

NPDES Permit No. IL0059838
Notice No. TJF:13071101.tjf

Public Notice Beginning Date: **August 16, 2013**

Public Notice Ending Date: **September 16, 2013**

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:

Illinois Department of Natural Resources
Division of Fisheries
One Natural Resources Way
Springfield, IL 62702

Name and Address of Facility:

Little Grassy Fish Hatchery
1258 Hatchery Lane
Makanda, Illinois 62958
(Williamson 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 Thaddeus Faught at 217/782-0610.

The applicant is engaged in operation of a warm water fish hatchery (SIC 0921). Operation results in an average discharge of 2.3 MGD of fish rearing process water (raceway overflow) from Outfalls 002(a) and 002(d), 0.08 MGD of treatment plant effluent from 002(b), and 0.38 MGD of pond overflow from Outfall 002(c) to Little Grassy Creek. An intermittent discharge of fish rearing process water (raceway overflow) from Outfall 003 to Little Grassy Lake occurs during summertime dry periods to help maintain lake levels.

The following modification is proposed:

Monitoring for formaldehyde at outfalls 002(a), 002(d) and 003 has been deleted due to review of past data indicating that there is no reasonable potential for the effluents to exceed limits for formaldehyde. Special Condition 2 has also been revised due to this change. Special Conditions 5 through 8 have been added.

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

Outfall	Receiving Stream	Latitude		Longitude		Stream Classification	Integrity Rating
002(a)	Little Grassy Creek	37° 39' 15"	North	89° 07' 45"	West	General Use	Not Rated
002(b)	Little Grassy Creek	37° 39' 15"	North	89° 07' 45"	West	General Use	Not Rated
002(c)	Little Grassy Creek	37° 39' 15"	North	89° 07' 45"	West	General Use	Not Rated
002(d)	Little Grassy Creek	37° 39' 00"	North	89° 07' 45"	West	General Use	Not Rated
003	Little Grassy Lake	37° 39' 00"	North	89° 08' 45"	West	General Use	Not Rated

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(a), 002(b), 002(c) and 002 (d) is on the 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 following parameters have been identified as the pollutants causing impairment:

Designated Use:	Potential Cause:
Aquatic Life	Dissolved Oxygen

The water receiving the discharge from outfall(s) 003 is on the 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 following parameters have been identified as the pollutants causing impairment:

Designated Use:	Potential Cause:
Fish Consumption	Mercury

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

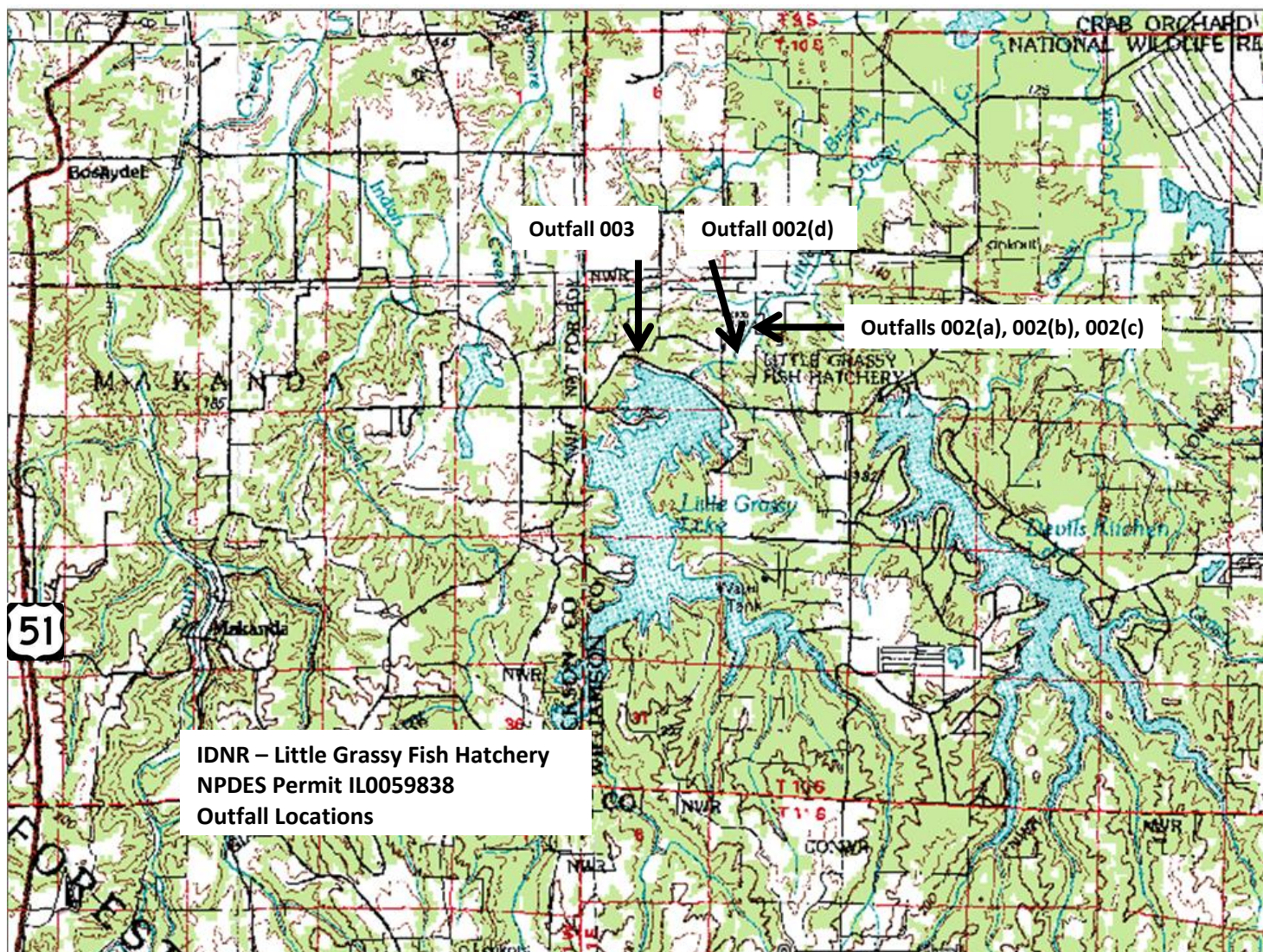
Outfalls: 002(a), 002 (c), 002(d) and 003

	LOAD LIMITS lbs/day DAF (DMF)			CONCENTRATION LIMITS mg/l		
PARAMETER	30 DAY AVERAGE	DAILY MAXIMUM	REGULATION	30 DAY AVERAGE	DAILY MAXIMUM	REGULATION
Total Suspended Solids				12	24	35 IAC 304.120
pH	Shall be in the range of 6 to 9 standard units					35 IAC 304.125
BOD ₅				10	20	35 IAC 304.120

Outfall: 002(b)

	LOAD LIMITS lbs/day DAF (DMF)*			CONCENTRATION LIMITS mg/l		
PARAMETER	30 DAY AVERAGE	DAILY MAXIMUM	REGULATION	30 DAY AVERAGE	DAILY MAXIMUM	REGULATION
Total Suspended Solids	8.01	20.02	35 IAC 309.143	12	24	35 IAC 304.120
pH	Shall be in the range of 6 to 9 standard units					35 IAC 304.125
BOD ₅	6.67	16.68	35 IAC 309.143	10	20	35 IAC 304.120

*Load Limits are calculated by using the formula: $8.34 \times (\text{Design Average and/or Maximum Flow in MGD}) \times (\text{Applicable Concentration in mg/L})$.



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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:

Facility Name and Address:

Illinois Department of Natural Resources
Division of Fisheries
One Natural Resources Way
Springfield, IL 62702

Little Grassy Fish Hatchery
1258 Hatchery Lane
Makanda, Illinois 62958
(Williamson County)

Discharge Number and Name:

Receiving Waters:

002(a) Fish rearing process water
002(b) Treatment plant effluent
002(c) Pond overflow
002(d) Fish rearing process water
003 Fish rearing process water

Little Grassy Creek
Little Grassy Creek
Little Grassy Creek
Little Grassy Creek
Little Grassy Lake

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:TJF:13071101tjf

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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(a), 002(d) and 003 Fish rearing process water and 002(c) Pond overflow

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)					**	
Total Suspended Solids			12	24	1 per Month	Grab
pH	Shall be in the range 6 to 9 standard units				1 per Month	Grab
BOD ₅			10	20	1 per Month	Grab

Outfall(s): 002(b) Treatment plant effluent

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)					**	
Total Suspended Solids	8.01	20.02	12	24	1 per Month	Grab
pH	Shall be in the range 6 to 9 standard units				1 per Month	Grab
BOD ₅	6.67	16.68	10	20	1 per Month	Grab

**Effluent sampling for flow shall be continuous if hardware allows otherwise it shall be a single reading when monitoring each parameter.

Flows shall be reported as a monthly average on the Discharge Monitoring Reports (DMR). pH shall be reported as a minimum and a maximum.

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Special Conditions

SPECIAL CONDITION 1. 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 2. Raceway effluent containing Formaldehyde should be treated to the extent possible with the existing wastewater treatment facility and discharged to Little Grassy Creek.

SPECIAL CONDITION 3. During treatments using Formaldehyde, raceway flow should be reduced to the extent possible and/or treatment limited to a portion of the raceways at any one time.

SPECIAL CONDITION 4. 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 5: Reopener: This permit may be modified to include different discharge limitations or other requirements which are consistent with applicable laws, regulations or judicial orders. The Agency will public notice the permit modification.

SPECIAL CONDITION 6: Water Quality : Discharges covered by this permit, alone or in combination with other sources, shall not cause or contribute to a violation of any applicable water quality standard.

SPECIAL CONDITION 7: Reporting Requirements:

- (a) Drugs. Except as noted below, a permittee subject to this part must notify the Illinois EPA of the use in a concentrated aquatic animal production facility subject to this part of any investigational new animal drug (INAD) or any extralabel drug use where such a use may lead to a discharge of the drug to waters of the State. Reporting is not required for an INAD or extralabel drug use that has been previously approved by FDA for a different species or disease if the INAD or extralabel use is at or below the approved dosage and involves similar conditions of use.
 - (1) The permittee must provide a written report to the Illinois EPA of an INAD's impending use within 7 days of agreeing or signing up to participate in an INAD study. The written report must identify the INAD to be used, method of use, the dosage, and the disease or condition the INAD is intended to treat.
 - (2) For INADs and extralabel drug uses, the permittee must provide an oral report to the permitting authority as soon as possible, preferably in advance of use, but no later than 7 days after initiating use of that drug. The oral report must identify the drugs used, method of application, and the reason for using that drug.
 - (3) For INADs and extralabel drug uses, the permittee must provide a written report to the Illinois EPA within 30 days after initiating use of that drug. The written report must identify the drug used and include: the reason for treatment, date(s) and time(s) of the addition (including duration), method of application; and the amount added. The report shall be submitted to:

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

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Special Conditions

- (b) "Reportable failure or damage to the structure of an aquatic animal containment system" is damage or failure in a structure of an aquatic animal containment system that results in unanticipated material discharge of pollutants to waters of the State that does not meet the terms and conditions of this permit.
 - (1) The permittee must provide an oral report within 24 hours of discovery of any reportable failure or damage that results in a material discharge of pollutants, describing the cause of the failure or damage in the containment system and identifying materials that have been released to the environment as a result of this failure.
 - (2) The permittee must provide a written report within 5 days of discovery of the failure or damage documenting the cause, the estimated time elapsed until the failure or damage was repaired, an estimate of the material released as a result of the failure or damage, and steps being taken to prevent a reoccurrence.
- (c) In the event a spill of drugs, pesticides or feed occurs that results in a discharge to waters of the State, the permittee must provide an oral report of the spill within 24 hours of its occurrence and a written report within 5 days. The report shall include the identity and quantity of the material spilled. The oral report shall be made to the appropriate Agency Field Operations Section by telephone or fax.
- (d) The written reports required above shall be submitted to:
 - Illinois Environmental Protection Agency
 - Bureau of Water
 - Compliance Assurance Section
 - 1021 North Grand Avenue East
 - PO Box 19276
 - Springfield, IL 62794-9276

SPECIAL CONDITION 8: Best management practices (BMP) plan:

The permittee shall develop and maintain a plan on site describing how the permittee will achieve the requirements of (a) through (e) below. The plan shall be made available to the Illinois EPA upon request. The permittee shall maintain the BMP plan on-site. The permittee shall implement the provisions of the BMP plan.

- (a) Solids control. The permittee shall:
 - (1) Employ efficient feed management and feeding strategies that limit feed input to the minimum amount reasonably necessary to achieve production goals and sustain targeted rates of aquatic animal growth in order to minimize potential discharges of uneaten feed and waste products to waters of the State.
 - (2) In order to minimize the discharge of accumulated solids from settling ponds and basins and production systems, identify and implement procedures for routine cleaning of rearing units and off-line settling basins, and procedures to minimize any discharge of accumulated solids during the inventorying, grading and harvesting aquatic animals in the production system.
 - (3) Remove and dispose of aquatic animal mortalities properly on a regular basis to prevent discharge to waters of the State.
- (b) Materials storage. The permittee shall:
 - (1) Ensure proper storage of drugs, pesticides, and feed in a manner designed to prevent spills and prevent the discharge of drugs, pesticides or feed to waters of the State.
 - (2) Implement procedures for properly containing, cleaning, and disposing of any spilled material.
- (c) Structural maintenance. The permittee shall:
 - (1) Inspect the production system and the wastewater treatment system on a routine basis (minimum weekly) in order to identify and promptly repair any damage.
 - (2) Conduct regular maintenance of the production system and the wastewater treatment system in order to ensure that they are properly functioning.
- (d) Recordkeeping. The permittee shall:
 - (1) In order to calculate representative feed conversion ratios, maintain records for aquatic animal rearing units documenting the feed amounts and estimates of the numbers and weight of aquatic animals.
 - (2) Keep records documenting the frequency of cleaning, inspections, maintenance and repairs.
- (e) Training. The permittee shall:
 - (1) In order to ensure the proper clean-up and disposal of spilled material adequately train all relevant facility personnel in spill prevention and how to respond in the event of a spill.
 - (2) Train staff on the proper operation and cleaning of production and wastewater treatment systems including training in feeding procedures and proper use of equipment.

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Special Conditions

SPECIAL CONDITION 9: Definitions:

(a) *Approved dosage* means the dose of a drug that has been found to be safe and effective under the conditions of a new animal drug application.

(b) *Aquatic animal containment system* means a culture or rearing unit such as a raceway, pond, tank, net or other structure used to contain, hold or produce aquatic animals. The containment system includes structures designed to hold sediments and other materials that are part of a wastewater treatment system.

(c) *Concentrated aquatic animal production facility* is defined at 40 CFR 122.24 and appendix C of 40 CFR part 122.

(d) *Drug* means any substance defined as a drug in section 201(g)(1) of the Federal Food, Drug and Cosmetic Act (21 U.S.C. 321).

(e) *Extralabel drug use* means a drug approved under the Federal Food, Drug and Cosmetic Act that is not used in accordance with the approved label directions, see 21 CFR part 530.

(f) *Flow-through system* means a system designed to provide a continuous water flow to waters of the State through chambers used to produce aquatic animals. Flow-through systems typically use rearing units that are either raceways or tank systems. Rearing units referred to as raceways are typically long, rectangular chambers at or below grade, constructed of earth, concrete, plastic, or metal to which water is supplied by nearby rivers or springs. Rearing units comprised of tank systems use circular or rectangular tanks and are similarly supplied with water to raise aquatic animals. The term does not include net pens.

(g) *Investigational new animal drug (INAD)* means a drug for which there is a valid exemption in effect under section 512(j) of the Federal Food, Drug, and Cosmetic Act, 21 U.S.C. 360b(j), to conduct experiments.

(h) *New animal drug application* is defined in 512(b)(1) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C 360b(b)(1)).

(i) *Pesticide* means any substance defined as a "pesticide" in section 2(u) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136(u)).

(j) *Recirculating system* means a system that filters and reuses water in which the aquatic animals are produced prior to discharge. Recirculating systems typically use tanks, biological or mechanical filtration, and mechanical support equipment to maintain high quality water to produce aquatic animals.