

# Response to Comments on NPDES General Permit ILR00

## General Comments:

1. **Comment:** The draft permit has multiple permit conditions which specify items be "... with the SWPPP". Are these conditions referring to relative physical proximity or is Illinois EPA intending for specified items to be included in the SWPPP as an appendix or attachment?

**Response:** The Agency considers the SWPPP to be a living document. Reports and records should be included within the SWPPP as part of the document or as an appendix or attachment. Reports or monitoring data may also be kept as electronic files.

2. **Comment:** The draft permit Attachment 1, Table AA-1 referenced Appendix J in footnote 2. There were no appendices for the reissued permit. Will this appendix be included with the final permit or available elsewhere?

**Response:** The footnote has been corrected to reference the appropriate information.

3. **Comment:** The commenter requested formatting changes to Attachment 1.

**Response:** Attachment 1 has been reformatted.

4. **Comment:** The commenter requested a minimum one-year compliance window for updating the storm water management programs.

**Response:** The Agency has reviewed the compliance timeframe for the SWPPP and made no changes to the 180 day requirement to up-date a facilities storm water management program.

## Section Specific Comments:

Comments are responded to in order of their location in the permit:

1. **Part A.3 (1 comment):** The comment referred to the statement that storm water discharges from inactive non-coal mines were not covered under the new permit and that these activities have previously been covered under the General ILR00 permit.

**Response:** The Agency has reviewed this type of discharge and clarified that storm water discharges from inactive non-coal mine facilities not subject to ILG84 can be covered under the ILR00 permit.

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2. **Part A.5 (2 comments):** The comment requested clarification of whether stand-alone Clean Construction & Demolition Debris (CCDD) facilities and stand-alone Concrete Crushing/Recycling facilities are eligible for coverage under the ILR00 permit.

**Response:** At the present time CCDD facilities are required to obtain an individual industrial activity storm water permit. The Agency has added Concrete Crushing/Recycling facilities to the list of facilities eligible for coverage under the General ILR00 Permit.

3. **Part A (1 comment):** The comment asked for confirmation that certain activities under the SIC code 5032 be covered by the new permit.

**Response:** Part A.8 was added to clarify that facilities not otherwise classified may be designated as needing coverage under the General ILR00 Permit.

4. **Part A.9.a.v (2 comments):** The comments requested clarification whether fire sprinkler system and various safety equipment testing is an allowable non-storm water discharge.

**Response:** This source of discharge would be allowable under waterline flushings or may be collected by typical plumbing and directed to appropriate treatment works. The category of fire sprinkler system testing has been added to the list of allowable non-storm water discharges.

5. **Part D (2 comments):** The comment requested clarification that existing permit holders and new applicants who previously submitted NOIs were not required to submit a new NOI under the new permit to obtain coverage.

**Response:** The Agency has added Part D.4. to add clarification for those permittees and applicants that have previously submitted an NOI for renewal or coverage.

6. **Part D.2.m (1 comment):** The comment requested confirmation that only new ready-mix concrete plant permittees must provide sampling data.

**Response:** The Agency confirms this NOI/Application requirement is only for new or relocated ready mix facilities. Part D.2m has been clarified.

7. **Part E.1.a and E.1.b (1 comment):** The comment requested the SWPPP require a design plan for typical rainfall events instead of less frequent large rainfall events such as the presently required 25-year 24-hour storm event.

**Response:** The Agency requires permitted facilities design for a minimum 25-year 24-hour storm event. This design storm event is not a new requirement from previous ILR00 permits.

8. **Part E.2 (2 comments):** The comment requested clarification of when the Permittees updated SWPPP must be submitted to the Agency.

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**Response:** Renewal and new applicants shall submit the updated SWPPP to the Agency within 180 days from the effective date of the new permit.

9. **Part E.8 (1 comment):** The comment requested confirmation that certification of non-storm water discharges does not require laboratory sampling.

**Response:** The Agency confirms that the requirement to certify non-storm water discharges does not require laboratory sampling. Part E.8 has been revised to provide clarification.

10. **Part E.12 (1 comment):** The comment requested confirmation that the SPCC plan only needed to be referenced in the SWPPP and not rewritten.

**Response:** The permit was modified to clarify that other program requirement documents only need to be referenced in the Plan.

11. **Part E.16 (1 comment):** The comment requested frequently updated items in the SWPPP not be required to be resubmitted to the Agency.

**Response:** The Agency concurs that certain SWPPP updates need to only be submitted annually. Part E.17 was added to clarify which modified items in the SWPPP need to be submitted according to Part K.1.

12. **Part F.2.a (1 comment):** The comment asked for clarification that standard industry tarps meet the definition of “storm resistant coverings.”

**Response:** The Agency confirms tarps that meet standard industry specifications would be considered a storm resistant covering.

13. **Part F.2.a.ii (1 comment):** The comment requested language be included to exclude insoluble materials.

**Response:** The Agency has added a portion of the requested language change.

14. **Part F.2.d.ii (1 comment):** The comment requested a wording change.

**Response:** The word “including” was changed to “such as.”

15. **Part F.2.d.iv (1 comment):** The comment requested the location of the spill kits be generalized to allow facilities to determine the proper location.

**Response:** The Agency has modified the language.

16. **Part F.2.d.vii (1 comment):** The comment requested the language be clarified regarding the inspection of collected storm water.

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**Response:** The Agency has modified Part F.2.d.vii to clarify inspection of collected storm water.

17. **Part F.2.f (1 comment):**The comment requested a language change to allow for velocity dissipation devices to be installed only where “feasible and applicable.”

**Response:** The Agency has added the new language.

18. **Part F.2.h (1 comment):**The comment requested that industry specific BMPs be added to the permit requirements.

**Response:** The Agency has reviewed the suggested BMPs and will require facilities that store salt to have coverage under an individual NPDES permit. The Agency will select appropriate BMPs for their site.

19. **Part G.1 (2 comments):** The comment stated that the quarterly facility inspections were redundant to the required quarterly visual inspections. The commenter stated the requirement placed an unnecessary administrative burden on permit holders and should be removed from the permit.

**Response:** The quarterly facility and visual inspections were required by USEPA. The inspections can be done simultaneously as stated in Part G.4. of the permit.

20. **Part G.1 (1 comment):** The comment requested the inspection requirement not include a discharge occurring and add a time frame from the start of the storm event for the inspection to occur.

**Response:** The Agency requires at least one inspection occur while a storm water discharge is occurring. A timeframe from the start of the storm event has been added.

21. **Part G.1 (1 comment):** The comment requested a language change to provide more clarity regarding the inspection of outfalls during flooding conditions.

**Response:** The Agency has added language to clarify inspections during flooding conditions in Part G.1.

22. **Part I (1 comment):** The comment requested confirmation that state operating permit was no longer needed for washout pits and other treatment works at ready-mix facilities because of the permit’s authorization to construct treatment works and related equipment that may be required by the SWPPP.

**Response:** The Agency does not agree with the interpretation of the construction authorization clause including the operation of these treatment works. The General Permit authorizes the construction of treatment works and related equipment that collects, stores, or treats storm water and authorizes the discharge of storm water from industrial

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sites. The ILR00 permit only covers storm water discharges and not process water such as truck wash waters. Facilities discharging process water or non-storm water not covered in Part A.9 of the new General Permit must obtain a state operating permit. Part I.1 has been modified to clarify this condition.

23. **Part J.1.b (1 comment):** The comment stated that the previous permit specified visual observations be conducted on discharge from storm events greater than 0.1 inches in magnitude but no such magnitude was specified in the new permit.

**Response:** This part has been modified to include a storm event greater than or equal to 0.25 inches in 24 hours and a time frame within 1 hour or as soon as possible after an actual discharge is occurring.

24. **Part J.1.b (1 comment):** The comment requested the reference to Part E.5.d be removed and Part E.5.c.ii be inserted.

**Response:** The Agency has reviewed this request and has added the reference to Part E.5.c.ii and retained the reference to Part E.5.d.

25. **Part J.2.e (2 comments):** The comment requested clarification regarding the timeframe when benchmark monitoring must be conducted.

**Response:** The language regarding benchmark monitoring time frame has been clarified.

26. **Part K.6 (2 comments):** The comment requested clarification for the acceptable method of annual reporting requirements.

**Response:** The Agency clarified K.6 to indicate only one type of submission is required for the annual report.

27. **Part K.7 (1 comment):** The comment requested clarification of when a Permittee needs to notify a regulated MS4 that they have received coverage under the ILR00 permit.

**Response:** Agency has clarified the language in Part K.7.