



REGION 5

CHICAGO, IL 60604

**US EPA Region 5 Pretreatment Compliance Inspection
Kishwaukee Water Reclamation District, DeKalb, Illinois**

Control Authority Name and Address

Kishwaukee Water Reclamation District
1301 Sycamore Rd
DeKalb, IL 60115

Responsible Official

Mark Eddington, Executive Director

Inspection Participants

Kishwaukee Water Reclamation District

Mark Eddington, Executive Director
Jason Robbins, Operations Manager
Allison Yates, Laboratory Supervisor

U.S. Environmental Protection Agency

Valerie Dooling, Environmental Engineer/Scientist
Eric Small, Physical Scientist

Inspector: Eric Small, Physical Scientist, Water Enforcement and
Compliance Assurance Branch Section 2

Inspector Signature: Small, Eric Digitally signed by Small, Eric
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Approver Name & Title: Ryan Bahr, Section Supervisor, Water Enforcement and Compliance
Assurance Branch Section 2

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SECTION 1.0: INTRODUCTION

The U.S. Environmental Protection Agency (U.S. EPA) conducted a Federal Pretreatment Compliance Inspection (PCI) of the Kishwaukee Water Reclamation District (KWRD, the District, Facility, or POTW) on September 23rd, 24th, and 26th, 2024. The purpose of this inspection was to evaluate the procedures and implementation of KWRD's pretreatment program. KWRD has an National Pollutant Discharge Elimination System (NPDES) Permit issued by the Illinois Environmental Protection Agency on September 19, 2019 (Permit IL0023027). Special Condition 9 of the Permit outlines that KWRD shall implement an industrial pretreatment program and any subsequent modifications shall be approved by U.S. EPA Region 5. U.S. EPA's inspection consisted of:

1. Review of requested submittals prior to onsite inspection;
2. Interview and discussion with Kishwaukee Water Reclamation District staff;
3. Industrial User (IU) file reviews; and
4. Site visits at two IUs: Conex Cable, LLC. and DeKalb Plating Company, Inc.

On September 23rd at 9:35 A.M., inspectors Eric Small and Valerie Dooling (EPA Inspection Team) arrived at the Kishwaukee Water Reclamation District, located at 1301 Sycamore Road in DeKalb, Illinois. The EPA Inspection Team met with Kishwaukee Water Reclamation District staff – Mark Eddington (Executive Director), Jason Robbins (Operations Manager), and Allison Yates (Laboratory Supervisor) – and escorted Mr. Small and Ms. Dooling into a large boardroom. EPA inspectors presented their credentials and began the inspection. EPA opened the inspection asking the District if there were any claims of Confidential Business Information, which the District indicated would likely not arise during the inspection.

SECTION 2.0: SITE BACKGROUND AND PRELIMINARY REVIEW

KWRD has one wastewater treatment plant, located to the north and west of the District's office building where the PCI was conducted. Based on information submitted to the EPA Inspection Team prior to inspection, the treatment plant wastewater flow is designed for 8.63 MGD and has an actual flow of 5.44 MGD. The facility does not have a collection system with a combined sewer. The wastewater treatment plant primary treatment process consists of screening and primary clarifiers, followed by secondary treatment using aeration tanks, and subsequently, prior to discharge to the South Branch of the Kishwaukee River, tertiary treatment via final clarifiers.

Information indicates that Kishwaukee Water Reclamation District typically operates from 7:00 A.M. until 3:30 P.M. Mr. Eddington added that a major renovation of the POTW occurred in 2017, whereby a series of homes within the adjacent neighborhood were purchased to expand the operational capacity and storage of the Facility. The District maintains a service population of around 43,000 primarily consisting of the City of DeKalb and recently added Kishwaukee Community College and the Village of Malta. Amounting to approximately 200,000 gallons per day, the Village of Malta began sending flow to the Facility on August 22, 2023, and Kishwaukee Community College began to send flow on August 31, 2023. The District is also exploring the potential for supplying services to

additional communities within DeKalb County in the future, though no formal agreements have been made at the time of the inspection. KWRD estimates that the full-time equivalent for personnel implementing the program is two, primarily consisting of two laboratory personnel, and estimates that the annual operating budget for the Control Authority's program is approximately \$5,000.

SECTION 3.0: SUPPLEMENTAL DATA REVIEW/INTERVIEW

Kishwaukee Water Reclamation District staff submitted or stated the following during an initial interview:

A. Pretreatment Program Modification:

- A local limits proposal was submitted to U.S. EPA Region 5 for review on September 27, 2021. The District has yet to hear whether this reevaluation has been approved. The preexisting local limits had been approved in 2014.
- KWRD added a contributing jurisdiction to the Facility's sewershed since the last Pretreatment Compliance Inspection, the Village of Malta, in addition to Kishwaukee Community College, located in unincorporated DeKalb County. In the agreement with the Village of Malta, KWRD and the Village agreed to the following language: "Malta agrees that it will comply with all KWRD ordinances and policies in effect on the date of this Agreement or as the same may be amended from time to time."

B. Industrial User (IU) Characterization:

- The District collects sanitary waste from Northern Illinois University, which KWRD staff described as almost entirely domestic waste. The University's student population has declined in recent years and has thus reduced the amount of flow from this section of the collection system.
- KWRD utilizes Synagro to facilitate land application. Information indicates that sludge is dried onsite and subsequently applied onto agricultural fields. The District sends reports biannually to U.S. EPA describing the characteristics of the sludge.
- The District has evaluated facilities identified on the Toxic Release Inventory including Nehring Electrical Works Company, Unified Wire and Cable Inc., and Forge Group DeKalb LLC and made determinations that they are not categorical industrial users nor significant industrial users.
- KWRD does not have an Industrial Waste Survey scheduled and last conducted one in 2009. The District keeps abreast of industries within the sewershed by working with various departments within the City of DeKalb associated with zoning and new construction. New entities within the District's boundaries that could potentially qualify as significant industrial users are sent a pretreatment survey form to fill out and submit to the District for further evaluation.
- Conex Cable is in process of building another facility within DeKalb that the District is currently evaluating for potential pretreatment applicability.

C. Hauled Waste:

- Landfill leachate, septic, and grease hauler waste is accepted as a form of hauled waste at the Facility. The waste hauling program has helped the District remove phosphorus from their process by increasing the amount of carbon in the POTW's wastestream. The waste hauling program has been in practice at KWRD for approximately 10 years.
- Prior to utilizing the Facility's treatment system, the Facility requires that the truck driver provide their license, insurance, and that the truck is registered with the Illinois Department of Transportation.
- Landfill leachate is provided from the local DeKalb County landfill, which is operated by Waste Management. District staff indicated that Waste Management has its own NPDES permit that it has to abide by, detailing what can be discharged to KWRD. Landfill leachate from this process was formerly considered to be hazardous waste, but information indicates that leachate is no longer subject to hazardous waste regulations.
- During the interview, KWRD personnel delineated three processes for when hauled waste is accepted: (1) restaurant fat, oil, and grease is directed into anaerobic digestors and has its own dumping spot within the Facility, (2) high carbon loading and lower solids waste is directed into the Facility's side streams to reduce the nutrient load on the main treatment process, and (3) hauled septic waste is directed into a designated location within the Facility prior to being tested.
- The District has a fermenter that constantly operates to accommodate higher strength waste received by the Facility. The fermenter helps break down this waste to help form the Facility's primary sludge.
- As a prerequisite to accepting hauled waste, the Facility requires that a sample be collected and analyzed prior to it being considered. If possible, testing for this process is conducted at KWRD.
- Once approved to utilize KWRD's facility for hauled waste, haulers are directed to a particular location for each load brought into KWRD.
- Haulers utilizing KWRD's facility must provide manifests for each load to KWRD that include the following information:
 - Company information
 - Site hauled from
 - Gallons being hauled
 - Driver information and signature
 - Time and date of load pickup and drop off
- Restaurant grease that is accepted via hauled shipment to the Facility is codigested in the KWRD's anaerobic digestors.
- Septic waste received at the Facility is typically from nearby rural areas who are not connected to a collection system.
- High strength food processing waste is accepted by KWRD, typically consisting of out of specification products related to the production of pop, ice cream, candy, etc.
- Facility personnel indicated that Ferrara Candy – one of the waste haulers frequently utilizing the KWRD's facility – had hauled and discharged a load containing red dye into KWRD, which subsequently turned the South Branch of the Kishwaukee River red. This event took place approximately one year ago, per KWRD staff, and was the result of Ferrara Candy's

pretreatment system malfunctioning. The District paused acceptance of Ferrara Candy's hauled waste until the facility could prove to the District that their pretreatment system was operational and communicated a verbal warning to the facility. Information indicates that Ferrara Candy is located in Itasca, Illinois, and hauls waste between 2,500-5,000 gallons to the District approximately three times a week.

- KWRD maintains a small collection box at the front of its facility, whereby residents can discard fat, oil, and grease.
- Kishwaukee Water Reclamation District provided the following names of grease and septic haulers who provide hauled waste to the facility: All Around, A & P, B & L, Big John, Black Gold, G & L, Hallman, M & C Rentals, Mr. Outhouse, Tierra, United, Warfel's, Watson, Charles Environmental, Frinks, Hopkins, Premier, Van Wagoner, Bytec, Waste Management, Watson, and Meadowvale.

D. Application of Pretreatment Standards and Requirements:

- KWRD defines an SIU as any of the following:
 - A facility subject to categorical pretreatment standards
 - A facility that discharges 25,000 gallons or more of process water per day
 - A facility that has the potential to cause an upset at the plant
 - A facility that contributes 5% or more of dry weather plant capacity.
- Information indicates that the District has adopted provisions related to the NPDES Pretreatment Streamlining Rule and incorporated them into the District's pretreatment ordinance.
- Kishwaukee Water Reclamation District has local limits for the following pollutants: cadmium, copper, lead, mercury, molybdenum, nickel, biochemical oxygen demand, total suspended solids, ammonia, and phosphorus. Information submitted indicates that these pollutants were identified from a previous local limits study.

E. Compliance Monitoring:

- Historically, KWRD sampled more than once a year; however, due to minimal issues being identified from increased sampling events, a decision was made by the Control Authority to reduce KWRD sampling of IUs to yearly.
- KWRD sampled and inspected each of the District's three significant industrial users during the 2023 inspection year.
- Facility sampling conducted at the KWRD's lab consists of ammonia, pH, biochemical oxygen demand, phosphorus, and total suspended solids.
- KWRD has metals, cyanide, and organic media analyzed by Teklab, based out of Downers Grove, Illinois, and who maintains a full-service lab in Collinsville, Illinois. KWRD has used Teklab for approximately the last 1.5 years.
- All three significant industrial users within KWRD's domain have slug discharge control plans.
- KWRD generally conducts inspections at each of its significant industrial users every August or September (3rd Quarter) of each year.

F. Enforcement:

- KWRD defines Significant Noncompliance (SNC) as meeting one or more of the following criteria:
 - Chronic violations of wastewater discharge limits, defined here as those in which sixty-six percent (66%) or more of all the measurements taken for the same pollutant parameter taken during a six (6) month period exceed (by any magnitude) a numeric Pretreatment Standard or Requirement, including Instantaneous Limits as defined by this Ordinance;
 - Technical Review Criteria (TRC) violations, defined here as those in which thirty-three percent (33%) or more of wastewater measurements taken for each pollutant parameter during a six (6) month period equals or exceeds the product of the numeric Pretreatment Standard or Requirement including Instantaneous Limits, as defined by this Ordinance multiplied by the applicable criteria (1.4 for BOD, TSS, fats, oils and grease, and 1.2 for all other pollutants except pH);
 - Any other violation of a Pretreatment Standard or Requirement (Daily Maximum, long-term average, Instantaneous Limit, or narrative standard) that the District determines has caused, alone or in combination with other discharges, Interference or Pass Through, including endangering the health of POTW personnel or the general public;
 - Any discharge of a pollutant that has caused imminent endangerment to the public or to the environment, or has resulted in the Manager's exercise of its emergency authority to halt or prevent such a discharge;
 - Failure to meet, within ninety (90) days of the scheduled date, a compliance schedule milestone contained in an individual wastewater discharge permit or a general permit or enforcement order for starting construction, completing construction, or attaining final compliance.
 - Failure to provide within forty-five (45) days after the due date, any required reports, including baseline monitoring reports, reports on compliance with categorical Pretreatment Standard deadlines, periodic self-monitoring reports, and reports on compliance with compliance schedules;
 - Failure to accurately report noncompliance; or
 - Any other violation(s), which may include a violation of Best Management Practices, which the District determines will adversely affect the operation or implementation of the local pretreatment program.
- Facility personnel stated that there has not been any facilities in SNC within the last five years.
- KWRD has not issued a notice of violation in over a year to any of the three significant industrial users within its universe.

G. Other

- KWRD is considering expanding, which could involve the construction of an additional facility on the southeast side of DeKalb to accommodate the increasing business interest and development along Interstate 88.
- The District does not maintain a combined sewer system.

- Pretreatment records are retained by the District in excess of 15 years.
- Between 2019 and 2020, the Facility entered into a Compliance Commitment Agreement with Illinois Environmental Protection Agency to address ammonia nitrogen violations and newly introduced phosphorus limits.

SECTION 4.0: FILE REVIEWS

4.1 IU Identification

IU Permit Number	IU Name	IU Type	Avg total flow (gpd)	Avg process flow (gpd)	Visited During Audit?	Reviewer	Categorical Pretreatment Standard
185	Conex Cable	CIU	Batch discharge of 500 gallons every 4-6 weeks. Second discharge of 32 gallons is in permit, but is actually non-discharging.		Yes	Valerie Dooling	40 C.F.R. Part 433 Metal Finishing Point Source Category and 40 C.F.R. Part 467 Aluminum Forming Point Source Category
110	DeKalb Plating Company, Inc.	CIU	190	100	Yes	Eric Small	40 C.F.R. Part 413 Electroplating Point Source Category
120	CST Storage	CIU	40,535	12,798	No	Valerie Dooling and Eric Small	40 C.F.R. Part 433 Metal Finishing Point Source Category

4.2 Facility Information

Conex Cable
816 East Locust Street
DeKalb, Illinois 60115

There are two lines at the facility: an Aluminum Clad Wire Line and a Magnetohydrodynamics (MHD) line. The first line entails the extrusion of aluminum wire onto steel wire. On this line, steel wire passes through an alkaline solution bath, rinse, and a heated borax bath before ultimately going through extruder die. At this point in the process, an aluminum rod is cleaned in a caustic bath and rinse before making contact with steel in extruder die within an extrusion machine. The aluminum clad steel (AS) wire is formed via this process, as water is cooled. Product wire is 10% aluminum and 90% steel and then respooled through a process. Wastestream A is steel wire alkaline rinse water that is recirculated through a particle filter, and the recirculation water is batch discharged to city sewer once per month. The steel alkaline bath is pumped to a holding tank and discharged by a contractor (Crystal Clean). Wastestream C is the aluminum caustic bath following pH neutralization. There has been no discharge of this wastestream to date, and information indicates that it is usually recirculated and returned to the system. Wastestream B is the aluminum rinse water, it is usually recycled to the bath, but it can be discharged to the city sewer following pH treatment. Wastestream D is contact cooling water from the AS extrusion process, and blowdown water from this process is usually recirculated. However, if necessary, it can be collected, evaluated for its pH, and discharged to the sewer. The second of the two lines, the MHD line, clads uncoiled steel – applying induction and coating to assist with zinc application during the process – prior to being steel being cooled and recoiled. Process water is also used in a closed loop refrigeration system within the facility. The refrigeration system is used to cool quench water and heat exchange return as it is stored in the pit. There is no discharge from the refrigeration system line.

DeKalb Plating Company, Inc.

221 Grove Street

DeKalb, Illinois 60115

DeKalb Plating Company operates a series of three plating lines comprised of zinc, copper, and brass. Chemicals utilized for the Facility include zinc, brass, copper, and trivalent chromium, as well as a series of miscellaneous acids, cyanides, and alkaline products. The discharge is continuous in nature and not subject to seasonal variation. Stagnant rinses are used throughout the process, as well as counterflow rinses for the purpose of reclaiming or concentrating the "dragout" from their plating tanks to replace evaporation and drag. Electrolytic recovery is also used in this process to recover metal ions in the water and atmospheric evaporation of plating solutions. Pretreatment of the facility's wastewater involves chlorination, which is employed on a daily or weekly basis for cyanide destruction. The facility also has pH adjustment. Wastewater from the facility should be comprised of the following constituents: cyanide, cadmium, chromium, and zinc. The facility has one process outfall in the permit, noted as Outfall 001, which is located at the end of the plating process near the south wall of the facility.

CST Storage
345 Harvestore Drive
DeKalb, Illinois 60115

CST is a manufacturer of factory coated metal storage tanks, aluminum domes and specialty covers. There are three SIC codes associated with the processes: Porcelain Enamel on Steel, Fabricated Agricultural Feed Handling System, and Fabricated Metal Products. Outfall 001 coincides with process 1, which is a metal finishing line. Outfall 002 is Process 2 and entails a porcelain enameling line. Outfall 003 is the end of pipe on the south side of the facility. The enameling process water goes to a clarifier and is dewatered through a filter press. Process wastewater flow is generally between 6 A.M. and 5 P.M. Monday through Friday. The enamel sludge is disposed of by a waste management company.

4.3 IU Evaluation

A. Issuance of IU Control Mechanism

Applicable effluent limits

Conex Cable - According to the facility's permit application, it discharges one wastestream (cleaning and etching rinse) and its production is 3000-5000 lbs/day, ultimately discharging one batch of 500 gallons every 4-6 weeks. Using these values, the categorical pollutant loadings limits would calculate to the following: Cr: 0.37 mg/L (daily [d]), 0.15 mg/L (monthly [m]); Cn: 0.20 mg/L (d), 0.07 mg/L (m); Zn: 1.02 mg/L (d), 0.42 mg/L (m); TTO: 0.69 mg/L (d); O&G: 1.0 mg/L (d&m).

DeKalb Plating Company, Inc. – The average daily values for four consecutive monitoring days for lead and cyanide are noted in the permit under the monthly average column. Additionally, the permit does not include the 40 CFR 413 requirement that the facility monitor for and report a cadmium average daily value over a four consecutive day period.

CST Storage - The Facility uses a metal finishing line as 433.15 Pretreatment Standards for Existing Sources (PSES). The limitation for nickel should be 3.98 mg/L, and there is a typo in the permit listing the limit as 3.96 mg/L. The permit file does not clearly state whether the facility is subject to PSES or PSNS standards for 40 CFR 466 § Subpart A. The production data is not present for the porcelain enameling line and the effluent limits are mass-based. The local limits and metal finishing line values are consistent and the pollutants are all consistent.

Identification of pollutants to be monitored

Conex Cable - The permit is written for two outfalls. Outfall 001 is Wastestream A and discharges. It requires sampling of local limits and not of categorical limits. Outfall 002 is considered the categorical wastestream and consists of the aluminum rinse, which had not been discharging. Outfall 002 requires sampling for the categorical limits, and it does not require sampling for local limits in addition to categorical.

Process for seeking a waiver for pollutant not present or expected to be present

Conex Cable – This language is in the Pretreatment Ordinance but not in the IU Permit.

DeKalb Plating Company, Inc. - During review of the permit, the inspector did not identify language concerning this waiver requirement. This requirement, however, can be found in the pretreatment ordinance.

CST Storage – This language is not observed in the permit but can be found in the Industrial Pretreatment Ordinance.

Notification of significant change in discharge

Conex Cable - There is a requirement to notify of accidental release and a reopener clause in case of significant changes to the wastewater but does not include the requirement to notify if there is a significant change.

DeKalb Plating Company, Inc. - The permit does not include the requirement to notify the POTW for any change in character of the discharge.

CST Storage - The permit does not explicitly state that it must notify the CA in event of significant change in discharge but does state that the permit may be modified in the event of a significant change in discharge.

General Comments

CST Storage - 40 CFR 466.01(b) is not applicable for industrial users that prepare or coat less than 1600 m²/day and which introduce less than 60,000 1/day of wastewater into a publicly owned treatment works. The facility has a max of 40,000 gpd, and it is not clear how much product is

enamel coated. Based on this information, it is not possible to determine whether the facility would be exempt from this category.

B. Application of IU Pretreatment Standards:

Calculation and application of categorical standards

Conex Cable - If the facility discharges from the steel rinse line only (which they currently do), there are no discharges that would subject it to the aluminum forming category.

DeKalb Plating Company, Inc. - The permit does not include the 40 CFR 413 requirement that the facility monitor for and report a cadmium average daily value over a four consecutive day period.

CST Storage - There are two categorical lines. The metal finishing line has the correct calculation and application of its standards. There is not enough information in the file regarding the enamel coating production and whether 40 CFR 466.01(b) is applicable nor enough information to make a loading calculation for the enamel line. The local limits have been applied correctly.

Classification by category/subcategory

Conex Cable – If the facility discharges from the steel rinse line only (which they currently do), it does not belong to the aluminum forming category.

CST Storage - There is not enough information regarding enamel coating production and whether 40 CFR 466.01(b) is applicable.

Application of limits for all regulated pollutants

DeKalb Plating Company, Inc. - There does not seem to be a cadmium average daily value for four straight days as part of the permit's limitations.

Calculation and application of production-based standards

Conex Cable - According to the latest IU permit app, the IU production is 3000-5000 lbs/day multiplied by 5-6 production days/week; however, the permit limits are calculated based on 400,000 lbs/month (2650 lbs/day multiplied by 21 production days/month). This range is within the range given in the application, but it does not make the most stringent limits. If the facility only discharges

from the steel rinse – which they currently do – they are not categorical and do not need to apply production based effluent limits.

CST Storage - There is not enough information regarding enamel coating production and whether the wastewater discharge is from metal preparation or coating to make a calculation for the enamel line.

Application of most stringent limit

Conex Cable - According to the latest IU permit app, the IU production is 3000-5000 lbs/day multiplied by 5-6 production days/week; however, the permit limits are calculated based on 400,000 lbs/month (2650 lbs/day multiplied by 21 production days/month). This range is within the range given in the application, but it does not make the most stringent limits. If the facility only discharges from the steel rinse – which they currently do – they are not categorical and do not need to apply production based effluent limits.

General Comments

CST Storage - The permit requires monitoring the facility's two lines at end of process and requires monitoring its local limits at end of pipe, all consistent with the requirement.

C. CA Compliance Monitoring

Sampling

DeKalb Plating Company, Inc. - pH sampling was not observed for the 2022 and 2023 sampling reports.

Sampling at frequency specified in approved program

DeKalb Plating Company, Inc. - pH sampling was not observed for the 2022 and 2023 sampling reports.

Analysis for all regulated parameters

DeKalb Plating Company, Inc. - pH sampling was not observed for the 2022 and 2023 sampling reports.

CST Storage - Monitoring for Metal Finishing from Outfall 001 is for all parameters, and monitoring for Outfall 002 – the porcelain line – is for all parameters and also additional ones (Cd, Cu, Ag). There

is no local limits monitoring conducted at Outfall 003 (Cd, Cu, Pb, Hg, Mb, Ni). pH is taken four times over the sample period, but it is not clear if pH taken is from Outfall 003.

General Comments

Conex Cable - In the last three years, the CA did not sample for TTOs, but results do have all the other local limits and categorical limits. EPA recommends that the city sample at least one permit term every 5 years. The facility does maintain a Toxic Organic Management Plan and TTO waiver.

D. CA Enforcement Activities

Identification of discharge violations

CST Storage - The CA's monitoring of the IU showed a nickel effluent exceedance on the porcelain line. The nickel result was 1.57 mg/L on sample date of August 12, 2021, and the permit limit was 1.41 mg/L. All other violations in the IU's semiannual report were identified by the CA.

Identification of monitoring/reporting violations

Conex Cable - The pH holding time was not identified.

CST Storage - Phosphorus, BOD, TSS, and ammonia are not observed as being sampled for semi-annual reports from 2021, 2022, and June 27, 2023. Starting in January 2024, all but phosphorus of the aforementioned constituents was being sampled. By the latest report, July 2, 2024, all constituents including phosphorus were being sampled. A pH sample was also missing from the January 7, 2022 semi-annual report, which the facility noted on February 17, 2022 in a letter to the KWRD.

E. IU Compliance Status

Analysis by IU of all required pollutants in accordance with appropriate sampling techniques and analytical methods

Conex Cable - The IU samples for its local limits (Cd, Cu, Pb, Ni, Hg, Mb and pH) semi-annually from Outfall 001 (the steel wire rinse, Wastestream A). It does not consider the steel wire rinse as categorical. It does not sample for the categorical limits and assumes that categorical limits should only apply to the aluminum rod rinse, which does not discharge. It does not sample for the categorical limits (Cr, CN, Zn or O&G) semi-annually; however, this is a requirement according to its permit. The IU sample for February 11, 2021 tested its pH at the laboratory after 2 hours and it had exceeded its hold time. The other pH samples were tested onsite and are within hold time. Note

that IUs that do not discharge a categorical wastestream are not considered categorical nor do they need to be required to test for categorical limits if they are not discharging.

Reporting by IU on all required pollutants-

CST Storage - Phosphorus, biochemical oxygen demand, total suspended solids, and ammonia are not observed as being sampled for semi-annual reports from 2021, 2022, and June 27, 2023. Starting in January 2024, all but phosphorus of the aforementioned constituents was being sampled. By the latest report, dated July 2, 2024, all constituents including phosphorus were being sampled. A pH sample was also missing from the January 7, 2022 semi-annual report, which the facility noted on February 17, 2022 in a letter to the KWRD.

Resampling/reporting by IU within 30 days of knowledge of violation

CST Storage - The inspector could not locate Notice of Violation-based resampling for Zinc in the December 19, 2022 results. There is a lack of clarity as to whether or not the IU self-reported this violation as well as the violations from December 2021 (nickel at Outfall #002).

SECTION 5.0: INDUSTRIAL USER SITE VISITS

DeKalb Plating

Date of site visit: September 26, 2024

Inspection Participants:

DeKalb Plating

Bruce Miller, President

EPA Region 5

Valerie Dooling, Environmental Engineer/Scientist

Eric Small, Physical Scientist

Kishwaukee Water Reclamation District

Allison Yates, Laboratory Supervisor

EPA Region 5 and KWRD personnel arrived at DeKalb Plating ("Facility") at 10:10 A.M. for an announced inspection and were greeted by Mr. Bruce Miller, President of the Facility. EPA staff showed Mr. Miller their credentials and proceeded to have Ms. Yates lead the inspection, which commenced with a Facility tour and ended with questions surrounding requisite industrial user documentation. The following inspection information was provided to EPA Region 5 staff and Ms. Yates:

- General Plant Information:
 - The Facility generates a variety of plated products, specializing in lug production for U-Haul and door hinges for Raynor.
Customers provide DeKalb Plating parts – typically comprising metal stampings with bare steel – which are subsequently plated and returned to the customer.
 - On occasion, the Facility subcontracts out larger plating jobs.
 - The Facility's SIC code is 3471: Electroplating, Plating, Polishing, Anodizing, and Coloring.
 - DeKalb Plating has two drains not plugged that are not located in the plating production area; inspection information indicates that all other drains are plugged.
 - Product out of specification – which Mr. Miller indicated rarely occurs – is collected by Republic Services.
 - The Facility is interested in becoming a non-significant categorical industrial user and believes it may qualify under KWRD's Pretreatment Ordinance No. 591.
 - The Facility has a singular outfall – identified as Outfall 001 – that is located along the southern wall adjacent to the water meter.
- Manufacturing Information:
 - The Facility is a Very Small Quantity Generator (VSQG) of hazardous waste, producing less than 220 pounds of hazardous waste per month.
 - Zinc is the primary element that customers ask DeKalb Plating to either plate or strip from their products; historically, the Facility also conducted plating activities with cadmium, though Mr. Miller indicated that practice had recently ended.
 - Tank bottoms from the zinc plating line contain residual sediment from the plating process, which is collected by Republic Services.
 - Sanitary waste is composed of bathrooms and sinks, which are non-process discharge.
 - The Facility's sampling point is located to the south of the copper/brass and zinc plating lines.
 - DeKalb Plating has a Slug Discharge Control Plan submitted to the Kishwaukee Water Reclamation District.
 - The Facility stores acid and cyanide in the northwestern portion of the Facility under lock and key.
 - Maintenance operations entail pump inspections to ensure they are operational as well as sweeping; Mr. Miller indicated that these operations occur as necessary.
- Pretreatment Information:
 - DeKalb Plating maintains two large tanks (1,500 and 3,000 gallon, respectively) within its operation that Facility staff use for pH adjustment.
 - Sampling for the plating line is conducted by Scientific Control Laboratories, Inc., based out of Chicago, Illinois.
 - The Facility conducts material reclamation operations on stagnant and counterflow rinses to help concentrate dragout from the Facility's plating tanks.

- Acid rinse water is reused when possible for alkaline rinsing to help achieve neutralization.
- Cyanide Amenable to Chlorination and pH are the two wastewater characteristics analyzed for discharge to the KWRD.
- Caustic soda is the primary treatment agent to help neutralize pH in the two buffering tanks.
- Mr. Miller stated that holding tanks are inspected prior to being drained and discharged.
- Rinse water from the zinc plating line currently in operation enters a chlorination tank prior to being pumped into the two buffering tanks.
- Mr. Miller indicated that the pretreatment tanks could be drained every couple of days if very busy, but the tanks never reach capacity.
- A sump pit is located next to the pH buffering tanks; once this water flows to the discharge point, a composite grab sample is taken.

Conex Cable, LLC.

Inspection Participants:

Conex Cable

Ariana Garcia, Environmental Engineer

Brian Storr, Production Manager

Abdus Mohammed, Production Supervisor

EPA Region 5

Valerie Dooling, Environmental Engineer/Scientist

Eric Small, Physical Scientist

Kishwaukee Water Reclamation District

Allison Yates, Laboratory Supervisor

EPA Region 5 and KWRD personnel arrived at Conex Cable, LLC. (“Conex Cable” or “Facility”) at 11:07 A.M. for an announced inspection and were greeted by two Facility representatives: Ms. Ariana Garcia (Environmental Engineer) and Mr. Brian Storr (Production Manager). EPA staff showed Ms. Garcia and Mr. Storr their credentials and proceeded to walk around the Facility with Ms. Yates. The EPA Inspection Team proceeded to observe Ms. Yates conduct the pretreatment inspection at the Facility after brief introductions between all parties. The following information was provided to EPA and KWRD by Facility staff:

- General Plant Information:
 - Conex Cable generates aluminum-clad steel wire and cable products, used by a variety of electric utilities and cable manufacturers. Mr. Storr stated that some of the company’s most popular products are used as overhead aluminum-conductor

steel-reinforced cable lines for overhead power, transmission lines, and telecommunications.

- Production for Conex Cable, LLC. is highly dependent on disasters; when disasters strike or are anticipated to occur (e.g., hurricane, fires), production at the Facility increases.
- Mr. Storr stated that the process used to generate aluminum-clad steel wire and cable was developed in a California production facility around 1998.
- Conex Cable is enhancing their operation within the greater DeKalb area, installing a new operation for galvanized steel wire at 1330 Locust Street. Inspection information indicates that Conex Cable will now have five buildings comprising their operations.
- The Facility's SIC code is 3496: Miscellaneous Fabricated Wire Products.
- Conex Cable operates three, eight-hour shifts per day and operates five-to-six days per week, depending on demand.
- The Facility has a magnetohydrodynamics line that operates within a closed loop system.

- Manufacturing Information:

- The Facility utilizes an ultrasonic cleaning process for processes above the Facility floor.
- Material that is out of specification is sent to a supplier.
- The aluminum-clad wire extrusion line consists of a series of wire cleaning steps before being extruded and cooled.
- Prior to the extrusion process, steel wire is unwound and passed through an abrasive cleaning system.
- Aluminum rod was formerly cleaned and washed at this Facility, but Mr. Storr indicated that this process no longer occurs.
- The extrusion process consists of drawing and stranding, followed by fouling.
- The aluminum-clad steel wire operation is a continuous process while the Facility is open.
- Mr. Storr estimated that the Facility generates between 20,000-30,000 lbs of wire per day.

- Pretreatment Information:

- Floor scrubbing occurs weekly using a combination of water and Simple Green cleaning product.
- The Facility has one holding tank that batch discharges every four-to-six weeks.
- Mr. Storr said that there is a lead wastewater treatment operator for every shift.
- First Environmental Laboratories, Inc., based out of Naperville, Illinois, conducts compliance sampling for the Facility.
- Mr. Storr indicated that multiple samples are collected every two minutes via a glass beaker, with the assumption that flow is constant. Samples are subsequently refrigerated until shipped out via UPS.

- The Facility has a Slug Control Plan and a notification mechanism to alert the POTW if a slug does occur.
- Rinse water from the steel wire cleaning process is changed out through production standards.
- Mr. Storr stated that the pretreatment operation is checked daily to ensure it is working effectively.
- The Facility has a 500-gallon filter tank where a flocculant is added prior to a filter paper and being pressed.
- Two floor drains located within the aluminum-clad wire cleaning system direct wastewater to the pretreatment system.

SECTION 6.0: POST-INSPECTION ACTIVITY

Aside from materials submitted prior to the pretreatment compliance inspection, Ms. Yates emailed the following documents to Mr. Small after the inspection (with corresponding dates of receipt):

- Conex Cable, LLC. Permit Application (September 9, 2024)
- CST Storage Permit Application (September 9, 2024)
- DeKalb Plating Company Permit Application (September 9, 2024)
- Kishwaukee Water Reclamation District Notice of Violation to CST Storage issued on February 7, 2022 (September 30, 2024)
- Kishwaukee Water Reclamation District Notice of Violation to CST Storage issued on January 13, 2023 (September 30, 2024)
- Kishwaukee Water Reclamation District Notice of Violation to CST Storage issued on February 25, 2021 (September 30, 2024)
- DeKalb Plating SIU Inspection Form (November 25, 2024)
- Conex Cable SIU Inspection Form (November 25, 2024)

SECTION 7.0: SUMMARY OF FINDINGS**A. Areas of Concern**

#	40 C.F.R. Part	Site Background & Inspection Observations	Report Section
1	40 C.F.R. § 403.8(f)(1)(iii)(B)(4)	During the visit to Conex Cable, Mr. Storr indicated that sampling is conducted every two minutes, assuming a constant flow. Unless flow can be determined as constant, this method would suggest a time-proportional sampling. Information indicates that Conex Cable does not currently have a waiver to conduct time-proportional sampling.	5
2	NPDES Permit IL0023027 Special Condition 9.A.1	Information from the inspection and review of the District's intergovernmental agreement with Malta points to the following language concerning KWRD's ability to operate in Malta: "Malta agrees that it will comply with all KWRD ordinances and policies in effect on the date of this Agreement or as the same may be amended from time to time." Based on this information, it is unclear whether KWRD has the proper legal authority to enforce the pretreatment program at industrial users in Malta.	3
	40 C.F.R. Part	File Reviews	Report Section
3	40 C.F.R. § 403.8(f)(1)(iii)(B)(3)	Conex Cable - According to the facility's permit application, it discharges one wastestream (cleaning and etching rinse) and its production is 3000-5000 lbs/day, ultimately discharging one batch of 500 gallons every 4-6 weeks. Using these values, the categorical pollutant loadings limits would calculate to the following: Cr: 0.37 mg/L (daily [d]), 0.15 mg/L (monthly [m]); Cn: 0.20 mg/L (d), 0.07 mg/L (m); Zn: 1.02 mg/L (d), 0.42 mg/L (m); TTO: 0.69 mg/L (d); O&G: 1.0 mg/L (d&m). While this information aligned with KWRD's calculations, flow data used was a static value that did not reflect changing conditions at the facility.	4.3 A.

4	40 C.F.R. § 403.8(f)(1)(iii)(B)(3) &	DeKalb Plating Company, Inc. – The facility's permit lists four days of daily monitoring results for lead and cyanide in the monthly average column instead of in a four-day average column. The permit is also missing the four-day average cadmium value.	4.3 A.
5	40 C.F.R. § 403.8(f)(1)(ii)	CST Storage – The permit file does not clearly state whether the facility is subject to PSES or PSNS standards for 40 CFR 466 § Subpart A.	4.3 A.
6	40 C.F.R. § 433.16 & 40 C.F.R. § 403.8(f)(1)(iii)(B)(3)	CST Storage - The limitation for nickel should be 3.98 mg/L, and there is a typo in the permit listing the limit as 3.96 mg/L.	4.3 A.
7	40 C.F.R. § 403.8(f)(1)(ii) & 40 CFR § 403.8(f)(1)(iii)(B)(3)	CST Storage - The production data is not present for the porcelain enameling line and the effluent limits are mass-based.	4.3 A.
8	40 C.F.R. § 403.8(f)(1)(iii)(B)(4)	Conex Cable, DeKalb Plating Company, Inc., and CST Storage – Language regarding the process for seeking a waiver for a pollutant not present or expected to not be present is in the Pretreatment Ordinance but is not in the IU Permit.	4.3 A.
9	40 C.F.R. § 403.12(j) and 40 C.F.R. § 403.8(f)(1)(iii)(B)(4)	Conex Cable – The permit includes the requirement to notify of accidental release and a reopener clause in case of significant changes to the wastewater but does not include the requirement to notify if there is a significant change.	4.3 A.
10	40 C.F.R. § 403.12(j) and 40 C.F.R. § 403.8(f)(1)(iii)(B)(4)	DeKalb Plating Company, Inc. – The permit does not include the requirement to notify the POTW for any change in character of the discharge.	4.3 A.
11	40 C.F.R. § 403.12(j) and 40 C.F.R. § 403.8(f)(1)(iii)(B)(4)	CST Storage - The permit does not explicitly state that it must notify the CA in event of significant change in discharge but does state that the permit may be modified in the event of a significant change in discharge.	4.3 A.
12	40 C.F.R. § 403.8(f)(1)(ii)	Conex Cable - If the facility discharges from the steel rinse line only (which they currently do), there are no discharges that would subject it to the aluminum forming category.	4.3 B.

13	40 C.F.R. § 403.8(f)(1)(ii)	CST Storage - There is not enough information in the file regarding the enamel coating production and whether 40 CFR 466.01(b) is applicable nor enough information to make a loading calculation for the enamel line.	4.3 B.
14	40 C.F.R. § 403.8(f)(1)(ii) and 40 C.F.R. § 403.6(c)	Conex Cable - According to the latest IU permit app, the IU production is 3000-5000 lbs/day multiplied by 5-6 production days/week; however, the permit limits are calculated based on 400,000 lbs/month (2650 lbs/day multiplied by 21 production days/month). This range is within the range given in the application, but it does not make the most stringent limits. If the facility only discharges from the steel rinse – which they currently do – they are not categorical and do not need to apply production based effluent limits.	4.3 B.
15	40 C.F.R. § 403.8(f)(2)(v)	DeKalb Plating Company, Inc. - pH sampling was not observed for the 2022 and 2023 sampling reports.	4.3 C.
16	40 C.F.R. § 403.8(f)(2)(v)	CST Storage - Monitoring for Metal Finishing from Outfall 001 is for all parameters, and monitoring for Outfall 002 – the porcelain line – is for all parameters and also additional ones (Cd, Cu, Ag). There is no local limits monitoring conducted at Outfall 003 (Cd, Cu, Pb, Hg, Mb, Ni). pH is taken four times over the sample period, but it is not clear if pH taken is from Outfall 003.	4.3 C.
17	40 C.F.R. § 403.8(f)(2)(vii)	CST Storage - The CA's monitoring of the IU showed a nickel effluent exceedance on the porcelain line. The nickel result was 1.57 mg/L on sample date of August 12, 2021, and the permit limit was 1.41 mg/L. All other violations in the IU's semiannual report were identified by the CA.	4.3 D.
18	40 C.F.R. § 403.8(f)(2)(vii)	Conex Cable - The pH holding time was not identified in IU sampling reports reviewed.	4.3 D.
19	40 C.F.R. § 403.12(e)(1) and 40 C.F.R. § 403.8(f)(2)(iv)	Conex Cable - The IU samples for its local limits (Cd, Cu, Pb, Ni, Hg, Mb and pH) semi-annually from Outfall 001 (the steel wire rinse, Wastestream A). It does not consider the steel	4.3 E.

		wire rinse as categorical. It does not sample for the categorical limits and assumes that categorical limits should only apply to the aluminum rod rinse, which does not discharge. It does not sample for the categorical limits (Cr, CN, Zn or O&G) semi-annually; however, this is a requirement according to its permit. The IU sample for February 11, 2021 tested its pH at the laboratory after 2 hours and it had exceeded its hold time. The other pH samples were tested onsite and are within hold time. Note that IUs that do not discharge a categorical wastestream are not considered categorical nor do they need to be required to test for categorical limits if they are not discharging.	
20	40 C.F.R. § 403.12(e)(1), 40 C.F.R. § 403.8(f)(2)(iv), and 40 C.F.R. § 403.8(f)(2)(vii)	CST Storage - Phosphorus, biochemical oxygen demand, total suspended solids, and ammonia are not observed as being sampled for semi-annual reports from 2021, 2022, and June 27, 2023. Starting in January 2024, all but phosphorus of the aforementioned constituents was being sampled. A pH sample was also missing from the January 7, 2022 semi-annual report, which the facility noted on February 17, 2022 in a letter to the KWRD.	4.3 D. and E.
21	40 C.F.R. § 403.8(f)(5) and 40 C.F.R. 403.12(g)(2)	CST Storage - The inspector could not locate Notice of Violation-based resampling for Zinc in the December 19, 2022 results. There is a lack of clarity as to whether or not the IU self-reported this violation as well as the violations from December 2021 (nickel at Outfall #002).	4.3 E.

Attachment I: Photo Log

Kishwaukee Water Reclamation District Industrial User Inspections

EPA Inspection Date: 09/26/2024

All photos taken by Eric Small, Physical Scientist, U.S. EPA Region 5

Camera: Pentax WG-1 GPS



1: IMGP0001.JPG

Description: Discharge point for DeKalb Plating Company

Location: Southern wall of DeKalb Plating Company

Date/Time: September 26, 2024, 11:27 A.M.



2: IMGP0002.JPG

Description: Filter press used as part of Conex Cable, LLC. wastewater setup

Location: Southeastern corner of Conex Cable, LLC.

Date/Time: September 26, 2024, 12:37 P.M.



3: IMGP0003.JPG

Description: Discharge point for Conex Cable, LLC.

Location: Southeastern corner of Conex Cable, LLC.

Date/Time: September 26, 2024, 12:38 P.M.



4: IMG0004.JPG

Description: Closed loop process tank (foreground) and process water holding tank (background)

Location: Southeastern corner of Conex Cable, LLC.

Date/Time: September 26, 2024, 12:38 P.M.

Attachment II: List of Documents Received from Inspection

- A. 2006 USEPA Audit Checklist Attachment A - Pretreatment Program Profile (September 16, 2024)
- B. 2006 USEPA Audit Checklist Attachment B - Pretreatment Program Status Update (September 16, 2024)
- C. 2006 USEPA Audit Pages 13-27 Supplemental Data Review/Interview (September 17, 2024)
- D. Intergovernmental Cooperation Agreement Between the Kishwaukee Water Reclamation District and the Village of Malta (May 22, 2020)
- E. Kishwaukee Water Reclamation District Industrial User Discharge Permit No. 185 for Conex Cable, LLC. (Issued on January 8, 2020)
- F. Kishwaukee Water Reclamation District Industrial User Discharge Permit No. 110 for DeKalb Plating Company, Inc. (Issued on September 10, 2019)
- G. Kishwaukee Water Reclamation District Industrial User Discharge Permit No. 120 for CST Storage (Issued on October 19, 2021)
- H. Kishwaukee Water Reclamation District Hauled Waste Procedures (Date Unknown)
- I. Kishwaukee Water Reclamation District Industrial Pretreatment Enforcement Response Plan (Date Unknown)
- J. Kishwaukee Water Reclamation District Industrial Pretreatment Ordinance No. 591 (April 15, 2020)
- K. Illinois EPA NPDES Permit for Kishwaukee Water Reclamation District (Issued on September 19, 2019)
- L. Kishwaukee Water Reclamation District Ordinance No. 606 (March 15, 2023)
- M. Semi-Annual Compliance Report for Conex Cable, LLC (June 15, 2023)
- N. Semi-Annual Compliance Report for Conex Cable, LLC. (December 7, 2023)
- O. Ferrara Manifest from May 14, 2021
- P. DeKalb Plating Company Permit Application (August 21, 2024)
- Q. Conex Cable, LLC. Permit Application (October 8, 2019)
- R. CST Storage Permit Application (August 27, 2021)
- S. Kishwaukee Water Reclamation District Notice of Violation to CST Storage issued on February 7, 2022 (September 30, 2024)
- T. Kishwaukee Water Reclamation District Notice of Violation to CST Storage issued on January 13, 2023 (September 30, 2024)
- U. Kishwaukee Water Reclamation District Notice of Violation to CST Storage issued on February 25, 2021 (September 30, 2024)
- V. DeKalb Plating SIU Inspection Form (September 17, 2024)
- W. Conex Cable SIU Inspection Form (September 20, 2024)

PRETREATMENT PROGRAM STATUS UPDATE

INSTRUCTIONS: This attachment is intended to serve as an update of program status. It should be updated prior to each PCI based on information obtained from the most recent PCI and/or audit and the last pretreatment program performance report.

A. CA INFORMATION

1. CA name - Kishwaukee Water Reclamation District

2. a. Pretreatment contact

Allison Yates

b. Mailing address

1301 Sycamore Rd., DeKalb, Ill 60115

c. Title – Laboratory Supervisor

d. Telephone number 815-758-3513

3. Date of last CA report to Approval Authority 2-13-24 Annual Pretreatment Report

4. Is the CA currently operating under any pretreatment-related consent decree, Administrative Order, compliance schedule, or other enforcement action?

Yes

No

X

5. Effluent and sludge quality

a. List the NPDES effluent and sludge limits violated and the suspected cause(s).

Parameters Violated

Cause(s)

none

b. Has the treatment plant sludge violated these tests?

Yes

No

• EP toxicity

• TCLP

X

B. PRETREATMENT PROGRAM STATUS

1. Indicate components that were identified as deficient.

a. Program modification

b. Legal authority

c. Local limits

d. IU characterization

e. Control mechanism

f. Application of pretreatment standards

g. Compliance monitoring

h. Enforcement program

i. Data management

j. Program resources

k. Other (specify)

**Last PCI
Date:**

**Last Audit
Date:**

**Program Report
Date:**

PRETREATMENT PROGRAM STATUS UPDATE

B. PRETREATMENT PROGRAM STATUS (Continued)																			
2. Is the CA presently in RNC for any of these violations? a. Failure to enforce against pass through and/or interference [RNC-I][SNC] b. Failure to submit required reports within 30 days [RNC-I][SNC] c. Failure to meet compliance schedule milestones within 90 days [RNC-I][SNC] d. Failure to issue/reissue control mechanisms to 90 percent of SIUs within 6 months [RNC-II] e. Failure to inspect or sample 80 percent of SIUs within the last 12 months [RNC-II] f. Failure to enforce standards and reporting requirements [RNC-II] g. Other (specify) [RNC-II]	Data Source	Yes	No																
			X																
			X																
			X																
			X																
			X																
			X																
3. List SIUs in SNC identified in the last pretreatment program performance report, PCI, or audit (whichever is most recent). <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr style="background-color: #d3d3d3;"> <th style="width: 35%;">Name of SIU in SNC</th> <th style="width: 35%;">Compliance Status</th> <th style="width: 30%;">Source</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;"><i>none</i></td> <td></td> <td></td> </tr> <tr><td> </td><td></td><td></td></tr> <tr><td> </td><td></td><td></td></tr> <tr><td> </td><td></td><td></td></tr> </tbody> </table>					Name of SIU in SNC	Compliance Status	Source	<i>none</i>											
Name of SIU in SNC	Compliance Status	Source																	
<i>none</i>																			
4. Indicate the number and percent of SIUs that were identified as being in SNC* with the following requirements from the CA's last pretreatment program performance report. If the CA's report does not provide this information, obtain the information for the most recent four full quarters during the PCI. SNC Evaluation Period <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%; border: 1px solid black;"></td> <td style="width: 10%; border: 1px solid black; text-align: center;">0%</td> <td style="width: 60%;">Applicable pretreatment standards and reporting requirements</td> <td style="width: 20%; text-align: right;">*SNC defined by:</td> </tr> <tr> <td style="border: 1px solid black;"></td> <td style="border: 1px solid black; text-align: center;">0%</td> <td>Self-monitoring requirements</td> <td style="border: 1px solid black; text-align: center;">POTW</td> </tr> <tr> <td style="border: 1px solid black;"></td> <td style="border: 1px solid black; text-align: center;">0%</td> <td>Pretreatment compliance schedules</td> <td style="border: 1px solid black; text-align: center;">EPA</td> </tr> </table>						0%	Applicable pretreatment standards and reporting requirements	*SNC defined by:		0%	Self-monitoring requirements	POTW		0%	Pretreatment compliance schedules	EPA			
	0%	Applicable pretreatment standards and reporting requirements	*SNC defined by:																
	0%	Self-monitoring requirements	POTW																
	0%	Pretreatment compliance schedules	EPA																
5. Describe any problems the CA has experienced in implementing or enforcing its pretreatment program. <i>None</i>																			

ATTACHMENT A COMPLETED BY: TITLE:	DATE: TELEPHONE:
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PRETREATMENT PROGRAM STATUS UPDATE

PRETREATMENT PROGRAM PROFILE

INSTRUCTIONS: This attachment is intended to serve as a summary of program information. This background information should be obtained from the original, approved pretreatment program submission and modifications and the NPDES permit. The profile should be updated, as appropriate, in response to approved modifications and revised NPDES permit requirements.

A. CA INFORMATION

1. CA name - Kishwaukee Water Reclamation District

2. Original pretreatment program submission approval date - *unsure*

3. Required frequency of reporting to Approval Authority – 1x/year

4. Specify the following CA information.

Treatment Plant Name	NPDES Permit Number	Effective Date	Expiration Date
<i>Kishwaukee Water Reclamation District</i>	<i>IL0023027</i>	<i>10-1-19</i>	<i>9-30-24</i>

5. Does the CA hold a sludge permit or has the NPDES permit been modified to include sludge use and disposal requirements?

Yes	No
<i>X</i>	

If yes, provide the following information.

POTW Name	Issuing Authority	Issuance Date	Expiration Date	Regulated Pollutants
<i>Kishwaukee Water Reclamation District</i>	<i>IEPA</i>	<i>8-31-20</i>	<i>7-31-25</i>	<i>Land applied biosolids</i>

B. PRETREATMENT PROGRAM MODIFICATIONS

1. When was the CA's NPDES permit first modified to require pretreatment implementation?
[WENDB-PTIM]

unsure

2. Identify any substantial modifications the CA made in its pretreatment program since the approved pretreatment program submission. [403.18]

Date Approved	Nature of Modification	Date Incorporated in NPDES Permit

PRETREATMENT PROGRAM PROFILE

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PRETREATMENT PROGRAM PROFILE (Continued)

C. TREATMENT PLANT INFORMATION

INSTRUCTIONS: Complete this section for each treatment plant operated under an NPDES permit issued to the CA.

1. Treatment plant name <i>Kishwaukee Water Reclamation District</i>				2. Location address <i>1301 Sycamore Rd.-DeKalb, Ill 60115</i>			
3. a. NPDES permit number <i>IL0023027</i>		b. Expiration date <i>9-30-24</i>		4. Treatment plant wastewater flows			
				Design <i>8.63</i>	Actual <i>5.44</i>	MGD	
5. Sewer system	a. Separate <i>100%</i>		b. Combined <i>0%</i>		c. Number of CSOs - 0		
6. a. Industrial Contribution (MGD) <i>0.04</i>		b. Number of SIUs Discharging to plant <i>3</i>		c. Percent industrial flow to plant <i><1%</i>			
7. Level of treatment		Type of Process(es)					
a. Primary		<i>Screening/Primary clarifiers</i>					
b. Secondary		<i>Aeration tanks</i>					
c. Tertiary		<i>Final clarifiers</i>					
8. Indicate required monitoring frequencies for pollutants identified in NPDES permit.							
	Influent (Times/Year)	Effluent (Times/Year)	Sludge (Times/Year)	Receiving Stream (Times/Year)			
a. Metals	<i>4</i>	<i>4</i>	<i>4</i>	<i>0</i>			
b. Organics	<i>1</i>	<i>1</i>	<i>1</i>	<i>0</i>			
c. Toxicity testing	<i>0</i>	<i>4x during permit cycle</i>		<i>4x during permit cycle</i>			
d. EP toxicity							
e. TCLP			<i>1</i>				
9. Effluent Discharge							
a. Receiving stream name <i>Kishwaukee River</i>		b. Receiving stream classification			c. Receiving stream use		
d. If effluent is discharged to any location other than the receiving stream, indicate where. N/A							
10. 301(h) Waiver (ocean discharge)							
	Yes	No					
a. Applied for			c. Date of application				
b. Granted			d. Date approved or denied				
11. Did the CA submit results of whole effluent biological toxicity testing as part of its NPDES permit application(s)? [122.21(j)(1) and (2)]					N/A	Yes	No
a. If yes, did the CA use EPA-approved methods? [122.21(j)(3)]						<i>X</i>	
b. Has there been a pattern of toxicity demonstrated?							<i>X</i>
12. Indicate methods of sludge disposal.							
Quantity of sludge				Quantity of sludge			
a. Land application	<i>2158</i>	dry tons/year		e. Public distribution		dry tons/year	
b. Incineration		dry tons/year		f. Lagoon storage		dry tons/year	
c. Monofill		dry tons/year		g. Other (specify)		dry tons/year	

PRETREATMENT PROGRAM PROFILE (Continued)

d. MSW landfill

dry tons/year

D. LEGAL AUTHORITY

1. a. Indicate where the authority to implement and enforce pretreatment standards and requirements is contained (cite legal authority). Permit and Pretreatment Ordinance

b. Date enacted/adopted

c. Date of most recent revision

2. Does the CA's legal authority enable it to do the following? [403.8(f)(1)(i-vii)]

- | | Yes | No |
|--|-----|----|
| a. Deny or condition pollutant dischargers [403.8(f)(1)(i)] | | |
| b. Require compliance with standards [403.8(f)(1)(ii)] | X | |
| c. Control discharges through permit or similar means [403.8(f)(1)(iii)] | X | |
| d. Require compliance schedules and IU reports [403.8(f)(1)(iv)] | X | |
| e. Carry out inspection and monitoring activities [403.8(f)(1)(v)] | X | |
| f. Obtain remedies for noncompliance [403.8(f)(1)(vi)] | X | |
| g. Comply with confidentiality requirements [403.8(f)(1)(vii)] | | |

3. a. Are all IUs located within the jurisdictional boundaries of the CA?

X

If no, list the name of contributing jurisdictions and the number of SIUs in those jurisdictions.

Jurisdiction Name	Number of CIUs	Number of Other SIUs

- b. Has the CA negotiated all legal agreements necessary to ensure that pretreatment standards will be enforced in contributing jurisdictions?

Yes

No

- c. If yes, describe the legal agreements (e.g., intergovernmental contract, agreement, IU contracts, etc.).

4. If relying on contributing jurisdictions, indicate which activities those jurisdictions perform.

a. IWS update

b. Permit issuance

c. Inspection and sampling

d. Enforcement

e. Notification of IUs

f. Receipt and review of IU reports

g. Analysis of samples

h. Other (specify)

PRETREATMENT PROGRAM PROFILE (Continued)

PRETREATMENT PROGRAM PROFILE (Continued)

E. IU CHARACTERIZATION

	Yes	No
1. a. Does the CA have procedures to update its IWS to identify new IUs or changes in wastewater discharges at existing IUs? [403.8(f)(2)(i)]	X	
b. Indicate which methods are to be used to update the IWS.		
· Review of newspaper/phone book		X
· Review of water billing records	X	X
· Review of plumbing/building permits		
c. How often is the IWS to be updated?		
	Yes	No
2. Is the CA's definition of "significant industrial user" consistent within the language in the Federal regulations? [403.3(t)(1)]	X	
If no, provide the CA's definition of "significant industrial user."		

F. CONTROL MECHANISM

1. a. Identify the CA's approved control mechanism (e.g., permit, etc.).	<i>permit</i>	
b. What is the maximum term of the control mechanism?	<i>5 years</i>	
2. Does the approved control mechanism include the following? [403.8(f)(1)(iii)]	Yes	No
a. Statement of duration	X	
b. Statement of nontransferability	X	
c. Effluent limits	X	
d. Self-monitoring requirements		
· Identification of pollutants to be monitored	X	
· Sampling location	X	
· Sample type	X	
· Sampling frequency	X	
· Reporting requirements	X	
· Notification requirements	X	
· Record-keeping requirements	X	
e. Statement of applicable civil and criminal penalties	X	
f. Applicable compliance schedule		
3. Does the CA have a control mechanism for regulating IUs whose wastes are trucked to the treatment plant?	N/A	Yes
	X	
4. Does the program identify designated discharge point(s) for trucked or hauled wastes? [403.5(b)(8)]		X
If yes, describe the discharge point(s) (including security procedures).		

PRETREATMENT PROGRAM PROFILE (Continued)

G. APPLICATION OF STANDARDS

							Yes	No
1. Does the CA have procedures to notify all IUs of applicable pretreatment standards and any applicable requirements under the CWA and RCRA? [403.8(f)(2)(iii)]							X	
							N/A	
2. If there is more than one treatment plant, were local limits established specifically for each plant?							X	
3. Has the CA <u>technically evaluated</u> the need for local limits for all pollutants listed below? [WENDB-EVLL] [403.5(c)(1); 403.8(f)(4)]								
Partial technical evaluation (not all 10 pollutants evaluated)?								
		Headworks Analysis Completed?		Technically Evaluated?		Local Limits Adopted?		Local Limit (Numeric)
		Yes	No	Yes	No	Yes	No	
a.	Arsenic (As)	X		X				
b.	Cadmium (Cd)	X		X				
c.	Chromium (Cr)	X		X				
d.	Copper (Cu)	X		X				
e.	Cyanide (CN)	X		X				
f.	Lead (Pb)	X		X				
g.	Mercury (Hg)	X		X				
h.	Nickel (Ni)	X		X				
i.	Silver (Ag)	X		X				
j.	Zinc (Zn)	X		X				
k.	Other (specify)							

H. COMPLIANCE MONITORING

1. Indicate compliance monitoring and inspection frequency requirements.

Program Aspect	Approved Program Requirement	NPDES Permit Requirement	State Requirement	Minimum Federal Requirement
a. Inspections				
· CIUs	<i>1 x year</i>			
· Other SIUs	<i>1 x year</i>			
b. Sampling by POTW				
· CIUs		<i>1 x year</i>		
· Other SIUs		<i>1 x year</i>		
c. Self-Monitoring				
· CIUs	<i>2 x year</i>			
· Other SIUs	<i>2 x year</i>			
d. Reporting by IU				
· CIUs	<i>2 x year</i>			

PRETREATMENT PROGRAM PROFILE (Continued)

· Other SIUs

I. ENFORCEMENT

1. Does the CA's program define "significant noncompliance?"

If yes, is the CA's definition of "significant noncompliance" consistent with EPA's?
[403.8(f)(2)(vii)]

If no, provide the CA's definition of "significant noncompliance."

Yes

No

X

X

2. Does the CA have an approved, written ERP? [403.8(f)(5)]

Yes

No

X

3. Indicate the compliance/enforcement options that are available to the POTW in the event of IU noncompliance. [403.8(f)(1)(vi)]

a. Notice or letter of violation

X

f. Administrative Order

X

b. Compliance schedule

X

g. Revocation of permit

X

c. Injunctive relief

h. Fines (maximum amount)

X

d. Imprisonment

· Civil

e. Termination of service

X

· Criminal

· Administrative

J. DATA MANAGEMENT/PUBLIC PARTICIPATION

1. Does the approved program describe how the POTW will manage its files and data?

Yes

No

Are files/records

X

computerized?

X

hard copy?

both?

Yes

No

X

2. Are program records available to the public?

3. Does the POTW have provisions to address claims of confidentiality? [403.8(f)(2)(vii)]

K. RESOURCES

1. What are the resource allocations for the following pretreatment program components?

FTEs

a. Legal assistance

b. Permitting

c. Inspections

d. Sample collection

e. Sample analysis

f. Data analysis, review, and response

g. Enforcement

h. Administration

PRETREATMENT PROGRAM PROFILE (Continued)

TOTAL

K. RESOURCES (Continued)

2. Identify the sources of funding for the pretreatment program. [403.8(f)(3)]

a. POTW general operating fund

d. Monitoring charges

b. IU permit fees

e. Other (specify)

c. Industry surcharges

L. ADDITIONAL INFORMATION

ATTACHMENT B COMPLETED BY:
TITLE:

DATE:
TELEPHONE:

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SECTION II: SUPPLEMENTAL DATA REVIEW/INTERVIEW

INSTRUCTIONS: Complete this section during the onsite visit based on CA activities since the last PCI or audit. Attach documentation where appropriate. Specific data may be required in some cases.

A. CA PRETREATMENT PROGRAM MODIFICATION [403.18]

1. Did the CA make substantial changes to the pretreatment program that were not approved by the Approval Authority (e.g., definitions, limits)?

Yes

No

X

If yes, describe.

2. Is the CA in the process of modifying any approved pretreatment program component (including legal authority, local limits, DSS requirements, etc.)?

Yes

No

X

If yes, describe.

Submitted Local Limits proposal on 9-27-21

SECTION II: SUPPLEMENTAL DATA REVIEW/INTERVIEW (Continued)

B. LEGAL AUTHORITY [403.8(f)(1)]

1. Are there any contributing jurisdictions discharging wastewater to the POTW?

If yes, explain how the legal authority addresses the contributing jurisdictions.

See Malta agreement

2. a. Has the CA updated its legal authority (e.g.,SUO) to reflect changes in the General Pretreatment Regulations?

SUO updated March 2023

b. Did all contributing jurisdictions update their SUOs in a consistent manner? Explain

Section 7 of Malta Agreement states: 'Malta agrees that it will comply with all KWRD ordinances and policies in effect on the date of this Agreement or as the same may be amended from time to time.'

3. Does the CA experience difficulty in implementing its legal authority [i.e., SUO, interjurisdictional agreement (e.g., permit challenged, entry refused, penalty appealed)]? **No**

If yes, explain.

SECTION II: SUPPLEMENTAL DATA REVIEW/INTERVIEW (Continued)

C. IU CHARACTERIZATION [403.8(f)(2)(i)&(ii)]

1. How does the CA define SIU? (Is it the same in contributing jurisdictions?)

- Subject to categorical standards
- Discharges 25,000 gallons or more of process water/day
- Has a potential to cause an upset at the plant
- Or
- Contributes 5% or more of dry weather plant capacity

2. How are SIUs identified and categorized (including those in contributing jurisdictions)?

Discuss any problems.

40CFR

3. a) How and when does the CA update its IWS to identify new IUs (including those in contributing jurisdictions)?

No current schedule-was last done in 2009

b. How and when does the CA identify changes in wastewater discharges at existing IUs (including contributing jurisdictions)?

They are sampled and inspected every year.

4. How many IUs are currently identified by the CA in each of the following groups?

___ SIUs (as defined by the CA) [WENDB-SIUS]

CIUs [WENDB-CIUS] - 3

Noncategorical SIUs

___ Other regulated noncategorical IUs (specify)

___ TOTAL

D. CONTROL MECHANISM EVALUATION [403.8(f)(2)(i)&(ii)]

1. a. How many and what percent of the total SIUs are NOT covered by an existing, unexpired permit, or other individual control mechanism? [WENDB-NOCM] [RNC-II] _ 0 %

b. How many control mechanisms were not issued within 180 days of the expiration date of the previous control mechanism?

SECTION II: SUPPLEMENTAL DATA REVIEW/INTERVIEW (Continued)

[RNC-II]

0

2. a. Do any UST, CERCLA, RCRA corrective action sites and/or other contaminated groundwater sites discharge wastewater to the CA? No

b. How are control mechanisms (specifically limits) developed for these facilities?

3. a. Does the CA accept any waste by truck, rail, or dedicated pipe? Yes

b. Is any of the waste hazardous as defined by RCRA?

No

If a. or b. above is yes, explain.

Landfill leachate, septic and grease haulers.

c. Describe the CA's program to control hauled wastes including a designated discharge point (e.g. number of points, control/security procedures).

See "Hauled Waste Description and Procedures" form attached.

E. APPLICATION OF PRETREATMENT STANDARDS AND REQUIREMENTS

1. What limits (categorical, local, other) does the CA apply to wastes that are hauled to the POTW (directly to the treatment plant or within the collection system, including contributing jurisdictions)? [403.1(b)(1)]

SECTION II: SUPPLEMENTAL DATA REVIEW/INTERVIEW (Continued)

2. How does the CA keep abreast of current regulations to ensure proper implementation of standards? [403.8(f)(2)(iii)]

Meetings and talking to other wastewater people.

3. Local limits evaluation: [403.8(f)(4); 122.21(j)]

- a. For what pollutants have local limits been set? *Cd, Cu, Pb, Hg, Mo, Ni, pH, BOD, TSS, Ammonia, and phosphorus.*
- b. How were these pollutants decided upon? Local limits study
- c. What was the most prevalent/most stringent criteria for the limits?
- d. Which allocation method(s) were used?
- e. Has the CA identified any pollutants of concern beyond those in its local limits? No

If yes, how has this been addressed?

SECTION II: SUPPLEMENTAL DATA REVIEW/INTERVIEW (Continued)

E. APPLICATION OF PRETREATMENT STANDARDS AND REQUIREMENTS (Continued)

4. What problems, if any, were encountered during local limits development and/or implementation?

Still waiting on a response from 2021 submission.

F. COMPLIANCE MONITORING

1. a. How does the CA determine adequate IU monitoring (sampling, inspecting, and reporting) frequencies? [403.8(f)(2)(ii)&(v)]

We used to sample more but over time it was the same results with almost no issues so dropped down to yearly.

- b. Is the frequency established above more, less, or the same as required?

Same

2. In the past 12 months, how many and what percentage of SIUs were: [403.8(f)(2)(v)][RNC-II]
Define the 12 month period 1-1-23 to 12-31-23.

- | | |
|--|----|
| a. Not sampled or not inspected at least once [WENDB-NOIN] | 0% |
| b. Not sampled at least once | 0% |
| c. Not inspected at least once (all parameters)? | 0% |

If any, explain. Indicate how percentage was determined

3. Indicate the number and percent of SIUs that were identified as being in SNC* with the following requirements from the CA's last pretreatment program performance report.

SNC Evaluation Period:

0% Applicable pretreatment standards and reporting requirements

0% Self-monitoring requirements

0% Pretreatment compliance schedules

*SNC defined by POTW and USEPA

SECTION II: SUPPLEMENTAL DATA REVIEW/INTERVIEW (Continued)

F. COMPLIANCE MONITORING (Continued)

4. What does the CA's basic inspection include? (Process areas, pretreatment facilities, chemical and hazardous waste storage areas, chemical spill prevention areas, hazardous waste handling procedures, sampling procedures, laboratory procedures, and monitoring records.) [403.8(f)(2)(v)&(vi)]

All of the above.

5. Who performs CA's compliance monitoring analysis?

-Metals Teklab

-Cyanide Teklab .

-Organics Teklab .

-Other (specify) We do ammonia, pH, BOD, P and TSS in house.

6. What QA/QC techniques does the CA use for sampling and analysis (e.g., splits, blanks, spikes), including verification of contract laboratory procedures and appropriate analytical methods? [403.8(f)(2)(vi)]

Blanks and standards

7. Discuss any problems encountered in identification of sample location, collection, and analysis.

N/A

8. Did any IUs notify the CA of a hazardous waste discharge?

No

F. COMPLIANCE MONITORING

- a. How and when does the CA evaluate/reevaluate SIUs for the need for a slug control plan? [403.8(f)(2)(v)]

All currently have a slug control plan.

SECTION II: SUPPLEMENTAL DATA REVIEW/INTERVIEW (Continued)

b. How many SIUs were not evaluated for the need to develop slug discharge control plans in the last two years?

0

SECTION II: SUPPLEMENTAL DATA REVIEW/INTERVIEW (Continued)

G. ENFORCEMENT

1. What is the CA's definition of SNC? [403.8(f)(2)(vii)]

A. **Significant Noncompliance.** An industrial user is in significant noncompliance if its violation meets one or more of the following criteria

1. Chronic violations of wastewater discharge limits, defined here as those in which sixty-six percent (66%) or more of all the measurements taken for the same pollutant parameter taken during a six (6) month period exceed (by any magnitude) a numeric Pretreatment Standard or Requirement, including Instantaneous Limits as defined by this Ordinance;
2. Technical Review Criteria (TRC) violations, defined here as those in which thirty-three percent (33%) or more of wastewater measurements taken for each pollutant parameter during a six (6) month period equals or exceeds the product of the numeric Pretreatment Standard or Requirement including Instantaneous Limits, as defined by this Ordinance multiplied by the applicable criteria (1.4 for BOD, TSS, fats, oils and grease, and 1.2 for all other pollutants except pH);
3. Any other violation of a Pretreatment Standard or Requirement (Daily Maximum, long-term average, Instantaneous Limit, or narrative standard) that the District determines has caused, alone or in combination with other discharges, Interference or Pass Through, including endangering the health of POTW personnel or the general public;
4. Any discharge of a pollutant that has caused imminent endangerment to the public or to the environment, or has resulted in the Manager's exercise of its emergency authority to halt or prevent such a discharge;
5. Failure to meet, within ninety (90) days of the scheduled date, a compliance schedule milestone contained in an individual wastewater discharge permit or a general permit or enforcement order for starting construction, completing construction, or attaining final compliance.
6. Failure to provide within forty-five (45) days after the due date, any required reports, including baseline monitoring reports, reports on compliance with categorical Pretreatment Standard deadlines, periodic self-monitoring reports, and reports on compliance with compliance schedules;
7. Failure to accurately report noncompliance; or

Any other violation(s), which may include a violation of Best Management Practices, which the District determines will adversely affect the operation or implementation of the local pretreatment program

2. RP implementation: [403.8(f)(5)]

Not sure on date

a. Status

b. Problems with implementation.
none

c. Is the ERP effective and does it lead to compliance in a timely manner? Provide examples if any are available.

Yes. Rarely any issues but when there are the industries resample in a timely manner and report their results and possible cause of the permit violation.

SECTION II: SUPPLEMENTAL DATA REVIEW/INTERVIEW (Continued)

3. a. Does the CA use compliance schedules? [403.8(f)(1)(iv)(A)]
b. If yes, are they appropriate? Provide examples.

4. Did the CA publish all SIUs in SNC in the largest daily newspaper in the previous year? [403.8(f)(2)(vii)]
If yes, attach a copy.

If no, explain.

There were none to report.

5. How many SIUs are in SNC with self monitoring requirements and were not inspected and/or sampled (in the four most recent quarters)? [WENDB]

None

6. a. Has the CA experienced any problems since the last inspection (interference, pass through, collection system problems, illicit dumping of hauled wastes, or worker health and safety problems) caused by industrial discharges?

No

H. DATA MANAGEMENT/PUBLIC PARTICIPATION

1. How is confidential information handled by the CA? [403.14]

2. How are requests by the public to review files handled?

H. DATA MANAGEMENT/PUBLIC PARTICIPATION

3. Describe whether the CA's data management system is effective in supporting pretreatment implementation and enforcement activities.

SECTION II: SUPPLEMENTAL DATA REVIEW/INTERVIEW (Continued)

4. How does the CA ensure public participation during revisions to the SUO and/or local limits?
[403.5(c)(3)]

5. Explain any public or community issues impacting the CA's pretreatment program.

6. How long are records maintained? 15 plus years

I. RESOURCES [403.8(f)(3)]

1. Estimate the number of personnel (in FTEs) available for implementing the program. [Consider: legal assistance, permitting, IU inspections, sample collection, sample analysis, data analysis, review and response, enforcement, and administration (including record keeping and data management)].

There are 2 of us in the lab for this. We only have 3 CIU's who have been around for a very long time. They have a long record of compliance so this is not terribly time consuming.

SECTION II: SUPPLEMENTAL DATA REVIEW/INTERVIEW (Continued)

I. RESOURCES (Continued)

2. Does the CA have adequate access to monitoring equipment? (Consider: sampling, flow measurement, safety, transportation, and analytical equipment.)

Yes

3. a. Estimate the annual operating budget for the CA's program. \$5000
 b. Is funding expected to: stay the same, increase, decrease (note time frame; e.g., following year, next 3 years, etc.)?
 Discuss any changes in funding.

Stay the same

4. Discuss any problems in program implementation which appear to be related to inadequate resources.

None

5. a. How does the CA ensure personnel are qualified and up-to-date with current program requirements?

Go to seminars and keep in touch with other pretreatment people.

- b. Does the CA have adequate reference material to implement its program?

Yes

J. ENVIRONMENTAL EFFECTIVENESS/POLLUTION PREVENTION

1. a. How many times were the following monitored by the CA during the past year?

NPDES	Influent	Effluent	Sludge	Ambient (Receiving Water)
Metals	4	4	4	
Priority Pollutants	1	1	1	
Biomonitoring	0	4	0	4
TCLP	1	1	1	
EP toxicity				
Other (specify)				
Actual (+ or – compared to NPDES)				
Metals	4	4	4	
Priority Pollutants	1	1	1	
Biomonitoring	0	4	0	4
TCLP	1	1	1	
EP toxicity				

SECTION II: SUPPLEMENTAL DATA REVIEW/INTERVIEW (Continued)

Other (specify)				

Explain any differences between when the CA is monitoring and what the NPDES permit requires.

N/A

2. a. Has the CA evaluated historical and current data to determine the effectiveness of pretreatment controls on:

- Improvements in POTW operations
- Loadings to and from the POTW
- NPDES permit compliance
- Sludge Quality

b. Has the CA documented these findings?

d. If they have been documented, what form does the documentation take?
Explain. (Attach a copy if appropriate)

3. If the CA has historical data compiled concerning influent, effluent, and sludge sampling for the POTW, what trends have been seen? (Increases in pollutant loadings over the years? Decreases? No change?)

There doesn't seem to be a lot of change in our influent and effluent. Some of our sludge numbers have decreased. Nothing appears to be increasing.

Most results are BDL and always have been

4. Has the CA investigated the sources contributing to current pollutant loadings to the POTW (i.e. the relative contributions of toxics from industrial, commercial, and domestic sources)?

If yes, what was found?

They are sampled yearly and industrial flow is very minimal.

5. a. Has the CA attempted to implement any kind of public education program?

SECTION II: SUPPLEMENTAL DATA REVIEW/INTERVIEW (Continued)

We have had an open house and tours are given throughout the year to classes or anyone who would like one.

b. Are there any plans to initiate such a program to educate users about pollution prevention?

Explain.

6. What efforts have been taken to incorporate pollution prevention into the CA's pretreatment program (e.g., waste minimization at IUs, household hazardous waste programs)?

We have a grease collection box for people to drop off in so they do not pour it down the drain.

7. Does the CA have any documentation concerning successful pollution prevention programs being implemented by IUs (e.g. case studies, sampling data demonstrating pollutant reductions)?

Explain.

This image shows a completely blank white rectangular area. It is surrounded by a thin black border consisting of two parallel lines. There are no markings, text, or illustrations on the page.

SECTION II: SUPPLEMENTAL DATA REVIEW/INTERVIEW (Continued)

G. ADDITIONAL EVALUATIONS

INSTRUCTIONS: *Attach additional sheets as needed.*

<i>SECTION II COMPLETED BY: Allison Yates</i>	<i>DATE: 9-17-24</i>
<i>TITLE: Lab Supervisor</i>	<i>TELEPHONE:</i>
<i>POTW REPRESENTATIVE</i>	<i>DATE:</i>
<i>PROVIDING RESPONSES:</i>	<i>TELEPHONE:</i>

**INTERGOVERNMENTAL COOPERATION AGREEMENT BETWEEN THE
KISHWAUKEE WATER RECLAMATION DISTRICT
AND THE VILLAGE OF MALTA**

THIS AGREEMENT is made and entered into this 22nd day of May, 2020, by and between the Kishwaukee Water Reclamation District, a sanitary district organized under the Sanitary District Act of 1917 (hereinafter referred to as “KWRD”) and the Village of Malta (hereinafter referred to as “Malta”), collectively referred to as the “Parties.”

WHEREAS, the Parties are public agencies within the meaning of the Illinois Intergovernmental Cooperation Act, 5 ILCS 220/1 *et seq.*, as authorized by Article VII Section 10 of the 1970 Constitution of the State of Illinois; and

WHEREAS, the Intergovernmental Cooperation Act (5 ILCS sec. 220/1 *et seq.*) provides for intergovernmental contracts and cooperation in providing services and for the protection of the citizens and general public between the Parties; and

WHEREAS, the Illinois Constitution and the Illinois statutes encourage and provide for units of local government to cooperate and enter into intergovernmental agreements in any manner not prohibited by law or ordinance to their mutual benefits; and

WHEREAS, the Parties are desirous of extending sewers and services of KWRD for the purpose of receiving, conveying, and disposing of sewage from Malta; and

WHEREAS, in order to continue the process of extending such services to Malta, the Parties intend to enter into this Agreement in order to work together to provide wastewater services from KWRD to Malta; and

WHEREAS, the Parties agree that the agreements made herein are in the best interest of all the users of both KWRD’s water reclamation facilities and Malta’s wastewater facilities.

NOW, THEREFORE, in consideration of the foregoing and other mutual covenants hereinafter contained, the Parties hereto agree as follows:

1. Recitals. The above recitals are hereby incorporated into this Agreement as if fully set forth in this Paragraph 1.

2. Definitions. All words, unless otherwise specified herein, shall be defined as in the Ordinances of KWRD, in effect on the date of this Agreement or as said Ordinances may be amended from time to time.

3. Contingent Upon Construction of Improvements. This Agreement shall be effective upon the construction of any improvements necessary to connect Malta's wastewater infrastructure to KWRD's wastewater system. The Parties agree that all obligations regarding the construction of the connection and any additional infrastructure, including the financing for such connection and infrastructure, will be set forth in a separate agreement. No services, payment, transfer of ownership, or any other requirements or obligations shall be required until the connection and/or infrastructure is constructed.

4. Ownership. Effective on the date services are to begin, Malta agrees that it will transfer ownership of its public sanitary infrastructure to KWRD by Bill of Sale, Assignment, or other written appropriate documentation evidencing the transfer of ownership. Thereafter, KWRD shall maintain ownership, responsibility, operation, and maintenance of Malta's public sanitary infrastructure. KWRD shall be responsible for maintaining the public sanitary infrastructure to ensure that it can provide the wastewater treatment services required by Paragraph 5.

5. Treatment Services. In order to facilitate the provision of services by KWRD to Malta, Malta understands and agrees that there will be physical connection (or connections) of its wastewater infrastructure to KWRD's wastewater system. KWRD agrees to transmit and treat all wastewater originating in that portion of the area identified and marked as the Property, attached and incorporated into this Agreement as Exhibit 1 in a manner as required by KWRD ordinances, and state and federal law and regulations. In addition to providing service for the Property, KWRD shall also provide additional sewer capacity as may be needed by Malta for new development, redevelopment, or change in use, given a reasonable amount of time if the existing infrastructure is not already in place. The terms of this Agreement will not be operative on the new development, redevelopment, or change in use until said new physical connection occurs, if necessary.

6. Expansion of Service Area. KWRD will only be required to accept wastewater from the Property that meets all applicable requirements of KWRD, state, and federal regulations for treatment by KWRD. In the event of an expansion or redevelopment that could affect wastewater or sewage and require additional treatment services from KWRD, Malta shall include KWRD in any project planning and building permit process related to the development. KWRD shall be given the opportunity to review all project planning and grant approval of building permits before any connection to KWRD's system may occur.

7. Regulatory Requirements. Malta agrees that it will comply with all KWRD ordinances and policies in effect on the date of this Agreement or as the same may be amended from time to time.

8. Charges. Effective on the date services are to begin, Malta shall be responsible for collecting and remitting all charges for KWRD's service by billing its customers user fees that include KWRD's user fees and rate charges as prescribed in KWRD's Ordinances, as amended from time to time. KWRD agrees to notify Malta within ten (10) days of passage of any Ordinance adjusting rates. Upon receipt of such notice, Malta shall update the charges imposed upon users in accordance with the revised usage rates as soon as reasonably practical and shall impose charges consistent with such rates for the first full billing cycle to occur after the rate change has been updated. Malta shall issue a check or otherwise remit to KWRD all monies collected for sewer use with the KWRD by the Friday preceding the third Wednesday of the month for the fees and other charges collected in the previous billing period. Malta agrees to apply any partial payments on a prorated basis to sewer and water, and any other utilities on the bill. Additionally, Malta shall provide KWRD, in electronic form, data used by it in establishing the amount KWRD receives from each billing cycle. Malta will provide said data in a format which is usable by KWRD, with a frequency mutually acceptable to the Parties.

In addition, Malta shall pay an annual service fee in lieu of property taxes as described below. The parties recognize that owners of property within the corporate boundaries of KWRD pay property taxes to KWRD but owners of property outside of KWRD (including Malta) who receive services from KWRD, will not pay said taxes and the fee is necessary to equalize the costs of wastewater service between those within and those outside of the corporate boundaries of KWRD. Said service fee shall be based on KWRD's final tax rates as determined for property within KWRD. This rate, set by the County, shall be applied by KWRD against the final assessed value of all property within Malta, based on the County Assessor's records, to determine what the service fee is each year. Billing for said service fee will occur within fifteen (15) days of the date said service fee is finally determined by KWRD. This fee will be prorated during the first year of service and invoices for said fee will be due and payable within 30 days of the date of invoice(s).

Malta shall be responsible for billing its residents at the same frequency with which it currently bills for water and other utilities and for all collection work necessary for all charges and fees.

9. Notice of Surcharges. KWRD agrees to provide written notice to any user(s) as soon as it becomes aware of any excursion of normal discharge standards or any condition which may result in the imposition of a surcharge as prescribed and in effect under KWRD's user rate ordinances.

10. Notice of Ordinance Amendment. KWRD shall promptly provide Malta with written notice of any Ordinance amendments or any other change in regulations which KWRD passes that relates to or affects any provision of this Agreement.

11. Use of Right-of-Way and Access to Infrastructure.

(a) In addition to any other right or entitlement either party may have or hereafter acquire, Malta agrees to, and upon the date service begins, does hereby grant KWRD reasonable use of its public rights of way in which it has utility easements for the construction, operation, and maintenance of the sanitary sewer systems throughout Malta. There shall be no fee or other charge imposed for the use of such rights of way.

(b) KWRD shall comply with reasonable permit conditions established to protect, repair, and restore any surface disruption and shall defend and indemnify Malta from and against any claim asserted by a third party in connection with KWRD's use of its access rights. KWRD shall be solely responsible for all safety procedures and practices with respect to its use of access rights or any operation or maintenance services of the sanitary sewer. KWRD shall maintain general liability insurance or coverage in an amount of no less than \$1,000,000 per occurrence and \$2,000,000 in the aggregate and shall provide workers' compensation insurance in the amount required by statute.

(c) In addition, effective when services begin, Malta grants to KWRD an irrevocable license and easement in gross to enter upon any of its property for the purpose of operation and/or maintenance of sanitary sewer infrastructure of any type, sort, or nature.

12. Annexation. In the event the opportunity arises that Malta becomes contiguous with KWRD's corporate boundaries or otherwise becomes able to annex into KWRD, Malta shall take all reasonable actions necessary to cause the annexation of the Property within its corporate boundaries to KWRD. No annexation fee shall be required for any property in the area currently served by Malta's public sewer system to annex to KWRD; however, Malta shall be responsible for all administrative fees and expenses required to annex property initially served under this Agreement. Upon such annexation, the service fee in lieu of taxes set forth in paragraph 7, above, will no longer be applicable.

It is understood, however, that the owners any property within future development or expansion of Malta's corporate boundaries shall, unless they are contiguous to KWRD, pre-annex to KWRD and pay then-current annexation fees and administrative fees and expenses related thereto. In addition, the owners of any such property shall pay an annual service fee in lieu of property taxes as described above.

13. Malta's Inability to Meet Financial Obligations. If Malta is in default on any payment to be made hereunder, and it reasonably appears to KWRD that Malta is unable to meet its financial obligations under this Agreement, Malta agrees that KWRD may, in its sole and exclusive discretion, exercise one or more of the following options:

(a) Upon ninety (90) days written notice thereof, KWRD may terminate its services to Malta without further notice; provided, however, that such termination complies with all local, state, and federal laws and regulations pertaining thereto; and

provided further, that services to Malta shall not be terminated if, prior to expiration of ninety (90) days from the written notice from KWRD, Malta has met its financial obligations under this Agreement or has made reasonable arrangements to meet such obligations, or in the case of noncompliance with discharge limitations, has brought its discharges into compliance with KWRD, state, and federal regulations dealing with pollutants, contaminants, or excess flow levels; or

- (b) KWRD may undertake the responsibility to bill individual residents then being served by KWRD services for said sewer service based on the then-current rates charged plus an administrative fee determined to be an amount necessary to offset the administrative costs of billing and collection; or,
- (c) The parties may pursue any other remedies available to them at law or in equity.

In order to maintain a continuity of service, Malta shall have the right to make any payment of a disputed fee "under protest," which payment shall be subject to a refund in the event of a judicial decision in Malta's favor.

14. Enforceability. This Agreement shall be construed under the laws of the State of Illinois and may be enforced in the Circuit Court for the 23rd Judicial Circuit, DeKalb County, Illinois as the exclusive venue for the resolution of any disputes between the parties. Enforcement may include any appropriate action at law or equity to secure the performance of the covenants herein contained, including the remedies of injunction, mandatory injunction, and specific performance.

15. Hold Harmless. Malta shall save, defend, and hold KWRD and its agents, officials, and employees, harmless against any and all claims for damages by third-parties, enforcement action by any state or federal agency, or litigation including therein all costs, settlements, and fines, and reasonable attorney fees', as a result of any violations or breaches of this Agreement by Malta.

KWRD shall save, defend, and hold Malta and its agents, officials, and employees, harmless against any and all claims for damages by third-parties, enforcement action by any state or federal agency, or litigation including therein all costs, settlements, and fines, and reasonable attorney fees', as a result of any violations or breaches of this Agreement by KWRD.

KWRD and Malta specifically reserve any claim, privilege, immunity, and defenses accorded them under law.

16. Amendments. No amendments to this Agreement shall be effective unless accomplished by written agreement pursuant to property authority granted by the governing corporate boards of the Parties

17. Assignment of Rights. Except as hereinbefore provided, it is mutually understood and agreed upon by the Parties that neither party shall assign, transfer, or convey any right, title, or interest in and to this IGA without the written consent of the other, which consent shall not be unreasonably withheld. This Agreement shall be binding upon the successor owners of record of any land which is the subject of this Agreement and upon the successor corporate authorities of KWRD and Malta. Any party to this Agreement may by civil action, mandamus, or other proceeding enforce and compel performance of this Agreement.

18. Notice. Any notice or demand hereunder from either party to another party hereto, shall be in writing and shall be deemed served if mailed by prepaid certified mail addressed as follows:

KISHWAUKEE WATER RECLAMATION DISTRICT
1301 Sycamore Road
DeKalb, IL 60115

KEITH FOSTER
Attorney for Kishwaukee Water Reclamation District
2040 Aberdeen Court
Sycamore, IL 60178

VILLAGE OF MALTA
P.O. Box 53
302 South 2nd Street
Malta, IL 60150

KEVIN BUICK
Attorney for Village of Malta
2040 Aberdeen Court
Sycamore, IL 60178

IN WITNESS WHEREOF, the parties hereto have entered into this Agreement by their duly authorized officers as of the day first set forth above.

VILLAGE OF MALTA

BY: *Robert Iverson*
Mr. Robert Iverson, Village President

DATE: May 22, 2020

ATTEST:

Mary Johansen
Ms. Mary Johansen, Village Clerk

DATE: May 22, 2020

**KISHWUAKEE WATER
RECLAMATION DISTRICT**

BY: *[Signature]*
Dr. Dennis Collins, President

DATE: May 22, 2020

ATTEST:

Dawn Cosentino
Ms. Dawn Cosentino, P.E., Clerk

DATE: May 22, 2020

Kishwaukee Water Reclamation District
INDUSTRIAL USER DISCHARGE PERMIT

PERMIT NO. 185

In accordance with the provisions of Kishwaukee Water Reclamation District Industrial Pretreatment Ordinance No. 519 and amendments thereto,

Conex Cable LLC
816 East Locust Street
DeKalb, IL 60115

is hereby authorized to discharge process wastewater from the above identified facility and through the outfall identified herein into the Kishwaukee Water Reclamation District's sewer system in accordance with the conditions set forth in this permit. Compliance with this permit does not relieve the permittee of its obligation to comply with any or all applicable pretreatment regulations, standards or requirements under local, State and Federal laws, including any such regulations, standards, requirements or laws that may become effective during the term of this permit.

Non-compliance with any term or condition of this permit shall constitute a violation of the Kishwaukee Water Reclamation District's industrial pretreatment ordinance.

This permit shall become effective on

March 1, 2020

and shall expire at midnight on

February 28, 2025

If the permittee wishes to continue to discharge after the expiration date of this permit, an application must be filed for a renewal permit in accordance with the requirements of Industrial Pretreatment Ordinance No. 519, Section 5.6, a minimum of 90 days prior to the expiration date.

(SEAL)

By: _____

District Manager

Issued this

8th

day of

January

, 2020

**Kishwaukee Water Reclamation District
INDUSTRIAL USER DISCHARGE PERMIT**

PART ONE – EFFLUENT LIMITATIONS

A. DURATION OF PERMIT

During the period of March 1, 2020 to February 28, 2025, the permittee is authorized to discharge process wastewater to the Kishwaukee Water Reclamation District sewer system from the outfalls listed below.

B. DESCRIPTION OF OUTFALL

OUTFALL	DESCRIPTION
001	500 gallon batch discharge every 4-6 weeks at end of steel line
002	End of Aluminum Forming Process (Closed loop system so currently all recycled. If start to discharge to Kishwaukee Water Reclamation District, samples will be taken, but currently certified zero discharge)

C. LIMITATIONS

During the period of March 1, 2020 to February 28, 2025, the discharge from outfalls 001 and 002 shall not exceed the following effluent limitations:

EFFLUENT LIMITATIONS Local Limits (001)

<u>Parameter</u>	<u>Daily Maximum</u>	<u>Monthly Average</u>
Cadmium (T)	0.885 (mg/l)	
Copper (T)	11.7 (mg/l)	
Lead (T)	3.52 (mg/l)	
Nickel (T)	2.71 (mg/l)	
Mercury (T)	0.076 (mg/l)	
Molybdenum (T)	2.14 (mg/l)	
pH (standard units)(*)	5.5 – 10.5	

EFFLUENT LIMITATIONS New Source Aluminum Forming (002)

<u>Parameter</u>	<u>Daily Maximum</u>	<u>Monthly Average</u>
Chromium (T)	14.4 (mg/l)	5.9 (mg/l)
Cyanide (T)	7.7 (mg/l)	3.1 (mg/l)
Zinc (T)	39.4 (mg/l)	16.31 (mg/l)
TTO	26.68 (mg/l)	-----
Oil & Grease	385 (mg/l)	385 (mg/l)

Kishwaukee Water Reclamation District
INDUSTRIAL USER DISCHARGE PERMIT

D. ADDITIONAL PROHIBITIONS

In addition to those prohibitions listed in Part One (C), the permittee shall not discharge wastewater containing any of the following substances from the outfall:

1. Pollutants which create a fire or explosive hazard in the POTW, including, but not limited to, wastestreams with a closed-cup flashpoint of less than 140 degrees F (60 degrees C) using the test methods specified in 40 CFR 261.21;
2. Wastewater having a pH less than 5.5 or more than 10.5, or otherwise causing corrosive structural damage to the POTW or equipment;
3. Solid or viscous substances in amounts which will cause obstruction of the flow in the POTW resulting in Interference [but in no case solids greater than ½ inch(es) in any dimension];
4. Pollutants, including oxygen-demanding pollutants (BOD, etc.), released in a discharge at a flow rate and/or pollutant concentration which, either singly or by interaction with other pollutants, will cause Interference with the POTW;
5. Wastewater having a temperature greater than 157 degrees F (65 degrees C), or which will inhibit biological activity in the treatment plant resulting in Interference, but in no case wastewater which causes the temperature at the introduction into the treatment plant to exceed 104 degrees F (40 degrees C);
6. Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin, in amounts that will cause Interference or Pass Through;
7. Pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems;
8. Trucked or hauled pollutants, except at discharge points designated by the Manager in accordance with Section 3.4 of the Industrial Pretreatment Ordinance No. 519;
9. Noxious or malodorous liquids, gases, solids, or other wastewater which, either singly or by interaction with other wastes, are sufficient to create a public nuisance or a hazard to life, or to prevent entry into the sewers for maintenance or repair;
10. Wastewater which imparts color which cannot be removed by the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions, which consequently imparts color to the treatment plant's effluent, thereby violating the District's NPDES permit;

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11. Wastewater containing any radioactive wastes or isotopes except in compliance with applicable State or Federal regulations;
12. Storm Water, surface water, ground water, artesian well water, roof runoff, foundation drainage, subsurface drainage, swimming pool drainage, condensate, deionized water, Noncontact Cooling Water, and unpolluted wastewater, unless specifically authorized by the District;
13. Sludges, screenings, or other residues from the pretreatment of industrial wastes;
14. Medical Wastes, except as specifically authorized by the Manager in an individual wastewater discharge permit or a general permit;
15. Wastewater causing alone or in conjunction with other sources, the treatment plant's effluent to fail toxicity test;
16. Detergents, surface-active agents, or other substances which that might cause excessive foaming in the POTW;
17. Wastewater in excess of 10% of the Lower Explosive Limit of an explosion hazard meter at the point of discharge into the POTW, or at any point in the POTW.

E. OTHER APPLICABLE REGULATIONS

All discharges shall comply with all other applicable laws, regulations, standards and requirements contained in Industrial Pretreatment Ordinance No. 519, Sewer Use Ordinance 520 and any applicable State and Federal pretreatment laws, regulations, standards and requirements including any such laws, regulations, standards or requirements that may become effective during the term of this permit.

PART TWO – MONITORING REQUIREMENTS

A. PARAMETERS AND REQUIREMENTS

During the period of March 1, 2020 until February 28, 2025, the permittee shall monitor the outfall(s) for the following parameters, at the indicated frequency:

**Kishwaukee Water Reclamation District
INDUSTRIAL USER DISCHARGE PERMIT**

Sample Parameter	Measurement	Location	Frequency	Sample Type
Flow	gpd	Main Meter	Daily when sampling	Meter
Cadmium	mg/l	Outfall 001	2/year	24-hr Composite
Copper	mg/l	Outfall 001	2/year	24-hr Composite
Lead	mg/l	Outfall 001	2/year	24-hr Composite
Mercury	mg/l	Outfall 001	2/year	24-hr Composite
Molybdenum	mg/l	Outfall 001	2/year	24-hr Composite
Nickel	mg/l	Outfall 001	2/year	24-hr Composite
pH	S.U.	Outfall 001	2/year	Grab
Chromium	mg/l	Outfall 002	2/year	24-hr Composite
Zinc	mg/l	Outfall 002	2/year	24-hr Composite
TTO	mg/l	Outfall 002	2/year	24-hr Composite
Oil & Grease	mg/l	Outfall 002	2/year	Grab
Cyanide	mg/l	Outfall 002	2/year	Grab

B. LOCATION

All samples will be collected from the sampling outfalls indicated above.

C. MONITORING TTO COMPOUNDS

The Kishwaukee Water Reclamation District is required to regulate all companies subject to EPA Electroplating (40 CFR 413), Metal Finishing (40 CFR 433), Electrical and Electronic Components (40 CFR 469), Copper Forming (40 CFR 468), Aluminum Forming (40 CFR 467) and Coil Coating (Can-making subcategory only 40 CFR 465) pretreatment standards. These companies are regulated for Total Toxic Organics (TTO) in addition to a variety of other constituents, and are required to either (1) perform self-monitoring for TTO or (2) implement a Toxic Organic Management Plan (TOMP) and submit a certification statement with each

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self-monitoring report that concentrated toxic organics are not being discharged into the sewerage system.

D. CERTIFICATION AS AN ALTERNATIVE TO TTO MONITORING

Rather than monitoring TTO, the Industrial User may make the following certification:

“Based on my inquire of the person or persons directly responsible for managing compliance with the pretreatment standard for total toxic organics (TTO), I certify that to the best of my knowledge and belief, no dumping of concentrated toxic organics into the wastewater has occurred since filing of the last semiannual compliance report. I further certify that this facility is implementing the Toxic Organic Management Plan (TOMP) submitted to the Sanitary District.”

1. Industrial Users shall include this certification in each semiannual compliance report that is to be submitted to the District.
2. If the Industrial User elects to use this certification as an alternative to TTO monitoring, the Industrial User shall submit an updated Toxic Organic Management Plan (TOMP) that satisfies the District regarding:
 - a. The quantity of each toxic organic chemical used;
 - b. The use of the toxic chemicals;
 - c. The method of disposal used in lieu of sewer discharge such as reclamation, contract hauling, or incineration; and
 - d. Procedures for ensuring that toxic organics do not routinely spill or leak in the wastewater.
3. Industrial Users shall submit and implement this TOMP as early as possible in order to demonstrate that it will provide the degree of control necessary to achieve compliance with the TTO pretreatment standards.

E. VIOLATION OF TTO STANDARD

If the District samples and analyzes the Industrial User's waste stream to confirm compliance with an applicable TTO pretreatment standard, and the results show non-compliance, the Sanitary District will require that the Industrial User initiate TTO sampling and analysis on a frequency established by the District.

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F. MEASUREMENT

Dilution factors will be computed in determining concentrations of pollutants.

G. HANDLING AND PRESERVATION

All handling and preservation of collected samples and laboratory analyses of samples shall be performed in accordance with 40 CFR Part 136 and amendments thereto unless specified otherwise in the monitoring conditions of this permit.

PART THREE – REPORTING REQUIREMENTS

A. REPORTS

Self—monitoring results obtained shall be summarized and reported twice per year or more frequently if called for in Part 2. The reports are due by or before June 30 and by or before December 31 of each year. The report shall indicate the nature and concentration of all pollutants in the effluent for which sampling and analyses were performed during the calendar 6 months preceding the submission of each report, including measured maximum and average daily flows. At a minimum, the following information shall be included:

1. A record of metered (measured) average and maximum daily flows for the reporting period.
2. The date, exact place, method, and time of sampling and the names of the person or persons taking the samples.
3. The dates analyses were performed.
4. Who performed the analyses.
5. The analytical techniques/methods used.
6. The results of such analysis for all required parameters (see Part 2).
7. Chain of custody.
8. Other information (unusual process or operating conditions, equipment, problems, etc.) that may affect sample results.
9. Signed statement of accuracy by your authorized representative.

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B. ADDITIONAL INFORMATION

If the permittee monitors any pollutant more frequently than required by this permit, using test procedures prescribed in 40 CFR Part 136 or amendments thereto, or otherwise approved by EPA or as specified in this permit, the results of such monitoring shall be included in the semiannual report submitted to the Kishwaukee Water Reclamation District.

C. NOTIFICATION OF VIOLATION AND AUTOMATIC RESAMPLING

If the results of the permittee's wastewater analysis indicate that a violation of this permit has occurred, the permittee must:

1. Inform the Kishwaukee Water Reclamation District of the violation within 24 hours;

and
2. Repeat the sampling and pollutant analysis and submit, in writing, the results of this second analysis within 30 days after becoming aware of the violation.

D. ACCIDENTAL DISCHARGE REPORT

1. The permittee shall notify the Kishwaukee Water Reclamation District immediately upon the occurrence of an accidental discharge of substances prohibited by Industrial Pretreatment Ordinance No. 519 or any slug loads or spills that may enter the public sewer. At all times the Kishwaukee Water Reclamation District should be notified at (815)758-3513. The notification shall include:
 - a. location of discharge,
 - b. date and time of discharge,
 - c. type of waste, including concentration and volume
 - d. corrective actions taken.
2. The permittee's notification of accidental releases in accordance with this section does not relieve it of other reporting requirements that arise under local, state or federal laws.
3. Within five days following an accidental discharge, the permittee shall submit to the Kishwaukee Water Reclamation District a detailed written report. The report shall specify:
 - a. Description of the upset, slug load or accidental discharge, including:

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INDUSTRIAL USER DISCHARGE PERMIT**

- (1) location of discharge
 - (2) type of discharge
 - (3) concentration of discharge
 - (4) volume of discharge
 - (5) the cause thereof
 - (6) the impact on the permittee's compliance status
- b. Duration of noncompliance, including exact dates and times of noncompliance.
 - c. If the noncompliance is continuing, the time by which compliance is reasonably expected to occur.
 - d. All steps taken to reduce, eliminate and/or prevent recurrence of such an upset, slug load, accidental discharge, or other conditions of noncompliance including inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site run-off, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants (including solvents), and/or measures and equipment for emergency response.

E. SUBMISSION OF REPORTS

All reports required by this permit shall be submitted to the Kishwaukee Water Reclamation District at the following address:

Allison Yates, Pretreatment Coordinator
Kishwaukee Water Reclamation District
1301 Sycamore Rd.
DeKalb, Illinois 60115

PART FOUR – SPECIAL CONDITIONS

A. ADDITIONAL / SPECIAL REQUIREMENTS

- 1. A spill prevention and slug control plan will be kept current at all times for contingency use at Conex Cable LLC.

A copy of the current plan will be provided to the Kishwaukee Water Reclamation District.

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2. The permittee will notify the Kishwaukee Water Reclamation District, the EPA and the State hazardous waste authorities of any discharge to the District, which, if otherwise disposed of would be a hazardous waste under 40 CFR Part 261. This provision is required by 40 CFR 403.12 (p).

B. REOPENER CLAUSE

The District may modify any individual wastewater discharge permit for good cause, including, but not limited to, the following reasons:

1. To incorporate any new or revised Federal, State, or local Pretreatment Standards or Requirements;
2. To address significant alterations or additions to the User's operation, processes, or wastewater volume or character since the time of the individual wastewater discharge permit issuance;
3. A change in the POTW that requires either a temporary or permanent reduction or elimination of the authorized discharge;
4. Information indicating that the permitted discharge poses a threat to the Kishwaukee Water Reclamation District's POTW, Kishwaukee Water Reclamation District personnel, or the receiving waters;
5. Violation of any terms or conditions of the individual wastewater discharge permit;
6. Misrepresentations or failure to fully disclose all relevant facts in the wastewater discharge permit application or in any required reporting;
7. Revision of or a grant of variance from categorical Pretreatment Standards pursuant to 40 CFR 403.13;
8. To correct typographical or other errors in the individual wastewater discharge permit; or
9. To reflect a transfer of the facility ownership or operation to a new owner or operator where requested in accordance with Industrial Pretreatment Ordinance No. 519 Section 5.4.
10. Upon request of the permittee, provided such request does not create a violation of any applicable requirements, standards, laws or rules and regulations.

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INDUSTRIAL USER DISCHARGE PERMIT

C. COMPLIANCE SCHEDULE (When Applicable)

CURRENTLY NOT APPLICABLE

1. Compliance Scheduling Reporting. No later than 14 days following each date indicated in the above schedule, permittee shall submit to the Kishwaukee Water Reclamation District a report indicating, at a minimum, whether or not it has complied with the level or increment of progress to be met under the schedule on such date and, if not, the date on which it expects to comply with such increment of progress, the reasons for delay, if any, and the steps being taken to return the project to the compliance schedule established above.

PART FIVE – STANDARD CONDITIONS

A. GENERAL CONDITIONS AND DEFINITIONS

1. Severability

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 application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

2. Duty to Comply

The permittee must comply with all conditions of this permit. Failure to comply with the requirements of this permit may be grounds for administrative action or enforcement proceedings including civil or criminal penalties, injunctive relief and summary abatements.

3. Duty to Mitigate

The permittee shall take all reasonable steps to minimize or correct any adverse impact to the public treatment plant or the environment resulting from non-compliance with this permit, including such accelerated or additional monitoring as necessary to determine the nature and impact of the non-complying discharge.

4. Permit Modification

This permit may be modified for good causes including, but not limited to, the following:

- a. To incorporate any new or revised Federal, State or local pretreatment standards or requirements.

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- b. Material or substantial alteration or additions to the discharger's operation processes, or discharge volume or character which were not considered in drafting the effective permit.
- c. A change in any condition in either the permittee or the POTW that requires either a temporary or permanent reduction or elimination of the authorized discharge.
- d. Information indicating that the permitted discharge poses a threat to the Control Authority's collection and treatment systems, POTW personnel or the receiving waters or sludge treatment and disposal.
- e. Violation of any terms or conditions of the permit.
- f. Misrepresentation or failure to disclose fully all relevant facts in the permit application or in any required reporting.
- g. To correct topographical or other errors in the permit.
- h. To reflect transfer of the facility ownership and/or operation to a new owner or operator.
- i. Upon request of the permittee, provided such request does not create a violation of any applicable requirements, standards, laws or rules and regulations.

Note: 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 non-compliance, does not stay any permit condition.

5. Permit Termination

The District may revoke the wastewater discharge permit for good cause, including, but not limited to, the following reasons:

- a. Failure to notify the Manager of significant changes to the wastewater prior to the changed discharge;
- b. Failure to provide prior notification to the Manager of changed conditions pursuant to Section 6.5 of Industrial Pretreatment Ordinance 519;
- c. Misrepresentation or failure to fully disclose all relevant facts in the wastewater discharge permit application;

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- d. Falsifying self-monitoring reports and certification statements;
- e. Tampering with monitoring equipment;
- f. Refusing to allow the District timely access to the facility premises and records;
- g. Failure to meet effluent limitations;
- h. Failure to pay fines;
- i. Failure to pay sewer charges;
- j. Failure to meet compliance schedules;
- k. Failure to complete a wastewater survey or the wastewater discharge permit application;
- l. Failure to provide advance notice of the transfer of business ownership of a permitted facility; or
- m. Violation of any Pretreatment Standard or Requirement, or any terms of the wastewater discharge permit or the general permit or this ordinance.
- n. Failure to report upset at treatment facility.
- o. Failure to report an accidental discharge of a pollutant.

6. Permit Appeals

The permittee may petition to appeal the terms of this permit within thirty (30) days of the notice.

This petition must be in writing; failure to submit a petition for review shall be deemed to be a waiver of the appeal. In its petition, the permittee must indicate the permit provisions objected to, the reasons for this objection, and the alternative condition, if any, it seeks to be placed in the permit.

7. Property Rights

The issuance of this permit does not convey any property rights of any sort, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any violation of Federal, State, or local laws or regulations.

Kishwaukee Water Reclamation District

INDUSTRIAL USER DISCHARGE PERMIT

8. Limitation on Permit Transfer

Permits may be reassigned or transferred to a new owner and/or operator only with prior approval of the Kishwaukee Water Reclamation District:

- a. The permittee must give at least thirty (30) days advance notice to the Kishwaukee Water Reclamation District.
- b. The notice must include a written certification by the new owner which:
 - (1) States that the new owner has no immediate intent to change the facility's operations and processes;
 - (2) Identifies the specific date on which the transfer is to occur; and
 - (3) Acknowledges full responsibility for complying with the existing permit.

9. Notice to Employees

A notice shall be permanently posted on the permittee's bulletin board or other prominent place, advising employees whom to call in the event of an accidental discharge. Employers shall insure that all employees who may cause or suffer such an accidental discharge to occur are advised of the emergency notification procedure.

10. Continuation of Expired Permits

An expired permit will continue to be effective and enforceable until the permit is reissued if:

- a. The permittee has submitted a complete permit application at least ninety (90) days prior to the expiration date of the user's existing permit.
- b. The failure to reissue the permit, prior to expiration of the previous permit, is not due to any act on the part of the permittee.

11. Dilution

The permittee shall not increase the use of potable or process water or, in any way, attempt to dilute an effluent as a partial or complete substitute for adequate treatment to achieve compliance with the limitations contained in this permit.

12. Definitions

Significant Industrial User (SIU).

Kishwaukee Water Reclamation District INDUSTRIAL USER DISCHARGE PERMIT

- (1) An Industrial User subject to categorical Pretreatment Standards; or
- (2) An Industrial User that:
 - (a) Discharges an average of twenty-five thousand (25,000) gpd or more of process wastewater to the POTW (excluding sanitary, noncontact cooling and boiler blowdown wastewater);
 - (b) Contributes a process wastestream which makes up five (5) percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or
 - (c) Is designated as such by the District on the basis that it has a reasonable potential for adversely affecting the POTW's operation or for violating any Pretreatment Standard or Requirement.

Significant Non-Compliance

An industrial user is in significant non-compliance if its violation meets one or more of the following criteria:

- a. Chronic violations of wastewater discharge limits, defined here as those in which sixty-six percent (66%) or more of all the measurements taken for the same pollutant parameter taken during a six (6) month period exceed (by any magnitude) a numeric Pretreatment Standard or Requirement, including Instantaneous Limits as defined in Section 2;
- b. Technical Review Criteria (TRC) violations, defined here as those in which thirty-three percent (33%) or more of wastewater measurements taken for each pollutant parameter during a six (6) month period equals or exceeds the product of the numeric Pretreatment Standard or Requirement including Instantaneous Limits, as defined by Section 2 multiplied by the applicable criteria (1.4 for BOD, TSS, fats, oils and grease, and 1.2 for all other pollutants except pH);
- c. Any other violation of a Pretreatment Standard or Requirement as defined by Section 2 of Industrial Pretreatment Ordinance 519 (Daily Maximum, long-term average, Instantaneous Limit, or narrative standard) that the District determines has caused, alone or in combination with other discharges, Interference or Pass Through, including endangering the health of POTW personnel or the general public;
- d. Any discharge of a pollutant that has caused imminent endangerment to the public or the environment, or has resulted in the Manager's exercise of its emergency authority to halt or prevent such a discharge;
- e. Failure to meet, within ninety (90) days of the scheduled date, a compliance schedule milestone contained in an individual wastewater discharge permit or a general permit

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or enforcement order for starting construction, completing construction, or attaining final compliance;

- f. Failure to provide within forty-five (45) days after the due date, any required reports, including baseline monitoring reports, reports on compliance with categorical Pretreatment Standard deadlines, periodic self-monitoring reports, and reports on compliance with compliance schedules;
- g. Failure to accurately report non-compliance; or
- h. Any other violation(s), which may include a violation of Best Management Practices, which the District determines will adversely affect the operation or implementation of the local pretreatment program.

B. OPERATION AND MAINTENANCE OF POLLUTION CONTROLS

1. 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 but is not limited to: 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 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.

2. Duty to Halt or Reduce Activity

Upon reduction of efficiency of operation, or loss or failure of all or part of the treatment facility, the permittee shall, to the extent necessary to maintain compliance with its permit, control its production or discharges (or both) until operation of treatment facility is restored or an alternative method of treatment is provided. This requirement applies, for example, when the primary source of power of the treatment facility fails or is reduced. 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 maintain compliance with the conditions of this permit.

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3. Bypass of Treatment Facilities

- a. Bypass is prohibited unless it is unavoidable to prevent loss of life, personal injury or severe property damage, or unless no feasible alternatives exist.
- b. If the bypass has not been corrected, the anticipated time it is expected to continue; and
- c. Notification of Bypass:
 - (1) Anticipated bypass:
If the permittee knows in advance of the need for a bypass, it shall submit prior notice, at least ten days before the date of the bypass, to the Kishwaukee Water Reclamation District.
 - (2) Unanticipated bypass:
The permittee shall immediately notify the Kishwaukee Water Reclamation District and submit a written notice to the POTW within five days. This report shall specify:
 - (a) A description of the bypass, and its causes, including its exact dates and times;
 - (b) If the bypass has not been corrected, the anticipated time it is expected to continue; and
 - (c) The steps being taken or to be taken to reduce, eliminate and prevent a reoccurrence of the bypass.

4. Removed Substances

Solids, sludges, filter backwash or other pollutants removed in the course of treatment or control of wastewaters shall be disposed of in accordance with Section 405 of the Clean Water Act and Subtitles C and D of the Resource Conservation and Recovery Act, and other applicable laws and regulations.

C. MONITORING AND RECORDS

1. Representative Sampling

Samples collected to satisfy reporting requirements must be based on data obtained through appropriate sampling and analysis performed during the period covered by the report, based on data that is representative of conditions occurring during the reporting period.

Kishwaukee Water Reclamation District INDUSTRIAL USER DISCHARGE PERMIT

- a. Except as indicated in paragraphs b and c below, the User must collect wastewater samples using 24-hour flow-proportional composite sampling techniques, unless time-proportional composite sampling or grab sampling is authorized by the Manager, the samples must be representative of the discharge. Using protocols (including appropriate preservation) specified in 40 CFR Part 136 and appropriate EPA guidance, multiple grab samples collected during a 24-hour period may be composited prior to the analysis as follows: for cyanide, total phenols, and sulfides the samples may be composited in the laboratory or in the field; for volatile organics and oil and grease, the samples may be composited in the laboratory. Composite samples for other parameters unaffected by the compositing procedures as documented in approved EPA methodologies may be authorized by the Manager, as appropriate. In addition, grab samples may be required to show compliance with Instantaneous Limits.
- b. Samples for oil and grease, temperature, pH, cyanide, total phenols, sulfides, and volatile organic compounds must be obtained using grab collection techniques.
- c. For sampling required in support of baseline monitoring and 90-day compliance reports required in Section 6.1 and 6.3 of Industrial Pretreatment Ordinance No. 519 (40 CFR 403.12(b) and (d)), a minimum of four (4) grab samples must be used for pH, cyanide, total phenols, oil and grease, sulfide and volatile organic compounds for facilities for which historical sampling data do not exist; for facilities for which historical sampling data are available, the Manager may authorize a lower minimum. For the reports required by Section 6.4 of Industrial Pretreatment Ordinance 519 (40 CFR 403.12(e) and 403.12(h)), the Industrial User is required to collect the number of grab samples necessary to assess and assure compliance by the applicable Pretreatment Standards and Requirements.

2. Analytical Methods to Demonstrate Continued Compliance

All sampling and analysis required by this permit shall be performed in accordance with the techniques prescribed in 40 CFR Part 136 and amendments thereto, otherwise approved by EPA, or as specified in this permit.

3. Additional Monitoring by the Permittee

If the permittee monitors any pollutant more frequently than required by this permit, using test procedures identified above in paragraph (C) (2). The results of this monitoring shall be included in the permittee's semi-annual self-monitoring reports.

4. Inspection and Entry

The permittee shall allow the Kishwaukee Water Reclamation District, or an authorized representative, upon the presentation of credentials and other documents as may be required by law, to:

Kishwaukee Water Reclamation District INDUSTRIAL USER DISCHARGE PERMIT

- a. Enter upon the permittee's premises where a regulated facility or activity is located or conducted;
- 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, practices or operations regulated or required under this permit;
- d. Sample or monitor, for the purposes of assuring permit compliance, any substances or parameters at any location; and
- e. Inspect any production, manufacturing, fabricating or storage area where pollutants, regulated under the permit, could originate, be stored or be discharged to the sewer system.

5. Retention of Records

- a. 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 three years from the date of the sample, measurement, report or application. This period may be extended by request of the Kishwaukee Water Reclamation District at any time.
- b. All records that pertain to matters that are the subject of special orders or any other enforcement or litigation activities brought by the Kishwaukee Water Reclamation District shall be retained and preserved by the permittee until all enforcement activities have concluded all periods of limitation with respect to any and all appeals have expired.

6. Falsifying Information

Knowingly making any false statement on any report or other document required by this permit or knowingly rendering any monitoring device or method inaccurate, is a crime and may result in the imposition of criminal sanctions and/or civil penalties.

7. Record Contents

Record Contents. Records of sampling and analyses shall include:

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- a. The date, exact place, time, and methods of sampling or measurements, and sample preservation techniques or procedures.
- b. Who performed the sampling or measurements.
- c. The date(s) analyses were performed.
- d. Who performed the analyses.
- e. The analytical techniques or methods used; and
- f. The results of such analyses.

D. ADDITIONAL REPORTING REQUIREMENTS

1. Planned Changes

The permittee shall give notice to the Kishwaukee Water Reclamation District 90 days prior to any facility expansion, production increase or process modifications which results in new or substantially increased discharges or a change in the nature of the discharge.

2. Anticipated Non-Compliance

The permittee shall give advance notice to the Kishwaukee Water Reclamation District of any planned changes in the permitted facility or activity which may result in non-compliance with permit requirements.

3. Duty to Provide Information

The permittee shall furnish to the Kishwaukee Water Reclamation District, within 48 hours any information which the Kishwaukee Water Reclamation District may request to determine whether cause exists for modifying, revoking and reissuing, terminating this permit or to determine compliance with this permit.

4. Signatory Requirements

All applications, reports or information submitted to the Kishwaukee Water Reclamation District must contain the following certification statement and be signed as required:

a. Content of Statement

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on

Kishwaukee Water Reclamation District INDUSTRIAL USER DISCHARGE PERMIT

my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”

b. Qualified Signatory

By a responsible corporate officer. For the purpose of this paragraph, a responsible corporate officer means:

- (1) If the User is a corporation:
 - (a) The president, secretary, treasure, or a vice president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or
 - (b) The manager of one or more manufacturing, production, or operating facilities, provided the manger is authorized to make management decisions that govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information of individual wastewater discharge permit or general permit requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
- (2) If the User is a partnership or sole proprietorship: a general partner or proprietor, respectively.
- (3) If the User is a Federal, State, or local governmental facility: a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or their designee.
- (4) The individuals described in paragraphs 1 and 3, above, may designate a Duly Authorized Representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for

Kishwaukee Water Reclamation District INDUSTRIAL USER DISCHARGE PERMIT

environmental matters for the company, and the written authorization is submitted to the District.

5. Notification of the Discharge of Hazardous Waste

- a. Any User who commences the discharge of hazardous waste shall notify the POTW, the EPA Regional Waste Management Division Director, and State hazardous waste authorities, in writing, of any discharge into the POTW of a substance which, if otherwise disposed of, would be a hazardous waste under 40 CFR Part 261. Such notification must include the name of the hazardous waste as set forth in 40 CFR Part 261, the EPA hazardous waste number, and the type of discharge (continuous, batch, or other). If the User discharges more than one hundred (100) kilograms of such waste per calendar month to the POTW, the notification also shall contain the following information to the extent such information is known and readily available to the User: an identification of the hazardous constituents contained in the wastes, an estimation of the mass and concentration of such constituents in the wastestream discharged during that calendar month, and an estimation of the mass of constituents in the wastestream expected to be discharged during the following twelve (12) months. All notifications must take place no later than one hundred and eighty (180) days after the discharge commences. Any notification under this paragraph need be submitted only once for each hazardous waste discharged. However, notifications of changed conditions must be submitted under 40 CFR 403.12(j). The notification requirement in this Section does not apply to pollutants already reported by Users subject to categorical Pretreatment Standards under the self-monitoring requirements of 40 CFR 403.12 (b), (d), and (e).
- b. Dischargers are exempt from the requirements of this section during a calendar month in which they discharge no more than fifteen (15) kilograms of hazardous wastes, unless the wastes are acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e). Discharge of more than fifteen (15) kilograms of nonacute hazardous wastes in a calendar month, or of any quantity of acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e), requires a one-time notification. Subsequent months during which the User discharges more than such quantities of any hazardous waste do not require additional notification.
- c. In the case of any new regulations under section 3001 of RCRA identifying additional characteristics of hazardous waste or listing any additional substance as a hazardous waste, the User must notify the Kishwaukee Water Reclamation District, the EPA Regional Waste Management Waste Division Director, and State hazardous waste authorities of the discharge of such substance within ninety (90) days of the effective date of such regulations.
- d. In the case of any notification made under this Section, the User shall certify that it has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree it has determined to be economically practical.
- e. This provision does not create a right to discharge any substance not otherwise permitted to be discharged by this ordinance, a permit issued thereunder, or any applicable Federal or State law.

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6. Operating Upsets

Any permittee that experiences an upset in operations that places the permittee in a temporary state of non-compliance with the provisions of either this permit or with Industrial Pretreatment Ordinance No. 519 shall inform the Kishwaukee Water Reclamation District within 24 hours of becoming aware of the upset at (815)758-3513.

A written follow-up report of the upset shall be filed by the permittee with the Kishwaukee Water Reclamation District within five days. The report shall specify:

- a. Description of the upset, the cause(s) thereof and the upset's impact on the permittee's compliance status;
- b. Duration of non-compliance, including exact dates and times of non-compliance, and if not corrected, the anticipated time the non-compliance is expected to continue; and
- c. All steps taken or to be taken to reduce, eliminate and prevent recurrence of such an upset.

The report must also demonstrate that the treatment facility was being operated in a prudent and workmanlike manner.

A documented and verified operating upset shall be an affirmative defense to any enforcement action brought against the permittee for violations attributable to the upset event.

7. Annual Publication

The Kishwaukee Water Reclamation District Manager shall publish annually, in a newspaper of general circulation that provides meaningful public notice within the jurisdictions served by the POTW, a list of the Users which, at any time during the previous twelve (12) months, were in Significant Noncompliance with applicable Pretreatment Standards and Requirements. Accordingly, the permittee is apprised that significant non-compliance with this permit may lead to enforcement action and will result in publication of its name in and any enforcement actions taken in an appropriate newspaper in accordance with this section. Definition of significant non-compliance is found in Part 5, Section A of this permit.

Kishwaukee Water Reclamation District INDUSTRIAL USER DISCHARGE PERMIT

8. Civil and Criminal Liability

Nothing in this permit shall be constructed to relieve the permittee from civil, and/or criminal penalties for non-compliance under Section 11.2 of Industrial Pretreatment Ordinance No. 519 or State or Federal laws or regulations.

9. Penalties for Violations of Permit Conditions

The Kishwaukee Water Reclamation District Industrial Pretreatment Ordinance No. 519, Section 11.2 provides that any person who violates a permit condition is subject to civil penalty of \$10,000.00 per day of such violation. Each day in which a violation shall occur or continue shall be deemed a separate and distinct offense. Any person who willfully or negligently violates permit conditions is subject to criminal penalties of fines and/or by imprisonment. The permittee may also be subject to sanctions under State and/or Federal law.

10. Recovery of Costs Incurred

In addition to civil and criminal liability, the permittee violating any of the provisions of this permit or Section 11.2 and 11.3 of Industrial Pretreatment Ordinance No. 519 or causing damage to or otherwise inhibiting the Kishwaukee Water Reclamation District wastewater disposal system shall be liable to the Kishwaukee Water Reclamation District for any expense, loss or damage caused by such violation or discharge. The Kishwaukee Water Reclamation District shall bill the permittee for the costs incurred by the Kishwaukee Water Reclamation District for any cleaning, repair or replacement work caused by the violation or discharge. Refusal to pay the assessed costs shall constitute a separate violation of Industrial Pretreatment Ordinance No. 519.

KISHWAUKEE WATER RECLAMATION DISTRICT INDUSTRIAL PRETREATMENT ENFORCEMENT RESPONSE PLAN

1. **Purpose of Enforcement Response Plan.** The purpose of the Kishwaukee Water Reclamation District's (District) Industrial Pretreatment Enforcement Response Plan is to establish a uniform enforcement response by the District, in the event of non-compliance with the terms and conditions of a District Industrial User Wastewater Discharge Permit by an area industry. This document describes the official District's policy and procedure for:
 - (i) Obtaining and evaluating information concerning compliance by Significant Industrial Users (SIU) with their Wastewater Discharge Permits;
 - (ii) Identifying cases of non-compliance;
 - (iii) Selecting and prosecuting appropriate enforcement action; and
 - (iv) Otherwise rectifying non-compliance in a timely, fair and consistent manner.
2. **Key to Acronyms and Abbreviations.**

AO	- Administrative Order
A	- Attorney
BT	- Board of Trustees
Civil Action	- A civil lawsuit brought by District against an Industrial User, seeking equitable relief, monetary penalties and/or actual damages.
Criminal Prosecution	- Pursuing punitive measures against an individual and/or organization through a court of law
DM	- District Manager
Fine	- A monetary penalty assessed by the Control Authority (Kishwaukee Water Reclamation District).
IU	- Industrial User.
NOV	-Notice of Violation.
Meeting	- Informal compliance meeting with an IU to resolve recurring non-significant non-compliance.
PC	- Pretreatment Coordinator
Show Cause Hearing	- A formal meeting requiring the IU to appear and demonstrate why the Control Authority should not take proposed enforcement action against the IU. The meeting also may serve as a forum to discuss corrective actions and compliance schedules.
SNC	- Significant non-compliance as defined by 40 CFR 403

Definition: Significant Industrial User (SIU)

- (1) An Industrial User subject to categorical Pretreatment Standards; or
- (2) An Industrial User that:
 - (a) Discharges an average of twenty-five thousand (25,000) gpd or more of process wastewater to the POTW (excluding sanitary, noncontact cooling and boiler blowdown wastewater);
 - (b) Contributes a process wastestream which makes up five (5) percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or
 - (c) Is designated as such by the District on the basis that it has a reasonable potential for adversely affecting the POTW's operation or for violating any Pretreatment Standard or Requirement.

3. Enforcement Response Plan Personnel.

- a. District Manager. Duties: To oversee the program, to update the pretreatment ordinance and Wastewater Discharge Permits, and to initiate escalated enforcement action.
- b. Pretreatment Coordinator. Duties: To screen compliance data, to initiate enforcement action, to conduct Industrial User inspections, to schedule compliance monitoring and to notify an Industrial User of any violations.
- c. Control Authority Attorney. Duties: To initiate and prosecute civil and criminal enforcement litigation.

4. Compliance Monitoring Procedure. Any Discharger subject to a Pretreatment standard or requirement shall submit to the District self-monitoring reports as required by the District's Industrial Pretreatment Ordinance No. 591 (the "Ordinance"). Reports by permittees shall contain the full results of all sampling and analysis of the permittee's discharge, including flow, the nature and concentration thereof, and its production and mass as required by the Ordinance or by the District. The frequency of monitoring by the Discharger shall comply with applicable Categorical Pretreatment Standards. Where such standards fail to specify the frequency of monitoring, the Discharger shall perform the required monitoring as specified in the District's Pretreatment Discharge Permit.

All analyses shall be performed in accordance with federal regulation 40 CFR Part 136 and amendments thereto unless specified otherwise. All reports submitted to the District shall be accompanied by a chain of custody for any laboratory data reported, and shall be signed by an authorized representative of the Discharger. An Industrial User shall timely notify the District of any effluent limit violation or slug discharge. Effluent sampling must be repeated within 24 hours, and the analysis must be reported within 30 days for any parameter which is found to be in violation.

The Control Authority (Kishwaukee Water Reclamation District) shall conduct a facility inspection of each industrial user under permit, at least annually. A pretreatment industrial user inspection checklist shall be completed for each inspection. Facility inspections shall be prescheduled but may be unscheduled at the discretion of the District.

The control authority shall conduct sampling and flow monitoring of Industrial Users. Frequency of sampling shall be determined by the District. Control Authority sampling and flow monitoring will not be prescheduled with the Industrial User.

5. Compliance Screening. The compliance screening process shall involve a review by the District of all available information in order to detect non-complying dischargers and to bring appropriate enforcement action. This review process shall assess, as appropriate, compliance with schedules, and with reporting requirements and applicable pretreatment standards.

The screening process shall verify that all required reports:

- a. Have been timely submitted;

- b. Cover the appropriate time periods;
- c. Include all required information; and
- d. Are properly signed and certified.

The Kishwaukee Water Reclamation District (Control Authority) shall utilize a calendar of events to record and track reporting due dates.

All monitoring data shall be entered into a computer software program for tracking purposes. The program will automatically “flag” permit limit exceedances. Non-discharge violations (late report submittal, etc.) shall be noted by pretreatment personnel and recorded manually on the computer. All data shall be reviewed as received. All monitoring data and any correspondence with an industry shall be maintained in a master file by the District.

6. Significant Non-Compliance (SNC)

Any violation of pretreatment requirements (effluent limits, sampling analysis, reporting and meeting compliance schedules, and regulatory deadlines) is noncompliance for which a user is liable for enforcement, including penalties. If an industrial user is found in SNC as defined by the EPA below, the POTW must report it to the Approval Authority (EPA), and publish the industrial user in the newspaper.

The EPA has defined instances of SNC as one or more of the following:

A. Chronic violations of wastewater discharge limits, defined here as those in which sixty-six percent (66%) or more of all the measurements taken for the same pollutant parameter taken during a six- (6-) month period exceed (by any magnitude) a numeric Pretreatment Standard or Requirement, including Instantaneous Limits as defined in Section 2;

B. Technical Review Criteria (TRC) violations, defined here as those in which thirty-three percent (33%) or more of wastewater measurements taken for each pollutant parameter during a six- (6-) month period equals or exceeds the product of the numeric Pretreatment Standard or Requirement including Instantaneous Limits, as defined by Section 2 multiplied by the applicable criteria (1.4 for BOD, TSS, fats, oils and grease, and 1.2 for all other pollutants except pH);

C. Any other violation of a Pretreatment Standard or Requirement as defined by Section 2 (Daily Maximum, long-term average, Instantaneous Limit, or narrative standard) that the District determines has caused, alone or in combination with other discharges, Interference or Pass Through, including endangering the health of POTW personnel or the general public;

D. Any discharge of a pollutant that has caused imminent endangerment to the public or to the environment, or has resulted in the District’s exercise of its emergency authority to halt or prevent such a discharge;

E. Failure to meet, within ninety (90) days of the scheduled date, a compliance schedule milestone contained in an individual wastewater discharge permit or a general permit or enforcement order for starting construction, completing construction, or attaining final compliance;

F. Failure to provide within forty-five (45) days after the due date, any required reports, including baseline monitoring reports, reports on compliance with categorical Pretreatment Standard deadlines, periodic self-monitoring reports, and reports on compliance with compliance schedules;

G. Failure to accurately report noncompliance; or

H. Any other violation(s), which may include a violation of Best Management Practices, which the District determines will adversely affect the operation or implementation of the local pretreatment program.

7. Kishwaukee Water Reclamation District Enforcement Mechanisms.

- a. Informal notice to Industrial User for non-significant non-compliance (telephone call) all enforcement telephone calls to IUs will be documented with a form created for this purpose.
- b. Informal meeting with industrial User (for recurring non-significant non-compliance issues.)
- c. Notice of Violation (NOV) (example attached).
- d. Administrative Orders.
 1. Cease and Desist Order (example attached)
 2. Consent Order (example attached)
 3. Compliance Schedules (example attached)
 4. Notice of Order to Show Cause (example attached)
- e. Fines.
- f. Civil Action.
- g. Criminal Action.
- h. Criminal Prosecution.
- i. Termination of Services (revocation of discharge permit).

Cease and Desist Order. Directs a non-compliant user to immediately cease illegal or unauthorized discharges or to terminate discharges all together. It is issued when the discharge could cause interference or pass-through. This order may be issued immediately upon discovery of a problem. In an emergency, the order to cease and desist may be given by telephone. In non-emergency situations, the order may be used to suspend or permanently revoke the user's discharge permit.

Consent Order. This order combines the force of an AO with the flexibility of a negotiated settlement. This may be used when the user assumes responsibility for a noncompliance and is willing (in good faith) to correct the cause(s).

Compliance Orders and Compliance Schedules. An Administrative Order may be issued by the EPA, pursuant to Section 309(a) of the Clean Water Act, without notice or opportunity for prior hearing, requiring compliance with standards or other requirements developed under authority of the Act. The District, under its legal authority, may also issue similar orders. Such an order may be used to place an Industrial User on an enforcement schedule to comply with pretreatment standards.

Order to Show Cause. An Industrial User may be ordered by the District to show cause before the District at a formal hearing why formal action should not be taken and/or sewer service discontinued. At the hearing the District shall present those facts which it believes constitute non-compliance by the IU with the Industrial User Pretreatment Ordinance and the IU shall be required to “show cause” why the District should not initiate formal action and/or discontinue sewer service.

Fines. The District may impose a fine to enforce its pretreatment program, ranging from \$100 to \$50,000 for each day of non-compliance by an Industrial User.

Civil Actions. The District may file a civil suit seeking injunctive relief against an alleged violator of the pretreatment Ordinance. Such suit would seek a judgment prohibiting the defendant-discharger from continuing a specific type of volume or discharge.

Criminal Prosecution. Criminal investigation may be initiated by an appropriate county or state agency, upon request of the District, leading to criminal prosecution and punishment of any person who willfully or negligently violates pretreatment standards, or of any who knowingly makes a false statement regarding any report.

Termination of Service. The District has the authority to halt, immediately, an actual or threatened discharge to its treatment facility which may represent an endangerment to the public health, the environment, the POTW personnel, or the POTW.

8. Enforcement Tracking

When any enforcement action is necessary, the Kishwaukee Water Reclamation District will track the initial action and any escalated actions taken. A form has been created for this purpose the “Enforcement Tracking Log” (example attached.)

Example: Notice of Violation

August 25, 2008

Mr. Steve Smith
ABC Company
101 Happy Road
DeKalb, IL 60115

RE: Wastewater Discharge Permit 133

Dear Mr. Smith:

As part of the Industrial Pretreatment Program, the Kishwaukee Water Reclamation District (District) is obligated to perform compliance monitoring of wastewater from selected industries on an occasional basis. Section 7.1 Inspection and Sampling of the District's Industrial Pretreatment Ordinance 591 provides the authority for the District to carry-out such compliance monitoring.

A 24-hour composite sample was taken at ABC Company on 7/28-29/08. The sample was obtained by representatives of the District who are performing the required compliance monitoring analysis of your wastewater. The results of our analysis are enclosed.

Based on the analysis, there is one **VIOLATION** of your permit limitations:

	Permit Limit	Results
Cyanide	2.7 mg/l	3.5 mg/l

The Kishwaukee Water Reclamation District will be re-testing your facility for cyanide.

If you have any questions or comments on your test results, please contact either Jane Smith or myself at (815) 758-3513.

Sincerely,
Kishwaukee Water Reclamation District

Jim Smith
Project Manager

Example: Cease and Desist Order

In the Matter of

Administrative Cease and Desist Order

Name and Address
Of Industry

Legal Authority

The following findings are made and order issued pursuant to the authority vested in the Kishwaukee Water Reclamation District (District), under Section 10.5 of the District Industrial Pretreatment Ordinance. This order is based on findings of violation of the conditions of the wastewater discharge permit under Section ____ of the District's Industrial Pretreatment Ordinance.

Findings

1. *[Industry] discharges nondomestic wastewater containing pollutants into the sanitary sewer system of the Kishwaukee Water Reclamation District.*
2. *[Industry] is a "significant industrial user" as defined by 1.3 of the District Industrial Pretreatment Ordinance.*
3. *[Industry] was issued a wastewater discharge permit on June 15, 2006 which contains prohibitions, restrictions, and other limitations on the quality of the wastewater it discharges to the sanitary sewer.*
4. *Pursuant to the District Industrial Pretreatment Ordinance and the above-referred permit, data routinely collected or submitted on the compliance status of [Industry].*
5. *This data shows that [Industry] has violated the District Industrial Pretreatment Ordinance in the following manner:*
 - a. *[Industry] has continuously violated its permit limits for copper and zinc in each sample collected between January, 2007 and December, 2008.*
 - b. *[Industry] has also failed comply with an administrative compliance order requiring the installation of a pretreatment system and the achievement of compliance with its permit by July 1, 2008.*
 - c. *[Industry] has failed to appear at a show cause hearing pursuant to an order requiring said attendance.*

Order

THEREFORE, BASED ON THE ABOVE FINDINGS, [INDUSTRY] IS HEREBY ORDERED TO:

1. *Within 24 hours of receiving this order, cease all nondomestic discharges into the District's sanitary sewer. Such discharges shall not recommence until such time as **[Industry]** is able to demonstrate that it will comply with its current permit limits.*
2. *Failure to comply with this order may subject **[Industry]** to having its connection to the sanitary sewer sealed by the District, and assessed the costs thereof.*
3. *Failure to comply with this order shall also constitute a further violation of the District Industrial Pretreatment Ordinance and may subject **[Industry]** to civil or criminal penalties or such other enforcement responses as may be appropriate.*
4. *This order, entered this 12th day of January, 2009, shall be effective upon receipt by **[Industry]**.*

Signed: _____

[Name]

General Manager

Kishwaukee Water Reclamation District

1301 Sycamore Rd.

DeKalb, IL 60115

Example: Show Cause Order

In the Matter of

Administrative Show Cause Order

Name and Address
Of Industry

Legal Authority

The following findings are made and order issued pursuant to the authority vested in the Kishwaukee Water Reclamation District (District) Manager, under Section 10.3 of the District Industrial Pretreatment Ordinance. This order is based on findings of violation of the conditions of the wastewater discharge permit under Section ____ of the District Industrial Pretreatment Ordinance.

Findings

1. *[Industry] discharges nondomestic wastewater containing pollutants into the sanitary sewer system of the Kishwaukee Water Reclamation District.*
2. *[Industry] is a “significant industrial user” as defined by 1.3 of the District Industrial Pretreatment Ordinance.*
3. *[Industry] was issued a wastewater discharge permit on June 15, 2006 which contains prohibitions, restrictions, and other limitations on the quality of the wastewater it discharges to the sanitary sewer.*
4. *Pursuant to the District Industrial Pretreatment Ordinance and the above-referred permit, data routinely collected or submitted on the compliance status of [Industry].*
5. *This data shows that [Industry] has violated the District Industrial Pretreatment Ordinance in the following manner:*
 - a. *[Industry] has continuously violated its permit limits for copper and zinc in each sample collected between January, 2007 and December, 2008 for a total of 8 separate violations of the permit.*
 - b. *[Industry] has failed to submit a periodic compliance report due July 1, 2008.*
 - c. *All of these violations satisfy the District’s definition of significant violation.*

Order

THEREFORE, BASED ON THE ABOVE FINDINGS, **[INDUSTRY]** IS HEREBY ORDERED TO:

1. *Appear at a meeting with the General Manager of the Kishwaukee Water Reclamation District to be held on January 29, 2009, at 2:00 pm at the WWTP, 303 Hollister Avenue.*
2. *At this meeting, **[Industry]** must demonstrate why the District should not pursue a judicial enforcement action against **[Industry]** at this time.*
3. *This meeting will be closed to the public.*
4. *Representatives of **[Industry]** may be accompanied by legal counsel if they choose.*
5. *Failure to comply with this order shall also constitute a further violation of the District's Industrial Pretreatment Ordinance and may subject **[Industry]** to civil or criminal penalties or such other enforcement responses as may be appropriate.*
6. *This order, entered this 12th day of January, 2009, shall be effective upon receipt by **[Industry]**.*

Signed: _____

[Name]

General Manager
Kishwaukee Water Reclamation District
1301 Sycamore Rd.
DeKalb, IL 60115

Example: Compliance Order

In the Matter of

Administrative Compliance Order

Name and Address
Of Industry

Legal Authority

The following findings are made and order issued pursuant to the authority vested in the Kishwaukee Water Reclamation District (District) District Manager, under Section 10.4 of the District Industrial Pretreatment Ordinance. This order is based on findings of violation of the conditions of the wastewater discharge permit under Section 5 of the District Industrial Pretreatment Ordinance.

Findings

1. *[Industry] discharges nondomestic wastewater containing pollutants into the sanitary sewer system of the Kishwaukee Water Reclamation District.*
2. *[Industry] is a “significant industrial user” as defined by 1.3 of the District Industrial Pretreatment Ordinance.*
3. *[Industry] was issued a wastewater discharge permit on June 15, 2006 which contains prohibitions, restrictions, and other limitations on the quality of the wastewater it discharges to the sanitary sewer.*
4. *Pursuant to the District Industrial Pretreatment Ordinance and the above-referred permit, data routinely collected or submitted on the compliance status of [Industry].*
5. *This data shows that [Industry] has violated the District Industrial Pretreatment Ordinance in the following manner:*
 - a. *[Industry] has violated its permit limits for copper and zinc in each sample collected between January, 2007 and December, 2008.*
 - b. *[Industry] has failed to submit all periodic compliance reports due by June 30, 2008.*
 - c. *All of these violations satisfy the District’s definition of significant violation.*

Order

THEREFORE, BASED ON THE ABOVE FINDINGS, [INDUSTRY] IS HEREBY ORDERED TO:

1. *Within 180 days, of receiving this order, install pretreatment technology which adequately treat **[Industry]**'s wastewater to a level which will comply with its wastewater discharge permits.*
2. *Within 5 days, submit all periodic compliance reports due since June 30, 2008.*
3. *Within 10 days, pay to the cashier's office of the District, a fine of \$5,000.00 for the above-described violations in accordance with section _____ of the District Industrial Pretreatment Ordinance.*
4. *This order, entered this 12th day of January, 2009, shall be effective upon receipt by **[Industry]**.*

Signed: _____

[Name]

General Manager

Kishwaukee Water Reclamation District

1301 Sycamore Rd.

DeKalb, IL 60115

Example: Consent Order

In the Matter of

Administrative Consent Order

Name and Address
Of Industry

Consent Order

***WHEREAS**, The Kishwaukee Water Reclamation District (District) pursuant to the powers, duties and responsibilities vested in and imposed upon the District Manager by provisions of the District's Industrial Pretreatment Ordinance, have conducted an ongoing investigation of [Industry] and have determined that:.*

1. *The District owns and operates a wastewater treatment plant which is adversely impacted by discharges from industrial users, including [Industry], and has implemented a pretreatment program to control such discharges.*
2. *[Industry] has consistently violated the pollutant limits in its wastewater discharge permit as set forth in Exhibit 1, attached hereto.*
3. *Therefore, to ensure that [Industry] is brought into compliance with its permit limits at the earliest possible date, **IT IS HEREBY AGREED AND ORDERED, BETWEEN THE [INDUSTRY] AND THE GENERAL MANAGER OF THE DISTRICT, that [Industry] shall:***
 - a. *By July 15, 2008, obtain the services of a licensed professional engineer specializing in wastewater treatment for the purpose of designing a pretreatment system which will bring [Industry] into compliance with its wastewater discharge permit.*
 - b. *By September 30, 2008, submit plans and specifications for the proposed pretreatment system to the District for review.*
 - c. *By December 31, 2008, install the pretreatment system in accordance with the plans and specifications submitted in item b above.*
 - d. *By January 15, 2009, achieve compliance with the limits set forth in Exhibit 1.*
 - e. *[Industry] shall pay \$1,000 per day for each day it fails to comply with the schedule set out in items a-d above. The \$1,000 per day penalty shall be paid to the accountant at the District within 5 days of being demanded by the District.*
4. *In the event [Industry] fails to comply with any of the deadlines set forth, [Industry] shall, within one (1) working day after expiration of the deadline, notify the District in writing. This notice shall describe the reasons for [Industry]'s failure to comply, the additional amount of time needed to complete the remaining work, and the steps to be taken to avoid*

*future delays. This notification in no way excuses **[Industry]** from its responsibility to meet any later milestones required by this Consent Order.*

- 5. Compliance with the terms and conditions of this Consent Order shall not be construed to relieve **[Industry]** of its obligation to comply with its wastewater discharge permit which remains in full force and effect. The District reserves the right to seek any and all remedies available to it under Section 10 of the District Industrial Pretreatment Ordinance for any violation cited by this order.*
- 6. Violation of this Consent Order shall constitute a further violation of the District's Industrial Pretreatment Ordinance and subjects **[Industry]** to all penalties described by section 10 of the District Industrial Pretreatment Ordinance.*
- 7. Nothing in this Consent Order shall be construed to limit any authority of the District to issue any other orders or take any other action which deems necessary to protect the wastewater treatment plant, the environment or the public health and safety.*

SIGNATORIES

FOR [INDUSTRY]

(Date)

Name Representative of [Industry]

FOR KISHWAUKEE WATER RECLAMATION DISTRICT

(Date)

Name-General Manager Kishwaukee Water
Reclamation District

Pretreatment Program Telephone Documentation

Pretreatment Staff initiating telephone call: _____

Industry name and Contact person: _____

Date and Time of Call: _____

Reason for telephone call: _____

Synopsis of conversation:

Date and Time issue was resolved

Enforcement Tracking Log

Name of Industry: _____

Nature of Violation: _____

Date of Violation: _____

Initial Enforcement Action Taken: _____

Date of Enforcement Action: _____

Date IU back in Compliance: _____

OR

Escalated Enforcement Action/Date of Action: _____

Comments:

KISHWAUKEE WATER RECLAMATION DISTRICT INDUSTRIAL USER DISCHARGE PERMIT

PERMIT NO. 110

In accordance with the provisions of Kishwaukee Water Reclamation District Industrial Pretreatment Ordinance No. 519 and amendments thereto,

DeKalb Plating Company, Inc.
221 Grove Street
DeKalb, IL 60115

is hereby authorized to discharge process wastewater from the above identified facility and through the outfall identified herein into the Kishwaukee Water Reclamation District's sewer system in accordance with the conditions set forth in this permit. Compliance with this permit does not relieve the permittee of its obligation to comply with any or all applicable pretreatment regulations, standards or requirements under local, State and Federal laws, including any such regulations, standards, requirements or laws that may become effective during the term of this permit.

Non-compliance with any term or condition of this permit shall constitute a violation of the Kishwaukee Water Reclamation District's industrial pretreatment ordinance.

This permit shall become effective on

November 1, 2019

and shall expire at midnight on

October 31, 2024

If the permittee wishes to continue to discharge after the expiration date of this permit, an application must be filed for a renewal permit in accordance with the requirements of Industrial Pretreatment Ordinance No. 519, Section 5.6, a minimum of 90 days prior to the expiration date.



District Manager

Issued this 10th day of SEPTEMBER, 2019

KISHWAUKEE WATER RECLAMATION DISTRICT

INDUSTRIAL USER DISCHARGE PERMIT

PART ONE – EFFLUENT LIMITATIONS

A. DURATION OF PERMIT

During the period of November 1, 2019 to October 31, 2024, the permittee is authorized to discharge process wastewater to the Kishwaukee Water Reclamation District sewer system from the outfalls listed below.

B. DESCRIPTION OF OUTFALL

OUTFALL	DESCRIPTION
---------	-------------

001 (Process #1)	Cleanout at South wall of plant by water meters (end of process).
------------------	---

C. LIMITATIONS

During the period of November 1, 2019 to October 31, 2024, the discharge from outfall 001 shall not exceed the following effluent limitations:

EFFLUENT LIMITATIONS Electroplating Existing Source (001)

Parameter	Daily Maximum	Monthly Average
Cadmium (T)*	0.885 (mg/l)	
Chromium (HEX)	Reserved	
Copper (T)*	11.7 (mg/l)	
Lead (T)	0.60 (mg/l)	0.40 (mg/l)(**)
Nickel (T)*	2.71 (mg/l)	
Mercury (T)*	0.076 (mg/l)	
Molybdenum (T)*	2.14 (mg/l)	
Cyanide (A)	5.00 (mg/l)	2.70 (mg/l)(**)
TTO	4.57 (mg/l)	---
pH (standard units)(*)	5.5 – 10.5	

(*) = Local Limits

(**) Average daily values for four consecutive monitoring days.

When the limits for local and categorical limits overlap, the effluent limitations will reflect the most stringent limit. Categorical Effluent limitations are for facilities discharging less than 10,000 gallons of process waters daily. If flow exceeds 10,000 gallons, different limits shall apply.

KISHWAUKEE WATER RECLAMATION DISTRICT INDUSTRIAL USER DISCHARGE PERMIT

D. ADDITIONAL PROHIBITIONS

In addition to those prohibitions listed in Part One (C), the permittee shall not discharge wastewater containing any of the following substances from the outfall:

1. Pollutants which create a fire or explosive hazard in the POTW, including, but not limited to, waste streams with a closed-cup flashpoint of less than 140 degrees F (60 degrees C) using the test methods specified in 40 CFR 261.21;
2. Wastewater having a pH less than 5.5 or more than 10.5, or otherwise causing corrosive structural damage to the POTW or equipment;
3. Solid or viscous substances in amounts which will cause obstruction of the flow in the POTW resulting in Interference [but in no case solids greater than ½ inch(es) in any dimension];
4. Pollutants, including oxygen-demanding pollutants (BOD, etc.), released in a discharge at a flow rate and/or pollutant concentration which, either singly or by interaction with other pollutants, will cause Interference with the POTW;
5. Wastewater having a temperature greater than 157 degrees F (65 degrees C), or which will inhibit biological activity in the treatment plant resulting in Interference, but in no case wastewater which causes the temperature at the introduction into the treatment plant to exceed 104 degrees F (40 degrees C);
6. Petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin, in amounts that will cause Interference or Pass Through;
7. Pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems;
8. Trucked or hauled pollutants, except at discharge points designated by the Manager in accordance with Section 3.4 of the Industrial Pretreatment Ordinance No. 519;
9. Noxious or malodorous liquids, gases, solids, or other wastewater which, either singly or by interaction with other wastes, are sufficient to create a

KISHWAUKEE WATER RECLAMATION DISTRICT INDUSTRIAL USER DISCHARGE PERMIT

public nuisance or a hazard to life, or to prevent entry into the sewers for maintenance or repair;

10. Wastewater which imparts color which cannot be removed by the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions, which consequently imparts color to the treatment plant's effluent, thereby violating the District's NPDES permit;
11. Wastewater containing any radioactive wastes or isotopes except in compliance with applicable State or Federal regulations;
12. Storm Water, surface water, ground water, artesian well water, roof runoff, foundation drainage, subsurface drainage, swimming pool drainage, condensate, deionized water, Noncontact Cooling Water, and unpolluted wastewater, unless specifically authorized by the District;
13. Sludges, screenings, or other residues from the pretreatment of industrial wastes;
14. Medical Wastes, except as specifically authorized by the Manager in an individual wastewater discharge permit or a general permit;
15. Wastewater causing alone or in conjunction with other sources, the treatment plant's effluent to fail toxicity test;
16. Detergents, surface-active agents, or other substances which that might cause excessive foaming in the POTW;
17. Wastewater in excess of 10% of the Lower Explosive Limit of an explosion hazard meter at the point of discharge into the POTW, or at any point in the POTW.

E. OTHER APPLICABLE REGULATIONS

All discharges shall comply with all other applicable laws, regulations, standards and requirements contained in Industrial Pretreatment Ordinance No. 519, Sewer Use Ordinance 520 and any applicable State and Federal pretreatment laws, regulations, standards and requirements including any such laws, regulations, standards or requirements that may become effective during the term of this permit.

KISHWAUKEE WATER RECLAMATION DISTRICT

INDUSTRIAL USER DISCHARGE PERMIT

PART TWO – MONITORING REQUIREMENTS

A. PARAMETERS AND REQUIREMENTS

During the period of November 1, 2019 until October 31, 2024, the permittee shall monitor the outfall for the following parameters, at the indicated frequency:

Sample Parameter	Measurement	Location	Frequency	Sample Type
Flow	gpd	Applicable Meter	Daily (*)	Meter
Cadmium	mg/l	Outfall 001	2/year	24 hr. Composite
Chromium (HEX)	mg/l	Reserved		
Copper	mg/l	Outfall 001	2/year	24 hr. Composite
Lead	mg/l	Outfall 001	2/year	24 hr. Composite
Nickel	mg/l	Outfall 001	2/year	24 hr. Composite
Mercury	Mg/l	Outfall 001	2/year	24-hr Composite
Molybdenum	mg/l	Outfall 001	2/year	24 hr. Composite
pH	S.U.	Outfall 001	2/year	Grab
Cyanide	mg/l	Outfall 001	2/year	Grab
TTO	mg/l	Outfall 001	2/year	24 hr. Composite

*Daily flows are to be recorded from the permittee's flow meter, when sampling (process flows only).

B. LOCATION

All samples will be collected from the sampling outfall indicated above.

KISHWAUKEE WATER RECLAMATION DISTRICT

INDUSTRIAL USER DISCHARGE PERMIT

C. MONITORING TTO COMPOUNDS

The Kishwaukee Water Reclamation District is required to regulate all companies subject to EPA Electroplating (40 CFR 413), Metal Finishing (40 CFR 433), Electrical and Electronic Components (40 CFR 469), Copper Forming (40 CFR 468), Aluminum Forming (40 CFR 467) and Coil Coating (Can-making subcategory only 40 CFR 465) pretreatment standards. These companies are regulated for Total Toxic Organics (TTO) in addition to a variety of other constituents, and are required to either (1) perform self-monitoring for TTO or (2) implement a Toxic Organic Management Plan (TOMP) and submit a certification statement with each self-monitoring report that concentrated toxic organics are not being discharged into the sewerage system.

D. CERTIFICATION AS AN ALTERNATIVE TO TTO MONITORING

Rather than monitoring TTO, the Industrial User may make the following certification:

“Based on my inquire of the person or persons directly responsible for managing compliance with the pretreatment standard for total toxic organics (TTO), I certify that to the best of my knowledge and belief, no dumping of concentrated toxic organics into the wastewater has occurred since filing of the last semiannual compliance report. I further certify that this facility is implementing the Toxic Organic Management Plan (TOMP) submitted to the Sanitary District.”

1. Industrial Users shall include this certification in each semiannual compliance report that is to be submitted to the Sanitary District.
2. If the Industrial User elects to use this certification as an alternative to TTO monitoring, the Industrial User shall submit an updated Toxic Organic Management Plan (TOMP) that satisfies the Sanitary District regarding:
 - a. The quantity of each toxic organic chemical used;
 - b. The use of the toxic chemicals;
 - c. The method of disposal used in lieu of sewer discharge such as reclamation, contract hauling, or incineration; and

KISHWAUKEE WATER RECLAMATION DISTRICT

INDUSTRIAL USER DISCHARGE PERMIT

- d. Procedures for ensuring that toxic organics do not routinely spill or leak in the wastewater.

3. Industrial Users shall submit and implement this TOMP as early as possible in order to demonstrate that it will provide the degree of control necessary to achieve compliance with the TTO pretreatment standards.

E. VIOLATION OF TTO STANDARD

If the Sanitary District samples and analyzes the Industrial User's waste stream to confirm compliance with an applicable TTO pretreatment standard, and the results show non-compliance, the Sanitary District will require that the Industrial User initiate TTO sampling and analysis on a frequency established by the Sanitary District.

F. MEASUREMENT

Dilution factors will be computed in determining concentrations of pollutants.

G. HANDLING AND PRESERVATION

All handling and preservation of collected samples and laboratory analyses of samples shall be performed in accordance with 40 CFR Part 136 and amendments thereto unless specified otherwise in the monitoring conditions of this permit.

PART THREE – REPORTING REQUIREMENTS

A. REPORTS

Self—monitoring results obtained shall be summarized and reported twice per year or more frequently if called for in Part 2. The reports are due by or before June 30 and by or before December 31 of each year. The report shall indicate the nature and concentration of all pollutants in the effluent for which sampling and analyses were performed during the calendar 6 months preceding the submission of each report, including measured maximum and average daily flows. At a minimum, the following information shall be included:

1. A record of metered (measured) average and maximum daily flows for the reporting period.

KISHWAUKEE WATER RECLAMATION DISTRICT INDUSTRIAL USER DISCHARGE PERMIT

2. The date, exact place, method, and time of sampling and the names of the person or persons taking the samples.
3. The dates analyses were performed.
4. Who performed the analyses.
5. The analytical techniques/methods used.
6. The results of such analysis for all required parameters (see Part 2).
7. Chain of custody.
8. Other information (unusual process or operating conditions, equipment, problems, etc.) that may affect sample results.
9. Signed statement of accuracy by your authorized representative.

B. ADDITIONAL INFORMATION

If the permittee monitors any pollutant more frequently than required by this permit, using test procedures prescribed in 40 CFR Part 136 or amendments thereto, or otherwise approved by EPA or as specified in this permit, the results of such monitoring shall be included in the semiannual report submitted to the Kishwaukee Water Reclamation District.

C. NOTIFICATION OF VIOLATION AND AUTOMATIC RESAMPLING

If the results of the permittee's wastewater analysis indicate that a violation of this permit has occurred, the permittee must:

1. Inform the Kishwaukee Water Reclamation District of the violation within 24 hours;

and
2. Repeat the sampling and pollutant analysis and submit, in writing, the results of this second analysis within 30 days after becoming aware of the violation.

KISHWAUKEE WATER RECLAMATION DISTRICT INDUSTRIAL USER DISCHARGE PERMIT

D. ACCIDENTAL DISCHARGE REPORT

1. The permittee shall notify the Kishwaukee Water Reclamation District immediately upon the occurrence of an accidental discharge of substances prohibited by Industrial Pretreatment Ordinance No. 519 or any slug loads or spills that may enter the public sewer. At all times the Kishwaukee Water Reclamation District should be notified at (815)758-3513. The notification shall include:
 - a. location of discharge,
 - b. date and time of discharge,
 - c. type of waste, including concentration and volume
 - d. corrective actions taken.
2. The permittee's notification of accidental releases in accordance with this section does not relieve it of other reporting requirements that arise under local, state or federal laws.
3. Within five days following an accidental discharge, the permittee shall submit to the Kishwaukee Water Reclamation District a detailed written report. The report shall specify:
 - a. Description of the upset, slug load or accidental discharge, including:
 - (1) location of discharge
 - (2) type of discharge
 - (3) concentration of discharge
 - (4) volume of discharge
 - (5) the cause thereof
 - (6) the impact on the permittee's compliance status

KISHWAUKEE WATER RECLAMATION DISTRICT INDUSTRIAL USER DISCHARGE PERMIT

- b. Duration of noncompliance, including exact dates and times of noncompliance.
- c. If the noncompliance is continuing, the time by which compliance is reasonably expected to occur.
- d. All steps taken to reduce, eliminate and/or prevent recurrence of such an upset, slug load, accidental discharge, or other conditions of noncompliance including inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site run-off, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants (including solvents), and/or measures and equipment for emergency response.

E. SUBMISSION OF REPORTS

All reports required by this permit shall be submitted to the Kishwaukee Water Reclamation District at the following address:

Allison Yates, Pretreatment Coordinator
Kishwaukee Water Reclamation District
303 Hollister Avenue
P.O. Box 624
DeKalb, Illinois 60115

PART FOUR – SPECIAL CONDITIONS

A. ADDITIONAL / SPECIAL REQUIREMENTS

1. A spill prevention and slug control plan will be kept current at all times for contingency use at DeKalb Plating Company, Inc.

A copy of the current plan will be provided to the Kishwaukee Water Reclamation District.

2. The permittee will notify the Kishwaukee Water Reclamation District, the EPA and the State hazardous waste authorities of any discharge to the Sanitary District, which, if otherwise disposed of would be a hazardous waste under 40 CFR Part 261. This provision is required by 40 CFR 403.12 (p).

KISHWAUKEE WATER RECLAMATION DISTRICT INDUSTRIAL USER DISCHARGE PERMIT

B. REOPENER CLAUSE

The District may modify any individual wastewater discharge permit for good cause, including, but not limited to, the following reasons:

1. To incorporate any new or revised Federal, State, or local Pretreatment Standards or Requirements;
2. To address significant alterations or additions to the User's operation, processes, or wastewater volume or character since the time of the individual wastewater discharge permit issuance;
3. A change in the POTW that requires either a temporary or permanent reduction or elimination of the authorized discharge;
4. Information indicating that the permitted discharge poses a threat to the Kishwaukee Water Reclamation District's POTW, Kishwaukee Water Reclamation District personnel, or the receiving waters;
5. Violation of any terms or conditions of the individual wastewater discharge permit;
6. Misrepresentations or failure to fully disclose all relevant facts in the wastewater discharge permit application or in any required reporting;
7. Revision of or a grant of variance from categorical Pretreatment Standards pursuant to 40 CFR 403.13;
8. To correct typographical or other errors in the individual wastewater discharge permit; or
9. To reflect a transfer of the facility ownership or operation to a new owner or operator where requested in accordance with Industrial Pretreatment Ordinance No. 519 Section 5.4.
10. Upon request of the permittee, provided such request does not create a violation of any applicable requirements, standards, laws or rules and regulations.

KISHWAUKEE WATER RECLAMATION DISTRICT INDUSTRIAL USER DISCHARGE PERMIT

C. COMPLIANCE SCHEDULE (When Applicable)

CURRENTLY NOT APPLICABLE

1. Compliance Scheduling Reporting. No later than 14 days following each date indicated in the above schedule, permittee shall submit to the Kishwaukee Water Reclamation District a report indicating, at a minimum, whether or not it has complied with the level or increment of progress to be met under the schedule on such date and, if not, the date on which it expects to comply with such increment of progress, the reasons for delay, if any, and the steps being taken to return the project to the compliance schedule established above.

PART FIVE – STANDARD CONDITIONS

A. GENERAL CONDITIONS AND DEFINITIONS

1. Severability

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 application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

2. Duty to Comply

The permittee must comply with all conditions of this permit. Failure to comply with the requirements of this permit may be grounds for administrative action or enforcement proceedings including civil or criminal penalties, injunctive relief and summary abatements.

3. Duty to Mitigate

The permittee shall take all reasonable steps to minimize or correct any adverse impact to the public treatment plant or the environment resulting from non-compliance with this permit, including such accelerated or additional monitoring as necessary to determine the nature and impact of the non-complying discharge.

KISHWAUKEE WATER RECLAMATION DISTRICT INDUSTRIAL USER DISCHARGE PERMIT

4. Permit Modification

This permit may be modified for good causes including, but not limited to, the following:

- a. To incorporate any new or revised Federal, State or local pretreatment standards or requirements.
- b. Material or substantial alteration or additions to the discharger's operation processes, or discharge volume or character which were not considered in drafting the effective permit.
- c. A change in any condition in either the permittee or the POTW that requires either a temporary or permanent reduction or elimination of the authorized discharge.
- d. Information indicating that the permitted discharge poses a threat to the Control Authority's collection and treatment systems, POTW personnel or the receiving waters or sludge treatment and disposal.
- e. Violation of any terms or conditions of the permit.
- f. Misrepresentation or failure to disclose fully all relevant facts in the permit application or in any required reporting.
- g. To correct topographical or other errors in the permit.
- h. To reflect transfer of the facility ownership and/or operation to a new owner or operator.
- i. Upon request of the permittee, provided such request does not create a violation of any applicable requirements, standards, laws or rules and regulations.

Note: 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 non-compliance, does not stay any permit condition.

KISHWAUKEE WATER RECLAMATION DISTRICT INDUSTRIAL USER DISCHARGE PERMIT

5. Permit Termination

The District may revoke the wastewater discharge permit for good cause, including, but not limited to, the following reasons:

- a. Failure to notify the Manager of significant changes to the wastewater prior to the changed discharge;
- b. Failure to provide prior notification to the Manager of changed conditions pursuant to Section 6.5 of Industrial Pretreatment Ordinance 519;
- c. Misrepresentation or failure to fully disclose all relevant facts in the wastewater discharge permit application;
- d. Falsifying self-monitoring reports and certification statements;
- e. Tampering with monitoring equipment;
- f. Refusing to allow the District timely access to the facility premises and records;
- g. Failure to meet effluent limitations;
- h. Failure to pay fines;
- i. Failure to pay sewer charges;
- j. Failure to meet compliance schedules;
- k. Failure to complete a wastewater survey or the wastewater discharge permit application;
- l. Failure to provide advance notice of the transfer of business ownership of a permitted facility; or
- m. Violation of any Pretreatment Standard or Requirement, or any terms of the wastewater discharge permit or the general permit or this ordinance.

KISHWAUKEE WATER RECLAMATION DISTRICT INDUSTRIAL USER DISCHARGE PERMIT

- n. Failure to report upset at treatment facility.
- o. Failure to report an accidental discharge of a pollutant.

6. Permit Appeals

The permittee may petition to appeal the terms of this permit within thirty (30) days of the notice.

This petition must be in writing; failure to submit a petition for review shall be deemed to be a waiver of the appeal. In its petition, the permittee must indicate the permit provisions objected to, the reasons for this objection, and the alternative condition, if any, it seeks to be placed in the permit.

7. Property Rights

The issuance of this permit does not convey any property rights of any sort, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any violation of Federal, State, or local laws or regulations.

8. Limitation on Permit Transfer

Permits may be reassigned or transferred to a new owner and/or operator only with prior approval of the Kishwaukee Water Reclamation District:

- a. The permittee must give at least thirty (30) days advance notice to the Kishwaukee Water Reclamation District.
- b. The notice must include a written certification by the new owner which:
 - (1) States that the new owner has no immediate intent to change the facility's operations and processes;
 - (2) Identifies the specific date on which the transfer is to occur; and
 - (3) Acknowledges full responsibility for complying with the existing permit.

KISHWAUKEE WATER RECLAMATION DISTRICT INDUSTRIAL USER DISCHARGE PERMIT

9. Notice to Employees

A notice shall be permanently posted on the permittee's bulletin board or other prominent place, advising employees whom to call in the event of an accidental discharge. Employers shall insure that all employees who may cause or suffer such an accidental discharge to occur are advised of the emergency notification procedure.

10. Continuation of Expired Permits

An expired permit will continue to be effective and enforceable until the permit is reissued if:

- a. The permittee has submitted a complete permit application at least ninety (90) days prior to the expiration date of the user's existing permit.
- b. The failure to reissue the permit, prior to expiration of the previous permit, is not due to any act on the part of the permittee.

11. Dilution

The permittee shall not increase the use of potable or process water or, in any way, attempt to dilute an effluent as a partial or complete substitute for adequate treatment to achieve compliance with the limitations contained in this permit.

12. Definitions

Significant Industrial User (SIU).

(1) An Industrial User subject to categorical Pretreatment Standards; or

(2) An Industrial User that:

(a) Discharges an average of twenty-five thousand (25,000) gpd or more of process wastewater to the POTW (excluding sanitary, noncontact cooling and boiler blowdown wastewater);

(b) Contributes a process wastestream which makes up five (5) percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or

KISHWAUKEE WATER RECLAMATION DISTRICT

INDUSTRIAL USER DISCHARGE PERMIT

(c) Is designated as such by the District on the basis that it has a reasonable potential for adversely affecting the POTW's operation or for violating any Pretreatment Standard or Requirement.

Significant Non-Compliance

An industrial user is in significant non-compliance if its violation meets one or more of the following criteria:

- a. Chronic violations of wastewater discharge limits, defined here as those in which sixty-six percent (66%) or more of all the measurements taken for the same pollutant parameter taken during a six (6) month period exceed (by any magnitude) a numeric Pretreatment Standard or Requirement, including Instantaneous Limits as defined in Section 2;
- b. Technical Review Criteria (TRC) violations, defined here as those in which thirty-three percent (33%) or more of wastewater measurements taken for each pollutant parameter during a six (6) month period equals or exceeds the product of the numeric Pretreatment Standard or Requirement including Instantaneous Limits, as defined by Section 2 multiplied by the applicable criteria (1.4 for BOD, TSS, fats, oils and grease, and 1.2 for all other pollutants except pH);
- c. Any other violation of a Pretreatment Standard or Requirement as defined by Section 2 of Industrial Pretreatment Ordinance 519 (Daily Maximum, long-term average, Instantaneous Limit, or narrative standard) that the District determines has caused, alone or in combination with other discharges, Interference or Pass Through, including endangering the health of POTW personnel or the general public;
- d. Any discharge of a pollutant that has caused imminent endangerment to the public or the environment, or has resulted in the Manager's exercise of its emergency authority to halt or prevent such a discharge;
- e. Failure to meet, within ninety (90) days of the scheduled date, a compliance schedule milestone contained in an individual wastewater discharge permit or a general permit or enforcement

KISHWAUKEE WATER RECLAMATION DISTRICT INDUSTRIAL USER DISCHARGE PERMIT

order for starting construction, completing construction, or attaining final compliance;

- f. Failure to provide within forty-five (45) days after the due date, any required reports, including baseline monitoring reports, reports on compliance with categorical Pretreatment Standard deadlines, periodic self-monitoring reports, and reports on compliance with compliance schedules;
- g. Failure to accurately report non-compliance; or
- h. Any other violation(s), which may include a violation of Best Management Practices, which the District determines will adversely affect the operation or implementation of the local pretreatment program.

B. OPERATION AND MAINTENANCE OF POLLUTION CONTROLS

1. 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 but is not limited to: 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 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.

KISHWAUKEE WATER RECLAMATION DISTRICT INDUSTRIAL USER DISCHARGE PERMIT

2. Duty to Halt or Reduce Activity

Upon reduction of efficiency of operation, or loss or failure of all or part of the treatment facility, the permittee shall, to the extent necessary to maintain compliance with its permit, control its production or discharges (or both) until operation of treatment facility is restored or an alternative method of treatment is provided. This requirement applies, for example, when the primary source of power of the treatment facility fails or is reduced. 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 maintain compliance with the conditions of this permit.

3. Bypass of Treatment Facilities

- a. Bypass is prohibited unless it is unavoidable to prevent loss of life, personal injury or severe property damage, or unless no feasible alternatives exist.
- b. If the bypass has not been corrected, the anticipated time it is expected to continue; and
- c. Notification of Bypass:
 - (1) Anticipated bypass:

If the permittee knows in advance of the need for a bypass, it shall submit prior notice, at least ten days before the date of the bypass, to the Kishwaukee Water Reclamation District.
 - (2) Unanticipated bypass:

The permittee shall immediately notify the Kishwaukee Water Reclamation District and submit a written notice to the POTW within five days. This report shall specify:

 - (a) A description of the bypass, and its causes, including its exact dates and times;
 - (b) If the bypass has not been corrected, the anticipated time it is expected to continue; and
 - (c) The steps being taken or to be taken to reduce, eliminate and prevent a reoccurrence of the bypass.

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4. Removed Substances

Solids, sludges, filter backwash or other pollutants removed in the course of treatment or control of wastewaters shall be disposed of in accordance with Section 405 of the Clean Water Act and Subtitles C and D of the Resource Conservation and Recovery Act, and other applicable laws and regulations.

C. MONITORING AND RECORDS

1. Representative Sampling

Samples collected to satisfy reporting requirements must be based on data obtained through appropriate sampling and analysis performed during the period covered by the report, based on data that is representative of conditions occurring during the reporting period.

- a. Except as indicated in paragraphs b and c below, the User must collect wastewater samples using 24-hour flow-proportional composite sampling techniques, unless time-proportional composite sampling or grab sampling is authorized by the Manager, the samples must be representative of the discharge. Using protocols (including appropriate preservation) specified in 40 CFR Part 136 and appropriate EPA guidance, multiple grab samples collected during a 24-hour period may be composited prior to the analysis as follows: for cyanide, total phenols, and sulfides the samples may be composited in the laboratory or in the field; for volatile organics and oil and grease, the samples may be composited in the laboratory. Composite samples for other parameters unaffected by the compositing procedures as documented in approved EPA methodologies may be authorized by the Manager, as appropriate. In addition, grab samples may be required to show compliance with Instantaneous Limits.
- b. Samples for oil and grease, temperature, pH, cyanide, total phenols, sulfides, and volatile organic compounds must be obtained using grab collection techniques.
- c. For sampling required in support of baseline monitoring and 90-day compliance reports required in Section 6.1 and 6.3 of Industrial Pretreatment Ordinance No. 519 (40 CFR 403.12(b) and (d)), a

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minimum of four (4) grab samples must be used for pH, cyanide, total phenols, oil and grease, sulfide and volatile organic compounds for facilities for which historical sampling data do not exist; for facilities for which historical sampling data are available, the Manager may authorize a lower minimum. For the reports required by Section 6.4 of Industrial Pretreatment Ordinance 519 (40 CFR 403.12(e) and 403.12(h)), the Industrial User is required to collect the number of grab samples necessary to assess and assure compliance by the applicable Pretreatment Standards and Requirements.

2. Analytical Methods to Demonstrate Continued Compliance

All sampling and analysis required by this permit shall be performed in accordance with the techniques prescribed in 40 CFR Part 136 and amendments thereto, otherwise approved by EPA, or as specified in this permit.

3. Additional Monitoring by the Permittee

If the permittee monitors any pollutant more frequently than required by this permit, using test procedures identified above in paragraph (C) (2). The results of this monitoring shall be included in the permittee's semi-annual self-monitoring reports.

4. Inspection and Entry

The permittee shall allow the Kishwaukee Water Reclamation District, or an authorized representative, 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;
- 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, practices or operations regulated or required under this permit;

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- d. Sample or monitor, for the purposes of assuring permit compliance, any substances or parameters at any location; and
- e. Inspect any production, manufacturing, fabricating or storage area where pollutants, regulated under the permit, could originate, be stored or be discharged to the sewer system.

5. Retention of Records

- a. 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 three years from the date of the sample, measurement, report or application. This period may be extended by request of the Kishwaukee Water Reclamation District at any time.
- b. All records that pertain to matters that are the subject of special orders or any other enforcement or litigation activities brought by the Kishwaukee Water Reclamation District shall be retained and preserved by the permittee until all enforcement activities have concluded all periods of limitation with respect to any and all appeals have expired.

6. Falsifying Information

Knowingly making any false statement on any report or other document required by this permit or knowingly rendering any monitoring device or method inaccurate, is a crime and may result in the imposition of criminal sanctions and/or civil penalties.

7. Record Contents

Record Contents. Records of sampling and analyses shall include:

- a. The date, exact place, time, and methods of sampling or measurements, and sample preservation techniques or procedures.
- b. Who performed the sampling or measurements.

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- c. The date(s) analyses were performed.
- d. Who performed the analyses.
- e. The analytical techniques or methods used; and
- f. The results of such analyses.

D. ADDITIONAL REPORTING REQUIREMENTS

1. Planned Changes

The permittee shall give notice to the Kishwaukee Water Reclamation District 90 days prior to any facility expansion, production increase or process modifications which results in new or substantially increased discharges or a change in the nature of the discharge.

2. Anticipated Non-Compliance

The permittee shall give advance notice to the Kishwaukee Water Reclamation District of any planned changes in the permitted facility or activity which may result in non-compliance with permit requirements.

3. Duty to Provide Information

The permittee shall furnish to the Kishwaukee Water Reclamation District, within 48 hours any information which the Kishwaukee Water Reclamation District may request to determine whether cause exists for modifying, revoking and reissuing, terminating this permit or to determine compliance with this permit.

4. Signatory Requirements

All applications, reports or information submitted to the Kishwaukee Water Reclamation District must contain the following certification statement and be signed as required:

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a. Content of Statement

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

b. Qualified Signatory

By a responsible corporate officer. For the purpose of this paragraph, a responsible corporate officer means:

(1) If the User is a corporation:

- (a) The president, secretary, treasurer, or a vice president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or
- (b) The manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions that govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information of individual wastewater discharge permit or general permit requirements; and where authority to sign documents has been

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assigned or delegated to the manager in accordance with corporate procedures.

- (2) If the User is a partnership or sole proprietorship: a general partner or proprietor, respectively.
- (3) If the User is a Federal, State, or local governmental facility: a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or their designee.
- (4) The individuals described in paragraphs 1 and 3, above, may designate a Duly Authorized Representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company, and the written authorization is submitted to the District.

5. Notification of the Discharge of Hazardous Waste

- a. Any User who commences the discharge of hazardous waste shall notify the POTW, the EPA Regional Waste Management Division Director, and State hazardous waste authorities, in writing, of any discharge into the POTW of a substance which, if otherwise disposed of, would be a hazardous waste under 40 CFR Part 261. Such notification must include the name of the hazardous waste as set forth in 40 CFR Part 261, the EPA hazardous waste number, and the type of discharge (continuous, batch, or other). If the User discharges more than one hundred (100) kilograms of such waste per calendar month to the POTW, the notification also shall contain the following information to the extent such information is known and readily available to the User: an identification of the hazardous constituents contained in the wastes, an estimation of the mass and concentration of such constituents in the wastestream discharged during that calendar month, and an estimation of the mass of constituents in the wastestream expected to be discharged during the following twelve (12) months. All notifications must take place no later than one hundred and eighty (180) days after the discharge commences. Any notification under this paragraph need be submitted only once for each hazardous waste discharged. However, notifications of changed conditions must be submitted under 40 CFR 403.12(j). The notification requirement in this Section does not apply to pollutants already reported by Users

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subject to categorical Pretreatment Standards under the self-monitoring requirements of 40 CFR 403.12 (b), (d), and (e).

- b. Dischargers are exempt from the requirements of this section during a calendar month in which they discharge no more than fifteen (15) kilograms of hazardous wastes, unless the wastes are acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e). Discharge of more than fifteen (15) kilograms of nonacute hazardous wastes in a calendar month, or of any quantity of acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e), requires a one-time notification. Subsequent months during which the User discharges more than such quantities of any hazardous waste do not require additional notification.
- c. In the case of any new regulations under section 3001 of RCRA identifying additional characteristics of hazardous waste or listing any additional substance as a hazardous waste, the User must notify the Kishwaukee Water Reclamation District, the EPA Regional Waste Management Waste Division Director, and State hazardous waste authorities of the discharge of such substance within ninety (90) days of the effective date of such regulations.
- d. In the case of any notification made under this Section, the User shall certify that it has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree it has determined to be economically practical.
- e. This provision does not create a right to discharge any substance not otherwise permitted to be discharged by this ordinance, a permit issued thereunder, or any applicable Federal or State law.

6. Operating Upsets

Any permittee that experiences an upset in operations that places the permittee in a temporary state of non-compliance with the provisions of either this permit or with Industrial Pretreatment Ordinance No. 519 shall inform the Kishwaukee Water Reclamation District within 24 hours of becoming aware of the upset at (815)758-3513.

A written follow-up report of the upset shall be filed by the permittee with the Kishwaukee Water Reclamation District within five days. The report shall specify:

- a. Description of the upset, the cause(s) thereof and the upset's impact on the permittee's compliance status;

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- b. Duration of non-compliance, including exact dates and times of non-compliance, and if not corrected, the anticipated time the non-compliance is expected to continue; and
- c. All steps taken or to be taken to reduce, eliminate and prevent recurrence of such an upset.

The report must also demonstrate that the treatment facility was being operated in a prudent and workmanlike manner.

A documented and verified operating upset shall be an affirmative defense to any enforcement action brought against the permittee for violations attributable to the upset event.

7. Annual Publication

The Kishwaukee Water Reclamation District Manager shall publish annually, in a newspaper of general circulation that provides meaningful public notice within the jurisdictions served by the POTW, a list of the Users which, at any time during the previous twelve (12) months, were in Significant Noncompliance with applicable Pretreatment Standards and Requirements. Accordingly, the permittee is apprised that significant non-compliance with this permit may lead to enforcement action and will result in publication of its name in and any enforcement actions taken in an appropriate newspaper in accordance with this section. Definition of significant non-compliance is found in Part 5, Section A of this permit.

8. Civil and Criminal Liability

Nothing in this permit shall be constructed to relieve the permittee from civil, and/or criminal penalties for non-compliance under Section 11.2 of Industrial Pretreatment Ordinance No. 519 or State or Federal laws or regulations.

9. Penalties for Violations of Permit Conditions

The Kishwaukee Water Reclamation District Industrial Pretreatment Ordinance No. 519, Section 11.2 provides that any person who violates a permit condition is subject to civil penalty of \$10,000.00 per day of such violation. Each day in which a violation shall occur or continue shall be deemed a separate and distinct offense. Any person who willfully or

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negligently violates permit conditions is subject to criminal penalties of fines and/or by imprisonment. The permittee may also be subject to sanctions under State and/or Federal law.

10. Recovery of Costs Incurred

In addition to civil and criminal liability, the permittee violating any of the provisions of this permit or Section 11.2 and 11.3 of Industrial Pretreatment Ordinance No. 519 or causing damage to or otherwise inhibiting the Kishwaukee Water Reclamation District wastewater disposal system shall be liable to the Kishwaukee Water Reclamation District for any expense, loss or damage caused by such violation or discharge. The Kishwaukee Water Reclamation District shall bill the permittee for the costs incurred by the Kishwaukee Water Reclamation District for any cleaning, repair or replacement work caused by the violation or discharge. Refusal to pay the assessed costs shall constitute a separate violation of Industrial Pretreatment Ordinance No. 519.

Kishwaukee Water Reclamation District
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PERMIT NO. 120

In accordance with the provisions of Kishwaukee Water Reclamation District Industrial Pretreatment Ordinance No. 591 and amendments thereto,

CST Storage
345 Harvestore Drive
DeKalb, IL 60115

is hereby authorized to discharge process wastewater from the above identified facility and through the outfall identified herein into the Kishwaukee Water Reclamation District's sewer system in accordance with the conditions set forth in this permit. Compliance with this permit does not relieve the permittee of its obligation to comply with any or all applicable pretreatment regulations, standards or requirements under local, State and Federal laws, including any such regulations, standards, requirements or laws that may become effective during the term of this permit.

Non-compliance with any term or condition of this permit shall constitute a violation of the Kishwaukee Water Reclamation District's industrial pretreatment ordinance.

This permit shall become effective on

November 1, 2021

and shall expire at midnight on

October 31, 2026

If the permittee wishes to continue to discharge after the expiration date of this permit, an application must be filed for a renewal permit in accordance with the requirements of Industrial Pretreatment Ordinance No. 591, Section 5.6, a minimum of 90 days prior to the expiration date.

(SEAL)

By: _____

Mark Eddington, Executive Director



Issued this 14th day of OCTOBER, 2021

**Kishwaukee Water Reclamation District
INDUSTRIAL USER DISCHARGE PERMIT**

PART ONE – EFFLUENT LIMITATIONS

A. DURATION OF PERMIT

During the period of November 1, 2021 to October 31, 2026, the permittee is authorized to discharge process wastewater to the Kishwaukee Water Reclamation District sewer system from the outfalls listed below.

B. DESCRIPTION OF OUTFALL

OUTFALL	DESCRIPTION
001 (Process #1)	Metal finishing line, end of process after filter paper.
002 (Process #2)	Porcelain enameling, end of process after treatment unit.
003	End of pipe, south of plant adjacent to Harvestore Drive.

C. LIMITATIONS

During the period of November 1, 2021 to October 31, 2026, the discharge from outfall 001, 002 and 003 shall not exceed the following effluent limitations:

EFFLUENT LIMITATIONS Existing Source Metal Finishing (001)

<u>Parameter</u>	<u>Daily Maximum</u>	<u>Monthly Average</u>
Cadmium (T)	0.69 (mg/l)	0.26 (mg/l)
Chromium (T)	2.77 (mg/l)	1.71 (mg/l)
Copper (T)	3.38 (mg/l)	2.07
Lead (T)	0.69 (mg/l)	0.43 (mg/l)
Nickel (T)	3.96 (mg/l)	2.38 (mg/l)
Silver (T)	0.43 (mg/l)	0.24 (mg/l)
Zinc (T)	2.61 (mg/l)	1.48 (mg/l)
Cyanide (T)	1.20 (mg/l)	0.65 (mg/l)
TTO	2.13 (mg/l)	---

EFFLUENT LIMITATIONS Existing Source Porcelain Enameling on Steel (002)

<u>Parameter</u>	<u>Daily Maximum</u>	<u>Monthly Average</u>
Chromium (T)	0.42 (mg/l)	0.17 (mg/l)
Lead (T)	0.15 (mg/l)	0.13 (mg/l)
Nickel (T)	1.41 (mg/l)	1.00 (mg/l)
Zinc (T)	1.33 (mg/l)	0.56 (mg/l)

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EFFLUENT LIMITATIONS Local Limits (003)

<u>Parameter</u>	<u>Daily Maximum</u>	<u>Monthly Average</u>
Cadmium (T)	0.885 (mg/l)	
Copper (T)	11.7 (mg/l)	
Lead (T)	3.52 (mg/l)	
Mercury (T)	0.076 (mg/l)	
Molybdenum (T)	2.14 (mg/l)	
Nickel (T)	2.71 (mg/l)	
pH (standard units)(*)	5.5 – 10.5	

EFFLUENT LIMITATIONS Sewer Use Ordinance (003)

<u>Parameter</u>	<u>Daily Maximum</u>	<u>Monthly Average</u>
BOD-5 (*)	2,000 (mg/l)	400 (mg/l)
Suspended Solids (*)	2,000 (mg/l)	500 (mg/l)
Ammonia-Nitrogen (*)	100 (mg/l)	50 (mg/l)

(*) Subject to Surcharge Rates if concentrations exceed those specified in Ordinance 520, Section 6.F and 6.G or amendments thereto.

D. ADDITIONAL PROHIBITIONS

In addition to those prohibitions listed in Part One (C), the permittee shall not discharge wastewater containing any of the following substances from the outfall:

1. Pollutants which create a fire or explosive hazard in the POTW, including, but not limited to, waste streams with a closed-cup flashpoint of less than 140 degrees F (60 degrees C) using the test methods specified in 40 CFR 261.21;
2. Wastewater having a pH less than 5.5 or more than 10.5, or otherwise causing corrosive structural damage to the POTW or equipment;
3. Solid or viscous substances in amounts which will cause obstruction of the flow in the POTW resulting in Interference [but in no case solids greater than ½ inch(es) in any dimension];
4. Pollutants, including oxygen-demanding pollutants (BOD, etc.), released in a discharge at a flow rate and/or pollutant concentration which, either singly or by interaction with other pollutants, will cause Interference with the POTW;
5. Wastewater having a temperature greater than 157 degrees F (65 degrees C), or which will inhibit biological activity in the treatment plant resulting in Interference, but in no case wastewater which causes the temperature at the introduction into the treatment plant to exceed 104 degrees F (40 degrees C);

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6. Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin, in amounts that will cause Interference or Pass Through;
7. Pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems;
8. Trucked or hauled pollutants, except at discharge points designated by the Manager in accordance with Section 3.4 of the Industrial Pretreatment Ordinance No. 519;
9. Noxious or malodorous liquids, gases, solids, or other wastewater which, either singly or by interaction with other wastes, are sufficient to create a public nuisance or a hazard to life, or to prevent entry into the sewers for maintenance or repair;
10. Wastewater which imparts color which cannot be removed by the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions, which consequently imparts color to the treatment plant's effluent, thereby violating the District's NPDES permit;
11. Wastewater containing any radioactive wastes or isotopes except in compliance with applicable State or Federal regulations;
12. Storm Water, surface water, ground water, artesian well water, roof runoff, foundation drainage, subsurface drainage, swimming pool drainage, condensate, deionized water, Noncontact Cooling Water, and unpolluted wastewater, unless specifically authorized by the District;
13. Sludges, screenings, or other residues from the pretreatment of industrial wastes;
14. Medical Wastes, except as specifically authorized by the Manager in an individual wastewater discharge permit or a general permit;
15. Wastewater causing alone or in conjunction with other sources, the treatment plant's effluent to fail toxicity test;
16. Detergents, surface-active agents, or other substances which that might cause excessive foaming in the POTW;
17. Wastewater in excess of 10% of the Lower Explosive Limit of an explosion hazard meter at the point of discharge into the POTW, or at any point in the POTW.

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E. OTHER APPLICABLE REGULATIONS

All discharges shall comply with all other applicable laws, regulations, standards and requirements contained in Industrial Pretreatment Ordinance No. 591, Sewer Use Ordinance 520 and any applicable State and Federal pretreatment laws, regulations, standards and requirements including any such laws, regulations, standards or requirements that may become effective during the term of this permit.

PART TWO – MONITORING REQUIREMENTS

A. PARAMETERS AND REQUIREMENTS

During the term hereof, the permittee shall sample and monitor the outfall(s) for the following parameters, at the indicated frequency:

Sample Parameter	Measurement	Location	Frequency	Sample Type
Flow	gallons/day	Applicable Meter	Daily	---
Cadmium	mg/l	Outfall 001 & 003	2/year	24-hr Composite
Chromium	mg/l	Outfall 001 & 002	2/year	24-hr Composite
Copper	mg/l	Outfall 001 & 003	2/year	24-hr Composite
Cyanide	mg/l	Outfall 001	2/year	Grab
Lead	mg/l	Outfalls (All)	2/year	24-hr Composite
Mercury	mg/l	Outfall 003	2/year	24-hr Composite
Molybdenum	mg/l	Outfall 003	2/year	24-hr Composite
Nickel	mg/l	Outfalls (All)	2/year	24-hr Composite
pH	S.U.	Outfall 003	2/year	Grab
Silver	mg/l	Outfall 001	2/year	24-hr Composite
Zinc	mg/l	Outfall 001 & 002	2/year	24-hr Composite
BOD-5	mg/l	Outfall 003	2/year	24-hr Composite
T.S.S.	mg/l	Outfall 003	2/year	24-hr Composite
Ammonia	mg/l	Outfall 003	2/year	24-hr Composite
Phosphorus	mg/l	Outfall 003	2/year	24-hr Composite
TTO	mg/l	Outfall 001	2/year	24-hr Composite

(*) Daily process flows are to be recorded from the permittee's two process flow meters when sampling.

B. LOCATION

All samples will be collected from the sampling outfalls indicated above.

Kishwaukee Water Reclamation District

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C. MONITORING TTO COMPOUNDS

The Kishwaukee Water Reclamation District is required to regulate all companies subject to EPA Electroplating (40 CFR 413), Metal Finishing (40 CFR 433), Electrical and Electronic Components (40 CFR 469), Copper Forming (40 CFR 468), Aluminum Forming (40 CFR 467) and Coil Coating (Can-making subcategory only 40 CFR 465) pretreatment standards. These companies are regulated for Total Toxic Organics (TTO) in addition to a variety of other constituents, and are required to either (1) perform self-monitoring for TTO or (2) implement a Toxic Organic Management Plan (TOMP) and submit a certification statement with each self-monitoring report that concentrated toxic organics are not being discharged into the sewerage system.

D. CERTIFICATION AS AN ALTERNATIVE TO TTO MONITORING

Rather than monitoring TTO, the Industrial User may make the following certification:

"Based on my inquire of the person or persons directly responsible for managing compliance with the pretreatment standard for total toxic organics (TTO), I certify that to the best of my knowledge and belief, no dumping of concentrated toxic organics into the wastewater has occurred since filing of the last semiannual compliance report. I further certify that this facility is implementing the Toxic Organic Management Plan (TOMP) submitted to the District."

1. Industrial Users shall include this certification in each semiannual compliance report that is to be submitted to the District.
2. If the Industrial User elects to use this certification as an alternative to TTO monitoring, the Industrial User shall submit an updated Toxic Organic Management Plan (TOMP) that satisfies the District regarding:
 - a. The quantity of each toxic organic chemical used;
 - b. The use of the toxic chemicals;
 - c. The method of disposal used in lieu of sewer discharge such as reclamation, contract hauling, or incineration; and
 - d. Procedures for ensuring that toxic organics do not routinely spill or leak in the wastewater.
3. Industrial Users shall submit and implement this TOMP as early as possible in order to demonstrate that it will provide the degree of control necessary to achieve compliance with the TTO pretreatment standards.

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E. VIOLATION OF TTO STANDARD

If the District samples and analyzes the Industrial User's waste stream to confirm compliance with an applicable TTO pretreatment standard, and the results show non-compliance, the District will require that the Industrial User initiate TTO sampling and analysis on a frequency established by the District.

F. MEASUREMENT

Daily flows are to be recorded from a dedicated flow meter.

Dilution factors will be computed in determining concentrations of pollutants.

G. HANDLING AND PRESERVATION

All handling and preservation of collected samples and laboratory analyses of samples shall be performed in accordance with 40 CFR Part 136 and amendments thereto unless specified otherwise in the monitoring conditions of this permit.

PART THREE – REPORTING REQUIREMENTS

A. REPORTS

Self—monitoring results obtained shall be summarized and reported twice per year or more frequently if called for in Part 2. The reports are due by or before June 30 and by or before December 31 of each year. The report shall indicate the nature and concentration of all pollutants in the effluent for which sampling and analyses were performed during the calendar 6 months preceding the submission of each report, including measured maximum and average daily flows. At a minimum, the following information shall be included:

1. A record of metered (measured) average and maximum daily flows for the reporting period.
2. The date, exact place, method, and time of sampling and the names of the person or persons taking the samples.
3. The dates analyses were performed.
4. Who performed the analyses.
5. The analytical techniques/methods used.

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6. The results of such analysis for all required parameters (see Part 2).
7. Chain of custody.
8. Other information (unusual process or operating conditions, equipment, problems, etc.) that may affect sample results.
9. Signed statement of accuracy by your authorized representative.

B. ADDITIONAL INFORMATION

If the permittee monitors any pollutant more frequently than required by this permit, using test procedures prescribed in 40 CFR Part 136 or amendments thereto, or otherwise approved by EPA or as specified in this permit, the results of such monitoring shall be included in the semiannual report submitted to the Kishwaukee Water Reclamation District.

C. NOTIFICATION OF VIOLATION AND AUTOMATIC RESAMPLING

If the results of the permittee's wastewater analysis indicate that a violation of this permit has occurred, the permittee must:

1. Inform the Kishwaukee Water Reclamation District of the violation within 24 hours;

and
2. Repeat the sampling and pollutant analysis and submit, in writing, the results of this second analysis within 30 days after becoming aware of the violation.

D. ACCIDENTAL DISCHARGE REPORT

1. The permittee shall notify the Kishwaukee Water Reclamation District immediately upon the occurrence of an accidental discharge of substances prohibited by Industrial Pretreatment Ordinance No. 591 or any slug loads or spills that may enter the public sewer. At all times the Kishwaukee Water Reclamation District should be notified at (815) 758-3513. The notification shall include:
 - a. Location of discharge,
 - b. Date and time of discharge,
 - c. Type of waste, including concentration and volume

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- d. Corrective actions taken.
- 2. The permittee's notification of accidental releases in accordance with this section does not relieve it of other reporting requirements that arise under local, state or federal laws.
- 3. Within five days following an accidental discharge, the permittee shall submit to the Kishwaukee Water Reclamation District a detailed written report. The report shall specify:
 - a. Description of the upset, slug load or accidental discharge, including:
 - (1) location of discharge
 - (2) type of discharge
 - (3) concentration of discharge
 - (4) volume of discharge
 - (5) the cause thereof
 - (6) the impact on the permittee's compliance status
 - b. Duration of noncompliance, including exact dates and times of noncompliance.
 - c. If the noncompliance is continuing, the time by which compliance is reasonably expected to occur.
 - d. All steps taken to reduce, eliminate and/or prevent recurrence of such an upset, slug load, accidental discharge, or other conditions of noncompliance including inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site run-off, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants (including solvents), and/or measures and equipment for emergency response.

E. SUBMISSION OF REPORTS

All reports required by this permit shall be submitted to the Kishwaukee Water Reclamation District at the following address:

Allison Yates, Pretreatment Coordinator
Kishwaukee Water Reclamation District
1301 Sycamore Rd.
DeKalb, Illinois 60115

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PART FOUR – SPECIAL CONDITIONS

A. ADDITIONAL / SPECIAL REQUIREMENTS

1. A spill prevention and slug control plan will be kept current at all times for contingency use at CST Storage.

A copy of the current plan will be provided to the Kishwaukee Water Reclamation District.

2. The permittee will notify the Kishwaukee Water Reclamation District, the EPA and the State hazardous waste authorities of any discharge to the District, which, if otherwise disposed of would be a hazardous waste under 40 CFR Part 261. This provision is required by 40 CFR 403.12 (p).

B. REOPENER CLAUSE

The District may modify any individual wastewater discharge permit for good cause, including, but not limited to, the following reasons:

1. To incorporate any new or revised Federal, State, or local Pretreatment Standards or Requirements;
2. To address significant alterations or additions to the User's operation, processes, or wastewater volume or character since the time of the individual wastewater discharge permit issuance;
3. A change in the POTW that requires either a temporary or permanent reduction or elimination of the authorized discharge;
4. Information indicating that the permitted discharge poses a threat to the Kishwaukee Water Reclamation District's POTW, Kishwaukee Water Reclamation District personnel, or the receiving waters;
5. Violation of any terms or conditions of the individual wastewater discharge permit;
6. Misrepresentations or failure to fully disclose all relevant facts in the wastewater discharge permit application or in any required reporting;
7. Revision of or a grant of variance from categorical Pretreatment Standards pursuant to 40 CFR 403.13;
8. To correct typographical or other errors in the individual wastewater discharge permit; or

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9. To reflect a transfer of the facility ownership or operation to a new owner or operator where requested in accordance with Industrial Pretreatment Ordinance No. 519 Section 5.4.
10. Upon request of the permittee, provided such request does not create a violation of any applicable requirements, standards, laws or rules and regulations.

PART FIVE – STANDARD CONDITIONS

A. GENERAL CONDITIONS AND DEFINITIONS

1. Severability

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 application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

2. Duty to Comply

The permittee must comply with all conditions of this permit. Failure to comply with the requirements of this permit may be grounds for administrative action or enforcement proceedings including civil or criminal penalties, injunctive relief and summary abatements.

3. Duty to Mitigate

The permittee shall take all reasonable steps to minimize or correct any adverse impact to the public treatment plant or the environment resulting from non-compliance with this permit, including such accelerated or additional monitoring as necessary to determine the nature and impact of the non-complying discharge.

4. Permit Modification

This permit may be modified for good causes including, but not limited to, the following:

- a. To incorporate any new or revised Federal, State or local pretreatment standards or requirements.
- b. Material or substantial alteration or additions to the discharger's operation processes, or discharge volume or character which were not considered in drafting the effective permit.

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- c. A change in any condition in either the permittee or the POTW that requires either a temporary or permanent reduction or elimination of the authorized discharge.
- d. Information indicating that the permitted discharge poses a threat to the Control Authority's collection and treatment systems, POTW personnel or the receiving waters or sludge treatment and disposal.
- e. Violation of any terms or conditions of the permit.
- f. Misrepresentation or failure to disclose fully all relevant facts in the permit application or in any required reporting.
- g. To correct topographical or other errors in the permit.
- h. To reflect transfer of the facility ownership and/or operation to a new owner or operator.
- i. Upon request of the permittee, provided such request does not create a violation of any applicable requirements, standards, laws or rules and regulations.

Note: 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 non-compliance, does not stay any permit condition.

5. Permit Termination

The District may revoke the wastewater discharge permit for good cause, including, but not limited to, the following reasons:

- a. Failure to notify the Manager of significant changes to the wastewater prior to the changed discharge;
- b. Failure to provide prior notification to the Manager of changed conditions pursuant to Section 6.5 of Industrial Pretreatment Ordinance 519;
- c. Misrepresentation or failure to fully disclose all relevant facts in the wastewater discharge permit application;
- d. Falsifying self-monitoring reports and certification statements;
- e. Tampering with monitoring equipment;
- f. Refusing to allow the District timely access to the facility premises and records;

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- g. Failure to meet effluent limitations;
- h. Failure to pay fines;
- i. Failure to pay sewer charges;
- j. Failure to meet compliance schedules;
- k. Failure to complete a wastewater survey or the wastewater discharge permit application;
- l. Failure to provide advance notice of the transfer of business ownership of a permitted facility; or
- m. Violation of any Pretreatment Standard or Requirement, or any terms of the wastewater discharge permit or the general permit or this ordinance.
- n. Failure to report upset at treatment facility.
- o. Failure to report an accidental discharge of a pollutant.

6. Permit Appeals

The permittee may petition to appeal the terms of this permit within thirty (30) days of the notice.

This petition must be in writing; failure to submit a petition for review shall be deemed to be a waiver of the appeal. In its petition, the permittee must indicate the permit provisions objected to, the reasons for this objection, and the alternative condition, if any, it seeks to be placed in the permit.

7. Property Rights

The issuance of this permit does not convey any property rights of any sort, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any violation of Federal, State, or local laws or regulations.

8. Limitation on Permit Transfer

Permits may be reassigned or transferred to a new owner and/or operator only with prior approval of the Kishwaukee Water Reclamation District:

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- a. The permittee must give at least thirty (30) days advance notice to the Kishwaukee Water Reclamation District.
- b. The notice must include a written certification by the new owner which:
 - (1) States that the new owner has no immediate intent to change the facility's operations and processes;
 - (2) Identifies the specific date on which the transfer is to occur; and
 - (3) Acknowledges full responsibility for complying with the existing permit.

9. Notice to Employees

A notice shall be permanently posted on the permittee's bulletin board or other prominent place, advising employees whom to call in the event of an accidental discharge. Employers shall insure that all employees who may cause or suffer such an accidental discharge to occur are advised of the emergency notification procedure.

10. Continuation of Expired Permits

An expired permit will continue to be effective and enforceable until the permit is reissued if:

- a. The permittee has submitted a complete permit application at least ninety (90) days prior to the expiration date of the user's existing permit.
- b. The failure to reissue the permit, prior to expiration of the previous permit, is not due to any act on the part of the permittee.

11. Dilution

The permittee shall not increase the use of potable or process water or, in any way, attempt to dilute an effluent as a partial or complete substitute for adequate treatment to achieve compliance with the limitations contained in this permit.

12. Definitions

Significant Industrial User (SIU)

An Industrial User subject to Categorical Pretreatment Standards; or

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An Industrial User that:

- a. Discharges an average of twenty-five thousand (25,000) gallons per day (gpd) or more of process wastewater to the POTW (excluding sanitary, noncontact cooling and boiler blowdown wastewater);
- b. Contributes a process wastestream which makes up five (5) percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or
- c. Is designated as such by the District on the basis that it has a reasonable potential for adversely affecting the POTW's operation or for violating any Pretreatment Standard or Requirement.

Significant Non-Compliance

An industrial user is in significant non-compliance if its violation meets one or more of the following criteria:

- a. Chronic violations of wastewater discharge limits, defined here as those in which sixty-six percent (66%) or more of all the measurements taken for the same pollutant parameter taken during a six (6) month period exceed (by any magnitude) a numeric Pretreatment Standard or Requirement, including Instantaneous Limits as defined in Section 2;
- b. Technical Review Criteria (TRC) violations, defined here as those in which thirty-three percent (33%) or more of wastewater measurements taken for each pollutant parameter during a six (6) month period equals or exceeds the product of the numeric Pretreatment Standard or Requirement including Instantaneous Limits, as defined by Section 2 multiplied by the applicable criteria (1.4 for BOD, TSS, fats, oils and grease, and 1.2 for all other pollutants except pH);
- c. Any other violation of a Pretreatment Standard or Requirement as defined by Section 2 of Industrial Pretreatment Ordinance 519 (Daily Maximum, long-term average, Instantaneous Limit, or narrative standard) that the District determines has caused, alone or in combination with other discharges, Interference or Pass Through, including endangering the health of POTW personnel or the general public;
- d. Any discharge of a pollutant that has caused imminent endangerment to the public or the environment, or has resulted in the Manager's exercise of its emergency authority to halt or prevent such a discharge;

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- e. Failure to meet, within ninety (90) days of the scheduled date, a compliance schedule milestone contained in an individual wastewater discharge permit or a general permit or enforcement order for starting construction, completing construction, or attaining final compliance;
- f. Failure to provide within forty-five (45) days after the due date, any required reports, including baseline monitoring reports, reports on compliance with categorical Pretreatment Standard deadlines, periodic self-monitoring reports, and reports on compliance with compliance schedules;
- g. Failure to accurately report non-compliance; or
- h. Any other violation(s), which may include a violation of Best Management Practices, which the District determines will adversely affect the operation or implementation of the local pretreatment program.

B. OPERATION AND MAINTENANCE OF POLLUTION CONTROLS

1. 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 but is not limited to: 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 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.

2. Duty to Halt or Reduce Activity

Upon reduction of efficiency of operation, or loss or failure of all or part of the treatment facility, the permittee shall, to the extent necessary to maintain compliance with its permit, control its production or discharges (or both) until operation of treatment facility is restored or an alternative method of treatment is provided. This requirement applies, for example, when the primary source of power of the treatment facility fails or is reduced. 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 maintain compliance with the conditions of this permit.

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3. Bypass of Treatment Facilities

- a. Bypass is prohibited unless it is unavoidable to prevent loss of life, personal injury or severe property damage, or unless no feasible alternatives exist.
- b. If the bypass has not been corrected, the anticipated time it is expected to continue; and
- c. Notification of Bypass:
 - (1) Anticipated bypass:
If the permittee knows in advance of the need for a bypass, it shall submit prior notice, at least ten days before the date of the bypass, to the Kishwaukee Water Reclamation District.
 - (2) Unanticipated bypass:
The permittee shall immediately notify the Kishwaukee Water Reclamation District and submit a written notice to the POTW within five days. This report shall specify:
 - (a) A description of the bypass, and its causes, including its exact dates and times;
 - (b) If the bypass has not been corrected, the anticipated time it is expected to continue; and
 - (c) The steps being taken or to be taken to reduce, eliminate and prevent a reoccurrence of the bypass.

4. Removed Substances

Solids, sludges, filter backwash or other pollutants removed in the course of treatment or control of wastewaters shall be disposed of in accordance with Section 405 of the Clean Water Act and Subtitles C and D of the Resource Conservation and Recovery Act, and other applicable laws and regulations.

C. MONITORING AND RECORDS

1. Representative Sampling

Samples collected to satisfy reporting requirements must be based on data obtained through appropriate sampling and analysis performed during the period covered by the report, based on data that is representative of conditions occurring during the reporting period.

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- a. Except as indicated in paragraphs b and c below, the User must collect wastewater samples using 24-hour flow-proportional composite sampling techniques, unless time-proportional composite sampling or grab sampling is authorized by the Manager, the samples must be representative of the discharge. Using protocols (including appropriate preservation) specified in 40 CFR Part 136 and appropriate EPA guidance, multiple grab samples collected during a 24-hour period may be composited prior to the analysis as follows: for cyanide, total phenols, and sulfides the samples may be composited in the laboratory or in the field; for volatile organics and oil and grease, the samples may be composited in the laboratory. Composite samples for other parameters unaffected by the compositing procedures as documented in approved EPA methodologies may be authorized by the Manager, as appropriate. In addition, grab samples may be required to show compliance with Instantaneous Limits.
 - b. Samples for oil and grease, temperature, pH, cyanide, total phenols, sulfides, and volatile organic compounds must be obtained using grab collection techniques.
 - c. For sampling required in support of baseline monitoring and 90-day compliance reports required in Section 6.1 and 6.3 of Industrial Pretreatment Ordinance No. 519 (40 CFR 403.12(b) and (d)), a minimum of four (4) grab samples must be used for pH, cyanide, total phenols, oil and grease, sulfide and volatile organic compounds for facilities for which historical sampling data do not exist; for facilities for which historical sampling data are available, the Manager may authorize a lower minimum. For the reports required by Section 6.4 of Industrial Pretreatment Ordinance 519 (40 CFR 403.12(e) and 403.12(h)), the Industrial User is required to collect the number of grab samples necessary to assess and assure compliance by the applicable Pretreatment Standards and Requirements.
2. Analytical Methods to Demonstrate Continued Compliance

All sampling and analysis required by this permit shall be performed in accordance with the techniques prescribed in 40 CFR Part 136 and amendments thereto, otherwise approved by EPA, or as specified in this permit.

3. Additional Monitoring by the Permittee

If the permittee monitors any pollutant more frequently than required by this permit, using test procedures identified above in paragraph (C) (2). The results of this monitoring shall be included in the permittee's semi-annual self-monitoring reports.

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4. Inspection and Entry

The permittee shall allow the Kishwaukee Water Reclamation District, or an authorized representative, 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;
- 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, practices or operations regulated or required under this permit;
- d. Sample or monitor, for the purposes of assuring permit compliance, any substances or parameters at any location; and
- e. Inspect any production, manufacturing, fabricating or storage area where pollutants, regulated under the permit, could originate, be stored or be discharged to the sewer system.

5. Retention of Records

- a. 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 three years from the date of the sample, measurement, report or application. This period may be extended by request of the Kishwaukee Water Reclamation District at any time.
- b. All records that pertain to matters that are the subject of special orders or any other enforcement or litigation activities brought by the Kishwaukee Water Reclamation District shall be retained and preserved by the permittee until all enforcement activities have concluded all periods of limitation with respect to any and all appeals have expired.

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6. Falsifying Information

Knowingly making any false statement on any report or other document required by this permit or knowingly rendering any monitoring device or method inaccurate, is a crime and may result in the imposition of criminal sanctions and/or civil penalties.

7. Record Contents

Records of sampling and analyses shall include:

- a. The date, exact place, time, and methods of sampling or measurements, and sample preservation techniques or procedures.
- b. Who performed the sampling or measurements.
- c. The date(s) analyses were performed.
- d. Who performed the analyses.
- e. The analytical techniques or methods used; and
- f. The results of such analyses.

D. ADDITIONAL REPORTING REQUIREMENTS

1. Planned Changes

The permittee shall give notice to the Kishwaukee Water Reclamation District 90 days prior to any facility expansion, production increase or process modifications which results in new or substantially increased discharges or a change in the nature of the discharge.

2. Anticipated Non-Compliance

The permittee shall give advance notice to the Kishwaukee Water Reclamation District of any planned changes in the permitted facility or activity which may result in non-compliance with permit requirements.

3. Duty to Provide Information

The permittee shall furnish to the Kishwaukee Water Reclamation District, within 48 hours any information which the Kishwaukee Water Reclamation District may request to determine whether cause exists for modifying, revoking and reissuing, terminating this permit or to determine compliance with this permit.

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4. Signatory Requirements

All applications, reports or information submitted to the Kishwaukee Water Reclamation District must contain the following certification statement and be signed as required:

a. Content of Statement

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

b. Qualified Signatory

By a responsible corporate officer. For the purpose of this paragraph, a responsible corporate officer means:

(1) If the User is a corporation:

- (a) The president, secretary, treasure, or a vice president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or
- (b) The manager of one or more manufacturing, production, or operating facilities, provided the manger is authorized to make management decisions that govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information of individual wastewater discharge permit or general permit requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

(2) If the User is a partnership or sole proprietorship: a general partner or proprietor, respectively.

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- (3) If the User is a Federal, State, or local governmental facility: a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or their designee.
- (4) The individuals described in paragraphs 1 and 3, above, may designate a Duly Authorized Representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company, and the written authorization is submitted to the District.

5. Notification of the Discharge of Hazardous Waste

- a. Any User who commences the discharge of hazardous waste shall notify the POTW, the EPA Regional Waste Management Division Director, and State hazardous waste authorities, in writing, of any discharge into the POTW of a substance which, if otherwise disposed of, would be a hazardous waste under 40 CFR Part 261. Such notification must include the name of the hazardous waste as set forth in 40 CFR Part 261, the EPA hazardous waste number, and the type of discharge (continuous, batch, or other). If the User discharges more than one hundred (100) kilograms of such waste per calendar month to the POTW, the notification also shall contain the following information to the extent such information is known and readily available to the User: an identification of the hazardous constituents contained in the wastes, an estimation of the mass and concentration of such constituents in the waste stream discharged during that calendar month, and an estimation of the mass of constituents in the waste stream expected to be discharged during the following twelve (12) months. All notifications must take place no later than one hundred and eighty (180) days after the discharge commences. Any notification under this paragraph need be submitted only once for each hazardous waste discharged. However, notifications of changed conditions must be submitted under 40 CFR 403.12(j). The notification requirement in this Section does not apply to pollutants already reported by Users subject to categorical Pretreatment Standards under the self-monitoring requirements of 40 CFR 403.12 (b), (d), and (e).
- b. Dischargers are exempt from the requirements of this section during a calendar month in which they discharge no more than fifteen (15) kilograms of hazardous wastes, unless the wastes are acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e). Discharge of more than fifteen (15) kilograms of nonacute hazardous wastes in a calendar month, or of any quantity of acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e), requires a one-time notification. Subsequent months during which the User discharges more than such quantities of any hazardous waste do not require additional notification.

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- c. In the case of any new regulations under section 3001 of RCRA identifying additional characteristics of hazardous waste or listing any additional substance as a hazardous waste, the User must notify the Kishwaukee Water Reclamation District, the EPA Regional Waste Management Waste Division Director, and State hazardous waste authorities of the discharge of such substance within ninety (90) days of the effective date of such regulations.
- d. In the case of any notification made under this Section, the User shall certify that it has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree it has determined to be economically practical.
- e. This provision does not create a right to discharge any substance not otherwise permitted to be discharged by this ordinance, a permit issued thereunder, or any applicable Federal or State law.

6. Operating Upsets

Any permittee that experiences an upset in operations that places the permittee in a temporary state of non-compliance with the provisions of either this permit or with Industrial Pretreatment Ordinance No. 519 shall inform the Kishwaukee Water Reclamation District within 24 hours of becoming aware of the upset at (815)758-3513.

A written follow-up report of the upset shall be filed by the permittee with the Kishwaukee Water Reclamation District within five days. The report shall specify:

- a. Description of the upset, the cause(s) thereof and the upset's impact on the permittee's compliance status;
- b. Duration of non-compliance, including exact dates and times of non-compliance, and if not corrected, the anticipated time the non-compliance is expected to continue; and
- c. All steps taken or to be taken to reduce, eliminate and prevent recurrence of such an upset.

The report must also demonstrate that the treatment facility was being operated in a prudent and workmanlike manner.

A documented and verified operating upset shall be an affirmative defense to any enforcement action brought against the permittee for violations attributable to the upset event.

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7. Annual Publication

The Kishwaukee Water Reclamation District Manager shall publish annually, in a newspaper of general circulation that provides meaningful public notice within the jurisdictions served by the POTW, a list of the Users which, at any time during the previous twelve (12) months, were in Significant Noncompliance with applicable Pretreatment Standards and Requirements. Accordingly, the permittee is apprised that significant non-compliance with this permit may lead to enforcement action and will result in publication of its name in and any enforcement actions taken in an appropriate newspaper in accordance with this section. Definition of significant non-compliance is found in Part 5, Section A of this permit.

8. Civil and Criminal Liability

Nothing in this permit shall be constructed to relieve the permittee from civil, and/or criminal penalties for non-compliance under Section 11.2 of Industrial Pretreatment Ordinance No. 591 or State or Federal laws or regulations.

9. Penalties for Violations of Permit Conditions

The Kishwaukee Water Reclamation District Industrial Pretreatment Ordinance No. 591, Section 11.2 provides that any person who violates a permit condition is subject to civil penalty of \$10,000.00 per day of such violation. Each day in which a violation shall occur or continue shall be deemed a separate and distinct offense. Any person who willfully or negligently violates permit conditions is subject to criminal penalties of fines and/or by imprisonment. The permittee may also be subject to sanctions under State and/or Federal law.

10. Recovery of Costs Incurred

In addition to civil and criminal liability, the permittee violating any of the provisions of this permit or Section 11.2 and 11.3 of Industrial Pretreatment Ordinance No. 591 or causing damage to or otherwise inhibiting the Kishwaukee Water Reclamation District wastewater disposal system shall be liable to the Kishwaukee Water Reclamation District for any expense, loss or damage caused by such violation or discharge. The Kishwaukee Water Reclamation District shall bill the permittee for the costs incurred by the Kishwaukee Water Reclamation District for any cleaning, repair or replacement work caused by the violation or discharge. Refusal to pay the assessed costs shall constitute a separate violation of Industrial Pretreatment Ordinance No. 591.

Hauled Waste Procedures

The following description/procedures are relevant only to those haulers that:

- have provided all required documentation to KWRD
- have been given expressed written permission by the Operations Manager or Executive Director granting them approval to access the facility
- have been given expressed written permission by the Operations Manager or Executive Director granting them approval to haul in specific (approved only) hauled waste loads

All haulers that have met the above conditions are to follow these guidelines/procedures for dumping at KWRD for each load:

- All haulers will be provided with a specific dump location (septic station, sidestream, fog station) for each approved load brought into KWRD
- All haulers are required to provide a manifest for each load hauled into KWRD and must include:
 - Company information
 - Site hauled from
 - Gallons being hauled
 - Driver information and signature
 - Time and Date of load pickup and drop off
 - Manifest drop off locations are the grey hut at FOG station and Headworks next to septic station
- All haulers are required to provide a sample for each load hauled into KWRD
 - All sample bottles and labels are provided by the District
 - A sample must be provided for each load
 - All samples must include a label that matches the information provided on the manifest
 - Sample drop off locations are the grey hut at FOG station and Headworks next to septic station
 - KWRD will pickup all hauler samples each day for testing
- All haulers must clean up/wash area after unloading
 - If any spillage occurs, haulers must immediately notify the District and clean up all materials
 - All screens (FOG station only) must be hand racked, debris removed from screens placed into dumpster (provided by District), and washed after each load

KISHWAUKEE WATER RECLAMATION DISTRICT INDUSTRIAL PRETREATMENT ENFORCEMENT RESPONSE PLAN

1. **Purpose of Enforcement Response Plan.** The purpose of the Kishwaukee Water Reclamation District's (District) Industrial Pretreatment Enforcement Response Plan is to establish a uniform enforcement response by the District, in the event of non-compliance with the terms and conditions of a District Industrial User Wastewater Discharge Permit by an area industry. This document describes the official District's policy and procedure for:
 - (i) Obtaining and evaluating information concerning compliance by Significant Industrial Users (SIU) with their Wastewater Discharge Permits;
 - (ii) Identifying cases of non-compliance;
 - (iii) Selecting and prosecuting appropriate enforcement action; and
 - (iv) Otherwise rectifying non-compliance in a timely, fair and consistent manner.
2. **Key to Acronyms and Abbreviations.**

AO	- Administrative Order
A	- Attorney
BT	- Board of Trustees
Civil Action	- A civil lawsuit brought by District against an Industrial User, seeking equitable relief, monetary penalties and/or actual damages.
Criminal Prosecution	- Pursuing punitive measures against an individual and/or organization through a court of law
DM	- District Manager
Fine	- A monetary penalty assessed by the Control Authority (Kishwaukee Water Reclamation District).
IU	- Industrial User.
NOV	-Notice of Violation.
Meeting	- Informal compliance meeting with an IU to resolve recurring non-significant non-compliance.
PC	- Pretreatment Coordinator
Show Cause Hearing	- A formal meeting requiring the IU to appear and demonstrate why the Control Authority should not take proposed enforcement action against the IU. The meeting also may serve as a forum to discuss corrective actions and compliance schedules.
SNC	- Significant non-compliance as defined by 40 CFR 403

Definition: Significant Industrial User (SIU)

- (1) An Industrial User subject to categorical Pretreatment Standards; or
- (2) An Industrial User that:
 - (a) Discharges an average of twenty-five thousand (25,000) gpd or more of process wastewater to the POTW (excluding sanitary, noncontact cooling and boiler blowdown wastewater);
 - (b) Contributes a process wastestream which makes up five (5) percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or
 - (c) Is designated as such by the District on the basis that it has a reasonable potential for adversely affecting the POTW's operation or for violating any Pretreatment Standard or Requirement.

3. Enforcement Response Plan Personnel.

- a. District Manager. Duties: To oversee the program, to update the pretreatment ordinance and Wastewater Discharge Permits, and to initiate escalated enforcement action.
- b. Pretreatment Coordinator. Duties: To screen compliance data, to initiate enforcement action, to conduct Industrial User inspections, to schedule compliance monitoring and to notify an Industrial User of any violations.
- c. Control Authority Attorney. Duties: To initiate and prosecute civil and criminal enforcement litigation.

4. Compliance Monitoring Procedure. Any Discharger subject to a Pretreatment standard or requirement shall submit to the District self-monitoring reports as required by the District's Industrial Pretreatment Ordinance No. 591 (the "Ordinance"). Reports by permittees shall contain the full results of all sampling and analysis of the permittee's discharge, including flow, the nature and concentration thereof, and its production and mass as required by the Ordinance or by the District. The frequency of monitoring by the Discharger shall comply with applicable Categorical Pretreatment Standards. Where such standards fail to specify the frequency of monitoring, the Discharger shall perform the required monitoring as specified in the District's Pretreatment Discharge Permit.

All analyses shall be performed in accordance with federal regulation 40 CFR Part 136 and amendments thereto unless specified otherwise. All reports submitted to the District shall be accompanied by a chain of custody for any laboratory data reported, and shall be signed by an authorized representative of the Discharger. An Industrial User shall timely notify the District of any effluent limit violation or slug discharge. Effluent sampling must be repeated within 24 hours, and the analysis must be reported within 30 days for any parameter which is found to be in violation.

The Control Authority (Kishwaukee Water Reclamation District) shall conduct a facility inspection of each industrial user under permit, at least annually. A pretreatment industrial user inspection checklist shall be completed for each inspection. Facility inspections shall be prescheduled but may be unscheduled at the discretion of the District.

The control authority shall conduct sampling and flow monitoring of Industrial Users. Frequency of sampling shall be determined by the District. Control Authority sampling and flow monitoring will not be prescheduled with the Industrial User.

5. Compliance Screening. The compliance screening process shall involve a review by the District of all available information in order to detect non-complying dischargers and to bring appropriate enforcement action. This review process shall assess, as appropriate, compliance with schedules, and with reporting requirements and applicable pretreatment standards.

The screening process shall verify that all required reports:

- a. Have been timely submitted;

- b. Cover the appropriate time periods;
- c. Include all required information; and
- d. Are properly signed and certified.

The Kishwaukee Water Reclamation District (Control Authority) shall utilize a calendar of events to record and track reporting due dates.

All monitoring data shall be entered into a computer software program for tracking purposes. The program will automatically “flag” permit limit exceedances. Non-discharge violations (late report submittal, etc.) shall be noted by pretreatment personnel and recorded manually on the computer. All data shall be reviewed as received. All monitoring data and any correspondence with an industry shall be maintained in a master file by the District.

6. Significant Non-Compliance (SNC)

Any violation of pretreatment requirements (effluent limits, sampling analysis, reporting and meeting compliance schedules, and regulatory deadlines) is noncompliance for which a user is liable for enforcement, including penalties. If an industrial user is found in SNC as defined by the EPA below, the POTW must report it to the Approval Authority (EPA), and publish the industrial user in the newspaper.

The EPA has defined instances of SNC as one or more of the following:

A. Chronic violations of wastewater discharge limits, defined here as those in which sixty-six percent (66%) or more of all the measurements taken for the same pollutant parameter taken during a six- (6-) month period exceed (by any magnitude) a numeric Pretreatment Standard or Requirement, including Instantaneous Limits as defined in Section 2;

B. Technical Review Criteria (TRC) violations, defined here as those in which thirty-three percent (33%) or more of wastewater measurements taken for each pollutant parameter during a six- (6-) month period equals or exceeds the product of the numeric Pretreatment Standard or Requirement including Instantaneous Limits, as defined by Section 2 multiplied by the applicable criteria (1.4 for BOD, TSS, fats, oils and grease, and 1.2 for all other pollutants except pH);

C. Any other violation of a Pretreatment Standard or Requirement as defined by Section 2 (Daily Maximum, long-term average, Instantaneous Limit, or narrative standard) that the District determines has caused, alone or in combination with other discharges, Interference or Pass Through, including endangering the health of POTW personnel or the general public;

D. Any discharge of a pollutant that has caused imminent endangerment to the public or to the environment, or has resulted in the District’s exercise of its emergency authority to halt or prevent such a discharge;

E. Failure to meet, within ninety (90) days of the scheduled date, a compliance schedule milestone contained in an individual wastewater discharge permit or a general permit or enforcement order for starting construction, completing construction, or attaining final compliance;

F. Failure to provide within forty-five (45) days after the due date, any required reports, including baseline monitoring reports, reports on compliance with categorical Pretreatment Standard deadlines, periodic self-monitoring reports, and reports on compliance with compliance schedules;

G. Failure to accurately report noncompliance; or

H. Any other violation(s), which may include a violation of Best Management Practices, which the District determines will adversely affect the operation or implementation of the local pretreatment program.

7. Kishwaukee Water Reclamation District Enforcement Mechanisms.

- a. Informal notice to Industrial User for non-significant non-compliance (telephone call) all enforcement telephone calls to IUs will be documented with a form created for this purpose.
- b. Informal meeting with industrial User (for recurring non-significant non-compliance issues.)
- c. Notice of Violation (NOV) (example attached).
- d. Administrative Orders.
 1. Cease and Desist Order (example attached)
 2. Consent Order (example attached)
 3. Compliance Schedules (example attached)
 4. Notice of Order to Show Cause (example attached)
- e. Fines.
- f. Civil Action.
- g. Criminal Action.
- h. Criminal Prosecution.
- i. Termination of Services (revocation of discharge permit).

Cease and Desist Order. Directs a non-compliant user to immediately cease illegal or unauthorized discharges or to terminate discharges all together. It is issued when the discharge could cause interference or pass-through. This order may be issued immediately upon discovery of a problem. In an emergency, the order to cease and desist may be given by telephone. In non-emergency situations, the order may be used to suspend or permanently revoke the user's discharge permit.

Consent Order. This order combines the force of an AO with the flexibility of a negotiated settlement. This may be used when the user assumes responsibility for a noncompliance and is willing (in good faith) to correct the cause(s).

Compliance Orders and Compliance Schedules. An Administrative Order may be issued by the EPA, pursuant to Section 309(a) of the Clean Water Act, without notice or opportunity for prior hearing, requiring compliance with standards or other requirements developed under authority of the Act. The District, under its legal authority, may also issue similar orders. Such an order may be used to place an Industrial User on an enforcement schedule to comply with pretreatment standards.

Order to Show Cause. An Industrial User may be ordered by the District to show cause before the District at a formal hearing why formal action should not be taken and/or sewer service discontinued. At the hearing the District shall present those facts which it believes constitute non-compliance by the IU with the Industrial User Pretreatment Ordinance and the IU shall be required to “show cause” why the District should not initiate formal action and/or discontinue sewer service.

Fines. The District may impose a fine to enforce its pretreatment program, ranging from \$100 to \$50,000 for each day of non-compliance by an Industrial User.

Civil Actions. The District may file a civil suit seeking injunctive relief against an alleged violator of the pretreatment Ordinance. Such suit would seek a judgment prohibiting the defendant-discharger from continuing a specific type of volume or discharge.

Criminal Prosecution. Criminal investigation may be initiated by an appropriate county or state agency, upon request of the District, leading to criminal prosecution and punishment of any person who willfully or negligently violates pretreatment standards, or of any who knowingly makes a false statement regarding any report.

Termination of Service. The District has the authority to halt, immediately, an actual or threatened discharge to its treatment facility which may represent an endangerment to the public health, the environment, the POTW personnel, or the POTW.

8. Enforcement Tracking

When any enforcement action is necessary, the Kishwaukee Water Reclamation District will track the initial action and any escalated actions taken. A form has been created for this purpose the “Enforcement Tracking Log” (example attached.)

Example: Notice of Violation

August 25, 2008

Mr. Steve Smith
ABC Company
101 Happy Road
DeKalb, IL 60115

RE: Wastewater Discharge Permit 133

Dear Mr. Smith:

As part of the Industrial Pretreatment Program, the Kishwaukee Water Reclamation District (District) is obligated to perform compliance monitoring of wastewater from selected industries on an occasional basis. Section 7.1 Inspection and Sampling of the District's Industrial Pretreatment Ordinance 591 provides the authority for the District to carry-out such compliance monitoring.

A 24-hour composite sample was taken at ABC Company on 7/28-29/08. The sample was obtained by representatives of the District who are performing the required compliance monitoring analysis of your wastewater. The results of our analysis are enclosed.

Based on the analysis, there is one **VIOLATION** of your permit limitations:

	Permit Limit	Results
Cyanide	2.7 mg/l	3.5 mg/l

The Kishwaukee Water Reclamation District will be re-testing your facility for cyanide.

If you have any questions or comments on your test results, please contact either Jane Smith or myself at (815) 758-3513.

Sincerely,
Kishwaukee Water Reclamation District

Jim Smith
Project Manager

Example: Cease and Desist Order

In the Matter of

Administrative Cease and Desist Order

Name and Address
Of Industry

Legal Authority

The following findings are made and order issued pursuant to the authority vested in the Kishwaukee Water Reclamation District (District), under Section 10.5 of the District Industrial Pretreatment Ordinance. This order is based on findings of violation of the conditions of the wastewater discharge permit under Section ____ of the District's Industrial Pretreatment Ordinance.

Findings

1. *[Industry] discharges nondomestic wastewater containing pollutants into the sanitary sewer system of the Kishwaukee Water Reclamation District.*
2. *[Industry] is a "significant industrial user" as defined by 1.3 of the District Industrial Pretreatment Ordinance.*
3. *[Industry] was issued a wastewater discharge permit on June 15, 2006 which contains prohibitions, restrictions, and other limitations on the quality of the wastewater it discharges to the sanitary sewer.*
4. *Pursuant to the District Industrial Pretreatment Ordinance and the above-referred permit, data routinely collected or submitted on the compliance status of [Industry].*
5. *This data shows that [Industry] has violated the District Industrial Pretreatment Ordinance in the following manner:*
 - a. *[Industry] has continuously violated its permit limits for copper and zinc in each sample collected between January, 2007 and December, 2008.*
 - b. *[Industry] has also failed comply with an administrative compliance order requiring the installation of a pretreatment system and the achievement of compliance with its permit by July 1, 2008.*
 - c. *[Industry] has failed to appear at a show cause hearing pursuant to an order requiring said attendance.*

Order

THEREFORE, BASED ON THE ABOVE FINDINGS, [INDUSTRY] IS HEREBY ORDERED TO:

1. *Within 24 hours of receiving this order, cease all nondomestic discharges into the District's sanitary sewer. Such discharges shall not recommence until such time as **[Industry]** is able to demonstrate that it will comply with its current permit limits.*
2. *Failure to comply with this order may subject **[Industry]** to having its connection to the sanitary sewer sealed by the District, and assessed the costs thereof.*
3. *Failure to comply with this order shall also constitute a further violation of the District Industrial Pretreatment Ordinance and may subject **[Industry]** to civil or criminal penalties or such other enforcement responses as may be appropriate.*
4. *This order, entered this 12th day of January, 2009, shall be effective upon receipt by **[Industry]**.*

Signed: _____

[Name]

General Manager

Kishwaukee Water Reclamation District

1301 Sycamore Rd.

DeKalb, IL 60115

Example: Show Cause Order

In the Matter of

Administrative Show Cause Order

Name and Address
Of Industry

Legal Authority

The following findings are made and order issued pursuant to the authority vested in the Kishwaukee Water Reclamation District (District) Manager, under Section 10.3 of the District Industrial Pretreatment Ordinance. This order is based on findings of violation of the conditions of the wastewater discharge permit under Section ____ of the District Industrial Pretreatment Ordinance.

Findings

1. *[Industry] discharges nondomestic wastewater containing pollutants into the sanitary sewer system of the Kishwaukee Water Reclamation District.*
2. *[Industry] is a “significant industrial user” as defined by 1.3 of the District Industrial Pretreatment Ordinance.*
3. *[Industry] was issued a wastewater discharge permit on June 15, 2006 which contains prohibitions, restrictions, and other limitations on the quality of the wastewater it discharges to the sanitary sewer.*
4. *Pursuant to the District Industrial Pretreatment Ordinance and the above-referred permit, data routinely collected or submitted on the compliance status of [Industry].*
5. *This data shows that [Industry] has violated the District Industrial Pretreatment Ordinance in the following manner:*
 - a. *[Industry] has continuously violated its permit limits for copper and zinc in each sample collected between January, 2007 and December, 2008 for a total of 8 separate violations of the permit.*
 - b. *[Industry] has failed to submit a periodic compliance report due July 1, 2008.*
 - c. *All of these violations satisfy the District’s definition of significant violation.*

Order

THEREFORE, BASED ON THE ABOVE FINDINGS, **[INDUSTRY]** IS HEREBY ORDERED TO:

1. *Appear at a meeting with the General Manager of the Kishwaukee Water Reclamation District to be held on January 29, 2009, at 2:00 pm at the WWTP, 303 Hollister Avenue.*
2. *At this meeting, **[Industry]** must demonstrate why the District should not pursue a judicial enforcement action against **[Industry]** at this time.*
3. *This meeting will be closed to the public.*
4. *Representatives of **[Industry]** may be accompanied by legal counsel if they choose.*
5. *Failure to comply with this order shall also constitute a further violation of the District's Industrial Pretreatment Ordinance and may subject **[Industry]** to civil or criminal penalties or such other enforcement responses as may be appropriate.*
6. *This order, entered this 12th day of January, 2009, shall be effective upon receipt by **[Industry]**.*

Signed: _____

[Name]

General Manager
Kishwaukee Water Reclamation District
1301 Sycamore Rd.
DeKalb, IL 60115

Example: Compliance Order

In the Matter of

Administrative Compliance Order

Name and Address
Of Industry

Legal Authority

The following findings are made and order issued pursuant to the authority vested in the Kishwaukee Water Reclamation District (District) District Manager, under Section 10.4 of the District Industrial Pretreatment Ordinance. This order is based on findings of violation of the conditions of the wastewater discharge permit under Section 5 of the District Industrial Pretreatment Ordinance.

Findings

1. *[Industry] discharges nondomestic wastewater containing pollutants into the sanitary sewer system of the Kishwaukee Water Reclamation District.*
2. *[Industry] is a “significant industrial user” as defined by 1.3 of the District Industrial Pretreatment Ordinance.*
3. *[Industry] was issued a wastewater discharge permit on June 15, 2006 which contains prohibitions, restrictions, and other limitations on the quality of the wastewater it discharges to the sanitary sewer.*
4. *Pursuant to the District Industrial Pretreatment Ordinance and the above-referred permit, data routinely collected or submitted on the compliance status of [Industry].*
5. *This data shows that [Industry] has violated the District Industrial Pretreatment Ordinance in the following manner:*
 - a. *[Industry] has violated its permit limits for copper and zinc in each sample collected between January, 2007 and December, 2008.*
 - b. *[Industry] has failed to submit all periodic compliance reports due by June 30, 2008.*
 - c. *All of these violations satisfy the District’s definition of significant violation.*

Order

THEREFORE, BASED ON THE ABOVE FINDINGS, [INDUSTRY] IS HEREBY ORDERED TO:

1. *Within 180 days, of receiving this order, install pretreatment technology which adequately treat **[Industry]**'s wastewater to a level which will comply with its wastewater discharge permits.*
2. *Within 5 days, submit all periodic compliance reports due since June 30, 2008.*
3. *Within 10 days, pay to the cashier's office of the District, a fine of \$5,000.00 for the above-described violations in accordance with section _____ of the District Industrial Pretreatment Ordinance.*
4. *This order, entered this 12th day of January, 2009, shall be effective upon receipt by **[Industry]**.*

Signed: _____

[Name]

General Manager

Kishwaukee Water Reclamation District

1301 Sycamore Rd.

DeKalb, IL 60115

Example: Consent Order

In the Matter of

Administrative Consent Order

Name and Address
Of Industry

Consent Order

***WHEREAS**, The Kishwaukee Water Reclamation District (District) pursuant to the powers, duties and responsibilities vested in and imposed upon the District Manager by provisions of the District's Industrial Pretreatment Ordinance, have conducted an ongoing investigation of [Industry] and have determined that:.*

1. *The District owns and operates a wastewater treatment plant which is adversely impacted by discharges from industrial users, including [Industry], and has implemented a pretreatment program to control such discharges.*
2. *[Industry] has consistently violated the pollutant limits in its wastewater discharge permit as set forth in Exhibit 1, attached hereto.*
3. *Therefore, to ensure that [Industry] is brought into compliance with its permit limits at the earliest possible date, **IT IS HEREBY AGREED AND ORDERED, BETWEEN THE [INDUSTRY] AND THE GENERAL MANAGER OF THE DISTRICT, that [Industry] shall:***
 - a. *By July 15, 2008, obtain the services of a licensed professional engineer specializing in wastewater treatment for the purpose of designing a pretreatment system which will bring [Industry] into compliance with its wastewater discharge permit.*
 - b. *By September 30, 2008, submit plans and specifications for the proposed pretreatment system to the District for review.*
 - c. *By December 31, 2008, install the pretreatment system in accordance with the plans and specifications submitted in item b above.*
 - d. *By January 15, 2009, achieve compliance with the limits set forth in Exhibit 1.*
 - e. *[Industry] shall pay \$1,000 per day for each day it fails to comply with the schedule set out in items a-d above. The \$1,000 per day penalty shall be paid to the accountant at the District within 5 days of being demanded by the District.*
4. *In the event [Industry] fails to comply with any of the deadlines set forth, [Industry] shall, within one (1) working day after expiration of the deadline, notify the District in writing. This notice shall describe the reasons for [Industry]'s failure to comply, the additional amount of time needed to complete the remaining work, and the steps to be taken to avoid*

*future delays. This notification in no way excuses **[Industry]** from its responsibility to meet any later milestones required by this Consent Order.*

- 5. Compliance with the terms and conditions of this Consent Order shall not be construed to relieve **[Industry]** of its obligation to comply with its wastewater discharge permit which remains in full force and effect. The District reserves the right to seek any and all remedies available to it under Section 10 of the District Industrial Pretreatment Ordinance for any violation cited by this order.*
- 6. Violation of this Consent Order shall constitute a further violation of the District's Industrial Pretreatment Ordinance and subjects **[Industry]** to all penalties described by section 10 of the District Industrial Pretreatment Ordinance.*
- 7. Nothing in this Consent Order shall be construed to limit any authority of the District to issue any other orders or take any other action which deems necessary to protect the wastewater treatment plant, the environment or the public health and safety.*

SIGNATORIES

FOR [INDUSTRY]

(Date)

Name Representative of [Industry]

FOR KISHWAUKEE WATER RECLAMATION DISTRICT

(Date)

Name-General Manager Kishwaukee Water
Reclamation District

Pretreatment Program Telephone Documentation

Pretreatment Staff initiating telephone call: _____

Industry name and Contact person: _____

Date and Time of Call: _____

Reason for telephone call: _____

Synopsis of conversation:

Date and Time issue was resolved

Enforcement Tracking Log

Name of Industry: _____

Nature of Violation: _____

Date of Violation: _____

Initial Enforcement Action Taken: _____

Date of Enforcement Action: _____

Date IU back in Compliance: _____

OR

Escalated Enforcement Action/Date of Action: _____

Comments:

INDUSTRIAL PRETREATMENT ORDINANCE

ORDINANCE NO. 591

KISHWAUKEE WATER RECLAMATION DISTRICT

*1301 Sycamore Road
DeKalb, Illinois 60115
(815) 758-3513*

BOARD OF TRUSTEES

Dr. Dennis J. Collins, President

Mr. Timothy A. Struthers, Vice President

Ms. Carol B. Zar, Clerk

April 15, 2020

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INDUSTRIAL PRETREATMENT ORDINANCE

SECTION 1 – GENERAL PROVISIONS

1.1 Purpose and Policy

This Ordinance sets forth uniform requirements for Users of the Publicly Owned Treatment Works, owned and operated by the Kishwaukee Water Reclamation District (“District”) and enables the District to comply with all applicable State and Federal laws, including the Clean Water Act (33 United States Code [U.S.C.] section 1251 et seq.) and the General Pretreatment Regulations (Title 40 of the *Code of Federal Regulations* [CFR] Part 403). The objectives of this Ordinance are:

- A. To prevent the introduction of pollutants into the Publicly Owned Treatment Works that will interfere with its operation;
- B. To prevent the introduction of pollutants into the Publicly Owned Treatment Works that will pass through the Publicly Owned Treatment Works, inadequately treated, into receiving waters, or otherwise be incompatible with the Publicly Owned Treatment Works;
- C. To protect both Publicly Owned Treatment Works personnel who may be affected by wastewater and sludge in the course of their employment and the general public;
- D. To promote reuse and recycling of industrial wastewater and sludge from the Publicly Owned Treatment Works;
- E. To enable the District to comply with its National Pollutant Discharge Elimination System permit conditions, sludge use and disposal requirements, and any other Federal or State laws to which the Publicly Owned Treatment Works is subject.

This Ordinance shall apply to all Users of the Publicly Owned Treatment Works. The Ordinance authorizes the issuance of individual wastewater discharge permits or general permits; provides for monitoring, compliance, and enforcement activities; establishes administrative review procedures; requires User reporting; and provides for the setting of fees for the equitable distribution of costs resulting from the program established herein if the District so elects.

1.2 Abbreviations

The following abbreviations, when used in this Ordinance, shall have the designated meanings:

BOD – Biochemical Oxygen Demand
BMP – Best Management Practice
BMR – Baseline Monitoring Report
CFR – *Code of Federal Regulations*
CIU – Categorical Industrial User

COD – Chemical Oxygen Demand
EPA – U.S. Environmental Protection Agency
gpd – gallons per day
IEPA- Illinois Environmental Protection Agency
IU – Industrial User
mg/l – milligrams per liter
NPDES – National Pollutant Discharge Elimination System
NSCIU – Non-Significant Categorical Industrial User
POTW – Publicly Owned Treatment Works
RCRA – Resource Conservation and Recovery Act
SIU – Significant Industrial User
SNC – Significant Noncompliance
TSS – Total Suspended Solids
U.S.C. – United States Code

1.3 Definitions

Unless a provision explicitly states otherwise, the following terms and phrases, as used in this Ordinance, shall have the meanings hereinafter designated.

- A. **Act or “the Act.”** The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. section 1251 et seq.
- B. **Amalgam Process Wastewater.** Any wastewater generated and discharged by a dental discharger through the practice of dentistry that may contain dental amalgam.
- C. **Amalgam Separator.** A collection device designed to capture and remove dental amalgam from the amalgam process wastewater of a dental facility.
- D. **Approval Authority.** United States Protection Agency, Region 5.
- E. **Authorized or Duly Authorized Representative of the User.**
 - 1. If the User is a corporation:
 - a. The president, secretary, treasurer, or a vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or
 - b. The manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions that govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for

individual wastewater discharge permit or general permit requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures

2. If the User is a partnership or sole proprietorship: a general partner or proprietor, respectively.
 3. If the User is a Federal, State, or local governmental facility: a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or their designee.
 4. The individuals described in paragraphs 1 through 3, above, may designate a Duly Authorized Representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company, and the written authorization is submitted to the District.
- F. **Biochemical Oxygen Demand or BOD.** The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures for five (5) days at 20 degrees centigrade, usually expressed as a concentration (e.g., mg/l).
- G. **Best Management Practices or BMPs** means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in Section 2.1 A and B (40 CFR 403.5(a)(1) and (b)). BMPs include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage.
- H. **Categorical Pretreatment Standard or Categorical Standard.** Any regulation containing pollutant discharge limits promulgated by EPA in accordance with sections 307(b) and (c) of the Act (33 U.S.C. section 1317) that apply to a specific category of Users and that appear in 40 CFR Chapter I, Subchapter N, Parts 405-471.
- I. **Categorical Industrial User or CIU.** An Industrial User subject to a categorical Pretreatment Standard or categorical Standard.
- J. **Chemical Oxygen Demand or COD.** A measure of the oxygen required to oxidize all compounds, both organic and inorganic, in water.
- K. **Control Authority.** The Kishwaukee Water Reclamation District, or the "District."
- L. **Daily Maximum.** The arithmetic average of all effluent samples for a pollutant collected during a calendar day.
- M. **Daily Maximum Limit.** The maximum allowable discharge limit of a pollutant during a calendar day. Where Daily Maximum Limits are expressed in units of mass, the daily

discharge is the total mass discharged over the course of the day. Where Daily Maximum Limits are expressed in terms of a concentration, the daily discharge is the arithmetic average measurement of the pollutant concentration derived from all measurements taken that day.

- N. **Dental Amalgam.** An alloy of elemental mercury and other metal(s) that is used in the practice of dentistry.
- O. **Dental Discharger.** A facility where the practice of dentistry is performed, including, but not limited to; institutions, permanent or temporary offices, clinics, home offices, and facilities owned and operated by Federal, state or local governments, that discharges wastewater to a Publicly Owned Treatment Works (POTW).
- P. **Kishwaukee Water Reclamation District or the “District”.** Shall mean the Kishwaukee Water Reclamation District.
- Q. **Environmental Protection Agency or EPA.** The U.S. Environmental Protection Agency or, where appropriate, the Regional Water Management Division Director, the Regional Administrator, or other duly authorized official of said agency.
- R. **Existing Source.** Any source of discharge that is not a “New Source.”
- S. **Grab Sample.** A sample that is taken from a wastestream without regard to the flow in the wastestream and over a period of time not to exceed fifteen (15) minutes.
- T. **Indirect Discharge or Discharge.** The introduction of pollutants into the POTW from any nondomestic source.
- U. **Instantaneous Limit.** The maximum concentration of a pollutant allowed to be discharged at any time, determined from the analysis of any discrete or composited sample collected, independent of the industrial flow rate and the duration of the sampling event.
- V. **Interference.** A discharge that, alone or in conjunction with a discharge or discharges from other sources, inhibits or disrupts the POTW, its treatment processes or operations or its sludge processes, use or disposal; and therefore, is a cause of a violation of the District’s NPDES permit or of the prevention of sewage sludge use or disposal in compliance with any of the following statutory/regulatory provisions or permits issued thereunder, or any more stringent State or local regulations: section 405 of the Act; the Solid Waste Disposal Act, including Title II commonly referred to as the Resource Conservation and Recovery Act (RCRA); any State regulations contained in any State sludge management plan prepared pursuant to Subtitle D of the Solid Waste Disposal Act; the Clean Air Act; the Toxic Substances Control Act; and the Marine Protection, Research, and Sanctuaries Act.

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- W. **Local Limit.** Specific discharge limits developed and enforced by the District upon industrial or commercial facilities to implement the general and specific discharge prohibitions listed in 40 CFR 403.5(a)(1) and (b).
- X. **Manager.** The person designated by the District to supervise the operation of the POTW, or his authorized deputy, agent, or representative, who is charged with certain duties and responsibilities by this Ordinance.
- Y. **Medical Waste.** Isolation wastes, infectious agents, human blood and blood products, pathological wastes, sharps, body parts, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes, and dialysis wastes.
- Z. **Mobile Unit.** A specialized mobile self-contained van, trailer, or equipment used in providing dentistry services at multiple locations.
- AA. **Monthly Average.** The sum of all “daily discharges” measured during a calendar month divided by the number of “daily discharges” measured during that month.
- BB. **Monthly Average Limit.** 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.
- CC. **New Dental Discharger Source.** A Dental Discharger whose first discharge to a POTW occurs after July 14, 2017.
- DD. **New Source.**
1. Any building, structure, facility, or installation from which there is (or may be) a discharge of pollutants, the construction of which commenced after the publication of proposed Pretreatment Standards under section 307(c) of the Act that will be applicable to such source if such Standards are thereafter promulgated in accordance with that section, provided that:
 - a. The building, structure, facility, or installation is constructed at a site at which no other source is located; or
 - b. The building, structure, facility, or installation totally replaces the process or production equipment that causes the discharge of pollutants at an Existing Source; or
 - c. The production or wastewater generating processes of the building, structure, facility, or installation are substantially independent of an Existing Source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant,

and the extent to which the new facility is engaged in the same general type of activity as the Existing Source, should be considered.

2. Construction on a site at which an Existing Source is located results in a modification rather than a New Source if the construction does not create a new building, structure, facility, or installation meeting the criteria of Section (1)(b) or (c) above but otherwise alters, replaces, or adds to existing process or production equipment.
 3. Construction of a New Source as defined under this paragraph has commenced if the owner or operator has:
 - a. Begun, or caused to begin, as part of a continuous onsite construction program
 - i. any placement, assembly, or installation of facilities or equipment; or
 - ii. significant site preparation work including clearing, excavation, or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly, or installation of new source facilities or equipment; or
 - b. Entered into a binding contractual obligation for the purchase of facilities or equipment which are intended to be used in its operation within a reasonable time. Options to purchase or contracts which can be terminated or modified without substantial loss, and contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under this paragraph.
- EE. **Noncontact Cooling Water.** Water used for cooling that does not come into direct contact with any raw material, intermediate product, waste product, or finished product.
- FF. **Ordinance.** Means this Ordinance.
- GG. **Pass Through.** A discharge which exits the POTW into waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the District's NPDES permit, including an increase in the magnitude or duration of a violation.
- HH. **Person.** Any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity, or any other legal entity; or their legal representatives, agents, or assigns. This definition includes all Federal, State, and local governmental entities.
- II. **pH.** A measure of the acidity or alkalinity of a solution, expressed in standard units.
- JJ. **Pollutant.** Dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, Medical Wastes, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, municipal, agricultural and industrial wastes, and certain characteristics of wastewater (e.g., pH, temperature, TSS, turbidity, color, BOD, COD, toxicity, or odor).

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- KK. **Pretreatment.** The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to, or in lieu of, introducing such pollutants into the POTW. This reduction or alteration can be obtained by physical, chemical, or biological processes; by process changes; or by other means, except by diluting the concentration of the pollutants unless allowed by an applicable Pretreatment Standard.
- LL. **Pretreatment Requirements.** Any substantive or procedural requirement related to pretreatment imposed on a User, other than a Pretreatment Standard.
- MM. **Pretreatment Standards or Standards.** Pretreatment Standards shall mean prohibited discharge standards, categorical Pretreatment Standards, and Local Limits.
- NN. **Prohibited Discharge Standards or Prohibited Discharges.** Absolute prohibitions against the discharge of certain substances; these prohibitions appear in Section 2.1 of this Ordinance.
- OO. **Publicly Owned Treatment Works or POTW.** A treatment works, as defined by section 212 of the Act (33 U.S.C. section 1292), which is owned by the District. This definition includes any devices or systems used in the collection, storage, treatment, recycling, and reclamation of sewage or industrial wastes of a liquid nature and any conveyances, which convey wastewater to a treatment plant.
- PP. **Septic Tank Waste.** Any sewage from holding tanks such as vessels, chemical toilets, campers, trailers, and septic tanks.
- QQ. **Sewage.** Human excrement and gray water (household showers, dishwashing operations, etc.).
- RR. **Significant Industrial User (SIU).** Except as provided in paragraphs 3 and 4 of this Section, a Significant Industrial User is:
1. An Industrial User subject to categorical Pretreatment Standards; or
 2. An Industrial User that:
 - a. Discharges an average of twenty-five thousand (25,000) gpd or more of process wastewater to the POTW (excluding sanitary, noncontact cooling and boiler blowdown wastewater);
 - b. Contributes a process wastestream which makes up five (5) percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or

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- c. Is designated as such by the District on the basis that it has a reasonable potential for adversely affecting the POTW's operation or for violating any Pretreatment Standard or Requirement.
 3. The District may determine that an Industrial User subject to categorical Pretreatment Standards is a Non-Significant Categorical Industrial User (NSCIU) rather than a Significant Industrial User on a finding that the Industrial User never discharges more than 100 gallons per day (gpd) of total categorical wastewater (excluding sanitary, non-contact cooling and boiler blowdown wastewater, unless specifically included in the Pretreatment Standard) and the following conditions are met:
 - a. The Industrial User, prior to District's finding, has consistently complied with all applicable categorical Pretreatment Standards and Requirements;
 - b. The Industrial User annually submits the certification statement required in Section 6.14 B [see 40 CFR 403.12(q)], together with any additional information necessary to support the certification statement; and
 - c. The Industrial User never discharges any untreated concentrated wastewater.
 4. Upon a finding that a User meeting the criteria in Subsection 2 of this part has no reasonable potential for adversely affecting the POTW's operation or for violating any Pretreatment Standard or Requirement, the District may at any time, on its own initiative or in response to a petition received from an Industrial User, and in accordance with procedures in 40 CFR 403.8(f)(6), determine that such User should not be considered a Significant Industrial User.
- SS. **Significant Noncompliance.** An industrial user is in significant noncompliance if its violation meets one or more of the following criteria
1. Chronic violations of wastewater discharge limits, defined here as those in which sixty-six percent (66%) or more of all the measurements taken for the same pollutant parameter taken during a six (6) month period exceed (by any magnitude) a numeric Pretreatment Standard or Requirement, including Instantaneous Limits as defined by this Ordinance;
 2. Technical Review Criteria (TRC) violations, defined here as those in which thirty-three percent (33%) or more of wastewater measurements taken for each pollutant parameter during a six (6) month period equals or exceeds the product of the numeric Pretreatment Standard or Requirement including Instantaneous Limits, as defined by this Ordinance multiplied by the applicable criteria (1.4 for BOD, TSS, fats, oils and grease, and 1.2 for all other pollutants except pH);
 3. Any other violation of a Pretreatment Standard or Requirement (Daily Maximum, long-term average, Instantaneous Limit, or narrative standard) that the District determines has caused, alone or in combination with other discharges, Interference

or Pass Through, including endangering the health of POTW personnel or the general public;

4. Any discharge of a pollutant that has caused imminent endangerment to the public or to the environment, or has resulted in the Manager's exercise of its emergency authority to halt or prevent such a discharge;
5. Failure to meet, within ninety (90) days of the scheduled date, a compliance schedule milestone contained in an individual wastewater discharge permit or a general permit or enforcement order for starting construction, completing construction, or attaining final compliance.
6. Failure to provide within forty-five (45) days after the due date, any required reports, including baseline monitoring reports, reports on compliance with categorical Pretreatment Standard deadlines, periodic self-monitoring reports, and reports on compliance with compliance schedules;
7. Failure to accurately report noncompliance; or
8. Any other violation(s), which may include a violation of Best Management Practices, which the District determines will adversely affect the operation or implementation of the local pretreatment program.

TT. Slug Load or Slug Discharge. Any discharge at a flow rate or concentration, which could cause a violation of the prohibited discharge standards in Section 2.1 of this Ordinance. A Slug Discharge is any Discharge of a non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch Discharge, which has a reasonable potential to cause Interference or Pass Through, or in any other way violate the POTW's regulations, Local Limits or Permit conditions.

UU. Storm Water. Any flow occurring during or following any form of natural precipitation, and resulting from such precipitation, including snowmelt.

VV. Total Suspended Solids or Suspended Solids. The total suspended matter that floats on the surface of, or is suspended in, water, wastewater, or other liquid, and that is removable by laboratory filtering.

WW. User or Industrial User. Any person who contributes wastewater or causes or permits the contribution of wastewater into the District's POTW.

XX. Wastewater. Liquid and water carried industrial wastes and sewage from residential dwellings, commercial buildings, industrial and manufacturing facilities, and institutions, whether treated or untreated, which are contributed to the POTW.

YY. Wastewater Treatment Plant or Treatment Plant. That portion of the POTW which is designed to provide treatment of municipal sewage and industrial waste.

1.4 Administration

Except as otherwise provided herein, the Manager shall administer, implement, and enforce the provisions of this Ordinance. Any powers granted to or duties imposed upon the Manager may be delegated by the Manager to a duly authorized District employee.

SECTION 2 – GENERAL SEWER USE REQUIREMENTS

2.1 Prohibited Discharge Standards:

- A. **General Prohibitions.** No User shall introduce or cause to be introduced into the POTW any pollutant or wastewater which causes Pass Through or Interference. These general prohibitions apply to all Users of the POTW whether or not they are subject to categorical Pretreatment Standards or any other National, State, or local Pretreatment Standards or Requirements.
- B. **Specific Prohibitions.** No User shall introduce or cause to be introduced into the POTW the following pollutants, substances, or wastewater:
 - 1. Pollutants which create a fire or explosive hazard in the POTW, including, but not limited to, wastestreams with a closed-cup flashpoint of less than 140 degrees F (60 degrees C) using the test methods specified in 40 CFR 261.21;
 - 2. Wastewater having a pH less than 5.5 or more than 10.5, or otherwise causing corrosive structural damage to the POTW or equipment;
 - 3. Solid or viscous substances in amounts which will cause obstruction of the flow in the POTW resulting in Interference but in no case solids greater than ½" inch(es) in any dimension;
 - 4. Pollutants, including oxygen-demanding pollutants (BOD, etc.), released in a discharge at a flow rate and/or pollutant concentration which, either singly or by interaction with other pollutants, will cause Interference with the POTW;
 - 5. Wastewater having a temperature greater than 157 degrees F (65 degrees C), or which will inhibit biological activity in the treatment plant resulting in Interference, but in no case wastewater which causes the temperature at the introduction into the treatment plant to exceed 104 degrees F (40 degrees C);
 - 6. Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin, in amounts that will cause Interference or Pass Through;
 - 7. Pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems;

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8. Trucked or hauled pollutants, except at discharge points designated by the Manager in accordance with Section 3.4 of this Ordinance;
 9. Noxious or malodorous liquids, gases, solids, or other wastewater which, either singly or by interaction with other wastes, are sufficient to create a public nuisance or a hazard to life, or to prevent entry into the sewers for maintenance or repair;
 10. Wastewater which imparts color which cannot be removed by the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions, which consequently imparts color to the treatment plant's effluent, thereby violating the District's NPDES permit;
 11. Wastewater containing any radioactive wastes or isotopes except in compliance with applicable State or Federal regulations;
 12. Storm Water, surface water, ground water, artesian well water, roof runoff, foundation drainage, subsurface drainage, swimming pool drainage, condensate, deionized water, Noncontact Cooling Water, and unpolluted wastewater, unless specifically authorized by the District;
 13. Sludges, screenings, or other residues from the pretreatment of industrial wastes;
 14. Medical Wastes, except as specifically authorized by the Manager in an individual wastewater discharge permit or a general permit;
 15. Wastewater causing, alone or in conjunction with other sources, the treatment plant's effluent to fail toxicity test;
 16. Detergents, surface-active agents, or other substances that might cause excessive foaming in the POTW;
 17. Wastewater in excess of 10% of the Lower Explosive Limit of an explosion hazard meter at the point of discharge into the POTW, or at any point in the POTW.

Pollutants, substances, or wastewater prohibited by this Section shall not be processed or stored in such a manner that they could be discharged to the POTW.

2.2 National Categorical Pretreatment Standards

Users must comply with the categorical Pretreatment Standards found at 40 CFR Chapter I, Subchapter N, Parts 405–471.

- A. Where a categorical Pretreatment Standard is expressed only in terms of either the mass or the concentration of a pollutant in wastewater, the Manager may impose equivalent concentration or mass limits.

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- B. When the limits in a categorical Pretreatment Standard are expressed only in terms of mass of pollutant per unit of production, the Manager may convert the limits to equivalent limitations expressed either as mass of pollutant discharged per day or effluent concentration for purposes of calculating effluent limitations applicable to individual Industrial Users.
- C. When wastewater subject to a categorical Pretreatment Standard is mixed with wastewater not regulated by the same Standard, the Manager shall impose an alternate limit in accordance with 40 CFR 403.6(e).
- D. A CIU may obtain a net/gross adjustment to a categorical Pretreatment Standard in accordance with the following paragraphs of this Section.
1. Categorical Pretreatment Standards may be adjusted to reflect the presence of pollutants in the Industrial User's intake water in accordance with this Section. Any Industrial User wishing to obtain credit for intake pollutants must make application to the District. Upon request of the Industrial User, the applicable Standard will be calculated on a "net" basis (i.e., adjusted to reflect credit for pollutants in the intake water) if the requirements of paragraph (2) of this Section are met.
 2. Criteria:
 - a. Either (i) The applicable categorical Pretreatment Standards contained in 40 CFR subchapter N specifically provide that they shall be applied on a net basis; or (ii) The Industrial User demonstrates that the control system it proposes or uses to meet applicable categorical Pretreatment Standards would, if properly installed and operated, meet the Standards in the absence of pollutants in the intake waters.
 - b. Credit for generic pollutants such as biochemical oxygen demand (BOD), total suspended solids (TSS), and oil and grease should not be granted unless the Industrial User demonstrates that the constituents of the generic measure in the User's effluent are substantially similar to the constituents of the generic measure in the intake water or unless appropriate additional limits are placed on process water pollutants either at the outfall or elsewhere.
 - c. Credit shall be granted only to the extent necessary to meet the applicable categorical Pretreatment Standard(s), up to a maximum value equal to the influent value. Additional monitoring may be necessary to determine eligibility for credits and compliance with Standard(s) adjusted under this Section.
 - d. Credit shall be granted only if the User demonstrates that the intake water is drawn from the same body of water as that into which the POTW discharges. The District may waive this requirement if it finds that no environmental degradation will result

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- E. The Manager may convert the mass limits of the categorical Pretreatment Standards of 40 CFR Parts 414, 419, and 455 to concentration limits for purposes of calculating limitations applicable to individual Industrial Users. The conversion is at the discretion of the Manager.
 - F. Once included in its permit, the Industrial User must comply with the equivalent limitations developed in this Section (2.2) in lieu of the promulgated categorical Standards from which the equivalent limitations were derived.
 - G. Many categorical Pretreatment Standards specify one limit for calculating Maximum Daily discharge limitations and a second limit for calculating maximum Monthly Average, or 4-day average, limitations. Where such Standards are being applied, the same production or flow figure shall be used in calculating both the average and the maximum equivalent limitation.
 - H. Any Industrial User operating under a permit incorporating equivalent mass or concentration limits calculated from a production-based Standard shall notify the Manager within two (2) business days after the User has a reasonable basis to know that the production level will significantly change within the next calendar month. Any User not notifying the Manager of such anticipated change will be required to meet the mass or concentration limits in its permit that were based on the original estimate of the long term average production rate.

2.3 State Pretreatment Standards:

State requirements and limitations on discharges shall apply in any case where they are more stringent than Federal requirements and limitations or those in this Ordinance.

2.4 Local Limits

- A. The District is authorized to establish Local Limits pursuant to 40 CFR 403.5(c).
- B. The following pollutant limits are established to protect against Pass Through and Interference. No person shall discharge wastewater containing in excess of the following:

0.885	mg/l cadmium
11.7	mg/l copper
3.52	mg/l lead
0.076	mg/l mercury
2.14	mg/l molybdenum
2.71	mg/l nickel
5.5 – 10.5	pH

The above limits apply at the point where the wastewater is discharged to the POTW. All concentrations for metallic substances are for total metal unless indicated otherwise.

The Manager may impose mass limitations in addition to the concentration based limitations above.

- C. The Manager may develop Best Management Practices (BMPs), by ordinance or in individual wastewater discharge permits or general permits, to implement Local Limits and the requirements of Section 2.

2.5 District's Right of Revision:

The Kishwaukee Water Reclamation District reserves the right to establish, by ordinance or in individual wastewater discharge permits or in general permits, more stringent Standards or Requirements on discharges to the POTW consistent with the purpose of this Ordinance.

2.6 Dilution

No User shall ever increase the use of process water, or in any way attempt to dilute a discharge, as a partial or complete substitute for adequate treatment to achieve compliance with a discharge limitation unless expressly authorized by an applicable Pretreatment Standard or Requirement. The Manager may impose mass limitations on Users who are using dilution to meet applicable Pretreatment Standards or Requirements or in other cases when the imposition of mass limitations is appropriate.

2.7 Amalgam Management at Dental Offices

Dental offices that place or remove amalgam must operate and maintain an amalgam separator and must not discharge amalgam to the sewer.

- A. Except as provided in paragraphs (2), (3), and (4) of this section, this part applies to Dental Dischargers as defined in Section 1.3.
1. Unless otherwise designated by the District, Dental Dischargers subject to this part are not Significant Industrial Users as defined in 40 CFR part 403, and are not Categorical Industrial Users or industrial users subject to categorical pretreatment standards as those terms and variations are used in 40 CFR part 403, as a result of applicability of this rule.
 2. This part does not apply to Dental Dischargers that exclusively practice one or more of the following dental specialties: Oral pathology, oral and maxillofacial radiology, oral and axillofacial surgery, orthodontics, periodontics, or prosthodontics.
 3. This part does not apply to wastewater discharges from a Mobile Unit as defined in Section 1.3 operated by a Dental Discharger.
 4. This part does not apply to Dental Dischargers that do not discharge any Amalgam Process Wastewater as defined in Section 1.3 to a POTW, such as Dental Dischargers

that collect all Dental Amalgam Process Wastewater for transfer to a Centralized Waste Treatment facility as defined in 40 CFR part 437.

5. Dental Dischargers that do not place Dental Amalgam as defined in Section 1.3, and do not remove amalgam except in limited emergency or unplanned, unanticipated circumstances, and that certify such to the Control Authority as required in 40 CFR 441.50 are exempt from any further requirements of this part.
- B. Within the shortest reasonable time, but not later than July 14, 2020, any Existing Dental Discharger as defined in Section 1.3 subject to this section must comply with the requirements of 40 CFR 441.30(a) and (b) and also must comply with the reporting and recordkeeping requirements of 40 CFR 441.50.
- C. As of July 14, 2017, any New Dental Discharger Source as defined in Section 1.3 subject to this section must comply with the requirements of 40 CFR 441.30(a) and (b) and also must comply with the reporting and recordkeeping requirements of 40 CFR 441.50.

SECTION 3 – PRETREATMENT OF WASTEWATER

3.1 Pretreatment Facilities

Users shall provide wastewater treatment as necessary to comply with this Ordinance and shall achieve compliance with all categorical Pretreatment Standards, Local Limits, and the prohibitions set out in this Ordinance within the time limitations specified by EPA, the State, or the District, whichever is more stringent. Any facilities necessary for compliance shall be provided, operated, and maintained at the User's expense. Detailed plans describing such facilities and operating procedures shall be submitted to the District for review and shall be acceptable to the District before such facilities are constructed. The review of such plans and operating procedures shall in no way relieve the User from the responsibility of modifying such facilities as necessary to produce a discharge acceptable to the District under the provisions of this Ordinance. Any subsequent changes in the pretreatment facilities or method of operation shall be reported to and be acceptable to the District prior to the User's initiation of the changes.

3.2 Additional Pretreatment Measures

- A. Whenever deemed necessary, the Manager may require Users to restrict their discharge during peak flow periods, designate that certain wastewater be discharged only into specific sewers, relocate and/or consolidate points of discharge, separate sewage wastestreams from industrial wastestreams, and such other conditions as may be necessary to protect the POTW and determine the User's compliance with the requirements of this Ordinance.
- B. The Manager may require any person discharging into the POTW to install and maintain, on their property and at their expense, a suitable storage and flow-control facility to ensure equalization of flow. An individual wastewater discharge permit or a general permit may be issued solely for flow equalization.

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- C. Users with the potential to discharge flammable substances may be required to install and maintain an approved combustible gas detection meter.

3.3 Accidental Discharge / Slug Discharge Control Plans:

The Manager shall evaluate whether each SIU needs an accidental discharge/slug discharge control plan or other action to control Slug Discharges. The Manager may require any User to develop, submit for approval, and implement such a plan or take such other action that may be necessary to control Slug Discharges. Alternatively, the District may develop such a plan for any User. An accidental discharge/slug discharge control plan shall address, at a minimum, the following:

- A. Description of User's discharge practices, including non-routine batch discharges;
- B. Description of stored chemicals;
- C. Procedures for immediately notifying the Manager of any accidental or Slug Discharge, as required by Section 6.6 of this Ordinance; and
- D. Procedures to prevent adverse impact on the District's POTW from any accidental or Slug Discharge. Such procedures include, but are not limited to, inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site runoff, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants, including solvents, and/or measures and equipment for emergency response.

SECTION 4 – INDIVIDUAL WASTEWATER DISCHARGE PERMITS and GENERAL PERMITS

4.1 Wastewater Analysis:

When requested by the Manager, a User must submit information on the nature and characteristics of its wastewater within ninety (90) days of the request. The Manager is authorized to prepare a form for this purpose and may periodically require Users to update this information.

4.2 Individual Wastewater Discharge Permit and General Permit Requirement:

- A. It shall be unlawful for any Significant Industrial User to discharge wastewater into the POTW, any natural outlet within the District, or in any area under the jurisdiction of the District without first obtaining an individual wastewater discharge permit or a general permit from the District, except that a Significant Industrial User that has filed a timely application pursuant to Section 4.3 of this Ordinance may continue to discharge for the time period specified therein.
- B. Other Wastewater Discharge Permits. The Manager may require other Users to obtain either individual or general Wastewater Discharge Permits as necessary to carry out the

purposes of this ordinance. The Wastewater Discharge Permit will define that holders of permits issued under this section shall not be classified as SIU. Users with Wastewater Discharge Permits in this class may include but are not limited to:

1. Any User that has been determined to be a Non-Significant Categorical Industrial User (NSCIU) as defined in Section 1.3.QQ.3;
 2. Any User that has been determined not to be a SIU as defined in Section 1.3.QQ that the Pretreatment Coordinator requires to be regulated by Wastewater Discharge Permit;
 3. Any User subject to National Categorical Pretreatment Standards that opts not to Discharge Pollutants shall obtain a Zero Process Wastewater Discharge Permit;
 4. Any User that is a non-Categorical Zero Process Wastewater Discharger that the Pretreatment Coordinator determines shall be permitted;
 5. Non-Significant Regulated Users (NSRU) as defined below:
 - a. Users that Discharge a process Wastewater Flow greater than or equal to one half (0.5) percent of the POTW's design dry-weather hydraulic capacity, or five thousand (5,000) gallons per day, whichever is smaller;
 - b. Users that Discharge more than or equal to one half (0.5) percent of the design dry-weather organic treatment capacity of the POTW;
 - c. Users that Discharge one half (0.5) percent of the maximum allowable headworks loading for any Pollutant regulated by a Local Limit developed in accordance with Section 2.4; or
 - d. Users that intermittently Discharge any individual batch or batches that would meet the criteria in 1, 2, or 3 above when Discharged or otherwise has the potential to Discharge a Slug Load to the POTW;
 6. Users that have devices installed to remove oils, grease and sand;
 7. Food Service Establishments (FSE);
 8. Trucked waste; and
 9. Users required to eliminate or control specified Pollutants from their wastestream through the development and implementation of a Best Management Practice (BMP) Plan.
- C. Any violation of the terms and conditions of an individual wastewater discharge permit or a general permit shall be deemed a violation of this Ordinance and subjects the wastewater discharge permittee to the sanctions set out in Sections 10 through 12 of this Ordinance. Obtaining an individual wastewater discharge permit or a general permit does not relieve a permittee of its obligation to comply with all Federal and State

Pretreatment Standards or Requirements or with any other requirements of Federal, State, and local law.

4.3 Individual Wastewater Discharge and General Permitting: Existing Conditions

Any User required to obtain an individual wastewater discharge permit or a general permit who was discharging wastewater into the POTW prior to the effective date of this Ordinance and who wishes to continue such discharges in the future, shall, within one hundred eighty days (180) days after said date, apply to the Manager for an individual wastewater discharge permit or a general permit in accordance with Section 4.5 of this Ordinance, and shall not cause or allow discharges to the POTW to continue after two hundred seventy (270) days of the effective date of this Ordinance except in accordance with an individual wastewater discharge permit or a general permit issued by the Manager.

4.4 Individual Wastewater Discharge and General Permitting: New Connections

Any User required to obtain an individual wastewater discharge permit or a general permit who proposes to begin or recommence discharging into the POTW must obtain such permit prior to the beginning or recommencing of such discharge. An application for this individual wastewater discharge permit or general permit, in accordance with Section 4.5 of this Ordinance, must be filed at least ninety (90) days prior to the date upon which any discharge will begin or recommence.

4.5 Individual Wastewater Discharge and General Permit Application Contents:

- A. All Users required to obtain an individual wastewater discharge permit or a general permit must submit a permit application. Users that are eligible may request a general permit under Section 4.6. The District may require Users to submit all or some of the following information as part of a permit application:

10. Identifying Information.

- a. The name and address of the facility, including the name of the operator and owner.
- b. Contact information, description of activities, facilities, and plant production processes on the premises.
- c. Name of Authorized Representative of Industrial User.
- d. SIC number according to the Standard Industrial Classification Manual, Bureau of the Budget, 1972, as amended.

11. Environmental Permits. A list of any environmental control permits held by or for the facility.

12. Description of Operations:

- a. A brief description of the nature, average rate of production (including each product produced by type, amount, processes, and rate of production), and standard industrial classifications of the operation(s) carried out by such User.

This description should include a schematic process diagram, which indicates points of discharge to the POTW from the regulated processes.

- b. Types of wastes generated, and a list of all raw materials and chemicals used or stored at the facility which are, or could accidentally or intentionally be, discharged to the POTW.
- c. Number and type of employees, hours of operation, and proposed or actual hours of operation.
- d. Type and amount of raw materials processed (average and maximum per day);
- e. Site plans, floor plans, mechanical and plumbing plans, and details to show all sewers, floor drains, and appurtenances by size, location, and elevation, and all points of discharge;
- f. Line diagram and basic information, including capacity, of existing or proposed spill containment areas and installation.
- g. User's source of intake water together with the types or usage and disposal sources of water and the estimated volumes in each category.

13. Time and duration of discharges.

14. The location for monitoring all wastes covered by the permit.

15. Flow Measurement. Information showing the measured average daily and maximum daily flow, in gallons per day, to the POTW from regulated process streams and other streams, as necessary, to allow use of the combined wastestream formula set out in Section 2.2C (40 CFR 403.6(e)).

16. Measurement of Pollutants.

- a. The categorical Pretreatment Standards applicable to each regulated process and any new categorically regulated processes for Existing Sources.
- b. The results of sampling and analysis identifying the nature and concentration, and/or mass, where required by the Standard or by the District, of regulated pollutants in the discharge from each regulated process.
- c. Instantaneous, Daily Maximum, and long-term average concentrations, or mass, where required, shall be reported. Average daily and 3 minute peak wastewater flow rates, including daily, monthly, and seasonal variations if any.
- d. The sample shall be representative of daily operations and shall be analyzed in accordance with procedures set out in Section 6.10 of this Ordinance. Where the Standard requires compliance with a BMP or pollution prevention alternative, the User shall submit documentation as required by the District or the applicable Standards to determine compliance with the Standard.
- e. Sampling must be performed in accordance with procedures set out in Section 6.11 of this Ordinance.

17. Any requests for a monitoring waiver (or a renewal of an approved monitoring waiver) for a pollutant neither present nor expected to be present in the discharge based on Section 6.4 B [40 CFR 403.12(e)(2)].

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18. Any request to be covered by a general permit based on Section 4.6.
 19. Any other information as may be deemed necessary by the Manager to evaluate the permit application.
- B. Incomplete or inaccurate applications will not be processed and will be returned to the User for revision.

4.6 Wastewater Discharge Permitting: General Permits

- A. At the discretion of the Manager, the Manager may use general permits to control SIU discharges to the POTW if the following conditions are met. All facilities to be covered by a general permit must:
1. Involve the same or substantially similar types of operations;
 2. Discharge the same types of wastes;
 3. Require the same effluent limitations;
 4. Require the same or similar monitoring; and
 5. In the opinion of the Manager, are more appropriately controlled under a general permit than under individual wastewater discharge permits.
- B. To be covered by the general permit, the SIU must file a written request for coverage that identifies its contact information, production processes, the types of wastes generated, the location for monitoring all wastes covered by the general permit, any requests in accordance with Section 6.4 B for a monitoring waiver for a pollutant neither present nor expected to be present in the Discharge, and any other information the POTW deems appropriate. A monitoring waiver for a pollutant neither present nor expected to be present in the discharge is not effective in the general permit until after the Manager has provided written notice to the SIU that such a waiver request has been granted in accordance with Section 6.4B.
- C. The Manager will retain a copy of the general permit, documentation to support the POTW's determination that a specific SIU meets the criteria in Section 4.6A(1) to (5) and applicable State regulations, and a copy of the User's written request for coverage for three (3) years after the expiration of the general permit.
- D. The Manager may not control an SIU through a general permit where the facility is subject to production-based categorical Pretreatment Standards or categorical Pretreatment Standards expressed as mass of pollutant discharged per day or for IUs whose limits are based on the Combined Wastestream Formula (Section 2.2C) or Net/Gross calculations (Section 2.2 D).

4.7 Application Signatories and Certifications:

- A. All wastewater discharge permit applications, User reports and certification statements must be signed by an Authorized Representative of the User and contain the certification statement in Section 6.14 A.
- B. If the designation of an Authorized Representative is no longer accurate because a different individual or position has responsibility for the overall operation of the facility or overall responsibility for environmental matters for the company, a new written authorization satisfying the requirements of this Section must be submitted to Manager prior to or together with any reports to be signed by an Authorized Representative.

4.8 Individual Wastewater Discharge and General Permit Decisions:

The District will evaluate the data furnished by the User and may require additional information within ninety (90) days of submission by the Industrial User. If the application data furnished is found to be acceptable after evaluation the District will determine whether to issue an individual wastewater discharge permit or a general permit. The Manager may deny, in writing, any application for an individual wastewater discharge permit or a general permit. The User may obtain review of said denial, if he or she so desires, by the Board of Trustees, provided that the User shall give written notice of this request within thirty (30) days after receipt of such denial. The Board of Trustees shall review the permit application, the written denial, and such other evidence and matters as the applicant and District Manager shall present. The decision of the Board of Trustees shall be final.

SECTION 5 – INDIVIDUAL WASTEWATER DISCHARGE AND GENERAL PERMIT ISSUANCE

5.1 Individual Wastewater Discharge and General Permit Duration:

An individual wastewater discharge permit or a general permit shall be issued for a specified time period, not to exceed five (5) years from the effective date of the permit. An individual wastewater discharge permit or a general permit may be issued for a period less than five (5) years, at the discretion of the District. Each individual wastewater discharge permit or a general permit will indicate a specific date upon which it will expire.

5.2 Individual Wastewater Discharge Permit and General Permit Contents:

An individual wastewater discharge permit or a general permit shall include such conditions as are deemed reasonably necessary by the District to prevent Pass Through or Interference, protect the quality of the water body receiving the treatment plant's effluent, protect worker health and safety, facilitate sludge management and disposal, and protect against damage to the POTW.

- A. Individual wastewater discharge permits and general permits must contain.

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1. A statement that indicates the wastewater discharge permit issuance date, expiration date and effective date;
 2. A statement that the wastewater discharge permit is nontransferable without prior notification to the District in accordance with this Ordinance, and provisions for furnishing the new owner or operator with a copy of the existing wastewater discharge permit;
 3. Effluent limits, including Best Management Practices, based on applicable Pretreatment Standards;
 4. Self monitoring, sampling, reporting, notification, and record-keeping requirements. These requirements shall include an identification of pollutants (or best management practice) to be monitored, sampling location, sampling frequency, and sample type based on Federal, State, and local law.
 5. The process for seeking a waiver from monitoring for a pollutant neither present nor expected to be present in the Discharge in accordance with Section 6.4 B.
 6. A statement of applicable civil and criminal penalties for violation of Pretreatment Standards and Requirements, and any applicable compliance schedule. Such schedule may not extend the time for compliance beyond that required by applicable Federal, State, or local law.
 7. Requirements to control Slug Discharge, if determined by the District to be necessary.
 8. Any grant of the monitoring waiver by the District (Section 6.4 B) must be included as a condition in the User's permit or other control mechanism.
- B. Individual wastewater discharge permits or general permits may contain, but need not be limited to, the following conditions:
1. Limits on the average and/or maximum rate of discharge, time of discharge, and/or requirements for flow regulation and equalization;
 2. Requirements for the installation of pretreatment technology, pollution control, or construction of appropriate containment devices, designed to reduce, eliminate, or prevent the introduction of pollutants into the treatment works;
 3. Requirements for the development and implementation of spill control plans or other special conditions including management practices necessary to adequately prevent accidental, unanticipated, or nonroutine discharges;
 4. Development and implementation of waste minimization plans to reduce the amount of pollutants discharged to the POTW;

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5. The unit charge or schedule of User charges and fees for the management of the wastewater discharged to the POTW;
 6. Requirements for installation and maintenance of inspection and sampling facilities and equipment, including flow measurement devices;
 7. A statement that compliance with the individual wastewater discharge permit or the general permit does not relieve the permittee of responsibility for compliance with all applicable Federal and State Pretreatment Standards, including those which become effective during the term of the individual wastewater discharge permit or the general permit; and
 8. Other conditions as deemed appropriate by the Manager to ensure compliance with this Ordinance, and State and Federal laws, rules, and regulations.

5.3 Permit Modification:

- A. The District may modify an individual wastewater discharge permit for good cause, including, but not limited to, the following reasons:
 1. To incorporate any new or revised Federal, State, or local Pretreatment Standards or Requirements.
 2. To address significant alterations or additions to the User's operation, processes, or wastewater volume or character since the time of the individual wastewater discharge permit issuance.
 3. A change in the POTW that requires either a temporary or permanent reduction or elimination of the authorized discharge.
 4. Information indicating that the permitted discharge poses a threat to the District's POTW, District personnel, or the receiving waters.
 5. Violation of any terms or conditions of the individual wastewater discharge permit.
 6. Misrepresentations or failure to fully disclose all relevant facts in the wastewater discharge permit application or in any required reporting.
 7. Revision of or a grant of variance from categorical Pretreatment Standards pursuant to 40 CFR 403.13.
 8. To correct typographical or other errors in the individual wastewater discharge permit; or

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9. To reflect a transfer of the facility ownership or operation to a new owner or operator where requested in accordance with Section 5.4.
- B. The Manager may modify a general permit for good cause, including, but not limited to, the following reasons:
1. To incorporate any new or revised Federal, State, or local Pretreatment Standards or Requirements.
 2. A change in the POTW that requires either a temporary or permanent reduction or elimination of the authorized discharge.
 3. To correct typographical or other errors in the individual wastewater discharge permit; or
 4. To reflect a transfer of the facility ownership or operation to a new owner or operator where requested in accordance with Section 5.4.

5.4 Individual Wastewater Discharge Permit and General Permit Transfer:

Individual wastewater discharge permits or coverage under general permits may be transferred to a new owner or operator only if the permittee gives at least (30) days advance notice to the District and the District approves the individual wastewater discharge permit or the general permit coverage transfer. The notice to the District must include a written certification by the new owner or operator which:

- A. States that the new owner and/or operator has no immediate intent to change the facility's operations and processes.
- B. Identifies the specific date on which the transfer is to occur; and
- C. Acknowledges full responsibility for complying with the existing individual wastewater discharge permit or general permit.

Failure to provide advance notice of a transfer renders the individual wastewater discharge permit or coverage under the general permit void as of the date of facility transfer.

5.5 Individual Wastewater Discharge Permit and General Permit Revocation:

The District may revoke an individual wastewater discharge permit or coverage under a general permit for good cause, including, but not limited to, the following reasons:

- A. Failure to notify the Manager of significant changes to the wastewater prior to the changed discharge.

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- B. Failure to provide prior notification to the Manager of changed conditions pursuant to this Ordinance.
 - C. Misrepresentations or failure to fully disclose all relevant facts in the wastewater discharge permit application.
 - D. Falsifying self-monitoring reports and certification statements.
 - E. Tampering with monitoring equipment.
 - F. Refusing to allow the District timely access to the facility premises and records.
 - G. Failure to meet effluent limitations.
 - H. Failure to pay fines.
 - I. Failure to pay sewer charges.
 - J. Failure to meet compliance schedules.
 - K. Failure to complete a wastewater survey or the wastewater discharge permit application.
 - L. Failure to report upset at treatment facility.
 - M. Failure to report an accidental discharge of a pollutant.
 - N. Failure to provide advance notice of the transfer of business ownership of a permitted facility; or
 - O. Violation of any Pretreatment Standard or Requirement, or any terms of the wastewater discharge permit or the general permit or this Ordinance

Individual wastewater discharge permits or coverage under general permits shall be voidable upon cessation of operations or transfer of business ownership. All individual wastewater discharge permits or general permits issued to a User are void upon the issuance of a new individual wastewater discharge permit or a general permit to that User.

The procedure for said revocation shall be as referenced in Section 4.8 of this Ordinance.

5.6 Individual Wastewater Discharge Permit and General Permit Reissuance:

A User with an expiring individual wastewater discharge permit or general permit shall apply for individual wastewater discharge permit or general permit reissuance by submitting a complete permit application, in accordance with Section 4.5 of this Ordinance, a minimum of (90) days prior to the expiration of the User's existing individual wastewater discharge permit or general permit.

5.7 Regulations of Waste Received from Other Jurisdictions:

- A. If another municipality, or User located within another municipality, contributes wastewater to the POTW, the Manager shall enter into an intermunicipal agreement with the contributing municipality.
- B. Prior to entering into an agreement required by paragraph A, above, the Manager shall request the following information from the contributing municipality:
 - 1. A description of the quality and volume of wastewater discharged to the POTW by the contributing municipality.
 - 2. An inventory of all Users located within the contributing municipality that are discharging to the POTW; and
 - 3. Such other information as the Manager may deem necessary.
- C. An intermunicipal agreement, as required by paragraph A, above, shall contain the following conditions:
 - 1. A requirement for the contributing municipality to adopt a sewer use Ordinance which is at least as stringent as this Ordinance and Local Limits, including required Baseline Monitoring Reports (BMRs) which are at least as stringent as those set out in this Ordinance. The requirement shall specify that such ordinance and limits must be revised as necessary to reflect changes made to the District's ordinance or Local Limits.
 - 2. A requirement for the contributing municipality to submit a revised User inventory on at least an annual basis.
 - 3. A provision specifying which pretreatment implementation activities, including individual wastewater discharge permit or general permit issuance, inspection and sampling, and enforcement, will be conducted by the contributing municipality; which of these activities will be conducted by the Manager; and which of these activities will be conducted jointly by the contributing municipality and the Manager.
 - 4. A requirement for the contributing municipality to provide the Manager with access to all information that the contributing municipality obtains as part of its pretreatment activities.
 - 5. Limits on the nature, quality, and volume of the contributing municipality's wastewater at the point where it discharges to the POTW.
 - 6. Requirements for monitoring the contributing municipality's discharge.

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7. A provision ensuring the Manager access to the facilities of Users located within the contributing municipality's jurisdictional boundaries for the purpose of inspection, sampling, and any other duties deemed necessary by the Manager; and
 8. A provision specifying remedies available for breach of the terms of the intermunicipal agreement.

SECTION 6 – REPORTING REQUIREMENTS

6.1 Baseline Monitoring Reports:

- A. Within either one hundred eighty (180) days after the effective date of a categorical Pretreatment Standard, or the final administrative decision on a category determination under 40 CFR 403.6(a)(4), whichever is later, existing Categorical Industrial Users currently discharging to or scheduled to discharge to the POTW shall submit to the District a report which contains the information listed in paragraph B, below. At least ninety (90) days prior to commencement of their discharge, New Sources, and sources that become Categorical Industrial Users subsequent to the promulgation of an applicable categorical Standard, shall submit to the District a report which contains the information listed in paragraph B, below. A New Source shall report the method of pretreatment it intends to use to meet applicable categorical Standards. A New Source also shall give estimates of its anticipated flow and quantity of pollutants to be discharged.
- B. Users described above shall submit the information set forth below.
 1. In support of the Baseline Report, the Industrial User shall submit, in units and terms specified in the application, the following information:
 - a. Name and address of the facility including the name of the operator and owners.
 - b. List of any environmental control permits held by or for the facility.
 - c. Brief description of the nature, average rate of production, and Standard Industrial Classification of the operation(s) carried out by such User. This description shall include a schematic process diagram indicating points of discharge to the POTW from the regulated processes.
 - d. Information showing the measured average daily and maximum daily flow, in gallons per day, to the POTW from each of the following:
 - i. Regulated process streams; and
 - ii. Other streams as necessary to allow use of the combined waste stream formula of Section 403.6(e) of the General Pretreatment Regulations.
 2. Measurement of Pollutants.
 - a. The User shall provide the information required in Section 4.5 A (7) (a) through (d).
 - b. The User shall take a minimum of one representative sample to compile that data necessary to comply with the requirements of this paragraph.
 - c. Samples should be taken immediately downstream from pretreatment facilities if such exist or immediately downstream from the regulated process if no

pretreatment exists. If other wastewaters are mixed with the regulated wastewater prior to pretreatment the User should measure the flows and concentrations necessary to allow use of the combined wastestream formula in 40 CFR 403.6(e) to evaluate compliance with the Pretreatment Standards. Where an alternate concentration or mass limit has been calculated in accordance with 40 CFR 403.6(e) this adjusted limit along with supporting data shall be submitted to the Control Authority.

- d. Sampling and analysis shall be performed in accordance with Section 6.10.
- e. The District may allow the submission of a baseline report which utilizes only historical data so long as the data provides information sufficient to determine the need for industrial pretreatment measures.
- f. The baseline report shall indicate the time, date and place of sampling and methods of analysis, and shall certify that such sampling and analysis is representative of normal work cycles and expected pollutant Discharges to the POTW.

C. **Compliance Certification.** A statement, reviewed by the User's Authorized Representative as defined in Section 1.3, C and certified by a qualified professional, indicating whether Pretreatment Standards are being met on a consistent basis, and, if not, whether additional operation and maintenance (O&M) and/or additional pretreatment is required to meet the Pretreatment Standards and Requirements.

D. **Compliance Schedule.** If additional pretreatment and/or O&M will be required to meet the Pretreatment Standards, the shortest schedule by which the User will provide such additional pretreatment and/or O&M must be provided. The completion date in this schedule shall not be later than the compliance date established for the applicable Pretreatment Standard. A compliance schedule pursuant to this Section must meet the requirements set out in Section 6.2 of this Ordinance.

E. **Signature and Report Certification.** All baseline monitoring reports must be certified in accordance with Section 6.14 A of this Ordinance and signed by an Authorized Representative as defined in Section 1.3, C.

6.2 Compliance Schedule Progress Reports:

The following conditions shall apply to the compliance schedule required by Section 6.1 of this Ordinance:

- A. The schedule shall contain progress increments in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the User to meet the applicable Pretreatment Standards (such events include, but are not limited to, hiring an engineer, completing preliminary and final plans, executing contracts for major components, commencing and completing construction, and beginning and conducting routine operation);

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- B. No increment referred to above shall exceed nine (9) months and the schedule shall be approved by the Manager;
 - C. The User shall submit a progress report to the District no later than fourteen (14) days following each date in the schedule and the final date of compliance including, as a minimum, whether or not it complied with the increment of progress to be met on such date and, if not, the date on which it expects to comply with the increment of progress, the reason for any delay, and, if appropriate, the steps being taken by the User to return the construction to the established schedule; and
 - D. In no event shall more than nine (9) months elapse between such progress reports to the District.

6.3 Reports on Compliance with Categorical Pretreatment Standard Deadline:

Within ninety (90) days following the date for final compliance with applicable categorical Pretreatment Standards, or in the case of a New Source following commencement of the introduction of wastewater into the POTW, any User subject to such Pretreatment Standards and Requirements shall submit to the District a report containing the information described in Section 4.5A (6) and (7) and 6.1(B)(2) of this Ordinance. For Users subject to equivalent mass or concentration limits established in accordance with the procedures in Section 2.2, this report shall contain a reasonable measure of the User's long-term production rate. For all other Users subject to categorical Pretreatment Standards expressed in terms of allowable pollutant discharge per unit of production (or other measure of operation), this report shall include the User's actual production during the appropriate sampling period. All compliance reports must be signed and certified in accordance with Section 6.14 A of this Ordinance. All sampling will be done in conformance with Section 6.11.

6.4 Periodic Compliance Reports:

- A. Except as specified in Section 6.4.C, all Significant Industrial Users must, at a frequency determined by the District submit no less than twice per year (once during period of January - June and once during the period of July - December) reports indicating the nature, concentration of pollutants in the discharge which are limited by Pretreatment Standards and the measured or estimated average and maximum daily flows for the reporting period. In cases where the Pretreatment Standard requires compliance with a Best Management Practice (BMP) or pollution prevention alternative, the User must submit documentation required by the District or the Pretreatment Standard necessary to determine the compliance status of the User.
- B. The District may authorize an Industrial User subject to a categorical Pretreatment Standard to forego sampling of a pollutant regulated by a categorical Pretreatment Standard if the Industrial User has demonstrated through sampling and other technical factors that the pollutant is neither present nor expected to be present in the Discharge, or is present only at background levels from intake water and without any increase in the

pollutant due to activities of the Industrial User. This authorization is subject to the following conditions:

1. The waiver may be authorized where a pollutant is determined to be present solely due to sanitary wastewater discharged from the facility provided that the sanitary wastewater is not regulated by an applicable categorical Standard and otherwise includes no process water.
 2. The monitoring waiver is valid only for the duration of the effective period of the individual wastewater discharge permit, but in no case longer than 5 years. The User must submit a new request for the waiver before the waiver can be granted for each subsequent individual wastewater discharge permit. See Section 4.5A(8).
 3. In making a demonstration that a pollutant is not present, the Industrial User must provide data from at least one sampling of the facility's process wastewater prior to any treatment present at the facility that is representative of all wastewater from all process.
 4. The request for a monitoring waiver must be signed in accordance with Section 1.4C, and include the certification statement in 6.14 A. (40 CFR403.6(a)(2)(ii)).
 5. Non-detectable sample results may be used only as a demonstration that a pollutant is not present if the EPA approved method from 40 CFR Part 136 with the lowest minimum detection level for that pollutant was used in the analysis.
 6. Any grant of the monitoring waiver by the Manager must be included as a condition in the User's permit. The reasons supporting the waiver and any information submitted by the User in its request for the waiver must be maintained by the Manager for 3 years after expiration of the waiver.
 7. Upon approval of the monitoring waiver and revision of the User's permit by the Manager, the Industrial User must certify on each report with the statement in Section 6.14, B , that there has been no increase in the pollutant in its wastestream due to activities of the Industrial User.
 8. In the event that a waived pollutant is found to be present or is expected to be present because of changes that occur in the User's operations, the User must immediately: Comply with the monitoring requirements of Section 6.4 A, or other more frequent monitoring requirements imposed by the Manager, and notify the Manager.
 9. This provision does not supersede certification processes and requirements established in categorical Pretreatment Standards, except as otherwise specified in the categorical Pretreatment Standard.
- C. The District may reduce the requirement for periodic compliance reports to a requirement to report no less frequently than once a year, unless required more frequently in the

Pretreatment Standard or by the EPA/State, where the Industrial User's total categorical wastewater flow does not exceed any of the following:

1. 863 gallons per day as measured by a continuous effluent flow monitoring device unless the Industrial User discharges in batches.
2. One pound per day BOD.

Reduced reporting is not available to Industrial Users that have in the last two (2) years been in Significant Noncompliance, as defined in Section 9 of this Ordinance. In addition, reduced reporting is not available to an Industrial User with daily flow rates, production levels, or pollutant levels that vary so significantly that, in the opinion of the Manager, decreasing the reporting requirement for this Industrial User would result in data that is not representative of conditions occurring during the reporting period.

- D. All periodic compliance reports must be signed and certified in accordance with Section 6.14 A of this Ordinance.
- E. All wastewater samples must be representative of the User's discharge. Wastewater monitoring and flow measurement facilities shall be properly operated, kept clean, and maintained in good working order at all times. The failure of a User to keep its monitoring facility in good working order shall not be grounds for the User to claim that sample results are unrepresentative of its discharge.
- F. If a User subject to the reporting requirement in this section monitors any regulated pollutant at the appropriate sampling location more frequently than required by the District, using the procedures prescribed in Section 6.11 of this Ordinance, the results of this monitoring shall be included in the report.

6.5 Reports of Changed Conditions:

Each User must notify the District of any significant changes to the User's operations or system which might alter the nature, quality, or volume of its wastewater at least thirty (30) days before the change.

- A. The District may require the User to submit such information as may be deemed necessary to evaluate the changed condition, including the submission of a wastewater discharge permit application under this Ordinance.
- B. The District may issue an individual wastewater discharge permit or a general permit under this Ordinance or modify an existing wastewater discharge permit or a general permit under of this Ordinance in response to changed conditions or anticipated changed conditions.

6.6 Reports of Potential Problems:

- A. In the case of any discharge, including, but not limited to, accidental discharges, discharges of a nonroutine, episodic nature, a noncustomary batch discharge, a Slug Discharge or Slug Load, that might cause potential problems for the POTW, the User shall immediately telephone and notify the District of the incident. This notification shall include the location of the discharge, type of waste, concentration and volume, if known, and corrective actions taken by the User.
- B. Within five (5) days following such discharge, the User shall, unless waived by the Manager, submit a detailed written report describing the cause(s) of the discharge and the measures to be taken by the User to prevent similar future occurrences. Such notification shall not relieve the User of any expense, loss, damage, or other liability which might be incurred as a result of damage to the POTW, natural resources, or any other damage to person or property nor shall such notification relieve the User of any fines, penalties, or other liability which may be imposed pursuant to this Ordinance.
- C. A notice shall be permanently posted on the User's bulletin board or other prominent place advising employees who to call in the event of a discharge described in paragraph A, above. Employers shall ensure that all employees, who could cause such a discharge to occur, are advised of the emergency notification procedure.
- D. Significant Industrial Users are required to notify the Manager immediately of any changes at its facility affecting the potential for a Slug Discharge.

6.7 Reports from Unpermitted Users:

All Users not required to obtain an individual wastewater discharge permit or general permit shall provide appropriate reports to the Manager as the Manager may require.

6.8 Notice of Violation / Repeat Sampling and Reporting:

If sampling performed by a User indicates a violation, the User must notify the Manager within twenty-four (24) hours of becoming aware of the violation. The User shall also repeat the sampling and analysis and submit the results of the repeat analysis to the Manager within thirty (30) days after becoming aware of the violation. Re-sampling by the Industrial User is not required if the District performs sampling at the User's facility at least once a month, or if the District performs sampling at the User between the time when the initial sampling was conducted and the time when the User or the District receives the results of this sampling, or if the District has performed the sampling and analysis in lieu of the Industrial User.

6.9 Notification of the Discharge of Hazardous Waste:

- A. Any User who commences the discharge of hazardous waste shall notify the POTW, the EPA Regional Waste Management Division Director, and State hazardous waste authorities, in writing, of any discharge into the POTW of a substance which, if otherwise

disposed of, would be a hazardous waste under 40 CFR Part 261. Such notification must include the name of the hazardous waste as set forth in 40 CFR Part 261, the EPA hazardous waste number, and the type of discharge (continuous, batch, or other). If the User discharges more than one hundred (100) kilograms of such waste per calendar month to the POTW, the notification also shall contain the following information to the extent such information is known and readily available to the User: an identification of the hazardous constituents contained in the wastes, an estimation of the mass and concentration of such constituents in the wastestream discharged during that calendar month, and an estimation of the mass of constituents in the wastestream expected to be discharged during the following twelve (12) months. All notifications must take place no later than one hundred and eighty (180) days after the discharge commences. Any notification under this paragraph need be submitted only once for each hazardous waste discharged. However, notifications of changed conditions must be submitted under Section 6.5 of this Ordinance. The notification requirement in this Section does not apply to pollutants already reported by Users subject to categorical Pretreatment Standards under the self-monitoring requirements of Sections 6.1, 6.3, and 6.4 of this Ordinance.

- B. Dischargers are exempt from the requirements of paragraph A, above, during a calendar month in which they discharge no more than fifteen (15) kilograms of hazardous wastes, unless the wastes are acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e). Discharge of more than fifteen (15) kilograms of nonacute hazardous wastes in a calendar month, or of any quantity of acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e), requires a one-time notification. Subsequent months during which the User discharges more than such quantities of any hazardous waste do not require additional notification.
- C. In the case of any new regulations under section 3001 of RCRA identifying additional characteristics of hazardous waste or listing any additional substance as a hazardous waste, the User must notify the Manager, the EPA Regional Waste Management Waste Division Director, and State hazardous waste authorities of the discharge of such substance within ninety (90) days of the effective date of such regulations.
- D. In the case of any notification made under this Section, the User shall certify that it has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree it has determined to be economically practical.
- E. This provision does not create a right to discharge any substance not otherwise permitted to be discharged by this Ordinance, a permit issued thereunder, or any applicable Federal or State law.

6.10 Analytical Requirements:

All pollutant analyses, including sampling techniques, to be submitted as part of a wastewater discharge permit application or report shall be performed in accordance with the techniques prescribed in 40 CFR Part 136 and amendments thereto, unless otherwise specified in an applicable categorical Pretreatment Standard. If 40 CFR Part 136 does not contain sampling or analytical

techniques for the pollutant in question, or where the EPA determines that the Part 136 sampling and analytical techniques are inappropriate for the pollutant in question, sampling and analyses shall be performed by using validated analytical methods or any other applicable sampling and analytical procedures, including procedures suggested by the Manager or other parties approved by EPA.

6.11 Sample Collection:

Samples collected to satisfy reporting requirements must be based on data obtained through appropriate sampling and analysis performed during the period covered by the report, based on data that is representative of conditions occurring during the reporting period.

- A. Except as indicated in Section B and C below, the User must collect wastewater samples using 24-hour flow-proportional composite sampling techniques, unless time-proportional composite sampling or grab sampling is authorized by the Manager. Where time-proportional composite sampling or grab sampling is authorized by the Manager, the samples must be representative of the discharge. Using protocols (including appropriate preservation) specified in 40 CFR Part 136 and appropriate EPA guidance, multiple grab samples collected during a 24-hour period may be composited prior to the analysis as follows: for cyanide, total phenols, and sulfides the samples may be composited in the laboratory or in the field; for volatile organics and oil and grease, the samples may be composited in the laboratory. Composite samples for other parameters unaffected by the compositing procedures as documented in approved EPA methodologies may be authorized by the Manager, as appropriate. In addition, grab samples may be required to show compliance with Instantaneous Limits.
- B. Samples for oil and grease, temperature, pH, cyanide, total phenols, sulfides, and volatile organic compounds must be obtained using grab collection techniques.
- C. For sampling required in support of baseline monitoring and ninety (90)-day compliance reports required in Section 6.1 and 6.3 (40 CFR 403.12(b) and (d)), a minimum of four (4) grab samples must be used for pH, cyanide, total phenols, oil and grease, sulfide and volatile organic compounds for facilities for which historical sampling data do not exist; for facilities for which historical sampling data are available, the Manager may authorize a lower minimum. For the reports required by paragraphs Section 6.4 (40 CFR 403.12(e) and 403.12(h)), the Industrial User is required to collect the number of grab samples necessary to assess and assure compliance by with applicable Pretreatment Standards and Requirements.

6.12 Date of Receipt of Reports:

Written reports will be deemed to have been submitted on the date postmarked. For reports, which are not mailed, postage prepaid, into a mail facility serviced by the United States Postal Service, the date of receipt of the report shall govern.

6.13 Recordkeeping:

Users subject to the reporting requirements of this Ordinance shall retain, and make available for inspection and copying, all records of information obtained pursuant to any monitoring activities required by this Ordinance, any additional records of information obtained pursuant to monitoring activities undertaken by the User independent of such requirements, and documentation associated with Best Management Practices established under Section 2.4 C. Records shall include the date, exact place, method, and time of sampling, and the name of the person(s) taking the samples; the dates analyses were performed; who performed the analyses; the analytical techniques or methods used; and the results of such analyses. These records shall remain available for a period of at least three (3) years. This period shall be automatically extended for the duration of any litigation concerning the User or the District, or where the User has been specifically notified of a longer retention period by the Manager.

6.14 Certification Statements:

A. Certification of Permit Applications, User Reports, and Initial Monitoring Waiver.

The following certification statement is required to be signed and submitted by Users submitting permit applications in accordance with Section 4.7; Users submitting baseline monitoring reports under Section 6.1; Users submitting reports on compliance with the categorical Pretreatment Standard deadlines under Section 6.3; Users submitting periodic compliance reports required by Section 6.4 A–D, and Users submitting an initial request to forego sampling of a pollutant on the basis of Section 6.4 B(4). The following certification statement must be signed by an Authorized Representative as defined in Section 1.3 C:

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

B. Certification of Pollutants Not Present

Users that have an approved monitoring waiver based on Section 6.4 B must certify on each report with the following statement that there has been no increase in the pollutant in its wastestream due to activities of the User:

Based on my inquiry of the person or persons directly responsible for managing compliance with the Pretreatment Standard for 40 CFR _____ [specify applicable National Pretreatment Standard part(s)], I certify that, to the best of my knowledge and belief, there has been no increase in the level of _____ [list

pollutant(s)] in the wastewaters due to the activities at the facility since filing of the last periodic report under Section 6.4.A.

SECTION 7 – COMPLIANCE MONITORING

7.1 Right of Entry: Inspection and Sampling

The District shall have the right to enter the premises of any User, at all reasonable times after giving reasonable notice to User, to determine whether the User is complying with all requirements of this Ordinance and any individual wastewater discharge permit or general permit or order issued hereunder. Users shall allow authorized representatives of the District ready access to all parts of the premises for the purposes of inspection, sampling, records examination and copying, and the performance of any additional duties.

- A. Where a User has security measures in force which require proper identification and clearance before entry into its premises, the User shall make necessary arrangements with its security guards so that, upon presentation of suitable identification, the District Staff shall be permitted to enter without delay for the purposes of performing specific responsibilities.
- B. The District shall have the right to set up on the User's property, or require installation of, such devices as are necessary to conduct sampling and/or metering of the User's operations. The monitoring facility should normally be situated on the User's premises, but the District may, when such a location would be impractical or cause undue hardship on the User, allow the facility to be constructed in the public street or sidewalk area and located so that it will not be obstructed by landscaping or parked vehicles or other activities of the User.
- C. The District may require the User to install monitoring equipment or additional control manholes or sampling chambers as necessary. The facility's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the User at its own expense. All devices used to measure wastewater flow and quality shall be calibrated a minimum of one time per year to ensure their accuracy. The User shall submit a copy of the certification to the District.
- D. Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the User at the written or verbal request of the District and shall not be replaced. The costs of clearing such access shall be borne by the User.
- E. Unreasonable delays in allowing the District access to the User's premises shall be a violation of this Ordinance.

7.2 Search Warrants:

If the Manager has been refused access to a building, structure, or property, or any part thereof, and is able to demonstrate probable cause to believe that there may be a violation of this Ordinance, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program of the District designed to verify compliance with this Ordinance or any permit or order issued hereunder, or to protect the overall public health, safety and welfare of the community, the Manager may seek issuance of a search warrant from the Circuit Court for the 23rd Judicial Circuit, DeKalb County, Illinois

SECTION 8 – CONFIDENTIAL INFORMATION

Information and data on a User obtained from reports, surveys, wastewater discharge permit applications, individual wastewater discharge permits, general permits, and monitoring programs, and from the District's inspection and sampling activities, shall be available to the public without restriction, unless the User specifically requests, and is able to demonstrate to the satisfaction of the Manager, that the release of such information would divulge information, processes, or methods of production entitled to protection as trade secrets under applicable State law. Any such request must be asserted at the time of submission of the information or data. When requested and demonstrated by the User furnishing a report that such information should be held confidential, the portions of a report which might disclose trade secrets or secret processes shall not be made available for inspection by the public, but shall be made available immediately upon request to governmental agencies for uses related to the NPDES program or pretreatment program, and in enforcement proceedings involving the person furnishing the report. Wastewater constituents and characteristics and other effluent data, as defined at 40 CFR 2.302 shall not be recognized as confidential information and shall be available to the public without restriction.

SECTION 9 – PUBLICATION OF USERS IN SIGNIFICANT NONCOMPLIANCE

The Manager shall publish annually, in a newspaper of general circulation that provides meaningful public notice within the jurisdictions served by the POTW, a list of the Users which, at any time during the previous twelve (12) months, were in Significant Noncompliance with applicable Pretreatment Standards and Requirements. The term Significant Noncompliance shall be applicable to all Significant Industrial Users (or any other Industrial User that violates paragraphs (C), (D) or (H) of this Section) and shall mean:

- A. Chronic violations of wastewater discharge limits, defined here as those in which sixty-six percent (66%) or more of all the measurements taken for the same pollutant parameter taken during a six (6) month period exceed (by any magnitude) a numeric Pretreatment Standard or Requirement, including Instantaneous Limits as defined in Section 2;
- B. Technical Review Criteria (TRC) violations, defined here as those in which thirty-three percent (33%) or more of wastewater measurements taken for each pollutant parameter during a six (6) month period equals or exceeds the product of the numeric Pretreatment Standard or Requirement including Instantaneous Limits, as defined by Section 2

multiplied by the applicable criteria (1.4 for BOD, TSS, fats, oils and grease, and 1.2 for all other pollutants except pH);

- C. Any other violation of a Pretreatment Standard or Requirement as defined by Section 2 (Daily Maximum, long-term average, Instantaneous Limit, or narrative standard) that the Manager determines has caused, alone or in combination with other discharges, Interference or Pass Through, including endangering the health of POTW personnel or the general public;
- D. Any discharge of a pollutant that has caused imminent endangerment to the public or to the environment, or has resulted in the Manager's exercise of its emergency authority to halt or prevent such a discharge;
- E. Failure to meet, within ninety (90) days of the scheduled date, a compliance schedule milestone contained in an individual wastewater discharge permit or a general permit or enforcement order for starting construction, completing construction, or attaining final compliance;
- F. Failure to provide within forty-five (45) days after the due date, any required reports, including baseline monitoring reports, reports on compliance with categorical Pretreatment Standard deadlines, periodic self-monitoring reports, and reports on compliance with compliance schedules;
- G. Failure to accurately report noncompliance; or
- H. Any other violation(s), which may include a violation of Best Management Practices, which the Manager determines will adversely affect the operation or implementation of the local pretreatment program.

SECTION 10 – ADMINISTRATIVE ENFORCEMENT REMEDIES

10.1 Notification of Violation

Should analysis by the District indicate that any standards, requirements, or limitations on discharge contained in any provision of this Ordinance, an individual wastewater discharge permit, a general permit, or any other Pretreatment Standard or Requirement, a violation is presumed to have occurred. The District shall serve written notice of presumed violation upon the User by personal service, mailing a copy of the notice, by certified mail, to the User's address as listed on the District's records, or by posting the notice in a visible and conspicuous place upon the real property where the presumed violation occurred.

The Notice of Violation shall state:

1. The nature of the violation;
2. The provision or provisions of this Ordinance violated;

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3. The date the Notice of Violation was either posted or deposited in the United States mail;
 4. The requirement that the violation be corrected and explained within the time period prescribed in this Section and that additional enforcement action may be pursued if corrections are not accomplished within said time period;
 5. A statement that an explanation of the violation does not excuse the User of liability for any violations that occurred before or after receipt of the Notice; and
 6. The right of the User to a conference with the Manager in accordance with Section 10.2 of this Ordinance.

Within ten (10) days of the receipt of said Notice of Violation, the User shall submit to the Manager a written reply that contains a concise statement of the User's response to presumed violation(s). If the User admits the violation, the User's reply must also contain: (1) specific reasons for the violation(s); and (2) a plan for the satisfactory correction and prevention of future violations, including specific actions to be taken. Failure by the User to respond to the Notice of Violation is *prima facie* evidence of an admission by the User of all allegations in the Notice of Violation and the Manager may issue an Executive Order.

Nothing in Section 10 of this Ordinance, however, shall limit the authority of the District to take any action, including emergency actions or any other enforcement actions, or petitioning of the Circuit Court to obtain legal or equitable relief against Users that violate this Ordinance within a time period shorter than that prescribed in this Section and without first issuing a Notice of Violation when there is compelling public interests to seek such relief.

10.2 Compliance Conference:

Any User served with a Notice of Violation may request a compliance conference with the Manager to discuss the violation, provided that the User gives written notice of this request to the Manager within ten (10) days after receipt of a Notice of Violation. The purpose of such a conference shall be to discuss and establish such procedures, investigations, and studies as the District deems necessary and desirable for the determination of such action as it may require of the User to control and prevent discharges in violation of the limitations on discharge and to attempt to obtain compliance with the provisions of this Ordinance by conciliation and persuasion. A conference conducted pursuant to this Section shall satisfy the requirements of 70 ILCS 2405/26(8).

10.3 Executive Orders:

- A. **Consent Orders.** Either following the conference as stated in Section 10.2 of this Ordinance, or in lieu of if no such conference is requested by the User, upon an explanation of the violation and assurances of compliance deemed reasonable by the Manager, the Manager may enter into a Consent Order with the User responsible for noncompliance. Such Consent Order shall include specific action(s) to be taken by the User to correct the noncompliance within a reasonable timeframe as specified by the Consent Order. The Consent Order shall have the same force and effect as an administrative order and shall be judicially enforceable.

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- B. **Compliance Orders.** Either following the conference as stated in Section 10.2 of this Ordinance, or in lieu of if no such conference is requested by the User, and if a Consent Order is not entered into, the Manager may issue a Compliance Order to the User responsible for the discharge directing that the User take such actions as may be necessary to control and prevent discharges in order to come into compliance with this Ordinance within a specified time period as stated within said Order. To accomplish this, the Compliance Order may also contain other requirements to address the noncompliance such as additional self-monitoring and management practices designed to minimize the amount of pollutants discharged to the sewer. A Compliance Order may not extend the deadline for compliance established for a Pretreatment Standard or Requirement nor does a Compliance Order relieve the User of liability for any violation including any continuing violation. Issuance of a Compliance Order shall not be a bar against, or a prerequisite for, taking any other action against the User.

10.4 Appeal Procedures:

- A. In the event a User is dissatisfied with any of the Manager's Executive Orders, Users may request a formal hearing with the Board of Trustees, provided that the User gives written notice of this request to the Manager within thirty (30) days after receipt of an Executive Order.
- B. The Board of Trustees may conduct the hearing and take the evidence, or they may designate a committee of its members and/or its attorney to:
1. Issue in the name of the Board, notice of hearing and subpoenas requiring the attendance and testimony of witnesses and the production of evidence relevant to any matter involved in such hearing;
 2. Take the evidence;
 3. Transmit a report of the evidence and hearing, including transcripts and other evidence, together with recommendations, to the Board for action thereon.
- C. At any hearing held pursuant to this Section, testimony taken shall be under oath and recorded stenographically. The transcript, so recorded, will be made available to any member of the public or any party to the hearing upon payment of the usual charges thereof.
- D. After the Board has reviewed the evidence, it may issue an order to the User.
- E. Said order issued by the Board is a final order and is only appealable pursuant to the Illinois Code of Civil Procedures Article III Administrative Review. All final orders conclude the Administrative Review process with the District. Failure by the User to comply with the final order constitutes grounds for the District to institute civil action in

the Circuit Court to enforce compliance with the final order and/or restrain continued, or future ordinance violations.

10.5 Show Cause Hearing:

- A. The Manager in lieu of, or in conjunction with, the enforcement provisions set forth in Sections 10.2 and 10.3 may order any User who causes, or allows, an unauthorized discharge, or has the potential to cause, or allow an unauthorized discharge, to show cause before the Board of Trustees of the District ("Board") why the District's proposed enforcement action should not be taken. Written notice shall be served on the User specifying the time and place where the hearing is to be held by the Board regarding the violation, the reasons why the action is to be taken, the proposed enforcement action, and a request that the User appear and show cause why the proposed enforcement action should not be taken. The Notice shall be served personally or by registered or certified mail (return receipt requested) at least ten (10) days prior to the hearing. Service may be made on any agent or officer of a corporation.

After reviewing the evidence, the Board of Trustees may issue an order to the party responsible for such discharge, directing that the user responsible shall cease such discharge immediately or that following a specified time such discharge shall cease or the discharge permit or permits previously issued to such discharger shall be revoked immediately or after a time certain, or shall issue such other order as may serve to abate said discharge. If the party fails to cease such discharge in accordance with the Board's Order, the District may disconnect such discharge on Order of the Board of Trustees.

- B. The Board shall develop rules of procedure and evidence for the conduct of such hearings. The Board may itself conduct the hearing and take the evidence, or may designate any of its members or any member of its legal staff to:
1. Issue in the name of the Board, notice of hearing and subpoenas requiring the attendance and testimony of witnesses and the production of evidence relevant to any matter involved in such hearing;
 2. Take the evidence;
 3. Transmit a report of the evidence and hearing, including transcripts and other evidence, together with recommendations, to the Board for action thereon.
- C. At any hearing held pursuant to this Section, testimony taken shall be under oath and recorded stenographically. The transcript, so recorded, will be made available to any member of the public or any party to the hearing upon payment of the usual charges thereof.
- D. After the Board has reviewed the evidence, it may issue an order to the User responsible for the discharge directing either: (i) that the discharge permit be revoked and the User cease discharging to the District's POTW at a specified time thereafter; or (ii) that

following a specified time, the permit be revoked unless adequate treatment facilities, devices or other related appurtenances have been installed and operated properly to comply with the discharge permit or this Ordinance, or (iii) that such other relief, including, without limitation, levy of fines or disconnection as deemed necessary by the Board to abate the discharge be granted.

If the User fails to cease such discharge in accordance with the Board's order, the District may disconnect such discharge on order of the Board. The Board may also issue such additional orders and directives, as it deems necessary.

- E. Said order issued by the Board is a final order and is only appealable pursuant to the Illinois Code of Civil Procedures Article III Administrative Review. All final orders conclude the Administrative Review process with the District. Failure by the User to comply with the final order constitutes grounds for the District to institute civil action in the Circuit Court to enforce compliance with the final order and/or restrain continued or future ordinance violations.

10.6 Disconnection Order to Show Cause

- A. The Manager, in conjunction with the enforcement provisions of 10.1, 10.3, 10.5 or in lieu of these enforcement sections, may, upon discovering an ongoing or potential discharge to the POTW which presents or may present a danger to the environment or which threatens to interfere with the operation of the POTW, immediately issue a Disconnection Order to Show Cause to any User. The Disconnection Order to Show Cause shall be served by personal deliver or certified mail, return receipt requested.

The Disconnection Order to Show Cause shall consist of a concise statement setting for the reason(s) for Disconnection of the User's Wastewater Discharge service. The Disconnection Order to Show Cause shall include a Notice of Hearing scheduling the time and place of the hearing, which shall be conducted by the Board, or designee, to determine whether the User's Wastewater Discharge Service shall be disconnected.

- B. The procedure for disconnection of service to be followed in the Disconnection Show Cause hearing shall be in accordance with the procedures set forth in Section 10.5 of this Ordinance.

10.7 Immediate Disconnection of Service:

- A. The Manager shall have the authority after informal notice to the User, to immediately and effectively halt or prevent any discharge of pollutants to the POTW that reasonably appears to present an imminent endangerment to the health or welfare of persons or is determined to have connected to the District's sewer system illegally. Any User is subject to immediate disconnection of service under either of the following conditions:

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1. Whenever immediate disconnection is required to halt or prevent any discharge of pollutants to the POTW which appears reasonable to the Manager to prevent an imminent endangerment to the health or welfare of persons; or
 2. Whenever it has been determined that a connection has been made to the District's sewer system without permission; or
 3. Whenever any User's Wastewater Discharge Permit is revoked.

B. Procedures for Immediate Disconnection:

1. When the Manager determines that such an emergency situation exists, he or she shall issue a verbal order (followed immediately by a written order) to the User stating the violation and requiring immediate cessation of the discharge.
2. Methods of informal notice shall include but not be limited to, any of the following: personal conversation between User and District employees, telephone calls, letters, hand delivered messages, emails, text messages, or notices posted at the User's premises or point of discharge.
3. Any User notified of a disconnection of wastewater treatment service under this Section and/or revocation of its Wastewater Discharge Permit shall immediately stop or eliminate the discharge. In the event of a failure of the user to comply voluntarily with the disconnection or revocation order, the District shall take such steps as deemed necessary, including immediate severance of the sewer connection, to prevent or minimize damage to the POTW system or danger to any individuals. When practical, the Manager shall obtain the concurrence of the District attorney before initiating action.
4. The Manager shall reinstate the Wastewater Discharge Permit and/or the wastewater treatment service upon proof of the elimination of the non-complying discharge or by final order in accordance with the procedures set forth in Section 10.5 of this Ordinance.

10.8 Injunctive Relief:

- A. The District may institute a civil action for an injunction to restrain violations of this Ordinance.
- B. The District may, upon discovering an ongoing or potential discharge of pollutants to the District POTW which reasonably appears to present an imminent danger to the health or welfare of persons, seek and obtain from the Circuit Court of DeKalb County a temporary restraining order or preliminary injunction to halt or prohibit such discharge. Prior to the filing of such petition, the User shall be given informal notice of the District's intention to file such action. Methods of informal notice shall include, but not limited to, any of the following: personal conversation between User and authorized District employees,

telephone calls, letters, hand delivered messages or notices posted at the User's premises or point of discharge. Personal contact between District personnel and the User shall be attempted, but shall not be a condition precedent to the District petitioning for and obtaining a temporary restraining order.

10.9 Additional Remedies:

- A. In addition to remedies available to the District set forth elsewhere in this Ordinance, if the District is fined by the State of Illinois or USEPA for violation of the District NPDES Permit or violation of water quality standards as the result of a discharge of pollutants, then the fine, including all District legal, sampling, analytical testing costs and any other related costs shall be charged to the responsible User. Such charges shall be in addition to, and not in lieu of, any other remedies the District may have under this Ordinance, statutes, regulations, at law or in equity.
- B. If the discharge from any User causes a deposit, obstruction, or damage to any of the District wastewater facilities, the Manager shall cause the deposit or obstruction to be promptly removed or cause the damage to be promptly repaired. The cost for such work, including materials, labor, and supervision, shall be borne by the person causing such deposit, obstruction, or damage.
- C. The remedies provided in this Ordinance shall not be exclusive and the District may seek whatever other remedies are authorized by statute, at law or in equity against any person violating the provisions of this Ordinance.
- D. In addition to any fine levied under this Ordinance, the District may, where the circumstances of the particular case so dictate, seek injunctive relief to prohibit the User from discharging into the sanitary sewer system, or to provide such other affirmative action as may be appropriate.

SECTION 11 – JUDICIAL ENFORCEMENT REMEDIES

11.1 Injunctive Relief:

When the Manager finds that a User has violated, or continues to violate, any provision of this Ordinance, an individual wastewater discharge permit, or a general permit or order issued hereunder, or any other Pretreatment Standard or Requirement, the Manager may petition the Circuit Court for the 23rd Judicial Circuit, DeKalb County, Illinois, through the District's Attorney for the issuance of a temporary or permanent injunction, as appropriate, which restrains or compels the specific performance of the individual wastewater discharge permit, the general permit, order, or other requirement imposed by this Ordinance on activities of the User. The District may also seek such other action as is appropriate for legal and/or equitable relief, including a requirement for the User to conduct environmental remediation. A petition for injunctive relief shall not be a bar against, or a prerequisite for, taking any other action against a User.

11.2 Civil Penalties:

- A. A User who has violated, or continues to violate, any provision of this Ordinance, an individual wastewater discharge permit, or a general permit or order issued hereunder, or any other Pretreatment Standard or Requirement shall be liable to the District for a maximum civil penalty of \$10,000 per violation, per day. In the case of a monthly or other long-term average discharge limit, penalties shall accrue for each day during the period of the violation.
- B. The District may recover reasonable attorneys' fees, court costs, and other expenses associated with enforcement activities, including sampling and monitoring expenses, and the cost of any actual damages incurred by the District.
- C. In determining the amount of civil liability, the Court shall take into account all relevant circumstances, including, but not limited to, the extent of harm caused by the violation, the magnitude and duration of the violation, any economic benefit gained through the User's violation, corrective actions by the User, the compliance history of the User, and any other factor as justice requires.
- D. Filing a suit for civil penalties shall not be a bar against, or a prerequisite for, taking any other action against a User.

11.3 Criminal Prosecution:

- A. A User who willfully or negligently violates any provision of this Ordinance, an individual wastewater discharge permit, or a general permit or order issued hereunder, or any other Pretreatment Standard or Requirement shall, upon conviction, be guilty of a misdemeanor, punishable by a fine of not more than \$50,000 per violation, per day, or imprisonment for not more than one (1) years, or both.
- B. A User who willfully or negligently introduces any substance into the POTW which causes personal injury or property damage shall, upon conviction, be guilty of a "Class A Misdemeanor" and be subject to a penalty of at least \$50,000, or be subject to imprisonment for not more than one (1) years, or both. This penalty shall be in addition to any other cause of action for personal injury or property damage available under State law.
- C. A User who knowingly makes any false statements, representations, or certifications in any application, record, report, plan, or other documentation filed, or required to be maintained, pursuant to this Ordinance, individual wastewater discharge permit, or general permit or order issued hereunder, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this Ordinance shall, upon conviction, be punished by a fine of not more than \$50,000 per violation, per day, or imprisonment for not more than one (1) years, or both.

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- D. In the event of a second conviction, a User shall be punished by a fine of not more than \$50,000 per violation, per day, or imprisonment for not more than one (1) years, or both.

11.4 Remedies Nonexclusive:

The remedies provided for in this Ordinance are not exclusive. The District may take any, all, or any combination of these actions against a noncompliant User. Enforcement of pretreatment violations will generally be in accordance with the District's enforcement response plan. However, the District may take other action against any User when the circumstances warrant. Further, the District is empowered to take more than one enforcement action against any noncompliant User.

SECTION 12 – SUPPLEMENTAL ENFORCEMENT ACTION

12.1 Penalties for Late Reports:

A penalty of \$500 shall be assessed to any User for each day that a report required by this Ordinance, a permit or order issued hereunder is late, beginning forty-five days after the date the report is due. Actions taken by the Manager to collect late reporting penalties shall not limit the Manager's authority to initiate other enforcement actions that may include penalties for late reporting violations.

12.2 Performance Bonds:

The Manager may decline to issue or reissue an individual wastewater discharge permit or a general permit to any User who has failed to comply with any provision of this Ordinance, a previous individual wastewater discharge permit, or a previous general permit or order issued hereunder, or any other Pretreatment Standard or Requirement, unless such User first files a satisfactory bond, payable to the District, in a sum not to exceed a value determined by the Manager to be necessary to achieve consistent compliance.

12.3 Liability Insurance:

The Manager may decline to issue or reissue an individual wastewater discharge or a general permit to any User who has failed to comply with any provision of this Ordinance, a previous individual wastewater discharge permit, or a previous general permit or order issued hereunder, or any other Pretreatment Standard or Requirement, unless the User first submits proof that it has obtained financial assurances sufficient to restore or repair damage to the POTW caused by its discharge.

12.4 Payment of Outstanding Fees and Penalties:

The Manager may decline to issue or reissue an individual wastewater discharge permit or a general permit to any User who has failed to pay any outstanding fees, fines or penalties incurred as a result of any provision of this Ordinance, a previous individual wastewater discharge permit, or a previous general permit or order issued hereunder.

12.5 Water Supply Severance:

Whenever a User has violated or continues to violate any provision of this Ordinance, an individual wastewater discharge permit, a general permit, or order issued hereunder, or any other Pretreatment Standard or Requirement, water service to the User may be severed. Service will recommence, at the User's expense, only after the User has satisfactorily demonstrated its ability to comply.

SECTION 13 – AFFIRMATIVE DEFENSES TO DISCHARGE VIOLATIONS

13.1 Upset:

- A. For the purposes of this Section, Upset means an exceptional incident in which there is unintentional and temporary noncompliance with categorical Pretreatment Standards because of factors beyond the reasonable control of the User. An Upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.
- B. An Upset shall constitute an affirmative defense to an action brought for noncompliance with categorical Pretreatment Standards if the requirements of paragraph (C), below, are met.
- C. A User who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
 - 1. An Upset occurred and the User can identify the cause(s) of the upset;
 - 2. The facility was at the time being operated in a prudent and workman-like manner and in compliance with applicable operation and maintenance procedures; and
 - 3. The User has submitted the following information to the Manager within twenty-four (24) hours of becoming aware of the upset (if this information is provided orally, a written submission must be provided within five (5) days):
 - a. A description of the indirect discharge and cause of noncompliance.
 - b. The period of noncompliance, including exact dates and times or, if not corrected, the anticipated time the noncompliance is expected to continue; and
 - c. Steps being taken and/or planned to reduce, eliminate, and prevent recurrence of the noncompliance.
- D. In any enforcement proceeding, the User seeking to establish the occurrence of an upset shall have the burden of proof.

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- E. Users shall have the opportunity for a judicial determination on any claim of Upset only in an enforcement action brought for noncompliance with categorical Pretreatment Standards.
 - F. Users shall control production of all discharges to the extent necessary to maintain compliance with categorical Pretreatment Standards upon reduction, loss, or failure of its treatment facility until the facility is restored or an alternative method of treatment is provided. This requirement applies in the situation where, among other things, the primary source of power of the treatment facility is reduced, lost, or fails.

13.2 Prohibited Discharge Standards:

User shall have an affirmative defense to an enforcement action brought against it for noncompliance with the general prohibitions in Section 2.1(A) of this Ordinance or the specific prohibitions in Sections 2.1(B)(3) through (17) of this Ordinance if it can prove that it did not know, or have reason to know, that its discharge, alone or in conjunction with discharges from other sources, would cause Pass Through or Interference and that either:

- A. A Local Limit exists for each pollutant discharged and the User was in compliance with each limit directly prior to, and during, the Pass Through or Interference; or
- B. No Local Limit exists, but the discharge did not change substantially in nature or constituents from the User's prior discharge when the District was regularly in compliance with its NPDES permit, and in the case of Interference, was in compliance with applicable sludge use or disposal requirements.

13.3 Bypass:

- A. For the purposes of this Section,
 - 1. Bypass means the intentional diversion of wastestreams from any portion of a User's treatment facility.
 - 2. Severe property damage means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.
- B. A User may allow any bypass to occur which does not cause Pretreatment Standards or Requirements to be violated, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provision of paragraphs (C) and (D) of this Section.
- C. Bypass Notifications.

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1. If a User knows in advance of the need for a bypass, it shall submit prior notice to the Manager, at least ten (10) days before the date of the bypass, if possible.
 2. A User shall submit oral notice to the Manager of an unanticipated bypass that exceeds applicable Pretreatment Standards within twenty-four (24) hours from the time it becomes aware of the bypass. A written submission shall also be provided within five (5) days of the time the User becomes aware of the bypass. The written submission shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times, and, if the bypass 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 bypass. The Manager may waive the written report on a case-by-case basis if the oral report has been received within twenty-four (24) hours.

D. Bypass.

1. Bypass is prohibited, and the Manager may take an enforcement action against a User for a bypass, unless:
 - a. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
 - b. There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and
 - c. The User submitted notices as required under paragraph (C) of this section.
2. The Manager may approve an anticipated bypass, after considering its adverse effects, if the Manager determines that it will meet the three conditions listed in paragraph (D)(1) of this Section.

SECTION 14 – MISCELLANEOUS PROVISIONS

14.1 Pretreatment Charges and Fees:

The District may adopt reasonable fees for reimbursement of costs of setting up and operating the District's Pretreatment Program, which may include:

- A. Fees for wastewater discharge permit applications including the cost of processing such applications;
- B. Fees for monitoring, inspection, and surveillance procedures including the cost of collection and analyzing a User's discharge, and reviewing monitoring reports and certification statements submitted by Users;

- C. Fees for reviewing and responding to accidental discharge procedures and construction;
- D. Fees for filing appeals;
- E. Fees to recover administrative and legal costs (not included in Section 14.1 B) associated with the enforcement activity taken by the District to address IU noncompliance; and
- F. Other fees as the District may deem necessary to carry out the requirements contained herein. These fees relate solely to the matters covered by this Ordinance and are separate from all other fees, fines, and penalties chargeable by the District

14.2 Severability:

If any provision, paragraph, word, section or chapters of this Ordinance is invalidated by any court of competent jurisdiction, the remaining provisions, paragraphs, words, sections, and chapters shall not be affected and shall continue in full force and effect.

SECTION 15 – CONFLICT

All other ordinances and parts of other ordinances inconsistent or conflicting with any parts of this Ordinance are hereby repealed to the extent of such inconsistency of conflict.

SECTION 16 – EFFECTIVE DATE

This Ordinance shall be in full force and effect immediately following its passage, approval, and publication, as provided by law.

PASSED AND APPROVED this 15th day of APRIL, 2020.

Published in pamphlet form by authority of the Board of Trustees of DeKalb County, Illinois this 15th day of APRIL, 2020.

AYES: 3
NAYS: 0

APPROVED:

President

ATTEST:

Carol B. Zier
Clerk

CERTIFICATION

I, Carol B. Zar, the clerk of the Kishwaukee Water Reclamation District of the County of DeKalb, State of Illinois, do hereby certify that I am keeper of its books and records and that the foregoing is a true and correct copy of an ordinance duly adopted by its Board of Trustees, Kishwaukee Water Reclamation District, at a meeting duly convened and held on the 15th day of April, 2020.

SEAL



Carol B. Zar
Carol B. Zar, CLERK



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 • (217) 782-3397

JB PRITZKER, GOVERNOR

JOHN J. KIM, DIRECTOR

217/782-0610

September 19, 2019
Kishwaukee Water Reclamation District
1301 Sycamore Road
DeKalb, Illinois 60115

Re: Kishwaukee Water Reclamation District
Kishwaukee Water Reclamation District WWTP
NPDES Permit No. IL0023027
Bureau ID: W0370100002
Final Permit

Gentlemen:

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

The Agency has completed our review of the comment letter dated June 20, 2019 and offers the following response:

1. The monitoring frequency for chlorine residual has been changed from 5 days a week to daily during the chlorination process. In addition, Special Condition 8 has been changed to reflect that ultraviolet light is now being used.

Pursuant to the Final NPDES Electronic Reporting Rule, all permittees must report DMRs electronically unless a waiver has been granted by the Agency. The Agency utilizes NetDMR, a web based application, which allows the submittal of electronic Discharge Monitoring Reports instead of paper Discharge Monitoring Reports (DMRs). More information regarding NetDMR can be found on the Agency website, <https://www2.illinois.gov/epa/topics/water-quality/surface-water/netdmr/pages/quick-answer-guide.aspx>. If your facility has received a waiver from the NetDMR program, a supply of preprinted paper DMR Forms will be sent to your facility. Additional information and instructions will accompany the preprinted DMRs. Please see the attachment regarding the electronic reporting rule.

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



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JB PRITZKER, GOVERNOR

JOHN J. KIM, DIRECTOR

Page 2

Should you have questions concerning the Permit, please contact Kaushal Desai at 217/782-0610.

Sincerely,

A handwritten signature in black ink, appearing to read "Amy L. Dragovich".

Amy L. Dragovich, P.E.
Manager, Permit Section
Division of Water Pollution Control

ALD:KKD:17042401 Kishwaukee WRD IL0023027.docx

Attachment: Final Permit, USEPA Letter

cc: Records
Compliance Assurance Section
Des Plaines Region
Billing
USEPA(electronically)

NPDES Permit No. IL0023027

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: September 30, 2024

Issue Date: September 19, 2019

Effective Date: October 1, 2019

Name and Address of Permittee:

Kishwaukee Water Reclamation District
1301 Sycamore Road
DeKalb, Illinois 60115

Facility Name and Address:

Kishwaukee Water Reclamation District WWTP
1301 Sycamore Road
DeKalb, Illinois
(DeKalb County)

Receiving Waters: South Branch of Kishwaukee River

In compliance with the provisions of the Illinois Environmental Protection Act, Title 35 of the Ill. Adm. Code, Subtitle C, Chapter I, and the Clean Water Act (CWA), the above-named Permittee is hereby authorized to discharge at the above location to the above-named receiving stream in accordance with the Effluent Limitations, Monitoring, and Reporting requirements; Special Conditions and Attachment H Standard Conditions attached 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.



Amy L. Dragovich, P.E.
Manager, Permit Section
Division of Water Pollution Control

NPDES Permit No. IL0023027
Effluent Limitations, Monitoring, and Reporting

FINAL

Discharge Number(s) and Name(s): B01 STP Outfall

Load limits computed based on a design average flow (DAF) of 8.63 MGD (design maximum flow (DMF) of 18.13 MGD).

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

Parameter	LOAD LIMITS lbs/day			CONCENTRATION			Sample Frequency	Sample Type
	Monthly Average	Weekly Average	Daily Maximum	Monthly Average	Weekly Average	Daily Maximum		
	DAF (DMF)*			LIMITS mg/L				
Flow (MGD)							Continuous	
CBOD ₅ ** ⁽¹⁾	720 (1512)		1439(3024)	10		20	5 Days/Week	Composite
Suspended Solids ⁽¹⁾	864(1814)		1727 (3629)	12		24	5 Days/Week	Composite
pH	Shall be in the range of 6 to 9 Standard Units						5 Days/Week	Grab
Fecal Coliform***	The monthly geometric mean shall not exceed 200 per 100 mL and no more than 10% of the samples during the month shall exceed 400 per 100 mL. (May through October)						5 Days/Week	Grab
Chlorine Residual***						0.05	***	Grab
Ammonia Nitrogen: As (N)								
March-May/Sept.-Oct.	108 (227)	266 (559)	432 (907)	1.5	3.7	6.0	5 Days/Week	Composite
June-August	72 (151)	180 (378)	396 (832)	1.0	2.5	5.5	5 Days/Week	Composite
Nov.-Feb.	259 (544)		561 (1179)	3.6		7.8	5 Days/Week	Composite
Total Phosphorus (as P) ⁽²⁾	72 (151)			1.0			1 Day/Month ⁽³⁾	Composite
Total Nitrogen****	Monitor only						1 Day/Month	Composite
				Monthly Average not less than	Weekly Average not less than	Daily Minimum		
Dissolved Oxygen								
March-July					6.25	5.0	5 Days/Week	Grab
August-February				6.0	4.5	4.0	5 Days/Week	Grab

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

**Carbonaceous BOD₅ (CBOD₅) testing shall be in accordance with 40 CFR 136.

***See Special Condition 8.

****See Special Condition 18.

Influent and effluent sampling is not required on the following holidays: New Years Day, President's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, the day after Thanksgiving Day and Christmas Day.

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

Fecal Coliform shall be reported on the DMR as a monthly geometric mean and as a percentage of the samples exceeding 400 per 100 mL.

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

Chlorine Residual shall be reported on DMR as daily maximum value.

Dissolved oxygen shall be reported on the DMR as a minimum value.

Total Phosphorus shall be reported on the DMR as a monthly average and daily maximum value.

(continued)

NPDES Permit No. IL0023027
Effluent Limitations, Monitoring, and Reporting

FINAL

Discharge Number(s) and Name(s): B01 STP Outfall (continued)

(1) BOD₅ and Suspended Solids (85% removal required): In accordance with 40 CFR 133, the 30-day average percent removal shall not be less than 85 percent. The percent removal need not be reported to the IEPA on DMRs but influent and effluent data must be available, as required elsewhere in this Permit, for IEPA inspection and review. For measuring compliance with this requirement, 5 mg/L shall be added to the effluent CBOD₅ concentration to determine the effluent BOD₅ concentration. Percent removal is a percentage expression of the removal efficiency across a treatment plant for a given pollutant parameter, as determined from the 30-day average values of the raw wastewater influent concentrations to the facility and the 30-day average values of the effluent pollutant concentrations for a given time period.

(2) A compliance schedule to provide the facility additional time to comply with the phosphorus limit has been included in Special Condition 21 of this permit.

(3) Upon the effective date of the phosphorus effluent limits, the sampling frequency shall increase to 5 Days/Week.

NPDES Permit No. IL0023027
Effluent Limitations, Monitoring, and Reporting

FINAL

Discharge Number(s) and Name(s): A01 Excess Flow* (Flow in excess of 12,590 gpm)

These flow facilities shall not be utilized until the main treatment facility is receiving its design maximum flow (DMF)* (flow in excess of 12,590 gpm).

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

<u>Parameter</u>	<u>CONCENTRATION</u>		<u>Sample Frequency</u>	<u>Sample Type</u>
	<u>LIMITS (mg/L)</u>			
	<u>Daily Maximum</u>			
Total Flow (MG)			Daily When Discharging	Continuous
Fecal Coliform	Daily Maximum Shall Not Exceed 400 per 100 mL		Daily When Discharging	Grab
BOD ₅	Monitor Only		Daily When Discharging	Grab
Suspended Solids	Monitor Only		Daily When Discharging	Grab
Ammonia Nitrogen (As N)	Monitor Only		Daily When Discharging	Grab
Total Phosphorus (as P)	Monitor Only		Daily When Discharging	Grab

*An explanation shall be provided in comments section of the DMR should these facilities be used when the main treatment facility is not receiving Design Maximum Flow (DMF). The explanation shall identify the reasons the main facility is at a diminished treatment capacity. Additionally, the Permittee shall comply with the provisions of Special Condition 15.

The duration of each A01 discharge and rainfall event (i.e., start and ending time) including rainfall intensity shall be provided in the comment section of the DMR.

Total flow in million gallons shall be reported on the Discharge Monitoring Report (DMR) in the quantity maximum column. The main treatment facility flows at the time that A01 Excess Flow Facilities are first utilized shall be reported in the comment section of the DMR in gallons per minute (gpm).

BOD₅ and Suspended Solids shall be reported on the DMR as a daily maximum value.

Ammonia Nitrogen shall be reported on the DMR as a daily maximum value.

Total Phosphorus shall be reported on the DMR as a monthly average and daily maximum value.

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

NPDES Permit No. IL0023027
Effluent Limitations, Monitoring, and Reporting

FINAL

Discharge Number(s) and Names(s): 001 Combined Discharge from A01 and B01 Outfall*

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

<u>Parameter</u>	<u>CONCENTRATION LIMITS (mg/L)</u>			<u>Sample Frequency</u>	<u>Sample Type</u>
	<u>Monthly Average</u>	<u>Weekly Average</u>	<u>Daily Maximum</u>		
Total Flow (MG)				Daily When A01 is Discharging	Continuous
BOD ₅ **	30	45		Daily When A01 is Discharging	Grab
Suspended Solids**	30	45		Daily When A01 is Discharging	Grab
pH	Shall be in the range of 6 to 9 Standard Units			Daily When A01 is Discharging	Grab
Chlorine Residual	0.75			Daily When A01 is Discharging	Grab
Ammonia Nitrogen (as N)***	Monitor only			Daily When A01 is Discharging	Grab
Total Phosphorus (as P)	Monitor only			Daily When A01 is Discharging	Grab
Dissolved Oxygen	Monitor only			Daily When A01 is Discharging	Grab

*An explanation shall be provided in the comment section of the DMR should these facilities be used when the main treatment facility is not receiving Design Maximum Flow (DMF). The explanation shall identify the reasons the main facility is at a diminished treatment capacity. Additionally, the Permittee shall comply with the provisions of Special Condition 15.

** BOD₅ and Suspended Solids (85% removal required): In accordance with 40 CFR 133, the 30-day average percent removal shall not be less than 85 percent. The percent removal need not be reported to the IEPA on DMRs but influent and effluent data must be available, as required elsewhere in this Permit, for IEPA inspection and review. For measuring compliance with this requirement, 5 mg/L shall be added to the effluent CBOD₅ concentration to determine the effluent BOD₅ concentration. Percent removal is a percentage expression of the removal efficiency across a treatment plant for a given pollutant parameter, as determined from the 30-day average values of the raw wastewater influent concentrations to the facility and the 30-day average values of the effluent pollutant concentrations for a given time period.

***See Special Condition 17.

Total flow in million gallons shall be reported on the Discharge Monitoring Report (DMR) in the quantity maximum column.

Report the number of days of discharge in the comments section of the DMR.

Chlorine Residual shall be reported on the DMR as monthly average value.

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

BOD₅ and Suspended Solids shall be reported on the DMR as a monthly and weekly average concentration.

A monthly average value for ammonia shall be computed for each month that A01 discharges beginning one month after the effective date of the permit. A monthly average concentration shall be determined by combining data collected from 001 and B01 (only B01 data from days when A01 is not discharging) for the reporting period. These monitoring results shall be submitted to the Agency on the DMR. Ammonia Nitrogen shall also be reported on the DMR as a maximum value.

A monthly and weekly average value for Dissolved Oxygen (DO) shall be computed for each month that A01 discharges beginning one month after the effective date of the permit. The monthly and weekly average concentrations for 001 shall be determined by combining data collected from 001 and B01 (only B01 data from days when A01 is not discharging) for the reporting period. These monitoring results shall be submitted to the Agency on the DMR. DO shall also be reported on the DMR as a minimum value.

Total Phosphorus shall be reported on the DMR as a monthly average and maximum value.

NPDES Permit No. IL0023027

Influent Monitoring and Reporting

The influent to the plant shall be monitored as follows:

<u>Parameter</u>	<u>Sample Frequency</u>	<u>Sample Type</u>
Flow (MGD)	Continuous	
BOD ₅	5 Days/Week and Daily When Outfall A01 is Discharging	Composite
Suspended Solids	5 Days/Week and Daily When Outfall A01 is Discharging	Composite

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

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

BOD₅ and Suspended Solids shall be reported on the DMR as a monthly average concentration.

Special Conditions

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

SPECIAL CONDITION 2. The use or operation of this facility shall be by or under the supervision of a Certified Class 1 operator.

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

SPECIAL CONDITION 4. The IEPA may request more frequent monitoring by permit modification pursuant to 40 CFR § 122.63 and Without Public Notice.

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

SPECIAL CONDITION 6. Samples taken in compliance with the effluent monitoring requirements shall be taken:

- A. For Outfall Number B01 shall be taken at a point:
 - 1. Representative of the discharge of fully treated wastewater effluent, and
 - 2. When discharges are occurring from Outfall Number A01, prior to admixture with discharges from Outfall Number A01.
- B. For Outfall Number A01 shall be taken at a point:
 - 1. Representative of the discharge from the excess flow treatment unit(s) to Outfall Number 001, and
 - 2. Prior to admixture with discharges from Outfall Number B01.
- C. For Outfall Number 001 shall be taken at a point:
 - 1. Representative of the discharge from Outfall Number 001 but prior to entry into the receiving water, and
 - 2. Representative of the admixture of all flow from Outfall Numbers A01 and B01.
 - a. On days when there are no discharges through Outfall Number A01 samples for all effluent limitations and monitoring parameters applicable to Outfall Number 001 can be taken at the location of sampling for Outfall Number B01. When this occurs, sample results for Outfall Number B01 must be reported on the DMRs for Outfall Number B01 and Outfall Number 001.
 - b. On days when there are discharges through Outfall A01, samples for all effluent limitations and monitoring parameters applicable to Outfall 001 shall be representative of the discharge through Outfall 001 to the receiving water; and shall be taken at a point representative of the admixture of flows from Outfall Numbers A01 and B01.

SPECIAL CONDITION 7. Consistent with permit modification procedures in 40 CFR 122.62 and 63, this Permit may be modified to include requirements for the Permittee on a continuing basis to evaluate and detail its efforts to effectively control sources of infiltration and inflow into the sewer system and to submit reports to the IEPA if necessary.

SPECIAL CONDITION 8. Fecal Coliform limits for Discharge Number B01 are effective May thru October. Sampling of Fecal Coliform is only required during this time period.

Any use of chlorine to control slime growths, odors or as an operational control, etc. shall not exceed the limit of 0.05 mg/L (daily maximum) total residual chlorine in the effluent. Sampling is required on a daily grab basis during the chlorination process. Reporting shall be submitted on the DMRs on a monthly basis.

SPECIAL CONDITION 9.

A. Publicly Owned Treatment Works (POTW) Pretreatment Program General Provisions

- 1. The Permittee shall implement and enforce its approved Pretreatment Program which was approved on August 5, 1985 and all approved subsequent modifications thereto. The Permittee shall maintain legal authority adequate to fully implement the Pretreatment Program in compliance with Federal (40 CFR 403), State, and local laws and regulations. All definitions in this section unless specifically otherwise defined in this section, are those definitions listed in 40 CFR 403.3. U.S. EPA Region 5 is the Approval Authority for the administration of pretreatment programs in Illinois. The Permittee shall:
 - a. Develop and implement procedures to ensure compliance with the requirements of a pretreatment program as specified in 40 CFR 403.8(f)(2)
 - b. Carry out independent inspection and monitoring procedures at least once per year, which will determine whether each significant industrial user (SIU) is in compliance with applicable pretreatment standards;

Special Conditions

- c. Evaluate whether each SIU needs a slug control plan or other action to control slug discharges. If needed, the SIU slug control plan shall include the items specified in 40 CFR 403.8(f)(2)(vi). For IUs identified as significant prior to November 14, 2005, this evaluation must have been conducted at least once by October 14, 2006; additional SIUs must be evaluated within 1 year of being designated an SIU;
 - d. Update its inventory of Industrial Users (IUs) at least annually and as needed to ensure that all SIUs are properly identified, characterized, and categorized;
 - e. Receive and review self monitoring and other IU reports to determine compliance with all pretreatment standards and requirements, and obtain appropriate remedies for noncompliance by any IU with any pretreatment standard and/or requirement;
 - f. Investigate instances of noncompliance, collect and analyze samples, and compile other information with sufficient care as to produce evidence admissible in enforcement proceedings, including judicial action;
 - g. Require development, as necessary, of compliance schedules by each industrial user to meet applicable pretreatment standards; and,
 - h. Maintain an adequate revenue structure and staffing level for continued operation of the Pretreatment Program.
2. The Permittee shall issue/reissue permits or equivalent control mechanisms to all SIUs prior to expiration of existing permits or prior to commencement of discharge in the case of new discharges. The permits at a minimum shall include the elements listed in 40 CFR § 403.8(f)(1)(iii)(B).
3. The Permittee shall develop, maintain, and enforce, as necessary, local limits to implement the general and specific prohibitions in 40 CFR § 403.5 which prohibit the introduction of any pollutant(s) which cause pass through or interference and the introduction of specific pollutants to the waste treatment system from any source of nondomestic discharge.
4. In addition to the general limitations expressed in Paragraph 3 above, applicable pretreatment standards must be met by all industrial users of the POTW. These limitations include specific standards for certain industrial categories as determined by Section 307(b) and (c) of the Clean Water Act, State limits, or local limits, whichever are more stringent.
5. The USEPA and IEPA individually retain the right to take legal action against any industrial user and/or the POTW for those cases where an industrial user has failed to meet an applicable pretreatment standard by the deadline date regardless of whether or not such failure has resulted in a permit violation.
6. The Permittee shall establish agreements with all contributing jurisdictions, as necessary, to enable it to fulfill its requirements with respect to all IUs discharging to its system.
7. When requested by USEPA or IEPA, the Permittee shall submit to USEPA and IEPA a proposal to modify and update its approved Pretreatment Program to incorporate Federal revisions to the general pretreatment regulations. The proposal shall include all changes to the approved program and the sewer use ordinance which are necessary to incorporate the revisions of the Pretreatment Streamlining Rule (which became effective on November 14, 2005), which are considered required changes, as described in the Pretreatment Streamlining Rule Fact Sheet 2.0: Required changes, available at: http://cfpub.epa.gov/npdes/whatsnew.cfm?program_id=3. This includes any necessary revisions to the Permittee's Enforcement Response Plan (ERP). Requirements for the Pretreatment Streamlining Rule were included in the Permittee's Pretreatment Program Review of Local Limits Modification documents approved by USEPA on August 18, 2014.
8. The Permittee shall conduct a technical re-evaluation of its local limitations consistent with U.S. EPA's Local Limits Development Guidance (July 2004), and submit the evaluation and any proposed revisions to its local limits to IEPA and U.S. EPA Region 5 for review and approval by October 31, 2021, approximately 12 months after the current wastewater treatment plant improvements are constructed and operational. U.S. EPA Region 5 will request Permittee to submit the evaluation and any proposed revisions to its local limits on the spreadsheet found at <http://www.epa.gov/region5/water/npdestek/LocalLmt.xlsx>. To demonstrate technical justification for new local industrial user limits or justification for retaining existing limits, the following information must be submitted to U.S. EPA:
 - a. Total plant flow
 - b. Domestic/commercial pollutant contributions for pollutants of concern
 - c. Industrial pollutant contributions and flows
 - d. Current POTW pollutant loadings, including loadings of conventional pollutants
 - e. Actual treatment plant removal efficiencies, as a decimal (primary, secondary, across the wastewater treatment plant)

Special Conditions

- f. Safety factor to be applied
 - g. Identification of applicable criteria:
 - i. NPDES permit conditions
 - Specific NPDES effluent limitations
 - Water-quality criteria
 - Whole effluent toxicity requirements
 - Criteria and other conditions for sludge disposal
 - ii. Biological process inhibition
 - Nitrification
 - Sludge digester
 - iii. Collection system problems
 - h. The Permittee's sludge disposal methods (land application, surface disposal, incineration, landfill)
 - i. Sludge flow to digester
 - j. Sludge flow to disposal
 - k. % solids in sludge to disposal, not as a decimal
 - l. % solids in sludge to digester, not as a decimal
 - m. Plant removal efficiencies for conventional pollutants
 - n. If revised industrial user discharge limits are proposed, the method of allocating available pollutants loads to industrial users
 - o. A comparison of maximum allowable headworks loadings based on all applicable criteria listed in g, above
 - p. Pollutants that have caused:
 - i. Violations or operational problems at the POTW, including conventional pollutants
 - ii. Fires and explosions
 - iii. Corrosion
 - iv. Flow obstructions
 - v. Increased temperature in the sewer system
 - vi. Toxic gases, vapors or fumes that caused acute worker health and safety problems
 - vii. Toxicity found through Whole Effluent Toxicity testing
 - viii. Inhibition
 - q. Pollutants designated as "monitoring only" in the NPDES permit
 - r. Supporting data, assumptions, and methodologies used in establishing the information a through q above
9. Modifications of your Pretreatment Program shall be submitted in accordance with 40 CFR § 403.18, which established conditions for substantial and nonsubstantial modifications. All requests should be sent in electronic format to r5npdes@epa.gov, attention: NPDES Program Branch.

B. Reporting and Records Requirements

1. The Permittee shall provide an annual report briefly describing the permittee's pretreatment program activities over the previous calendar year. Permittees who operate multiple plants may provide a single report providing all plant-specific reporting requirements are met. Such report shall be submitted no later than April 28th of each year to USEPA, Region 5, 77 West Jackson Blvd., Chicago, Illinois 60604, Attention: Water Enforcement & Compliance Assurance Branch, and shall be in the format set forth in IEPA's POTW Pretreatment Report Package which contains information regarding:
- a. An updated listing of the Permittee's significant industrial users, indicating additions and deletions from the previous year, along with brief explanations for deletions. The list shall specify which categorical Pretreatment standards, if any, are applicable to each Industrial User.
 - b. A descriptive summary of the compliance activities including numbers of any major enforcement actions, (i.e., administrative orders, penalties, civil actions, etc.), and the outcome of those actions. This includes an assessment of the compliance status of the Permittee's industrial users and the effectiveness of the Permittee's Pretreatment Program in meeting its needs and objectives.
 - c. A description of all substantive changes made to the Permittee's Pretreatment Program. Changes which are "substantial modifications" as described in 40 CFR § 403.18(c) must receive prior approval from the USEPA.
 - d. Results of sampling and analysis of POTW influent, effluent, and sludge.
 - e. A summary of the findings from the priority pollutants sampling. As sufficient data becomes available the IEPA may modify this Permit to incorporate additional requirements relating to the evaluation, establishment, and enforcement of local limits for organic pollutants. Any permit modification is subject to formal due process procedures pursuant to State and Federal law and regulation. Upon a determination that an organic pollutant is present that causes

Special Conditions

interference or pass through, the Permittee shall establish local limits as required by 40 CFR § 403.5(c).

2. The Permittee shall maintain all pretreatment data and records for a minimum of three (3) years. This period shall be extended during the course of unresolved litigation or when requested by the IEPA or the Regional Administrator of USEPA. Records shall be available to USEPA and the IEPA upon request.
3. The Permittee shall establish public participation requirements of 40 CFR 25 in implementation of its Pretreatment Program. The Permittee shall at least annually, publish the names of all IU's which were in significant noncompliance (SNC), as defined by 40 CFR § 403.8(f)(2)(viii), in a newspaper of general circulation that provides meaningful public notice within the jurisdictions served by the Permittee or based on any more restrictive definition of SNC that the POTW may be using.
4. The Permittee shall provide written notification to the USEPA, Region 5, 77 West Jackson Blvd., Chicago, Illinois 60604, Attention: NPDES Programs Branch and to the Deputy Counsel for the Division of Water Pollution Control, IEPA, 1021 North Grand Avenue East, P.O. Box 19276, Springfield, Illinois 62794-9276 within five (5) days of receiving notice that any Industrial User of its sewage treatment plant is appealing to the Circuit Court any condition imposed by the Permittee in any permit issued to the Industrial User by Permittee. A copy of the Industrial User's appeal and all other pleadings filed by all parties shall be mailed to the Deputy Counsel within five (5) days of the pleadings being filed in Circuit Court.

C. Monitoring Requirements

1. The Permittee shall monitor its influent, effluent and sludge and report concentrations of the following parameters on monitoring report forms provided by the IEPA and include them in its annual report. Samples shall be taken at semi-annual intervals at the indicated reporting limit or better and consist of a 24-hour composite unless otherwise specified below. Sludge samples shall be taken of final sludge and consist of a grab sample reported on a dry weight basis.

STORET CODE	PARAMETER	Minimum reporting limit
01097	Antimony	0.07 mg/L
01002	Arsenic	0.05 mg/L
01007	Barium	0.5 mg/L
01012	Beryllium	0.005 mg/L
01027	Cadmium	0.001 mg/L
01032	Chromium (hex) (grab not to exceed 24 hours)*	0.01 mg/L
01034	Chromium (total)	0.05 mg/L
01042	Copper	0.005 mg/L
00720	Cyanide (total) (grab)****	5.0 µg/L
00722	Cyanide (grab)*(available **** or amenable to chlorination)****	5.0 µg/L
00951	Fluoride*	0.1 mg/L
01045	Iron (total)	0.5 mg/L
01046	Iron (Dissolved)*	0.5 mg/L
01051	Lead	0.05 mg/L
01055	Manganese	0.5 mg/L
71900	Mercury (effluent grab)***	1.0 ng/L**
01067	Nickel	0.005 mg/L
00556	Oil (hexane soluble or equivalent) (Grab Sample only)*	5.0 mg/L
32730	Phenols (grab)	0.005 mg/L
01147	Selenium	0.005 mg/L
01077	Silver (total)	0.003 mg/L
01059	Thallium	0.3 mg/L
01092	Zinc	0.025 mg/L

* Influent and effluent only

**1 ng/L = 1 part per trillion.

***Utilize USEPA Method 1631E and the digestion procedure described in Section 11.1.1.2 of 1631E, other approved methods may be used for influent (composite) and sludge.

****Analysis for cyanide (available or amenable to chlorination) is only required if cyanide (total) is detected at or above the minimum reporting limit.

*****USEPA Method OIA – 1677.

Minimum reporting limits are defined as: (1) The minimum value below which data are documented as non-detects. (2) Three to ten times the method detection limit. (3) The minimum value of the calibration range.

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All samples containers, preservatives, holding times, analyses, method detection limit determinations and quality assurance/quality control requirements shall be in accordance with 40 CFR 136.

Unless otherwise indicated, concentrations refer to the total amount of the constituent present in all phases, whether solid, suspended or dissolved, elemental or combined including all oxidation states. Where constituents are commonly measured as other than total, the phase is so indicated.

2. The Permittee shall conduct an analysis for the one hundred and ten (110) organic priority pollutants identified in 40 CFR 122 Appendix D, Table II as amended. This monitoring shall be done annually and reported on monitoring report forms provided by the IEPA and shall consist of the following:

- a. The influent and effluent shall be sampled and analyzed for the one hundred and ten (110) organic priority pollutants. The sampling shall be done during a day when industrial discharges are expected to be occurring at normal to maximum levels.

Samples for the analysis of acid and base/neutral extractable compounds shall be 24-hour composites.

Five (5) grab samples shall be collected each monitoring day to be analyzed for volatile organic compounds. A single analysis for volatile pollutants (Method 624) may be run for each monitoring day by compositing equal volumes of each grab sample directly in the GC purge and trap apparatus in the laboratory, with no less than one (1) mL of each grab included in the composite.

Wastewater samples must be handled, prepared, and analyzed by GC/MS in accordance with USEPA Methods 624 and 625 of 40 CFR 136 as amended.

- b. The sludge shall be sampled and analyzed for the one hundred and ten (110) organic priority pollutants. A sludge sample shall be collected concurrent with a wastewater sample and taken as final sludge.

Sampling and analysis shall conform to USEPA Methods 624 and 625 unless an alternate method has been approved by IEPA.

- c. Sample collection, preservation and storage shall conform to approved USEPA procedures and requirements.

3. In addition, the Permittee shall monitor any new toxic substances as defined by the Clean Water Act, as amended, following notification by the IEPA or U.S. EPA.

4. Permittee shall report any noncompliance with effluent or water quality standards in accordance with Standard Condition 12(f) of this Permit.

5. Analytical detection limits shall be in accordance with 40 CFR 136. Minimum detection limits for sludge analyses shall be in accordance with 40 CFR 503.

D. Pretreatment Reporting

US EPA Region 5 is the approval Authority for administering the pretreatment program in Illinois. All requests for modification of pretreatment program elements should be submitted in redline/strikeout electronic format and must be sent to US EPA at r5npdes@epa.gov.

Permittee shall upon notice from US EPA, modify any pretreatment program element found to be inconsistent with 40 CFR 403.

SPECIAL CONDITION 10. During January of each year the Permittee shall submit annual fiscal data regarding sewerage system operations to the Illinois Environmental Protection Agency/Division of Water Pollution Control/Compliance Assurance Section. The Permittee may use any fiscal year period provided the period ends within twelve (12) months of the submission date.

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

SPECIAL CONDITION 11. The Permittee shall conduct biomonitoring of the effluent from Discharge Number(s) B01.

Biomonitoring

- A. Acute Toxicity - Standard definitive acute toxicity tests shall be run on at least two trophic levels of aquatic species (fish, invertebrate) representative of the aquatic community of the receiving stream. Testing must be consistent with Methods for Measuring the Acute

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Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms (Fifth Ed.) EPA/821-R-02-012. Unless substitute tests are pre-approved; the following tests are required:

1. Fish 96-hour static LC₅₀ Bioassay using fathead minnows (*Pimephales promelas*).
 2. Invertebrate 48-hour static LC₅₀ Bioassay using *Ceriodaphnia*.
- B. Testing Frequency - The above tests shall be conducted using 24-hour composite samples unless otherwise authorized by the IEPA. Sample collection and testing must be conducted in the 18th, 15th, 12th, and 9th month prior to the expiration date of this Permit. When possible, bioassay sample collection should coincide with sample collection for metals analysis or other parameters that may contribute to effluent toxicity.
- C. Reporting - Results shall be reported according to EPA/821-R-02-012, Section 12, Report Preparation, and shall be mailed to IEPA, Bureau of Water, Compliance Assurance Section or emailed to EPA.PrmtSpecCondtns@Illinois.gov within one week of receipt from the laboratory. Reports are due to the IEPA no later than the 16th, 13th, 10th, and 7th month prior to the expiration date of this Permit.
- D. Toxicity - Should a bioassay result in toxicity to >20% of organisms tested in the 100% effluent treatment, the IEPA may require, upon notification, six (6) additional rounds of monthly testing on the affected organism(s) to be initiated within 30 days of the toxic bioassay. Results shall be submitted to IEPA within one (1) week of becoming available to the Permittee. Should any of the additional bioassays result in toxicity to ≥50% of organisms tested in the 100% effluent treatments, the Permittee must contact the IEPA within one (1) day of the results becoming available to the Permittee and begin the toxicity identification and reduction evaluation process as outlined below.
- E. Toxicity Identification and Reduction Evaluation - Should any of the additional bioassays result in toxicity to ≥50% of organisms tested in the 100% effluent treatment, the Permittee must contact the IEPA within one (1) day of the results becoming available to the Permittee and begin the toxicity identification evaluation process in accordance with Methods for Aquatic Toxicity Identification Evaluations, EPA/600/6-91/003. The IEPA may also require, upon notification, that the Permittee prepare a plan for toxicity reduction evaluation to be developed in accordance with Toxicity Reduction Evaluation Guidance for Municipal Wastewater Treatment Plants, EPA/833B-99/002, which shall include an evaluation to determine which chemicals have a potential for being discharged in the plant wastewater, a monitoring program to determine their presence or absence and to identify other compounds which are not being removed by treatment, and other measures as appropriate. The Permittee shall submit to the IEPA its plan for toxicity reduction evaluation within ninety (90) days following notification by the IEPA. The Permittee shall implement the plan within ninety (90) days or other such date as contained in a notification letter received from the IEPA.

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

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

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

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

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

The Permittee shall retain records of all sludge monitoring, and reports required by the Sludge Permit as referenced in Standard Condition 25 for a period of at least five (5) years from the date of this Permit.

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

The Permittee shall comply with existing federal regulations governing sewage sludge use or disposal and shall comply with all existing applicable regulations in any jurisdiction in which the sewage sludge is actually used or disposed.

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The Permittee shall comply with standards for sewage sludge use or disposal established under section 405(d) of the CWA within the time provided in the regulations that establish the standards for sewage sludge use or disposal even if the permit has not been modified to incorporate the requirement.

The Permittee shall ensure that the applicable requirements in 40 CFR Part 503 are met when the sewage sludge is applied to the land, placed on a surface disposal site, or fired in a sewage sludge incinerator.

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

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

SPECIAL CONDITION 13. This Permit may be modified to include alternative or additional final effluent limitations pursuant to an approved Total Maximum Daily Load (TMDL) Study or upon completion of an alternate Water Quality Study.

SPECIAL CONDITION 14. The Permittee shall record monitoring results on Discharge Monitoring Report (DMR) electronic forms using one such form for each outfall each month.

In the event that an outfall does not discharge during a monthly reporting period, the DMR Form shall be submitted with no discharge indicated.

The Permittee is required to submit electronic DMRs (NetDMRs) instead of mailing paper DMRs to the IEPA unless a waiver has been granted by the Agency. More information, including registration information for the NetDMR program, can be obtained on the IEPA website, <https://www2.illinois.gov/epa/topics/water-quality/surface-water/netdmr/pages/quick-answer-guide.aspx>.

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

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

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

SPECIAL CONDITION 15. The provisions of 40 CFR Section 122.41(m) & (n) are incorporated herein by reference.

SPECIAL CONDITION 16. The Permittee shall work towards the goals of achieving no discharges from sanitary sewer overflows or basement back-ups and ensuring that overflows or back-ups, when they do occur do not cause or contribute to violations of applicable standards or cause impairment in any adjacent receiving water. Overflows from sanitary sewers are expressly prohibited by this permit and by Ill. Adm. Code 306.304. As part of the process to ultimately achieve compliance through the elimination of and mitigating the adverse impacts of any such overflows if they do occur, the Permittee shall (A) identify and report to IEPA all SSOs that do occur, and (B) develop, implement and submit to the IEPA a Capacity, Management, Operations, and Maintenance (CMOM) plan which includes an Asset Management strategy within thirty-six (36) months of the effective date of this Permit or review and revise any existing plan accordingly. The Permittee shall modify the Plan to incorporate any comments that it receives from IEPA and shall implement the modified plan as soon as possible. The Permittee should work as appropriate, in consultation with affected authorities at the local, county, and/or state level to develop the plan components involving third party notification of overflow events. The Permittee may be required to construct additional sewage transport and/or treatment facilities in future permits or other enforceable documents should the implemented CMOM plan indicate that the Permittee's facilities are not capable of conveying and treating the flow for which they are designed.

The CMOM plan shall include the following elements:

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A. Measures and Activities:

1. A complete map and system inventory for the collection system owned and operated by the Permittee;
2. Organizational structure; budgeting; training of personnel; legal authorities; schedules for maintenance, sewer system cleaning, and preventative rehabilitation; checklists, and mechanisms to ensure that preventative maintenance is performed on equipment owned and operated by the Permittee;
3. Documentation of unplanned maintenance;
4. An assessment of the capacity of the collection and treatment system owned and operated by the Permittee at critical junctions and immediately upstream of locations where overflows and backups occur or are likely to occur; use flow monitoring and/or sewer hydraulic modeling, as necessary;
5. Identification and prioritization of structural deficiencies in the system owned and operated by the Permittee. Include preventative maintenance programs to prevent and/or eliminate collection system blockages from roots or grease, and prevent corrosion or negative effects of hydrogen sulfide which may be generated within collection system;
6. Operational control, including documented system control procedures, scheduled inspections and testing, list of scheduled frequency of cleaning (and televising as necessary) of sewers;
7. The Permittee shall develop and implement an Asset Management strategy to ensure the long-term sustainability of the collection system. Asset Management shall be used to assist the Permittee in making decisions on when it is most appropriate to repair, replace or rehabilitate particular assets and develop long-term funding strategies; and
8. Asset Management shall include but is not limited to the following elements:
 - a. Asset Inventory and State of the Asset;
 - b. Level of Service;
 - c. Critical Asset Identification;
 - d. Life Cycle Cost; and
 - e. Long-Term Funding Strategy.

B. Design and Performance Provisions:

1. Monitor the effectiveness of CMOM;
2. Upgrade the elements of the CMOM plan as necessary; and
3. Maintain a summary of CMOM activities.

C. Overflow Response Plan:

1. Know where overflows and back-ups within the facilities owned and operated by the Permittee occur;
2. Respond to each overflow or back-up to determine additional actions such as clean up; and
3. Locations where basement back-ups and/or sanitary sewer overflows occur shall be evaluated as soon as practicable for excessive inflow/infiltration, obstructions or other causes of overflows or back-ups as set forth in the System Evaluation Plan.
4. Identify the root cause of the overflow or basement backup, and document to files;
5. Identify actions or remediation efforts to reduce risk of reoccurrence of these overflows or basement backups in the future, and document to files.

D. System Evaluation Plan:

1. Summary of existing SSO and Excessive I/I areas in the system and sources of contribution;
2. Evaluate plans to reduce I/I and eliminate SSOs;
3. Evaluate the effectiveness and performance in efforts to reduce excessive I/I in the collection system;
4. Special provisions for Pump Stations and force mains and other unique system components; and
5. Construction plans and schedules for correction.

E. Reporting and Monitoring Requirements:

1. Program for SSO detection and reporting; and
2. Program for tracking and reporting basement back-ups, including general public complaints.

F. Third Party Notice Plan:

1. Describes how, under various overflow scenarios, the public, as well as other entities, would be notified of overflows within the Permittee's system that may endanger public health, safety or welfare;
2. Identifies overflows within the Permittee's system that would be reported, giving consideration to various types of events including events with potential widespread impacts;
3. Identifies who shall receive the notification;
4. Identifies the specific information that would be reported including actions that will be taken to respond to the overflow;

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5. Includes a description of the lines of communication; and
6. Includes the identities and contact information of responsible POTW officials and local, county, and/or state level officials.

For additional information concerning USEPA CMOM guidance and Asset Management please refer to the following web site addresses.
http://www.epa.gov/npdes/pubs/cmom_guide_for_collection_systems.pdf and
http://water.epa.gov/type/watersheds/wastewater/upload/guide_smallsystems_assetmanagement_bestpractices.pdf

SPECIAL CONDITION 17. The Agency shall consider all monitoring data submitted by the discharger in accordance with the monitoring requirements of this permit for all parameters, including but not limited to data pertaining to ammonia and dissolved oxygen for discharges from Discharge Number 001, to determine whether the discharges are at levels which cause, have the reasonable potential to cause or contribute to exceedances of water quality standards; and, if so, to develop appropriate water quality based effluent limitations. If the discharger wants the Agency to consider mixing when determining the need for and establishment of water quality based effluent limitations, the discharger shall submit a study plan on mixing to the Agency for the Agency's review and comment within two (2) months of the effective date of this Permit.

SPECIAL CONDITION 18. The Permittee shall monitor the effluent for total nitrogen one day per month. The monitoring shall be a composite sample and the results reported as a daily maximum on the Permittee's Discharge Monitoring Forms.

SPECIAL CONDITION 19. The Permittee shall, within twenty-four (24) months of the effective date of this permit, prepare and submit to the Agency a feasibility study that identifies the method, timeframe, and costs of reducing phosphorus levels in its discharge to a level consistently meeting a potential future effluent limit of 0.5 mg/L and 0.1 mg/L. The study shall evaluate the construction and O & M costs of the application of these limits on a monthly, seasonal and annual average basis.

SPECIAL CONDITION 20. The Permittee shall develop and submit to the Agency a Phosphorus Discharge Optimization Plan within twenty-four (24) months of the effective date of this permit. The plan shall include a schedule for the implementation of these optimization measures. Annual progress reports on the optimization of the existing treatment facilities shall be submitted to the Agency by March 31 of each year beginning 12 months from the effective date of this permit. In developing the plan, the Permittee shall evaluate a range of measures for reducing phosphorus discharges from the treatment plant, including possible source reduction measures, operational improvements, and minor facility modifications that will optimize reductions in phosphorus discharges from the wastewater treatment facility. The Permittee's evaluation shall include, but not be limited to, an evaluation of the following optimization measures:

A. WWTF influent reduction measures.

1. Evaluate the phosphorus reduction potential of users.
2. Determine which sources have the greatest opportunity for reducing phosphorus (i.e., industrial, commercial, institutional, municipal and others).
 - a. Determine whether known sources (i.e., restaurant and food preparation) can adopt phosphorus minimization and water conservation plans.
 - b. Evaluate and implement local limits on influent sources of excessive phosphorus.

B. WWTF effluent reduction measures.

1. Reduce phosphorus discharges by optimizing existing treatment processes.
 - a. Adjust the solids retention time for nitrification, denitrification, or biological phosphorus removal.
 - b. Adjust aeration rates to reduce dissolved oxygen and promote simultaneous nitrification-denitrification.
 - c. Add baffles to existing units to improve microorganism conditions by creating divided anaerobic, anoxic, and aerobic zones.
 - d. Change aeration settings in plug flow basins by turning off air or mixers at the inlet side of the basin system.
 - e. Minimize impact on recycle streams by improving aeration within holding tanks.
 - f. Reconfigure flow through existing basins to enhance biological nutrient removal.
 - g. Increase volatile fatty acids for biological phosphorus removal.

SPECIAL CONDITION 21. A phosphorus limit of 1.0 mg/L shall become effective four (4) years from the effective date of this Permit. If, in the future, Agency data or data collected under an Agency approved plan shows that there is no longer a dissolved oxygen and/or offensive condition (algae and/or aquatic plant growth) related impairment that is related to excessive phosphorus levels, the Permittee may request a modification of this permit to remove this limit.

In order for the Permittee to achieve the above limit, it will be necessary to modify existing treatment facilities to include phosphorus removal, reduce phosphorus sources or explore other ways to prevent discharges that exceed the limit. The Permittee must implement the following compliance measures consistent with the schedule below:

Special Conditions

- | | |
|--|--|
| A. Progress Report on Phosphorus Removal Feasibility Report | 6 months from the effective date of this Permit |
| B. Progress Report on Phosphorus Removal Feasibility Report and Phosphorus Discharge Optimization Plan | 12 months from the effective date of this Permit |
| C. Progress Report on Phosphorus Removal Feasibility Report | 18 Months from the effective date of this Permit |
| D. Phosphorus Removal Feasibility Report and Phosphorus Discharge Optimization Plan submitted | 24 months from the effective date of this Permit |
| E. Progress report on Construction | 30 months from the effective date of this Permit |
| F. Progress report on Construction | 36 months from the effective date of this Permit |
| G. Complete Construction | 42 months from the effective date of this Permit |
| H. Achieve Annual Concentration and Loading Effluent Limitations for Total Phosphorus | 48 months from the effective date of this Permit |

All modifications of this Permit must be in accordance with 40 CFR 122.62 or 40 CFR 122.63.

Reporting shall be submitted on the DMR's on a monthly basis.

REPORTING

The Permittee shall submit progress reports for items A, B, C, D, E, F, and G of the compliance schedule indicating: a) the date the item was completed, or b) that the item was not completed, the reasons for non-completion and the anticipated completion date to the Agency Compliance Section.

SPECIAL CONDITION 22.

- A. Subject to paragraph (B) below, an effluent limit of 0.5 mg/L Total Phosphorus 12 month rolling geometric mean (calculated monthly) basis (hereinafter "the Limit"), shall be met by the Permittee by January 1, 2030, unless the Permittee demonstrates that meeting such Limit is not technologically or economically feasible in one of the following manners:
1. the Limit is not technologically feasible through the use of biological phosphorus removal (BPR) process(es) at the treatment facility; or
 2. the Limit would result in substantial and widespread economic or social impact. Substantial and widespread economic impacts must be demonstrated using applicable USEPA guidance, including but not limited to any of the following documents:
 - (a) Interim Economic Guidance for Water Quality Standards, March 1995, EPA-823-95-002;
 - (b) Combined Sewer Overflows – Guidance for Financial Capability Assessment and Schedule Development, February 1997, EPA-832-97-004;
 - (c) Financial Capability Assessment Framework for Municipal Clean Water Act Requirements, November 24, 2014; and
 - (d) any additional USEPA guidance on affordability issues that revises, supplements or replaces those USEPA guidance documents; or
 3. the Limit can only be met by chemical addition for phosphorus removal at the treatment facility in addition to those processes currently contemplated; or
 4. the Limit is demonstrated not to be feasible by January 1, 2030, but is feasible within a longer timeline, then the Limit shall be met as soon feasible and approved by the Agency; or
 5. the Limit is demonstrated not to be achievable, then an effluent limit that is achievable by the Permittee (along with associated timeline) will apply instead, except that the effluent limit shall not exceed 0.6 mg/L Total Phosphorus 12 month rolling geometric mean (calculated monthly).
- B. The Limit shall be met by the Permittee by January 1, 2030, except in the following circumstances:
1. If the Permittee develops a written plan, preliminary engineering report, facility plan, or project plan no later than January 1, 2025, to rebuild or replace the secondary treatment process(es) of the treatment facility, the Limit shall be met by December 31, 2035; or

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2. If the Permittee decides to construct/operate biological nutrient removal (BNR) process(es), incorporating nitrogen reduction, the Limit shall be met by December 31, 2035; or
 3. If the Permittee decides to use chemical addition for phosphorus removal instead of BPR, the Limit and the effluent limit of 1.0 mg/L Total Phosphorus monthly average shall be met by December 31, 2025; or
 4. If the Permittee has already installed chemical addition for phosphorus removal instead of BPR, and has a 1.0 mg/L Total Phosphorus monthly average effluent limit in its permit, or the Permittee is planning to install chemical addition with an IEPA construction permit that is issued on or before July 31, 2018, the 1.0 mg/L Total Phosphorus monthly average effluent limit (and associated compliance schedule) shall apply, and the Limit shall not be applicable; or
 5. The NARP determines that a limit lower than the Limit is necessary and attainable. The lower limit and timeline identified in the NARP shall apply to the Permittee; or
 6. If the Permittee participates in a watershed group that is developing a NARP for an impairment related to phosphorus or a risk of eutrophication, and IEPA determines that the group has the financial and structural capability to develop the NARP by the deadline specified in the NARP provisions below.
- C. The Permittee shall identify and provide adequate justification of any exception identified in paragraph (A) or circumstance identified in paragraph (B), regarding meeting the Limit. The justification shall be submitted to the Agency at the time of renewal of this permit or by December 31, 2023, whichever date is first. Any justification or demonstration performed by the Permittee pursuant to paragraph (A) or circumstance pursuant to paragraph (B) must be reviewed and approved by the Agency. The Agency will renew or modify the NPDES permit as necessary. No date deadline modification or effluent limitation modification for any of the exceptions or circumstances specified in paragraphs (A) or (B) will be effective until it is included in a modified or reissued NPDES permit.
- D. For purposes of this permit, the following definitions are used:
1. BPR (Biological Phosphorus Removal) is defined herein as treatment processes which do not require use of supplemental treatment processes at the treatment facilities before or after the biological system, such as but not limited to, chemical addition, carbon supplementation, fermentation, or filtration. The use of filtration or additional equipment to meet other effluent limits is not prohibited, but those processes will not be considered part of the BPR process for purposes of this permit, and
 2. BNR (Biological Nutrient Removal) is defined herein as treatment processes used for nitrogen and phosphorus removal from wastewater before it is discharged. BNR treatment processes, as defined herein, do not require use of supplemental treatment processes at the treatment facilities before or after the biological system, such as but not limited to, chemical addition, carbon supplementation, fermentation or filtration. The use of filtration or additional equipment to meet other effluent limits is not prohibited, but those processes will not be considered part of the BNR process for purposes of this permit.
- E. The 0.5 mg/L Total Phosphorus 12 month rolling geometric mean (calculated monthly) effluent limit applies to the effluent from the treatment plant.

SPECIAL CONDITION 23. The Agency has determined that the Permittee's treatment plant effluent is located upstream of a waterbody or stream segment that has been determined to have a phosphorus related impairment. This determination was made upon reviewing available information concerning the characteristics of the relevant waterbody/segment and the relevant facility (such as quantity of discharge flow and nutrient load relative to the stream flow).

A phosphorus related impairment means that the downstream waterbody or segment is listed by the Agency as impaired due to dissolved oxygen and/or offensive condition (algae and/or aquatic plant growth) impairments that is related to excessive phosphorus levels.

The Permittee shall develop, or be a part of a watershed group that develops, a Nutrient Assessment Reduction Plan (NARP) for the upper south branch of the Kishwaukee River that will meet the following requirements:

- A. The NARP shall be developed and submitted to the Agency by December 31, 2023. This requirement can be accomplished by the Permittee, by participation in an existing watershed group or by creating a new group. The NARP shall be supported by data and sound scientific rationale.
- B. The Permittee shall cooperate with and work with other stakeholders in the watershed to determine the most cost-effective means to address the phosphorus related impairment. If other stakeholders in the watershed will not cooperate in developing the NARP, the Permittee shall develop its own NARP for submittal to the Agency to comply with this condition.
- C. In determining the target levels of various parameters necessary to address the phosphorus related impairment, the NARP shall either utilize the recommendations by the Nutrient Science Advisory Committee or develop its own watershed-specific target levels.
- D. The NARP shall identify phosphorus input reductions by point source discharges and non-point source discharges in addition to other measures necessary to remove phosphorus related impairments in the watershed. The NARP may determine, based on an

Special Conditions

assessment of relevant data, that the watershed does not have an impairment related to phosphorus, in which case phosphorus input reductions or other measures would not be necessary. Alternatively, the NARP could determine that phosphorus input reductions from point sources are not necessary, or that phosphorus input reductions from both point and nonpoint sources are necessary, or that phosphorus input reductions are not necessary and that other measures, besides phosphorus input reductions, are necessary.

- E. The NARP shall include a schedule for the implementation of the phosphorus input reductions by point sources, non-point sources and other measures necessary to remove phosphorus related impairments. The NARP schedule shall be implemented as soon as possible, and shall identify specific timelines applicable to the Permittee.
- F. The NARP can include provisions for water quality trading to address the phosphorus related impairments in the watershed. Phosphorus/Nutrient trading cannot result in violations of water quality standards or applicable antidegradation requirements.
- G. The Permittee shall request modification of the permit within 90 days after the NARP has been completed to include necessary phosphorus input reductions identified within the NARP. The Agency will modify the NPDES permit, if necessary.
- H. If the Permittee does not develop or assist in developing the NARP, and such a NARP is developed for the watershed, the Permittee will become subject to effluent limitations necessary to address the phosphorus related impairments. The Agency shall calculate these effluent limits by using the NARP and any applicable data. If no NARP has been developed, the effluent limits shall be determined for the Permittee on a case-by-case basis, so as to ensure that the Permittee's discharge will not cause or contribute to violations of the dissolved oxygen or narrative water quality standards.

Attachment H

Standard Conditions

Definitions

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

Agency means the Illinois Environmental Protection Agency.

Board means the Illinois Pollution Control Board.

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

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

USEPA means the United States Environmental Protection Agency.

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

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

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

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

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

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

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

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

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

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

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

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

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

(10) **Monitoring and records.**

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

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

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

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

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

authorized representative only if:

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

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

(12) **Reporting requirements.**

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

Notice is required when:

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

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

transferred to a new permittee if:

- (1) The current permittee notifies the Agency at least 30 days in advance of the proposed transfer date;
 - (2) The notice includes a written agreement between the existing and new permittees containing a specified date for transfer of permit responsibility, coverage and liability between the existing and new permittees; and
 - (3) The Agency does not notify the existing permittee and the proposed new permittee of its intent to modify or revoke and reissue the permit. If this notice is not received, the transfer is effective on the date specified in the agreement.
- (16) All manufacturing, commercial, mining, and silvicultural dischargers must notify the Agency as soon as they know or have reason to believe:
- (a) That any activity has occurred or will occur which would result in the discharge of any toxic pollutant identified under Section 307 of the Clean Water Act which is not limited in the permit, if that discharge will exceed the highest of the following notification levels:
 - (1) One hundred micrograms per liter (100 ug/l);
 - (2) Two hundred micrograms per liter (200 ug/l) for acrolein and acrylonitrile; five hundred micrograms per liter (500 ug/l) for 2,4-dinitrophenol and for 2-methyl-4,6 dinitrophenol; and one milligram per liter (1 mg/l) for antimony.
 - (3) Five (5) times the maximum concentration value reported for that pollutant in the NPDES permit application; or
 - (4) The level established by the Agency in this permit.
 - (b) That they have begun or expect to begin to use or manufacture as an intermediate or final product or byproduct any toxic pollutant which was not reported in the NPDES permit application.
- (17) All Publicly Owned Treatment Works (POTWs) must provide adequate notice to the Agency of the following:
- (a) Any new introduction of pollutants into that POTW from an indirect discharge which would be subject to Sections 301 or 306 of the Clean Water Act if it were directly discharging those pollutants; and
 - (b) Any substantial change in the volume or character of pollutants being introduced into that POTW by a source introducing pollutants into the POTW at the time of issuance of the permit.
 - (c) For purposes of this paragraph, adequate notice shall include information on (i) the quality and quantity of effluent introduced into the POTW, and (ii) any anticipated impact of the change on the quantity or quality of effluent to be discharged from the POTW.
- (18) If the permit is issued to a publicly owned or publicly regulated treatment works, the permittee shall require any industrial user of such treatment works to comply with federal requirements concerning:
- (a) User charges pursuant to Section 204 (b) of the Clean Water Act, and applicable regulations appearing in 40 CFR 35;
 - (b) Toxic pollutant effluent standards and pretreatment standards pursuant to Section 307 of the Clean Water Act; and
 - (c) Inspection, monitoring and entry pursuant to Section 308 of the Clean Water Act.
- (Rev. 7-9-2010 bah)
- (19) If an applicable standard or limitation is promulgated under Section 301(b)(2)(C) and (D), 304(b)(2), or 307(a)(2) and that effluent standard or limitation is more stringent than any effluent limitation in the permit, or controls a pollutant not limited in the permit, the permit shall be promptly modified or revoked, and reissued to conform to that effluent standard or limitation.
 - (20) Any authorization to construct issued to the permittee pursuant to 35 Ill. Adm. Code 309.154 is hereby incorporated by reference as a condition of this permit.
 - (21) The permittee shall not make any false statement, representation or certification in any application, record, report, plan or other document submitted to the Agency or the USEPA, or required to be maintained under this permit.
 - (22) The Clean Water Act provides that any person who violates a permit condition implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the Clean Water Act is subject to a civil penalty not to exceed \$25,000 per day of such violation. Any person who willfully or negligently violates permit conditions implementing Sections 301, 302, 306, 307, 308, 318 or 405 of the Clean Water Act is subject to a fine of not less than \$2,500 nor more than \$25,000 per day of violation, or by imprisonment for not more than one year, or both. Additional penalties for violating these sections of the Clean Water Act are identified in 40 CFR 122.41 (a)(2) and (3).
 - (23) The Clean Water Act provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than \$10,000, or by imprisonment for not more than 2 years, or both. If a conviction of a person is for a violation committed after a first conviction of such person under this paragraph, punishment is a fine of not more than \$20,000 per day of violation, or by imprisonment of not more than 4 years, or both.
 - (24) The Clean Water Act provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or non-compliance shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than 6 months per violation, or by both.
 - (25) Collected screening, slurries, sludges, and other solids shall be disposed of in such a manner as to prevent entry of those wastes (or runoff from the wastes) into waters of the State. The proper authorization for such disposal shall be obtained from the Agency and is incorporated as part hereof by reference.
 - (26) In case of conflict between these standard conditions and any other condition(s) included in this permit, the other condition(s) shall govern.
 - (27) The permittee shall comply with, in addition to the requirements of the permit, all applicable provisions of 35 Ill. Adm. Code, Subtitle C, Subtitle D, Subtitle E, and all applicable orders of the Board or any court with jurisdiction.
 - (28) The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit is held invalid, the remaining provisions of this permit shall continue in full force and effect.

FILED

MAR 20 2023

DeKalb County Clerk

KISHWAUKEE WATER RECLAMATION DISTRICT

*1301 Sycamore Road
DeKalb, Illinois 60115
Telephone 815 758-3513*

ORDINANCE NO. 606

AMENDING A USER CHARGE SYSTEM
AND REGULATING THE USE OF PUBLIC
SEWERS AND PUBLIC SEWAGE SYSTEMS

BOARD OF TRUSTEES

Dr. Dennis J. Collins, President

Mr. Timothy A. Struthers, Vice President

Ms. Ann E. Ray

March 15, 2023

ORDINANCE NO. 606

AN ORDINANCE AMENDING AND REPLACING ORDINANCE 520 AS AMENDED PROVIDING FOR THE REGULATION AND USE OF PUBLIC AND PRIVATE SEWERS AND DRAINS, PRIVATE SEWAGE DISPOSAL, THE INSTALLATION AND CONNECTION OF BUILDING SEWERS AND THE DISCHARGE OF WATERS AND WASTES INTO THE PUBLIC SEWER SYSTEM OF KISHWAUKEE WATER RECLAMATION DISTRICT, DEKALB COUNTY, ILLINOIS: ESTABLISHING CHARGES FOR THE USE OF AND SERVICE SUPPLIED BY SAID SYSTEM AND FOR CONNECTION THERETO AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF. THAT ON THE EFFECTIVE DATE OF THIS ORDINANCE #606 AS AMENDED BY ORDINANCE #269, 277, 288, 291, 295, 299, 303, 330, 347, 353, 372, 387, 415, 481, 506, 517, 520, 524, 528, 534, 540, 542, 547, 550, AND 553 SHALL BE REPEALED AND REPLACED BY THIS ORDINANCE.

WHEREAS, KISHWAUKEE WATER RECLAMATION DISTRICT, DEKALB COUNTY, ILLINOIS, has heretofore constructed and placed into operation facilities for the collection and treatment of sewage to promote the health, safety, comfort and convenience of its inhabitants and for the safeguarding of water resources; and

WHEREAS, it is necessary and in the public interest that the use of said system be required and that connections to said system be regulated, including the applicable user charges to assure that each recipient of wastewater treatment services will pay a proportionate share of the operation, maintenance and replacement expenses of said system, all in accordance with the rules and regulations of the Environmental Protection Agency and other regulatory agencies; and

WHEREAS, operation, maintenance and replacement expenses are incurred by the District in the collection, conveyance, treatment and disposal of wastewater discharged by users connected to the publicly owned sewerage system which include, but are not necessarily limited to, labor, administrative expense, utilities, chemicals and supplies, equipment replacement and depreciation charges; which said expenses have heretofore been derived in part from *ad valorem* taxes levied and collected upon the assessed valuation of property within the Sanitary District; and

NOW, THEREFORE, BE IT AND IT IS HEREBY ORDAINED BY THE BOARD OF TRUSTEES OF KISHWAUKEE WATER RECLAMATION DISTRICT, DEKALB COUNTY, ILLINOIS, AS FOLLOWS:

SECTION 1

A. Declaration of Policy: It is hereby declared to be the policy of the District to follow the requirements of the Federal Water Pollution Control Act, as amended by the Clean Water Act of 1977 and Water Quality Act of 1987, and regulations promulgated thereunder.

B. Abbreviations:

The following abbreviations shall have the designated meanings:

BOD	Biochemical Oxygen Demand
CFR	Code of Federal Regulations
COD	Chemical Oxygen Demand
FOG	Fats, Oils and Grease
IEPA	Illinois Environmental Protection Agency
mg/l	Milligrams per liter
NCPS	National Categorical Pretreatment Standards
NPDES	National Pollutant Discharge Elimination System
POTW	Publicly Owned Treatment Works
PSES	Pretreatment Standards for Existing Sources
PSNS	Pretreatment Standards for New Sources
PVC	Polyvinyl Chloride
RCRA	Resource Conservation and Recovery Act
SIC	Standard Industrial Classification
SWDA	Solid Waste Disposal Act
TSS	Total Suspended Solids
TTO	Total Toxic Organics
USC	United States Code
USEPA	United States Environmental Protection Agency

C. Definitions: Unless the context specifically indicates otherwise, the meaning of terms used in this Ordinance shall be as follows:

"Administrator" means the Administrator of the U.S. Environmental Protection Agency.

"Approval Authority" shall mean the Board of Trustees of the Kishwaukee Water Reclamation District which may act by and through its Manager being their duly authorized agent or representative.

"BOD" (Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20°C, expressed in milligrams per liter.

"Basic User Charge" shall mean the basic assessment levied on all users of the public sewer system.

"Basic User Rate" shall be the charge per unit of wastewater levied on all users of public sewer system.

"Building Drain" shall mean that part of the lowest piping of a drainage system which receives the discharge from waste and other drainage pipes inside the walls of the building and conveys it to the building sewer or other approved point of discharge, beginning five (5) feet (1.5 meters) outside the inner face of the building wall.

"Building Sewer" shall mean the extension from the building drain to the public sewer or other place of disposal.

"COD" (Chemical Oxygen Demand) shall mean the quantity of oxygen consumed from a chemical oxidant (standard potassium dichromate solution) under standard laboratory procedures as described in Standard Methods.

"City" shall mean the City of DeKalb and any reference to "Within the City" shall mean all territory within the perimeter of the City of DeKalb boundaries.

"Combined Sewer" shall mean a sewer which is designed and intended to receive wastewater, storm, surface, and groundwater drainage.

"Composite Sample" means a sample of wastewater based on a flow proportional or time proportional method.

"Consistent POTW Treatment Works Removal, Pollutant Removal or Removal" means reduction in the amount of a pollutant or alteration of the nature or concentration of a pollutant in the influent of the POTW to a less incompatible or concentrated state in the effluent. Consistent POTW removal efficiency shall be the difference between the average concentration of the pollutant in the influent of the treatment plant and the average concentration of the pollutant in the effluent of the treatment plant divided by the average concentration of the pollutant in the influent.

"Cooling Water" means the water discharged from any use such as air conditioning, cooling refrigeration, to which the only pollutant added is heat.

"County" shall mean DeKalb County and any reference to "Within the County" shall mean all territory within the perimeter of the DeKalb County boundaries.

"Debt Service Charge" shall mean the amount to be paid each billing period for payment of interest, principal and other requirements of Revenue Bonds or Loans outstanding and shall be computed by dividing the annual debt service by the number of users connected to the wastewater facilities.

"Director" means the chief administrative officer of the State of Illinois Environmental Protection Agency.

"District" shall mean Kishwaukee Water Reclamation District and any reference to "Within the District" shall mean all territory within the perimeter of the Kishwaukee Water Reclamation District boundaries or served by the Kishwaukee Water Reclamation District.

"District's Fats, Oil, and Grease ("FOG") Program" shall mean the latest revision of the written plan and procedures by which the District implements the control and management of FOG as defined herein.

"District Standards" shall mean the Kishwaukee Water Reclamation District's "Standard Sanitary Sewer Construction Details", latest revision.

"Easement" shall mean an acquired legal right for the specific use of land owned by others.

"Effluent Criteria" are defined in any applicable "NPDES Permit".

"Executive Director" shall mean the Executive Director of Kishwaukee Water Reclamation District or his authorized deputy, agent or representative as designated by the Board of Trustees.

"Existing Source" means any building, structure, facility, or installation from which there is or may be a discharge, which is not a New Source.

"Fats, Oil, or Grease (FOG)" means any hydrocarbons, fatty acids, soaps, fats, waxes, oils, and any other material that is extracted by hexane under standard laboratory procedures.

"Fecal Coliform" means any number of organisms common to the intestinal tract of man and animals whose presence in the sanitary sewage is an indicator of pollution.

"Federal Act" means the Federal Water Pollution Control Act, commonly referred to as the Clean Water Act, (33 U.S.C. 1251 at seq.) as amended.

"Floatable Oil" is oil, fat, or grease in a physical state such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility. A wastewater shall be considered free of floatable fat if it is properly pretreated and the wastewater does not interfere with the collection system.

"Flow" means volume of wastewater per unit of time.

"Food Service Facility" shall mean those establishments primarily engaged in activities of preparing, serving, or otherwise making available for consumption foodstuffs and that use one or more of the following preparation activities: cooking by frying, baking, grilling, sautéing, rotisserie cooking, broiling, boiling, blanching, roasting, toasting, or poaching. Also included are infrared heating, searing, barbecuing, and any other food preparation activity that produces a hot, non-drinkable food product in or on a receptacle that requires washing. These facilities include but are not limited to restaurants, bakeries, cafeterias, hotels, motels, hospitals, nursing homes, schools, grocery stores, churches, caterers, convenience stores, movie theaters, or any other sewer users as determined by the District who discharge applicable waste.

"Garbage" shall mean solid wastes from the domestic and commercial preparation, cooking, and dispensing of food, and from the handling, storage, and sale of produce.

"Grab Sample" means a sample which is taken from a waste stream on a one-time basis without regard to the flow in the waste stream and without consideration of time.

"Grease Interceptor" shall mean a device for separating and retaining waterborne FOG and grease complexes prior to the wastewater exiting the interceptor and entering the sanitary sewer collection system and treatment system. These devices shall also serve to collect settleable solids, generated by and from food preparation activities, prior to the water exiting the interceptor and entering the sanitary sewer collection and treatment system.

"Hauled Wastewater Program" shall mean the latest revision of the written plan and procedures by which the District implements the control and management of the disposal of wastewater by Wastewater Haulers as defined herein.

"Indirect Discharge or Discharge" means the introduction of pollutants into a POTW from any nondomestic source regulated under the Federal Act.

"Industrial User" means a source of Indirect Discharge, including but not limited to, a manufacturing or process facility, or other facility engaged in the purchase or sale of goods, transaction of business, or who otherwise renders services to the public.

"Industrial Waste" shall mean any solid, liquid, or gaseous substance discharged, permitted to flow or escape from any industrial, manufacturing, commercial or business establishment or process or from the development, recovery or processing of any natural resource as distinct from sanitary sewage.

"Infiltration" shall mean the water entering a sewer system, including building drains and sewers, from the ground, through such means as, but not limited to, defective pipes, pipe joints, connections, or manhole walls. (Infiltration does not include and is distinguished from, inflow).

"Infiltration/Inflow" shall mean the total quantity of water from both Infiltration and Inflow without distinguishing the source.

"Inflow" shall mean the water discharged into a sewer system, including, building drains and sewers, from such sources as, but not limited to, roof leaders; cellar, yard, and area drains; foundation drains; unpolluted cooling water discharges; sump pump discharges; drains from springs and swampy areas; manhole covers, cross connections from storm sewers; and combined sewers, catch basins, storm waters, surface runoff, street wash waters or drainage. (Inflow does not include, and is distinguished from, infiltration).

"Interference" means an inhibition or disruption of the POTW, its treatment processes or operations, or its sludge processes, use or disposal which is a cause of or significantly contributes to either a violation of any requirement of the POTW's NPDES Permit (including an increase in the magnitude or duration of a violation) or to the prevention of sewage sludge use or disposal by the POTW in accordance with the following statutory provisions and regulations or permits issued thereunder (or more stringent State or Local regulations): the Clean Water Act, the Solid Waste Disposal Act (SWDA) (included Title II more commonly referred to as the Resource Conservation and Recovery Act (RCRA) and including State regulations contained in any State sludge management plan prepared pursuant to Subtitle D of the SWDA), the Clean Air Act, and the Toxic Substances Control Act.

Any Industrial User significantly contributes to such a permit violation or prevention of sludge use or disposal in accordance with above-cited authorities whenever said User:

1. Discharges a daily pollutant loading in excess of that allowed by permit with the POTW or by Federal, State, or Local law;
2. Discharges wastewater which substantially differs in nature or constituents from the User's average discharge; or
3. Knows or has reason to know that its discharge, alone or in conjunction with discharges from other sources, would result in a POTW permit violation or prevent sludge use or disposal in accordance with the above-cited authorities as they apply to the POTW's selected method of sludge management.

"Manager" shall mean the Manager or Executive Director of Kishwaukee Water Reclamation District or his authorized deputy, agent or representative as designated by the Board of Trustees.

"May" is permissible.

"Milligrams per Liter" shall mean a unit of the concentration of water or wastewater constituent. It is 0.001 g of the constituent of 1,000 ml of water. It has replaced the unit formerly used commonly, (parts per million) to which it is approximately equivalent, in reporting the results of water and wastewater analysis.

"NPDES Permit" means any permit or equivalent document or requirements issued by the Administrator, or, where appropriated by the Director, after enactment of the Federal Clean Water Act to regulate the discharge of pollutants pursuant to the Federal Act.

"National Categorical Pretreatment Standard (NCPS)" means any pretreatment standard specifying quantities or concentrations of pollutants which may be discharged to a POTW by Industrial Users in specific industrial subcategories as established in regulations promulgated by the USEPA.

"Natural Outlet" shall mean any outlet into a watercourse, pond, ditch, lake, or other body of surface or groundwater.

"New Source" means any building, structure, facility, or installation from which there is or may be a discharge of pollutants, the construction of which commenced after the publication of proposed pretreatment standards under the Federal Act which will be applicable to such sources if such standards are thereafter promulgated in accordance with that Federal Act. If NCPS are not applicable, "New Source" shall mean any building, structure, facility, or installation from which there is or may be a discharge of pollutants, the remodeling (if that remodeling could result in the assigning by the District of a new SIC code) or construction of which commences after the effective date of this Ordinance.

"Operation and Maintenance Cost" shall mean all costs, direct and indirect (other than debt service) necessary to ensure adequate wastewater treatment on a continuing basis, conforming with related Federal, State and local requirements, and assuring optimal long term facility management. These costs include an annual charge for replacement of equipment computed on the basis of the cost of equipment replacement divided by its useful life.

"Ordinance" means this Ordinance.

"pH" shall mean the logarithm (base 10) of the reciprocal of the hydrogen-ion concentration expressed in grams per liter of solution. It shall be determined by one of the procedures outlined in "Standard Methods".

"POTW Treatment Plant" means that portion of the POTW designed to provide treatment to wastewater and sludge produced.

"ppm" shall mean parts per million by weight.

"Pass Through" means the discharge of pollutants through the POTW into navigable waters in quantities or concentrations which are a cause of or significantly contribute to a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation).

An Industrial User significantly contributes to such permit violation where it:

1. Discharges a daily pollutant loading in excess of that allowed by permit with the POTW or by Federal, State or Local law;
2. Discharges wastewater which substantially differs in nature and constituents from the User's average discharge;
3. Knows or has reason to know that its discharge, alone or in conjunction with discharges from other sources, would result in a permit violation;
4. Knows or has reason to know that the POTW is, for any reason, violating its final effluent limitations in its permit and that such Industrial User's discharge either alone or in conjunction with discharges from other sources, increases the magnitude or duration of the POTW's violations.

"Person" shall mean any and all persons, natural or artificial, including any individual, firm, company, municipal or private corporation, association, society, institution, enterprise, governmental agency or other entity.

"Pollutant" means any dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discharged equipment, rock, sand, cellar dirt or industrial, municipal, and agricultural waste discharged into water.

"Population Equivalent" is a term used to evaluate the impact of industrial or other waste on a treatment works or stream. One population equivalent is 100 gallons of sewage per day, containing 0.17 pounds of BOD, 0.20 pounds of suspended solids and 0.021 pounds of ammonia-nitrogen.

"Pretreatment" means the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater to a less harmful state prior to or in lieu of discharging or otherwise introducing such pollutants into a POTW. Dilution is not pretreatment.

"Pretreatment Requirements" means any substantive or procedural requirement related to pretreatment, other than a pretreatment standard, imposed on an Industrial User.

"Pretreatment Standards" means for any specified pollutant, District prohibitive discharge standards as and specific limitations on discharge as set forth in this Ordinance, the State of Illinois pretreatment standards, or the National Categorical Pretreatment Standards (when effective), whichever standard is most stringent.

"Properly Shredded Garbage" shall mean the wastes from the preparation, cooking, and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half (1/2) inch (1.27 centimeters) in any dimension.

"Public Sewer" shall mean a sewer dedicated to or provided by or subject to the jurisdiction of Kishwaukee Water Reclamation District. It shall also include sewers within or outside the District boundaries that serve one or more persons and ultimately discharge into the District sanitary sewer system, regardless of whether those sewers may or may not have been constructed with District funds.

"Publicly Owned Treatment Works (POTW)" means a treatment works as defined by the Federal Act, owned by the District. This definition includes any devices and systems used in the storage, treatment, recycling and reclamation of municipal sewage or industrial wastes of a liquid nature that convey

wastewater to the POTW treatment plant regardless of ownership, but does not include sewers, pipes, and other conveyances not connected to the District POTW treatment plant.

"Replacement" shall mean expenditures for obtaining and installing equipment, accessories, or appurtenances which are necessary during the useful life of the treatment works to maintain the capacity and performance for which such works were designed and constructed. The term "operation and maintenance" includes replacement.

"Residential or Commercial User or Non-Industrial User" shall mean any user of the treatment works not classified as an industrial user or excluded as an industrial user as provided for in this section.

"Sanitary Sewer" shall mean a sewer that conveys sewage or industrial wastes or a combination of both, into which storm, surface and groundwater or unpolluted industrial wastes are not intentionally admitted.

"Sewage" shall mean any liquid waste containing animal, human, or vegetable matter in suspension or solution, and may include liquids containing chemicals in solution.

"Sewer" shall mean a pipe or conduit for conveying sewage or any other waste liquids, including storm, surface and groundwater drainage.

"Sewerage" shall mean the system of sewers and appurtenances for the collection, transportation and pumping of sewage.

"Shall" is mandatory;

"Significant Industry" shall mean any industry that will contribute greater than ten percent (10%) of the design flow and /or design pollutant loading of the treatment works.

"Significant Violation" means a violation of this Ordinance which remains uncorrected 45 days after notification of noncompliance; which is part of a pattern of noncompliance over a twelve month period; which involves failures to accurately report noncompliance, or which resulted in the Sanitary District exercising its emergency authority under this Ordinance.

"Sludge" means the settleable solids separated from the liquids during the wastewater treatment processes.

"Slug" means any discharge of water or wastewater which in concentration of any given pollutant, as measured by a grab sample, exceeds more than five (5) times the allowable concentrations as set forth in this Ordinance or any pollutant, including oxygen demanding pollutants (BOD, etc.) released in a discharge at the flow rate and/or concentration which will cause interference with the POTW.

"Standard Methods" means the laboratory procedures set forth in the latest edition of "Standard Methods for the Examination of Water and Wastewater" published jointly by the American Public Health Association, the American Waterworks Association and the Water Pollution Control Federation and any other procedures recognized by the USEPA and IEPA.

"State Act" means the Illinois Anti-Pollution Bond Act of 1970.

"Storm Sewer" shall mean a sewer that carries storm, surface and groundwater drainage but excludes sewage and industrial wastes other than unpolluted cooling water.

"Stormwater Runoff" shall mean that portion of the precipitation that is drained into the sewers.

"Surcharge" shall mean the assessment in addition to the basic user charge, the basic user rate and debt service charge which is levied on those persons whose wastes are greater in strength or volume than the concentration values established in this Ordinance.

"Suspended Solids" shall mean solids that either float on the surface of, or are in suspension in water, sewage or industrial waste, and which are removable by a laboratory filtration device. Quantitative determination of suspended solids shall be made in accordance with procedures set forth in "Standard Methods".

"Total Solids" means the sums of suspended and dissolved solids.

"Total Toxic Organics" means the summation of all quantified values greater than 0.01 milligrams per liter for the toxic organics as specified in the applicable regulation.

"Unpolluted Water" is water of quality equal to or better than the effluent criteria in effect or water that would not cause violation or receiving water quality standards and would not be benefitted by discharge to the sanitary sewers and wastewater treatment facilities provided.

"Upset" means an exceptional incident in which there is unintentional and temporary noncompliance with applicable Pretreatment Standards because of factors beyond the reasonable control of the Industrial User. An Upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

"Useful Life" shall mean the estimated period during which the treatment works will be operated and shall be 30 years from the date of start-up.

"User" means any person who contributes, causes, or permits the contribution of wastewater into the District's wastewater collection and/or treatment system.

"User Charge" shall mean a charge levied on users of treatment works in the proportionate share to each user of the cost of operation and maintenance including replacement of such facilities and shall include surcharges for the treatment of any excess strength wastes.

"Wastewater" shall mean the spent water of a community. It may be a combination of the liquid and water-carried domestic wastes from residences, commercial buildings, industrial plants and institutions, together with any groundwater, surface water, and stormwater that may be present and which are not intentionally admitted.

"Wastewater Facilities" shall mean the structures, equipment, and processes required to collect, carry away, and treat domestic and industrial wastes and transport effluent to a watercourse.

"Wastewater Hauler" means any person, partnership or corporation engaged in transporting sanitary wastewater as a commercial venture.

"Wastewater Service Charge" shall be the charge per billing period established for all users of the wastewater facilities. The service charge shall be computed as outlined in this Ordinance and shall consist of the total of the basic user charge, the basic user rate, the debt service charge and a surcharge, if applicable.

"Wastewater Treatment Works" shall mean an arrangement of devices and structures for treating wastewater, industrial wastes and sludge; sometimes used as synonymous with "wastewater treatment plant" or "sewage treatment plant" or "pollution control plant".

"Watercourse" shall mean a channel in which a flow of water occurs, either continuously or intermittently.

"Water Quality Standards" are defined in the Water Pollution Regulations of Illinois.

"Waters of the State of Illinois" means all streams, lakes, ponds, marshes, water courses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through, or border upon the State of Illinois or any portion thereof.

SECTION 2

USE OF PUBLIC SEWER REQUIRED

- A. Unlawful Deposition of Wastes:** It shall be unlawful for any person to place, deposit or permit to be deposited in any unsanitary manner on public or private property within Kishwaukee Water Reclamation District or in any area under the jurisdiction of said District, any human or animal excrement, garbage, or other objectionable waste.
- B. Unlawful Discharge of Wastes:** It shall be unlawful to discharge to any natural outlet, watercourse or storm sewer within Kishwaukee Water Reclamation District or in any area under the jurisdiction of said District, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this Ordinance.
- C. Unlawful Construction of Sewage Facilities:** Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage.
- D. Mandatory Sewer Hook-up:** The owner of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes, situated within the District and abutting on any street, alley, or right-of-way in which there is now located or may in the future be located a public sanitary sewer of the District is hereby required at his expense to install suitable toilet facilities therein, and to connect such facilities directly with the public sewer in accordance with the provisions of this Ordinance within ninety (90) days after the date of official notice to do so, provided that said public sewer is within one hundred (100) (30.5 meters) feet of the property line.

SECTION 3

PRIVATE SEWAGE DISPOSAL

- A. When Allowed:** In the event a public sanitary sewer is not available. The building sewer shall be connected to a private sewage disposal system complying with the provisions of this section.
- B. Permit Required:** Before commencement of construction of a private sewage disposal system the owner shall first obtain a written permit signed by the DeKalb County Health Department. The application for such permit shall be made on a form furnished by the DeKalb County Health Department which the applicant shall supplement by any plans, specifications, and other information as are deemed necessary by the DeKalb County Health Department.
- C. Installation Inspection:** A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the DeKalb County Health Department. They shall be allowed to inspect the work at any stage of construction and, in any event, the applicant for the permit shall notify the DeKalb County Health Department when the work is ready for final inspection, and before any underground portions are covered. The inspection shall be made within forty-eight (48) hours of the receipt of notice by the DeKalb County Health Department.
- D. Abandonment of System:** At such time as a public sewer becomes available to a property served by a private sewage disposal system, as provided in Section 2, D., direct connection shall be made to the public sewer in compliance with this Ordinance, and any septic tanks, cesspools, and similar private sewage disposal facilities shall be abandoned. The building sewer shall be connected to said sewer within ninety (90) days and the private sewage disposal system shall be abandoned or disposed of per DeKalb County Health Department requirements.
- E. Owner to Operate and Maintain:** The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, at no expense to the District.
- F. Additional Requirements:** No statement contained in this Article shall be construed to interfere with any additional requirements that may be imposed by District, City, Village or the County.

SECTION 4

BUILDING SEWERS AND CONNECTIONS

- A. Permit Required:** No connection of a private sewer shall be made to any public sewer without written permission, as required by this Ordinance.

It shall be unlawful to make any connection to the District system without having first obtained a permit therefor. Applications to connect to the District system within the corporate boundaries of the City of DeKalb or Village of Malta shall be made on the respective jurisdiction's form and follow their respective permitting process. No permit shall be issued unless the City of DeKalb or Village of Malta shall have found that the Ordinances of the City or Village and the District would be complied with in the making of such connection.

Applications to connect to the District system outside of the corporate boundaries of the City of DeKalb or Village of Malta shall be made to the Executive Director and shall be accompanied by a

statement as to the purpose of the connection, the premises to be served, the specifications of the pipe to be connected and of the drain from the house to the sewer line.

All disposals by any person into the sewer system are unlawful except those discharges in compliance with federal standards promulgated pursuant to the Federal Act and more stringent State and local standards.

No unauthorized person shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenances thereof without first obtaining written authorization from the District.

Before a permit may be issued for excavating for plumbing or sanitary sewer work in any public street, way or alley, within the corporate boundaries of the City of DeKalb or Village of Malta, the person applying for such permit shall have complied with any and all terms and conditions established by the local Building Department, with respect to permits for excavation. For excavations outside the corporate boundaries of the City of DeKalb or Village of Malta, the applicant shall comply with any and all terms and conditions with respect to excavation permits established by the appropriate authority.

Any project connecting a load equal to or greater than 15 Population Equivalents (P.E.) shall require an Illinois Environmental Protection Agency (IEPA) Sewer Construction Permit.

B. Permit – Classes – Application – Inspection Fee – Reconnection Inspection:

1. Permit applications shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Executive Director. Any industry, as a condition of permit authorization, must provide information describing its wastewater constituents and type of activity, in accordance with details in the District's Pretreatment Ordinance.
2. An inspection fee of One Hundred Dollars (\$100.00) shall be paid to the District at the time the application is filed. This fee is in addition to any amount now or hereafter required to be paid by persons making excavations for such purposes, and such sum shall be used for the purpose of providing for inspections of the connection to the sewer.

An additional fee of One Hundred Dollars (\$100.00) will be charged for all inspections required other than during the regular forty (40) hours work week.

A Minimum Sanitary Sewer Connection Fee of \$600.00 shall be charged for any improvement sought to be constructed in the District. The connection fee shall be \$600.00 per P.E. (Population Equivalent).

No connection permit will be required for the removal of stoppage in waste pipes or for the repairing of broken or old sewer lines, provided such repaired lines conform to the regulations contained in this Ordinance, and provided that the existing connection to the public sewer line is not repaired or replaced and that said connection conforms to the regulations contained in this Ordinance, and provided further that there be no protrusion of the service line into the public sewer line, and provided further that the connection is watertight.

Any person who makes any excavation, or does any work without first securing the permit required by this Section, shall in addition to any other penalty imposed by this Section, pay to the District within twenty-four (24) hours of receipt of demand therefor, the sum of Two Hundred Fifty Dollars

(\$250.00) for the purpose of paying the fees of the District. A District representative shall thereupon make an inspection as in other cases. Failure to pay the said sum on demand as provided shall constitute a separate violation.

A reconnection fee will be charged in any situation where service from a building to the public main is, for any reason, terminated and later reconnected. Said fee shall be a minimum of \$150.00 for residential units and \$250.00 for commercial units. Upon reconnection, the District shall compute whether or not there is any additional load (P.E.'s) that will result from the new use as opposed to the prior use and, in the event there is, the connection fee shall be as stated above for the anticipated P.E.'s that exceed the prior use.

- C. Permit Contingent on Adequacy of Downstream Sewerage Facilities:** A building sewer permit will only be issued and a sewer connection shall only be allowed if it can be demonstrated that the downstream sewerage facilities, including sanitary sewers, pump stations, and wastewater treatment facilities, have sufficient reserve capacity to adequately and efficiently handle the additional anticipated waste load.
- D. Permit and Connection Restrictions:** No person shall make any connection to any public sewer of the District, or any connection to a private sewer which discharges sewage into a public sewer of the District, for the purpose of handling any sewage or other waste from any building located outside the corporate limits of the District; and no officer or employee of the District shall issue any permit to any person for the purpose of making any such connections, except for properties within areas served under an intergovernmental agreement or pre-annexation agreement.
- E. Cost Borne by Owner:** All costs and expense incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the District from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.
- F. Each Building to Have Individual Connection:** Every house, store, or other building connected with the public sewer must have a direct connection therewith except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard, or driveway. The building sewer from the front building may then be extended to the rear building and the whole considered as one building sewer. In no case shall there be more than two (2) buildings allowed to make such connection through one pipe unless legal easement is obtained and recorded. In no case shall a building be connected to the public sewer through a pipe laid beneath or through property owned by another person unless legal easement is obtained and recorded. In no case shall any person be permitted to maintain, without the consent of the Executive Director, any sewer connection connecting a building owned by him to the public sewer across or under the property of another.
- G. Use Old Sewers for New Buildings:** Old building sewers may be used in connection with new buildings only when they are found, on examination and tested by the District, to meet all requirements of this Ordinance. In the event the old building sewers do meet all the requirements of this Ordinance, a reconnection fee may be charged. Said fee shall be a minimum of \$150.00 for residential units and \$250.00 for commercial units. Upon reconnection, the District shall compute whether or not there is any additional load (P.E.'s) that will result from the new use as opposed to the prior use and, in the event there is, the connection fee shall be as stated above for the anticipated P.E.'s that exceed the prior use.
- H. Construction Standards:**

1. The size, slope, alignment, materials of construction of a building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing, and backfilling the trench, shall conform to the requirements of the building and plumbing code, Kishwaukee Water Reclamation District Standard Sanitary Sewer Construction Details and General Notes and other applicable rules and regulations of the District.
2. Existing tees or wyes shall be used to connect building sewers to public sanitary sewers. The Executive Director or his designee may approve a new connection at a location where no wye was originally installed. New connections shall be made in accordance with District Standards through the installation of a new tee or wye connection or, upon District approval, a saddle connection.

An approved and proper procedure should be used to connect building sewers to manholes. The person making the connection shall "core drill" the opening into the manhole and then connect the building sewer to the manhole using a proper sleeve. A "proper sleeve" is herein defined to mean a "link seal" type sleeve made of solid rubber links interconnected by bolts (or other equivalent seal examined and accepted by the Executive Director or his designee).

3. Building sewers shall not be less than six inches (6") in internal diameter of ductile iron, or PVC, equal in quality of the best pipe laid in the public sewers, provided however, that such pipes shall also comply with any standards established by any additional governmental body having jurisdiction to set such standards.
4. Building sewers between the public sewer and curb line shall be laid on a grade of not less than one (1) in forty-eight (48). No deviation will be permitted from this grade unless by special permission of the Executive Director.
5. Whenever the grade from the curb to the house connection is less than one (1) in forty-eight (48), all discharge pipes leading from kitchen sinks, laundry and stationary wash tubs, or any other receptacles likely to contain grease in any form, shall make direct connection with and discharge their contents into receiving basins; and in all cases bath tubs, water closets, hand basins, and other such receptacles shall connect directly with the main drain.
6. Every person using the public sewers of the District shall provide such fixtures as will allow a sufficient quantity of water to flow into the lateral drain or private sewer and shall keep such private sewer at all times unobstructed.
7. All connections with sewers or drains used for the purpose of carrying off refuse from water closets, or slops from kitchens, shall be provided with fixtures allowing for sufficient water flow to properly carry of such matter.
8. Cleanouts per District Standards shall be installed on building sewers at five feet (5') from the building wall and at one hundred foot (100') intervals and bends greater than 12 ½%, where applicable.

I. Connection to be at Elevation Below Basement Floor When Possible: Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer. New structures with basements constructed in the Kishwaukee Flood Plain or low areas prone to flooding shall discharge to the sanitary sewer via a sanitary lift pump of approved type.

J. Maintenance and Connection of Sources of Surface Runoff or Groundwater Prohibited: The maintenance and connection of roof downspouts, foundation drains, areaway drains, sump pump discharges or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer is prohibited. In the event that the District determines that a user has roof downspouts, foundation drains, areaway drains, sump pump discharges or other sources of surface runoff or groundwater to a building sewer or building drain is connected directly or indirectly to a public sanitary sewer system, the following shall apply:

1. The Kishwaukee Water Reclamation District may assess against said User, a usage fee of Two Hundred and Fifty (\$250.00) dollars per month, or such greater amount as the Board of Trustees in the exercise of its discretion deems to be appropriate, for the handling of storm water, surface water, groundwater, foundation drain water, roof runoff, subsurface drainage, sump pump discharge, uncontaminated cooling water, or unpolluted industrial process waters.
2. Enforcement of said usage fee shall be applicable to such system users including but not limited to all households, commercial businesses, industries, schools, churches and not-for-profit organizations (hereinafter referred to as the "assessable entity") within the District for purposes of the Kishwaukee Water Reclamation District hereinabove recited.
3. Notwithstanding this blanket imposition of a fee for handling inflow and infiltration of stormwater into the system, such fee shall not become due and owing by any assessable entity until a determination has been made by a recognized agent of the District that such assessable entity has failed to comply with this Ordinance.
4. Such determination shall be made by an inspection of the premises of the assessable entity subsequent to a written demand for inspection, served by regular or certified mail addressed to the assessable entity at its common address.
5. If, after inspection, the recognized agent of the District determines that the assessable entity is in compliance with this Ordinance, a Certificate of Compliance shall be issued and the fee for the handling of storm water, surface water, groundwater, foundation drain water, roof runoff, subsurface drainage, sump pump discharge, uncontaminated cooling water, or unpolluted industrial process waters shall be waived by the District and deemed not applicable to the assessable entity thus receiving a Certificate of Compliance.
6. If, after inspection, the recognized agent of the District determines that the assessable entity is not in compliance with this Ordinance, written notice of said fact shall be served upon the owner or agent of the assessable entity who shall be given a period of ninety (90) days (or such periods thereafter as may be granted by the Board of Trustees) to correct any defects found during the inspection and make such repairs or corrections as are necessary to come into compliance with this Ordinance.
 - a. If, at any time prior to the expiration of said ninety (90) day period (or the expiration of such extensions thereof as may be granted) a recognized agent of the District determines, upon inspection, that the assessable entity has come into compliance with this Ordinance, the assessable entity shall be given a "Certificate of Compliance" and the fee for handling of storm water, surface water, groundwater, foundation drain water, roof run-off, subsurface drainage, sump pump discharge, uncontaminated cooling water, or unpolluted industrial process waters shall be waived by the District and deemed not applicable to the assessable entity thus receiving a Certificate of Compliance.

- b. If the ninety (90) day period to correct noncompliance (or any extensions thereof) expires and the District has not been requested or permitted to re-inspect the premises to determine that compliance with this Ordinance has been achieved, then such assessable entity shall be deemed presumptively in violation of this Ordinance and hence an additional burden on the sanitary sewer system and the fee hereinabove established will be assessed.
 - c. Such Certificate of Compliance and accompanying waiver of usage fee shall be valid and binding for so long as no subsequent written demand for inspection as hereinabove referred to, has been served, but if a written demand is so served then the Certificate of Compliance is immediately revoked along with the accompanying fee waiver. In the event a subsequent written demand for inspection is made on the assessable entity said usage fee will not be due and owing until a determination has been made by a recognized agent of the District that such assessable entity has failed to comply with this Ordinance as hereinabove provided.
7. In the event an inspector of the Kishwaukee Water Reclamation District shall be denied access to inspect the assessable entity after written demand and a reasonable opportunity granted to conduct the inspection, such entity shall be deemed presumptively in violation of the this Ordinance, and hence an additional burden on the sanitary sewer system and the fee hereinabove mentioned shall be assessed immediately.
8. In the event assessments of the fee shall be made, the owners of the assessable entity shall be notified, in writing, and the assessments shall become due and payable beginning with the 30th day following written notice thereof. Such monthly assessments shall continue until such time as the assessable entity receives the "Certificate of Compliance" from a recognized agent of the Kishwaukee Water Reclamation District. Such assessments shall be billed as a "surcharge" to the assessable entity.

When in the opinion of the District, a building sewer is found to be defective and results in excessive infiltration, the building sewer shall be repaired or replaced in accordance with the provisions of this Ordinance within ninety (90) days of written notice. Violators may be subject to fines per the terms of this Ordinance.

K. Connection Specifications: The connection of the building sewer into the public sewer shall conform to the requirements of the latest edition of the Illinois State Plumbing Code and District Standards. Any deviation from the prescribed procedures and materials must be approved by the jurisdiction in which the connection occurs.

L. Connection to be Made Under Supervision of the Executive Director or His Designee: The applicant for the building sewer shall notify the Executive Director or his designee when the building sewer is ready for inspection and connection to the public sewer. The sewer lateral from the property line to the District sewer main shall remain uncovered for inspection and the connection shall be made under the supervision of the Executive Director or his designee. The excavation shall not be filled in until the Executive Director or his designee issues a written statement that the work performed on such sewer has been satisfactorily performed and this statement shall only be issued by the Manager or his designee when by his inspection he shall find that the work has been done in accordance with the provisions of this Ordinance, and in good workmanlike manner.

M. Concealing Sewer Before Approved: Any person filling in any excavation without having first received the written approval of the Executive Director or his designee as provided in this Ordinance, shall, in addition to suffering the fine herein imposed, expose the sewer for inspection by the Executive Director or his designee at no cost to the District. In any case where the Executive Director or his designee finds the work on any sewer not done in a satisfactory manner as herein provided, he shall serve written notice on the person, to whom the permit is issued, stating wherein such work is deficient, and ordering said person to remedy such defect within seventy-two (72) hours. In the event such person fails to comply therewith, the Executive Director or his designee shall cause such defect to be corrected at the expense of the person to whom the permit was issued. The sum of One Hundred Dollars (\$100.00) as herein provided shall be paid to the Executive Director or his designee as a fee for the performance of the Executive Director or his designee, and it shall be the duty of the Executive Director or his designee to inspect any sewer connection or sewer pipe within the District. It shall also be the duty of the Executive Director or his designee to inform the proper officials of any violation of this Ordinance and to assist in the prosecution of offenders.

N. Safety Precautions Required: All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the District at no expense to the District.

O. Public Sewer Construction: (Not house laterals or building service lines)

1. All sanitary infrastructure (including materials used and construction methods) constructed within the District or which service sanitary infrastructure which will be tributary to the collection system and/or treatment works of the District must comply with all laws, Ordinances, Rules and Regulations of the U.S. Environmental Protection Agency, the Illinois Environmental Protection Agency, and the Kishwaukee Water Reclamation District.
2. In addition to all other Laws, Ordinances, Rules, and Regulations, which would govern the construction of sanitary infrastructure, including specifically, the Standard Specifications for Water and Sewer Construction in Illinois (latest edition), the specifications in the Kishwaukee Water Reclamation District Standard Sanitary Sewer Construction Details (District Standards) must be followed and incorporated into any and all plans for the construction of Sanitary Infrastructure which will be tributary to the collection system or treatment works of the District.
3. Any installation methods, appurtenances, fittings, or material specifications that would constitute a variation from any of the above requirements must be approved in writing by the District.
4. The standards set forth in District Standards may from time to time, change as new materials or techniques are found to be more desirable.
5. In the event any specifications for the construction of sanitary infrastructure found in any Rule, Regulation, Law, or Ordinance is at variance with those found in this Ordinance and in the District Standards, the specifications in the District Standards shall control.
6. Except as expressly modified herein, all other Ordinances of the Kishwaukee Water Reclamation District shall remain in full force and effect.

SECTION 5

USE OF PUBLIC SEWERS

A. Regulations:

1. **Storm and Unpolluted Waters Not Allowed:** No person shall discharge, or cause to be discharged, any storm water, surface water, groundwater, foundation drain water, roof runoff, subsurface drainage, sump pump discharge, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer unless specifically authorized by the District. Dischargers of unpolluted waters may be subject to a "usage fee" as found in this Ordinance.
2. **Discharge of Storm and Unpolluted Waters:** Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers, or to a natural outlet approved by the City of DeKalb, Village of Malta, DeKalb County or other local stormwater management agency. Industrial cooling water or unpolluted process waters may be discharged, on approval of the Executive Director or his designee, to a storm sewer, or natural outlet.
3. **General Discharge Prohibitions:** No User shall contribute or cause to be contributed, directly or indirectly, any pollutant or wastewater which will interfere with the operation or performance of the POTW, or will pass through the POTW. These general prohibitions apply to all such Users of a POTW whether or not the User is subject to National Categorical Pretreatment Standards or any other National, State, or local Pretreatment Standards or Requirements.
4. **Specific Prohibitions:** No User shall introduce or cause to be introduced into the POTW the following pollutants, substances, or wastewater.
 - a. Pollutants which create a fire or explosive hazard in the POTW, including, but not limited to, waste streams with a closed-cup flashpoint of less than 140 degrees F (60 degrees C) using the test methods specified in 40 CFR 261.21;
 - b. Wastewater having a pH less than 5.5 or more than 10.5, or otherwise causing corrosive structural damage to the POTW or equipment;
 - c. Solid or viscous substances in amounts which will cause obstruction of the flow in the POTW resulting in Interference but in no case solids greater than ½ inch(es) in any dimension;
 - d. Pollutants, including oxygen-demanding pollutants (BOD, etc.), released in a discharge at a flow rate and/or pollutant concentration which, either singly or by interaction with other pollutants, will cause Interference with the POTW; Users may be subject to surcharge rates found in this Ordinance.
 - e. Wastewater having a temperature greater than 157 degrees F (65 degrees C), or which will inhibit biological activity in the treatment plant resulting in Interference, but in no case wastewater which causes the temperature at the introduction into the treatment plant to exceed 104 degrees F (40 degrees C);
 - f. Petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin, in amounts that will cause Interference or Pass Through;

- g. Pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems;
- h. Trucked or hauled pollutants, except at discharge points designated by the Executive Director in accordance with the current Pretreatment Ordinance and any current Hauled Waste Program Rules and Regulations;
- i. Noxious or malodorous liquids, gases, solids, or other wastewater which, either singly or by interaction with other wastes, are sufficient to create a public nuisance or a hazard to life, or to prevent entry into the sewers for maintenance or repair;
- j. Wastewater which imparts color which cannot be removed by the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions, which consequently imparts color to the treatment plant's effluent, thereby violating the District's NPDES permit;
- k. Wastewater containing any radioactive wastes or isotopes except in compliance with applicable State or Federal regulations;
- l. Sludges, screenings, or other residues from the pretreatment of industrial wastes;
- m. Medical Wastes, except as specifically authorized by the Manager in an individual wastewater discharge permit or a general permit;
- n. Wastewater causing, alone or in conjunction with other sources, the treatment plant's effluent to fail toxicity test;
- o. Detergents, surface-active agents, or other substances that might cause excessive foaming in the POTW;
- p. Wastewater in excess of 10% of the Lower Explosive Limit of an explosion hazard meter at the point of discharge into the POTW, or at any point in the POTW.
- q. Any wastewater containing any substance including but not limited to BOD, total solids, suspended solids, ammonia nitrogen or total phosphorus of such character and quantity that unusual attention or expense is required to handle such materials at the sewage treatment plant; provided however, that a User may be permitted by specific, written agreement with the District, which agreement to discharge such BOD or TSS may provide for special charges, payments or provisions for treating and testing equipment.
- r. Pollutants, substances, or wastewater prohibited by this Section shall not be processed or stored in such a manner that they could be discharged to the POTW.

Compliance with the provisions of this section shall be required on the effective date of promulgation of this Ordinance. In addition, the User shall also comply with the current Pretreatment Ordinance, where applicable.

5. **District's Right of Revision:** The District reserves the right to establish by ordinance more stringent limitations or requirements on discharges to the POTW.

No industry may contribute to the POTW any of the following substances in excess of the following standards unless such discharge is contributed in accordance with a valid Wastewater Discharge Permit duly issued in accordance with the District's current Pretreatment Ordinance. Users may be subject to surcharge rates found in this Ordinance.

Parameter	Daily Maximum	Maximum Monthly Average
BOD ₅	2,000 mg/l 167 lbs./10,000 gallons	400 mg/l/day 33.4 lbs./10,000 gallons
TSS	2,000 mg/l 167 lbs./10,000 gallons	400 mg/l/day 33.4 lbs./10,000 gallons
Ammonia Nitrogen	100 mg/l 8.34 lbs./10,000 gallons	50 mg/l/day 4.17 lbs./10,000 gallons
Total Phosphorus	20 mg/l 1.67 lbs./10,000 gallons	10 mg/l/day 0.84 lbs./10,000 gallons

6. **Protection of Sewage Works from Damage:** No person shall maliciously, willfully, or negligently break, damage, destroy, or tamper with any structure, appurtenance, or equipment which is a part of the sewage works. Any person violating this provision shall be subject to immediate arrest.
7. **Notification of Discharge of Hazardous Waste:** Any User who commences the discharge of hazardous waste shall notify the POTW, the EPA Regional Waste Management Division Director, and State hazardous waste authorities, in writing, of any discharge into the POTW of a substance which, if otherwise disposed of, would be a hazardous waste under 40 CFR Part 261. Such notification must include the name of the hazardous waste as set forth in 40 CFR Part 261, the EPA hazardous waste number, and the type of discharge (continuous, batch, or other). If the User discharges more than one hundred (100) kilograms of such waste per calendar month to the POTW, the notification also shall contain the following information to the extent such information is known and readily available to the User: an identification of the hazardous constituents contained in the wastes, an estimation of the mass and concentration of such constituents in the waste stream discharged during that calendar month, and an estimation of the mass of constituents in the waste stream expected to be discharged during the following twelve (12) months. All notifications must take place no later than one hundred and eighty (180) days after the discharge commences. Any notification under this paragraph need be submitted only once for each hazardous waste discharged. However, notifications of changed conditions must be submitted under this Ordinance. The notification requirement in this Section does not apply to pollutants already reported by Users subject to categorical Pretreatment Standards under the self-monitoring requirements of this Ordinance.

Dischargers are exempt from the requirements of paragraph A, above, during a calendar month in which they discharge no more than fifteen (15) kilograms of hazardous wastes, unless the wastes are acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e). Discharge of more than fifteen (15) kilograms of non-acute hazardous wastes in a calendar month, or of any quantity

of acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e), requires a one-time notification. Subsequent months during which the User discharges more than such quantities of any hazardous waste do not require additional notification.

In the case of any new regulations under the RCRA identifying additional characteristics of hazardous waste or listing any additional substance as a hazardous waste, the User must notify the Manager, the EPA Regional Waste Management Waste Division Director, and State hazardous waste authorities of the discharge of such substance within ninety (90) days of the effective date of such regulations.

In the case of any notification made under this Section, the User shall certify that it has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree it has determined to be economically practical.

This provision does not create a right to discharge any substance not otherwise permitted to be discharged by this Ordinance, a permit issued thereunder, or any applicable Federal or State law.

8. Hauled Wastewater & Wastewater Haulers:

- a. **Compliance:** All wastewater haulers shall discharge any and all sanitary wastes in compliance with the then current rules and regulation as established in the District's Hauled Wastewater Program. The discharge of hauled waste is subject to all other requirements of this Ordinance. All procedures for discharging, for cleanliness, and for general sanitary operation on District property, as prescribed by the District, shall be strictly adhered to by all wastewater haulers delivering wastewater to the District dumping station.
- b. **Location of Wastewater Discharge:** All wastewater discharge shall occur only at locations designated by the Executive Director, and at such times as are determined by the Executive Director as established in the then current District's Hauled Wastewater Program. No load may be discharged without prior consent of the Executive Director. The Executive Director also may prohibit the disposal of hauled waste at his or her sole discretion.
- c. **Wastewater Haulers Permits:** All wastewater haulers shall have valid wastewater hauler permits as required by State and Federal Regulatory Agencies. In addition, the Executive Director may require generators and haulers of industrial waste to obtain individual wastewater discharge permits or general permits.
- d. **Wastewater Samples:** The District may, at its sole discretion, collect samples of each hauled load to ensure compliance with applicable Standards before any wastewater hauler is allowed to dump. The District may require the industrial waste hauler to provide a waste analysis of any load prior to discharge.
- e. **Waste-tracking:** The source(s) of all liquid wastes being hauled to the POTW treatment plant shall be properly documented in a form established by the then current District's Hauled Wastewater Program. Industrial waste haulers must provide a waste-tracking form for every load as established by the then current District's Hauled Wastewater Program.

- f. **Mixing Wastewater Prohibited:** Wastewater from a domestic level User shall not be mixed with wastewater from an Industrial User. Vehicles hauling wastewater from an Industrial User shall not be used to haul wastewater from a domestic level User for disposal at the POTW unless thoroughly cleaned between hauls.
 - g. **Revocation for Noncompliance:** In addition to remedies available to District set forth elsewhere in this Ordinance, failure of a wastewater hauler to comply with the provisions of this section shall be grounds for revocation of the hauler's discharge privilege by the Approval Authority.
9. **Fats, Oils, and Grease:** Fat, grease, oil, and sand interceptors shall be provided, when in the opinion of the Executive Director, they are necessary for the proper handling of wastewater containing excessive amounts of fats, oils, grease, or sand in compliance with the then current rules and regulation as established in the District's Fats, Oil, and Grease ("FOG") Program. Such interceptors shall not be required for residential users. All interception units shall be of a type and capacity approved by the Executive Director, and shall comply with the District's FOG Program. Such interceptors shall be inspected, cleaned, and repaired in accordance with the District's FOG Program by the User at the User's own expense.
- B. Right of Entry:** The District shall have the right to enter the premises of any User, at all reasonable times after giving reasonable notice to User to determine whether the User is complying with all requirements of this Ordinance and any individual wastewater discharge permit or general permit or order issued hereunder. Users shall allow the District ready access to all parts of the premises for the purposes of inspection, sampling, records examination and copying, and the performance of additional duties.
- 1. **Necessary Arrangements:** Where a User has security measures in force which require proper identification and clearance before entry into its premises, the User shall make necessary arrangements with its security guards so that, upon presentation of suitable identification, the District Staff shall be permitted to enter without delay for the purposes of performing specific responsibilities.
 - 2. **Installation of Sampling Devices:** The District shall have the right to set up on the User's property, or require installation of, such devices as are necessary to conduct sampling and/or metering of the User's operations. The monitoring facility should normally be situated on the Users' premises, but the District may, when such location would be impractical or cause undue hardship on the User, allow the facility to be constructed in the public street or sidewalk area and located so that it will not be obstructed by landscaping or parked vehicles or other activities of the User.
 - 3. **Sampling and Monitoring Devices:** The District may require the User to install monitoring equipment or additional control manholes or sampling chambers as necessary. The facilities' sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the User at its own expense. All devices used to measure wastewater flow and quality shall be calibrated a minimum of one time per year to ensure their accuracy. The User shall submit a copy of the certification to the District.
 - 4. **Sampling Techniques:** All pollutant analysis, including sampling techniques, required by this Ordinance shall be performed in accordance with the techniques prescribed in 40 CFR Part 136 does not contain sampling or analytical techniques for the pollutants in question, or where the Administrator determines that the Part 136 sampling and analytical techniques are inappropriate for

the pollutant in question, sampling and analysis shall be performed by using validated analytical methods or any other sampling and analytical procedures, including procedures suggested by the POTW or other parties, approved by the EPA.

5. **Obstruction to Access:** Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the User at the written or verbal request of the District and shall not be replaced. The costs of clearing such access shall be borne by the User.
6. **Unreasonable Delays:** Unreasonable delays in allowing the District access to the User's premises shall be a violation of this Ordinance.

C. Fees:

1. **Purpose:** It is the purpose of this section to provide for the recovery of costs from Users of the District's wastewater disposal system for the implementation of the program established herein. The applicable charges or fees shall be set forth by the District's Schedule of Charges and Fees.
2. **Charges and Fees:** The District may adopt charges and fees which may include but are not limited to:
 - a. fees for reimbursement of costs of setting up and operating the District 's Pretreatment Program;
 - b. fees for monitoring, inspections, and surveillance procedures;
 - c. fees for reviewing accidental discharge procedures and construction;
 - d. fees for permit applications;
 - e. fees for filing appeals;
 - f. fees for consistent removal (by the District) of pollutants otherwise subject to Federal Pretreatment Standards;
 - g. other fees as the District may deem necessary to carry out the requirements contained herein.
 - h. fees for reimbursement of costs of District appreciation for removal credits towards Federal Pretreatment Standards.
 - i. Fees for a program to remove such water from the system by inspecting for illegal connections to the system of sump pumps, roof drains, and other drains which inspections are followed by requests of residents within the District to correct any problems found during such inspections.

These fees relate solely to the matters covered by this Ordinance and are separate from all other fees chargeable by the District.

D. Administration:

1. **Denial of Permit and Appeal Procedure:**

- a. No discharge permit shall be issued by the District to any person whose discharge of material to sewers, whether shown upon their application or determined after inspection and testing conducted by the District, is not in conformity with District ordinances, and regulations, unless a variance of such nonconformity is granted by the District in the manner set forth in this ordinance. The District shall state the reason or reasons for denial in writing, which shall be mailed or personally delivered to the applicant within ten (10) days after denial.
 - b. If the application is denied by the Executive Director the User may obtain review of the denial by the Approval Authority (acting on its own behalf and not through its Manager), provided that the User shall give written notice of this request within thirty (30) days after receipt of such denial. The Approval Authority shall review the permit application, the written denial and such other evidence and matters as the applicant and Executive Director shall present. The decision of the Approval Authority shall be final.
2. **Special Agreement and Amendments:** No statement contained in this Section shall be construed as preventing any special agreement or arrangement between the District and any Industry whereby the District will accept and treat any waste normally prohibited, as long as such wastes do not violate any applicable pretreatment standards or requirements.
 3. **Accident Liability:** While performing the necessary work on private properties referred to in this Ordinance, the Executive Director or duly authorized employees of the District, the Illinois Environmental Protection Agency, and the U.S. Environmental Protection Agency shall observe all safety rules applicable to the premises established by the company and the company shall be held harmless of injury or death to the District employees and the District shall indemnify the company against loss or damage to its property by District employees and against liability claims and demands for personal injury or property damage asserted against the company and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions..
 4. **Easement Rights:** The Executive Director or his or her designee and other duly authorized employees of the District bearing proper credentials and identification shall be permitted to enter all private properties through which the District holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the sewage works lying within said easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to private property involved.

E. Enforcement Procedures and Penalties:

1. **Notification of Violation:** Should analysis by the District indicate that any standards, requirements, or limitations on discharge contained in any provision of this Ordinance, an individual wastewater discharge permit, a general permit, or any other Standard or Requirement, a violation is presumed to have occurred. The District shall serve written notice of presumed violation upon the User by personal service, mailing a copy of the notice, by certified mail, to the User's address as listed on the District's records, or by posting the notice in a visible and conspicuous place upon the real property where the presumed violation occurred.

The Notice of Violation shall state:

- (1) The nature of the violation;

- (2) The provision or provisions of this Ordinance violated;
- (3) The date the Notice of Violation was either posted or deposited in the United States mail;
- (4) The requirement that the violation be corrected and explained within the time period prescribed in this Section and that additional enforcement action may be pursued if corrections are not accomplished within said time period;
- (5) A statement that an explanation of the violation does not excuse the User of liability for any violations that occurred before or after receipt of the Notice; and
- (6) The right of the User to a conference with the Manager in accordance with this Section of this Ordinance.

Within ten (10) days of the receipt of said Notice of Violation, the User shall submit to the District a written reply that contains a concise statement of the User's response to presumed violation(s). If the User admits the violation, the User's reply must also contain: (1) specific reasons for the violation(s); and (2) a plan for the satisfactory correction and prevention of future violations, including specific actions to be taken. Failure by the User to respond to the Notice of Violation is *prima facie* evidence of an admission by the User of all allegations in the Notice of Violation and the Manager may issue an Executive Order.

Nothing in this Section of this Ordinance, however, shall limit the authority of the District to take any action, including emergency actions or any other enforcement actions, or petitioning of the Circuit Court to obtain legal or equitable relief against Users that violate this Ordinance within a time period shorter than that prescribed in this Section and without first issuing a Notice of Violation when there is compelling public interests to seek such relief.

2. **Compliance Conference:** Any User served with a Notice of Violation may request a compliance conference with the Executive Director to discuss the violation, provided that the User gives written notice of this request to the Executive Director within ten (10) days after receipt of a Notice of Violation. The purpose of such a conference shall be to discuss and establish such procedures, investigations, and studies as the District deems necessary and desirable for the determination of such action as it may require of the User to control and prevent discharges in violation of the limitations on discharge and to attempt to obtain compliance with the provisions of this Ordinance by conciliation and persuasion. A conference conducted pursuant to this Section shall satisfy the requirements of 70 ILCS 2405/26(8).

3. **Executive Orders:**

- a. **Consent Orders.** Either following the conference as stated in this Section this Ordinance, or in lieu of if no such conference is requested by the User, upon an explanation of the violation and assurances of compliance deemed reasonable by the Executive Director, the Executive Director may enter into a Consent Order with the User responsible for noncompliance. Such Consent Order shall include specific action(s) to be taken by the User to correct the noncompliance within a reasonable timeframe as specified by the Consent Order. The Consent Order shall have the same force and effect as an administrative order and shall be judicially enforceable.
- b. **Compliance Orders.** Either following the conference as stated in this Section of this Ordinance, or in lieu of if no such conference is requested by the User, and if a Consent Order is

not entered into, the Executive Director may issue a Compliance Order to the User responsible for the discharge directing that the User take such actions as may be necessary to control and prevent discharges in order to come into compliance with this Ordinance within a specified time period as stated within said Order. To accomplish this, the Compliance Order may also contain other requirements to address the noncompliance such as additional self-monitoring and management practices designed to minimize the amount of pollutants discharged to the sewer. A Compliance Order does not relieve the User of liability for any violation including any continuing violation. Issuance of a Compliance Order shall not be a bar against, or a prerequisite for, taking any other action against the User.

4. Appeal Procedures:

- a. In the event a User is dissatisfied with any of the Manager's Executive Orders, Users may request a formal hearing with the Board of Trustees, provided that the User gives written notice of this request to the Manager within thirty (30) days after receipt of an Executive Order.
- b. The Board of Trustees may conduct the hearing and take the evidence, or they may designate a committee of its members and/or its attorney to:
 1. Issue, in the name of the Board, notice of hearing and subpoenas requiring the attendance and testimony of witnesses and the production of evidence relevant to any matter involved in such hearing;
 2. Take the evidence;
 3. Transmit a report of the evidence and hearing, including transcripts and other evidence, together with recommendations, to the Board for action thereon.
- c. At any hearing held pursuant to this Section, testimony taken shall be under oath and recorded stenographically. The transcript, so recorded, will be made available to any member of the public or any party to the hearing upon payment of the usual charges thereof.
- d. After the Board has reviewed the evidence, it may issue an order to the User.
- e. Said Order issued by the Board is a final order and is only appealable pursuant to the Illinois Code of Civil Procedures Article III Administrative Review. All final orders conclude the Administrative Review process with the District. Failure by the User to comply with the final order constitutes grounds for the District to institute civil action in the Circuit Court to enforce compliance with the final order and/or restrain continued or future ordinance violations.

5. Show Cause Hearing:

- a. The Executive Director in lieu of, or in conjunction with, the enforcement provisions set forth in herein may order any User who causes, or allows, an unauthorized discharge, or has the potential to cause, or allow an unauthorized discharge, to show cause before the Board of Trustees of the District (Board) why the District's proposed enforcement action should not be taken. Written notice shall be served on the User specifying the time and place where the hearing is to be held by the Board regarding the violation, the reasons why the action is to be taken, the proposed enforcement action, and a request that the User appear and show cause why the proposed enforcement action should not be taken. The Notice shall be served personally or by registered

or certified mail (return receipt requested) at least ten (10) days prior to the hearing. Service may be made on any agent or officer of a corporation.

After reviewing the evidence, the Board of Trustees may issue an order to the party responsible for such discharge, directing that the User responsible shall cease such discharge immediately or that following a specified time such discharge shall cease or shall issue such other order as may serve to abate said discharge. If the party fails to cease such discharge in accordance with the Board's Order, the sanitary district may disconnect such discharge on Order of the Board of Trustees.

- b. The Board shall develop rules of procedure and evidence for the conduct of such hearings. The Board may itself conduct the hearing and take the evidence, or may designate any of its members or any member of its legal staff to:
 1. Issue, in the name of the Board, notice of hearing and subpoenas requiring the attendance and testimony of witnesses and the production of evidence relevant to any matter involved in such hearing;
 2. Take the evidence;
 3. Transmit a report of the evidence and hearing, including transcripts and other evidence, together with recommendations, to the Board for action thereon.
- c. At any hearing held pursuant to this Section, testimony taken shall be under oath and recorded stenographically. The transcript, so recorded, will be made available to any member of the public or any party to the hearing upon payment of the usual charges thereof.
- d. After the Board has reviewed the evidence, it may issue an order to the User responsible for the discharge directing either: (i) that the User cease discharging to the District's POTW at a specified time thereafter; or (ii) that following a specified time, the User shall cease discharging into the District's POTW unless adequate treatment facilities, devices or other related appurtenances have been installed and operated properly to comply with this Ordinance, or (iii) that such other relief, including, without limitation, levy of fines or disconnection as deemed necessary by the Board to abate the discharge be granted.

If the User fails to cease such discharge in accordance with the Board's order, the District may disconnect such discharge on order of the Board. The Board may also issue such additional orders and directives, as it deems necessary.

- e. Said order issued by the Board is a final order and is only appealable pursuant to the Illinois Code of Civil Procedures Article III Administrative Review. All final orders conclude the Administrative Review process with the District. Failure by the User to comply with the final order constitutes grounds for the District to institute civil action in the Circuit Court to enforce compliance with the final order and/or restrain continued or future ordinance violations.

6. Disconnection Order to Show Cause:

- a. The Executive Director, in conjunction with the enforcement provisions of this Section, or in lieu of these enforcement sections, may, upon discovering an ongoing or potential discharge to the POTW which presents or may present a danger to the environment or which threatens to interfere with the operation of the POTW, immediately issue a Disconnection Order to Show

Cause to any User. The Disconnection Order to Show Cause shall be served by personal deliver or certified mail, return receipt requested.

The Disconnection Order to Show Cause shall consist of a concise statement setting for the reason(s) for Disconnection of the User's Wastewater Discharge service. The Disconnection Order to Show Cause shall include a Notice of Hearing scheduling the time and place of the hearing, which shall be conducted by the Board, or designee, to determine whether the User's Wastewater Discharge Service shall be disconnected.

- b. The procedure for disconnection of service to be followed in the Disconnection Show Cause hearing shall be in accordance with the procedures set forth in this Section of this Ordinance.

7. Immediate Disconnection of Service:

- a. The Executive Director shall have the authority after informal notice to the User, to immediately and effectively halt or prevent any discharge of pollutants to the POTW that reasonably appears to present an imminent endangerment to the health or welfare of persons or is determined to have connected to the District's sewer system illegally. Any User is subject to immediate disconnection of service under either of the following conditions:

- 1. Whenever immediate disconnection is required to halt or prevent any discharge of pollutants to the POTW which appears reasonable to the Manager to prevent an imminent endangerment to the health or welfare of persons; or
- 2. Whenever it has been determined that a connection has been made to the District's sewer system without permission; or
- 3. Whenever any User's Wastewater Discharge Permit is revoked.

b. Procedures for Immediate Disconnection:

- 1. When the Executive Director determines that such an emergency situation exists, he or she shall issue a verbal order (followed immediately by a written order) to the User stating the violation and requiring immediate cessation of the discharge.
- 2. Methods of informal notice shall include but not be limited to, any of the following: personal conversation between User and District employees, telephone calls, letters, emails, texts, hand delivered messages, or notices posted at the User's premises or point of discharge.
- 3. Any User notified of a disconnection of wastewater treatment service under this Section and/or revocation of its Wastewater Discharge Permit shall immediately stop or eliminate the discharge. In the event of a failure of the user to comply voluntarily with the disconnection or revocation order, the District shall take such steps as deemed necessary, including immediate severance of the sewer connection, to prevent or minimize damage to the POTW system or danger to any individuals. When practical, the Executive Director shall obtain the concurrence of the District attorney before initiating action.
- 4. The Executive Director shall reinstate the Wastewater Discharge Permit and/or the wastewater treatment service upon proof of the elimination of the non-complying discharge or by final order in accordance with the procedures set forth in this Ordinance.

8. Injunctive Relief:

- a. The District may institute a civil action for an injunction to restrain violations of this Ordinance.
- b. The District may, upon discovering an ongoing or potential discharge of pollutants to the District POTW which reasonably appears to present an imminent danger to the health or welfare of persons, seek and obtain from the Circuit Court of DeKalb County a temporary restraining order or preliminary injunction to halt or prohibit such discharge. Prior to the filing of such petition, the User shall be given informal notice of the District's intention to file such action. Methods of informal notice shall include, but not limited to, any of the following: personal conversation between User and authorized District employees, telephone calls, letters, hand delivered messages or notices posted at the User's premises or point of discharge. Personal contact between District personnel and the User shall be attempted, but shall not be a condition precedent to the District petitioning for and obtaining a temporary restraining order.

9. Additional Remedies:

- a. In addition to remedies available to the District set forth elsewhere in this Ordinance, if the District is fined by the State of Illinois or USEPA for violation of the District NPDES Permit or violation of water quality standards as the result of a discharge of pollutants, then the fine, including all District legal, sampling, analytical testing costs and any other related costs shall be charged to the responsible User. Such charges shall be in addition to, and not in lieu of, any other remedies the District may have under this Ordinance, statutes, regulations, at law or in equity.
 - b. If the discharge from any User causes a deposit, obstruction, or damage to any of the District wastewater facilities, the Manager shall cause the deposit or obstruction to be promptly removed or cause the damage to be promptly repaired. The cost for such work, including materials, labor, and supervision, shall be borne by the person causing such deposit, obstruction, or damage.
 - c. The remedies provided in this Ordinance shall not be exclusive and the District may seek whatever other remedies are authorized by statute, at law or in equity against any person violating the provisions of this Ordinance.
 - d. In addition to any fine levied under this Ordinance, the District may, where the circumstances of the particular case so dictate, seek injunctive relief to prohibit the User from discharging into the sanitary sewer system, or to provide such other affirmative action as may be appropriate.
10. **Public Notification of Significant Violations:** The District shall annually publish In the DeKalb Daily Chronicle newspaper a list of Industrial Users who committed Significant Violations of any pretreatment requirement or standard during the previous twelve months. The notification shall also summarize any enforcement actions taken against the Industrial User(s) during the same twelve months.

F. Penalties and Costs:

1. **Civil Penalties:** Any User who is found to have violated an order of the Approval Authority or who willfully or negligently failed to comply with any provision of this Ordinance, and the orders, rules, regulations and permits issued hereunder, shall be fined not less than Five Hundred Dollars (\$500.00) nor more than Two Thousand Dollars (\$2,000.00) for each offense. Each day on which

a violation shall occur or continue shall be deemed a separate and distinct offence. In addition to the penalties provided herein, the District may recover reasonable attorneys' fees, court costs, court recorders' fees and other expenses of litigation by appropriate suit at law against the person found to have violated this Ordinance or the orders, rules, regulations, and permits issued hereunder.

Any person violating any of the provisions of this Section shall become liable to the District for any expense, loss, or damage occasioned the District or claims made against the District by reason of such violation.

2. **Falsifying Information:** Any person who knowingly makes any false statements, representation or certification in any application, record, report, plan or other document filed or required to be maintained pursuant to this Ordinance, or General Industrial Use Permit, or who falsifies, tampers with or knowingly renders inaccurate any monitoring device or method required under this Ordinance, shall, upon conviction, be punished by a fine of not more than Two Thousand (\$2,000) dollars or by imprisonment for not more than six (6) months, or by both.

SECTION 6

WASTEWATER SERVICE CHARGES

A. Basis for Wastewater Service Charges: The wastewater service charges for the use of and for the service supplied by the wastewater facilities of the District shall consist of the rates determined by the Board of Trustees, from time-to-time, as stated in the then current User Rate Ordinance.

B. Wastewater Surcharge: A surcharge in addition to the above mentioned charges will be assessed on all users whose discharges exceed the average concentration for BOD₅, 210 mg/l; SS, 240 mg/l, ammonia nitrogen, 25 mg/l and total phosphorus, 10 mg/l. The surcharge will be based on metered sewage flow for all wastes which exceed these concentrations. The unit rate for BOD₅, SS, NH₃-N and Total P surcharge calculations shall be computed as follows:

1. Proportion the estimated annual revenue required to operate and maintain the wastewater facilities, including the equipment replacement fund, to the major plant categories.
2. Proportion the costs of the major plant categories to Volume, BOD₅, SS, NH₃-N and TP.
3. Estimate wastewater volume, pounds of BOD₅, SS, NH₃-N and TP to be treated.
4. Compute the unit cost per thousand gallons and per pound of BOD₅, SS, NH₃-N and TP based on average strength waste.

The adequacy of the wastewater service charge shall be reviewed annually by the Board of Trustees. The wastewater service charge shall be revised periodically to reflect a change in debt service or change in the number of users and in operation and maintenance costs including equipment replacement costs. The purpose of annual review is to assure that each user through the wastewater service charge pays a proportionate share of operation and maintenance, including debt service, and to maintain proportionality of the user charge system.

C. Measurement of Flow: The volume of flow used for computing basic user charges and surcharges shall be the metered water consumption read to the lowest even increments of one hundred (100) cubic feet.

1. If the person or other dischargers (industrial, commercial, etc.), discharging wastes into the public sewers procure any part, or all, of their water from the sources other than the public waterworks system, all or a part of which is discharged into the public sewers, the discharger shall, if directed by the District, install and maintain, at his expense, water meters of a type approved by the Executive Director for the purpose of determining the volume of water obtained from these other sources.
2. Devices for measuring the volume of waste discharged may be required by the Executive Director if these volumes cannot otherwise be determined from the metered water consumption records.
3. Metering devices for determining the volume of waste shall be installed, owned, and maintained by the person or discharger. Following approval and installation, such meters may not be removed without the consent of the Executive Director.

D. Wastewater Service Charge - Metered Users: There shall be and there are hereby established wastewater service charges for the use of and for the service supplied by the wastewater facilities of the Kishwaukee Water Reclamation District to be applied to each user within the District as stated below:

1. Bi-Monthly Basic User Charge: The bi-monthly Basic User Charge shall be as follows:

<u>Water Meter Size</u>	<u>Charge</u>
3/4" service and smaller	\$20.40
1"	\$52.00
1.5"	\$117.50
2"	\$163.00
3"	\$339.00
4"	\$497.50
6"	\$1,380.00
8"	\$3,342.00
10"	\$4,717.00
12"	\$7,520.00

2. The Basic User Charge for single family and duplex Residential Users, regardless of the size of the water lines/meters serving their residences, shall be equal to the charge set forth above for users having a water service/meter size equal to ¾ inch.
3. User Rate: In addition to the Basic User Charge set for the above, users shall be charged at a user rate of \$3.12 per hundred cubic feet which shall be applied to all wastewater discharges based upon metered water consumption.

E. Wastewater Service Charge – Non-metered Residential Users: All non-metered residential users of the wastewater facilities shall pay a minimum bi-monthly flat rate charge of \$60.43 per billing to cover the cost of the basic user charge of \$20.40 per billing, and the bi-monthly basic user rate of \$3.12 per hundred cubic feet. The bi-monthly flat rate charge of \$60.43 per billing will allow a maximum use of one thousand two hundred eighty-three (1,283) cubic feet as follows:

Bi-Monthly Basic User Charge	\$20.40
Bi-Monthly Basic User Rate (1,283 cf @ \$3.26 per 100 cf)	\$40.03
Total Bi-Monthly Flat Rate	\$60.43

In the event use of the wastewater facilities is determined by the Executive Director to be in excess of 1,283 cubic feet per bi-monthly billing period, the Manager may require such flat rate user to install metering devices on the water supply or sewer main to measure the amount of service supplied and the amount charged shall be adjusted based on actual usage as set forth in paragraph D of this Section.

F. Wastewater Service Charge – Special Circumstances: Recognizing that there are several users who do not fall into either of the above categories, the Executive Director will determine the appropriate Basic User Charge based on water usage which is discharged to the wastewater facilities taking all relevant factors into account. The applicable charges shall include not only the Executive Director determined appropriate Basic User Charge but, in addition, a charge for usage based on \$3.22 per hundred cubic feet of wastewater discharged to the District facilities.

G. Surcharge Rate: In the event use of the wastewater facilities by non-residential users is determined by the Executive Director to include wastes in addition to average strength domestic waste, the user shall pay a surcharge cost in addition to the basic user charge, the basic user rate and the debt service rate. The rates of surcharge for BOD₅, SS, NH₃-N and Total P shall be as follows:

1. For biochemical-oxygen demand (BOD₅) @ \$0.46 per pound BOD₅
2. For suspended solids (SS) @ \$0.33 per pound SS
3. For ammonia nitrogen (NH₃-N) @ \$4.38 per pound NH₃-N
4. For Total Phosphorus (TP) @ \$5.61 per pound TP

H. Computation of Surcharges: The surcharge per user shall be computed by the following formula:

$$S = V (0.006238) [A (BOD_5-210) + B (SS-240) + C (NH_3-N-25) + D (TP-10)]$$

Where S = Amount of surcharge (\$)

V = Wastewater Volume In hundred cubic feet per billing period

(0.006238) = Unit weight of water x 10⁻⁶ per one hundred cubic feet

A = Surcharge Rate for BOD₅ per lb.

210 = Allowable BOD₅ strength

B = Surcharge Rate for SS per lb.

240 = Allowable SS, mg/l

C = Surcharge Rate per lb. of NH₃-N

25 = Allowable Ammonia-Nitrogen, mg/l

D = Surcharge Rate per lb. of TP

10 = Allowable Total Phosphorus, mg/l

The concentration of wastes discharged in excess of average strength wastes shall be used for computing surcharges and shall be established by sewage flow metering and waste sampling. Waste sampling and testing by an approved laboratory shall be completed by the discharger as often as may be deemed necessary by the Manager and shall be binding as a basis for surcharge.

- I. Computation of Wastewater Service Charge:** The wastewater service charge per user shall be computed by the following formula:

$$W = M + (V) (r + d) + S$$

Where W = Amount of wastewater service charge (\$) per billing period

M = Basic User Charge in (\$) per billing period

V = Wastewater Volume in hundred cubic feet per billing period

r = User Rate in (\$) per hundred cubic feet

d = Debt Service Rate in (\$) per hundred cubic feet.

S = Amount of Surcharge (Paragraphs E and G)

- J. Services Charge – Secondary Water Meters:** Some uses of water do not ultimately end up being disposed of by the sewerage or system maintained by the Kishwaukee Water Reclamation District such uses including, but not limited to filling swimming pools and watering lawns and such uses do not impose an additional burden on said system maintained by the Kishwaukee Water Reclamation District, therefore;

1. Each system user shall have the option to install at said system user's sole cost and expense an additional water meter, said water meter being installed so as to register water usage to an outlet, the purpose and nature of which is solely for the supply of water which does not directly or indirectly impose an additional or incremental burden on the sewerage system maintained by the Kishwaukee Water Reclamation District.
2. That for an additional reading fee of Twenty-Five and no/100 (\$25.00) Dollars per year (or such other amount as the Board of Trustees of the Kishwaukee Water Reclamation District may deem appropriate from time to time), each system user with an additional water meter so installed may have their meter read once per year in order to calculate the amount of water used that does not pose an additional or incremental burden on the sewerage system. If it is desirable to the system user to have their meter read more than once per year then each additional reading will impose an additional reading fee as hereinabove stated.
3. That after such a reading each system user shall receive a rebate for Sanitary District fees paid in conjunction with their normal billings which the readings of the additional water meter show were for water which did not pose an additional or incremental burden the sewerage system.
4. That the rebate shall be calculated by multiplying the volume of water measured on the additional water meter for the applicable period times the sewer rate established by the District for sewer charges in effect during the applicable period of time.
5. That such rebate shall be paid in the form of a check drawn on an account of the Kishwaukee Water Reclamation District and made payable to the system user as recorded on the District's records for the period of time included between meter readings.

SECTION 7

BILLING, REVENUES, ACCOUNTS

- A. **Bills:** Wastewater service charges shall be payable in a timely fashion as they become due at an interval determined, from time-to-time, by the Board of Trustees. The owner of the premises, the occupant thereof and the user of the service shall be jointly and severally liable to pay for the service to such premises and the service is furnished to the premises by Kishwaukee Water Reclamation District only upon the condition that the owner of the premises, occupant and user of the service are jointly and severally liable therefor to Kishwaukee Water Reclamation District.

Bills for sewer service shall be sent out by the City of DeKalb, Village of Malta and Executive Director of the District to users within the District within ten (10) days after the end of the period for which the service is billed.

All sewer bills are due and payable twenty-one (21) days after being sent out. A penalty of five percent (5%) shall be added to all bills not paid within twenty-one (21) days after they have been rendered.

- B. **Delinquent Bills:** If the charges for such services are not paid within seventy-five (75) days after the rendition of the bill for such services, such services shall be discontinued without further notice and shall not be reinstated until all claims are settled.
- C. **Lien-Notice of Delinquency:** Whenever a bill for sewer service remains unpaid for one hundred ten (110) days after it has been rendered, the Executive Director shall file with the County Recorder of Deeds a statement of lien claim. This statement shall contain the legal description of the premises served, the amount of the unpaid bill, and a notice that the District claims a lien for this amount as well as for all charges subsequent to the period covered by the bill. If the user whose bill is unpaid is not the owner of the premises and the Clerk has notice of this, notice shall be mailed to the owner of the premises if his address be known to the Clerk, whenever such bill remains unpaid for one hundred ten (110) days for a quarterly bill after it has been rendered. The failure of the Clerk to record such lien or to mail such notice or the failure of the owner to receive such notice shall not affect the right to foreclose the lien for unpaid bills as mentioned in the foregoing section.
- D. **Foreclosure of Lien:** Property subject to a lien for unpaid charges shall be sold for non-payment of the same, and the proceeds of the sale shall be applied to pay the charges, after deducting costs, as is the case in the foreclosure of statutory liens. Such foreclosure shall be by bill in equity in the name of Kishwaukee Water Reclamation District. The District Attorney is hereby authorized and directed to institute such proceedings in the name of Kishwaukee Water Reclamation District in any court having jurisdiction over such matters against any property for which the bill has remained unpaid ninety (90) days in the case of a quarterly bill after it has been rendered.
- E. **Revenues:** The District shall administer such fund in every respect in the manner provided by law. Revenues generated by the user charge system shall be set aside in a separate account and applied towards the payment of operation, maintenance, and replacement expenses of the treatment works and to pay principal, interest, and other requirements of loans and/or revenue bonds issued by the District.
- F. **Accounts:** The Executive Director, or duly authorized employee of the District, shall establish a proper system of accounts and shall keep proper books, records and accounts in which complete and correct entries shall be made of all transactions relative to the sewerage system, and at regular intervals he shall cause to be made an audit by an independent auditing concern of the books and

show the receipts and disbursements of the sewerage system. In addition to the customary operating statements, the annual audit report shall also reflect the revenues and operating expenses of the wastewater facilities, including a replacement cost. In this regard, the financial information to be shown in the audit report shall include the following:

1. Flow data showing total gallons received at the wastewater plant for the current fiscal year.
2. Billing data to show total number of gallons or cubic feet billed.
3. Debt service for the next succeeding fiscal year.
4. Number of users connected to the system.
5. Number of non-metered users.
6. A list of users discharging non-domestic wastes (Industrial users) and volume and strength of waste discharged.

G. Notice of Rates: A copy of this Ordinance properly certified by the District Clerk shall be filed in the office of the Recorder of Deeds of DeKalb County and shall be deemed notice to all users of the sewerage system of the charges of the system of said District on their properties.

H. Penalty: Any person, firm or corporation violating any provisions of this Ordinance shall be fined not less than One Hundred Dollars no more than Five Hundred Dollars for each offense.

I. Access to Records: The United States Environmental Protection Agency or its authorized representatives shall have access to any books, documents, papers and records of Kishwaukee Water Reclamation District which are applicable to the District system of user charges for the purpose of making audit, examination, excerpts and transcriptions thereof to ensure compliance with the terms of the Special and General Conditions to any federal grant.

J. Effective Date of Rates: Rates and service charges will be reviewed on an annual basis. The rates and charges, as stated in this Ordinance, may periodically be modified to ensure adequate funds for the operation and maintenance of the District.

SECTION 8

MISCELLANEOUS

A. Legal Fees, Court Costs, and Related Expenses: Whenever it becomes necessary for the Kishwaukee Water Reclamation District to retain an attorney, consultant, or incur other expenses in the enforcement of this Ordinance or in the collection of charges provided in this Ordinance, the Kishwaukee Water Reclamation District shall be entitled to recover as part of any judgment entered in favor of the Kishwaukee Water Reclamation District the reasonable expenses incurred by the District for attorney fees, consultants, and/or other expenses incurred in such lawsuit.

B. Severability: If any clause, provision, paragraph, word, section or article of this Ordinance is invalidated by any court of competent jurisdiction, the remaining clauses, provisions, paragraphs, words, sections, and articles shall not be affected and shall continue in full force and effect.

C. Conflict: All other Ordinances and parts of other Ordinances inconsistent or conflicting with any part of this Ordinance are hereby repealed to the extent of such inconsistency of conflict.

This Ordinance shall be in full force and effect from and after its passage, approval, and publication as required by law.

PASSED AND APPROVED this 15th day of March, 2023.

AYES: 3

NAYS: 0

Approved:

President

ATTEST:

Clerk

CERTIFICATION

I, Ann E. Ray, the clerk of the Kishwaukee Water Reclamation District of the County of DeKalb, State of Illinois, do hereby certify that I am keeper of its books and records and that the foregoing is a true and correct copy of an ordinance duly adopted by its Board of Trustees, Kishwaukee Water Reclamation District, at a meeting duly convened and held on the 15TH day of MARCH, 2023.

SEAL



Ann E. Ray, PG, CLERK

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W. H. ...

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Via Email

June 15, 2023

Ms. Allison Yates
DeKalb Sanitary District
P.O. Box 624
303 Hollister Avenue
DeKalb, Illinois 60115

Re: Semi-Annual Compliance Report for Conex Cable, LLC.

Dear Ms. Yates:

This letter, submitted on behalf of Conex Cable, LLC. (Conex) is to satisfy Conex's semi-annual compliance sampling requirements given in its Industrial User Permit. The monitoring period for this report is January 2023 through June 2023.

During this monitoring period, no wastewater from the aluminum-clad steel manufacturing line (Outfall 002) was discharged - 100% recycled. As such, wastewater from this portion of the process was not sampled during this compliance period. Results from analyses of this wastewater are reported in Table 1. All sampling and system monitoring was conducted by Conex personnel during the compliance period. The results presented show that Conex was in compliance with all permit limitations.

Please contact me, or Mr. Charles Dobbel at Conex (815/756-2741) if you have any questions.

Very truly yours,

Edward J. Cooney, Ph.D., P.E.

pc: C. Dobbel

SEMIANNUAL REPORT CERTIFICATION

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

TTO CERTIFICATION

Based on my inquiry of the person or persons directly responsible for managing compliance with the pretreatment standard for total toxic organic (TTO) pollutants, I certify that to the best of my knowledge and belief, no dumping of concentrated toxic organic pollutants into the wastewater has occurred since filing of the last semi-annual compliance report. I further certify that this facility is operating in compliance with the slug control plan, submitted to the sanitary District.



Charles Dobbelt

Plant Manager Conex Cable LLC

July 2023

Conex - Semi Annual Compliance Report - June 2023

Ist Half 2023	Production Summary					
Month	Clad-Net (lb/mo)	Scrap Clad (lb/mo)	Scrap Al Flash (lb/mo)	Heat Treat (lb/mo)	AL Clean (lb/mo)	AL Rinse (lb/mo)
January	343,815	38,983	7,989			
February	442,778	84,321	5,688			
March	513,059	39,846	6,297			
April	368,082	78,750	15,991			
May	345,555	119,692	27,753			
June*	402,658	80,609	23,186			
Total	2,415,947	442,201	86,904	285,815	372,719	372,719
Days/Period*	125					
Average Production		2,982	lb/day			
Month	AL Clean (gal/mo)	AL Rinse (gal/mo)	AL Rinse pH	Heat Treat (gal/mo)	Steel Clean (gal/mo)	Steel Clean pH
January	0	0	N/A	0	500	8.3
February	0	0	N/A	0	500	8.3
March	0	0	N/A	0	500	8.3
April	0	0	N/A	0	500	8.3
May	0	0	N/A	0	500	8.3
June*	0	0	N/A	0	500	8.3
Total	0	0		0	3,000	
* Estimated						

Conex - Semi Annual Compliance Report - June 2023

Al Extrusion Compliance Summary - Outfall 002						
Aluminum Extrusion						
				Monthly	Outfall 002	
Pollutant	Units		Daily Max	Average	Result	Status
Cr	mg/L		14.4	5.9	NS	O.K.
CN	mg/L		7.7	3.1	NS	O.K.
Zn	mg/L		39.4	16.31	NS	O.K.
O&G	mg/L		385	385	NS	O.K.
TTO	mg/L		26.68	---	NA	O.K.
AL Production Basis	lb/d	2,982				
AL Flow Basis	gal/day	0				
NS is No Sample Collected, No Regulated Flow During Period						
Notes:						
(1) Oil & Grease used as surrogate; TTO Certification Attached						

Conex - Semi Annual Compliance Report - June 2023

Local Limit Compliance Summary - Outfall 001						
		Outfall 001	Outfall 001			
Local Limits	Allowable	Measured				
Pollutant	(mg/L)	(mg/L)	Status			
Cadmium	0.885	<0.005	O.K.			
Copper	11.7	0.009	O.K.			
Lead	3.52	<0.005	O.K.			
Nickel	2.71	0.012	O.K.			
Mercury	0.076	<0.0005	O.K.			
Molybdenum	2.14	<0.01	O.K.			
pH*	5.5 - 10.5	8.4	O.K.			
* Measured onsite						



June 06, 2023

Mr. Charles Dobbel
CONEX CABLE
816 East Locust Street
Dekalb, IL 60115

Project ID: STEEL RINSE
First Environmental File ID: 23-4482
Date Received: May 31, 2023

Dear Mr. Charles Dobbel:

The above referenced project was analyzed as directed on the enclosed chain of custody record.

All Quality Control criteria as outlined in the methods and current IL ELAP/NELAP have been met unless otherwise noted. QA/QC documentation and raw data will remain on file for future reference. Our accreditation number is 100292 and our current certificate is number:

1002922023-10: effective 03/07/2023 through 02/28/2024.

All analyses were performed in accordance with the currently amended 40 CFR Part 136.

I thank you for the opportunity to be of service to you and look forward to working with you again in the future. Should you have any questions regarding any of the enclosed analytical data or need additional information, please contact me at (630) 778-1200 or neal@firstenv.com.

Sincerely,

Joy Geraci
Project Manager



Case Narrative

CONEX CABLE

Lab File ID: **23-4482**

Project ID: **STEEL RINSE**

Date Received: **May 31, 2023**

All quality control criteria, as outlined in the methods, have been met except as noted below or on the following analytical report.

The results in this report apply to the samples in the following table:

Laboratory Sample ID	Client Sample Identifier	Date/Time Collected
23-4482-001	STEEL RINSE	5/26/2023

Sample Batch Comments:

Time of sample collection was not provided.



Case Narrative

CONEX CABLE

Lab File ID: **23-4482**

Project ID: **STEEL RINSE**

Date Received: **May 31, 2023**

All quality control criteria, as outlined in the methods, have been met except as noted below or on the following analytical report.

The following is a definition of flags that may be used in this report:

Flag	Description	Flag	Description
A	Method holding time is 15 minutes from collection. Lab analysis was performed as soon as possible.		
B	Analyte was found in the method blank.	L	LCS recovery outside control limits.
<	Analyte not detected at or above the reporting limit.	M	MS recovery outside control limits; LCS acceptable.
C	Sample received in an improper container for this test.	P	Chemical preservation pH adjusted in lab.
D	Surrogates diluted out; recovery not available.	Q	Result was determined by a GC/MS database search.
E	Estimated result; concentration exceeds calibration range.	S	Analysis was subcontracted to another laboratory.
G	Surrogate recovery outside control limits.	T	Result is less than three times the MDL value.
H	Analysis or extraction holding time exceeded.	W	Reporting limit elevated due to sample matrix.
I	ICVS % rec outside 95-105% but within 90-110%		
J	Estimated result; concentration is less than routine RL but greater than MDL.	N	Analyte is not part of our NELAC accreditation or accreditation may not be available for this parameter.
RL	Routine Reporting Limit (Lowest amount that can be detected when routine weights/volumes are used without dilution.)	ND	Analyte was not detected using a library search routine; No calibration standard was analyzed.



Analytical Report

Client: CONEX CABLE
Project ID: STEEL RINSE
Sample ID: STEEL RINSE
Sample No: 23-4482-001

Date Collected: 05/26/23
Time Collected:
Date Received: 05/31/23
Date Reported: 06/06/23

Analyte	Result	R.L.	Units	Flags
Total Metals Method: 200.7R4.4 Preparation Method 200.7W				
Analysis Date: 06/02/23		Preparation Date: 06/02/23		
Analyzed By: KJM		Prepped By: KJM		
Cadmium	< 0.005	0.005	mg/L	
Copper	0.009	0.005	mg/L	
Lead	< 0.005	0.005	mg/L	
Molybdenum	< 0.01	0.01	mg/L	
Nickel	0.012	0.005	mg/L	
Total Mercury Method: 245.1R3.0				
Analysis Date: 06/06/23				
Analyzed By: SLO				
Mercury	< 0.0005	0.0005	mg/L	



Page of 11

Company Name: Cablex Cable LLC
Street Address: 816 E 75th Locust Street
City: DEKALB State: IL Zip: 60115
Phone: 815 756 2791 e-mail: cecbbel@comcast.net
Send Report To: Charles Debbel Fed away
Sampled By: Ch Brian Starr.

[illegible]

LAB COURIER USE ONLY:

Sample Refrigerated: Yes___ No___
Refrigerator Temperature: _____ °C

Program: ☐ TACO/SRP ☐ CCDD ☐ NPDES ☐ LUST ☐ SDWA

*Matrix Code Key: S-Soil SL-Sludge DW-Drinking Water
WW-Wastewater GW-Groundwater WIPE-Wipe O-Other

Notes and Special Instructions: PA 8.4

Relinquished By: _____ Date/Time _____ Received By: ME Date/Time 5/31/23 1000

Relinquished By: _____ Date/Time _____ Received By: _____ Date/Time _____

Rev. 6/19



Via Email

December 7, 2023

Ms. Allison Yates
DeKalb Sanitary District
P.O. Box 624
303 Hollister Avenue
DeKalb, Illinois 60115

Re: Semi-Annual Compliance Report for Conex Cable, LLC.

Dear Ms. Yates:

This letter, submitted on behalf of Conex Cable, LLC. (Conex) is to satisfy Conex's semi-annual compliance sampling requirements given in its Industrial User Permit. The monitoring period for this report is July 2023 through December 2023. Samples were collected and reported by Conex personnel. First Environmental Laboratories, Inc. performed the required analyses.

During this monitoring period, no wastewater from the aluminum-clad steel manufacturing line (Outfall 002) was discharged - 100% recycled. As such, wastewater from this portion of the process was not sampled during this compliance period. Results from analyses of this wastewater are reported in Table 1. The results presented show that Conex was in compliance with all permit limitations.

Please contact me, or Mr. Charles Dobbel at Conex (815/756-2741) if you have any questions.

Very truly yours,

Edward J. Cooney, Ph.D., P.E.

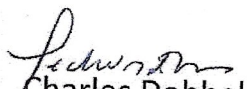
pc: C. Dobbel

SEMIANNUAL REPORT CERTIFICATION

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

TTO CERTIFICATION

Based on my inquiry of the person or persons directly responsible for managing compliance with the pretreatment standard for total toxic organic (TTO) pollutants, I certify that to the best of my knowledge and belief, no dumping of concentrated toxic organic pollutants into the wastewater has occurred since filing of the last semi-annual compliance repo I further certify that this facility is operating in compliance with the slug control plan, submitted to the sanitary District.


Charles Dobbel

Plant Manager Conex Cable LLC

December 2023

Conex - Semi Annual Compliance Report - Jul - Dec 2023

2nd half 2023	Production Summary					
Month	Clad-Net	Scrap Clad	Scrap Al Flash	Heat Treat	AL Clean	AL Rinse
	(lb/mo)	(lb/mo)	(lb/mo)	(lb/mo)	(lb/mo)	(lb/mo)
July	298,868	41,229	10,059			
August	366,025	75,053	9,870			
September	445,994	82,758	7,867			
October	450,377	25,070	515			
November	443,405	110,937	16,244			
December*	400,934	67,009	8,911			
Total	2,405,603	402,056	53,466	280,766	334,232	334,232
Days/Period*	125					
Average Production		2,674	lb/day			
Month	AL Clean	AL Rinse	AL Rinse	Heat Treat	Steel Clean	Steel Clean
	(gal/mo)	(gal/mo)	pH	(gal/mo)	(gal/mo)	pH
July	0	0	0	0	500	8.30
August	0	0	0	0	500	8.30
September	0	0	0	0	500	8.30
October	0	0	0	0	500	8.30
November	0	0	0	0	500	8.30
December	0	0	0	0	0	
Total	0	0	0	0	2500	
* Estimated						

Conex - Semi Annual Compliance Report - Jul - Dec 2023

Al Extrusion Compliance Summary - Outfall 002						
Aluminum Extrusion						
				Monthly	Outfall 002	
Pollutant	Units		Daily Max	Average	Result	Status
Cr	mg/L		14.4	5.9	NS	O.K.
CN	mg/L		7.7	3.1	NS	O.K.
Zn	mg/L		39.4	16.31	NS	O.K.
O&G	mg/L		385	385	NS	O.K.
TTO	mg/L		26.68	---	NA	O.K.
AL Production Basis	lb/d	2,674				
AL Flow Basis	gal/day	0				
NS is No Sample Collected, No Regulated Flow During Period						
Notes:						
(1) Oil & Grease used as surrogate; TTO Certification Attached						

Conex - Semi Annual Compliance Report - Jul - Dec 2023

Local Limit Compliance Summary - Outfall 001						
		Outfall 001	Outfall 001			
Local Limits	Allowable	Measured				
Pollutant	(mg/L)	(mg/L)	Status			
Cadmium	0.885	<0.005	O.K.			
Copper	11.7	0.007	O.K.			
Lead	3.52	<0.005	O.K.			
Nickel	2.71	0,012	O.K.			
Mercury	0.076	<0.0005	O.K.			
Molybdenum	2.14	<0.01	O.K.			
pH*	5.5 - 10.5	7.9	O.K.			
* Measured onsite						



December 05, 2023

Mr. Charles Dobbel
CONEX CABLE
816 East Locust Street
Dekalb, IL 60115

Project ID: Steel Rinse
First Environmental File ID: 23-10625
Date Received: November 30, 2023

Dear Mr. Charles Dobbel:

The above referenced project was analyzed as directed on the enclosed chain of custody record.

All Quality Control criteria as outlined in the methods and current IL ELAP/NELAP have been met unless otherwise noted. QA/QC documentation and raw data will remain on file for future reference. Our accreditation number is 100292 and our current certificate is number:

1002922023-11: effective 08/29/2023 through 02/28/2024.

All analyses were performed in accordance with the currently amended 40 CFR Part 136.

I thank you for the opportunity to be of service to you and look forward to working with you again in the future. Should you have any questions regarding any of the enclosed analytical data or need additional information, please contact me at (630) 778-1200 or neal@firstenv.com.

Sincerely,

Joy Geraci
Project Manager



Case Narrative

CONEX CABLE

Lab File ID: **23-10625**

Project ID: **Steel Rinse**

Date Received: **November 30, 2023**

All quality control criteria, as outlined in the methods, have been met except as noted below or on the following analytical report.

The results in this report apply to the samples in the following table:

Laboratory Sample ID	Client Sample Identifier	Date/Time Collected
23-10625-001	Steel Rinse	11/29/2023 10:00

Sample Batch Comments:

Sample acceptance criteria were met.



Case Narrative

CONEX CABLE

Lab File ID: **23-10625**

Project ID: **Steel Rinse**

Date Received: **November 30, 2023**

All quality control criteria, as outlined in the methods, have been met except as noted below or on the following analytical report.

The following is a definition of flags that may be used in this report:

Flag	Description	Flag	Description
A	Method holding time is 15 minutes from collection. Lab analysis was performed as soon as possible.		
B	Analyte was found in the method blank.	L	LCS recovery outside control limits.
<	Analyte not detected at or above the reporting limit.	M	MS recovery outside control limits; LCS acceptable.
C	Sample received in an improper container for this test.	P	Chemical preservation pH adjusted in lab.
D	Surrogates diluted out; recovery not available.	Q	Result was determined by a GC/MS database search.
E	Estimated result; concentration exceeds calibration range.	S	Analysis was subcontracted to another laboratory.
G	Surrogate recovery outside control limits.	T	Result is less than three times the MDL value.
H	Analysis or extraction holding time exceeded.	W	Reporting limit elevated due to sample matrix.
I	ICVS % rec outside 95-105% but within 90-110%		
J	Estimated result; concentration is less than routine RL but greater than MDL.	N	Analyte is not part of our NELAC accreditation or accreditation may not be available for this parameter.
RL	Routine Reporting Limit (Lowest amount that can be detected when routine weights/volumes are used without dilution.)	ND	Analyte was not detected using a library search routine; No calibration standard was analyzed.



Analytical Report

Client: CONEX CABLE
Project ID: Steel Rinse
Sample ID: Steel Rinse
Sample No: 23-10625-001

Date Collected: 11/29/23
Time Collected: 10:00
Date Received: 11/30/23
Date Reported: 12/05/23

Analyte	Result	R.L.	Units	Flags
Total Metals				
Method: 200.7R4.4		Preparation Method 200.7W		
Analysis Date: 12/04/23		Preparation Date: 12/04/23		
Analyzed By: KJM		Prepped By: KJM		
Cadmium	< 0.005	0.005	mg/L	
Copper	0.007	0.005	mg/L	
Lead	< 0.005	0.005	mg/L	
Molybdenum	< 0.01	0.01	mg/L	
Nickel	0.012	0.005	mg/L	
Total Mercury				
Method: 245.1R3.0				
Analysis Date: 12/05/23				
Analyzed By: SLO				
Mercury	< 0.0005	0.0005	mg/L	



Page of 10

Company Name: Conex Cable LLC
Street Address: 816 E. Locust St
City: Dekalb State: IL Zip: 60115
Phone: 815-756-2741 e-mail: bstara@conexcable.com / cedobbel@Nehruswire.com
Send Report To: Bayan Stara / Charles Dobbel
Sampled By: Bayan Stara

Page 5 of 5

FOR LAB USE ONLY:

LAB COURIER USE ONLY:
Sample Refrigerated: Yes___ No___
Refrigerator Temperature: _____ °C

Program: ☐ TACO/SRP ☐ CCDD ☐ NPDES ☐ LUST ☐ SDWA

*Matrix Code Key: S-Soil SL-Sludge DW-Drinking Water
 WW-Wastewater GW-Groundwater WIPE-Wipe O-Other

Notes and Special Instructions: PH. 7.9

Relinquished By: Charles DeBake Date/Time: 11/29/23 Received By: [Signature] Date/Time: 11/30/23 10:45
Relinquished By: _____ Date/Time: _____ Received By: _____ Date/Time: _____



Document Title:

Effective Date:

**Liquid Animal Feed
NOT FOR HUMAN CONSUMPTION****5/14/2021****1**

Document Number:

FT-SAF-FRM-XX

Page 1 of 1

AS SHIPPER FOR: WONKA - FERRARA

*Sidestream #2*FROM:
1445 NORWOOD AVE.
ITASCA, IL 60143SHIP TO:
VIM RECYCLERS
920 RATHBONE AVE
AURORA, IL 60506BOL/VIM# *233831*SHIP DATE *09-23-24*TRAILER # *04*

ORDER #

COSTUMER PO#

FREIGHT PREPAID Except when box below is checked

Freight collect

*** LIQUID ANIMAL FEED ***

NOT FOR HUMAN CONSUMPTION

5,000 GALLONS*24%* SOLIDSTIME IN: *7:30* AM/PMTIME OUT: *9:45* AM/PM

FERRARA SIGNATURE:

CARRIER SIGNATURE:

DATE	VERSION NUMBER	REASON FOR REVISION	SUMMARY OF CHANGES	Reviwed by:
5/14/2021	1	New	New Form	Gloria Montemayor

Confidential Property of Ferrara Candy Company: This document cannot be duplicated, modified or disclosed. Uncontrolled document when printed.

(Seal) (if applicable)

SECTION B - PRODUCT OR SERVICE INFORMATION

1. Brief narrative description of the primary manufacturing or service activity at premise address, production rate, subparts, and the applicable Standard Industrial Classification Code(s) (SIC No.):

Nature of Operation	Production Rate	Subpart	SIC Code
Zinc Plating	N/A		3471
Copper Plating	N/A		3471
Brass Plating	N/A		3471

Raw Materials Used: _____

Chemicals Utilized: _____

Metals Zinc, Copper, Brass and Chromium Trivalent

Misc Cyanides, Acids, Alkalies

SECTION C - PLANT OPERATIONAL CHARACTERISTICS

1. Are major processes batch or continuous? Continuous
 Average number of batches per 24-hour day: _____
 Duration of each batch process: _____
2. Are your processes subject to seasonal variation? No
 If yes, explain and indicate the month(s) of peak operation and products: _____

3. Shift Information:

a. Number of shifts/workday: 1 b. Number of workdays/week: 5

c. Average number of employees/shift: 1st 1 2nd _____ 3rd _____ Total _____

d. Shift start times: 1st 7:00 AM 2nd _____ 3rd _____

SECTION C - PLANT OPERATIONAL CHARACTERISTICS, continued

We use stagnant rinses extensively, as well as counterflow rinses for the purpose of reclaiming or concentrating the dragout from our plating tanks

4. Describe any water recycling or material reclaiming processes utilized:

to replace evaporation and dragout. Our acid rinse water

reused for alkaline rinsing to achieve neutralization. In addition we use electrolytic recovery of metals and atmospheric evaporation recovery of plating solutions.

5. Is a Spill Prevention Control/Accidental Discharge Plan prepared for the facility?

☒ Yes

☐ No

If yes, provide line diagram and basic information, including capacity, of existing or proposed spill containment areas and Installation:

See drawing number 1

If no, this plan is to be submitted within 180 days of the effective date of Ordinance No. 259. (See Ordinance No. 259 Section 5.A.10)

SECTION D- WATER CONSUMPTION AND LOSS

1. Raw water source(s): Municipal Water Private Well
 Surface Water Other: _____
2. Water bill addressee: 221 Grove Street
3. Water service account numbers: 31-5243
4. List water usage from water bills for the previous twelve months (your last 4 quarterly water bills)

Billing Period

Units billed (1 unit = 100 cubic feet = 748 gallons)

- | | | | | | |
|----|-------|-----------------|-----|-----------------|----------|
| a. | From: | <u>12/21/23</u> | To: | <u>02/21/23</u> | <u>3</u> |
| b. | From: | <u>02/21/23</u> | To: | <u>04/25/23</u> | <u>5</u> |
| c. | From: | <u>04/25/23</u> | To: | <u>06/22/23</u> | <u>3</u> |
| d. | From: | <u>08/21/23</u> | To: | <u>10/24/23</u> | <u>2</u> |

- e. Volume from other source(s):

Name of other source(s):

SECTION D- WATER CONSUMPTION AND LOSS, continued

5. List water consumption within the plant:

<u>Type</u>	<u>Estimated Average Volume (gallons per day)</u>	<u>Type</u>	<u>Estimated Average Volume (gallons per day)</u>
a. cooling water	_____	e. plant & equipment washdown	_____
b. boiler water	_____	f. irrigation and lawn watering	_____
c. process	100	g. other (specify)	_____
d. sanitary	90	h. total of a. through g.	190

6. List average volume of discharge or water losses to:

(If batch process, include time and duration).

<u>Outlet</u>	<u>Estimated Average Volume (gallons per day)</u>	<u>Time (of day)</u>	<u>Duration (hours)</u>
a. municipal sewer	190	_____	_____
b. watercourse, storm drain, ground	_____	_____	_____
c. waste haulers	_____	_____	_____
d. evaporation	_____	_____	_____
e. contained in product	_____	_____	_____
f. total of a. through e.	190	_____	_____

7. List average water usage and average wastewater discharge for SIC processes itemized in Section B (attach additional sheets if needed):

	<u>Brief Process Description</u>	<u>SIC Number</u>	<u>Average Water consumption (gallons per day)</u>	<u>Estimated Average Discharge (gallons per day)</u>
a.	Plating	3471	100	100
b.	Sanitary		90	90
c.				

SECTION D - WATER CONSUMPTION AND LOSS (continued)

8. Describe any water treatment or conditioning processes utilized:

SECTION E - SEWER INFORMATION

1. Attach a scaled drawing of your plant site showing the location of all sewers (sanitary and storm) and manholes. Also show location of possible sampling points for these sewers and sampling points for regulated SIC processes. For reference and field orientation, buildings, streets, alleys and other pertinent physical structures should be included. Label sampling point user proposes to be available to District.
2. List plant sewers shown in item 1, size and flow; assign a sequential reference number to each sewer starting with No. 1 (if more than 3, attach additional connection information on another sheet):

<u>Ref. No.</u>	<u>Sewer Size (inches)</u>	<u>Descriptive Location of Sewer Connection or Discharge Point</u>	<u>Average Flow (gallons per day)</u>
1.		See Drawing #2 and #3	190
2.			
3.			

- a. Briefly describe location which user proposes to make available for sampling and monitoring by the District:

At cleanout by water meter

Note: If existing locations are inadequate for sampling and monitoring, the District shall require proper monitoring facilities. (See Ordinance 259, Section 5. C. 10)

SECTION F - WASTEWATER INFORMATION

1. Please indicate the quantities discharged from the activities indicated below in units of gallons per day. (Refer to Section D, items 5, 6, 7, and 8.) The quantities are to be given for each sewer receiving the discharge. Place an asterisk on any outfall discharging to a storm drain or surface course and give the NPDES Outfall Number and NPDES Permit Number.

<u>Process Type</u> (from D-7)	<u>Discharge quantity by Sewer Referenced in E-2</u>						<u>Total (Refer to D-5,6 & 7)</u>
a	Plating	_____	_____	_____	_____	_____	100
b		_____	_____	_____	_____	_____	_____
c		_____	_____	_____	_____	_____	_____
	Sanitary	_____	_____	_____	_____	_____	90
	Boiler	_____	_____	_____	_____	_____	_____
	Cooling	_____	_____	_____	_____	_____	_____
	Plant & Equipment Washdown	_____	_____	_____	_____	_____	_____
	Regeneration Waste (from D-8)	_____	_____	_____	_____	_____	_____
	Other (Specify):	_____	_____	_____	_____	_____	_____
		_____	_____	_____	_____	_____	_____
	Total (Refer to E-2)	_____	_____	_____	_____	_____	190
	*NPDES Outfall No	_____	_____	_____	_____	_____	_____
	*NPDES Permit No	_____	_____	_____	_____	_____	_____

2. Indicate the 3-minute peak total wastewater discharge flow rate: Not Known
3. Describe the daily, monthly and seasonal variations of wastewater flow; if any:
Not known
4. Is any form of wastewater pretreatment utilized at this facility? [☒] Yes [☐] No
If "yes", briefly describe (include hours of operation):
Chlorination is performed as needed on a daily or weekly basis

SECTION F - WASTEWATER INFORMATION, continued

5. If any wastewater analyses have been performed on the wastewater discharges from your facilities, attach a copy of the most recent data to this application. Be sure to include the date of the analysis, name of the laboratory performing the analysis, and location(s) from which the sample(s) were taken (attach sketches, plans, etc., as necessary).

6. Briefly describe disposal of hazardous waste (chemical byproducts), include pretreatment sludges, if any:

We are a conditionally exempt small quantity generator. Potential disposal includes but is not limited to sediment from cleaner tanks, etc.

7. Check one: Pretreatment Standards [☒] are [☐] are not being met on a consistent basis.

Additional operation and maintenance under consideration for compliance is as follows:

Additional pretreatment under consideration to meet standards is as follows:

Attach estimated schedule of compliance.

SECTION F - WASTEWATER INFORMATION, continued

8. Priority Pollutant Information: Please indicate by placing an "x" in the appropriate box by each listed chemical whether it is "Suspected to be Absent," "Known to be Absent," "Suspected to be Present," or "Known to be Present" in your manufacturing or service activity or generated as a by- product.

ITEM NUMBER	CHEMICAL / ELEMENT	SUSPECTED ABSENT	KNOWN ABSENT	SUSPECTED PRESENT	KNOWN PRESENT	COMMENTS
1.	asbestos (fibrous)		x			
2.	cyanide(total)				x	
3.	antimony (total)		x			
4.	arsenic (total)		x			
5.	beryllium (total)		x			
6.	cadmium (total)		x			
7.	chromium(total)				x	
8.	copper (total)				x	
9.	lead (total)	x				
10.	mercury (total)	x				
11.	nickel (total)	x				
12.	selenium (total)	x				
13.	silver (total)		x			
14.	thallium (total)		x			
15.	zinc(total)				x	
16.	acenaphthene		x			
17.	acenaphthylene		x			
18.	acrolein		x			
19.	acrylonitrile		x			
20.	aldrin		x			
21.	anthracene		x			
22.	benzene		x			
23.	benzidine		x			
24.	benzo (a) anthracene		x			
25.	benzo(a) pyrene		x			

ITEM NUMBER	CHEMICAL / ELEMENT	SUSPECTED ABSENT	KNOWN ABSENT	SUSPECTED PRESENT	KNOWN PRESENT	COMMENTS
26.	benzo (b) floranthene		x			
27.	benzo (g,h,i) perylene		x			
28.	benzo (k) fluoranthene		x			
29.	a-BHC (alpha)		x			
30.	b-BHC (beta)		x			
31.	d-BHC (delta)		x			
32.	g-BHC (gamma)		x			
33.	bis (2-chloroethyl) ether		x			
34.	bis(2-chloroethoxy) methane		x			
35.	bis(2-chloroisopropyl) ether		x			
36.	bis (chloromethyl) ether		x			
37.	bis(2-ethylhexyl)phthalate		x			
38.	bromodichloromethane		x			
39.	bromoform		x			
40.	bromomethane		x			
41.	4-bromophenylphenyl ether		x			
42.	butylbenzyl phthalate		x			
43.	carbon tetrachloride		x			
44.	chlordane		x			
45.	4-chloro-3-methylphenol		x			
46.	chlorobenzene		x			
47.	chloroethane		x			
48.	2-chloroethylvinyl ether		x			
49.	chloroform		x			
50.	chlorormethane		x			
51.	2-chloronaphthalene		x			
52.	2-chlorophenol		x			
53.	4-chlorophenylphenyl ether		x			
54.	chrysene		x			
55.	4,4'-DDD		x			

ITEM NUMBER	CHEMICAL / ELEMENT	SUSPECTED ABSENT	KNOWN ABSENT	SUSPECTED PRESENT	KNOWN PRESENT	COMMENTS
56.	4,4'-DDE		x			
57.	4,4'-DDT		x			
58.	dibenzo(a,h) anthracene		x			
59.	dibromochloromethane		x			
60.	1,2-dichlorobenzene		x			
61.	1,3-dichlorobenzene		x			
62.	1,4-dichlorobenzene		x			
63.	3,3'-dichlorobenzidine		x			
64.	dichlorodifluoromethane		x			
65.	1,1-dichloroethane		x			
66.	1,2-dichloroethane		x			
67.	1,1-dichloroethene		x			
68.	trans-1,2-dichloroethene		x			
69.	2,4-dichlorophenol		x			
70.	1,2-dichloropropane		x			
71.	(cis & trans)1,3 dichloropropene		x			
72.	dieldrin		x			
73.	diethyl phthalate		x			
74.	2,4-dimethylphenol		x			
75.	dimethylphthalate		x			
76.	di-n-butyl phthalate		x			
77.	di-n-octylphthalate		x			
78.	4,6-dinitro-2-methylphenol		x			
79.	2,4-dinitrophenol		x			
80.	2,4-dinitrotoluene		x			
81.	2,6-dinitrotoluene		x			
82.	1,2-diphenylhydrazine		x			
83.	endosulfan I		x			
84.	endosulfan II		x			
85.	endosulfan sulfate		x			

ITEM NUMBER	CHEMICAL / ELEMENT	SUSPECTED ABSENT	KNOWN ABSENT	SUSPECTED PRESENT	KNOWN PRESENT	COMMENTS
86.	endrin		x			
87.	endrin aldehyde		x			
88.	ethylbenzene		x			
89.	fluoranthene		x			
90.	fluorene		x			
91.	heptachlor		x			
92.	heptachlor epoxide		x			
93.	hexachlorobenzene		x			
94.	hexachlorobutadiene		x			
95.	hexachlorocyclopentadiene		x			
96.	hexachloroethane		x			
97.	indeno (1 .2.3-cd) pyrene		x			
98.	isophorone		x			
99.	methylene chloride		x			
100.	naphthalene		x			
101.	nitrobenzene		x			
102.	2-nitrophenol		x			
103.	4-nitrophenol		x			
104.	N-nitrosodimethylamine		x			
105.	N-nitrosodi-n-propylamine		x			
106.	N-nitrosodipropylamine		x			
107.	PCB-1016...		x			
108.	PCB-1221...		x			
109.	PCB-1232		x			
110.	PCB-1242		x			
111.	PCB-1248		x			
112.	PCB-1254		x			
113.	PCB-1260		x			
114.	pentachlorophenol		x			
115.	phenanthrene		x			

ITEM NUMBER	CHEMICAL / ELEMENT	SUSPECTED ABSENT	KNOWN ABSENT	SUSPECTED PRESENT	KNOWN PRESENT	COMMENTS
116.	phenol		x			
117.	pyrene		x			
118.	2,3,7,8-tetrachlorodibenzo-p-dioxin (TCDD)		x			
119.	1,1,2,2-tetrachloroethane		x			
120.	tetrachloroethene		x			
121.	toluene		x			
122.	toxaphene		x			
123.	1,2,4-trichlorobenzene		x			
124.	1,1,1-trichloroethane		x			
125.	1,1,2-trichloroethane		x			
126.	trichloroethene		x			
127.	trichlorofluoromethane		x			
128.	2,4,6-trichlorophenol		x			
129.	vinyl chloride		x			

9. For chemicals/elements which are indicated to be "KNOWN PRESENT," please list and provide the following data for each. Attach additional sheets if needed.

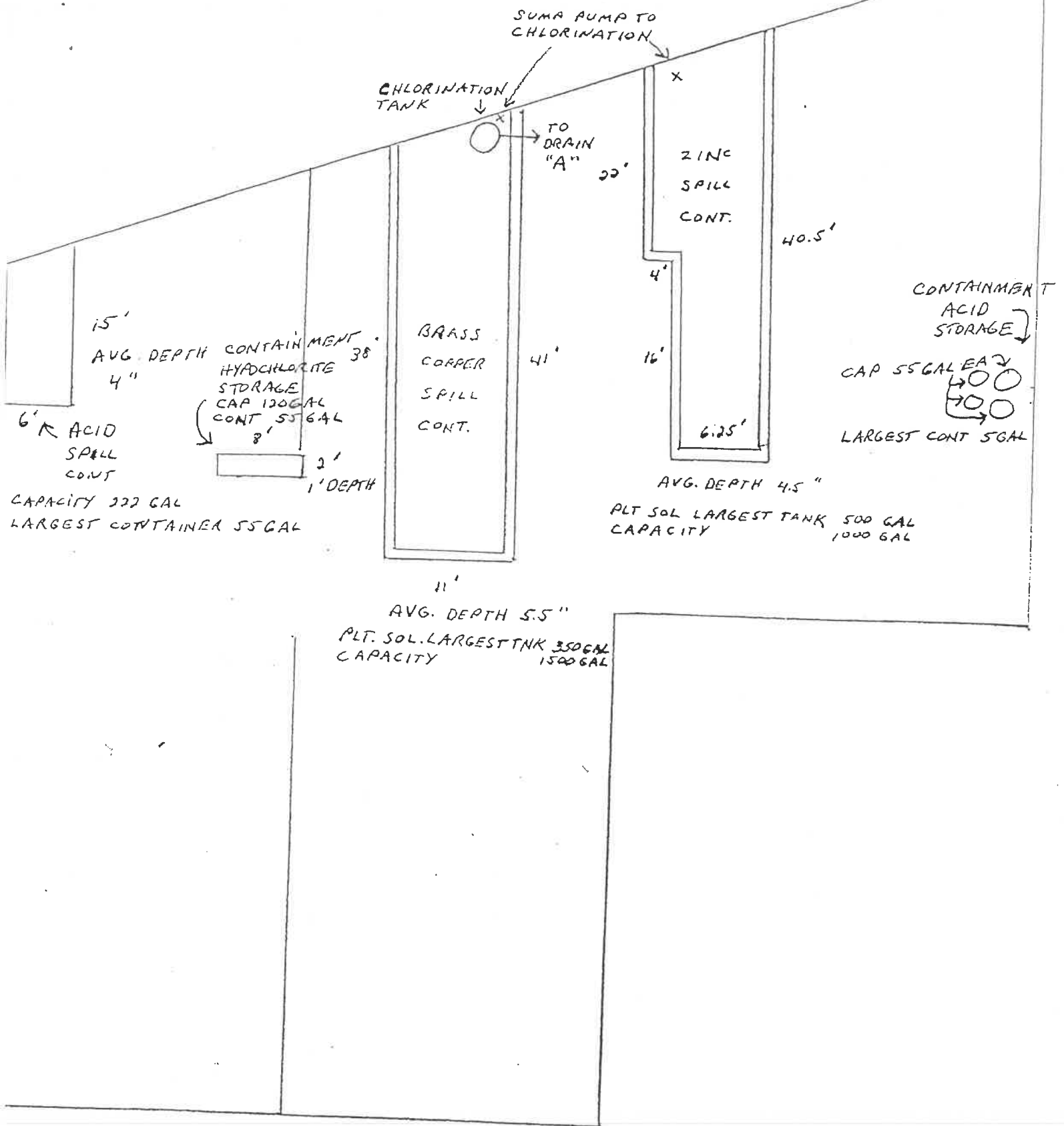
Item No.	Chemical / Element	Annual Usage (pounds) *	Estimated Loss to Sewer (lbs/year) **
2	Cyanide	50	103
7	Chromium Trivalent	25	180
8	Copper	0	10
15	Zinc	200	1250

*Best estimate based on last year with very slow production

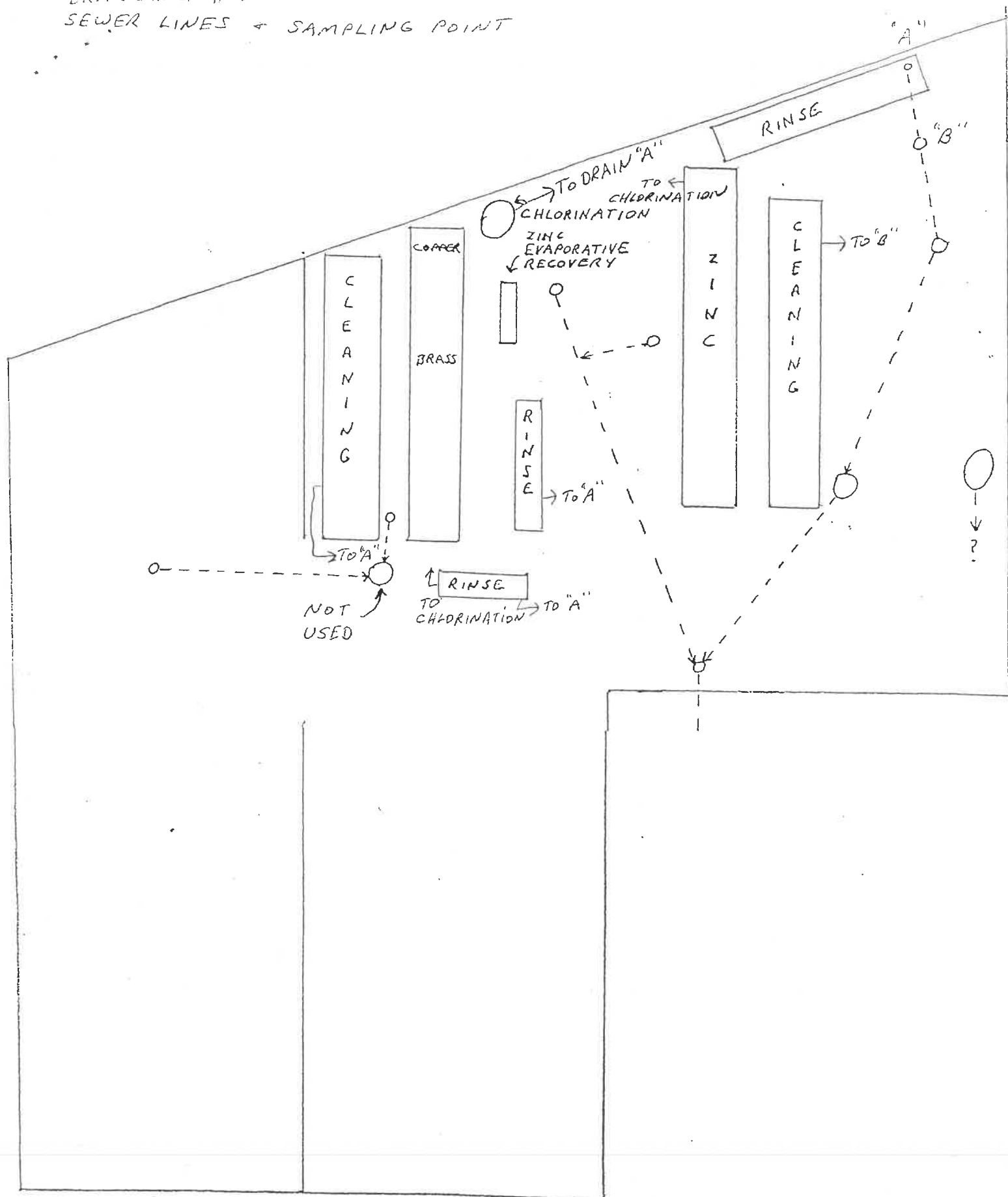
**Based on estimate of full production

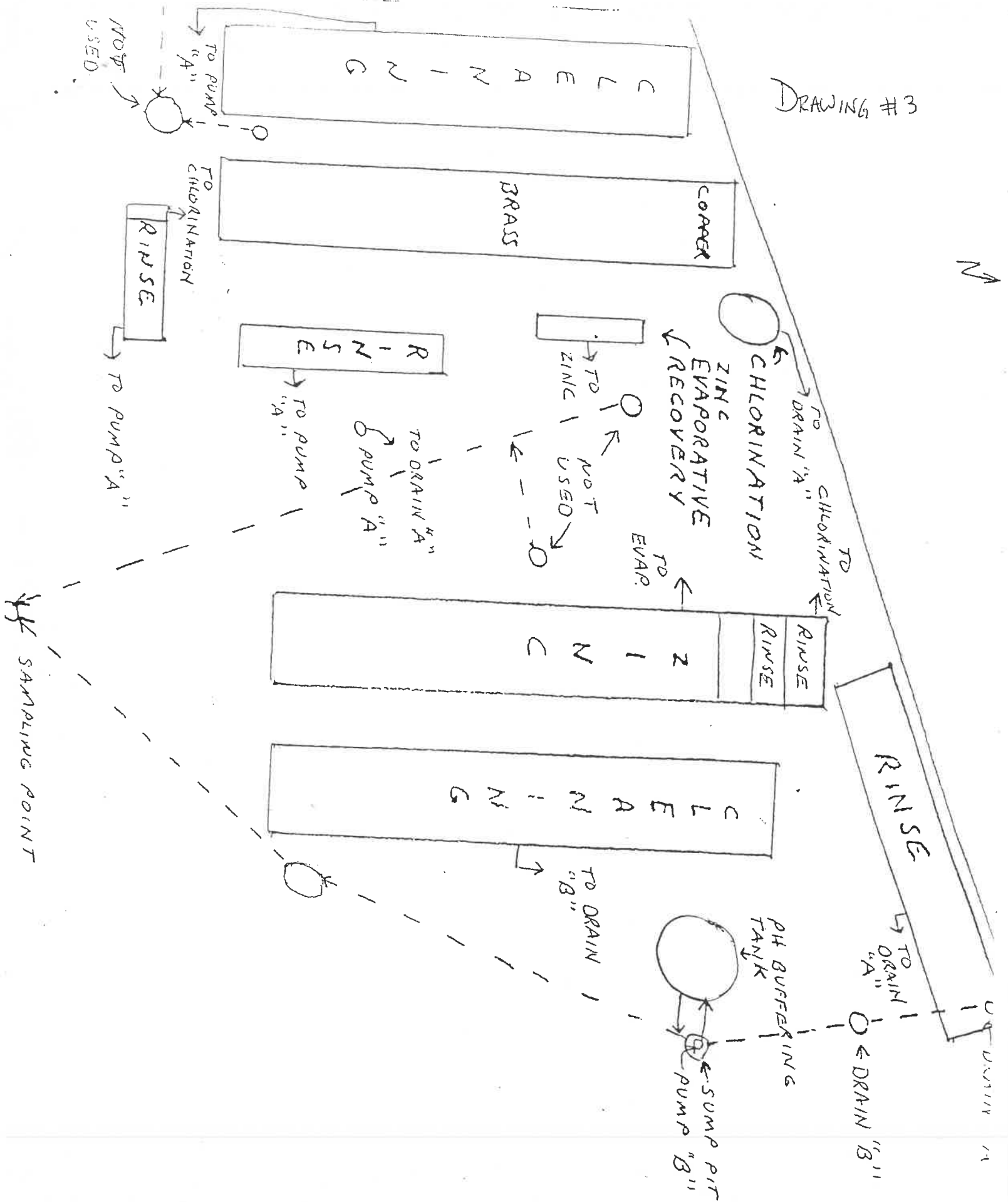
TREATMENT + SPILL CONTAINMENT
DRAWING #1

N



DRAWING # 2
SEWER LINES + SAMPLING POINT







CONEX
CABLE, L.L.C.

October 08, 2019

Ms. Allison Yates
DeKalb Sanitary District
P.O. Box 624
303 Hollister Avenue
DeKalb, Illinois 60115

Re: Wastewater Discharge Permit Application

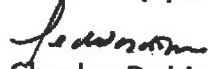
Dear Ms. Yates.

This letter, submitted on behalf of Conex Cable LLC., CONEX) is to Satisfy Conex's Wastewater Discharge Application for industrial User Permit Number 185, that is due to expire February 28, 2020.

The pertinent information is attached herewith.

Please contact me, Charles Dobbel at Conex 815/756-2741 or Mr. Edward Cooney at Cooney Associates INC at 630/834-0754 if you have any questions.

Very truly yours,


Charles Dobbel

BOARD OF TRUSTEESDENNIS J. COLLINS
PRESIDENTTIMOTHY A. STRUTHERS
VICE PRESIDENTCAROL B. ZAR
CLERK**OFFICERS**

KEITH FOSTER ATTORNEY

STEVE PARKER TREASURER



1301 Sycamore Rd, DeKalb, Illinois 60115

Telephone: (815) 758-3513

Email: mail@kishwrd.com

ADMINISTRATIONMARK EDDINGTON, P.E.
DISTRICT MANAGERSTEVE OLSEN
OPERATIONS MANAGERMIKE HOLLAND, P.E.
DISTRICT ENGINEER / ASST. DISTRICT MGR.TRACY ZENKNER
ADMINISTRATIVE ASSISTANT**WASTEWATER DISCHARGE PERMIT APPLICATION**

Note to Signing Official. In accordance with Title 40 of the Code of Federal Regulations Part 403 Section 403.14, information and data provided in this questionnaire which identifies the nature and frequency of discharge shall be available to the public without restriction. Requests for confidential treatment of other information shall be governed by procedures specified in 40 CFR Part 2. Should a discharge permit be required for your facility, the information in this application will be used in the development of the permit.

SECTION A - GENERAL INFORMATION

1. Company Name: Coxey Cable
2. Mailing Address: 716 E. Locust Zip Code: 60115
3. Premise Address: 716 E. Locust Zip Code: 60115
4. Name and Title of Signing Official: Charles E. Hubbel
Telephone No: (800) 877-8089
5. Alternate Person to Contact Concerning Information Provided Herein:
Name and Title: Ed Coxey
Telephone No: (630) 319-9316
6. Check one: ☒ Existing Discharge
☐ Proposed Discharge

If proposed discharge, anticipated date of discharge commencement:

I have personally examined and am familiar with the information submitted in this document and attachment. Based upon my inquiry of those individuals immediately responsible for obtaining the information reported herein, I believe that the submitted information is true, accurate and complete.

Date

Signature of Official

October 11, 2019 Charles E. Hubbel

(Seal) (if applicable)

SECTION B - PRODUCT OR SERVICE INFORMATION

1. Brief narrative description of the primary manufacturing or service activity at premise address, production rate, subparts, and the applicable Standard Industrial Classification Code(s) (SIC No.):

<u>Aluminum forming</u>	<u>40 CFR</u>	<u>467</u>	<u>3496</u>
Nature of Operation	Production Rate	Subpart	SIC Code
<u>Al-Clad wire/cable</u>	<u>3000-5000 #/d</u>		

Raw Materials Used: Aluminum wire, Steel wire, Duxap Soap

Chemicals Utilized: _____

SECTION C - PLANT OPERATIONAL CHARACTERISTICS

1. Are major processes batch or continuous? Batch (wire op. is continuous when running)
 Average number of batches per 24 hour day: 0-1 (dogged batch discharge)
 Duration of each batch process: No
2. Are your processes subject to seasonal variation?
 If yes, explain and indicate the month(s) of peak operation and products: _____
3. Shift Information:

a. Number of shifts/workday: 1-2 b. Number of workdays/week: 5-6

Average number of
c. employees/shift:

1st _____ 2nd _____ 3rd _____ Total _____

d. Shift start times:

1st _____ 2nd _____ 3rd _____

SECTION C - PLANT OPERATIONAL CHARACTERISTICS, continued

4. Describe any water recycling or material reclaiming processes utilized:

Closed loop cooling

5. Is a Spill Prevention Control/Accidental Discharge Plan prepared for the facility?
[☒] Yes [☐] No

If yes, provide line diagram and basic information, including capacity, of existing or proposed spill containment areas and installation:

If no, this plan is to be submitted within 180 days of the effective date of Ordinance No. 259. (See Ordinance No. 259 Section 5.A.10)

SECTION D- WATER CONSUMPTION AND LOSS

1. Raw water source(s):

Municipal Water

Private Well

Surface Water

Other

2. Water bill addressee:

Conex Cable

3. Water service account numbers:

230 22 000 90 - 00

4. List water usage from water bills for the previous twelve months (your last 4 quarterly water bills)

Billing Period

Units billed (1 unit = 100 cubic feet = 748 gallons)

a.	From:	<u>12/27/2018</u>	To:	<u>02/25/2019</u>	<u>105</u>
b.	From:	<u>02/25/2019</u>	To:	<u>04/26/2019</u>	<u>144</u>
c.	From:	<u>04/26/2019</u>	To:	<u>06/26/2019</u>	<u>143</u>
d.	From:	<u>06/26/2019</u>	To:	<u>08/26/2019</u>	<u>225</u>

- e. Volume from other source(s):

Name of other source(s):

N/A

SECTION D- WATER CONSUMPTION AND LOSS, continued

5. List water consumption within the plant:

Type	Estimated Average Volume (gallons per day)	Type	Estimated Average Volume (gallons per day)
a. cooling water	0 - 100	e. plant & equipment washdown	0 - 100
b. boiler water	0	f. irrigation and lawn watering	0
c. Process	0 - 500	g. other (specify) city water tank	0 - 100
d. sanitary	0 - 500	h. total of a. through g.	

6. List average volume of discharge or water losses to: *Does NOT include AL Rise or MHD which are zero discharge on average (If batch process, include time and duration).*

Outlet	Estimated Average Volume (gallons per day)	Time (of day)	Duration (hours)
a. municipal sewer	0 - 500 (MHD)	8 - 5	2 - 4
b. watercourse, storm drain, ground	0 - 500 steel	* Batch discharge (MHD - None planned)	
c. waste haulers	0 - 500	Waste Hauler	
d. evaporation	0 - 300	Evaporative loss	
e. contained in product	0 -		
f. total of a. through e.	0 - 1500 **	** Does not include AL Rise or MHD which are zero discharge on average	

7. List average water usage and average wastewater discharge for SIC processes itemized in Section B (attach additional sheets if needed):

Brief Process Description	SIC Number	Average Water consumption (gallons per day)	Estimated Average Discharge (gallons per day)
a. Wire Cleaning	3354	0 - 50	500
b. AL wire rise	3354	0 - 32	0 - 32
c. MHD cleaning	3354	0 - 50	N.A

N.A. - No discharge planned; quench tanks contain 475 gals & 350 gals

SECTION D - WATER CONSUMPTION AND LOSS (continued)

8. Describe any water treatment or conditioning processes utilized:

wire passes through ultrasonic cleaning process, water is filtered

SECTION E - SEWER INFORMATION

1. Attach a scaled drawing of your plant site showing the location of all sewers (sanitary and storm) and manholes. Also show location of possible sampling points for these sewers and sampling points for regulated SIC processes. For reference and field orientation, buildings, streets, alleys and other pertinent physical structures should be included. Label sampling point user proposes to be available to District.
2. List plant sewers shown in item 1, size and flow; assign a sequential reference number to each sewer starting with No. 1 (if more than 3, attach additional connection information on another sheet):

Ref. No.	Sewer Size (inches)	Descriptive Location of Sewer Connection or Discharge Point	Average Flow (gallons per day)
1.	2	in floor at base of storage tank	0-500 **
2.	2	MHD Line to sewer *	0-500
3.		* No discharge planned	
		** includes AL Rinse which is zero on average	

- a. Briefly describe location which user proposes to make available for sampling and monitoring by the District:

see above

AL clad - sump to sewer

MHD Line - Bottom tank valves

Note: If existing locations are inadequate for sampling and monitoring, the District shall require proper monitoring facilities. (See Ordinance 259, Section 5. C. 10)

SECTION F - WASTEWATER INFORMATION

1. Please indicate the quantities discharged from the activities indicated below in units of gallons per day. (Refer to Section D, items 5, 6, 7, and 8.) The quantities are to be given for each sewer receiving the discharge. Place an asterisk on any outfall discharging to a storm drain or surface course and give the NPDES Outfall Number and NPDES Permit Number.

Type Process (from D-7)	Discharge quantity by Sewer Referenced in E-2						Total (Refer to D-5, 6 & 7)
	1	2	3	4	5	6	
a STEEL Rinse	0-500						0-500
b MHD Quench	0	0-500					0-500
c							
Sanitary	0-500						0-500
Boiler...	0						0
Cooling.							
Plant & Equipment							
Washdown	0-100						0-100
Regeneration Waste (from D-8)							
Other (Specify):							
Total (Refer to E-2)*	0-1000						0-1000
*NPDES Outfall No							
*NPDES Permit No							

2. Indicate the 3-minute peak total wastewater discharge flow rate: 0-20 gpm
3. Describe the daily, monthly and seasonal variations of wastewater flow; if any:
None
4. Is any form of wastewater pretreatment utilized at this facility? [X] Yes [] No
If "yes", briefly describe (include hours of operation):
Steel Rinse Water is Filtered

SECTION F - WASTEWATER INFORMATION, continued

5. If any wastewater analyses have been performed on the wastewater discharges from your facilities, attach a copy of the most recent data to this application. Be sure to include the date of the analysis, name of the laboratory performing the analysis, and location(s) from which the sample(s) were taken (attach sketches, plans, etc., as necessary).
6. Briefly describe disposal of hazardous waste (chemical byproducts), include pretreatment sludges, if any:

die cleaner caustic is MANAGED offsite

7. Check one: Pretreatment Standards [☒] are [☐] are not being met on a consistent basis.

Additional operation and maintenance under consideration for compliance is as follows:

Additional pretreatment under consideration to meet standards is as follows:

Attach estimated schedule of compliance.

Section F - Wastewater Information, continued

8. Priority Pollutant Information: Please indicate by placing an "x" in the appropriate box by each listed chemical whether it is "Suspected to be Absent," "Known to be Absent," "Suspected to be Present," or "Known to be Present" in your manufacturing or service activity or generated as a by- product.

ITEM NUMBER	CHEMICAL / ELEMENT	SUSPECTED ABSENT	KNOWN ABSENT	SUSPECTED PRESENT	KNOWN PRESENT	COMMENTS
1.	asbestos (fibrous)					
2.	cyanide(total)		X			
3.	antimony (total)		X			
4.	arsenic (total)		X			
5.	beryllium (total)		X			
6.	cadmium (total)		X			
7.	chromium(total)		X			
8.	copper (total)				X	
9.	lead (total)		X			
10.	mercury (total)		X			
11.	nickel (total)		X			
12.	selenium (total)		X			
13.	silver (total)		X			
14.	thallium (total)		X			
15.	zinc(total)		X			
16.	acenaphthene				X	
17.	acenaphthylene		X			
18.	acrolein					
19.	acrylonitrile					
20.	aldrin					
21.	anthracene					
22.	benzene					
23.	benzidine					
24.	benzo (a) anthracene					
25.	benzo(a) pyrene					

ITEM NUMBER	CHEMICAL / ELEMENT	SUSPECTED ABSENT	KNOWN ABSENT	SUSPECTED PRESENT	KNOWN PRESENT	COMMENTS
26.	benzo (b) floranthene					
27.	benzo (g,h,i) perylene		X			
28.	benzo (k) fluoranthene					
29.	a-BHC (alpha)					
30.	b-BHC (beta)					
31.	d-BHC (delta)					
32.	g-BHC (gamma)					
33.	bis (2-chloroethyl) ether					
34.	bis(2-chloroethoxy) methane					
35.	bis(2-chloroisopropyl) ether					
36.	bis (chloromethyl) ether					
37.	bis(2-ethylhexyl)phthalate					
38.	bromodichloromethane					
39.	bromoform					
40.	bromomethane					
41.	4-bromophenylphenyl ether					
42.	butylbenzyl phthalate					
43.	carbon tetrachloride					
44.	chlordan					
45.	4-chloro-3-methylphenol					
46.	chlorobenzene					
47.	chloroethane					
48.	2-chloroethylvinyl ether					
49.	chloroform					
50.	chlorormethane					
51.	2-chloronaphthalene					
52.	2-chlorophenol					
53.	4-chlorophenylphenyl ether					
54.	chrysene					
55.	4,4'-DDD					

ITEM NUMBER	CHEMICAL / ELEMENT	SUSPECTED ABSENT	KNOWN ABSENT	SUSPECTED PRESENT	KNOWN PRESENT	COMMENTS
56.	4,4'-DDE					
57.	4,4'-DDT		x			
58.	dibenzo(a,h) anthracene					
59.	dibromochloromethane					
60.	1,2-dichlorobenzene					
61.	1,3-dichlorobenzene					
62.	1,4-dichlorobenzene					
63.	3,3'-dichlorobenzidine					
64.	dichlorodifluoromethane					
65.	1,1-dichloroethane					
66.	1,2-dichloroethane					
67.	1,1-dichloroethene					
68.	trans-1,2-dichloroethene					
69.	2,4-dichlorophenol					
70.	1,2-dichloropropane					
71.	(cis & trans)1,3 dichloropropene					
72.	dieldrin					
73.	diethyl phthalate					
74.	2,4-dimethylphenol					
75.	dimethylphthalate					
76.	di-n-butyl phthalate					
77.	di-n-octylphthalate					
78.	4,6-dinitro-2-methylphenol					
79.	2,4-dinitrophenol					
80.	2,4-dinitrotoluene					
81.	2,6-dinitrotoluene					
82.	1,2-diphenylhydrazine					
83.	endosulfan I					
84.	endosulfan II					
85.	endosulfan sulfate					

ITEM NUMBER	CHEMICAL / ELEMENT	SUSPECTED ABSENT	KNOWN ABSENT	SUSPECTED PRESENT	KNOWN PRESENT	COMMENTS
86.	endrin					
87.	endrin aldehyde		*			
88.	ethylbenzene					
89.	fluoranthene					
90.	fluorene					
91.	heptachlor					
92.	heptachlor epoxide					
93.	hexachlorobenzene					
94.	hexachlorobutadiene					
95.	hexachlorocyclopentadiene					
96.	hexachloroethane					
97.	indeno (1,2,3-cd) pyrene					
98.	isophorone					
99.	methylene chloride					
100.	naphthalene					
101.	nitrobenzene					
102.	2-nitrophenol					
103.	4-nitrophenol					
104.	N-nitrosodimethylamine					
105.	N-nitrosodi-n-propylamine					
106.	N-nitrosodipropylamine					
107.	PCB-1016...					
108.	PCB-1221...					
109.	PCB-1232					
110.	PCB-1242					
111.	PCB-1248					
112.	PCB-1254					
113.	PCB-1260					
114.	pentachlorophenol					
115.	phenanthrene					

ITEM NUMBER	CHEMICAL / ELEMENT	SUSPECTED ABSENT	KNOWN ABSENT	SUSPECTED PRESENT	KNOWN PRESENT	COMMENTS
116.	phenol					
117.	pyrene		*			
118.	2,3,7,8-tetrachlorodibenzo-p-dioxin (TCDD)					
119.	1,1,2,2-tetrachloroethane					
120.	tetrachloroethene					
121.	toluene					
122.	toxaphene					
123.	1,2,4-trichlorobenzene					
124.	1,1,1-trichloroethane					
125.	1,1,2-trichloroethane					
126.	trichloroethene					
127.	trichlorofluoromethane					
128.	2,4,6-trichlorophenol					
129.	vinyl chloride					

9. For chemicals/elements which are indicated to be "KNOWN PRESENT," please list and provide the following data for each. Attach additional sheets if needed.

Item No.	Chemical / Element	Annual Usage (pounds)	Estimated Loss to Sewer (lbs/year)
7	Chromium	in Aluminum, Steel	0-1
15	Zinc	in Aluminum, Steel	0-1
2	Cyanide	0	Nil

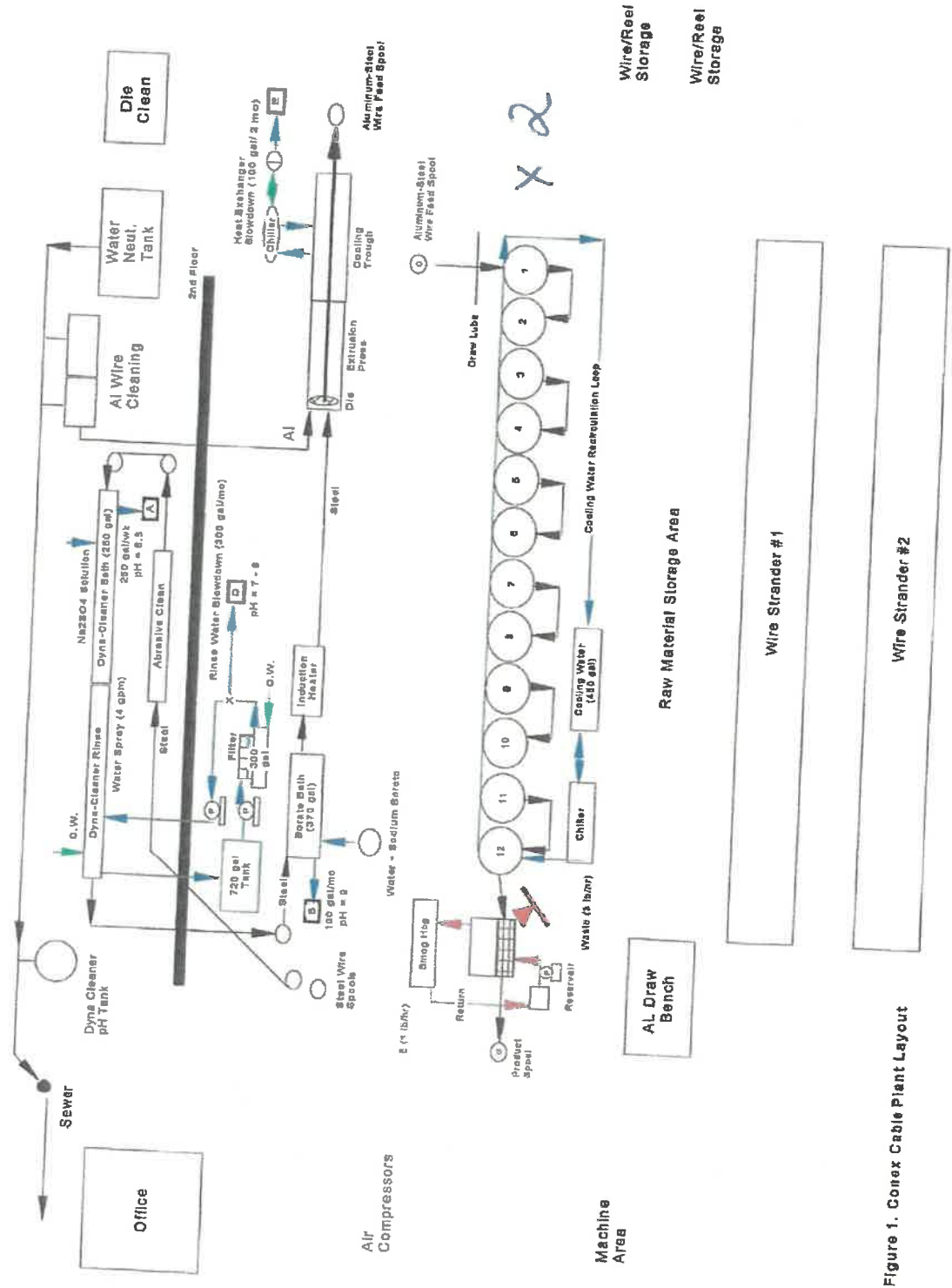


Figure 1. Conex Cable Plant Layout

ATTACHMENT A

Conex Cable Aluminum Clad Wire Line Process Description Revised December 17, 2014

The aluminum-clad wire extrusion line consists of a series of process steps designed to extrude aluminum wire onto steel wire. The operation consists of a number of wire cleaning steps followed by wire extrusion and cooling. Each wire feedstock is treated separately as follows:

Steel Wire

Steel wire is unwound and passes through an abrasive cleaning system, which removes any corrosion. Particulate matter is collected at the bottom of this unit. The steel wire then passes through a two-stage "Dyna-Cleaner" alkaline solution ultrasonic system consisting of a cleaning bath followed by a water rinse. The electrolytic cleaning bath (pH 9 - 9.5) is comprised of a solution of anhydrous sodium sulfate and water (84% water, 16% sodium sulfate). In addition a small amount of "Perkool 635" is added drip-wise to reduce foaming. The bath contents are periodically pumped to a 600 gallon fiberglass holding tank, which is emptied by Crystal Clean for offsite disposal. Rinse water is recirculated through a particle filter, consisting of a layer of clay placed on sheet of woven fabric filter. Solid waste filter media is disposed offsite in accordance with applicable requirements. On average, the recirculation water is batch discharged to City sewer once per month (500 gal/batch) – This waste stream is identified as "A" on Figure 1.

After rinsing, the steel wire is washed in a heated bath containing a solution of 5 mol Borax (MSDS attached) and water (pH 9 - 9.5). The purpose of this bath is to clean and prepare the steel surface to accept the aluminum bond. There is no discharge from the borax bath. City water is added to account for losses due to evaporation. The steel wire is then heated in an electric powered induction heater and fed to the extruder die.

Aluminum Rod

Concurrently to the steel wire cleaning steps, aluminum rod is cleaned in a two-stage caustic cleaning process and fed directly to the extruder. The caustic cleaning bath consists of a sodium hydroxide solution. The tank contents are filtered and returned to the system. Although it is possible for Conex to discharge the caustic bath water following pH neutralization, there has been no discharge from this bath to date. This waste stream is identified as "C" on Figure 1. City water and/or rinse water is added to the caustic bath to account for losses due to evaporation. When rinse water is not recycled to the bath for use as makeup, the water can be discharged to City sewer following pH measurement and, if necessary, adjustment. The rinse water waste stream is identified as "B" on Figure 1. The maximum amount of rinse water that could be discharged is 30 gallons per day. No aluminum forming wastewater has been discharged from the system to date.

Extrusion/Quench Water

The aluminum rod and steel wire "meet" in a die within the extrusion machine. The aluminum-clad steel (AS) wire is formed and then water-cooled. As the aluminum "outer" wire passes through the die, the exterior is sheared into ribbons, called aluminum flash, which is recycled. The product wire, consisting of approximately 10% aluminum and 90% steel by weight, is spooled for further processing, such as drawing or stranding. No process wastewater is generated by these subsequent processes. Contact cooling water is recirculated through a heat exchanger. Blowdown water, if it is needed, can be collected in a small tote, pH checked, and discharged – waste stream "D" on Figure 1. The heat exchanger is cooled using a closed loop refrigeration system.

Water + Na₂SO₄ + Perkool 835

Dyna-Cleaner Rinse (4 gpm)

Dyna-Cleaner Bath (250 gal)

Offsite Disposal

800 gal Tank

Abrasive Clean

Steel

Water Spray

Filter

500 gal Tank

Induction Heater

Borax Bath (370 gal)

Water + Borax

Steel

Steel Wire Spools

A. Rinse Water Blowdown (0 - 500 gpd)

To Sewer

B. Alkaline Cleaning Rinse (0 - 32 gpd)

Rinse Tank

Steel

Al

Die

Extrusion Press

Cooling Trough

Aluminum-Clad Steel Wire Spool

D. Heat Exchanger Blowdown (0 - 60 gal/d)

Chiller

Closed Loop

C. Alkaline Cleaning Bath (0 - 15 gpd)

Caustic Cleaner Bath (275 gal)

Water + NaOH

pH Adj.

Aluminum Wire Spools

Wastewater Summary

- A. Steel Wire Rinse
- B. Al Alkaline Rinse
- C. Al Alkaline Bath
- D. Heat Treat Quench Blowdown

KEY

- X Drain
- S Sample Location
- Wire
- Wastewater
- City Water

A. Steel Wire Rinse
B. Al Alkaline Rinse
C. Al Alkaline Bath

Conex Cable
MHD Line Wire
Process Description
December 10, 2014

The Magneto hydrodynamics (MHD) line is a purpose built machine, designed to clad steel rod through a number of steps. The basic process is four steps; break, clean, clad, and cool. The rod moves continuously and uninterrupted through the process. In short, the MHD process starts with bright steel wire rod. The rod is uncoiled and straightened and heated by induction heater to 650 °F. The rod is electrically energized coil and passed through a zinc containing crucible. The rod is coated with zinc at a rate of 1.4oz/sq. ft. to 2.oz/sq. ft. Following coating the wire is cooled and then re-coiled. There is no regular planned water discharge from the line. Quench tank(s) periodically could be drained for cleaning. Figure 1 presents a process schematic.

Steel Rod

Steel rod is unwound and pulled through the system. The rod is made to be more flexible by putting it through a "reverse bender" which will dramatically bend the rod against its natural position. This process produces a fine particulate of carbon and steel which is periodically swept up and thrown away. Next, the rod is pulled through a straightening process. After the rod has been straightened, it moves through abrasive cleaning three times. After being cleaned, the rod is quickly run through a crucible furnace to be clad. The rod is then passed into a hot quench trough with water heated to 190° F. The water is looped through the system and stored in a 475 gallon steel holding tank, where it is kept at the 190°F with two water heaters. The tank has an extra input of deionized water to account for evaporation when in the trough. After the hot quench, the wire is put through a cool quench trough. The cool water, similar to the hot water, continuously loops through the system and is stored in a 350 gallon steel tank. The water is kept cool with a closed loop refrigeration system. After optionally being drawn, the wire is coiled.

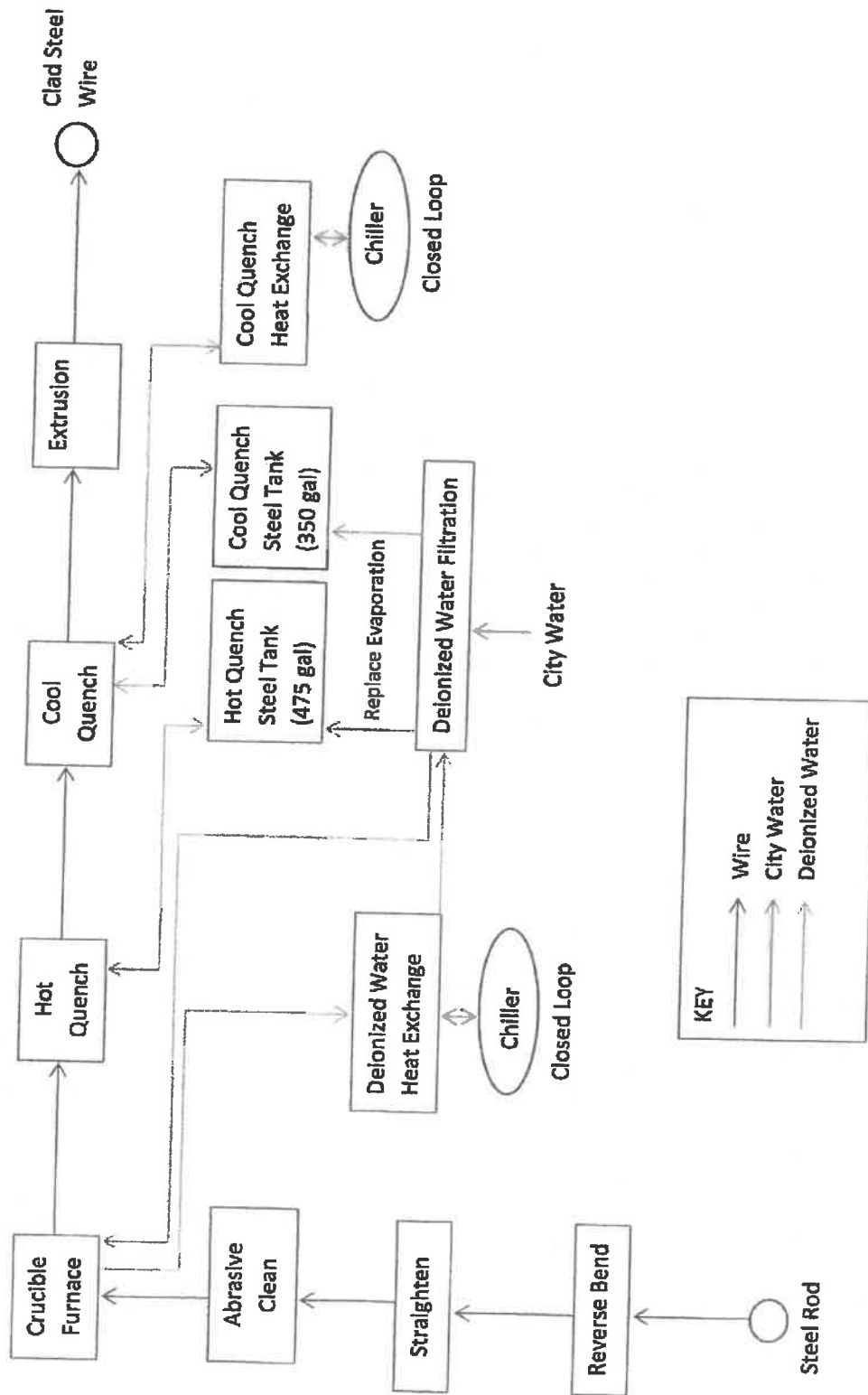
Deionized Water

Deionized water is used in cooling the entrance and exit coils of the crucible furnace. Since temperatures inside the coil reach 700 °F, the water must be cooled in a heat exchange with a closed loop refrigeration system. This deionized water is also fed into the Ajax controller and is used to keep the two quench trough tanks filled. The deionized water is created by sending process water through an ion-exchange resin to remove any ionized minerals present in the water.

Process Water and Tower Water

City water is pumped into a concrete holding pit; from there the water is pumped into pipes and becomes process water. This process water is used in the closed loop refrigeration system and to create deionized water. When the process water returns from the heat exchange it is dumped back into the concrete pit where it can be pumped up into the rooftop water tower for cooling. After spending some time outside being cooled, it is returned to the pit. This water will stay in the system till it evaporates.

Figure 1. Conex Waste Flow Schematic



334 East Riverside Blvd • Loves Park, Illinois 61111
Telephone: 815.877.7530 • Facsimile: 815.877.5630
E-mail: eccltd@comcast.net

August 27, 2021

Certified Mail

Return Receipt
7011 3500 0001 8900 2612

&

Via Electronic Mail

ayates@dekalbsd.com

Ms. Allison Yates
Kishwaukee Reclamation District
1301 Sycamore Road
DeKalb, Illinois 60115

Re: CST Storage
345 Harvestore Drive
DeKalb, Illinois 60115
Submittal of Wastewater Discharge Permit Application

Dear Ms. Yates:

Please find enclosed, a copy of a wastewater discharge permit application for CST Storage. CST is manufacturer of factory-coated metal storage tanks, aluminum domes and specialty covers. There have been no significant changes to CST's operation since submittal of the last application.

If you need additional information or clarification regarding this application, please call me at (815) 877-7530. I can also be reached by electronic mail at eccltd@comcast.net. Thank you.

Sincerely,

ENVIRONMENTAL COMPLIANCE CONSULTING, LTD.



Thomas J. McNamee
President

TJM/mlf
Enclosure (1)

cc: Dr. Monica Ebert/CST Storage (via U.S. First Class Mail)
file: WW Permit Application 08-2021

SECTION B - PRODUCT OR SERVICE INFORMATION

1. Brief narrative description of the primary manufacturing or service activity at premise address, production rate, subparts, and the applicable Standard Industrial Classification Code(s) (SIC No.):

Nature of Operation	Production Rate	Subpart	SIC Code
Porcelain Enamel on Steel			3479
Fabricated Agricultural Feed Handling System			3499
Fabricated Metal Products			3443

Raw Materials Used: Carbon & HSLA steel glass frit; silica; colored oxide; some solvent & water based paint & welding rod.

Chemicals Utilized: Alkaline cleaners; nickel-based glass porcelain; metal oxide and solvents.

SECTION C - PLANT OPERATIONAL CHARACTERISTICS

1. Are major processes batch or continuous? Continuous
 Average number of batches per 24-hour day: _____
 Duration of each batch process: _____
2. Are your processes subject to seasonal variation? No
 If yes, explain and indicate the month(s) of peak operation and products: _____

3. Shift Information:

- a. Number of shifts/workday: 1 b. Number of workdays/week: 5
- c. Average number of employees/shift: 1st 60 2nd 3rd Total
- d. Shift start times: 1st 6:00 AM 2nd 3rd

SECTION C - PLANT OPERATIONAL CHARACTERISTICS, continued

4. Describe any water recycling or material reclaiming processes utilized: Cooling water for ball mills; sprayed material is recirculated with eventual discharge through treatment.
5. Is a Spill Prevention Control/Accidental Discharge Plan prepared for the facility?
[☒] Yes [☐] No
If yes, provide line diagram and basic information, including capacity, of existing or proposed spill containment areas and Installation:
See attachment following this page [Page 3(a)].

If no, this plan is to be submitted within 180 days of the effective date of Ordinance No. 259. (See Ordinance No. 259 Section 5.A.10)

SECTION D- WATER CONSUMPTION AND LOSS

1. Raw water source(s): Municipal Water Private Well
 Surface Water Other: _____
2. Water bill addressee: 345 Harvestore Drive, DeKalb, Illinois 60115
3. Water service account numbers: 330315543000
4. List water usage from water bills for the previous twelve months (your last 4 quarterly water bills)

	<u>Billing Period</u>	<u>Units billed (1 unit = 100 cubic feet = 748 gallons)</u>
a.	From: _____ To: _____	See attached [Page 3(b)].
b.	From: _____ To: _____	_____
c.	From: _____ To: _____	_____
d.	From: _____ To: _____	_____
e.	Volume from other source(s): <u>0</u>	
	Name of other source(s): <u>N/A</u>	

SECTION C – PLANT OPERATIONAL CHARACTERISTICS

5 (Continued) Spill Prevention Control/Accidental Discharge Plant

All process water going to the clarifier comes from a pump in CST's process pit (ie: basement) or from the mill room. Any process spillage would be contained by the trench in the process pit; therefore, flow to the clarifier would be regulated. The capacity of the trench is 800 gallons and the maximum tank capacity is 750 gallons, so full containment is possible.

At the clarifier, the only hazardous material is sulfuric acid contained in a 300-gallon tank sitting in a secondary container with a capacity of 400 gallons. Should a breach of the sulfuric acid container occur, the containment would hold all the spillage.

At the metal finishing line, CST has 55-gallon drums of cleaners that are phosphoric acid based and have a low pH. The drums are on spill containment skids, four drums to a skid. The skids will hold 55 gallons and therefore, will contain the contents of one drum if a rupture should occur.

Discharge of the washer tanks is controlled by an operator who is trained to insure the tanks are neutralized within the 5.5 – 9.5 pH range before any discharge to sanitary sewer occurs when tanks are being cleaned.

The chain of notification for an accidental spill or discharge is:

Dr. Monica Ebert
Materials Science & Coatings Engineer
Direct (815) 220-5725, Cell (815) 901-3251

History Detail Report

Thursday, August 26, 2021

Location ID: HARE-000345-0000-02
 Account #: 3303155430-01
 Service Address: 345 HARVESTORE DR
 Customer Name: CST

Posted	Created	Action Read	Item - or - User Usage	Amount Other Info	Balance
07/19/21	07/19/21 16:50	Bill Calculated	04/27/21-06/22/21	\$21499.74	\$21499.74
07/02/21	07/02/21 11:25	Payment Posted	R21-175801	\$18467.87	\$0.00
06/28/21	06/28/21 11:11	Past Due Notice Sent	NOTICE SENT		\$18467.87
				\$0.00	
06/24/21	06/24/21 13:47	Payment Posted	R21-174802	\$23579.87	\$18467.87
06/22/21	07/06/21 13:24	Meter Read	WATER		\$42047.74
		158989	2933	Auto	
05/17/21	05/17/21 11:32	Bill Calculated	03/03/21-04/27/21	\$18467.87	\$42047.74
04/30/21	04/30/21 8:42	Past Due Notice Sent	NOTICE SENT		\$23579.87
				\$0.00	
04/27/21	05/03/21 14:26	Meter Read	WATER		\$23579.87
		156056	2524	Auto	
03/23/21	03/23/21 15:02	Bill Calculated	12/29/20-03/03/21	\$23579.87	\$23579.87
03/03/21	03/05/21 15:33	Meter Read	WATER		\$0.00
		153532	3234	Auto	
02/05/21	02/05/21 9:42	Payment Posted	R21-148086	\$19864.67	\$0.00
01/19/21	01/19/21 14:08	Bill Calculated	10/28/20-12/29/20	\$19864.67	\$19864.67
01/05/21	01/05/21 10:18	Payment Posted	R21-141558	\$17575.07	\$0.00
12/29/20	01/04/21 10:24	Meter Read	WATER		\$17575.07
		150298	2718	Auto	
12/23/20	12/23/20 14:25	Past Due Notice Sent	NOTICE SENT		\$17575.07
				\$0.00	
11/25/20	11/25/20 11:57	Bill Calculated	08/28/20-10/28/20	\$17575.07	\$17575.07
10/28/20	11/02/20 9:50	Meter Read	WATER		\$0.00
		147580	2400	Auto	
10/15/20	10/15/20 9:38	Payment Posted	R20-126387	\$22499.87	\$0.00
09/28/20	09/28/20 13:42	Bill Calculated	06/23/20-08/28/20	\$22499.87	\$22499.87
08/28/20	09/03/20 11:17	Meter Read	WATER		\$0.00
		145180	3084	Auto	
08/20/20	08/20/20 15:12	Payment Posted	R20-117442	\$18727.07	\$0.00
07/29/20	07/29/20 12:03	Bill Calculated	04/21/20-06/23/20	\$18727.07	\$18727.07

Total Usage: 16,893.00

SECTION D- WATER CONSUMPTION AND LOSS, continued

5. List water consumption within the plant:

<u>Type</u>	<u>Estimated Average Volume (gallons per day)</u>	<u>Type</u>	<u>Estimated Average Volume (gallons per day)</u>
a. cooling water	50	e. plant & equipment washdown	10
b. boiler water	18,800	f. irrigation and lawn watering	0
c. process	18,800	g. other (specify)	0
d. sanitary	2,875	h. total of a. through g.	40,535

6. List average volume of discharge or water losses to:

(If batch process, include time and duration).

<u>Outlet</u>	<u>Estimated Average Volume (gallons per day)</u>	<u>Time (of day)</u>	<u>Duration (hours)</u>
a. municipal sewer	39,535	N/A	N/A
b. watercourse, storm drain, ground	50	N/A	N/A
c. waste haulers	50	N/A	N/A
d. evaporation	900	N/A	N/A
e. contained in product	0	N/A	N/A
f. total of a. through e.	40,535	-	-

7. List average water usage and average wastewater discharge for SIC processes itemized in Section B (attach additional sheets if needed):

<u>Brief Process Description</u>	<u>SIC Number</u>	<u>Average Water consumption (gallons per day)</u>	<u>Estimated Average Discharge (gallons per day)</u>
a. Fabricated Metal	3443	30	0
b. Porcelain Enamel	3479	17,512	12,030
c. Metal Finishing	3499	1,258	768

SECTION D - WATER CONSUMPTION AND LOSS (continued)

8. Describe any water treatment or conditioning processes utilized:
Water softner for boilers, reverse osmosis system for enamlings.

SECTION E - SEWER INFORMATION **On File.**

1. Attach a scaled drawing of your plant site showing the location of all sewers (sanitary and storm) and manholes. Also show location of possible sampling points for these sewers and sampling points for regulated SIC processes. For reference and field orientation, buildings, streets, alleys and other pertinent physical structures should be included. Label sampling point user proposes to be available to District.
2. List plant sewers shown in item 1, size and flow; assign a sequential reference number to each sewer starting with No. 1 (if more than 3, attach additional connection information on another sheet):

<u>Ref. No.</u>	<u>Sewer Size (inches)</u>	<u>Descriptive Location of Sewer Connection or Discharge Point</u>	<u>Average Flow (gallons per day)</u>
1.	6	From sump in boiler room addition	12,030
2.	5	From sump by end of washer trench	768
3.	5	Under plant floor & flowing south out of building to main.	2,631

- a. Briefly describe location which user proposes to make available for sampling and monitoring by the District:
 - 1) Outfall 001 (Process #1) metal finishing line, end of process after filter paper.
 - 2) Outfall 002 (Process #2) porcelain enameling, end of process after treatment unit.
 - 3) Outfall 003 (N/A) end of pipe, south of pipe, south of plant adjacent to Harvestore Drive.

Note: If existing locations are inadequate for sampling and monitoring, the District shall require proper monitoring facilities. (See Ordinance 259, Section 5. C. 10)

SECTION E – SEWER INFORMATION

2. (Continued):

Reference Number 4: Sewer size = 5 inches; flow 244 gpd

Under floor collection east side of building flowing south toward main.

Reference Number 5: Sewer size – 4 inches; flow 18,800 gpd

Located in boiler room, flowing south from building toward main.

SECTION F - WASTEWATER INFORMATION

1. Please indicate the quantities discharged from the activities indicated below in units of gallons per day. (Refer to Section D, items 5, 6, 7, and 8.) The quantities are to be given for each sewer receiving the discharge. Place an asterisk on any outfall discharging to a storm drain or surface course and give the NPDES Outfall Number and NPDES Permit Number.

<u>Process Type</u> (from D-7)	<u>Discharge quantity by Sewer Referenced in E-2</u>						<u>Total (Refer to</u> <u>D-5,6 & 7)</u>
	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	
a Fabricated Metal	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>N/A</u>	<u>0</u>
b Porcelain Enamel	<u>12,030</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>N/A</u>	<u>12,030</u>
c Metal Finishing	<u>0</u>	<u>768</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>N/A</u>	<u>768</u>
Sanitary	<u>0</u>	<u>0</u>	<u>2,631</u>	<u>244</u>	<u>0</u>	<u>N/A</u>	<u>2,875</u>
Boiler	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>18,800</u>	<u>N/A</u>	<u>16,790</u>
Cooling	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Plant & Equipment Washdown	<u> </u>	<u>10</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u>10</u>
Regeneration Waste (from D-8)	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u>2,000</u>	<u> </u>	<u>2,000</u>
Other (Specify):	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Total (Refer to E-2)	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u>34,473</u>
*NPDES Outfall No	<u>N/A</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
*NPDES Permit No	<u>N/A</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

2. Indicate the 3-minute peak total wastewater discharge flow rate: 400 GPM

3. Describe the daily, monthly and seasonal variations of wastewater flow; if any:

90% of flow occurs between 6 AM & 5 PM M-F

4. Is any form of wastewater pretreatment utilized at this facility? [☒] Yes [☐] No

If "yes", briefly describe (include hours of operation):

Process water (enameling) is treated through a clarifier & dewatered through a filter press during production hours.

SECTION F - WASTEWATER INFORMATION, continued

5. If any wastewater analyses have been performed on the wastewater discharges from your facilities, attach a copy of the most recent data to this application. Be sure to include the date of the analysis, name of the laboratory performing the analysis, and location(s) from which the sample(s) were taken (attach sketches, plans, etc., as necessary).

On file with the District.

6. Briefly describe disposal of hazardous waste (chemical byproducts), include pretreatment sludges, if any:

The porcelain enamel sludge is dewatered & disposed of by a waste management company at a permitted waste site as a non-hazardous special waste.

7. Check one: Pretreatment Standards [☒] are [☐] are not being met on a consistent basis.

Additional operation and maintenance under consideration for compliance is as follows:

Additional pretreatment under consideration to meet standards is as follows:

Attach estimated schedule of compliance.

SECTION F - WASTEWATER INFORMATION, continued

8. Priority Pollutant Information: Please indicate by placing an "x" in the appropriate box by each listed chemical whether it is "Suspected to be Absent," "Known to be Absent," "Suspected to be Present," or "Known to be Present" in your manufacturing or service activity or generated as a by- product.

ITEM NUMBER	CHEMICAL / ELEMENT	SUSPECTED ABSENT	KNOWN ABSENT	SUSPECTED PRESENT	KNOWN PRESENT	COMMENTS
1.	asbestos (fibrous)		X			
2.	cyanide(total)		X			
3.	antimony (total)		X			
4.	arsenic (total)		X			
5.	beryllium (total)		X			
6.	cadmium (total)			X		
7.	chromium(total)				X	
8.	copper (total)			X		
9.	lead (total)	X				
10.	mercury (total)		X			
11.	nickel (total)				X	
12.	selenium (total)	X				
13.	silver (total)		X			
14.	thallium (total)		X			
15.	zinc(total)				X	
16.	acenaphthene	X				
17.	acenaphthylene	X				
18.	acrolein	X				
19.	acrylonitrile	X				
20.	aldrin	X				
21.	anthracene	X				
22.	benzene	X				
23.	benzidine	X				
24.	benzo (a) anthracene	X				
25.	benzo(a) pyrene	X				

ITEM NUMBER	CHEMICAL / ELEMENT	SUSPECTED ABSENT	KNOWN ABSENT	SUSPECTED PRESENT	KNOWN PRESENT	COMMENTS
26.	benzo (b) floranthene	x				
27.	benzo (g,h,i) perylene	x				
28.	benzo (k) fluoranthene	x				
29.	a-BHC (alpha)	x				
30.	b-BHC (beta)	x				
31.	d-BHC (delta)	x				
32.	g-BHC (gamma)	x				
33.	bis (2-chloroethyl) ether	x				
34.	bis(2-chloroethoxy) methane	x				
35.	bis(2-chloroisopropyl) ether	x				
36.	bis (chloromethyl) ether	x				
37.	bis(2-ethylhexyl)phthalate	x				
38.	bromodichloromethane	x				
39.	bromoform	x				
40.	bromomethane	x				
41.	4-bromophenylphenyl ether	x				
42.	butylbenzyl phthalate	x				
43.	carbon tetrachloride	x				
44.	chlordan	x				
45.	4-chloro-3-methylphenol	x				
46.	chlorobenzene	x				
47.	chloroethane	x				
48.	2-chloroethylvinyl ether	x				
49.	chloroform	x				
50.	chloromethane	x				
51.	2-chloronaphthalene	x				
52.	2-chlorophenol	x				
53.	4-chlorophenylphenyl ether	x				
54.	chrysene	x				
55.	4,4'-DDD	x				

ITEM NUMBER	CHEMICAL / ELEMENT	SUSPECTED ABSENT	KNOWN ABSENT	SUSPECTED PRESENT	KNOWN PRESENT	COMMENTS
56.	4,4'-DDE	X				
57.	4,4'-DDT	X				
58.	dibenzo(a,h) anthracene	X				
59.	dibromochloromethane	X				
60.	1,2-dichlorobenzene	X				
61.	1,3-dichlorobenzene	X				
62.	1,4-dichlorobenzene	X				
63.	3,3'-dichlorobenzidine	X				
64.	dichlorodifluoromethane	X				
65.	1,1-dichloroethane	X				
66.	1,2-dichloroethane	X				
67.	1,1-dichloroethene	X				
68.	trans-1,2-dichloroethene	X				
69.	2,4-dichlorophenol	X				
70.	1,2-dichloropropane	X				
71.	(cis & trans)1,3 dichloropropene	X				
72.	dieldrin	X				
73.	diethyl phthalate	X				
74.	2,4-dimethylphenol	X				
75.	dimethylphthalate	X				
76.	di-n-butyl phthalate	X				
77.	di-n-octylphthalate	X				
78.	4,6-dinitro-2-methylphenol	X				
79.	2,4-dinitrophenol	X				
80.	2,4-dinitrotoluene	X				
81.	2,6-dinitrotoluene	X				
82.	1,2-diphenylhydrazine	X				
83.	endosulfan I	X				
84.	endosulfan II	X				
85.	endosulfan sulfate	X				

ITEM NUMBER	CHEMICAL / ELEMENT	SUSPECTED ABSENT	KNOWN ABSENT	SUSPECTED PRESENT	KNOWN PRESENT	COMMENTS
86.	endrin	X				
87.	endrin aldehyde	X				
88.	ethylbenzene	X				
89.	fluoranthene	X				
90.	fluorene	X				
91.	heptachlor	X				
92.	heptachlor epoxide	X				
93.	hexachlorobenzene	X				
94.	hexachlorobutadiene	X				
95.	hexachlorocyclopentadiene	X				
96.	hexachloroethane	X				
97.	indeno (1,2,3-cd) pyrene	X				
98.	isophorone	X				
99.	methylene chloride	X				
100.	naphthalene	X				
101.	nitrobenzene	X				
102.	2-nitrophenol	X				
103.	4-nitrophenol	X				
104.	N-nitrosodimethylamine	X				
105.	N-nitrosodi-n-propylamine	X				
106.	N-nitrosodipropylamine	X				
107.	PCB-1016...	X				
108.	PCB-1221...	X				
109.	PCB-1232	X				
110.	PCB-1242	X				
111.	PCB-1248	X				
112.	PCB-1254	X				
113.	PCB-1260	X				
114.	pentachlorophenol	X				
115.	phenanthrene	X				

ITEM NUMBER	CHEMICAL / ELEMENT	SUSPECTED ABSENT	KNOWN ABSENT	SUSPECTED PRESENT	KNOWN PRESENT	COMMENTS
116.	phenol	X				
117.	pyrene	X				
118.	2,3,7,8-tetrachlorodibenzo-p-dioxin (TCDD)	X				
119.	1,1,2,2-tetrachloroethane	X				
120.	tetrachloroethene	X				
121.	toluene	X				
122.	toxaphene	X				
123.	1,2,4-trichlorobenzene	X				
124.	1,1,1-trichloroethane	X				
125.	1,1,2-trichloroethane	X				
126.	trichloroethene	X				
127.	trichlorofluoromethane	X				
128.	2,4,6-trichlorophenol	X				
129.	vinyl chloride	X				

9. For chemicals/elements which are indicated to be "KNOWN PRESENT," please list and provide the following data for each. Attach additional sheets if needed.

Item No.	Chemical / Element	Annual Usage (pounds)	Estimated Loss to Sewer (lbs/year)
7	Chromium	300	<0.6
11	Nickel	3,000	<7.0
15	Zinc	3,000	<14.1

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OPERATIONS MANAGER

TRACY ZENKNER
ADMINISTRATIVE ASSISTANT

February 7, 2022

Mrs. Monica Ebert
CST Storage
345 Harvestore Drive
DeKalb, IL 60115

Dear Mrs. Ebert:

This letter constitutes a "NOTICE OF VIOLATION" of your discharge permit with the Kishwaukee Water Reclamation District. On December 20, 2021 the nickel on process #2 was 1.2 mg/l which is above the daily max of 1.41mg/L. Your semi-annual report is also missing data for pH for end of pipe(003).

Please respond within 10 days as to the reason for this violation and your intended actions to preclude excursions of this nature in the future.

As always, should any questions arise, feel free to call.

Sincerely,

A handwritten signature in cursive script that reads "Allison Yates".

Allison Yates
Pretreatment Coordinator

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TRACY ZENKNER
ADMINISTRATIVE ASSISTANT

January 13, 2023

Mrs. Monica Ebert
CST Storage
345 Harvestore Drive
DeKalb, IL 60115

Dear Mrs. Ebert:

This letter constitutes a "NOTICE OF VIOLATION" of your discharge permit with the Kishwaukee Water Reclamation District. On December 19, 2022 the zinc on process #1, paintline, was 1.96 mg/l which is above the monthly average max of 1.48 mg/L.

Please respond within 10 days as to the reason for this violation and your intended actions to preclude excursions of this nature in the future.

As always, should any questions arise, feel free to call.

Sincerely,

Allison Yates
Pretreatment Coordinator

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DISTRICT ENGINEER / ASST. DISTRICT MGR.

TRACY ZENKNER
ADMINISTRATIVE ASSISTANT

February 25, 2021

Ms. Monica Ebert
CST Storage
345 Harvestore Drive
DeKalb, IL 60115

Dear Ms. Ebert:

This letter constitutes a "NOTICE OF VIOLATION" of your discharge permit with the Kishwaukee Water Reclamation District. Per your permit there are several items that need to be included in your semi-annual report. As of today it is still missing the flow data.

Please respond within 10 days as to the reason for this violation and your intended actions to preclude excursions of this nature in the future.

As always, should any questions arise, feel free to call.

Sincerely,

Allison Yates
Pretreatment Coordinator

SIU INSPECTION FORM

Name Of Industry: DeKalb Plating **IUP #** 110
Address Of Industry: 221 Grove St. **IUP Expiration Date:** 10-31-24
DeKalb, Ill 60115
Industry Representatives: Bruce Miller **Title** President
POTW Representatives: Allison Yates **Title** lab supervisor
Date Of Inspection: 9-17-24 **Time Of Inspection:** 9:45 (am/pm)
Purpose of Inspection: Annual **Other (Describe)** _____
POTW to which IU discharges KWRD **NPDES #** IL0023027
Is SIU currently in SNC? NO **If yes, for what?** _____

PART I - INITIAL INTERVIEW

Has anything changed since the last inspection or IUP application in the following:

	YES / NO	COMMENTS
Product	<u>NO</u>	
Raw materials used	<u>NO</u>	
Manufacturing processes	<u>NO</u>	
Categorical, if applicable	<u>NO</u>	
Production rate	<u>NO</u>	
Number of employees	<u>NO</u>	
Number of shifts	<u>NO</u>	

Comments: _____

PART II - PLANT TOUR - Visit all areas where wastewater is generated or where there are drains to the POTW.

Plant Tour Section A - PRODUCTION AND STORAGE AREAS

- Are there floor drains in the production area? YES / NO Where do they go? pH holding tank then to KWRD
- Are production areas diked, contained, or otherwise constructed in such a way as to prevent harm to the WWTP, especially from spills or slugs? YES / NO Comments: Curb around plating tank and containment
- Are there floor drains in the storage area? YES / NO Where do they go? _____
- Are storage tanks and areas diked, contained, or otherwise constructed in such a way as to prevent harm to the WWTP, especially from spills or slugs? YES / NO Comments: _____
- Are process and storage tanks and pipes labeled? YES / NO
- How are off-spec raw materials, and products disposed of?
Go to US Ecology but rarely happens
- When is the production area cleaned? monthly
- Is the wastewater from cleaning the production area discharged to the POTW? YES / NO just clear water and sweeping
- What non-process wastewaters are discharged to POTW?
just bathrooms and sinks

Comments: _____

SIU INSPECTION FORM

PART II - Plant Tour Section B - PRETREATMENT SYSTEM

Ask the operator to describe pretreatment system.

1. Does operator seem knowledgeable about the system? ☒ YES / NO Comments: _____
2. Are all units operational? ☒ YES / NO
3. How often does operator/maintenance person check system? Every time holding tank is drained
4. Is there an operator for each shift? ☒ YES / NO max 10 Republic
5. How and when is sludge disposed of? When accumulate 2200 lbs. US Ecology picks it up
6. Is there a schedule for preventative maintenance? ☒ YES / ☒ NO

Comments: _____

PART II - Plant Tour Section C - SAMPLING POINT(S) AND FLOW MEASUREMENT

(Collect a sample if desired.)

1. Does an outside lab complete sampling? YES / ☒ NO If yes, name of lab. _____
2. If industry completes sampling, ask the industry representative to describe sampling procedures. Comments: _____
Splits with KWRD or gets grabbed composites
3. Is flow measurement equipment operational? ☒ YES / NO Comments: _____
4. Is there a calibration log for the flow meter? YES / ☒ NO Comments: _____
no. it is the city's meter

Comments: _____

PART III - EXIT INTERVIEW

Review monitoring records and other SIU records required by IUP.

1. Are files well organized? ☒ YES / NO Comments: _____
2. Are sample collection / chain-of-custody forms filled out properly? YES / NO Comments: _____
chain of custody needs to be pushed by
3. Do results in files agree with reports sent to POTW? ☒ YES / NO Comments: _____
4. Who has authority to shut down production should a spill or slug discharge occur? _____
Bruce Miller + Keith L. Miller
5. How does SIU inform employees of whom to call at POTW in case of spill/slug? _____
Notice to Employees posted

If slug/spill plan is already required by POTW, review procedures.

6. Is SIU implementing slug/spill plan? ☒ YES / NO Comments: _____

Comments: _____

INSPECTION RESULTS

Slug/Spill Control Plan Needed? ☒ YES / NO - on file
Comments, Required Or Recommended Actions: _____

Signature Of Inspector(s)

[Signature]

Date: 9-17-24
Date: _____

SIU INSPECTION FORM

Name Of Industry: Conex Cable **IUP #** 185
Address Of Industry: 816 E. Locust St. **IUP Expiration Date:**
Dekalb, IL 60115 2-28-25

Industry Representatives: Brian Starr **Title** Production manager

POTW Representatives: Allison Yates **Title** lab supervisor

Date Of Inspection: 9-20-24 **Time Of Inspection:** 9:00 am/pm
Purpose of Inspection: Annual ☒ Other (Describe) _____
POTW to which IU discharges KWRD **NPDES #** IL002327
Is SIU currently in SNC? NO **If yes, for what?** _____

PART I - INITIAL INTERVIEW

Has anything changed since the last inspection or IUP application in the following:

COMMENTS

Product	YES / <u>NO</u>	_____
Raw materials used	YES / <u>NO</u>	_____
Manufacturing processes	YES / <u>NO</u>	_____
Categorical, if applicable	YES / <u>NO</u>	_____
Production rate	YES / <u>NO</u>	<u>same</u>
Number of employees	YES / <u>NO</u>	<u>same</u>
Number of shifts	YES / <u>NO</u>	<u>still 3</u>

Comments: _____

PART II - PLANT TOUR - Visit all areas where wastewater is generated or where there are drains to the POTW.

Plant Tour Section A - PRODUCTION AND STORAGE AREAS

- Are there floor drains in the production area? YES / NO Where do they go? KWRD
- Are production areas diked, contained, or otherwise constructed in such a way as to prevent harm to the WWTP, especially from spills or slugs? YES / NO Comments: Bathrooms and far walls, one is near liquid storage and other is not. Mostly closed loop system
- Are there floor drains in the storage area? YES / NO Where do they go? KWRD
- Are storage tanks and areas diked, contained, or otherwise constructed in such a way as to prevent harm to the WWTP, especially from spills or slugs? YES / NO Comments: not by production area
- Are process and storage tanks and pipes labeled? YES / NO
- How are off-spec raw materials, and products disposed of? Sent back to supplier
- When is the production area cleaned? Once a month
- Is the wastewater from cleaning the production area discharged to the POTW? YES / NO dry cleaning
- What non-process wastewaters are discharged to POTW? bathrooms

Comments: _____

*weekly cleaning
floors w/
simple green
type
cleaner
w/
floor scrubber*

*1802
total
week*

SIU INSPECTION FORM

PART II - Plant Tour Section B - PRETREATMENT SYSTEM

Ask the operator to describe pretreatment system.

1. Does operator seem knowledgeable about the system? ☒ YES ☐ NO Comments: _____

2. Are all units operational? ☒ YES ☐ NO

3. How often does operator/maintenance person check system? _____

When not working -

4. Is there an operator for each shift? ☒ YES ☐ NO

5. How and when is sludge disposed of? Safety Kleen picks up every other week

6. Is there a schedule for preventative maintenance? YES ☒ NO

Comments: _____

PART II - Plant Tour Section C - SAMPLING POINT(S) AND FLOW MEASUREMENT

(Collect a sample if desired.)

1. Does an outside lab complete sampling? ☒ YES ☐ NO If yes, name of lab. First Environmental

2. If industry completes sampling, ask the industry representative to describe sampling procedures. Comments: N/A

3. Is flow measurement equipment operational? ☒ YES ☐ NO Comments: _____

4. Is there a calibration log for the flow meter? ☒ YES ☐ NO Comments: _____

Comments: _____

PART III - EXIT INTERVIEW

Review monitoring records and other SIU records required by IUP.

1. Are files well organized? ☒ YES ☐ NO Comments: _____

2. Are sample collection / chain-of-custody forms filled out properly? YES ☒ NO Comments: _____

3. Do results in files agree with reports sent to POTW? ☒ YES ☐ NO Comments: _____

4. Who has authority to shut down production should a spill or slug discharge occur? _____

manager or supervisor

5. How does SIU inform employees of whom to call at POTW in case of spill/slug? _____

manager, supervisor or notice to employees

If slug/spill plan is already required by POTW, review procedures.

6. Is SIU implementing slug/spill plan? ☒ YES ☐ NO Comments: _____

Comments: _____

INSPECTION RESULTS

Slug/Spill Control Plan Needed? ☒ YES ☐ NO - on file

Comments, Required Or Recommended Actions: _____

Signature Of Inspector(s)

Date: 11-20-24

Date: _____