

**VILLAGE PRESIDENT**

Seth Speiser

**VILLAGE CLERK**

Jerry Menard

**VILLAGE TRUSTEES**

Ray Matchett, Jr.  
Mike Blaies  
Denise Albers  
Dean Pruett  
Michael Heap  
Lisa Meehling

**VILLAGE TREASURER**

Bryan A. Vogel

# VILLAGE OF FREEBURG

## FREEBURG MUNICIPAL CENTER

14 SOUTHGATE CENTER, FREEBURG, IL 62243

PHONE: (618) 539-5545 • FAX: (618) 539-5590

Web Site: www.freeburg.com

**VILLAGE ADMINISTRATOR**

Tony Funderburg

**PUBLIC WORKS DIRECTOR**

John Tolan

**POLICE CHIEF**

Michael J. Schutzenhofer

**ESDA COORDINATOR**

Eugene Kramer

**ZONING ADMINISTRATOR**

Matt Trout

**VILLAGE ATTORNEY**

Weilmuenster & Keck, P.C.

July 6, 2018

### NOTICE

### MEETING OF THE PUBLIC WORKS COMMITTEE Trash/Water/Sewer (Pruett/Blaies/Heap/Meehling)

A Public Works Committee Meeting of the Village of Freeburg will be held at the Municipal Center, Executive Board Room, on **Wednesday, July 11, 2018, at 5:45 p.m.**

### PUBLIC WORKS COMMITTEE MEETING AGENDA

- I. Items to be Reviewed
  - A. Old Business
    - 1. Approval of June 13, 2018 Minutes
    - 2. New Sewer Plant
    - 3. Sewer Issues/Sewer Main Jack's Car Wash
    - 4. FSH Minutes
    - 5. W. Apple St./Schiermeier Road/Old Freeburg Road Water Lines
    - 6. Private Sewer at Potter/West Street
    - 7. East and West Tower Work
  - B. New Business
  - C. General Concerns
  - D. Public Participation
  - E. Adjourn

At said Committee Meeting, the Village Board of Trustees may vote on whether or not to hold an Executive Session to discuss potential litigation, [5 ILCS, 120/2 - (c)(11)]; the selection of a person to fill a public office [5 ILCS, 120/2 - (c) (3)] personnel [5 ILCS, 120/2 - (c) (1)]; or real estate transactions [5 ILCS, 120/2 - (c) (5)].

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## PUBLIC WORKS COMMITTEE MEETING Trash/Water/Sewer (Pruett/Blaies/Heap/Meehling) Wednesday, June 13, 2018 at 5:45 p.m.

The Public Works Committee Meeting was called to order at 6:16 p.m. on Wednesday, June 13, 2018, by Chairman Dean Pruett. Members present were Chairman Dean Pruett, Trustee Mike Blaies, Trustee Mike Heap, Trustee Lisa Meehling, Mayor Seth Speiser, Village Clerk Jerry Menard (absent), Trustee Denise Albers, Trustee Ray Matchett, Village Attorney Fred Keck, Public Works Director John Tolan, Water/Sewer Department Leader Gregg Blomenkamp, Police Chief Mike Schutzenhofer, Village Administrator Tony Funderburg and Office Manager Julie Polson. Guests present: Janet Baechle and Todd Peek.

### A. OLD BUSINESS:

1. Approval of May 16, 2018 minutes: *Trustee Lisa Meehling motioned to approve the May 16, 2018 minutes and Trustee Mike Blaies seconded the motion.* All voting yea, the motion carried.
2. New Sewer Plant: Village Administrator Tony Funderburg advised the RFQ was emailed out and we need approval to start that process. Tony confirmed the dates in the RFQ will need to be pushed out about a month.

*Trustee Lisa Meehling motioned to recommend to the full Board the RFQ for the Wastewater System Improvements with the revised dates for approval and Trustee Mike Blaies seconded the motion.* All voting yea, the motion carried.

Tony advised we need to send a letter of interest by July 1<sup>st</sup> in order to be considered for the EPA's second round of financing for water infrastructure projects. Todd Peek said on July 10<sup>th</sup>, the Illinois EPA is hoping to have a new loan rule passed which will give 15% debt forgiveness on loans. Public Works Director John Tolan advised the Combined Planning and Zoning Board agreed to approve the EPA permits for the Meadow Pines Subdivision and also extend the approval time on the engineering plans.

3. Sewer issues/Sewer Fuel Odors/Sewer Main Jack's Car Wash: John said everything is going great. He received a call from the EPA guy wanting to know if we have any odor issues, and there are none. He met with Kent Heap regarding his sewer issue and showed him the video. He is in agreement that it is his issue and he will fix it.
4. FSH Minutes: John advised we had some stained water that came into town over the Memorial Day weekend. He made some calls, and we have switched over to free residual. It was concerning to him because he was told they had wanted to wait until August to do so.

Water/Sewer Committee Meeting  
Wednesday, June 13, 2018  
Page 1 of 2

5. W. Apple St./Schiermeier Road/Old Freeburg Road Water Lines: John briefly reviewed the different proposals for the water lines and would like to know what direction the committee wanted to go. John said his department is covered up with work, lack of employees, and they don't have any time to work on them. John said Old Freeburg Road would need to be done in phases, and Schiermeier Road should be contracted out. Tony advised there is about \$150,000 in the budget to do something, and we already purchased the 8" pipe. Tony asked the committee if Smithton should take over and extend their water service to Schiermeier Road. John would like an informational meeting for Old Freeburg Road to see how many residents are really interested. Todd Peek believes the \$150,000 would cover the first phase of Old Freeburg Road which would take the line from State Street under the railroad.

*Trustee Lisa Meehling motioned to recommend to the full Board Entering into a Contract Agreement with TWM for the Surveying, Design and Bidding Services for the Old Freeburg Road Water Main Extension not to Exceed \$33,800 and Trustee Mike Blaies seconded the motion. All voting yea, the motion carried.*

6. Private Sewer at Potter/West Street: Nothing new.
7. East and West Tower Work: Nothing new.

John advised the new daycare has been connected to water and sewer.

**B. NEW BUSINESS:**

1. John Tolan's Appointment to FSH Water Commission: Mayor Speiser will appoint John for a full term to the FSH Water Commission at Monday's board meeting.

John advised when Gregg went to the IPSI training, and prepared a new employee checklist which includes a 3-month, 6-month review and one-year expectation. John stated ERTC has a class 4 training starting soon. Trustee Meehling would like a job description included in the new-employee packet.

Tony said he and Fred have been working on the Charter Franchise Agreement, a copy of which was emailed out today. Attorney Keck said we are proposing a 5-year provision and quarterly reimbursements. The current agreement expires in September. Attorney Keck stated he doesn't like automatically renewing agreements. We have proposed a term of 5 years, and that will extend for an additional 5 years. He further commented that if we can afford the 3% franchise fee which is passed onto the customer to do that rather than 5%. He also said with the new small cell initiative, this agreement is going to be more important than ever, so the shorter the term the better.

**C. GENERAL CONCERNS:** None.

**D. PUBLIC PARTICIPATION:** None.

**E. ADJOURN:** *Trustee Lisa Meehling motioned to adjourn the meeting at 7:02 p.m. and Trustee Mike Blaies seconded the motion. All voting yea, the motion carried.*

 Julie Polson,  
Office Manager



# ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 • (217) 782-3397

**BRUCE RAUNER, GOVERNOR**

**ALEC MESSINA, DIRECTOR**

217/782-0610

JUN 13 2018

Village of Freeburg  
14 Southgate Center  
Freeburg, Illinois 62243

**RECEIVED**

**JUN 15 2018**

Re: Village of Freeburg - West STP  
NPDES Permit No. IL0032310  
BOW ID: W1630600003  
Draft Permit

Gentlemen:

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

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

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

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

Sincerely,

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

ALD:KKD:18052401.bah

Attachments: Draft Permit, Public Notice/Fact Sheet

cc: Records Unit  
Thouvenot, Wade, & Moerchen, Inc.  
Compliance Assurance Section



June 20, 2018

Mr. Kaushal Desai  
Illinois Environmental Protection Agency  
Division of Water Pollution Control – Permits  
1021 North Grand Avenue East  
Springfield, IL 62794-9276

RECEIVED

JUN 25 2018

**RE: Village of Freeburg – West STP  
NPDES Permit No. IL0032310  
BOW ID: W1630600003  
Draft Permit**

Dear Mr. Desai:

In regards to the Draft Permit that the Village of Freeburg has received, there seems to be some confusion regarding the outfall names/numbers. In previous permits, the typical notation for each outfall is as shown below:

001 - Main STP Outfall  
A01 – Excess Flow Outfall

In the Draft permit, the notation seems to be confusing and B01 – Internal Outfall is new to the permit. The Village would like to request that this additional outfall be removed from the permit and the above noted notation be continued in the new permit.

The following items may also need some clarification before going to Public Notice:

Page 3 – Public Notice/Fact Sheet. Daily Maximum concentrations for Ammonia Nitrogen have been reduced for March (5.4 to 4.5) and Nov. – Feb. (5.4 to 4.0) However, the corresponding Daily Maximum Loading in lbs/day have not been modified.

Page 4 – Public Notice/Fact Sheet. This page addresses the A01 Outfall – Excess Flow. The excess flow may not be utilized until flows reach 695 ?. This should probably be gpm.

Page 5 – Public Notice/Fact Sheet. Conditions 14, regarding submission of Reasonable Potential Analysis and Mixing Study Plan and Condition 15, regarding a Capacity, Management, Operations and Maintenance (CMOM) Plan. Would like to request that these items be removed from the permit for a plant of this size until the possible up-grade of the facility.

Page 2- FINAL. The Discharge Number is listed as B01 Internal Outfall. It appears that this should be Outfall 001 – STP Outfall.

Page 2- FINAL. A parameter for a Chlorine Residual daily maximum of 0.5 mg/l has been added for this outfall. A footnote references Special Condition 9, which was the Special Condition 10 of the previous permit for outfall 001.

Page 2- FINAL. Daily Maximum concentrations for Ammonia Nitrogen have been reduced for March (5.4 to 4.5) and Nov. – Feb. (5.4 to 4.0) However, the corresponding Daily Maximum Loading in lbs/day have not been modified.

Page 2- FINAL. An additional footnote has been added regarding 85% removal of BOD and Suspended Solids. If this is for the Main Plant outfall, this note may not apply.

Pages 3 – 4 - FINAL. Addresses flows from A01 – Excess Flow Outfall. The previous permit stipulates limits for the parameters. These are listed as monitor only, however on the following page, addresses a combine sewer outfall of B01 and A01 and lists it as 001. Request IEPA clarification.



Page 3 – 4 - FINAL. The comments regarding the rainfall, rainfall events, rainfall intensity, etc. seem to be a little confusing. The Village would like more information/justification for these notes.

Page 3 – 4 - FINAL. Ammonia Nitrogen, Dissolved Oxygen and Total Phosphorus have been added to be monitored. Request justification/clarification. These are not typical parameters for excess flow.

Page 5 - FINAL. Influent Monitoring. The Village would like to request more information regarding the sampling requirements listed on this page.

**Special Conditions**

Special Condition 5. Water quality standard 35 Ill. Adm. Code 303 has been added. This is in reference to Water Use Designations and Site-Specific Water Quality Standards. Please clarify why this reference has been added.

Special Condition 8. Sampling. This differs from the original permit. As the Outfalls as shown on this draft are confusing, please clarify the need for the additional sampling.

Special Condition 9. (10 on old permit) As the Outfalls as shown on this draft are confusing, please clarify.

Special Condition 14. NEW - Reasonable Potential Analysis and Mixing Study Plan. As stated above, request that these items be removed from a plant of this size until the possible up-grade of the facility.

Special Condition 15. NEW - Capacity, Management, Operations and Maintenance (CMOM) Plan. As stated above, request that these items be removed from a plant of this size until the possible up-grade of the facility.

Please do not hesitate to contact this office if you have any questions or concerns.

Respectfully,

**Thouvenot, Wade & Moerchen, Inc.**

A handwritten signature in blue ink, appearing to read "Vicki L. Wade", is positioned above the typed name.

Vicki L. Wade  
Project Engineer

CC: John Tolan - Village of Freeburg ✓

NPDES Permit No. IL0032310

Notice No. KKD:18052401.bah

Public Notice Beginning Date:

Public Notice Ending Date:

National Pollutant Discharge Elimination System (NPDES)  
Permit Program

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

DRAFT

Public Notice/Fact Sheet Issued By:

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

Name and Address of Discharger:

Village of Freeburg  
14 Southgate Center  
Freeburg, Illinois 62243

Name and Address of Facility:

Village of Freeburg - West STP  
5516 Willow Springs Lane  
Freeburg, Illinois 62243  
(St. Clair County)

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

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

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

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

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

The applicant is engaged in treating domestic wastewater for the Village of Freeburg.

The length of the Permit is approximately 5 years.

The main discharge number is B01. The seven day once in ten year low flow (7Q10) of the receiving stream, Kinney Branch of Richland Creek is 0 cfs.

The design average flow (DAF) for the facility is 0.4 million gallons per day (MGD) and the design maximum flow (DMF) for the facility is 1.0 MGD. Treatment consists of two activated sludge package units, final clarifiers, rapid sand filters, aerobic digestion, and sludge drying beds.

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

Pursuant to the waiver provisions authorized by 40 CFR § 123.24, this draft permit is within the class, type, and size for which the Regional Administrator, Region V, has waived his right to review, object, or comment on this draft permit action.

This Permit recognizes and continues the year-round disinfection exemption approved by the IEPA on April 20, 1989 and included in past NPDES permit actions since that date. It is the IEPA's tentative decision that under Illinois Pollution Control Board regulations, the following reach of waterbody is not classified for primary contact use activities and is not subject to the fecal coliform water quality standard of 35 Ill. Adm. Code 302.209.

This draft permit does not contain requirements for disinfection of the discharge from discharge numbers(s) B01. Kinney Branch from the facility discharge in Section 25, T1S, R8W, to the confluence with Richland Creek and thence to the confluence with the Kaskaskia River has been determined to be unsuited to support primary contact activities (swimming) due to physical, hydrologic or geographic configuration. Anyone knowing of primary contact activities occurring within this water segment is invited to submit comments to the IEPA. Comments should give the nature of the activities (i.e swimming, fishing, canoeing, etc.), the location and months of the year when these activities have been observed. The IEPA is also interested in obtaining information on the proximity of residential dwellings and the accessibility of the public to this water segment. Anyone with such information is asked to submit comments to the IEPA on this draft permit action. Instructions for submitting comments are contained earlier in this document.

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

<u>Discharge Number</u>	<u>Receiving Stream</u>	<u>Latitude</u>	<u>Longitude</u>	<u>Stream Classification</u>	<u>Integrity Rating</u>
B01 (Internal Outfall)	Kinney Branch of Richland Creek	38° 25' 19" North	89° 55' 42" West	General Use	Not Rated
A01 (Excess Flow)	Kinney Branch of Richland Creek	38° 25' 19" North	89° 55' 42" West	General Use	Not Rated
001 (Combined Flow)	Kinney Branch of Richland Creek	38° 25' 19" North	89° 55' 42" West	General Use	Not Rated

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

The stream segment(s), waterbody segment OCF, receiving the discharge from outfall(s) 001 is on the 303 (d) list of impaired waters.

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

Potential Causes

Alteration in stream-side or littoral vegetative covers (non-pollutant), changes in stream depth and velocity patterns (non-pollutant), loss of instream cover (non-pollutant), dissolved oxygen (non-pollutant), and phosphorus (total)

Bottom deposits, odor, sludge, and turbidity

Uses Impaired

Aquatic life

Aesthetic quality use

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

Discharge Number(s) and Name(s): B01 Internal Outfall

Load limits computed based on a design average flow (DAF) of 0.4 MGD (design maximum flow (DMF) of 1.0 MGD).

The effluent of the above discharge(s) shall be monitored and limited at all times as follows:

<u>Parameter</u>	<u>LOAD LIMITS lbs/day</u>			<u>CONCENTRATION LIMITS mg/L</u>			<u>Regulation</u>
	<u>Monthly Average</u>	<u>Weekly Average</u>	<u>Daily Maximum</u>	<u>Monthly Average</u>	<u>Weekly Average</u>	<u>Daily Maximum</u>	
CBOD <sub>5</sub> **	33 (83)		67 (167)	10		20	35 IAC 304.120 40 CFR 133.102
Suspended Solids**	40 (100)		80 (200)	12		24	35 IAC 304.120 40 CFR 133.102
pH	Shall be in the range of 6 to 9 Standard Units						35 IAC 304.125
Fecal Coliform	Monitor Only (May through October)						35 IAC 309.146
Chlorine Residual							0.05 35 IAC 302.208
Ammonia Nitrogen: (as N)							
March	5.0 (13)	13 (32)	18 (45)	1.5	3.8	4.5	35 IAC 355 and 35 IAC 302
April-May/Sept.-Oct.	5.0 (13)	13 (32)	23 (58)	1.5	3.8	6.9	
June-August	5.0 (13)	13 (32)	30 (74)	1.5	3.8	8.9	
Nov.-Feb.	6.3 (16)		17 (37)	1.9		4.0	
Total Phosphorus (as P)	Monitor Only						35 IAC 304.123
Dissolved Oxygen				Monthly Avg. not less than	Weekly Avg. not less than	Daily Minimum	
March-July				N/A	6.0	5.0	35 IAC 302.206
August-February				5.5	4.0	3.5	

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

\*\*BOD<sub>5</sub> and Suspended Solids (85% removal required): In accordance with 40 CFR 133, the 30-day average percent removal shall not be less than 85 percent.

DRAFT

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

Discharge Number(s) and Name(s): A01 Excess Flow Outfall (Flow in excess of 695)

<u>Parameter</u>	<u>CONCENTRATION LIMITS (mg/L)</u>		<u>Regulation</u>
	<u>Monthly Average</u>	<u>Weekly Average</u>	
Fecal Coliform	Daily Maximum shall not exceed 400 per 100 mL		35 IAC 304.121
BOD <sub>5</sub>	Monitor Only		35 IAC 309.146
Suspended Solids	Monitor Only		35 IAC 309.146
Ammonia Nitrogen (as N)	Monitor Only		35 IAC 309.146
Total Phosphorus (as P)	Monitor Only		35 IAC 309.146

Discharge Number(s) and Name(s): 001 Combined Discharge from A01 and B01 outfall

The effluent of the above discharge(s) shall be monitored and limited at all times as follows:

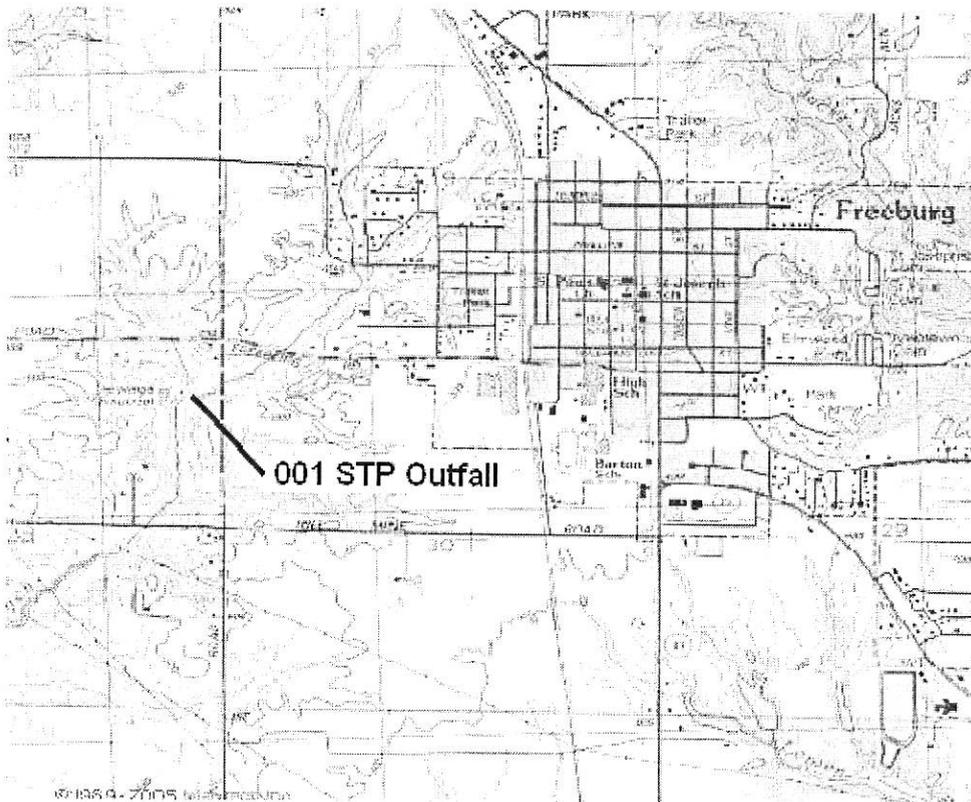
<u>Parameter</u>	<u>CONCENTRATION LIMITS (mg/L)</u>		<u>Regulation</u>
	<u>Monthly Average</u>	<u>Weekly Average</u>	
BOD <sub>5</sub> *	30	45	40 CFR 133.102
Suspended Solids*	30	45	40 CFR 133.102
pH	Shall be in the range of 6 to 9 standard units		35 IAC 304.125
Chlorine Residual	0.75		35 IAC 302.208
Ammonia Nitrogen (as N)	Monitor only		35 IAC 355 and 35 IAC 302
Total Phosphorus (as P)	Monitor only		35 IAC 309.146
Dissolved Oxygen	Monitor only		35 IAC 302.206

\*The 30-day average percent removal shall not be less than 85 percent.

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

1. Reopening of this Permit to include different final effluent limitations.
2. Operation of the facility by or under the supervision of a certified operator.
3. Submission of the operational data in a specified form and at a required frequency at any time during the effective term of this Permit.
4. More frequent monitoring requirement without Public Notice.
5. Prohibition against causing or contributing to violations of water quality standards.
6. Recording the monitoring results on Discharge Monitoring Report Forms using one such form for each outfall each month and submitting the forms to IEPA each month.
7. The provisions of 40 CFR Section 122.41(m) & (n) are incorporated herein by reference.
8. Effluent sampling point location.
9. A requirement to monitor and a limit of 0.05 mg/L for residual chlorine when it is used.
10. Submission of annual fiscal data.
11. Reopening of this Permit to include revised effluent limitations based on a Total Maximum Daily Load (TMDL) or other water quality study.
12. Controlling the sources of infiltration and inflow into the sewer system.
13. Submission of semi annual reports indicating the quantities of sludge generated and disposed.
14. Submission of Reasonable Potential Analysis and Mixing Study Plan.
15. Capacity, Management, Operations and Maintenance (CMOM) Plan.

DRAFT



Village of Freeburg - West STP  
NPDES No. IL0032310  
St. Clair County

NPDES Permit No. IL0032310

Illinois Environmental Protection Agency

Division of Water Pollution Control

1021 North Grand Avenue East

Post Office Box 19276

Springfield, Illinois 62794-9276

DRAFT

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

Reissued (NPDES) Permit

Expiration Date:

Issue Date:

Effective Date:

Name and Address of Permittee:

Village of Freeburg  
14 Southgate Center  
Freeburg, Illinois 62243

Facility Name and Address:

Village of Freeburg - West STP  
5516 Willow Springs Lane  
Freeburg, Illinois 62243  
(St. Clair County)

Receiving Waters: Kinney Branch of Richland Creek

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.

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

ALD:KKD:18052401.bah

Effluent Limitations, Monitoring, and Reporting

FINAL

Discharge Number(s) and Name(s): B01 Internal Outfall

Load limits computed based on a design average flow (DAF) of 0.4 MGD (design maximum flow (DMF) of 1.0 MGD).

From the effective 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:

<u>Parameter</u>	<u>LOAD LIMITS lbs/day</u>			<u>CONCENTRATION LIMITS mg/L</u>			<u>Sample Frequency</u>	<u>Sample Type</u>	
	<u>Monthly Average</u>	<u>Weekly Average</u>	<u>Daily Maximum</u>	<u>Monthly Average</u>	<u>Weekly Average</u>	<u>Daily Maximum</u>			
Flow (MGD)							Continuous		
CBOD <sub>5</sub> <sup>***</sup> ****	33 (83)		67 (167)	10		20	2 Days/Week	Composite	
Suspended Solids <sup>****</sup>	40 (100)		80 (200)	12		24	2 Days/Week	Composite	
pH	Shall be in the range of 6 to 9 Standard Units							2 Days/Week	Grab
Fecal Coliform	Monitor Only (May through October)							1 Day/Month	Grab
Chlorine Residual						0.05	***	Grab	
Ammonia Nitrogen: (as N)									
March	5.0 (13)	13 (32)	18 (45)	1.5	3.8	4.5	2 Days/Week	Composite	
April-May/Sept.-Oct.	5.0 (13)	13 (32)	23 (58)	1.5	3.8	6.9	2 Days/Week	Composite	
June-August	5.0 (13)	13 (32)	30 (74)	1.5	3.8	8.9	2 Days/Week	Composite	
Nov.-Feb.	6.3 (16)		17 (37)	1.9		4.0	2 Days/Week	Composite	
Total Phosphorus (as P)	Monitor only							1 Day/Month	Composite
				Monthly Average not less than	Weekly Average not less than	Daily Minimum			
Dissolved Oxygen									
March-July				N/A	6.0	5.0	2 Days/Week	Grab	
August-February				5.5	4.0	3.5	2 Days/Week	Grab	

\*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.

\*\*\*See Special Condition 9.

\*\*\*\*BOD<sub>5</sub> and Suspended Solids (85% removal required): In accordance with 40 CFR 133, the 30-day average percent removal shall not be less than 85 percent. The percent removal need not be reported to the IEPA on DMRs but influent and effluent data must be available, as required elsewhere in this Permit, for IEPA inspection and review. For measuring compliance with this requirement, 5 mg/L shall be added to the effluent CBOD<sub>5</sub> concentration to determine the effluent BOD<sub>5</sub> concentration. Percent removal is a percentage expression of the removal efficiency across a treatment plant for a given pollutant parameter, as determined from the 30-day average values of the raw wastewater influent concentrations to the facility and the 30-day average values of the effluent pollutant concentrations for a given time period.

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

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

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

Chlorine Residual shall be reported on the DMR as Daily Maximum Value.

Dissolved oxygen shall be reported on the DMR as a minimum value.

Total Phosphorus shall be reported on the DMR as a daily maximum value.

NPDES Permit No. IL0032310

Effluent Limitations, Monitoring, and Reporting

FINAL

DRAFT

Discharge Number(s) and Name(s): A01 Excess Flow Outfall (flows in excess of 695 gpm)

These flow facilities shall not be utilized until the main treatment facility is receiving its design maximum flow (DMF)\* (flow in excess of 695 gpm).

From the effective 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:

<u>Parameter</u>	<u>CONCENTRATION LIMITS (mg/L)</u>		<u>Sample Frequency</u>	<u>Sample Type</u>
	<u>Daily Maximum</u>			
Total Flow (MG)			Daily When Discharging	Continuous
Fecal Coliform	Daily Maximum Shall Not Exceed 400 per 100 mL		Daily When Discharging	Grab
BOD <sub>5</sub>	Monitor Only		Daily When Discharging	Grab
Suspended Solids	Monitor Only		Daily When Discharging	Grab
Ammonia Nitrogen (as N)	Monitor Only		Daily When Discharging	Grab
Total Phosphorus (as P)	Monitor Only		Daily When Discharging	Grab

\*An explanation shall be provided in comments section of the DMR should these facilities be used when the main treatment facility is not receiving Design Maximum Flow (DMF). The explanation shall identify the reasons the main facility is at a diminished treatment capacity. Additionally, the Permittee shall comply with the provisions of Special Condition 7.

The duration of each A01 discharge and rainfall event (i.e., start and ending time) including rainfall intensity shall be provided in the comment section of the DMR.

Total flow in million gallons shall be reported on the Discharge Monitoring Report (DMR) in the quantity maximum column. The main treatment facility flows at the time that A01 Excess Flow Facilities are first utilized shall be reported in the comment section of the DMR in gallons per minute (gpm).

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

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

Ammonia Nitrogen shall be reported on the DMR as a daily maximum value.

Total Phosphorus shall be reported on the DMR as a daily maximum value.

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Effluent Limitations, Monitoring, and Reporting

FINAL

Discharge Number(s) and Name(s): 001 Combined Discharge from A01 and B01 Outfall

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

<u>Parameter</u>	<u>CONCENTRATION LIMITS (mg/L)</u>		<u>Sample Frequency</u>	<u>Sample Type</u>
	<u>Monthly Average</u>	<u>Weekly Average</u>		
Total Flow (MG)			Daily When A01 is Discharging	Continuous
BOD <sub>5</sub> **	30	45	Daily When A01 is Discharging	Grab
Suspended Solids**	30	45	Daily When A01 is Discharging	Grab
pH	Shall be in the range of 6 to 9 Standard Units		Daily When A01 is Discharging	Grab
Chlorine Residual	0.75		Daily When A01 is Discharging	Grab
Ammonia Nitrogen (as N)***	Monitor only		Daily When A01 is Discharging	Grab
Total Phosphorus (as P)	Monitor only		Daily When A01 is Discharging	Grab
Dissolved Oxygen	Monitor only		Daily When A01 is Discharging	Grab

\*An explanation shall be provided in the comment section of the DMR should these facilities be used when the main treatment facility is not receiving Design Maximum Flow (DMF). The explanation shall identify the reasons the main facility is at a diminished treatment capacity. Additionally, the Permittee shall comply with the provisions of Special Condition 7.

\*\*BOD<sub>5</sub> and Suspended Solids (85% removal required): In accordance with 40 CFR 133, the 30-day average percent removal shall not be less than 85 percent. The percent removal need not be reported to the IEPA on DMRs but influent and effluent data must be available, as required elsewhere in this Permit, for IEPA inspection and review. For measuring compliance with this requirement, 5 mg/L shall be added to the effluent CBOD<sub>5</sub> concentration to determine the effluent BOD<sub>5</sub> concentration. Percent removal is a percentage expression of the removal efficiency across a treatment plant for a given pollutant parameter, as determined from the 30-day average values of the raw wastewater influent concentrations to the facility and the 30-day average values of the effluent pollutant concentrations for a given time period.

\*\*\*See Special Condition 14

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.

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

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

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

Total Phosphorus shall be reported on the DMR as a maximum value

A monthly average value for ammonia shall be computed for each month that A01 discharges beginning one month after the effective date of the permit. A monthly average concentration shall be determined by combining data collected from 001 and B01 (only B01 data from days when A01 is not discharging) for the reporting period. These monitoring results shall be submitted to the Agency on the DMR. Ammonia Nitrogen shall also be reported on the DMR as a maximum value.

A monthly and weekly average value for Dissolved Oxygen (DO) shall be computed for each month that A01 discharges beginning one month after the effective date of the permit. The monthly and weekly average concentrations for 001 shall be determined by combining data collected from 001 and B01 (only B01 data from days when A01 is not discharging) for the reporting period. These monitoring results shall be submitted to the Agency on the DMR. DO shall also be reported on the DMR as a minimum value.

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Influent Monitoring, and Reporting

DRAFT

The influent to the plant shall be monitored as follows:

<u>Parameter</u>	<u>Sample Frequency</u>	<u>Sample Type</u>
Flow (MGD)	Continuous	
BOD <sub>5</sub>	2 Days/Week And daily when A01 is discharging	Composite
Suspended Solids	2 Days/Week And daily when A01 is discharging	Composite

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

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

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 and regulations. 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 2 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.

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 and 303.

SPECIAL CONDITION 6. The Permittee shall record monitoring results on Discharge Monitoring Report (DMR) electronic forms using one such form for each outfall each month.

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

The Permittee is required to submit electronic DMRs (NetDMRs) instead of mailing paper DMRs to the IEPA 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  
Attention: Compliance Assurance Section, Mail Code # 19  
1021 North Grand Avenue East  
Post Office Box 19276  
Springfield, Illinois 62794-9276

SPECIAL CONDITION 7. The provisions of 40 CFR Section 122.41(m) & (n) are incorporated herein by reference.

SPECIAL CONDITION 8. Samples taken in compliance with the effluent monitoring requirements shall be taken:

- A. For Outfall Number B01 shall be taken at a point:
  1. Representative of the discharge of fully treated wastewater effluent, and
  2. When discharges are occurring from Outfall Number A01, prior to admixture with discharges from Outfall Number A01.
- B. For Outfall Number A01 shall be taken at a point:
  1. Representative of the discharge from the excess flow treatment unit(s) to Outfall Number 001, and
  2. Prior to admixture with discharges from Outfall Number B01.
- C. For Outfall Number 001 shall be taken at a point:
  1. Representative of the discharge from Outfall Number 001 but prior to entry into the receiving water, and
  2. Representative of the admixture of all flow from Outfall Numbers A01 and B01.
    - a. On days when there are no discharges through Outfall Number A01 samples for all effluent limitations and monitoring parameters applicable to Outfall Number 001 can be taken at the location of sampling for Outfall Number B01. When this occurs, sample results for Outfall Number B01 must be reported on the DMRs for Outfall Number B01 and Outfall Number 001.
    - b. On days when there are discharges through Outfall A01, samples for all effluent limitations and monitoring parameters applicable to Outfall 001 shall be representative of the discharge through Outfall 001 to the receiving water; and shall be taken at a point representative of the admixture of flows from Outfall Numbers A01 and B01.

SPECIAL CONDITION 9. For Discharge No. B01, 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 10. During January of each year the Permittee shall submit annual fiscal data regarding sewerage system operations to the Illinois Environmental Protection Agency/Division of Water Pollution Control/Compliance Assurance Section. The

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Permittee may use any fiscal year period provided the period ends within twelve (12) months of the submission date.

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

SPECIAL CONDITION 11. This Permit may be modified to include alternative or additional final effluent limitations pursuant to an approved Total Maximum Daily Load (TMDL) Study or upon completion of an alternate Water Quality Study.

SPECIAL CONDITION 12. Consistent with permit modification procedures in 40 CFR 122.62 and 63, this Permit may be modified to include requirements for the Permittee on a continuing basis to evaluate and detail its efforts to effectively control sources of infiltration and inflow into the sewer system and to submit reports to the IEPA if necessary.

SPECIAL CONDITION 13. For the duration of this Permit, the Permittee shall determine the quantity of sludge produced by the treatment facility in dry tons or gallons with average percent total solids analysis. The Permittee shall maintain adequate records of the quantities of sludge produced and have said records available for U.S. EPA and 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 this permit or the Sludge Permit, the results of this monitoring shall be included in the reporting of data submitted to the IEPA.

The Permittee shall comply with existing federal regulations governing sewage sludge use or disposal and shall comply with all existing applicable regulations in any jurisdiction in which the sewage sludge is actually used or disposed.

The Permittee shall comply with standards for sewage sludge use or disposal established under section 405(d) of the CWA within the time provided in the regulations that establish the standards for sewage sludge use or disposal even if the permit has not been modified to incorporate the requirement.

The Permittee shall ensure that the applicable requirements in 40 CFR Part 503 are met when the sewage sludge is applied to the land, placed on a surface disposal site, or fired in a sewage sludge incinerator.

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

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

SPECIAL CONDITION 14. The Agency shall consider all monitoring data submitted by the discharger in accordance with the monitoring requirements of this permit for all parameters, including but not limited to data pertaining to ammonia and dissolved oxygen for discharges from Discharge Number 001, to determine whether the discharges are at levels which cause, have the reasonable potential to cause or contribute to exceedances of water quality standards; and, if so, to develop appropriate water quality based effluent limitations. If the discharger wants the Agency to consider mixing when determining the need for and establishment of water quality based effluent limitations, the discharger shall submit a study plan on mixing to the Agency for the Agency's review and comment within two (2) months of the effective date of this Permit.

SPECIAL CONDITION 15. The Permittee shall work towards the goals of achieving no discharges from sanitary sewer overflows or basement back-ups and ensuring that overflows or back-ups, when they do occur do not cause or contribute to violations of applicable standards or cause impairment in any adjacent receiving water. Overflows from sanitary sewers are expressly prohibited by this permit and by Ill. Adm. Code 306.304. As part of the process to ultimately achieve compliance through the elimination of and mitigating the

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adverse impacts of any such overflows if they do occur, the Permittee shall (A) identify and report to IEPA all SSOs that do occur, and (B) develop, implement and submit to the IEPA a Capacity, Management, Operations, and Maintenance (CMOM) plan which includes an Asset Management strategy within twenty-four (24) months of the effective date of this Permit or review and revise any existing plan accordingly. The Permittee shall modify the Plan to incorporate any comments that it receives from IEPA and shall implement the modified plan as soon as possible. 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 are designed.

The CMOM plan shall include the following elements:

A. Measures and Activities:

1. A complete map and system inventory for the collection system owned and operated by the Permittee;
2. Organizational structure; budgeting; training of personnel; legal authorities; schedules for maintenance, sewer system cleaning, and preventative rehabilitation; checklists, and mechanisms to ensure that preventative maintenance is performed on equipment owned and operated by the Permittee;
3. Documentation of unplanned maintenance;
4. 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; use flow monitoring and/or sewer hydraulic modeling, as necessary;
5. Identification and prioritization of structural deficiencies in the system owned and operated by the Permittee. Include preventative maintenance programs to prevent and/or eliminate collection system blockages from roots or grease, and prevent corrosion or negative effects of hydrogen sulfide which may be generated within collection system;
6. Operational control, including documented system control procedures, scheduled inspections and testing, list of scheduled frequency of cleaning (and televising as necessary) of sewers;
7. The Permittee shall develop and implement an Asset Management strategy to ensure the long-term sustainability of the collection system. Asset Management shall be used to assist the Permittee in making decisions on when it is most appropriate to repair, replace or rehabilitate particular assets and develop long-term funding strategies; and
8. Asset Management shall include but is not limited to the following elements:
  - a. Asset Inventory and State of the Asset;
  - b. Level of Service;
  - c. Critical Asset Identification;
  - d. Life Cycle Cost; and
  - e. Long-Term Funding Strategy.

B. Design and Performance Provisions:

1. Monitor the effectiveness of CMOM;
2. Upgrade the elements of the CMOM plan as necessary; and
3. Maintain a summary of CMOM activities.

C. Overflow Response Plan:

1. Know where overflows and back-ups within the facilities owned and operated by the Permittee occur;
2. Respond to each overflow or back-up to determine additional actions such as clean up; and
3. Locations where basement back-ups and/or sanitary sewer overflows occur shall be evaluated as soon as practicable for excessive inflow/infiltration, obstructions or other causes of overflows or back-ups as set forth in the System Evaluation Plan.
4. Identify the root cause of the overflow or basement backup, and document to files;
5. Identify actions or remediation efforts to reduce risk of reoccurrence of these overflows or basement backups in the future, and document to files.

D. System Evaluation Plan:

1. Summary of existing SSO and Excessive I/I areas in the system and sources of contribution;
2. Evaluate plans to reduce I/I and eliminate SSOs;
3. Evaluate the effectiveness and performance in efforts to reduce excessive I/I in the collection system;
4. Special provisions for Pump Stations and force mains and other unique system components; and
5. Construction plans and schedules for correction.

E. Reporting and Monitoring Requirements:

1. Program for SSO detection and reporting; and

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2. Program for tracking and reporting basement back-ups, including general public complaints.

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.

For additional information concerning USEPA CMOM guidance and Asset Management please refer to the following web site addresses.  
[http://www.epa.gov/npdes/pubs/cmom\\_guide\\_for\\_collection\\_systems.pdf](http://www.epa.gov/npdes/pubs/cmom_guide_for_collection_systems.pdf) and  
[http://water.epa.gov/type/watersheds/wastewater/upload/guide\\_smallsystems\\_assetmanagement\\_bestpractices.pdf](http://water.epa.gov/type/watersheds/wastewater/upload/guide_smallsystems_assetmanagement_bestpractices.pdf)

## Standard Conditions

### Definitions

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

**Agency** means the Illinois Environmental Protection Agency.

**Board** means the Illinois Pollution Control Board.

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

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

**USEPA** means the United States Environmental Protection Agency.

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

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

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

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

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

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

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

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

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

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

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

- (9) **Inspection and entry.** The permittee shall allow an authorized representative of the Agency or USEPA (including an authorized contractor acting as a representative of the Agency or USEPA), upon the presentation of credentials and other documents as may be required by law, to:
- Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
  - Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
  - Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
  - Sample or monitor at reasonable times, for the purpose of assuring permit compliance, or as otherwise authorized by the Act, any substances or parameters at any location.

(10) **Monitoring and records.**

- Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.
- The permittee shall retain records of all monitoring information, including all calibration and maintenance records, and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least 3 years from the date of this permit, measurement, report or application. Records related to the permittee's sewage sludge use and disposal activities shall be retained for a period of at least five years (or longer as required by 40 CFR Part 503). This period may be extended by request of the Agency or USEPA at any time.
- Records of monitoring information shall include:
  - The date, exact place, and time of sampling or measurements;
  - The individual(s) who performed the sampling or measurements;
  - The date(s) analyses were performed;
  - The individual(s) who performed the analyses;
  - The analytical techniques or methods used; and
  - The results of such analyses.
- Monitoring must be conducted according to test procedures approved under 40 CFR Part 136, unless other test procedures have been specified in this permit. Where no test procedure under 40 CFR Part 136 has been approved, the permittee must submit to the Agency a test method for approval. The permittee shall calibrate and perform maintenance procedures on all monitoring and analytical instrumentation at intervals to ensure accuracy of measurements.

(11) **Signatory requirement.** All applications, reports or information submitted to the Agency shall be signed and certified.

- Application.** All permit applications shall be signed as follows:
  - For a corporation: by a principal executive officer of at least the level of vice president or a person or position having overall responsibility for environmental matters for the corporation;
  - For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or
  - For a municipality, State, Federal, or other public agency: by either a principal executive officer or ranking elected official.
- Reports.** All reports required by permits, or other information requested by the Agency shall be signed by a person described in paragraph (a) or by a duly authorized representative of that person. A person is a duly authorized representative only if:

- The authorization is made in writing, by a person described in paragraph (a); and
  - The authorization specifies either an individual or a position responsible for the overall operation of the facility, from which the discharge originates, such as a plant manager, superintendent or person of equivalent responsibility; and
  - The written authorization is submitted to the Agency.
- Changes of Authorization.** If an authorization under (b) is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of (b) must be submitted to the Agency prior to or together with any reports, information, or applications to be signed by an authorized representative.
  - Certification.** Any person signing a document under paragraph (a) or (b) of this section shall make the following certification:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

(12) **Reporting requirements.**

- Planned changes.** The permittee shall give notice to the Agency as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required when:
  - The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source pursuant to 40 CFR 122.29 (b); or
  - The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in the permit, nor to notification requirements pursuant to 40 CFR 122.42 (a)(1).
- The alteration or addition results in a significant change in the permittee's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan.
- Anticipated noncompliance.** The permittee shall give advance notice to the Agency of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.
- Transfers.** This permit is not transferable to any person except after notice to the Agency.
- Compliance schedules.** Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date.
- Monitoring reports.** Monitoring results shall be reported at the intervals specified elsewhere in this permit.
  - Monitoring results must be reported on a Discharge Monitoring Report (DMR).

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

- (1) Any application for a permit shall be submitted to the Agency at least 60 days in advance of the proposed transfer date;
- (2) The notice includes a written agreement between the existing and new permittees containing a specified date for transfer of permit responsibility, coverage and liability between the existing and new permittees; and
- (3) The Agency does not notify the existing permittee and the proposed new permittee of its intent to modify or revoke and reissue the permit. If this notice is not received, the transfer is effective on the date specified in the agreement.
- (16) All manufacturing, commercial, mining, and silvicultural dischargers must notify the Agency as soon as they know or have reason to believe:
- (a) That any activity has occurred or will occur which would result in the discharge of any toxic pollutant identified under Section 307 of the Clean Water Act which is not limited in the permit, if that discharge will exceed the highest of the following notification levels:
- (1) One hundred micrograms per liter (100 ug/l);
- (2) Two hundred micrograms per liter (200 ug/l) for acrolein and acrylonitrile; five hundred micrograms per liter (500 ug/l) for 2,4-dinitrophenol and for 2-methyl-4,6 dinitrophenol; and one milligram per liter (1 mg/l) for antimony.
- (3) Five (5) times the maximum concentration value reported for that pollutant in the NPDES permit application; or
- (4) The level established by the Agency in this permit.
- (b) That they have begun or expect to begin to use or manufacture as an intermediate or final product or byproduct any toxic pollutant which was not reported in the NPDES permit application.
- (17) All Publicly Owned Treatment Works (POTWs) must provide adequate notice to the Agency of the following:
- (a) Any new introduction of pollutants into that POTW from an indirect discharge which would be subject to Sections 301 or 306 of the Clean Water Act if it were directly discharging those pollutants; and
- (b) Any substantial change in the volume or character of pollutants being introduced into that POTW by a source introducing pollutants into the POTW at the time of issuance of the permit.
- (c) For purposes of this paragraph, adequate notice shall include information on (i) the quality and quantity of effluent introduced into the POTW, and (ii) any anticipated impact of the change on the quantity or quality of effluent to be discharged from the POTW.
- (18) If the permit is issued to a publicly owned or publicly regulated treatment works, the permittee shall require any industrial user of such treatment works to comply with federal requirements concerning:
- (a) User charges pursuant to Section 204 (b) of the Clean Water Act, and applicable regulations appearing in 40 CFR 35;
- (b) Toxic pollutant effluent standards and pretreatment standards pursuant to Section 307 of the Clean Water Act; and
- (c) Inspection, monitoring and entry pursuant to Section 308 of the Clean Water Act.
- (19) If an applicable standard or limitation is promulgated under Section 301(b)(2)(C) and (D), 304(b)(2), or 307(a)(2) and that effluent standard or limitation is more stringent than any effluent limitation in the permit, or controls a pollutant not limited in the permit, the permit shall be promptly modified or revoked, and reissued to conform to that effluent standard or limitation.
- (20) Any authorization to construct issued to the permittee pursuant to 35 Ill. Adm. Code 309.154 is hereby incorporated by reference as a condition of this permit.
- (21) The permittee shall not make any false statement, representation or certification in any application, record, report, plan or other document submitted to the Agency or the USEPA, or required to be maintained under this permit.
- (22) The Clean Water Act provides that any person who violates a permit condition implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the Clean Water Act is subject to a civil penalty not to exceed \$25,000 per day of such violation. Any person who willfully or negligently violates permit conditions implementing Sections 301, 302, 306, 307, 308, 318 or 405 of the Clean Water Act is subject to a fine of not less than \$2,500 nor more than \$25,000 per day of violation, or by imprisonment for not more than one year, or both. Additional penalties for violating these sections of the Clean Water Act are identified in 40 CFR 122.41 (a)(2) and (3).
- (23) The Clean Water Act provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than \$10,000, or by imprisonment for not more than 2 years, or both. If a conviction of a person is for a violation committed after a first conviction of such person under this paragraph, punishment is a fine of not more than \$20,000 per day of violation, or by imprisonment of not more than 4 years, or both.
- (24) The Clean Water Act provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or non-compliance shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than 6 months per violation, or by both.
- (25) Collected screening, slurries, sludges, and other solids shall be disposed of in such a manner as to prevent entry of those wastes (or runoff from the wastes) into waters of the State. The proper authorization for such disposal shall be obtained from the Agency and is incorporated as part hereof by reference.
- (26) In case of conflict between these standard conditions and any other condition(s) included in this permit, the other condition(s) shall govern.
- (27) The permittee shall comply with, in addition to the requirements of the permit, all applicable provisions of 35 Ill. Adm. Code, Subtitle C, Subtitle D, Subtitle E, and all applicable orders of the Board or any court with jurisdiction.
- (28) The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit is held invalid, the remaining provisions of this permit shall continue in full force and effect.

(Rev. 7-9-2010 bah)