

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

November 29, 2010

City of Oregon	)	
	)	
	)	
	)	
Petitioner,	)	
	)	
v.	)	IEPA – 11-03
	)	(Provisional Variance-Water)
ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Respondent.	)	

Re: Provisional Variance From Effluent Limits Contained in NPDES Permit  
IL0020184

Dear Mayor Stone:

The Illinois Environmental Protection Agency (Agency) has completed its technical review of the attached provisional variance request, dated November 12, 2010 (Attachment A) submitted by the City of Oregon (City) for its wastewater treatment plant. The City is currently making major improvements to its wastewater treatment facilities and, in order to complete these improvements, the existing package plant must be temporarily taken out of service.

Based on its review, the Agency GRANTS the City a provisional variance for its wastewater treatment plant, subject to the specific conditions set forth below.

*Background*

The City owns and operates a wastewater treatment plant. The plant is a secondary treatment facility with process units for screening, grit removal, primary settling, activated sludge, secondary settling, disinfection, dechlorination, effluent flow measurement, aerobic digestion, sludge drying beds, standby power and a laboratory. The plant is located at the corner of Gale and Water Streets. The permitted design average flow for the facility is 0.626 million gallons per day; the receiving stream is the Rock River.

The City is currently making major improvements to the water treatment plant. The improvements to the existing package plant will require the secondary activated sludge treatment process to be taken completely out of service. Without the activated sludge process, the plant will not be able to meet the effluent limitations for CBOD<sub>5</sub> and Suspended Solids contained in its NPDES permit IL0020184 (Attachment B). The City is therefore seeking a variance from these limitations.

During the variance period, the City will use an existing primary clarifier to feed potassium permanganate to the screened wastewater in order to promote the coagulation of wastewater constituents. Effluent from the primary clarifier will bypass the activated sludge process, where improvements are being made, and will enter a newly constructed secondary clarifier where sedimentation of the constituents will occur. The secondary clarifier effluent will be disinfected before being discharged into the receiving stream. The City will continue to meet all other effluent parameters in its NPDES permit.

*Relief Requested*

The City seeks a provisional variance from the effluent limits for CBOD<sub>5</sub> and Suspended Solids contained in its NPDES permit IL0020184.

Current permit limits for the parameters requested in this variance are:

Parameter	Monthly Avg. (mg/l)	Weekly Avg. (mg/l)
CBOD <sub>5</sub>	25	40
Suspended Solids	30	45

*Agency Determinations*

The Agency has reviewed the requested provisional variance and has reached the following conclusions:

1. Any environmental impact from the requested relief shall be closely monitored, and the Agency shall be immediately notified of any adverse impacts.
2. No reasonable alternatives appear available;
3. No public water supplies should be affected;
4. No federal regulations will preclude the granting of this request; and
5. The City will face an arbitrary and unreasonable hardship if the request is not granted.

*Conditions*

The Agency hereby GRANTS the City a provisional variance from the effluent limits of CBOD<sub>5</sub> and Suspended Solids contained in its NPDES permit IL0020184, subject to the following conditions:

- A. The provisional variance shall begin on December 6, 2010, and shall end no later than January 20, 2011.
- B. The City shall provide the best operation of its treatment plant to produce the best effluent possible at all times. At no times shall the effluents exceed 75 mg/l CBOD<sub>5</sub> and 75 mg/l Suspended Solids.
- C. The City shall closely monitor the Rock River and immediately notify the Agency of any adverse environmental impacts as a result of this discharge.
- D. The City shall continue to monitor all parameters and all comply with all other conditions specified in its NPDES Permit No. IL0020184.
- E. The City shall notify Roger Callaway of the Agency by telephone at 217/782-9720 when the discharge specified in this provisional variance is completed and the facility returns to normal operation. Written confirmation shall be sent within five days to the following address:

Illinois Environmental Protection Agency  
Bureau of Water - Water Pollution Control  
Attention: Roger Callaway  
1021 North Grand Avenue East, MC #19  
Springfield, Illinois 62794-9276

- F. The City shall sign a certificate of acceptance of this provisional variance and forward that certificate to Roger Callaway at the address indicated above within one day of the date of this order. The certification should take the following form:

I (We) \_\_\_\_\_, hereby accept and agree to be bound by all terms and conditions of the provisional variance granted by the Agency in \_\_\_\_\_ dated \_\_\_\_\_.

\_\_\_\_\_  
Petitioner

\_\_\_\_\_  
Authorized Agent

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

*Conclusion*

The Agency grants this provisional variance in accordance with its authority contained in Sections 35(b), 36 (c), and 37(b) of the Illinois Environmental Protection Act (415 ILCS 5/35(b), 36(c), and 37(b) (2008)). The decision to grant this provisional variance is not intended to address compliance with any other applicable laws or regulations.

Sincerely,



John J. Kim  
Chief Legal Counsel

cc: Marcia Willhite  
Roger Callaway  
Vera Herst

City of Oregon

115 N. 3<sup>rd</sup> St. ~ Oregon, IL 61061

November 12, 2010 Phone: (815) 732-6321 ~ Fax: (815) 732-7292

Mr. Roger Callaway  
Illinois Environmental Protection Agency  
Compliance Assurance Section  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, IL 62794-9276

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NOV 15 2010

IEPA/CAS

Dear Mr. Callaway:

Re: City of Oregon Wastewater Treatment Plant Improvements  
SRF Loan No.: L172832  
NPDES Permit No.: IL0020184

The City of Oregon is requesting a 45-day Provisional Variance in order to obtain interim effluent limits for the City's existing wastewater treatment plant (WWTP). In accordance with *Title 35, Subtitle A, Chapter II, Part 180, Section 180.202 Requirements of the Written Application*, the following information is provided to address items 1-13 contained in the application requirements.

1. The City is requesting a 45-day variance from the effluent limitations contained in NPDES Permit IL0020184 for CBOD<sub>5</sub> and Suspended Solids. The City is requesting that the monthly average concentration limits of 25 mg/l and 30 mg/l, and the weekly average concentration limits of 40 mg/l and 45 mg/l for CBOD<sub>5</sub> and Suspended Solids, respectively, be waived for the duration of the 45-day variance.
2. Major improvements to the City's existing wastewater treatment facilities are currently underway that will require the existing package plant to be temporarily taken out of service in order to perform the necessary upgrades. This interruption in service is unavoidable due to the nature and extent of the proposed improvements to the single package plant structure.
3. Not applicable.
4. The City is requesting that interim effluent concentration limits of 75 mg/l for both CBOD<sub>5</sub> and Suspended Solids be granted during the 45-day variance period. The receiving stream is the Rock River. The permitted design average flow for the facility is 0.626 million gallons per day.
5. Not applicable.
6. The variance would result in a temporary increase in the permitted discharge from the wastewater treatment plant; however, the adverse environmental impact associated with the increased discharge is anticipated to be negligible. The plant discharge is small compared with the receiving stream, with a dilution ratio of 1,175 based upon the 7 day, 10-year low flow in the river and the design average flow of the plant. The time of year (winter months) of the request will result in lower temperatures in the Rock River, with minimal biological activity occurring and reduced recreational activities.

Thomas Stone Sr. Mayor	Charlene Ruthe City Clerk	Paul Chadwick City Attorney	Darin DeHaan Chief of Police	Ken Williams Accounts & Finance	Thomas Miller Public Health & Safety	Jim Lauer Streets & Public Improvements	Bob Rees Public Property
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7. The improvements to the existing package plant will require the secondary activated sludge treatment process to be taken completely out of service. With the biological treatment process inactive, the plant will not be capable of consistently meeting the existing NPDES permit limits. Interim effluent limits are necessary in order for the City to remain in compliance during the proposed improvements to the existing plant.
8. The requested variance period is 45 days, beginning on December 6, 2010 and extending through January 20, 2011. During the variance period, the City will utilize an existing primary clarifier to feed potassium permanganate to the screened wastewater in order to promote the coagulation of wastewater constituents. Effluent from the primary clarifier will bypass the activated sludge process where improvements will be occurring and enter a newly constructed secondary clarifier where sedimentation of the constituents will occur. Secondary clarifier effluent will be disinfected prior to discharge to the receiving stream.
9. Not applicable.
10. As indicated above, the requested variance period is 45 days, beginning on December 6, 2010 and extending through January 20, 2011.
11. The City has not received any provisional variances within the current calendar year.
12. The City is in good standing with the terms of the existing NPDES Permit No. IL0020184 and the treatment facilities consistently produce effluent that is within the permitted discharge values.
13. Not applicable.

Please do not hesitate to contact me should there be questions or comments pertaining to the above request. In addition, please contact me in the event that further information is required.

Sincerely,

CITY OF OREGON



Thomas Stone, Sr.  
Mayor, City of Oregon



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

RENEE CIPRIANO, DIRECTOR

MAY 27 2005

City of Oregon  
115 N. 3rd Street  
Oregon, IL 61061

SCREENED

Re: City of Oregon  
City of Oregon STP  
NPDES Permit No. IL0020184  
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 Gary Bingenheimer at the telephone number indicated above.

Sincerely,

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

SAK:GWB:05031804.dlk

Attachment: Final Permit

cc: Records  
Compliance Assurance Section  
Rockford Region  
Facility  
USEPA

NPDES Permit No. IL0020184

Illinois Environmental Protection Agency

Division of Water Pollution Control

1021 North Grand Avenue East

Post Office Box 19276

Springfield, Illinois 62794-9276

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NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

Reissued (NPDES) Permit

Expiration Date: November 30, 2010

Issue Date: May 27, 2005

Effective Date: December 1, 2005

Name and Address of Permittee:

City of Oregon  
115 N. 3rd Street  
Oregon, IL 61061


Facility Name and Address:

City of Oregon STP  
13 Gale Street  
Oregon, Illinois  
(Ogle County)

Receiving Waters: Rock River

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

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

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

SAK:GWB:05031804.dik



NPDES Permit No. IL0020184

Effluent Limitations, Monitoring, and Reporting

FINAL

Discharge Number(s) and Name(s): 009 STP Outfall

Load limits computed based on a design average flow (DAF) of 0.626 MGD (design maximum flow (DMF) of 1.24 MGD).

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

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

Parameter	LOAD LIMITS lbs/day DAF (DMF)*			CONCENTRATION LIMITS MG/L			Sample Frequency	Sample Type	
	Monthly Average	Weekly Average	Daily Maximum	Monthly Average	Weekly Average	Daily Maximum			
Flow (MGD)							Continuous	****RIT	
CBOD <sub>5</sub> **	131 (259)	209 (414)		25	40		2 Days/Month	Composite	
Suspended Solids	157 (310)	235 (465)		30	45		2 Days/Month	Composite	
pH	Shall be in the range of 6 to 9 Standard Units						2 Days/Month	Grab	
Fecal Coliform***	Daily Maximum shall not exceed 400 per 100 mL (May through October)						2 Days/Month	Grab	
Chlorine Residual***							0.05	2 Days/Month	Grab

\*Load limits based on design maximum flow shall apply only when flow exceeds design average flow.

\*\*Carbonaceous BOD<sub>5</sub> (CBOD<sub>5</sub>) testing shall be in accordance with 40 CFR 136.

\*\*\*See Special Condition 9.

\*\*\*\*Recording Indicating Totalizing.

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

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

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

Chlorine Residual shall be reported on DMR as daily maximum.

NPDES Permit No. IL0020184

Influent Monitoring, and Reporting

The influent to the plant shall be monitored as follows:

Parameter	Sample Frequency	Sample Type
Flow (MGD)	Continuous	*RIT
BOD <sub>5</sub>	2 Days/Month	Composite
Suspended Solids	2 Days/Month	Composite

\*Recording, Indicating, Totalizing

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

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

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

NPDES Permit No. IL0020184

Special Conditions

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

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

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

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

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

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

SPECIAL CONDITION 7. Final Conditions - For Discharge No. 009: BOD<sub>5</sub> and Suspended Solids (85% removal required): The arithmetic mean of the values for effluent samples collected in a period of one calendar month shall not exceed 15 percent of the arithmetic mean of the values for influent samples collected at approximately the same time during the same period, except during those periods when the influent is diluted because of high flows if the tributary sewer system is combined. The percent removal need not be reported to the IEPA on DMR's but influent and effluent data must be available, as required elsewhere in this Permit, for IEPA inspection and review. For measuring compliance with this requirement, 5 mg/L shall be added to the effluent CBOD<sub>5</sub> concentration to determine the effluent BOD<sub>5</sub> concentration.

SPECIAL CONDITION 8. This Permit may be modified to include requirements for the Permittee on a continuing basis to evaluate and detail its efforts to effectively control sources of infiltration and inflow into the sewer system and to submit reports to the IEPA if necessary.

SPECIAL CONDITION 9. Fecal Coliform limits for Discharge Number 009 are effective May thru October. Sampling of Fecal Coliform is only required during this time period.

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

SPECIAL CONDITION 10. The Permittee has undergone a Monitoring Reduction review and the influent and effluent sample frequency has been reduced for BOD, CBOD, SS, pH, fecal coliform and chlorine residual due to sustained compliance. The IEPA will require that the influent and effluent sampling frequency for these parameters be increased to 2 days/week if effluent deterioration occurs due to increased wasteload, operational, maintenance or other problems. The increased monitoring will be required Without Public Notice when a permit modification is received by the Permittee from the IEPA.

SPECIAL CONDITION 11. During January of each year the Permittee shall submit annual fiscal data regarding sewerage system operations to the Illinois Environmental Protection Agency/Division of Water Pollution Control/Compliance Assurance Section. The Permittee may use any fiscal year period provided the period ends within twelve (12) months of the submission date.

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

SPECIAL CONDITION 12. For the duration of this Permit, the Permittee shall determine the quantity of sludge produced by the treatment facility in dry tons or gallons with average percent total solids analysis. The Permittee shall maintain adequate records of the quantities of sludge produced and have said records available for IEPA inspection. The Permittee shall submit to the IEPA, at a minimum, a semi-annual summary report of the quantities of sludge generated and disposed of, in units of dry tons or gallons (average total percent solids) by different disposal methods including but not limited to application on farmland, application on reclamation land, landfilling, public distribution, dedicated land disposal, sod farms, storage lagoons or any other specified disposal method. Said reports shall be submitted to the IEPA by January 31 and July 31 of each year reporting the preceding January thru June and July thru December interval of sludge disposal operations.

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

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NPDES Permit No. IL0020184

Special Conditions

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

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

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

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

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

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

SPECIAL CONDITION 13.

AUTHORIZATION OF  
COMBINED SEWER AND TREATMENT PLANT DISCHARGES

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

<u>Discharge Number</u>	<u>Location</u>	<u>Receiving Water</u>
004	Washington & 2nd Street	Rock River
010	Pumping Station at STP	Rock River
011	Bar Screen at STP	Rock River

Treatment Requirements

1. All combined sewer overflows and treatment plant bypasses shall be given sufficient treatment to prevent pollution and the violation of applicable water quality standards. Sufficient treatment shall consist of the following:
  - a. All dry weather flows, and the first flush of storm flows shall meet all applicable effluent standards and the effluent limitations as required for the main STP outfall;
  - b. Additional flows, but not less than ten times the average dry weather flow for the design year, shall receive a minimum of primary treatment and disinfection with adequate retention time; and;
  - c. Additional flows, shall be treated to the extent necessary to comply with applicable water quality standards and the federal Clean Water Act, including any amendments made by the Wet Weather Water Quality Act of 2000.
2. All CSO discharges authorized by this Permit shall be treated, in whole or in part, to the extent necessary to prevent accumulations of sludge deposits, floating debris and solids in accordance with 35 Ill. Adm. Code 302.203 and to prevent depression of oxygen levels below the applicable water quality standards.
3. Overflows during dry weather are prohibited. Dry weather overflows shall be reported to the IEPA pursuant to Standard Condition 12(e) of this Permit (24 hour notice).

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NPDES Permit No. IL0020184

Special Conditions

4. The collection system shall be operated to optimize transport of wastewater flows and to minimize CSO discharges.
5. The treatment system shall be operated to maximize treatment of wastewater flows.

Nine Minimum Controls

6. The Permittee shall comply with the nine minimum controls contained in the National CSO Control Policy published in the Federal Register on April 19, 1994. The nine minimum controls are:
  - a. Proper operation and maintenance programs for the sewer system and the CSOs (Compliance with this Item shall be met through the requirements imposed by Paragraph 8 of this Special Condition);
  - b. Maximum use of the collection system for storage (Compliance with this Item shall be met through the requirements imposed by Paragraphs 1, 4, and 8 of this Special Condition);
  - c. Review and modification of pretreatment requirements to assure CSO impacts are minimized (Compliance with this Item shall be met through the requirements imposed by Paragraph 9 of this Special Condition);
  - d. Maximization of flow to the POTW for treatment (Compliance with this Item shall be met through the requirements imposed by Paragraphs 4, 5, and 8 of this Special Condition);
  - e. Prohibition of CSOs during dry weather (Compliance with this Item shall be met through the requirements imposed by Paragraph 3 of this Special Condition);
  - f. Control of solids and floatable materials in CSOs (Compliance with this Item shall be met through the requirements imposed by Paragraphs 2 and 8 of this Special Condition);
  - g. Pollution prevention programs which focus on source control activities (Compliance with this Item shall be met through the requirements imposed by Paragraph 6 of this Special Condition, **See Below**);
  - h. Public notification to ensure that citizens receive adequate information regarding CSO occurrences and CSO impacts (Compliance with this Item shall be met through Paragraphs 7 and 12 of this Special Condition); and,
  - i. Monitoring to characterize impacts and efficiency of CSO controls (Compliance with this Item shall be met through the requirements imposed by Paragraphs 10 and 11 of this Special Condition).

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

Sensitive Area Considerations

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

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NPDES Permit No. IL0020184

Special Conditions

Within one (1) month of the effective date of this Permit, the Permittee shall submit two (2) copies of documentation indicating which of the outfalls listed in this Special Condition do not discharge to sensitive areas. Such documentation shall include information regarding the use of the receiving water for primary contact activities (swimming, water skiing, etc.). If the Permittee believes that it is not possible for primary contact recreation to occur in the areas impacted or potentially impacted by the CSOs listed in this Special Condition, then justification as to why primary contact recreation is not possible shall be submitted. Adequate justification shall include, but is not limited to: (1) inadequate water depth; (2) presence of physical obstacles sufficient to prevent access to or for primary contact recreation; and, (3) uses of adjacent land sufficient to discourage primary contact activities. The IEPA will make a determination based on this documentation and other information available to the IEPA.

Should the IEPA conclude that any of the CSOs listed in this Special Condition discharge to a sensitive area, the IEPA will notify the Permittee in writing. Within three (3) months of the date of notification, or such other date contained in the notification letter, the Permittee shall submit two (2) copies of either a schedule to relocate, control, or treat discharges from these outfalls. If none of these options are possible, the Permittee shall submit adequate justification as to why these options are not possible. Such justification shall be in accordance with Section II.C.3 of the National CSO Control Policy.

Operational and Maintenance Plans

8. The IEPA reviewed and accepted a CSO operational and maintenance plan "CSO O&M plan" on October 5, 2000 prepared for this sewerage system. The Permittee shall review and revise, if needed, the CSO O&M plan to reflect system changes.

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

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

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

Sewer Use Ordinances

9. The Permittee, within six (6) months of the effective date of this Permit, shall review and where necessary, modify its existing sewer use ordinance to ensure it contains provisions addressing the conditions below. If no ordinance exists, such ordinance shall be developed and implemented within six (6) months from the effective date of this Permit. Upon completion of the review of the sewer

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NPDES Permit No. IL0020184

Special Conditions

use ordinance(s), the Permittee shall submit two (2) copies of a completed "Certification of Sewer Use Ordinance Review", one (1) with original signatures. Copies of the certification form can be obtained on line at <http://www.epa.state.il.us/water/permits/waste-water/forms/sewer-use.pdf>. The Permittee shall submit copies of the sewer use ordinance(s) to the IEPA upon written request. Sewer use ordinances are to contain specific provisions to:

- a. prohibit introduction of new inflow sources to the sanitary sewer system;
- b. require that new construction tributary to the combined sewer system be designed to minimize and/or delay inflow contribution to the combined sewer system;
- c. require that inflow sources on the combined sewer system be connected to a storm sewer, within a reasonable period of time, if a storm sewer becomes available;
- d. provide that any new building domestic waste connection shall be distinct from the building inflow connection, to facilitate disconnection if a storm sewer becomes available;
- e. assure that CSO impacts from non-domestic sources are minimized by determining which non-domestic discharges, if any, are tributary to CSOs and reviewing, and, if necessary, modifying the sewer use ordinance to control pollutants in these discharges; and,
- f. assure that the owners of all publicly owned systems with combined sewers tributary to the Permittee's collection system have procedures in place adequate to ensure that the objectives, mechanisms, and specific procedures given in Paragraph 8 of this Special Condition are achieved.

The Permittee shall enforce the applicable sewer use ordinances.

Long-Term Control Planning and Compliance with Water Quality Standards

10. a. Pursuant to Section 301 of the federal Clean Water Act, 33 U.S.C. § 1311 and 40 CFR § 122.4, discharges from the CSOs, including the outfalls listed in this Special Condition and any other outfall listed as a "Treated Combined Sewage Outfall", shall not cause or contribute to violations of applicable water quality standards or cause use impairment in the receiving waters. In addition, discharges from CSOs shall comply with all applicable parts of 35 Ill. Adm. Code 306.305(a), (b), (c), and (d).
- b. The Permittee shall develop a Long-Term CSO Control Plan (LTCP) for assuring that the discharges from the CSOs (treated or untreated) authorized in this Permit comply with Paragraph 10.a above and all applicable standards, including water quality standards. Two (2) copies of the LTCP shall be submitted to the IEPA within twenty-four (24) months of the effective date of this Permit. The LTCP shall contain all applicable elements of Paragraph 10.c below including a schedule for implementation and provisions for re-evaluating compliance with applicable standards and regulations after implementation. The LTCP shall be:
  1. Consistent with Section II.C.4.a.i of the Policy; or,
  2. Consistent with either Section II.C.4.a.ii, Section II.C.4.a.iii, or Section II.C.4.b of the Policy and be accompanied by data sufficient to demonstrate that the LTCP, when completely implemented, will be sufficient to meet water quality standards.
- c. Pursuant to the Policy, the required components of the LTCP include the following:
  1. Characterization, monitoring, and modeling of the Combined Sewer System (CSS);
  2. Consideration of Sensitive Areas;
  3. Evaluation of alternatives;
  4. Cost/Performance considerations;
  5. Revised CSO Operational Plan;
  6. Maximizing treatment at the treatment plant;
  7. Implementation schedule;
  8. Post-Construction compliance monitoring program; and
  9. Public participation.

**SCREENED** NPDES Permit No. IL0020184

Special Conditions

Following submittal of the LTCP, the Permittee shall respond to any initial IEPA review letter in writing within ninety (90) days of the date of such a review letter, and within thirty (30) days of any subsequent review letter(s), if any. Implementation of the LTCP shall be as indicated by IEPA in writing or other enforceable mechanism.

Monitoring, Reporting and Notification Requirements

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

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

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

Summary of Compliance Dates in this CSO Special Condition

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

Submission of CSO Monitoring Data (Paragraph 11)	15th of every month
Documentation of CSO Locations (Paragraph 7, Sensitive Areas)	1 month from the effective date of this Permit
Elimination of a CSO or Discovery of Additional CSO Locations (Paragraph 13)	1 month from discovery or elimination
Control (or Justification for No Control) of CSOs to Sensitive Areas (Paragraph 7)	3 months from IEPA notification
Certification of Sewer Use Ordinance Review (Paragraph 9)	6 months from the effective date of this Permit
Conduct Pollution Prevention, OMP, and PN Public Information Meeting (Paragraphs, 6, 8 and 12) <b>No Submittal Due with this Milestone</b>	9 months from the effective date of this Permit
Submit Pollution Prevention Certification, OMP Certification, and PN Information Meeting Summary (Paragraphs, 6, 8 and 12)	12 months from the effective date of this Permit



NPDES Permit No. IL0020184

Special Conditions

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

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

Attention: CSO Coordinator, Compliance Assurance Section

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

Reopening and Modifying this Permit

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

SPECIAL CONDITION 14. 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