

Nine Minimum Controls Plan  
Illinois American Water  
Alton, IL Wastewater System

November 8, 2018

## Introduction

This Nine Minimum Controls Plan has been developed in relation to operation of the existing combined sewer portion of the Alton Illinois Wastewater System (the Wastewater System) following acquisition of the Wastewater System by the Illinois-American Water Company (IAWC). The Wastewater System currently serves the City of Alton, IL providing conveyance and treatment of wastewater. The Wastewater System also receives wastewater flows from the Village of Bethalto and the Village of Godfrey and provides treatment of those flows under bulk service agreements. The Wastewater System was originally developed and operated by the City of Alton, Illinois. Pursuant to an Asset Purchase Agreement dated April 18, 2018, IAWC has agreed to purchase the Wastewater System subject to the satisfaction of certain conditions, including receipt of necessary regulatory approvals and permits. Upon closing of the acquisition transaction, IAWC will become the owner and operator of the Wastewater System. This Nine Minimum Controls Plan will be implemented Effective on and after the closing date.

Currently, substantial portions of the Wastewater System are comprised of combined sewer systems. Combined sewer systems (CSSs) are waste water collection systems designed to carry sanitary sewage (consisting of domestic, commercial, and industrial waste water) and storm water in same sewer pipe to a treatment facility. In periods of rainfall or snowmelt, total flows in the combined sewer pipe exceeds the capacity of the CSS and/or the treatment facilities. When flows exceed capacities, the CSS is designed to overflow into surface water bodies. These overflows are called combined sewer overflows (CSOs). Because the CSOs contain untreated domestic, commercial, and industrial wastes, as well as surface runoff, many different types of contaminants can be present. In 1994, the United States Environmental Protection Agency (USEPA) established the CSO Control Policy to control discharges into the nation's water from combined sewer systems. Among the requirements of the CSO Control Policy is the establishment and implementation of a program for the CSS that comprises "nine minimum controls." The CSO Control Policy identified nine minimum controls as minimum technology-based controls that can be used to address CSO problems without extensive engineering studies of significant construction costs, prior to implementation of long-term control measures. Following the issuance of the CSO Control Policy, USEPA published the *Combined Sewer Overflows – Guidance for Nine Minimum Controls* to facilitate implementation by CSS owners.

The nine minimum controls are comprised of the following:

1. Proper Operation and Regular Maintenance Programs
2. Maximum Use of Collection System for Storage
3. Review and Modification of Pretreatment Requirements
4. Maximization of Flows to the Waste Water Treatment Plant
5. Elimination of CSOs During Dry Weather
6. Control of Solids and Floatable Material in CSO's
7. Pollution Prevention Programs to Reduce Contaminants in CSOs
8. Public Notification
9. Monitoring to Characterize CSO Impacts and Efficacy of CSO Controls

## History

The City of Alton, Illinois is located on the Mississippi River in southwest central Illinois. Settlers were known to have lived in the Alton area as early as 1783. It was not until 1815, however, that Colonel Rufus Easton of St. Louis laid out the original townsite and named it Alton, in honor of a son. Alton was incorporated as a City in 1837 with a population of 4,000. After its incorporation in 1837, the City grew rapidly due to its location on the Mississippi River and its railroad facilities. By 1850 the City of Alton had become the Southern terminus of the Alton and Sangamon Railroad. The western expansion of industry in the late 1800's resulted in the development of an industrial area in the broad plain known as the American Bottoms lying adjacent and southwest of Alton. This growth continued through 1960 when the population peaked at 43,047 following the annexation of the Milton and North Rodgers areas into the City of Alton. New urban centers grew with the establishment of new industries. Today Alton is the largest and heart of a district comprising interlocking cities, villages and communities, with contiguous corporate limits and boundaries, i.e., Godfrey, East Alton, Wood River, Roxana, South Roxana, Hartford, Bethalto, Moro, Meadowbrook, Cottage Hills and Rosewood Heights.

## Background

The Wastewater System involves a system of sewers to collect sewage and a waste water treatment plant which provides secondary treatment of waste water. The older southwest portion of the City is served by combined sewers which convey both storm water and sanitary sewage. There are separate sanitary sewers in the east and north portions of the City. The Wastewater System also receives wastewater flows from the Village of Bethalto and the Village of Godfrey and provides treatment of those flows under bulk service agreements. Wastewater flows from those communities are discharged into the East Side Interceptor of the Wastewater System and are conveyed to the Wastewater Treatment Plant (WWTP) for treatment.

There is currently one minor (Turner Tract) and three major combined sewer service areas (Piasa Valley, Shields Valley and Central Avenue) in the City, all of which utilize the Southside Interceptor of the Wastewater System to convey dry weather flow to the WWTP. Combined sewer overflows (CSO's) from two of the combined sewer service areas (Turner Tract and Piasa Valley) discharge directly to the Mississippi River. CSO's from the Shields Valley and Central Avenue combined sewer service areas discharge to the Mississippi River via the Wood River Drainage and Levee District Impoundment area. A map showing sewer service areas is attached as **Exhibit 1**.

The existing Alton Waste Water Treatment Plant has evolved from the addition of secondary treatment units to an originally constructed primary treatment plant. The original WWTP was constructed in 1964. The original WWTP construction included an offsite pumping station and force main to convey flows from the Southside Interceptor Sewer to the WWTP. The WWTP was designed for a population equivalent of 60,000 and to provide primary treatment for a design flow of 6.0 MGD. In 1977, the WWTP was enlarged and upgraded for the purpose of increasing the capacity and to meet more stringent effluent requirements.

The Alton WWTP currently operates under NPDES (National Pollutant Discharge Elimination System) Permit Number IL0027464 as issued and enforced by the Illinois Environmental Protection Agency

(IEPA). The design average flow (DAF) for the WWTP is 10.50 MGD and the design maximum flow (DMF) for the facility is 26.25 MGD. Treatment consists of screening, grit removal, primary settling, activated sludge and disinfection with chlorine. Sludge treatment includes anaerobic digestion, aerobic digestion, dissolved air thickening, belt filtration, sludge drying beds and landfill disposal of sludge. The previous NPDES Permit issued on November 2, 2011 is attached as **Exhibit 2**. Effective on closing of the system acquisition by IWAC, a new NPDES Permit issued to IWAC will become effective.

Under the EPA CSO Control Policy, the Wastewater System was required to implement a long term control plan (LTCP) to address overflows. The original LTCP for the Wastewater System was developed as required under Special Condition 15, Paragraph 10 of the City's NPDES Permit #IL0027464 issued October 31, 2005, by the Illinois Environmental Protection Agency. The City completed and submitted the initial LTCP to IEPA on August 31, 2009. IEPA approved the initial LTCP on April 8, 2011 and subsequently incorporated the LTCP into the NPDES Permit issued to the City that became effective on December 1, 2011. The City of Alton completed the State Street Separation and Wetlands Site Evaluation Study as outlined in the LTCP. The other action items contained in the LTCP remain unfinished at present time. Upon closing of the acquisition transaction, IAWC will become the owner and operator of the Wastewater System and will proceed with implementing projects to address CSOs from the Turner Tract, Piasa Valley, Central Avenue and Shields Valley CSS areas. IAWC has submitted to IEPA a request for modification of the schedule and projects under separate cover. Any modifications to the LTCP will be reflected in the NPDES permit issued to IAWC upon transfer of ownership.

**Combined Sewer Overflow Description**

There are currently one minor (Turner Tract) and three major (Piasa Valley, Central Avenue, and Shields Valley) CSS areas in the City of Alton. All of the CSS areas utilize the Southside Interceptor Sewer to convey dry weather flow to the WWTP. CSOs from two of the CSS areas (Turner Tract and Piasa Valley) discharge directly to the Mississippi River. CSOs from the Central Avenue and Shields Valley areas discharge to the Mississippi River via the Wood River Drainage and Levee District Impoundment area.

The Turner Tract CSS area and Piasa Valley CSS area are planned to be separated to eliminate CSOs. The east part of the Shields Valley that has separated sewers and is tributary to the Shields Valley CSS area are to be rerouted and connected to the Shields Valley Branch of the Southside Interceptor Sewer. The CSOs from the Central Avenue and Shields Valley CSS areas are planned to be impounded in the Wood River Drainage and Levee District Impoundment Area and conveyed to the WWTP for treatment.

Each CSS area has an overflow as shown on **Exhibit 1**. The location of each outfall is as follows:

CSS Area	NPDES Permit Outfall Number	Latitude	Longitude
Shields Valley	002	38°-53'-05"	90°-09'-34"
Central Avenue	003	38°-53'-08"	90°-10'-13"
Piasa Valley	004	38°-53'-20"	90°-11'-13"
Turner Tract	007	38°-54'-09"	90°-11'-58"

All CSS areas are tributary to the Southside Interceptor Sewer. Flows from both the combined sewers and separate sewers in the Turner Tract area empty into an intercepting structure. When the sewers at the intercepting structure have reached hydraulic capacity, flow spills over into a storm sewer system consisting of culverts and open ditches that flow to the Mississippi River. For each of the remaining CSS areas, flow is diverted into a regulating chamber before entering the interceptor. At each chamber, flow passes through an opening in the chamber wall and on to the interceptor sewer. The opening in the chamber wall is controlled by a manually operated sluice gate. The Piasa Valley CSS area regulating chamber is located at the intersection of Third and Piasa Streets. A low dam across the Piasa arch sewer diverts the dry weather flow into the regulating chamber and the Southside Interceptor. The next interceptor connection is located at the discharge point of the Central Avenue CSS area. The combined sewer discharges into an open ditch where a low water dam diverts flow into the regulating chamber. Flow from the Shields Valley CSS area is intercepted at the downstream end of the Shields Valley brick arch sewer by means of a diversion dam and regulating chamber as well.

### **Summary of Implementation**

The Wastewater System and WWTP serving Alton, Illinois was publicly owned and operated by the City of Alton since its inception. In April 2018, City of Alton agreed to transfer ownership and operation of the Wastewater System and WWTP to IAWC. Upon completion of the transfer, IAWC will own those facilities and be responsible for the operation.

This Nine Minimum Controls document provides the procedures to demonstrate that IAWC is complying with the nine minimum controls of the USEPA CSO Control Policy, prior to implementation of long-term control measures.

## **1. Proper Operation and Regular Maintenance Programs**

The first minimum control, proper operation and regular maintenance of the CSS areas and CSOs outfalls, should consist of a program that clearly establishes operation, maintenance, and inspection procedures to ensure the facilities function in a way to maximize treatment of combined sewage. Implementation should reduce magnitude, frequency, and duration of CSOs by enabling existing facilities to perform as effectively as possible.

### **Organizational Structure**

Two divisions of Illinois American Operations are directly involved with the O&M program. These are Sewer Maintenance and Wastewater Treatment. The City of Alton Street Division is also involved, because street sweeping is a part of the O&M Program.

Sewer Maintenance and Wastewater Treatment have 13 regular employees. The sewer department also has an operations supervisor, who is under the Superintendent of the Wastewater Treatment Plant which is the "Operator in Charge".

### **Budget**

The regular meetings for planning and budgeting begin during the month of April and are finalized by the end of year to establish the O&M budget for the following calendar year, beginning January 1.

### **Critical Facilities**

The critical elements of the Combined Sewer System are the following:

- A. Interception locations on the Southside Interceptor Sewer:
  - 1. Shields Valley
  - 2. Central Avenue
  - 3. Piasa Valley
  - 4. Turner Tract
- B. Inlets connected to Combined Sewer System:
  - 1. Grated Inlets
  - 2. Catch Basin Type Inlets (curb opening)

### **Procedures for Routine Maintenance**

Combined Sewer Interception Points are checked after each significant precipitation event by Illinois American Water personnel. The inspections are documented in Illinois American's work order management system. The CSO outfall overflow points are checked twice a week, normally Monday and Friday. The structures with mechanical gates are exercised and provided with routine maintenance every six months. Visual inspection of weirs and structures are made during the bi-weekly checks. These are documented in Illinois American's work order management system.

All collection system lift stations are inspected twice weekly for proper operation. The South Side Interceptor pump station is inspected daily for proper operation.

Preventative maintenance is completed annually (or as required if sooner) on all lift stations in the system, except for the South Side Interceptor pump station. Preventative maintenance on the South Side Interceptor pump station is completed on it daily, weekly, monthly, quarterly, semi-annually, and annually depending on which piece of equipment is being looked at.

Grated inlets are cleaned and inspected after any rain that causes water movement in street gutters. The inlets tributary to the stormwater collection system are maintained by the City of Alton. The inlets tributary to the combined system are maintained by Illinois American personnel. The inlets the City is responsible for are cleaned from checklists which list the addresses and number of inlets at each location. The inlets that Illinois American is responsible for are cleaned and documented in Illinois American's work order management system.

Catch Basin inlets are cleaned and inspected at a minimum of twice a year. The inlets tributary to the stormwater collection system are maintained by the City of Alton. The inlets tributary to the combined system are maintained by Illinois American personnel. The inlets the City is responsible for are cleaned from checklists which list the addresses and number of inlets at each location. The inlets that Illinois American is responsible for are cleaned and documented in Illinois American's work order management system. The areas that have high loading of leaves in the fall are swept with the Street Sweeper by the City of Alton on a regular basis.

#### Non-Routine Maintenance and Emergency Situations

During non-working hours, Customers and residents can contact the American Water Call Center for assistance. The Call Center can create work orders to dispatch both the Sewer Maintenance and Wastewater Treatment Plant employees.

#### Inspections

All of the CSOs are weir type which require little maintenance on the weir itself. The work order management system maintains a history of maintenance performed on each weir. The evidence of overflow discharge or any problem is noted and tracked in this system. Any problem at a CSO or combined sewer structure is investigated immediately to determine if immediate action is needed.

#### Training

All Illinois American employees of the sewer maintenance and waste water treatment plant are trained on the following areas with the noted frequency. All employees are given the opportunity to operate and familiarize themselves with equipment involved in their jobs. All employees go through a period of training where they are with a trained person who instructs the employee on proper procedures. The Supervisor checks progress regularly during this time.

<b>All ILAW Employees (Frequency of Recurring Training)</b>	<b>Audience</b>	<b>Length</b>	<b>Frequency</b>
Bloodborne Pathogens	All ILAW	1 hour	Annually
Emergency Response Plan	All ILAW	1 hour	Annually
Fire Extinguisher Use	All ILAW	1 hour	Annually
Hazard Communication	All ILAW	1 hour	Annually
HAZWOPER (Hazardous Waste Operations Response)	As specified	8 hour refresh	Annually
Hearing Conservation	All ILAW	1 hour	Annually
Lockout-Tag out	All ILAW	1 hour	Annually
Pipe Saw Safety	Supv & Operations	1 hour	Annually
Confined Space (Permit-Non Permit Required)	Supv & Operations	2 hours	Biennial
Excavation and Shoring	Supv & Operations	2 hours	Biennial
First Aid-CPR-AED	All ILAW	4 hours	Biennial
Arc Flash and PPE	Supv & Operations	4 hours	Triennial
Respiratory Protection	Supv & Operations	2 hour	Annually
Electrical Safety - Awareness Level	All ILAW	2 hours	Triennial
Ergonomics	All ILAW	1 hour	Triennial
Fall Protection	Supv & Operations	1 hour	Triennial
Flagging and Work Zone Safety	Supv & Operations	2 hours	Triennial
Hot Work (Compressed cylinders, welding, torches, etc.)	Supv & Operations	2 hours	Triennial
Near Misses (Hazard identification and submit report)	All ILAW	1 hour	Triennial
Power Industrial Trucks (Fork Lifts)	Licensed Operators	½ hour class ½ to 1 hour operating	Triennial
Power Industrial Trucks (Backhoe-Excavators)	Licensed Operators	3 hours	Triennial

### O&M Equipment

The following equipment is utilized by the sewer maintenance and wastewater treatment personnel for the O&M program:

- Jet/Vacuum Truck - Routine and emergency cleaning of sewers and catch basins.
- Jet Rodder Truck - Routine and emergency cleaning of sewers.
- Catch Basin Cleaning Truck - Routine and emergency cleaning of catch basins and inlets, ditches, and culverts
- One Ton Crew Truck - Used by cleaning crews for both routine and emergency investigation, cleaning and repair work.
- Two F250 Pick-Up Trucks, one with snow plow and salt spreader.
- One F450 Crane Truck
- Skid Steer Loader - Channel cleaning and small repair work associated with sewers.
- Utility Trailer - For equipment mobilization.
- Inflatable Plugs - Up to 30" diameter for bypass pumping between manholes.
- Emergency 4" Diesel Trailer Mounted Pump - For bypass pumping around manhole.



- Emergency Generator – Capable of providing power for City pumping stations.
- Safety Equipment - Manlift, gas monitors, harnesses, traffic control devices, ventilators used in underground repair and confined space entry.
- Emergency 8" Diesel Trailer Mounted Pump

#### Periodic Review of O&M Plans

O&M procedures are to be evaluated and modified as necessary during routine cleaning and before Spring and Fall rainy seasons. These practices will be modified if necessary.

## **2. Maximization of Storage in the Collection System**

The second minimum control, maximum use of the collection system, enables the system itself to store wet weather flows until downstream sewers and treatment facilities can handle them.

There are currently one minor (Turner Tract) and three major (Piasa Valley, Central Avenue, and Shields Valley) CSS areas in the Wastewater System. All of the CSS areas utilize the Southside Interceptor Sewer to convey dry weather flow to the WWTP. CSOs from two of the CSS areas (Turner Tract and Piasa Valley) discharge directly to the Mississippi River. CSOs from the Central Avenue and Shields Valley areas discharge to the Mississippi River via the Wood River Drainage and Levee District Impoundment area.

Turner Tract - As mentioned, Turner Tract is small CSS area and consequently so is the outlet sewer size at the point of overflow. This outlet is at the west end of the CSS which is adjacent to the Mississippi River bluffs. The topography in this area is very steep and cut with deep valleys away from the bluff face.

In this area, the use of the sewer system itself for storage of excess combined sewage for later treatment is not practical due to the limited volume available in the small pipe sizes. Localized, upstream, off sewer detention is also not practical due to the steep topography in the area. The investigations into the use of the sewer system for storage in this area have concluded that the maximum benefits of storage can be derived from a more intensified program of sewer cleaning and maintenance in the areas adjacent to combined sewer intercepting structures.

Piasa Valley Area - This CSS area has the largest watershed at 1,455 acres and is the first major watershed east of the end of the Mississippi River bluffs at Alton. The outfall sewer at the point of interception is a 9.5-foot wide concrete reinforced stone arch which is located under Piasa Street in the heart of the Central Business District and is one of the oldest sewers in the CSS. A 15-inch high concrete weir dam constructed across the floor of this sewer diverts up to 2.5 times the average dry weather flow from the sewer into the intercepting sewer system. In its present configurations the Piasa Valley Sewer capacity is limited to an approximate ten-year frequency storm upstream of its outlet. There is a history of flooding of this sewer with resultant property damage. On two occasions in the past the sewer failed under surcharged conditions and had to be rebuilt.

Other than the storage already provided by the existing diversion dam, the use of the Piasa Valley outlet sewer to store CSOs is not considered practical due to the age of the sewer and its vulnerability to flooding. The more intensive program of sewer cleaning and maintenance of the portion of the sewer system adjacent to the intercepting structures to be instituted by IAWC is the best means of maximizing storage of CSOs in the Piasa outfall sewer.

Central Avenue Area - This CSS has a watershed of 470 acres which is fully developed into residential and commercial properties. The watershed consists of side hill drainage above the floodplain of the Mississippi River where the Central Avenue combined sewer outfall is located. While the outfall is located in the floodplain, it is within the flood protection levee of the Wood River Drainage and Levee District. The Central Avenue CSO consists of three branch sewers (84", 72", and 60" in diameter) at the outfall. An 18-inch high concrete weir dam constructed across the floor of the outfall headwall, which receives the flow from the three branch sewers, diverts up to 2.5 times the dry weather flow from the

CSS into the interceptor sewer. Thus it provides storage of a portion of the CSOs in the CSS sewer system.

The portions of the three branch sewers that are located within the aforesaid floodplain are on flat grades and are relatively shallow in depth. Most of the commercial properties are also located within the flood plain area. The combination of the flat grades and shallow depth of the branch sewers and commercial properties with basements connected to the sewer causes flooding to occur during intense rain events. Attempts to increase storage of CSOs in this CSS sewer system beyond that already provided by the concrete weir dam would only further aggravate the flooding problem. The current IAWC program of intensified cleaning and maintenance of sewers in the areas adjacent to the intercepting structures serves to maximizing the storage available in this CSS.

Due to the full development of the area and the side hill nature of the watershed, localized upstream detention of storm water is not practical for this combined sewer area.

Shields Valley Area - The 1,400-acre watershed of the Shield Valley CSS area is nearly as large as that of the Piasa Valley watershed. However, the sewer at the outfall consists of a 16-foot wide arch giving it considerably more capacity than the Piasa Valley outfall. A 15-inch high concrete weir dam constructed across the paved concrete outlet channel adjacent to the downstream end of the arch sewer, coupled with another diversion dam further downstream, divert in excess of 2.5 times the dry weather flow from the Shield Valley CSS into the interceptor sewer system.

The storage provided by the concrete weir dams and the program of increased sewer maintenance and cleaning previously described is presently the means of maximizing the use of the collection system for storage in this CSS.

### **3. Review and Modification of Pretreatment Requirements**

The third minimum control should be the determination of whether non-domestic sources are contributing to CSO impacts and, if so, investigate ways to control them. The objective is to minimize impacts of discharges into the CSS areas from non-domestic sources (i.e. industrial and commercial sources, such as restaurants and gas stations) during wet weather events.

The major industrial facilities within and adjacent to the Wastewater System have historically provided their own sewage treatment. Their treated wastewater is discharged directly to the Mississippi River. Site sampling and testing of non-domestic wastewater that reaches the sewer system was previously conducted by the City and determined that there are currently no significant non-domestic discharges to the Alton sewer system. The City had previously concluded that a pre-treatment program for the City was not required, and the Illinois EPA has not required that the City establish and administer a pre-treatment program.

IWAC has developed and has adopted an Industrial Pretreatment Program (IPP) as part of its tariff approved by the Illinois Commerce Commission (which regulates public utilities). That IPP, which is attached as **Exhibit 3** to this NMCP, provides regulations and pre-treatment standards for industrial and commercial discharges into the Wastewater System, including a permit system for any significant industrial discharges who may be identified in the future.

#### **4. Maximization of Flow to the WWTP for Treatment**

The fourth minimum control, maximizing flow to the WWTP, entails modifications to the CSS and WWTP to enable as much wet weather flow as possible to reach the WWTP reducing the magnitude, frequency, and duration of CSOs.

Prior studies conducted for the City focused in part on the City's CSOs and the alternative methods of filling the primary need to provide additional facilities to comply with Illinois Pollution Control Board rules and regulations. Those studies concluded that a cost-effective method of handling the City's CSOs was to provide the facilities that would fully utilize the capacity of the Southside Interceptor Sewer which intercepts the flow from all of the CSS areas. Concurrence with this conclusion was obtained from the Illinois EPA and the Illinois Pollution Control Board. The improvements need to provide these facilities were as follows:

1. Increase the intercepting capacity of the Shields Valley intercepting structures to 4.4 MGD which, when coupled with the intercepting capacity of the City's other intercepting structures would equal 13.7 MGD, the capacity of the Southside Interceptor Sewer.
2. Upgrade the Southside interceptor sewage pumping station which conveys the flow from the Southside Interceptor sewer to the City's wastewater treatment plant from a capacity of 8.7 MGD to 13.7 MGD.

The City of Alton completed those projects and the facilities are in place and will continue to be operated and maintained to function properly.

Because all the CSS areas utilize the Southside Interceptor Sewer to convey dry weather flow to the WWTP, ongoing sewer maintenance and cleaning of the Southside Interceptor Sewer and Southside Interceptor Pumping Station will keep the facilities operating at full capacity.

## **5. Elimination of CSOs During Dry Weather**

The fifth minimum control, elimination of CSOs during dry weather, includes measures to ensure that CSOs do not occur during dry weather flow conditions.

The four locations at which CSOs may occur in the Alton sewer system during wet weather periods are the CSO discharge points (#002 – Shields Valley, #003 – Central Avenue, #004 – Piasa Street, #007 – Turner Tract). Likewise, those locations are where dry weather overflows (DWOs) could also occur.

Bi-weekly inspections of the overflow locations performed by IAWC personnel and scheduled maintenance of intercepting structures as described in Section 2 of this plan are the major elements in eliminating DWO's. Also, these bi-weekly checks will also alert sewer maintenance personnel as to when sewer and interceptor structure cleaning is needed to insure proper operation of intercepting facilities. All locations are checked after any rain of 0.5 inches or more.

Any DWO should be documented and summary reports submitted to IEPA per requirements of the current NPDES permit.

## **6. Control of Solid and Floatable Materials in CSOs**

The sixth minimum control, control of solid and floatable materials in CSOs, is intended to reduce visible floatables and solids. IAWC's approach to this will be two-fold. IAWC will do routine cleaning of the combined sewers, particularly at and near the overflow outfall, as well as cleaning inlet grates within their service areas. Grated inlets collect a large amount of floatable debris before it enters the system, and routinely cleaning these grated inlets will eliminate a large majority of floatable material in the CSO's. Experience has shown that these are the most practical and effective means of controlling solids and floatables in the CSO's.

The Piasa Valley outfall sewer is equipped with a closure sluice gate at its point of discharge into the Mississippi River. During normal river conditions, the gate is positioned to act as a baffle to control floatables in the Piasa Valley CSO's. During the bi-weekly checks of the overflow locations as indicated in Section 2 of this plan, the Piasa Valley outfall gatewell structure is also checked for any floating material that is trapped behind the gate. Collected floatables are removed on an as needed basis.

Inlet and catch basin modifications to install individual trash capture devices as a means of control have been ruled out due to the resulting increased maintenance requirements and unacceptable increased incidences of street flooding.

## 7. Pollution Prevention Programs to Reduce Contaminants in CSOs

The seventh minimum control, pollution prevention, is intended to keep contaminants from entering the CSS areas and thus receiving waters via CSOs.

This control is a partnership by everyone in the community to help keep the community free of trash and contaminants. Routine street sweeping by the City of Alton's Street Department and enforcement of the City's anti-littering and illegal dumping ordinances by the Public Affairs Department have helped the effectiveness of reducing contaminants in the City's CSO's. IAWC and the City of Alton have entered into an agreement as terms of the acquisition that the City will continue street sweeping and enforcement of anti-littering and illegal dumping ordinances in accordance with past practices. Also, periodic clean-up/pick up campaigns by Pride Incorporated, an area civic group, and by an organization of local high school students have been effective.

In 2004, the Alton Beautification and Clean City Committee (ABCCC) was formed to help with beautifying and cleaning up the City of Alton. They perform a lot of the same tasks around town in helping to eliminate trash contaminates from entering the sewer systems. They host a variety of trash clean up events throughout the year that are very effective.

The City of Alton currently utilizes Republic Services as the trash collection company in town. Republic Services provides both enclosed trash bins as well as separate enclosed recyclable materials bins to homeowners. On top of the trash services, they also provide large item haul offs as requested. These services help in reducing littering around town.

The City of Alton utilizes a leaf collection truck which has allowed for a far greater capacity and efficiency in collecting leaves and preventing them from entering streets and ultimately grated inlets in the fall months. All new public areas developed by the City include trash receptacles to reduce litter in parks, parking lots, streets and adjacent to public buildings.

IWAC has developed and has adopted an Industrial Pretreatment Program (IPP) as part of its tariff approved by the Illinois Commerce Commission (which regulates public utilities). That IPP, which is attached as **Exhibit 3** to this NMCP, provides regulations and pre-treatment standards for industrial and commercial discharges into the Wastewater System, including a permit system for any significant industrial discharges who may be identified in the future.

Although the City does not have its own hazardous waste collection program, Madison County and Municipal agencies within the Alton area sponsor and advertises hazardous waste pick-up programs at various times each year. Items such as partially empty paint cans, solvents, and other hazardous wastes can be dropped off by individuals at advertised locations where they will be picked up and properly disposed of by the sponsoring agency.



## **8. Public Notification**

The eighth minimum control, public notification, is intended to inform the public of the location of the CSO outfalls, the actual occurrences of CSOs, the possible health and environmental effects of CSOs, and the recreational or commercial activities curtailed as a result of CSOs.

As part of the LTCP efforts, it was determined that neither the Mississippi River nor the WRDLD impoundment area within the CSO area are designated as an Outstanding Natural Resource. Water in the immediate areas of the discharge points has not been found to contain either shellfish beds or endangered aquatic species or their habitat. No discharges are within the protection area for drinking water intake structures. The IEPA concurred with this finding as indicated in Special Condition 15 (7. Sensitive Area Considerations) of the Alton NPDES permit.

IAWC will install signage at each of the CSO outfall discharge points (#002 – Shields Valley, #003 – Central Avenue, #004 – Piasa Street, #007 – Turner Tract) upon transfer of ownership. The signage will alert the public of who to contact if they observe an overflow.

## **9. Monitoring to Characterize CSO Impacts and the Efficacy of CSO Controls**

The ninth minimum control involves visual inspections and other simple methods to determine the occurrence and apparent impacts of CSOs.

Prior sewer studies have characterized the CSS areas and facilities. Maps showing location, size, and elevations of the CSS have been prepared which are periodically updated as additions are made to the system. .

An ongoing program of monitoring of the CSOs are carried out by the IAWC personnel. As indicated in Section 2 of this Plan the CSO interception points are visited after each rain event and a monitoring report is filled out giving the following information for each outfall:

*Date*

*Estimated duration of rainfall*

*Estimated amount of rainfall*

*Estimated duration of CSO*

The City has “tipping bucket” rainfall gauges located in the west, central and east part of the City in order to best determine the amount of rainfall that is contributed to each individual CSO outfall. IAWC will have access to this data.

At the Turner Tract, Central, Shields Valley, Piasa Valley CSS area overflow weir dams, there are ultrasonic water level recorders to determine the depth of flow over the weir dam and the duration of the overflow. A velocity meter is also installed at each location so that the volume of each CSO can be calculated.

The information developed from this ongoing program will become a part of the characterization, monitoring, and modeling of the CSS areas for the projects outlined in the LTCP. As part of the design of the LTCP projects, IAWC will utilize the collected information to build and calibrate system hydraulic models. CSO events and the hydraulic models will be reviewed by IAWC engineers annually prior to establishing the yearly budget to ensure the system is operating within the parameters outlined in the NPDES permit. Projects deemed necessary to improve system capacity will be budgeted and implemented as needed.

# EXHIBIT 1

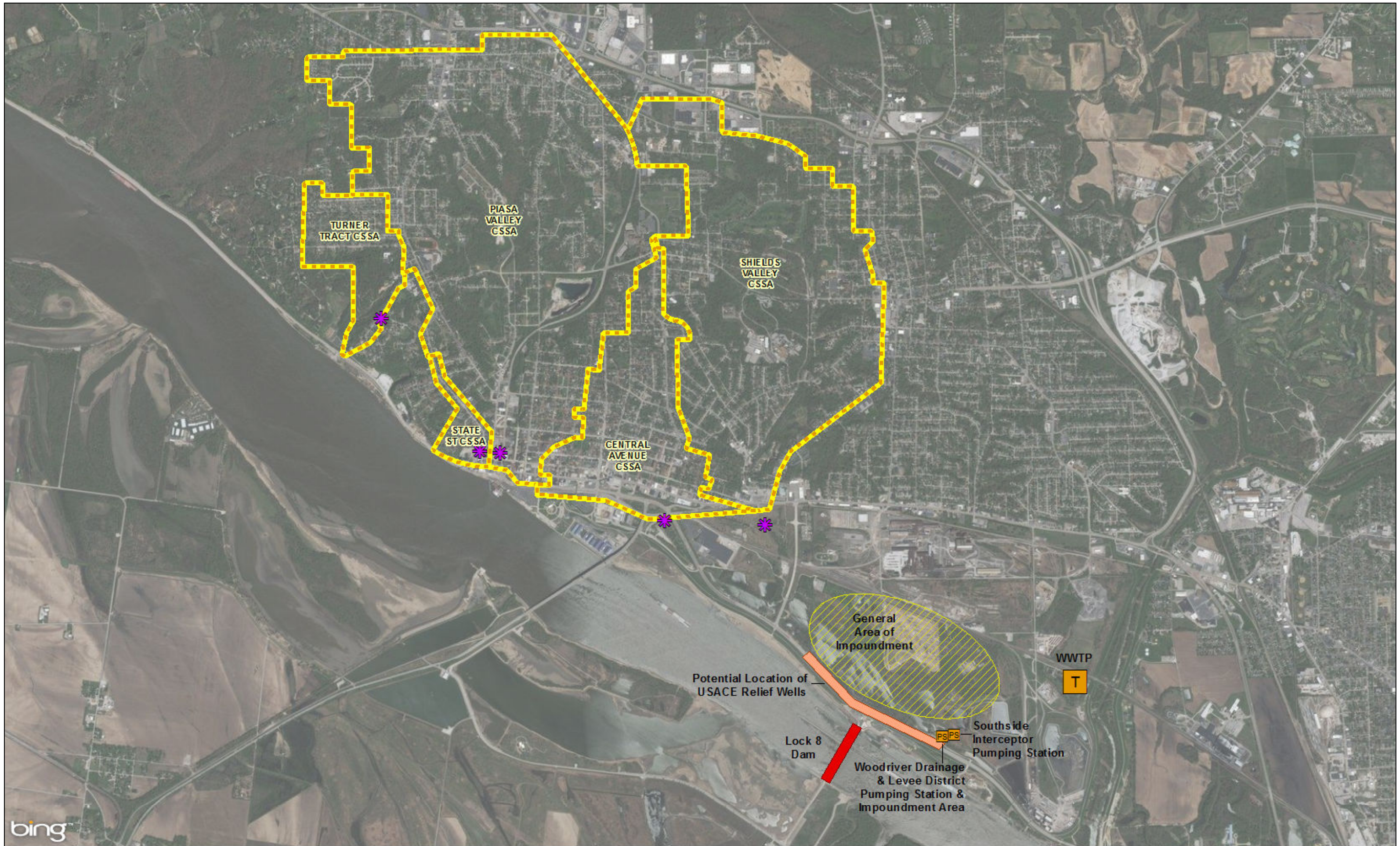


Exhibit 1

## EXHIBIT 2



# ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

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

7/782-0610

PAT QUINN, GOVERNOR

MAJOR

November 2, 2011

City of Alton  
101 East Third Street  
Alton, Illinois 62002

Re: City of Alton STP  
NPDES Permit No. IL0027464  
Final Permit

Gentlemen:

Attached is the final NPDES Permit for your discharge. The Permit as issued covers discharge limitations, monitoring, and reporting requirements. Failure to meet any portion of the Permit could result in civil and/or criminal penalties. The Illinois Environmental Protection Agency is ready and willing to assist you in interpreting any of the conditions of the Permit as they relate specifically to your discharge.

The Agency has begun a program allowing the submittal of electronic Discharge Monitoring Reports (eDMRs) instead of paper Discharge Monitoring Reports (DMRs). If you are interested in eDMRs, more information can be found on the Agency website, <http://epa.state.il.us/water/edmr/index.html>. If your facility is not registered in the eDMR program, a supply of preprinted paper DMR Forms for your facility will be sent to you prior to the initiation of DMR reporting under the reissued permit. Additional information and instructions will accompany the preprinted DMRs upon their arrival.

The attached Permit is effective as of the date indicated on the first page of the Permit. Until the effective date of any re-issued Permit, the limitations and conditions of the previously-issued Permit remain in full effect. You have the right to appeal any condition of the Permit to the Illinois Pollution Control Board within a 35 day period following the issuance date.

Should you have questions concerning the Permit, please contact Richard E. Pinneo at the 217/782-0610.

Sincerely,

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

SAK: REP:11050901.bah

Attachment: Final Permit

cc: Records  
Compliance Assurance Section  
Collinsville Region

Billing  
SIMAPC  
Alton WWTP

C.L. Sheppard, Sheppard, Morgan and Schwaab, Inc.

EPA - DIVISION OF RECORDS MANAGEMENT  
RELEASABLE

APR 09 2012

REVIEWER MED

Rockford • 4302 N. Main St., Rockford, IL 61103 • (815) 987-7760  
Elgin • 595 S. State, Elgin, IL 60123 • (847) 608-3131

Bureau of Land - Peoria • 7620 N. University St., Peoria, IL 61614 • (309) 693-5462  
Collinsville • 2009 Mall Street, Collinsville, IL 62234 • (618) 346-5120

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

MAJOR

NPDES Permit No. IL0027464

Illinois Environmental Protection Agency

Division of Water Pollution Control

1021 North Grand Avenue East

Post Office Box 19276

Springfield, Illinois 62794-9276

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

Reissued (NPDES) Permit

Expiration Date: November 30, 2016

Issue Date: November 2, 2011  
Effective Date: December 1, 2011

Name and Address of Permittee:

City of Alton  
101 East Third Street  
Alton, Illinois 62002

Facility Name and Address:

City of Alton STP  
19 Chessen Lane  
Alton, Illinois  
(Madison County)

Receiving Waters: Mississippi River

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

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



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

SAK:REP:11050901.bah

NPDES Permit No. IL0027464

Effluent Limitations, Monitoring, and Reporting

FINAL

Discharge Number(s) and Name(s): 001 STP Outfall

Load limits computed based on a design average flow (DAF) of 10.50 MGD (design maximum flow (DMF) of 26.25 MGD).

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

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:

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> **	1751 (4378)	3503 (8757)		20	40		2 days/week	Composite	
Suspended Solids	2189 (5473)	3941 (9852)		25	45		2 days/week	Composite	
pH	Shall be in the range of 6 to 9 Standard Units						2 days/week	Grab	
Fecal Coliform***	Daily Maximum shall not exceed 400 per 100 mL (May through October)						2 days/week	Grab	
Chlorine Residual***							0.75	2 days/week	Grab
Total Phosphorus	Monitor Only						1 day/month	Composite	
Total Nitrogen	Monitor Only						1 day/month	Composite	

\*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 8.

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

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

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

Chlorine Residual shall be reported on DMR as a daily maximum.

Total phosphorus and total nitrogen shall be reported on the DMR as a monthly average and daily maximum.



## NPDES Permit No. IL0027464

Effluent Limitations, Monitoring, and Reporting

FINAL

Discharge Number(s) and Name(s): 009 Secondary Treatment Outfall to Wood River Creek (See Special Condition 13)

Discharge from this outfall is prohibited except when: 1.) River stage on the Mississippi River is at or above the 25 year flood elevation and the dilution ratio in Wood River Creek is at least 500% of the flow discharged; or, 2.) the requirements of Special Condition 13 are fully complied with.

Load limits computed based on a design average flow (DAF) of 10.50 MGD (design maximum flow (DMF) of 26.25 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:

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	
Dilution Ratio	Shall not be less than 500%						Daily When Discharging	
CBOD <sub>5</sub> **	1751 (4378)	3503 (8757)		20	40		Daily When Discharging	Composite
Suspended Solids	2189 (5473)	3941 (9852)		25	45		Daily When Discharging	Composite
	Shall be in the range of 6 to 9 Standard Units						Daily When Discharging	Grab
Fecal Coliform***	Daily Maximum shall not exceed 400 per 100 mL (May through October)						Daily When Discharging	Grab
Chlorine Residual***						0.75	Daily When Discharging	Grab
Total Phosphorus	Monitor Only						Daily When Discharging	Composite
Total Nitrogen	Monitor Only						Daily When Discharging	Composite
Ammonia Nitrogen as (N)								
March-May/Sept.-Oct.	218.9 (547)	---	420 (1051)	2.5	---	4.8	Daily When Discharging	Composite
June-August	166 (416)	420 (1051)	587 (1467)	1.9	4.8	6.7	Daily When Discharging	Composite
Nov.-Feb.	---	---	552 (1379)	---	---	6.3	Daily When Discharging	Composite

\*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 8.

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

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

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

Chlorine Residual shall be reported on DMR as a daily maximum.

Dilution Ratio shall be calculated every day that discharge from this outfall occurs and shall be reported on the DMR as a minimum. For calculation, Wood River Creek flow shall be measured upstream so as not be impacted by on Mississippi River back water.

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

Total phosphorus and total nitrogen shall be reported on the DMR as a monthly average and daily maximum.

NPDES Permit No. IL0027464

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>	2 days/week	Composite
Suspended Solids	2 days/week	Composite

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

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

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

Special Conditions

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

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

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

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

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

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

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

SPECIAL CONDITION 8. Fecal Coliform limits for Discharge Numbers 001 and 009 are effective May thru October. Sampling of Fecal Coliform is only required during this time period.

The total residual chlorine limit is applicable at all times. If the Permittee is chlorinating for any purpose during the months of November through April, sampling is required on a daily grab basis. Sampling frequency for the months of May through October shall be as indicated on effluent limitations, monitoring and reporting page of this Permit.

SPECIAL CONDITION 9. The Permittee shall conduct semi-annual monitoring of the effluent and report concentrations (in mg/l) of the following listed parameters. Monitoring shall begin three (3) months from the effective date of this permit. The sample shall be a 24 hour effluent composite except as otherwise specifically provided below and the results shall be submitted on Discharge Monitoring Report Forms to IEPA unless otherwise specified by the IEPA. The parameters to be sampled and the minimum reporting limits to be attained are as follows:

<u>STORET CODE</u>	<u>PARAMETER</u>	<u>Minimum reporting limit</u>
01002	Arsenic	0.05 mg/L
01007	Barium	0.5 mg/L
01027	Cadmium	0.001 mg/L
01032	Chromium (hexavalent) (grab)	0.01 mg/L
01034	Chromium (total)	0.05 mg/L
01042	Copper	0.005 mg/L
00718	Cyanide (weak acid dissociable) (grab)	5.0 ug/L
00720	Cyanide (total) (grab not to exceed 24 hours)	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 (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
01092	Zinc	0.025 mg/L

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.

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

\*\*Utilize USEPA Method 1631E and the digestion procedure described in Section 11.1.1.2 of 1631E

Special Conditions

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

SPECIAL CONDITION 11. 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 Permittee may use any fiscal year period provided the period ends within twelve (12) months of the submission date.

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

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

Biomonitoring

1. Acute Toxicity - Standard definitive acute toxicity tests shall be run on at least two trophic levels of aquatic species (fish, invertebrate) representative of the aquatic community of the receiving stream. Testing must be consistent with Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms (Fifth Ed.) EPA/821-R-02-012. Unless substitute tests are pre-approved; the following tests are required:
  - a. Fish - 96 hour static 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 18th, 15th, 12th, and 9th month prior to the expiration date of this Permit.
 

Reporting - Results shall be reported according to EPA/821-R-02-012, Section 12, Report Preparation, and shall be submitted to IEPA, Bureau of Water, Compliance Assurance Section within one week of receipt from the laboratory. Reports are due to the IEPA no later than the 16th, 13th, 10th, and 7th month prior to the expiration date of this Permit.
4. Toxicity - Should a bioassay result in toxicity to >20% of organisms test in the 100% effluent treatment, the IEPA may require, upon notification, six (6) additional rounds of monthly testing on the affected organism(s) to be initiated within 30 days of the toxic bioassay. Results shall be submitted to IEPA within (1) week of becoming available to the Permittee. Should any of the additional bioassays result in toxicity to ≥50% of organisms tested in the 100% effluent treatments, the Permittee may wish to contact the IEPA to request the discontinuance of further sampling at which time the IEPA may require the Permittee to begin the toxicity reduction evaluation and identification as outlined below.
5. Toxicity Reduction Evaluation - Should the results of the biomonitoring program identify toxicity, the IEPA may require that the Permittee prepare a plan for toxicity reduction evaluation and identification. This plan shall be developed in accordance with Toxicity Reduction Evaluation Guidance for Municipal Wastewater Treatment Plants, EPA/833B-99/002, and shall include an evaluation to determine which chemicals have a potential for being discharged in the plant wastewater, a monitoring program to determine their presence or absence and to identify other compounds which are not being removed by treatment, and other measures as appropriate. The Permittee shall submit to the IEPA its plan for toxicity reduction evaluation within ninety (90) days following notification by the IEPA. The Permittee shall implement the plan within ninety (90) days or other such date as contained in a notification letter received from the IEPA.

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

SPECIAL CONDITION 13. Discharge Number 009 is an emergency high level bypass. Discharges from this overflow, other than when the Mississippi River is at or above 25-year flood elevation and when 5:1 dilution exists in Wood River Creek, are subject to the following conditions:

## Definitions

- (i) "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility.

Special Conditions

- (ii) "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.
- (2) Bypass not exceeding limitations. The Permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if at least a 5:1 dilution ratio is maintained in Wood River Creek and if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of paragraphs (3) and (4) of this section.
- (3) Notice
  - (i) 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.
  - (ii) Unanticipated bypass. The Permittee shall submit notice of an unanticipated bypass as required in Standard Condition 12(e) of this Permit (24-hour notice).
- (4) Prohibition of bypass. Bypass is prohibited, and the IEPA 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 was 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 Standard Condition 12(e) of this Permit.
- (5) Emergency Bypass when discharging, 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 bypassing occurs. The Permittee shall specify the number of discharges per month that occur and shall report this number in the quantity daily maximum column. The Permittee shall report the highest concentration value of BOD<sub>5</sub> and Suspended Solids discharged in the concentration daily maximum column.

SPECIAL CONDITION 14. For the duration of this Permit, the Permittee shall determine the quantity of sludge produced by the treatment facility in dry tons or gallons with average percent total solids analysis. The Permittee shall maintain adequate records of the quantities of sludge produced and have said records available for IEPA inspection. The Permittee shall submit to the IEPA, at a minimum, a semi-annual summary report of the quantities of sludge generated and disposed of, in units of dry tons or gallons (average total percent solids) by different disposal methods including but not limited to application on farmland, application on reclamation land, landfilling, public distribution, dedicated land disposal, sod farms, storage lagoons or any other specified disposal method. Said reports shall be submitted to the IEPA by January 31 and July 31 of each year reporting the preceding January thru June and July thru December interval of sludge disposal operations.

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

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

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

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

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

Special Conditions

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 15.

AUTHORIZATION OF  
COMBINED SEWER AND TREATMENT PLANT DISCHARGES

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

<u>Discharge Number</u>	<u>Location</u>	<u>Receiving Water</u>
002	Shields Valley	Mississippi River (through impoundment area)
003	Central Avenue	Mississippi River (through impoundment area)
004	Piasa Street	Mississippi River (Pool of Lock & Dam #26)
007	Turner Street	Mississippi River (Pool of Lock & Dam #26)

Treatment Requirements

1. All combined sewer overflows and treatment plant bypasses shall be given sufficient treatment to prevent pollution and the violation of applicable water quality standards. Sufficient treatment shall consist of the following:
  - a. Treatment as described in PCB R82-7 and dated May 19, 1988 shall be provided. The terms and conditions of this Board Order are hereby incorporated by reference as if fully set forth herein; and,
  - b. Any additional treatment, necessary to comply with applicable water quality standards and the federal Clean Water Act, including any amendments made by the Wet Weather Water Quality Act of 2000.
2. All CSO discharges authorized by this Permit shall be treated, in whole or in part, to the extent necessary to prevent accumulations of sludge deposits, floating debris and solids in accordance with 35 Ill. Adm. Code 302.203 and to prevent depression of oxygen levels below the applicable water quality standards.
3. Overflows during dry weather are prohibited. Dry weather overflows shall be reported to the IEPA pursuant to Standard Condition 12(e) of this Permit (24 hour notice).
4. The collection system shall be operated to optimize transport of wastewater flows and to minimize CSO discharges.
5. The treatment system shall be operated to maximize treatment of wastewater flows.

Nine Minimum Controls

6. The Permittee shall comply with the nine minimum controls contained in the National CSO Control Policy published in the Federal Register on April 19, 1994. The nine minimum controls are:
  - a. Proper operation and maintenance programs for the sewer system and the CSOs (Compliance with this Item shall be met through the requirements imposed by Paragraph 8 of this Special Condition);
  - b. Maximum use of the collection system for storage (Compliance with this Item shall be met through the requirements imposed by Paragraphs 1, 4, and 8 of this Special Condition);
  - c. Review and modification of pretreatment requirements to assure CSO impacts are minimized (Compliance with this Item shall be met through the requirements imposed by Paragraph 9 of this Special Condition);
  - d. Maximization of flow to the POTW for treatment (Compliance with this Item shall be met through the requirements imposed by Paragraphs 4, 5, and 8 of this Special Condition);

Special Conditions

- e. Prohibition of CSOs during dry weather (Compliance with this Item shall be met through the requirements imposed by Paragraph 3 of this Special Condition);
- f. Control of solids and floatable materials in CSOs (Compliance with this Item shall be met through the requirements imposed by Paragraphs 2 and 8 of this Special Condition);
- g. Pollution prevention programs which focus on source control activities (Compliance with this Item shall be met through the requirements imposed by Paragraph 6 of this Special Condition, **See Below**);
- h. Public notification to ensure that citizens receive adequate information regarding CSO occurrences and CSO impacts (Compliance with this Item shall be met through Paragraphs 7 and 12 of this Special Condition); and,
- i. Monitoring to characterize impacts and efficiency of CSO controls (Compliance with this Item shall be met through the requirements imposed by Paragraphs 10 and 11 of this Special Condition).

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

Sensitive Area Considerations

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

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

Operational and Maintenance Plans

- 8. The IEPA reviewed and conditionally accepted a CSO operational and maintenance plan "CSO O&M plan" on August 1, 1997 prepared for this sewerage system. The Permittee shall review and revise, if needed, the CSO O&M plan to reflect system changes.

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

### Special Conditions

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

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

### Sewer Use Ordinances

9. The Permittee, within six (6) months of the effective date of this Permit, shall review and where necessary, modify its existing sewer use ordinance to ensure it contains provisions addressing the conditions below. If no ordinance exists, such ordinance shall be developed and implemented within six (6) months from the effective date of this Permit. Upon completion of the review of the sewer use ordinance(s), the Permittee shall submit two (2) copies of a completed Certification of Sewer Use Ordinance Review, one (1) with original signatures. Copies of the certification form can be obtained on line at <http://www.epa.state.il.us/water/permits/waste-water/forms/sewer-use.pdf>. The Permittee shall submit copies of the sewer use ordinance(s) to the IEPA upon written request. Sewer use ordinances are to contain specific provisions to:
  - a. Prohibit introduction of new inflow sources to the sanitary sewer system;
  - b. Require that new construction tributary to the combined sewer system be designed to minimize and/or delay inflow contribution to the combined sewer system;
  - c. Require that inflow sources on the combined sewer system be connected to a storm sewer if a storm sewer becomes available;
  - d. Provide that any new building domestic waste connection shall be distinct from the building inflow connection, to facilitate disconnection if a storm sewer becomes available;
  - e. Assure that CSO impacts from non-domestic sources are minimized by determining which non-domestic discharges, if any, are tributary to CSOs and reviewing, and, if necessary, modifying the sewer use ordinance to control pollutants in these discharges; and,
  - f. Assure that the owners of all publicly owned systems with combined sewers tributary to the Permittee's collection system have procedures in place adequate to ensure that the objectives, mechanisms, and specific procedures given in Paragraph 8 of this Special Condition are achieved.

The Permittee shall enforce the applicable sewer use ordinances.

### Long-Term Control Planning and Compliance with Water Quality Standards

10. a. Pursuant to Section 301 of the federal Clean Water Act, 33 U.S.C. Section 1311 and 40 CFR Section 122.4, discharges from the CSOs, including the outfalls listed in this Special Condition and any other outfall listed as a Treated Combined Sewage Outfall, shall not cause or contribute to violations of applicable water quality standards or cause use impairment in the receiving waters. In addition, discharges from CSOs shall comply with all applicable parts of 35 Ill. Adm. Code 306.305(a), (b), (c), and (d).



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- b. The Long Term Control Plan (LTCP), submitted August 28, 2009 and amended May 17, 2010 and March 17, 2011 was approved April 8, 2011. The approved LTCP, once implemented, will meet the presumptive approach prescribed by Section II c.4.a.i of the federal CSO Control Policy. The implementation schedule can be found under the Summary and Compliance Dates in this CSO Special Condition (Item 14). All provisions of this Special Condition shall stay in effect prior to and after completion of construction. The permittee shall submit to this Agency for review and approval a post construction monitoring plan 1 year prior to construction completion of major control items that when completed will still result in a CSO discharge.

Monitoring, Reporting and Notification Requirements

11. The Permittee shall monitor the frequency of discharge (number of discharges per month) and estimate the duration (in hours) and volume of each discharge from each outfall listed in this Special Condition. Estimates of storm duration, total rainfall and volume of discharge from each CSO outfall shall be provided for each storm event.

For frequency reporting, all discharges from the same storm, or occurring within 24 hours, shall be reported as one. The date that a discharge commences shall be recorded for each outfall. Reports shall be in the form specified by the IEPA and on forms provided by the IEPA. These forms shall be submitted to the IEPA monthly with the DMRs and covering the same reporting period as the DMRs. Parameters (other than flow frequency), if required in this Permit, shall be sampled and reported as indicated in the transmittal letter for such report forms.

12. A public notification program in accordance with Section II.B.8 of the federal CSO Control Policy of 1994 shall be developed employing a process that actively informs the affected public. The program shall include at a minimum public notification of CSO occurrences and CSO impacts, with consideration given to including mass media and/or Internet notification. The Permittee shall also consider posting signs in waters likely to be impacted by CSO discharges at the point of discharge and at points where these waters are used for primary contact recreation. Provisions shall be made to include modifications of the program when necessary and notification to any additional member of the affected public. The program shall be presented to the general public at a public information meeting conducted by the Permittee. The Permittee shall conduct the public information meeting within nine (9) months of the effective date of this Permit. The Permittee shall submit documentation that the public information meeting was held, shall submit a summary of all significant issues raised by the public and the Permittee's response to each issue and shall identify any modifications to the program as a result of the public information meeting. The Permittee shall submit the public information meeting documentation to the IEPA and implement the public notification program within twelve (12) months of the effective date of this Permit. The Permittee shall submit copies of the public notification program to the IEPA upon written request.
13. If any of the CSO discharge points listed in this Special Condition are eliminated, or if additional CSO discharge points, not listed in this Special Condition, are discovered, the Permittee shall notify the IEPA in writing within one (1) month of the respective outfall elimination or discovery. Such notification shall be in the form of a request for the appropriate modification of this NPDES Permit.

Summary of Compliance Dates in this CSO Special Condition

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

Submission of CSO Monitoring Data (Paragraph 11)	25th of every month
Submission of Revised CSO O&M Plan (Paragraph 8)	1 month from revision date
Elimination of a CSO or Discovery of Additional CSO Locations (Paragraph 13)	1 month from discovery or elimination
Certification of Sewer Use Ordinance Review (Paragraph 9)	6 months from the effective date of this Permit
Conduct Pollution Prevention, OMP, and PN Public Information Meeting (Paragraphs, 6, 8 and 12) <b>No Submittal Due with this Milestone</b>	9 months from the effective date of this Permit
Submit Pollution Prevention Certification, OMP Certification, and PN Information Meeting Summary (Paragraphs, 6, 8 and 12)	12 months from the effective date of this Permit
Post Construction Compliance Monitoring Plan	1 year prior to completion of major control items still resulting in CSO discharge
Interim Progress Report	6 months from the effective date of this permit and every 6 months thereafter
CSO Long-Term Control Plan (Paragraph 10)	

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<u>Action Item</u>	<u>Completion Date</u>
Sewer Separation Project	
Facilities Planning and Approval	April 30, 2013
State Street Separation /design, Permitting and Contracting	April 30, 2015
State Street Separation Construction	April 30, 2016
Pissa Valley Separation Design, Permitting and Contracting	April 30, 2017
Pissa Valley Separation Construction	April 30, 2019
Shields Valley Rerouting Design, Permitting and Contracting	April 30, 2019
Shields Valley Rerouting Construction	April 30, 2020
Turner Tract Separation Design, Permitting and Contracting	April 30, 2021
Turner Tract Separation Construction	April 30, 2022

Constructed Wetland Alternative

Wetland Site Evaluation Study Determining Wetland Treatment as a Viable Option	September 30, 2012
Wetland Pilot Study	April 30, 2015
Wetland Facility Planning and Approval	April 30, 2017
Wetland Design, Permitting and Contracting,	April 30, 2019
Wetland Construction	April 30, 2021

Screening, Pumping and Storage Alternative (SP&S)\*

Wetland Site Evaluation Study Determining Wetland Treatment not a Viable Option	April 30, 2013
Facilities Planning and Approval	April 30, 2015
Central Avenue SP&S Design, Permitting and Contracting	April 30, 2017
Central Avenue SP&S Construction	April 30, 2019
Shields Valley SP&S Design, Permitting and Contracting	April 30, 2019
Shields Valley SP&S Construction	April 30, 2021

\* To be initiated only upon determination that Constructed Wetland Treatment is not feasible.

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

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

Attention: CSO Coordinator, Compliance Assurance Section

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

Special ConditionsOpening and Modifying this Permit

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

**SPECIAL CONDITION 16.** The Permittee shall record monitoring results on Discharge Monitoring Report (DMR) Forms using one such form for each outfall each month.

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

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

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

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

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

Attention: Compliance Assurance Section, Mail Code # 19

**SPECIAL CONDITION 17.** The Permittee shall work towards the goals of achieving no discharges from sanitary sewer overflows or sewer system 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 and submit to the IEPA a Capacity, Management, Operations, and Maintenance (CMOM) plan within twelve (12) months of the effective date of this Permit and implement the plan upon approval. The Permittee may be required to construct additional sewage transport and/or treatment facilities in future permits or other enforceable documents.

The CMOM plan shall include the following elements:

A. Measures and Activities:

1. A complete map of the collection system;
2. Schedules, checklists, and mechanisms to ensure that preventative maintenance is performed on equipment;
3. An assessment of the capacity of the collection and treatment system 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.

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 backups occur; and,
2. Respond to each overflow or backup to determine additional actions such as clean up.

D. System Evaluation Plan.

Reporting and Monitoring Requirements.

**SPECIAL CONDITION 18.** The provisions of 40 CFR Section 122.41(m) & (n) are applicable and are hereby incorporated by reference.

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SPECIAL CONDITION 19. Alton performed a ZID and mixing zone study for ammonia titled "Mixing Zone for Evaluation, Mississippi River near Alton, Illinois" dated August 1994. The zone of initial dilution for ammonia is 42 feet across from the end-of-pipe and 42 feet downstream from this point. Within the ZID, 16.3:1 dilution is afforded. A mixing zone is recognized for ammonia with dimensions extending 130 feet across from the end of pipe and 577 feet downstream from this point. Within the mixing zone 71.2:1 dilution is offered.

## Attachment H

## Standard Conditions

## Definitions

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.

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

**SEPA** 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 5 minutes.

**8-Hour Composite Sample** means a combination of at least 8 individual 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.
- 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.
- 3) **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.



# EXHIBIT 3

# Industrial Pretreatment Program (Alton-Area)

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**ILLINOIS-AMERICAN WATER COMPANY**

October 2018

INDUSTRIAL PRETREATMENT PROGRAM  
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**Section 1. GENERAL PROVISIONS**

**1.1 Purpose and Policy**

These rules set forth requirements applicable to Users of the wastewater collection, treatment, and disposal services (“Treatment Works”) provided by Illinois-American Water Company (the “Company”) and the nature of wastes acceptable for discharge into the Company’s Treatment Works, either directly or indirectly. These rules are part of the Tariff for the Company approved by the Illinois Commerce Commission pursuant to (220 ILCS 5/) Illinois Public Utilities Act

- (a) and may be revised, amended, supplemented and otherwise changed from time to time in accordance with the Illinois Public Utilities Act .
  
- (b) The objectives of these rules are:
  - (i) To prohibit the introduction of Pollutants into the Company’s Treatment Works that will interfere with its operation or contaminate the resulting sludge;
  - (ii) To prohibit the introduction of Pollutants into the Company’s Treatment Works that will pass through the Treatment Works, inadequately treated, into receiving waters or the atmosphere, or otherwise be incompatible with the Treatment Works;
  - (iii) To protect both the Company’s personnel who may be affected by wastewater and sludge in the course of their employment and the general public;
  - (iv) To promote reuse and recycling of industrial wastewater and sludge from the Company’s Treatment Works;
  - (v) To provide for fees for the equitable distribution of the cost of operation, maintenance, and improvement of the Company’s Treatment Works;
  - (vi) To enable the Company to comply with its National Pollutant Discharge Elimination System permit conditions, sludge use and disposal requirements, and any other Federal or State laws to which the Company’s Treatment Works is subject;
  - (vii) To require the pretreatment of wastewater discharged into the Company’s Treatment Works as appropriate and consistent with standards for pretreatment of wastewater that have been promulgated by the USEPA or otherwise imposed on Users by the IEPA; and
  - (viii) To otherwise provide the conditions of wastewater collection, treatment, and disposal service by the Company.
  
- (c) These rules shall apply to all direct and indirect contributors to the Company’s Treatment Works and shall apply to any person applying for or receiving wastewater collection, treatment, or disposal service from the Company. These rules authorize the issuance of wastewater discharge permits; provide for monitoring, compliance, and enforcement activities; establish

administrative review procedures; require User reporting; and provide for the setting of fees for the equitable distribution of costs resulting from the program established herein. These rules replace all prior rules, and all such prior rules are hereby rescinded; on the effective date of these rules, all such prior rules shall be null and void.

## 1.2 Administration

Except as otherwise provided herein, the Company shall administer, implement, and enforce the provisions of these rules. Any powers granted to or duties imposed upon the Company may be delegated by the Company to the Company's Industrial Pretreatment Program Coordinator or other duly authorized Company employee.

## 1.3 Abbreviations

The following abbreviations, when used in these rules shall have the designated meanings:

BOD5 – Biochemical Oxygen Demand (5-day)  
BMP – Best Management Practice  
C - Celsius  
CFR - Code of Federal Regulations  
CIU – Categorical Industrial User  
COD – Chemical Oxygen Demand  
F - Fahrenheit  
gpd – gallons per day  
IEPA - Illinois Environmental Protection Agency  
IU – Industrial User  
IPP – Industrial Pretreatment Program  
IWDP – Industrial Waste Discharge Permit  
mg/l – milligrams per liter  
NH3-N - Ammonia Nitrogen  
NPDES – National Pollutant Discharge Elimination System  
NSCIU – Non-Significant Categorical Industrial User  
POTW - Publicly Owned Treatment Works  
RCRA – Resource Conservation and Recovery Act  
SIU – Significant Industrial User  
TSS – Total Suspended Solids  
U.S.C. – United States Code  
USEPA – U.S. Environmental Protection Agency

## 1.4 Definitions

Unless a provision explicitly states otherwise, the following terms and phrases, as used in these rules, shall have the meanings hereinafter designated.

**Act.** The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. section 1251 et seq.

**Authorized Representative of the User.**

- (1) If the User is a corporation:
  - (a) The president, secretary, treasurer, or a vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or
  - (b) The manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions that govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for wastewater discharge permit requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
- (2) A general partner or proprietor, if the User is a partnership or sole proprietorship.
- (3) A director or highest official appointed or designated to oversee the operation and performance of the activities of a government facility, if the User is a Federal, State, or local governmental facility, or a charitable organization or other unincorporated entity, or their designee.
- (4) A duly authorized representative designated by one of the individuals described in paragraphs 1 through 3, above, provided that the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or has overall responsibility for environmental matters, and the written authorization is submitted to the Company.

**Biochemical Oxygen Demand or BOD5.** The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures for five (5) days at 20 degrees centigrade, usually expressed as a concentration (e.g., mg/l), and determined in accordance with USEPA test methods referenced in 40 CFR 136.

**Best Management Practices or BMPs.** Schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in Section 2.1 of these rules. BMPs include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage.

**Bypass.** The intentional or negligent diversion of wastewater from any portion of an Industrial User's pretreatment facility through which the wastewater normally passes.

**Categorical Industrial User or CIU.** An Industrial User who, if it were discharging to a Publicly Owned Treatment Works, would be subject to a Categorical Pretreatment Standard or Categorical Standard.

**Categorical Pretreatment Standard or Categorical Standard.** Any regulation containing Pollutant discharge limits promulgated by USEPA in accordance with sections 307(b) and (c) of the Clean Water Act (33 U.S.C. § 1317) that apply to a specific category of Users and that appear in 40 CFR Chapter I, Subchapter N, Parts 405-471.

**Chemical Oxygen Demand or COD.** The quantity of oxygen utilized in the chemical oxidation of organic matter which is susceptible to conversion to carbon dioxide and water and expressed as a concentration



(mg/l – milligrams per liter), and determined in accordance with USEPA test methods referenced in 40 CFR Part 136.

**Code.** (220 ILCS 5/) Illinois Public Utilities Act

**Collection System.** All piping leading to a treatment plant, including those pipes connected to a combined sewer overflow that lead directly to a receiving stream.

**Commission.** The Illinois Commerce Commission or any successor agency.

**Company.** Illinois-American Water Company and its duly authorized officers, agents and employees acting within the scope of their authority and employment.

**Composite Sample.** A sample that is collected over time, formed either by continuous sampling or by mixing discrete samples. The sample may be composited either as a time composite sample; composed of discrete sample aliquots collected in one container at constant time intervals providing representative samples irrespective of stream flow; or as a flow proportional composite sample collected either as a constant sample volume at time intervals proportional to stream flow, or collected by increasing the volume of each aliquot as the flow increases while maintaining a constant time interval between the aliquots.

**Cooling Water.** Uncontaminated Cooling Water or Contaminated Cooling Water, as follows:

- (a) “Uncontaminated Cooling Water” means water used for cooling purposes only, which has no direct contact with any raw material, intermediate, or final product and which does not contain a level of contaminants detectably higher than that of the source of the water.
- (b) “Contaminated Cooling Water” means Water used for cooling purposes only, which may become contaminated either through the use of water treatment chemicals used for corrosion inhibitors or biocides, or by direct contact with process materials and/or wastewater.

**Customer.** A person or entity who is an owner, occupant or who contracts with the Company for or who takes or receives wastewater collection, treatment and/or disposal service.

**Daily Maximum.** The arithmetic average of all effluent samples for a Pollutant collected during a calendar day or other 24 hour period as allowed by the Company.

**Daily Maximum Limit.** The maximum allowable discharge limit of a Pollutant during a calendar day. Where Daily Maximum Limits are expressed in units of mass, the daily discharge is the total mass discharged over the course of the day. Where Daily Maximum Limits are expressed in terms of a concentration, the daily discharge is the arithmetic average measurement of the Pollutant concentration derived from all measurements taken that day.

**Domestic Sewage.** Liquid or water-carried waste generated from sanitary conveniences of campers, trailers, dwellings, office buildings, factories or institutions and from household laundry operations, washing and cooking foods and dishwashing, but does not contain Industrial Waste.

**Excess Loading Fee.** The fee applicable to discharges with loadings that exceed a Local Limit or IWDP limit, as defined in Schedule 1.

**Existing Source.** Any source of discharge that is not a “New Source.”

**Garbage.** Solid waste resulting from domestic and commercial preparation, cooking and dispensing of food, and from handling, storage and sale of produce.

**Grab Sample.** A sample that is taken from a wastestream without regard to the flow in the wastestream and over a period of time not to exceed fifteen (15) minutes.

**Holding Tank Waste.** Any Sewage from holding tanks such as vessels, chemical toilets, campers, trailers, and septic tanks.

**IEPA.** Illinois Environmental Protection Agency or any successor agency.

**Indirect Discharge.** The discharge or the introduction of Pollutants from any non-domestic source into the Treatment Works (including Holding Tank Waste discharged into the system).

**Industrial Loading Fee.** The fee applicable to discharges with loadings above typical Domestic Sewage loadings up to but not exceeding any applicable Local Limit or IWDP limit, based on sampling and analysis by the Company, as defined in Schedule 1.

**Industrial Pretreatment Program or IPP.** The program herein established by the Company that requires Users to monitor, test, treat and control as necessary Pollutants in their wastewater prior to discharge into the Treatment Works, and any applicable laws, regulation or ordinance of any government or municipality applicable to the control of Indirect Discharges.

**Industrial Pretreatment Program (IPP) Coordinator.** The person designated by the Company to supervise the operation of its Industrial Pretreatment Program.

**Industrial User or User.** Any person that introduces or has the potential to introduce an Indirect Discharge to the Treatment Works.

**Industrial Waste.** Solid, liquid or gaseous wastes, waterborne waste or form of energy discharged by or escaping from a User or from the development, recovery or processing of natural resources, but not Domestic Sewage.

**Industrial Waste Discharge Permit or IWDP.** A permit as set forth in Section 4 and Section 5 of these rules, issued by the Company to a User which discharges Industrial Waste to the Treatment Works. All Industrial Wastewater Contribution Permits or other industrial wastewater discharge permits in place and effective on the effective date of these rules shall continue in effect pending further action by the Company as provided in Section 4.3.

**Instantaneous Limit.** The maximum concentration of a Pollutant allowed to be discharged at any time, determined from the analysis of any discrete or composited sample collected, independent of the industrial flow rate and the duration of the sampling event.

**Interference.** A discharge that alone or in conjunction with a discharge or discharges from other sources, inhibits or disrupts the Treatment Works, its treatment processes or operations or its sludge processes, use or disposal; and therefore, is a cause of a violation of the Company's NPDES permit or of the prevention of sewage sludge use or disposal in compliance with any of the following statutory/regulatory provisions or permits issued thereunder, or any more stringent State or local regulations: section 405 of the Act; the Solid Waste Disposal Act, including Title II commonly referred to as the Resource Conservation and Recovery Act or RCRA; any State regulations contained in any State sludge management plan prepared pursuant to subtitle D of the Solid Waste Disposal Act; the Clean Air Act; the Toxic Substances Control Act; and the Marine Protection, Research, and Sanctuaries Act.

**Local Limit.** Specific Pollutant discharge limits developed and enforced by the Company upon Users to implement the general and specific discharge prohibitions identified herein. Applicable local limits are specified in Schedule 2.

**Medical Waste.** Isolation wastes, infectious agents, human blood and blood products, pathological wastes, sharps, body parts, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes, and dialysis wastes.

**Monthly Average.** The sum of all "daily discharges" measured during a calendar month divided by the number of "daily discharges" measured during that month.

**Monthly Average Limit.** 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.

**National Pollutant Discharge Elimination System or NPDES.** A system of discharge permits issued pursuant to Section 402 of the Act (33 USC § 1342).

**New Source.**

- (1) Any building, structure, facility, or installation from which there is (or may be) a discharge of pollutants, the construction of which commenced after the publication of proposed Pretreatment Standards under section 307(c) of the Act that were thereafter finalized and that were or would have been applicable if the source were discharging to a POTW, provided that:
  - a. The building, structure, facility, or installation is constructed at a site at which no other source is located: or
  - b. The building, structure, facility, or installation totally replaces the process or production equipment that causes the discharge of pollutants at an Existing Source; or
  - c. The production or wastewater-generating processes of the building, structure, facility, or installation are substantially independent of an Existing Source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant, and the extent to which the new facility is engaged in the same general type of activity as the Existing Source, should be considered.
- (2) Construction on a site at which an Existing Source is located results in a modification rather than a New Source if the construction does not create a new building, structure, facility, or installation meeting the criteria of New Source section (1)(b) or (c) above but otherwise alters, replaces, or adds to existing process or production equipment.

- (3) Construction of a New Source as defined under this paragraph has commenced if the owner or Operator has:
- a. Begun, or caused to begin, as part of a continuous onsite construction program
    - (i) any placement, assembly, or installation of facilities or equipment; or
    - (ii) significant site preparation work including clearing, excavation, or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly, or installation of New Source facilities or equipment; or
  - b. Entered into a binding contractual obligation for the purchase of facilities or equipment which is intended to be used in its operation within a reasonable time. Options to purchase or contracts which can be terminated or modified without substantial loss, and contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under this paragraph.

**Noncontact Cooling Water.** Water used for cooling that does not come into direct contact with any raw material, intermediate product, waste product or finished product.

**Non-Significant Categorical Industrial User or NSCIU:** A Categorical Industrial User that meets the following conditions as determined by the Company: 1) never discharges more than 100 gpd of total categorical wastewater (excluding sanitary, non-contact cooling and boiler blowdown wastewater, unless specifically included in the Pretreatment Standard), 2) has consistently complied with all applicable Pretreatment Standards and Requirements, 3) never discharges any untreated concentrated wastewater, and 4) annually submits the certification statement in Section 6.13 of these rules stating that the facility met the definition of an NSCIU together with any additional information necessary to support the certification statement.

**Operator:** Any person having charge, care, management or control of a tank truck(s) or treatment system(s) used in the removal, transportation, disposal, or treatment of Sewage and/or Industrial Wastes.

**Owner.** Any person vested with ownership, legal or equitable, sole or partial, of an improved property.

**Pass Through.** A discharge which exits the Treatment Works into waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the Company's NPDES permit, including an increase in the magnitude or duration of a violation.

**Person.** Any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity, or any other legal entity, or their legal representatives, agents or assigns. This definition includes all federal, State, and local governmental agencies.

**pH.** A measure of the acidity or alkalinity of a solution, expressed in standard units, and determined in accordance with the USEPA test methods referenced in 40 CFR 136.

**Pollutant.** Dredged spoil, solid waste, incinerator residue, filter backwash, sewage, Garbage, sewage sludge, munitions, Medical Wastes, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, municipal, agricultural and Industrial Wastes,

and certain characteristics of wastewater (e.g., pH, temperature, TSS, turbidity, color, BOD5, COD, toxicity, or odor).

**Pretreatment.** The reduction of the amount of Pollutants, the elimination of Pollutants, or the alteration of the nature of Pollutant properties in wastewater prior to, or in lieu of, introducing such Pollutants into the Treatment Works. This reduction or alteration can be obtained by physical, chemical, or biological processes; by process changes; or by other means except by diluting the concentration of the Pollutants unless allowed by an applicable Pretreatment Standard.

**Pretreatment Requirements.** Any substantive or procedural requirement related to pretreatment imposed on a User, other than a Pretreatment Standard.

**Pretreatment Standards or Standards.** Pretreatment Standards shall mean Prohibited Discharge Standards, Categorical Pretreatment Standards, and Local Limits.

**Process Wastewater:** Any water which, during manufacturing or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, byproduct, or waste product.

**Prohibited Discharge Standards or Prohibited Discharges.** Absolute prohibitions against the discharge of certain substances; these prohibitions appear in Section 2.1 of these rules.

**Publicly Owned Treatment Works or POTW.** Has the meaning set forth in 40 CFR §403.3(q).

**Sanitary Sewer.** A sewer which primarily carries sanitary wastewater or Domestic Sewage, together with such storm, surface and ground water as may be present.

**Sewage.** Human excrement and gray water (household showers, dishwashing operations, etc.).

**Sewer System.** All sewers which convey wastewater to the Company's Treatment Works.

**Significant Industrial User or SIU.**

Except as provided in paragraphs (3) of this definition, a Significant Industrial User is:

- (1) An Industrial User that would be subject to Categorical Pretreatment Standards if it were discharging to a POTW; or
- (2) An Industrial User that:
  - a. Discharges an average of twenty-five thousand (25,000) gpd or more of Process Wastewater to the Treatment Works (excluding sanitary, Noncontact Cooling Water and boiler blowdown wastewater).
  - b. Contributes a process wastestream which makes up five (5) percent or more of the average dry weather hydraulic or organic capacity of the Treatment Plant; or
  - c. Is designated as such by the Company on the basis that it has a reasonable potential for adversely affecting the Treatment Work's operation or for violating any Pretreatment Standard or Requirement.
- (3) The Company may determine that an Industrial User that would be subject to Categorical Pretreatment Standards is a Non-Significant Categorical Industrial User rather than a Significant Industrial User on a finding that the Industrial User never discharges more than 100 gallons per day (gpd) of total categorical wastewater (excluding sanitary, non-contact cooling and boiler

blowdown wastewater, unless specifically included in the Pretreatment Standard) and the following conditions are met:

- a. The Industrial User, prior to the Company's finding, has consistently complied with all applicable Pretreatment Standards and Requirements;
- b. The Industrial User annually submits the certification statement required in Section 6.13, together with any additional information necessary to support the certification statement; and
- c. The Industrial User never discharges any untreated concentrated wastewater.

**Significant Wastewater Modification.** Any change to the quantity or quality of wastewater discharged by an Indirect Discharger that involves any of the following:

- a. the introduction of new Pollutants that were not previously disclosed to and approved by the Company;
- b. any increase in the maximum loading (measured in pounds per day) of any previously disclosed Pollutant which would exceed the loading limitations established under Section 2.5 or set forth in the applicable Industrial Waste Discharge Permit;
- c. any cumulative increase in the maximum loading (measured in pounds per day) of any previously disclosed Pollutant by more than ten (10) percent;
- d. any change in the loadings of any Pollutant or in the physical or chemical characteristics of the wastewater that could cause Pass Through or Interference; or
- e. any cumulative and sustained increase in volume of flow in excess of the maximum anticipated flow previously disclosed to and approved by the Company.

**Slug Load or Slug Discharge.** Any discharge at a flow rate or concentration, which could cause a violation of the Prohibited Discharge Standards in Section 2.1 of these rules. A Slug Discharge is any discharge of a non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch discharge, which has a reasonable potential to cause Interference or Pass Through or in any other way violate these rules, Local Limits or Permit conditions.

**Special Discharge Fee.** The fee applicable to discharges with loadings or concentrations that exceed a Local Limit or IWDP limit and that impact sludge handling or disposal methods and costs, necessitate acquisition of nutrient credits, result in damages to the facility, or require extraordinary measures, as defined in Schedule 1.

**Specific Pollutant Discharge Limitation.** See definition of Local Limit, above.

**Standard Industrial Classification or SIC.** A classification pursuant to the Standard Industrial Classification Manual issued by the Executive Office of the President, Office of Management and Budget, 1972.

**Stormwater.** Any flow occurring during or following any form of natural precipitation, and resulting from such precipitation, including snowmelt.

**Tariff.** All of the service rates, rules and regulations issued by the Company, together with any supplements or revisions thereto, officially approved by and on file with the Commission.

**Total Suspended Solids or Suspended Solids.** The total suspended matter that floats on the surface of, or is suspended in, water, wastewater, or other liquid, and that is removable by laboratory filtering, expressed in terms of concentration (milligrams per liter (mg/L)).

**Toxic Pollutant.** Any Pollutant or combination of Pollutants listed as toxic pursuant to Pennsylvania Statutes and Rules, Section 307(a) of the Act or other Federal statutes.

**Treatment Plant.** That portion of the Treatment Works which is designed to provide treatment of Domestic Sewage and Industrial Waste.

**Treatment Works.** All of the facilities and works owned by the Company and used in the collection, storage, treatment, recycling or reclamation of domestic or industrial wastewater and any conveyances, which convey wastewater to a treatment plant. Treatment Works shall also include any collection and conveyance systems which convey wastewaters to the Company's Treatment Works from persons outside the municipality who are, by contract or agreement with the Company, Users of the Company's Treatment Works.

U.S. Environmental Protection Agency or USEPA. The U.S. Environmental Protection Agency or any successor agency.

**User.** See definition of Industrial User, above

**Wastewater.** Liquid and water-carried Industrial Wastes and sewage from residential dwellings, commercial buildings, Industrial and manufacturing facilities, and institutions, whether treated or untreated, which are contributed to the Treatment Works.

**Wastewater Treatment Plant.** See definition of Treatment Plant, above.

**Section 2. GENERAL SEWER USE REQUIREMENTS**

**2.1 Prohibited Discharge Standards**

- (a) General Prohibitions. No User shall introduce or cause to be introduced into the Treatment Works any Pollutant or wastewater which causes Pass Through or Interference. These general prohibitions apply to all Users of the Treatment Works whether or not they are subject to Categorical Pretreatment Standards or any other National, State, or local Pretreatment Standard or Requirement.
  
- (b) Specific Prohibitions. No User shall introduce or cause to be introduced into the Treatment Works, or process or store in a manner that they could be introduced into the Treatment Works, the following Pollutants, substances, or wastewater:
  - (i) Quantities of liquids, solids or gases (including, but not limited to, gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides and sulfides) which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction with other substances to cause fire or explosion or be injurious in any way to the Treatment Works or to the operations of the Treatment Works, including, but not limited to, any discharge with a closed-cup flashpoint of less than 140° F (60°C) using the test methods specified in 40 CFR §261.21. At no time shall any wastewater cause two successive readings on an explosion hazard meter, at the point of discharge into the system (or at any point in the system), to be more than five percent (5%) nor any single reading to be over ten percent (10%) of the Lower Explosive Limit (LEL) of the meter.
  
  - (ii) Wastewater having a pH less than 6.0 or higher than 10.0 as measured by a Grab Sample or wastewater having other corrosive properties capable of causing damage or hazard to structures, equipment, or personnel of the Treatment Works.
  
  - (iii) Solid or viscous substances which may cause obstruction to the flow in the Sewer System or other interference with the operation of the Treatment Works such as, but not limited to, grease, Garbage with particles greater than one-half inch (1/2") in any dimension, animal guts or tissues, paunch manure, bones, hair, hides or fleshings, entrails, whole blood, feathers, ashes, cinders, sand, spent limestone or marble dust, bentonite, lye, building materials, rubber, leather, porcelain, china, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, waste paper, wood, plastics, tar, asphalt residues, residues from refining or processing of fuel or lubricating oil, mud, or glass grinding or polishing wastes or any material which can be disposed of as trash.
  
  - (iv) Pollutants, including oxygen-demanding Pollutants (BOD5, etc.), released in a discharge at a flow rate and/or Pollutant concentration which, either singly or by interaction with other Pollutants, will cause Interference with the Treatment Works.



- (v) Wastewater with a temperature at the introduction into the Treatment Works which exceeds 120 degrees F (49 degrees C), or less than 32°F, or which will inhibit biological activity in the Treatment Plant resulting in Interference, but in no case wastewater which causes the temperature at the introduction into the Treatment Plant to exceed 104 degrees F (40 degrees C).
- (vi) Petroleum oil, motor oils or lubricants removed from vehicles or machinery, non-biodegradable cutting oil, or products of mineral oil origin, in amounts that will cause Interference or Pass Through.
- (vii) Pollutants in sufficient quantity which, either alone or by interaction with other Pollutants, would result in the presence of toxic gases, vapors or fumes, cause worker injury or disruption of any wastewater treatment process, including the disposal of sludge, or would be in non-compliance with any Categorical or Pretreatment Standards established in accord with 40 CFR Section 403.6.
- (viii) Trucked or hauled Pollutants, except at discharge points designated by the Company.
- (ix) Noxious or malodorous liquids, gases, solids, or other wastewater which, either singly or by interaction with other wastes, are sufficient to create a public nuisance or a hazard to life, or to prevent entry into the Sewer System for maintenance or repair.
- (x) Wastewater which imparts color which cannot be removed by the treatment process, and which consequently imparts color to the Treatment Plant's effluent.
- (xi) Wastewater containing any radioactive wastes or isotopes except in compliance with applicable State or Federal regulations.
- (xii) Sludges, screenings, or other residues from the pretreatment of Industrial Wastes.
- (xiii) Wastewater causing, alone or in conjunction with other sources, the Treatment Plant's effluent to fail toxicity test.
- (xiv) Discharge which, if otherwise disposed of, would be considered a hazardous waste as defined in 40 CFR Part 261, without prior notification by the User in writing to the Company, IEPA and USEPA as provided in 40 CFR 403.12(p)(1) and written approval by the Company.
- (xv) Any Significant Wastewater Modification without prior notification to the Company and written approval by the Company.
- (xvi) Any substance which may cause the Treatment Plant's effluent or any other product of the Treatment Plant such as residues, sludge, or scum, to be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no case shall a substance

discharged to the Treatment Works cause the Company to be in non-compliance with sludge use or disposal criteria, guidelines or regulations developed under Section 405 of the Act, nor any criteria, guidelines, or regulations affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act, or State criteria applicable to the sludge management methods being used by the Company.

- (xvii) Any Pollutants, including oxygen demanding Pollutants and suspended solids released at a flow rate and/or Pollutant concentration which a user knows or has reason to know will cause Interference or Pass Through to the Treatment Works. In no case shall a slug load have a flow rate or contain concentrations or quantities of Pollutants that exceed for any time period longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour permitted concentration, quantities, or flow during normal operation.
  - (xviii) Any wastewater which because of its chemical nature or composition causes the sewer atmosphere to contain airborne chemical concentrations in excess of concentrations established by the U.S. Department of Labor, Occupational Safety and Health Administration (OSHA) under 29 CFR Part 1910, regardless of duration of exposure experienced by any individual, whether the Company or contractor's employee, unless written authorization is granted by the Company.
  - (xix) Substances which will cause Pass Through and cause the Treatment Works to violate its NPDES and/or State Solid Waste Disposal System Permit(s) or the air quality and/or receiving water quality standards, or prohibited by any permit issued by the Company, the State of Illinois or the USEPA.
  - (xx) Wastes which are not amenable to biological treatment or reduction in existing treatment facilities, including but not limited to nonbiodegradable complex carbon compounds.
  - (xxi) Wastewater containing any organic compounds of endrin, lindane, methoxychlor, toxaphene, dichlorophenoxyacetic acid, trichlorophenoxypropionic acid or other herbicides, pesticides or rodenticides.
- (c) When the Company determines that a User is contributing to the Treatment Works any of the above enumerated substances in such amounts as to cause Pass Through or Interference with the operation of the Treatment Works and/or the Treatment Plant, the Company will: (1) notify the User of the impact of the contribution on the Treatment Works and/or the Treatment Plant; (2) develop effluent limitation(s), as needed, for the User to correct the Pass Through or Interference with the Treatment Works and/or the Treatment Plant; and (3) proceed if necessary with enforcement pursuant to the provisions of these rules.

- (d) Pollutants, substances, or wastewater prohibited by this section shall not be processed or stored in such a manner that they have a reasonable potential to be discharged to the Treatment Works.

## **2.2 National Categorical Pretreatment Standards**

- (a) The National Categorical Standards found at 40 CFR Chapter I, Subchapter N, Parts 404-471 are hereby incorporated by reference. Any Industrial User that would be a categorical industrial user under the provisions of one or more Categorical Standards if it were discharging to a POTW is a Significant Industrial User under these rules and is required to obtain an Industrial Waste Discharge Permit as described in Section 4. The IWDP will reflect the effluent limitations and standards of the pertinent Categorical Standard(s). Although the Company is not subject to USEPA's pretreatment regulations, the Company will use pertinent standards and requirements contained in 40 CFR, Chapter I, Subchapter N, part 403 as guidance in administering and applying the Categorical Standards. Any Categorical Standard or Local Limit, if more stringent than the limitations imposed under an Industrial Waste Discharge Permit, shall immediately supersede the limitations imposed under the IWDP.
- (b) Where a Categorical Standard is expressed only in terms of either the mass or the concentration of a Pollutant in wastewater, the Company may impose equivalent concentration or mass limits as provided in 40 CFR 403.6(c).
- (c) When wastewater subject to a Categorical Standard is mixed with wastewater not regulated by the same standard, the Company shall impose an alternate limit using the Combined Waste Stream Formula in 40 CFR 403.6(e).

## **2.3 Modification of National Categorical Pretreatment Standards**

The Company may modify specific limits in a Categorical Pretreatment Standard where appropriate for purposes of these rules or an Industrial Waste Discharge Permit. Although not subject to USEPA's pretreatment regulations, the Company will utilize the standards and requirements contained in 40 CFR, Chapter I, subchapter N, Part 403 generally, and particularly section 403.7 (removal credits), 403.13 (fundamentally different factors), and 403.15 (net limits), as guidance in considering any such modifications.

## **2.4 State Requirements**

State requirements and limitations on discharges shall apply in any case where they are more stringent than Federal requirements and limitations or those in these rules.

## **2.5 Specific Pollutant Discharge Limitations – Local Limits**

- (a) All Industrial Users shall be subject to the Specific Pollutant Discharge Limitations applicable to relevant system specified in Schedule 2.

- (b) The Specific Pollutant Discharge Limitations are the highest allowable concentration in any type of sample, either a grab or composite, collected over any time interval, unless otherwise specified in an Industrial Waste Discharge Permit.
- (c) The Specific Pollutant Discharge Limitations apply at the point where the wastewater is discharged to the Treatment Works or at the point designated by the Company.
- (d) The Company reserves the right to allocate among Users the total loading applicable to a particular Pollutant by establishing maximum daily industrial concentrations specific to each User, provided that the Total Maximum Allowable Daily Industrial Load specified in Schedule 2 is not exceeded.
- (e) In addition to Industrial Users, the Company reserves the right to apply the Specific Pollutant Discharge Limitations to any User's wastewater discharge which is not composed strictly of Domestic Sewage.
- (f) The Company reserves the right to establish alternate Specific Pollutant Discharge Limitations in Industrial Waste Discharge Permits in order to protect against Pass Through or Interference or to assure that the Company complies with its National Pollutant Discharge Elimination System permit and Federal and State law. The Specific Pollutant Discharge Limitations, if more stringent than the National Categorical Standards, shall immediately supersede the National Categorical Standards.
- (g) The Company may develop BMPs in Industrial Waste Discharge Permits, to implement Local Limits and the requirements of Section 2.1.

## **2.6 Reservation of Right to Impose More Stringent Requirements**

The Company reserves the right to establish in Industrial Waste Discharge Permits, more stringent limits or requirements on discharges to the Treatment Works, if deemed necessary, consistent with the purpose of these rules.

## **2.7 Dilution**

No User shall ever increase the use of process water, or in any way attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with a discharge limitation unless expressly authorized by an applicable Pretreatment Standard or Requirement. The Company may impose mass limitations on Users who are using dilution to meet applicable Pretreatment Standards or Requirements, or in other cases when the imposition of mass limitations is appropriate.

## **2.8 Compliance with Applicable Pretreatment Requirements**

Compliance with these rules and permits or compliance or cessation directives issued hereunder does not relieve the Industrial User from its obligations regarding compliance with any and all applicable local, State, and

Federal standards and requirements including any such standard or requirement that may become effective during the term of a permit or directive or these rules.

## **2.9 Spill Prevention and Contingency Plan**

- (a) All Significant Industrial Users, and those Industrial Users identified by the Company shall provide protection from any discharge that could cause a problem to the Treatment Works, whether intentional or accidental. Facilities, equipment, and material to prevent these accidental or non-routine discharges shall be provided and maintained at the Owner or Industrial User's own cost and expense. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the Company, the City or Municipal Emergency Management Coordinator, and the County Emergency Management Coordinator, for review and comment, before the implementation of this plan. The plan shall contain at least the following elements:
  - (i) A description of discharge practices, including non-routine batch discharges;
  - (ii) A list and description of stored chemicals;
  - (iii) Procedures for promptly notifying the Company of Slug Discharges, including any discharge that would violate a specific prohibition under these rules, with procedures for follow-up written notification within five days;
  - (iv) Procedures to prevent adverse impact from accidental spills, including inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site run-off, worker training, building of containment structures or equipment, measures of containing Toxic Pollutants (including solvents), and/or measures and equipment for emergency response; and
  - (v) If necessary, follow-up practices to limit the damage suffered by the Treatment works or the environment.
- (b) All existing Significant Industrial Users shall complete such a plan within six (6) months of notice to do so by the Company. No Industrial User who commences contribution to the wastewater system after the effective date of these rules shall be permitted to introduce Pollutants into the system until spill prevention and contingency plans have been approved by the Company. Review and approval of such plans and operating procedures shall not relieve the Industrial User from the responsibility to modify the Industrial User's facility as necessary to meet the requirements of these rules.
- (c) In the case of an accidental or intentional discharge, or Slug Loading, it is the responsibility of the Industrial User to immediately notify the Company of the incident. The notification shall include location of discharge, type of waste, concentration and volume, and corrective actions.

- (d) All Significant Industrial Users are required to immediately notify the Company of any changes at its facility affecting the potential for a Slug Discharge.

#### **2.10 Hauled Wastewater**

- (a) Septic tank waste may be introduced into the Treatment Works only at locations designated by the Company, and at such times as are established by the Company. Such waste shall not violate Section 2 of these rules or any other requirements established by the Company. The Company may require septic tank waste haulers to obtain individual wastewater discharge permits.
- (b) The Company may require haulers of Industrial Waste and/or generators of hauled Industrial Waste to obtain individual Industrial Waste Discharge Permits. The Company also may prohibit the disposal of hauled Industrial Waste. The discharge of hauled Industrial Waste is subject to all other requirements of these rules.
- (c) Industrial Waste haulers may discharge loads only at locations designated by the Company. No load may be discharged without prior consent of the Company. The Company may collect samples of each hauled load to ensure compliance with applicable Standards. The Company may require the Industrial Waste hauler to provide a waste analysis of any load prior to discharge.
- (d) Industrial Waste haulers must provide a waste-tracking form for every load. This form shall include, at a minimum, the name and address of the Industrial Waste hauler, permit number, truck identification, names and addresses of sources of waste, and volume and characteristics of waste. The form shall identify the type of industry, known or suspected waste constituents, and whether any wastes are RCRA hazardous wastes.

#### **2.11 Accidental Discharges/Slug Loads**

- (a) Each Industrial User shall provide protection from accidental discharges/Slug Loads of prohibited materials or other substances regulated by these rules. Where facilities are provided to prevent accidental discharges/Slug Loads of prohibited materials, these facilities shall be provided and maintained at the Industrial User's own cost and expense.
- (b) In the case of an accidental discharge/Slug Load, it shall be the responsibility of the Industrial User, upon discovery, and after assessing the situation and taking initial corrective action, to immediately telephone and notify the Company of the incident in accordance with Section 6.6 below, and to provide a follow-up report as required thereby.

#### **2.12 Accidental Discharge/Slug Control Plans**

An accidental discharge or slug control plan, in a form that complies with 40 CFR §403.8(f)(2)(vi), shall be required, as follows:

- (a) For New Source Industrial Users: Detailed plans showing facilities and operating procedures to provide protection from accidental discharges or Slug Loads shall be submitted to the Company for review as part of the IWDP application, and shall be approved by the Company before construction of the facility.
- (b) For existing Industrial Users: The Company shall evaluate whether each Industrial User needs a new or updated accidental discharge/slug control plan. Should the Company require the industrial user to develop, submit for approval, and implement a new or updated accidental discharge/slug control plan, the accidental discharge/slug control plan shall address, at a minimum, the following:
  - (i) Description of discharge practices, including non-routine batch discharges;
  - (ii) Description of stored chemicals;
  - (iii) Procedures for immediately notifying the Company of any accidental or slug discharge, as required by Section 2.11; and
  - (iv) Procedures to prevent adverse impact from any accidental or slug discharge. Such procedures shall include, but are not limited to, inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site runoff, worker training, building of containment structures or equipment, measures for containing toxic organic Pollutants, including solvents, and/or measures and equipment for emergency response.
- (c) When an existing Industrial User is required by the Company to provide and/or modify an accidental discharge/slug control plan, the Industrial User shall provide the plan within sixty (60) days of notification. Should the plan require construction or implementation of measures to meet compliance, the plan shall provide a schedule for those actions. After initial review, should additional information be required to provide a complete plan, it shall be furnished to the Company within thirty (30) days of the date of notification. Failure to submit a revised plan and/or failure to provide a complete plan after the 30 day submission period may render the Industrial Waste Discharge Permit void.
- (d) The Company's review and approval of accidental discharge/slug control plans shall not relieve the Industrial User from the responsibility to modify the Industrial User's facility as necessary to meet the requirements of this Section.
- (e) If not specifically required by the Company, the information, requirements, etc., called for in a plan are not waived by the Company and the Industrial User shall provide all necessary items, procedure, etc., to prevent any accidental discharge and/or slug discharge to the Treatment Works.

- (f) An approved State pollution prevention plan may substitute for all or a portion of the contents of an accidental discharge/slug control plan to the extent that it satisfies the requirements described herein.
- (g) All Users are required to notify the Company immediately of any changes at its facility affecting the potential for a Slug Discharge.

### **2.13 Notification Requirement**

All Industrial Users shall notify the USEPA Regional Waste Management Director, the State hazardous waste authorities, and the Company, in writing, of any discharges into the wastewater system greater than 15 kilograms (33 pounds) of a substance, which, if otherwise disposed of would be a hazardous waste under 40 CFR Part 261. Discharge of more than 15 kilograms of non-acute hazardous waste in a calendar month or of any quantity of acute hazardous waste as specified in 40 CFR 261.30(d) and 261.33(e), requires a one-time notification for each hazardous waste discharged. The Company must be notified of any subsequent changes and/or additions to the hazardous waste discharges. For Industrial Users commencing discharge after July 24, 1990, this notification must be received within 180 days of commencement of discharge. Each notifying Industrial User shall also submit a statement certifying that it has a program in place to reduce the volume and toxicity of wastes generated to the extent that it is economically practical.

### **2.14 Drainage of Water Filtration Systems**

Filter back-wash may be discharged to the Sewer System only as follows:

- (a) Sand filter back-wash may be discharged to the Sewer System.
- (b) Diatomaceous earth filter back-wash, if discharged to the Sewer System, shall be connected to the Sewer System through settling tanks with no less than three (3) months storage capacity of spent diatomaceous earth, which tanks shall be readily accessible for removing solid waste for disposal.

### **2.15 Removal, Transportation, and Disposal of Sewage and Industrial Wastes**

- (a) Any waste to be discharged from tank trucks or rail car shall be disposed at the location designated by the Company at the Treatment Plant at the time or times, and at a rate or rates of discharge, fixed by the Company.
- (b) The wastes discharged by the tank trucks or rail car at the Treatment Plant shall not contain Industrial Waste, chemicals, or other matter, with or without Pretreatment, that does not conform to the requirements of these rules. Conformity with these rules is to be determined by the Company.



### **Section 3.      PRETREATMENT OF WASTEWATER**

#### **3.1      Pretreatment Facilities – General**

Users shall provide wastewater treatment as necessary to comply with these rules and shall achieve compliance with all Categorical Pretreatment Standards, Local Limits, and the prohibitions set out in Section 2.1 of these rules within the time limitations specified by USEPA, the State, or the Company, whichever is more stringent. Any facilities necessary for compliance, including the design, construction, operation, and maintenance of these facilities, shall be at the User's expense. Detailed plans describing such facilities and operating procedures shall be submitted to the Company for review, and shall be acceptable to the Company before such facilities are constructed. The review of such plans and operating procedures shall in no way relieve the User from the responsibility of modifying such facilities as necessary to produce a discharge acceptable to the Company under the provisions of these rules.

#### **3.2      Proper Operation and Maintenance**

The User 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 User to achieve compliance with these rules. Proper operation and maintenance includes but is not limited to: effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process control, including appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary procedures only when necessary to achieve compliance with these rules.

#### **3.3      Duty to Halt or Reduce Activity**

Upon reduction of efficiency of operation, or loss or failure of all or part of the treatment system, the User shall, to the extent necessary to maintain compliance with these rules, control its production or discharges (or both) until operation of the treatment system is restored or an alternative method of treatment is provided. It shall not be a defense for the User that it would have been necessary to halt or reduce an activity in order to maintain compliance with these rules.

#### **3.4      Bypass of Treatment Facilities**

- (a) Bypass of treatment systems is prohibited unless it is unavoidable to prevent loss of life, personal injury, or severe property damage and no feasible alternative exists.
- (b) The User may allow Bypass to occur which does not cause the effluent limitations to be exceeded, but only if it is also for essential maintenance to assure *efficient* operation.
- (c) Notification of Bypass:
  - (i) Anticipated Bypass. If the User knows in advance of the need for Bypass, it shall submit prior written notice, at least ten (10) days before the date of the Bypass, to the Company.
  - (ii) Unanticipated Bypass. The User shall immediately notify the Company and submit a written notice to the Company within five (5) days. This report shall specify:

- 1) A description of the Bypass, and its cause, including its duration;
- 2) Whether the Bypass has been corrected; and
- 3) The steps being taken or to be taken to reduce, eliminate, and prevent a reoccurrence of the Bypass.

### **3.5 Damage Liability**

The person producing and/or introducing the waste shall be liable for all damages, increased costs of treatment, maintenance, or other costs directly attributable to such waste.

### **3.6 Disposal Sludges**

Sludges, floats, oils, etc., generated by Industrial Users must be contained and transported in a safe manner as prescribed by the rules of regulatory agencies, including, but not limited to, the U.S. Department of Transportation and handled by reputable Persons who shall dispose of all such wastes in accordance with all Federal, State, and local regulations. The Owner of such sludges, floats, oils, etc., shall keep records and receipts needed to demonstrate proper disposal for review by the Company upon request.

### **3.7 Additional Pretreatment Measures**

- (a) Grease, oil and sand interceptors or traps shall be provided in restaurants, food preparation facilities, commercial kitchens, vehicle and equipment repair shops, machine shops, swimming pools or water treatment facilities, whose discharge would, in the opinion of the Company, exceed any of the Local Limits specified in Schedule 2 or otherwise cause Interference.. All interceptors or traps shall be of the type and capacity acceptable to the Company, shall be located as to be readily and easily accessible for cleaning and inspection.
- (b) The use of mechanical garbage grinders producing a finely divided mass, properly flushed with an ample amount of water, shall be permitted upon the condition that no mechanical garbage grinder to serve premises used for commercial purposes shall be installed until permission for such installation shall have been obtained from the Company.
- (c) Users with the potential to discharge flammable substances may be required to install and maintain an approved combustible gas detection meter.

## **Section 4. INDUSTRIAL WASTE DISCHARGE PERMITS**

### **4.1 Wastewater Analysis**

Upon receipt of the permit application from the Company, a User will have forty-five (45) days, unless extended by the Company for good reason, to return the permit application completed and signed by an Authorized Representative of the User, which must include information on the nature and characteristics of its wastewater. The Company may periodically require Users to update this information.

### **4.2 Permit Requirements**

- (a) No Significant Industrial User shall discharge wastewater into the Treatment Works without first obtaining an Industrial Waste Discharge Permit from the Company.
- (b) No person discharging Industrial Waste to the Company's Sewer System shall undertake any Significant Wastewater Modification without first notifying the Company and obtaining a new or amended Industrial Waste Discharge Permit from the Company, except as authorized by the Company in accordance with the provisions of these rules.
- (c) The Company may require that other Users obtain Industrial Waste Discharge Permits as necessary to carry out the purposes of these rules.
- (d) Any violation of the terms and conditions of an Industrial Waste Discharge Permit shall be deemed a violation of these rules and subjects the wastewater discharge permittee to the sanctions set out in Section 8 through Section 10 of these rules. Obtaining an Industrial Waste Discharge Permit does not relieve a permittee of its obligation to comply with all Federal and State Standards or Requirements or with any other requirement of Federal, State, and local law.
- (e) At the discretion of IEPA, a Significant Industrial User may be required to obtain an individual NPDES permit from IEPA to authorize its discharge to the Treatment Works.
- (f) In the case of complete separation of Domestic Sewage from Industrial Wastes within an establishment, with only Domestic Sewage discharged to the Sanitary Sewer, no Industrial Waste Discharge Permit shall be required. The Company retains the right to verify discharge characteristics and inspect the establishment.

### **4.3 Permitting: Existing Connections**

All existing Industrial Users presently permitted on the effective date of these rules will receive written notice from the Company that the terms and conditions of the permit presently in place will remain in force until the termination date of the permit, subject to any renewal of or change in the permit in accordance with these rules. Such notice also shall specify that continued discharge to the Company's Sewer System for thirty (30) days after receipt of such notice shall constitute acceptance of the continuation of such permit under the administration and enforcement of the Company pursuant to these rules and acknowledgement that renewal of such permit shall be in accordance with these rules.

#### 4.4 Permitting: New Connections

Any User required to obtain an Industrial Waste Discharge Permit who proposes to begin or recommence discharging into the Treatment Works must obtain such permit prior to the beginning or recommencing of such discharge. An application for this IWDP, in accordance with Section 4.5, must be filed at least 180 days prior to the date upon which any discharge will begin or recommence.

#### 4.5 Permit Application Contents

- (a) All Users required to obtain an Industrial Waste Discharge Permit must submit a permit application. The Company may require Users to submit all or some of the following information as part of a permit application:
  - (i) Identifying Information
    - 1) The name and address of the facility, including the name of the Operator and Owner, and location (if different from the mailing address); and
    - 2) Contact information, description of activities, facilities, and plant production processes on the premises.
  - (ii) Environmental Permits. A list of any environmental control permits held by or for the facility.
  - (iii) Description of Operations
    - 1) A brief description of the nature, rate of production (including each product produced by type, amount, processes, and rate of production), and Standard Industrial Classifications (SIC number) of the operation(s) carried out by such User, including a schematic process diagram, which indicates points of discharge to the Treatment Works from the regulated processes;
    - 2) Description of activities, facilities, and plant processes on the premises and types of wastes generated, and a list of all raw materials and chemicals used or stored at the facility, including all Material Safety Data Sheets (MSDS), which are, or could accidentally or intentionally be, discharged to the Treatment Works;
    - 3) Number and type of employees, hours of operation, and proposed or actual hours of operation;

- 4) Type and amount of raw materials processed (average and maximum per day);
  - 5) Site plans, floor plans, mechanical and plumbing plans, spill prevention and containment, and details to show all sewers, floor drains, and appurtenances by size, location, and elevation, and all points of discharge. These site plans shall be signed by an Authorized Representative of the User that is familiar with the information and its accuracy. It is recommended that the above information be signed and sealed by a Professional Engineer, who is licensed in the Commonwealth of Pennsylvania, to ensure compliance with sound engineering principles and all applicable Federal, State, and local codes and statutes.
- (iv) Time and duration of discharges.
- (v) The location for monitoring all wastes covered by the permit.
- (vi) Flow Measurement. Information showing the measured average daily, maximum daily, and 30 minute flow rates, in gallons per day, including daily, monthly, and seasonal variations if any, to the Treatment Works from regulated process streams and other streams, as necessary, to allow use of the combined wastestream formula set out in Section 2.2 (40 CFR 403.6(e)).
- (vii) Measurement of Pollutants
- 1) The Categorical Pretreatment Standards applicable to each regulated process and any new categorically regulated processes for Existing Sources.
  - 2) For all Industrial Users subject to Categorical Standards, any other information required in a Baseline Monitoring Report as stated in 40 CFR 403.12(b).
  - 3) The results of sampling and analysis identifying the nature and concentration, and/or mass, where required by the Standard or by the Company, of regulated Pollutants in the discharge from each regulated process.
  - 4) Instantaneous, Daily Maximum, and long-term average concentrations, or mass, where required, shall be reported.

- 5) The sample shall be representative of daily operations and shall be analyzed in accordance with procedures set out in Section 6.10 of these rules. Where the Standard requires compliance with a BMP or pollution prevention alternative, the User shall submit documentation as required by the Company or the applicable Standards to determine compliance with the Standard.
  - 6) Sampling must be performed in accordance with procedures set out in Section 6.9 and 6.10 of these rules.
  - 7) In instances where an industrial user has not yet begun operation (and therefore, wastewater constituents and characteristics are unknown), submission of comparable data from similar industries will be accepted for permit application purposes.
- (viii) Where known, the nature and concentration of any Pollutants in the discharge which are limited by these rules, State regulations, or Categorical Pretreatment Standards, and a statement certified by a qualified professional regarding whether or not the Standards are being met on a consistent basis and, if not, whether additional Operation and Maintenance (O&M) and/or additional Pretreatment is required for the Industrial User to meet applicable Categorical Pretreatment Standards or Local Limits.
- (ix) If additional Pretreatment and/or operation and maintenance will be required to meet the Categorical Pretreatment Standards or Local Limits, an expeditious schedule by which the Industrial User will provide such additional Pretreatment. The completion date in this schedule shall not be later than the compliance date established for the applicable Categorical Pretreatment Standard or, in the case of Local Limits, such a date as determined by the Company. The following conditions shall apply to this schedule:
- 1) The schedule shall contain increments of progress in the form of dates for the commencement and completion of major events leading to the construction and operation of additional Pretreatment required for the Industrial User to meet the applicable Pretreatment Standards (e.g. hiring an engineer, completing preliminary plans, completing final plans, executing contract for major components, commencing construction, completing construction, etc.).
  - 2) Not later than fourteen (14) days following each date in the schedule and the final date for compliance, the Industrial user shall submit a progress report to the Company including, as a

minimum, whether or not it complied with the increment of progress to be met on such date and, if not, the date on which it expects to comply with this increment of progress, the reason for delay, and the steps being taken by the Industrial User to return the construction to the schedule established. In no event shall more than nine (9) months elapse between such progress reports to the Company.

- (x) Any other information as may be deemed necessary by the Company to evaluate the permit application.
- (b) Incomplete or inaccurate applications will not be processed and will be returned to the User for revision.
- (c) Applicants wishing to claim confidentiality of information required in the application shall indicate on the application which information is of a confidential nature. Wastewater constituents and characteristics shall not be considered as confidential information.

#### **4.6 Permitting: General Permits**

- (a) At the discretion of the Company, the Company may use general permits to control SIU discharges to the Treatment Works, if the following conditions are met. All facilities to be covered by a general permit must:
  - (i) Involve the same or substantially similar types of operations;
  - (ii) Discharge the same type of wastes;
  - (iii) Require the same effluent limitations;
  - (iv) Require the same or similar monitoring; and
  - (v) In the opinion of the Company, be more appropriately controlled under a general permit than under individual Industrial Waste Discharge Permits.
- (b) Users that are eligible may request coverage by a general permit under this section in lieu of an Industrial Waste Discharge Permit.
- (c) To be covered by the general permit, the SIU must file a written request for coverage that identifies its contact information, production processes, the types of wastes generated, the location for monitoring all wastes covered by the general permit, any requests for a monitoring waiver for a Pollutant neither present nor expected to be present in the Discharge, and any other information the Treatment Works deems appropriate. A monitoring waiver for a Pollutant neither present nor expected to be present in the discharge is not effective in the general

permit until after the Company has provided written notice to the SIU that such a waiver request has been granted.

- (d) The Company will retain a copy of the general permit, documentation to support the Treatment Work's determination that a specific SIU meets the criteria in Section 4.6(a) and applicable State regulations, and a copy of the User's written request for coverage for three (3) years after the expiration of the general permit.
- (e) The Company may not control an SIU through a general permit where the facility is subject to production-based Categorical Pretreatment Standards or Categorical Pretreatment Standards expressed as mass of Pollutant discharged per day or for SIUs whose limits are based on the Combined Wastestream Formula (Section 2.2(b)) or Net/Gross calculations (Section 2.3).

#### **4.7 Trucked or Hauled Wastewater Permit**

- (a) Any person trucking or hauling wastewater to the Treatment Works must first obtain a septage discharge permit.
- (b) The following prohibitions apply to all trucked or hauled wastewater:
  - (i) All wastes are to be discharged only at the designated location contained in the User's septage discharge permit.
  - (ii) All loads are to be sampled and approved prior to discharge.
  - (iii) Only sanitary septic wastes are to be discharged unless prior written approval is given.

#### **4.8 Application Signatories and Certifications**

- (a) All wastewater discharge permit applications, User reports and certification statements must be signed by an Authorized Representative of the User and contain the certification statement in Section 6.13.
- (b) If the designation of an Authorized Representative of the User is no longer accurate because a different individual or position has responsibility for the overall operation of the facility or overall responsibility for environmental matters for the company, a new written authorization satisfying the requirements of this Section must be submitted to the Company prior to or together with any reports to be signed by the Authorized Representative of the User.
- (c) A facility determined to be a NSCIU by the Company must annually submit the signed certification statement in Section 6.13.



#### **4.9 Permit Decisions**

The Company will evaluate the data furnished by the User and may require additional information. The Company may deny any application for an Industrial Waste Discharge Permit, if the application or discharge does not comply with the requirements of these rules or applicable Federal and State laws and regulations.

#### **4.10 Permit Renewal**

- (a) A User with an expiring Industrial Waste Discharge Permit shall apply for permit reissuance by submitting a permit application, in accordance with Section 4.5 of these rules, a minimum of one hundred twenty (120) days prior to the expiration of the User's existing permit, unless the deadline is extended in writing by the Company. It is the responsibility of the User to request an IWDP application form no less than 150 days prior to the expiration of the existing IWDP.
- (b) In the event that a timely and complete application to renew an Industrial Waste Discharge Permit has been submitted and the IWDP cannot be reissued before the expiration date, through no fault of the User, the terms and conditions of the existing IWDP will be automatically continued and will remain fully effective and enforceable pending the granting or denial of the application for IWDP renewal.

## **Section 5.      INDIVIDUAL INDUSTRIAL WASTE DISCHARGE PERMIT ISSUANCE**

### **5.1      Permit Duration**

Industrial Waste Discharge Permits (“IWDP”) shall be issued for a specified time period, not to exceed five (5) years. A permit may be issued for a period less than five (5) years at the discretion of the Company. Each IWDP will indicate a specific date upon which it will expire.

### **5.2      Permit Contents**

- (a) Industrial Waste Discharge Permits shall be expressly subject to all provisions of these rules, all Industrial User charges and fees established by the Company, and such other conditions as are deemed reasonably necessary by the Company to prevent Pass Through or Interference, protect the quality of the water body receiving the Treatment Plant’s effluent, protect worker health and safety, facilitate sludge management and disposal, and protect against damage to the Treatment Works.
  
- (b) Industrial Waste Discharge Permits may contain any or all of the following:
  - (i) A statement that indicates the IWDP issuance date, expiration date and effective date.
  
  - (ii) A statement that the IWDP is nontransferable without prior notification to the Company in accordance with Section 5.5 of these rules, and provisions for furnishing the new Owner or Operator with a copy of the existing IWDP.
  
  - (iii) Effluent limits, including Best Management Practices, based on applicable Pretreatment Standards.
  
  - (iv) Identification of all applicable Categorical Pretreatment Standards, including the applicable subclassifications.
  
  - (v) Self-monitoring, sampling, reporting, notification, and record-keeping requirements. These requirements shall include an identification of Pollutants (or best management practices) to be monitored, sampling location, sampling frequency, and sample type based on Federal, State, and local law, as well as requirements that, in the event that sampling by a User indicates a violation, the User must notify the Company within 24 hours of becoming aware of the violation and the User must resample and submit results of this resampling to the Company within 30 days of becoming aware of the violation. As provided by 40 CFR 403.12(o), Users must keep records for a minimum of three (3) years or longer in case of unresolved litigation or when requested by the Company, IEPA or USEPA. The User shall make such records available to the Company for inspection and copying.

- (vi) A statement of fees for violation of Pretreatment Standards and Requirements, and any applicable compliance schedule. Such schedule may not extend the time for compliance beyond that required by applicable Federal State, or local law.
  - (vii) Requirements to control Slug Discharge, if determined by the Company to be necessary.
  - (viii) Requirements for notification of facility changes that affect the potential for Slug Discharges.
- (c) Industrial Waste Discharge Permits may contain, but need not be limited to, the following conditions:
- (i) Limits on the average and/or maximum rate of discharge, time of discharge, and/or requirements for flow regulation and equalization.
  - (ii) Requirements for the installation of pretreatment technology, pollution control, or construction of appropriate containment devices, designed to reduce, eliminate, or prevent the introduction of Pollutants into the Treatment Works.
  - (iii) Requirements for the development and implementation of spill control plans or other special conditions including management practices necessary to adequately prevent accidental, unanticipated, or non-routine discharges.
  - (iv) Development and implementation of waste minimization plans to reduce the amount of Pollutants discharged to the Treatment Works.
  - (v) The unit charge or schedule of User charges and fees for the management of the wastewater discharged to the Treatment Works.
  - (vi) Requirements for installation and maintenance of inspection and sampling facilities and equipment, including flow measurement devices.
  - (vii) A statement that compliance with the IWDP does not relieve the permittee of responsibility for compliance with all applicable Federal and State Pretreatment Standards, including those which become effective during the term of the IWDP.
  - (viii) Requirements for notification to the Company for any Significant Wastewater Modification.
  - (ix) Requirements for submission of technical reports or discharge reports. All Baseline Monitoring Reports, 90-Day Compliance Reports, and periodic compliance reports must be certified by a qualified professional and must be signed by an Authorized Representative of the User and must contain the certification statement in Section 6.13.

The periodic compliance reports will be required a minimum of twice a year, indicating the nature and concentration of Pollutants in the discharge as well as a record of flows.

### **5.3 Waste Characteristic or Volume Change**

Any User who contemplates a change in materials, processes or method of the industrial operation producing the waste, or in the pretreatment facilities, which change will result in a Significant Wastewater Modification, shall provide notice to the Company pursuant to Section 6.5, below, at least ninety (90) days prior to such change. If an Industrial Waste Discharge Permit application is required, the application will be subject to a fee and will be processed in accordance with the procedures established above. If the application is approved, the Company may modify the existing IWDP or issue a new IWDP, at its discretion. No contemplated changes in materials, processes, methods or facilities may be implemented until the Company has approved the application and either modified the existing IWDP or issued a new IWDP, or has determined in writing that no IWDP application is required.

### **5.4 Permit Modification**

- (a) The Company may modify an Industrial Waste Discharge Permit for good cause, including, but not limited to, the following reasons:
  - (i) To incorporate any new or revised Federal, State, or local Pretreatment Standards or Requirements. When additional and/or new National Categorical Pretreatment Standards are promulgated, any User subject to such additional or new Standards shall apply for an Industrial Waste Discharge Permit, or a modification to an existing IWDP, within 180 days of the promulgation of such Standard;
  - (ii) To address significant alterations or additions to the Users operation, processes, or wastewater volume or character since the time of the IWDP issuance;
  - (iii) A change in the Treatment Works that requires either a temporary or permanent reduction or elimination of the authorized discharge;
  - (iv) Information indicating that the permitted discharge poses a threat to the Company's collection and treatment system, personnel or the receiving stream;
  - (v) Violation of any terms or conditions of the IWDP;
  - (vi) Misrepresentations or failure to fully disclose all relevant facts in the wastewater discharge permit application or in any required reporting;
  - (vii) Revision of or a grant of variance from Categorical Pretreatment Standards as provided in 40 CFR 403.13;
  - (viii) To correct typographical or other errors in the IWDP;

- (ix) To reflect a transfer of the facility ownership or operation to a new Owner or Operator where requested in accordance with Section 5.5; or
  - (x) Upon request of the permittee, provided such a request does not create a violation of any applicable requirements, standards, laws, or rules and regulations.
- (b) The filing of a request by the permittee for a permit modification does not stay or suspend any permit condition.
  - (c) The Company will act in a timely manner on any request for permit modification.
  - (d) The User shall be informed of any proposed changes in its permit at least thirty (30) days prior to the effective date of change. Any changes or new conditions in the permit may include a reasonable time schedule for compliance in the event that compliance cannot reasonably be achieved in 30 days.

## **5.5 Permit Transfer**

- (a) Industrial Waste Discharge Permits may be transferred to a new Owner or Operator only if the permittee gives at least forty (40) days advance notice to the Company and the Company approves the IWDP transfer. The notice to the Company must include a written certification by the new Owner or Operator which:
  - (i) States that the new Owner and/or Operator has no immediate intent to change the facility's operations and processes;
  - (ii) Identifies the specific date on which the transfer is to occur; and
  - (iii) Acknowledges full responsibility for complying with the existing IWDP.
- (b) Within ten (10) days of receiving an IWDP transfer notice, the Company will determine if the notice is administratively complete and issue to the permittee either an acknowledgement of completeness or a letter specifying any deficiencies. If a permit transfer notice is deficient, the permittee shall cure the deficiencies and resubmit the notice, which the Company then, within ten (10) days, will review again for completeness and issue to the permittee either an acknowledgement of completeness or a letter specifying any deficiencies.
- (c) The Company will approve or disapprove a permit transfer within thirty (30) days of issuing an acknowledgement of completeness of the notice, and approval of such transfer shall not be unreasonably withheld by the Company.
- (d) Failure to provide advance notice of a transfer renders the Industrial Waste Discharge Permit void as of the date of facility transfer.

## 5.6 Appeals

- (a) The permittee may appeal to the Company to reconsider the terms of an Industrial Waste Discharge Permit within thirty (30) days of receipt of the permit. This appeal must be in writing and must indicate the permit provisions objected to, the reasons for the objection, and the alternative condition, if any, sought to be placed in the permit.
- (b) The effectiveness of the permit shall not be stayed pending reconsideration by the Company.
- (c) The Company, with the direct involvement of a Vice President, will review the appeal and other pertinent information and determine if any amendment to the permit is warranted.
- (d) If the Company determines that an amendment is warranted, it will issue an amended Industrial Waste Discharge Permit; if the Company determines that no amendment is warranted, it will so notify the permittee.
- (e) The Company will act in a timely manner on any appeal.

## 5.7 Permit Revocation

- (a) The Company may revoke an Industrial Waste Discharge Permit for good cause, including, but not limited to, the following reasons:
  - (i) Failure to provide prior notification to the Company of a Significant Wastewater Modification pursuant to Section 6.5 of these rules;
  - (ii) Failure to factually report the wastewater constituents and characteristics of a discharge or misrepresentation of relevant facts in an application for an IDWP;
  - (iii) Falsifying self-monitoring reports and certification statements;
  - (iv) Tampering with monitoring equipment;
  - (v) Refusing to allow the Company reasonable and timely access to the facility premises (for purposes of compliance inspection, records review, sampling or monitoring) or records;
  - (vi) Failure to pay fees or sewer charges;
  - (vii) Failure to meet compliance schedules;
  - (viii) Failure to complete a wastewater survey or the wastewater discharge permit application;
  - (ix) Failure to provide advance notice of the transfer of business ownership of a permitted facility; or

- (x) Serious or repeated violation of any Pretreatment Standard or Requirement or any term or condition of an IWDP or these rules (the Company will refer to pertinent standards adopted by USEPA as guidance in administering this provision).
- (b) If an IWDP is revoked, the Company may take steps it deems advisable, including severance of the sewer connection to terminate the discharge, in order to promote compliance with these rules.
- (c) Prior to revocation of an IWDP or termination of a discharge, the Company will provide notice to the User of the proposed revocation or termination and reasonable opportunity for the User to show cause why the proposed action should not be taken. The Company, with the direct involvement of a Vice President, will review the information presented by the User and other pertinent information and determine if revocation of the permit is warranted.

## **5.8 Regulation of Waste received from Other Jurisdictions**

The regulation of wastes received from municipalities or municipal authorities outside of the Company's Treatment Works delivered via bulk or wholesale service connections to the Company's Treatment Works shall be accomplished through the use of a bulk service agreements under which the municipality or municipal authority seeking to discharge wastewater into the Company's Treatment Works commit to adopt, diligently enforce, and regularly update the IPP rules through the use of municipal ordinances or municipal authority regulations, equal to or more stringent than these IPP rules. Such bulk or wholesale service agreements with municipalities or municipal authorities are subject to approval by the PUC and other regulatory approvals. The municipality or municipal authority connecting to the Company's Treatment Works shall furnish to the Company copies of the required municipal ordinances, municipal authority regulations and any amendments thereto.

**Section 6. REPORTING REQUIREMENTS**

**6.1 Baseline Monitoring Reports**

- (a) Within either one hundred eighty (180) days after the effective date of a Categorical Pretreatment Standard, or the final administrative decision on a category determination under 40 CFR 403.6(a)(4), whichever is later, existing Categorical Industrial Users currently discharging to or scheduled to discharge to the Treatment Works shall submit to the Company a report which contains the information listed in paragraph (b), below. At least ninety (90) days prior to commencement of their discharge, New Sources, and sources that become Categorical Industrial Users subsequent to the promulgation of an applicable Categorical Standard, shall submit to the Company a report which contains the information listed in paragraph (b), below. A New Source shall report the method of pretreatment it intends to use to meet applicable Categorical Standards. A New Source also shall give estimates of its anticipated flow and quantity of Pollutants to be discharged using forms approved by the Company.
  
- (b) Users described above shall submit the information set forth below.
  - (i) All information required in Sections 4.5(a)(i)1, 4.5(a)(ii), 4.5(a)(iii)1, and 4.5(a)(vi).
  
  - (ii) Measurement of Pollutants.
    - 1) The User shall provide the information required in Section 4.5(a)(vii)1 through 4.5(a)(vii)4
  
    - 2) The User shall take a minimum of one representative sample to compile that data necessary to comply with the requirements of this paragraph.
  
    - 3) Samples should be taken immediately downstream from pretreatment facilities if such exist or immediately downstream from the regulated process if no pretreatment exists. If other wastewaters are mixed with the regulated wastewater prior to pretreatment, the User should measure the flows and concentrations necessary to allow use of the combined wastestream formula in 40 CFR 403.6(e) to evaluate compliance with the Pretreatment Standards. Where an alternate concentration or mass limit has been calculated in accordance with 40 CFR 403.6(e) this adjusted limit along with supporting data shall be submitted to the Company;
  
    - 4) Sampling and analysis shall be performed in accordance with Section 6.9 and 6.10;



- 5) The Company may allow the submission of a baseline report which utilizes only historical data so long as the data provides information sufficient to determine the need for industrial pretreatment measures;
  - 6) The baseline report shall indicate the time, date and place of sampling and methods of analysis, and shall certify that such sampling and analysis is representative of normal work cycles and expected Pollutant Discharges to the Treatment Works.
- (iii) Compliance Certification. A statement, reviewed by the Authorized Representative of the User and certified by a qualified professional, indicating whether Pretreatment Standards are being met on a consistent basis, and, if not, whether additional operation and maintenance (O&M) and/or additional pretreatment is required to meet the Pretreatment Standards and Requirements.
  - (iv) Compliance Schedule. If additional pretreatment and/or O&M will be required to meet the Pretreatment Standards, an expeditious schedule by which the User will provide such additional pretreatment and/or O&M must be provided. The completion date in this schedule shall not be later than the compliance date established for the applicable Pretreatment Standard. A compliance schedule pursuant to this Section must meet the requirements set out in Section 6.2 of these rules.
  - (v) Signature and Report Certification. All baseline monitoring reports must be certified in accordance with Section 6.13 of these rules and signed by an Authorized Representative of the User.

## **6.2 Compliance Schedule Progress Reports**

The following conditions shall apply to the compliance schedule required by Section 6.1(b)(iv) of these rules.

- (a) The schedule shall contain progress increments in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the User to meet the applicable Pretreatment Standards (such events include, but are not limited to, hiring an engineer, completing preliminary and final plans, executing contracts for major components, commencing and completing construction, and beginning and conducting routine operation);
- (b) The User shall submit a progress report to the Company no later than fourteen (14) days following each date in the schedule and the final date of compliance including, as a minimum, whether or not it complied with the increment of progress, the reason for any delay, and, if appropriate, the steps being taken by the User to return to the established schedule; and

- (c) In no event shall more than nine (9) months elapse between such progress reports to the Company.

### **6.3 Reports on Compliance with Categorical Pretreatment Standard Deadline**

Within ninety (90) days following the date for final compliance with applicable Categorical Pretreatment Standards, or in the case of a New Source following commencement of the introduction of wastewater into the Treatment works, any User subject to such Pretreatment Standards and Requirements shall submit to the Company a report containing the information described in Sections 4.5(a)(vi), 4.5(a)(vii) and 6.1(b)(ii) of these rules. For Users subject to equivalent mass or concentration limits established in accordance with the procedures in 40 CFR §403.6(c), this report shall contain a reasonable measure of the User's long-term production rate. For all other Users subject to Categorical Pretreatment Standards expressed in terms of allowable Pollutant discharge per unit of production (or other measure of operation), this report shall include the User's actual production during the appropriate sampling period. All compliance reports must be signed and certified in accordance with Section 6.13 of these rules. All sampling will be done in conformance with Section 6.10.

### **6.4 Periodic Compliance Reports**

- (a) All Significant Industrial Users must submit reports to the Company, at a frequency determined by the Company and as contained in the Industrial Waste Discharge Permit, indicating the nature, concentration of Pollutants in the discharge which are limited by Pretreatment Standards and the measured or estimated average and maximum daily flows for the reporting period. In cases where the Pretreatment Standard requires compliance with BMPs or pollution prevention alternatives, the User must submit documentation required by the Company or the Pretreatment Standard necessary to determine the compliance status of the User.
- (b) All periodic compliance reports must be signed and certified in accordance with Section 6.13 of these rules.
- (c) All wastewater samples must be representative of the User's discharge. Wastewater monitoring and flow measurement facilities shall be properly operated, kept clean, and maintained in good working order at all times. The failure of a User to keep its monitoring facility in good working order shall not be grounds for the User to claim that sample results are unrepresentative of its discharge.
- (d) If a User subject to the reporting requirement in this section monitors any regulated Pollutant at the appropriate sampling location more frequently than required by the Company, using the procedures prescribed in Section 6.10 of these rules, the results of this monitoring shall be included in the report.
- (e) Significant Industrial Users not subject to Categorical Pretreatment Standards under these rules shall submit these reports as specified by the SIU's Industrial Waste Discharge Permit.

## **6.5 Reports of Changed Conditions**

- (a) Each User must notify the Company of any Significant Wastewater Modification at least ninety (90) days before the change.
- (b) The Company may require the User to submit such information as may be deemed necessary to evaluate the changed condition, including the submission of an Industrial Waste Discharge Permit application.
- (c) The Company may issue a new Industrial Waste Discharge Permit or modify an existing IWDP in response to changed conditions or anticipated changed conditions.

## **6.6 Reports of Potential Problems**

- (a) In the case of any discharge, including, but not limited to , an accidental discharge, a discharge of a non-routine, episodic nature, a non-customary batch discharge, or a Slug Discharge or Slug Load, that might cause potential problems for the Treatment Works, the User, upon discovery, and after assessing the situation and taking initial corrective action, shall immediately telephone and notify the Company of the incident. This notification shall include the location of the discharge, type of waste, concentration and volume, if known, and initial corrective actions taken by the User.
- (b) Within five (5) days following such discharge, the User shall, unless waived by the Company, submit a detailed written report including the date, time and duration of the discharge and describing the cause(s) of the discharge, all corrective actions implemented or attempted, and the measures to be taken by the User to prevent similar future occurrences. Such notification shall not relieve the User of any expense, loss, damage, or other liability which might be incurred as a result of damage to the Treatment Works, natural resources, or any other damage to person or property; nor shall such notification relieve the User of any fees or other liability which may be imposed pursuant to these rules.
- (c) A notice shall be permanently posted on the User's bulletin board or other prominent place advising employees who to call in the event of a discharge described in paragraph (a), above. Employers shall ensure that all employees are advised of the emergency notification procedure.
- (d) Significant Industrial Users are required to notify the Company immediately of any changes at its facility affecting the potential for a Slug Discharge.

## **6.7 Reports from Unpermitted Users**

All Users not required to obtain an Industrial Waste Discharge Permit shall provide appropriate reports to the Company as the Company may require.

## **6.8 Notice of Violation/Repeat Sampling and Reporting**

If sampling performed by a User indicates a violation, the User must notify the Company within twenty-four (24) hours of becoming aware of the violation and submit to the Company within five (5) business days, unless otherwise specified, a detailed written report describing the discharge and the measures taken to prevent similar future occurrences. The User shall also repeat the sampling and analysis and submit the results of the repeat analysis to the Company within the current quarterly reporting cycle, however no later than thirty (30) days after becoming aware of the violation. Resampling by the Industrial User is not required if the Company performs sampling at the User's facility at least once a month, or if the Company performs sampling at the User between the time when the initial sampling was conducted and the time when the User or receives the results of this sampling, or if the company has performed the sampling and analysis in lieu of the Industrial User.

## **6.9 Analytical Requirements**

All Pollutant analyses, including sampling techniques, to be submitted as part of a wastewater discharge permit application or report shall be performed by laboratories accredited by the IEPA and in accordance with the techniques prescribed in 40 CFR Part 136 and amendments thereto, unless otherwise specified in an applicable Categorical Pretreatment Standard. If 40 CFR Part 136 does not contain sampling or analytical techniques for the Pollutant in question, or where the USEPA determines that the Part 136 sampling and analytical techniques are inappropriate for the Pollutant in question, sampling and analyses shall be performed by using validated analytical methods or any other applicable sampling and analytical procedures, including procedures suggested by the Company or other parties approved by USEPA. The Company may specify appropriate alternative procedures in a User's Industrial Waste Discharge Permit.

## **6.10 Sample Collection**

- (a) Samples collected to satisfy reporting requirements must be based on data obtained through appropriate sampling and analysis performed during the period covered by the report, based on data that is representative of conditions occurring during the reporting period.
- (b) Except as indicated in subsections (c) and (d) below, the User must collect wastewater samples using 24-hour flow-proportional composite sampling techniques, unless time-proportional composite sampling or grab sampling is authorized by the Company. Where time-proportional composite sampling or grab sampling is authorized by the Company, the samples must be representative of the discharge. Using protocols (including appropriate preservation) specified in 40 CFR Part 136 and appropriate USEPA guidance, multiple Grab Samples collected during a 24-hour period may be composited prior to the analysis as follows: for cyanide, total phenols, and sulfides, the samples may be composited in the laboratory or in the field; for volatile organics and oil and grease, the samples may be composited in the laboratory. Composite samples for other parameters unaffected by the compositing procedures as documented in approved USEPA methodologies may be authorized by the Company, as appropriate. In addition, Grab Samples may be required to show compliance with Instantaneous Limits.

- (c) Samples for oil and grease, temperature, pH, cyanide, total phenols, sulfides, and volatile organic compounds must be obtained using grab collection techniques.
- (d) For sampling required in support of baseline monitoring and 90-day compliance reports required in Sections 6.1 and 6.4 [40 CFR 403.12(b) and (d)], a minimum of four (4) Grab Samples must be used for pH, cyanide, total phenols, oil and grease, sulfide and volatile organic compounds for facilities for which historical sampling data do not exist; for facilities for which historical sampling data are available, the Company may authorize a lower minimum. For the reports required by paragraphs Section 6.4 [40 CFR 403.12(e) and 403.12(h)], the Industrial User is required to collect the number of Grab Samples necessary to assess and assure compliance with applicable Pretreatment Standards and Requirements.

### **6.11 Date of Receipt of Reports**

Written reports will be deemed to have been submitted on the date postmarked. For reports which are not mailed, postage prepaid, into a mail facility serviced by the United States Postal Service, including reports submitted by electronic mail, the date of receipt of the report shall govern.

### **6.12 Recordkeeping**

Users subject to the reporting requirements of these rules shall retain, and make available for inspection and copying, all records of information obtained pursuant to any monitoring activities required by these rules, any additional records of information obtained pursuant to monitoring activities undertaken by the User independent of such requirements, and documentation associated with Best Management Practices established under Section 2.5(g). Records shall include the date, exact place, method, and time of sampling, and the name of the person(s) taking the samples; the dates analyses were performed; who performed the analyses; the analytical techniques or methods used; and the results of such analyses. These records shall remain available for a period of at least five (5) years. This period shall be automatically extended for the duration of any litigation concerning the User or the Company, or where the User has been specifically notified of a longer retention period by the Company.

### **6.13 Certification Statements**

- (a) Certification of Permit Applications, User Reports and Initial Monitoring Waiver – The following certification statement is required to be signed and submitted by Users submitting permit applications in accordance with Section 4.8; Users submitting baseline monitoring reports under Section 6.1(b)(v); Users submitting reports on compliance with the Categorical Pretreatment Standard deadlines under Section 6.3; and Users submitting periodic compliance reports required by Section 6.4. The following certification statement must be signed by an Authorized Representative of the User:

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.

- (b) A facility determined by the Company to be a NSCIU must annually submit the following certification statement signed an Authorized Representative of the User. This certification must accompany an alternative report required by the Company:

Based on my inquiry of the person or persons directly responsible for managing compliance with the Categorical Pretreatment Standards under 40 CFR \_\_\_\_, I certify that, to the best of my knowledge and belief that during the period from \_\_\_\_\_, \_\_\_\_\_ to \_\_\_\_\_, \_\_\_\_\_ [months, days, year]:

- (a) The facility described as \_\_\_\_\_ [facility name] met the definition of a Non-Significant Categorical Industrial User as described in Section 1.4 of these rules; and
- (b) The facility complied with all applicable Pretreatment Standards and requirements during this reporting period; and (c) the facility never discharged more than 100 gallons of total categorical wastewater on any given day during this reporting period.

This compliance certification is based on the following information:

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**Section 7. FEES AND CHARGES**

**7.1 General**

- (a) It is the purpose of this Section to identify for Users (i) the costs incurred by the Company for the implementation of the Pretreatment program established herein and (ii) the fees to be charged Users for the services provided hereunder.
- (b) Applicable charges and fees are set forth in the schedule of fees, attached hereto as Schedule 1, and include:
  - (i) Fees for Industrial Waste Discharge Permit applications including the cost of processing such applications;
  - (ii) Fees for monitoring, inspection, and surveillance procedures including the cost of collection and analyzing a User's discharge, and reviewing monitoring reports and certification statement submitted by Users;
  - (iii) Fees for reviewing plans, operating procedures, and monitoring reports for pretreatment facilities required by these rules;
  - (iv) Fees for construction oversight and responding to accidental discharges and non-compliance repair or maintenance;
  - (v) Fees for filing appeals;
  - (vi) Fees to recover administrative and legal costs associated with the enforcement activity taken by the Company to address Industrial User noncompliance; and
  - (vii) Other fees as the Company may deem necessary to carry out the requirements contained herein.
- (c) The fees and charges established pursuant to this Section 7 relate solely to the matters covered by these rules and are separate from all other fees, fines, and penalties chargeable by the Company.
- (d) If a User wishes to dispute the calculation of any fees assessed by the Company, it shall appeal to the Company, in writing, identifying the fees subject to dispute and the reason(s) they are disputed. The Company, acting in a timely manner with the direct involvement of a Vice President, will review the appeal and other pertinent information and determine if any adjustment to the fee is warranted and so advise the User. In the event that a User is not satisfied with the Company's determination on its appeal, the User may seek appropriate relief from the Commission.

## 7.2 Industrial Loading Fees, Excess Loading Fees, and Special Discharge Fees

- (a) Any user discharging wastewater with a concentration of any of substance listed on Schedule 2 greater than the limit identified on Schedule 2 when measured at the user's metering station(s) or control manhole shall be subject to an Industrial Loading Fee, an Excess Loading Fee, and/or a Special Discharge Fee for acceptance and treatment of the wastewater.
- (b) The amount of the Industrial Loading Fee, Excess Loading Fee, and/or Special Discharge Fee for each constituent shall be as determined by the Company, as set forth in Schedule 1, taking into account the flow and concentration of the constituent in the wastewater and the costs of treatment, solids handling, pumping, energy, manpower and other costs associated with the acceptance and treatment of the constituent in excess of the Local Limit or IWDP limit. The Industrial Loading Fee, Excess Loading Fee, and/or Special Discharge Fee for acceptance and treatment of the subject wastewater shall be in addition to any other charges and fees billed to the user.
- (c) The Company may amend the list of substances subject to Industrial Loading Fees, Excess Loading Fees, and/or Special Discharge Fees and the related concentration limits identified on Schedule 2 as necessary to account for the recovery of any special or additional expenditures required to accept and treat wastewater containing such substances in excess of the concentration limits.
- (d) These fees shall be payable by the Industrial User within forty-five (45) days of notification, or the Industrial User will be subject to such enforcement action deemed appropriate by the Company, including, but not limited to, termination of discharge and a revocation of the IWDP. Fees may be modified or amended as the Company deems necessary, subject to review and approval by the Commission to the extent required by the Code.



**Section 8. COMPLIANCE**

**8.1 Right of Entry: Inspection and Sampling**

- (a) The Company shall have the right to enter the premises of any User at all reasonable times to inspect the facility, perform sampling, review records, and take other actions necessary to determine whether the User is complying with all requirements of these rules and any Industrial Waste Discharge Permit or compliance directive issued hereunder.
- (b) The Company will sample and analyze the discharge of each Significant Industrial User holding an Industrial Waste Discharge Permit at least once per year; the costs of which shall be borne by the User. Users shall allow the Company ready access to all parts of the premises for the purposes of inspection, sampling, records examination and copying, and the performance of any additional duties.
- (c) Where a User has security measures in force which require proper identification and clearance before entry into its premises, the User shall make necessary arrangements with its security guards so that, upon presentation of suitable identification, the Company shall be permitted to enter without delay for the purposes of performing specific responsibilities. The User shall inform the Company of any applicable safety procedures that the Company must follow in any area, or which respect to any process, that is the subject of inspection, evaluation or other action by the Company.
- (d) The Company shall have the right to set up on the User's property, or require installation of, such devices as are necessary to conduct sampling and/or metering of the User's operations.
- (e) The Company may require the User to install monitoring equipment as necessary. The facility's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the User at its own expense. All devices used to measure wastewater flow and quality shall be calibrated at least one per year, and more frequently if necessary, to ensure their accuracy.
- (f) Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the User at the written or verbal request of the Company and shall not be replaced. The costs of clearing such access shall be borne by the User.
- (g) Unreasonable delays in allowing the Company access to the User's premises shall be a violation of these rules.
- (h) If the Company has been refused any records or access to a building, structure, or property, or any part thereof, or if the Company believes that there is a need to inspect and/or sample as part of a routine or specific inspection and sampling program, designed to verify compliance with these rules or any permit or compliance directive issued hereunder, or to protect the

overall public health, safety and welfare of the community, then the Company may pursue any response available to it under these rules and applicable law, including seeking issuance of a search warrant from the appropriate judicial authority.

## **8.2 Confidential Information**

Information and data on a User obtained from reports, surveys, wastewater discharge permit applications, Industrial Waste Discharge Permits, and monitoring programs, and from the Company's inspection and sampling activities, shall be available to the public without restriction, unless the User specifically requests, and is able to demonstrate to the satisfaction of the Company that the release of such information would divulge information, processes, or methods of production entitled to protection as trade secrets under applicable State or federal law. Any such request must be asserted at the time of submission of the information or data. When requested and demonstrated by the User furnishing a report that such information should be held confidential, the portions of a report which might disclose trade secrets or secret processes shall not be made available for inspection by the public, but shall be made available immediately upon request to governmental agencies for uses related to the NPDES program or pretreatment program, and in enforcement proceedings involving the person furnishing the report. Wastewater constituents and characteristics and other effluent data, as defined at 40 CFR 2.302 shall not be recognized as confidential information and shall be available to the public without restriction.

## **Section 9. ADMINISTRATIVE ENFORCEMENT REMEDIES**

### **9.1 General**

Users of the Company's Treatment Works are obligated to comply with applicable provisions of these rules, Pretreatment Standards, and the terms and conditions of permits issued by the Company. Failure to comply with these requirements may lead to suspension or termination of service, permit revocation, assessment of costs, and/or legal action.

### **9.2 Emergency Response**

- (a) The Company may immediately suspend a User's discharge and/or the Industrial Waste Discharge Permit of any User, upon notice to the User, whenever such suspension is necessary, in the opinion of the Company, in order to stop an actual or threatened discharge which presents or reasonably appears to present an imminent or substantial endangerment to the health or welfare of persons or the environment, causes or contributes to Interference or Pass Through, causes or contributes to a violation of any condition of the Company's NPDES permit, or threatens to interfere with the operation of the Treatment Works.
- (b) Any User notified of a suspension of its discharge shall immediately stop or eliminate its discharge to the Treatment Works. In the event of a User's failure to immediately comply voluntarily with the suspension notice, the Company may take such steps as deemed necessary, including immediate severance of the sewer connection, to prevent or minimize damage to the Treatment Works, its receiving stream, or endangerment to any individuals or the environment.
- (c) A User that is responsible, in whole or in part, for any discharge presenting imminent endangerment shall submit a detailed written statement to the Company describing the causes of the harmful discharge and the measures taken to prevent any future occurrence. The detailed written statement shall be submitted to the Company within five (5) days of the first date of the occurrence.
- (d) The Company may reinstate the Industrial Waste Discharge Permit and/or the wastewater treatment service, and allow the User to recommence its discharge, upon demonstration by the User to the satisfaction of the Company that the non-complying discharge has been eliminated and that the period of endangerment has passed.

### **9.3 Notice of Violation**

When the Company finds that a User has violated, or continues to violate, any provision of these rules, the terms and conditions of an Industrial Waste Discharge Permit, a compliance or cessation directive issued hereunder, or any Pretreatment Standard or Requirement, the Company may deliver to that User a written notice of violation stating the nature of the violation(s). Within the timeframe set forth in such notice, the User shall submit to the Company an explanation of the violation and a plan for the satisfactory correction and prevention thereof, to include specific remedial actions. Submission of such a plan in no way relieves the User

of liability for any violations occurring before or after receipt the notice. Nothing in this Section shall limit the authority of the Company to take any action, including emergency actions or any other enforcement action, without first issuing a notice of violation.

#### **9.4 Compliance Directives**

When the Company finds that a User has violated, or continues to violate, any provision of these rules, an Industrial Waste Discharge Permit, a compliance or cessation directive issued hereunder, or any Pretreatment Standard or Requirement, the Company may issue a compliance directive to the User responsible for the discharge directing that the User come into compliance within a specified time. If the User does not come into compliance within the time provided, sewer service may be discontinued unless adequate treatment facilities, devices, or other related appurtenances are installed and properly operated. Compliance directives also may contain other requirements to address the noncompliance, including additional self-monitoring and management practices designed to minimize the amount of Pollutants discharged to the sewer. A compliance directive may not extend the deadline for compliance established for a Pretreatment Standard or Requirement, nor does a compliance directive relieve the User of liability for any violation, including any continuing violation. Issuance of a compliance directive shall not be a bar against, or a prerequisite for, taking any other action against the User.

#### **9.5 Cessation Directives**

- (a) When the Company finds that a User has violated, or continues to violate, any provision of these rules, an Industrial Waste Discharge Permit, a compliance or cessation directive issued hereunder, or any Pretreatment Standard or Requirement, or that the User's past violations are likely to recur, the Company may issue a directive to the User directing it to cease and desist all such violations and directing the User to:
  - (i) Immediately comply with all requirements; and
  - (ii) Take such appropriate remedial or preventive action as may be needed to properly address a continuing or threatened violation, including halting operations and/or terminating the discharge.
- (b) Issuance of a cessation directive shall not be a bar against, or a prerequisite for, taking any other action against the User.

#### **9.6 Referral to the IEPA**

When the Company finds that the Industrial User has failed or is failing to meet Categorical Pretreatment Standards applicable under these rules or an Industrial Waste Discharge Permit, the Company may report the user to the IEPA and recommend that the IEPA require that the user obtain an individual NPDES permit to authorize its discharge.

**Section 10. JUDICIAL ENFORCEMENT REMEDIES**

**10.1 Injunctive Relief and Civil Actions**

When the Company finds that a User has violated, or continues to violate, any provision of these rules, an Industrial Waste Discharge Permit, a compliance or cessation directive issued hereunder, or any Pretreatment Standard or Requirement, the Company may petition the Madison County Court for the issuance of a temporary or permanent injunction, as appropriate, which restrains or compels the specific performance of the IWDP, directive, or other requirement imposed by these rules. The Company also may seek such other action as is appropriate for legal and/or equitable relief, including a requirement for the User to conduct environmental remediation. A petition for injunctive or other judicial relief shall not be a bar against, or a prerequisite for, taking any other action against a User.

**10.2 Remedies Nonexclusive**

The remedies provided for in these rules are not exclusive and the Company may take any, all, or any combination of actions against a noncompliant User. As a general policy, however, the Company will seek to resolve compliance matters informally with a User before pursuing formal enforcement proceedings..

**Section 11. SEVERABILITY**

If any provision of these rules is invalidated by any court of competent jurisdiction, the remaining provisions shall not be affected and shall continue in full force and effect.

**Section 12. CONFLICT AND HEADINGS**

All other rules or parts of rules inconsistent or conflicting with any part of these rules are ineffective to the extent of such inconsistency or conflict.

The headings in these rules are solely for convenience and shall have no effect in the legal interpretation of any provision hereof.

**Section 13. EFFECTIVE DATE**

These **rules** shall be effective as of the date of the Commission's order adopting the modified Tariff based on these rules or the date of IEPA's issuance of a modified NPDES permit incorporating these rules, whichever is later.



## SCHEDULE 1

### FEES

It is the purpose of this Schedule to provide for the recovery of costs from Users of the Company's Treatment Works for the implementation, administration, and enforcement of the Industrial Pretreatment Program, and for the additional costs for treatment of wastewaters from such Users having loadings and characteristics that are in excess of Domestic Sewage. The fees specified herein for the Industrial Pretreatment Program are separate from and in addition to all other fees chargeable by the Company.

The fees specified in Section 1.1 apply to all Users of the Company's Treatment Works. Additional fees, applicable to Users of specific systems, are specified in Section 1.2, for the Alton Wastewater System.

#### **1.1. Fees Applicable to All Systems**

- 1.1.1.IWDP Application Fee: \$1,000.00
- 1.1.2.IWDP Transfer/Modification/Renewal Fee: \$250.00
- 1.1.3.Facility Inspection Fee: \$250.00 per inspection
- 1.1.4.Monitoring Report Review Fee: \$250.00 per monitoring report
- 1.1.5.Sampling and Analysis Fee: Actual cost of sampling and laboratory analysis plus 25% to cover administrative costs.
- 1.1.6.Accidental Discharge, Slug Control, and/or Monitoring Fee: Actual cost of response to accidental discharges or discharges of slugs loads, including but not limited to the costs incurred for any additional treatment or other actions required to manage such discharges, monitoring and response to such discharges, correction of any resulting contamination or other impacts to the Treatment Works, including the Collection System and Treatment Plant.
- 1.1.7.Compliance and Enforcement Fee - Administrative and Legal: Actual cost incurred by the Company for investigation and actions to address a User's non-compliance with the terms of this IPP or any IWDP.
- 1.1.8.Damage Repair: Actual cost for cleaning, repair, replacement and/or correction of any damage to the Treatment Works, including the Collection System and the Treatment Plant, caused or contributed to by a User's discharge.

## 1.2. Fees Applicable to Alton Wastewater System

- 1.2.1. Industrial Loading Fee - applicable on a quarterly basis to discharges with loadings above typical Domestic Sewage loadings up to but not exceeding any applicable Local Limit or IWDP limit, based on sampling and analysis by the Company and sampling required to be reported by the User under an IWDP:

$$\text{Quarterly Fee (\$)} = Q \times \{((\text{BOD5 Actual} - \text{BOD5 Domestic}) \times \text{BOD5 Cost Factor}) + ((\text{NH3-N Actual} - \text{NH3-N Domestic}) \times \text{NH3-N Cost Factor}) + ((\text{TSS Actual} - \text{TSS Domestic}) \times \text{TSS Cost Factor})\}$$

Where:

BOD5 Actual = actual concentration of BOD5 in mg/l as measured by the Company or the Industrial User

BOD5 Cost Factor = Treatment cost for BOD5 for the system = 0.0045

BOD5 Domestic = 330 mg/l, the typical concentration in Domestic Sewage

NH3-N Actual = actual concentration of NH3-N in mg/l as measured by the Company or the Industrial User

NH3-N Cost Factor = Treatment cost for NH3-N for the system = 0.0063

NH3-N Domestic = 23 mg/l, the typical concentration in Domestic Sewage

Q = Total flow for the quarter measured in thousand gallons

TSS Actual = actual concentration of TSS in mg/l as measured by the Company or the Industrial User

TSS Cost Factor = treatment cost for TSS for the system = 0.0028

TSS Domestic = 350 mg/l, the typical concentration in Domestic Sewage

- 1.2.2. Excess Loading Fee - applicable to discharges with loadings that exceed a Local Limit or IWDP limit:

If in any monthly period, the loading of BOD5, NH3-N, or TSS exceeds a Local Limit or IWDP limit, then for the applicable parameter, in calculating the Industrial Loading Fee under §1.2.1, the BOD5 Cost Factor, NH3-N Cost Factor and/or TSS Cost Factor, applicable to the total loading of that parameter will be 125% of the value set forth in §1.2.1 to compensate for the additional administrative, oversight and management costs associated with managing such excessive loadings.

- 1.2.3. Special Discharge Fee - applicable to discharges with loadings or concentrations that exceed a Local Limit or IWDP limit and that impact sludge handling or disposal methods and costs, necessitate acquisition of nutrient credits, result in damages to the facility, or require extraordinary measures:

Fee = Actual cost incurred by the Company, including but not limited to: (1) additional costs of managing impacted sludge (including costs related to use of alternative disposal facilities, additional monitoring, etc.), (2) costs of acquiring nutrient credits to meet NPDES Permit cap limits; (3) costs of repairs to and restoration of the Treatment Works, including the Collection System and Treatment Plant; or (4) costs of implementing any other measures required to control, manage and address such excessive loadings or concentrations.

**SCHEDULE 2  
SPECIFIC POLLUTANT DISCHARGE LIMITATIONS**

**LOCAL LIMITS**

**1. Alton Wastewater System**

The following Specific Pollutant Discharge Limitations (Local Limits) apply to all Industrial Users of the Alton Wastewater System. These limits apply at the point where the wastewater is discharged to the Treatment Works and at the point of entry of trunk lines from bulk customers. All concentrations for metallic substances are for total metal unless indicated otherwise. The Company may impose mass limitations in addition to the concentration based limitations specified.

1. Any water or waste containing fats, wax, grease or oils, whether emulsified or not, in excess of one hundred milligrams per liter (100 mg/l) or containing substances which may solidify or become viscous at temperatures between thirty two degrees Fahrenheit (32°F) and one hundred fifty degrees Fahrenheit (150°F). (Ord. 4326, 7-12-1978)
2. Any waters or wastes containing strong acid iron pickling wastes, or concentrated plating solutions whether neutralized or not.
3. An waters or wastes containing in excess of the following concentrations and similar objectionable or toxic substances, or wastes exerting an excessive chlorine requirement to such degree that any such material received in the composite sewage at the treatment works exceeds the limits established by the Company for such materials:

Waste or Chemical	Concentration mg/l
BOD <sub>5</sub>	200
Boron	1.0
Cadmium	2.0
Chromium (hexavalent)	5.0
Chromium (trivalent)	10.0
Chlorine demand	30.00
Copper	3.0
Cyanide	2.0
Iron	15.0
Lead	0.1
Nickel	3.0
Oil and grease, etc. (carbon tetrachloride extraction)	100.0
Phenols	.5
Total Suspended Solids	250
Zinc	2.0

4. Any waters or wastes containing phenols or other taste or odor producing substances, in such concentrations exceeding limits which may be established by the Company as necessary, after treatment of the composite sewage, to meet the requirements of the state, federal or other public agencies of jurisdiction for such discharge to the receiving water.
5. Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed, or are amenable to treatment only to such degree that the sewage treatment

plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

6. The admission into the public sewers of any waters or wastes having: 1) five (5) day biochemical oxygen demand greater than two hundred milligrams per liter (200 mg/l), or 2) containing more than two hundred fifty milligrams per liter (250 mg/l) of suspended solids, or 3) having an average daily flow greater than two percent (2%) of the average daily sewage flow of the Treatment Works shall be subject to the review and approval of the Company. The User shall provide at its own expense pretreatment facilities necessary to meet the federal and state pretreatment standards. Plans, specifications and any other pertinent information relating to proposed preliminary treatment facilities shall be submitted for the approval of the Company and of the IEPA, and no construction of such facilities shall be commenced until said approvals are obtained in writing.