

NPDES Permit No. ILR10

Public Notice Beginning Date: **May 24, 2013**  
Public Notice Ending Date: **June 24, 2013**

National Pollutant Discharge Elimination System (NPDES)  
Permit Program

PUBLIC NOTICE/FACT SHEET  
of  
Reissued General NPDES Permit to Discharge Storm Water  
From Construction Site Activities into Waters of the State

The Illinois Environmental Protection Agency (IEPA) has made a tentative determination to reissue NPDES General Permit No. ILR10 for the discharge of storm water associated with industrial activity from construction sites into waters of the state for the following types of dischargers:

Coverage under this permit  
This Permit covers all areas  
of the State of Illinois

Eligibility

1. This permit shall authorize all discharges of storm water associated with industrial activity from construction sites that will result in the disturbance of one or more acres total land area, construction sites less than one acre of total land that is part of a larger common plan of development or sale if the larger common plan will ultimately disturb one or more acres total land area. Construction sites that were previously approved by the Agency, occurring after the effective date of this permit except for discharges identified under paragraph 1.B.3 (Limitations on Coverage) are also authorized by this permit.
2. This permit may only authorize a storm water discharge associated with industrial activity from a construction site that is mixed with a storm water discharge from an industrial source other than construction, where:
  - a. the industrial source other than construction is located on the same site as the construction activity;
  - b. storm water discharges associated with industrial activity from the areas of the site where construction activities are occurring are in compliance with the terms of this permit; and
  - c. storm water discharges associated with industrial activity from the areas of the site where industrial activity other than construction are occurring (including storm water discharges from dedicated asphalt plants and dedicated concrete plants) are covered by a different NPDES general permit or individual permit authorizing such discharges.
3. **Limitations on Coverage.** The following storm water discharges from construction sites are not authorized by this permit:
  - a. storm water discharges associated with industrial activity that originate from the site after construction activities have been completed and the site has completed final stabilization.
  - b. discharges that are mixed with sources of non-storm water other than discharges identified in Part III.A (Prohibition on Non-Storm Water Discharges) of this permit and in compliance with Part IV.D.5 (Non-Storm Water Discharges) of this permit.
  - c. storm water discharges associated with industrial activity that are subject to an existing NPDES individual or general permit or which are issued a permit in accordance with Part VI.N (Requiring an Individual Permit or an Alternative General Permit) of this permit. Such discharges may be authorized under this permit after an existing permit expires provided the existing permit did not establish numeric limitations for such discharges.
  - d. storm water discharges from construction sites that the Agency has determined to be or may reasonably be expected to be contributing to a violation of a water quality standard.
  - e. Storm water discharges that the Agency, at its discretion, determines are not appropriately authorized or controlled by this general permit.

Final Conditions

Length of Permit:	Approximately 5 Years
Classification of Receiving Waters:	All surface waters of the State
Discharge No(s).:	Various Locations
Type of Waste	Storm Water Runoff
Flow Rate:	Varies

### Storm Water Pollution Prevention Plan

The Storm Water Pollution Prevention Plan is considered to be the most important requirement of the General Permit. Each construction activity covered by the general permit must develop a Plan, tailored to the site specific conditions, and designed with the goal of controlling the amount of pollutants in storm water discharges from the site.

**Components of the Plan** -- The permit requires that the Plan contain a site description, and a description of the measures and controls to prevent or minimize pollution of storm water. The site description must include:

- A description of the nature of the construction activity
- A sequence of major construction activities
- An estimate of the total area of the site and of the area to be disturbed
- Identification of on-site or off-site stockpiling of soils or storage of materials
- An estimate of the runoff coefficient of the site after construction is complete
- Any existing data on the quality of storm water discharges from the site
- The name of the receiving water
- A site map indicating drainage patterns and slopes before and after grading activities are complete, areas of soil disturbance, the outline of the area to be disturbed, the location of off-site stockpiling of soils or storage of materials, the location of stabilization measures and controls, surface waters at the discharge points
- Contractors certifications of their understanding of the plan

**Measures and Controls** -- Measures and controls to prevent or minimize pollution of storm water must include three different types of controls: erosion and sediment controls, storm water management controls and other controls:

Erosion and Sediment Controls -- Stabilization (seeding, mulching, etc.) -- Disturbed areas where construction has temporarily ceased must be stabilized within 14 days of the last disturbance. (Areas which will be redisturbed within 21 days do not have to be stabilized).

Storm Water Management Controls -- Where construction results in an increase in the storm water discharged from the construction site, the permittee shall consider measures (storm water detention structures, infiltration measures, etc.) to control pollutants after construction is complete. Velocity dissipation devices must be installed in outfall channels to prevent erosive conditions if conditions warrant.

Use of Treatment Chemicals -- Identify the use of any polymer flocculant or treatment chemical at the site.

Other Controls -- The plan must insure that solid waste materials are not carried by storm water into the receiving waters. The owner must comply with State and/or local sanitary sewer or septic system regulations.

**Local Programs** -- Where Local programs for sediment and erosion control, storm water management or site permits exist, the Storm Water Pollution Prevention Plan should certify that their plan reflects the requirements of the local program. If local programs require plan approval, then the approved plan must be included in the Storm Water Pollution Prevention Plan.

**Inspection/Maintenance** -- Personnel must inspect the construction site at least once every 7 days and within 24 hours of a rainfall of 0.5 inches or more, or the next work day. The inspector must prepare a report documenting his/her findings on the conditions of the controls and stabilized areas.

**Deadlines** -- The plan must be completed and submitted to the Agency along with the Notice of Intent. The plan must be updated as appropriate during the construction period of the project. The construction project must comply with the provisions of the plan throughout the construction period.

**Signature** -- The plan must be signed by a responsible official such as the owner, president, vice president or general partner.

**Plan Review** -- The plan is to be kept at the construction facility during the entire construction period.

Title 35: Environmental Protection, Subtitle C: Water Pollution, Chapter I: Illinois Pollution Control Board Rules and Regulations and the Clean Water Act were applied in determining the applicable standards, limitations and conditions contained in the draft permit.

A general permit is a single permit issued to cover discharges from a number of facilities in a specified geographic area which involve the same or substantially similar types of operations. The facilities must discharge the "same type of wastes" which has been interpreted to mean the waste streams need not be identical but must be sufficiently similar that the same permit conditions are appropriate. A determination by the IEPA must be made that the discharges are more appropriately covered under a general permit than under individual permits.

A general permit is the equivalent of an individual permit in terms of effluent limitations, water quality standards, monitoring and reporting requirements, and enforceability. The effluent limits would be based on the more stringent of either technology-based or water quality-based requirements. Since the permit would be applicable to discharges into any receiving stream, no dilution or mixing will be allowed to meet water quality standards.

An applicant would be required to submit the same application information, using the required Federal forms, as for an individual permit or Notice of Intent (NOI). No application or NOI will be required from the owners or operators of discharges who are currently covered under the previous general permit. These dischargers would be automatically covered under the re-issued general permit. Any owner or operator of these discharges may request to be excluded from the coverage of the general permit by submitting an application for individual permit with reasons supporting the request. IEPA will review the application and make a determination as to whether or not the general permit is appropriate to regulate the discharge.

If the conclusion is that it would, the discharger will be notified of our decision to include him under the general permit. The IEPA's decision is appealable to the Pollution Control Board.

The general permit does not name any Permittees, nor does it authorize any person to discharge. The authorization to discharge under a general permit will be by separate letter, issued to a specific applicant. The letters can be issued at any time while the Permit is in effect.

The following modifications have been made to the draft permit from the previously issued General NPDES Permit ILR10:

1. II.C.7: The requirement for consultation with the Illinois Historic Preservation Agency and the Illinois Department of Natural Resources was moved from Section I.C.3 to Section II.C.7.
2. II.C.9: Revised Notices of Intent for substantial modifications.
3. II.D: Where to submit Notices of Intent.
4. II.F.2: Provides for electronic submission of Notices of Termination.
5. III.A.3: Prohibition of various non-storm water discharges.
6. IV.B.5: Copy of Approval Letter must be posted at site.
7. IV.D.1: Inclusion of information concerning off-site stockpiling of soils or other materials.
8. IV.D.2(a): Use of treatment chemicals at construction activities must be identified.
9. IV.D.2(b)(iv): Plan shall describe procedures for spills and leaks of material at construction site(s).
10. IV.D.4: Clarified inspection requirements following precipitation events.
11. VIII: Definition of construction activities was added to permit.
12. General: References to the Illinois Environmental Protection Agency's Urban Manual were changed to Illinois Urban Manual (2012).
13. General: The word "facilities" in previous permit was changed to "construction activities" in the draft permit.
14. General: Various edits.

Interested persons are invited to submit written comments on the draft permits to the IEPA at the above address. The NPDES permit number(s) must appear on each comment page. Any interested person may submit a written request for a public hearing on a draft permit, stating his or her name and address, the nature of the issues proposed to be raised and the evidence proposed to be presented with regards to those issues.

The 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.

All comments on the draft permit and requests for hearing must be received by the IEPA not later than 30 days from the date of this publication. 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 30 days before any public hearing. For further information call the Public Notice Clerk at 217/782-0610.

Public Notice/Fact Sheet Issued By:

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