

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD
OF THE STATE OF ILLINOIS**

MARATHON PETROLEUM COMPANY, LP)
Diesel Oxidation Catalyst System)
) PCB 15-
) (Tax Certification - Air)
PROPERTY IDENTIFICATION NUMBER)
05-1-34-000-021-000 or portion thereof)

NOTICE

TO: [*Electronic filing*]
John Therriault, Clerk
Illinois Pollution Control Board
State of Illinois Center
100 W. Randolph Street, Suite 11-500
Chicago, Illinois 60601

[*Service by mail*]
Kevin D. Bogard
Marathon Petroleum Company, LP
400 South Marathon Avenue
Robinson, Illinois 62454

[*Service by mail*]
Steve Santarelli
Illinois Department of Revenue
101 West Jefferson Avenue
P.O. Box 19033
Springfield, Illinois 62794

PLEASE TAKE NOTICE that I have today electronically filed with the Office of the Pollution Control Board the **APPEARANCE** and **RECOMMENDATION** of the Illinois Environmental Protection Agency, a paper copy of which is herewith served upon the applicant and a representative of the Illinois Department of Revenue.

Respectfully submitted by,

/s/ Robb H. Layman
Robb H. Layman
Assistant Counsel

Date: December 31, 2014

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY
1021 North Grand Avenue East
P.O. Box 19276
Springfield, IL 62794-9276
Telephone: (217) 524-9137

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD
OF THE STATE OF ILLINOIS**

MARATHON PETROLEUM COMPANY, LP)	
Diesel Oxidation Catalyst System)	
)	PCB 15-
)	(Tax Certification - Air)
PROPERTY IDENTIFICATION NUMBER)	
05-1-34-000-021-000 or portion thereof)	

APPEARANCE

I hereby file my Appearance in this proceeding on behalf of the Illinois Environmental Protection Agency.

Respectfully submitted by,

/s/ Robb H. Layman
Robb H. Layman
Assistant Counsel

Date: December 31, 2014

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Diesel Oxidation Catalyst System)	
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05-1-34-000-021-000 or portion thereof)	

RECOMMENDATION

NOW COMES the ILLINOIS ENVIRONMENTAL PROTECTION AGENCY (“Illinois EPA”), through its attorneys, and pursuant to 35 Ill. Adm. Code 125.204 of the ILLINOIS POLLUTION CONTROL BOARD’S (“Board”) procedural regulations, files the Illinois EPA’s Recommendation in the above-referenced request for tax certification of pollution control facilities. The Illinois EPA recommends an **issuance** of a tax certification covering the subject matter of the request. In support thereof, the Illinois EPA states as follows:

1. On or about November 25, 2014, the Illinois EPA received an application and supporting information from Marathon Petroleum Company, LP (“Marathon”) concerning the proposed tax certification of certain air emission sources and/or equipment located at its Robinson petroleum refinery in Crawford County, Illinois. A copy of the application is attached hereto. **[Exhibit A]**.

2. The applicant’s principal business and facility address is as follows:

Marathon Petroleum Company, LP
400 South Marathon Avenue
Robinson, Illinois 62454

3. The subject matter of this request consists of the installation of a Diesel Oxidation Converter (“DOC”) system to an engine component of the facility’s storm-water system. Specifically, the DOC system described in the application is a flow-through type of catalyst technology that was selected to replace an existing muffler used on the diesel engine of a storm

water pump designated No. 79GE-96D. *See*, Exhibit A at page 1 of 2 and attached CleanAIR Systems specifications. The application states that the catalyst system is designed “to reduce carbon monoxide (CO), hydrocarbons (HC) and diesel particulate matter (PM)” and estimates a seventy percent (70%) reduction in CO emissions from the equipment. *See*, Exhibit A at page 2 of 2 and attached CleanAIR Systems specifications. The system also appears to offer the incidental value of serving as a replacement to a muffler or silencer system.¹

4. Pollution control facilities are entitled to preferential tax treatment, as provided by 35 ILCS 200/11-5 (2002).

5. Section 11-10 of the Property Tax Code, 35 ILCS 200/11-10 (2002), defines “pollution control facilities” as:

“any system, method, construction, device or appliance appurtenant thereto, or any portion of any building or equipment, that is designed, constructed, installed or operated for the primary purpose of: (a) eliminating, preventing, or reducing air or water pollution... or (b) treating, pretreating, modifying or disposing of any potential solid, liquid, gaseous pollutant which if released without treatment, pretreatment, modification or disposal might be harmful, detrimental or offensive to human, plant or animal life, or to property.”

This definition is broad on its face², consistent with a legislative intent to promote a wide array of environmental improvements and reduce the financial expenditures by those who are making the improvements.³ Here, the subject equipment is a type of passive, process control rather than

¹ The application and supporting materials make reference to a silencer system in conjunction with the catalyst system. It is not abundantly clear whether the silencer system is distinct from the catalyst system or, alternatively, whether it is merely one means (or form) by which the catalyst system can be retrofitted to an existing engine. In any event, the Illinois EPA’s recommendation addresses the catalyst system as the pollution control facility and, further, does not rely upon the silencing or muffling of noise as an attribute of the project, as the statutory requirements for tax certification do not extend to equipment or systems whose primary purpose relates to noise pollution.

² *See, Beelman Truck Company v. Cosentino*, 624 N.E.2d 454, 456 (5th Dist. App. Ct. 1993). *See also*, Cite to Massachusetts’s case?

³ *See supra, Beelman Truck Company v. Cosentino* (legislature’s intent when adopting pollution control facility definition in Use Tax Act was “intended to encourage diverse means for reducing pollution”), *citing, Columbia Quarry Co. v. Department of Revenue*, 506 N.E.2d 795 (1987); *see also, Illinois Cereal Mills, Inc., v. Department of Revenue*, 346 N.E.2d 69, 71 (4th Dist. App. Ct. 1976).

a traditional end-of-the-pipe or active control system, but it nonetheless falls within the definition of a pollution control facility.

6. The foremost limiting factor in the definition is the primary purpose test. Some recent tax certification requests involving air pollution control facilities have highlighted the primary purpose test, which courts have held “seeks to determine the function and ultimate objective” of the subject equipment.⁴ In this instance, the Diesel Oxidation Catalyst System appears to be primarily designed to convert the exhaust from the diesel engine into carbon dioxide and water, thus reducing or preventing CO and particulate matter emissions.⁵

7. Based on information in the application, it is the Illinois EPA’s engineering judgment that the Diesel Oxidation Catalyst System is a device whose primary purpose is the prevention of air pollution and therefore may be considered as “pollution control facilities” in accordance with the statutory definition and consistent with the Board’s regulations at 35 Ill. Adm. Code 125.200. [Exhibit B]. For the reasons mentioned herein, the Illinois EPA recommends the Board **grant** tax certification of the system.

Respectfully submitted by,

/s/ Robb H. Layman
Robb H. Layman
Assistant Counsel

Date: December 31, 2014

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276
Telephone: (217) 524-9137

⁴ See, *Beelman Truck Company v. Cosentino*, 624 N.E.2d at 457, citing, *Shred Pax Corp. v. Department of Revenue*, 559 N.E.2d 492, 494 (Ill. App. Ct. 1st Dist.) and *Illinois Cereal Mills, Inc., v. Department of Revenue* at 71.

⁵ Compare, *Central Illinois Light Co. v. Department of Revenue*, 784 N.E.2d 442, 446-447 (3rd Dist. App. Ct. 2003)(explaining that the primary purpose of the trucks involved in the *Beelman* decision “was to reduce, control and prevent pollution by *actually removing pollution*”(emphasis added)).

CERTIFICATE OF SERVICE

I hereby certify that on the 31st day of December, 2014, I electronically filed the following instruments entitled **NOTICE, APPEARANCE** and **RECOMMENDATION** with:

John Therriault, Clerk
Illinois Pollution Control Board
100 West Randolph Street
Suite 11-500
Chicago, Illinois 60601

and, further, that I did send a true and correct paper copy of the same foregoing instruments, by First Class Mail with postage thereon fully paid and deposited into the possession of the United States Postal Service, to:

Steve Santarelli
Illinois Department of Revenue
101 West Jefferson Avenue
P.O. Box 19033
Springfield, Illinois 62794

Kevin D. Bogard
Marathon Petroleum Company, LP
400 South Marathon Avenue
Robinson, Illinois 62454

/s/ Robb H. Layman
Robb H. Layman
Assistant Counsel

APPLICATION FOR CERTIFICATION (PROPERTY TAX TREATMENT)
 POLLUTION CONTROL FACILITY

AIR WATER

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY
 P. O. Box 19276, Springfield, IL 62794-9276

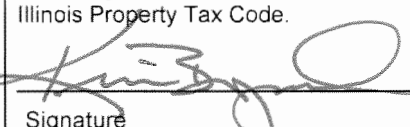
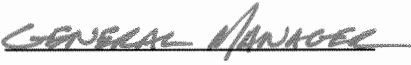
This Agency is authorized to request this information under Illinois Revised Statutes, 1979, Chapter, 120, Section 502a-5. Disclosure of this information is voluntary. However, failure to comply could prevent your application from being processed or could result in denial of your application for certification.

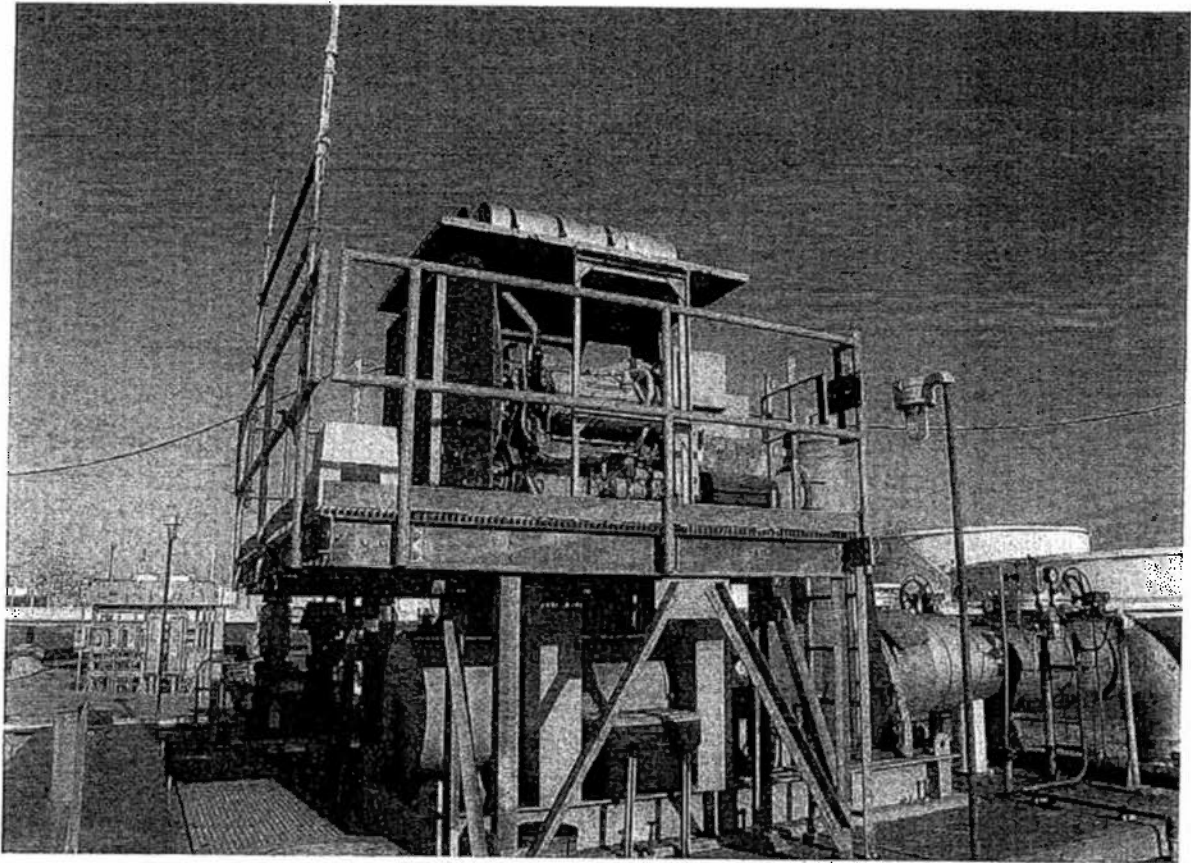
FOR AGENCY USE

File No.	Date Received	Certification No.	Date	
Sec. A APPLICANT	Company Name Marathon Petroleum Company LP			
	Person Authorized to Receive Certification Kevin D. Bogard		Person to Contact for Additional Details Susan Hawkins	
	Street Address 400 South Marathon Avenue		Street Address 400 South Marathon Avenue	
	Municipality, State & Zip Code Robinson, IL 62454		Municipality, State & Zip Code Robinson, IL 62454	
	Telephone Number 618-544-2121		Telephone Number 618-544-2121	
	Location of Facility Quarter Section	Township Robins	Range	Municipality Robinson
	Street Address 400 South Marathon Avenue		County Crawford	Township Robins
	Property Identification Number 05-1-34-000-021-000		Parcel Number 1202100001	Book Number
	Sec. B MANUFACTURING OPERATIONS	Nature of Operations Conducted at the Above Location Petroleum Refining		
Water Pollution Control Construction Permit No. N/A		Date Issued		
NPDES PERMIT No. IL0004073		Date Issued 09/30/09	Expiration Date 09/30/14	
Air Pollution Control Construction Permit No. N/A		Date Issued		
Air Pollution Control Operating Permit No. 96010007 (Title V Permit)		Date Issued 11/23/03		
Sec. C MANUFACTURING PROCESS	Describe Unit Process This project installed a diesel oxidation catalyst system to the exhaust of the diesel storm water pump engine. This installation reduces Carbon Monoxide by 70% and the silencer system on the stormwater pump engine reduces noise.			
	Materials Used in Process Diesel Oxidation catalyst system and silencer system.			
Sec. D POLLUTION CONTROL FACILITY DESCRIPTION	Describe Pollution Abatement Control Facility The Diesel Oxidation Catalyst (DOC) and silencer system was installed on the stormwater pump engine (79GE-96D) replaced the existing muffler and oxidizes the diesel exhaust into carbon dioxide and water vapor. This oxidation provides a 70% reduction in carbon monoxide emissions.			

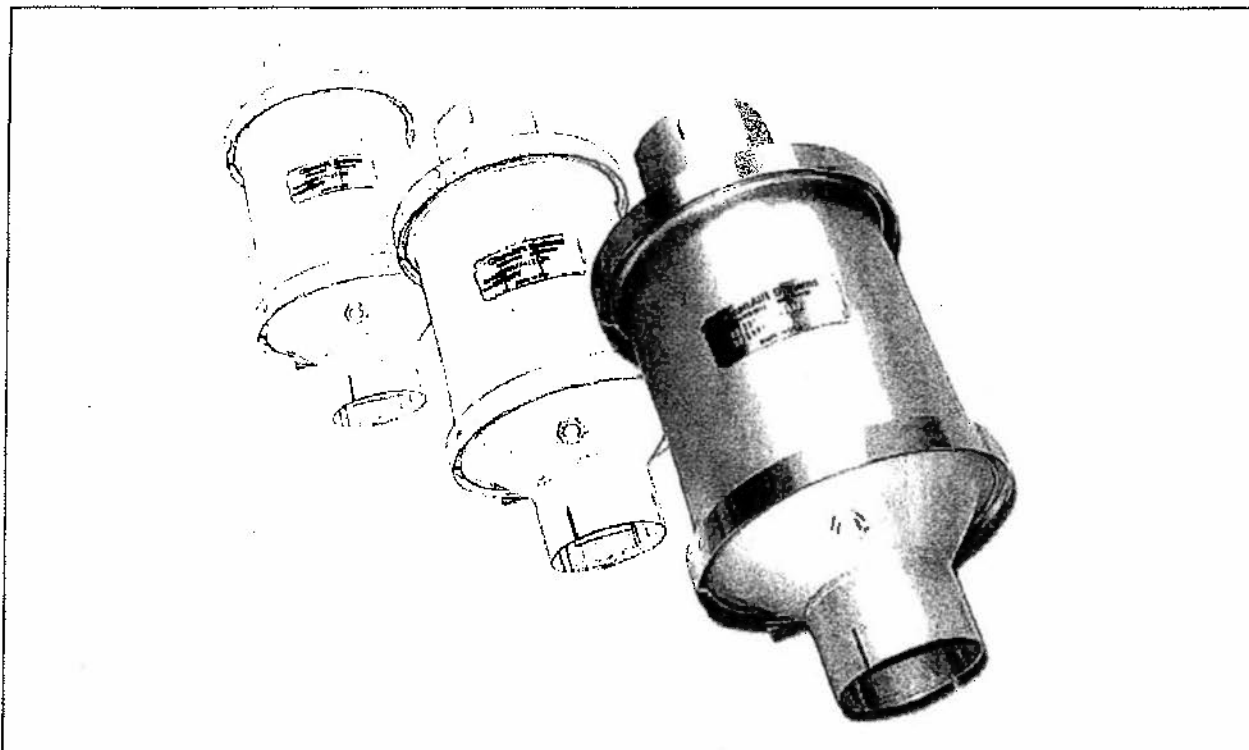
RECEIVED
 STATE OF ILLINOIS
 NOV 25 2014
 Environmental Protection Agency
 BUREAU OF AIR

Exhibit A

Sec. E	(1) Nature of Contaminants or Pollutants Hydrocarbons (volatile organic compounds, inter alia).			
			Material Retained, Captured or Recovered	
	Contaminant or Pollutant	DESCRIPTION	DISPOSAL OR USE	
	Carbon Monoxide	Pollutant	Controlled Diesel Oxidation Catalyst system	
	(2) Point(s) of Waste Water Discharge			
			Plans and Specifications Attached	
			Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
	(3)	Are contaminants (or residues) collected by the control facility?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
(4)	Date installation completed _____ status of installation on date of application <u>Complete</u>			
ACCOUNTING DATA	(5) a.	FAIR CASH VALUE IF CONSIDERED REAL PROPERTY:	\$ 397,994.00	
	b.	NET SALVAGE VALUE IF CONSIDERED REAL PROPERTY:	\$ 1,990.00	
	c.	PRODUCTIVE GROSS ANNUAL INCOME OF CONTROL FACILITY:	\$ 0.00	
	d.	PRODUCTIVE NET ANNUAL INCOME OF CONTROL FACILITY:	\$ 0.00	
	e.	PERCENTAGE CONTROL FACILITY BEARS TO WHOLE FACILITY VALUE:	% .0002	
Sec. F	The following information is submitted in accordance with the Illinois Property Tax Code, as amended, and to the best of my knowledge, is true and correct. The facilities claimed herein are "pollution control facilities" as defined in Section 11-10 of the Illinois Property Tax Code.			
	SIGNATURE	 Signature		
		 Title		
Sec. G	INSTRUCTIONS FOR COMPILING AND FILING APPLICATION			
	General: Separate applications must be completed for each control facility claimed. Do not mix types (water and air). Where both air and water operations are related, file two applications. If attachments are needed, record them consecutively on an index sheet.			
	Sec. A	Information refers to applicant as listed in the tax records and the person to be contacted for further details or for inspection of facilities. Define facility location by street address or legal description. A plat map location is required for facilities located outside of municipal boundaries. The property identification number is required.		
	Sec. B	Self-explanatory. Submit copies of all permits issued by local pollution control agencies. (e.g. MSD Construction Permit)		
	Sec. C	Refers to manufacturing processes or materials on which pollution control facility is used.		
	Sec. D	Narrative description of the pollution control facility, indicating that its primary purpose is to eliminate, prevent or reduce pollution. State the type of control facility. State permit number, date, and agency issuing permit. A narrative description and a process flow diagram describing the <u>pollution control facility</u> . Include a listing of each major piece of equipment included in the claimed fair cash value for real property. Include an <u>average</u> analysis of the influent and effluent of the control facility stating the collection efficiency.		
	Sec. E	List air contaminants, or water pollution substances released as effluents to the manufacturing processes. List also the final disposal of any contaminants removed from the manufacturing processes. Item (1) – Refers to pollutants and contaminants removed from the process by the pollution control facility. Item (2) – Refers to water pollution but can apply to water-carried wastes from air pollution control facilities. Submit drawings, which clearly show (a) Point(s) of discharge to receiving stream, and (b) Sewers and process piping to and from the control facility. Item (3) – If the collected contaminants are disposed of other than as wastes, state the disposition of the materials, and the value in dollars reclaimed by sale or reuse of the collected substances. State the cost of reclamation and related expense. Item (4) – State the date which the pollution control facility was first placed in service and operated. If not, explain. Item (5) – This information is essential to the certification and assessment actions. This accounting data must be completed to activate project review prior to certification by this Agency.		
	Sec. F	Self-explanatory. Signature must be a corporate authorized signature.		
		Submit to:	Attention:	Attention:
		Illinois EPA P.O. Box 19276 Springfield, IL 62794-9276	Al Keller Permit Section Division of Water Pollution Control	Donald E. Sutton Permit Section Division of Air Pollution Control



Water Tower Under Construction



The CleanAIR ASSURE™ DOC

Reduces HC, CO and PM

The ASSURE™ DOC (diesel oxidation converter) for diesel engines is a flow through catalyst designed to reduce carbon monoxide (CO), hydrocarbons (HC) and diesel particulate matter (PM). The high-performance, durable oxidation catalyst is housed within a 304L stainless steel, corrosion resistant package. This unique catalyst technology is available as a standard ASSURE™ DOC unit or packaged as Industrial, Critical or Super-Critical silencer designs. Available with multiple custom configurations, the ASSURE™ DOC can be retrofitted as a direct muffler or silencer replacement.

Reduces:

- HC up to 95%
- CO up to 95%
- PM by 20%

**Achieves NESHAP-CI Emissions Levels
for Diesel Engines**

**CleanAIR
SYSTEMS**

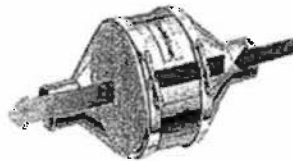
A Caterpillar Company

Customized to Client's Specifications

- Custom design and fabrication
- Product Optimization for Space Availability
- Does not require regeneration
- Available as a Muffler Replacement or Silencer Unit
- Available with V-Clamp or Welded Design
- Available as Industrial, Critical and Super-Critical Silencer Designs
- Available in Multiple Custom Inlet and Outlet Configurations

No Health Risk

- Uses non-toxic, non-vanadium catalyst



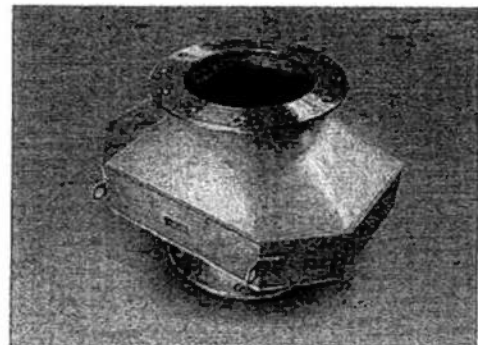
Muffler Replacement

The ASSURE™ DOC is packaged inside a 304L stainless steel housing and finished by bead blasting to give a highly corrosion-resistant product that will replace the existing muffler and last for years. The muffler can be clamped together to allow access to the DOC unit for inspection if desired. Slip-on, bolt flanges or other types of connectors can be designed on the unit. In general DOC muffler units are the same size or slightly larger than the original muffler. This is necessary to keep engine backpressure at a low level. Every effort is made to design the ASSURE™ DOC to fit in the smallest possible package while maintaining engine performance.



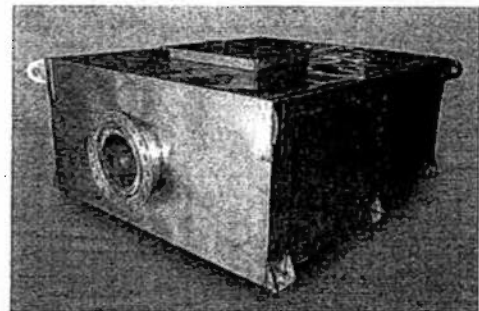
Exhaust Temperature Requirements

Temperature of the exhaust is one important factor in the design of the ASSURE™ DOC. Fuel sulfur content also play an important role. Depending upon these factors, the ASSURE™ DOC will reduce emissions at temperatures as low as 180°C (356°F), increasing rapidly as temperature increases. Consult your sales specialist for expected application activity and ideal operating conditions.



How Fuel Effects Performance

For the maximum performance in PM removal efficiency, it is recommended that the ASSURE™ DOC operates in conjunction with ultra low sulfur diesel fuel (ULSD), less than 15 ppm sulfur by weight. As the fuel sulfur content increases, the PM removal efficiency decreases. High sulfur fuel, greater than 500 ppm, will not damage the catalyst.



A silencer replacement design is available for applications that require higher levels of sound attenuation or that require multiple ASSURE™ DOCs. The corrosion-resistant stainless steel shell has a removable panel allowing complete access to the converters mounted inside. The fully-insulated, double-walled body also helps keeps surface temperature lower. The ASSURE™ DOC/Silencer is available in three sound reduction levels.

Silencer Type	Typical Attenuation
Industrial Grade	22-29 dBA
Critical Grade	27-35 dBA
Super Critical Grade	30-38 dBA

To submit an online request for pricing, go to www.cleanairsys.com/rfp.asp
 PEDJ0102

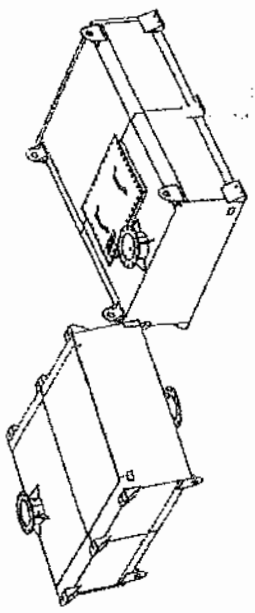
© 2010 CleanAIR Systems

www.cleanairsys.com 505-474-4120 800-355-5513 information@cleanairsys.com

**CleanAIR
 SYSTEMS**
 A Caterpillar Company

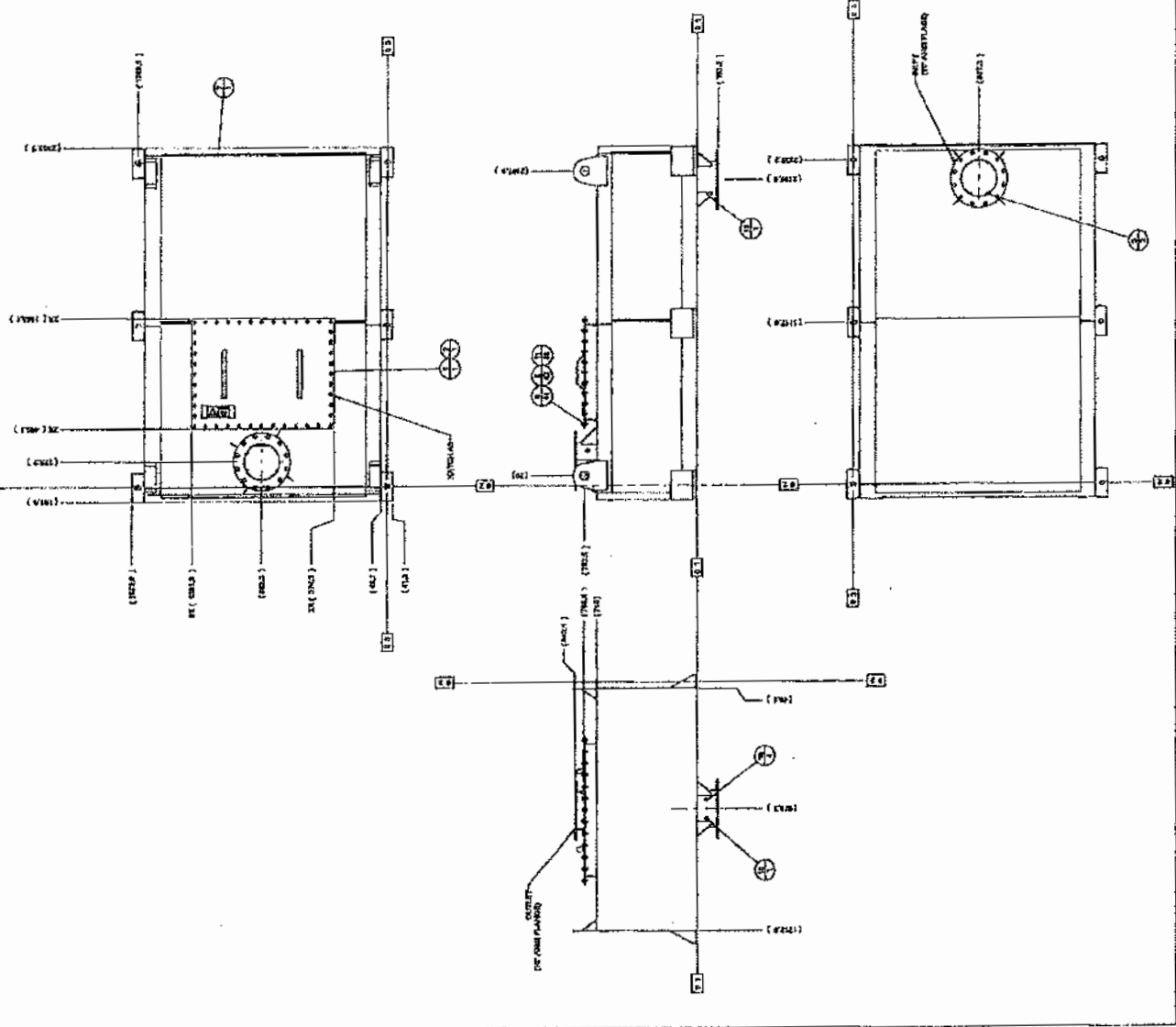
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NOTE A. TO BE REMOVED BY CUSTOMER
INLET AND OUTLET ARE TO BE PLUGGED FOR
SHIPPING AND HANDLING





ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 • (217)782-2829

PAT QUINN, GOVERNOR

LISA BONNETT, DIRECTOR

217/782-0610

September 19, 2013

Marathon Petroleum Company, LLC
P.O. Box 1200
Robinson, Illinois 62454

RECEIVED 8/21/2013
ENVIRONMENTAL DEPARTMENT
MARATHON PETROLEUM COMPANY LP
ILLINOIS REFINING DIVISION
ROBINSON, ILLINOIS

Re: Marathon Petroleum Company, LLC
Marathon Petroleum Company, LLC - Robinson Refinery
NPDES Permit No. IL0004073
Modification of NPDES Permit (After Public Notice)

Gentlemen:

The Illinois Environmental Protection Agency has reviewed the request for modification of the above-referenced NPDES Permit and issued a public notice based on that request. The final decision of the Agency is to modify the Permit as follows:

The 30-day average and daily maximum concentration limits for fluoride at outfall 001 have been changed to 4 and 17 mg/L. The respective load limits have been changed to 115 and 486 pounds per day. These changes are pursuant to updated regulations in 35 Ill. Adm. Code 302.208.

Special Conditions 22, 23, and 24 have been removed from the permit.

Enclosed is a copy of the modified Permit. You have the right to appeal this modification to the Illinois Pollution Control Board within a 35 day period following the modification date shown on the first page of the permit.

Should you have any question or comments regarding the above, please contact Mark E. Liska of my staff.

Sincerely,

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

SAK:MEL:13052109.daa

Attachment: Final Permit

cc: Records
Compliance Assurance Section
Champaign Region
USEPA
Indiana Dept. of Environmental Management

NPDES Permit No. IL0004073

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

Modified (NPDES) Permit

Expiration Date: September 30, 2014

Issue Date: September 30, 2009

Effective Date: October 1, 2009

First Modification Date: December 9, 2010

Second Modification Date: May 11, 2012

Third Modification Date: September 19, 2013

Name and Address of Permittee:

Marathon Petroleum Company LP
P.O. Box 1200
Robinson, Illinois 62454

Facility Name and Address:

Marathon Petroleum Company LP - Robinson Refinery
100 Marathon Avenue
Robinson, Illinois 62454
(Crawford County)

Discharge Number and Name:

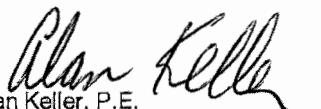
001 - Wastewater Treatment Plant Discharge
002 - Treatment Plant Bypass
003 - East Impoundment Basin Discharge
005 - Coke Rail Car Repair Area Stormwater Runoff
006 - York Pond/North Culvert Outflow Stormwater
007 - Southeast Culvert/North Ditch Run-In Stormwater
008 - Southern Fence Line Stormwater Runoff
009 - Southwest Gate Drainage Culvert/South Culvert Stormwater
010 - Northwest Fence Pipe Outflow Stormwater

Receiving Waters:

Robinson Creek
Marathon Creek
Marathon Creek
Marathon Creek
Robinson Creek
Unnamed Creek tributary to Robinson Creek
Drainage Tile tributary to Marathon Creek
Unnamed Ditch tributary to Robinson Creek
Unnamed Ditch tributary to Robinson Creek

In compliance with the provisions of the Illinois Environmental Protection Act, Title 35 of Ill. Adm. Code, Subtitle C and/or Subtitle D, Chapter 1, and the Clean Water Act (CWA), the above-named permittee is hereby authorized to discharge at the above location to the above-named receiving stream in accordance with the standard conditions and attachments herein.

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


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

SAK:MEL:13052109.daa

NPDES Permit No. IL0004073

Effluent Limitations and Monitoring

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

Outfall(s): 001: Wastewater Treatment Plant Discharge and FCCU Scrubber Wastewater - (DAF = 2.666 MGD)

Outfall 001 consists of Treated Process Wastewater, which includes Coke Railcar Water, Fire Hydrant Flushings, Fire Training Water, Fire Water from Emergency Response Operations, Reverse Osmosis Rejection Water, Boiler and Cooling Tower Blowdown, Treated Sanitary Wastewater, Process Wastewater and Hydrostatic Test Water from Terminals and Pipelines, Stormwater Runoff, Hydrostatic Test Water, Treated Groundwater, and Filter Backwash Water, all treated in the Waste Water Treatment Plant. Discharge is to Robinson Creek. Average proposed discharge is 2.666 MGD; Peak Average Flow is 3.434 MGD.

PARAMETER	LOAD LIMITS lbs/day*** DAF (DMF)		CONCENTRATION LIMITS mg/l		SAMPLE FREQUENCY	SAMPLE TYPE	
	30 DAY AVERAGE	DAILY MAXIMUM	30 DAY AVERAGE	DAILY MAXIMUM			
Flow (MGD)	See Special Condition 1				Continuous	Meter	
pH	See Special Condition 2				2/Week	Grab	
Temperature	See Special Condition 8				2/Week	Grab	
BOD ₅	222	573	10	20	2/Week	Composite	
Total Suspended Solids	267	687	12	24	2/Week	Composite	
Chemical Oxygen Demand	9,767	18,821			2/Week	Composite	
Oil & Grease	333	763	15	30	1/Week	Mathematical Composite**	
Phenol (4AAP)		2.9		0.1	2/Week	Composite	
Ammonia as N*							
Spring/Fall	33	163	1.5	5.7	2/Week	Composite	
Summer	33	198	1.5	6.9	2/Week	Composite	
Winter	89	135	4.0	4.7	2/Week	Composite	
Sulfide	7.4	16.5			2/Week	Composite	
Total Chromium*****	9.8	28	1.0	2.0	2/Year	Composite	
Hexavalent Chromium*****	0.24	0.46	0.011	0.016	2/Year	Composite	
Chloride		28,643		1000	2/Week	Composite	
			Monthly Average Minimum	Weekly Average Minimum	Daily Minimum		
Dissolved Oxygen							
March - July		NA		6	5	2/Week	Grab
August - February		5.5		4	3.5	2/Week	Grab

NPDES Permit No. IL0004073

Effluent Limitations and Monitoring

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

Outfall 001: Wastewater Treatment Plant Discharge (continued)

PARAMETER	LOAD LIMITS lbs/day*** DAF (DMF)		CONCENTRATION LIMITS mg/l		SAMPLE FREQUENCY	SAMPLE TYPE
	30 DAY AVERAGE	DAILY MAXIMUM	30 DAY AVERAGE	DAILY MAXIMUM		
Sulfate		46,797****		1,634****	2/Week****	Composite
Mercury				Monitor*****	1/Year	Composite
Fluoride	115	486	4	17	2/month	Composite
Zinc (total)	1.2	8.7	0.055	0.305	2/Year*****	Composite

*For Ammonia as Nitrogen, Spring/Fall is March-May and September-October; Summer is June-August; Winter is November-February. Discharge from Outfall 001 will also be subject to weekly average Ammonia as Nitrogen limits. The Spring/Fall and Summer weekly average limit is 3.8 mg/L (85 lb/day). No weekly average limit applies in Winter months.

**See Special Condition 7.

***See Special Condition 19.

**** See also Special Condition 14.

*****Mercury will be sampled once per year. In the event that only one sample is collected during the calendar year, the Permittee shall report this value as a daily maximum on the January DMR form. Should the Permittee sample more frequently, the Permittee shall report the average value of all results as a monthly average value and the maximum of all results as a daily maximum on the January DMR form.

Total Chromium, Hexavalent Chromium, and Zinc shall be sampled twice per year. In the event that only one sample is collected in the six-month period, the permittee shall report the semiannual value as the daily maximum on the January or July DMR form and this value will be subject only to the daily maximum limit. Should the permittee sample more frequently, the permittee shall report the average value of all results obtained during the six-month period as the monthly average value subject to the monthly average limit and the maximum of all results as a daily maximum subject to the daily maximum limit on the January or July DMR form. If the Hexavalent Chromium concentration(s) is below the detection limit (< 0.01 mg/L), then the load limit shall be calculated using one-half the detection limit as the concentration.

NPDES Permit No. IL0004073

Effluent Limitations and Monitoring

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

Outfall(s): 002: Treatment Plant Bypass - (Intermittent Discharge)

Outfall 002 consists of Process Area Stormwater, Cooling Tower and Boiler Blowdown, Stormwater Impoundments, and Overflow from Wastewater Treatment Plant (Including Process Wastewater). Discharge is to Marathon Creek. See Special Condition 9 regarding Bypass.

PARAMETER	LOAD LIMITS lbs/day****		CONCENTRATION LIMITS mg/l		SAMPLE FREQUENCY*	SAMPLE TYPE
	30 DAY AVERAGE	DAILY MAXIMUM	30 DAY AVERAGE	DAILY MAXIMUM		
Flow (MGD)	See Special Condition 1				1/Day	Estimate
pH	See Special Condition 2				1/Day	Grab
BOD ₅			10	20	1/Day	Grab
Total Suspended Solids			12	24	1/Day	Grab
Oil & Grease			15	30	1/Day	Grab
Ammonia as N**						
Spring/Fall			1.4	5.7	1/Day	Grab
Summer			1.4	6.9	1/Day	Grab
Winter			4.0	4.7	1/Day	Grab
Phenols				0.1	1/Day	Grab
Total Chromium			1.0	2.0	1/Day	Grab
Hexavalent Chromium			0.011	0.016	1/Day	Grab
Chemical Oxygen Demand				Monitor	1/Day	Grab
Chloride				500	1/Day	Grab
Total BETX***				Monitor	1/Day	Grab
Total PNAs***				Monitor	1/Day	Grab

Note: Ammonia, Biochemical Oxygen Demand, Oil and Grease, Total Chromium, Hexavalent Chromium, and Total Suspended Solids shall be sampled once per day during discharge. In the event that only one sample is collected during the month, the Permittee shall report the values as daily maximums on the DMR form and these values will be subject only to the daily maximum limits. Should the Permittee sample more frequently or discharge occurs for more than 24-hours during a month, the Permittee shall report the average value of all results obtained during the month as a monthly average value subject to the monthly average limit and the maximum of all results as a daily maximum subject to the daily maximum limit.

*One sample per day when discharging.

**For Ammonia as Nitrogen, Spring/Fall is March-May and September-October; Summer is June-August; and Winter is November-February. Should discharge occur on two or more days in a seven-day period, weekly average limits for Ammonia as Nitrogen shall apply. The Spring/Fall and Summer weekly average limit is 3.5 mg/L. No weekly average limit applies for Winter.

***For BETX and PNAs, the Permittee shall sample daily when discharging. The Permittee shall report a daily maximum for each month in which discharge occurs. For any month which two or more discharges occur, the Permittee shall report a monthly average on the DMR form. See Special Condition 12.

****See Special Condition 19.

NPDES Permit No. IL0004073

Effluent Limitations and Monitoring

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

Outfall(s): 003: East Impoundment Basin Discharge***** - (DAF = 2.631 MGD)

Outfall 003 consists of Hydrostatic Test Water, Coke Railcar Wash Water, Non-Process Area Stormwater, East and West Tank Farm Controlled Stormwater Drainage, Stormwater from Wabash Pond, Non-Emergency Use Firewater, Fire Hydrant Flushings, Fire Water from Emergency Use, Utility Water, and Frog Pond stormwater due to extreme rainfall. Discharge is to Marathon Creek.

PARAMETER	LOAD LIMITS lbs/day		CONCENTRATION		SAMPLE FREQUENCY	SAMPLE TYPE
	30 DAY AVERAGE	DAILY MAXIMUM	30 DAY AVERAGE	DAILY MAXIMUM		
Flow (MGD)	See Special Condition 1				1/Day	Estimate
pH	See Special Condition 2				1/Day	Grab
Oil & Grease			15	30	1/Day	Mathematical Composite*
Phenol				0.1	1/Day	Composite
Total Chromium			1.0	2.0	1/Day	Composite
Total Organic Carbon****			Monitor		2/Year**	Composite
Ammonia as N***						
Spring/Fall			1.4	5.7	1/Day	Composite
Summer			1.4	6.9	1/Day	Composite
Winter			4.0	4.7	1/Day	Composite
Total Suspended Solids			15	30	2/Year**	Composite
BOD ₅			Monitor		2/Year**	Composite
Chemical Oxygen Demand			Monitor		2/Year**	Composite
Sulfide			Monitor		2/Year**	Composite
Chloride				500	2/Year**	Composite
Fluoride				30	2/Year**	Composite
Sulfate				1,634	2/Year**	Composite

*See Special Condition 7.

**Total Organic Carbon, Total Suspended Solids, Biological Oxygen Demand, Chemical Oxygen Demand, Sulfide, Chloride, Fluoride, and Sulfate shall be sampled twice per year. In the event that only one sample is collected in the six-month period, the Permittee shall report the semiannual value as a daily maximum on the January or July DMR form and this value will be subject only to the daily maximum limit. Should the Permittee sample more frequently, the Permittee shall report the average value of all results obtained during the six-month period as a monthly average value subject to the monthly average limit and the maximum of all results as a daily maximum subject to the daily maximum limit on the January or July DMR form.

***For Ammonia as Nitrogen, Spring/Fall is March-May and September-October; Summer is June-August; and Winter is November-February. Ammonia as Nitrogen is subject to weekly average limits. Spring/Fall and Summer weekly average limit is 3.5 mg/L. For Winter no weekly average limit applies. In the event that only one sample is collected during a month, the Permittee shall report the value as a daily maximum and this value will be subject only to the daily maximum limit. Should the Permittee sample more frequently, the Permittee shall report the average value of all results obtained during the month as a monthly average value subject to the monthly average limit and the maximum of all results as a daily maximum subject to the daily maximum limit.

****See Special Condition 20.
*****See Special Condition 15.

NPDES Permit No. IL0004073
Special Conditions

SPECIAL CONDITION 1. Flow shall be reported in MGD as a daily maximum and a monthly average, and shall be reported on the monthly DMR form.

SPECIAL CONDITION 2. For outfalls 001, and 002, the pH shall be in the range 6.0 to 9.0. The monthly minimum and monthly maximum values shall be reported on the DMR form. For outfall 003, the minimum pH shall be 6.0, but the pH 9.0 maximum limitation may be exceeded if the elevated pH level is caused entirely by algae in treatment lagoons, in which case there is no upper pH limit. This shall be indicated by the permittee in the comment section of the DMR form.

SPECIAL CONDITION 3. Samples taken in compliance with the effluent monitoring requirements shall be taken at a point representative of the discharge, but prior to entry into the receiving stream.

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

SPECIAL CONDITION 5. The use or operation of this facility shall be by or under the supervision of a Certified Class K operator.

SPECIAL CONDITION 6. 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 20th day of the following month, unless otherwise specified by the permitting authority.

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

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

SPECIAL CONDITION 7. Mathematical composites for oil, fats and greases shall consist of a series of grab samples collected over any 24-hour consecutive period. Each sample shall be analyzed separately and the arithmetic mean of all grab samples collected during a 24-hour period shall constitute a mathematical composite. No single grab sample shall exceed a concentration of 75 mg/l.

SPECIAL CONDITION 8. For outfall 001, 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.)

Jan. Feb. Mar. April May June July Aug. Sept. Oct. Nov. Dec.

°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.

D. Temperature monitoring may be performed manually using a certified portable temperature monitoring device. The Outfall 001 temperature will be monitored on-site at the sampling weir located south of the Sand Filter Building or other representative monitoring location in the event the sampling weir is out of service. In the event the Outfall 001 temperature exceeds the limits in the table, upstream and downstream temperature readings will be monitored at designated locations. The upstream temperatures will be monitored at the bridge north of Carter Lumber, or downstream of the City of Robinson Waste Water Treatment Plant, or other location that is representative of Robinson Creek prior to mixing with Outfall 001. The downstream temperatures will be monitored at the bridge at the Hog Farm east of Route 1, or the Route 1 Highway bridge, or other location that is representative of Robinson Creek and Outfall 001.

SPECIAL CONDITION 9. Discharge Number 002 is an emergency high level bypass. Discharges from this overflow are subject to the following conditions:

(1) Definitions

- (i) "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility.
- (ii) "Severe property damage" means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

(2) Bypass not exceeding limitations. The Permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it is for essential maintenance to assure efficient operation. Bypass of WWTP sand filters due to excess hydraulic loading to the sand filters is an acceptable bypass, provided the effluent does not cause effluent limitations to be exceeded. Bypass of WWTP Tank 79D-63 in order to impound off-spec wastewater so as to prevent a negative impact to the activated sludge treatment is an acceptable bypass, provided the effluent does not cause effluent limitations to be exceeded. These bypasses are not subject to the provisions of paragraphs (3) and (4) of this section.

(3) Notice

- (i) Anticipated bypass. If the Permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible at least ten days before the date of the bypass.
- (ii) Unanticipated bypass. The Permittee shall submit notice of an unanticipated bypass as required in Standard Condition 12(e) of this Permit (24-hour notice). In the event that notice shall be given outside of business hours, the permittee shall contact the Illinois Emergency Management Agency at 800-782-7860.

(4) Prohibition of bypass. Bypass is prohibited, and the IEPA may take enforcement action against a Permittee for bypass, unless:

- (i) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
- (ii) There was no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and
- (iii) The Permittee submitted notices as required under Standard Condition 12(e) of this Permit.

(5) Emergency Bypass when discharging, shall be monitored daily for parameters listed on Page 3 for outfall 002. The Permittee shall submit the monitoring results on Discharge Monitoring Report forms using one such form for each month in which bypassing occurs. The Permittee shall specify the number of discharges per month and the duration in days of each discharge that occur in the comments section of the DMR form. The Permittee shall report the average and maximum concentration values for the parameters listed on Page 3 for outfall 002 on the DMR form.

SPECIAL CONDITION 10.

STORM WATER POLLUTION PREVENTION PLAN (SWPPP)

- A. 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 180 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.
- 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:
 - i. 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.
 3. A narrative description of the following:
 - i. 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.
 5. 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.
 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:
1. Storm Water Pollution Prevention Personnel - Identification by job titles of the individuals who are responsible for developing, implementing, and revising the plan.
 2. 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.
 3. 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:
 - i. 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.
 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.
- I. 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.
- 3. 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 EPA 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.
- 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.

SPECIAL CONDITION 11. For outfalls 001, 002, and 003, the Agency has determined that the effluent limitations in this permit constitute

BAT/BCT for storm water 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 12. For the purposes of this permit, Total PNAs is defined as the arithmetic sum of the following polynuclear aromatic compounds: Acenaphthene, Acenaphthylene, Anthracene, Benzo(a)anthracene, Benzo(a)pyrene, Benzo(b)fluoranthene, Benzo(k)fluoranthene, Benzo(g,h,i)perylene, Dibenzo(a,h)anthracene, Indeno(1,2,3-c,d)pyrene, Chrysene, Fluoranthene, Fluorene, Naphthalene, Phenanthrene, and Pyrene. Total BETX shall be defined as the arithmetic sum of Benzene, Toluene, Ethylbenzene, and Total Xylenes. For the purpose of showing compliance, concentrations found to be below detection shall be considered zero in calculations and will be reported as zero on the DMR form if all concentrations are below the detection limits.

SPECIAL CONDITION 13. The permittee shall prepare a biomonitoring plan for the testing of outfall 001 as outlined in Special Condition 13 and Special Condition 14. The plan must be submitted to the Compliance Assurance Section within forty-five (45) days of the effective date of this permit.

1. Chronic Toxicity - Standard definitive chronic toxicity tests shall be run on Fathead Minnow. Testing must be consistent with Short-term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms, (Fourth Edition - October 2002) EPA/821-R-02-013. Results shall be reported according to Section 10 of this publication. The selection of an appropriate control for the toxicity tests shall be submitted to IEPA for review and approval prior to use. Unless substitute tests are pre-approved; the following tests are required:
 - a. Fish - Fathead Minnow (*Pimephales promelas*) Larval Survival and Growth Test.
 - b. Ceriodaphnia Survival and Reproduction Test.
 - c. This test shall be conducted on Waste Water Treatment Plant effluent, tributary to outfall 001, prior to entering the receiving stream and prior to mixing with any other wastewater sources.
2. Testing Frequency - The above tests shall be conducted on a monthly basis for six (6) months after Agency approval of the biomonitoring plan. The permittee shall conduct the test semi-annually thereafter. Tests shall be performed using 24-hour composite effluent samples unless otherwise authorized by the IEPA. Results shall be submitted to IEPA within fifteen (15) days of becoming available to the Permittee. The permittee shall submit results to the following address.

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

Illinois Environmental Protection Agency
Bureau of Water
Attn: Bob Mosher, Water Quality Standards
1021 North Grand Avenue East
P.O. Box 19276
Springfield, IL 62794-9276

3. Toxicity Assessment - Should the review of the results of the biomonitoring program indicate a significant baseline shift in toxicity, the IEPA may require that the Permittee prepare a plan for toxicity reduction evaluation and identification. This plan shall be developed in accordance with Toxicity Reduction Evaluation Guidance for Municipal Wastewater Treatment Plants, EPA/833B-99/002, and shall include an evaluation to determine which chemicals have a potential for being discharged in the plant wastewater, a monitoring program to determine their presence or absence and to identify other compounds which are not being removed by treatment, and other measures as appropriate. The Permittee shall submit to the IEPA its plan for toxicity reduction evaluation within ninety (90) days following notification by the IEPA. The Permittee shall implement the plan within ninety (90) days or other such date as contained in a notification letter received from the IEPA.

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

SPECIAL CONDITION 14. Untreated FCCU Scrubber Wastewater shall not be discharged to any waters of the state unless a modification to this permit is obtained. Modification under this special condition shall follow public notice and opportunity for hearing.

SPECIAL CONDITION 15. For the purpose of this permit, the discharge at outfall 003 shall be limited at all times to Hydrostatic Test Water, Coke Railcar Wash Water, Non-Process Area Stormwater, East and West Tank Farm Controlled Stormwater Drainage,

Stormwater from Wabash Pond, Non-Emergency Use Firewater, Fire Hydrant Flushings, Fire Water From Emergency Use, Utility Water, and Frog Pond stormwater due to extreme rainfall. In the event that the permittee must discharge process wastewater or contaminated stormwater runoff into the East Impoundment Basin for temporary storage, there shall be no discharge from outfall 003, and the permittee shall notify the IEPA, Division of Water Pollution Control, Champaign Field Operations Section within 24 hours (or the next business day). The permittee shall notify the Agency on each such occasion.

SPECIAL CONDITION 16. This permit does not authorize the permittee to operate an on-site sludge disposal facility or the land application of sludge on-site. Sludge handling activities are authorized by RCRA permit issued to the permittee.

SPECIAL CONDITION 17. The permittee shall add 300 pounds of powdered activated carbon (PAC) per day at an appropriate point in the WWTP process to address chronic toxicity and comply with outfall 001 limits. The permittee shall maintain a daily log of the amount of PAC injected into the Waste Water Treatment Plant. The amount of PAC may be reduced based upon review of appropriate data and Agency approval.

SPECIAL CONDITION 18. In addition to the other requirements of this permit no effluent shall contain settleable solids, floating debris, visible oil, grease, scum, or sludge solids. Color, odor, and turbidity shall be reduced to below obvious levels.

SPECIAL CONDITION 19.
Storm Water Credit:

An additional mass allowance may be calculated for Outfalls 001 and 002 Load Limitations, for the following parameters, based on 100% of the storm water flow as defined below.

<u>Parameter</u>	<u>Pounds per 1000 gallons of storm water flow</u>	
	<u>Average</u>	<u>Maximum</u>
COD	1.5	3.0
Oil and Grease	0.067*	0.13*
Chromium (total)	0.0018	0.005
BOD ₅	0.22	0.4
Phenolic Compounds	0.0014	0.0029

Dry Weather Flow - The average flow from the API separator for the last three consecutive zero precipitation days. Previously collected storm water shall not be included.

Storm Water Flows - The storm water runoff which is treated in the waste water treatment facility shall be defined as that portion of the flow greater than the dry weather flow.

The quantity of pollutants discharged shall not exceed the quantity determined by multiplying the flow of storm water as determined by the permittee times the concentrations listed in the above table.

The stormwater credit does not authorize the permittee to exceed the concentration limits contained in the Effluent Limitations and Monitoring for outfalls 001 and 002.

In computing monthly average permit limits to include storm water credit, the pound credit calculated above shall be averaged along with the process pound limits over the 30 day period. Explanatory calculations and flow data shall be submitted together with the DMR form. *At no time shall oil and grease exceed 450 lb/day monthly average, 844 lbs/day daily maximum, for Outfall 001.

SPECIAL CONDITION 20. The permittee shall monitor outfall 003 for Total Organic Carbon (TOC) and shall report the daily maximum value and a monthly average if more than one sample is collected in a one-month period. Based upon reported values, the Agency may impose limits on outfall 003 for Total Organic Carbon if necessary.

SPECIAL CONDITION 21. 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.

Attachment H

Standard Conditions

Definitions

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

Agency means the Illinois Environmental Protection Agency.

Board means the Illinois Pollution Control Board.

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

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

USEPA means the United States Environmental Protection Agency.

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

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

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

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

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

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

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

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

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

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

- (1) **Duty to comply.** The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Act and is grounds for enforcement action, permit termination, revocation and reissuance, modification, or for denial of a permit renewal application. The permittee shall comply with effluent standards or prohibitions established under Section 307(a) of the Clean Water Act for toxic pollutants within the time provided in the regulations that establish these standards or prohibitions, even if the permit has not yet been modified to incorporate the requirements.
- (2) **Duty to reapply.** If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain a new permit. If the permittee submits a proper application as required by the Agency no later than 180 days prior to the expiration date, this permit shall continue in full force and effect until the final Agency decision on the application has been made.
- (3) **Need to halt or reduce activity not a defense.** It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.
- (4) **Duty to mitigate.** The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.
- (5) **Proper operation and maintenance.** The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with conditions of this permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of back-up, or auxiliary facilities, or similar systems only when necessary to achieve compliance with the conditions of the permit.
- (6) **Permit actions.** This permit may be modified, revoked and reissued, or terminated for cause by the Agency pursuant to 40 CFR 122.62 and 40 CFR 122.63. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.
- (7) **Property rights.** This permit does not convey any property rights of any sort, or any exclusive privilege.
- (8) **Duty to provide information.** The permittee shall furnish to the Agency within a reasonable time, any information which the Agency may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with the permit. The permittee shall also furnish to the Agency upon request, copies of records required to be kept by this permit.

(9) **Inspection and entry.** The permittee shall allow an authorized representative of the Agency or USEPA (including an authorized contractor acting as a representative of the Agency or USEPA), upon the presentation of credentials and other documents as may be required by law, to:

- (a) Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
- (b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
- (c) Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
- (d) Sample or monitor at reasonable times, for the purpose of assuring permit compliance, or as otherwise authorized by the Act, any substances or parameters at any location.

(10) **Monitoring and records.**

- (a) Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.
- (b) The permittee shall retain records of all monitoring information, including all calibration and maintenance records, and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least 3 years from the date of this permit, measurement, report or application. Records related to the permittee's sewage sludge use and disposal activities shall be retained for a period of at least five years (or longer as required by 40 CFR Part 503). This period may be extended by request of the Agency or USEPA at any time.
- (c) Records of monitoring information shall include:
 - (1) The date, exact place, and time of sampling or measurements;
 - (2) The individual(s) who performed the sampling or measurements;
 - (3) The date(s) analyses were performed;
 - (4) The individual(s) who performed the analyses;
 - (5) The analytical techniques or methods used; and
 - (6) The results of such analyses.
- (d) Monitoring must be conducted according to test procedures approved under 40 CFR Part 136, unless other test procedures have been specified in this permit. Where no test procedure under 40 CFR Part 136 has been approved, the permittee must submit to the Agency a test method for approval. The permittee shall calibrate and perform maintenance procedures on all monitoring and analytical instrumentation at intervals to ensure accuracy of measurements.

(11) **Signatory requirement.** All applications, reports or information submitted to the Agency shall be signed and certified.

(a) **Application.** All permit applications shall be signed as follows:

- (1) For a corporation: by a principal executive officer of at least the level of vice president or a person or position having overall responsibility for environmental matters for the corporation;
- (2) For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or
- (3) For a municipality, State, Federal, or other public agency: by either a principal executive officer or ranking elected official.

(b) **Reports.** All reports required by permits, or other information requested by the Agency shall be signed by a person described in paragraph (a) or by a duly authorized representative of that person. A person is a duly

authorized representative only if:

- (1) The authorization is made in writing by a person described in paragraph (a); and
 - (2) The authorization specifies either an individual or a position responsible for the overall operation of the facility, from which the discharge originates, such as a plant manager, superintendent or person of equivalent responsibility; and
 - (3) The written authorization is submitted to the Agency.
- (c) **Changes of Authorization.** If an authorization under (b) is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of (b) must be submitted to the Agency prior to or together with any reports, information, or applications to be signed by an authorized representative.
- (d) **Certification.** Any person signing a document under paragraph (a) or (b) of this section shall make the following certification:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

(12) **Reporting requirements.**

(a) **Planned changes.** The permittee shall give notice to the Agency as soon as possible of any planned physical alterations or additions to the permitted facility.

Notice is required when:

- (1) The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source pursuant to 40 CFR 122.29 (b); or
 - (2) The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in the permit, nor to notification requirements pursuant to 40 CFR 122.42 (a)(1).
 - (3) The alteration or addition results in a significant change in the permittee's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan.
- (b) **Anticipated noncompliance.** The permittee shall give advance notice to the Agency of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.
- (c) **Transfers.** This permit is not transferable to any person except after notice to the Agency.
- (d) **Compliance schedules.** Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date.
- (e) **Monitoring reports.** Monitoring results shall be reported at the intervals specified elsewhere in this permit.
- (1) Monitoring results must be reported on a Discharge Monitoring Report (DMR).

- (2) If the permittee monitors any pollutant more frequently than required by the permit, using test procedures approved under 40 CFR 136 or as specified in the permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR.
- (3) Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified by the Agency in the permit.
- (f) **Twenty-four hour reporting.** The permittee shall report any noncompliance which may endanger health or the environment. Any information shall be provided orally within 24-hours from the time the permittee becomes aware of the circumstances. A written submission shall also be provided within 5 days of the time the permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and time; and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance. The following shall be included as information which must be reported within 24-hours:
- (1) Any unanticipated bypass which exceeds any effluent limitation in the permit.
 - (2) Any upset which exceeds any effluent limitation in the permit.
 - (3) Violation of a maximum daily discharge limitation for any of the pollutants listed by the Agency in the permit or any pollutant which may endanger health or the environment.
- The Agency may waive the written report on a case-by-case basis if the oral report has been received within 24-hours.
- (g) **Other noncompliance.** The permittee shall report all instances of noncompliance not reported under paragraphs (12) (d), (e), or (f), at the time monitoring reports are submitted. The reports shall contain the information listed in paragraph (12) (f).
- (h) **Other information.** Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application, or in any report to the Agency, it shall promptly submit such facts or information.
- (13) **Bypass.**
- (a) **Definitions.**
- (1) Bypass means the intentional diversion of waste streams from any portion of a treatment facility.
 - (2) Severe property damage means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.
- (b) Bypass not exceeding limitations. The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of paragraphs (13)(c) and (13)(d).
- (c) **Notice.**
- (1) Anticipated bypass. If the permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible at least ten days before the date of the bypass.
 - (2) Unanticipated bypass. The permittee shall submit notice of an unanticipated bypass as required in paragraph (12)(f) (24-hour notice).
- (d) Prohibition of bypass.
- (1) Bypass is prohibited, and the Agency may take enforcement action against a permittee for bypass, unless:
 - (i) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
 - (ii) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and
 - (iii) The permittee submitted notices as required under paragraph (13)(c).
 - (2) The Agency may approve an anticipated bypass, after considering its adverse effects, if the Agency determines that it will meet the three conditions listed above in paragraph (13)(d)(1).
- (14) **Upset.**
- (a) **Definition.** Upset means an exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.
- (b) **Effect of an upset.** An upset constitutes an affirmative defense to an action brought for noncompliance with such technology based permit effluent limitations if the requirements of paragraph (14)(c) are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.
- (c) **Conditions necessary for a demonstration of upset.** A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
- (1) An upset occurred and that the permittee can identify the cause(s) of the upset;
 - (2) The permitted facility was at the time being properly operated; and
 - (3) The permittee submitted notice of the upset as required in paragraph (12)(f)(2) (24-hour notice).
 - (4) The permittee complied with any remedial measures required under paragraph (4).
- (d) **Burden of proof.** In any enforcement proceeding the permittee seeking to establish the occurrence of an upset has the burden of proof.
- (15) **Transfer of permits.** Permits may be transferred by modification or automatic transfer as described below:
- (a) **Transfers by modification.** Except as provided in paragraph (b), a permit may be transferred by the permittee to a new owner or operator only if the permit has been modified or revoked and reissued pursuant to 40 CFR 122.62 (b) (2), or a minor modification made pursuant to 40 CFR 122.63 (d), to identify the new permittee and incorporate such other requirements as may be necessary under the Clean Water Act.
- (b) **Automatic transfers.** As an alternative to transfers under paragraph (a), any NPDES permit may be automatically

transferred to a new permittee if:

- (1) The current permittee notifies the Agency at least 30 days in advance of the proposed transfer date;
 - (2) The notice includes a written agreement between the existing and new permittees containing a specified date for transfer of permit responsibility, coverage and liability between the existing and new permittees; and
 - (3) The Agency does not notify the existing permittee and the proposed new permittee of its intent to modify or revoke and reissue the permit. If this notice is not received, the transfer is effective on the date specified in the agreement.
- (16) All manufacturing, commercial, mining, and silvicultural dischargers must notify the Agency as soon as they know or have reason to believe:
- (a) That any activity has occurred or will occur which would result in the discharge of any toxic pollutant identified under Section 307 of the Clean Water Act which is not limited in the permit, if that discharge will exceed the highest of the following notification levels:
 - (1) One hundred micrograms per liter (100 ug/l);
 - (2) Two hundred micrograms per liter (200 ug/l) for acrolein and acrylonitrile; five hundred micrograms per liter (500 ug/l) for 2,4-dinitrophenol and for 2-methyl-4,6 dinitrophenol; and one milligram per liter (1 mg/l) for antimony.
 - (3) Five (5) times the maximum concentration value reported for that pollutant in the NPDES permit application; or
 - (4) The level established by the Agency in this permit.
 - (b) That they have begun or expect to begin to use or manufacture as an intermediate or final product or byproduct any toxic pollutant which was not reported in the NPDES permit application.
- (17) All Publicly Owned Treatment Works (POTWs) must provide adequate notice to the Agency of the following:
- (a) Any new introduction of pollutants into that POTW from an indirect discharge which would be subject to Sections 301 or 306 of the Clean Water Act if it were directly discharging those pollutants; and
 - (b) Any substantial change in the volume or character of pollutants being introduced into that POTW by a source introducing pollutants into the POTW at the time of issuance of the permit.
 - (c) For purposes of this paragraph, adequate notice shall include information on (i) the quality and quantity of effluent introduced into the POTW, and (ii) any anticipated impact of the change on the quantity or quality of effluent to be discharged from the POTW.
- (18) If the permit is issued to a publicly owned or publicly regulated treatment works, the permittee shall require any industrial user of such treatment works to comply with federal requirements concerning:
- (a) User charges pursuant to Section 204 (b) of the Clean Water Act, and applicable regulations appearing in 40 CFR 35;
 - (b) Toxic pollutant effluent standards and pretreatment standards pursuant to Section 307 of the Clean Water Act; and
 - (c) Inspection, monitoring and entry pursuant to Section 308 of the Clean Water Act.
- (19) If an applicable standard or limitation is promulgated under Section 301(b)(2)(C) and (D), 304(b)(2), or 307(a)(2) and that effluent standard or limitation is more stringent than any effluent limitation in the permit, or controls a pollutant not limited in the permit, the permit shall be promptly modified or revoked, and reissued to conform to that effluent standard or limitation.
 - (20) Any authorization to construct issued to the permittee pursuant to 35 Ill. Adm. Code 309.154 is hereby incorporated by reference as a condition of this permit.
 - (21) The permittee shall not make any false statement, representation or certification in any application, record, report, plan or other document submitted to the Agency or the USEPA, or required to be maintained under this permit.
 - (22) The Clean Water Act provides that any person who violates a permit condition implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the Clean Water Act is subject to a civil penalty not to exceed \$25,000 per day of such violation. Any person who willfully or negligently violates permit conditions implementing Sections 301, 302, 306, 307, 308, 318 or 405 of the Clean Water Act is subject to a fine of not less than \$2,500 nor more than \$25,000 per day of violation, or by imprisonment for not more than one year, or both. Additional penalties for violating these sections of the Clean Water Act are identified in 40 CFR 122.41 (a)(2) and (3).
 - (23) The Clean Water Act provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than \$10,000, or by imprisonment for not more than 2 years, or both. If a conviction of a person is for a violation committed after a first conviction of such person under this paragraph, punishment is a fine of not more than \$20,000 per day of violation, or by imprisonment of not more than 4 years, or both.
 - (24) The Clean Water Act provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or non-compliance shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than 6 months per violation, or by both.
 - (25) Collected screening, slurries, sludges, and other solids shall be disposed of in such a manner as to prevent entry of those wastes (or runoff from the wastes) into waters of the State. The proper authorization for such disposal shall be obtained from the Agency and is incorporated as part hereof by reference.
 - (26) In case of conflict between these standard conditions and any other condition(s) included in this permit, the other condition(s) shall govern.
 - (27) The permittee shall comply with, in addition to the requirements of the permit, all applicable provisions of 35 Ill. Adm. Code, Subtitle C, Subtitle D, Subtitle E, and all applicable orders of the Board or any court with jurisdiction.
 - (28) The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit is held invalid, the remaining provisions of this permit shall continue in full force and effect.



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19506, SPRINGFIELD, ILLINOIS 62794-9506 - (217) 782-2113

PAT QUINN, GOVERNOR

LISA BONNETT, DIRECTOR

Technical Recommendation for Tax Certification Approval

Date: December 17, 2014
To: Robb Layman
From: Raymond E. Pilapil *REP/RAB*
Subject: Marathon Petroleum Company, LP TC-14-11-25B

This Agency received a request on November 25, 2014 from Marathon Petroleum Company, LP for an Illinois EPA recommendation regarding tax certification of air pollution control facilities pursuant to 35 Ill. Adm. Code 125.204. I offer the following recommendation.

The air pollution control facilities in this request include the following:

Diesel Oxidation Catalyst System and Silencer System which reduces CO emissions by oxidizing the diesel exhaust into carbon dioxide and water vapor. Because the primary purpose of this system is to reduce or eliminate air pollution, it is certified as a pollution control facility.

This facility is located at 400 S. Marathon Avenue, Robinson, Crawford County. The property identification number is 05-1-34-000-021-000.

Based on the information included in this submittal, it is my engineering judgement that the proposed facility may be considered "Pollution Control Facilities" under 35 IAC 125.200(a), with the primary purpose of eliminating, preventing, or reducing air pollution, or as otherwise provided in this section, and therefore eligible for tax certification from the Illinois Pollution Control Board. Therefore, it is my recommendation that the Board issue the requested tax Certification for this facility.

FEM:psj

Exhibit B