specified date for transfer of permit responsibility, coverage and liability between the existing and new permittees; and
 - (3) The Agency does not notify the existing permittee and the proposed new permittee of its intent to modify or revoke and reissue the permit. If this notice is not received, the transfer is effective on the date specified in the agreement.
- (16) All manufacturing, commercial, mining, and silvicultural dischargers must notify the Agency as soon as they know or have reason to believe:
 - (a) That any activity has occurred or will occur which would result in the discharge of any toxic pollutant identified under Section 307 of the Clean Water Act which is not limited in the permit, if that discharge will exceed the highest of the following notification levels:
 - (1) One hundred micrograms per liter (100 ug/l);
 - (2) Two hundred micrograms per liter (200 ug/l) for acrolein and acrylonitrile; five hundred micrograms per liter (500 ug/l) for 2,4-dinitrophenol and for 2-methyl-4,6 dinitrophenol; and one milligram per liter (1 mg/l) for antimony.
 - (3) Five (5) times the maximum concentration value reported for that pollutant in the NPDES permit application; or
 - (4) The level established by the Agency in this permit.
 - (b) That they have begun or expect to begin to use or manufacture as an intermediate or final product or byproduct any toxic pollutant which was not reported in the NPDES permit application.
 - (17) All Publicly Owned Treatment Works (POTWs) must provide adequate notice to the Agency of the following:
 - (a) Any new introduction of pollutants into that POTW from an indirect discharge which would be subject to Sections 301 or 306 of the Clean Water Act if it were directly discharging those pollutants; and
 - (b) Any substantial change in the volume or character of pollutants being introduced into that POTW by a source introducing pollutants into the POTW at the time of issuance of the permit.
 - (c) For purposes of this paragraph, adequate notice shall include information on (i) the quality and quantity of effluent introduced into the POTW, and (ii) any anticipated impact of the change on the quantity or quality of effluent to be discharged from the POTW.
 - (18) If the permit is issued to a publicly owned or publicly regulated treatment works, the permittee shall require any industrial user of such treatment works to comply with federal requirements concerning:
 - (a) User charges pursuant to Section 204 (b) of the Clean Water Act, and applicable regulations appearing in 40 CFR 35;
 - (b) Toxic pollutant effluent standards and pretreatment standards pursuant to Section 307 of the Clean Water Act; and
 - (c) Inspection, monitoring and entry pursuant to Section 308 of the Clean Water Act.
 - (19) If an applicable standard or limitation is promulgated under Section 301(b)(2)(C) and (D), 304(b)(2), or 307(a)(2) and that effluent standard or limitation is more stringent than any effluent limitation in the permit, or controls a pollutant not limited in the permit, the permit shall be promptly modified or revoked, and reissued to conform to that effluent standard or limitation.
 - (20) Any authorization to construct issued to the permittee pursuant to 35 Ill. Adm. Code 309.154 is hereby incorporated by reference as a condition of this permit.
 - (21) The permittee shall not make any false statement, representation or certification in any application, record, report, plan or other document submitted to the Agency or the USEPA, or required to be maintained under this permit.
 - (22) The Clean Water Act provides that any person who violates a permit condition implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the Clean Water Act is subject to a civil penalty not to exceed \$25,000 per day of such violation. Any person who willfully or negligently violates permit conditions implementing Sections 301, 302, 306, 307, 308, 318 or 405 of the Clean Water Act is subject to a fine of not less than \$2,500 nor more than \$25,000 per day of violation, or by imprisonment for not more than one year, or both. Additional penalties for violating these sections of the Clean Water Act are identified in 40 CFR 122.41 (a)(2) and (3).
 - (23) The Clean Water Act provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than \$10,000, or by imprisonment for not more than 2 years, or both. If a conviction of a person is for a violation committed after a first conviction of such person under this paragraph, punishment is a fine of not more than \$20,000 per day of violation, or by imprisonment of not more than 4 years, or both.
 - (24) The Clean Water Act provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or non-compliance shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than 6 months per violation, or by both.
 - (25) Collected screening, slurries, sludges, and other solids shall be disposed of in such a manner as to prevent entry of those wastes (or runoff from the wastes) into waters of the State. The proper authorization for such disposal shall be obtained from the Agency and is incorporated as part hereof by reference.
 - (26) In case of conflict between these standard conditions and any other condition(s) included in this permit, the other condition(s) shall govern.
 - (27) The permittee shall comply with, in addition to the requirements of the permit, all applicable provisions of 35 Ill. Adm. Code, Subtitle C, Subtitle D, Subtitle E, and all applicable orders of the Board or any court with jurisdiction.
 - (28) The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit is held invalid, the remaining provisions of this permit shall continue in full force and effect.

(Rev. 7-9-2010 bah)