

NPDES Permit No. IL0028053  
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

Modified (NPDES) Permit

Expiration Date: December 31, 2018

Issue Date: December 23, 2013  
Effective Date: January 1, 2014  
Modification Date: July 6, 2017

Name and Address of Permittee:

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

Facility Name and Address:

MWRDGC Stickney Water Reclamation Plant  
6001 West Pershing Road  
Cicero, Illinois 60804  
(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 Effluent Limitations, Monitoring, and Reporting requirements; Special Conditions and Attachment H Standard Conditions attached 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:JAR:17020901

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Effluent Limitations, Monitoring, and Reporting

FINAL

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

Load limits computed based on a design average flow (DAF) of 1,200 MGD (design maximum flow (DMF) of 1,440 MGD).

From the modification date of this Permit until the expiration date, the effluent of the above discharge(s) shall be monitored and limited at all times as follows:

Parameter	LOAD LIMITS lbs/day			CONCENTRATION LIMITS MG/L			Sample Frequency	Sample Type
	Monthly Average	Weekly Average	Daily Maximum	Monthly Average	Weekly Average	Daily Maximum		
Flow (MGD)							Continuous	
CBOD <sub>5</sub> **	100,080 (120,096)	150,120 (180,144)		10	15		Daily	Composite
Suspended Solids	120,096 (144,115)	200,160 (240,192)		12	20		Daily	Composite
pH	Shall be in the range of 6 to 9 Standard Units						Daily	Grab
Ammonia Nitrogen as (N)								
April-Oct.	25,020 (30,024)		50,040 (60,048)	2.5		5.0	Daily	Composite
Nov.-March	40,032 (48,038)		80,064 (96,077)	4.0		8.0	Daily	Composite
Hardness***						Report	Daily	Composite
Cadmium***						Report	Daily	Composite
Total Nitrogen****				Report			Weekly	Composite
Total Phosphorus****	10,008 (12,010)			1.0			Weekly	Composite
Dissolved Oxygen				Monthly Average not less than	Weekly Average not less than	Daily Minimum	Daily	Grab
					4.0	3.5		

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

\*\*Carbonaceous BOD<sub>5</sub> (CBOD<sub>5</sub>) testing shall be in accordance with 40 CFR 136.

\*\*\*Hardness and Cadmium concentration shall be reported on the DMR as a daily maximum.

\*\*\*\*Total Nitrogen and Total Phosphorus concentration shall be reported on the DMR as a monthly average. See Special Condition 18.

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

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

Dissolved oxygen shall be reported on the DMR as minimum.

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Effluent Limitations, Monitoring, and Reporting

FINAL

Discharge Number(s) and Name(s): 142 CSO at 38<sup>th</sup> and Racine Avenue (Racine Ave. Pump Station)

Discharges from this outfall are CSOs, subject to the requirements of Special Condition 13 of this Permit.

From the modification date of this Permit until the expiration date, the effluent of the above discharge(s) shall be monitored and limited at all times as follows:

Parameter		CONCENTRATION		Sample Type
		Daily Maximum	Sample Frequency	
Total Flow (MG)	See Below		Continuous	
BOD <sub>5</sub>		Report	Daily When Discharging	Composite
Suspended Solids		Report	Daily When Discharging	Composite
pH	Shall be in the range of 6 to 9 standard units		Daily When Discharging	Grab
Hardness		Report	Daily When Discharging	Composite
Cadmium		Report	Daily When Discharging	Composite

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.

BOD<sub>5</sub> and Suspended Solids shall be reported on the DMR as a daily maximum concentration.

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

Multiple manual grab samples may be collected and analyzed for the composite samples in accordance with Attachment H Standard Conditions.

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Influent Monitoring and Reporting

The influent to the plant shall be monitored as follows:

Parameter	Sample Frequency	Sample Type
Flow (MGD)	Continuous	
BOD <sub>5</sub>	Daily	Composite
Suspended Solids	Daily	Composite

Influent samples shall be taken at a point representative of the influent or influent data shall be adjusted to account for recycle flows.

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

BOD<sub>5</sub> and Suspended Solids shall be reported on the DMR as a monthly average concentration.

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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. Nothing in this provision limits IEPA from exercising its authority under any applicable law to require monitoring or to modify permits in situations not involving operational, maintenance or other problems resulting in possible effluent deterioration, including but not limited to IEPA's authority as referenced in Attachment H to this permit.

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. 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 8.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 and regulations. 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. Evaluate whether each SIU needs a slug control plan or other action to control slug discharges. If needed, the SIU slug control plan shall include the items specified in 40 CFR 403.8(f)(2)(vi). For IUs identified as significant prior to November 14, 2005, this evaluation must have been conducted at least once by October 14, 2006; additional SIUs must be evaluated within 1 year of being designated an SIU;
  - 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 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.

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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 existing contributing jurisdictions, as necessary, to enable it to fulfill its requirements with respect to all IUs discharging to its system within one (1) month of the effective date of this Permit. The Permittee shall establish agreements with all new contributing jurisdictions proposing to connect to MWRDGC prior to any discharge.
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 revisions of the Pretreatment Streamlining Rule (which became effective on November 14, 2005), which are considered required changes, as described in the Pretreatment Streamlining Rule Fact Sheet 2.0: Required changes, available at: [http://cfpub.epa.gov/npdes/whatsnew.cfm?program\\_id=3](http://cfpub.epa.gov/npdes/whatsnew.cfm?program_id=3). This includes any necessary revisions to the Permittee's Enforcement Response Plan (ERP).
  - a. The Permittee will review and modify, as appropriate, its existing industrial pretreatment program to minimize combined sewer overflow impacts related to discharges to the collection system from nondomestic users. This review shall include: (1) an inventory of nondomestic discharges to the combined sewers system, focusing on those dischargers with the greatest potential to impact CSOs (2) Assessment of the impact of these discharges on CSOs, and (3) Evaluation of feasible modifications to the pretreatment program to minimize CSO impacts, including the prohibition of batch discharges during wet weather events.
  - b. The Permittee shall maintain all current pollution prevention (P2) activities with the Illinois Waste Management and Research Center (WMRC) / University of Illinois Sustainable Technology Center (ISTC). Reports on pollution prevention activities shall be included in the annual pretreatment report submitted to the Agency.
8. Within 1 year from the effective date of this permit, the Permittee shall conduct a technical re-evaluation of its local limitations consistent with U.S. EPA's Local Limits Development Guidance (July 2004), and submit the evaluation and any proposed revisions to its local limits to IEPA and U.S. EPA Region 5 for review and approval. To demonstrate technical justification for new local industrial user limits or justification for retaining existing limits, the following information must be submitted to U.S. EPA:
  - a. Total plant flow
  - b. Domestic/commercial pollutant contributions for pollutants of concern
  - c. Industrial pollutant contributions and flows
  - d. Current POTW pollutant loadings, including loadings of conventional pollutants
  - e. Actual treatment plant removal efficiencies, as a decimal (primary, secondary, across the wastewater treatment plant)
  - f. Safety factor to be applied
  - g. Identification of applicable criteria:
    - i. NPDES permit conditions
      - Specific NPDES effluent limitations
      - Water-quality criteria
      - Whole effluent toxicity requirements
      - Criteria and other conditions for sludge disposal
    - ii. Biological process inhibition
      - Nitrification
      - Sludge digester
    - iii. Collection system problems
  - h. The Permittee's sludge disposal methods (land application, surface disposal, incineration, landfill)
    - i. Sludge flow to digester
    - j. Sludge flow to disposal
    - k. % solids in sludge to disposal, not as a decimal
    - l. % solids in sludge to digester, not as a decimal
    - m. Plant removal efficiencies for conventional pollutants
    - n. If revised industrial user discharge limits are proposed, the method of allocating available pollutants loads to industrial users
    - o. A comparison of maximum allowable headworks loadings based on all applicable criteria listed in g, above

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- p. Pollutants that have caused:
    - i. Violations or operational problems at the POTW, including conventional pollutants
    - ii. Fires and explosions
    - iii. Corrosion
    - iv. Flow obstructions
    - v. Increased temperature in the sewer system
    - vi. Toxic gases, vapors or fumes that caused acute worker health and safety problems
    - vii. Toxicity found through Whole Effluent Toxicity testing
    - viii. Inhibition
  - q. Pollutants designated as "monitoring only" in the NPDES permit
  - r. Supporting data, assumptions, and methodologies used in establishing the information a through q above
9. 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 significant industrial users, indicating additions and deletions from the previous year, along with brief explanations for deletions. The list shall specify which categorical Pretreatment standards, if any, are applicable to each Industrial User.
    - 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. The IEPA may modify this Permit during its term to incorporate additional requirements or limitations based on the results of the monitoring. 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.
    - 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 jurisdictions served by the Permittee or based on any more restrictive definition of SNC that the POTW may be using.
  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

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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. Sludge samples shall be taken monthly of sludge, defined as digester draw, and consist of a grab sample reported on a dry weight basis.

STORET CODE	PARAMETER	Minimum reporting limit
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)*	0.01 mg/L
01034	Chromium (total)	0.05 mg/L
01042	Copper	0.005 mg/L
00722	Cyanide (grab)* (available **** or amenable to chlorination)	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)***	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.

\*\*\*Utilize USEPA Method 1631E and the digestion procedure described in Section 11.1.1.2 of 1631E, other approved methods may be used for influent (composite) and sludge.

\*\*\*\* USEPA Method OIA – 1677 or Standard Method SM 4500-CN G.

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:

- 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 monitoring day by compositing equal volumes of each grab sample directly in the GC purge and trap apparatus in the laboratory.

Wastewater samples must be handled, prepared, and analyzed by gas/chromatograph/electron capture detector in accordance with USEPA Method 608 and by gas chromatograph/mass spectrometer in accordance with USEPA Methods 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(f) 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.
- D. The Permittee shall report names of all significant contributing industries annually to both IEPA and USEPA. The report shall include the flow and the Standard Industrial Classification for each major contributing industry and be submitted with the annual report required in Special Condition 8. The Permittee shall furnish industrial waste data for any specific industrial group that IEPA or USEPA requests, where such requests are reasonable in scope. Otherwise, at the request of IEPA or USEPA the Permittee shall provide access to files and guidance to IEPA or USEPA personnel for reviewing data related to industrial users.
- E. To the extent different requirements are imposed by the Permittee's approved pretreatment program and this Permit, the stricter requirements shall be applicable.

SPECIAL CONDITION 9. By August 31 each year, MWRDGC shall submit the District's Annual Financial Report which will include a Balance Sheet and Statement of Revenue and Expenditures for all funds. The submittal shall be made to the Illinois Environmental Protection Agency/Division of Water Pollution Control/Compliance Assurance Section.

SPECIAL CONDITION 10. 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 LC<sub>50</sub> Bioassay using fathead minnows (*Pimephales promelas*).
- b. Invertebrate 48-hour static LC<sub>50</sub> 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 19th, 16th, 13th, and 10th 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 17th, 14th, 11th, and 8th 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

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for specific toxic pollutants. Modifications under this condition shall follow public notice and opportunity for hearing.

**SPECIAL CONDITION 11.** The following is a list of emergency high level outfalls associated with the MWRDGC Stickney WRP and collection system. Discharges from any of these outfalls are prohibited. These prohibited discharges, if they occur, are subject to conditions 1-5 listed below.

<u>Discharge Number</u>	<u>Location</u>	<u>Receiving Stream</u>
002	Primary Tank Overflow	Chicago Sanitary and Ship Canal
003	Imhoff Tank at WRP	Chicago Sanitary and Ship Canal
004	Pump Chamber Overflow	Chicago Sanitary and Ship Canal

## (1) Definitions

"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 discharge. Severe property damage does not mean economic loss caused by delays in production.

## (2) Notice

- (i) Anticipated discharge. If the Permittee knows in advance of the need for a prohibited discharge from Discharge Numbers 002, 003 or 004, it shall submit prior notice, if possible at least ten days before the date of the discharge.
- (ii) Unanticipated discharge. The Permittee shall submit notice of an unanticipated discharge as required in Standard Condition 12(f) of this Permit (24-hour notice).

## (3) Limitation on IEPA enforcement discretion. The IEPA may take enforcement action against a Permittee for prohibited discharges from Discharge Numbers 002, 003 and 004 unless:

- (i) Discharge was unavoidable to prevent loss of life, personal injury, or severe property damage;
- (ii) There was no feasible alternative to the discharge, 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 discharge which occurred during normal periods of equipment downtime or preventive maintenance; and
- (iii) The Permittee submitted notices as required under Standard Condition 12(f) of this Permit.

(4) Emergency discharges shall be monitored daily by grab sample for BOD<sub>5</sub> and Suspended Solids. The Permittee shall submit the monitoring results on discharge monitoring report forms using one such form for each month in which discharging occurs.

## (5) The above limitations on enforcement discretion apply only with respect to IEPA. They do not serve as a limitation on the ability of any other governmental agency or person to bring an enforcement action in accordance with the federal Clean Water Act.

**SPECIAL CONDITION 12.** 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 25 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

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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 13.

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 combined sewer overflows listed below provided the following terms and conditions are met:

<u>Discharge Number</u>	<u>Location</u>	<u>Receiving Water</u>
131	Devon Avenue	Des Plaines River
132	Northwest Tollway	Des Plaines River
133	Foster Avenue	Des Plaines River
134	North Avenue	Des Plaines River
135	Chicago Avenue	Des Plaines River
136	Roosevelt Road	Des Plaines River
*142 (See Page 3)	38 <sup>th</sup> and Racine Avenue (Racine Ave. Pump Station)	S. Fork of S. Branch of Chicago River
143	Laramie Avenue	Chicago San. and Ship Canal
144	Lombard Avenue	Chicago San. and Ship Canal
145	East Avenue	Chicago San. and Ship Canal
146	13A Pump Station	Chicago San. and Ship Canal
147	67 <sup>th</sup> Street	Chicago San. and Ship Canal
148	75 <sup>th</sup> Street	Chicago San. and Ship Canal
149	Tri-State Tollway	Chicago San. and Ship Canal
150	Westchester Pump Station	Addison Creek

\*Page 3 of this permit has specific monitoring and reporting requirements for CSO Outfall 142.

Collection and Treatment Requirements

1. All combined sewer overflows shall be given sufficient treatment to prevent pollution and the violation of applicable water quality standards. At a minimum, sufficient treatment shall consist of the following:

All dry weather flows and the first flush of storm flows shall be transported to the main STP and shall meet all applicable effluent standards and the effluent limitations required for the main STP outfall. Additional flows, but not less than ten times the average dry weather flow for the design year, shall receive the equivalent of primary treatment and disinfection with adequate retention time. Compliance with this requirement may be demonstrated by showing that a system that provides full secondary treatment to a volume less than 10 times the average dry weather flow (DWF) removes a pollutant loading that is equal to or greater than the pollutant loading that would be removed by providing primary treatment to 10 times the average DWF. This demonstration shall be completed annually and the results submitted no later than May 1<sup>st</sup> of each year.

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 302.403 and to prevent depression of oxygen levels below the applicable water quality standard.
3. The Permittee shall develop and implement a detailed minimization/prevention plan for the prevention and capture of floatables.
4. Overflows during dry weather are prohibited. Dry weather overflows, if discovered, shall be reported to the IEPA pursuant to Standard Condition 12(f) of this Permit (24 hour notice).

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5. The collection system shall be operated and maintained to optimize transport of wastewater flows and minimize CSOs.
6. The treatment system shall be operated and maintained to maximize treatment of wastewater flows and minimize CSOs.

Nine Minimum Controls

7. 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 program for the sewer system and the CSOs;
  - b. Maximum use of the collection system for storage;
  - c. Review and modification of pretreatment requirements to assure CSO impacts are minimized;
  - d. Maximization of flow to the POTW for treatment;
  - e. Prohibition of CSOs during dry weather;
  - f. Control of solids and floatable materials in CSOs;
  - g. Pollution prevention programs which focus on source control activities;
  - h. Public notification to ensure that citizens receive adequate information regarding CSO occurrences and CSO impacts; and
  - i. Monitoring to characterize impacts and efficiency of CSO controls.

Pollution Prevention Activities

8. The Permittee's Pollution Prevention activities are identified in Special Condition 8 Part A. 7.b.

Sensitive Area Considerations

9. The IEPA has tentatively determined that outfalls 131, 132, 133, 134, 135, 136, 142, 143, 144, 145, 146, 147, 148, 149, and 150 do not discharge to sensitive areas. However, this Permit may be reopened and modified, with Public Notice, to include additional requirements for these outfalls if information becomes available that causes the IEPA to reverse this determination and/or to include a schedule for relocation, controlling, or treating CSO discharges to sensitive areas. If none of these are possible, the Permittee may then be required to submit justification consistent with Section II.C.3 of the National CSO Control Policy, as to why these are not possible. The most recent Sensitive Area Consideration Report was dated February 2003.

Operational and Maintenance Plans

10. The IEPA received a CSO operational and maintenance plan "CSO O&M plan" for this sewerage system on February 10, 2015. 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 was presented to the general public at a public information meeting conducted by the Permittee on September 18, 2014. The Permittee shall implement the CSO O&M plan and 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 revisions shall be submitted to the IEPA one (1) month from the revision date.

The objectives of the CSO O&M plan are to reduce the total loading of pollutants and floatables entering the receiving stream and to mitigate impacts from such loadings to the greatest extent practicable. These plans, tailored to the local government's collection and waste treatment system, 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 rehabilitation and replacement, where necessary;

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- 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 entry into the system; and,
- h. The treatment and collection systems are operated to maximize treatment.

Sewer Use Ordinances

- 11.
- a. The Permittee shall implement and enforce all conditions and requirements of the Infiltration/Inflow Control Program (IICP) contained in Article 8 of the Watershed Management Ordinance. The steps used to implement the IICP shall be included in the OMP contained in Paragraph 10 of this Special Condition.
  - b. The Permittee shall report to the IEPA's Compliance Assurance Section on an annual basis the progress obtained in the satellite entities' efforts to meet the following goals: 1) Prevention of water pollution; 2) Elimination of basement sewage backups and adverse surcharging conditions that cause health hazards and financial losses; and 3) Minimization of extraneous flows transported to the Permittee's facilities. 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 15<sup>th</sup> of each year and shall address the most recent October 1 through September 30 time period.
  - 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 Treatment Works) in their separate sewer systems that cause or contribute to basement back-up and/or sanitary sewer overflows, the Permittee shall require that the local sewer system owner implement measures in addition to those required under the Infiltration/Inflow Control Program 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 Infiltration/Inflow Control Program Report.

Compliance with Water Quality Standards

12. Pursuant to Section 301 of the federal Clean Water Act and 40 CFR § 122.4, discharges from the outfalls listed in this Special Condition shall not cause or contribute to violations of applicable water quality standards or cause or contribute to designated use impairment in the receiving waters. The Permittee, no later than December 1 of each year, shall submit documentation of water quality data for the waterway systems within its jurisdiction. The Permittee shall also work with the IEPA and Municipalities with CSO outfall structures connected to TARP, or planned to be connected to TARP, to develop and implement a plan to assess, and if necessary, abate, impacts from CSO discharges. The Permittee shall provide semi-annual progress reports to the Agency by January 1<sup>st</sup> and July 1<sup>st</sup> of each year until the McCook Reservoir Stage 1 and Stage 2 improvements to the reservoir portions of TARP are completed.

Within six (6) months of the completion date of TARP, the Permittee shall develop and submit to IEPA at least two (2) copies of a plan to determine whether or not the CSOs in the TARP service area have the potential to cause or contribute to either violations of applicable water quality standards or use impairment in the waterways that receive MWRDGC and tributary communities' CSOs. Such a plan should be developed with input from other CSO communities within the service area and may include input from the general public. Once submitted, the Permittee shall submit a written response to any IEPA comments within sixty (60) days of receiving such comments. This plan shall be implemented within six (6) months of IEPA approval, or such other date as contained in the IEPA approval letter.

Reporting, Monitoring, and Notification Requirements

13. Beginning with the effective date of this Permit, the Permittee shall monitor the frequency of discharge (number of discharges per month) and estimate the duration (in hours) of each discharge of the following CSO outfalls: 131, 132, 133, 134, 135, 136, 143, 144, 145, and 147. The Permittee shall also implement the CSO Representative Monitoring Plan dated August 1, 2014. The Permittee shall include this plan as an addendum to the CSO operational and maintenance plan. In accordance with the CSO Representative Monitoring Plan, the Permittee shall monitor the frequency of discharge (number of discharges per month) and estimate the duration (in hours) of the discharge from the following CSO outfalls listed below. If the District requests that the permit be modified to allow it to monitor a different CSO outfall or outfalls in lieu of monitoring any of the specific CSO outfalls listed below and IEPA agrees with that request, then such request can be included in this permit as a minor modification to this permit, provided that the total number of CSO outfalls that must be monitored in accordance with this permit is not decreased.

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The Permittee shall include with its February, May, August and November DMR reports to IEPA a detailed report, on an outfall by outfall basis, of all CSO discharges that occurred from the monitored CSO locations in the previous quarter (October – December, January – March, April – June, July – September) and the estimated durations of all such discharges. 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 and the duration and volume of the discharge shall be recorded for each outfall. The reports shall also include estimates of storm duration and the total rainfall for each storm event. In addition to the above required information, these reports shall include estimates of the pounds of BOD discharged, and the pounds of suspended solids discharged through CSO's located on, or scheduled to be connected to the legs of TARP tributary to the Stickney Water Reclamation Plant. Models or other appropriate mechanisms may be used to make these estimates. The report shall also include estimates of the pounds of BOD, pounds of suspended solids, and volume of combined sewage treated at the Stickney Water Reclamation Plant.

Summary of Monitored	CSO Outfalls
North Branch of the Chicago River	7
Chicago River	3
South Branch of the Chicago River	13
South Fork of the SBCR	3
Chicago Sanitary and Ship Canal	20
Collateral Channel	1
Salt Creek	10
Addison Creek	1
Des Plaines River	54
<b>Total Representative CSO Outfalls</b>	<b>112</b>

Receiving Water: North Branch of the Chicago River (total: 7)			
Discharge No.	TARP Structure	Outfall Location	CSO Outfall Owner(s)
103	DS-M61A	Fulton & Canal St., (W)	1 – Chicago
092	DS-M64	Cortez & Elston, (W)	1 – Chicago
084	DS-M66	Blackhawk St., (W)	1 – Chicago
083	DS-M70	North Ave., (E)	1 – Chicago
082	TG-M71	North Ave., (W)	1 – Chicago
077	DS-M73	McLean Ave., (W)	1 – Chicago
074	DS-M75	Fullerton Ave., (E)	1 - Chicago

Receiving Water: Chicago River (total: 3)			
Discharge No.	TARP Structure	Outfall Location	CSO Outfall Owner(s)
121	DS-M54	Franklin St., (S)	1 – Chicago
107	DS-M55	Michigan Ave., (S)	1 – Chicago
106	TG-M60	Beaubien Ct. (St. Clair St.), (N)	1 - Chicago

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<b>Receiving Water: South Branch of the Chicago River (total: 13)</b>			
<b>Discharge No.</b>	<b>TARP Structure</b>	<b>Outfall Location</b>	<b>CSO Outfall Owner(s)</b>
168	DS-M25	Paulina St., (N)	1 – Chicago
166	DS-M35	Lafin, (N)	1 – Chicago
156	DS-M38	Union Ave., (N)	1 – Chicago
154	DS-M40	Normal Ave., (S)	1 – Chicago
151	DS-M41	Canal St. & Grove St., (S)	1 – Chicago
143	DS-M45	14 <sup>th</sup> St., (E)	1 – Chicago
140	DS-M47	Maxwell St. & Lumber Ave., (W)	1 – Chicago
138	DS-M49	Roosevelt Rd. & Lumber Ave., (W)	1 – Chicago
132	DS-M51	Harrison St., (W)	1 – Chicago
129	DS-M52	Quincy St. & Lower Wacker Dr., (E)	1 – Chicago
136	TG-I28 & I29	Taylor St., (W)	1 – Chicago
134	TG-I32	Polk St., (W)	1 – Chicago
125	Indirect (TG-M53)	Washington St., (W)	1 – Chicago

<b>Receiving Water: South Fork of SBCR (total: 3)</b>			
<b>Discharge No.</b>	<b>TARP Structure</b>	<b>Outfall Location</b>	<b>CSO Outfall Owner(s)</b>
198	DS-M26	Iron St., (W)	1 – Chicago
194	DS-M30	35 <sup>th</sup> St., (W)	1 – Chicago
142	DS-M27, DS-M28, & DS-M29	Racine Ave. Pump Station (RAPS)	1 – MWRD

<b>Receiving Water: Chicago Sanitary &amp; Ship Canal (total: 20)</b>			
<b>Discharge No.</b>	<b>TARP Structure</b>	<b>Outfall Location</b>	<b>CSO Outfall Owner(s)</b>
188	DS-M08	Natchez Ave (Ext), (S)	1 – Chicago
187	DS-M12	Leamington Ave. (Ext), (S)	1 – Chicago
185	DS-M15	Kenton Ave. (Kostner Ave., Ext), (N)	1 – Chicago
182	TG-M16	Lawndale Ave., (N)	1 – Chicago
180	DS-M17	Kedzie Ave., (S)	1 – Chicago
176	DS-M19	California Ave., (S)	1 – Chicago
174	DS-M20	Rockwell Ave., (S)	1 – Chicago
173	DS-M21	Western Ave., (S)	1 – Chicago
172	TG-M22	Oakley Ave., (N)	1 – Chicago
186	TG-I5	Cicero Ave., (S)	1 – Chicago
184	TG-I8	Pulaski Rd., (S)	1 – Chicago
183	TG-I9	Pulaski Rd., (N)	1 – Chicago
189	TG-NASH	Nashville Ave. Pump Station	1 – Chicago
147	DS-M03	67 <sup>th</sup> St. (Ext), (S)	1 – MWRD
145	DS-M09	East Ave. (Ext), (Hiawatha Ave, Highland Ave.), (N)	1 – MWRD
144	DS-M10	Lombard Ave., (N)	1 – MWRD
143	DS-M13	Laramie Ave. (Ext), (N)	1 – MWRD
146	TG-13A	Southwest Side 13A Pump Station/McCook Pump Station	1 – MWRD
001	DS-M09	Hiawatha Ave. (Highland Ave. Ext), (N)	1 – Stickney
002	TG-M05	Lawndale Ave., (E)	1 – Summit

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<b>Receiving Water: Collateral Channel (total: 1)</b>			
<b>Discharge No.</b>	<b>TARP Structure</b>	<b>Outfall Location</b>	<b>CSO Outfall Owner(s)</b>
178	TG-I12	Albany Ave., (N)	1 - Chicago

<b>Receiving Water: Salt Creek (total: 10)</b>			
<b>Discharge No.</b>	<b>TARP Structure</b>	<b>Outfall Location</b>	<b>CSO Outfall Owner(s)</b>
001	DS-D37, 38	30 <sup>th</sup> St. & Forest Ave., (W)	1 – Brookfield
007	DS-D39, 42, 46	North of Brookfield Ave., (W)	1 – Brookfield
004	DS-D39, 42, 46	Brookfield Ave. (SE wingwall of bridge), (E)	1 – Brookfield
005	DS-D39, 42, 46	South of Brookfield Ave (SW wingwall of bridge), (W)	1 – Brookfield
003	DS-D40	Jackson & Prairie, (W)	1 – Brookfield
006	DS-D47, 50, 51	Southview Ave. (Ext) & Custer, (E)	1 – Brookfield
009	DS-D47, 50, 51	Southview Ave. (Ext) & Arden, (E)	1 – Brookfield
008	DS-D62	Jackson Ave. (Ext), (Brookfield Zoo across from Wolf Den), (E)	1 - Brookfield
001	D47, 50, 51 & DS-13A-1	Konrad Ave. & Patricia, (S)	1 – LaGrange
003	DS-D37, 38	31 <sup>st</sup> St. & Forest Ave., (W)	1 - LaGrange Park

<b>Receiving Water: Addison Creek (total: 1)</b>			
<b>Discharge No.</b>	<b>TARP Structure</b>	<b>Outfall Location</b>	<b>CSO Outfall Owner(s)</b>
150	DS-D34-AI	Westchester Pump Station (WCPS)	1 - MWRD

<b>Receiving Water: Des Plaines River (total: 55)</b>			
<b>Discharge No.</b>	<b>TARP Structure</b>	<b>Outfall Location</b>	<b>CSO Outfall Owner(s)</b>
226	DS-D10	East River Rd. & Wilson Ave., (E)	1 – Chicago
227	DS-D11	100' N. of Belmont, (E)	1 – Chicago
001	DS-D01	River Rd. & Thacker St., (W) (Prairie Ave.)	1 – Des Plaines
005	DS-D03R	River Rd. & Riverview Ave., (W)	1 – Des Plaines
002	DS-D28	Van Buren (Ext), (in Concordia Cemetery (E)	1 – Forest Park
001	DS-D28, 30	N. of Roosevelt Rd., (E)	1 – Forest Park
001	DS-D13	River Rd. & Robinson Dr., (W)	1 – Franklin Park
004	DS-D14	SE corner of River Rd. & Belmont, (W)	1 – Franklin Park
002/001	DS-D15	River Rd. & Franklin, (W)	1 – Franklin Park/ River Grove
003	DS-13A-4	47 <sup>th</sup> St., (W)	1 – Lyons
002	DS-D48	40 <sup>th</sup> St. (Ext) & Haas, (E)	1 – Lyons
001	DS-D49	Ogden Ave., (W)	1 – Lyons
003	DS-D21, 25	North side of Lake St. & East of 1 <sup>st</sup> Ave.	1 – Maywood
NA	DS-D21, 25	South Side of Lake St. & 1 <sup>st</sup> Ave., (W)	1 – Maywood
NA	DS-D21,25	South Side of Lake St. & East of 1 <sup>st</sup> Ave.	1 – Maywood



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001	DS-D22, 24, 25	Augusta St., (W)	1 – Maywood
002	DS-D22, 24, 25	Rice St., (W)	1 – Maywood
NA	DS-D22, 24, 25	Huron St., E of 1 <sup>st</sup> Ave., (W)	1 – Maywood
005	DS-D271	1 <sup>st</sup> Ave. & Maple St., (W)	1 – Maywood
004	DS-D271	1 <sup>st</sup> Ave. & Oak St., (W)	1 – Maywood
NA	DS-D271	1 <sup>st</sup> Ave. & North of Oak Street., (W)	1 – Maywood
NA	DS-D31	S. of Washington Blvd., (W)	1 – Maywood
006	DS-D31	School St. Ext., (W)	1 – Maywood
007	DS-D32	Maybrook Dr. (W)	1 – Maywood
008	DS-D33	SW corner of 1 <sup>st</sup> Ave. & Roosevelt Rd., (W)	1 – Maywood
001	DS-D52	Division & 1 <sup>st</sup> Ave., (W)	1 – Melrose Park
131	DS-D07	S. of Devon & E. River Rd., (E)	1 – MWRD
132	DS-D08	N. of NW Tollway, (E)	1 – MWRD
133	DS-D09	W. of East River Rd. along Foster, (N)	1 – MWRD
134	DS-D19, 23	North Ave., (Thatcher Rd.), (E)	1 – MWRD
135	DS-D63	S. of Chicago Ave., (E)	1 – MWRD
136	DS-D34-D1	Roosevelt Rd., (W)	1 – MWRD
002	DS-D35	N. Of 26 <sup>th</sup> St., (W)	1 – North Riverside
001	DS-D36	S. of 26 <sup>th</sup> St., (E)	1 – North Riverside
005	DS-D02	Methodist Campground, (E)	1 – Park Ridge
002	DS-D05	Riverside Dr. near Sibley, (E)	1 – Park Ridge
006	DS-D05	Riverside Dr. near Sibley, (E)	1 – Park Ridge
003	DS-D06	Touhy Ave., (E)	1 – Park Ridge
007	DS-D06	Touhy Ave., (E)	1 – Park Ridge
004	DS-D07	S. of Devon, (E)	1 – Park Ridge
008	DS-D07	S. of Devon, (E)	1 – Park Ridge
003	DS-D26	S. of Lake St., (E)	1 – River Forest
004	DS-D29, 64	Madison & Thatcher, (E)	1 – River Forest
002	DS-D16	SE corner of River Rd. & Grand, (W)	1 – River Grove
003	DS-D17	Herrick Ave., (W)	1 – River Grove
004	DS-D17	Fullerton Ave., (W)	1 – River Grove
005	DS-D18	River Grove PS, Maple & Fullerton, (E)	1 – River Grove
006	DS-D201	River Rd. & Palmer (Lyndale Ext.), (W)	1 – River Grove
012	DS-D41	N. of Ogden, (E)	1 – Riverside
NA	DS-D44, 45	Olmstead Rd. & Riverside Dr., (N)	1 – Riverside
010	DS-D44, 45	Near junction of Gage/Riverside Rd., (N)	1 – Riverside
011	DS-D44, 45	Blackhawk Rd. Ext., (NE)	1 – Riverside
013	DS-D66	Forest Ave. (Ext), (W)	1 – Riverside
001	DS-D121	SE corner of River Rd. & Irving Park Rd., (W)	1 – Schiller Park

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14. A public notification program in accordance with Section II.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. The most recent CSO Public Notification Plan was dated February 2017.

The Permittee shall notify potable water supply agencies in Cook County, Illinois and Lake County, Indiana withdrawing water from Lake Michigan and other municipal units of government, that include primary contact beach managing agencies, in Cook County, Illinois and Lake County, Indiana, including the Cities of Hammond, East Chicago and Whiting, Indiana on the Lake Michigan Shore each time flows from the North Shore Channel and/or Chicago River and/or Calumet River system are expected to be discharged to Lake Michigan.

15. 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 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

16. The following summarizes the dates that submittals contained in this Special Condition are due at the IEPA:

Solids Demonstration (Paragraph 1)	Every May 1 <sup>st</sup>
Infiltration/Inflow Control Program Report (Paragraph 11)	Every November 15 <sup>th</sup>
CSO Monitoring Data Report (Paragraph 13)	Quarterly
Water Quality Data (Paragraph 12)	Every December 1 <sup>st</sup>
Floatables Minimization/Prevention Plan (Paragraph 3)	6 months from the effective date of this Permit
Elimination of a CSO or Discovery of Additional CSO locations (Paragraph 15)	1 month from discovery or elimination
Progress Reports on TARP (Paragraph 12)	Every January 1 <sup>st</sup> and July 1 <sup>st</sup> until TARP is completed
Water Quality Study (Paragraph 12)	6 months from the completion of TARP
Pollution Prevention Report (Paragraph 8 and Special Condition 8.A.7.b)	Every June 30 <sup>th</sup>
CSO O & M Final Plan (Paragraph 10)	12 months from the effective date of this permit

Reopening and Modifying this Permit

17. 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. Such modification may include, but are not limited to changes in designated uses and water quality standards and in waterway management strategies necessary to comply with such uses and standards that are the result of the final Chicago Area Waterway System Use Attainability Analysis (UAA) appealable order that has not been stayed and associated modifications of the rules and regulations by the Illinois Pollution Control Board (IPCB).

**SPECIAL CONDITION 14.** The Permittee shall record monitoring results on Discharge Monitoring Report (DMR) electronic forms using one such form for each outfall (001 WRP Main Outfall and 142 CSO at 38<sup>th</sup> and Racine Avenue) each month.

In the event that outfall (142 CSO at 38<sup>th</sup> and Racine Avenue) does not discharge during a monthly reporting period, the DMR electronic form shall be submitted with no discharge indicated.

The District also shall submit with their Discharge Monitoring Reports dissolved oxygen monitoring results from monthly bridge grab samples collected from the Stickney WRP and associated CSO effluent receiving streams.

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The Permittee is required to submit electronic DMRs (NetDMRs) instead of mailing paper DMRs to the IEPA beginning December 21, 2016 unless a waiver has been granted by the Agency. More information, including registration information for the NetDMR program, can be obtained on the IEPA website, <http://www.epa.state.il.us/water/net-dmr/index.html>.

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

Permittees that have been granted a waiver 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 15. The Permittee shall notify the Agency whenever any waterway locks are opened which may allow flow to discharge to Lake Michigan and shall notify the Agency of any fish kills in the Chicago area waterways or of any water pollution related emergencies. The Permittee shall report any of the above activities to the Des Plaines Regional Field Operations Office at (847) 294-4000 in accordance with Standard Condition 12(f). Cook County, Illinois; Lake County, Indiana; and the Cities of Hammond, East Chicago, and Whiting, Indiana shall be notified whenever a flow reversal would discharge to Lake Michigan. In addition, the Lake County, Indiana Emergency Management Agency shall be notified at (219) 755-3549 whenever a flow reversal would discharge to Lake Michigan.

SPECIAL CONDITION 16. The Permittee shall provide a dry-weather flow quantification on a mass basis of discharge for Discharge Number 001 for the parameters listed in Special Condition 8.C.1. This data shall be provided on an annual basis and submitted to the IEPA no later than June 30 of each year.

SPECIAL CONDITION 17. The Permittee shall work towards the goals of achieving no discharges from sanitary sewer overflows or basement backups and ensuring that overflows or backups, when they do occur do not cause or contribute to violations of applicable standards or cause impairment in any adjacent receiving water. In order to accomplish these goals, the Permittee shall develop, implement 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 should work, as appropriate, in consultation with affected authorities at the local, county, and/or state level to develop the plan components involving third party notification of overflow events. 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 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 13.11., as appropriate.

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- d. System Evaluation Plan.
- e. Reporting and Monitoring Requirements.
- f. Third Party Notice Plan:
  1. Describes how under various overflow scenarios, the public, as well as other entities, would be notified of overflows within the Permittee's system that may endanger public health, safety or welfare;
  2. Identifies overflows within the Permittee's system that would be reported, giving consideration to various types of events including events with potential widespread impacts;
  3. Identifies who shall receive the notification;
  4. Identifies the specific information that would be reported including actions that will be taken to respond to the overflow;
  5. Includes a description of the lines of communication; and
  6. Includes the identities and contact information of responsible POTW officials and local, county, and/or state level officials.

SPECIAL CONDITION 18. A phosphorus monthly average concentration effluent limitation of 1.0 mg/L and associated loading limitations shall become effective forty-nine (49) months from the modification date of this Permit. In order to achieve a phosphorus effluent limit of 1.0 mg/L, the Permittee shall submit progress reports in compliance with the following schedule.

- |  |   |
|--|---|
| 1. Assess Key Process Parameters for System Design; Initiate Construction of Anaerobic Zone in One Aeration Battery  | 6 months from modification date of this Permit  |
| 2. Evaluate Phosphorus Recovery Technologies and Bio-phosphorus Removal in all Batteries; Progress Report on Construction Activities                                   | 12 months from modification date of this Permit |
| 3. Complete Construction of Anaerobic Zone in one Aeration Battery; Select Phosphorus Recovery Technology; Progress Report on Bio-phosphorus Removal in all Batteries  | 18 months from modification date of this Permit |
| 4. Progress Report on Optimizing Bio-phosphorus Removal in all Batteries; Initiate Design of Sidestream Phosphorus Recovery Process                                    | 24 months from modification date of this Permit |
| 5. Progress Report on Optimizing Bio-phosphorus Removal in all Batteries and Construction of Sidestream Phosphorus Recovery Process                                    | 30 months from modification date of this Permit |
| 6. Progress Report on Optimizing Bio-phosphorus Removal in all Batteries and Construction of Sidestream Phosphorus Recovery Process; Develop Process Control Protocols | 36 months from modification date of this Permit |
| 7. Complete Optimization of Bio-phosphorus Removal in all Batteries; Progress Report on Construction of Sidestream Phosphorus Recovery Process                         | 42 months from modification date of this Permit |
| 8. Complete Construction of Sidestream Phosphorus Recovery Process   | 48 months from modification date of this Permit |
| 9. Achieve Monthly Concentration and Loading Effluent Limitations for Total Phosphorus   | 49 months from modification date of this Permit |

In addition, the IEPA may initiate a modification of the schedule set forth in this permit at any time, to include other dates which are necessary to carry out the provisions of the Environmental Protection Act, the Federal Clean Water Act or regulations promulgated under those Acts or compliance dates which have been submitted in writing by the Permittee and approved by the IEPA. Public Notice of such modifications and opportunity for public hearing shall be provided consistent with 40 CFR 122.63.

The Permittee shall submit the above reports for each number item in the compliance schedule, indicating, a) the date the item was completed, or b) that the item was not completed. All reports shall be submitted to 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

NPDES Permit No. IL0028053

Special ConditionsSPECIAL CONDITION 19.

1. The Permittee shall assist in the formation of, and work cooperatively with, a Chicago Area Waterways Nutrient Oversight Committee ("NOC") to prepare the implementation plan, as defined below.

The NOC shall consist of three (3) members, one chosen by the Permittee, one chosen by the Illinois Environmental Protection Agency (the "Agency"), and one chosen collectively by Environmental Law and Policy Center (ELPC), Prairie Rivers Network, Natural Resources Defense Council, Inc., Gulf Restoration Network and Friends of the Chicago River. The member chosen by the Agency shall not have previously been retained by the Permittee, Natural Resources Defense Council, Inc., Prairie Rivers Network, ELPC, Friends of Chicago River, Gulf Restoration Network or Sierra Club, Inc. The NOC shall be responsible for the selection of a consultant to study, develop, and prepare an implementation plan. Subject to the NOC's approval, the consultant shall engage biologists, engineers, or other contractors with expertise the consultant and the NOC deem necessary. In accordance with Permittee's applicable procurement rules and all applicable laws, the Permittee shall be responsible for payment for the consultant's work to develop an implementation plan.

Permittee shall be responsible for installing a gauge to be located at Illinois Route 53 (Ruby St.) and the Des Plaines River in Joliet, Illinois that will provide continuous monitoring (subject to reasonable planned and unplanned disruptions) of flow, dissolved oxygen, temperature, pH, conductivity, chlorophyll-a, turbidity, nitrate plus nitrite as nitrogen, and dissolved phosphate as phosphorus. Permittee shall operate and maintain this gauge for a period of four (4) years after installation. Permittee may engage in a cost share to satisfy this condition.

2.
  - A. If the Illinois Nutrient Science Advisory Committee proposes or releases numeric nutrient criteria or targets applicable to the CAWS on or before December 31, 2018, the consultant's implementation plan shall be developed as follows:

In Phase One, the consultant shall identify phosphorus input reductions or other measures reasonably calculated to meet the numeric nutrient criteria or targets applicable to the CAWS that are proposed by the Illinois Nutrient Science Advisory Committee. The consultant shall consider all point and non-point source discharges when identifying such phosphorus input reductions or other measures reasonably calculated for the CAWS to meet the applicable numeric nutrient criteria or targets.

In Phase Two, the consultant shall prepare and submit to the NOC by December 31, 2023, a plan and schedule for implementation of the phosphorus input reductions or other measures identified in Phase One.

- B. If the Illinois Nutrient Science Advisory Committee does not propose numeric nutrient criteria or targets by December 31, 2018, the consultant's implementation plan shall be developed as follows:

In Phase One, the consultant shall identify in a written report any areas within the CAWS with recurring diurnal pre-dawn excursions from dissolved oxygen water quality standards, supersaturation in dissolved oxygen levels, and chlorophyll-a levels indicating the presence of unnatural plant or algal growth. If the consultant identifies any such recurring conditions, the consultant shall propose phosphorus input reductions or other measures reasonably calculated to eliminate the conditions. The consultant shall consider all point and non-point source discharges when identifying such phosphorus input reductions or other measures.

In Phase Two, the consultant shall prepare and submit to the NOC by December 31, 2023 a plan and schedule for implementation of the phosphorus input reductions or other measures identified in Phase One.

In either Section 2A or 2B, if Permittee does not object to the consultant's implementation plan, Permittee shall thereafter begin implementation of the consultant's plan and apply for a permit modification seeking to have the consultant's implementation plan included as a condition to this permit. If Permittee objects to the consultant's implementation plan, Permittee shall promptly thereafter develop an alternative implementation plan, apply for a permit modification seeking to have the alternative implementation plan included as a condition to this permit, and shall be obligated to proceed only through the design phase of the consultant's implementation plan until such time as Permittee's modification application (including any appeals) is resolved. If any other person objects to the permit modification seeking to have the consultant's implementation plan included as a condition of the permit, the Permittee shall be obligated to proceed only through the design phase of the consultant's implementation plan until such time as Permittee's modification application (including any appeals) is resolved.

3. If monitoring in the Lower Des Plaines River and/or the Illinois River indicates unnatural plant or algal growth in those waters, and if a watershed group is formed to develop a nutrient control implementation plan for those waters; then, Permittee shall participate in such watershed group.
4. Permittee does not waive any right to contest or appeal any permit conditions other than special conditions 19, 20, and 21. Permittee retains the right to challenge the findings of the Illinois Nutrient Science Advisory Committee and/or the consultant including, but not limited to, the extent those findings are used as the basis for any rulemaking, permit limits or conditions.

NPDES Permit No. IL0028053

Special Conditions

5. Should a trading program be developed in any of the watersheds within the State of Illinois to which Permittee could avail itself, Permittee shall be allowed to participate in that trading program to satisfy its obligations under this Permit.

SPECIAL CONDITION 20. A technology based effluent limit of 0.5 mg/L Total Phosphorus annual geometric mean will be applicable to Permittee beginning January 1, 2030, unless: (1) the Permittee can demonstrate that this limit is not technologically feasible; or (2) this limit would result in substantial and widespread economic or social impact; or (3) this limit can only be met by addition of phosphorus reducing chemicals into Permittee's treatment process in addition to those currently contemplated; or (4) the implementation plan determines that a greater phosphorus input reduction is necessary and is attainable before 2030; or (5) the implementation plan determines that a greater phosphorus input reduction is necessary and attainable, and imposition of a 0.5 mg/L Total Phosphorus annual geometric mean limit in 2030 would impose costs on the Permittee that are disproportional to any benefit realized from meeting the 0.5 mg/L Total Phosphorus annual geometric mean limit in 2030. If meeting an effluent limit of 0.5 mg/L Total Phosphorus annual geometric mean is demonstrated not to be feasible in 2030, it should be met as soon as it is feasible.

SPECIAL CONDITION 21. The Permittee shall, within 24 months of the modification date of this permit, prepare and submit to the Agency a feasibility study that identifies the method, timeframe, and costs of reducing phosphorus levels in its discharge to a level consistently meeting a potential future effluent limit of 0.5 mg/L, 0.3 mg/L, and 0.1 mg/L utilizing a range of treatment technologies including, but not necessarily limited to, biological phosphorus removal, chemical precipitation, or a combination of the two. The study shall evaluate the construction and Operation & Maintenance costs of the different treatment technologies for these limits on a monthly, seasonal, and annual average basis. For each technology and each phosphorus discharge level evaluated, the study shall also evaluate the amount by which the Permittee's typical ad valorem tax rate and user charge would need to increase if the Permittee constructed and operated the specific type of technology to achieve the specific phosphorus discharge level. The Permittee shall provide the CAWS NOC with a copy of the study at the same time it is submitted to the Agency.

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:

- (a) 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;
- (b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
- (c) Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
- (d) 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.**

- (a) Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.
- (b) 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.
- (c) Records of monitoring information shall include:
  - (1) The date, exact place, and time of sampling or measurements;
  - (2) The individual(s) who performed the sampling or measurements;
  - (3) The date(s) analyses were performed;
  - (4) The individual(s) who performed the analyses;
  - (5) The analytical techniques or methods used; and
  - (6) The results of such analyses.
- (d) 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.

- (a) **Application.** All permit applications shall be signed as follows:
  - (1) 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;
  - (2) For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or
  - (3) For a municipality, State, Federal, or other public agency: by either a principal executive officer or ranking elected official.
- (b) **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:

- (1) The authorization is made in writing by a person described in paragraph (a); and
  - (2) 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
  - (3) The written authorization is submitted to the Agency.
- (c) **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.
- (d) **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.**

- (a) **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:
  - (1) 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
  - (2) 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).
  - (3) 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.
- (b) **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.
- (c) **Transfers.** This permit is not transferable to any person except after notice to the Agency.
- (d) **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.



- (e) **Monitoring reports.** Monitoring results shall be reported at the intervals specified elsewhere in this permit.
- (1) 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.