

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:	)	
	)	
UNITED STATES STEEL	)	
CORPORATION	)	
	)	PCB 27-03
Petitioner,	)	(Permit Appeal – Forty-Five Day)
Extension)	)	
	)	
ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY	)	
	)	
Respondent.	)	

NOTICE OF FILING

To: See attached Service List

PLEASE TAKE NOTICE that I have today electronically filed with the Office of the Clerk of the Pollution Control Board an Amended Joint Request for Forty-Five Day Extension of Appeal Period, a copy of which is herewith served upon you.

Dated: July 29, 2026

UNITED STATES STEEL CORPORATION

By: /s/Susan E. Brice

Susan E. Brice
Susan M. Franzetti
Vincent R. Angermeier
NIJMAN FRANZETTI LLP
10 South LaSalle Street Suite 3400
Chicago, IL 60603
(312) 761-3224
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SERVICE LIST

Don Brown, Clerk of the Board
Illinois Pollution Control Board
60 E. Van Buren Street, Suite 630
Chicago, IL 60605
don.brown@illinois.gov

Rebecca Y. Strauss
Division of Legal Counsel
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield, IL 62794-9276
Rebecca.Strauss@Illinois.gov

CERTIFICATE OF SERVICE

The undersigned, an attorney, certifies that a true copy of the foregoing Notice of Filing and Amended Joint Request for Forty-Five Day Extension of Appeal Period was electronically filed on July 29, 2026 with the following:

Don Brown, Clerk of the Board
Illinois Pollution Control Board
60 E. Van Buren Street, Suite 630
Chicago, IL 60605
don.brown@illinois.gov

and that a copy was sent via e-mail on July 29, 2026 to the parties on the service list.

Dated: July 29, 2026

/s/Susan E. Brice_____

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Susan M. Franzetti
Vincent R. Angermeier
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UNITED STATES STEEL	)	
CORPORATION	)	
	)	PCB 27-03
Petitioner,	)	(Permit Appeal– Forty-Five Day Extension)
	)	
v.	)	
	)	
ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY	)	
	)	
Respondent.	)	

**AMENDED JOINT REQUEST FOR
FORTY-FIVE DAY EXTENSION OF APPEAL PERIOD**

NOW COMES Petitioner, United States Steel Corporation (“U.S. Steel”), and, pursuant to Section 40(a)(1) of the Illinois Environmental Protection Act (415 ILCS 5/40(a)(1)) and 35 Ill. Adm. Code 105.208, hereby requests that the Illinois Pollution Control Board (“Board”) grant an extension of the thirty-five (35) day period to September 14, 2026, for petitioning for an appeal of the Illinois EPA’s final decision on the issuance of the National Pollutant Discharge Elimination System (“NPDES”) Permit to U.S. Steel. In support thereof, U.S. Steel respectfully states as follows:

1. On June 24, 2026, the Illinois EPA issued to the Petitioner National Pollutant Discharge Elimination System (“NPDES”) Permit No. IL0000329 for U.S. Steel’s Granite City Works facility, located at 20th and State Street, Granite City, Illinois 62040, in Madison County. See Attachment 1.

2. Under 415 ILCS 5/40(a)(1), Petitioner's current deadline to appeal the permit decision is July 29, 2026.
3. IEPA has consented to a 45-day extension of the appeal period and joins in this motion.
See Attachment 2.
4. 45 days after July 29, 2026, is Saturday, September 12, 2026. However, pursuant to Ill. Adm. Code 101.300(a), the computation of time will run until the next business day "if the last day is a Saturday, Sunday, or national or State legal holiday," which means that Monday, September 14, 2026, would be the new deadline to file if this motion is granted.
5. The additional time requested by the parties may eliminate the need for a hearing in this matter or, in the alternative, allow the parties to identify issues and limit the scope of any hearing that may be necessary to resolve this matter.

WHEREFORE, for the reasons stated above, the parties jointly request that the Board, in the interest of administrative and judicial economy, grant this request for a forty-five day extension of the thirty-five day period for filing a petition for review.

Respectfully submitted,

UNITED STATES STEEL CORPORATION

Petitioner,

By: /s/ Susan E. Brice
One of its attorneys

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ATTACHMENT 1



Illinois Environmental Protection Agency

2520 West Iles Avenue • P.O. Box 19276 • Springfield, Illinois • 62794-9276 • 217-782-3397

JB Pritzker, Governor

James Jennings, Acting Director

United States Steel Corporation
1951 State Street
Granite City, Illinois 62040

217/782 0610

JUN 24 2026

Re: United States Steel Corporation – Granite City Works
NPDES Permit No. IL0000329
Bureau ID: W1198130003
Final Permit

Permittee:

Attached is the final NPDES Permit for your discharge. The Permit as issued covers discharge limitations, monitoring, and reporting requirements. Failure to meet any portion of the Permit could result in civil and/or criminal penalties. The Illinois Environmental Protection Agency is ready and willing to assist you in interpreting any of the conditions of the Permit as they relate specifically to your discharge

In reference to the comments in email dated June 10, 2026, the Agency offers the following response:

1. In response to the comment received on the 316(b) requirements: The Agency's decision to include Section 316(b) language in the permit is based on the facility's withdrawal of water from waters of the United States through a water intake structure and the facility's use of that water for cooling-related purposes.

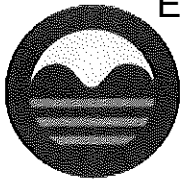
Based on the information currently available to the Agency, the facility's use of a recycle water system and its interpretation of 40 CFR §125.92 do not provide clear evidence that the facility is exempt from the applicability of Section 316(b) requirements. Furthermore the information submitted to date does not clearly demonstrate that less than 25 percent of the intake flow is used for cooling purposes.

Pursuant to the Final NPDES Electronic Reporting Rule, all permittees must report DMRs electronically unless a waiver has been granted by the Agency. The Agency utilizes NetDMR, a web based application, which allows the submittal of electronic Discharge Monitoring Reports instead of paper Discharge Monitoring Reports (DMRs). More information regarding NetDMR can be found on the Agency website, <http://epa.state.il.us/water/net-dmr/index.html>. If your facility has received a waiver from the NetDMR program, a supply of preprinted paper DMR Forms will be sent to your facility. Additional information and instructions will accompany the preprinted DMRs. Please see the attachment regarding the electronic reporting rule.

The attached Permit is effective as of the date indicated on the first page of the Permit. Until the effective date of any re-issued Permit, the limitations and conditions of the previously-issued Permit remain in full effect. You have the right to appeal any condition of the Permit to the Illinois Pollution Control Board within a 35 day period following the issuance date.

4302 N. Main St., Rockford, IL 61103 (815) 987-7760
595 S. State, Elgin, IL 60123 (847) 608-3131
2125 S. First St., Champaign, IL 61820 (217) 278-5800
2009 Mall St., Collinsville, IL 62234 (618) 346-5120

9511 Harrison St., Des Plaines, IL 60016 (847) 294-4000
5407 N. University St., Arbor 113, Peoria, IL 61614 (309) 693-5462
2309 W. Main St., Suite 116, Morton, IL 62959 (618) 993-7200
100 W. Randolph, Suite 10-300, Chicago, IL 60601 (312) 814-6026



Illinois Environmental Protection Agency

2520 West Iles Avenue • P.O. Box 19276 • Springfield, Illinois • 62794-9276 • 217-782-3397

JB Pritzker, Governor

James Jennings, Acting Director

Should you have questions concerning the Permit, please contact Yousif Alkola at 217/558-8143.

Sincerely,

Stephen F. Nightingale, P.E.
Manager, Industrial Unit, Permit Section
Division of Water Pollution Control

SFN:YA: 26010601.docx

Attachment: Final Permit

cc: Records
Compliance Assurance Section
Collinsville Region
Billing

NPDES Permit No. IL0000329

Illinois Environmental Protection Agency

Division of Water Pollution Control

2520 West Iles Avenue

Post Office Box 19276

Springfield, Illinois 62794-9276

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

Reissued (NPDES) Permit

Expiration Date: June 30, 2031

Issue Date: June 24, 2026
Effective Date: July 1, 2026

Name and Address of Permittee:

United States Steel Corporation
Granite City Works
1951 State Street
Granite City, Illinois 62040

Facility Name and Address:

United States Steel Corporation
Granite City Works
20th and State Street
Granite City, Illinois 62040
(Madison County)

Discharge Number and Name:

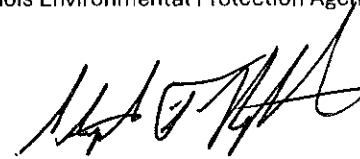
001 Treated Process Wastewater
B01 Cold Rolling Mill Wastewater
C01 Landfill Leachate Wastewater

Receiving Waters:

Horseshoe Lake
Internal Outfall
Internal Outfall

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.



Stephen F. Nightingale, P.E.
Manager, Industrial Unit, Permit Section
Division of Water Pollution Control

NPDES Permit No. IL0000329

Effluent Limitations and Monitoring

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

Outfall(s): 001 Treated Process Wastewater – (DAF = 25.0 MGD)

Treated Process Wastewater consists of wastewater from the blast furnace, basic oxygen furnace, 80" hot strip mill, landfill leachates, galvanizing lines, sanitary, stormwater runoff, continuous casters, boiler blowdown, maintenance shops, laboratories, cold mill, continuous pickler, and miscellaneous flows

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				Measure When Monitoring	
pH	See Special Condition 2		6.0 - 9.0		2/Week	Grab
CBOD ₅	2085	4170	10	20	1/Week	Composite
Total Suspended Solids	2502	5004	12	24	1/Week	Composite
Oil & Grease	1511	3492	15	30	1/Week	Grab
Iron (total)	417	834	2	4	1/Month	Composite
Iron (dissolved)		209		1	1/Month	Composite
Lead (total)	5.3	16	0.09	0.4	1/Quarter	Composite
Zinc (total)	12	33	0.17	0.96	2/Week	Composite
Cyanide (total)	19	35	0.1	0.2	2/Month	Composite
Cyanide (available by OIA 1677)	1.1	4.6	0.0052	0.022	2/Month	Composite
Phenol (4AAP)	5.0	10		0.1	1/Week	Composite
Fluoride		834		4	1/Week	Composite
Ammonia-Nitrogen*						
Spring/Fall	521	2585	2.5	12.4	1/Week	Composite
Summer	479	3128	2.3	15.0	1/Week	Composite
Winter	834	1188	4.0	5.7	1/Week	Composite
March	688	1188	3.3	5.7	1/Week	Composite
Phosphorus				Monitor Only	1/Quarter	Grab
PFAS**				Report	**	**
PFAS Sum**		**		**	**	**
Tetrachloroethylene				Monitor Only	2/Year	Grab
Naphthalene				Monitor Only	1/Quarter	Grab

*For Ammonia as Nitrogen, Spring/Fall is April-May and September-October. Summer is June-August. Winter is November-February. Weekly average limits will apply. For Spring/Fall, weekly average limit is 6.2 mg/L (1292 lb/day). Summer weekly average limit is 5.7 mg/L (1188 lb/day). There is no weekly average limit for Winter or March.

** See Special Condition 12

NPDES Permit No. IL0000329

Effluent Limitations and Monitoring

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

Outfall(s): B01, C01

PARAMETER	LOAD LIMITS lbs/day		CONCENTRATION		SAMPLE FREQUENCY	SAMPLE TYPE
	30 DAY AVERAGE	DAILY MAXIMUM	30 DAY AVERAGE	DAILY MAXIMUM		
Outfall: B01 - Cold Rolling Mill Wastewater						
Flow (MGD)	See Special Condition 1				When Monitoring	Measure
Tetrachloroethylene		1.1			2/Year	Grab
Naphthalene		0.69			1/Quarter	Grab

Outfall: C01 - Landfill Leachate Wastewater

Flow (MGD)	See Special Condition 1				Continuous	Measure
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NPDES Permit No. IL0000329

Special Conditions

SPECIAL CONDITION 1. Flow shall be reported as a daily maximum and a monthly average, and shall be reported on the monthly Discharge Monitoring Report Form.

SPECIAL CONDITION 2. 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.

SPECIAL CONDITION 3. 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 4. The use or operation of this facility shall be by or under the supervision of a Certified Class K operator.

SPECIAL CONDITION 5. For purposes of this permit, load limits for Phenol (4AAP) have been based on actual plant discharges, and load limits for Ammonia (as N) have been based on water quality standards, and are included in accordance with a 301(g) variance of the Clean Water Act approved by the USEPA. Any changes to these load limits can only be made following Public Notice and opportunity for hearing.

SPECIAL CONDITION 6. The permittee may show that an apparent noncompliance of load limits for zinc is not a violation by applying background credits for intake waters and by submission of calculations as defined below.

The load calculations for comparison to Zinc load limits shall be made as follows:

$$M = (C_o - C_r) \times F \times 8.34$$

Where:

M = Outfall 001 load limit (lbs/day)

C_o = Outfall 001 effluent concentration (mg/l)

C_r = Intake water concentration (mg/l)

F = Outfall 001 effluent flow (MGD)

Concentrations limits for outfall 001 are absolute and no background credit shall be allowed.

SPECIAL CONDITION 7. The Permittee shall record monitoring results on Discharge Monitoring Report (DMR) electronic 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 will be required to submit electronic DMRs (NetDMRs) instead of mailing paper DMRs to the IEPA beginning December 21, 2016. More information, including registration information for the NetDMR program, can be obtained on the IEPA website, <http://www.epa.state.il.us/water/net-dmr/index.html>.

The completed Discharge Monitoring Report forms shall be submitted to IEPA no later than the 25th day of the following month, unless otherwise specified by the permitting authority.

NPDES Permit No. IL0000329

Special Conditions

Permittees that have been granted a waiver shall mail Discharge Monitoring Reports with an original signature to the IEPA at the following address:

Illinois Environmental Protection Agency
Division of Water Pollution Control
Attention: Compliance Assurance Section, Mail Code # 19
2520 West Iles Avenue
Post Office Box 19276
Springfield, Illinois 62794-9276

SPECIAL CONDITION 8. Samples taken in compliance with the effluent monitoring requirements for internal outfall B01 shall be taken at a point representative of the discharge of Cold Rolling Mill wastewater, but prior to mixing with any other wastewater sources. Samples taken in compliance with the effluent monitoring requirements for internal outfall C01 shall be taken at a point representative of the discharge of Landfill Leachate Wastewater, but prior to mixing with any other wastewater sources. Samples taken in compliance with the effluent monitoring requirements for outfall 001 shall be taken at a point representative of the discharge, but before entering the receiving water.

SPECIAL CONDITION 9. The Agency has determined that the effluent limitations in this permit constitute BAT/BCT for storm water which is treated in the existing treatment facilities for purposes of this permit reissuance, and no pollution prevention plan will be required for such storm water. In addition to the chemical specific monitoring required elsewhere in this permit, the permittee shall conduct an annual inspection of the facility site to identify areas contributing to a storm water discharge associated with industrial activity, and determine whether any facility modifications have occurred which result in previously-treated storm water discharges no longer receiving treatment. If any such discharges are identified the permittee shall request a modification of this permit within 30 days after the inspection. Records of the annual inspection shall be retained by the permittee for the term of this permit and be made available to the Agency on request.

SPECIAL CONDITION 10. The Permittee shall monitor the effluent from Outfall 001 for the following parameters on a 2/year basis. This Permit may be modified with public notice to establish effluent limitations if appropriate, based on information obtained through sampling. The sample shall be a 24-hour effluent composite except as otherwise specifically provided below and the results shall be submitted on the DMR's to IEPA. The parameters to be sampled and the minimum reporting limits to be attained are as follows:

<u>STORET CODE</u>	<u>PARAMETER</u>	<u>Minimum reporting limit</u>
10197	Antimony	5.0 ug/L
01002	Arsenic	0.05 mg/L
01007	Barium	0.5 mg/L
01027	Cadmium	0.001 mg/L
01032	Chromium (Hexavalent) (grab)	0.01 mg/L
01034	Chromium (total)	0.05 mg/L
01042	Copper	0.005 mg/L
01055	Manganese	0.5 mg/L
71900	Mercury	0.2 ug/L
01067	Nickel	0.005 mg/L
01147	Selenium	0.005 mg/L
01077	Silver (total)	0.003 mg/L

Unless otherwise indicated, concentrations refer to the total amount of the constituent present in all phases, whether solid, suspended or dissolved, elemental or combined, including all oxidation states.

The analyses for the above parameters shall meet the detection limits as established for accepted test procedures listed in 40 CFR 136.

All samples for mercury must be analyzed by EPA Method 1631E using the digestion procedure described in Section 11.1.1.2 of 1631E, which dictates that samples must be heated at 50°C for 6 hours in a bromine chloride (BrCl) solution in closed vessels.

SPECIAL CONDITION 11: This Permit may be modified to include alternative or additional final effluent limitations pursuant to an approved Total Maximum Daily Load (TMDL) Study or upon approval of an alternate Water Quality Study.

NPDES Permit No. IL0000329

Special ConditionsSpecial Condition 12. PFAS Testing and Reporting

1) PFAS Sample Frequency and Type of Sample.

<u>Sampling Point</u>	<u>Sample Frequency</u>	<u>Sample Type</u>	<u>Report****</u>
Effluent	Quarterly**	Grab***	ng/L

** Quarterly sampling – Testing done during the first quarter (January – March) must be reported on the May Electronic Discharge Monitoring Report (NetDMR), testing done in the second quarter (April – June) must be reported on the August NetDMR, testing done in the third quarter (July – September) must be reported on the November NetDMR, and testing done in the fourth quarter (October – December) must be reported on the February NetDMR.

*** If the permittee prefers to collect composite samples instead grab samples, the permittee will be required to seek approval through the permit modification process.

**** The Minimum Level (ML) of quantification established for PFAS by the laboratory, when using the approved analytical method, shall be submitted with the test results each reporting period on the NetDMR.

- 2) Test results must be reported in nanograms per liter (ng/L) as a daily maximum concentration for aqueous samples. Solid test results must be reported in nanograms per gram (ng/g) as a daily maximum.
- 3) USEPA Method 1633A - Analysis of Per- and Polyfluoroalkyl Substances (PFAS) in Aqueous, Solid, Biosolids, and Tissue Samples by LC-MS/MS (finalized December 2024) is to be used when testing for PFAS. When PFAS analytical methods are promulgated through rulemaking and incorporated into 40 CFR Part 136, the permittee shall follow the approved methods.
- 4) When testing for PFAS the laboratory shall determine their limit of quantitation (LOQ) for each analyte in accordance with the test method identified in Part 3 of this Special Condition. The LOQ is synonymous with Minimum Level (ML) and Reporting Limit. The laboratory LOQs (Minimum Levels) must not exceed the upper limit of the aqueous and solid ranges listed in the table in Part 7 of this Special Condition.
- 5) In addition to the testing and reporting requirements for the individual PFAS analytes listed on Part 7 of this Special Condition the permittee shall report the PFAS Sum. For purposes of this permit the PFAS Sum is the arithmetic summation of the individual analytes listed in Part 7 that are associated with a particular sampling event and location. Results must be submitted on the Net DMRs along with the individual test results.

Test results for individual analytes which are below the ML as described in Parts 1 and 4 of this Special Condition should be assigned a value of zero (0) when calculating the PFAS Sum.

- 6) If sample results for PFAS are consistently below the minimum level (ML) of quantification for two consecutive years using USEPA Method 1633A or methods approved under 40 CFR 136, once finalized, the permittee may request a reevaluation of the testing requirements. Documentation supporting the request for a reduction in monitoring for PFAS must be made by the permittee as a permit modification request.
- 7) Specific PFAS constituents that must be analyzed for are listed in the following table:

NPDES Permit No. IL0000329

Special Conditions

Target Analyte Name	Abbreviation	CASRN Number	STORET	Minimum Level (ML)	
				Aqueous (ng/L)	Solid (ng/g)
Perfluoroalkyl carboxylic acids					
Perfluorobutanoic acid	PFBA	375-22-4	51522	4 – 16	0.64 – 1.6
Perfluoropentanoic acid	PFPeA	2706-90-3	51623	2 – 8	0.32 – 0.8
Perfluorohexanoic acid	PFHxA	307-24-4	51624	1 – 4	0.16 – 0.4
Perfluoroheptanoic acid	PFHpA	375-85-9	51625	1 – 4	0.16 – 0.4
Perfluorooctanoic acid	PFOA	335-67-1	51521	1 – 4	0.16 – 0.4
Perfluorononanoic acid	PFNA	375-95-1	51626	1 – 4	0.16 – 1.3
Perfluorodecanoic acid	PFDA	335-76-2	51627	1 – 4	0.16 – 0.4
Perfluoroundecanoic acid	PFUnA	2058-94-8	51628	1 – 4	0.16 – 0.5
Perfluorododecanoic acid	PFDoA	307-55-1	51629	1 – 4	0.16 – 0.4
Perfluorotridecanoic acid	PFTTrDA	72629-94-8	51630	1 – 4	0.16 – 0.4
Perfluorotetradecanoic acid	PFTeDA	376-06-7	51631	1 – 4	0.16 – 0.4
Perfluoroalkyl sulfonic acids					
Acid Form					
Perfluorobutanesulfonic acid	PFBS	375-73-5	52602	1 – 4	0.16 – 0.4
Perfluoropentanesulfonic acid	PFPeS	2706-91-4	52610	1 – 4	0.16 – 0.4
Perfluorohexanesulfonic acid	PFHxS	355-46-4	52605	1 – 4	0.16 – 0.4
Perfluoroheptanesulfonic acid	PFHpS	375-92-8	52604	1 – 4	0.16 – 0.4
Perfluorooctanesulfonic acid	PFOS	1763-23-1	52606	1 – 4	0.16 – 0.4
Perfluorononanesulfonic acid	PFNS	68259-12-1	52611	1 – 4	0.16 – 0.4
Perfluorodecanesulfonic acid	PFDS	335-77-3	52603	1 – 4	0.16 – 0.4
Perfluorododecanesulfonic acid	PFDoS	79780-39-5	52632	1 – 4	0.16 – 0.4
Fluorotelomer sulfonic acids					

NPDES Permit No. IL0000329

Special Conditions

1H,1H,2H,2H-Perfluorohexane sulfonic acid	4:2 FTS	757124-72-4	52607	4 – 15	0.64 – 1.5
1H,1H,2H,2H-Perfluorooctane sulfonic acid	6:2 FTS	27619-97-2	52608	4 – 15	0.64 – 1.5
1H,1H, 2H, 2H-Perfluorodecane sulfonic acid	8:2 FTS	39108-34-4	52609	4 – 15	0.64 – 1.5
Perfluorooctane sulfonamides					
Perfluorooctanesulfonamide	PFOSA	754-91-6	51525	1 – 4	0.16 – 0.4
N-methyl perfluorooctanesulfonamide	NMeFOSA	31506-32-8	52641	1 – 4	0.16 – 0.4
N-ethyl perfluorooctanesulfonamide	NEtFOSA	4151-50-2	52642	1 – 4	0.16 – 0.4
Perfluorooctane sulfonamidoacetic acids					
N-methyl perfluorooctanesulfonamidoacetic acid	NMeFOSAA	2355-31-9	51644	1 – 4	0.16 – 0.4
N-ethyl perfluorooctanesulfonamidoacetic acid	NEtFOSAA	2991-50-6	51643	1-4	0.16 – 0.4
Perfluorooctane sulfonamide ethanols					
N-methyl perfluorooctanesulfonamidoethanol	NMeFOSE	24448-09-7	51642	10 – 40	1.6 – 4
N-ethyl perfluorooctanesulfonamidoethanol	NEtFOSE	1691-99-2	51641	10 – 40	1.6 – 4
Per- and Polyfluoroether carboxylic acids					
Hexafluoropropylene oxide dimer acid	HFPO-DA	13252-13-6	52612	2 – 8	0.64 – 1.6
4,8-Dioxo-3H-perfluorononanoic acid	ADONA	919005-14-4	52636	2 – 8	0.64 – 1.5
Perfluoro-3-methoxypropanoic acid	PFMPA	377-73-1	PF002	4 – 16	0.32 – 0.8
Perfluoro-4-methoxybutanoic acid	PFMBA	863090-89-5	PF006	4 – 15	0.32 – 0.8
Nonafluoro-3,6-dioxahexanoic acid	NFDHA	151772-58-6	52626	2 – 7	0.32 – 0.8
Ether sulfonic acids					
9-Chlorohexadecafluoro-3-oxanonane-1- sulfonic acid	9Cl-PF3ONS	756426-58-1	PF003	4 – 15	0.64 – 1.5
11-Chloroeicosafluoro-3-oxaundecane-1- sulfonic acid	11Cl-PF3OUdS	763051-92-9	PF004	4 – 15	0.64 – 1.5

NPDES Permit No. IL0000329

Special Conditions

Perfluoro(2-ethoxyethane)sulfonic acid	PFEESA	113507-82-7	52629	2 – 8	0.32 – 0.7
Fluorotelomer carboxylic acids					
3-Perfluoropropyl propanoic acid	3:3 FTCA	356-02-5	PF001	5 – 20	0.80 – 5
2H,2H,3H,3H-Perfluorooctanoic acid	5:3 FTCA	914637-49-3	PF007	25 – 100	4 – 10
3-Perfluoroheptyl propanoic acid	7:3 FTCA	812-70-4	PF005	25 – 100	4 – 10

Special Condition No 13. PFAS Minimization Program:

1) PFAS Reduction Initiative:

- a) Within 6 months from the effective date of the permit the Permittee shall develop and implement a PFAS reduction initiative. The reduction initiative must include Best Management Practices (BMPs).
- b) Best Management Practices (BMPs) must include an evaluation based on product substitution, reduction, or elimination of PFAS in discharges as detected by USEPA Method 1633A, or methods approved under 40 CFR 136, once finalized. When developing a BMP, the following should be considered, at a minimum:
 - i) Evaluation of the potential for the industrial facility to use products containing PFAS or have knowledge or suspect wastewater being discharged under the NPDES permit to contain PFAS.
 - ii) Evaluation of Pollution prevention/source reduction opportunities which may include:
 - (1) Product elimination or substitution when a reasonable alternative to using PFAS is available in the industrial process,
 - (2) Accidental discharge minimization by optimizing operations and good housekeeping practices,
 - (3) Equipment decontamination or replacement (such as in metal finishing facilities) where PFAS products have historically been used to prevent discharge of legacy PFAS following the implementation of product substitution.
 - iii) Identification of the measures being taken to reduce PFAS loading from the facility, and any available information, including facility wastewater testing for PFAS, and/or the loading reduction achieved.
- c) BMPs for PFAS must be reevaluated in accordance with paragraph 1 b) of this Special Condition and updated on an annual basis. The reevaluated BMP's must include any updates made since the previous BMP was submitted.
- d) The Permittee is required to submit a PFAS reduction report annually to the Illinois Environmental Protection Agency at the address indicated under paragraph 2) of this Special Condition, with the first report due 12 months from the permit effective date. Subsequent annual reports shall be due 12 months following the previous report's due date.

PFAS reduction reports must include the following information:

- i) The name, address, and NPDES permit number of the Permittee,
 - ii) The current BMP for the facility. Reevaluated BMP's must also include all updates made since the previous BMP was submitted.
- 2) The Permittee shall submit the PFAS reduction reports identified under paragraphs 1) of this Special Condition electronically or in writing to one of the following addresses:

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- a) EPA.PrmtSpecCondtns@Illinois.gov, or
- b) Illinois Environmental Protection Agency
Bureau of Water
Compliance Assurance Section
Mail Code #19
2520 West Iles Avenue
Post Office Box 19276
Springfield, Illinois 62794-9276

Special Condition No 14. Cooling Water Intake Structure.

Based on available information, the Agency has determined that the operation of the cooling water intake structure must meet the equivalent of Best Technology Available (BTA) in accordance with the requirements under 40 CFR §§ 125.94 through 125.99.

The Permittee shall comply with the requirements of the Cooling Water Intake Structure Existing Facilities Rule as found at 40 CFR 122 and 125. Any application materials and submissions required for compliance with the Existing Facilities Rule, shall be submitted to the Agency no later than 4 years from the effective date of this permit.

The Permittee shall comply with the requirements below. The information required below is necessary to further evaluate cooling water intake structure operations based on the most up to date information, in accordance with the requirements under 40 CFR §§ 125.94 through 125.99:

A. The permittee shall submit the following information/studies within 4 years of the effective date of the permit:

1. Source Water Physical Data to include:

- a) A narrative description and scaled drawings showing the physical configuration of all source water bodies used by the facility including aerial dimensions, depths, salinity and temperature regimes;
- b) Identification and characterization of the source waterbody's hydrological and geomorphological features, as well as the methods used to conduct any physical studies to determine the intake's area of influence and the results of such studies; and
- c) Location maps.

2. Source Waterbody Flow Information

The permittee shall provide the annual mean flow of the waterbody, any supporting documentation and engineering calculations to support the analysis of whether the design intake flow is greater than five percent of the mean annual flow of the river or stream for purposes of determining applicable performance standards. Representative historical data (from a period of time up to 10 years) shall be used, if available.

3. Impingement Mortality and Entrainment Characterization Study

The permittee shall submit an Impingement Mortality and Entrainment Characterization Study whose purpose is to provide information to support the development of a calculation baseline for evaluating impingement mortality and entrainment and to characterize current impingement mortality and entrainment. The Study shall include the following in sufficient detail to support establishment of baseline conditions:

- a) Taxonomic identification of all life stages of fish and shellfish and any species protected under Federal, State, or Tribal law (including threatened or endangered species) that are in the vicinity of the cooling water intake structure(s) and are susceptible to impingement and entrainment;
- b) A characterization of all life stages of fish and shellfish, and any species protected under Federal, or State law, including a description of the abundance and temporal and spatial characteristics in the vicinity of the cooling water intake structure(s). These may include historical data that are representative of the current operation of the facility and of biological conditions at the site; and
- c) Documentation of the current impingement mortality and entrainment of all life stages of fish, shellfish, and any species protected under Federal, State, or Tribal Law (including threatened or endangered species) and an estimate of impingement mortality and entrainment to be used as the calculation baseline. The documentation may include historical data that are representative of the current operation of the facility and of biological conditions at the site. Impingement mortality and entrainment samples to support the calculations required must be collected during periods of representative operational flows for the cooling water intake structure and

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the flows associated with the samples must be documented.

The Permittee shall submit the documentation identified under this Special Condition electronically or in writing to one of the following addresses:

- a. EPA.PrmtSpecCondtns@Illinois.gov, or
- b. Illinois Environmental Protection Agency
Bureau of Water
Compliance Assurance Section
Mail Code #19
2520 West Iles Avenue
Post Office Box 19276
Springfield, Illinois 62794-9276

B. The permittee shall comply with the following requirements:

1. At all times properly operate and maintain the intake equipment as demonstrated in the application material supporting the BTA determination.
2. Inform IEPA of any proposed changes to the cooling water intake structure or proposed changes to operations at the facility that affect impingement mortality and/or entrainment.
3. Debris collected on intake screens is prohibited from being discharged back to the canal. Debris does not include living fish or other living aquatic organisms.
4. Compliance Alternatives. The permittee must evaluate each of the following alternatives for establishing best available technology for minimizing adverse environmental impacts at the facility due to operation of the intake structure:
 - a) Evaluate operational procedures and/or propose facility modifications to reduce the intake through-screen velocity to less than 0.5 ft/sec. The operational evaluation may consider modified circulating water pump operation; reduced flow associated with capacity utilization, recalculation or determination of actual total water withdrawal capacity. The evaluation report and any implementation plan for the operational changes and/ or facility modification shall be submitted to the Agency with the renewal application for this permit.
 - b) Complete a fish impingement and entrainment mortality minimization alternatives evaluation. The evaluation may include an assessment of modification of the traveling screens, consideration of a separate fish and debris return system and include time frames and cost analysis to implement these measures. The evaluation report and implementation plan for any operational changes and/ or facility modifications shall be submitted to the Agency with the renewal application for this permit.
5. The permittee shall comply with the measures to protect Federally-listed threatened and endangered species and designated critical habitat in accordance with 40 CFR 125.94(g).

C. All required reports shall be submitted to the Industrial Unit, Permit Section and Compliance Assurance Section at the address stated above

This special condition does not relieve the permittee of the responsibility of complying with any other laws, regulations, or judicial orders issued pursuant to Section 316(b) of the Clean Water Act.

Attachment H**Standard Condition****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.

(Rev. 7-9-2010 bah)



United States
Environmental Protection Agency

Office of Enforcement and
Compliance Assurance

September 2015

Final NPDES Electronic Reporting Rule

On 24 September 2015, Administrator Gina McCarthy signed the final National Pollutant Discharge Elimination System (NPDES) Electronic Reporting Rule for publication in the Federal Register. The publication of this rule is the latest step in an extensive multi year outreach effort with EPA's state, tribal and territorial partners. This rule will replace most paper-based Clean Water Act (CWA) NPDES permitting and compliance monitoring reporting requirements with electronic reporting.

Purpose of the Final Rule

This final rule is designed to save authorized state, tribe, or territorial NPDES programs considerable resources, make reporting easier for NPDES regulated entities, streamline permit renewals, ensure full exchange of basic NPDES permit data between states and EPA, improve environmental decision-making, and better protect human health and the environment.

This final rule requires that NPDES regulated entities electronically submit the following permit and compliance monitoring information instead of using paper reports:

- Discharge Monitoring Reports (DMRs);
- Notices of Intent to discharge in compliance with a general permit; and
- Program reports.

Authorized NPDES programs will also electronically submit NPDES program data to EPA to ensure that there is consistent and complete reporting nationwide, and to expedite the collection and processing of the data, thereby making it more accurate and timely. Importantly, while the rule changes the method by which information is provided (i.e., electronic rather than paper-based), it does not increase the amount of information required from NPDES regulated entities facilities under existing regulations.

Overview of Benefits

EPA anticipates that the final rule will save significant resources for states, tribes, and territories as well as EPA and NPDES permittees, while resulting in a more complete, accurate, and nationally-consistent set of data about the NPDES program. With full implementation (5 years after the effective date), the anticipated savings are:

- Authorized State NPDES programs: \$22.6 million annually,
- NPDES regulated entities: \$0.5 million annually, and
- EPA: \$1.2 million annually.

the authorized NPDES biosolids program); and all other remaining NPDES program reports. These program reports include:

- Sewage Sludge/Biosolids Annual Program Reports [40 CFR 503] (for the 8 states that implement the Federal Biosolids Program)
- Concentrated Animal Feeding Operation (CAFO) Annual Program Reports [40 CFR 122.42(e)(4)]
- Municipal Separate Storm Sewer System (MS4) Program Reports [40 CFR 122.34(g)(3) and 122.42(c)]
- Pretreatment Program Reports [40 CFR 403.12(i)]
- Significant Industrial User Compliance Reports in Municipalities Without Approved Pretreatment Programs [40 CFR 403.12(e) and (h)]
- Sewer Overflow/Bypass Event Reports [40 CFR 122.41(l)(4), (l)(6) and (7), (m)(3)]
- CWA Section 316(b) Annual Reports [40 CFR 125 Subpart J]

How the final rule addresses comments

In response to concerns about implementation raised during the comment periods, the final rule provides authorized NPDES programs more flexibility to implement the final rule by providing them up to three additional years to electronically collect, manage, and share their data. Authorized NPDES Programs will also have more flexibility in how they can grant electronic reporting waivers.

Further Information

For additional information, please contact Messrs. John Dombrowski, Director, Enforcement Targeting and Data Division (202-566-0742) or Carey A. Johnston (202-566-1014), Office of Compliance (mail code 2222A), Environmental Protection Agency, 1200 Pennsylvania Avenue, N.W., Washington, DC, 20460; e-mail addresses: dombrowski.john@epa.gov or johnston.carey@epa.gov.

Useful Final Rule Link:

Email sign up for outreach events

<https://public.govdelivery.com/accounts/USAEPAOECA/subscriber/new?>

ATTACHMENT 2

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:

UNITED STATES STEEL
CORPORATION

Petitioner,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

Respondent.

PCB 27-03

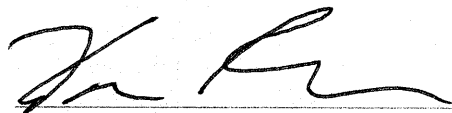
(Permit Appeal – Forty-Five Day Extension)

AFFIDAVIT OF VINCENT R. ANGERMEIER

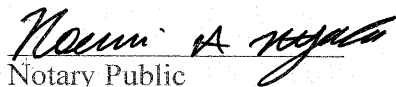
I, Vincent R. Angermeier, being first duly sworn on oath, depose and state as follows:

1. I am over the age of eighteen (18) and suffer from no legal disabilities. I have personal knowledge of the facts stated in this affidavit and, if called as a witness, I could and would testify competently thereto.
2. I am an attorney with the law firm of Nijman Franzetti LLP.
3. The attached is a true and correct copy of an email I received from Rebecca Strauss, Counsel for the Agency in this matter.
4. The email is hereby submitted as written evidence that the Agency joins in US Steel's request for an extension of time to file a petition for review, satisfying the requirement of 35 Ill. Adm. Code 105.208(c).

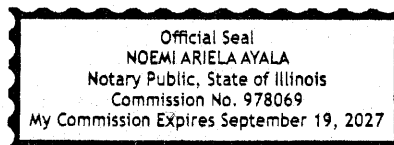
FURTHER AFFIANT SAYETH NOT.



Subscribed and Sworn to before me
On July 28, 2026.


Notary Public

My Commission Expires: 09/19/2027





RE: [External] US Steel Granite City, IL Renewed NPDES Permit - Appeal of Special Condition 14 316(b) Colling Water Intake Structure Applicability Determination

From Strauss, Rebecca Y. <Rebecca.Strauss@Illinois.gov>

Date Thu 7/23/2026 2:26 PM

To Susan Franzetti <sf@nijmanfranzetti.com>

Cc Armstrong, Andrew <Andrew.Armstrong@Illinois.gov>; Roubitchek, Mike <Mike.Roubitchek@Illinois.gov>; Vince Angermeier <va@nijmanfranzetti.com>

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Hi Susan,

Thank you for your patience. I have discussed this with our permit team, and we will still need more information from US Steel in order to make a determination on the 316(b) applicability. While it is true that intake water that serves more than one purpose does not count toward the 25% threshold for the third 316(b) applicability criterion, we do not have enough information to know how much of the intake water is dual- or multi-purposed as opposed to exclusively used for cooling. Flow rates at the intake would indicate there is a good chance that 316(b) applies, and the information already provided does not show otherwise. The crucial piece of information we are looking for is a breakdown of the flows for the various waste streams at the site, which should show us how much of the intake water is used for different purposes, including cooling waters. In addition, we need know if any of the cooling water that is used in the manufacturing process is used either before or after it is used for cooling as process water.

Furthermore, it is important to note that if the criteria at 40 CFR 125.91(a) do not apply, the permit will need to lay out alternative requirements to ensure that adequate steps are taken to protect the aquatic wildlife around the site. This is governed by 40 CFR 125.90(b), which reads, "Cooling water intake structures not subject to requirements under §§ 125.94 through 125.99 or subparts I or N of this part must meet requirements under section 316(b) of the CWA established by the Director on a case-by-case, best professional judgment (BPI) basis." This means that if additional information does demonstrate that less than 25% of the intake water is used exclusively for cooling purposes, we still cannot simply remove Special Condition 14. Rather, the requirements in Special Condition 14 will need to be replaced with different requirements, which are assessed on a case-by-case basis. If this is the situation, we have some flexibility on how we go about it.

I think that the best next step would be to set up a call between technical staff at the Agency and at US Steel to make sure that everyone is on the same page. How is US Steel's availability for a meeting to discuss this sometime next week?

In the meantime, we are still on board with a 45-day extension to the appeal deadline, to be extended an additional 45 days if we need it. I look forward to speaking further with you.

Thanks,

Rebecca Strauss

Assistant Counsel, Water Regulatory Unit

2520 W Iles Avenue

(217) 557-1451

From: Susan Franzetti <sf@nijmanfranzetti.com>
Sent: Monday, July 20, 2026 11:15 AM
To: Strauss, Rebecca Y. <Rebecca.Strauss@Illinois.gov>
Cc: Armstrong, Andrew <Andrew.Armstrong@Illinois.gov>; Roubitckek, Mike <Mike.Roubitckek@Illinois.gov>; Vince Angermeier <va@nijmanfranzetti.com>
Subject: RE: [External] US Steel Granite City, IL Renewed NPDES Permit - Appeal of Special Condition 14 316(b) Colling Water Intake Structure Applicability Determination

Hello Rebecca – Thank you. Let me know when you have what you need to talk with me further.

Regards, Susan

Susan M. Franzetti | Nijman Franzetti LLP

T: 312-251-5590 M: 708-302-2294

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From: Strauss, Rebecca Y. <Rebecca.Strauss@Illinois.gov>
Sent: Monday, July 20, 2026 12:05 PM
To: Susan Franzetti <sf@nijmanfranzetti.com>
Cc: Armstrong, Andrew <Andrew.Armstrong@Illinois.gov>; Roubitckek, Mike <Mike.Roubitckek@Illinois.gov>; Vince Angermeier <va@nijmanfranzetti.com>
Subject: RE: [External] US Steel Granite City, IL Renewed NPDES Permit - Appeal of Special Condition 14 316(b) Colling Water Intake Structure Applicability Determination

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Hi Susan,

Electronic Filing: Received, Clerk's Office 07/29/2026 **PCB 2027-003**

That sounds like a sensible approach to me. The Agency could agree to a 45-day extension, with an option for an additional extension if needed. I will likely have a clearer picture of what is needed and a possible timeframe by tomorrow afternoon, and we can talk about next steps from there.

Thanks,

Rebecca Strauss

Assistant Counsel, Water Regulatory Unit

2520 W Iles Avenue

Springfield, IL 62794

(217) 557-1451

From: Susan Franzetti <sf@nijmanfranzetti.com>

Sent: Friday, July 17, 2026 12:50 PM

To: Strauss, Rebecca Y. <Rebecca.Strauss@Illinois.gov>

Cc: Armstrong, Andrew <Andrew.Armstrong@Illinois.gov>; Roubitckek, Mike <Mike.Roubitckek@Illinois.gov>; Vince Angermeier <va@nijmanfranzetti.com>

Subject: RE: [External] US Steel Granite City, IL Renewed NPDES Permit - Appeal of Special Condition 14 316(b) Colling Water Intake Structure Applicability Determination

Hi Rebecca – I appreciate the willingness to work forward on this to try to find a mutually acceptable resolution. As to a suggested timeframe for an extension, it largely depends upon the amount of time the Agency needs to identify a potential solution and then how much time that potential solution takes to implement on US Steel's end. I think it's hard for either one of us to know right now how much time is needed. The maximum extension under the Act is 90 days. Do you think its reasonable to "split the baby" for now and seek a 45 day extension (which would extend the appeal deadline from July 29th to September 12th – as the 12th is a Saturday, perhaps cut it back a day to Friday September 11th?)

Regards, Susan

Susan M. Franzetti | Nijman Franzetti LLP

T: 312-251-5590 M: 708-302-2294

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From: Strauss, Rebecca Y. <Rebecca.Strauss@Illinois.gov>

Sent: Friday, July 17, 2026 1:20 PM

To: Susan Franzetti <sf@nijmanfranzetti.com>

Cc: Armstrong, Andrew <Andrew.Armstrong@Illinois.gov>; Roubitchek, Mike <Mike.Roubitchek@Illinois.gov>

Subject: RE: [External] US Steel Granite City, IL Renewed NPDES Permit - Appeal of Special Condition 14 316(b) Colling Water Intake Structure Applicability Determination

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Hello Susan,

Thank you for reaching out. I will be meeting with our technical folks early next week to discuss what we would need to be comfortable with modifying the permit per US Steel's request. I will get back to you with our thoughts after we have had that conversation. I am optimistic that we can find a path forward if we work together.

In the meantime, given the short deadline, the Agency is open to extending the appeal deadline to give us more time to figure out a solution that will work for both parties. What timeframe did you have in mind?

I look forward to working with you on this matter.

Thanks,

Rebecca Strauss

Assistant Counsel, Water Regulatory Unit

2520 W Iles Avenue

Springfield, IL 62794

(217) 557-1451

From: Susan Franzetti <sf@nijmanfranzetti.com>

Sent: Thursday, July 16, 2026 8:30 AM

To: Terranova, Sara <Sara.Terranova@Illinois.gov>

Cc: Armstrong, Andrew <Andrew.Armstrong@Illinois.gov>; Strauss, Rebecca Y. <Rebecca.Strauss@Illinois.gov>; Roubitchek, Mike <Mike.Roubitchek@Illinois.gov>

Subject: RE: [External] US Steel Granite City, IL Renewed NPDES Permit - Appeal of Special Condition 14 316(b) Colling Water Intake Structure Applicability Determination

Rebecca – I look forward to working with you on this matter. Please feel free to reach out to me if you need any additional information or would like to discuss the issues further.

Regards, Susan

Susan M. Franzetti | Nijman Franzetti LLP

T: 312-251-5590 M: 708-302-2294

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From: Terranova, Sara <Sara.Terranova@Illinois.gov>

Sent: Thursday, July 16, 2026 9:22 AM

To: Susan Franzetti <sf@nijmanfranzetti.com>

Cc: Armstrong, Andrew <Andrew.Armstrong@Illinois.gov>; Strauss, Rebecca Y. <Rebecca.Strauss@Illinois.gov>; Roubitchek, Mike <Mike.Roubitchek@Illinois.gov>

Subject: Re: [External] US Steel Granite City, IL Renewed NPDES Permit - Appeal of Special Condition 14 316(b) Colling Water Intake Structure Applicability Determination

Good morning, Susan,

Thank you for reaching out. Andrew has assigned this matter to Rebecca, who will be working with you and coordinating with the Bureau regarding the issues you raised.

It was good to see you as well and I hope we have the opportunity to see each other again soon!

Sara

From: Susan Franzetti <sf@nijmanfranzetti.com>

Date: Wednesday, July 15, 2026 at 3:00 PM

To: Terranova, Sara <Sara.Terranova@Illinois.gov>

Subject: [External] US Steel Granite City, IL Renewed NPDES Permit - Appeal of Special Condition 14 316(b) Colling Water Intake Structure Applicability Determination

Hello Sara – I hope you are getting some time to enjoy the summer. I was glad we got the opportunity to finally see each other face to face back in June.

We have been retained by US Steel to handle its NPDES Permit Appeal (copy of its renewed NPDES Permit is attached). The appeal deadline is July 29th. The issue is Special Condition 14 which finds that Clean Water Act Rule 316(b) is applicable to the US Steel Granite City facility's water intake structure. It is not a new plant and prior NPDES permit renewals by the Agency did not find 316(b) applicable. US Steel advises that nothing has changed regarding its withdrawal and use of intake water since its prior permits were renewed that would be grounds for a change in the Agency's prior determinations that 316(b) did not apply. Hence, we do not understand why in this permit cycle the Agency decided to change its position and find 316(b) applicable.

US Steel did comment on the draft NPDES Permit stating requesting this draft Special Condition 14 be removed (copy attached – see comment #4) because the facility does not satisfy all three criteria required for applicability, as set forth in 40 CFR § 125.91(a) – Applicability:

(a) The owner or operator of an existing facility, as defined in § 125.92(k), is subject to the requirements at §§ 125.94 through 125.99 if:

(1) The facility is a point source;

(2) The facility uses or proposes to use one or more cooling water intake structures with a cumulative design intake flow (DIF) greater than 2 million gallons per day (mgd) to withdraw water from waters of the United States; and

(3) Twenty-five percent or more of the water the facility withdraws on an actual intake flow (AIF) basis is used exclusively for cooling purposes.

It's the third, highlighted criterion above, which requires using 25% or more of the intake water flow "exclusively for cooling purposes," that is the main basis of US Steel's position that 316(b) doesn't apply. US Steel does not use 25% or more of the intake flow "exclusively for cooling purposes."

It's not clear to me what the Agency's basis was for finding 316(b) applicable. The response to US Steel's comment (in the cover letter to the final NPDES Permit attached) states:

In reference to the comments in email dated June 10, 2026, the Agency offers the following response:

1. In response to the comment received on the 316(b) requirements: The Agency's decision to include Section 316(b) language in the permit is based on the facility's withdrawal of water from waters of the United States through a water intake structure and the facility's use of that water for cooling-related purposes.

Based on the information currently available to the Agency, the facility's use of a recycle water system and its interpretation of 40 CFR §125.92 do not provide clear evidence that the facility is exempt from the applicability of Section 316(b) requirements. Furthermore the information submitted to date does not clearly demonstrate that less than 25 percent of the intake flow is used for cooling purposes.

I'm concerned that the Agency overlooked the requirement in 40 CFR § 125.91(a)(3) that the use of the intake water must be "exclusively" for cooling purposes, not just that it is used partially for cooling. In US Steel's case, it has an extensive water recycling system at Granite City which allows the same intake water to be used for both cooling and process water purposes. The last sentence of the Agency's response to the US Steel comment may indicate that the Agency concluded that it did not have enough information on which to make this determination.

In any event, I thought that it would be helpful to reach out to you to review this matter before we both may spend a lot of time and effort on an NPDES permit appeal. I recognize that with the impending July 29th deadline for filing the appeal, there is likely not enough time to try to resolve this before that deadline. I'd appreciate also discussing with you an extension of the appeal deadline to allow us the necessary time to see if we can identify a path forward to resolve this matter.

I'm happy to discuss further at your convenience, but rather than hit you with a "cold call", I thought it would be more helpful if I set out the gist of what the nature of the appeal would involve. I'm generally around for the rest of the week if you would like to talk. Otherwise, I look forward to hearing from you.

Regards, Susan



Susan M. Franzetti

Partner

T: 312-251-5590 M: 708-302-2294

Nijman Franzetti LLP 10 S LaSalle St #3400, Chicago, IL 60603

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