

NPDES Permit No. IL0064548
Notice No. drgIL0064548

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 EPA
Bureau of Water
Facility Evaluation Unit
1021 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276
217/782-3362

Name and Address of Discharger:

Unimim Specialty Minerals, Inc.
P.O. Box 340
Tamms, IL 62988

Name and Address of Facility:

Birk Pit #2
32079 State Highway 127
Elco, IL 62988
(Alexander 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.

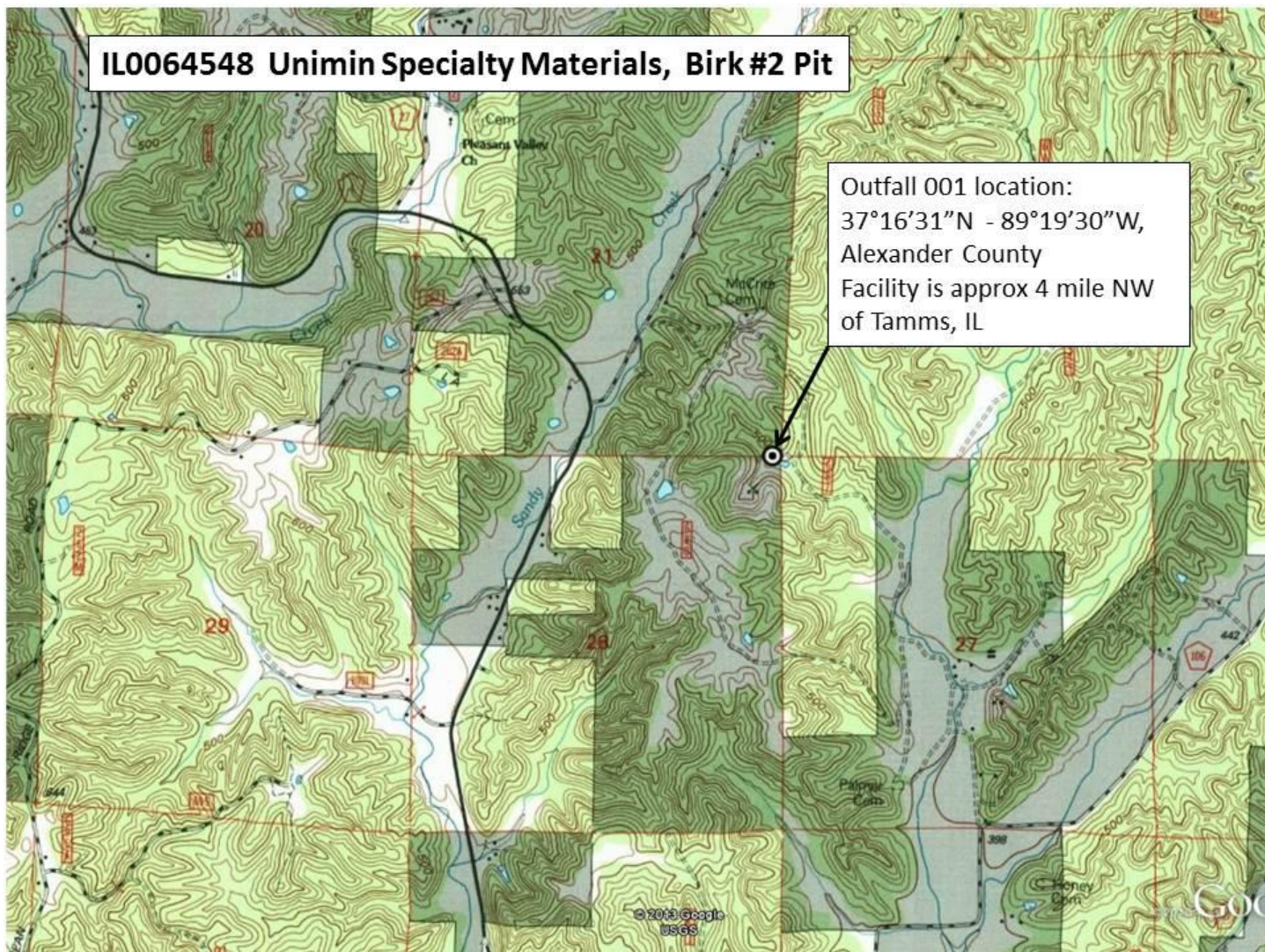
If written comments or requests indicate a significant degree of public interest in the draft permit, the permitting authority may, at its discretion, hold a public hearing. Public notice will be given 45 days before any public hearing. Response to comments will be provided when the final permit is issued.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

The applicant is engaged in mineral extraction of industrial sand (SIC 1446). Quarry operations results in the maximum discharge of 0.444 MGD of stormwater runoff and groundwater seepage from outfall 001.

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

| Outfall | Receiving Stream | Latitude | | Longitude | | Stream Classification | Biological Stream Characterization |
|---------|----------------------------------|-----------|-------|-----------|------|-----------------------|------------------------------------|
| 001 | Unnamed Tributary to Sandy Creek | 37°16'31" | North | 89°19'30" | West | Not Rated | 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 is not on the 303(d) list of impaired waters.

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

Outfall(s): 001

| PARAMETER | LOAD LIMITS lbs/day DAF (DMF) | | REGULATION | CONCENTRATION LIMITS mg/l | | REGULATION |
|------------------------------|--|------------------|------------|------------------------------|------------------|---------------|
| | 30 DAY AVERAGE | DAILY MAXIMUM | | 30 DAY AVERAGE | DAILY MAXIMUM | |
| Total Suspended Solids | | | | 25 | 45 | 40 CFR 436.42 |
| pH | Shall be in the Range of 6.5 - 9 Standard Units | | | | | 302.204 |
| Iron | | | | 3.5 | 7.0 | 406.106 |
| Chloride | | | | | 500 | 302.208(g) |
| Sulfates | | | | | 500 | 302.208(h) |
| 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 |

NPDES Permit No. IL0064548

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:

Unimim Specialty Minerals, Inc.
P.O. Box 340
Tamms, IL 62988

Birk Pit #2
32079 State Highway 127
Elco, IL 62988
(Alexander County)

Discharge Number and Name:

Receiving Waters:

Non-Coal Outfalls*

001 - Storm Water Runoff and Groundwater Seepage

Unnamed Tributary to Sandy Creek

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:drgIL0064548

NPDES Permit No. IL0064548

Effluent Limitations and Monitoring

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:

Outfalls: 001

| | LOAD LIMITS lbs/day DAF (DMF) | | | CONCENTRATION LIMITS mg/l | | | | |
|------------------------------|--|--|------------------|------------------------------|--|------------------|---------------------|----------------------|
| | | | | | | | | |
| PARAMETER | 30 DAY AVERAGE | | DAILY MAXIMUM | 30 DAY AVERAGE | | DAILY MAXIMUM | SAMPLE FREQUENCY | SAMPLE TYPE |
| Flow (MGD) | | | | | | | ** | |
| Total Suspended Solids | | | | 25 | | 45 | *** | **** |
| pH | Shall be in the Range of 6.5 to 9 Standard Units. The monthly minimum and maximum shall be reported on the DMR | | | | | | 3 per month | Grab |
| Iron | | | | 3.5 | | 7.0 | *** | **** |
| Chloride | | | | | | 500 | *** | **** |
| Sulfates | | | | | | 500 | *** | **** |
| 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. | | | | | | 3 per month | Visual Inspection |

** 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 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.

Special Conditions

SPECIAL CONDITION 1. Permit Coverage: For the purpose of this permit, the covered discharges through the non-coal outfalls are limited to storm water discharges, non-storm water discharges, process wastewater discharges, mine dewatering discharges, pit pumpage and pit overflow discharges.

SPECIAL CONDITION 2. Sampling: 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 3. Discharge Monitoring Reports: The Permittee shall record monitoring results on discharge Monitoring Report (DMR) Forms using one such form for each outfall each month. If there is no discharge during a reporting period, a Discharge Monitoring Report shall be submitted stating that no discharge occurred during that particular month. The Permittee may choose to submit electronic DMRs (eDMRs) instead of mailing paper DMRs to the IEPA. More information about the eDMR program, including registration, can be obtained on the IEPA website at <http://www.epa.state.il.us/water/edmr/index.html>. The completed DMR forms shall be submitted monthly to the IEPA no later than the 15th day of the following month, unless otherwise specified by the IEPA. Permittees not using eDMRs shall mail the DMRs with original signature to the following address:

Illinois Environmental Protection Agency
Division of Water Pollution Control
1021 North Grand Avenue East
Post Office Box 19276
Springfield, IL 62794-9276
Attn: Compliance Assurance Section, Mail Code #19

SPECIAL CONDITION 4. 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 5. Storm Water Discharges: The Illinois Environmental Protection Agency has determined that the effluent limitations for the non-coal outfall(s) 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 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.

SPECIAL CONDITION 6. 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.

SPECIAL CONDITION 7. 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 8. 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 9. 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.

Special Conditions

- 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 of salt 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 10. Definitions:

"Best Management Practices" ("BMPs") means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the United States. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

"Commencement of Mining" means the initial disturbance of soils associated with clearing, grading, or excavating activities or other mining activities.

"Cooling water" means mine process wastewater that is used for cooling of mining operations and is contaminated with heat. Heated effluent and cooling water that contains cleaning chemicals, pesticides or treatment chemicals used to clean or treat the piping, equipment or discharge of the cooling system are not covered by this permit.

"Cooling water outfalls" means point sources that discharge cooling waters or heated effluents. **"CWA"** means Clean Water Act (formerly referred to as the Federal Water Pollution Control Act or Federal Water Pollution Control Act Amendments of 1972) Pub.L. 92-500, as amended Pub. L. 95-217, Pub. L. 95-576, Pub. L. (96-483 and Pub. L. 97-117, 33 U.S.C. 1251 et.seq.)

"Director" means the Director of the Illinois Environmental Protection Agency or an authorized representative.

"EPCRA" means the Emergency Planning and Community Right-to-Know Act (also known as Title III of the Superfund Amendments and Reauthorization Act (SARA) of 1986)

"Final Stabilization" means that all soil disturbing activities at the site have been completed, and that a uniform perennial vegetative cover with a density of 70% cover for unpaved areas and areas not covered by permanent structures has been established or equivalent stabilization measures (such as the use of riprap, gabions or geotextiles) have been employed.

"Heated effluent" means mine process wastewater contaminated with heat from mining operations.

"Large and Medium municipal separate storm sewer system" means all municipal separate storm sewers that are either:

- a) Located in an incorporated place (city) with a population of 100,000 or more as determined by the latest Decennial Census by the Bureau of Census (these cities are listed in Appendices F and G of 40 CFR Part 122); or
- b) Located in the counties with unincorporated urbanized populations of 100,000 or more, except municipal separate storm
- c) sewers that are located in the incorporated places, townships or towns within such counties (these counties are listed in Appendices H and I of 40 CFR Part 122); or
- d) Owned or operated by a municipality other than those described in paragraph (a) or (b) and that are designated by the Director as part of the large or medium municipal separate storm sewer system.

"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.

Special Conditions

"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.

"NOI" means notice of intent to be covered by this permit.

"Non-coal Outfalls" means point sources that discharge mine dewatering waters, process wastewaters, 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.

"Runoff coefficient" means the fraction of total rainfall that will appear at the conveyance as 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.

"Significant spills" includes, but is not limited to: releases of oil or hazardous substances in excess of reportable quantities under section 311 of the Clean Water Act (see 40 CFR 110.10 and CFR 117.21) or section 102 of CERCLA (see 40 CFR 302.4).

"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 at a Mining Site" 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 areas at a mining site. The term does not include discharges from facilities or activities excluded from the NPDES program. For the categories of mining sites identified in subparagraphs (i), (ii) and (iii) 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 at a mining site" 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,

Special Conditions

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) Any asphalt plant, ready mix plant or industrial facility with SIC Code 29 or 32 located on the mining site.

"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.

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 existing 71.5 acre quarry, designated as Birk Pit #2 of the Unimin Specialty Minerals Inc. is located in Section 28, T14S, R2W in Alexander County, Illinois, near Elco. Quarry operations include mineral extraction of silica sand, which is trucked to another permitted facility for processing. Mine excavation shall not be conducted within the minimum setback zone (200 feet) of potable water supply wells, pursuant to Section 14.2 of the Illinois Environmental Protection Act. All stormwater from mining operations flows into the pit. The facility proposes to discharge stormwater runoff and groundwater seepage from outfall 001. Outfall 001 is located on an unnamed tributary to Sandy Creek.

The abandonment plan received with the application documents on July 1, 2013 shall be executed and completed in accordance with Rule 405.109 of Subtitle D: Mine Related Water Pollution.

Storm Water Pollution Prevention Plan: 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. Discharging sedimentation ponds are not covered under the Storm Water Pollution Prevention Plan authorization, unless they discharge to a non-coal outfall specifically identified in a construction authorization under this permit.

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

- a. If any statement or representation is found to be incorrect, this authorization may be revoked and the permittee thereupon waives all rights thereunder.
- b. Plans and specifications of all treatment equipment being included as a part of the storm water management practice shall be included in the SWPPP.
- c. Any modification of or deviation from the plans and specifications in the initial SWPPP requires amendment of the SWPPP.
- d. Construction activities which result from treatment equipment installation, including clearing, grading and excavation activities which result in the disturbance of land area must meet the conditions of this permit.

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 any 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.