

NPDES Permit No. IL0000141
Notice No. 11102701.bwc

Public Notice Beginning Date: **July 4, 2012**

Public Notice Ending Date: **August 3, 2012**

National Pollutant Discharge Elimination System (NPDES)
Permit Program

Draft Reissued NPDES Permit to Discharge into Waters of the State

Public Notice/Fact Sheet Issued By:

Illinois Environmental Protection Agency
Bureau of Water
Division of Water Pollution Control
Permit Section
1021 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276
217/782-0610

Name and Address of Discharger:

Equistar Chemicals, LP
625 East U.S. Highway 36
Tuscola, Illinois 61953

Name and Address of Facility:

Equistar Chemicals, LP - Tuscola Plant
625 East U.S. Highway 36
Tuscola, Illinois 61953
(Douglas County)

The Illinois Environmental Protection Agency (IEPA) has made a tentative determination to issue a NPDES permit to discharge into the waters of the state and has prepared a draft permit and associated fact sheet for the above named discharger. The Public Notice period will begin and end on the dates indicated in the heading of this Public Notice/Fact Sheet. The last day comments will be received will be on the Public Notice period ending date unless a commentor demonstrating the need for additional time requests an extension to this comment period and the request is granted by the IEPA. Interested persons are invited to submit written comments on the draft permit to the IEPA at the above address. Commentors shall provide his or her name and address and the nature of the issues proposed to be raised and the evidence proposed to be presented with regards to those issues. Commentors may include a request for public hearing. Persons submitting comments and/or requests for public hearing shall also send a copy of such comments or requests to the permit applicant. The NPDES permit and notice number(s) must appear on each comment page.

The application, engineer's review notes including load limit calculations, Public Notice/Fact Sheet, draft permit, comments received, and other documents are available for inspection and may be copied at the IEPA between 9:30 a.m. and 3:30 p.m. Monday through Friday when scheduled by the interested person.

If written comments or requests indicate a significant degree of public interest in the draft permit, the permitting authority may, at its discretion, hold a public hearing. Public notice will be given 45 days before any public hearing. Response to comments will be provided when the final permit is issued. For further information, please call Brian Cox at 217/782-0610.

The applicant is engaged in the production of ethanol and diethyl ether, by the direct hydration of ethylene which is received via pipeline from Equistar's Morris facility. Additionally, polyethylene pellets from other Equistar locations are converted into low density polyethylene specialty polymer products (SIC 2869 and 3087). Plant operation results in an average discharge of 3.0 MGD of process waste, cooling tower blowdown, boiler blowdown, ion exchange regenerant waste, water softener waste, sanitary waste, and an intermittent discharge of stormwater runoff from outfall 001 and intermittent discharges of stormwater from outfalls 002 and 003.

Process wastewater comprises approximately 1.31 MGD of the total Outfall 001 flow. The on-site wastewater treatment plant was constructed under IEPA Permit Number 1973-EA-2249-OP with a design average flow of 3.0 MGD. The treatment consists of a neutralization basin which includes manual removal of floatable solids, primary settling which occurs in an 80' diameter clarifier, secondary settling which occurs in a series of oxidation ponds, and pH adjustment. Additionally, there are a series of sludge holding ponds that may also be used for additional surge capacity.

Additionally, Equistar utilizes a separate facility located near Bondville, Illinois to supplement the flow in the Kaskaskia River, by pumping uncontaminated groundwater directly to the Kaskaskia River.

The following modifications are proposed:

A leachate/groundwater collection system has been installed at the facility's landfills. The leachate will be collected in a 2.5 million gallon tank and discharged to the facility's underground injection well in accordance with Permit Number UIC-006-W1-US. A condition has been added to the NPDES permit for the purposes of clarifying that landfill leachate is prohibited from being discharged to surface water unless an NPDES permit modification has been granted by the Agency.

The previous location of the Kaskaskia River flow meter was determined to have provided inaccurate readings for the river's flow due to a short circuiting effect caused by Equistar's plant intake. Therefore, Equistar in correspondence with USGS, has proposed the location of the Kaskaskia River flow meter to be relocated to the Illinois Route 36 Bridge, approximately ½ mile downstream of its current location. For the purposes of Special Condition 3, the upstream flow, i.e. the portion of the receiving stream which is available for dilution, will now be calculated by using the following equation: $Q_{US} = Q_{DS} - Q_E$; where Q_{US} = Upstream flow; Q_{DS} = Downstream flow; and Q_E = Effluent flow.

Fluoride and Sulfate concentration and load limits have been removed from the permit because the Agency's Standards Unit provided a memorandum dated February 28, 2012 stating that a reasonable potential does not exist for the discharge to exceed the water quality based effluent limits (WQBEL). However, both parameters will remain in the permit with once per year monitoring for the purposes of obtaining data for future reasonable potential to exceed WQBEL analyses.

Total Dissolved Solids (TDS) monitoring and limits have been removed from the permit due to the elimination of the TDS water quality standard.

As a result of the fluoride, sulfate, and TDS limits being removed, the special condition providing an equation for the target concentrations based on the allowed mixing with the receiving stream was also eliminated.

Chloride and mercury have been added to the permit on a monitor only basis for the purposes of obtaining data for future reasonable potential to exceed WQBEL analyses.

The load limits for BOD₅ have been changed due to modifications to the allowed adjustments. The cooling tower blowdown stream was previously not considered a dilutional waste stream despite the lack of a significant BOD₅ contribution. However, this adjustment was eliminated from the proposed load limits, thereby making the proposed BOD₅ load limits more stringent.

The total cyanide load limits were changed to reflect the load limits calculated using the Title 40 CFR 414 limitations.

The requirements associated with the storm water pollution prevention plan have been changed to reflect the Agency's current recommendations and requirements.

Special Condition 14 has been added to the permit which requires additional information to be submitted to the Agency pursuant to CWA Section 316(b), so that the Agency can evaluate the potential impacts of the cooling water intake structure and operations pursuant to 40 CFR 125.90(b). It should be noted that the average intake rate is approximately 3.17 MGD of which approximately 0.73 MGD is used for the purposes of cooling. Therefore, the volume of the cooling water is less than 25% of the total intake volume. In addition, the facility employs the use of cooling towers which minimize the volume of water withdrawn from the Kaskaskia River for the purposes of cooling.

The permit now recognizes the facility's originally permitted (Permit Number 1973-EA-2249-OP) design average flow of 3.0 MGD. The load limits have not been increased, so this change in permitted flow does not result in an actual increase in pollutant loading, so an antidegradation assessment is not required.

Application is made for the existing discharge(s) which are located in Douglas County, Illinois. The following information identifies the discharge point, receiving stream and stream classifications:

<u>Outfall</u>	<u>Receiving Stream</u>	<u>Latitude</u>	<u>Longitude</u>	<u>Stream Classification</u>	<u>Integrity Rating</u>
001	Kaskaskia River	39° 48' 02" North	88° 21' 50" West	General Use	B
002	Unnamed tributary to the Kaskaskia River	39° 47' 29" North	88° 21' 22" West	General Use	Not Rated
003	Unnamed tributary to the Kaskaskia River	39° 47' 35" North	88° 21' 27" West	General Use	Not Rated
Intake	Intake from Kaskaskia River	39° 48' 03" North	88° 21' 50" West	General Use	B

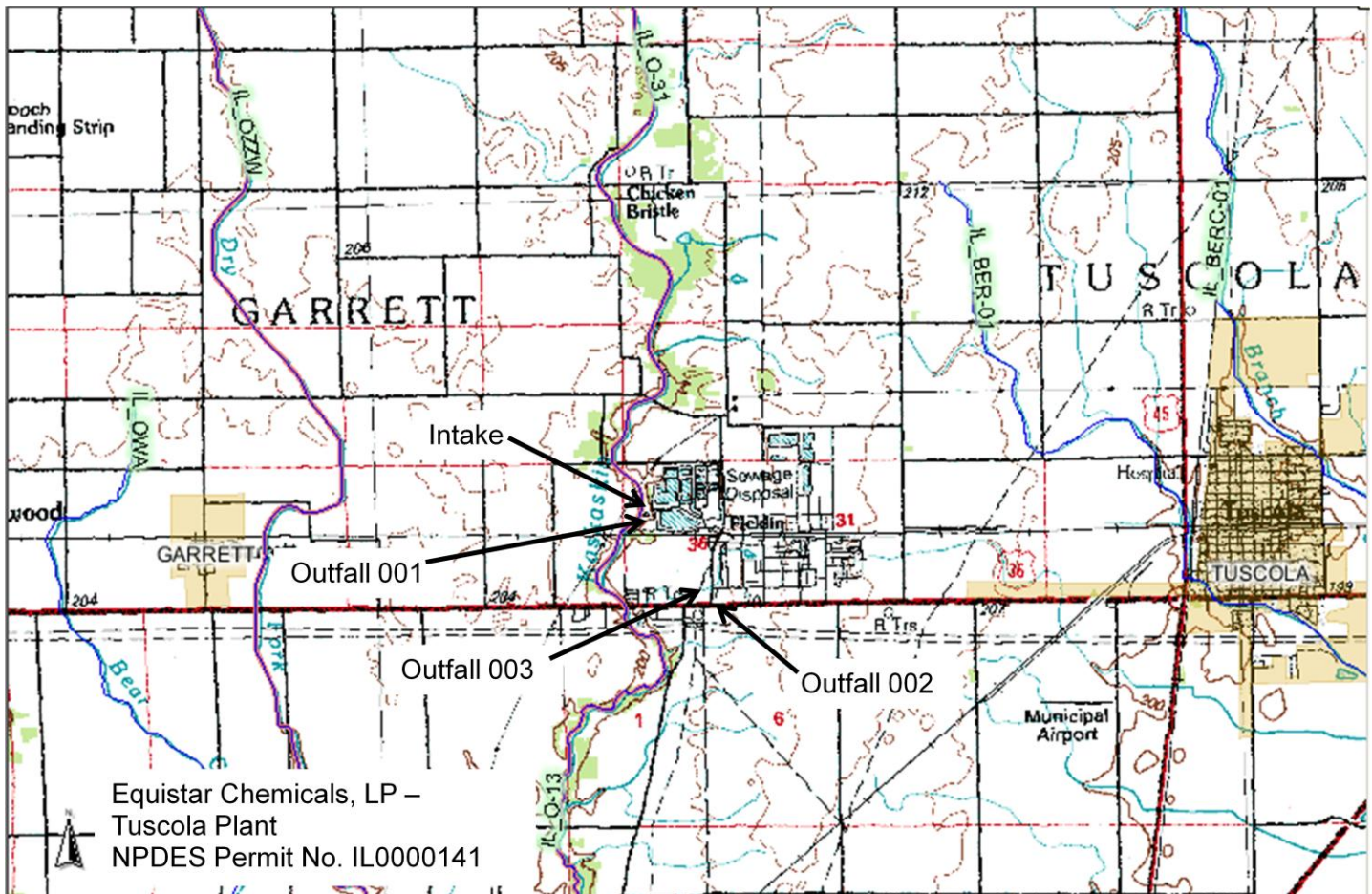
To assist you further in identifying the location of the discharge please see the attached map.

The stream segment receiving the discharge from outfall(s) 002 and 003 is not on the draft 2010 303(d) list of impaired waters and is not a biologically significant stream on the 2008 Illinois Department of Natural Resources Publication – *Integrating Multiple Taxa in a Biological Stream Rating System*.

The stream segment receiving the discharge from outfall(s) 001 is on the draft 2010 303(d) list of impaired waters and is a biologically significant stream on the 2008 Illinois Department of Natural Resources Publication – *Integrating Multiple Taxa in a Biological Stream Rating System*.

The following parameters have been identified as the pollutants causing impairment:

Designated Use	Potential Cause
Fish Consumption	Polychlorinated biphenyls (PCBs)



The discharge(s) from the facility shall be monitored and limited at all times as follows:

Outfall: 001

PARAMETER	LOAD LIMITS lbs/day DAF (DMF)		REGULATION	CONCENTRATION LIMITS mg/L		REGULATION
	30 DAY AVERAGE	DAILY MAXIMUM		30 DAY AVERAGE	DAILY MAXIMUM	
Flow (MGD)						
pH				Shall be within the range 6.0 – 9.0 s.u.		35 IAC 304.125
BOD ₅	345	907	40 CFR 414 & 35 IAC 304.120(b)	20	40	35 IAC 304.120(b)
Total Suspended Solids	543	1703	40 CFR 122.44(l) & 35 IAC 309.143	25	50	35 IAC 304.120(b)
Oil and Grease	354	1805	40 CFR 122.44(l) & 35 IAC 309.143	15	30	35 IAC 304.124
Acenaphthene	0.24	0.64	40 CFR 414	0.022	0.059	40 CFR 414
Acenaphthylene	0.24	0.64	40 CFR 414	0.022	0.059	40 CFR 414
Acrylonitrile	1.0	2.6	40 CFR 414	0.096	0.242	40 CFR 414
Anthracene	0.24	0.64	40 CFR 414	0.022	0.059	40 CFR 414
Benzene	0.4	1.5	40 CFR 414	0.037	0.136	40 CFR 414
Benzo (a) anthracene	0.24	0.64	40 CFR 414	0.022	0.059	40 CFR 414
3,4-Benzofluoranthene	0.25	0.67	40 CFR 414	0.023	0.061	40 CFR 414
Benzo (k) fluoranthene	0.24	0.64	40 CFR 414	0.022	0.059	40 CFR 414
Benzo (a) pyrene	0.25	0.67	40 CFR 414	0.023	0.061	40 CFR 414
Bis (2-ethylhexyl) phthalate	1.1	3.0	40 CFR 414	0.103	0.279	40 CFR 414
Carbon Tetrachloride	0.2	0.42	40 CFR 414	0.018	0.038	40 CFR 414
Chlorobenzene	0.16	0.31	40 CFR 414	0.015	0.028	40 CFR 414
Chloroethane	1.1	2.9	40 CFR 414	0.104	0.268	40 CFR 414
Chloroform	0.23	0.5	40 CFR 414	0.021	0.046	40 CFR 414
2-Chlorophenol	0.34	1.1	40 CFR 414	0.031	0.098	40 CFR 414
Chrysene	0.24	0.64	40 CFR 414	0.022	0.059	40 CFR 414
Di-n-butyl phthalate	0.29	0.62	40 CFR 414	0.027	0.057	40 CFR 414
1,2-Dichlorobenzene	0.84	1.8	40 CFR 414	0.077	0.163	40 CFR 414
1,3-Dichlorobenzene	0.34	0.48	40 CFR 414	0.031	0.044	40 CFR 414
1,4-Dichlorobenzene	0.16	0.31	40 CFR 414	0.015	0.028	40 CFR 414
1,1-Dichloroethane	0.24	0.64	40 CFR 414	0.022	0.059	40 CFR 414
1,2-Dichloroethane	0.74	2.3	40 CFR 414	0.068	0.211	40 CFR 414
1,1-Dichloroethylene	0.17	0.27	40 CFR 414	0.016	0.025	40 CFR 414
1,2-trans-Dichloroethylene	0.23	0.59	40 CFR 414	0.021	0.054	40 CFR 414
2,4-Dichlorophenol	0.43	1.2	40 CFR 414	0.039	0.112	40 CFR 414
1,2-Dichloropropane	1.7	2.5	40 CFR 414	0.153	0.23	40 CFR 414
1,3-Dichloropropylene	0.32	0.48	40 CFR 414	0.029	0.044	40 CFR 414
Diethyl phthalate	0.88	2.2	40 CFR 414	0.081	0.203	40 CFR 414
2,4-Dimethylphenol	0.2	0.39	40 CFR 414	0.018	0.036	40 CFR 414
Dimethyl phthalate	0.21	0.51	40 CFR 414	0.019	0.047	40 CFR 414
4,6-Dinitro-o-Cresol	0.85	3.0	40 CFR 414	0.078	0.277	40 CFR 414

PARAMETER	LOAD LIMITS lbs/day DAF (DMF)		REGULATION	CONCENTRATION LIMITS mg/L		REGULATION
	30 DAY AVERAGE	DAILY MAXIMUM		30 DAY AVERAGE	DAILY MAXIMUM	
2,4-Dinitrophenol	0.78	1.3	40 CFR 414	0.071	0.123	40 CFR 414
2,4-Dinitrotoluene	1.2	3.1	40 CFR 414	0.113	0.285	40 CFR 414
2,6-Dinitrotoluene	2.8	7	40 CFR 414	0.255	0.641	40 CFR 414
Ethylbenzene	0.35	1.2	40 CFR 414	0.032	0.108	40 CFR 414
Fluoranthene	0.27	0.74	40 CFR 414	0.025	0.068	40 CFR 414
Fluorene	0.24	0.64	40 CFR 414	0.022	0.059	40 CFR 414
Hexachlorobenzene	0.16	0.31	40 CFR 414	0.015	0.028	40 CFR 414
Hexachlorobutadiene	0.22	0.54	40 CFR 414	0.02	0.049	40 CFR 414
Hexachloroethane	0.23	0.59	40 CFR 414	0.021	0.054	40 CFR 414
Methyl Chloride	0.94	2.08	40 CFR 414	0.086	0.19	40 CFR 414
Methylene Chloride	0.44	0.97	40 CFR 414	0.04	0.089	40 CFR 414
Naphthalene	0.24	0.64	40 CFR 414	0.022	0.059	40 CFR 414
Nitrobenzene	0.29	0.74	40 CFR 414	0.027	0.068	40 CFR 414
2-Nitrophenol	0.45	0.75	40 CFR 414	0.041	0.069	40 CFR 414
4-Nitrophenol	0.79	1.4	40 CFR 414	0.072	0.124	40 CFR 414
Phenanthrene	0.24	0.64	40 CFR 414	0.022	0.059	40 CFR 414
Phenol	0.16	0.28	40 CFR 414	0.015	0.026	40 CFR 414
Pyrene	0.27	0.73	40 CFR 414	0.025	0.067	40 CFR 414
Tetrachloroethylene	0.24	0.61	40 CFR 414	0.022	0.056	40 CFR 414
Toluene	0.28	0.87	40 CFR 414	0.026	0.08	40 CFR 414
1,2,4-Trichlorobenzene	0.74	1.5	40 CFR 414	0.068	0.14	40 CFR 414
1,1,1-Trichloroethane	0.23	0.59	40 CFR 414	0.021	0.054	40 CFR 414
1,1,2-Trichloroethane	0.23	0.59	40 CFR 414	0.021	0.054	40 CFR 414
Trichloroethylene	0.23	0.59	40 CFR 414	0.021	0.054	40 CFR 414
Vinyl Chloride	1.1	2.9	40 CFR 414	0.104	0.268	40 CFR 414
Total Chromium	12	30	40 CFR 414	1	2	35 IAC 304.124
Total Copper	16	37	40 CFR 414	0.5	1	35 IAC 304.124
Total Cyanide	4.6	13	40 CFR 414	0.1	0.2	35 IAC 304.124
Total Lead	3.5	7.5	40 CFR 414	0.2	0.4	35 IAC 304.124
Total Nickel	18	43	40 CFR 414	1	2	35 IAC 304.124
Total Zinc	11	29	40 CFR 414	1	2	35 IAC 304.124
Sulfates	-	-		-	Monitor Only	
Fluoride	-	-		-	Monitor Only	
Chloride	-	-		-	Monitor Only	
Mercury	-	-		-	Monitor Only	
Fecal Coliform	-	-		-	Monitor Only	

The discharge(s) from the facility shall be monitored and limited at all times as follows:

Outfall(s): 002 and 003

The discharge(s) from Outfalls 002 and 003 are required to implement best management practices to minimize impacts from stormwater runoff, as described in their storm water pollution prevention plan.

Load Limit Calculations:

- A. Load limit calculations for all parameters which have applicable standards found in Title 35 Ill. Adm. Code Part 304, were based on an average flow of 3.0 MGD and a maximum flow of 12.2 MGD and using the formula of average or maximum flow (MGD) X concentration limit (mg/l) X 8.34 = the average or maximum load limit (lbs/day). The parameters which have applicable 35 IAC 304 standards are as follows: BOD₅, Total Suspended Solids, Oil & Grease, Chromium, Copper, Cyanide, Lead, Nickel, and Zinc.
- B. Load limit calculations for all parameters regulated under 40 CFR 414 Subpart I, were based on an average process flow of 1.31 MGD and using the formula of average flow (MGD) X concentration limit (mg/l) X 8.34 = the average or maximum load limit (lbs/day).
- C. Total Suspended Solids and BOD₅ load limits were calculated using the method set forth in 40 CFR 414.11(i). The following calculations show the methodology utilized to determine these load limitations:

First, production proportioned concentrations are calculated as follows.

	Production Rate (lbs/year)	Percentage of Total Production
Subpart D – Thermoplastic Resins	9,013,902	3.0%
Subpart F – Commodity Organic Chemicals	277,579,533	94.4%
Subpart G – Bulk Organic Chemicals	7,520,795	2.6%
Total Plant Production	294,114,230	

		Subpart D	+	Subpart F	+	Subpart G	=	Total (mg/l)
BOD ₅	Average	(24*0.03)	+	(30*0.944)	+	(34*0.026)	=	30
	Maximum	(64*0.03)	+	(80*0.944)	+	(92*0.026)	=	80
TSS	Average	(40*0.03)	+	(46*0.944)	+	(49*0.026)	=	46
	Maximum	(130*0.03)	+	(149*0.944)	+	(159*0.026)	=	149

The TSS and BOD₅ process flow load limit calculations were based on an average process flow of 1.31 MGD and using the formula of average flow (MGD) X production proportioned concentration limit (mg/l) X 8.34 = the average or maximum load limit (lbs/day).

		Concentration (mg/l)	x	Process Flow (MGD)	x	Conversion Factor	=	Load (lbs/day)
BOD ₅	Average	30	x	1.31	x	8.34	=	328
	Maximum	80	x	1.31	x	8.34	=	874
TSS	Average	46	x	1.31	x	8.34	=	503
	Maximum	149	x	1.31	x	8.34	=	1,628

The following adjustments were then provided to account for contributions from non-process waste streams:

BOD₅: The following BOD₅ adjustments are provided for the sanitary waste stream, based on an average flow of 0.1 MGD and using the formula of average flow (MGD) X 35 IAC 304.120(b) or (c) concentration limit (mg/l) X 8.34 = the average or maximum load limit (lbs/day)

	Concentration (mg/l)	x	Sanitary Waste (MGD)	x	Conversion Factor	=	Load (lbs/day)
When the ratio of river flow to plant effluent is greater than or equal to 5:1							
Average	20	x	0.1	x	8.34	=	17
Maximum	40	x	0.1	x	8.34	=	33
When the ratio of river flow to plant effluent is less than 5:1							
Average	10	x	0.1	x	8.34	=	8.3
Maximum	20	x	0.1	x	8.34	=	17

TSS : The following TSS adjustments are provided for non-contact cooling water, the sanitary waste stream, and water treatment wastes, based on an average process flow of 0.68 MGD and using the formula of average flow (MGD) X 35 IAC 304.120(b) or (c) concentration limit (mg/l) X 8.34 = the average or maximum load limit (lbs/day)

	Concentration (mg/l)	x	Average Flow (MGD)	x	Conversion Factor	=	Load (lbs/day)
When the ratio of river flow to plant effluent is greater than or equal to 5:1							
Average	25	x	0.68	x	8.34	=	142
Maximum	50	x	0.68	x	8.34	=	284
When the ratio of river flow to plant effluent is less than 5:1							
Average	12	x	0.68	x	8.34	=	68
Maximum	24	x	0.68	x	8.34	=	136

The total plant effluent load limits are then calculated by adding the process load limit to the adjustments. These load limits are calculated as follows:

	Process Load (lbs/day)	+	Adjustments (lbs/day)	=	Total Effluent Load Limit (lbs/day)
When the ratio of river flow to plant effluent is greater than or equal to 5:1					
Average	25	+	0.68	=	142
Maximum	50	+	0.68	=	284
When the ratio of river flow to plant effluent is less than 5:1					
Average	12	+	0.68	=	68
Maximum	24	+	0.68	=	136

The load limits appearing in the permit will be the more stringent of the State and Federal Guidelines.

The calculated load limits for Total Suspended Solids and Oil and Grease were less stringent than those in Equistar's current NPDES Permit. Therefore, the anti-backsliding requirements at CWA 402(o) do not allow these limits to be relaxed and the load limits appearing in the permit will be retained from the current permit.

The following explain the conditions of the proposed permit:

Special Condition 1 provides requirements for submitting total effluent flow data and process flow data.

Special Condition 2 provides the pH limitations.

Special Condition 3 provides more stringent BOD₅ and TSS concentration limits which are based upon 35 IAC 304.120(c) and are applicable when the receiving stream flow to effluent dilution ratio is less than 5:1.

Special Condition 4 provides language and citations that will allow the Agency to reopen the permit to modify parameters, limitations, and conditions of the permit, if it is determined to be necessary.

Special Condition 5 provides the requirements for submitting discharge monitoring reports (DMRs).

Special Condition 6 states that a certified Class K operator is required to operate the facility's wastewater treatment plant.

Special Condition 7 incorporates by reference, 40 CFR Section 122.41(m) & (n), which clarify the restrictions for any treatment plant bypass and/or upset.

Special Condition 8 requires the permittee to submit a request for modification if any additional water treatment additives are proposed to be used, or if the manner in which previously approved additives are used is changed.

Special Condition 9 requires sludges and other waste materials generated on-site to be disposed of at a site and in a manner acceptable to the Agency.

Special Condition 10 clarifies that only stormwater is permitted to be discharged through Outfalls 002 and 003.

Special Condition 11 was included to clarify that the discharge to surface water of leachate and/or contaminated groundwater is not permitted. This condition was included in the permit because the permittee had withdrawn several modification requests to treat the leachate/groundwater in their on-site WWTP which discharges to Outfall 001.

Special Condition 12 states that samples taken in compliance with the effluent monitoring requirements shall be taken at a point representative of the discharge, but prior to entry into the receiving stream.

Special Condition 13 clarifies the acceptable method for analyzing mercury is EPA Method 1631E.

Special Condition 14 requires information to be submitted to verify that the facility's cooling water intake structure meets the requirements of 40 CFR 125.90(b).

Special Condition 15 requests quantities of each product produced on-site in order to appropriately calculate future permit limits as described at 40 CFR 414.11(i).

Special Condition 16 acknowledges the permittee's disinfection exemption which was granted by the Agency, June 26, 2002. Fecal coliform limitations are not included because of the disinfection exemption, but monitoring during the months of May through October will provide the necessary data to rejustify the existing disinfection exemption.

Special Condition 17 provides all of the requirements and recommendations that should be included in the facility's stormwater pollution prevention plan.

Public Notice of Draft Permit

Public Notice Number 11102701.bwc is hereby given by Illinois EPA, Division of Water Pollution Control, Permit Section, 1021 North Grand Avenue East, Post Office Box 19276, Springfield, Illinois 62794-9276 (herein Agency) that a draft National Pollutant Discharge Elimination System (NPDES) Permit Number IL0000141 has been prepared under 40 CFR 124.6(d) for Equistar Chemicals, LP, 625 East U.S. Highway 36, Tuscola, Illinois 61953 for discharge into the Kaskaskia River from the Equistar Chemicals, LP - Tuscola Plant, 625 East U.S. Highway 36, Tuscola, Illinois 61953, (Douglas County). The applicant is engaged in the production of ethanol and diethyl ether by direct hydration of ethylene. Polyethylene pellets are also converted into low density polyethylene specialty polymer products. Facility operation results in an average discharge of 3.0 MGD of treated process waste, cooling tower blowdown, boiler blowdown, ion exchange regenerant waste, water softener waste, sanitary waste and stormwater from outfall 001. Intermittent discharges of stormwater associated with industrial activity are discharged from outfalls 002 and 003.

The application, draft permit and other documents are available for inspection and may be copied at the Agency between 9:30 a.m. and 3:30 p.m. Monday through Friday. A Fact Sheet containing more detailed information is available at no charge. For further information, call the Public Notice Clerk at 217/782-0610.

Interested persons are invited to submit written comments on the draft permit to the Agency at the above address. The NPDES Permit and Joint Public Notice numbers must appear on each comment page. All comments received by the Agency not later than 30 days from the date of this publication shall be considered in making the final decision regarding permit issuance.

Any interested person may submit written request for a public hearing on the draft permit to the Agency at the above address. The NPDES Permit and joint public notice must appear on each comment page. All comments received by the Agency not later than 30 days from the date of this publication shall be considered in making the final decision regarding permit issuance.

If written comments and/or requests indicate a significant degree of public interest in the draft permit, the permitting authority may, at its discretion, hold a public hearing. Public notice will be given 30 days before any public hearing.

NPDES Permit No. IL0000141

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:

Issue Date:

Effective Date:

Name and Address of Permittee:

Equistar Chemicals, LP
625 East U.S. Highway 36
Tuscola, Illinois 61953

Facility Name and Address:

Equistar Chemicals, LP - Tuscola Plant
625 East U.S. Highway 36
Tuscola, Illinois 61953
(Douglas County)

Discharge Number and Name:

001 Treated Process Waste, Cooling Tower Blowdown, Boiler
Blowdown, Ion Exchange Regenerant Waste, Water Softener
Waste, Sanitary Waste, and Stormwater
002 Stormwater
003 Stormwater

Receiving Waters:

Kaskaskia River
Unnamed tributary to the Kaskaskia River
Unnamed tributary to the Kaskaskia River

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

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

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

SAK:DEL:BWC:11102701.bwc

Effluent Limitations and Monitoring

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

Outfall(s): 001 - Treated Process Waste, Cooling Tower Blowdown, Boiler Blowdown, Ion Exchange Regenerant Waste, Water Softener Waste, Sanitary Waste, and Stormwater
(DAF=3.0 MGD; DMF=12.2 MGD)

PARAMETER	LOAD LIMITS lbs/day DAF (DMF)		CONCENTRATION LIMITS mg/L		SAMPLE FREQUENCY	SAMPLE TYPE
	30 DAY AVERAGE	DAILY MAXIMUM	30 DAY AVERAGE	DAILY MAXIMUM		
Flow (MGD)	See Special Condition 1				Daily	24-Hour Total
pH	See Special Condition 2				1/Week	Grab
BOD ₅	345*	907*	20*	40*	1/Week	Composite
Total Suspended Solids	543*	1703*	25*	50*	1/Week	Composite
Oil and Grease	354	1805	15	30	1/Week	Single Grab
Acenaphthene	0.24	0.64	0.022	0.059	1/Year	Grab
Acenaphthylene	0.24	0.64	0.022	0.059	1/Year	Grab
Acrylonitrile	1.0	2.6	0.096	0.242	1/Year	Grab
Anthracene	0.24	0.64	0.022	0.059	1/Year	Grab
Benzene	0.4	1.5	0.037	0.136	1/Year	Grab
Benzo (a) anthracene	0.24	0.64	0.022	0.059	1/Year	Grab
3,4-Benzofluoranthene	0.25	0.67	0.023	0.061	1/Year	Grab
Benzo (k) fluoranthene	0.24	0.64	0.022	0.059	1/Year	Grab
Benzo (a) pyrene	0.25	0.67	0.023	0.061	1/Year	Grab
Bis (2-ethylhexyl) phthalate	1.1	3.0	0.103	0.279	1/Year	Grab
Carbon Tetrachloride	0.2	0.42	0.018	0.038	1/Year	Grab
Chlorobenzene	0.16	0.31	0.015	0.028	1/Year	Grab
Chloroethane	1.1	2.9	0.104	0.268	1/Year	Grab
Chloroform	0.23	0.5	0.021	0.046	1/Year	Grab
2-Chlorophenol	0.34	1.1	0.031	0.098	1/Year	Grab
Chrysene	0.24	0.64	0.022	0.059	1/Year	Grab
Di-n-butyl phthalate	0.29	0.62	0.027	0.057	1/Year	Grab
1,2-Dichlorobenzene	0.84	1.8	0.077	0.163	1/Year	Grab
1,3-Dichlorobenzene	0.34	0.48	0.031	0.044	1/Year	Grab
1,4-Dichlorobenzene	0.16	0.31	0.015	0.028	1/Year	Grab
1,1-Dichloroethane	0.24	0.64	0.022	0.059	1/Year	Grab
1,2-Dichloroethane	0.74	2.3	0.068	0.211	1/Year	Grab
1,1-Dichloroethylene	0.17	0.27	0.016	0.025	1/Year	Grab
1,2-trans-Dichloroethylene	0.23	0.59	0.021	0.054	1/Year	Grab
2,4-Dichlorophenol	0.43	1.2	0.039	0.112	1/Year	Grab
1,2-Dichloropropane	1.7	2.5	0.153	0.23	1/Year	Grab
1,3-Dichloropropylene	0.32	0.48	0.029	0.044	1/Year	Grab
Diethyl phthalate	0.88	2.2	0.081	0.203	1/Year	Grab
2,4-Dimethylphenol	0.2	0.39	0.018	0.036	1/Year	Grab
Dimethyl phthalate	0.21	0.51	0.019	0.047	1/Year	Grab
4,6-Dinitro-o-Cresol	0.85	3.0	0.078	0.277	1/Year	Grab

*See Special Condition 3

Effluent Limitations and Monitoring

PARAMETER	LOAD LIMITS lbs/day DAF (DMF)		CONCENTRATION LIMITS mg/L		SAMPLE FREQUENCY	SAMPLE TYPE
	30 DAY AVERAGE	DAILY MAXIMUM	30 DAY AVERAGE	DAILY MAXIMUM		
2,4-Dinitrophenol	0.78	1.3	0.071	0.123	1/Year	Grab
2,4-Dinitrotoluene	1.2	3.1	0.113	0.285	1/Year	Grab
2,6-Dinitrotoluene	2.8	7	0.255	0.641	1/Year	Grab
Ethylbenzene	0.35	1.2	0.032	0.108	1/Year	Grab
Fluoranthene	0.27	0.74	0.025	0.068	1/Year	Grab
Fluorene	0.24	0.64	0.022	0.059	1/Year	Grab
Hexachlorobenzene	0.16	0.31	0.015	0.028	1/Year	Grab
Hexachlorobutadiene	0.22	0.54	0.02	0.049	1/Year	Grab
Hexachloroethane	0.23	0.59	0.021	0.054	1/Year	Grab
Methyl Chloride	0.94	2.08	0.086	0.19	1/Year	Grab
Methylene Chloride	0.44	0.97	0.04	0.089	1/Year	Grab
Naphthalene	0.24	0.64	0.022	0.059	1/Year	Grab
Nitrobenzene	0.29	0.74	0.027	0.068	1/Year	Grab
2-Nitrophenol	0.45	0.75	0.041	0.069	1/Year	Grab
4-Nitrophenol	0.79	1.4	0.072	0.124	1/Year	Grab
Phenanthrene	0.24	0.64	0.022	0.059	1/Year	Grab
Phenol	0.16	0.28	0.015	0.026	1/Year	Grab
Pyrene	0.27	0.73	0.025	0.067	1/Year	Grab
Tetrachloroethylene	0.24	0.61	0.022	0.056	1/Year	Grab
Toluene	0.28	0.87	0.026	0.08	1/Year	Grab
1,2,4-Trichlorobenzene	0.74	1.5	0.068	0.14	1/Year	Grab
1,1,1-Trichloroethane	0.23	0.59	0.021	0.054	1/Year	Grab
1,1,2-Trichloroethane	0.23	0.59	0.021	0.054	1/Year	Grab
Trichloroethylene	0.23	0.59	0.021	0.054	1/Year	Grab
Vinyl Chloride	1.1	2.9	0.104	0.268	1/Year	Grab
Total Chromium	12	30	1	2	1/Year	Grab
Total Copper	16	37	0.5	1	1/Year	Grab
Total Cyanide	4.6	13	0.1	0.2	1/Year	Grab
Total Lead	3.5	7.5	0.2	0.4	1/Year	Grab
Total Nickel	18	43	1	2	1/Year	Grab
Total Zinc	11	29	1	2	1/Year	Grab
Sulfates	-	-	-	Monitor Only	1/Year	Grab
Fluoride	-	-	-	Monitor Only	1/Year	Grab
Chloride	-	-	-	Monitor Only	1/Year	Grab
Mercury*	-	-	-	Monitor Only	1/Year	Grab
Fecal Coliform**	-	-	-	Monitor Only	1/Month during the months of May thru Oct	Grab

*See Special Condition 13

** See Special Condition 16

NPDES Permit No. IL0000141

Effluent Limitations and Monitoring

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

Outfall(s): 002* - Stormwater associated with industrial activity from the former fractionation and extraction unit area.

*See Special Condition 17 for SWPPP requirements.

Outfall(s): 003* – Stormwater associated with industrial activity from an area that includes a flare that was previously used to burn hydrocarbons.

*See Special Condition 17 for SWPPP requirements.

Special Conditions

SPECIAL CONDITION 1. Total flow from Outfall 001 shall be reported as a monthly average and a daily maximum value in units of Million Gallons per Day (MGD) and reported on the DMR form. Flow regulated under 40 CFR 414 – Organic Chemicals, Plastics, and Synthetic Fibers Category shall be monitored daily as a 24-hour total and reported separately on the DMR.

SPECIAL CONDITION 2. The pH shall be in the range 6.0 to 9.0. The monthly minimum and monthly maximum values shall be reported on the DMR form.

SPECIAL CONDITION 3. The permittee shall be allowed to discharge within the effluent limits for BOD₅ and total suspended solids (TSS) shown on page 2 of this permit only at such times when dilution provided for discharge flow is 5:1 or greater. If the dilution ratio is less than 5:1, then the discharge limits will be as follows:

Parameter	Loading (lbs/day)		Concentration (mg/L)	
	Monthly Ave.	Daily Max	Monthly Ave.	Daily Max.
BOD ₅	336	891	10	20
Total Suspended Solids	543	1703	12	24

Composite samples will be required at 1/Week sampling frequency when the dilution ratio is less than 5:1. DMR submittal shall clearly indicate results of sampling for periods when dilution ratio is less than and greater than 5:1. The permittee shall determine river flow and report the findings on the DMR. Downstream river flow, Q_{DS}, shall be determined once per shift taking a single reading using the flow monitoring station located at the Illinois Route 36 Bridge. The dilution ratio is considered less than 5:1 when $\frac{Q_E}{Q_{DS}} < 5$, where Q_E = Effluent flow. The BOD₅ and TSS limits shown on page 2 of this permit are applicable when $\frac{Q_E}{Q_{DS}} < 5$.

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

SPECIAL CONDITION 5. The Permittee shall record monitoring results on Discharge Monitoring Report (DMR) Forms using one such form for each outfall each month.

In the event that an outfall does not discharge during a monthly reporting period, the DMR Form shall be submitted with no discharge indicated.

The Permittee may choose to submit electronic DMRs (eDMRs) instead of mailing paper DMRs to the IEPA. More information, including registration information for the eDMR program, can be obtained on the IEPA website, <http://www.epa.state.il.us/water/edmr/index.html>.

The completed Discharge Monitoring Report forms shall be submitted to IEPA no later than the 15th day of the following month, unless otherwise specified by the permitting authority.

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

Illinois Environmental Protection Agency
 Division of Water Pollution Control
 1021 North Grand Avenue East
 Post Office Box 19276
 Springfield, Illinois 62794-9276

Attention: Compliance Assurance Section, Mail Code # 19

SPECIAL CONDITION 6. The use or operation of this facility shall be by or under the supervision of a Certified Class K operator.

SPECIAL CONDITION 7. The provisions of 40 CFR Section 122.41(m) & (n) are applicable and are hereby incorporated by reference.

SPECIAL CONDITION 8. In the event the permittee shall require the use of water treatment additives other than those previously approved by this Agency, or if the permittee increases the feed rate or quantity of the additives used beyond what has previously been approved by this Agency, the permittee shall request a modification of this permit in accordance with the Standard Conditions – Attachment H.

Special Conditions

SPECIAL CONDITION 9. Sludges and other waste materials generated on-site shall be disposed of at a site and in a manner acceptable to the Agency.

SPECIAL CONDITION 10. For the purpose of this permit, the discharges from outfalls 002 and 003 are limited to storm water, free from process and other wastewater discharges.

SPECIAL CONDITION 11. For the purpose of this permit, the discharge of leachate and/or contaminated groundwater is prohibited. In the event that the permittee wishes to discharge leachate and/or contaminated groundwater, the permittee must request a change in this permit in accordance with the Standard Conditions – Attachment H. Any modification request that will result in an increase in pollutant loading to a receiving stream shall be accompanied by a packet containing all of the information specified in Title 35 Ill. Adm. Code Part 302.105(f), unless an exception is provided at Title 35 Ill. Adm. Code Part 302.105(d).

SPECIAL CONDITION 12. Samples taken in compliance with the effluent monitoring requirements shall be taken at a point representative of the discharge, but prior to entry into the receiving stream.

SPECIAL CONDITION 13. All samples for mercury must be analyzed by EPA Method 1631E using the digestion procedure described in Section 11.1.1.2 of 1631E, which dictates that samples must be heated at 50°C for 6 hours in a bromine chloride (BrCl) solution in closed vessels.

SPECIAL CONDITION 14. In order for the Agency to evaluate the potential impacts of cooling water intake structure operations pursuant to 40 CFR 125.90(b), the permittee shall prepare and submit information to the Agency outlining current intake structure conditions at this facility, including a detailed description of the current intake structure operation and design, description of any operational or structural modifications from original design parameters, and source waterbody flow information as necessary.

The information shall also include a summary of historical 316(b) related intake impingement and/or entrainment studies, if any, as well as current impingement mortality and/or entrainment characterization data; and shall be submitted to the Agency within six (6) months of the permit's effective date.

Upon the receipt and review of this information, the permit may be modified to require the submittal of additional information based on a Best Professional Judgment review by the Agency. This permit may also be revised or modified in accordance with any laws, regulations, or judicial orders pursuant to Section 316(b) of the Clean Water Act.

SPECIAL CONDITION 15. For the purposes of calculating future production proportioned concentration limits, as described at 40 CFR 414.11(i), the total annual quantity (lbs) of each product produced, shall be provided as an attachment to the NPDES renewal application.

SPECIAL CONDITION 16. A disinfection exemption was issued June 26, 2002. Therefore, fecal coliform monitoring is required only for the purpose of providing data to rejustify the existing disinfection exemption. Fecal Coliform samples shall be obtained once per month during the months of May through October.

SPECIAL CONDITION 17.

STORM WATER POLLUTION PREVENTION PLAN (SWPPP)

A. A storm water pollution prevention plan shall be maintained by the permittee for the storm water associated with industrial activity at this facility. The plan shall identify potential sources of pollution which may be expected to affect the quality of storm water discharges associated with the industrial activity at the facility. In addition, the plan shall describe and ensure the implementation of practices which are to be used to reduce the pollutants in storm water discharges associated with industrial activity at the facility and to assure compliance with the terms and conditions of this permit. The permittee shall modify the plan if substantive changes are made or occur affecting compliance with this condition.

1. Waters not classified as impaired pursuant to Section 303(d) of the Clean Water Act.

Unless otherwise specified by federal regulation, the storm water pollution prevention plan shall be designed for a storm event equal to or greater than a 25-year 24-hour rainfall event.

2. Waters classified as impaired pursuant to Section 303(d) of the Clean Water Act

For any site which discharges directly to an impaired water identified in the Agency's 303(d) listing, and if any parameter in the subject discharge has been identified as the cause of impairment, the storm water pollution prevention plan shall be designed for a storm event equal to or greater than a 25-year 24-hour rainfall event. If required by federal regulations, the storm water pollution prevention plan shall adhere to a more restrictive design criteria.

B. The operator or owner of the facility shall make a copy of the plan available to the Agency at any reasonable time upon request. Facilities which discharge to a municipal separate storm sewer system shall also make a copy available to the operator of the municipal system at any reasonable time upon request.

Special Conditions

- C. The permittee may be notified by the Agency at any time that the plan does not meet the requirements of this condition. After such notification, the permittee shall make changes to the plan and shall submit a written certification that the requested changes have been made. Unless otherwise provided, the permittee shall have 30 days after such notification to make the changes.
- D. The discharger shall amend the plan whenever there is a change in construction, operation, or maintenance which may affect the discharge of significant quantities of pollutants to the waters of the State or if a facility inspection required by paragraph H of this condition indicates that an amendment is needed. The plan should also be amended if the discharger is in violation of any conditions of this permit, or has not achieved the general objective of controlling pollutants in storm water discharges. Amendments to the plan shall be made within 30 days of any proposed construction or operational changes at the facility, and shall be provided to the Agency for review upon request.
- E. The plan shall provide a description of potential sources which may be expected to add significant quantities of pollutants to storm water discharges, or which may result in non-storm water discharges from storm water outfalls at the facility. The plan shall include, at a minimum, the following items:
1. A topographic map extending one-quarter mile beyond the property boundaries of the facility, showing: the facility, surface water bodies, wells (including injection wells), seepage pits, infiltration ponds, and the discharge points where the facility's storm water discharges to a municipal storm drain system or other water body. The requirements of this paragraph may be included on the site map if appropriate. Any map or portion of map may be withheld for security reasons.
 2. A site map showing:
 - i. The storm water conveyance and discharge structures;
 - ii. An outline of the storm water drainage areas for each storm water discharge point;
 - iii. Paved areas and buildings;
 - iv. Areas used for outdoor manufacturing, storage, or disposal of significant materials, including activities that generate significant quantities of dust or particulates.
 - v. Location of existing storm water structural control measures (dikes, coverings, detention facilities, etc.);
 - vi. Surface water locations and/or municipal storm drain locations
 - vii. Areas of existing and potential soil erosion;
 - viii. Vehicle service areas;
 - ix. Material loading, unloading, and access areas.
 - x. Areas under items iv and ix above may be withheld from the site for security reasons.
 3. A narrative description of the following:
 - i. The nature of the industrial activities conducted at the site, including a description of significant materials that are treated, stored or disposed of in a manner to allow exposure to storm water;
 - ii. Materials, equipment, and vehicle management practices employed to minimize contact of significant materials with storm water discharges;
 - iii. Existing structural and non-structural control measures to reduce pollutants in storm water discharges;
 - iv. Industrial storm water discharge treatment facilities;
 - v. Methods of onsite storage and disposal of significant materials.
 4. A list of the types of pollutants that have a reasonable potential to be present in storm water discharges in significant quantities. Also provide a list of any pollutant that is listed as impaired in the most recent 303(d) report.
 5. An estimate of the size of the facility in acres or square feet, and the percent of the facility that has impervious areas such as pavement or buildings.
 6. A summary of existing sampling data describing pollutants in storm water discharges.

Special Conditions

- F. The plan shall describe the storm water management controls which will be implemented by the facility. The appropriate controls shall reflect identified existing and potential sources of pollutants at the facility. The description of the storm water management controls shall include:
1. Storm Water Pollution Prevention Personnel - Identification by job titles of the individuals who are responsible for developing, implementing, and revising the plan.
 2. Preventive Maintenance - Procedures for inspection and maintenance of storm water conveyance system devices such as oil/water separators, catch basins, etc., and inspection and testing of plant equipment and systems that could fail and result in discharges of pollutants to storm water.
 3. Good Housekeeping - Good housekeeping requires the maintenance of clean, orderly facility areas that discharge storm water. Material handling areas shall be inspected and cleaned to reduce the potential for pollutants to enter the storm water conveyance system.
 4. Spill Prevention and Response - Identification of areas where significant materials can spill into or otherwise enter the storm water conveyance systems and their accompanying drainage points. Specific material handling procedures, storage requirements, spill cleanup equipment and procedures should be identified, as appropriate. Internal notification procedures for spills of significant materials should be established.
 5. Storm Water Management Practices - Storm water management practices are practices other than those which control the source of pollutants. They include measures such as installing oil and grit separators, diverting storm water into retention basins, etc. Based on assessment of the potential of various sources to contribute pollutants, measures to remove pollutants from storm water discharge shall be implemented. In developing the plan, the following management practices shall be considered:
 - i. Containment - Storage within berms or other secondary containment devices to prevent leaks and spills from entering storm water runoff. To the maximum extent practicable storm water discharged from any area where material handling equipment or activities, raw material, intermediate products, final products, waste materials, by-products, or industrial machinery are exposed to storm water should not enter vegetated areas or surface waters or infiltrate into the soil unless adequate treatment is provided.
 - ii. Oil & Grease Separation - Oil/water separators, booms, skimmers or other methods to minimize oil contaminated storm water discharges.
 - iii. Debris & Sediment Control - Screens, booms, sediment ponds or other methods to reduce debris and sediment in storm water discharges.
 - iv. Waste Chemical Disposal - Waste chemicals such as antifreeze, degreasers and used oils shall be recycled or disposed of in an approved manner and in a way which prevents them from entering storm water discharges.
 - v. Storm Water Diversion - Storm water diversion away from materials manufacturing, storage and other areas of potential storm water contamination. Minimize the quantity of storm water entering areas where material handling equipment of activities, raw material, intermediate products, final products, waste materials, by-products, or industrial machinery are exposed to storm water using green infrastructure techniques where practicable in the areas outside the exposure area, and otherwise divert storm water away from exposure area.
 - vi. Covered Storage or Manufacturing Areas - Covered fueling operations, materials manufacturing and storage areas to prevent contact with storm water.
 - vii. Storm Water Reduction - Install vegetation on roofs of buildings within adjacent to the exposure area to detain and evapotranspire runoff where precipitation falling on the roof is not exposed to contaminants, to minimize storm water runoff; capture storm water in devices that minimize the amount of storm water runoff and use this water as appropriate based on quality.
 6. Sediment and Erosion Prevention - The plan shall identify areas which due to topography, activities, or other factors, have a high potential for significant soil erosion. The plan shall describe measures to limit erosion.
 7. Employee Training - Employee training programs shall inform personnel at all levels of responsibility of the components and goals of the storm water pollution control plan. Training should address topics such as spill response, good housekeeping and material management practices. The plan shall identify periodic dates for such training.
 8. Inspection Procedures - Qualified plant personnel shall be identified to inspect designated equipment and plant areas. A tracking or follow-up procedure shall be used to ensure appropriate response has been taken in response to an inspection. Inspections and maintenance activities shall be documented and recorded.

Special Conditions

- G. Non-Storm Water Discharge - The plan shall include a certification that the discharge has been tested or evaluated for the presence of non-storm water discharge. The certification shall include a description of any test for the presence of non-storm water discharges, the methods used, the dates of the testing, and any onsite drainage points that were observed during the testing. Any facility that is unable to provide this certification must describe the procedure of any test conducted for the presence of non-storm water discharges, the test results, potential sources of non-storm water discharges to the storm sewer, and why adequate tests for such storm sewers were not feasible.
- H. Quarterly Visual Observation of Discharges - The requirements and procedures for quarterly visual observations are applicable to all outfalls covered by this condition.
1. You must perform and document a quarterly visual observation of a storm water discharge associated with industrial activity from each outfall. The visual observation must be made during daylight hours. If no storm event resulted in runoff during daylight hours from the facility during a monitoring quarter, you are excused from the visual observations requirement for that quarter, provided you document in your records that no runoff occurred. You must sign and certify the document.
 2. Your visual observation must be made on samples collected as soon as practical, but not to exceed 1 hour or when the runoff or snow melt begins discharging from your facility. All samples must be collected from a storm event discharge that is greater than 0.1 inch in magnitude and that occurs at least 72 hours from the previously measureable (greater than 0.1 inch rainfall) storm event. The observation must document: color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and other obvious indicators of storm water pollution. If visual observations indicate any unnatural color, odor, turbidity, floatable material, oil sheen or other indicators of storm water pollution, the permittee shall obtain a sample and monitor for the parameter or the list of pollutants in Part E.4.
 3. You must maintain your visual observation reports onsite with the SWPPP. The report must include the observation date and time, inspection personnel, nature of the discharge (i.e., runoff or snow melt), visual quality of the storm water discharge (including observations of color, odor, floating solids, settled solids, suspended solids, foam, oil sheen, and other obvious indicators of storm water pollution), and probable sources of any observed storm water contamination.
 4. You may exercise a waiver of the visual observation requirement at a facility that is inactive or unstaffed, as long as there are no industrial materials or activities exposed to storm water. If you exercise this waiver, you must maintain a certification with your SWPPP stating that the site is inactive and unstaffed, and that there are no industrial materials or activities exposed to storm water.
 5. Representative Outfalls - If your facility has two or more outfalls that you believe discharge substantially identical effluents, based on similarities of the industrial activities, significant materials, size of drainage areas, and storm water management practices occurring within the drainage areas of the outfalls, you may conduct visual observations of the discharge at just one of the outfalls and report that the results also apply to the substantially identical outfall(s).
 6. The visual observation documentation shall be made available to the Agency and general public upon written request.
- I. The permittee shall conduct an annual facility inspection to verify that all elements of the plan, including the site map, potential pollutant sources, and structural and non-structural controls to reduce pollutants in industrial storm water discharges are accurate. Observations that require a response and the appropriate response to the observation shall be retained as part of the plan. Records documenting significant observations made during the site inspection shall be submitted to the Agency in accordance with the reporting requirements of this permit.
- J. This plan should briefly describe the appropriate elements of other program requirements, including Spill Prevention Control and Countermeasures (SPCC) plans required under Section 311 of the CWA and the regulations promulgated there under, and Best Management Programs under 40 CFR 125.100.
- K. The plan is considered a report that shall be available to the public at any reasonable time upon request.
- L. The plan shall include the signature and title of the person responsible for preparation of the plan and include the date of initial preparation and each amendment thereto.
- M. Facilities which discharge storm water associated with industrial activity to municipal separate storm sewers may also be subject to additional requirement imposed by the operator of the municipal system

Special Conditions

Construction Authorization

Authorization is hereby granted to construct treatment works and related equipment that may be required by the Storm Water Pollution Prevention Plan developed pursuant to this permit.

This Authorization is issued subject to the following condition(s).

- N. If any statement or representation is found to be incorrect, this authorization may be revoked and the permittee there upon waives all rights there under.
- O. The issuance of this authorization (a) does not release the permittee from any liability for damage to persons or property caused by or resulting from the installation, maintenance or operation of the proposed facilities; (b) does not take into consideration the structural stability of any units or part of this project; and (c) does not release the permittee from compliance with other applicable statutes of the State of Illinois, or other applicable local law, regulations or ordinances.
- P. Plans and specifications of all treatment equipment being included as part of the stormwater management practice shall be included in the SWPPP.
- Q. Construction activities which result from treatment equipment installation, including clearing, grading and excavation activities which result in the disturbance of one acre or more of land area, are not covered by this authorization. The permittee shall contact the IEPA regarding the required permit(s).

REPORTING

- R. The facility shall submit an electronic copy of the annual inspection report to the Illinois Environmental Protection Agency. The report shall include results of the annual facility inspection which is required by Part I of this condition. The report shall also include documentation of any event (spill, treatment unit malfunction, etc.) which would require an inspection, results of the inspection, and any subsequent corrective maintenance activity. The report shall be completed and signed by the authorized facility employee(s) who conducted the inspection(s). The annual inspection report is considered a public document that shall be available at any reasonable time upon request.
- S. The first report shall contain information gathered during the one year time period beginning with the effective date of coverage under this permit and shall be submitted no later than 60 days after this one year period has expired. Each subsequent report shall contain the previous year's information and shall be submitted no later than one year after the previous year's report was due.
- T. If the facility performs inspections more frequently than required by this permit, the results shall be included as additional information in the annual report.
- U. The permittee shall retain the annual inspection report on file at least 3 years. This period may be extended by request of the Illinois Environmental Protection Agency at any time.

Annual inspection reports shall be mailed to the following address:

Illinois Environmental Protection Agency
Bureau of Water
Compliance Assurance Section
Annual Inspection Report
1021 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276

- V. The permittee shall notify any regulated small municipal separate storm sewer owner (MS4 Community) that they maintain coverage under an individual NPDES permit. The permittee shall submit any SWPPP or any annual inspection to the MS4 community upon request by the MS4 community.