



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

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PAT QUINN, GOVERNOR

JOHN J. KIM, INTERIM DIRECTOR

217/782-0610

Ms. Tinka Hyde
Director, Water Division
United States Environmental Protection Agency
77 West Jackson Boulevard
Chicago, Illinois 60604

Re: NPDES General Permit – New and Replacement Individual Private
Sewage Surface Discharging Wastewater Treatment Systems
Section 401 Certification

Dear Ms. Hyde:

The Illinois Environmental Protection Agency (IEPA) has reviewed the United States Environmental Protection Agency's proposed National Pollutant Discharge Elimination System (NPDES) general permit for New and Replacement Individual Private Sewage Surface Discharging Wastewater Treatment Systems pursuant to certification under Section 401 of the Clean Water Act. The permit as proposed covers discharges from new and replacement individual private sewage surface discharging wastewater treatment systems, as defined in the permit, that take place in all waters of the State of Illinois.

The Illinois Environmental Protection Agency hereby certifies that the proposed General Permit will comply with Illinois Water Quality Standards pursuant to Section 401 of the Clean Water Act. This certification is issued subject to the following conditions:

1. The draft general permit does not properly translate the dissolved oxygen water quality standards to a permit limit. The daily minimum dissolved oxygen water quality standard for General Use waters (see 35 Ill. Adm. Code 302.206) is seasonal in nature and relies on two classifications of General Use waters, those requiring enhanced dissolved oxygen protection, i.e., Appendix D waters, and those not requiring enhanced dissolved oxygen protection. In order for a permit limit to ensure that an effluent will have a compliant dissolved oxygen concentration during all times of the year, the limited value must be no lower than 5 mg/L. This is the daily minimum dissolved oxygen standard for all General Use waters from March through July. The other months have lower dissolved oxygen daily minimum standards. A permit limit of 5 mg/L will therefore always be protective of the water quality standard in the

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receiving water. The other two categories of waters in Illinois are Secondary Contact and Indigenous Aquatic Life Use and Lake Michigan waters. A dissolved oxygen permit limit of 5 mg/L is also protective of the water quality standard for dissolved oxygen in these waters.

2. If the Illinois Environmental Protection Agency determines that the discharges covered by the proposed General Permit can no longer comply with the conditions of this certification or the Illinois water Quality Standards, then this certification may be amended to include different limitations, conditions, or requirements which are consistent with applicable laws, regulations, or judicial orders. The Agency will public notice any proposed amendments to this certification.
3. The issuance of this certification pursuant to Section 401 of the Clean Water Act does not release any discharger from responsibilities or liabilities for past or future violations of federal, state, or local laws or regulations, nor does it release any potential dischargers from the responsibility of obtaining permits, including any from the Illinois Environmental Protection Agency, or other approvals from other units of government as may be required by law.

Should you have any questions or comments regarding the content of this letter, please contact me or Richard E. Pinneo of my staff at the above telephone number and address.

Sincerely,

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

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cc: Records