

BEFORE THE POLLUTION CONTROL BOARD  
OF THE STATE OF ILLINOIS

**RECEIVED**  
CLERK'S OFFICE  
JUL 28 2008  
STATE OF ILLINOIS  
Pollution Control Board

IN THE MATTER OF:

WASTE MANAGEMENT OF ILLINOIS,  
INC.,

Petitioner,

v.

ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY,

Respondent.

No. PCB 08-101

**NOTICE OF FILING**

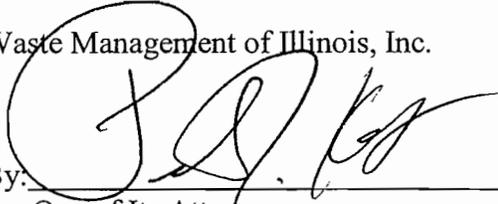
To: Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board  
100 West Randolph - Suite 11-500  
Chicago, IL 60601

Douglas Scott, Director  
Illinois Environmental Protection Agency  
1021 N. Grand Ave. East  
P.O. Box 19274  
Springfield, IL 62794-9274

PLEASE TAKE NOTICE that on July 28, 2008, there was filed with the Illinois Pollution Control Board the attached Petition for Hearing to Review NPDES Permit, a true and correct copy of which is herewith served upon you.

Respectfully submitted,

Waste Management of Illinois, Inc.

By: 

One of Its Attorneys

Peter J. Kelly  
Vedder Price P.C.  
222 North LaSalle Street  
Suite 2600  
Chicago, Illinois 60601  
(312) 609-7500  
Firm ID No. 44284  
Dated: July 28, 2008

**CERTIFICATE OF SERVICE**

The undersigned certifies that true and correct copies of the foregoing Petition for Hearing to Review NPDES Permit were served on

Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board  
100 West Randolph - Suite 11-500  
Chicago, IL 60601

Douglas Scott, Director  
Illinois Environmental Protection Agency  
1021 N. Grand Ave. East  
P.O. Box 19274  
Springfield, IL 62794-9274

by depositing the same in the U.S. mail, first-class postage prepaid, at 222 North LaSalle Street, Chicago, Illinois 60601-1003 by 5:00 p.m. on July 28, 2008.



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ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY,

Respondent.

No. PCB 08-101

**PETITION FOR HEARING TO REVIEW NPDES PERMIT**

Waste Management of Illinois, Inc. ("WMIL") owns a closed municipal waste landfill on Chouteau Island, Granite City, Illinois. The landfill is known as Chain of Lakes Recycling and Disposal Facility. Storm water run-off from the landfill discharges to Chouteau Slough and a sedimentation pond. There is no discharge from the sedimentation pond. WMIL, by its attorneys, Peter J. Kelly and Vedder Price P.C., hereby petitions the Illinois Pollution Control Board (the "Board") for a hearing to review the NPDES permit No. IL0075523 issued by the Illinois Environmental Protection Agency (the "Agency") on May 22, 2008 (the "Permit"). The Permit is attached as Exhibit A. This Permit is being appealed pursuant to §40.2 of the Illinois Environmental Protection Act ("Act"), 415 ILCS 5/40.2, and 35 Ill. Admin. Code §105.100 et seq.

As set forth below, WMIL seeks review by the Board of whether the closed landfill is required to have a Permit to discharge storm water. In support of its position WMIL states as follows:

1. Industrial activity at the landfill has ceased. The landfill is composed of two separate landfill phases. The fifteen-year post closure period for Phase I started in 1992 and ended October 23, 2007. Phase 2 started receiving waste in 1989 and stopped receiving off site waste in July 2004. Its thirty-year post-closure period started April 30, 2005. The site is completely vegetated except for areas that are paved with asphalt, concrete, and gravel. The only activities on the facility are related to groundwater monitoring, landfill gas control monitoring, and various maintenance activities such as mowing, etc.

2. The Illinois EPA has determined that the landfill has been closed in accordance with the approved closure plan and the affidavit of certification of closure, signed and sealed and prepared by Ernest H. Dennison, P.E. of Waste Management of Illinois, Inc., signature dated June 6, 2005.

3. By letter of March 6, 2008 Alan Keller, Manager of the Agency's Water Pollution Control Permit Section sent WMIL a draft permit seeking comment on the Public Notice/Fact Sheet the Agency proposed to publish with the draft permit. The letter also asked WMIL if it had any objections to the terms and conditions of the draft permit and indicated that WMIL must state any objections in writing prior to the end of the public notice period.

4. WMIL responded by letter of March 17, 2008 (during the public notice period) and told the Agency that because there was no industrial activity at the landfill, no NPDES permit was necessary. See Exhibit B.

5. By letter of March 17, 2008 Alan Keller, Manager of the Agency's Water Pollution Control Permit Section advised WMIL that the "Agency has determined that your facility [the landfill] is not required to obtain an NPDES storm water permit." See Exhibit C.

6. The Agency apparently went ahead and held a thirty-day public notice period and on May 22, 2008 issued an NPDES permit to WMIL for the landfill. The permit states the Effective Date to be June 1, 2008.

7. The Permit includes no Effluent Limitations, but does include a requirement to implement an extensive and burdensome Storm Water Pollution Prevention Plan.

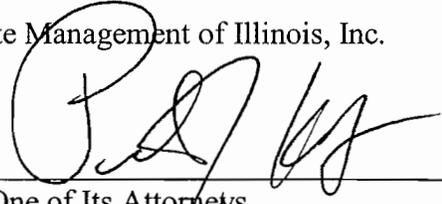
8. Then on June 2, 2008 Mr. Keller again advised WMIL that the landfill is "not required to obtain an NPDES storm water permit." See Exhibit D.

9. Because the landfill is closed, no waste is exposed and storm water cannot come into contact with waste, no NPDES permit is required.

WHEREFORE, for all of the foregoing reasons, the Petitioner respectfully requests that the Board review the permit and make a final decision that no permit is required and direct the Agency to withdraw the final permit.

Respectfully submitted,

Waste Management of Illinois, Inc.

By: 

One of Its Attorneys

Peter J. Kelly  
Vedder Price P.C.  
222 North LaSalle Street  
Suite 2600  
Chicago, Illinois 60601  
(312) 609-7500  
Firm ID No. 44284  
Dated: July 28, 2008

Exhibit A



# ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 - (217) 782-3397  
JAMES R. THOMPSON CENTER, 100 WEST RANDOLPH, SUITE 11-300, CHICAGO, IL 60601 - (312) 814-6026

ROD R. BLAGOJEVICH, GOVERNOR    DOUGLAS P. SCOTT, DIRECTOR

217/782-0610  
MAY 22 2008

Waste Management Closed Site Management Group  
c/o Outer Loop Recycling & Disposal Facility  
2673 Outer Loop  
Louisville, Kentucky 40219

Re: Waste Management Closed Site Management Group  
Chain of Rocks RDF  
NPDES Permit No. IL0075523  
Termination of ILR000817  
Final Permit

Gentlemen:

The sample frequency on page two of the permit was corrected to read "Daily When Discharging". No increases in sampling frequency or monitoring requirements resulted from this change.

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.

Please be advised the General Permit ILR000817 will be terminated upon the effective date of this individual permit.

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 Jaime Rabins at the telephone number indicated above.

Sincerely,

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

SAK:DEL:JAR:07102202.bah

Attachment: Final Permit

cc: Records  
Compliance Assurance Section  
Collinsville Region  
Hurst-Rosche Engineers, Inc.

Gina Hamlin  
Terry LeMaster  
SWIMRPC  
1100 S. Sixth Street, Rockford, IL 61103 • 815-987-7700 • Des Plaines, 9141 W. Harrison St., Des Plaines, IL 60016 • 847-294-1000  
1100 S. Sixth Street, Peoria, IL 61624 • 309-691-3131 • Peoria, 5415 N. University St., Peoria, IL 61611 • 309-693-6161  
1100 S. Sixth Street, Springfield, IL 62706 • 217-780-6312 • Champaign, 2125 South East Street, Champaign, IL 61820 • 217-278-3800  
1100 S. Sixth Street, Springfield, IL 62706 • 217-780-6312 • Collinsville, 2009 Main Street, Collinsville, IL 62424 • 618-346-6120  
Mason, 2309 W. Main St., Sudo, Ill., Marion, IL 62939 • 618-993-7200

NPDES Permit No. IL0075523

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

New (NPDES) Permit

Expiration Date: May 31, 2013

Issue Date: May 22, 2008

Effective Date: June 1, 2008

Name and Address of Permittee:

Waste Management Closed Site Management Group  
c/o Outer Loop Recycling & Disposal Facility  
2673 Outer Loop  
Louisville, Kentucky 40219

Facility Name and Address:

Chain of Rocks RDF  
3399 West Chain of Rocks Road  
Granite City, Illinois 62040  
(Madison County)

Discharge Number and Name:

001 Stormwater

002 Stormwater

Receiving Waters:

Chouteau Slough to Mississippi River

West Sedimentation Pond

In compliance with the provisions of the Illinois Environmental Protection Act, Title 35 of Ill. Adm. Code, Subtitle C and/or Subtitle D, Chapter 1, 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:JAR:07102202.bah

NPDES Permit No. IL0075523

Effluent Limitations and Monitoring

1. From the effective date of this permit until the expiration date, the effluent of the following discharge(s) shall be monitored and limited at all times as follows:

Outfall(s): 001 and 002 Stormwater (Intermittent Discharge)

PARAMETER	LOAD LIMITS lbs/day <u>DAF (DMF)</u>		CONCENTRATION LIMITS mg/l		SAMPLE FREQUENCY	SAMPLE TYPE
	30 DAY AVERAGE	DAILY MAXIMUM	30 DAY AVERAGE	DAILY MAXIMUM		
Flow (MGD)					Daily When Discharging	Measure
See Special Condition 1.						

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Special Conditions

SPECIAL CONDITION 1.

A. STORM WATER POLLUTION PREVENTION PLAN (SWPPP)

1. General storm water pollution prevention plan requirements applicable to both landfill activities and landfill construction activities are as follows:
  - a. The stormwater pollution prevention plan (SWPPP) developed for previous permits shall be maintained and if necessary amended by the permittee.
  - b. The owner or operator of a landfill with storm water discharges covered by this permit shall make a copy of the plan available to the Agency at any reasonable time upon request. A copy of the plan shall be maintained at the landfill for which storm water discharges are covered by this permit.
  - c. The permittee may be notified in writing by the Agency, at any time, that the plan does not meet the requirements of this permit. After such notification, the permittee shall make changes to the plan and shall submit a written certification that the requested changes have been made. Unless otherwise provided, the permittee shall have 30 days after such notification to make the changes.
  - d. The discharger shall amend the plan whenever there is a change in construction, operation, or maintenance which affects the discharge quantity of pollutants to waters of the State or if a facility inspection required by paragraph A.1.f. of this Special Condition indicates that an amendment is needed. The plan should also be amended if the discharger is in violation of any conditions of this permit, or has not achieved the general objectives of controlling pollutants in storm water discharges. Amendments to the plan shall be made within the shortest reasonable period of time, and shall be provided to the Agency for review upon request.

In addition to the above requirements, the plan shall be amended if sludge or bioremediated soils are utilized as daily, intermediate or final cover, if spray-on erosion or dust control/daily cover products are utilized, if pond water is utilized for dust control or other means or if additives are utilized to enhance effluent quality. Stormwater runoff from areas where sludge or bioremediated soils are utilized or stockpiled shall be diverted to detention basins when ever possible. Daily cover or approved alternate daily cover shall be utilized on sludge or bioremediated soils to prevent excessive wash out of the solids. Pond water utilized for dust suppression or other means shall be restricted in quantities, locations and time periods to prevent runoff, wash off due to precipitation or tracking on tires due to mud formation. Spray on products or effluent enhancing additives shall be reviewed and approved prior to use. Information that should be provided with a request for approval of effluent enhancing additives shall include but not be limited to the following:

1. MSDS sheets
2. List of active and inactive ingredients
3. Expected dosage rate
4. Expected concentration in the discharge

Information to be provided with a request for approval of spray on products shall include but not be limited to the following;

1. MSDS sheets if available
  2. List of compounds comprising the product, especially biocides, and amounts of each compound
  3. Area utilized, drainage area tributary outfall and method of application
  4. Information, if available, regarding degradation rates
  5. Expect stormwater runoff quality
- e. Non-Storm Water Discharges - The plan shall include a certification that the discharge has been tested or evaluated for the presence of non-storm water discharges. The certification shall include a description of any tests for the presence of non-storm water discharges, the methods used, the dates of the testing, and any on-site drainage points that were observed during the testing. Any facility that is unable to provide this certification must describe the procedure of any test conducted for the presence of non-storm water discharges, the test results, potential sources of non-storm water discharges to the storm sewer, and why adequate tests for such storm sewers were not feasible. Non-stormwater discharges shall include but not be limited to those discharges identified as categorical discharges under 40 CFR 445 Landfills Point Source Category.
  - f. The permittee shall conduct facility inspections to verify that all elements of the plan, including the site map, potential pollutant

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sources, and structural and non-structural controls to reduce pollutants in landfill storm water discharges are accurate. Inspections shall be conducted quarterly during or shortly after a significant rain event, but no less than annually if no such significant rain event occurs. Observations that require a response and the appropriate response to the observation shall be retained as part of the plan. Records documenting observations made during the site inspection shall be submitted to the Agency in accordance with the reporting requirements of this permit.

- g. The plan should briefly describe the appropriate elements of other program requirements, including Spill Prevention Control and Countermeasures (SPCC) plans required under Section 311 of the CWA and the regulations promulgated thereunder, and Best Management Programs under 40 CFR 125.100.
  - h. The plan is considered a report that shall be available to the public under Section 308(b) of the CWA. The permittee may claim portions of the plan as confidential business information, including any portion describing facility security measures.
  - i. The plan shall include the signature and title of the person responsible for preparation of the plan and include the date of initial preparation and each amendment thereto.
2. The storm water pollution prevention plan for landfill construction activities shall include the following items:
- a. **Site Description.** Each plan shall, provide a description of the following:
    - i. A description of the nature of the construction activity;
    - ii. A description of the intended sequence of major activities which disturb soils for major portions of the site (e.g. grubbing, excavation, grading);
    - iii. Estimates of the total area of the site and the total area of the site that is expected to be disturbed by excavation, grading, or other activities;
    - iv. An estimate of the runoff coefficient of the site after construction activities are completed and existing data describing the soil or the quality of any discharge from the site;
    - v. A site map indicating drainage patterns and approximate slopes anticipated before and after major grading activities, area of soil disturbance, the location of major structural and non-structural controls identified in the plan, the location of areas where stabilization practices are expected to occur, surface waters (including wetlands), and locations where storm water is discharged to a surface water; and
    - vi. The name of the receiving water(s) and the ultimate receiving water(s), and aerial extent of wetland acreage at the site.
  - b. **Controls.** Each plan shall include a description of appropriate controls that will be implemented at the construction site. The plan will clearly describe for each major activity identified, appropriate controls and the timing during the construction process that the controls will be implemented. (For example, perimeter controls for one portion of the site will be installed after the clearing and grubbing necessary for installation of the measure, but before the clearing and grubbing for the remaining portions of the site. Perimeter controls will be actively maintained until final stabilization of those portions of the site upward of the perimeter control. Temporary perimeter controls will be removed after final stabilization). The description of controls shall address as appropriate the following minimum components:
    - i. **Erosion and Sediment Controls.**
      - (A). **Stabilization Practices.** A description of interim and permanent stabilization practices, including site-specific scheduling of the implementation of the practices. Site plans should ensure that existing vegetation is preserved where attainable and that disturbed portions of the site are stabilized. Stabilization practices may include: temporary seeding, permanent seeding, mulching, geotextiles, sod stabilization, vegetative buffer strips, protection of trees, preservation of mature vegetation, and other appropriate measures that might be found in the "Illinois Urban Manual" dated 2002. A record of the dates when major grading activities occur, when construction activities temporarily or permanently cease on a portion of the site, and when stabilization measures are initiated shall be included in the plan. Except as provided in paragraphs A.2.b.i.(A).(1). and A.2.b.ii., stabilization measures shall be initiated as soon as practicable in portions of the site where construction activities have temporarily or permanently ceased.

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- (1). Where the initiation of stabilization measures by the 14th day after construction activity temporary or permanently cease is precluded by snow cover, stabilization measures shall be initiated as soon as practicable.
        - (2). Where construction activity will resume on a portion of the site within 21 days from when activities ceased, (e.g. the total time period that construction activity is temporarily ceased is less than 21 days) then stabilization measures do not have to be initiated on that portion of site by the 14th day after construction activity temporarily ceased.
      - (B). **Structural Practices.** A description of structural practices to the degree attainable, to divert flows from exposed soils, store flows or otherwise limit runoff and the discharge of pollutants from exposed areas of the site. Such practices may include silt fences, earth dikes, drainage swales, sediment traps, check dams, subsurface drains, pipe slope drains, level spreaders, storm drain inlet protection, rock outlet protection, reinforced soil retaining systems, gabions, and temporary or permanent sediment basins. Structural practices should be placed on upland soils to the degree attainable. The installation of these devices may be subject to Section 404 of the CWA.
    - ii. **Storm Water Management.** A description of measures that will be installed during the construction process to control pollutants in storm water discharges that will occur after construction operations have been completed. Structural measures should be placed on upland soils to the degree attainable. The installation of these devices may be subject to Section 404 of the CWA. This permit only addresses the installation of storm water management measures, and not the ultimate operation and maintenance of such structures after the construction activities have been completed and the site has undergone final stabilization. Permittees are responsible for only the installation and maintenance of storm water management measures prior to final stabilization of the site, and are not responsible for maintenance after storm water discharges associated with landfill construction have been eliminated from the site.
      - (A). Such practices may include: storm water detention structures (including wet ponds); storm water retention structures; flow attenuation by use of open vegetated swales and natural depressions; infiltration of runoff on-site; and sequential systems (which combine several practices). The pollution prevention plan shall include an explanation of the technical basis used to select the practices to control pollution where flows exceed predevelopment levels.
      - (B). Velocity dissipation devices shall be placed at discharge locations and along the length of any outfall channel as necessary to provide a non-erosive velocity flow from the structure to a water course so that the natural physical and biological characteristics and functions are maintained and protected (e.g. maintenance of hydrologic conditions, such as the hydroperiod and hydrodynamics present prior to the initiation of construction activities).
    - iii. **Other Controls.**
      - (A). **Waste Disposal.** No solid materials, including building materials, shall be discharged to Waters of the State, except as authorized by a Section 404 permit.
      - (B). The plan shall ensure and demonstrate compliance with applicable State and/or local waste disposal, sanitary sewer or septic system regulations.
    - iv. **Approved State or Local Plans.** The management practices, controls and other provisions contained in the storm water pollution prevention plan must be at least as protective as the requirements contained in the "Illinois Urban Manual" dated 2002. Facilities which discharge storm water associated with construction site activities must include in their storm water pollution prevention plan any applicable local requirements. Storm water management requirements approved by local officials that are applicable to protecting surface water resources are incorporated by reference and are enforceable under this permit even if they are not specifically included in a storm water pollution prevention plan required under this permit. This provision does not apply to provisions of master plans, comprehensive plans, non-enforceable guidelines or technical guidance documents that are not identified in a specific plan or permit that is issued for the construction site.
  - c. **Maintenance.** A description of procedures to maintain in good and effective operating conditions vegetation, erosion and sediment control measures and other protective measures identified in the site plan.
3. The storm water pollution prevention plan for new and existing storm water discharges associated with active or inactive landfill or open dumps and any on-site ancillary activities that receive or have received any industrial wastes shall include the following items:
  - a. The plan shall provide a description of potential sources which may be expected to add significant quantities of pollutants to storm water discharges, or which may result in non-storm water discharges from the facility. The plan shall include, at a minimum, the

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following items:

- i. A topographic map extending one-quarter mile beyond the property boundaries of the facility, showing: the facility, surface water bodies, wells (including injection wells), seepage pits, infiltration ponds, and the discharge points where the facility's storm water discharges to surface waters. The requirements listed in this paragraph may be included on the site map if appropriate.
- ii. A site map showing:
  - (A). The storm water conveyance and discharge structures;
  - (B). An outline of the storm water drainage areas for each storm water discharge point;
  - (C). Paved areas and buildings;
  - (D). Areas used for outdoor storage, or disposal of significant materials, including activities that generate significant quantities of dust or particulates;
  - (E). Location of existing storm water structural control measures (dikes, coverings, detention facilities, etc.);
  - (F). Surface water locations;
  - (G). Areas of existing and potential soil erosion;
  - (H). Vehicle service and traffic areas;
  - (I). Material loading, unloading, and access areas;
  - (J). Areas that have daily cover, intermediate final cover and final vegetative cover of the landfill;
  - (K). Areas that are considered ancillary operations of a landfill.
- iii. A narrative description of the following:
  - (A). The nature of the landfill activities conducted at the site, including a description of significant materials that are treated, stored or disposed of in a manner to allow exposure to storm water;
  - (B). Materials, equipment, and vehicle management practices employed to minimize contact of significant materials with storm water discharges;
  - (C). Existing structural and non-structural control measures to reduce pollutants in storm water discharges;
  - (D). Landfill storm water discharge treatment facilities;
  - (E). Methods of on-site storage and disposal of significant materials.
- iv. A list of the types of pollutants found present by required testing, either by this permit or application requirements.
- v. An estimate of the size of the facility in acres or square feet, and the percent of the facility that has impervious areas such as pavement or buildings.
- vi. A summary of existing sampling data describing pollutants in storm water discharges from the landfill or ancillary activities.
- b. The plan shall describe the storm water management controls which will be implemented by the facility. The appropriate controls shall reflect identified existing and potential sources of pollutants at the facility. The description of the storm water management controls shall include:
  - i. Storm Water Pollution Prevention Personnel - Identification by job titles of the individuals who are responsible for developing,

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implementing, and revising the plan.

- ii. Preventive Maintenance - Procedures for inspection and maintenance of storm water conveyance system and devices such as oil/water separators, catch basins, etc., and inspection and testing of plant equipment and systems that could fail and result in discharges of pollutants to storm water.
- iii. Good Housekeeping - Good housekeeping requires the maintenance of clean, orderly facility areas that discharge storm water. Material or handling areas shall be inspected and cleaned to reduce the potential for pollutants to enter the storm water conveyance system.
- iv. Spill Prevention and Response - Identification of areas where significant materials can spill into or otherwise enter the storm water conveyance systems and their accompanying drainage points. Specific material handling procedures, storage requirements, spill clean up equipment and procedures should be identified, as appropriate. Internal notification procedures for spills of significant materials should be established.
- v. Storm Water Management Practices - Storm water management practices are practices other than those which control the source of pollutants. They include measures such as installing oil and grit separators, diverting storm water into retention basins, etc. Based on assessment of the potential of various sources to contribute pollutants, measures to remove pollutants from storm water discharge shall be implemented. In developing the plan, the following management practices shall be considered:
  - (A). Containment - Storage within berms or other secondary containment devices to prevent leaks and spills from entering storm water runoff;
  - (B). Oil & Grease Separation - Oil/water separators, booms, skimmers or other methods to minimize oil contaminated storm water discharges;
  - (C). Debris & Sediment Control - Screens, booms, sediment ponds or other methods to reduce debris and sediment in storm water discharges;
  - (D). Waste Chemical Disposal - Waste chemicals such as antifreeze, degreasers and used oils shall be recycled or disposed of in an approved manner and in a way which prevents them from entering storm water discharges;
  - (E). Storm Water Diversion - Storm water diversion away from storage and other areas of potential storm water contamination;
  - (F). Covered Storage - Covered fueling operations and storage areas to prevent contact with storm water.
- vi. Sediment and Erosion Prevention - The plan shall identify areas which due to topography, activities, or other factors, have a high potential for significant soil erosion and describe measures to limit erosion.
- vii. Employee Training - Employee training programs shall inform personnel at all levels of responsibility of the components and goals of the storm water pollution control plan. Training should address topics such as spill response, good housekeeping and material management practices. The plan shall identify periodic dates for such training.
- viii. Inspection Procedures - Qualified plant personnel shall be identified and inspect designated equipment and landfill areas. A tracking or follow-up procedure shall be used to ensure appropriate response has been taken in response to an inspection. Inspections and maintenance activities shall be documented and recorded with copies of the records maintained at the site of the permitted landfill.

B. CONSTRUCTION AUTHORIZATION

Authorization is hereby granted to construct treatment works and related equipment that may be required by the Storm Water Pollution Prevention Plan developed pursuant to this permit.

This Authorization is issued subject to the following condition(s).

- 1. If any statement or representation is found to be incorrect, this authorization may be revoked and the permittee thereupon waives all

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rights thereunder.

2. The issuance of this authorization (a) does not release the permittee from any liability for damage to persons or property caused by or resulting from the installation, maintenance or operation of the proposed facilities; (b) does not take into consideration the structural stability of any units or part of this project; and (c) does not release the permittee from compliance with other applicable statutes of the State of Illinois, or other applicable local law, regulations or ordinances.
3. Plans and specifications of all treatment equipment being included as a part of the storm water management practice shall be included in the SWPPP.
4. Any modification of or deviation from the plans and specifications included in the site's current SWPPP requires amendment of the SWPPP.

C. REPORTING

1. The facility shall submit a quarterly inspection report to the Illinois Environmental Protection Agency. The report shall include results of the facility inspections which are required by A.1.f. of this permit. The reports shall also include documentation of any event (spill, treatment unit malfunction, etc.) which would require an inspection, results of the inspection, and any subsequent corrective maintenance activity. The report shall be completed and signed by the authorized facility employee(s) who conducted the inspection(s).
2. All reports shall contain information gathered during the previous quarter beginning with the effective date of this permit and shall be submitted no later than 30 days after each quarter with each subsequent report containing the previous quarter's information.
3. Quarterly inspection reports shall be mailed to the following address:

Illinois Environmental Protection Agency  
Bureau of Water  
Compliance Assurance Section, Mail Code #19  
Quarterly Report  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, Illinois 62794-9276

4. If the facility performs inspections more frequently than required by this permit, the results shall be included as additional information in the quarterly report.

D. DEFINITIONS

1. Non-contaminated stormwater means stormwater which does not come in direct contact with landfill wastes, the waste handling and treatment areas, or landfill wastewater. Non-contaminated stormwater includes stormwater which flows off the cap, cover, intermediate cover, daily cover, and/or final cover of the landfill.
2. Landfill wastewater means all wastewater associated with, or produced by, landfilling activities except for sanitary wastewater, non-contaminated storm water, contaminated ground water, and wastewater from recovery pumping wells. Landfill wastewater includes, but is not limited to, leachate, gas collection condensate, drained free liquids, laboratory derived wastewater, contaminated storm water and contact washwater from washing truck, equipment, and railcar exteriors and surface areas which have come in direct contact with solid waste at the landfill facility.
3. Land application unit means an area where wastes are applied onto or incorporated into the soil surface (excluding manure spreading operations) for treatment or disposal.
4. Landfill means an area of land or an excavation in which wastes are placed for permanent disposal, and which is not a land application unit, surface impoundment, injection well or waste pile.
5. Section 313 water priority chemical means a chemical or chemical categories which: 1) Are listed at 40 CFR 372.65 pursuant to Section 313 of the Emergency Planning and Community Right-to-Know Act (EPCRA) (also known as Title III of the Superfund Amendments and Reauthorization Act (SARA) of 1987); 2) are present at or above threshold levels at a facility subject to EPCRA

NPDES Permit No. IL0075523

Special Conditions

Section 313 reporting requirements; and 3) that meet at least one of the following criteria: (i) Are listed in Appendix D of 40 CFR 122 on either Table II (organic priority pollutants), Table III (certain metals, cyanides, and phenols) or Table V (certain toxic pollutants and hazardous substances); (ii) are listed as a hazardous substance pursuant to Section 311(b)(2)(A) of the CWA at 40 CFR 116.4; or (iii) are pollutants for which EPA has published acute or chronic water quality criteria.

6. Significant materials includes, but is not limited to: raw materials; fuels; materials such as solvents, detergents, and plastic pellets; finished materials such as metallic products; raw materials used in food processing or production; hazardous substances designated under Section 101(14) of CERCLA; any chemical the facility is required to report pursuant to EPCRA Section 313; fertilizers; pesticides; and waste products such as ashes, slag and sludge that have the potential to be released with storm water discharges.
7. Significant spills includes, but is not limited to: releases of oil or hazardous substances in excess of reportable quantities under Section 311 of the Clean Water Act (see 40 CFR 110.10 and CFR 117.21) or Section 102 of CERCLA (see 40 CFR 302.4).
8. Leachate means liquid containing materials removed from solid waste. For the purpose of this permit, storm water which falls onto areas of the landfill which have exposed waste or seeps shall be considered leachate.
9. Solid waste means a waste that is defined in this Section as an inert waste, as a putrescible waste, as a chemical waste or as a special waste, and which is not also defined as a hazardous waste pursuant to 35 Ill. Adm. Code 721.
10. Chemical waste means a non-putrescible solid whose characteristics are such that any contaminated leachate is expected to be formed through chemical or physical processes, rather than biological processes, and no gas is expected to be formed as a result.
11. Inert waste means any solid waste that will not decompose biologically, burn, serve as food for vectors, form a gas, cause an odor, or form a contaminated leachate, as determined in accordance with Section 811.202(b). Such inert wastes shall include only non-biodegradable and non-putrescible solid wastes. Inert wastes may include, but are not limited to, bricks, masonry and concrete (cured for 60 days or more).
12. Putrescible waste means a solid waste that contains organic matter capable of being decomposed by microorganisms so as to cause a malodor, gases, or other offensive conditions, or which is capable of providing food for birds and other vectors. Putrescible wastes may form a contaminated leachate from microbiological degradation, chemical processes, and physical processes. Putrescible waste includes, but is not limited to, garbage, offal, dead animals, general household waste, and commercial waste. All solid wastes which do not meet the definitions of inert or chemical wastes shall be considered putrescible wastes.
13. Special waste means any industrial process waste, pollution control waste or hazardous waste, except as determined pursuant to Section 22.9 of the Act and 35 Ill. Adm. Code 808.
14. Daily cover described in 35 Ill. Adm. Code 811.106.
15. Intermediate cover described in 35 Ill. Adm. Code 811.313.
16. Final cover described in 35 Ill. Adm. Code 811.314 or other approved cover systems.
17. Ancillary activities means any equipment, structures and other devices that are necessary for proper operation of the landfill in accordance with the requirements of the Environmental Protection Act (current edition).
18. Industrial wastes means waste that is received from any of the facilities described in 40 CFR 122.26(b)(14).
19. Significant rain event means any rainfall event or equivalent snowfall which is 0.1 inches or greater and occurs, at a minimum, 72 hours from the previously measurable (greater than 0.1 inch rainfall or equivalent snow melt) storm event.

Note that additional definitions are included in the permit Standard Conditions, Attachment H.

E. SAMPLE REQUIREMENTS

The permittee shall initiate a quarterly monitoring program of stormwater or snowmelt discharges associated with active or inactive landfills and any on-site ancillary activities. Samples shall be collected from the discharge resulting from a rainfall event that is greater than 0.1 inches in magnitude or equivalent snow melt and occurs at least 72 hours from the previously measurable (greater than 0.1 inch rainfall or equivalent snow melt) storm event. Storm water discharges resulting from strictly landfill construction activities, areas of the landfill under

NPDES Permit No. IL0075523

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construction that have not received waste, shall not be required to perform monitoring.

For discharges from holding ponds or other impoundments with a retention period greater than 24 hours, a minimum of one grab sample may be taken and analyzed. For all other discharges, a grab sample shall be taken during the first thirty minutes of the discharge and a minimum of three sample aliquots taken in each hour of the discharge for the entire discharge or the first three hours of the discharge, with each aliquot being separated by a minimum period of fifteen minutes. The grab sample taken during the initial thirty minutes of discharge shall be analyzed separately and the remaining sample aliquots may be combined to form a single sample for analysis.

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 15th 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  
Attention: Compliance Assurance Section, Mail Code # 19  
1021 North Grand Avenue East  
Post Office Box 19276  
Springfield, Illinois 62794-9276

The permittee shall sample stormwater discharges for the following:

Ammonia (as N)	Lead
Arsenic	Manganese
Barium	Mercury
BOD <sub>5</sub>	Nickel
Boron	pH
Cadmium	Phenols
Chloride	Sulfate
Chromium (Hexavalent)	Iron (Total)
Chromium (Trivalent)	Total Dissolved Solids
Copper	Temperature
Fluoride	TOC
Oil & Grease	TSS
Hardness	Zinc
Iron (dissolved)	

Monitoring requirements for oil and grease, pH and temperature shall only be performed on the initial grab sample.

In addition to the sample requirements, the permittee shall make a reasonable attempt to measure the flow of the stormwater discharge from each outfall and the storm duration and total precipitation quantity causing the stormwater discharge on a daily basis and report results as a monthly average and daily maximum value in units of Million Gallons per Day (MGD) on the monthly DMR forms.

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

NPDES Permit No. IL0075523

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The analyses for the above parameters shall meet the detection limits as established for accepted test procedures listed in 40 CFR 136. Mercury shall be monitored using USEPA Method 1631.

Quarterly sample results shall be submitted with the January, April, July and October DMR's.

SPECIAL CONDITION 2. For the purpose of this permit outfall(s) 001 and 002 are limited to stormwater, free from leachate and other wastewater discharges.

SPECIAL CONDITION 3. 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 4. If an applicable effluent standard or limitation is promulgated under Sections 301(b)(2)(C) and (D), 304(b)(2), and 307(a)(2) of the Clean Water Act and that effluent standard or limitation is more stringent than any effluent limitation in the permit or controls a pollutant not limited in the NPDES Permit, the Agency shall revise or modify the permit in accordance with the more stringent standard or prohibition and shall so notify the permittee.

SPECIAL CONDITION 5. The issuance of this permit, construction authorizations or other approvals, does not relieve the permittee of the responsibilities of complying with the provisions required by the Bureau of Land.

SPECIAL CONDITION 6. The use of copper sulfate as an algicide is approved provided its use is in accordance with label requirements and it is applied by a licensed applicator.

SPECIAL CONDITION 7. The permittee shall request modification of this permit in accordance with attachment H prior to utilizing biosolids or bioremediated soils as final protective cover, final cover, intermediate cover or daily cover.

Attachment H  
Standard Conditions

Definitions

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- (1) **Duty to comply.** The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Act and is grounds for enforcement action, permit termination, revocation and reissuance, modification, or for denial of a permit renewal application. The permittee shall comply with effluent standards or prohibitions established under Section 307(a) of the Clean Water Act for toxic pollutants within the time provided in the regulations that establish these standards or prohibitions, even if the permit has not yet been modified to incorporate the requirement.
- (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. 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, upon the presentation of credentials and other documents as may be required by law, to:
  - (a) Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
  - (b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
  - (c) Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
  - (d) Sample or monitor at reasonable times, for the purpose of assuring permit compliance, or as otherwise authorized by the Act, any substances or parameters at any location.
- (10) **Monitoring and records.**
  - (a) Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.
  - (b) The permittee shall retain records of all monitoring information, including all calibration and maintenance records, and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least 3 years from the date of this permit, measurement, report or application. This period may be extended by request of the Agency at any time.
  - (c) Records of monitoring information shall include:
    - (1) The date, exact place, and time of sampling or measurements;
    - (2) The individual(s) who performed the sampling or measurements;
    - (3) The date(s) analyses were performed;
    - (4) The individual(s) who performed the analyses;
    - (5) The analytical techniques or methods used; and
    - (6) The results of such analyses.
  - (d) Monitoring must be conducted according to test procedures approved under 40 CFR Part 136, unless other test procedures have been specified in this permit. Where no test procedure under 40 CFR Part 136 has been approved, the permittee must submit to the Agency a test method for approval. The permittee shall calibrate and perform maintenance procedures on all monitoring and analytical instrumentation at intervals to ensure accuracy of measurements.
- (11) **Signatory requirement.** All applications, reports or information submitted to the Agency shall be signed and certified.
  - (a) **Application.** All permit applications shall be signed as follows:
    - (1) For a corporation: by a principal executive officer of at least the level of vice president or a person or position having overall responsibility for environmental matters for the corporation;
    - (2) For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or
    - (3) For a municipality, State, Federal, or other public agency: by either a principal executive officer or ranking elected official.
  - (b) **Reports.** All reports required by permits, or other information requested by the Agency shall be signed by a person described in paragraph (a) or by a duly authorized representative of that person. A person is a duly authorized representative only if:
    - (1) The authorization is made in writing by a person described in paragraph (a) and
    - (2) The authorization specifies either an individual or a position responsible for the overall operation of the facility, from which the discharge originates, such as a plant manager, superintendent or person of equivalent responsibility and
    - (3) The written authorization is submitted to the Agency.

- (c) **Changes of Authorization.** If an authorization under (b) is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of (b) must be submitted to the Agency prior to or together with any reports, information, or applications to be signed by an authorized representative.
- (12) **Reporting requirements.**
- (a) **Planned changes.** The permittee shall give notice to the Agency as soon as possible of any planned physical alterations or additions to the permitted facility.
- (b) **Anticipated noncompliance.** The permittee shall give advance notice to the Agency of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.
- (c) **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.
- (d) **Monitoring reports.** Monitoring results shall be reported at the intervals specified elsewhere in this permit.
- (1) Monitoring results must be reported on a Discharge Monitoring Report (DMR).
- (2) If the permittee monitors any pollutant more frequently than required by the permit, using test procedures approved under 40 CFR 136 or as specified in the permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR.
- (3) Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified by the Agency in the permit.
- (e) **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 recurrence 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) Violation of a maximum daily discharge limitation for any of the pollutants listed by the Agency in the permit to be reported within 24 hours.
- The Agency may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.
- (f) **Other noncompliance.** The permittee shall report all instances of noncompliance not reported under paragraphs (12)(c), (d), or (e), at the time monitoring reports are submitted. The reports shall contain the information listed in paragraph (12)(e).
- (g) **Other information.** Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application, or in any report to the Agency, it shall promptly submit such facts or information.
- (13) **Transfer of permits.** A permit may be automatically transferred to a new permittee if:
- (a) The current permittee notifies the Agency at least 30 days in advance of the proposed transfer date;
- (b) The notice includes a written agreement between the existing and new permittees containing a specific date for transfer of permit responsibility, coverage and liability between the current and new permittees; and
- (c) 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.
- (14) **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.
- (15) 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.
- (16) 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
- (17) 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.
- (18) 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.
- (19) 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.
- (20) 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 \$10,000 per day of such violation. Any person who willfully or negligently violates permit conditions implementing Sections 301, 302, 306, 307, or 308 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.
- (21) 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 permit 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.
- (22) 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 shall, 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.
- (23) Collected screenings, slimes, 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.
- (24) In case of conflict between these standard conditions and any other condition(s) included in this permit, the other condition(s) shall govern.
- (25) 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.
- (26) The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit is held invalid, the remaining provisions of this permit shall continue in full force and effect.
- (Rev. 3-13-98)

Exhibit B



**OUTER LOOP RECYCLING  
AND DISPOSAL FACILITY**

2673 Outer Loop  
Louisville, Kentucky 40219  
(502) 966-0272  
(502) 969-8374 Fax

March 17, 2008

Mr. Jamie Rabin  
Division of Water Pollution Control  
Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, Illinois 62794-9276

**Subject: NPDES Draft Permit Number IL0075523  
Chain of Rocks Recycling and Disposal Facility (RDF)  
Waste Management of Illinois, Inc.**

Dear Mr. Rabin,

This letter is written in response to the letter from your agency dated 06MAR08 regarding Draft Permit. Chain of Rocks RDF stopped receiving waste in 2004. The post-closure care period began April 30, 2005.

Since all the waste on the site has well vegetated final cover and there is no longer any industrial activity on the site, Chain of Rocks RDF respectfully suggests consideration be given to terminating the permitting process and that no NPDES permit is necessary or applicable. A letter to your agency dated 03JAN08 requesting termination of NPDES permit under ILR000817 with a copy of the landfill closure certification is attached for your review.

Please direct all future correspondence concerning Chain of Rocks RDF to my attention at the address listed below or call me at (502) 966-0272 extension 257.

Correspondence: John A. Barbush  
Waste Management Closed Site Management Group  
c/o Outer Loop Recycling & Disposal Facility  
2673 Outer Loop  
Louisville, Kentucky 40219

Very truly yours,

A handwritten signature in black ink that reads "John A. Barbush". The signature is written in a cursive, slightly slanted style.

John A. Barbush  
Project Manager  
Waste Management  
Closed Site Management Group

Attachment

c: Jack Dowden



January 3, 2008

**OUTER LOOP RECYCLING  
AND DISPOSAL FACILITY**

2673 Outer Loop  
Louisville, Kentucky 40219  
(502) 966-0272  
(502) 969-8374 Fax

Mr. Al Keller  
Manager, Permit Section  
Division of Water Pollution Control  
Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, Illinois 62794-9276

**Subject: Termination of NPDES Permit Number ILR000817  
Chain of Rocks Recycling and Disposal Facility  
Waste Management of Illinois, Inc.**

Dear Mr. Keller,

The purpose of this letter is to notify the Division Water Pollution Control, IEPA that industrial activity at the Chain of Rocks RDF facility has ceased; and therefore its NPDES permit (Permit Number ILR000817) should be terminated. It is respectfully requested that your agency review this matter and advise of its concurrence.

Chain of Rocks RDF is a closed sanitary landfill that is composed of two separate landfill phases. The fifteen-year post closure period for Phase I started in 1992 and ended October 23, 2007. Phase 2 started receiving waste in 1989 and stopped receiving off site waste in July 2004. Its thirty-year post-closure period started April 30, 2005 (see the attached letter from IEPA dated June 22, 2005). The site is completely vegetated except for areas that are paved with asphalt, concrete, and gravel. The only activities on the facility are related to groundwater monitoring, landfill gas control monitoring, and various maintenance activities such as mowing, etc.

If you have comments or questions please contact me at the address listed above or by phone at (502) 966-0272 extension 257 or by email at [tbarbush@wm.com](mailto:tbarbush@wm.com).

Very truly yours,

A handwritten signature in black ink that reads "John A. Barbush". The signature is written in a cursive, flowing style.

John A. Barbush  
Project Manager  
Waste Management  
Closed Sites Management Group

# Exhibit C



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. Box 19276, SPRINGFIELD, ILLINOIS 62794-9276 - (217) 782-3397  
JAMES R. THOMPSON CENTER, 100 WEST RANDOLPH, SUITE 11-300. CHICAGO, IL 60601 - (312) 814-6026

ROD R. BLAGOJEVICH, GOVERNOR DOUGLAS P. SCOTT, DIRECTOR

217/782-0610

March 17, 2008

WASTE MANAGEMENT OF ILLINOIS  
601 MADISON ROAD  
EAST ST. LOUIS, IL 62201

Re: FACILITY: CHAIN OF ROCKS RECYCLING/DISPSL GRANITE CITY  
NPDES Permit No: ILR000817  
COUNTY: MADISON  
Termination of NPDES Industrial Storm Water Permit

Dear Permit Applicant:

The Illinois Environmental Protection Agency has determined that your facility is not required to obtain an NPDES storm water permit.

The final decision of the Agency is to terminate NPDES Permit No. ILR000817 effective immediately.

Please be advised that if activities change on site, thus requiring a permit, you must submit a new Notice of Intent to this Agency.

Should you have any questions or comments, please contact the Permit Section at the above telephone number and address.

Very truly yours,

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

MAR 21 2008

AK:tml:ind term

CC: Records Unit, Billing System, CAS - Marilyn Davenport, Region 6  
ROCKFORD - 4302 North Main Street, Rockford, IL 61103 (815) 987-7760 • DES PLAINES - 9511 W. Harrison St., Des Plaines, IL 60016 - (847) 294-4000  
ELGIN - 595 South State, Elgin, IL 60123 - (847) 608-3131 • PEORIA - 5415 N. University St., Peoria, IL 61614 - (309) 693-5463  
BUREAU OF LAND - PEORIA - 7620 N. University St., Peoria, IL 61614 - (309) 693-5462 • CHAMPAIGN - 2125 South First Street, Champaign, IL 61820 - (217) 278-5800  
SPRINGFIELD - 4500 S. Sixth Street Rd., Springfield, IL 62706 - (217) 786-6892 • COLLINSVILLE - 2009 Mall Street, Collinsville, IL 62234 - (618) 346-5120  
MARION - 2309 W. Main St., Suite 116, Marion, IL 62959 - (618) 993-7200

# Exhibit D



# 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

ROD R. BLAGOJEVICH, GOVERNOR

DOUGLAS P. SCOTT, DIRECTOR

217/782-0610

June 02, 2008

OUTER LOOP RECYCLING  
2673 OUTLER LOOP  
LOUISVILLE, KY 40219

Re: FACILITY: CHAIN OF ROCKS RECYCLNG/DISPSL GRANITE CITY  
NPDES Permit No: ILR000817  
COUNTY: MADISON  
Termination of NPDES Industrial Storm Water Permit

Dear Permit Applicant:

The Illinois Environmental Protection Agency has determined that your facility is not required to obtain an NPDES storm water permit.

The final decision of the Agency is to terminate NPDES Permit No. ILR000817 effective immediately.

Please be advised that if activities change on site, thus requiring a permit, you must submit a new Notice of Intent to this Agency.

Should you have any questions or comments, please contact the Permit Section at the above telephone number and address.

Very truly yours,

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

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