

NPDES Permit No. ILS000001  
Notice No. JCH:09120201.daa

Public Notice Beginning Date: **December 5, 2014**  
Public Notice Ending Date: **January 5, 2015**

National Pollutant Discharge Elimination System (NPDES)  
Permit Program

PUBLIC NOTICE/FACT SHEET  
of  
Draft Reissued NPDES Permit to Discharge into Waters of the State

Public Notice/Fact Sheet Issued By:

Illinois EPA  
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:

City of Rockford  
425 East State Street  
Rockford, Illinois 61104

Name and Address of Facility:

City of Rockford  
Storm Sewer Outfalls  
(Winnebago 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. All comments on the draft Permit and requests for hearing must be received by the IEPA by U.S. Mail, carrier mail or hand delivered by the Public Notice Ending Date.

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.

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

The applicant is engaged in discharging storm water runoff for the City of Rockford.

Receiving Water(s): Rock River, Kishwaukee River, Keith Creek, Kent Creek, Spring Creek and unnamed tributaries within the corporate boundaries of the City of Rockford.

The length of the Permit is approximately 5 years.

This permit covers all areas within the corporate boundary of the City of Rockford served by, or otherwise contributing to discharges from, municipal separate storm sewers owned or operated by the Permittee.

This permit authorizes all existing or new storm water point source discharges to waters of the State from the Municipal Separate Storm Sewer System (MS4). This permit also authorizes the discharge of storm water commingled with flows contributed by process wastewater,

non-process wastewater or storm water associated with industrial activity provided such discharges are authorized under separate NPDES permits.

Four water body segments within Rockford's corporate limits were assessed under the 305(b) process, and three of these four water segments (Rock River segment P-15, Rock River segment P-23 and the Kishwaukee River Segment PQ-12) are on the 303 (d) list of impaired waters.

#### Storm Water Management Program (SWMP)

The storm water management program is designed to reduce the discharge of pollutants from their small municipal separate storm sewer system to the maximum extent practicable (MEP), to protect water quality, and to satisfy the appropriate water quality requirements of the Illinois Pollution Control Board Rules and Regulations (35 Ill. Adm. Code, Subtitle C, Chapter 1) and the Clean Water Act. The storm water management program includes the following requirements described in Part II of the permit. The following are excerpts from this permit outlining these requirements.

1. **Statutory Requirements:** The SWMP shall include controls necessary to reduce the discharge of pollutants from the MS4 to the Maximum Extent Practicable (MEP). Controls may consist of a combination of best management practices, control techniques, system design and engineering methods, and such other provisions as the Permittee or the Agency determines appropriate.
2. **Structural Controls:** The Permittee shall operate and maintain any storm water structural controls for which they are the owner or operator, in a manner so as to reduce the discharge of pollutants to the maximum extent possible.
3. **Erosion and Sedimentation Controls:** The Permittee shall implement a program to reduce the discharge of pollutants from construction sites and develop and utilize a comprehensive master planning process to develop, implement, and enforce controls to minimize the discharge of pollutants from areas of development and redevelopment after construction is completed.
4. **Roadways:** The Permittee shall operate and maintain public streets, roads, and highways under its jurisdiction in a manner so as to minimize the discharge of pollutants (including those related to deicing or sanding activities) to the MEP.
5. **Flood Control:** The Permittee shall ensure any flood management projects it undertakes assesses the impacts on the water quality of receiving waters.
6. **Pesticide, Herbicide, and Fertilizer Application:** The Permittee shall implement controls to reduce the pollutants in discharges from the Permittee's MS4 associated with the application of pesticides, herbicides, and fertilizers (PHF).
7. **Illicit Discharges and Improper Disposal:** The Permittee shall continue the ongoing program to detect and remove (or require the discharger to the MS4 to remove or obtain a separate NPDES permit) illicit discharges and improper disposal into the storm sewer.
8. **Spill Prevention and Response:** The Permittee shall implement a program to prevent, contain, and respond to spills that may discharge into the Municipal Separate Storm Sewer System. The spill response program may include a combination of spill response actions by the Permittee (and/or another public or private entity), and legal requirements for private entities within the Permittee's municipal jurisdiction.
9. **Industrial and High Risk Runoff:** The Permittee has adopted and shall implement its Industrial and High Risk Inspection (IHR) program to identify, monitor, and control pollutants in storm water discharges to the Municipal Separate Storm Sewer System from municipal landfills; hazardous waste treatment, storage, disposal and recovery facilities and facilities that are subject to EPCRA Title III, Section 313; and any other industrial or commercial discharge the Permittee determines are contributing a substantial pollutant loading to the Municipal Separate Storm Sewer System.
10. **Public Education, Pollution Prevention and Good Housekeeping:** The Permittee shall implement a public education program designed to educate the public, promote pollution prevention and educate the public on good housekeeping measures. This program shall include any and all public education and public involvement addressed in this section as well as all other sections within this permit.

#### Monitoring, Recordkeeping and Reporting

The permit requires that the permittee must sample its storm water discharges at the frequency and locations specified in Part V of this permit. The permittee will also be required to prepare an annual system-wide report identifying and evaluating actions taken to reduce the discharge of pollutants in its storm water. The permit also has detailed recordkeeping and reporting requirements.

Interested persons are invited to submit written comments on the draft General Permit to the IEPA at the address below. The NPDES permit number(s) must appear on each comment page. Any interested person may submit a written request for a public hearing on this 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 regard 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 by U.S. Mail, carrier mail, or hand delivered during the public notice period. 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. For further information call Jeff Hutton at 217/782-0610.

Public Notice/Fact Sheet Issued By:

Illinois Environmental Protection Agency  
Division of Water Pollution Control  
Permit Section, Mail Code #15  
1021 North Grand Avenue East  
Post Office Box 19276  
Springfield, Illinois 62794-9276

Phone Number: 217/782-0610

NPDES Permit No. ILS000001

Illinois Environmental Protection Agency

Division of Water Pollution Control

1021 North Grand Avenue East

P.O. 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:

City of Rockford  
425 East State Street  
Rockford, Illinois 61104

Receiving Water(s): Rock River, Kishwaukee River, Keith Creek, Kent Creek, Spring Creek and unnamed tributaries within the corporate boundaries of the City of Rockford.

In compliance with the provisions of the Illinois Environmental Protection Act, Subtitle C, Chapter I, and the Clean Water Act (CWA), 33 U.S.C. 1251 et seq., as amended by the Water Quality Act of 1987, P.L. 100-4, the "Act", the above-named Permittee is authorized to discharge, in accordance with the provisions set forth in Parts I-VII and standard conditions herein; from all portions of the City of Rockford's Municipal Separate Storm Sewer System (MS4) owned or operated by Permittee listed above, to Waters of the State.

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

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## **PART I. DISCHARGES AUTHORIZED UNDER THIS PERMIT**

- A. Permit Area. This permit covers all areas within the corporate boundary of the City of Rockford served by, or otherwise contributing to discharges from, municipal separate storm sewers owned or operated by the Permittee except for properties owned by the United States or State of Illinois.
- B. Authorized Discharges. This permit authorizes all existing or new storm water point source discharges to waters of the State from the Municipal Separate Storm Sewer System (MS4). This permit also authorizes the discharge of storm water commingled with flows contributed by process wastewater, non-process wastewater, or storm water associated with industrial activity provided such discharges are authorized under separate NPDES permits.
- C. Limitations and Coverage. The following discharges, whether discharged separately or commingled with municipal storm water, are not authorized by this permit:
  - 1. *Non-Storm Water and Industrial Storm Water*: discharges of non-storm water or storm water associated with industrial activity except where such discharges are:
    - a. authorized and in compliance with a separate NPDES permit;
    - b. identified by and in compliance with Part II.A.7.a of this permit.
    - c. a bypass in compliance with 40 CFR 122.41(m)

## **PART II. STORM WATER POLLUTION PREVENTION & MANAGEMENT PROGRAMS**

The Permittee is required to develop and implement a storm water pollution prevention and management program designed to limit, to the maximum extent practicable, the discharge of pollutants from the MS4. The Permittee may implement Storm Water Management Program elements through participation with other public agencies or private entities in cooperative efforts satisfying the requirements of Part II.A in lieu of creating duplicate program elements. The permittee's storm water pollution prevention and management programs shall be developed and maintained as a separate document to serve as guidance for implementation of the SWMP. Either cumulatively, or separately, the Permittee's storm water pollution prevention and management programs shall satisfy the requirements of Sections A through F below for all portions of the MS4 authorized to discharge under this permit and shall reduce the discharge of pollutants to the maximum extent practicable. The storm water pollution prevention and management program requirements of this Part shall be implemented through the approved Storm Water Management Program, as modified by compliance schedules in Part III. However, the Agency may require modifications to the Storm Water Management Program as specified in Part II.F.

- A. Storm Water Management Program Requirements The Permittee shall operate Storm Water Management Programs (SWMPS) in accordance with Section 402(p)(3)(B) of the Clean Water Act (CWA or "the Act"), the Storm Water Regulations (40 CFR Part 122.26) and the approved Storm Water Management Programs submitted by the Permittee. Controls and activities identified in the Storm Water Management Programs shall clearly identify areas of applicability on a system, jurisdiction, or specific area basis. The Storm Water Management Programs, and all approved updates, are hereby incorporated by reference and shall be implemented in a manner consistent with the following requirements:
  - 1. *Statutory Requirements*: The SWMP shall include controls necessary to reduce the discharge of pollutants from the MS4 to the Maximum Extent Practicable (MEP). Controls may consist of a combination of best management practices, control techniques, system design and engineering methods, and such other provisions as the Permittee or the Agency determines appropriate. The various components of the SWMP, taken as a whole (rather than individually), shall be sufficient to meet this standard. The SWMP shall be updated as necessary to insure conformance with the Clean Water Act.
  - 2. *Structural Controls*: The Permittee shall operate and maintain any storm water structural controls for which they are the owner or operator, in a manner so as to reduce the discharge of pollutants to the maximum extent possible.

The city shall on an ongoing basis:

- a. continue to conduct site visits and gather data for basins. Data shall include but not be limited to; estimates of the amount of sediments trapped in detention and retention basins, types of inlet structures, types of outlet structures and water depth at the outlet structure during dry weather as well as storm situations. This information shall be compiled into a database that will allow for analysis of different basin configurations and types of outlet structures to determine if certain basin design elements should be used for future basins, and/or used to improve existing basin configurations
- b. monitor basins including association controlled basins on a periodic basis to determine if present maintenance efforts need to be improved including those by associations. Develop a cleaning and maintenance schedule for the retention basins maintained by the Permittee. based upon a pilot study of a small sampling of the basins. As appropriate and as resources allow, the basin cleaning and maintenance schedule shall be revised. The city will work with neighborhood associations on a joint effort to improve basin maintenance.
- c. continue its existing maintenance program by periodic inspection and removal of floatables from the MS4 to the MEP.

- d. continue to identify stream channels within the Permittee's jurisdiction experiencing horizontal and/or vertical erosion, and develop a program for City owned channels to stabilize, minimize erosion of the channels, reduce sediment generation and the discharge of sediments and/or pollutants into downstream areas and/or into the municipal storm sewer system. The City shall continue to work with property owners on the maintenance of privately owned portions of the stream channels.

3. *Erosion and Sedimentation Control: Construction Site Runoff and Post Construction Storm Water Management Program:*

- a. Construction Site Runoff: The Permittee shall implement a program to reduce the discharge of pollutants from construction sites, including:

The city shall:

- i. The City has adopted Chapter 109 Flood Hazard Reduction of City Code of Ordinances and the Winnebago County Surface Water Technical Regulations and will continue to review erosion control plans to ensure compliance with the appropriate requirements.
- ii. continue to review erosion control plans and required Storm Water Pollution Prevention Plans (SWPPP) for new construction. Inspections must comply with Section 614 of the Winnebago County Surface Water Quality Regulations.
- iii. continue its inspection program of reviewing construction site conditions and records.
- iv. continue to require erosion control plans to be sufficiently detailed over the life of the development so that erosion and sedimentation are minimized, and to allow inspectors to be aware of the types of control measures that should be in place at various times during development. Regulated construction sites must have a storm water pollution prevention plan that meets the requirements of Part IV of NPDES Permit No. ILR10 including management practices, controls and other provisions at least as protective as the requirements contained in the Illinois Urban Manual, 2002, or as amended including green infrastructure techniques where appropriate and practicable. Linear projects may adopt measures contained in the Illinois Department of Transportation Erosion and Sediment Control Field Guide for Construction Inspections.
- v. continue to require the use and maintenance of appropriate structural and non structural best management practices to reduce pollutants discharged to the Municipal Separate Storm Sewer System during the time construction is underway;
- vi. Review for approval, BMPs not included in the manuals specified in II.A.3.iv, at the contractor's request and submit such approvals to the Illinois Environmental Protection Agency.
- vii. Use the Illinois Urban Manual and IDOT Erosion and Sediment Field Guide For Construction Inspections as primary field guides for inspection of construction site BMPs to complement the City's existing inspection checklist, establish minimum requirements for regular inspections of active and inactive constructions sites subject to the terms of this permit and continue to inspect citizen complaints;
- viii. Provide appropriate education and training measures for developers, development engineers and construction site operators, and continue to operate a hotline ([815] 987-5570) for citizen reporting of construction site erosion and sediment control complaints;
- ix. Notify appropriate building permit applicants of their potential responsibilities under the NPDES permitting program for construction site runoff;

- b. Post Construction Storm Water Management Program - Areas of New Development and Redevelopment: The Permittee shall utilize a comprehensive master planning process to develop, implement, and enforce controls to minimize the discharge of pollutants from areas of development and redevelopment after construction is completed.

The city shall:

- i. use a master planning approach to identify storm water management issues on a watershed scale;
- ii. Continue to require all regulated construction sites to have post construction management that meets or exceeds the requirements of Section IV(D)(2)(b) of NPDES Permit No. ILR10 including management practices, controls and other provisions at least as protective as the requirements contained in the Illinois Urban Manual, 2002 and further updates.

- iii. Require developers to create and commit to long-term maintenance of privately owned permanent structural BMP's
- iv. continue to monitor facilities during dry weather, conduct field surveys to assess potential improvements to existing facilities, work with private owners of existing facilities and neighborhood associations to assess performance and recommend improvements.

4. *Roadways:* The Permittee shall operate and maintain public streets, roads, and highways under its jurisdiction in a manner so as to minimize the discharge of pollutants (including those related to deicing or sanding activities) to the MEP.

The city shall:

- a. Continue its existing street sweeping and inlet cleaning programs, which include proper disposal of the street sweepings.
- b. continue to evaluate different street sweeping and inlet cleaning frequencies to determine appropriate scheduling for such activities.
- c. continue to store and cover deicing chemicals and review its current deicing practices, implementing changes where feasible to minimize the discharge of pollutants to the MS4.
- d. Review its current street design, construction, and maintenance requirements in environmentally sensitive areas, such as those adjacent to streams, wetlands, other natural areas, and floodplains so as to incorporate BMPs and low-impact development designs to the MEP.

5. *Flood Control:* The Permittee shall ensure any flood management projects it undertakes assesses the impacts on the water quality of receiving waters.

The city shall:

- a. Continue to evaluate the feasibility of retrofitting city owned flood control devices (dams, levees, basins) to provide additional pollutant removal from storm water quality controls.
- b. Coordinate with state and local agencies in planning and implementing regional flood control and water quality improvement projects.
- c. investigate ways both the city and the public can reduce nuisance flooding.

6. *Pesticide, Herbicide, and Fertilizer Application:* The Permittee shall implement controls to reduce the pollutants in discharges from the Permittee's MS4 associated with the application of pesticides, herbicides, and fertilizers (PHF).

The city shall:

- a. Continue its policy of adhering to PHF label instructions for PHF application on public properties, including right-of-ways. At least once during the term of this permit, the City will evaluate the reduction of PHF usage to determine the effectiveness and feasibility of application rates below the manufacturers recommended rates as described on labels.
- b. The City shall include PHF education in its storm water public education and outreach programming. The City will promote the proper use, handling and storage of PHFs.
- c. The City shall cooperate with Illinois EPA and the Rock River Water Reclamation District to continue to provide access to the Household Hazardous Waste Disposal Program.

7. *Illicit Discharges and Improper Disposal:* The Permittee shall continue an ongoing program to detect and remove (or require the discharger to the MS4 to remove or obtain a separate NPDES permit) illicit discharges and improper disposal into the storm sewer.

- a. Unless identified by either the Permittee or the Agency as significant sources of pollutants to Waters of State, the following non-storm water discharges need not be prohibited from entering the MS4. As necessary, the Permittee may incorporate appropriate control measures in the SWMP to insure these discharges are not significant sources of pollutants to Waters of the State.
  - i. water line flushing;
  - ii. irrigation water;
  - iii. diverted stream flows;
  - iv. rising ground waters;
  - v. uncontaminated ground water infiltration (as defined at 40 CFR 35.2005(20)) to separate storm sewers;
  - vi. uncontaminated pumped ground water;



- vii. discharges from potable water sources;
- viii. foundation/footing drains;
- ix. air conditioning condensate;
- x. irrigation water;
- xi. springs;
- xii. water from crawl space pumps;
- xiii. lawn watering;
- xiv. individual residential car washing;
- xv. flows from riparian habitats and wetlands;
- xvi. dechlorinated swimming pool discharges;
- xvii. street wash waters; and
- xviii. discharges or flows from emergency fire fighting activities.

The city shall adopt an ordinance to:

- b. continue to prohibit non-storm water discharges to the MS4, other than those authorized under a separate NPDES permit, pursuant to Chapter 109 Flood Hazard Reduction of City Code of Ordinances, Article II.

The city shall:

- c. continue to work with the Rock River Water Reclamation District to identify, track and eliminate unpermitted discharges of dry and/or wet weather overflows from sanitary sewers into the MS4.
- d. continue its program to collect used motor vehicle fluids (including, at a minimum, oil and antifreeze), tires and hazardous materials (including paint, solvents, pesticides and herbicides) for recycle, reuse, and/or proper disposal. The program should continue to be readily available to all private residents. This program should be publicized and promoted on a regular basis (at least annually);
- e. implement the following regarding illicit discharges within the term of this permit;
  - i. review and evaluate existing legal authority and modify that authority based on experiences with the SWMP.
  - ii. conduct field screening activities based upon citizens complaints and/or permittees awareness.
  - iii. continue procedures for investigations of illicit connections and testing of suspected sources.
  - iv. continue a public education program to encourage reporting of storm water pollution and to improve disposal of oil and toxic materials.
  - v. The city shall continue to operate the hotline and online reporting tool for citizen complaints.

- 8. *Spill Prevention and Response:* The Permittee shall implement a program to prevent, contain, and respond to spills that may discharge into the Municipal Separate Storm Sewer System. The spill response program may include a combination of spill response actions by the Permittee (and/or another public or private entity), and legal requirements for private entities within the Permittee's municipal jurisdiction.

The city shall:

- a. provide a summary in the annual report of coordination of spill prevention activities with City of Rockford's Fire Department.
- b. continue development of a GIS system and SIC code database for assistance with other governmental agencies spill prevention.

- 9. *Industrial and High Risk Runoff:* The Permittee has adopted and shall implement its Industrial and High Risk Inspection (IHRI) program to identify, monitor, and control pollutants in storm water discharges to the Municipal Separate Storm Sewer System from municipal landfills; hazardous waste treatment, storage, disposal and recovery facilities and facilities that are subject to EPCRA Title III, Section 313; and any other industrial or commercial discharge the Permittee determines are contributing a substantial pollutant loading to the Municipal Separate Storm Sewer System.

The city shall:

- a. continue its program to identify industries and high risk properties that discharge to the MS4, including where applicable:
  - i. Hazardous waste treatment, storage or disposal facilities;

- ii. Industries listed on the Rock River Water Reclamation District pretreatment program.
  - iii. Industries subject to reporting requirements pursuant to SARA Title III Section 313 and are releasing over 10,000 pounds of waste materials to the environment.
  - iv. Industrial facilities or high risk properties that the City determines are contributing substantial loading of pollutants to the MS4.
  - v. New industries or locations where field screening identifies a source.
- b. continue to develop, improve and implement its existing inspection and monitoring program for those facilities identified in paragraph II.A.9.a. This program shall continue to include inspection and monitoring of a random select group of industries and high risk properties to verify that discharges of storm water to the City's MS4 are complying with their NPDES storm water permits.
- c. for facilities subject to NPDES Industrial storm water requirements, the City shall conduct industrial facility inspections that at a minimum, consist of the following criteria:
- i. Determine whether the facility has coverage under an NPDES permit for storm water or a No Exposure Certification,
  - ii. Determine whether a Storm Water Pollution Prevention Plan (SWPPP) has been developed,
  - iii. Determine whether the facility has developed a site map as required by the permit,
  - iv. Determine whether major storm water controls identified in the SWPPP have been installed and maintained,
  - v. If required, determine whether the facility has performed analytical monitoring,
  - vi. Use an inspection form for each industrial inspection that documents these criteria and includes the following:
    - a. Inspection date, time, name of inspector(s) and signatures
    - b. Weather information and description of any discharges occurring at the site at the time of the inspection.
    - c. Any needed control measures or existing control measures needing repair.
    - d. Any non-compliance issues observed.

If the City determines that an industry's pollution prevention activities to reduce the storm water pollution discharge to the MS4 is inadequate or violates the requirements of the Illinois EPA's Industrial storm water permit, the City will notify Illinois EPA.

- d. if necessary the city will use enforcement procedures available pursuant to their legal authority if any industry is not providing a satisfactory response to elimination of the storm water pollutants.

10. *Public Education, Pollution Prevention and Good Housekeeping:* The Permittee shall implement a public education program designed to educate the public, promote pollution prevention and educate the public on good housekeeping measures. This program shall include any and all public education and public involvement addressed in this section as well as all other sections within this permit.

The city shall continually develop and update this program which shall be designed to:

- a. educate the public on green infrastructure strategies such as green roofs, rain gardens, rain barrels, bioswales, permeable piping, dry wells and permeable pavement that mimic natural processes and direct storm water to areas where it can be infiltrated, evapotranspirated or reused, discuss the benefits and costs of such strategies and provide guidance to the public on how to implement such measures.
- b. promote, publicize, and facilitate public reporting of the presence of illicit discharges or improper disposal of materials (e.g. industrial and commercial wastes, trash, used motor vehicle fluids, leaf litter, grass clippings, animal wastes, etc.) into the Municipal Separate Storm Sewer System.
- c. advise residents of preferred methods for vehicle washing and yard waste disposal.
- d. promote, publicize, and facilitate the proper management and disposal of used oil and household hazardous wastes.
- e. promote, publicize, and facilitate the proper use, application, and disposal of pesticides, herbicides, and fertilizers by the public and commercial and private applicators and distributors.

- f. where applicable and feasible, publicize those best management practices (including but not limited to the use of reformulated or redesigned products, substitution of less toxic materials, and improvements in housekeeping) used by the Permittee that facilitate better use, application, and/or disposal of materials identified in 10.b and 10.c of this section.

The city shall continue to operate a hotline ([815] 987-5570) online reporting tool for:

- g. citizen reporting of illicit discharge detection.
- h. citizen reporting of construction site erosion and sediment control complaints.

The city shall:

- i. work with stakeholder groups, including representatives from developers, engineering, construction, contractor, and industrial communities, to draft ordinance(s) pertaining to storm water management.

**B. Area-Specific Storm Water Management Program Requirements:**

This permit may be modified, in accordance with Part VI of this permit, to incorporate additional area-specific requirements.

- C. Deadlines for Program Compliance: Except as provided in PART III, compliance with the storm water management program shall be required 90 days from the effective date of the permit.

- D. Legal Authority: The Permittee shall insure legal authority to control discharges to and from those portions of the Municipal Separate Storm Sewer System over which it has jurisdiction. This legal authority may be a combination of statute, ordinance, permit, contract, or an order to:

1. Control the contribution of pollutants to the Municipal Separate Storm Sewer System;
2. Prohibit illicit discharges to the Municipal Separate Storm Sewer System;
3. Control the discharge of spills and the dumping or disposal of materials other than storm water (e.g. industrial and commercial wastes, trash, used motor vehicle fluids, leaf litter, grass clippings, animal wastes, etc.) into the Municipal Separate Storm Sewer System;
4. Control through interagency or inter jurisdictional agreements the contribution of pollutants from one portion of the Municipal Separate Storm Sewer System to another;
5. Require compliance with conditions in ordinances, permits, contracts or orders; and
6. Carry out all inspection, surveillance and monitoring procedures necessary to determine compliance with permit conditions.

- E. Storm Water Management Program Resources: The Permittee shall provide adequate finances, staff, equipment, and support capabilities to implement their storm water management program.

**F. Storm Water Management Program Review and Modification:**

1. *Program Review:* The Permittee shall participate in an annual review of the current Storm Water Management Program in conjunction with preparation of the annual report required under Part V.C. This annual review shall include:
  - a. A review of the status of program implementation and compliance (or non-compliance) with all schedules of compliance contained in this permit;
  - b. An assessment of the effectiveness of controls established by the Storm Water Management Program;
  - c. A review of monitoring data and any trends in estimated cumulative annual pollutant loadings; and
  - d. An assessment of any Storm Water Management Program modifications needed to comply with the Clean Water Act and Title 35 Ill. Adm. Code Subtitle C.
2. *Program Modification:* Permittee may modify the Storm Water Management Program during the life of the permit in accordance with the following procedures:
  - a. The approved Storm Water Management Program may be modified by the Permittee(s) without the prior approval of the Agency. An itemized list of changes to the Storm Water Management Plan shall be included in the Annual Report required in Section V.C. of this permit.

- b. Modifications adding (but not subtracting or replacing) components, controls, or requirements to the approved Storm Water Management Program may be made by the Permittee at any time.
  - c. Modifications replacing an ineffective or unfeasible BMP specifically identified in the Storm Water Management Program with an alternate BMP may be requested at any time. Unless denied by the Agency, the modification shall be deemed approved and may be implemented by the Permittee 60 days from submittal of the request. Such requests must include the following:
    - i. an analysis of why the BMP is ineffective or infeasible (including cost prohibitive),
    - ii. expectations on the effectiveness of the replacement BMP, and
    - iii. an analysis of why the replacement BMP is expected to achieve the goals of the BMP to be replaced.
  - d. Modification requests and/or notifications must be made in writing, signed in accordance with Attachment H, Standard Conditions, Item 11.
3. *Modifications Required by the Permitting Authority:* The permitting authority may require the Permittee to modify the Storm Water Management Program as needed to:
- a. Address impacts on receiving water quality caused, or contributed to, by discharges from the Municipal Separate Storm Sewer System;
  - b. Include more stringent requirements necessary to comply with new State or Federal statutory or regulatory requirements;
  - c. Include such other conditions deemed necessary by the Agency to comply with the goals and requirements of the Clean Water Act. Modifications requested by the Agency shall be made in writing and set forth the time schedule for the Permittee to develop the modification(s).

**PART III. SCHEDULES FOR IMPLEMENTATION AND COMPLIANCE**

A. Implementation of Storm Water Management Program

**STRUCTURAL CONTROLS**

<u>TASKS</u>	<u>ACTION DATE</u>
Evaluate detention and retention basin configurations, outlet structures, cleaning frequencies, water surface elevations, drainage facilities and stream channels experiencing erosion as detailed in Part II.A.2.a, b, c and d.	Continual
Report to IEPA status of compliance with Part II.A.2 and implementation of solutions.	As Part of Annual Report

**EROSION AND SEDIMENTATION CONTROL, CONSTRUCTION SITE RUNOFF AND POST-CONSTRUCTION STORM WATER MANAGEMENT PROGRAM**

<u>TASKS</u>	<u>ACTION DATE</u>
Report on the compliance with all parts of Part II.A.3.	As Part of Annual Report

**ROADWAYS**

<u>TASKS</u>	<u>ACTION DATE</u>
Continue evaluation of roadway maintenance activities minimize the discharge of pollutants to the MEP as detailed in Part II.A.4.	Continual
Document compliance with Part II.A.4 Any changes in maintenance activities and/or procedures shall be detailed in the annual report.	As Part of Annual Report

**FLOOD CONTROL**

<b><u>TASKS</u></b>	<b><u>ACTION DATE</u></b>
Continue Efforts to evaluate the feasibility of retrofitting existing flood control devices – Part II.A.5.a.	Continual
Documentation of compliance with items in Part II.A.5 shall be detailed in the annual report.	As Part of Annual Report

**PESTICIDE, HERBICIDE AND FERTILIZER APPLICATION**

<b><u>TASKS</u></b>	<b><u>ACTION DATE</u></b>
Evaluate current PHF application practices within City and revise as needed- Part II.A.6.a.	Continual
Implement a public education program in accordance with Part II.A.6.b.	Continual
Report to IEPA status of compliance with Part II.A.6.	As Part of Annual Report

**ILLICIT DISCHARGE AND IMPROPER DISPOSAL**

<b><u>TASK</u></b>	<b><u>ACTION DATE</u></b>
Report progress in meeting requirements of Part II.A.7.	As Part of Annual Report

**INDUSTRIAL AND HIGH RISK RUNOFF**

<b><u>TASKS</u></b>	<b><u>ACTION DATE</u></b>
Inspect and monitor select industries as described in PartIIA.9 to verify discharges to the MS4 are in compliance with their NPDES storm water permits.	Select groups annually
Report to IEPA status of compliance with Part II.A.9.	As Part of Annual Report

**PUBLIC EDUCATION, POLLUTION PREVENTION AND GOOD HOUSEKEEPING**

<b><u>TASKS</u></b>	<b><u>ACTION DATE</u></b>
Report to IEPA status of compliance with Part II.A10.	Submit with Annual Report
Prepare annually a report on existing situation and make recommendations on future program goals. Include details on the distribution methods of information to industry, the general public and schools as well as a summary of the response from those receiving information and any positive actions arising as a result of the distribution of information and/or the education of the public on storm water issues and pollution prevention.	On or before February 1 of each calendar year

B. Compliance With Effluent Limitations

This permit may be modified, in accordance with Part VI of this permit, to include compliance with specific numerical limitations if deemed appropriate by the Agency.

#### **PART IV. NUMERIC EFFLUENT LIMITATIONS**

This permit may be modified, in accordance with Part VI of this permit, to include specific numerical limitations if deemed appropriate by the Agency.

#### **PART V. MONITORING AND REPORTING REQUIREMENTS**

A. Storm Event Discharges. The Permittee shall implement a wet-weather monitoring program for the Municipal Separate Storm Sewer System to provide data necessary to assess the effectiveness and adequacy of control measures implemented under the Storm Water Management Program; estimate annual cumulative pollutant loadings from the Municipal Separate Storm Sewer System; estimate event mean concentrations and seasonal pollutants in discharges from major outfalls; identify and prioritize portions of the Municipal Separate Storm Sewer System requiring additional controls, and identify water quality improvements or degradation. The Permittee is responsible for conducting any additional monitoring necessary to accurately characterize the quality and quantity of pollutants discharged from the municipal separate storm sewer system. Improvement in the quality of discharges from the municipal separate storm sewer system will be assessed based on the monitoring information required by this section, plus any additional monitoring conducted by the Permittee(s).

1. *Representative Monitoring*: The Permittee shall monitor representative outfalls, internal sampling stations, and/or instream monitoring locations to characterize the quality of storm water discharges from the Municipal Separate Storm Sewer System.
    - a. Monitoring Requirements: (See Table V.A.I.a)
    - b. Outfall Descriptions: (See Table V.A.I.b)
    - c. Alternate or new representative monitoring locations may be substituted for just cause during the term of the permit. Requests for approval of alternate monitoring locations shall be made to the Agency in writing and include the rationale for the requested monitoring station relocation. Unless disapproved by the Agency, use of an alternate monitoring location may commence thirty days from the date of the request. Four samples shall be collected during the first year of monitoring at substitute outfalls.
  2. *Floating Material Monitoring Program*: The permittee shall establish two monitoring locations for removal of floatable material in discharges to or from the MS4. Floatables material shall be collected at the frequency necessary for maintenance of the removal devices, but not less than twice per year. The amount of material collected shall be estimated (either volume or weight) and shall be reported in the Annual Report.
  3. *Storm Event Data*: For Part V.A.1 - Representative Monitoring only. Quantitative data shall be collected to estimate pollutant loadings and event mean concentrations for each parameter sampled. In addition to the parameters listed below, the Permittee shall maintain records of the date and duration (in hours) of the storm event(s) sampled; rainfall measurements or estimates (in inches) of the storm event which generated the sampled runoff; the duration (in hours) between the storm event sampled and the end of the previous measurable (greater than 0.1 inch rainfall) storm event ; and an estimate of the total volume (in gallons) of the discharge resulting from the monitored storm event.
  4. *Sample Type, Collection, and Analysis*: The following requirements apply only to samples collected for Part V.A.1 - Representative Monitoring.
    - iv. For discharges from holding ponds or other impoundments with a retention period greater than 24 hours, (estimated by dividing the volume of the detention pond by the estimated volume of water discharged during the 24 hours previous to the time that the sample is collected) a minimum of one grab sample may be taken.
- b. Sampling shall consist of 3 grab samples from an event that is greater than 0.1 inches in magnitude and that occurs at least 72 hours from the previously measurable (greater than 0.1 inches rainfall) storm event. Composite samples may be taken using continuous (automatic) samplers that will be triggered using either tipping bucket rain gauges programed to initiate sampling after 0.1 inch of rain or flow meters programed to initiate sampling after 0.1 inches of runoff. The first grab sample shall be taken within 2 hours of the storm event. The second and third grab samples shall be taken at intervals of not less than 2 hours. Should the discharge cease before the 2<sup>nd</sup> and 3<sup>rd</sup> grab samples can be taken the permittee shall identify the approximate time that the discharge ceased. Additionally, grab samples of storm water will be

collected for analysis of fecal coliform. If possible, this grab sampling will take place during the same storm event, but if this cannot be performed, these samples will be taken from separate events.

- c. Analysis and collection of samples shall be done in accordance with the methods specified at 40 CFR Part 136. Where an approved Part 136 method does not exist, alternate available methods may be used.
- d. The permittee shall include an analysis of the composite sample data from 2003 to 2009 and the grab sample data from 2009 to 2014, which shall compare the similarity of the two data sets and the amount of variability in each data set.

Table V.A.1.a. Representative Monitoring Requirements for Outfalls 001, 002, 003, 004 and 005

PARAMETER	MONITORING FREQUENCY				
	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5
BOD5 (mg/l)	Twice / year	Twice / year	Twice / year	Twice / year	Twice / year
COD (mg/l)	Twice / year	Twice / year	Twice / year	Twice / year	Twice / year
TSS(mg/l)	Twice / year	Twice / year	Twice / year	Twice / year	Twice / year
TDS(mg/l)	Twice / year	Twice / year	Twice / year	Twice / year	Twice / year
Total Nitrogen(mg/l)	Twice / year	Twice / year	Twice / year	Twice / year	Twice / year
Total Kjeldahl Nitrogen(mg/l)	Twice / year	Twice / year	Twice / year	Twice / year	Twice / year
Total Phosphorus (mg/l)	Twice / year	Twice / year	Twice / year	Twice / year	Twice / year
Fecal Coliform (per mg/l)	Twice / year	Twice / year	Twice / year	Twice / year	Twice / year
Oil and Grease(mg/l)	Twice / year	Twice / year	Twice / year	Twice / year	Twice / year
Total Cadmium(mg/l)	Twice / year	Twice / year	Twice / year	Twice / year	Twice / year
Total Copper(mg/l)	Twice / year	Twice / year	Twice / year	Twice / year	Twice / year
Total Lead(mg/l)	Twice / year	Twice / year	Twice / year	Twice / year	Twice / year
Total Zinc(mg/l)	Twice / year	Twice / year	Twice / year	Twice / year	Twice / year
pH (S.U.)	Twice / year	Twice / year	Twice / year	Twice / year	Twice / year
Hardness (as CaCO <sub>3</sub> )	Twice / year	Twice / year	Twice / year	Twice / year	Twice / year
Temperature (C)	Twice / year	Twice / year	Twice / year	Twice / year	Twice / year

Samples shall be collected during the spring and fall of each year. Results from samples collected as part of the Rock River Watershed Analysis-Quality Assurance Project Plan for Outfalls R1-R5 may be submitted to satisfy the above monitoring requirements.

Table V.A.1.b Representative Monitoring Outfall Descriptions

<u>Outfall / Latitude &amp; Longitude</u>	<u>Location</u>	<u>Description</u>
Outfall 001 - Station R1 N 42° 18.346' W 89° 5.772'	Paradise Boulevard Section 11,T44N,R1E	225 Ac. Residential and Open Space
Outfall 002 - Station R2 / N 42° 16.214' W 89° 5.434'	Market Street and Water Street Section 23, T44N, R1E	50 Ac. Commercial Offices, and Residential
Outfall 003 - Station R3 / N 42° 16.168' W 89° 2.616'	Fairview Boulevard and Crosby Street Section 19, T44N, R2E	510 Ac. Residential
Outfall 004 - Station R4 /	Wills Avenue and 8th Street	780 Ac. Industrial, Commercial,

N 42° 14.049'	W 89° 4.790'	Section 36, T44N, R1E	Residential
Outfall 005 - Station R5 /		Forest View Road and 28th Ave.	
N 42° 13.956'	W 89° 1.267'	Section 5, T43N, R2E	80 Ac. Light Industrial

5. *Sampling Waiver.* When a discharger is unable to collect samples required by Part V.A.1 (Representative Monitoring) due to adverse climatic conditions, the discharger must submit in lieu of sampling data a description of why samples could not be collected, including available documentation of the event. Adverse climatic conditions which may prohibit the collection of samples includes weather conditions that create dangerous conditions for personnel (such as local flooding, high winds, tornadoes, electrical storms, etc.) or otherwise make the collection of a sample impracticable (drought, extended frozen conditions, etc.).

B. Dry Weather Discharges

1. *Dry Weather Screening Program:* The Permittee shall continue ongoing efforts to detect the presence of illicit connections and improper discharges to the Municipal Separate Storm Sewer System. All areas (but not necessarily all outfalls) of the municipal Separate Storm Sewer System must be screened at least once during the permit term, in accordance with the guidance set forth in Part II.A.7.
2. *Screening Procedures:* Screening methodology may be developed and/or modified based on experience gained during actual field screening activities and need not conform to the protocol at 40 CFR 122.26(d)(1)(iv)(D).
3. *Follow-up on Dry Weather Screening Results:* Each Permittee shall implement a program to locate and eliminate suspected sources of illicit connections and improper disposal identified during dry weather screening activities. Follow-up activities may be prioritized on the basis of:
  - a. magnitude and nature of the suspected discharge;
  - b. sensitivity of the receiving water; and
  - c. other relevant factors.

C. Annual Report The Permittee shall prepare an annual system-wide report to be submitted by no later than April 1 of each year, in accordance with this permit. The report shall include a brief overview of the entire Municipal Separate Storm Sewer System and the following separate sections:

1. Status of implementing the storm water management program(s) -provide summaries for individual permit components as detailed in Part III – Schedules for implementation of, and compliance with, SWMP.
2. Proposed changes to the storm water management program(s).
3. Revisions, if necessary, to the assessments of controls and the fiscal analysis reported in the permit application under 40 CFR 122.26(d)(2)(iv) and (d)(2)(v).
4. An overall summary of the data, including monitoring data, accumulated throughout the reporting year.
5. Annual expenditures for the reporting period, with a breakdown for the major elements of the storm water management program, and the budget for the year following each annual report.
6. A summary describing the number and nature of enforcement actions, inspections, and public education programs.
7. Identification of water quality improvements or degradation.
8. Provide the Latitude and Longitude of the Representative Monitoring Outfalls listed in Table V.A.1.b, along with a map identifying their locations within the city.
9. A brief summary of what the city has experienced and evaluated in the past year about its programs regarding storm water and pollution prevention, and a list of any proposed changes to their programs and/or additional actions they feel would be beneficial.
10. A summary of the effectiveness and accuracy of the monitoring results obtained as a result of the current requirements of the Permit. The Permittee should provide suggestions and justifications for any possible improvements to the current monitoring locations and/or frequency as well as information indicating reasons why certain monitoring requirements should be modified or eliminated.



D. Certification and Signature of Reports

All reports required by the permit and other information requested by the Agency shall be signed and certified in accordance with Attachment H, Standard Conditions, Item 11.

E. Reporting: Where and When to Submit.

1. Monitoring results obtained during the reporting period running from January 1 through December 1 shall be submitted on Discharge Monitoring Report Form(s) annually along with the Annual Report required by Part V.C. A separate Discharge Monitoring Report Form is required for each event monitored.
2. Signed copies of discharge monitoring reports required under Part V., the Annual Report required by Part V.C., requests for Storm Water Management Program modification, requests for changes in monitoring locations, and all other reports required herein, shall be submitted to:

Illinois Environmental Protection Agency  
Division of Water Pollution Control  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, Illinois 62794-9276

Attention: Compliance Assurance Section

F. Retention of Records.

The Permittee shall retain the latest approved version of the Storm Water Management Program developed in accordance with Part II of this permit for at least three years after coverage under this permit terminates. The Permittee shall retain all records of all monitoring information, copies of all reports required by this permit, and records of all other data required by or used to demonstrate compliance with this permit, until at least three years after coverage under this permit terminates. This period may be explicitly modified by alternative provisions of this permit or extended by request of the Agency at any time.

**PART VI. PERMIT MODIFICATIONS**

A. Modification of the Permit: The permit may be reopened and modified during the life of the permit to address:

1. changes in the State's Water Quality Management Plan, including Water Quality Standards;
2. changes in State or Federal statutes or regulations;
3. add a new Permittee who is the owner or operator of a portion of the Municipal Separate Storm Sewer System;
4. changes in portions of the Storm Water Management Program that are consolidated permit conditions; or
5. other modifications deemed necessary by the Agency to meet the requirements of the Act.

All modifications to the permit will be made in accordance with 40 CFR 122.62, 122.63 and 124.5.

**PART VII. DEFINITIONS**

"Agency" means the Illinois Environmental Protection Agency

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

"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. 92500, as amended Pub. L. 95-217, Pub. L. 95-576, Pub. L. (6-483 and Pub. L. 97117, 33 U.S.C. 1251 et.seq.

"Co-Permittee" means a Permittee to a NPDES permit that is only responsible for permit conditions relating to the discharge for which it is operator.

"Core municipality" means, for the purpose of this permit, the municipality whose corporate boundary (unincorporated area for counties) defines the municipal separate storm sewer system.

"Discharge", for the purpose of this permit, unless indicated otherwise, refers to discharges from the Municipal Separate Storm Sewer System (MS4).

"Flow-weighted composite sample" means a composite sample consisting of a mixture of aliquots collected at a constant time interval, where the volume of each aliquot is proportional to the flow rate of the discharge at the time the aliquot is collected.

"Green Infrastructure", means wet weather management approaches and technologies that utilize, enhance or mimic the natural hydrologic cycle processes of infiltration evapotranspiration and reuse. Green infrastructure approaches currently in use include green roofs, trees and tree boxes, rain gardens, vegetated swales, pocket wetlands, infiltration planters, porous and permeable pavements, porous piping systems, dry wells, vegetated median strips, reforestation/revegetation, rain barrels and cisterns and protection and enhancement of riparian buffers and floodplains.

"Individual Residence" refers, for the purposes of this permit, to single or multi-family residences. (e.g. single family homes and duplexes, townhomes, apartments, etc.)

"Illicit connection" means any man-made conveyance connecting an illicit discharge directly to a municipal separate storm sewer.

"Illicit discharge" means any discharge to a municipal separate storm sewer that is not composed entirely of storm water except discharges pursuant to a NPDES permit (other than the NPDES permit for discharges from the municipal separate storm sewer) and discharges resulting from fire fighting activities.

"Landfill" means an area of land or an excavation in which wastes are placed for permanent disposal, and which is not a land application unit, surface impoundment, injection well, or waste pile.

"Land application unit" means an area where wastes are applied onto or incorporated into the soil surface (excluding manure spreading operations) for treatment or disposal.

"Large or medium municipal separate storm sewer system" means all municipal separate storm sewers that are either:

- (i) 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
- (ii) located in the counties with unincorporated urbanized populations of 100,000 or more, except municipal separate storm 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
- (iii) owned or operated by a municipality other than those described in paragraph (1) or (ii) and that are designated by the Agency as part of the large or medium municipal separate storm sewer system.

"MEP" is an acronym for "Maximum Extent Practicable," the technology-based discharge standard for Municipal Separate Storm Sewer Systems established by CWA § 402(p).

"MS4" is an acronym for "municipal separate storm sewer system" and is used to refer to either a Large or Medium Municipal Separate Storm Sewer System.

"Municipal Separate Storm Sewer" means a conveyance, or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains): (i) owned or operated by a State, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to State Law) having jurisdiction over disposal of sewage, industrial wastes, storm water, or other wastes, including special districts under State Law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian Tribe or an authorized Indian tribal organization, or a designated and approved management agency under section 208 of the CWA that discharges to Waters of the State (iii) designed or used for collecting or conveying storm water; (iii) which is not a combined sewer; and (iv) which is not part of a Publicly Owned Treatment Works (POTW) as defined at 40 CFR 122.2.

"Permittee" refers to any "person," as defined at 40 CFR 122.2, authorized by this NPDES permit to discharge to Waters of the State.

"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, 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.

"Process wastewater" means any water that, during manufacturing or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, by-product, or waste product.

"Storm Sewer," unless otherwise indicated, refers to a municipal separate storm sewer.

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

"SWMP" is an acronym for "Storm Water Management Program."

"Time-weighted composite" means a composite sample consisting of a mixture of equal volume aliquots collected at a constant time interval.

"Waters of the State" is defined as: 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

"Waters of the United States" is defined at 40 CFR 122.2.