

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:)
)
AMENDMENTS TO 35 Ill. Adm. Code) R01-13
302.105; and) (Rulemaking)
PROPOSED 35 Ill. Adm. Code 303.205, 303.206)
and 35 Ill. Adm. Code 106.990 through 106.995.)

PC 40

NOTICE OF FILING

Dorothy M. Gunn, Clerk
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Marie E. Tipsord
Hearing Officer
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And the Attached Service List

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Pollution Control Board the Answers of the Illinois Environmental Protection Agency to Pre-filed Questions, a copy of which is herewith served upon you.

ENVIRONMENTAL PROTECTION AGENCY
OF THE STATE OF ILLINOIS

By: Connie L. Tonsor
Connie L. Tonsor
Associate Counsel
Division of Legal Counsel

DATED: March 9, 2001

Illinois Environmental Protection Agency
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THIS FILING IS SUBMITTED ON RECYCLED PAPER

**BEFORE THE
ILLINOIS POLLUTION CONTROL BOARD**

IN THE MATTER OF:)	
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REVISIONS TO ANTIDegradation)	R01-13
RULES: 35 ILL. ADM. CODE 302.105,)	(Rulemaking-Water)
303.205, 303.206, and 106.990-106.995)	
)	

Illinois Environmental Protection Agency's Answers to Pre-filed Questions

1. There are currently five general permits in place. Two of them are similar with only the ownership of the facility being the distinguishing difference. The permits are:
 - A) ILG580 – This permit covers the discharges from publicly owned lagoon systems with a single pipe discharge serving less than 2500 population. The facility must have had a previous permit. The permit limits carbonaceous biochemical oxygen demand, suspended solids and pH. Weekly monitoring of flow is required as a minimum. Monthly monitoring for CBOD, suspended solids and pH is required. Monthly submission of discharge monitoring reports is required.
 - B) ILG551 – This permit covers the discharges from privately owned lagoon systems with a single pipe discharge serving less than 2500 population. The facility must have had a previous permit. The permit limits carbonaceous biochemical oxygen demand, suspended solids and pH. Weekly monitoring of flow is required as a minimum. Monthly

monitoring for CBOD, suspended solids and pH is required. Monthly submission of discharge monitoring reports is required.

- C) ILG84 – This permit covers the discharges from non-coal mines. These facilities produce crushed stone, construction sand and gravel, and industrial sands. The permit limits suspended solids and pH. Monthly monitoring of flow, suspended solids and pH is required. Monthly submission of discharge monitoring reports is required.
- D) ILR00 – This permit covers the discharge of storm water from industrial property identified by Phase I of the USEPA regulations. The permit requires the development of a storm water pollution prevention plan, which identifies the best management plans selected for the site and the responsible company personnel. The permit requires an annual inspection of the site to determine if the best management plans are being implemented. The permit requires an annual submission of the inspection reports.
- E) ILR10 – This permit covers the discharge of storm water from construction sites of five acres or larger. The permit requires the development of a storm water pollution prevention plan, which identifies the best management practices selected for the site and the responsible personnel. The permit requires weekly inspections by the responsible personnel of the site and additional inspections after each rainfall in excess of 0.5 inches. The permit requires the submission of a report, Incidence of

Noncompliance, within five days after an inspection finds a violation of the storm water pollution prevention plan.

2. The Agency's compliance and enforcement tracking activities are the same for permittees regardless of whether they are covered under a general permit or an individual permit. General permits which include requirements for submission of self-monitoring Discharge Monitoring Reports (DMRs) are loaded into the Federal Permit Compliance System (PCS) exactly as they are for individual permits. The specific monitoring and reporting requirements for each permittee are tracked for compliance.

Compliance tracking includes the determination of:

DMR non-submission;

Incomplete/deficient DMRs; and

Effluent DMR data exceeding permit limitations.

Permittees are sent informal compliance correspondence advising of incomplete/deficient DMRs while formal enforcement actions (e.g. Violation Notices) are taken for the failure to correct reporting deficiencies, non-submission of reports, significant effluent permit limit violations as well as the failure to apply for permit.

3. The number of facilities under each of the five general permits is:

ILG580 – Publicly owned lagoons – 231

ILG551 – Privately owned lagoons – 65

ILG84 – Non-Coal mines – 89

ILR00 – Industrial site storm water – 4007

ILR10 – Construction sites – 4286

Facilities under general permits are inspected in the same manner and priority as sites under specific permits. The Agency has a process to select sites for inspection. It includes: (1) facilities noted in our performance partnership with Region 5 (USEPA) agreements; (2) inspections as follow-ups to potential problems reported on Discharge Monitoring Reports; (3) inspections prior to renewal of permits; (4) inspections as a follow-up to complaints.

4. Two different approaches are used to control storm water in site-specific industrial NPDES permits. In many facilities that have both process wastewaters and storm water, storm water pollution prevention plans are required including the selection of best management practices, designation of responsible personnel and the annual inspections.

In other cases the industrial NPDES permits will carry numerical limits on the quality of the storm water. This is the method used where USEPA has developed categorical limitations. The categories are: Cement Manufacturing (40CFR 411)

Feedlots (40CFR 412)

Fertilizer Manufacturing (40CFR 418)

Petroleum Refining (40CFR 419)

Phosphate Manufacturing (40CFR 422)

Steam Electric (40CFR 423)

Coal Mining (40CFR 434)

Mineral Mining and Processing (40CFR 436)

Ore Mining and Dressing (40CFR 440)

Asphalt Emulsion (40CFR 443)

Site-specific permits can also be required to carry numerical limitations when Pollution Control Board regulations require them, as for runoff from landfills.

5. The Agency requires all facilities to monitor the operation and performance of the Storm Water Pollution Prevention Plan. Only the NPDES permits that have placed numerical limits on the storm water quality will require discharge monitoring in the form of chemical analysis. The parameters to be monitored will be established by the categorical standard or the Pollution Control Board regulations. The most common parameters are suspended solids, oil and grease and pH.

6. The Agency reviews the storm water pollution control plans required by general NPDES permit ILR10 during inspections or as part of a review of a compliance commitment plan submitted in response to a notice of violation. Local and regional authorities also inspect construction sites subject to ILR10.

7. The Agency reviews the storm water pollution prevention plan required by general NPDES permit ILR00 during the review of a compliance commitment plan submitted in response to a notice of violation.

8. The Agency conducts inspections of sites discharging under the two general permits. The permits require that the storm water pollution prevention plans be maintained on site. The Agency will ask to see them during the inspections.

9. The Agency has issued 176 individual permits that require the development of storm water pollution prevention plans.

10. Since Questions 10 and 11 involve similar issues the Agency has addressed both questions in its Answer 10. The Agency does not have a count on the number of storm water pollution prevention plans in our files. The emphasis of the storm water program is

that the plan be consulted routinely during the operation of the permitted facility or the conduct of the activity. Therefore, these plans are required to be on site. The Agency does not review and approve storm water pollution prevention plans as an ongoing function of the permit program. See the responses to Questions 6. and 7 which address those circumstances under which the storm water pollution prevention plans are reviewed.

12. The Agency has previously addressed this question in prior testimony. It does not feel that it has the resources to conduct a study of current load allocations.

13. The Agency follows USEPA guidance on the determination of reasonable potential as contained in Technical Support Document for Water Quality-based Toxics Control, EPA/505/2-90-001, March 1991.

STATE OF ILLINOIS

COUNTY OF SANGAMON

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PROOF OF SERVICE

I, the undersigned, on oath state that I have served the attached **Illinois EPA Answers to Pre-filed Questions**, and **Notice** upon the person to whom it is directed, by placing a copy in an envelope addressed to:

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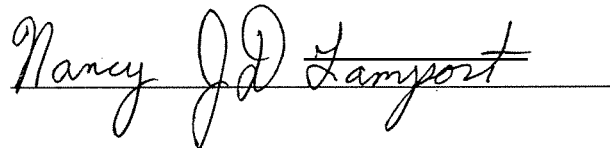
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and mailing it from Springfield, Illinois on February 2, 2001 with sufficient postage affixed as indicated above.



SUBSCRIBED AND SWORN TO BEFORE ME
this 2 day of February, 2001.


Notary Public

