ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

September 9, 2005

Exelon Generation Company, L.L.C. **Clinton Nuclear Power Station**	)	
Petitioner,	)	
v.	)	IEPA – 06[redacted] (Provisional Variance-Water)
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,	)	
Respondent.	)	

Re: Provisional Variance From Special Condition 4 of NPDES Permit IL0036919

The Illinois Environmental Protection Agency (Agency) has completed its technical review of the attached provisional variance request submitted by Exelon Generation Company, L.L.C. Clinton Nuclear Power Station (Exelon's Clinton Station) on September 6, 2005 (Attachment A). Based on the review, the Agency GRANTS a provisional variance subject to specific conditions set forth below for a period of 30 days beginning the date Exelon's Clinton Station reaches its permitted 90-day temperature limit provided in Special Condition 4 of NPDES Permit IL0036919 (Attachment B).

Exelon's Clinton Station is a nuclear-fueled steam electric generating facility located in DeWitt County, Illinois approximately six miles east of Clinton, Illinois.

Heat from Exelon's Clinton Station is dissipated by means of a 5,000 acre cooling lake known as Clinton Lake. The lake is a U-shaped impoundment that was formed by the damming of Salt Creek and the North Fork of Salt Creek. The plant's intake structure is on the North Fork of Salt Creek, and the outfall structure is located at the end of the discharge flume on the main branch of Salt Creek. Average lake travel from the intake to the outfall is approximately eleven miles and takes about 22 days.

Exelon's Clinton Station seeks a variance from Special Condition 4 of NPDES IL0036919. Special Condition 4 states in pertinent part:

> In accordance with IPCB order PCB 92-142, the temperature of the discharge to Clinton Lake from Clinton Power Station, as measured at the second drop structure of the discharge flume, shall be limited to a daily average temperature which (1) does not exceed 99 degrees Fahrenheit during more than 90 days in a fixed calendar year running from January 1, through December 31, and (2) does not exceed 110.7 degrees Fahrenheit for any given day.

Exelon's Clinton Station is seeking a provisional variance due to the extreme weather conditions that have occurred during the summer of 2005. Petitioner states that for the period from June 1 through August 31, the average temperature was 3.1 degrees Fahrenheit warmer than the average and 6.1 degrees Fahrenheit above the temperature of the same period a year ago. In addition, Petitioner states that as of August 25, 2005, the precipitation in Northwest, Northeast and Central Illinois is the third lowest on record. Petitioner explains that these unusually hot, humid and drought conditions have resulted in the need for Exelon's Clinton Station to increase the number of currently permitted days (i.e., 90) during which the daily average discharge temperature to Clinton Lake may exceed 99 degrees Fahrenheit.

The most current short and long-range weather forecasts indicate a continuation of above average temperatures and below average precipitation in the Central Illinois area.

The temperature of Excelon's Clinton Station's discharge to Clinton Lake is a function of outside air temperature, intake temperatures, and power plant levels. When the outside air temperature causes the daily average discharge temperature to exceed 90 degrees Fahrenheit, there is also a high demand on the electrical grid. As Excelon's Clinton Station reduces power to control discharge temperature below 99 degrees Fahrenheit, its ability to support system voltage is diminished.

To ensure the reliability of the electrical grid in this part of the state, Excelon's Clinton Station must maintain a specific voltage level. It can maintain this voltage level as long as it does not reduce real load below 1062 megawatts. Under current and foreseeable weather and drought conditions, however, even if Excelon's Clinton Station maintains a real load of 1062 megawatts, it may still cause daily average discharge temperatures to exceed 99 degrees Fahrenheit.

Granting the requested provisional variance will enable Excelon's Clinton Station to continue to maintain power grid voltage in the service territory. If Excelon's Clinton Station is not able maintain power grid voltage, there is an increased risk that the energy needs of its customers will not be met. Moreover, depending on the operating status of other generating station's in the area, Excelon's Clinton Station's continued operation may be essential for voltage support for the Commonwealth Edison Company and Ameren IP Transmission systems.

The Agency has reviewed the requested provisional variance and has concluded the following:

1. The environmental impact from the requested relief is predicted to be minimal; conditions in the lake will be closely monitored and the Agency will be immediately notified of any impact along with actions taken to remedy the situation;

2. No other reasonable alternatives appear available;

3. No public water supplies will be affected;

4. No federal regulations will preclude the granting of this request; and

5. Excelon's Clinton Station will face an arbitrary and unreasonable hardship if the request is not granted.

The Agency hereby Grants the Excelon's Clinton Station a provisional variance from Special Condition 4 of NPDES Permit IL0036919 as follows:

(1) Exelon's Clinton Station is granted 30 additional days to the 90 days specified in Special Condition 4 of NPDES Permit IL0036919.

(2) The provisional variance shall begin on the date the 90 days specified in Special Condition 4 of NPDES Permit IL0036919 are utilized and shall continue for a maximum of 30 additional days.

(3) Exelon's Clinton Station shall continuously monitor intake, discharge and receiving water temperatures and shall visually inspect intake and discharge areas at least three times daily to assess any mortalities to fish and other aquatic life.

(4) Exelon's Clinton Station shall document environmental conditions during the term of the provisional variance, including the activities described in (3) above and submit the documentation to the Agency and the Department of Natural Resources within 30 days after the provisional variance expires.

(5) Exelon's Clinton Station shall immediately implement biological activities to characterize how fish and other aquatic life respond to the thermal conditions resulting from the provisional variance; shall document these activities; and shall submit the documentation to the Agency and the Department of Natural Resources within 30 days after the provisional variance expires.

(6) Exelon's Clinton Station shall immediately notify the Agency and the Department of Natural Resources of any unusual conditions, including mortalities to fish or other aquatic life; shall immediately take action to remedy the problem; shall investigate and document the cause and seriousness of the unusual conditions while providing updates to the Agency and the Department of Natural Resources as changes occur until normal conditions return; shall notify the Agency and the Department of Natural Resources when normal conditions return; and shall submit the documentation to the Agency and the Department of Natural Resources within 30 days after normal conditions return.

(7) Exelon's Clinton Station shall develop and implement a response and recovery plan to address any adverse environmental impact due to thermal conditions resulting from the provisional variance, including loss and damage to aquatic life.

(8) Exelon's Clinton Station shall reduce its power plant output to 1062 MW during the term of this provisional variance.

(9) Exelon's Clinton Station shall notify Roger Callaway of the Agency by telephone at 217/782-9720 when the need for the 30 additional days begin. Written confirmation of each notice shall be sent within five days to the following address:

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

(10) Exelon's Clinton Station shall sign a certificate of acceptance of this provisional variance and forward that certificate to Roger Callaway at the address indicated above within one day of the date of this order. The certification should take the following form:

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

_____
Petitioner

_____
Authorized Agent

_____
Title

_____
Date

Exelon's Clinton Station shall continue to monitor and maintain compliance with all other parameters and conditions specified in its NPDES Permit NO. IL0036919.

The Illinois EPA grants this provisional variance in accordance with its authority contained in Sections 35(b), 36(c), and 37(b) of the Illinois Environmental Protection Act (415 ILCS 5/35(b), 36(c), and 37(b) (2004). The decision to grant this provisional variance is not intended to address compliance with any other applicable laws or regulations.

Granted:

Robert A. Messina
Chief Legal Counsel

September 9, 2005

Attachment A

AmerGen
An Exelon Company

Clinton Power Station
R. R. 3, Box 228
Clinton, IL 61727

O-602365
September 6, 2005

Mr. Mike Garretson
Manager, Compliance Assurance Section #19
Illinois Environmental Protection Agency
Bureau of Water
1021 North Grand Avenue East
P. O. Box 19276
Springfield, Illinois 62794-9276

Subject: Clinton Power Station
NPDES Permit No. IL0036919
Provisional Variance Request

Based on a discussion with Roger Callaway of your staff, John Petro, and Dave Siebert of Exelon on 09/06/05, this correspondence is a revision of the Provisional Variance Request dated September 1, 2005. The reason for the revision is to increase the number of days from 14 to 30 for days > 99^{0}F. Based on continuing temperatures in the 80^{0}F and drought conditions, it is possible that there would be no reduction in lake temperatures through September.

Exelon Generation Company, LLC ("Exelon") hereby requests that a provisional variance be granted for its Clinton Power Station ("Clinton" or "Station") as provided for by Title IX, Section 35, Subsection (b) of the Illinois Environmental Protection Act ("Act"). Specifically, Exelon requests 30 additional days during which Clinton will be allowed to average above 99^{0}F from the Station via outfall 002, the discharge flume. Based on the current heat and extreme drought conditions and weather forecasts for the remainder of August and into early September, Clinton Station will reach its permitted 90 days when discharge temperatures have averaged above 99^{0}F on or about September 11, 2005.

Station Description

The Clinton Power Station is located in Dewitt County, Illinois approximately 6 miles east of Clinton, Illinois and 60 miles northeast of Springfield, Illinois. The Station is a single unit 1090 MW nuclear–fueled electric generating station that began operating in 1987.

The Clinton cooling lake was constructed for the purpose of providing condenser cooling water and potable water. The lake consists of approximately 5,000 surface acres resulting from the damming of two streams, i.e., Salt Creek and the North Fork of Salt Creek. Condenser cooling water for the station is withdrawn from the North Fork Salt Creek leg of

Clinton Lake by means of three circulating water pumps. The plant intake structure is on the North Fork of Salt Creek approximately three miles upstream of the dam. The outfall structure is at a point 3.4 miles from the plant. The outfall structure (NPDES Permit Outfall 002) is located at the end of the discharge flume on the main branch of Salt Creek. At a cooling lake normal pool elevation of 690.0, the lake travel from outfall to intake is approximately 11 miles with a corresponding travel time of 22 days. This portion of the lake is known as the cooling loop.

Relief Requested

The NPDES Permit for Clinton Power Station (IL0036919) provides limitations for thermal discharges from the station via outfall 002, the discharge flume. Specifically, Special Condition 4 of the Permit states that: "In accordance with Illinois Pollution Control Board Order PCB 92-142, Temperature of the discharge to Clinton Lake from Clinton Power Station, as measured at the second drop structure of the discharge flume shall be limited to a daily average temperature which (1) does not exceed 99^{0}F during more than 90 days in a fixed calendar year running from January 1, through December 31, and (2) does not exceed 110.7 degrees Fahrenheit for any given day."

Exelon requests a provisional variance from Special Condition 4 that allows Clinton Station's discharge temperature to average above 99^{0}F for a period of 30 additional days starting on or about September 11, 2005, when the 90 days allowed by the plant's NPDES Permit are reached.

Necessity For Request

Illinois has experienced extreme environmental conditions during summer 2005 including heat and drought conditions. For the time period June 1 through August 31, the 74.7^{0}F average temperature was 3.1^{0}F warmer than the long-term average and 6.1^{0}F above the same period a year ago. The Since March 2005, precipitation has been much below normal over most of West Central and Northern Illinois, resulting in lower baseflows in streams and rivers and below normal levels in reservoirs and lakes. Most of Northern and Western Illinois remains in a severe or extreme drought. Statewide, March through August precipitation is the 6th driest on record. Even with normal precipitation for the remainder of August, this would still result in the March through August precipitation in 2005 being the 7th lowest on record. As of August 25th, March through August precipitation in Northwest, Northeast and Central Illinois is the 3rd lowest on record. As a consequence of the unusually hot and humid weather conditions and ongoing drought conditions, Clinton's discharge temperatures during this summer have been much warmer than in previous years, resulting in increased use of the Station's allotted 90 days during which its daily average discharge temperature may exceed 99 degrees.

Historical data indicates that environmental conditions in September will continue to result in accumulation of days in which discharge temperatures will exceed an average of 99^{0}F. These predicted conditions could change based on a combination of air temperature, humidity and cloud cover.

Clinton Lake's discharge temperature is a function of outside air temperature, intake temperatures, and plant power levels. During periods when outside air temperature is causing the daily average discharge temperature to exceed 99 °F, there is also high demand

on the electrical grid. As Clinton reduces power to control discharge temperature below 99°F, the Station's ability to support system voltage is diminished.

Clinton is obligated to maintain a specific voltage level in order to ensure the reliability of the electrical grid in this part of the state. This voltage level can be maintained so long as the Station does not reduce real load below 1062 megawatts. However, under the current and foreseeable weather and drought conditions, even when the Station maintains real load of 1062 megawatts, it may still cause daily average discharge temperatures to exceed 99 degrees.

The requested provisional variance will enable Clinton Station to continue to maintain power grid voltage in the service territory. Without the power that Clinton Station could generate as a result of the requested provisional variance, there is increased risk that the energy needs of Exelon's customers may not be met and depending on the operating status of other generating stations in the area, Clinton Station continued operation may be essential for voltage support for the Commonwealth Edison Company and Ameren IP Transmission systems.

Assessment Of Environmental Impacts

The thermal impact of the requested provisional variance with respect to both the near-field and far-field aquatic community is expected to be minimal. During September, which is characterized by cooler nights and cooler daytime ambient air temperatures and lower humidity, the cooling water discharged from the plant will evaporate to the atmosphere more rapidly than during summer months.

The 99^0F limitation on average temperature at the end of the discharge canal was based on a biological impact assessment that compared modeled lake temperatures to the habitats where specific thermal tolerance limits would apply for indicator fish species. The biological impact assessment that was used to justify the 99^0F temperature limit identified the most restrictive temperature criteria to be the Short Term Maximum Temperature (STMT) for embryo survival. High lake temperatures early in a year from a combination of earlier than normal spring temperatures and heavy generation demands could restrict access to critical spawning habitat or reduce the survivability of embryos and larval fish. Embryos and early larval do not have the mobility to avoid areas above their thermal limits. However the main impact of warmer than normal lake temperatures in late summer or early fall is that juvenile and adult fish will avoid portions of the lake above their thermal preferences for a longer period. Although temperatures near the discharge would remain higher for 30 additional days, thermal models indicate temperatures midway around the cooling lake loop will be essentially back to ambient and provide adequate thermal refuges. Any reduced growth rates resulting from the higher lake temperatures are usually more than offset by a longer growing season in cooling lakes.

Because Clinton Station is not proposing to increase cooling water flows or increase the temperature of the cooling water discharge, resident fish species have already acclimated to the existing discharge temperature. Resident fish species will not be subject to any heat shock as a result of increasing the allotment of time for which the plant can discharge above the 99^0F average temperature.

Alternatives To Requested Relief

Clinton's lake discharge temperature is a function of both environmental conditions and plant power level. As previously noted, the environmental conditions in 2005 have resulted in the potential need for relief.

Exelon evaluated several options prior to seeking regulatory relief to attempt to meet the limit from which the variance is requested. The most serious challenge faced was the requirement to assure the reliability of the electrical grid. Clinton supports the regional grid operator (Ameren IP) by providing voltage support via reactive power. The reactive power capability produced by the Station is directly proportional to the plant power level. Higher plant power levels provide more voltage support. Reduced grid voltage support can challenge grid stability. Clinton is obligated to maintain a certain voltage level in its switchyard to ensure the reliability of the electrical grid in this part of the state. This voltage level can be maintained so long as the Station does not reduce real load below 1062 megawatts. Without Clinton's generation and voltage support, the transmission system operator can only compensate for reduced grid voltage by starting fossil generating units in the area. The need for Clinton's full reactive load support to the grid is most important during periods of high demand (such as during day time periods with hot weather). Given the requirement to provide grid voltage support, Exelon has determined that a power reduction to a constant lower value that would significantly reduce discharge temperature is not a viable option. Without the power that Clinton Station could generate as a result of the requested provisional variance, there is increased risk that the energy needs of Exelon's customers may not be met, and depending on the operating status of other generating stations in the area, Clinton Station continued operation may be essential for voltage support for the Commonwealth Edison Company and Ameren IP Transmission systems.

An alternative option evaluated was to reduce power output during the nighttime and then increase power in time to provide the daily required voltage requirements. This option requires that the plant ramp down in the evening hours and remain at some reduced power level until the early morning hours at a predetermined time that would ensure that the resultant average discharge temperature was less than 99^{0}F at the end of a 24-hour period. To achieve the required plant power level changes on a nightly basis would challenge plant systems and would not be in accordance with sound operating practices. Clinton is designed to be base loaded at steady state conditions for long periods of time. Control systems are tuned optimally for full power levels such that equipment performance characteristics are most reliable. Frequent power changes present a challenge to integrity of the nuclear fuel and thus, ultimately the environment. Power changes are made by adjusting the reactor core controls and thus present additional challenges to operations personnel. For both of these reasons, power adjustments are normally limited to only those required. Thus, the option of nightly power reductions was not determined to be viable.

A third alternative evaluated the utilization of temporary mechanical draft cooling towers to reduce the temperature of the cooling water discharged from the plant instead of being discharged to the cooling lake. The cooling water discharged from the temporary towers would then have to be re-routed back to the cooling lake which would require the installation and operation of pumps, piping and sufficient temporary power to transport 649,100 gpm of circulating water flow. The temporary cooling tower installation would be require a considerable amount of space and would need to be installed adjacent to the discharge canal to minimize the amount of piping runs and interconnecting piping. Whenever installing

complex temporary systems there is always a concern with safety and reliability. There can be unexpected power interruptions and/or equipment failures that have the potential of complicating the ongoing operations of the temporary cooling towers. Renting temporary pumps to pump water to the cooling towers would require the building of a temporary structure to house them. The discharges from these pumps would have to be placed adjacent to the discharge canal where a failure of a single temporary transfer pipe could be catastrophic. For the short time period for which this provisional variance is required, there is insufficient time to mobilize equipment and resources to accomplish this.

Mitigative Actions To Be Taken During The Variance Period

During the period when the Station discharge exceeds the 99^{0}F average discharge temperature authorized by the requested provisional variance, Clinton Power Station will do the following: (1) reduce plant output to 1062 MWe; (2) continuously monitor the intake and discharge temperatures and assess water temperatures specified in the NPDES Permit; (3) on a daily basis, inspect the intake and discharge areas to assess any mortalities to aquatic life, and report the results of these monitoring activities to the Agency within 30 days of the expiration of the provisional variance (or such other time as agreed upon by the Agency); and (4) notify the Agency of any significant adverse environmental conditions observed that might be caused by operations authorized by the provisional variance, including mortalities to fish or other aquatic life, investigate the cause of such conditions, provide the Agency updates regarding the situation, including when normal conditions return, and submit a report to the Agency regarding these matters within 30 days of the expiration of the provisional variance period (or such other time as agreed upon by the Agency).

Summary

Exelon requests 30 additional days during which Clinton will be allowed to average above 99^{0}F from the Station via outfall 002, the discharge flume pursuant to Special Condition 4. It is Exelon's position that not granting this provisional variance to Clinton Station would impose an arbitrary and unreasonable hardship for the foregoing reasons.

There is no other provisional variance relief in effect at this time for Clinton Station.

Should you require any further information in order to expedite the processing of this request or have any questions, please contact Dave Siebert of my staff at (217) 937-3245.

Sincerely,

David H. Schavey for

Michael D. McDowell
Plant Manager
Clinton Power Station

RSF/blf

cc: R. S. Bement, V-275
W. S. Iliff, T-31A
J. J. Madden, T-31A
D. C. Siebert, T-31C
P. R. Simpson, Cantera
J. H. Roberson, Cantera
J. R. Petro, Cantera
S. D. Neal, Cantera

NPDES Permit No. IL0036919

Illinois Environmental Protection Agency

Division of Water Pollution Control

1021 North Grand Avenue East

Post Office Box 19276

Springfield, Illinois 62794-9276

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

Reissued (NPDES) Permit

Expiration Date: April 30, 2005

Issue Date: April 24, 2000
Effective Date: May 1, 2000

Name and Address of Permittee:

AmerGen Energy Company, L.L.C.
965 Chesterbrook Boulevard
Wayne, Pennsylvania 19087-5691

Facility Name and Address:

Clinton Power Station
Route 54 East, P.O. Box 678
Clinton, Illinois 61727
(DeWitt County)

Discharge Number and Name:

002 Discharge Flume
A02 Sewage Treatment Plant Effluent
B02 Radwaste Treatment System Effluent
C02 Activated Carbon Treatment System Effluent
003 Water Treatment Wastes
A03 Activiated Carbon Treatment System Effluent
004 Transformer Area Oil/Water Separator
005 Diesel Generator Oil/Water Separator
006 Screenhouse Intake Screen Backwash
007 Safe Shutdown Service Water System
008 Station Service Water
009 Water Treatment Pond Area Runoff
010 Unit 2 Excavation Area Runoff
011 Sedimentation Pond Runoff
012 Employee Parking Lot and Adjacent Area Runoff
013 Boathouse and Screenhouse Area Runoff
014 Screenhouse and Pumphouse Area Runoff
015 Ultimate Heat Sink Dredge Pond Discharge

Receiving Waters:

Clinton Lake

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.

Thomas G. McSwiggin, P.E.
Manager, Permit Section
Division of Water Pollution Control

TGM:DEL:99110501.dlk

NPDES Permit No. IL0036919

Effluent Limitations and Monitoring

PARAMETER	LOAD LIMITS lbs/day DAF (DMF) 30 DAY AVERAGE	LOAD LIMITS lbs/day DAF (DMF) DAILY MAXIMUM	CONCENTRATION LIMITS mg/l 30 DAY AVERAGE	CONCENTRATION LIMITS mg/l DAILY MAXIMUM	SAMPLE FREQUENCY	SAMPLE TYPE

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: 002 - Discharge Flume — 965 MGD (max.)

This discharge consists of: — Approximate Flow

1. Main Condenser Cooling Water — 880 MGD (max.)
2. Station Service Water* — 85 MGD (max.)
3. Sewage Treatment Plant Effluent — 0.093 MGD
4. Radwaste Treatment System Effluent — 0.072 MGD
5. Raw Water Treatment Systems Containment Impounded Waters — Intermittent
6. Screenhouse Sump Discharges — Intermittent

Flow (MGD)				1/Week	Estimate 24-Hour Total
pH	See Special Condition 1			1/Week	Grab
Total Residual Chlorine**			0.2	1/Week	See Special Condition 3
Total Residual Oxidant***	They can't ever use Oxigen therefore, they will receive a TRO		0.05	1/Day	Grab
Temperature	See Special Condition 4			Continuous	See Special Condition 4

*Station Service Water discharge consists of various pump and bearing cooling waters, various heat exchangers, chillers, and HVAC system and fire protection system maintenance flush waters.
**See Special Conditions 3 and 6.
***See Special Condition 6.

NPDES Permit No. IL0036919

Effluent Limitations and Monitoring

PARAMETER	LOAD LIMITS lbs/day DAF (DMF) 30 DAY AVERAGE	LOAD LIMITS lbs/day DAF (DMF) DAILY MAXIMUM	CONCENTRATION LIMITS mg/l 30 DAY AVERAGE	CONCENTRATION LIMITS mg/l DAILY MAXIMUM	SAMPLE FREQUENCY	SAMPLE TYPE

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: A02 - Sewage Treatment Plant — 0.093 MGD

This discharge consists of: — Approximate Flow

1. Extended Aeration Sewage Treatment Plant Effluent — (DMF 0.0427 MGD)
2. Contact Stabilization Sewage Treatment Plant Effluent — (DMF 0.05 MGD)
3. Simulator Refrigeration Unit Condensation — Intermittent
4. Ventilation and Service Air Compressor Condensate Discharge — Intermittent
5. Equipment Maintenance Wastewaters — Intermittent
6. Fire Protection and Service Water — Intermittent
7. Laboratory Chemicals — Intermittent
8. Activated Carbon Treatment System Effluent

PARAMETER	30 DAY AVERAGE	DAILY MAXIMUM	30 DAY AVERAGE	DAILY MAXIMUM	SAMPLE FREQUENCY	SAMPLE TYPE
Flow (MGD)					1/Week	24 hr. total
pH	See Special Condition 1				1/Week	Grab
BOD_5	23.2	46.4	30	60	1/Week	24 Hour Composite
Total Suspended Solids	23.2	46.4	30	60	1/Week	24 Hour Composite

NPDES Permit No. IL0036919

Effluent Limitations and Monitoring

PARAMETER	LOAD LIMITS lbs/day DAF (DMF) 30 DAY AVERAGE	LOAD LIMITS lbs/day DAF (DMF) DAILY MAXIMUM	CONCENTRATION LIMITS mg/l 30 DAY AVERAGE	CONCENTRATION LIMITS mg/l DAILY MAXIMUM	SAMPLE FREQUENCY	SAMPLE TYPE
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: B02 - Radwaste Treatment System Effluent					0.072 MGD (max)	
This discharge consists of:					Approximate Flow	
1. Equipment Drain Subsystem						
2. Floor drain Subsystem						
3. Laundry Waste Subsystem						
4. Chemical Waste Subsystem						
5. Laboratory Chemicals					Intermittent	
6. Equipment Maintenance Wastewaters					Intermittent	
Flow (MGD)					Continuous	
Total Suspended Solids			15	30	1/Week	Grab*
Oil and Grease			15	20	1/Week	Grab*

*See Special Condition 12.

NPDES Permit No. IL0036919

Effluent Limitations and Monitoring

PARAMETER	LOAD LIMITS lbs/day DAF (DMF) 30 DAY AVERAGE	LOAD LIMITS lbs/day DAF (DMF) DAILY MAXIMUM	CONCENTRATION LIMITS mg/l 30 DAY AVERAGE	CONCENTRATION LIMITS mg/l DAILY MAXIMUM	SAMPLE FREQUENCY	SAMPLE TYPE
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: 003 - Water Treatment Wastes				0.288 MGD (max)		
This discharge consists of:				Approximate Flow		
1. Upflow filter backwash				0.060 MGD (max)		
2. Reverse Osmosis Unit reject waste				0.040 MGD (max)		
3. Mixed bed polishers off-spec. water				Intermittent		
4. Sand filter backwash						
5. Auxiliary boiler blowdown						
6. Standby liquid control pump surveillance operation wastewater						
7. Equipment Maintenance Wastewaters						
8. Laboratory chemicals						
9. Reverse osmosis unit cleaning chemicals						
10. Activated carbon treatment system				Intermittent		
Flow (MGD)					1/Week	24 hr. total
pH	See Special Condition 1				1/Week	Grab
Total Suspended Solids			15	30	1/Week	24 Hour Composite
Total Dissolved Solids*	Monitor only				1/Week	24 Hour Composite

*Monitor Only.

NPDES Permit No. IL0036919

Effluent Limitations and Monitoring

PARAMETER	LOAD LIMITS lbs/day DAF (DMF) 30 DAY AVERAGE	LOAD LIMITS lbs/day DAF (DMF) DAILY MAXIMUM	CONCENTRATION LIMITS mg/l 30 DAY AVERAGE	CONCENTRATION LIMITS mg/l DAILY MAXIMUM	SAMPLE FREQUENCY	SAMPLE TYPE
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: C02 - Activated Carbon Treatment System Effluent A03 - Activated Carbon Treatment System Effluent						
Flow (MGD)					1/Month*	Measure When Monitoring
Oil and Grease			15	30	1/Month*	Grab
Benzene				0.05	1/Month*	Grab
Ethylbenzene			0.017	0.15	1/Month*	Grab
Toluene			0.11	0.75	1/Month	Grab
Xylenes (total)			0.117	0.75	1/Month*	Grab
Total BETX**				0.75	1/Month*	Calculation
Priority Pollutants PNAs***				0.1	1/Month*	Grab

*See Special Condition 15 for more frequent monitoring during first 3 months of operation.
**Benzene, Ethylbenzene, Toluene, and Xylenes.
***Not required for discharges involving only gasoline. See Special Condition 16.

NPDES Permit No. IL0036919

Effluent Limitations and Monitoring

	LOAD LIMITS lbs/day DAF (DMF)		CONCENTRATION LIMITS mg/l			
PARAMETER	30 DAY AVERAGE	DAILY MAXIMUM	30 DAY AVERAGE	DAILY MAXIMUM	SAMPLE FREQUENCY	SAMPLE TYPE

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: 004 - Transformer Area Oil - Water Separator

This discharge consists of: Approximate Flow: Intermittent

1. Machine shop area floor drains
2. Paint storage room floor drains
3. Oil tank area and turbine oil transfer pump area drains
4. Transformer area drains
5. Diesel generator area oil/water separator
6. Equipment maintenance wastewaters

Flow (MGD)			1/Month	Estimate
Oil & Grease	15	20	1/Month	Grab

Outfall: 005 - Diesel Generator Area Oil-Water Separator

This discharge consists of: Approximate Flow: Intermittent

1. Diesel generator building floor drains
2. Diesel fuel area drains
3. Fuel unloading area drains
4. Equipment maintenance wastewaters
5. Transformer area oil/water separator

Flow (MGD)			1/Month	Estimate
Oil and Grease	15	20	1/Month	Grab

Outfall: 006 - Screenhouse Intake Discharges*

This discharge consists of: Approximate Flow: Intermittent

1. Screenhouse intake screen backwash
2. Warming line waters
3. Service water backflow
4. Raw water treatment system non-chlorinated sample waters

Flow (MGD)			1/Week	Estimate
Total Residual Chlorine**		0.2**	1/Week	Grab

*See Special Condition 5.
**See Special Condition 6.

NPDES Permit No. IL0036919

Effluent Limitations and Monitoring

PARAMETER	LOAD LIMITS lbs/day DAF (DMF) 30 DAY AVERAGE	LOAD LIMITS lbs/day DAF (DMF) DAILY MAXIMUM	CONCENTRATION LIMITS mg/l 30 DAY AVERAGE	CONCENTRATION LIMITS mg/l DAILY MAXIMUM	SAMPLE FREQUENCY	SAMPLE TYPE

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: 007 - Safe Shutdown Service Water system

This discharge consists of: Approximate Flow: 35.0 MGD

1. Equipment Cooling Water
2. Diesel Generator Cooling Water
3. Residual heat removal heat exchangers

Flow (MGD)					Continuous
Total Residual Chlorine*			0.05*	1/Week	Grab

*See Special Condition 6.

Outfall: 008 - Station Service Water*

Flow (MGD)				Estimate 24 Hour Total	
Total Residual Chlorine			0.05**	Daily When Discharging	Grab

*This discharge consists of approximately 150,000 gallons of unheated pump bearing cooling waters, heat exchanger cooling waters, chiller waters, and HVAC cooling waters from the service water system, and fire protection system waters. This discharge occurs only during refueling and other forced outages.
**Measured as an instantaneous maximum.

Outfalls: 009 - Water Treatment Pond Area Runoff
010 - Unit 2 Excavation Area Runoff
011 - Sedimentation Pond Runoff
012 - Employee Parking Lot and Adjacent Area Runoff
013 - Boathouse and Screenhouse Area Runoff
014 - Screenhouse and Pumphouse Area Runoff

See Special Condition 14 for discharges of Stormwater.

Outfall: 015 - Ultimate Heat Sink Dredge Pond Discharge*

Flow (MGD)				Estimate 24 Hour Total	
pH	See Special Condition 1			1/Week	Grab
Total Suspended Solids		15	30	1/Week	Grab

*See Special Condition 17.

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SPECIAL CONDITION 1. The pH shall be in the range of 6.0 to 9.0.

SPECIAL CONDITION 2. 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 waters.

SPECIAL CONDITION 3. Continuous monitoring throughout a representative chlorination period shall be performed once per week above the second drop structure in the discharge flume during the respective chlorination period allowing for lag time between the initiation of chlorination and the point of sampling. If continuous monitoring cannot be performed, grab samples shall be taken in the discharge flume at five minute intervals or less during the respective chlorination period to develop a chlorine concentration curve allowing for lag time between the initiation of chlorination and the point of sampling before the first grab sample is taken. The individual values and average (mean) values for each set of grab samples shall be reported including the time samples were collected, the time and duration of the chlorine dosing period plus the amount (lbs/day) of chlorine applied. For continuous chlorine monitoring, analytical data from only one representative monitoring period each week need be reported on the monthly discharge monitoring report. For continuous monitoring, the chlorine concentration curve, the time of sampling, the time and duration of the chlorine dosing period plus the amount (lbs/day) of chlorine applied shall be reported.

If the permittee is submitting Discharge Monitoring Reports electronically, the permittee shall report the daily maximum and monthly average chlorine concentrations on the DMR. All remaining data such as the chlorine concentration curve, time of sampling, time and duration of dosing period, etc. as required by this special condition, shall immediately follow by mail.

If only service water is discharged to the discharge flume during a normal weekly monitoring period, a single grab sample may be taken for determining compliance with TRC limitations. The single grab sample must be taken during a representative chlorination period, with the duration of chlorination reported in the quarterly reports.

SPECIAL CONDITION 4. In accordance with IPCB Order PCB 92-142, the temperature of the discharge to Clinton Lake from Clinton Power Station, as measured at the second drop structure of the discharge flume, shall be limited to a daily average temperature which (1) does not exceed 99 degrees Fahrenheit during more than 90 days in a fixed calendar year running from January 1, through December 31, and (2) does not exceed 110.7 degrees Fahrenheit for any given day.

Compliance with the water temperature monitoring requirements shall be determined by reporting the daily average and daily maximum water temperature of the discharge. The number of days the daily average temperature exceeds 99.0° F during the calendar year shall also be reported.

If the permittee is submitting Discharge Monitoring Reports electronically, the permittee shall report the monthly average and daily maximum temperatures on the DMR. Other required data should immediately follow by mail.

SPECIAL CONDITION 5. The intake structure shall be operated and maintained in a professional manner so as to minimize the possible adverse impact on water quality which might result from the discharge of any collected debris or fish. So as to minimize possible adverse impacts, for purposes of this permit, the intake structure operation and maintenance shall include, but not be limited to, the following:

a. Outer bar racks shall be routinely cleaned and collected debris properly disposed.

SPECIAL CONDITION 6. Chlorine and Chlorine Dioxide usage shall be subject to the following limitations:

A. The limit of 0.2 for Total Residual Chlorine (TRC) measured as an instantaneous maximum, shall only apply to the intermittent use of chlorine. Intermittent usage is defined as the time when TRC is being discharged for two hours per day or less.

B. During times of continuous chlorination, that is when TRC is discharged for more than two hours per day, the limit is 0.05 mg/l TRC, measured as an instantaneous maximum.

C. All uses of Chlorine Dioxide, such as for Macro or Microinvertebrate control, and regardless of duration, are subject to the discharge limit of 0.05 mg/l TRO (Total Residual Oxidant), as an instantaneous maximum. TRO is defined as the sum total of TRC, chlorite, and chlorine dioxide.

D. Analysis for chlorite and chlorine dioxide shall be performed according to 4500 - CLO_2 C. Amperometric Method I, as referenced in Standards Methods for the Examination of Water and Wastewater, Current Edition

SPECIAL CONDITION 7. There shall be no discharge of polychlorinated biphenyl compounds (PCBs).

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SPECIAL CONDITION 8. In accordance with IPCB Order PCB 92-142, Clinton Power Station is required to conduct a continuous Temperature Monitoring Program at site 1.5 that will be located at a submerged depth of 0.5 meters in Salt Creek approximately 100 feet down the stream from the bottom of the spillway of Clinton Lake during the months of June, July, and August of each year, during the life of this permit. Results shall be submitted to the Agency by the following January.

SPECIAL CONDITION 9. Clinton Power Station's thermal demonstration pursuant to 35 Ill. Adm. Code 302.211(f) was approved by the IPCB and the alternative thermal standards of Special Condition 4 of this permit were granted by the IPCB (PCB 92-142) after fulfillment of the requirements of 35 Ill. Adm. Code 302.211(j).

SPECIAL CONDITION 10. Clinton Power Station's demonstration regarding water intake structure operations in accordance with Section 316(b) of the Clean Water Act under review by this Agency. Final action on this matter is pending.

SPECIAL CONDITION 11. Unused laboratory chemicals shall be discharged at a rate and in a manner so as not to upset normal operation or cause pass through at the sewage treatment plant, or the Radwaste Treatment System.

SPECIAL CONDITION 12. A grab sample shall be taken during the discharge of each Radwaste Treatment System effluent holding tank. A grab sample shall be taken each time a tank is discharged.

SPECIAL CONDITION 13. The permittee shall record monitoring results on Discharge Monitoring Report forms using one such form for each discharge each month. Flow (MGD) shall be reported as a 30-day average and a daily maximum.

The completed Discharge Monitoring Report forms shall be received by the IEPA either electronically or by mail, no later than the 15th day of the following month, unless otherwise specified by the permitting authority. If DMRs are submitted electronically, a hard copy shall follow by mail. Discharge Monitoring Reports shall be mailed to the IEPA at the following address:

Illinois Environmental Protection Agency
Division of Water Pollution Control
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276
Attention: Compliance Assurance Section

SPECIAL CONDITION 14.

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 365 days of the effective date of this permit. Clinton Power Station shall make a copy of the plan available to the Agency at any reasonable time upon request.

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:

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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.

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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.

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Construction Authorization

K. Authorization is hereby granted to construct treatment works and related equipment that may be required by the Storm Water Pollution Prevention 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 cleaning, grading and excavation activities which result in the disturbance of five acres or more of land area, are not covered by this authorization. The permittee shall contact the IEPA regarding the required permit(s).

REPORTING

L. The facility shall submit an annual inspection report to the Illinois Environmental Protection Agency. The report shall include results of the annual facility inspection which is required by Part G of the Storm Water Pollution Prevention Plan of this permit. The report shall also include documentation of any event (spill, treatment unit malfunction, etc.) which would require an inspection, results of the inspection, and any subsequent corrective maintenance activity. The report shall be completed and signed by the authorized facility employee(s) who conducted the inspection(s).

M. The first report shall contain information gathered during the one year time period beginning with the effective date of coverage under this permit and shall be submitted no later than 60 days after this one year period has expired. Each subsequent report shall contain the previous year's information and shall be submitted by October 31 of each year.

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 15. During the first month of operation of a new discharge (Outfalls C02 and A03), the sample frequency shall be once per week. During the next two months the frequency shall be twice per month, and thereafter the frequency shall be once per month. Discharges of less than one week duration shall be monitored at least once per discharge event.

SPECIAL CONDITION 16. (Outfalls C02 and A03) Discharges of water which could have been impacted by any fuel other than gasoline shall analyze the discharge for the following polynuclear aromatic hydrocarbons.

Acenaphthene
Acenaphthylene
Anthracene
Benzo(a)anthracene
Benzo(a)pyrene
3,4 Benzofluoranthene

Benzo(g,h,i)perylene
Benzo(k)fluoranthene
Chrysene
Dibenzo(a,h)anthracene
Fluoranthene
Fluorene
Indeno(1,2,3-cd)pyrene
Naphthalene
Penanthrene
Pyrene

SPECIAL CONDITION 17. Prior to the initiation of discharge at Outfall 015, the permittee shall submit a completed Form 2D for this outfall. If necessary, based on the additional information submitted, the Agency may revise or modify the permit in order to comply with the Clean Water Act.

ATTACHMENT H

Standard Conditions

Definitions

Act means the Illinois Environmental Protection Act, Ch. 111 1/2 ¶ Rev Stat., Sec. 1001 1052 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 requirement.

(2) Duty to reapply. If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain a new permit. If the permittee 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 the 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. 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, 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. This period may be extended by request of the Agency 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.

(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.

(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) *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.

(d) **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.

(e) **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 times; 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) Violation of a maximum daily discharge limitation for any of the pollutants listed by the Agency in the permit to be reported within 24 hours;

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

(f) **Other noncompliance.** The permittee shall report all instances of noncompliance not reported under paragraphs (12)(c), (d), or (e), at the time monitoring reports are submitted. The reports shall contain the information listed in paragraph (12)(e).

(g) **Other information.** Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application, or in any report to the Agency, it shall promptly submit such facts or information.

(13) **Transfer of permits.** A permit may be automatically transferred to a new permittee if:

(a) The current permittee notifies the Agency at least 30 days in advance of the proposed transfer date;

(b) The notice includes a written agreement between the existing and new permittees containing a specific date for transfer of permit responsibility, coverage and liability between the current and new permittees; and

(c) 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.

(14) 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.

(15) 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 discharger 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.

(16) If the permit is issued to a publicly owned or publicly regulated treatment works, the permittee shall require any industrial user of such treatment works to comply with federal requirements concerning:

(1) User charges pursuant to Section 204(b) of the Clean Water Act and applicable regulations appearing at 40 CFR 35;

(2) Toxic pollutant effluent standards and pretreatment standards pursuant to Section 307 of the Clean Water Act; and

(3) Inspection, monitoring and entry pursuant to Section 308 of the Clean Water Act.

(17) 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.

(18) Any authorizations 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.

(19) 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.

(20) 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 $10,000 per day of such violation. Any person who willfully or negligently violates permit conditions implementing Sections 301, 302, 306, 307, or 308 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.

(21) 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 permit 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.

(22) 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 the permit shall, including monitoring reports or reports of compliance or non-compliance shall upon conviction, be punished by a fine of not more than $10,000 per violation, or by imprisonment for not more than 6 months per violation, or by both.

(23) Collected screenings, 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.

(24) In case of conflict between these standard conditions and any other condition(s) included in this permit, the other condition(s) shall govern.

(25) 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 F, and all applicable orders of the Board.

(26) The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, 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 19276, SPRINGFIELD, ILLINOIS 62794-9276 – (217) 782-3397
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ROD R. BLAGOJEVICH, GOVERNOR DOUGLAS P. SCOTT, DIRECTOR

(217) 782-5544
TDD: (217) 782-9143

September 9, 2005

Dorothy Gunn, Clerk
Pollution Control Board
100 West Randolph Street
Suite 11-500
Chicago, IL 60601

RE: **NOTICE OF PROVISIONAL VARIANCE APPROVAL**
PV-06-08

Dear Ms. Gunn:

Pursuant to Subsection 37(b) of the Environmental Protection Act (415 ILCS 5/37(b)), attached is a copy of the Illinois EPA's recent approval of a request for provisional variance. As you know, the Board must maintain for public inspection copies of all provisional variances filed with it by the Illinois EPA. Please feel free to call me at the number referenced above should you have any questions.

Sincerely,

Vera Herst
Assistant Counsel
Division of Legal Counsel

Attachment