

NPDES Permit No. IL0078867
Notice No. JAR:15080601

Public Notice Beginning Date: **September 2, 2015**

Public Notice Ending Date: **October 2, 2015**

National Pollutant Discharge Elimination System (NPDES)
Permit Program

Draft Reissued NPDES Permit to Discharge into Waters of the State

Public Notice/Fact Sheet Issued By:

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

Name and Address of Discharger:

Abengoa Bioenergy of Illinois, LLC
395 Bissel Street
Madison, Illinois 62060

Name and Address of Facility:

Abengoa Bioenergy of Illinois, LLC
395 Bissel Street
Madison, Illinois 62060
(Madison 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 Jaime Rabins at 217/782-0610.

The applicant is engaged in the operation of a 100 million gallon per year ethanol plant using the dry mill process (SIC 2869). Waste water is generated from using reverse osmosis, media filtration, and ion-exchange for treating potable water for industrial uses, periodic discharges of boiler and cooling tower water when solids build-up, excess water from producing butanol, and condensation from combustion gas. Plant operation results in an average discharge of 0.805 MGD of non-process wastewater from outfall 001, 0.036 MGD of butanol process water and stormwater from outfall 002 and an intermittent discharge of stormwater from outfall 003.

The following modifications is proposed:

The plant commissioning discharges tributary to outfall 002 have been removed as plant commissioning activities have been completed.

Application is made for the existing discharges which are located in Madison 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	Mississippi River	37° 43' 45"	North	89° 00' 30"	West	General Use	Not Rated
002	Mississippi River	38° 41' 16"	North	90° 11' 00"	West	General Use	Not Rated
003	Unnamed Ditch Tributary to the Mississippi River	38° 40' 58"	North	90° 10' 58"	West	General Use	Not Rated

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

The facility discharges to the Mississippi River, segment code J-02, from outfalls 001 and 002 at a point where 46,370 cfs of flow exists upstream of the outfall during critical 7Q10 low-flow conditions. The facility discharges to an unnamed ditch tributary to the Mississippi River, no segment code, from outfall 003 at a point where zero cfs of flow exists upstream of the outfall during critical 7Q10 low-flow conditions. The Mississippi River, segment code J-02, is not on the draft 2014 Illinois Integrated Water Quality Report and Section 303(d) List for aquatic life use but is for fish consumption use.. The receiving water has not been given an integrity rating or been listed as biologically significant in the 2008 Illinois Department of Natural Resources publication *Integrating Multiple Taxa in a Biological Stream Rating System*. The impaired designated uses and pollutants causing impairment are tabulated below:

Designated Uses	Pollutants Causing Impairment
Fish Consumption	Mercury and Polychlorinated biphenyls (PCBs)

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

PARAMETER	LOAD LIMITS lbs/day		REGULATION	CONCENTRATION LIMITS mg/l		REGULATION
	30 DAY AVERAGE	DAILY MAXIMUM		30 DAY AVERAGE	DAILY MAXIMUM	
Outfall: 001 Non-Process Wastewater (DAF = 0.805 MGD)						
Flow (MGD)						
pH						35 IAC 304.125
Temperature				Monitor Only		35 IAC 309.146
Total Suspended Solids				15	30	35 IAC 304.124
Total Residual Chlorine					0.05	35 IAC 302.208
Copper				0.022	0.034	35 IAC 302.208
Cyanide				0.0052	0.022	35 IAC 302.208
Mercury				12 ng/L annual average		35 IAC 302.208
Phosphorus				Monitor Only		35 IAC 309.146
Nickel				Monitor Only		35 IAC 309.146
Outfall: 002 Butanol Process Water and Stormwater (DAF = 0.036 MGD)						
Flow (MGD)						
pH						35 IAC 304.125
BOD ₅				30	60	35 IAC 304.120(a)
Total Suspended Solids				30	60	35 IAC 304.120(a)
Mercury				12 ng/L annual average		35 IAC 302.208

Phosphorus				Monitor Only	35 IAC 309.146
Phenol				Monitor Only	35 IAC 309.146
Cyanide				Monitor Only	35 IAC 309.146
Zinc				Monitor Only	35 IAC 309.146
Outfall: 003 Stormwater (Intermittent Discharge)					
Stormwater Pollution Prevention Plan					40CFR122.26(b)(14)(ii)

The following explain the conditions of the proposed permit:

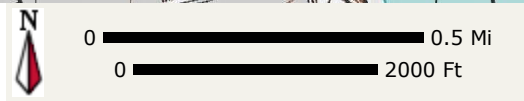
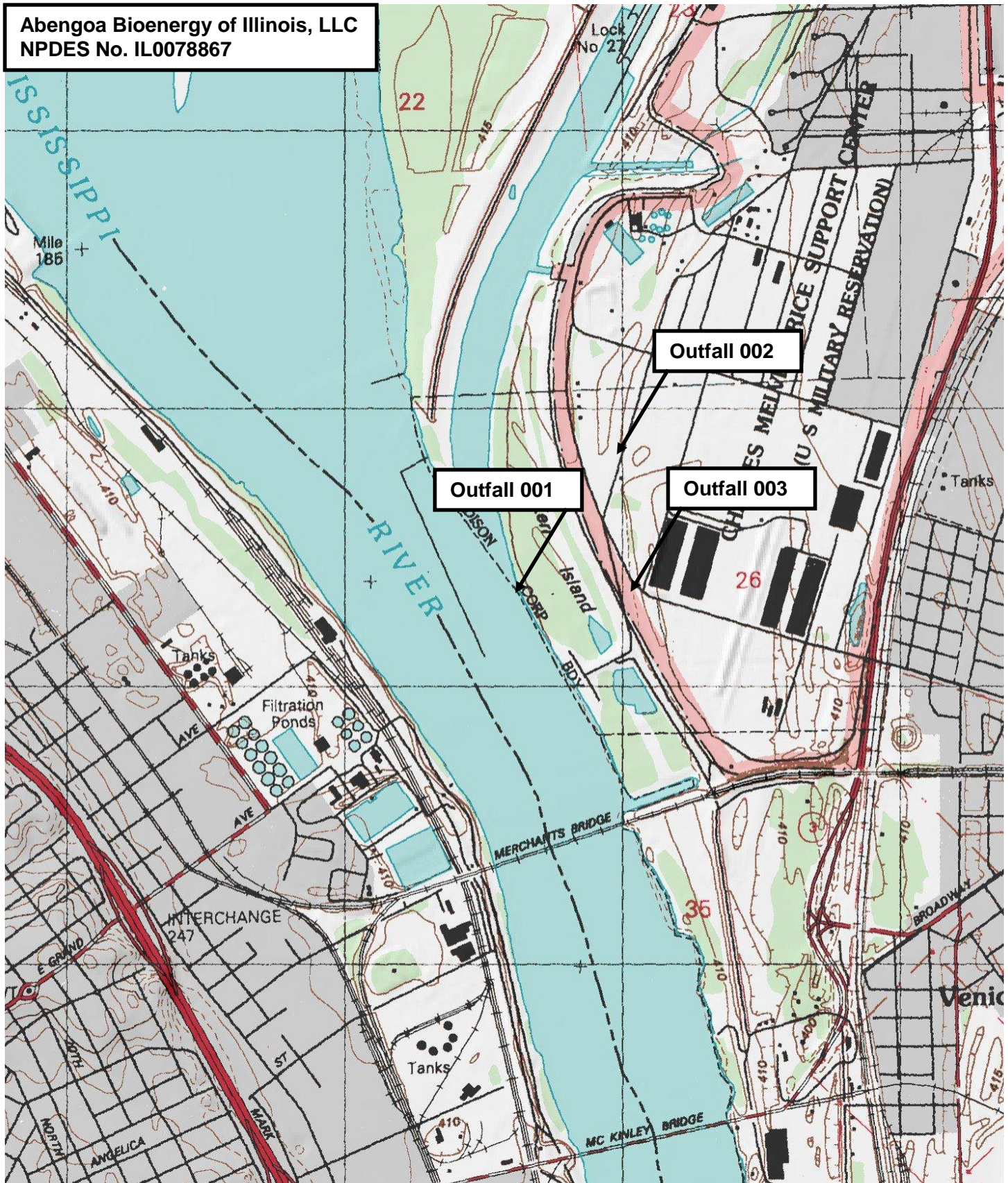
This facility meets the allowed mixing criteria for thermal discharges pursuant to 35 IAC 302.102. No reasonable potential exists for the discharge to exceed thermal water quality standards. This determination is based on a design average flow of 0.805 MGD and a maximum effluent temperature of 90°F.

A mixing zone and zone of initial dilution is granted for the zinc discharges from outfall 002.

Allowed mixing is recognized for nickel at outfall 001 and phenol and cyanide at outfall 002. Allowed mixing may be recognized for these substances at the respective outfalls given that end-of-pipe concentrations have not exceeded water quality standards and reasonable potential predicted effluent concentrations are not much higher than the water quality standards. Mississippi River background concentrations of these substances do not approach the water quality standards. No permit limits are necessary for these substances for the outfall indicated.

The special conditions clarify: Flow, pH, TRC, allowed mixing for thermal discharges, water treatment additives, monitoring location, DMRs, re-opener, treatment plant operator, and SWPPP.

Abengoa Bioenergy of Illinois, LLC
NPDES No. IL0078867



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Illinois Environmental Protection Agency

Division of Water Pollution Control

1021 North Grand Avenue East

Post Office Box 19276

Springfield, Illinois 62794-9276

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

Reissued (NPDES) Permit

Expiration Date:

Issue Date:

Effective Date:

Name and Address of Permittee:

Facility Name and Address:

Abengoa Bioenergy of Illinois, LLC
395 Bissel Street
Madison, Illinois 62060

Abengoa Bioenergy of Illinois, LLC
395 Bissel Street
Madison, Illinois 62060
(Madison County)

Discharge Number and Name:

Receiving Waters:

001 Non-Process Wastewater

Mississippi River

002 Butanol Process Water and Stormwater

Mississippi River

003 Stormwater

Unnamed Ditch Tributary to the Mississippi 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

SAK:JAR:15080601

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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:

Outfall: 001 Non-Process Wastewater (DAF = 0.805 MGD)

This discharge consists of:

Approximate Flow:

- | | |
|-------------------------------|-------------|
| 1. Cooling Tower Blowdown | 0.1872 MGD |
| 2. Reverse Osmosis Reject | 0.52128 MGD |
| 3. Softener Regenerant | 0.00432 MGD |
| 4. Duplex Bag Filter Backwash | 0.0504 MGD |
| 5. Boiler Blowdown | 0.01296 MGD |
| 6. Combustion Gas Condensate | 0.0288 MGD |

PARAMETER	LOAD LIMITS lbs/day DAF (DMF)		CONCENTRATION LIMITS mg/l		SAMPLE FREQUENCY	SAMPLE TYPE
	30 DAY AVERAGE	DAILY MAXIMUM	30 DAY AVERAGE	DAILY MAXIMUM		
Flow (MGD)	See Special Condition 1				1/Month	
pH	See Special Condition 2				1/Month	Grab
Temperature	See Special Condition 5		Monitor Only		1/Month	Single Reading
Total Suspended Solids			15	15	1/Month	Grab
Total Residual Chlorine	See Special Condition 3			0.05	1/Month	Grab
Copper			0.022	0.034	1/Month	Grab
Cyanide			0.0052	0.022	1/Month	Grab
Mercury			12 ng/l annual average		1/Month	Grab
Phosphorus			Monitor Only		1/Month	Grab
Nickel			Monitor Only		1/Month	Grab

Mercury shall be monitored in accordance with USEPA Method 1631E and the digestion procedure described in Section 11.1.1.2 of 1631E. Compliance with the 12 ng/l (nanograms per liter) annual average concentration limit shall be determined on a rolling 12 month basis. The permittee shall report the monthly sample result each month. Beginning 12 months from the effective date of the permit, the permittee shall report each month, the rolling 12 month annual average based on the preceding 12 months sample results.

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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:

Outfall: 002 Butanol Process Water and Stormwater (DAF = 0.036 MGD)

PARAMETER	LOAD LIMITS lbs/day DAF (DMF)		CONCENTRATION LIMITS mg/l		SAMPLE FREQUENCY	SAMPLE TYPE
	30 DAY AVERAGE	DAILY MAXIMUM	30 DAY AVERAGE	DAILY MAXIMUM		
Flow (MGD)	See Special Condition 1				1/Month	
pH	See Special Condition 2				1/Month	Grab
BOD			30	60	1/Month	Grab
Total Suspended Solids			30	60	1/Month	Grab
Mercury			12 ng/l annual average		1/Month	Grab
Phosphorus			Monitor Only		1/Month	Grab
Phenol			Monitor Only		1/Month	Grab
Cyanide (available* or amendable to chlorination)			Monitor Only		1/Month	Grab
Zinc			Monitor Only		1/Month	Grab

Mercury shall be monitored in accordance with USEPA Method 1631E and the digestion procedure described in Section 11.1.1.2 of 1631E. Compliance with the 12 ng/l (nanograms per liter) annual average concentration limit shall be determined on a rolling 12 month basis. The permittee shall report the monthly sample result each month. Beginning 12 months from the effective date of the permit, the permittee shall report each month, the rolling 12 month annual average based on the preceding 12 months sample results.

Stormwater shall be managed in accordance with Special Condition 12.

*Cyanide shall be monitored in accordance with USEPA Method OIA-1677 with a minimum reporting limit of 5µg/l (micrograms per liter).

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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:

Outfall: 003 Stormwater (Intermittent Discharge)

See Special Condition 12.

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Special Conditions

SPECIAL CONDITION 1. Flow shall be measured in units of Million Gallons per Day (MGD) and reported as a monthly average and a daily maximum value on the monthly Discharge Monitoring Report.

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. All samples for total residual chlorine (TRC) shall be analyzed by an applicable method contained in 40 CFR 136, equivalent in accuracy to low-level amperometric titration. Any analytical variability of the method used shall be considered when determining the accuracy and precision of the results obtained.

SPECIAL CONDITION 4. A Zone of Initial Dilution (ZID) is recognized for zinc from outfall 002. The dimensions of the ZID are three feet downstream from the end-of-pipe and 20 inches across the width of the river. A dilution ratio of 3:1 exists in the ZID for zinc. A mixing zone is also recognized for zinc. The dimensions of the mixing zone are 7.5 feet downstream from the end-of-pipe and 50 inches across the width of the river. A dilution ratio of 17.4 to one exists in the mixing zone for zinc.

The outfall 001 wastewater conveyance structure must be maintained in the river in a manner which facilitates sufficient mixing. Any modifications to the effluent conveyance structure must be submitted to the Agency for approval.

SPECIAL CONDITION 5. This facility meets the allowed mixing criteria for thermal discharges pursuant to 35 IAC 302.102. No reasonable potential exists for the discharge to exceed thermal water quality standards. This determination is based on a design average flow of 0.805 MGD and a maximum effluent temperature of 90°F. The permittee shall monitor the flow and temperature of the discharge prior to entry into the receiving water body. Monitoring results shall be reported on the monthly Discharge Monitoring Report. This permit may be modified to include formal temperature limitations should the results of the monitoring show that there is a reasonable potential to exceed a thermal water quality standard. Modification of this permit shall follow public notice and opportunity for comment.

There shall be no abnormal temperature changes that may adversely affect aquatic life unless caused by natural conditions. The normal daily and seasonal temperature fluctuations which existed before the addition of heat due to other than natural causes shall be maintained.

SPECIAL CONDITION 6. 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 7. 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 (NetDMR) instead of mailing paper DMRs to the IEPA. More information, including registration information for the NetDMR program, can be obtained on the IEPA website, <http://www.epa.state.il.us/water/net-dmr/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 NetDMR 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 8. The use or operation of this facility shall be by or under the supervision of a Certified Class K operator.

SPECIAL CONDITION 9. In the event that the permittee must request a change in the use of water treatment additives, the permittee must request a change in this permit in accordance with Standard Conditions - - Attachment H.

SPECIAL CONDITION 10. If an applicable effluent standard or limitation is promulgated under Sections 301(b)(2)(C) and (D), 304(b)(2), and 307(a)(2) of the Clean Water Act and that effluent standard or limitation is more stringent than any effluent limitation in the permit or controls a pollutant not limited in the NPDES Permit, the Agency shall revise or modify the permit in accordance with the more stringent

Special Conditions

standard or prohibition and shall so notify the permittee.

SPECIAL CONDITION 11. When ChemTreat CL-206 or similar product approved for use in the cooling tower by the Agency is used, a lock down period of at least six hours must be implemented when no cooling tower blowdown is discharged. The pH of the cooling tower water must be at least 8 standard units during the lock down period. Permittee must report the date, hours cooling tower was locked down, and pH maintained during the lock down period in the comment field of the DMR for each use of this additive.

SPECIAL CONDITION 12.

STORM WATER POLLUTION PREVENTION PLAN (SWPPP)

A. A storm water pollution prevention plan shall be maintained by the permittee for the storm water associated with industrial activity at this facility. The plan shall identify potential sources of pollution which may be expected to affect the quality of storm water discharges associated with the industrial activity at the facility. In addition, the plan shall describe and ensure the implementation of practices which are to be used to reduce the pollutants in storm water discharges associated with industrial activity at the facility and to assure compliance with the terms and conditions of this permit. The permittee shall modify the plan if substantive changes are made or occur affecting compliance with this condition.

1. Waters not classified as impaired pursuant to Section 303(d) of the Clean Water Act.

Unless otherwise specified by federal regulation, the storm water pollution prevention plan shall be designed for a storm event equal to or greater than a 25-year 24-hour rainfall event.

2. Waters classified as impaired pursuant to Section 303(d) of the Clean Water Act

For any site which discharges directly to an impaired water identified in the Agency's 303(d) listing, and if any parameter in the subject discharge has been identified as the cause of impairment, the storm water pollution prevention plan shall be designed for a storm event equal to or greater than a 25-year 24-hour rainfall event. If required by federal regulations, the storm water pollution prevention plan shall adhere to a more restrictive design criteria.

B. The operator or owner of the facility shall make a copy of the plan available to the Agency at any reasonable time upon request.

Facilities which discharge to a municipal separate storm sewer system shall also make a copy available to the operator of the municipal system at any reasonable time upon request.

C. The permittee may be notified by the Agency at any time that the plan does not meet the requirements of this condition. After such notification, the permittee shall make changes to the plan and shall submit a written certification that the requested changes have been made. Unless otherwise provided, the permittee shall have 30 days after such notification to make the changes.

D. The discharger shall amend the plan whenever there is a change in construction, operation, or maintenance which may affect the discharge of significant quantities of pollutants to the waters of the State or if a facility inspection required by paragraph H of this condition indicates that an amendment is needed. The plan should also be amended if the discharger is in violation of any conditions of this permit, or has not achieved the general objective of controlling pollutants in storm water discharges. Amendments to the plan shall be made within 30 days of any proposed construction or operational changes at the facility, and shall be provided to the Agency for review upon request.

E. The plan shall provide a description of potential sources which may be expected to add significant quantities of pollutants to storm water discharges, or which may result in non-storm water discharges from storm water outfalls at the facility. The plan shall include, at a minimum, the following items:

1. A topographic map extending one-quarter mile beyond the property boundaries of the facility, showing: the facility, surface water bodies, wells (including injection wells), seepage pits, infiltration ponds, and the discharge points where the facility's storm water discharges to a municipal storm drain system or other water body. The requirements of this paragraph may be included on the site map if appropriate. Any map or portion of map may be withheld for security reasons.

2. A site map showing:

i. The storm water conveyance and discharge structures;

ii. An outline of the storm water drainage areas for each storm water discharge point;

iii. Paved areas and buildings;

iv. Areas used for outdoor manufacturing, storage, or disposal of significant materials, including activities that generate significant quantities of dust or particulates.

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- v. Location of existing storm water structural control measures (dikes, coverings, detention facilities, etc.);
 - vi. Surface water locations and/or municipal storm drain locations
 - vii. Areas of existing and potential soil erosion;
 - viii. Vehicle service areas;
 - ix. Material loading, unloading, and access areas.
 - x. Areas under items iv and ix above may be withheld from the site for security reasons.
3. A narrative description of the following:
- i. The nature of the industrial activities conducted at the site, including a description of significant materials that are treated, stored or disposed of in a manner to allow exposure to storm water;
 - ii. Materials, equipment, and vehicle management practices employed to minimize contact of significant materials with storm water discharges;
 - iii. Existing structural and non-structural control measures to reduce pollutants in storm water discharges;
 - iv. Industrial storm water discharge treatment facilities;
 - v. Methods of onsite storage and disposal of significant materials.
4. A list of the types of pollutants that have a reasonable potential to be present in storm water discharges in significant quantities. Also provide a list of any pollutant that is listed as impaired in the most recent 303(d) report.
5. An estimate of the size of the facility in acres or square feet, and the percent of the facility that has impervious areas such as pavement or buildings.
6. A summary of existing sampling data describing pollutants in storm water discharges.
- F. The plan shall describe the storm water management controls which will be implemented by the facility. The appropriate controls shall reflect identified existing and potential sources of pollutants at the facility. The description of the storm water management controls shall include:
1. Storm Water Pollution Prevention Personnel - Identification by job titles of the individuals who are responsible for developing, implementing, and revising the plan.
 2. Preventive Maintenance - Procedures for inspection and maintenance of storm water conveyance system devices such as oil/water separators, catch basins, etc., and inspection and testing of plant equipment and systems that could fail and result in discharges of pollutants to storm water.
 3. Good Housekeeping - Good housekeeping requires the maintenance of clean, orderly facility areas that discharge storm water. Material handling areas shall be inspected and cleaned to reduce the potential for pollutants to enter the storm water conveyance system.
 4. Spill Prevention and Response - Identification of areas where significant materials can spill into or otherwise enter the storm water conveyance systems and their accompanying drainage points. Specific material handling procedures, storage requirements, spill clean up equipment and procedures should be identified, as appropriate. Internal notification procedures for spills of significant materials should be established.
 5. Storm Water Management Practices - Storm water management practices are practices other than those which control the source of pollutants. They include measures such as installing oil and grit separators, diverting storm water into retention basins, etc. Based on assessment of the potential of various sources to contribute pollutants, measures to remove pollutants from storm water discharge shall be implemented. In developing the plan, the following management practices shall be considered:
 - i. Containment - Storage within berms or other secondary containment devices to prevent leaks and spills from entering storm water runoff. To the maximum extent practicable storm water discharged from any area where material handling equipment or activities, raw material, intermediate products, final products, waste materials, by-products, or industrial machinery are exposed to storm water should not enter vegetated areas or surface waters or infiltrate into the soil unless adequate treatment is provided.

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- ii. Oil & Grease Separation - Oil/water separators, booms, skimmers or other methods to minimize oil contaminated storm water discharges.
 - iii. Debris & Sediment Control - Screens, booms, sediment ponds or other methods to reduce debris and sediment in storm water discharges.
 - iv. Waste Chemical Disposal - Waste chemicals such as antifreeze, degreasers and used oils shall be recycled or disposed of in an approved manner and in a way which prevents them from entering storm water discharges.
 - v. Storm Water Diversion - Storm water diversion away from materials manufacturing, storage and other areas of potential storm water contamination. Minimize the quantity of storm water entering areas where material handling equipment of activities, raw material, intermediate products, final products, waste materials, by-products, or industrial machinery are exposed to storm water using green infrastructure techniques where practicable in the areas outside the exposure area, and otherwise divert storm water away from exposure area.
 - vi. Covered Storage or Manufacturing Areas - Covered fueling operations, materials manufacturing and storage areas to prevent contact with storm water.
 - vii. Storm Water Reduction - Install vegetation on roofs of buildings within adjacent to the exposure area to detain and evapotranspire runoff where precipitation falling on the roof is not exposed to contaminants, to minimize storm water runoff; capture storm water in devices that minimize the amount of storm water runoff and use this water as appropriate based on quality.
6. Sediment and Erosion Prevention - The plan shall identify areas which due to topography, activities, or other factors, have a high potential for significant soil erosion. The plan shall describe measures to limit erosion.
 7. Employee Training - Employee training programs shall inform personnel at all levels of responsibility of the components and goals of the storm water pollution control plan. Training should address topics such as spill response, good housekeeping and material management practices. The plan shall identify periodic dates for such training.
 8. Inspection Procedures - Qualified plant personnel shall be identified to inspect designated equipment and plant areas. A tracking or follow-up procedure shall be used to ensure appropriate response has been taken in response to an inspection. Inspections and maintenance activities shall be documented and recorded.
- G. Non-Storm Water Discharge - The plan shall include a certification that the discharge has been tested or evaluated for the presence of non-storm water discharge. The certification shall include a description of any test for the presence of non-storm water discharges, the methods used, the dates of the testing, and any onsite drainage points that were observed during the testing. Any facility that is unable to provide this certification must describe the procedure of any test conducted for the presence of non-storm water discharges, the test results, potential sources of non-storm water discharges to the storm sewer, and why adequate tests for such storm sewers were not feasible.
- H. Quarterly Visual Observation of Discharges - The requirements and procedures of quarterly visual observations are applicable to all outfalls covered by this condition.
1. You must perform and document a quarterly visual observation of a storm water discharge associated with industrial activity from each outfall. The visual observation must be made during daylight hours. If no storm event resulted in runoff during daylight hours from the facility during a monitoring quarter, you are excused from the visual observations requirement for that quarter, provided you document in your records that no runoff occurred. You must sign and certify the document.
 2. Your visual observation must be made on samples collected as soon as practical, but not to exceed 1 hour or when the runoff or snow melt begins discharging from your facility. All samples must be collected from a storm event discharge that is greater than 0.1 inch in magnitude and that occurs at least 72 hours from the previously measureable (greater than 0.1 inch rainfall) storm event. The observation must document: color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and other obvious indicators of storm water pollution. If visual observations indicate any unnatural color, odor, turbidity, floatable material, oil sheen or other indicators of storm water pollution, the permittee shall obtain a sample and monitor for the parameter or the list of pollutants in Part E.4. Any sample results which may be necessary in accordance with this condition shall be submitted in April, July, October, and January for the preceding quarter.
 3. You must maintain your visual observation reports onsite with the SWPPP. The report must include the observation date and time, inspection personnel, nature of the discharge (i.e., runoff or snow melt), visual quality of the storm water discharge (including observations of color, odor, floating solids, settled solids, suspended solids, foam, oil sheen, and other obvious indicators of storm water pollution), and probable sources of any observed storm water contamination.
 4. You may exercise a waiver of the visual observation requirement at a facility that is inactive or unstaffed, as long as there are no industrial materials or activities exposed to storm water. If you exercise this waiver, you must maintain a certification with your

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SWPPP stating that the site is inactive and unstaffed, and that there are no industrial materials or activities exposed to storm water.

5. Representative Outfalls - If your facility has two or more outfalls that you believe discharge substantially identical effluents, based on similarities of the industrial activities, significant materials, size of drainage areas, and storm water management practices occurring within the drainage areas of the outfalls, you may conduct visual observations of the discharge at just one of the outfalls and report that the results also apply to the substantially identical outfall(s).
6. The visual observation documentation shall be made available to the Agency and general public upon written request.
- I. The permittee shall conduct an annual facility inspection to verify that all elements of the plan, including the site map, potential pollutant sources, and structural and non-structural controls to reduce pollutants in industrial storm water discharges are accurate. Observations that require a response and the appropriate response to the observation shall be retained as part of the plan. Records documenting significant observations made during the site inspection shall be submitted to the Agency in accordance with the reporting requirements of this permit.
- J. This plan should briefly describe the appropriate elements of other program requirements, including Spill Prevention Control and Countermeasures (SPCC) plans required under Section 311 of the CWA and the regulations promulgated thereunder, and Best Management Programs under 40 CFR 125.100.
- K. The plan is considered a report that shall be available to the public at any reasonable time upon request.
- L. The plan shall include the signature and title of the person responsible for preparation of the plan and include the date of initial preparation and each amendment thereto.
- M. Facilities which discharge storm water associated with industrial activity to municipal separate storm sewers may also be subject to additional requirement imposed by the operator of the municipal system

Construction Authorization

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.

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

- N. If any statement or representation is found to be incorrect, this authorization may be revoked and the permittee there upon waives all rights thereunder.
- O. The issuance of this authorization (a) does not release the permittee from any liability for damage to persons or property caused by or resulting from the installation, maintenance or operation of the proposed facilities; (b) does not take into consideration the structural stability of any units or part of this project; and (c) does not release the permittee from compliance with other applicable statutes of the State of Illinois, or other applicable local law, regulations or ordinances.
- P. Plans and specifications of all treatment equipment being included as part of the stormwater management practice shall be included in the SWPPP.
- Q. Construction activities which result from treatment equipment installation, including clearing, grading and excavation activities which result in the disturbance of one acre or more of land area, are not covered by this authorization. The permittee shall contact the IEPA regarding the required permit(s).

REPORTING

- R. The facility shall submit an electronic copy of the annual inspection report to the Illinois Environmental Protection Agency. The report shall include results of the annual facility inspection which is required by Part I of this condition. The report shall also include documentation of any event (spill, treatment unit malfunction, etc.) which would require an inspection, results of the inspection, and any subsequent corrective maintenance activity. The report shall be completed and signed by the authorized facility employee(s) who conducted the inspection(s). The annual inspection report is considered a public document that shall be available at any reasonable time upon request.
- S. The first report shall contain information gathered during the one year time period beginning with the effective date of coverage under this permit and shall be submitted no later than 60 days after this one year period has expired. Each subsequent report shall contain the previous year's information and shall be submitted no later than one year after the previous year's report was due.
- T. If the facility performs inspections more frequently than required by this permit, the results shall be included as additional information in the annual report.

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Special Conditions

- U. The permittee shall retain the annual inspection report on file at least 3 years. This period may be extended by request of the Illinois Environmental Protection Agency at any time.

Annual inspection reports shall be submitted to the following email and office addresses: epa.npdes.inspection@illinois.gov

Illinois Environmental Protection Agency
Bureau of Water
Compliance Assurance Section
Annual Inspection Report
1021 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276

- V. The permittee shall notify any regulated small municipal separate storm sewer owner (MS4 Community) that they maintain coverage under an individual NPDES permit. The permittee shall submit any SWPPP or any annual inspection to the MS4 community upon request by the MS4 community.