

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

IN THE MATTER OF:

**Glenbard Wastewater Authority
21 W. 551 Bemis Road
Glen Ellyn, Illinois 60137**

ATTENTION:

**Glenbard Wastewater Authority—Main WWTP
Matt Streicher, Executive Director
mstreicher@gbww.org**

Request to Provide Information Pursuant to the Clean Water Act

The U.S. Environmental Protection Agency is requiring Glenbard Wastewater Authority (GWA or you) to submit certain information about the facility at 21 W. 551 Bemis Road, Glen Ellyn, Illinois. Appendix A provides the instructions needed to answer this information request, including instructions for electronic submissions. Appendix B specifies the information that you must submit. You must send this information to us within 15 calendar days after you receive this request. If you are unable to respond in a timely fashion because of impacts related to the COVID-19 pandemic, please submit a written extension request via email to ellens.newton@epa.gov, explaining the specific impacts on your ability to respond.

We are issuing this information request under Section 308(a) of the Clean Water Act (CWA or Act), 33 U.S.C. § 1318(a). Section 308(a) authorizes the Administrator of EPA to require the submission of information. The Administrator has delegated this authority to the Director of the Enforcement and Compliance Assurance Division, Region 5.

Section 308(a) of the CWA, 33 U.S.C. § 1318(a), provides, among other things, that whenever required to carry out an objective of the Act, the Administrator of EPA shall require the owner or operator of any point source to: establish and maintain such records, make such

reports, install, use, and maintain such monitoring equipment or methods (including where appropriate, biological monitoring methods), sample such effluents (in accordance with such methods, at such locations, at such intervals, and in such manner as the Administrator shall prescribe), and provide such other information as the Administrator may reasonably require.

GWA owns and operates a point source at the Glen Ellyn, Illinois facility. We are requesting this information to determine whether this source is complying with the CWA.

GWA must send all required information to R5WECA@epa.gov and to ellens.newton@epa.gov. If, for some reason, materials cannot be transmitted electronically, submissions can be sent to:

Water Enforcement and Compliance Assurance Branch
Enforcement and Compliance Assurance Division
U.S. Environmental Protection Agency
Region 5
Attn: Newton Ellens, ECW-15J
77 W. Jackson Boulevard
Chicago, Illinois 60604

GWA must submit all required information under an authorized signature with the following certification:

I certify under penalty of law that I have examined and am familiar with the information in the enclosed documents, including all attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are, to the best of my knowledge and belief, true and complete. I am aware that there are significant penalties for knowingly submitting false statements and information, including the possibility of fines or imprisonment pursuant to Section 308(a) of the Clean Water Act, 33 U.S.C. § 1318(a).

As explained more fully in Appendix A, GWA may assert a claim of business confidentiality under 40 C.F.R. Part 2, Subpart B for any part of the information submitted to us. Information subject to a business confidentiality claim is available to the public only to the

extent, and by means of the procedures, set forth at 40 C.F.R. Part 2, Subpart B. If CWA does not assert a business confidentiality claim when submitting the information, EPA may make this information available to the public without further notice. GWA should be aware, however, that pursuant to Section 308(b) of the CWA, 33 U.S.C. § 1318(b), and 40 C.F.R. § 2.302(e), effluent data, standards, and limitations are not eligible for confidential treatment.

This information collection is exempt from the Paperwork Reduction Act under 44 U.S.C. § 3518(c)(1)(B).

We may use any information submitted in response to this request in an administrative, civil or criminal action. Failure to comply fully with this information request may subject GWA to an enforcement action under Section 309 of the CWA, 33 U.S.C. § 1319, and 18 U.S.C. §§ 1001 and 1341.

You should direct any questions about this information request to Newton Ellens at (312) 353-5562.

Date

MICHAEL HARRIS Digitally signed by MICHAEL HARRIS
Date: 2022.08.22 10:33:02 -05'00'

Michael D. Harris
Director
Enforcement and Compliance Assurance Division

Appendix A

When providing the information requested in Appendix B, use the following instructions and definitions.

Instructions

1. Provide a separate narrative response to each question and subpart of a question set forth in Appendix B.
2. Precede each answer with the number of the question to which it corresponds and, at the end of each answer, identify the person(s) who provided information used or considered in responding to that question, as well as each person consulted in the preparation of that response.
3. Indicate on each document produced, or in some other reasonable manner, the number of the question to which it corresponds.
4. When a response is provided in the form of a number, specify the units of measure of the number in a precise manner.
5. Where information or documents necessary for a response are neither in your possession nor available to you, indicate in your response why the information or documents are not available or in your possession, and identify any source that either possesses or is likely to possess the documents or information.
6. If information is not known or not available to you as of the date of submission and later becomes known or available to you, you must supplement your response. Moreover, should you find at any time after the submission of your response that any portion of the submitted information is false or incorrect, you must notify EPA as soon as possible.

Confidential Business Information and Personally Identifiable Information Notice

You may assert a business confidentiality claim covering any parts of the information requested in the attached Appendix B, as provided in 40 C.F.R. § 2.203(b).

To make a confidentiality claim, submit the requested information and indicate that you are making a claim of confidentiality. Any document for which you make a claim of confidentiality should be marked by attaching a cover sheet stamped or typed with a caption or other suitable form of notice to indicate the intent to claim confidentiality. The stamped or typed caption or other suitable form of notice should employ language such as “trade secret” or “proprietary” or “company confidential” and indicate a date, if any, when the information should no longer be treated as confidential. Information covered by such a claim will be disclosed by EPA only to the extent permitted and by means of the procedures set forth at 40 C.F.R. Part 2. Please clearly identify portions of otherwise non-confidential documents that you are claiming as confidential. Failure to furnish a confidentiality claim with your response to the information request may result in the information being made available to the public without further notice to you. EPA’s

confidential business information (CBI) regulations are at 40 C.F.R. Part 2, Subpart B (sections 2.201-2.311). See <https://www.ecfr.gov>.

Please segregate any personnel, medical and similar files from your responses and include that information on a separate sheet(s) marked as “Personal Privacy Information.” Disclosure of such information to the general public may constitute an invasion of privacy.

Electronic Submissions

To aid in our electronic recordkeeping efforts, we request that you provide all documents responsive to this information request in an electronic format according to paragraphs 1 through 5, below. These submissions are in lieu of hard copy.

1. Provide all responsive documents in Portable Document Format (PDF) or similar format, unless otherwise requested in specific questions. If the PDFs are scanned images, perform at least Optical Character Recognition (OCR) for “image over text” to allow the document to be searchable. Submitters providing secured PDFs should also provide unsecured versions for EPA use in repurposing text.
2. When specific questions request data in electronic spreadsheet form, provide the data and corresponding information in editable Excel or Lotus format, and not in image format. If Excel or Lotus formats are not available, then the format should allow for data to be used in calculations by a standard spreadsheet program such as Excel or Lotus.
3. Provide a table of contents for the electronic documents submitted in response to our request so that each document can be accurately identified in relation to your response to a specific question. *We recommend the use of electronic file folders organized by question number.*
4. Please provide documents claimed as CBI in separate file folders apart from the non-confidential information. This will facilitate appropriate records management and appropriate handling and protection of the information claimed as CBI.
5. Certify that all electronic submittals including attached files have been scanned for viruses and indicate what program was used.

Definitions

All terms used in this Information Request have their ordinary meaning unless such terms are defined in the CWA, 33 U.S.C. § 1251 *et seq.*, or 40 C.F.R. Part 122.

1. “Act” or “CWA” means the Clean Water Act, 33 U.S.C. § 1251 *et seq.*
2. “Day” or “days” means a calendar day unless expressly stated to be a working day. In computing any period of time under this Information Request, where the last day would fall on a Saturday, Sunday, or federal or state holiday, the period shall run until the close of business on the next working day.

3. “Discharge of a pollutant,” as defined in Section 502(12) of the CWA, means *inter alia*, “any addition of any pollutant to navigable waters from any point source.” 33 U.S.C. § 1362(12).
4. “MGD” means millions of gallons per day.
5. “Municipal separate storm sewer system” or “MS4” is defined at 40 C.F.R § 122.26(b)(8) and includes:
 - a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains): (i) Owned or operated by a State, city...or other public body (created by or pursuant to State law) having jurisdiction over disposal of ... storm water
6. “Navigable waters,” as defined in Section 502(7) of the CWA, means “the waters of the United States, including the territorial seas.” 33 U.S.C. § 1362(7).
7. “NPDES Permit” and “Permit” mean the permit issued in accordance with the National Pollutant Discharge Elimination System (NPDES) pursuant to Section 402 of the CWA, 33 U.S.C. § 1342. In this Order, the term refers to NPDES Permit No. IL0021547 and any subsequent permit issued by the State of Illinois to GWA, since September 23, 2015.
8. “Outfall” means a type of “point source,” as that term is defined in Section 502(14) of the CWA, 33 U.S.C. § 1362(14), that serves as a discharge point from the facility. “Outfall” followed by an Arabic numeral means that Outfall assigned that number in GWA’s NPDES permit.
9. "Record" or “records” means any recording of information in tangible or intangible form. It includes, but is not limited to: documents, memoranda, reports, letters, maps, graphs, charts, log books, notes, computer printouts, and computer databases.
10. “Storm water” shall mean storm water runoff, snow melt runoff, surface runoff and drainage.
11. “Site” means the property located at 21 W. 551 Bemis Road, Glen Ellyn, Illinois.
12. “Wastewater” shall mean any water/liquid and all material conveyed with that water/liquid that contains process wastewater, discarded material, noncontact cooling and/or heating water, or domestic wastewater.
13. “You” or “Your” for purposes of this Information Request refers to GWA and to any managers, officers, agents, employees, contractors, or other entities that perform work or act in any way on behalf of, or at the direction of GWA.

14. “Point source,” as defined in Section 502(14) of the CWA, means “any discernible, confined and discrete conveyance . . . from which pollutants are or may be discharged.” 33 U.S.C. § 1362(14).
15. “Pollutant,” as defined in Section 502(6) of the CWA, means “dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, and industrial, municipal, and agricultural waste discharged into water.” 33 U.S.C. § 1362(6).
16. “Publicly Owned Treatment Works” or “POTW” means a treatment works, as defined in Section 212 of the CWA, 33 U.S.C. § 1292(2), that is owned by a State, Tribe, or a municipality (as defined in Section 502(4) of the CWA, 33 U.S.C. § 1362(4)). Pursuant to 40 C.F.R. § 403.3(q), the definition of POTWs includes any devices and systems used in the storage, treatment, recycling, and reclamation of municipal sewage or industrial wastes of a liquid nature. It also includes sewers, pipes, and other conveyances only if they convey wastewater to a POTW Treatment Plant. The term also means the municipality as defined in Section 502(4) of the CWA, 33 U.S.C. § 1362(4), that has jurisdiction over indirect and direct discharges to such a treatment works.
17. “Wastewater Treatment Plant” or “WWTP” means the Wastewater Treatment Plant identified in the NPDES permit issued to GWA and located at 21 W 551 Bemis Road, Glen Ellyn, Illinois.

Appendix B

Information You Are Required to Submit to EPA

Glenbard Wastewater Authority (GWA or you) must submit the following information pursuant to Section 308(a) of the Act, 33 U.S.C. § 1318(a):

1. A copy of the current industrial user permits issued to Rotometrics and E/M Coating;
2. Any documentation in your Industrial User file regarding the decision to allow Rotometrics to sample using time-composite sampling as an alternative to flow-proportional composite sampling per 40 C.F.R. § 403.12(g)(3);
3. A copy of GWA's sample analysis reports for Rotometrics and E/M Coating for the period from January 1, 2019, to the present; and
4. A copy of Rotometrics' self-monitoring reports for the period from January 1, 2019, to the present.