

NPDES Permit No. IL0077780
Notice No. TJF:13062401tjf

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
Permit Section
1021 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276
217/782-0610

Name and Address of Discharger:

Port of Will County, LLC
1945 Patterson Road
Joliet, Illinois 60436

Name and Address of Facility:

Port of Will County
1945 Patterson Road
Joliet, Illinois 60436
(Will 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 underground limestone mining (SIC 1422). Operation results in an average discharge of 7.0 MGD of stormwater runoff from outfall 001 and 6.4 MGD of stormwater runoff and groundwater seepage from outfall 002.

The following modification is proposed:

Iron monitoring has been deleted due to review of past data indicating that there is no reasonable potential for iron effluent standards to be exceeded.

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

Outfall	Receiving Stream	Latitude		Longitude		Stream Classification	Integrity Rating
001	Des Plaines River	41° 29' 15.64"	North	88° 7' 22.78"	West	Secondary Contact and Indigenous Aquatic Life Use	Not Rated
002	Des Plaines River	41°29' 15.35"	North	88° 7' 23.36"	West	Secondary Contact and Indigenous Aquatic Life Use	Not Rated

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

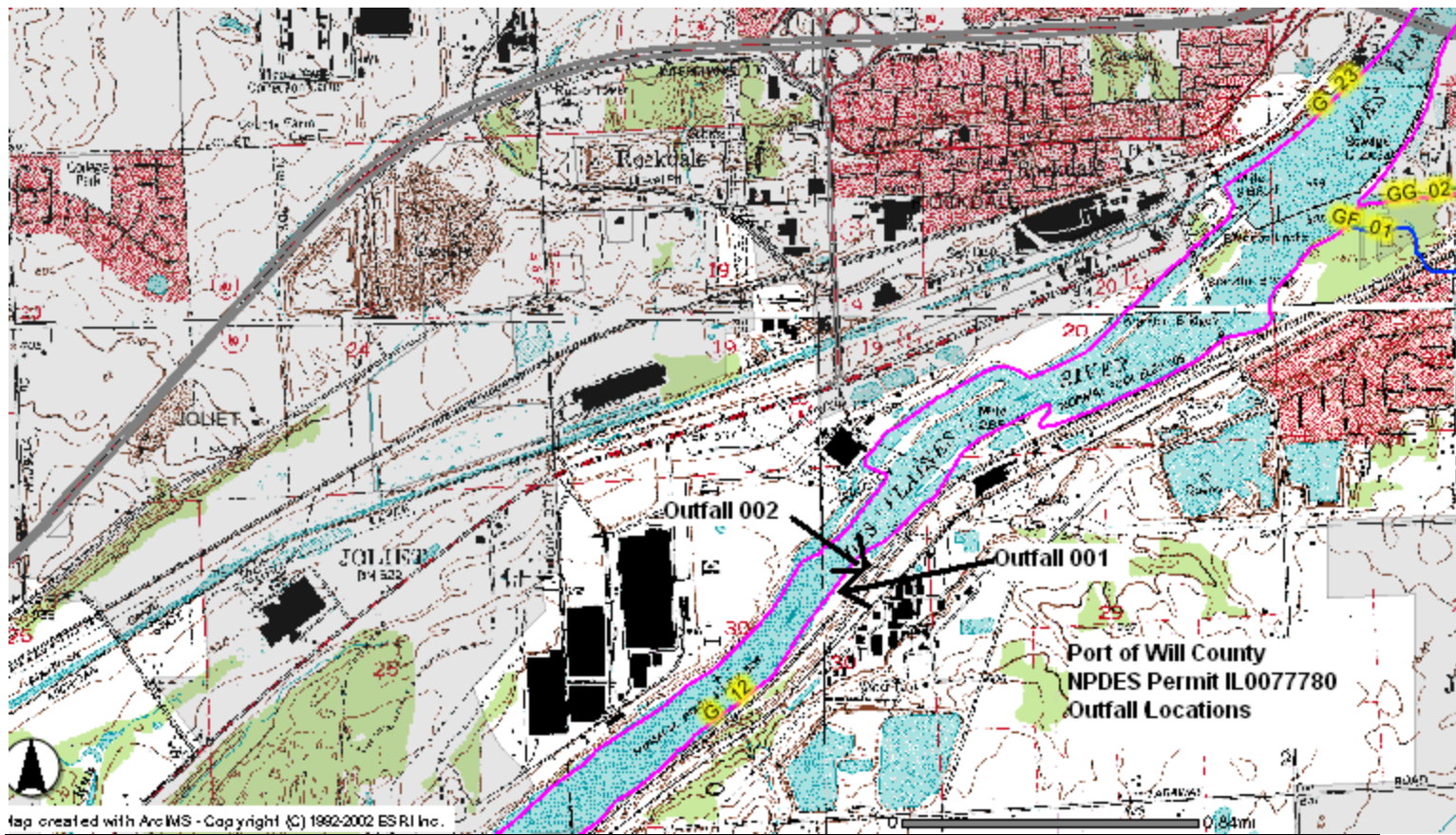
The stream segment receiving the discharge from outfall(s) 001 and 002 is on the 303 (d) list of impaired waters and is not a biologically significant stream on the 2008 Illinois Department of Natural Resources publication *Integrating Multiple Taxa in a Biological Stream Rating System*. The following parameters have been identified as the pollutants causing impairment:

Designated Use:		Potential Cause:
Fish Consumption		Mercury and PCBs

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

Outfalls: 001, 002

	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				35	70	406.106
pH	Shall be in the range of 6 to 9 standard units					406.106
Offensive Conditions	No effluent shall contain settleable solids, floating debris, visible oil, grease, scum or sludge solids, color, or odor. Turbidity shall be below obviously visible levels.					406.107



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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:

Port of Will County, LLC
1945 Patterson Road
Joliet, Illinois 60436

Facility Name and Address:

Port of Will County
1945 Patterson Road
Joliet, Illinois 60436
(Will County)

Discharge Number and Name:	Receiving Waters:
Non-Coal Outfalls 001 Stormwater runoff	Des Plaines River
002 Stormwater runoff and groundwater seepage	Des Plaines 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

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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): 001 - Stormwater runoff and 002 - Stormwater runoff and groundwater seepage

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		
Total Suspended Solids			35	70	***	****
pH	Shall be in the range 6 to 9 standard units				1 per Month	Grab
Offensive Conditions	No effluent shall contain settleable solids, floating debris, visible oil, grease, scum or sludge solids. Color, odor and turbidity shall be below obvious levels.				Once per Month	Visual Inspection
Flow (MGD)					**	

**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.

***Samples shall be taken three times a month as separate grab samples or one time a month as a composite sample.

****Composite samples shall consist of at least 3 sample aliquots of approximately equal volume of at least 100 milliliters each, collected at periodic intervals within a 24-hour period. If the permittee elects to take and analyze grab samples, in lieu of a composite sample then: 1) if the discharge is expected to occur on only a single day, three grab samples may be taken within a single 24-hour period or, 2) if the discharge is expected to occur on more than one day three separate grab samples shall be taken over more than one day to represent the monthly discharge. The one composite sample or three grab samples shall be representative of the discharge over the calendar month. The analysis results of each composite and grab sample shall be reported on the Discharge Monitoring Reports. The monthly average shall be reported on the Discharge Monitoring Reports.

Discharge sampling and monitoring must be representative of the discharges from the facility considering factors such as frequency, duration and intensity of precipitation runoff and operational practices that effect discharge quality.

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Special Conditions

SPECIAL CONDITION 1: This Permit shall be modified to include different final effluent limitations which are consistent with any revised water quality standards or use designation of the receiving stream.

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: Flows shall be reported in million gallons per day (MGD) and shall be reported as a monthly average on the Discharge Monitoring Report (DMR) form.

SPECIAL CONDITION 4: For the purpose of this permit, the discharges are limited to those discharges identified on page one of the permit, free from other process and wastewater discharges.

SPECIAL CONDITION 5: 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 6: 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 7: The permittee shall notify the Agency in writing by certified mail within thirty days of abandonment, cessation, or suspension of active mining for thirty days or more unless caused by a labor dispute. During cessation or suspension of active mining, whether caused by a labor dispute or not, the permittee shall provide whatever interim impoundment, drainage diversion, and wastewater treatment is necessary to avoid violations of the Act or Subtitle D, Chapter 1.

SPECIAL CONDITION 8: Mine excavation shall not be conducted within the minimum setback zones (200 feet) of potable water supply wells pursuant to Section 14.2 of the Illinois Environmental Protection Act.

SPECIAL CONDITION 9: This permit does not authorize the construction of any asphalt, concrete or similar plant. Any such facility shall obtain a separate permit or application shall be made to modify this permit.

SPECIAL CONDITION 10: Storm Water Discharges: The Illinois Environmental Protection Agency has determined that the effluent limitations for the non-coal outfall(s) (Outfalls: 001 and 002) in this permit constitute BAT/BCT for storm water which is treated in the existing treatment facilities for purposes of this permit issuance, and no pollution prevention plan will be required for such storm water. This does not preclude the use of pollution prevention techniques as a means or partial means of meeting the effluent limits. In addition to the chemical specific monitoring required elsewhere in this permit, the permittee shall conduct an annual inspection of the facility site to identify areas contributing to a storm water discharge associated with mining and determine whether any facility modifications have occurred which result in previously treated storm water discharges no longer receiving treatment. If any such discharges are identified, the permittee shall request a modification of coverage under this permit within 30 days after the inspection. Records of the annual inspection shall be retained by the permittee for the term of this permit and shall be made available to the Illinois Environmental Protection Agency upon request.

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SPECIAL CONDITION 11: Oil and Hazardous Substance Liability: Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under section 311 of the CWA.

SPECIAL CONDITION 12: Prohibited Storm Water Discharges: This permit is not applicable to storm water discharges from the following facilities:

- a. Hazardous waste treatment, storage or disposal facilities.
- b. Storm water discharges associated with inactive mining occurring on Federal lands where an operator cannot be identified.
- c. Storm water discharges that the Agency determines are not appropriately covered by this permit.

SPECIAL CONDITION 13: Oil and Hazardous Substance Discharge Prohibition: This permit does not authorize the discharge of hazardous substances or oil resulting from an on-site spill, and does not supersede any reporting requirements for spills or releases of hazardous substances or oil.

SPECIAL CONDITION 14: Bulk Storage and Hazardous Waste Containment Area: Provisions for handling storm water from bulk storage and hazardous waste containment areas.

- a. This permit does not authorize the discharge of storm water collected in containment areas at bulk storage and hazardous waste facilities where the storm water becomes contaminated by direct contact with a spill or release of stored materials into the containment area. Such storm water should be handled properly by on-site treatment or hauling off-site for treatment and disposal.
- b. Where a spill or release to a dry containment area occurs, the permittee shall institute procedures to clean up the spill in order to prevent contamination of any storm water, which subsequently collects in the containment area. Where these procedures are followed, collected storm water may be discharged; following visual inspection to assure that the storm water contains no unnatural turbidity, color, oil films, foams, settleable solids, or deposits.
- c. Storage piles of salt used for deicing or other commercial or industrial purposes must be enclosed or covered to prevent exposure to precipitation (except for exposure resulting from adding or removing materials from the pile). Piles do not need to be enclosed or covered where storm water from the pile is not discharged to waters of the state or the discharges from the piles are authorized under another permit.

SPECIAL CONDITION 15: 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 16: Continuation of the permit

If this permit is not reissued or replaced prior to the expiration date, it will be administratively continued in accordance with the Administrative Procedures Act and remain in force and effect. Any permittee who was granted permit coverage prior to the expiration date will automatically remain covered by the continued permit until the earlier of:

- a. Reissuance or replacement of this permit, or
- b. Your submittal of a notice of termination.

The permittee shall submit a revised or updated NOI, or NPDES permit application to the Agency no later than 180 days prior to the expiration date of this permit in order for permit coverage to be administratively continued.

SPECIAL CONDITION 17: Asphalt Concrete Plant Discharge Limitations:

There shall be no discharge of pollutants from asphalt concrete production to waters of the State.

SPECIAL CONDITION 18: Definitions:

"Asphalt Concrete Plant" means a facility that mixes aggregate and asphalt binder materials to form a composite material for construction projects.

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"Concrete Mix Plant" means a facility that mixes aggregate and binder materials to form a composite material for construction projects. Asphalt Concrete Plants are not concrete mix plants.

"Mine Area or Mined Area" means the surface and subsurface land where mining has occurred or is occurring. The term does not include the unmined surface land directly above underground mine workings which is not otherwise disturbed by mining activities.

"Mine Process Wastewater or Process Wastewater" means waters used for or generated from: cooling of mining and mine processing equipment; mineral processing plants; cleaning mining and mining processing equipment; air emission controls (e.g., dust control); pit pumpage; pit overflows; mine dewatering; sedimentation ponds; or surface runoff from disturbed areas that contain mine refuse; chemical spillage; other wastes or acid producing materials.

"Mining" means the surface or underground extraction or processing of natural deposits of, gravel, sand or stone by the use of any mechanical operation or process. The term also includes the recovery or processing of the minerals from a mine refuse area. It does not include drilling for oil or natural gas.

"Mining Activities" means all activities on a facility which are directly in furtherance of mining, including activities before, during and after mining. The term does not include land acquisition, exploratory drilling, surveying and similar activities. The term includes, but is not limited to, the following:

- a. Preparation of land for mining activities;
- b. Construction of mine related facilities which could generate refuse, result in a discharge or have the potential to cause water pollution;
- c. Ownership or control of a mine related facility;
- d. Ownership or control of a coal storage yard or transfer facility;
- e. Generation or disposal of mine refuse;
- f. Mining;
- g. Opening a mine;
- h. Production of a mine discharge or non-point source mine discharge;
- i. Surface drainage control; and
- j. Use of acid-producing mine refuse.

"Non-coal Outfalls" means point sources that discharge mine dewatering waters, process wastewaters, industrial wastewater, pit pumpage or pit overflows.

"Point Source" means any discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, mine discharge, landfill leachate collection system, vessel or other floating craft from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture or agricultural storm water runoff.

"Significant materials" includes, but is not limited to: raw materials; fuels; materials such as solvents, detergents, and plastic pellets; finished materials such as metallic products; raw materials used in food processing or production; hazardous substances designated under section 101(14) of CERCLA;; fertilizers; pesticides; and waste products such as ashes, slag and sludge that have the potential to be released with storm water discharges.

"Storm Water" means storm water runoff, snow melt runoff, surface runoff and drainage.

"Storm Water Discharges" means discharges that contain only storm water.

"Storm Water Associated with Industrial Activity" means the discharge from any conveyance which is used for collecting and conveying storm water and which is directly related to manufacturing, processing or raw materials storage

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areas. The term does not include discharges from facilities or activities excluded from the NPDES program. For the categories of sites identified in subparagraphs (i), (ii), (iii) and (iv) of this subsection definition, the term includes, but is not limited to, storm water discharges from industrial plant yards; immediate access roads and rail lines used or traveled by carriers of raw materials, manufactured products, waste material, or by-products used or created by the facility; material handling sites; refuse sites; sites used for the application or disposal of process waste waters (as defined at 40 CFR 401); sites used for the storage and maintenance of material handling equipment; sites used for residual treatment, storage, or disposal; shipping and receiving areas; manufacturing buildings; storage areas (including tank farms) for raw materials, and intermediate and finished products; and areas where industrial activity has taken place in the past and significant materials remain and are exposed to storm water. For the purposes of this paragraph, material handling activities include the: storage, loading and unloading, transportation, or conveyance of any raw material, intermediate product, finished product, by-product or waste product. The term excludes areas located on plant lands separate from the plant's industrial activities, such as office buildings and accompanying parking lots as long as the drainage from the excluded areas is not mixed with storm water drained from the above described areas. Industrial facilities (including industrial facilities that are Federally or municipally owned or operated) that meet the description of the facilities listed in this paragraph (i), (ii), and (iii) include those facilities designated under 40 CFR 122.26(a)(1)(v). The following categories of facilities are considered to be engaging in "industrial activity" for purposes of this definition:

- i) Facilities classified as Standard Industrial Classifications 10 through 14 (mineral industry) including active or inactive mining operations (except for areas of coal mining operations meeting the definition of a reclamation area under 40 CFR 434.11(l)) and oil and gas exploration, production, processing, or treatment operations, or transmission facilities that discharge storm water contaminated by contact with or that has come into contact with, any overburden, raw material, intermediate products, finished products, byproducts or waste products located on the site of such operations; inactive mining operations are mining sites that are not being actively mined, but which have an identifiable owner/operator;
- ii) Construction activity including clearing, grading, and excavation activities that disturbs land area at a mining site.
- iii) Asphalt concrete plant or concrete mix plant on the mining site.
- iv) Facilities for loading/unloading and distribution sites for construction materials such as stone, sand and gravel.

"Waters" mean all accumulations of water, surface and underground, natural, and artificial, public and private, or parts thereof, which are wholly or partially within, flow through, or border upon the State of Illinois, except that sewers and treatment works are not included except as specially mentioned; provided, that nothing herein contained shall authorize the use of natural or otherwise protected waters as sewers or treatment works except that in-stream aeration under Agency permit is allowable.

Note that additional definitions are included in the permit Standard Conditions, Attachment H.

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Construction Authorization

Authorization is hereby granted to the above designee to construct the mine and mine refuse area described as follows:

The facility is an approximately 355 acre underground limestone mine and above ground processing plant located in Sections 29 and 30, T35N, R10E of the 3rd P.M. in Will county near Joliet, designated as the Port of Will County Mine. Operations include excavation, crushing, screening and stockpiling of limestone aggregate. Stormwater ponds will receive groundwater seepage and discharge through Outfall 002. Stormwater flows from the portion of the site still owned by Olin Chemical will be isolated from flows from the Port of Will County site. Discharges of stormwater runoff occur at Outfall 001 (average 7.0 MGD / maximum 21.9 MGD) and discharges of stormwater runoff and groundwater seepage occur at Outfall 002 (average 6.4 MGD / maximum 16.9 MGD) both to the Des Plaines River.

The abandonment plan submitted with the application May 1, 2012 shall be executed and completed in accordance with Rule 405.109 of Subtitle D: Mine Related Water Pollution.

This Authorization is issued subject to the following Special Condition(s). If such Special Conditions require additional or revised facilities, satisfactory engineering plan documents must be submitted to this Agency for review and approval.

If any statement or representation in the application is found to be incorrect, this permit may be revoked and the permittee thereupon waives all rights thereunder.

The issuance of this permit (a) shall not be considered as in any manner affecting the title of the premises upon which the mine or mine refuse area is to be located; (b) does not release the permittee from any liability for damage to person or property caused by or resulting from the installation, maintenance or operation of the proposed facilities; (c) does not take into consideration the structural stability of any units or parts of the project; and (d) does not release the permittee from compliance with other applicable statutes of the State of Illinois, or with applicable local laws, regulations or ordinances.

This permit may not be assigned or transferred. Any subsequent operator shall obtain a new permit from the Illinois Environmental Protection Agency.

There shall be no deviations from the approved plans and specifications unless revised plans, specifications and application shall first have been submitted to the Illinois Environmental Protection Agency and a supplemental permit issued.

The permit holder shall notify the Illinois Environmental Protection Agency (217/782-3637) immediately of an emergency at the mine or mine refuse area which causes or threatens to cause a sudden discharge of contaminants into the waters of Illinois and shall immediately undertake necessary corrective measures as required by Rule 405.111 under Chapter 1, Subtitle D: Mine Related Water Pollution of Illinois Pollution Control Board Rules and Regulations.

Final plans, specifications, application and supporting documents as submitted and approved shall constitute part of this permit and are identified in the records of the Illinois Environmental Protection Agency, by the permit number designated in the heading of this Section.

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