THE MARTIN LAW FIRM

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RECEIVED CLERK'S OFFICE

AUG 0 / 2006

STATE OF ILLINOIS
Pollution Control Board

August 3, 2006

By United States Mail First Class Delivery

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

Re: NPDES Permit Appeal

Dear Ms. Gunn:

Enclosed for filing please find the original and 10 copies of the Notice of Filing, Appearance, Petition for NPDES Permit Appeal of K.A. Steel Chemicals Inc., K.A. Steel Chemicals Inc.'s Motion to Stay This Proceeding, and Certificate of Service, along with the \$75.00 filing fee. Please return one copy to me in the enclosed, self-addressed stamped envelope. Thank you very much for your assistance.

Very truly yours,

Maureen Martin

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD CEIVED CLERK'S OFFICE CHEMICAL INC.

K.A. STEEL CHEMICAL INC.)			AUG 0 7 2006
Petitioner)	0		STATE OF ILLINOIS Pollution Control Board
v.)	PCB 01-009 (Permit Appeal-)	
ILLINOIS ENVIRONMENTAL	í	(,	
PROTECTION AGENCY,)			
)			
Respondent.)			

NOTICE OF FILING

To: Division of Legal Counsel
Illinois Environmental Protection Agency
1021 North Grand Avenue East
Post Office Box 19276

Springfield, Illinois 62794-9276

PLEASE TAKE NOTICE that K.A. Steel Chemicals Inc. has today filed with the Office of the Clerk of the Illinois Pollution Control Board the attached Appearance, Petition for NPDES Permit Appeal of K.A. Steel Chemicals Inc., K.A. Steel Chemicals Inc.'s Motion to Stay This Proceeding, and Certificate of Service, copies of which are hereby served upon you.

Dated:

August 3, 2006

KA STEEL CHEMICALS INC,

By Its Attorney Maureen Martin Illinois ARDC No. 61811033

Maureen Martin The Martin Law Firm W3643 Judy Lane Green Lake, Wisconsin 54941 Telephone: (920) 295-6032

Facsimile: (920) 295-6132

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

RECEIVEL CLERK'S OFFICE	-
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K.A. STEEL CHEMICAL INC.)			AUG 0 7 2006
)			STATE OF ILLINOIS Pollution Control Board
Petitioner)			o on the boding
v.	<i>,</i>	PCB 17-W9		
)	(Permit Appeal-)	
ILLINOIS ENVIRONMENTAL)			
PROTECTION AGENCY,)			
)			
Respondent.)			

APPEARANCE

I hereby file my appearance in this proceeding on behalf of K.A. Steel

Chemicals Inc.

Maureen Martin

Illinois ARDC No. 61811033

Maureen Martin The Martin Law Firm W3643 Judy Lane Green Lake, Wisconsin 54941 Telephone: (920) 295-6032

Facsimile: (920) 295-6132

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

K.A. STEEL CHEMICALS INC.)		RECEIVED CLERK'S OFFICE
Petitioner)	_	AUG 0 / 2006
v.)	PCB 07-009 (Permit Appeal-)	STATE OF ILLINOIS Pollution Control Board
ILLINOIS ENVIRONMENTAL)		
PROTECTION AGENCY,)		
)		
Respondent.)		

PETITION FOR NPDES PERMIT APPEAL OF K.A. STEEL CHEMICALS INC.

Petitioner K.A. Steel Chemical Inc. ("K.A. Steel"), by its undersigned counsel, petitions the Illinois Pollution Control Board ("the Board") under Section 40(a) of the Illinois Environmental Protection Act, 415 ILCS § 5/40(a), to grant K.A. Steel a hearing to contest terms of the National Pollution Discharge Elimination ("NPDES") Permit issued to K.A. Steel by the Illinois Environmental Protection Agency ("IEPA") on June 29, 2006. In support of this Petition, K.A. Steel states as follows:

- 1. K.A. Steel is a Delaware corporation, qualified to do business in Illinois, with a facility at 1001 Main Street in Lemont (Cook County), Illinois. As pertinent here, at that facility K.A. Steel produces sodium hypochlorite, which is commonly known as household bleach.
- 2. On August 4, 1988, IEPA issued an NPDES permit to K.A. Steel ("1988 Permit"), a true and correct copy of which is attached as Exhibit A. The 1988 Permit, which remained in effect until recently, addresses two outfalls relevant in this proceeding: (a) Outfall 001, which discharges to the Illinois and Michigan Canal ("I&M")

Canal"); and (b) Outfall 004, which discharges to the Chicago Sanitary & Ship Canal ("S&S Canal").

- 3. The 1988 Permit contains limits for discharges from Outfall 001 for pH, temperature, total chlorine residual, and total suspended solids. The 1988 Permit contains limits for discharges from Outfall 004 on pH and iron. The 1988 Permit contains no limits for chlorides or total dissolved solids for either of these two outfalls.
- 4. On or about August 16, 2005, IEPA published a draft NPDES permit for K.A. Steel. A true and correct copy of this draft permit is attached as Exhibit B. Among other things, the permit proposed effluent limits for Outfall 001 of 500 mg/L for chlorides and 1,000 mg/L for total dissolved solids ("TDS").
- 5. K.A. Steel thereafter retained Huff & Huff, Inc., an environmental engineering firm, to evaluate this proposed permit and consider alternatives.
- 6. In a letter to IEPA dated April 11, 2006, Huff & Huff concluded that meeting the 500 mg/L standard for chlorides and the 1,000 mg/L for TDS would be problematic for K.A. Steel at Outfall 001. A true and correct copy of this letter is attached as Exhibit C.
- 7. The problem arises because Outfall 001 discharges to the I&M Canal which has a zero dry weather flow. Huff & Huff therefore proposed to IEPA that the process wastewater discharges now going to Outfall 001 be moved to Outfall 004 which, as noted above, discharges to the S&S Canal, which has a 7Q10 of 1,134 million gallons per day (MGD). Switching K.A. Steel's process water to the S&S Canal will result in an increase

of TDS in the S&S Canal of 0.5 mg/L and chlorides of 0.2 mg/L. Water Quality monitoring of the S&S Canal in Lemont since 2003 has demonstrated that the TDS and chloride water quality standards (1,500 mg/L and 1,000 mg/L respectively) have been consistently achieved. K.A. Steel's proposed discharge will not cause or contribute to a water quality violation on the S&S Canal, as was shown in the April 11, 2006 permit modification request. Therefore, Huff & Huff proposed that no chloride or TDS limits be imposed in a modified permit upon K.A. Steel's wastewater discharge after relocation to Outfall 004 as there is no reasonable potential for causing or creating a water quality violation.

- 8. K.A. Steel, through Huff & Huff, submitted a proposed permit modification to this effect (see Exhibit C) on or about April 11, 2006. Subsequent communications by IEPA led K.A. Steel and Huff & Huff to believe that this proposed modification was under serious consideration by IEPA.
- 9. By letter dated June 29, 2006, received by K.A. Steel on July 18, 2006, however, IEPA issued a "final" NPDES permit effective July 1, 2006 ("2006 Permit"). A true and correct copy of this permit is attached as Exhibit D. This permit maintains the discharge of process waste water at Outfall 001 and imposes effluent limits of 500 mg/L for chlorides and 1,000 mg/L for TDS.
- 10. According to a recent e-mail from IEPA, the 2006 Permit was issued due to a "mix-up" at the agency. A true and correct copy of this e-mail is attached as Exhibit E. IEPA states that it is trying to "rectify" this situation and process the modification, but

that it would not be able to do so by the end of July.

11. By separate motion, K.A. Steel has moved the Board to stay this proceeding pending discussions with IEPA regarding issuance of a modified permit.

THEREFORE, KA Steel respectfully requests that the Board:

- A. Order IEPA to withdraw the NPDES permit dated July 1, 2006;
- B. Order IEPA to void fines and penalties, if any, that IEPA may levy for alleged violations of effluent limitations in the NPDES permit dated July 1, 2006;
- C. Order IEPA to re-evaluate the NPDES permit for K.A. Steel, with consideration of the April 11, 2006 permit modification submitted to IEPA by K.A. Steel; and
- D. Grant such other relief as may be proper and just.

Dated:

August 3, 2006

Respectfully submitted,

KA STEEL CHEMICALS INC.

By Its Attorney Maureen Martin Illinois ARDC No. 61811033

Maureen Martin The Martin Law Firm W3643 Judy Lane Green Lake, Wisconsin 54941 Telephone: (920) 295-6032 MPDES Permit No. ILDOZ2934

Illinois Environmental Protection Agency

Division of Water Pollution Control

2200 Church []] Road

F.O. Box 19276

Springfield, Illinois 62794-9276

MATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

Reissued (NPDES) Pormit

Expiration Date: July 1, 1991

Issue Date: August 4, 1988 Effective Cate: September 3, 1988

Name and Address of Permittee:

K. A. Steel Chemicals, Inc. 4333 Trans World Rd. Suite 250 Schiller Park, Illinois 60176

Discharge Number and Rame:

001 miscellaneous and non-contact cooling water # 002 non-contact cooling water # 000 uncontaminated water 004 & 005 mon-contact condensate and ground runoff Facility Hame and Address:

K. A. Steel Chemicals, Inc. 1001 East Main Street Lemont, Illinois 60434 (Cook County)

Receiving Waters

Illinois and Michigan Canal Consumer's Quarry Consumer's Quarry thicago Sanitary & Ship Canal

In compliance with the provisions of the Illinois Environmental Protection Act, Subtitle C and/or Subtitle D Rules and Regulations of the Illinois Pollution Control Board, and the Clean Water Act, 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.

fermittee 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.

Thomas G. McSwiggin, P.E. Hanager, Permit Section

Division of Water Pollution Control

TGM: REP: jd/16053/sp

NPDES Permit No. ILDD22934

Effluent Limitations and Homitoring

LOAD LIMITS

CONCENTRATION

		imits day		TS mg/)		
PARAMETER	YAG DE	DAILY MAX,	30 DAY AVG.	DAILY MAX.	SAMPLE FREQUENCY	sample Type
1. From the eff discharge(s) 3	fective date of hall be monitor	F this permit unt red and limited a	il July I, 1993, t all times as f	the affluen ollows:	t of the follo	wing
	Outfall: (100				
Flaw (MGD)					Veekly	Single Reading
рH	See Specia	1 Condition 1			1/Heek	Grab
Temperature	See Specia	Condition 2			1/Week	Grab
Total Chlorine Residual	See Specla	! Condition 3			1/Veek	Grab
Total Suspended Solids			15	30	1/Week	Composit
	Outfall po	2				Single
Flow (HGD)					Weekly	Reading
рн	See Specia	1 Condition 1			1/Week	Grab
Temperature	See Specia	Condition 2			1/Heck	Grab
	Outfall ou	3				
	See Specia	Condition 4				
	Outfalls: (004, 005				
Flow (MGD)					Weckly	Reading
рH	See Specia	Condition 1			1/Weck	Grab
Iron			2.0	4.0	1/Week	Campasit

MPDES Permit No. 110022934

Special Conditions

- 1. The pH shall be in a range of 6.0 to 9.0. Sampling results shall be reported as a monthly maximum and monthly minimum value.
- 2. Discharge of wastewater from this facility must not alone or in combination with other sources cause the receiving stream to violate the following thermal limitations at the edge of the mixing zone which is defined by Section 307.211. Illinois Administration Code, Title 35. Chapter 1. Subtitle C. as amended:
- A. Haximum temperature rise above natural temperature must not exceed 5°F (2.8°C).
- B. Water temperature at representative locations in the main river shall not exceed the maximum limits in the following table during more than one (1) percent of the hours in the 12-month period ending with any month. Moreover, at no time shall the water temperature at such locations exceed the maximum limits in the following table by more than 3°F (1.7°C). (Main river temperatures are temperatures of those portions of the river essentially similar to and following the same thermal regime as the temperatures of the main flow of the river.)

	ीवत -	<u>Feb.</u>	Mar.	APT.	APX	June	אנחר	AUG.	Scot.	oct.	Noy.	Dec.
°F	60	60	60	90	90	90	90	90	90	90	90	60
°c	16	16	16	J 2	32	32	32	32	32	32	3z	16

- c. The sampling results shall be reported as a monthly maximum value.
- 3. The effluent concentration of total chlorine residual in the discharge shall be limited to a level that will not cause the receiving stream to exceed the water quality standard in Section 302.218 of the Illinois Pollution Control Board, Chapter 1. Rules and Regulations. This Agency has determined that the applicable concentration in the receiving stream after an appropriate mixing zone is 0.02 mg/l.
- A. For the purpose of this permit, this discharge is limited solely to uncontaminated water. free from process and other wastewater streams.
- 5. 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.
- 6. The permittee shall record monitoring results on Discharge Monitoring Report forms using one such form for each discharge each month. The completed Discharge Monitoring Report form shall be submitted monthly to IEPA, no later than the 15th of the following month, unless otherwise specified by the Agency, to the following address:

Illinois Environmental Protection Agency Division of Water Pollution Control Compliance Assurance Section 2200 Churchill Road P.D. Box 19276 Springfield, Illinois 62794-9276

7. The use or operation of this facility shall be by or under the supervision of a Certified Class K operator.

ATTACHMENT K

Strature Combines

Defleitlose

As there the Nimon Environmental Protession act Ca 111 1/2 of Rev. Stat. Sec. 1001-1051 as Americal

Agency maters into Breats Enverthered Protection Agency,

Mound means the Illemost Poliution Control Board

Clean Water Art Kommity relieved to 48 the Federal Walls Polision Control Acti means that I \$2,000, as amending 33 USC 1251 of seq.

hippes (National Poliviant Discholige Elimention System) means the nitional program (or issuing, mobilitying, revoking and restaund, terrimoling, mobilitying and entering periods, and imposing and enforcing prefeatment requirements, under Sections 107, 402, 314 and 405 of the Clean Water Act.

USER'S make the United States Environmental Protection Agency.

Delty Discharge means the discharge of a polision measured during a telendar day or any Delthour period that reasonably represents the calendar day for purposes of sampling For polision)s with intrastions expressed in units of mess, the "delty discharge" in calculated as the total mess of the polisions declared do with 4 44, For polisions with directalisms expressed in other treats of measurements, the "delty discharge" is calculated as the average measurement of the polisions of the delty of the day.

Manierum Delly Discharge Limitation (stilly reserved) imperation includes allowable daily descriptor.

Average Monthly Discreege Limitation CIO day average means the highest about the surroge of state descriptors over a calendar month. critical-led at the sum of all daily discharges measured during a colorada month disclad by the number of daily discharges measured during that month.

Awress Weekly Discharge Limitation 17 day average) minute the highest allowable average of dudy discharges over a counter west, calculated as the sum of all dudy discharges presented during a Calendar west divided by the remain of duly distinguished action of duly distinguished actions.

Bust blandgement Practices BBMPs! Imams schurdning of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or leduce the politrick of waters of the State. BMPs also include treatment residented, containing procedures, and practices to control plant side runoff, spillage or lettle, studge or water disposal, or delivation from new material storage.

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Flow Proportional Comparies Strepta means a combination of simple sequent of at loss to 100 millibrar. colorida at paradic intervals such that other the time amount between each elegate of the volume of each sequent a proportion to wifeer the time. All the size is the colorida annual paradic time of sampling or the total stream flow since the colorida or the previous sequent.

- (1) Duty to eachply. The permittee must comply with all conditions of the permit, any permit concernitions constitutes a violation of the Ast and its grounds for referentiant excess, permit termittees exaction and intersection, modification, or far dense of a permit extravely application. The permittee shad comply with efficient-parameters or prohibitions variablelyed under Section 307/49 of the Chain Walser Act for tong population within the time promited in the regulations that appoints these promited and permitted on the regulations of the prohibitions, aven if the permit has not yet been produced to propporte in the requirement.
- (2) Duty to reapply if the permeter wishes to delice an attriby regulated by this permet after the expension date of this permet, the permeter has a larger for an opials preve permet, if the permette selection is proper epidepide as required by the Agency no talk then, 180 bass prom to the expiration date, the permet she's continue of full faces and affect until the first Agency definion on the application has been made.
- (3) plead to hell or reduce extinity not a defense is that not be a belonce for a permission on an entercament action that it would have been necessary to hald or reducts the permitted agen. I as with 10 moniton compliance with the devaluance of this behind.
- (4) Quity for mitigate. The parametric shall take all reasonable stops to manning or prevent any discharge in relation of this permit which has a reasonable to standard of adversely attaction Journal or halfs to the environment.
- (5) Proper operation and enablemented The periodition shall at all times properly appears and maintain all lacthium and systems of frequency and control land statement appears which are installed of used by the periodic of active compliance with the contention of the periodic flowing mechanism and magnitudes of active proformance, administrate funding, administrate staffing and travering, and administrate laguestative and process contents, including appropriate quality active and process. The provision requires the aftersion of back-up, or studies; (actives, or small) systems into which received to active continuous them.

- (6) Proteint actions. This parmet may be madelined, revoked and tristance or terminated for caused by the Agency pursuant to 40 GFR 122.62. The filling of 8 request by the parentities for a parmit modification, revocations and resonance, or termination, or a politication of planned charges to enterpaint or externation removements. Other has any permit condition.
- 171 Property rights, The permet does not convey any property rights at any sort of any exchange provided.
- (d) Duty be provide information. The permitter shall harhest to the Agency within a substrated street any information which the Agency may request to determine who their cause substantial modifying, swelling and reasoning, or terminating the permit or to determine compliance with the permit. The permitted shall fainform to the Agency, uson request cooks of records required to be tept to the name.
- (Inspection shift energy, The permittion shuff above an authorized representations of the Apency, upon the presentation of credentials and ether documents as may be expected by limit, 100.
 - Enter upon the permittee's premises where a regulated facility or activity is located at conducted, or where records must be kept under the conditions of this permit.
 - this blave account to and copy, or resectable times, any respects that must be superander the conditions of the permit.
 - (c) Inspect at reasonable threas any facilities, equapment limiteding monitoring and control againments, practices, or committees requisited or required under this partiel; and
 - (d) Sumple or monitor at seasonable times, for the purpose of assuming permit compliments, or as orderensian authorized by the Act, any autotences or perameters at an orderensian authorized.
- (10) Monitoring and records.
 - Samples and messurements taken for the purpose of monitoring shall be expension to the monitorial activity.
 - the presention shall retain exports of all monetaring information, including all californium and resonancements research, and all original stop chart recordings for combination recording for instrumentation, appear of all reports required by this purerial, and records of all data used to complete the application for this powers, for a potential of at teast 3 years from the case of the permit, remaissentiant, report of a application. This period may be extended by request of the Appendix of any time.
 - (c) Records of monetoring intermation shall include
 - (1) The date, exact place, and term of sampling or measurements:
 - (2) The individualist who partorised the sampling or measurements;
 - (1) The small analyses were performed,
 - is). The individuallal who performed the energies:
 - [6] The analytical techniques or methods used; and
 - (d) The equips of such shelyane.
 - ddl Monitoring must be conducted becoming to test protectures approved specified CPR Part 136, unless other lest procedures have been specified in this portion. Where he sets procedure under 40 UTR Part 136 has been approved, the particles must subsent as the Agency a less method for approved, the particles shall calibrate and perform minimance procedures and thendocrap and analytical discrumination at intervals to ensure accounts of measurements.
- Signatory regularment, All applications, reports or information submetted to the Agency shall be argued and certifies.
 - (a) Application. All parmit applications shall be Eigned as follows:
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 - [2] For a partnership or sole progrationable: by a garwai person or the appropriate. Instactively. or
 - (3) For a municipality, State, Federal, or either public agency; by eather a prescript enculous officer of tanking elected official
 - Bi Reports: All apports reduced by permits, or other information requested by the Agency shall be expend by a person described or perequebrial as no by a dely authorized representative of that person is personial adult authorized representative only it.
 - The authoritation is metro or wirting by a person described in paragraph fail, and
 - (2) The authorization apacities either an individual or a political inspension for the overall operation of the facility, from which the discharge originarys, such as a plant mutiager, supermission of person of equivalent responsibility, and
 - 13) The western authorization is submitted to the Agency .

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217/782-0610

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Regulation State

K.A. Steel Chemicals Inc. 1001 Main Street Lemont, Illinois 60439

Re:

K.A. Steel Chemicals Inc.

NPDES Permit No. IL0022934

Public Notice Permit

Gentlemen:

Please post the attached Public Notice for the subject discharge for at least a period of thirty days from the date on the Notice in a conspicuous place on your premises.

We have enclosed a copy of the draft NPDES permit on which this official Public Notice is based. If you wish to comment on the draft permit, please do so within 30 days of the Public Notice date. If there are any questions, please contact Jan A. Nelle at the indicated telephone number and address.

Thank you for your cooperation.

Sincerely,

Blame A. Kinsley, P.E.

Manager, Industrial Unit. Permit Section Division of Water Pollution Control

BAKJAN:05032901 dlk

Attachments: Draft Permit, Public Notice/Fact Sheet

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CC.

Records Unit

Compliance Assurance Section

Des Plaines Region

Mauck, Bellande & Cheely

NPDES Permit No. IL0022934 Notice No. JAN:05032901.dlk

Public Notice Beginning Date: August 16, 2005

Public Notice Ending Date: September 15, 2005

National Pollutant Discharge Elimination System (NPDES)
Permit Program

Draft Reissued NPDES Permit to Discharge into Waters of the State

Fublic Notice/Fact Sheet Issued By:

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

Name and Address of Discharger:

K.A. Steel Chemicals Inc. 1001 Main Street Lemont, Illinois 60439 Name and Address of Facility:

K.A. Steel Chemicals Inc. 1001 Main Street Lemont, Illinois 60439 (Cook County)

The Illinois Environmental Protection Agency (IEPA) has made a tentative determination to issue a NPDES permit to discharge into the swaters of the state and has prepared a draft permit and associated fact sheet for the above named discharger. The Public Notice period will, begin and end on the dates indicated in the heading of this Public Notice/Fact Sheet. The last day comments will be received will be on the Public Notice period ending date unless a commentor demonstrating the need for additional time requests an extension to this commentic period and the request is granted by the IEPA. Interested persons are invited to submit written comments on the draft permit to the IEPA at the above address. Commentors shall provide his or her name and address and the nature of the issues proposed to be reised and the evidence proposed to be presented with regards to those issues. Commentors may include a request for public hearing. Persons submitting comments and/or requests for public hearing shall also send a copy of such comments or requests to the permit applicant. The NPDES' permit and notice number(s) must appear on each comment page.

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

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

The applicant is engaged in the manufacture of sodium hypochlorite for industrial use (SIC 2819). Plant operation results in an average discharge of 0.06 MGD of non-contact cooling water, process water, boiler blowdown, water softener backwash, treated sanitary wastewater and stormwater from outfall 001, 1.06 MGD of non-contact cooling water from outfall 002, intermittent discharge of intake screen water from outfall 003, 0.0033 MGD of boiler blowdown and storm water runoff from outfall 004 and 0.0029 MGD of boiler blowdown, water softener backwash and stormwater runoff from outfall 005 and an intermittant discharge of storm water runoff from outfalls 006 and 107.

Flow will be monitored. The primary parameters to be monitored and limited are pH, temperature, total suspended solids. Estal residual chlorine, iron (total), iron (dissolved), chloride and total dissolved solids.

Public Notice/Fact Sheet -- Page 2 -- NPDES Permit No. IL0022934

The following modification is proposed:

- Outfall 001; limit and monitor BOD5, Total Suspended Solids (TSS), Iron (total) and Total Residual Chlorine; revise TSS to 12/24 ave/max.
- Outfall 004; limit and monitor fron (total).
- Qutfall 005; limit and monitor Iron (total) and Total Dissolved Solids, and monitor chloride,
- Outfall 006, 007; Add Storm Water only outfalls.

inplication is made for existing discharges which are located in Cook County, Illinois. The following information identifies the discharge coint, receiving stream and stream classifications:

Outfall	Receiving Stream	Latitude		Longitude		Stream Classification	Biological Stream Characterization
001	Illinois & Michigan Canal	41° 40' 45"	North	87° 5 9' 20"	West	General	Unrated
002	Consumer's Quarry	41° 40' 48"	North	87° 59' 20"	West	General	Unrated
003	Consumer's Quarry	411 40 48"	North	87° 59' 18"	West	General	Unrated
004	Chicago Ship & Sanitary Canal	41" 40' 55"	North	87° 59' 27"	West	Secondary Contact	D
005	Chicago Ship & Sanitary Canal	41° 40' 56 "	North	87° 59' 25"	West	Secondary Contact	D
006	Consumer's Quarry	41° 40' 53"	North	87° 59' 22"	West	General	Unrated
007	Unnamed Quarry	411 40' 46"	North	87' 59' 30"	West	General	Unrated

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

The stream segment receiving the discharge from outfall(s) 004 and 005 are on the 303 (d) list of impaired waters. The stream segment receiving the discharge from outfalls 001, 002, 003, 006 and 007 are not on the 303 (d) list of impaired waters. The following parameters have been identified as the pollutants causing impairment:

Pollutants

Priority Organics, PCB's, Cadmium, Chromium, Mercury, Zinc, Cyanide, Phosphorus, Ammonia Nitrogen, low DO, flow alteration, other habitat alterations, Suspended Solids

Potential Contributors

Industrial Point Sources, Municipal Point Sources, Combined Sewer Overflc v. Urban Runoff, Hydromodification, Habitat Modification, Contaminated Sediments, Source Unknown

All I h Har

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

PUBLIC MO. :

: :		ITS lbs/day F (DMF)		CONCEN		
PARAMETER	30 DAY AVERAGE	DAILY MAXIMUM	REGULATION	30 DAY AVERAGE	DAILY MAXIMUM	REGULATION
Outfall: 001****						:
. Flow (MGD)*						35 IAC 309.146 ,
' pH*	Shall be in the	range of 6 to 9 s	tandard units			35 IAC 304.125
30D ₅				10	20	35 IAC 304.120 c)
Total Suspended Solids				12	24	35 IAC 304.120 c)
ron (Total)					2	35 IAC 304.124
ron (Dissolved)***						35 IAC 309.146
, Total Chlorine Residual**					0.05	35 IAC 302.208
Total Dissolved Solids					1000	35 IAC 302.208
Chloride					500	35 IAC 302.208
Temperature	See Special Co	ndition No. 2				35 IAC 302.211
Outfall: 002						
Flow (MGD)*						
' pH*	Shall be in the r	ange of 6 to 9 st	andards units			35 IAC 304.125
Temperature	See Special Co	ndition No. 2				35 IAC 302.211
Outfall: 003						
Flow (MGD)						35 JAC 309.146
There shall be no discharg	ge of collected del	oris				
Flow (MGD)*						35 IAC 309.146
pH*	Shall be in the r	ange of 6 to 9 sta	andards units			35 IAC 302.404
Temperature	See Special Col	ndition No. 3				35 IAC 302 408
Iron (Total)					2	35 IAC 304.124

		ITS lbs/day F (DMF)		CONCEN LIMIT		
PARAMETER	30 DAY AVERAGE	DAILY MAXIMUM	REGULATION	30 DAY AVERAGE	DAILY MAXIMUM	REGULATION
Outfall: 005****						
Flow (MGD)*						35 IAC 309.146
ρ H*	Shall be in the	range of 6 to 9 st	tandard units			35 IAC 304.404
Temperature	See Special Co	endition No. 3				35 IAC 302.408
Iron (Total)					2	35 IAC 302.407
Total Dissolved Solids					1500	35 IAC 302,407
Chloride******						35 IAC 309.146

Outfalls: 006 and 007*****

[&]quot;Flow shall be reported as monthly average and daily maximum. pH shall be reported as a monthly minimum and monthly maximum.

[&]quot;See Special Condition No. 14" See Special Condition No. 15

^{****}See Special Condition No. 12

^{*****}The above limits do not apply to stormwater runoff from these outfalls. See Special Condition No. 13

^{******}See Special Condition No. 13

^{******}See Special Condition No. 17

NPDES Permit No. IL0022934

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:

!ssue Date: Effective Date:

Name and Address of Permittee:

Facility Name and Address:

K.A. Steel Chemicals Inc. 1001 Main Street Lemont, Illinois 60439 K.A. Steel Chemicals Inc. 1001 Main Street Lemont, Illinois 60439 (Cook County)

Discharge Number and Name:

Receiving Waters:

301 Non-Contact Cooling Water, Process Water, Boiler Blowdown, Water Softener Backwash, Treated Sanitary Wastewater and Storm Water Runoff Illinois & Michigan Canal

002 Non-Contact Cooling Water

Consumer's Quarry

003 Intake Screen Water

Consumer's Quarry

004 Boiler Blowdown and Storm Water Runoff

Chicago Sanitary & Ship Canal

905 Boiler Blowdown, Water Softener Backwash and Storm

Chicago Sanitary & Ship Canal

006 Storm Water Runoff from East Spill Containment Area

Consumer's Quarry

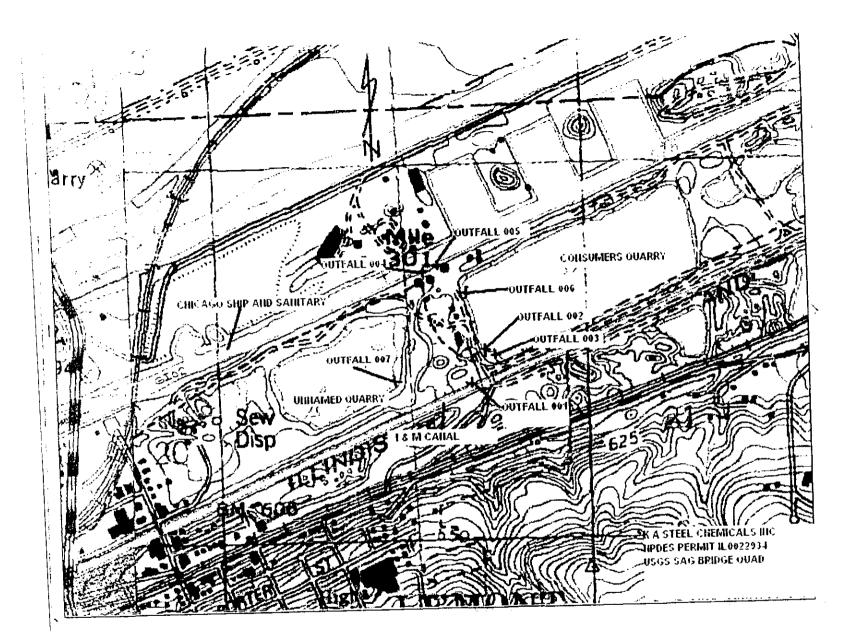
007 Storm Water Runoff from Southwest Spill Containment Area

Unnamed Quarry

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



POBLIC NOTES

NPDES Permit No. IL0022934

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Effluent Limitations and Monitoring

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

	LOAD LIM	ITS lbs/day F (DMF)		TRATION 'S ma/l		
PARAMETER	30 DAY AVERAGE	DAILY MAXIMUM	30 DAY AVERAGE	DAILY MAXIMUM	SAMPLE FREQUENCY	SAMPLE TYPE
Outfall: 001						
Flow (MGD)*					1/Week	Single Reading
*Hc	Shall be in the ra	nge of 6 to 9 stand	ard units		1/Week	Grab
BOD,			10	20	1/Month	Composite
Total Suspended Solids			12	24	1/Week	Composite
!ron (Total)				2	1/Week	Composite
iron (Dissolved)***			-	-	***	Composite
Total Chlorine Residual**			-	0.05	1/Week	Grab
Total Dissolved Solids				1000	1/Month	Composite
Chloride				500	1/Month	Composite
Temperature	See Special Cond	dition No. 2			1/Week	Grab
Outfall: 002						
Flow (MGD)*					1/Week	Single Reading
рН*	Shall be in the rar	nge of 6 to 9 standa	ard units		1/Week	Grab
Temperature	See Special Cond	lition No. 2			1/Week	Grab
Outfall: 003						
Flow (MGD)*					1/Month	Measure when Monitoring
There shall be no dischar	ge of collected deb	ris			<u>.</u>	

NPDES Permit No. IL0022934

Effluent Limitations and Monitoring

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

-	LOAD LIMITS Ibs/day DAF (DMF)			TRATION 'S mg/l		
PARAMETER	30 DAY AVERAGE	DAILY MAXIMUM	30 DAY AVERAGE	DAILY MAXIMUM	SAMPLE FREQUENCY	SAMPLE TYPE
Outfall: 004*****				1		
Flow (MGD)*					1/Week	Single Reading
рН*	Shall be in the rai	nge of 6 to 9 stand	ard units		1/Week	Grab
Temperature	See Special Cond	dition Na. 3			1/Week	Grab
Iron (Total)				2	1/Week	Composite
Outfall: 005****						
Flow (MGD)*					1/Week	Single Reading
ρН⁴	Shall be in the ran	nge of 6 to 9 standa	ard units		1/Week	Grab
Temperature	See Special Cond	lition No. 3			1/Week	Grab
Iron (Total)				2	1/Week	Composite
Total Dissolved Solids				1500	1/Month	Composite
Chloride******					1/Month	Composite

Outfalls: 006 & 007******

^{*}Flow shall be reported as monthly average and daily maximum. pH shall be reported as a monthly minimum and monthly maximum.

[&]quot;See Special Condition No. 14

^{***}See Special Condition No. 15

^{****}See Special Condition No. 12

^{****}The above limits do not apply to stormwater runoff from these outfalls. See Special Condition No. 13

^{******}See Special Condition No. 13

^{*******}See Special Condition No. 17

MATELLE NOTE -

NPDES Permit No. IL0022934

Special Conditions

<u>SPECIAL CONDITION 1</u>. 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.

<u>SPECIAL CONDITION 2</u>. Discharge of wastewater from this facility must not alone or in combination with other sources cause the receiving stream to violate the following thermal limitations at the edge of the mixing zone which is defined by Section 302.211, Illinois Administration Code, Title 35, Chapter 1, Subtitle C, as amended:

- 4. Maximum temperature rise above natural temperature must not exceed 5°F (2.8°C).
- 3. Water temperature at representative locations in the main river shall not exceed the maximum limits in the following table during more than one (1) percent of the hours in the 12-month period ending with any month. Moreover, at no time shall the water temperature at such locations exceed the maximum limits in the following table by more than 3°F (1.7°C). (Main river temperatures are temperatures of those portions of the river essentially similar to and following the same thermal regime as the temperatures of the main flow of the river.)

	<u>Jan.</u>	Feb.	<u>Mar.</u>	<u>April</u>	May	<u>June</u>	July	Aug.	Sept.	Oct.	Nov.	Dec.
F	60	60	60	90	90	90	90	90	90	90	90	60
С	16	16	16	32	32	32	32	32	32	32	32	16

C. The monthly maximum value shall be reported on the DMR form.

SPECIAL CONDITION 3. The receiving waters are designated as Secondary Contact and Indigenous Aquatic Life Waters by Section 302.408. Illinois Administration Code, Title 35, Chapter 1, Subtitle C, as amended. These waters shall meet the following standard:

Temperatures shall not exceed 93°F (34°C) more than 5% of the time, or 100°F (37.8°C) at any time at the edge of the mixing zone which is defined by Rule 302.102 of the above regulations.

The monthly maximum value shall be reported on the DMR form.

SPECIAL CONDITION 4. 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 1021 North Grand Avenue East Post Office Box 19276 Springfield, Illinois 62794-9276

Attention: Compliance Assurance Section. Mail Code # 19

NPDES Permit No. IL0022934

Special Conditions

<u>SPECIAL CONDITION 5.</u> 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.

<u>SPECIAL CONDITION 6</u>. For the purpose of this permit, outfall 001 is limited to process water, non-contact cooling water, boiler blowdown, water softener backwash, treated sanitary wastewater and storm water runoff, free from other wastewater discharges. In the event that the permittee shall require the use of additional water treatment additives for this discharge, the permittee shall notify the Agency in writing accordance with the Standard Conditions, Attachment H.

<u>SPECIAL CONDITION 7</u>. For the purpose of this permit, the discharge 002 is limited to non-contact cooling water, free from process and other wastewater discharges. In the event that the permittee shall require the use of water treatment additives, the permittee must request a change in this permit in accordance with the Standard Conditions — Attachment H.

<u>3PECIAL CONDITION 8.</u> For the purpose of this permit, outfall 003 is limited to intake screen water, free from process and other vastewater discharges.

<u>SPECIAL CONDITION 9</u>. For the purpose of this permit, outfall 004 is limited to boiler blowdown and storm water runoff, free from process and other wastewater discharges. In the event that the permittee shall require the use of water treatment additives for this discharge, the cermittee shall notify the agency in writing in accordance with the Standard Conditions, Attachment H.

SPECIAL CONDITION 10. For the purpose of this permit, outfall 005 is limited to boiler blowdown, water softener backwash and storm water runoff, free from process and other wastewater discharges. In the event that the permittee shall require the use of water treatment additives for this discharge, the permittee shall notify the Agency in writing in accordance with the Standard Conditions Attachment H.

<u>SPECIAL CONDITION 11</u>. For the purpose of this permit, outfalls 006 and 007 are limited to storm water runoff, free from process and other wastewater discharges.

SPECIAL CONDITION 12. The Agency has determined that the effluent limitations in this permit constitute BAT/BCT for storm water which is treated in the existing treatment facilities for purposes of this permit reissuance, and no pollution prevention plan will be required for such storm water. In addition to the chemical specific monitoring required elsewhere in this permit, the permittee shall conduct an annual inspection of the facility site to identify areas contributing to a storm water discharge associated with industrial activity, and determine whether any facility modifications have occurred which result in previously-treated storm water discharges no longer receiving treatment. If any such discharges are identified the permittee shall request a modification of this permit within 30 days after the inspection. Records of the annual inspection shall be retained by the permittee for the term of this permit and be made available to the Agency on request.

SPECIAL CONDITION 13.

STORM WATER POLLUTION PREVENTION PLAN (SWPPP)

- A storm water pollution prevention plan shall be developed by the permittee for the storm water associated with industrial activity at this facility. The plan shall identify potential sources of pollution which may be expected to affect the quality of storm water discharges associated with the industrial activity at the facility. In addition, the plan shall describe and ensure the implementation of practices which are to be used to reduce the pollutants in storm water discharges associated with industrial activity at the facility and to assure compliance with the terms and conditions of this permit.
- B. The plan shall be completed within 180 days of the effective date of this permit. Plans shall provide for compliance with the terms of the plan within 365 days of the effective date of this permit. The owner or operator of the facility shall make a cody of the plan available to the Agency at any reasonable time upon request. [Note: If the plan has already been developed and implemented it shall be maintained in accordance with all requirements of this special condition.]
- C. The permittee may be notified by the Agency at any time that the plan does not meet the requirements of this condition. After such notification, the permittee shall make changes to the plan and shall submit a written certification that the requested pranges have been made. Unless otherwise provided, the permittee shall have 30 days after such notification to make the changes.

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NPDES Permit No. IL0022934

Special Conditions

- The discharger shall amend the plan whenever there is a change in construction, operation, or maintenance which may affect the discharge of significant quantities of pollutants to the waters of the State or if a facility inspection required by paragraph G of this 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 objective 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.
- 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 storm water outfalls at the facility. The plan shall include, at a minimum, the following items:
 - 1. 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 a municipal storm drain system or other water body. The requirements of this paragraph may be included on the site map if appropriate.
 - 2. A site map showing:
 - The storm water conveyance and discharge structures;
 - ii. An outline of the storm water drainage areas for each storm water discharge point;
 - iii. Paved areas and buildings;
 - iv. Areas used for outdoor manufacturing, storage, or disposal of significant materials, including activities that generate significant quantities of dust or particulates.
 - v. Location of existing storm water structural control measures (dikes, coverings, detention facilities, etc.);
 - vi. Surface water locations and/or municipal storm drain locations
 - vii. Areas of existing and potential soil erosion;
 - viii. Vehicle service areas;
 - ix. Material loading, unloading, and access areas.
 - A narrative description of the following:
 - The nature of the industrial 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;
 - Materials, equipment, and vehicle management practices employed to minimize contact of significant materials with storm water discharges;
 - iii. Existing structural and non-structural control measures to reduce pollutants in storm water discharges;
 - iv. Industrial storm water discharge treatment facilities;
 - v. Methods of onsite storage and disposal of significant materials;
 - 4. A list of the types of pollutants that have a reasonable potential to be present in storm water discharges in significant quantities.
 - 5. An estimate of the size of the facility in acres or square feet, and the percent of the facility that has impervious a eas such as pavement or buildings.

NPDES Permit No. IL0022934

Special Conditions

- 6. A summary of existing sampling data describing pollutants in storm water discharges.
- 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:
 - 1. Storm Water Pollution Prevention Personnel Identification by job titles of the individuals who are responsible for developing, implementing, and revising the plan.
 - Preventive Maintenance Procedures for inspection and maintenance of storm water conveyance system 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.
 - Good Housekeeping Good housekeeping requires the maintenance of clean, orderly facility areas that discharge storm water.
 Material handling areas shall be inspected and cleaned to reduce the potential for pollutants to enter the storm water conveyance system.
 - 4. 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.
 - 5. 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:
 - Containment Storage within berms or other secondary containment devices to prevent leaks and spills from entering storm water runoff;
 - ii. Oil & Grease Separation Oil/water separators, booms, skimmers or other methods to minimize oil contaminated storm water discharges;
 - iii. Debris & Sediment Control Screens, booms, sediment ponds or other methods to reduce debris and sediment in storm water discharges;
 - iv. 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.
 - Storm Water Diversion Storm water diversion away from materials manufacturing, storage and other areas of potential storm water contamination;
 - vi. Covered Storage or Manufacturing Areas Covered fueling operations, materials manufacturing and storage areas to prevent contact with storm water.
 - 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.
 - 7. 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.

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NPDES Permit No. IL0022934

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Special Conditions

PUBLIC NO ...

- 8. Inspection Procedures Qualified plant personnel shall be identified to inspect designated equipment and plant 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.
- The permittee shall conduct an annual facility inspection to verify that all elements of the plan, including the site map, potential pollutant sources, and structural and non-structural controls to reduce pollutants in industrial storm water discharges are accurate. Observations that require a response and the appropriate response to the observation shall be retained as part of the plan. Records documenting significant observations made during the site inspection shall be submitted to the Agency in accordance with the reporting requirements of this permit.
- This 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.

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.

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.

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.

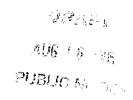
This Authorization is issued subject to the following condition(s).

- 1. If any statement or representation is found to be incorrect, this authorization may be revoked and the permittee there upon waives all 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.
- Plans and specifications of all treatment equipment being included as part of the stormwater management practice shall be included in the SWPPP.
- 4. Construction activities which result from treatment equipment installation, including clearing, grading and excavation activities which result in the disturbance of one acre or more of land area, are not covered by this authorization. The permittee shall contact the IEPA regarding the required permit(s).

REPORTING

- L. The facility shall submit an annual inspection report to the Illinois Environmental Protection Agency. The report shall include results of the annual facility inspection which is required by Part G of the Storm Water Pollution Prevention Plan of this permit. The report 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).
- M. The first report shall contain information gathered during the one year time period beginning with the effective date of coverage under this permit and shall be submitted no later than 60 days after this one year period has expired. Each subsequent report shall contain the previous year's information and shall be submitted no later than one year after the previous year's report was due.

NPDES Permit No. IL0022934



Special Conditions

Annual inspection reports shall be mailed to the following address:

Illinois Environmental Protection Agency Bureau of Water Compliance Assurance Section Annual Inspection Report 1021 North Grand Avenue East Post Office Box 19276 Springfield, Illinois 62794-9276

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

<u>SPECIAL CONDITION 14.</u> All samples for total residual chlorine shall be analyzed by an applicable method contained in 40 CFR 136, equivalent in accuracy to low-level amperometric titration. Any analytical variability of the method used shall be considered when retermining the accuracy and precision of the results obtained.

<u>SPECIAL CONDITION 15</u>. The permittee shall sample for iron (Dissolved) on a monthly basis for the first 6 months following the effective rate of this permit and quarterly thereafter. The results of the quarterly sampling analyses shall be submitted along with the March, June, September and December monthly Discharge Monitoring Reports. The Agency may modify the permit as a result of these analyses to include limits and include the appropriate monitoring frequency.

<u>SPECIAL CONDITION 16</u>. The Agency may modify the permit to include less frequent monitoring, provided that the discharge has been complying with the permit limits. The permittee may request modification to include less frequent monitoring subsequent to two years after the effective date of this permit. Modification under this special condition shall follow public notice and opportunity for hearing.

<u>SPECIAL CONDITION 17</u>. The Agency may modify the permit as a result of these analyses to include limits for this parameter and include the appropriate monitoring frequency. The permittee may request modification to include less frequent monitoring for this parameter subsequent to two years after the effective date of this permit. Modification under this special condition shall follow public notice and apportunity for hearing.

SPECIAL CONDITION 18. The use or operation of this facility shall be by or under the supervision of a Certified Class K operator.

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Standard Conditions

Definitions

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Edition from the June's Contact Contact Beard.

Clown W. Dis Act (Framerly referred to as the Federal Water Hollance Control with means Public NET (TO Line Control NO C C 1351 of seq.)

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The still language on Practices (BMPs) means schedules of activities, prohibitions of practices, in unit constant produces, and other management produces to prevent or reduce the pollution or waters of the State. SixPs also include treatment requirements, operating procedures, and practices to water plant one anally spillage or tests, studge or waste disposal, or drainage from Lewinstons therage.

- Migratures us a contate at specified volume used to make up a task composite sample.

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- (6) Fermit nations. This period may be not blied, invoked a mechanistic or terms and for cause by the Agency pursuant to 40 CER; 122 G2. The What of a region by the permittee for a permit negligible, and varieties or a real standard, or termination of a notification of planned changes or antidipated many and excited deciding any permit condition.
- (7) Property rights. This period does not convey any interprety right will vey wire or only exclusive previous.
- (8) Duty to provide information. The parmeters of all foreign to the Agric quies reasonable time, any information which the Agency may equiest to deferm in a particular cause exists for modifying, reaching modification, as foreign or information, the exemption determine combination with the parmet. The parmeter is shall observance of a grey upon register, coping of records required in the kept by this permit.
- (9) Inspection and entry. The permitter shall allow an authorized representative of the Agency, upon the presentation of an foot its and atther document cas may be asset by tay to.
 - (a) Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where repords must be kept under the conduction of the permit.
 - (b) Have occess to and copy, at reasonable times, any records that man be first under the conditions at this permit;
 - (c) Inspect it reasonable times any facilities, equipment (including meeting and control equipment), practices, or operations regulated on a quired and or operations.
 - (d) Sample or monitor at reasonable times, for the purpose of assuring commit compliance, or as otherwise authorized by the Act, any submands or particulars at any location.
- (10) Monitoring and records.
 - (a) Samples and measurements taken for the plant to of procedure modern and procedure of the monitored activity.
 - (b) The permittee shall retoral records of all monitoring information, unlikely profit calibration and maintenance records, and all original strip chair 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 present in a period of at least 2 years from the data of this permit, then strip maintinuous many be phended by request of the alloward at only in .
 - (c) Records of incritising information shall include:
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512 W. Burlington Avenue, Suite 100

LaGrange, IL 60525

Phone: (708) 579-5940 Fax: (708) 579-3526

Website: http://huffnhuff.com

April 11, 2006

Mr. Blaine Kinsley, P.E. Manager, Industrial Unit, Permit Section Division of Water Pollution Control Illinois Environmental Protection Agency 1021 North Grand Avenue East Springfield, IL 62702

Re:

K A Steel Chemicals Inc. NPDES #IL0022934 Amended Application

Dear Mr. Kinsley:

On August 16, 2005, the Illinois EPA sent to Public Notice a Draft NPDES Permit for K A Steel Chemicals Inc (KA Steel). The draft permit included effluent limits on Outfall 001 for chlorides (500 mg/L) and Total Dissolved Solids (TDS) (1,000 mg/L). Outfall 001 includes the process wastewater stream. These water quality based effluent limits are problematic for a facility that makes sodium hypochlorite. KA Steel retained Huff & Huff, Inc. to evaluate alternatives, and this permit modification request is the outcome of this work. In summary, KA Steel is requesting relocation of the process water discharges from Outfall 001 to existing Outfall 004 to the Chicago Sanitary & Ship Canal (Ship Canal), and the elimination of effluent limits on TDS and chlorides on this outfall. The technical justification is presented herein.

Existing Water Quality

As the Agency is well aware, highway de-icing has been a major source of elevated TDS and chlorides in the waterways in northeast Illinois. Highway authorities have implemented many programs to reduce salt usage, and salt applied per lane mile has dropped dramatically over the past decade. These efforts have paid off, and water quality violations of chlorides and TDS no longer appear on the Ship Canal. Table 1 is the recent TDS and chloride water quality data generated by the Metropolitan Water Reclamation District of Greater Chicago (MWRDGC) on the Ship Canal near Lemont. No water quality violations have occurred. From this monitoring, we have concluded that no water quality violations for chlorides and TDS are occurring on the Ship Canal by Lemont. As such, water quality based effluent limits are not automatically required.

Relative Loadings

The 10-year, 7-day low flow in the Ship Canal in the vicinity of Lemont is 1,756 cfs, or 1,134 mgd. Outfall 005 will have a dry weather flow of 0.068 mgd. The projected maximum TDS and chloride content in Outfall 004 will occur during dry weather, and is projected to be 8,700 mg/L TDS and 4,100 mg/L chlorides. The net increase in TDS and chloride concentrations at low flow in the Ship Canal will be only 0.5 mg/L TDS and 0.2 mg/L chlorides, after complete mixing. These values, and using the maximum reported TDS and chloride levels reported in the Ship Canal over the past three years will result in the following maximum levels downstream of KA Steel:

	Maximum, mg/L
TDS	1094.5
Chlorides	470.2

Assuming 25 percent of the Ship Canal for a mixing zone yields a TDS and chlorides at the edge of the mixing zone of:

	Maximum at
	Edge of Mixing Zone,
	mg/L
TDS	1096
Chlorides	471

Clearly there is no reasonable potential to contribute to a water quality violation and therefore effluent limits on TDS and chlorides on Outfall 004 are inappropriate. Moving an industrial outfall from a Primary Contact Waterway to a Secondary Contact Waterway would seem to be a positive step for the environment.

Suggested Permit Changes

The limits and monitoring present in the draft permit for Outfall 001 should be moved to Outfall 004. Going forward, Outfall 001 will be for only storm water, and therefore subject to Best Management Practices (BMPs) only. Temperature limits should reflect the Secondary Contact Standards with the moving of the process wastewater to Outfall 004.

Special Condition 6 should be revised to Outfall 004.

Special Condition 10 can be deleted.

Closure

Hopefully the amended 2C Form and figures are self explanatory. KA Steel will install a new 3-inch line from to the Treatment Cell to Outfall 004. Physically, a tie-in upstream of Outfall 004 will be made. No change in the existing treatment process is planned.

KA Steel would welcome a meeting should the Agency have any questions or concerns. We look forward to working with you in finalizing this NPDES permit.

Sincerely,

James E. Huff, P.E.

cc: R. Mosher, IEPA

J. Herbet, KA Steel

TABLE 1
WATER QUALITY DATA
CHICAGO SANITARY AND SHIP CANAL
Stephan Street, Lemont

	Chloride,	TDS,
Date	mg/L	mg/L
	4.00	
1/21/2003	128	648
2/18/2003	249	752
3/17/2003	382	952
4/21/2003	229	756
5/19/2003	157	602
6/16/2003	133	468
7/21/2003	94	404
8/18/2003	86	510
9/15/2003	91	438
10/20/2003	93	356
11/17/2003	143	600
12/15/2003	136	546
01/20/04	253	794
02/17/04	470	1094
03/15/04	309	754
04/19/04	216	758 500
05/17/04	126	508
06/21/04	126	516
07/19/04	102	492
08/16/04	73	386
09/20/04	84 106	384
10/18/04	116	450 530
11/15/04	165	428
12/20/04	268	736
01/18/05	283	730 818
02/22/05	307	822
03/21/05 04/18/05	205	728
05/16/05	149	572
	116	518
06/20/05	94	436
07/18/05	94 87	436 428
08/15/05	87 83	428 422
09/19/05	89	422
10/17/05	119	422
11/21/05	119	430

se print or type in the unshaded areas only

APPOES

U.S. ENVIRONMENTAL PROTECTION AGENCY APPLICATION FOR PERMIT TO DISCHARGE WASTEWATER EXISTING MANUFACTURING, COMMERCIAL, MINING AND SILVICULTURAL OPERATIONS Consolidated Permits Program

LOUTFALL LOCATION purfeit first the latitude and longitude of its location to the nearest 15 seconds and the name of the receiving water.

NUMBER	B. LATITUDE			C. LONGITUDE			D. RECEIVING WATER (name)
(ilst)	1. 284.	Z. MIN.	3. BEG.	1. DE\$,	g, MIN,), SEC.	
001	42	40	40	87	58	49	Illinois & Michigan Canal (IMC)
002	42	40	40	87	58	49	Consumers Quarry (CQ)
004	42	40	40	87	58	49	Chicago Sanitary & Ship Canal (CSSC)
005	42	40	40	87	58	49	(CSSC)
006	42	40	40	87	58	49	Consumers Quarry (CQ)
007	42	40	40	87	58	49	Unnamed Quarry

IL FLOWS, SOURCES OF POLLUTION, AND TREATMENT TECHNOLOGIES

B. For each outfall, provide a description of: (1) All operations contributing wastewater to the effluent, including process wastewater, senitary wastewater, cooling water, and storm water runoff; (2) The average flow contributed by each operation; and (3) The treatment received by the wastewater. Continue on additional sheets if necessary.

1. OUT-	L OPERATION(E) CONTRIB	UTING FLOW	3. TREATMENT				
PALLING	s. OPERATION (list)	b. AVERAGE FLOW (include units)	a. DESCRIPTION	D. LIST C	DDES FROM		
001	Storm Runoff	1,000 GPD	Discharge to I&M Canal	4-A	 		
					-		
002	Non-Contact Cooling	1,200,000 GPD	Consumers Quarry	4-A			
004	Storm Runoff	3,300 GPD	1) Mixing, 2) Dechlorination	1-0	2-E		
004	Steam Condensate	150 GPD	3) Neutralization, 4) Chemical Precipitation	2-K	2-C		
	Treatment Cell Discharge a/	20,000 GPD	5) Sedimentation, 6) Microstraining	1-U	1-N		
	R O Reject	47,500 GPD	7) Discharge to S&S Canal	4-A	ļ <u> </u>		
005	Stream Condensate	150 GPD	Discharge to Chgo S&S Canal	4-A	<u> </u>		
005	Boiler Blowdown	400 GPD		4-A			
	Storm Runoff	2,600 GPD		4-A			
006	Storm Runoff	600 GPD	Discharge to Consumers Quarry	4-A			
007	Storm Runoff	6,400 GPD	Discharge to Unnamed Quarry	4-A			
	Septic Effluent	100 GPD			 		
	(permitted by Health Dept)				-		
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OFFICIAL USE ONLY (affinent guidelines sub-ostagories)

PAGE 1 OF 4

CONTINUE ON REVERSI

A. Attach a line drawing showing the water flow through the facility, indicate sources of intake water, operations contributing westewater to the effluent, and treatment units lebeled to correspond to the more detailed descriptions in item B. Construct a water balance on the line drawing by showing average flows between intakes, operations; treatment:units, and outfalls. If a water balance cannot be determined (e.g., for certain mining activities), provide a pictorial description of the nature and amount of any sources of water and any collection or treatment measures.

	n runoff, lasks, or s (complete the follo			/ the Olecions	# CONCTIDENT IN	Items II-A vi		it or seasonai? to Section III)		·	
					3. FRE	QUENCY			4. FLOW		
OUTFALL		RATIO			4. DAYS	b, MONTHS	(in n	N RATE mgd)	b. TOTAL	VOLUME vith units)	ב סטו
NUMBER (list)	CONTRIE	(list)	1 FLU	W	(epecify guerage)	(epecify average)	1, LONG TERM AVERAGE	Z. MAXIMUM	I. LONG TERM AVERAGE	R. MAXIMUM DAILY	ATIO
I. PRODUCTION	l et guideline limitati	'ca orgi	inatè	- L. SPA UNC	Section 30	A of the Clean	Water Act ap	oly to your fa	cility?		
TYES ((complete Item III	-B)					No (to to	o Section IV)			
	ons in the applicab (complete Item III	•	ant guid	ieline expresse	id in terms of	production (o)	r other measur	re of operation to Section IV)	n)?		
C If you answered	d "ves" to Item III-	B. list th	ve drau	stity which rep	presents an ar	ctual measure				ed in the term	s and uni
used in the app	plicable effluent g	uideline	e, and ir	ndicate the an	nected outland	18.					
_				AVERAGE DA		CTION	UCY. MATERIAL	ETC.		2. AFFE OUTFA	ALLE
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IV. B.

Outfall	Treatment	Code
001	Stormwater to I&M Canal	4-A
002	Non-Contact Cooling Water to Consumers Quarry	4-A
004	Discharge to Sanitary & Ship Canal	1-0
	Stormwater	2-E
	Steam Condensate	2-K
	Treatment Cell Discharge which includes:	2-C
	Facility Wash Down (floor drains)	1-U
	Softener Regenerate Stream	1-N
	Sand Filter Backwash	4-A
	Septic Tank, disinfected effluent, permitted by Health Dept.	
	Boiler Blowdown	
	Steam condensate	
	Reverse Osmosis Reject Stream	
005	Discharge to S&S Canal	4-A
	Steam Condensate	
	Boiler Blowdown	
	Stormwater Runoff	
006	Discharge to Consumers Quarry	4-A
	Stormwater	
007	Discharge to other Quarry	4-A
	Stormwater	
	Septic Tank, disinfected effluent, permitted by Health Dept	

CONTINUED FROM PAGE 2	ILD064394323		
V.INTAKE AND EFFLUEN			
A, B, & C; See instruction NOTE: Tables	s before proceeding — Complete one set of tables for V-A, V-B, and V-C are included on separate sheets	or each outfall — Annotate the outfall in numbered V-1 through V-9.	number in the space provided.
D. 11	list any of the pollutants listed in Table 2c-3 of sutfall. For every pollutant you list, briefly describ	the instructions, which you know or he	ive reason to believe is discharged or may b
1. POLLUTANT	1. SOURCE	1. POLLUTANT	2. SOURCE
N/A			
VI. POTENTIAL DISCHARG	ES NOT COVERED BY ANALYSIS		
Is any pollutant listed in Item byproduct?	V-C a substance or a component of a substance w	thich you currently use or manufacture	s as an intermediate or final product or
	YES (list all such pollutants below)	No igo to I	tem VI-B)
·			
•			

B/ SEPTICS PERMITTED BY HEALTH DEPT.

KA STEEL CHEMICAL, INC.
WATER BALANCE
LEMONT, ILLINOIS

CADFILE: KA STEEL WATER BALANCE-1

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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

217/782-0610

ROD R. BLAGOJEVICH, GOVERNOR

DOUGLAS P. SCOTT, DIRECTOR

June 29, 2006

K.A. Steel Chemicals Inc. 1001 Main Street Lemont, Illinois 60439

Re:

K.A. Steel Chemicals Inc. NPDES Permit No. IL0022934

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 Permit as issued is effective as of the date indicated on the first page of the Permit. 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, Clan Heller WORK

Alan Keller, P.E.

Manager, Permit Section

Division of Water Pollution Control

SAK-BAK:JAN:05032901.dlk

Attachment: Final Permit

cc:

Records

Compliance Assurance Section

Des Plaines Region

Consultant

NIPC

Exhibit D

ROUSFORD - 4302 North Main Street, Rockford, II, 6110) = (815) 987-7760
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, II, 61614 - (309) 693-5462
PEORIA - 5415 N. University St., Peoria, IL 61614 - (309) 693-5463

** CHAMPAIGN - 2125 South First Street, Champaign, IL 61820 (217) 278-5800

SPRINGIBLD - 4500 S. Sixth Street Rd., Springfield, IL 62706 - (217) 786-6892
MARION - 2309 W. Main St., Suite 116, Marion, IL 62959 - (618) 993-7200

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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: June 30, 2011

Issue Date: June 29, 2006 Effective Date: July 1, 2006

Name and Address of Permittee:

Facility Name and Address:

K.A. Steel Chemicals Inc. 1001 Main Street Lemont, Illinois 60439 K.A. Steel Chemicals Inc. 1001 Main Street Lemont, Illinois 60439 (Cook County)

Discharge Number and Name:

Receiving Waters:

001 Non-Contact Cooling Water, Process Water, Boiler Blowdown, Water Softener Backwash, Treated Sanitary Wastewater and Storm Water Runoff

Illinois & Michigan Canal

002 Non-Contact Cooling Water

Consumer's Quarry

003 Intake Screen Water

Consumer's Quarry

004 Boiler Blowdown and Storm Water Runoff

Chicago Sanitary & Ship Canal

005 Boiler Blowdown, Water Softener Backwash and Storm

Water Runoff

Chicago Sanitary & Ship Canal

006 Storm Water Runoff from East Spill Containment Area

Consumer's Quarry

007 Storm Water Runoff from Southwest Spill Containment Area

Unnamed Quarry

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

alan Keller WAK

SAK:JAN:05032901.dlk

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:

	LOAD LIMI DAF	TS lbs/day (DMF)		TRATION (S mg/l		
PARAMETER	30 DAY AVERAGE	DAILY MAXIMUM	30 DAY AVERAGE	DAILY MAXIMUM	SAMPLE FREQUENCY	SAMPLE TYPE
Outfall: 001**** Non-C and Storm Wate	Contact Cooling Water r Runoff (DAF = 0.06		Boiler Blowdown, W	ater Softener Back	wash, Treated Sanii	tary Wastewater
Flow (MGD)*					1/Week	Single Reading
pH*			6 - 9 s.u.		1/Week	Grab
BOD ₅			10	20	1/Month	Composite
Total Suspended Solids			12	24	1/Week	Composite
Iron (Total)				2	1/Week	Composite
Iron (Dissolved)***				40	***	Composite
Total Chlorine Residual**				0.05	1/Week	Grab
Total Dissolved Solids				1000	1/Month	Composite
Chloride				500	1/Month	Composite
Temperature	See Special Cond	lition No. 2			1/Week	Grab
Outfall: 002 Non-Con	itact Cooling Water	(DAF = 1.06 MGD)				
Flow (MGD)*					1/Week	Single Reading
pH*			6 - 9 s.u.		1/Week	Grab
Temperature	See Special Cond	ition No. 2			1/Week	Grab
Outfall: 003 Intake So	reen Water (Intermi	ttant Discharge)				
Flow (MGD) [™]					1/Month	Measure when Monitoring
Thorophall be ne disaba	eno of collopion dob	da				

There shall be no discharge of collected debris

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:

	LOAD LIMITS lbs/day CONCENTRATION					
PARAMETER	30 DAY AVERAGE	DAILY MAXIMUM	30 DAY AVERAGE	DAILY MAXIMUM	SAMPLE FREQUENCY	SAMPLE TYPE
Outfall: 004***** B	oiler Blowdown and S	torm Water Runoff	(DAF = 0.0033 MG	SD)		
Flow (MGD)*					1/Week	Single Reading
рН*			6 - 9 s.u.		1/Week	Grab
Temperature	See Special Con	dition No. 3			1/Week	Grab
Iron (Total)				2	1/Week	Composite
Outfall: 005***** B	oiler Blowdown, Wate	r softener Backwas	sh, and Storm Wate	r Runoff (DAF = 0.	0029 MGD)	
Flow (MGD)*					1/Week	Single Reading
pH*			6 - 9 s.u.		1/Week	Grab
Temperature	See Special Con-	dition No. 3			1/Week	Grab
Iron (Total)				2	1/Week	Composite
Total Dissolved Solids				1500	1/Month	Composite
Chloride******					1/Month	Composite
O. H. II. OCC *********	town Motor Dunett for	- East Call Conto	inmant Aran (Intern	nittant Disabarna)		

Outfall: 006***** Storm Water Runoff from East Spill Containment Area (Intermittant Discharge)

Outfall: 007***** Storm Water Runoff from Southwest Spill Containment Area (Intermittant Discharge)

^{*}Flow shall be reported as monthly average and daily maximum. pH shall be reported as a monthly minimum and monthly maximum.

^{**}See Special Condition No. 14

^{***}See Special Condition No. 15

[&]quot;*"See Special Condition No. 12

^{*****}The above limits do not apply to stormwater runoff from these outfalls. See Special Condition No. 13

^{*******}See Special Condition No. 13

[&]quot;"""See Special Condition No. 17

Special Conditions

SPECIAL CONDITION 1. 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 2. Discharge of wastewater from this facility must not alone or in combination with other sources cause the receiving stream to violate the following thermal limitations at the edge of the mixing zone which is defined by Section 302.211, Illinois Administration Code, Title 35, Chapter 1, Subtitle C, as amended:

- A. Maximum temperature rise above natural temperature must not exceed 5°F (2.8°C).
- B. Water temperature at representative locations in the main river shall not exceed the maximum limits in the following table during more than one (1) percent of the hours in the 12-month period ending with any month. Moreover, at no time shall the water temperature at such locations exceed the maximum limits in the following table by more than 3°F (1,7°C). (Main river temperatures are temperatures of those portions of the river essentially similar to and following the same thermal regime as the temperatures of the main flow of the river.)

	<u>Jan.</u>	Feb.	Mar.	<u>April</u>	<u>Mav</u>	<u>June</u>	<u> باتال</u>	Aug.	<u>Sept.</u>	Oct.	Nov.	<u>Dec.</u>
°F	60	60	60	90	90	90	90	90	90	90	90	60
°C	16	16	16	32	32	32	32	32	32	32	32	16

C. The monthly maximum value shall be reported on the DMR form.

SPECIAL CONDITION 3. The receiving waters are designated as Secondary Contact and Indigenous Aquatic Life Waters by Section 302.408, Illinois Administration Code, Title 35, Chapter 1, Subtitle C, as amended. These waters shall meet the following standard:

Temperatures shall not exceed 93°F (34°C) more than 5% of the time, or 100°F (37.8°C) at any time at the edge of the mixing zone which is defined by Rule 302.102 of the above regulations.

The monthly maximum value shall be reported on the DMR form.

SPECIAL CONDITION 4. 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 1021 North Grand Avenue East Post Office Box 19276 Springfield, Illinois 62794-9276

Attention: Compliance Assurance Section, Mail Code # 19

Special Conditions

SPECIAL CONDITION 5. 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.

<u>SPECIAL CONDITION 6</u>. For the purpose of this permit, outfall 001 is limited to process water, non-contact cooling water, boiler blowdown, water softener backwash, treated sanitary wastewater and storm water runoff, free from other wastewater discharges. In the event that the permittee shall require the use of additional water treatment additives for this discharge, the permittee shall notify the Agency in writing in accordance with the Standard Conditions, Attachment H.

<u>SPECIAL CONDITION 7</u>. For the purpose of this permit, the discharge 002 is limited to non-contact cooling water, free from process and other wastewater discharges. In the event that the permittee shall require the use of water treatment additives, the permittee must request a change in this permit in accordance with the Standard Conditions — Attachment H.

<u>SPECIAL CONDITION 8</u>. For the purpose of this permit, outfall 003 is limited to intake screen water, free from process and other wastewater discharges.

SPECIAL CONDITION 9. For the purpose of this permit, outfall 004 is limited to boiler blowdown and storm water runoff, free from process and other wastewater discharges. In the event that the permittee shall require the use of water treatment additives for this discharge, the permittee shall notify the agency in writing in accordance with the Standard Conditions, Attachment H.

<u>SPECIAL CONDITION 10</u>. For the purpose of this permit, outfall 005 is limited to boiler blowdown, water softener backwash and storm water runoff, free from process and other wastewater discharges. In the event that the permittee shall require the use of water treatment additives for this discharge, the permittee shall notify the Agency in writing in accordance with the Standard Conditions Attachment H.

SPECIAL CONDITION 11. For the purpose of this permit, outfalls 006 and 007 are limited to storm water runoff, free from process and other wastewater discharges.

SPECIAL CONDITION 12. The Agency has determined that the effluent limitations in this permit constitute BAT/BCT for storm water which is treated in the existing treatment facilities for purposes of this permit reissuance, and no pollution prevention plan will be required for such storm water. In addition to the chemical specific monitoring required elsewhere in this permit, the permittee shall conduct an annual inspection of the facility site to identify areas contributing to a storm water discharge associated with industrial activity, and determine whether any facility modifications have occurred which result in previously-treated storm water discharges no longer receiving treatment. If any such discharges are identified the permittee shall request a modification of this permit within 30 days after the inspection. Records of the annual inspection shall be retained by the permittee for the term of this permit and be made available to the Agency on request.

SPECIAL CONDITION 13.

STORM WATER POLLUTION PREVENTION PLAN (SWPPP)

- A storm water pollution prevention plan shall be developed by the permittee for the storm water associated with industrial activity at this facility. The plan shall identify potential sources of pollution which may be expected to affect the quality of storm water discharges associated with the industrial activity at the facility. In addition, the plan shall describe and ensure the implementation of practices which are to be used to reduce the pollutants in storm water discharges associated with industrial activity at the facility and to assure compliance with the terms and conditions of this permit.
- B. The plan shall be completed within 180 days of the effective date of this permit. Plans shall provide for compliance with the terms of the plan within 365 days of the effective date of this permit. The owner or operator of the facility shall make a copy of the plan available to the Agency at any reasonable time upon request. [Note: If the plan has already been developed and implemented it shall be maintained in accordance with all requirements of this special condition.]
- C. The permittee may be notified by the Agency at any time that the plan does not meet the requirements of this condition. 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.

Special Conditions

- D. The discharger shall amend the plan whenever there is a change in construction, operation, or maintenance which may affect the discharge of significant quantities of pollutants to the waters of the State or if a facility inspection required by paragraph G of this 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 objective 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.
- E. 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 storm water outfalls at the facility. The plan shall include, at a minimum, the following items:
 - 1. 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 a municipal storm drain system or other water body. The requirements of this paragraph may be included on the site map if appropriate.
 - 2. A site map showing:
 - The storm water conveyance and discharge structures;
 - ii. An outline of the storm water drainage areas for each storm water discharge point;
 - iii. Paved areas and buildings;
 - iv. Areas used for outdoor manufacturing, storage, or disposal of significant materials, including activities that generate significant quantities of dust or particulates.
 - v. Location of existing storm water structural control measures (dikes, coverings, detention facilities, etc.);
 - vi. Surface water locations and/or municipal storm drain locations
 - vii. Areas of existing and potential soil erosion:
 - viii. Vehicle service areas;
 - ix. Material loading, unloading, and access areas.
 - A narrative description of the following:
 - The nature of the industrial 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;
 - ii. Materials, equipment, and vehicle management practices employed to minimize contact of significant materials with storm water discharges;
 - iii. Existing structural and non-structural control measures to reduce pollutants in storm water discharges;
 - iv. Industrial storm water discharge treatment facilities;
 - v. Methods of onsite storage and disposal of significant materials;
 - 4. A list of the types of pollutants that have a reasonable potential to be present in storm water discharges in significant quantities.
 - 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.

Special Conditions

- 6. A summary of existing sampling data describing pollutants in storm water discharges.
- F. 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:
 - Storm Water Pollution Prevention Personnel Identification by job titles of the individuals who are responsible for developing, implementing, and revising the plan.
 - Preventive Maintenance Procedures for inspection and maintenance of storm water conveyance system 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.
 - Good Housekeeping Good housekeeping requires the maintenance of clean, orderly facility areas that discharge storm water.
 Material handling areas shall be inspected and cleaned to reduce the potential for pollutants to enter the storm water conveyance system.
 - 4. 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.
 - 5. 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:
 - Containment Storage within berms or other secondary containment devices to prevent leaks and spills from entering storm water runoff;
 - ii. Oil & Grease Separation Oil/water separators, booms, skimmers or other methods to minimize oil contaminated storm water discharges;
 - iii. Debris & Sediment Control Screens, booms, sediment ponds or other methods to reduce debris and sediment in storm water discharges;
 - iv. 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.
 - v. Storm Water Diversion Storm water diversion away from materials manufacturing, storage and other areas of potential storm water contamination;
 - vi. Covered Storage or Manufacturing Areas Covered fueling operations, materials manufacturing and storage areas to prevent contact with storm water.
 - 6. 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.
 - 7. 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.

Special Conditions

- 8. Inspection Procedures Qualified plant personnel shall be identified to inspect designated equipment and plant 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.
- G. The permittee shall conduct an annual facility inspection to verify that all elements of the plan, including the site map, potential pollutant sources, and structural and non-structural controls to reduce pollutants in industrial storm water discharges are accurate. Observations that require a response and the appropriate response to the observation shall be retained as part of the plan. Records documenting significant observations made during the site inspection shall be submitted to the Agency in accordance with the reporting requirements of this permit.
- H. This 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.
- 1. 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.
- J. 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.

Construction Authorization

K. 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 there upon waives all 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.
- Plans and specifications of all treatment equipment being included as part of the stormwater management practice shall be included in the SWPPP.
- 4. Construction activities which result from treatment equipment installation, including cleaning, grading and excavation activities which result in the disturbance of one acre or more of land area, are not covered by this authorization. The permittee shall contact the IEPA regarding the required permit(s).

REPORTING

- L. The facility shall submit an annual inspection report to the Illinois Environmental Protection Agency. The report shall include results of the annual facility inspection which is required by Part G of the Storm Water Pollution Prevention Plan of this permit. The report 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).
- M. The first report shall contain information gathered during the one year time period beginning with the effective date of coverage under this permit and shall be submitted no later than 60 days after this one year period has expired. Each subsequent report shall contain the previous year's information and shall be submitted no later than one year after the previous year's report was due.

Special Conditions

N. Annual inspection reports shall be mailed to the following address:

Illinois Environmental Protection Agency Bureau of Water Compliance Assurance Section Annual Inspection Report 1021 North Grand Avenue East Post Office Box 19276 Springfield, Illinois 62794-9276

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

<u>SPECIAL CONDITION 14</u>. All samples for total residual chlorine shall be analyzed by an applicable method contained in 40 CFR 136, equivalent in accuracy to low-level amperometric titration. Any analytical variability of the method used shall be considered when determining the accuracy and precision of the results obtained.

SPECIAL CONDITION 15. The permittee shall sample for Iron (Dissolved) on a monthly basis for the first 6 months following the effective date of this permit and quarterly thereafter. The results of the quarterly sampling analyses shall be submitted along with the March, June, September and December monthly Discharge Monitoring Reports. The Agency may modify the permit as a result of these analyses to include limits and include the appropriate monitoring frequency.

SPECIAL CONDITION 16. The Agency may modify the permit to include less frequent monitoring, provided that the discharge has been complying with the permit limits. The permittee may request modification to include less frequent monitoring subsequent to two years after the effective date of this permit. Modification under this special condition shall follow public notice and opportunity for hearing.

SPECIAL CONDITION 17. The Agency may modify the permit as a result of these analyses to include limits for this parameter and include the appropriate monitoring frequency. The permittee may request modification to include less frequent monitoring for this parameter subsequent to two years after the effective date of this permit. Modification under this special condition shall follow public notice and opportunity for hearing.

SPECIAL CONDITION 18.. The use or operation of this facility shall be by or under the supervision of a Certified Class K operator.

Standard Conditions

Deficitions

Act meens the lithois Environmental Protection Act, Ch. 111.1/2 III Rev. Stat., Sec. 1001-1052 ac. Arranded.

Agency means the Minors Environmental Protection Agency.

Roand remains the Blances Poliution Control Board

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

NaMPLES Electional Pollutant Discharge Elimination System) means the national program for Insuling, modifying, revoking and religiaving, terminating, monitoring and enforcing permits, and impossing and enforcing pretreatment requirements, under Sections 307, 402, 318 and 405 of the Chain Water Act.

USEPA means the United States Environmental Protection Agency.

Dairy 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 trease of the pollutant discharged over the day. For pollutants with Simitations expressed in other units of measurements, the "daily discharge" is calculated in the sverage measurement of the pollutant over the day.

Maximum Delty Disonerse Limitorion ideily maximum) repers the highest ellowable delly discharge.

Average Microthly Discharges Limitation I30 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 catendar month divided by the number of delty discharges measured during the month.

Average Washing Discharges Limitation (7 day everage) means the highest allowable average of delty discharges over a colender week, calculated as the sum of all daily discharges are delivered to the number of daily discharges measured during that week.

Base Management Practices (SMPs) means schadules of activities, prohibitions of practices, mointenance procedures, and other management practices to prevent or reduce the stellution of webse of the State. BMPs also include treatment requirements, operating procedures, and practices to control plant etc nontil, spillage or leeks, studge or waste disposal, or drainage from new material storage.

Allowet means a sample of specified volume used to make up a total composite sample,

Grab Sample means an individual sample of at hast 100 milliture collected at a randomlyselected time over a period not exceeding 15 minutes.

24 Hour Composite Sample means a combination of at least 8 temple aliquots of at least 100 milaters, collected at periodic intervals during the operating hours of a facility over a 24-hour pariod.

Hour Composite Samote means a combination of at least 3 samote eliquots of at least 100 reliables, collected at periodic intervals during the operating hours of a feelility over an 8-hour method.

Place Proportional Composite Sample means a combination of sample aliquets of at least ICO millitures collected at periodic intervals such that either the time interval between each stiquet or the volume of each aliquet is proportional to either the stream flow at the time of sampling or the total stream flow since the collection of the previous sliquet.

- (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 reissuence, modification, or for deniel of a permit renewed application. The permittee shall comply with offluent standards or prohibitions established under Section 307(a) of the Clean Water Act for take 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 not submits a proper application as required by the Ayency 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 held or reduce activity not a defense, it shall not be a defense for a permitter in an enforcement action that it would have been recessary to half or reduce the permitted activity in order to maintain compliance with the conditions of this permit.
- [4] Duty to mitigate. The percentine shall juke all responsible status to findinize or prevent any discharge in violation of this primit which has a reasonable likelihood of adversely affecting learner holds in the environment.
- (6) Proper operation and maintenance. The immittee shall at a meeting operation and maintenance of the mainte

- Permit actions. This permit may be modified, revoked and reissued, or terminated for cashs by the Agency pursuant to 40 CFR 122.62. The filing of a request by the permittee for a permit modification, revocation and neissuance, 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 the property rights of any sort, or any exclusive provinge.
- (8) Dury to provide information. The permittee shell 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 shell also furnish to the Agency, upon request, dopies 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 prevantation of credenties and other documents as may be required by law, to:
 - (a) Enter upon the parmittee's premittes 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 living, any facords that must be kept under the conditions of this parmit;
 - (c) Inspect at consonable times any facilities, equipment finctuding monitoring and control equipments, practices, or operations reputated or required under this permit; and
 - 69 Semple of monitor of mesonable times, for the purpose of essuring parmet compliance, or os otherwise authorized by the Act, any substances or parameters at any location.

(10) Monisoring and recents.

- (a) Symples 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 edge chart recordings for continuous monitoring instrumentation, copies of all reports recording for tensions, and records of all data used to complete the application for this parmit, for a period of at least 3 years from the data of this permit. The period of at least 3 years from the data of this permit. These period of at least 3 years from the data 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, exect place, and time of sampling or measurements;
 - (2) The individualish who performed the sampling or measurements.
 - (3) The date(s) shifty are were performed;
 - (4) The individual(s) who performed the analysis:
 - (5) The analytical techniques or methods used; and
 - (6) The regular of eugh analysis.
- (d) Monitoring must be conducted according to test procedures approved under AO CFR Part 136, unless other test procedures never 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 approved. The permittee shall celibrate and perform maintenance procedures on all monitoring and enalytical instrumentation at interest to ensure accuracy of measurements.
- (11) Signetory 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 composition: by a principal exacutive officer of at least the level of vice president or a person or position having oversit responsibility for environmental matters for the composition;
 - (2) For a pathnership or sofe proprietorship: by a general panner or the proprietor, respectively; or
 - (3) For a municipality, State, Federal, or other public agency; by either a principal unacutive 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 personable (a) or by a duly nuthorized representative of that person. A personal set aduly authorized representative only if:
 - (1) The authorization is made in writing by a person described in paragraph (al) and
 - (2) The authorization apocifies either an individual or a position reacongible for the ovurall operation of the notice, from which the discharge originates, such as a plant manager, superintendent or person of equivalent responsibility; and
 - (3) The written authorization is submitted in the Agency.

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ic) Changes of Authorization, if an authorization under (b) is no longer accurate because a different individual or position has responsibility for the ownest operation of the facility, a new authorization, substying the requirements of (b) must be submitted to the Agency prior to or bigother with any reports, information, or applications to be signed by an authorized excession.

(12) Reporting requirements.

- [a] Planned changes The permittee shall give notice to the Agency as soon as possible of any planned physical alterations or address to the parmitted techniq.
- b) senticipated noncompliance. The permittee shall give advance notice to she 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 parmit shall be submitted no later than 14 days following each schedule Date.
- (d) Manuforking reports. Maniforing results shall be reported at the interval appetitled showthern in this parmit.
 - Monitoring results must be reported on a Discharge Monitoring Report (DMR).
 - (2) If the permittee monitors any pollutent more frequently then required by the permit using less 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 date submitted in the DMR.
 - (3) Calculations for all limitations which require avaraging of measurements shall utilize an arithmetic mean unless otherwise apecified by the Agency in the permit.
- fol Twenty-fair hour reporting. The parmittee shell report say noncompliance which may enteringer health or the emisonment. Any information shall be provided orally within 24 hours from the size the parmittee becomes evere of the circumstances. A written submission shell also be provided within 5 days of the time the parmittee becomes awars of the circumstances. The written submission shell contain a description of the moncompliance and its example; the period of noncompliance, including exact dates and times; and if she noncompliance has not been consisted the articipance time it is expected to contains; and stope taken or planned to reduce, eliminate, and prevent reaccurrence of the noncompliance. The following shall be included as information which must be reported within 24 hours:
 - (1) Any uncertainpained by pass which exceeds any efficient limitation in the permit:
 - (2) Violation of a meximum daily discharge limitation for any of the pollutants lived by the Agency in the permit to be reported within 24 fours:

The Agency may waive the written report on a case-by-case besis if the oral report has been received within 24 hours.

- (i) Other noncompliance. The permitted 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 life information issted in paragraph (12)(a).
- (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 durient permittee notifies the Agency at Mast 30 days in advance of the proposed transfer date:
 - (b) The notice includes a willen agreement between the existing and new permittees continuing a specific date for transfer of permit responsibility, coverage and lighting between the corrent and new parallities; and
 - (c) The Agency dous not takely the existing parenther and the proposed new partriction of its mannt to modify or revulse and resiste the permit, if this notice is not recovered, the transfer is offective on the date apacified in the correspondent.
- (14) All manufacturing, nomineroid, mining, and substituted dechargons must notify the Agency as soon as they know or have reason to fellows:
 - (a) That any activity has occurred in will income which would result in the discharge of any force redisciont identified under Section 307 of the Clean Water Act which is not liveled in the primit if that discharge will acceed the highest of the following notification livels:
 - (1) One hundred micrograms per liter (100 µg/f);

- (2) Two hundred inforcements per litter (200 up/l) for acrosses and scrytonithis; the hundred inforcement per litter (500 up/l) for 2,4distrophenol and for 2-mentyl-4,5-distrophenol; and one milligram per liter (1 intpl) for antimorn;
- (3) Five (5) times the maximum concernsion value reported for their bullutant in the MPDES permit application; or
- (6) The level established by the Agency in this permit
- D) That they have begun or expect to began 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 Transmant Works (POTWs) must provide adequate notice to the Apericy of the following:
 - (a) Any new introduction of pollutants into that POTM from an indirect discharger which would be aubject to Sections 301 or 306 or the Claim Water Act if it were directly discharging those pollutants; and
 - (b) Any substantial charge 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 fit this quality and quantity or efficient introduced into the POTW, and (ii) any enticipated impact of the chings on the quantity or quality of efficient 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:
 - User charges pursuent to Section 204(b) of the Clean Wester Act, and applicable regulations appearing in 40 CFR 35;
 - (2) Toxic pollutant offluent standards and pretreatment standards pursuant to Section 307 or the Clean Water Act; and
 - Inspection, monitoring and entry pursuant to Section 308 of the Clean Water Act.
- (17) If an applicable standard or limitation is promutgated under Section 30163(2)(C) and (C), 304(b)(2), or 307(a)(2) and their afficient standard or limitation in more stringent than any efficient limitation in the permit, or controls a pollutant not limited in the permit, the postrait shall be promptly modified or revoked, and released to conform to their afficient approach of limitation.
- (18) Any authorization to construct issued to the permittee pursuant to 35 M. Adm.
 Code 309.154 is hereby impropered by reference as a condition of this permit.
- (19) The permitted shall not make any false statement, representation or certification in any application, record, report, plen or unfair doctment submitted to the Agency or the USERA, or required to be maintained under this seventi.
- (20) The Claim Water Act provides that any person who violates a permit condition incommenting Sections 301, 302, 306, 307, 308, 318, or 408 of the Claim Water Act is subject to a drill penalty not to exclud \$10,000 per day of auch violation. Any person who willfully or negligently violates permit conditions implementing Sections 301, 302, 308, 307, or 308 of the Claim Water Act is subject to a five of not less this \$2,500, nor more than \$25,000 per day of violation, or by imprinorment for not more than \$25,000 per day of violation.
- (21) The Clean Water Act provides that any person who tatsifies, tempore with, or knowingly renders inoccurate any manitoring device or method required to be meintained under permit shall, upon conviction, be purished by a fire of not more than \$10,000 per violation, or by imprisonment for not more than 6 months per violation, or by both.
- Q21 The Clean Water Act provides that any sensor who knowingly makes any false statement, representation, or defification in any record or other document submitted or regulard to be maintained under this parmit 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 those than 6 months per violation, or by both.
- (23) Collected accessing, sturries, studges, and other sofice shall be disposed of in such a manner as to prevent entry of those wastes for runoff from the wastes) into waters of the Siste. The proper nuthorization for such staposal shall be obtained from the Apency and is incorporated as part horsel by refreshop.
- (24) In case of conflict between those prenderd conditions and any other condition(s) included in this permit, the other condition(s) shall govern.
- (25) The permitter that comply with in addition to the requirements of the permit, all applicable provisions of 35 III. Adm. Code, Subtitle C. Subtitle D. Subtitle E. and all applicable orders of the Board.
- (28) The provisions of this permit are severable, and it say provision of this permit, or the epulcation of any provision of this permit is hald invalid, the remaining provisions of this permit shall continue in full force and affect.

(Play, 12-1-88)

From: Blaine Kinsley [mailto:Blaine.Kinsley@epa.state.il.us]

Sent: Friday, July 28, 2006 4:13 PM

To: Al Keller; Bob Mosher; Roger Callaway

Cc: Jim Huff

Subject: Re: KA Steel

Roger,

This e-mail is a heads up regarding a potential non-compliance issue that has come up with the KA Steel permit. The permit was recently renewed with an effective date of July 1, 2006. There was a mix up in which the facility had requested a change in receiving stream that was not processed in the reissued permit. We are currently trying to rectify the that situation, but will not be able to do that before the first DMR is due. I have instructed KA Steel to submit their new July DMR with an explanation of the situation.

Permits will endeavor to process the modification as soon as possible.

Blaine Kinsley, P.E. Industrial Unit Manager Permit Section Division of Water Pollution Control Illinois EPA

>>> "Jim Huff" <<u>ihuff@huffnhuff.com</u>> 7/27/2006 1:10 PM >>> Blaine

Can you give me an update on KA Steel?

Thanks

Jim

James E. Huff, P.E. <u>JHuff@huffnhuff.com</u> <<u>mailto:JHuff@huffnhuff.com</u>> Huff & Huff, Inc.

Ph: (708) 579-5974 Fx: (708) 579-3526 From: Blaine Kinsley [mailto:Blaine.Kinsley@epa.state.il.us]

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Industrial Unit Manager
Permit Section
Division of Water Pollution Control
Illinois EPA

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Can you give me an update on KA Steel?

Thanks

Jim

James E. Huff, P.E. <u>JHuff@huffnhuff.com</u> <<u>mailto:JHuff@huffnhuff.com</u>> Huff & Huff, Inc.

Ph: (708) 579-5974 Fx: (708) 579-3526

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

K.A. STEEL CHEMICALS INC.)		CLERK'S OFFICE
Petitioner)		AUG 0 / 2006
v.)	PCB 11-009 (Permit Appeal-)	STATE OF ILLINOIS Pollution Control Board
ILLINOIS ENVIRONMENTAL	Ó	(z oramo ryphom.)	
PROTECTION AGENCY,)		
•)		
Respondent.)		

MOTION OF K.A. STEEL CHEMICALS INC. TO STAY THIS PROCEEDING

Petitioner K.A. Steel Chemical Inc. ("K.A. Steel"), by its undersigned counsel, moves the Illinois Pollution Control Board ("the Board") under Section 101.514 of the Illinois Administrative Code to stay this proceeding pending the outcome of discussions regarding permit modification with the Illinois Environmental Protection Agency ("IEPA"). In support of this Motion, K.A. Steel states as follows:

- 1. K.A. Steel has on this date filed a petition for appeal of the NPDES permit issued by IEPA on June 29, 2006.
- 2. As related in that petition, the appeal concerns that permit. IEPA states in a recent e-mail that, due to a "mix-up" at the agency, it did not consider K.A. Steel's application for a modification of its prior permit, pending since April 11, 2006, before issuing the new permit.
- 3. The IEPA stated in the e-mail that it would seek to "rectify" this situation but that it could not do so by the end of July 2006. Thus this situation also could not be rectified prior to the expiration of K.A. Steel's 35-day appeal period.

4. While a successful outcome of discussions between K.A. Steel and IEPA

cannot be assumed, it is clear that, by issuing the June 29, 2006 permit, IEPA did not

intend at this time to reject K.A. Steel's pending application for modification of its prior

permit out-of-hand. Thus, K.A. Steel reasonably believes that it would conserve the

resources of the Board and the parties to stay this proceeding for a reasonable time

pending these discussions.

THEREFORE, KA Steel respectfully requests that the Board enter an order

staying this proceeding for 30 days pending discussions with IEPA regarding permit

modification.

Dated:

August 3, 2006

Respectfully submitted,

KA STEEL CHEMICALS INC.

By Its Attorney Maureen Martin

Illinois ARDC No. 61811033

Maureen Martin The Martin Law Firm

W3643 Judy Lane

Green Lake, Wisconsin 54941

Telephone: (920) 295-6032

Facsimile: (920) 295-6132

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CERTIFICATE OF SERVICE

I, the undersigned, certify that I served the attached Notice of Filing, Appearance, Petition for NPDES Permit Appeal of K.A. Steel Chemicals Inc., and K.A. Steel Chemicals Inc.'s Motion to Stay This Proceeding. by United States First Class Mail upon:

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

on this 3rd day of August, 2006

Maureen Martin

Illinois ARDC No. 61811033