# Storm Water Management Plan

**Prepared for:**

**Village of Barrington**

**Lake/Cook County, IL**

**March 2013**

**Revised November 2020**

Manhard CONSULTING

# Table of Contents

I. Storm water Program Overview ..... 1
Executive Summary ..... 1
Regulatory Background ..... 1
Impaired Waters and TMDLs ..... 1
Watersheds, Sub-Watersheds, and Receiving Waters ..... 2
Status of Waters ..... 4
Watershed Plans ..... 6
Permit Coverage ..... 7
MS4 Program Requirements ..... 2
Storm Water Pollutants of Concern ..... 2
II. Program Management ..... 3
Coordination ..... 3
III. Best Management Practices and Measurable Goals ..... 11
Six Minimum Control Measures ..... 11
Identification and Selection of Best Management Practices (BMPs) ..... 11
Identification and Selection of Measurable Goals ..... 11
IV. Storm water Management Program ..... 13
MCM #1: Public Education and Outreach ..... 13
MCM #2: Public Participation and Involvement ..... 16
MCM #3: Illicit Discharge, Detection, and Elimination ..... 19
MCM #4: Construction Site Runoff Control ..... 22
MCM #5: Post Construction Storm Water Management in New Development and Redevelopment 24
MCM #6: Pollution Prevention / Good Housekeeping for Municipal Operations ..... 25
V. Employee Training ..... 32
VI. Monitoring, Recordkeeping, and Reporting ..... 33
Monitoring and Assessment Program ..... 33
Recordkeeping ..... 33
Reporting ..... 33
VII. Program Evaluation ..... 35

Monitoring Program Evaluation ..... 35
Illicit Discharge Detection & Elimination Program Evaluation ..... 35
SWMP Evaluation ..... 36

## List of Figures

Figure 1 Upper Fox and Des Plaines River Watersheds
Figure 2 Sub-Watersheds
Figure 3 Receiving Waters
Figure 4 Impaired Waters

## Tables

Table 1 IEPA Assessment Summary for Flint Creek and Lake Louise
Table 2 Typical Pollutants and Potential Sources
Table 3 Municipal Activities with Potential for Generating Pollutants
Table 4 Environmental Justice 2016 Screening

## List of Appendices

Appendix 1 - 2016 ILR40 Permit
Appendix 2 - 2018 NPDES General Permit No. ILR10
Appendix 3 - Objectives and Procedures for IDDE Outfall Inspections

# I. Storm water Program Overview

## Executive Summary

This Storm Water Management Program (SWMP) was developed by the Village of Barrington for the purpose of meeting the minimum standards required by the United States Environmental Protection Agency (USEPA) under the National Pollutant Discharge Elimination System (NPDES) Phase II program. Federal regulations through the USEPA require that all Municipal Separate Storm Sewer Systems (MS4s), partially or fully in urbanized areas based on the 2000 census, obtain storm water permits for their discharges into receiving waters.

The SWMP describes the procedures and practices that are implemented by the Village of Barrington toward the goal of reducing the discharge of pollutants within storm water runoff to comply with Federal standards. Compliance with the SWMP is intended to protect water quality thus contributing to cleaner lakes and streams, improved recreational opportunities and tourism, flood damage reduction, better aesthetics and wildlife habitat, and a safer and healthier environment for the citizens.

## Regulatory Background

The NPDES permit process regulates the discharge of storm water from MS4s, construction sites, and industrial activities based on amendments to the Clean Water Act in 1987 and the subsequent 1990 and 1999 regulations by the USEPA. In Illinois, the USEPA has delegated administration of the federal NDPES program to the Illinois Environmental Protection Agency (IEPA). On December 20, 1999, the IEPA issued a General NPDES Phase II permit for all MS4s (ILR40 permit). Under the original ILR40 permit, each MS4 was required to submit a Notice of Intent (NOI) declaring compliance with the conditions of the permit by March 10, 2003. The NOI was supposed to include proposed activities and Best Management Practices (BMPs) that were to occur over the original 5-year period. At the end of the 5th year (March 1, 2008) the components of the SWMP were required to be implemented. The IEPA reissued the ILR40 permit on February 20, 2009 and again on February 10, 2016. A copy of the 2016 ILR40 permit is included in *Appendix 1*.

Any municipality covered by the ILR40 permit is also granted automatic coverage under the NPDES General Permit ILR10 (ILR10 permit) for the discharge of storm water associated with construction site activities for municipal construction projects disturbing one acre or more of land. Municipalities covered by the ILR40 permit are automatically covered for municipal projects under the ILR10 permit 30 days after the IEPA receives the project specific NOI from the municipality. Private developments located within the Village are also required to obtain their own project specific coverage under the ILR10 permit from IEPA.

## Impaired Waters and TMDLs

The EPA's Impaired Waters and Total Maximum Daily Load (TMDL) Program is an important component of the Clean Water Act's framework to restore and protect the Nation's waters. The program is comprised primarily of a two-part process. First, states identify waters that are impaired or in danger of becoming impaired (threatened) and second, for these waters, states calculate and allocate pollutant reduction levels necessary to meet approved water quality standards.

The goal of the Clean Water Act is "to restore and maintain the chemical, physical, and biological integrity of the Nation's waters" (33 U.S.C §1251(a)). Under section 303(d) of the Clean Water Act, states, territories, and authorized tribes, collectively referred to in the act as "states," are required to develop lists of impaired waters. These are waters for which technology-based regulations and other required controls are not stringent enough to meet the water quality standards set by states. The law requires that states establish priority rankings for waters on the lists and develop Total Maximum Daily Loads (TMDLs) for these waters. A TMDL includes a calculation of the maximum amount of a pollutant that can be present in a waterbody and still meet water quality standards.

As part of the Clean Water Act, states must establish water quality standards (WQS) for waters within their borders. Such standards designate the use of the particular waterbody (e.g., recreation or protection of aquatic life), establish water quality criteria to protect the waterbody, and adopt requirements to protect and maintain healthy waters.

Under Section 303(d) of the Clean Water Act, states are required to evaluate all available water quality-related data and information to develop a list of waters that do not meet established WQS (impaired) and those that currently meet WQS, but may exceed it in the next reporting cycle (threatened). States then must develop a TMDL for every pollutant/waterbody combination on the list. An essential component of a TMDL is the calculation of the maximum amount of a pollutant that can occur in waterbody and still meet WQS. Within the TMDL the state allocates this loading capacity among the various point sources and non-point sources. Permits for point sources are issued through EPA's National Pollutant Discharge Elimination System, or NPDES program.

States are required to update and resubmit their impaired waters list every two years. This process ensures that polluted waters continue to be monitored and assessed until applicable water quality standards are met. Information regarding current TMDLs may be found on the Illinois EPA web site.

## Watersheds, Sub-Watersheds, and Receiving Waters

***Watersheds***

A watershed is the area of land that drains (and contributes runoff) to a given stream or river. Watersheds are important because pollution at the water's source may impact water quality in downstream areas. The Village of Barrington is located within both the Upper Fox River watershed and the Des Plaines River Watershed.

*Fox River:* The Fox River originates about 15 miles northwest of Milwaukee, Wisconsin. The river enters the northwest corner of Lake County in the Chain O'Lakes area and then enters McHenry County, but re-enters Lake County south of Fox River Valley Gardens. The Fox River drains 938 square miles in Wisconsin and 1720 square miles in Illinois, emptying into the Illinois River at Ottawa, Illinois. It is the third largest tributary to the Illinois River.

*Des Plaines River:* The Des Plaines River flows southward for 133 miles through southern Wisconsin and northern Illinois, eventually meeting the Kankakee River west of Channahon to

form the Illinois River, a tributary of the Mississippi River. *Figure 1* Illustrates the location of the Village within the Upper Fox and Des Plaines River Watersheds.

***Sub-Watersheds***

A sub-watershed is the land area that contributes storm water to one of the receiving waters tributary to a major River. The Village is located primarily with the Flint Creek sub-watershed, with a small portion lying within Willow Creek and Salt Creek sub-watersheds (see *Figure 2*).

**Figure 1 Upper Fox and Des Plaines River Watersheds**

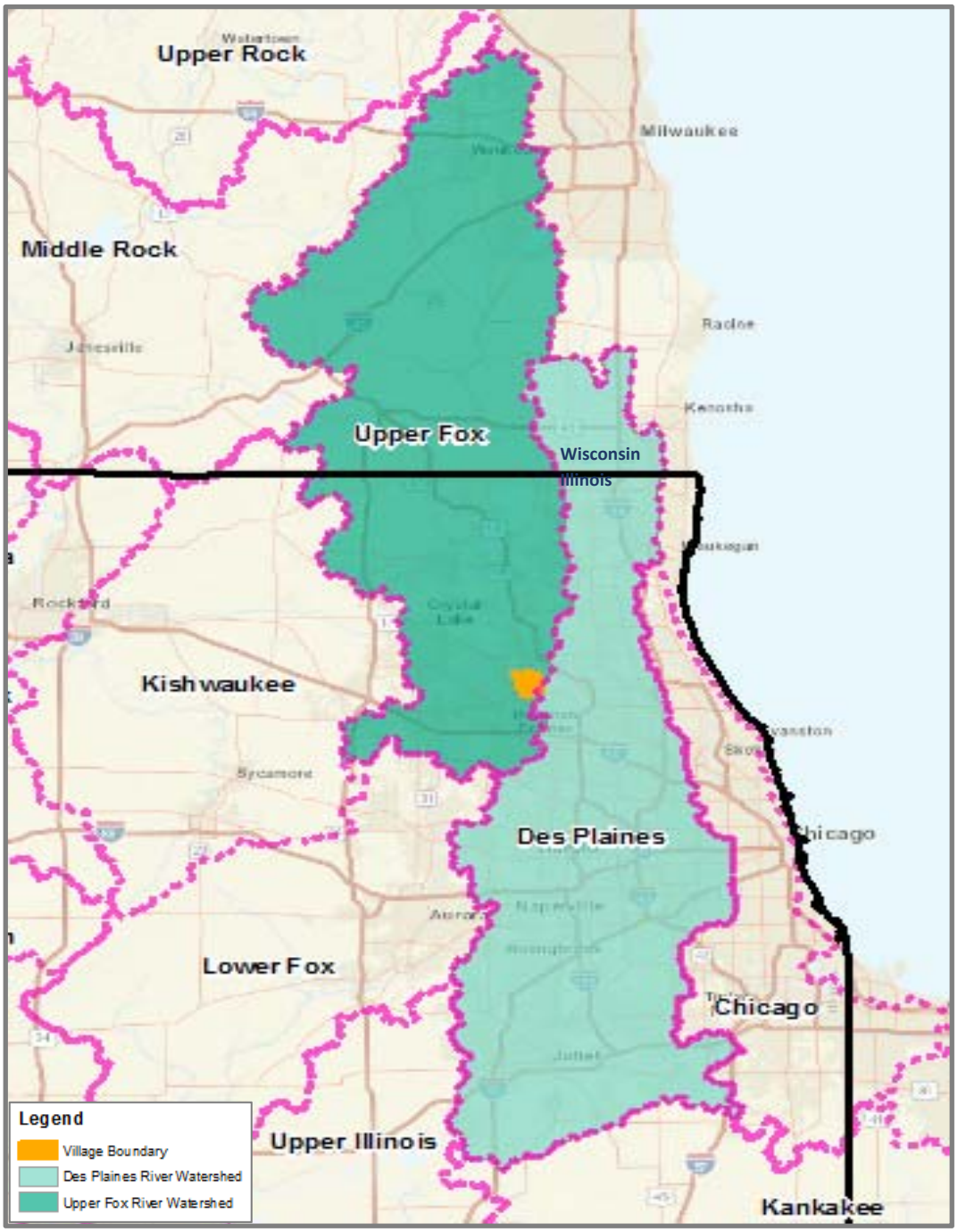
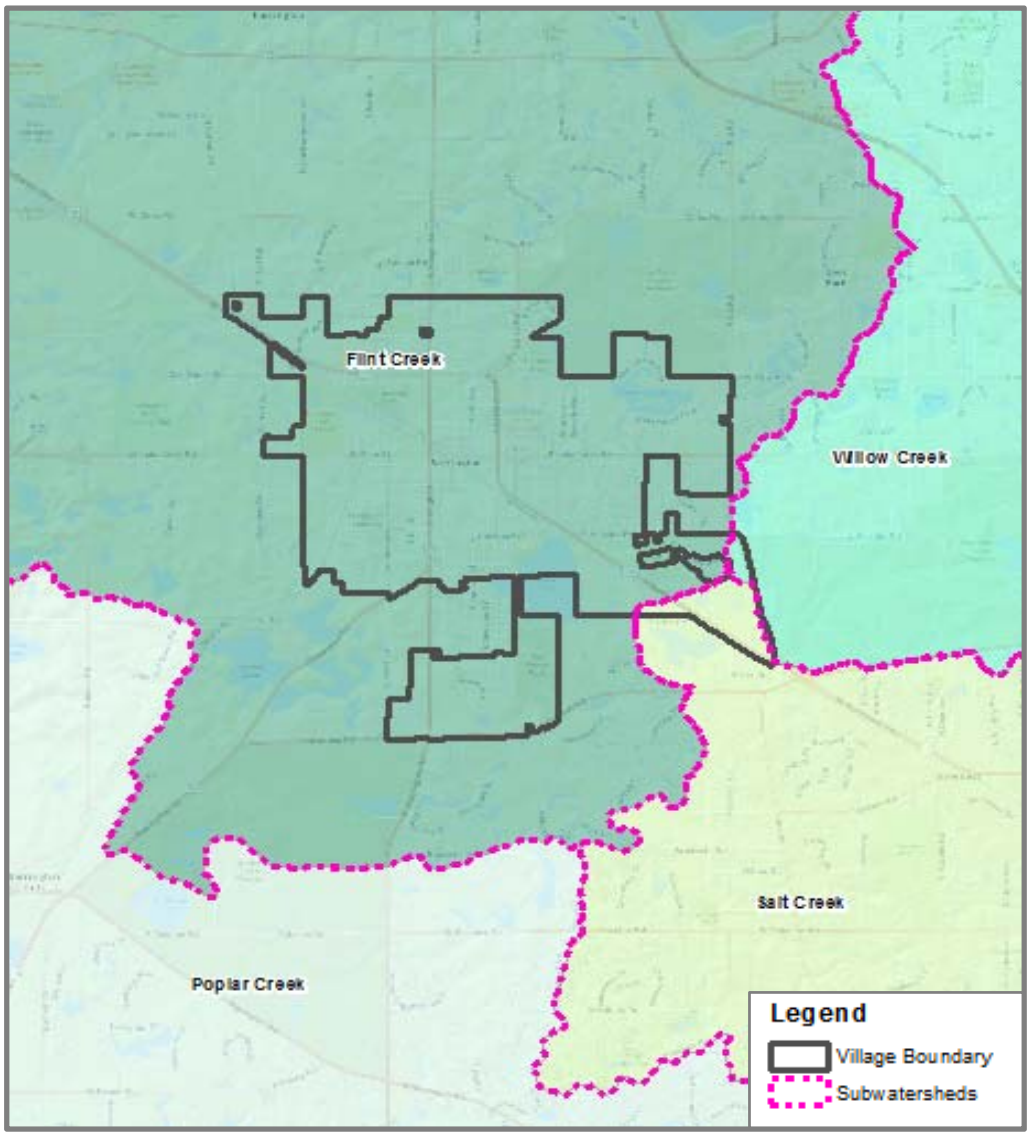


**Figure 2 Sub-Watersheds**




***Receiving Water***

A receiving water is a natural or man-made system into which storm water or treated wastewater is discharged, including major rivers, their tributary stream systems, and other Waters of the U.S. Receiving waters within the Village include the Main Stem of Flint Creek, East Branch of Flint Creek, Lake Louise, and Baker Lake (see *Figure 3*).

## Status of Waters

As can be seen on *Figure 4*, two impaired waters are located within the Village limits (Flint Creek Main Stem and Lake Louise). The most recent Integrated Water Quality Report and Section 303(d)

Lists can be found on the Illinois EPA web site. At this time, no TMDL requirements have been issued for receiving waters within the Village. TMDL statuses are reviewed annually and upon issuance of a TMDL requirement, an implementation strategy or plan will be created. A summary of the IEPA 2018 assessment is presented in *Table 1*.

**Figure 3 Receiving Waters**

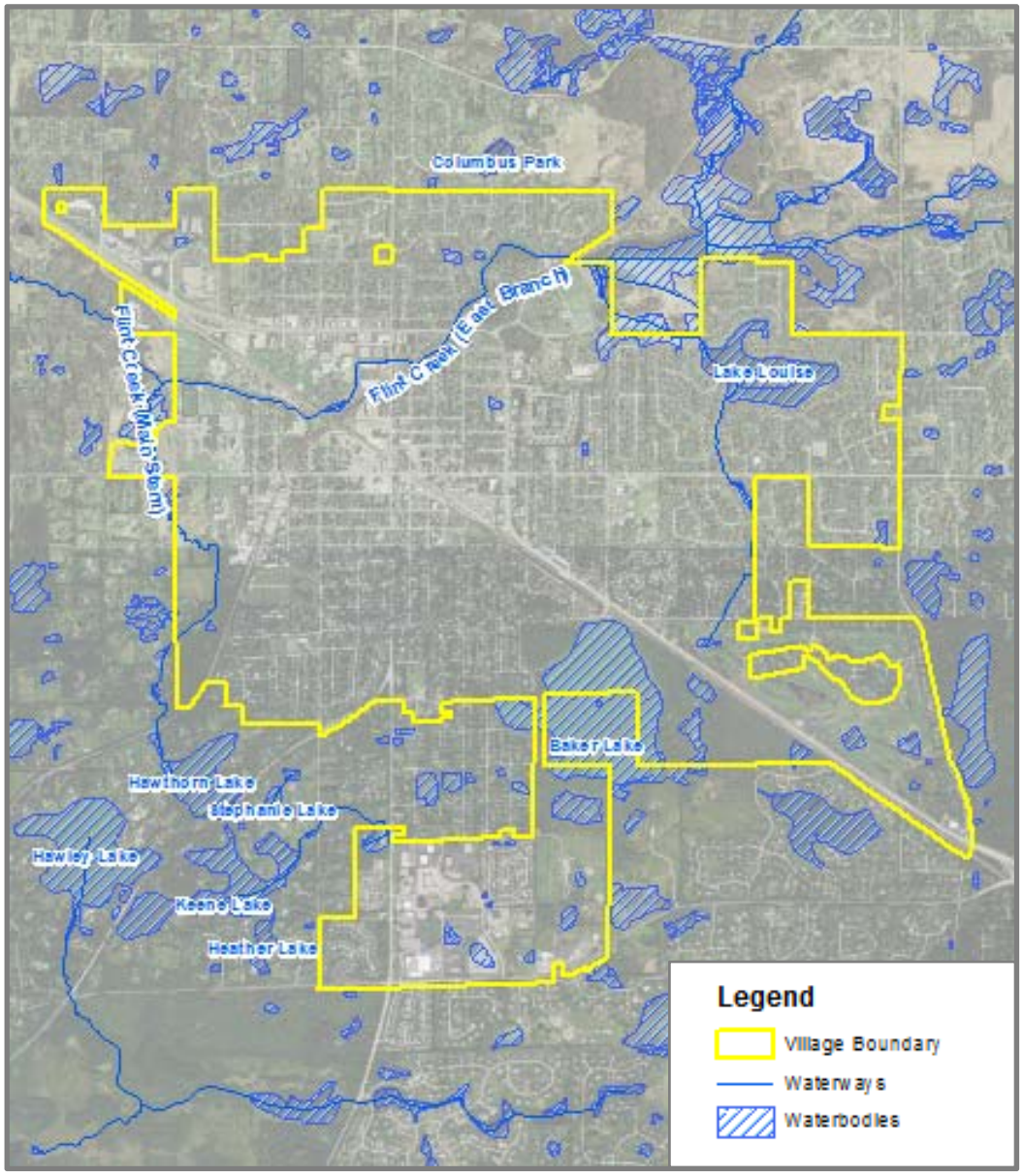


**Figure 4 Impaired Waters**

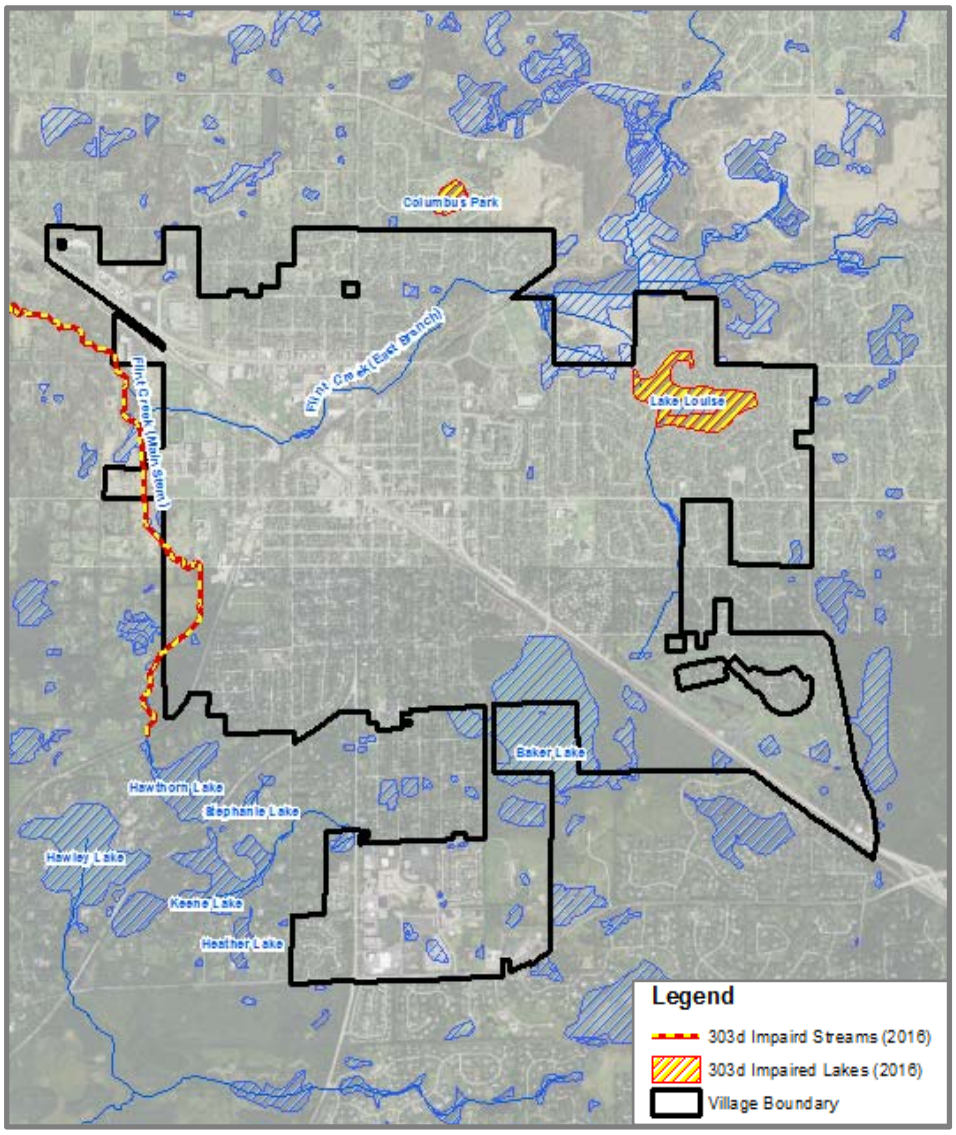



**Table 1 IEPA Assessment Summary for Flint Creek and Lake Louise**

| Waterway | Impaired Use | Causes | | TMDL Status |
|---|---|---|---|---|
| Flint Creek (Main Stem) IL_DTZS_01 | Aquatic Life and Primary Contact | - Dissolved Oxygen<br>- Phosphorus<br>- Fecal Coliform<br>- | - | Stage 3 |
| Lake Louise IL_VTZJ | Aesthetic Quality | - Phosphorus<br>- Total Suspended Solids | - | Stage 3 |

## Watershed Plans

Flint Creek and Lake Louise are located within the Flint Creek Watershed. The Flint Creek Watershed Partnership prepared the Flint Creek Watershed-Based Plan in 2007. The primary scope of the watershed plan was to develop a comprehensive watershed plan that would encourage stakeholders to better understand and take interest in the watershed to promote and initiate plan recommendations that primarily involve water quality, but also protect and enhance natural resources/open space and reduce flood risks. The Plan provides a basis for inter-jurisdictional communication and coordination on water resources issues. The watershed plan is an advisory document for stakeholders of the watershed and does not contain regulatory requirements. A condition of the ILR40 Permit requires MS4 communities to review approved watershed management plans for watersheds in their jurisdictional boundary and address recommendations outlined in that plan. Watershed plans are reviewed annually and upon approval by the IEPA, an implementation strategy or plan will be created. A list of approved watershed plans can be found on the Illinois EPA web site.

## Permit Coverage

The ILR40 permit authorizes the discharge of storm water from MS4s into receiving waters. Storm water is defined in the ILR40 permit as "storm water runoff, snow melt runoff, and surface runoff and drainage". MS4s contain a conveyance or system of conveyances that are: owned by a state, city, town, village, or other public entity that discharges storm water to waters of the U.S. (receiving waters); designed or used to collect or convey storm water (e.g., storm drains, pipes, ditches); **not** a combined sewer; and **not** part of a sewage treatment plant, or publicly owned treatment works (POTW). Regulated conveyance systems typically include roadway drainage systems, storm sewers, catch basins, gutters, ditches, swales, man-made channels, and storm sewers. The following discharges are also authorized under the ILR40 permit, provided they have been determined not to be substantial contributors of pollutants to the Village.

- Water line and fire hydrant flushing
- Dechlorinated pH neutral swimming pool discharges
- Landscape irrigation water
- Flows from riparian habitats and wetlands
- Rising ground waters
- Residual street wash water
- Ground water infiltration
- Discharges or flows from firefighting activities
- Pumped ground water
- Routine external building wash down which does not use detergents
- Discharges from potable water sources
- Dechlorinated water discharges
- Foundation and drains
- Pavement wash waters where spills or leaks of toxic or hazardous materials have not occurred
- Air conditioning condensate
- Irrigation water
- Water from individual residential car washing
- Springs
- Water from crawl space pumps
- Storm sewer cleaning water

The following discharges are NOT authorized by the ILR40 permit:

- Storm water discharges that are mixed with non-storm water or storm water associated with industrial activity unless such discharges are following a separate NPDES permit.

- Discharges from dewatering activities (including discharges from dewatering of trenches and excavations) are allowable if managed by appropriate controls as specified in a project's Storm Water Pollution Prevention Plan, Soil Erosion and Sediment Control Plan, or Storm Water Management Plan.
- Wastewater from washout/cleanout of concrete (unless managed by an appropriate control), drywall compound, stucco, paint, form release oils, curing compounds and other construction materials; fuels, oils, or other pollutants used in vehicle and equipment operation and maintenance; soaps, solvents, or detergents; toxic or hazardous substances from a spill or other release; or any other pollutant that could cause or tend to cause water pollution.
- Storm water discharges that the IEPA determines are not appropriately covered by the ILR40 permit.

## MS4 Program Requirements

Under the ILR40 permit, owners of regulated MS4 systems are required to develop, implement, and enforce a Storm Water Management Program (SWMP) designed to reduce the discharge of pollutants from their MS4 to the Maximum Extent Practicable to protect water quality and satisfy the appropriate water quality requirements of the Illinois Pollution Control Board Rules and Regulations (35 III. Administrative Code, Subtitle C, Chapter 1) and the Clean Water Act. "Maximum Extent Practicable" is a technology-based discharge standard established by Congress in the Clean Water Act. Since no precise definition of "Maximum Extent Practicable" exists, it allows for maximum flexibility on the part of MS4s as they develop their programs.

SWMPs must include six Minimum Control Measures (MCMs). For each of the MCMs, MS4s must identify measurable goals and implement management practices to achieve those measurable goals. The six MCMs include:

1. Public Education and Outreach on Storm Water Impacts
2. Public Involvement/Participation
3. Illicit Discharge Detection and Elimination
4. Construction Site Storm Water Runoff Control
5. Post-Construction Storm Water Management in New Development and Redevelopment
6. Pollution Prevention/Good Housekeeping for Municipal Operations

Detailed information regarding the six MCMs are provided in *Section IV* of this document.

## Storm Water Pollutants of Concern

Polluted storm water runoff is commonly transported through MS4s, and then often discharged, untreated, into local waterways. Storm water runoff naturally contains numerous constituents; however, urbanization and urban activities (including municipal activities) typically increase concentrations to levels that may impact water quality. The typical pollutants found in urban storm water include sediment, nutrients, fecal coliform, chlorides, oil and grease, pesticides, herbicides, and metals. *Table 2* identifies the pollutants of concern for the Village and their potential sources. *Table 3* identifies a list of typical municipal activities that have the potential for generating pollutants. This SWMP describes the procedures and practices that are implemented

by the Village of Barrington toward the goal of reducing the discharge of pollutants within storm water runoff to comply with the ILR40 permit.

**Table 2 Typical Pollutants and Potential Sources**

| Pollutants | Sources | |
|---|---|---|
| Sediment | Construction sites | Streambank erosion |
| Nutrients | Fertilizers<br>Pet waste | Sanitary sewer overflows |
| Fecal Coliform | Untreated sewage<br>Pet waste | Improper restaurant practices<br>Excessive organic debris |
| Chlorides | De-icing salts | Sanitary sewer overflows<br>Illicit connections |
| Oil & Grease | Parking lots and streets<br>Automotive facilities<br>Illicit discharges | Spills and leaks<br>Motor lubricants<br>Hydraulic fluids |
| Pesticides & Herbicides | Residential lawn care | Commercial lawn care |
| Metals | Rust from automobiles<br>Moving engine parts<br>Lubricating oil | Tire and brake lining wear<br>Diesel fuel and gasoline exhaust |

**Table 3 Municipal Activities with Potential for Generating Pollutants**

| Fixed Facilities Activities | Field Program Activities |
|---|---|
| Building Maintenance and Repair | Street Sweeping and Cleaning |
| Parking Lot Maintenance | Street Repair and Maintenance |
| Landscape Maintenance | Bridge and Structure Maintenance |
| Waste Handling and Disposal | Sidewalk Surface Repair and Cleaning |
| Vehicle Fueling and Storage Tank Filling | Landscape Mowing/Trimming/Planting |
| Equipment Maintenance and Repair | Fertilizer and Pesticide Application |
| Vehicle and Equipment Storage | Solid Waste Collection and Recycling |
| Vehicle and Equipment Cleaning | |
| Material Handling and Storage | |
| Material Loading and Unloading | |

# II. Program Management

## Coordination

The Departments of Development Services and Public Works work together to implement this SWMP. The Storm Water Coordinator has primary responsibility for managing the overall program. The Village's President and Board of Trustees are the policy and budget setting authority for the Village of Barrington. The following outlines the organizational structure in the Village.

***Elected Officials***

*President:* The President is the chief executive officer of the Village, and performs all such duties as may be required of him/her by statute or ordinance. He/she has supervision over all the executive officers of the Village and over all the employees of the Village. He/she has the power and authority to inspect all books and records kept by any Village officer or employees at any reasonable time. He/she is the presiding officer of all regular and special meetings of the Board of Trustees and always when the board meets as a Committee of the Whole.

*Trustees:* The Board of trustees, consisting of 6 members, is elected to office for a 4-year term. The Board is the legislative department of the Village government and acts taken and all powers exercised by it are pursuant to its home rule authority as granted by the Illinois constitution.

*Clerk:* The Village Clerk is responsible for taking minutes of all Village Board and Committee of the Whole meetings, along with other municipal clerk duties.

***Appointed Officials and Staff***

*Village Manager:* The Village Manager is responsible for overseeing the coordination of all departments to achieve Village objectives. Village communications, including the Village newsletter, Channel 4, website, and social networking sites are also coordinated through this office.

*Department of Financial Services, Director & Assistant Director:* The Department of Financial Services is responsible for maintaining the Village's financial assets and providing excellent customer service to residents, businesses, and visitors. The Department is the first point of contact for those who call the Village's main phone line (847) 304-3400 or walk into Village Hall. Financial Services is responsible for utility billing (water, sewer, and refuse collection services), receiving all payments for Village services, and issuing parking permits for commuter and employer/employee parking lots.

Financial Services is also primarily responsible for providing support services to the Village Board, Village Manager, and other Departments of the Village. These services include accounting, payroll, accounts payable, purchasing management, and investment of the Village's financial assets. Financial Services is also responsible for preparing the annual operating budget and the Comprehensive Annual Financial Report. The Director of Financial Services also serves as the Village Treasurer and therefore also functions as the Treasurer for the Village's Police and Fire pension funds.

***Village Departments***

***Public Works Department***

The Public Works Department is committed to enhancing the quality of life for Village residents by maintaining the infrastructure in the Village and providing high quality services to residents and businesses. The Public Works Department is committed to environmental preservation and an active forestry program. The Public Works Department utilizes storm water management

techniques that promote water quality and has established a solid waste program that promotes environmentally responsible practices, such as recycling and composting. The Public Works Department is also responsible for providing water service, wastewater treatment, and maintaining the systems that distribute water and collect wastewater. Infrastructure maintenance activities within the Village are carried out by Public Works personnel. Public Works personnel are designated as the primary entity responsible for performing the duties related to Illicit Discharge Detection & Elimination and Pollution Prevention & Good Housekeeping. The Public Works Department is divided into seven divisions:

i. ***Administration Division:*** The Administration Division is responsible for overseeing and providing administrative support services to all operating divisions within the Public Works Department. Since the Administration Division provides these services to other divisions of the Department, it is funded through both the General Fund and the Water and Sewer Fund. The Administration Division includes the Director of Public Works, who is responsible for the operations of the Department.

ii. ***Central Garage/Fleet Services Division*****:** The Central Garage/Fleet Services Division of the Public Works Department is directly responsible for the acquisition, maintenance, repair, and disposal of all Village vehicles and rolling stock utilized by all departments of the Village. This division also manages the Village's fuel distribution facility.

iii. ***Street Operations Division:*** The Street Operations Division is responsible for the maintenance of all Village roads, sidewalks, and public right-of-way (ROW) and all administrative functions related to these maintenance activities. Specific services provided include maintenance of the roadway, sidewalks, curbs, and gutters, street sweeping, pavement markings/delineation, snow and ice removal, brush chipping, maintenance of drainage ditches, culverts, and storm sewers, alley maintenance, parking lot maintenance, maintenance of street lights and traffic control devices and maintenance of all street signage.

iv. ***Forestry and Property Maintenance Division*****:** The Forestry and Property Maintenance Division is responsible for the care and maintenance of all Village owned property as well as most of the ROW within the Village. Areas of responsibility include the maintenance of over 8,000 parkway trees, 70 acres of public ROW, the Village Center, portions of Northwest Highway, 11 municipal sites, 9 passive parks, Barrington Memorial Park, and 4 wetland restoration projects located within the community. While smaller jobs are completed with in-house staff, much of this work is completed using outside contractors.

The Forestry Division is also responsible for reviewing new development projects and confirming adherence to the Village's Tree Preservation and Management Ordinance, meeting with residents to discuss plant health care on both public and private property, coordinating individual permit review and compliance as it relates to public and private tree protection & preservation, securing compliance of tree preservation, and native area outlots maintenance requirements within many of the Village's subdivisions.

The Property Maintenance Division is also responsible for the maintenance and repair of most of the buildings, grounds and appurtenant fixtures owned or leased by the Village, including Village Hall, Public Safety facility, Public Works facility, Cumnor Avenue building and the train station. Activities include maintenance of the fire detection and suppression, HVAC, telephone and voice mail, emergency generation, electrical and plumbing systems, as well as address windows and doors, carpentry and custodial needs, and coordinates disposal of surplus equipment.

v. **Utility Maintenance Division**: The Utility Maintenance Division is responsible for maintaining and improving the Village's water distribution and sanitary collection systems, including fire hydrants. This is accomplished on a daily, preventative, and emergency basis and via long term public/capital improvement processes. This Division is also responsible for the installation, maintenance and repair of residential and businesses water meters. The Maintenance Utility Division performs extensive proposed construction utility plan reviews, field and final punch list, and bond release inspections.

vi. ***Water Production Division*****:** The Water Production Division is responsible for the operation, maintenance and repair of water production facilities that produce all the potable water used by the residents of Barrington, including portions of Inverness and Barrington Hills. Specific responsibilities include the operation, maintenance and repair of all equipment, buildings and grounds at 4 well sites, 3 water storage reservoirs, 3 elevated water storage tanks, 1 pressure reducing station and 1 iron filtration facility. This Division is also responsible for all testing of the water supply. Typical job assignments include the monitoring, operation and repair of various electrical and heating controls, telemetry systems, motors, pumps, valves, compressors, flow meters, standby generators, boilers and various types of treatment process equipment.

vii. ***Wastewater Treatment Division*****:** The Wastewater Treatment Division is responsible for the operation and maintenance of the Wastewater Treatment Facility and Sewage Lift Stations that serve the residents of Barrington, including portions of Inverness and Barrington Hills. Specific responsibilities include the operation and maintenance/repair of all equipment, buildings and grounds at the Wastewater Treatment Facility, 12 Sewage Lift Stations, 1 Storm water Lift Station and 1 industrial sampling hut. This Division is also responsible for the coordination of the sludge management program and for conducting all required tests on the treated effluent that is discharged from the Wastewater Treatment Facility.

***Development Services Department*****:** The Development Services Department consists of several divisions that coordinate to plan and oversee construction of Village infrastructure projects and promote the safety and welfare of the residents of Barrington by enforcing development and building standards and codes in the Village. The Development Services Department works closely with all other Village Departments to ensure residents are receiving quality comprehensive service. The Department is responsible for maintaining, administering and enforcing the codes, ordinances, documents, maps, and policies of the Village related to engineering, zoning, historic

preservation, construction, property maintenance, and health. The Development Services Department is divided into the following divisions:

i. ***Building Division:*** The Building Division is responsible for assisting developers and residents in complying with state and local construction codes. This Division enforces accessibility, building, sprinkler, mechanical, electrical, plumbing, and property maintenance codes.

ii. ***Engineering Division****:* The Engineering Division is responsible for developing and implementing plans for the Village's infrastructure, including streets, sidewalks, water, sewer, and storm water management systems. The Engineering Division is also responsible for overseeing the implementation of the Village's storm water ordinance, field inspections, review of permits for engineering compliance, and review of the Village's overall storm water conveyance and detention systems, water system, sewerage system as well as street and sidewalk connectivity.

iii. ***GIS & Mapping Division:*** The GIS Division provides mapping and spatial information resources for Village projects, programs, record keeping, and staff member support. The Village of Barrington utilizes GIS to advance data-sharing, interdepartmental coordination, enhance public services and apply sound decision-making.

iv. ***Zoning Division:*** The Zoning Division works with developers, residents, and business owners to interpret and apply the Village's Zoning Ordinance, including the Village's Historical Preservation Overlay District regulations and design guidelines. The Zoning Division also handles residential variations and special use petitions through the Zoning Board of Appeals, as well as historical and non-historical Architectural Review Commission petitions.

***Storm Water Coordinator***

The Director of Public Works, or designee, is the Storm Water Coordinator for the Village and is responsible for the oversight and implementation of this SWMP. The Storm Water Coordinator has many different responsibilities, he/she:

- is the lead contact for coordination with the IEPA, Lake County Storm Water Management Commission (SMC), Metropolitan Water Reclamation District (MWRD), the development community, and other external regulatory agencies;
- understands the requirements of the NPDES ILR40 General Permit, ensures that the SWMP meets the requirements of the permit, and that the Village effectively implements the SWMP;
- ensures that the Village complies with all minimum Watershed Development Ordinance (WDO) provisions;
- is aware when a project is required to be authorized under the NPDES ILR10 General Permit. In these cases, the Storm Water Coordinator ensured that the Notice of Intent (NOI) is received by IEPA at least 30 days prior to the start of construction;
- assists the development community in understanding when an NPDES ILR10 General Permit is required, and whether construction sites comply with the NPDES ILR10 General Permit; and

- understands the role illicit discharges play in the overall NPDES Phase II Program. In general, an incidence of non-compliance must be filed with the IEPA for illicit discharges exiting an MS4's outfall into a receiving water. Additionally, if the illicit discharge is generated by a construction site, it may be necessary for both the construction site permit applicant and the Village to file the incidence of non-compliance form with the IEPA.

***Enforcement Officer***

The Village is required to designate the Enforcement Officer with respect to the administration and enforcement of the WDO. Additionally, the Enforcement Officer is responsible for performing inspections and monitoring the development on behalf of the Village. Review and inspection efforts can be performed by personnel under his/her direct supervision. The Enforcement Officer follows established procedures for notifying applicants of deficiencies and obtaining site compliance (i.e. enforcement). The Enforcement Officer has the responsibility to concur that projects meet WDO standards prior to the issuance of permits, and oversee site inspections during construction.

***Coordination with the IEPA***

The Village is required to complete annual reports which describes the status of compliance with the NPDES ILR40 Permit conditions. The annual report is posted on the Village's website and submitted to the IEPA by the first day of June each year. Each report covers the period from March of the previous year through February of the current year. Records regarding the completion and progress of the SWMP commitments are kept for five years and are available for inspection by both the IEPA and the public.

***Coordination with Lake County Storm Water Management Commission (SMC)***

SMC is a countywide governmental agency created by county ordinance under the authority of Illinois Revised Statute 55/5-1062. SMC's goals include the reduction of flood damage and water quality degradation. SMC utilizes technical assistance, education programs and watershed planning to increase public awareness of natural resources and the impacts of urbanization on storm water quality. In addition, SMC provides solutions to problems related to storm water and identifies effective ways of managing natural resources. Another purpose of SMC is to assure that new development addresses non-point source pollution, does not increase flood and drainage hazards to others, or create unstable conditions susceptible to erosion. To accomplish this, the SMC works cooperatively with individuals, groups, and units of government as well as serving as the corporate enforcement authority for the WDO. As a Certified Community, the Village of Barrington is responsible for enforcing the WDO within its jurisdictional limits.

In 2002, SMC formed an Ad Hoc Municipal Advisory Committee (MAC) specifically to advise MS4s in Lake County on the NPDES Phase II Permit program. Municipalities, townships, drainage districts, consultants, and county representatives comprise the MAC. SMC advised and assisted the MS4s in preparing their NOIs, but is not a permittee as it does not own or operate any sewer systems.

The NPDES ILR40 General Permit allows for MS4s to take credit for activities being performed by a Qualifying Local Program (QLP) toward meeting its permit requirements. SMC is a Qualifying

Local Program for MS4s in Lake County. As part of their ongoing services, SMC performs some functions related to each of the six minimum control measures. SMC has been providing services under four of the six minimum control categories since it began implementing a comprehensive, countywide storm water program in 1991. However, MS4s are required to provide additional services for each of the Minimum Control Measures with the greatest effort in the Illicit Discharge Detection and Elimination and Pollution Prevention/Good Housekeeping categories.

As part of the countywide approach to comply with the NPDES Phase II program, SMC assists municipalities with the following:

- Supports NPDES II presentations to local boards.
- Develops model NOI.
- Provides countywide drainage system overview and receiving waters map.
- Develops specific Best Management Practice (BMP) Measurable Goals and program development tasks.
- Serves as a clearinghouse for all support information and acts as a liaison to and USEPA.
- Supports on-going MAC meetings.
- Drafts a model of the Annual Performance Report and specific BMP Measurable Goals for the subsequent years.
- Provides model Illicit Discharge Ordinance language.
- Provides SWMP Template.

SMC countywide services qualify for credit under four of the six Minimum Control Measures. The following list summarizes additional SMC services under the 6 minimum control categories:

1. Public Education and Outreach: SMC provides, through its Public Information Coordinator, various training workshops, homeowners workshops, brochures, training manuals, teacher/student education, videos, etc.

2. Public Participation and Involvement: SMC coordinates and participates in public meetings and committees, including the MAC, SMC Board of Commissioners, Technical Advisory Committee (TAC), citizen watershed planning committees, Watershed Management Board (WMB) and volunteer support.

3. Construction Site Runoff Control: SMC adopted the countywide WDO in 1992, which establishes the minimum storm water management requirements for development in Lake County. The WDO, which is enforced by SMC as well as by certified communities in the county, establishes standards for construction site runoff control.

4. Post-Construction Runoff Control: The WDO also establishes standards for post-construction runoff control.

The SMC Chief Engineer is the Enforcement Officer with respect to the administration and enforcement of the Lake County WDO. The Enforcement Officer has the responsibility to

determine that projects meet WDO standards prior to the issuance of permits, and oversee site inspections during construction.

***Coordination with the Metropolitan Water Reclamation District (MWRD)***

The MWRD assumed authority over storm water management in Cook County pursuant to the passage of Public Act 93-1049 by the Illinois State Legislature on November 17, 2004. The MWRD enforces the Watershed Management Ordinance (WMO), which establishes uniform, minimum, countywide storm water management regulations throughout Cook County. Components which are regulated under the WMO include drainage and detention, volume control, floodplain management, isolated wetland protection, riparian environment protection, and soil erosion and sediment control. The WMO went into effect on May 1, 2014. The Village of Barrington has opted to implement the Lake County WDO across both counties within the Village.

***Coordination with Consultants***

The Village may enlist the services of consultants to assist in the implementation of the SWMP (including, but not limited to, plan review, site inspections, and enforcement), and the design of Village projects. The Village Manager has the responsibility of administering these contracts.

***Coordination with the Public***

Coordination with the public occurs on several levels. In addition to the avenues described in this SWMP, the public can comment on proposed preliminary and final plats through the review process established by the Village Code.

***Coordination with the Development Community***

The Village of Barrington assists the development community in understanding when a NPDES ILR10 Permit (for construction site storm water discharges) is required and whether construction sites comply with the NPDES ILR10 permit conditions. A copy of the 2018 NPDES General Permit No. ILR10 is in *Appendix 2* of this document.

# III. Best Management Practices and Measurable Goals

## Six Minimum Control Measures

This SWMP includes six Minimum Control Measure (MCM) categories, each of which is necessary to reduce/eliminate storm water pollution in receiving water bodies. The six required MCMs are as follows:

1. Public Education and Outreach on Storm Water Impacts
2. Public Involvement/Participation
3. Illicit Discharge Detection and Elimination
4. Construction Site Storm Water Runoff Control
5. Post-Construction Storm Water Management in New Development and Redevelopment
6. Pollution Prevention/Good Housekeeping for Municipal Operations

## Identification and Selection of Best Management Practices (BMPs)

Effective storm water management is often achieved from a management systems approach as opposed to an approach that focuses on individual practices. That is, the pollutant control achievable from any given management system is viewed as the sum of the parts, considering the range of effectiveness associated with each single practice, the costs of each practice, and the resulting overall cost and effectiveness. Some individual practices may not be very effective alone, but in combination with others may provide a key function in highly effective systems. The ILR40 permit encourages such system-building by stating the minimum requirements in more general terms, which allows for the use of appropriate situation-specific sets of practices (BMPs) that will achieve the MCMs.

To achieve a systematic approach for storm water management, the USEPA has stated that these six MCMs should be implemented by applying one or more BMPs appropriate to the location and climate. The USEPA established a menu of BMPs that have been found by the USEPA to be representative of the types of practices that can be applied successfully to achieve the six MCMs. The USEPA recognizes that there is often site-specific regional and national variability in the selection of appropriate BMPs as well as in the design constraints and pollution control effectiveness of practices. The list of practices for each MCM is not all-inclusive and does not preclude the Village from using other technically sound practices.

## Identification and Selection of Measurable Goals

Measurable goals are BMP design objectives or goals that quantify the progress of program implementation and the performance of the Village's BMPs. They are objective markers or milestones that the Village and the IEPA will use to track the progress and effectiveness of the BMPs in reducing pollutants to the maximum extent practical. Measurable goals may be based on one or more of the following general categories:

***Tracking implementation over time:*** Where a BMP is continually implemented over the permit term, a measurable goal can be developed to track how often or where this BMP is implemented.

***Measuring progress in implementing the BMP:*** Some BMPs are developed over time and a measurable goal can be used to track this progress until BMP implementation is completed.

***Tracking total numbers of BMPs implemented*:** Measurable goals also can be used to track BMP implementation numerically, e.g., the number of wet detention basins in place or the number of people changing their behavior due to the receipt of educational materials.

**Tracking program/BMP effectiveness:** Measurable goals can be developed to evaluate BMP effectiveness, for example, by evaluating a structural BMP's effectiveness at reducing pollutant loadings or evaluating a public education campaign's effectiveness at reaching and informing the target audience to determine whether it reduces pollutants to the maximum extent practical. A measurable goal can also be a BMP design objective or a performance standard.

***Tracking environmental improvement*:** The goal of the NPDES storm water program is environmental improvement, which can be a measurable goal. Achievement of environmental improvement can be assessed and documented by ascertaining whether state water quality standards are being met for the receiving waterbody or by tracking trends or improvements in water quality (chemical, physical, and biological) and other indicators such as the hydrologic or habitat condition of the waterbody or watershed.

# IV. Storm water Management Program

This section outlines the six required MCMs and a brief description of the BMPs that are implemented, including measurable goals and the method of tracking.

## MCM #1: Public Education and Outreach

The Village of Barrington utilizes a variety of methods to educate and provide outreach to the public about the impacts of storm water discharges on waterbodies and the steps that the public can take to reduce pollutants in storm water runoff. Outreach publications include Village contact information to encourage residences to report environmental concerns.

***Distribution of Educational Materials***

Educational materials are distributed in the Village newsletter, on the Village website, at take-a-way racks in Village offices, at outreach events, and at scheduled meetings with the public. Topics include:

- Storm water BMPs including cost-benefits and implementation guidance.
- Construction site activities (soil erosion and sediment control BMPs).
- Effective pollution prevention measures regarding storage and disposal of fuels, oils, and similar materials used in the operation of, or leaking from vehicles and other equipment.
- Effective pollution prevention measures regarding the use of soaps, solvents, or detergents used in outdoor washing of vehicles, furniture, and other property; paint and related décor.
- Refuse, recycling, and yard waste.
- Lawn and garden care.
- Winter de-icing material storage and use.
- Green infrastructure strategies such as green roofs, rain gardens, rain barrels, bio-swales, permeable piping, dry wells, and permeable pavement.
- Flooding, flood safety, basement flooding, flood control, and overhead sewers.
- Living Green Program.
- The potential impacts and effects on storm water discharge due to climate change.
- Hazards associated with illegal discharges and improper disposal of waste and the way to report such discharges.
- Proper hazardous waste use and disposal, special collection of household products, and programs organized by the Solid Waste Agency of Northern Cook County (SWANCC.
- Hazards associated with illegal discharges and improper disposal of waste and the way to report such discharges.
- Information on the Village's MS4 Program, including the SWMP, Notice of Intent, and annual reports.

**Measurable Goals**

1. Distribute educational materials in the Village newsletter, on the Village website, at take-a-way racks in Village offices, at outreach events, and at scheduled meetings with the public.
2. Maintain and update the portion of the website dedicated to storm water including publication of the Annual Report

**Tracking**

1. Track newsletter articles and number of recipients for each publication such as the number by US post or the number of recipients for an electronic mailing list.
2. Track number of unique visits or downloads for website material.
3. Track the amount of printed material removed from take-a-way racks or distributed at events and meetings with the public.

***Tree City USA***

The Village maintains a Tree City USA designation. The Tree City USA program is a nationwide movement that provides the framework necessary for communities to manage and expand their public trees. To obtain the Tree City USA designation, the Village met the four core standards of sound urban forestry management: 1. maintaining a tree board or department; 2. having a community tree ordinance; 3. spending at least $2 per capita on urban forestry; and 4. celebrating Arbor Day.

**Measurable Goals**

1. Maintain Tree City USA designation from the Tree City USA program.
2. Continue to promote and facilitate Arbor Day events.

**Tracking**

1. Track the number of attendees at each Arbor Day event.
2. Track the number of trees planted on Arbor Day.

***Rain Barrel Rebate Program***

Residents can purchase a rain barrel that suits their needs and receive a rebate from the Village. Rain barrels are designed to reduce residential water consumption through conservation of rain water and roof runoff. Rain barrels are a cost-effective alternative to using potable water for watering plants and yards. The Village will reimburse homeowners 50% of the purchase price, excluding sales tax, delivery, and any rain barrel accessories, not to exceed $75.00.

**Measurable Goals**

1. Continue promotion and implementation of the Village's rail barrel rebate program.

**Tracking**

1. Track the number of rain barrel rebates provided to residents.

***Household Hazardous Waste Program***

The average garage contains a lot of products that are classified as hazardous wastes, including paints, stains, solvents, used motor oil, pesticides, and cleaning products. While some household hazardous waste may be dumped into storm drains, most enter the storm drain system because of outdoor rinsing and cleanup. Improper disposal of household hazardous waste can result in acute toxicity to downstream aquatic life. The desired behavior is to participate in household hazardous waste collection days, and to use appropriate pollution prevention techniques during rinsing, cleaning, and fueling activities.

For household products that cannot go into the curbside recycling program or in landfills, there are several ways to dispose of these materials through programs organized by SWANCC.

The Village also offers special collections of household batteries and compact fluorescent lights as noted below.

- The Village's Public Works Department has teamed up with SWANCC to offer residents the opportunity to safely dispose of household alkaline and rechargeable batteries. Common household alkaline batteries are no longer accepted at sponsored hazardous waste disposal events due to their benign nature and high recycle costs. This program makes it simple for residents to dispose of batteries safely by dropping them off at the Public Works Facility.
- Compact Fluorescent Lightbulb Recycling: The Village participates in a recycling program for compact fluorescent lightbulbs. The program, sponsored by the SWANCC, is designed to help consumers properly dispose of burnt-out CFLs because of the small amounts of mercury they contain. Bulbs can be dropped off at the Public Works Facility.

**Measurable Goals**

1. Support and publicize SWANCC efforts.
2. Continue the Village's special collection efforts and community programs.

**Tracking**

1. Track the amount of hazardous material collected (in tons) and the number of household hazardous waste events held within, or sponsored by the Village.

***Residential Recycling & Refuse***

Recycling is an effective means of achieving pollution prevention goals. Recycling is a series of activities that includes collecting recyclable materials that would otherwise be considered waste, sorting, and processing recyclables into raw materials such as fibers and manufacturing raw materials into new products. Trash and floating debris in waterways can become significant pollutants and potentially pose a threat to wildlife and human health (e.g., choking hazards to wildlife and bacteria to humans).

The following refuse and recycling programs are available in the Village:

- Refuse collection - Includes recyclables, compostable yard waste, and regular refuse.
- Electronics recycling program – Groot will put up unlimited electronic waste as the curb at no additional charge. Electronic materials include computers and monitors, video game consoles, printers, televisions, DVD players, etc.
- Household Refuse: Groot will pick up regular household refuse, furniture, swing sets (four ft. lengths maximum), bicycles, and carpeting. Carpet must be tied in bundles no longer than 4 feet. Only one large item will be collected per pickup. Groot will not take clumps of earth or construction material during regular pickups.
- Recyclable Material: Each single-family home has one 65-gallon container for recyclable materials, which include glass, aluminum, tin, plastic bottles, and newspapers. All recyclables can be combined in this container.
- Food Scrap Composting Program: Barrington residents are permitted to place approved food scrap materials inside their 95-gallon compost cart. Food composting keeps food waste out of landfills, where it takes up space, produces methane, and often cannot decompose. Composted food breaks down quickly and produces healthy soil making it much better for the environment.
- Yard Waste: The Village provides one 95-gallon container for residents. Yard waste material must be placed inside the 95-gallon cart provided; and any excess must be placed in Kraft 2-ply bio-degradable landscape waste bags.
- Additional Recycling Programs: The Village also offers recycling programs for corks, political signs, paper shredding, and holiday lights. More information for these programs can be found on the Village's web site.

The Village of Barrington contracts with Groot Industries, Inc. to collect refuse and recyclables from Village residences. Groot takes the collected refuse to SWANCC. SWANCC then disposes of the refuse in a landfill. Recycling material is sent to Groot's recycling facility, where it is sorted and sold to recyclers.

**Measurable Goals**

1. Continue to offer and promote refuse and recycling programs.

**Tracking**

2. Track the amount of recycled material collected (in tons) and the number of recycling events held within, or sponsored by the Village.

## MCM #2: Public Participation and Involvement

The public participation and involvement program allows input from citizens regarding implementation of the SWMP.

***Public Review***

The Village conducts one public meeting annually to present the annual report to the Village Board during an open meeting. This public meeting allows the public to provide input as to the

adequacy of the Village's MS4 Program. Comments are evaluated for inclusion and incorporated into the next revision of the SWMP as appropriate. The meeting is typically part of a regular Village Board meeting. Public notification about the meeting content complies with Illinois' public notice requirements.

**Measurable Goals**

1. Present each year's Annual Report to the Village Board during an open meeting and encourage input from the public as to the adequacy of the SWMP.
2. Evaluate and incorporate comments received from the Village Board and the public.

**Tracking**

1. Maintain a copy of the meeting minutes and comments received about the SWMP.

***Environmental Justice Areas***

Environmental justice is the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income, with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. The USEPA has this goal for all communities and persons across the nation. It will be achieved when everyone enjoys the same degree of protection from environmental and health hazards, and equal access to the decision-making process to have a healthy environment in which to live, learn, and work.

The USEPA identifies potential environmental justice communities based on the percentage of low-income and/or minority populations in the Village compared to the statewide average. Areas that have greater than twice the statewide average may be considered a potential environmental justice community. If the low-income and/or minority population percentage is equal to or less than the statewide average, the community should not be considered a potential environmental justice community. The following web application was used to determine if the Village qualifies as an environmental justice community https://ejscreen.epa.gov/mapper/index.html. Three indicators were reviewed as follows:

- ***Demographic Index:*** An index based on the average of two demographic indicators; percent low-income and percent minority.
- ***Percent Minority:*** The percent of individuals in a block group who list their racial status as a race other than white alone and/or list their ethnicity as Hispanic or Latino.
- ***Percent Low-Income****:* The percent of a block group's population in households where the household income is less than or equal to twice the federal "poverty level."

Using the USEPA environmental justice website noted above, the Village determined that there are currently no areas within the Village that qualify as environmental justice areas. Table 4 presents the 2020 data.

**Table 4 Environmental Justice 2016 Screening**

| Demographic Indicators | Village Statistic | State Average | Twice the Statewide Average | > Twice the State Average? |
|---|---|---|---|---|
| Demographic Index | 11% | 34% | 68% | No |
| Minority Population | 13% | 38% | 76% | No |
| Low Income Population | 9% | 30% | 60% | No |

**Measurable Goals**

1. Complete the environmental justice screening annually. If any environmental justice areas are identified within the community, ensure that BMP efforts are targeted at these areas.

**Tracking**

1. Provide results of the environmental justice screening effort in the Annual Report.

***Complaints, Suggestions, and Requests***

The Village encourages the submission of complaints, suggestions, and requests related to its storm water management program. Calls are screened, logged, and routed to the appropriate individual for action. General program related calls are directed to the Public Works Director, or designee. Construction activity related telephone calls are directed to the Village Engineer.

The Village website contains an Online Service Request system that allows residents, businesses, and visitors to communicate their concern directly to the Public Works Department. All requests are immediately directed to the appropriate Public Works Unit. Phone numbers are provided for working and non-working hours.

**Measurable Goals**

1. Encourage the submission of complaints, suggestions, and requests related to storm water by publicizing contact information on education materials and the Village website.
2. Provide methods for residents, businesses, and visitors to communicate their concerns.
3. Respond to concerns in a timely fashion.

**Tracking**

1. Track the number of calls and written complaints/suggestions received.
2. Track the number of Online Service Requests received.

***Watershed Planning and Stakeholders Meetings***

The Village of Barrington participates (and encourages the participation of local stakeholders) in local program events and other sponsored watershed planning events. The Village attends these events and will adopt watershed plans per the direction and in coordination SMC.

**Measurable Goals**

1. Participate in watershed planning and stakeholder meetings.

**Tracking**

1. Track the subject matter and number of meetings attended by Village staff.
2. Track watershed plans approved by the USEPA and the Village's adoption of such plans.

## MCM #3: Illicit Discharge, Detection, and Elimination

An "illicit discharge" is defined in 40 CFR 122.26(B)(2) as any discharge to a MS4 that is not composed entirely of storm water, except discharges pursuant to a separate NPDES permit (other than the NPDES permit for discharges from the municipal separate storm sewer) and discharges resulting from firefighting activities. Illicit discharges can enter the storm sewer system as either an indirect connection (e.g., spills that enter the storm drain system at an inlet and the purposeful dumping of liquids into a storm drain inlet) or direct piping connections to the storm sewer system.

Understanding the potential locations and the nature of illicit discharges in an urban watershed is essential to find, fix, and prevent them. An "outfall" is defined in 40 CFR 122.2 as a point source where a municipal separate storm sewer discharges to a waters of the U.S. (receiving water). Based on this definition, the Village has identified all outfalls within its jurisdiction. For the purposes of this SWMP, an outfall is a storm sewer outlet, or other open conveyance point discharge location, that discharges into a Waters of the U.S, receiving stream, or another MS4.

***Storm Sewer System Map***

As required by the NPDES ILR40 permit, the Village developed a map of the municipal storm sewer system identifying the location of all outfalls, and the names and location of all receiving waters. The storm sewer system map is meant to demonstrate a basic awareness of the discharge areas of the system. It is needed to help determine the extent of discharged dry weather flows, the possible sources of the dry weather flow, and the particular waterbody these flows may be affecting. The outfall map is revised as needed to incorporate permitted outfalls associated with new developments.

***Measurable Goals***

1. Maintain the Village's storm sewer system map, updating annually.

***Regulatory Authority***

The ILR40 permit requires the Village to institute an ordinance that prohibits non-storm water discharges into their MS4 to the extent allowable under current State, Tribal, and local law. To limit illicit discharges, the ordinance must prohibit both illicit connections as well as the illegal discharge of pollutants into the storm sewer drainage system.

Effective implementation of an Illicit Discharge Detection and Elimination (IDDE) program requires adequate legal authority to remove illicit discharges and prohibit future illicit discharges. This

regulatory authority is achieved through the Village's Village Code, which contains restrictions on illicit discharges and storm water management. Specifically, the Village's Illicit Discharge Ordinance is in Chapter 10 (Illegal Discharges and/or Illicit Connections to Municipal Storm Drainage System (MS4) Prohibited) of the Village Code. The Ordinance regulates the contribution of pollutants to the MS4 system from storm water discharges by any user; prohibits illegal connections and discharges to the MS4; and establishes the legal authority to carry out all inspection, surveillance, and monitoring procedures necessary to ensure compliance with the Village Code. Additionally, the MWRD and IEPA have regulatory authority to control pollutant discharges and can take the necessary steps to correct or remove an inappropriate discharge over and above the Village's jurisdiction.

**Measurable Goals**

1. Enforce the Village's Illicit Discharge Ordinance (Chapter 10 "Illegal Discharges and/or Illicit Connections to Municipal Storm Drainage System (MS4) Prohibited)

**Tracking**

1. Track the number of enforcement actions related to illicit discharges.

***Lake County Watershed Development Ordinance***

Several provisions of the Lake County Watershed Development Ordinance prohibit illicit discharges as part of the development process. Regulated developments are also required to meet the soil erosion and sediment control (SESC) standards of the WDO. The Village of Barrington has adopted the Lake County WDO and is currently a Certified Community for the review, permitting, inspection, and enforcement of the provisions of the WDO.

**Measurable Goals**

1. Adhere to the requirements of the WDO.

**Tracking**

1. Track the number and type of projects requiring a Watershed Development Permit.

***Visual Dry Weather Inspection Program***

Inspecting storm water outfalls during dry-weather conditions reveals whether non-storm water flows exist. If non-storm water flows are observed, they can be screened and tested to determine whether pollutants are present. Dry weather discharges are typically composed of sewage from leaking pipes or septic systems; wash water from various residential, commercial, and industrial activities and operations; liquid wastes such as oil, paint, and process water; tap water from leaks in the water supply system; landscape irrigation; and groundwater. Water quality testing is used to conclusively identify flow types found during dry weather inspections. Testing can distinguish illicit flow types (e.g., sewage, liquid wastes, commercial/industrial wash water) from cleaner discharges (e.g., tap water, landscape irrigation, and groundwater).

The Village's procedure for the identification of illicit discharges is included in *Appendix 3.* Step-by-step instructions for identifying storm sewers suspected of containing pollutants anduggestions for actions to be taken to determine the sources of identified pollutants are provided. The results of these procedures are intended to serve as indicators of pollution, rather than to provide specific quantitative analysis. If the presence of pollutants is indicated, the detective work of identifying the source of the discharge can begin. Once the source is identified, it can then be corrected.

**Measurable Goals**

1. Identify high priority outfalls.
2. Conduct outfall inspections annually during periods of dry weather.
3. Follow up on any observations of dry weather flow.

**Tracking**

1. Track the number of outfalls inspected annually.
2. Track the number and location of illicit discharges/connections found.
3. Track the number and location of illicit discharges repaired/replaced.

***Public Notification***

The Village provides educational material regarding illegal dumping of trash and used materials. Residents are encouraged to report illegal dumpers by calling the Public Works Department. Some clues that can help citizens identify illegal dumpers include:

- Illegal dumping often occurs late at night and before dawn.
- There is often no company name on the construction vehicles or equipment.
- The construction activity occurs on a site with no company advertising sign.
- There is no construction entrance adjacent to the roadway (an area of large stone and gravel placed to keep mud off streets).

The Village publicizes the Public Works Department phone number for the public to report illicit discharges and illegal dumping on outreach material and on the Village website.

**Measurable Goals**

1. Publicize the Public Works Department phone number on outreach material and on the Village website.
2. Provide educational material on illicit discharges and illegal dumping on the Village website.

**Tracking**

1. Track hits and downloads for material posted on the Village website.
2. Track the number of citizen reports.

## MCM #4: Construction Site Runoff Control

By many accounts, the most environmentally dangerous period of development is the initial construction phase, when land is cleared of vegetation and graded to create a proper surface for construction. The removal of natural vegetation and topsoil makes the exposed area particularly susceptible to erosion.

***Regulatory Authority***

The Village of Barrington has adopted the Lake County WDO and is currently a Certified Community for the review, permitting, inspection, and enforcement of the provisions of the WDO in both counties. The Village of Barrington's Village Code meets the minimum requirements of the WDO and any project within the Village of Barrington corporate limits must meet these requirements. The Village of Barrington's storm water management regulations are in Title 10, Chapter 9 of the Village Code. The purpose of these regulations is to establish reasonable rules and regulations for development to ensure that new development does not increase existing storm water problems or create new ones. The Village Code establishes standards for runoff, maintenance, detention sites, soil erosion and sediment control, water quality, wetlands, and floodplains.

Applicants submit the completed application forms and supporting documentation to the Village for review and comment. After all applicable provisions of the Village Code have been addressed, a permit is issued. Each permit lists any additional conditions that are applicable to the development.

The Village Code is the regulatory mechanism that requires the use of SESCs on development sites. At a minimum, these standards apply to any development project that hydrologically disturbs 5,000 square feet of land or more. In addition, applicants that hydrologically disturb greater than 1-acre are required to seek coverage under the NPDES Construction Site General Permit ILR10 by filing a NOI with the IEPA. A copy of the NOI must be submitted to the Village prior to commencement of any site work, including demolition. During construction, applicants are required to submit to the IEPA Incidence of Noncompliance (ION) forms, as necessary. After the site is substantially stabilized, the applicant is required to submit a Notice of Termination (NOT) to the IEPA.

***Site Plan Review***

All permits start in the Development Services Department and site development activities are routed to the Enforcement Officer for review. The Village reviews plans in accordance with the Village's Village Code. Elements reviewers look for in an effective site construction SESC plan include:

- Minimize needless clearing and grading.
- Protect waterways and stabilize drainage ways.
- Phase construction to limit soil exposure.
- Stabilize exposed soils immediately.
- Protect steep slopes and cuts.
- Install perimeter controls to filter sediments.
- Employ advanced sediment settling controls.

**Measurable Goals**

1. Review site plans and issue permits in accordance with the Village Code.
2. Ensure construction sites needing coverage under the NPDES Construction Site General Permit ILR10 obtain coverage prior to issuance of a Watershed Development Permit.

**Tracking**

1. Track development projects from the initial submittal to project completion.
2. Track site plans reviewed for soil erosion and sediment control.
3. Track projects that require an NPDES Construction Site General Permit ILR10.

***Construction Site Inspections & Enforcement Procedures***

Title 10, Chapter 9 of the Village Code contains both recommended and minimum requirements for the inspection of development sites. For major developments, site inspections occur (at a minimum) upon completion of installation of SESC measures, prior to the start of any other land disturbing activities, after final stabilization and landscaping, and prior to the removal of SESC measures.

Section 10-9-12-1201 of the Village Code specifies the legal actions that may be taken and the penalties that may be imposed if the provisions of Chapter 9 (Storm Water Management Regulations) are violated. If development activities on a development site are not in compliance with the requirements of Chapter 9, the Village may issue a stop work order on all development activity on the site or on the development activities that are in direct violation of the Village Code. In addition, failure to comply with any of the requirements of Chapter 9 constitutes a violation of the Village Code, and any person convicted of violating the Village Code may be fined.

**Measurable Goals**

1. Document and track site inspections on development sites. Keep files for 5 years.

**Tracking**

1. Maintain inspection reports for each development project.

## MCM #5: Post Construction Storm Water Management in New Development and Redevelopment

The management of storm water runoff from sites after the construction phase is vital to controlling the impacts of development on urban water quality. The increase in impervious surfaces such as rooftops, roads, parking lots, and sidewalks due to land development can have a detrimental effect on aquatic systems. Runoff from impervious areas can also contain a variety of pollutants that are detrimental to water quality, including sediment, nutrients, road salts, heavy metals, pathogenic bacteria and petroleum hydrocarbons.

***Regulatory Program***

The Village Code establishes the minimum storm water management requirements for development, including requirements for post-construction runoff control. The Village Code requires all applicants to adopt storm water management strategies for controlling post-construction storm water runoff on development sites. All development must adopt storm water management strategies that minimize increases in storm water runoff rates, volumes, and pollutant loads from development sites. Proposed storm water management strategies must address the runoff volume reduction requirements and include appropriate storm water BMPs to address the other applicable post-construction runoff control requirements of the Village Code. Applicants are also required to adopt strategies that incorporate storm water infiltration, reuse, and evapotranspiration of storm water into the project to the maximum extent practicable. Types of techniques include green roofs, rain gardens, rain barrels, bio-swales, permeable piping, dry wells, and permeable pavement.

The Village Code requires that maintenance plans be developed for all storm water management systems designed to serve major developments. Such maintenance plans must include the following:

- Description of all maintenance tasks.
- Identification of the party or parties responsible for performing such maintenance tasks.
- Description of all permanent maintenance easements or access agreements, overland flow paths, and compensatory storage areas.
- Description of dedicated sources of funding for the required maintenance.

The Village Code also requires that all storm water management systems be located within a deed or plat restriction to ensure that the system remains in place in perpetuity and that access to the system is maintained in perpetuity for inspection and maintenance purposes.

**Measurable Goals**

1. Document BMPs approved on development sites.
2. Ensure maintenance plans are prepared for all storm water management systems as required by the Village Code.

**Tracking**

1. Track projects with maintenance plans.

***Storm Water Management Facility Inspections***

Regular inspection is essential to maintain the effectiveness of post-construction storm water management facilities. Inspection and maintenance of facilities can be categorized into two groups: (1) expected routine maintenance, and (2) non-routine maintenance (i.e., repairs). Routine maintenance refers to checks performed on a regular basis to keep the facility in good working order and aesthetically pleasing. In addition, routine inspection and maintenance is an efficient way to reduce the chance of polluting storm water runoff by finding and correcting problems before the next rain. The failure of structural storm water facilities can lead to downstream flooding, causing property damage, injury, and even death.

The Village regularly inspects public and private storm water management facilities for proper operation and adequate maintenance. Observed erosion, seeding/reseeding needs, and slope stabilization needs are documented. During the inspections, staff identify facilities that would most benefit from a retrofit or other enhancements. SMC's Streambank/Shoreline Stabilization Manual is used as a starting point in choosing the appropriate BMP for remediation activities. Impacts and effects due to climate change are taken into considered when making recommendations. A master list of storm water management facilities is maintained and updated on a regular basis.

**Measurable Goals**

1. Maintain an inventory of all public and private storm water management facilities.
2. Regularly inspect public and private storm water management facilities for compliance with water quality and water quantity requirements.
3. Evaluate the feasibility of retrofits and enhancements to storm water management facilities.

**Tracking**

1. Track storm water management facility inspection and maintenance data.

## MCM #6: Pollution Prevention / Good Housekeeping for Municipal Operations

The Village is responsible for the care and upkeep of Village-owned property, municipal roads, and maintenance yards. Many maintenance activities are performed by Village staff; however, contractors are employed to perform specific activities. The Village requires documentation that appropriate training has been completed annually, for all contractors retained to manage or carry out routine maintenance, repair, or replacement of public surfaces in current green infrastructure or low impact design techniques applicable to such projects. Contractors are responsible for providing training to their employees for projects which include green infrastructure or low impact design techniques and providing proof of such training to the Village.

The Village maintains compliance with permit requirements by incorporating pollution prevention and good housekeeping storm water quality management into day-to-day operations. On-going education and training is provided to staff to ensure they have the knowledge and skills necessary

to perform their functions effectively and efficiently. The Village of Barrington implements the following programs to fulfill the requirements of this minimum control measure.

***Catch Basin/Inlet Cleaning***

Catch basins are chambers or sumps that allow surface water runoff to enter the storm water conveyance system. Many catch basins are below the invert of the outlet pipe intended to retain coarse sediment. By trapping sediment, the catch basin prevents solids from clogging the storm sewer and being washed into receiving waters. Catch basins are cleaned periodically to maintain their ability to trap sediment and consequently, their ability to prevent flooding. The removal of sediment, decaying debris, and highly polluted water from catch basins has aesthetic and water quality benefits, including reducing foul odors, reducing suspended solids, and reducing the load of oxygen-demanding substances that reach receiving waters. Generally, catch basins are cleaned if the depth of deposits is greater than or equal to one-third to depth from the basin to the invert of the lowest pipe or opening into or out of the basin. Catch basins are cleaned either manually or by specially designed equipment. Before any materials can be disposed, it may be necessary to perform a detailed analysis to characterize the waste. However, material removed from catch basins is typically stored at the Village's maintenance yard and disposed in a conventional landfill. The Department of Public Works is currently responsible for administering the Villages Catch Basin/Inlet Cleaning BMP.

The Village cleans catch basins and inlets on an as needed basis (i.e. complaints, standing water, etc.). Catch basins found to have structural deficiencies are reported to the Director of Public Works. Necessary remedial actions are completed by a contractor or incorporated into a capital project

**Measurable Goals**

1. Clean catch basins and inlets on an as needed basis.
2. Report catch basins found to have structural deficiencies.
3. Complete necessary repairs.

**Tracking**

1. Maintain and track the number and location of catch basins and inlets cleaned.
2. Track the number of catch basins repaired.
3. Track the linear feet of storm sewer cleaned.

***Public Works Washing Station Facility***

Vehicle and equipment wash waters have the potential to result in high loads of nutrients, metals, and hydrocarbons in receiving waters. The Village currently utilizes a triple catch basin connected to the sanitary sewer for washing vehicles and equipment at the Public Works Facility. The Department of Public Works maintains the triple catch basin.

**Measurable Goals**

1. Ensure Village vehicles are washed in the proper location.
2. Complete routine maintenance of the triple catch basin.

**Tracking**

1. Track maintenance activities of the triple catch basin.

***Material Storage***

Uncovered materials such as salt, wood, sand, stone, gravel, etc. have the potential to contaminate storm water when exposed to rain and/or runoff. Tarp, plastic sheeting, roofs, buildings, and other enclosures are examples of temporary or permanent coverings that are effective in preventing storm water contamination. Covering is necessary for loading/unloading areas; raw material, byproduct, and final product outdoor storage areas; fueling and vehicle maintenance areas; and other high-risk areas. The Department of Public Works maintains its salt done, covered fuel island, and material storage areas.

**Measurable Goals**

1. Maintain salt storage, covered fuel island, and material storage areas.
2. Conduct monthly pollution prevention inspections at the Public Works Facility.

**Tracking**

1. Maintain list of materials stored at the Public Works facility.
2. Track maintenance activities.
3. Track results of the monthly pollution prevention inspections at the Public Works Facility.

***Street Sweeping***

The Village employs street sweeping on a regular basis to minimize pollutant export to receiving waters. These cleaning practices are designed to remove from road and parking lot surfaces sediment, debris and other pollutants that are potential source of pollution impacting urban waterways. Recent improvements in street sweeper technology have enhanced the ability of present day machines to pick up the fine-grained sediment particles that carry a substantial portion of the storm water pollutant load. Street sweeping is used during the spring snowmelt to reduce pollutant loads from road salt and to reduce sand export to receiving waters. The Department of Public Works is responsible for the street sweeping program for the Village. The Village attempts to sweep each street monthly during the growing season.

**Measurable Goals**

1. Maintain current street sweeping practices.

**Tracking**

1. Track the amount of street sweeping collected each year.

***Snow Removal and Ice Control***

The Village of Barrington's Department of Public Works handles snow and ice removal on Village Roadways. During snow removal and ice control activities, salt, de-icing chemicals, abrasives, and snow melt may pollute storm water runoff. To address these potential pollutants, the following procedures for the "winter season" (November 1 through May 1) are implemented.

*Roadway Ice Control* - Use the minimal amount of salt, de-icing chemicals, and additives necessary for effective control. Prior to November 1, preparation work to obtain seasonal readiness is completed. These tasks include installing, inspecting, re-conditioning, testing, and calibrating of spreaders and spinners per the National Salt Institution Application Guidelines. Driver training is also conducted annually for all drivers. The completion of these preparatory tasks helps to ensure that only the necessary level of salt is applied.

*Snow Plowing* - Snow plowing activities direct snow off the pavement and onto the parkways. This reduces the amount of salt, chemical additives, abrasives, or other pollutants that go directly into the storm sewer system.

*Participation in Watershed Group* – Village staff participate in a watershed group(s) organized to implement control measures which will reduce the chloride concentration in receiving streams in the watershed.

*Salt Delivery and Storage* - Steps are taken to ensure that the delivery, storage, and distribution of salt does not pollute storm water runoff. The floor of the enclosed salt storage building, and adjacent receiving/unloading area is constructed of impervious material. The limits of the salt piles are pushed back away from the door opening to minimize potential illicit runoff.

**Measurable Goals**

1. Continue to implement the pre-season procedures related to roadway ice control, snow plowing, participation in watershed groups, driver training, and management of salt delivery and storage.

**Tracking**

1. Track the amount of de-icing chemicals and salt used.
2. Maintain list of staff that have completed the pre-season training.
3. Track participation in watershed group that addresses chlorides.

***Vehicle and Equipment Maintenance***

Vehicle and equipment fueling procedures and practices are designed to minimize or eliminate the discharge of pollutants to the storm water management system, including receiving waters. The following standard procedures are implemented.

*Vehicle Fueling* - The vehicle fueling area contains two (2) single nozzle pumps with two (2) belowground tanks. One (1) 10,000-gallon single wall gasoline tank and one (1) 6,000-gallon double wall ultra-low sulfur diesel tank. The diesel tank has an interstitial monitoring alarm system.

*Waste Oil* - Used motor oil, transmission fluids, gear lubes, brake fluids and other vehicle fluids (except antifreeze) are collected and stored in approved containers. The waste oil tank is emptied by a private company and removed for recycling.

*Antifreeze* - Used antifreeze is stored in a 55-gallon tank. It is emptied by a private company and removed for recycling.

B*atteries* - Used batteries are stored in the vehicle maintenance area and are and removed for recycling weekly by a private battery supplier.

*Tires* - Used tires are picked up and recycled by a local vendor as accumulated. Tires are stored outside at the Village's garage until picked up for disposal.

*Other* - Private certified companies perform all air-conditioning related work; therefore, the disposal of Freon is not handled directly by the Village. Cleaning fluids and solvents are contained within an enclosed tank and maintained by a private licensed special waste company.

**Measurable Goals**

1. Continue to implement the procedures for vehicle and equipment maintenance.

**Tracking**

1. Track the amount of materials removed by a private contractor.

***Waste Management***

Waste Management consists of implementing procedural and structural practices for handling, storing, and disposing of wastes generated by Village maintenance activity. This helps prevent the release of waste materials into receiving waters. Waste management practices include removal of materials such as asphalt and concrete maintenance by-products, excess earth excavation, contaminated soil, hazardous wastes, sanitary waste, and material from within triple basins. The following standard procedures are implemented.

*Spoil Stock Pile* - Asphalt and concrete maintenance by-products and excess earth excavation materials are temporarily stored in the stock pile in the maintenance yard. Attempts are made to recycle asphalt and concrete products prior to storage in the spoil stock pile. Licensed waste haulers are contracted to remove and dispose of the contents at a licensed landfill. Surface runoff from this area is largely contained.

*Contaminated Soil Management* - Contaminated soil/sediment generated during an emergency response or identified during construction activities is collected and management for treatment or disposal. Attempts are made to avoid stockpiling of the contaminated soil.

*Hazardous Waste* - All hazardous wastes area stored in sealed containers constructed of compatible material and labeled. The containers are located in non-flammable storage cabinets or on a containment pallet. These items include paint, aerosol cans, gasoline, solvents, and other hazardous wastes. Care is taken to avoid overfilling containers. Paint brushes and equipment used for water and oil-based paints are cleaned within the designated cleaning area. The Department

of Public Works maintains oversight of hazardous waste generated by the Village. Containerized hazardous waste materials are disposed of or recycled through a contract arrangement with a third party hazardous waste disposal firm.

**Measurable Goals**

1. Properly handle, store, and dispose of wastes generated by Village maintenance activities.

**Tracking**

1. Track the removal of wastes from the maintenance facility.

***Spill Response Plan***

Spill prevention and control procedures are implemented wherever non-hazardous chemicals and/or hazardous substances are stored or used. These procedures and practices are implemented to prevent and control spills in a manner that minimizes or prevents discharge to the storm water drainage system and receiving waters.

The following general guidelines are implemented to prevent spills:

- Ensure all hazardous substances are properly labeled.
- Store all hazardous wastes in sealed containers constructed of compatible material and labeled.
- Locate items, such as paint, aerosol cans, gasoline, solvents and other hazardous wastes, in non-flammable storage cabinets or on a containment pallet.
- Do not overfill containers.
- Provide secondary containers when storing hazardous substances in bulk quantities (greater than 55 gallons).
- Dispense and/or use hazardous substances in a way that prevents release.

*Non-Hazardous Spills/Dumping* - Non-hazardous spills typically consist of an illicit discharge of household material(s) into the street or storm water management system. Upon notification or observance of a non-hazardous illicit discharge, the Public Works Department or Police Department implement the following procedure:

- Sand bag the receiving inlet to prevent additional discharge into the storm sewer system.
- Check structures (immediate and downstream) and if possible, vacuum materials out. Jet structure to dilute and flush the remaining unrecoverable illicit discharge.
- Clean up may consist of applying “Oil Dry” or sand and then sweeping up the remnant material.
- On-site personnel document the location, type of spill, and action taken.
- If a person is observed causing an illicit discharge, the Department Public Works is notified and appropriate citations issued.

*Hazardous Spills* - Upon notification or observance of a hazardous illicit discharge, the Public Works Department or Police Department implement the following procedure:

- Call 911, explain the incident. The Fire Department responds.
- Village Police provide emergency traffic control, as necessary.
- The Fire Department evaluates the situation and applies "No Flash" or "Oil Dry" as necessary.
- The Fire Department's existing emergency response procedure for hazardous spill containment clean-up activities is followed.
- On-site personnel document the location, type of spill, and action taken.

**Measurable Goals**

1. Implement the Spill Response Plan outlined above.

**Tracking**

1. Track the location, type, and action taken for spill events and any related illicit discharges.

# V. Employee Training

The Village has developed an in-house employee training program designed to educate staff about the SWMP. The end goal of the training program is to provide training that results in the prevention and reduction of pollutant discharge to the maximum extent practicable. The program is repeated annually both to train new employees and to keep its objectives fresh in the minds of more senior employees. The training program is also flexible and will be adapted as the storm water management needs change over time. Contractors are responsible for providing proof of similar training. Key topics include the following:

- Preventing and reducing storm water pollution from activities such as new construction and land disturbances; park and open space maintenance; fleet and building maintenance; operation of storage yards; snow disposal; and de-icing material storage, handling, and use on roadways.
- Storm water system maintenance procedures for proper disposal of street cleaning debris and catch basin material.
- Impacts of flood management projects on water quality.
- Non-point source pollution control.
- Green infrastructure controls.
- Aquatic habitat.
- Best Management Practices.
- Potential sources of contaminants.
- Pollution prevention work practices.
- How to prevent and reduce the discharge of pollutants to the maximum extent practicable.
- Hazards associated with illegal discharges and improper disposal of waste and the requirements and mechanisms for reporting such discharges.

Additional annual training is required for Village employees who manage or are directly involved in (or who retain others who manage or are directly involved in) the routine maintenance, repair, or replacement of public surfaces. Training is focused on current green infrastructure/low impact design techniques applicable to projects involving the routine maintenance, repair, or replacement of public surfaces.

# VI. Monitoring, Recordkeeping, and Reporting

The SWMP represents an organized approach to achieving compliance with the NPDES Phase II program for both private and public activities within the Village. Land development, redevelopment, and transportation improvement projects were required to comply with the provisions of the Village's Municipal Code prior to acceptance of the SWMP. Additionally, the Village had numerous written and unwritten procedures for various tasks. This SWMP documents and organizes previously existing procedures and incorporates new ideas to create one cohesive program that addresses pre-development, construction, post-development, and municipal activities. The following sections describe how the Village will monitor and evaluate their SWMP based on the above stated objective.

## Monitoring and Assessment Program

The Village has selected a total of five (5) locations to perform water quality monitoring in accordance with Section V.A.2.b of the NPDES ILR40 permit. Monitoring includes quarterly instream monitoring of receiving waters upstream and downstream of the Village, within designated streams.

Grab samples at these locations are collected within 48 hours of a precipitation event greater than or equal to one quarter inch in a 24-hour period. The water quality analysis includes the following parameters: total suspended solids, ammonia, pH, BOD, total phosphorous, and fecal coliform. Water quality are summarized and reviewed annually to detect changes between upstream and downstream sampling points.

## Recordkeeping

As required by the NPDES ILR40 permit, the Village maintains records for 5 years after the expiration of the ILR40 permit. Records include the Village's NOI, SWMP, annual reports, and monitoring data. Records are kept on-site (or locally available) and are accessible to the IEPA for review at the time of an on-site inspection. These records are available to the public during regular business hours, advance notice is required.

## Reporting

The Village is required to submit an annual report to the IEPA by the first day of June for each year that the ILR40 permit is in effect. Each annual report covers the period from March of the previous year through February of the current year. The annual report includes the following:

- An assessment of the appropriateness and effectiveness of the Village's identified BMPs and progress towards achieving the statutory goal of reducing the discharge of pollutants to the maximum extent practicable, and the Village's identified measurable goals for each of the minimum control measures.
- The status of compliance with permit conditions, including a description of each incidence of non-compliance with the permit, and the Village's plan for achieving compliance with a timeline of actions taken or to be taken.
- Results of information collected and analyzed, including monitoring data, if any, during the reporting period.
- A summary of the storm water activities the Village plans to undertake during the next reporting cycle, including an implementation schedule.

- A change in any identified BMPs or measurable goals that apply to the program elements.
- Notice that the Village is relying on another government entity to satisfy some of the permit obligations (if applicable).
- An updated summary of any BMP or adaptive management strategy constructed or implemented pursuant to any approved TMDL or alternate water quality management study. Using the results of the monitoring program, assess whether the waste load allocation (WLA) or other performance requirements for storm water discharges from the MS4 are being met (if applicable).

# VII. Program Evaluation

In conjunction with the preparation of the annual report, BMPs implemented by the Village are evaluated annually to determine the effectiveness of the SWMP. Areas of program effectiveness, as well as areas which do not appear to be improving, are identified and described in the annual report. This information is used to provide insight into how the program may need to evolve. The following are some indicators that the BMPs are appropriate:

- A reduced number of outfalls having positive indicators for potential pollutants.
- An improvement, or no change, in the annual monitoring results.
- Increased stakeholder involvement.
- Reduced number of violations.
- Improved storm water management facility quality (including conversion of dry bottom or turf basins to naturalized basins; removal of excess sediment accumulation and a general increase in maintenance activity on facilities throughout the Village).
- Reduced use of chloride.
- Improved awareness of water quality and other NPDES program aspects by both Village staff and contractors.

## Monitoring Program Evaluation

The results of the water quality monitoring program are used to further gage the effects of the SWMP on the physical/habitat-related aspects of receiving waters and the effectiveness of BMPs. Possible causes of documented degradation are investigated and appropriate corrective actions incorporated into future versions of the SWMP. A discussion of water quality monitoring efforts is described in each annual report.

## Illicit Discharge Detection & Elimination Program Evaluation

There is typically a lower chance of observing polluted dry-weather flows in residential and newer development areas, while older and industrial land use areas have a higher incidence of observed dry-weather flows. The Village reviews the results of the dry weather outfall program annually to examine whether any trends can be identified that relate to the age or land use of a developed area. If so, these conclusions may guide future outfall inspection activities.

Indirect or subtle discharges such as flash dumping are difficult to trace to their sources and can only be remedied through public education and reporting. Therefore, it is expected that to some degree they will continue, although at a reduced magnitude and frequency. Although the outfall inspection program will be successful in identifying and eliminating most pollutants in dry-weather discharges, the continued existence of dry-weather flows requires an ongoing commitment to continue the outfall screening program.

It is logical to assume that completion of the initial dry-weather efforts eliminated most the dry-weather pollution sources. However, new sources may appear in the future because of mistaken cross connections from redevelopment, new-development, or remodeling. Annual dry-weather outfall inspections will determine the effectiveness of the program on a long-term basis and

show ongoing improvement through a reduced number of outfalls having positive indicators of potential pollutants. A description of the outfall inspection program and an analysis of the results are included in the annual report.

## SWMP Evaluation

The following types of questions/answers are discussed internally each year. Suggested improvements are noted and incorporated into a revised SWMP document. The SWMP is revised approximately every five years.

- Are proper storm water management practices integrated into planning, designing, and construction of both public and private projects?
- Are efforts to incorporate storm water practices into maintenance activities effective and efficient?
- Is the training program sufficient?
- Is the SWMP sufficient with respect to both the BMPs and measurable goals described for each of the six Minimum Control Measures?
- Are the procedures for implementing the SWMP adequate?
- Are there any TMDL Reports within the community and if yes, is there an action plan for compliance?
- Were there any issues of non-compliance and if yes, determine the plan for achieving compliance with a timeline of actions?

# Appendix 1

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 • (217) 782-3397
BRUCE RAUNER, GOVERNOR LISA BONNETT, DIRECTOR

217/782-0610

February 10, 2016

Re: General NPDES Permit ILR40 for Discharge from Small Municipal Separate Storm Sewer Systems (MS4)

Dear Permittee:

Enclosed with this letter is the reissued General NPDES Permit ILR40 for the discharge of storm water from small MS4s. Significant changes have been made in the final permit based on comments received by the Agency. Please review the final permit and make any necessary modifications to your storm water management program. The Agency has also provided a list of permit modifications and a summary of responses to comments received by the Agency.

Please note that the Agency will be reviewing the Notice of Intent (NOI) for all NOIs that have been received. If you have not submitted an NOI, you must submit a NOI within 90 days of the effective date of the permit. A separate permit coverage letter will be sent by the Agency to persons who have submitted a complete NOI after review of the NOI.

Should you have any questions or comments regarding this letter, please contact Melissa Parrott or Cathy Demeroukas of my staff at (217) 782-0610 or at the above address.

Sincerely,

Alan Keller

Alan Keller, P.E.
Manager, Permit Section
Division of Water Pollution Control

SAK:16020801bah/MS4 NOI Letter

4302 N. Main St., Rockford, IL 61103 (815) 987-7760
595 S. State, Elgin, IL 60123 (847) 608-3131
2125 S. First St., Champaign, IL 61820 (217) 278-5800
2009 Mall St., Collinsville, IL 62234 (618) 346-5120

9511 Harrison St., Des Plaines, IL 60016 (847) 294-4000
412 SW Washington St., Suite D, Peoria, IL 61602 (309) 671-3022
2309 W. Main St., Suite 116, Marion, IL 62959 (618) 993-7200
100 W. Randolph, Suite 10-300, Chicago, IL 60601

PLEASE PRINT ON RECYCLED PAPER

# General NPDES Permit No. ILR40

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

## NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

## General NPDES Permit
## For
## Discharges from Small Municipal Separate Storm Sewer Systems

**Expiration Date: February 28, 2021**

**Issue Date: February 10, 2016**

**Effective Date: March 1, 2016**

In compliance with the provisions of the Illinois Environmental Protection Act, the Illinois Pollution Control Board Rules and Regulations (35 Ill. Adm. Code, Subtitle C, Chapter 1) and the Clean Water Act, the following discharges may be authorized by this permit in accordance with the conditions herein:

Discharges of only storm water from small municipal separate storm sewer systems (MS4s), as defined and limited herein. Storm water means storm water runoff, snow melt runoff, and surface runoff and drainage.

**Receiving waters:** Discharges may be authorized to any surface water of the State.

To receive authorization to discharge under this general permit, a facility operator must submit a Notice of Intent (NOI) as described in Part II of this permit to the Illinois Environmental Protection Agency (Illinois EPA). Authorization, if granted, will be by letter and include a copy of this permit.

Alan Keller, P.E.
Manager, Permit Section
Division of Water Pollution Control

NPDES/Hutton/stormwater/MS4/MSFinal2-9-16.daa

**CONTENTS OF GENERAL PERMIT ILR40**

PART I. COVERAGE UNDER GENERAL PERMIT ILR40 ..... Page 2

PART II. NOTICE OF INTENT (NOI) REQUIREMENTS ..... Page 3

PART III. SPECIAL CONDITIONS ..... Page 4

PART IV. STORM WATER MANAGEMENT PROGRAMS ..... Page 6

PART V. MONITORING, RECORDKEEPING, AND REPORTING ..... Page 12

PART VI. DEFINITIONS AND ACRONYMS ..... Page 14

ATTACHMENT H. STANDARD CONDITIONS ..... Page 16

## PART I. COVERAGE UNDER GENERAL PERMIT ILR40

A. Permit Area

This permit covers all areas of the State of Illinois.

B. Eligibility

1. This permit authorizes discharges of storm water from MS4s as defined in 40 CFR 122.26 (b)(16) as designated for permit authorizations pursuant to 40 CFR 122.32.

2. This permit authorizes the following non-storm water discharges provided they have been determined not to be substantial contributors of pollutants to a particular small MS4 applying for coverage under this permit:

   - Water line and fire hydrant flushing,
   - Landscape irrigation water,
   - Rising ground waters,
   - Ground water infiltration,
   - Pumped ground water,
   - Discharges from potable water sources, (excluding wastewater discharges from water supply treatment plants)
   - Foundation drains,
   - Air conditioning condensate,
   - Irrigation water, (except for wastewater irrigation),
   - Springs,
   - Water from crawl space pumps,
   - Footing drains,
   - Storm sewer cleaning water,
   - Water from individual residential car washing,
   - Routine external building washdown which does not use detergents,
   - Flows from riparian habitats and wetlands,
   - Dechlorinated pH neutral swimming pool discharges,
   - Residual street wash water,
   - Discharges or flows from fire fighting activities
   - Dechlorinated water reservoir discharges, and
   - Pavement washwaters where spills or leaks of toxic or hazardous materials have not occurred (unless all spilled material has been removed).

3. Any municipality covered by this general permit is also granted automatic coverage under Permit No. ILR10 for the discharge of storm water associated with construction site activities for municipal construction projects disturbing one acre or more. The permittee is granted automatic coverage 30 days after Agency receipt of a Notice of Intent to Discharge Storm Water from Construction Site Activities from the permittee. The Agency will provide public notification of the construction site activity and assign a unique permit number for each project during this period. The permittee shall comply with all the requirements of Permit ILR10 for all such construction projects.

C. Limitations on Coverage

The following discharges are not authorized by this permit:

1. Storm water discharges that are mixed with non-storm water or storm water associated with industrial activity unless such discharges are:

   a. In compliance with a separate NPDES permit; or

   b. Identified by and in compliance with Part I.B.2 of this permit.

2. Storm water discharges that the Agency determines are not appropriately covered by this general permit. This determination may include discharges identified in Part 1.B.2 or that introduce new or increased pollutant loading that may be a significant contributor of pollutants to the receiving waters.

3. Storm water discharges to any receiving water specified under 35 Ill. Adm. Code 302.105(d) (6).

4. The following non-storm water discharges are prohibited by this permit: concrete and wastewater from washout of concrete (unless managed by an appropriate control), drywall compound, wastewater from washout and cleanout of stucco, paint, form release oils, curing compounds and other construction materials, fuels, oils, or other pollutants used in vehicle and equipment operation and maintenance, soaps, solvents, or detergents, toxic or hazardous substances from a spill or other release, or any other pollutant that could cause or tend to cause water pollution.

5. Discharges from dewatering activities (including discharges from dewatering of trenches and excavations) are allowable if managed by appropriate controls as specified in a project's storm water pollution prevention plan, erosion and sediment control plan, or storm water management plan.

D. Obtaining Authorization

In order for storm water discharges from small MS4s to be authorized to discharge under this general permit, a discharger must:

1. Submit a Notice of Intent (NOI) in accordance with the requirements of Part II using an NOI form provided by the Agency (or a photocopy thereof).

2. Submit a new NOI in accordance with Part II within 30 days of a change in the operator or the addition of a new operator.

3. Unless notified by the Agency to the contrary, an MS4 owner submitting a complete NOI in accordance with the requirements of this permit will be authorized to discharge storm water from their small MS4s under the terms and conditions of this permit 30 days after the date that the NOI is received. Authorization will be by letter and include a copy of this permit. The Agency may deny coverage under this permit and require submittal of an application for an individual NPDES permit based on a review of the NOI or other information.

## PART II. NOTICE OF INTENT (NOI) REQUIREMENTS

A. Deadlines for Notification

1. If an MS4 was automatically designated under 40 CFR 122.32(a)(1) to obtain permit coverage, then you were required to submit an NOI or apply for an individual permit by March 10, 2003.

2. If an MS4 has coverage under the previous general permit for storm water discharges from small MS4s, you must renew your permit coverage under this part. Unless previously submitted for this general permit, you must submit a new NOI within 90 days of the effective date of this reissued general permit for storm water discharges from small MS4s to renew your NPDES permit coverage. The permittee shall comply with any new provisions of this general permit within 180 days of the effective date of this permit and include modifications pursuant to the NPDES permit in its Annual Report.

3. If an MS4 is designated in writing by Illinois EPA under 40 CFR 122.32(a)(2) during the term of this general permit, then you are required to submit an NOI within 180 days of such notice.

4. MS4s are not prohibited from submitting an NOI after established deadlines for NOI submittals. If a late NOI is submitted, your authorization is only for discharges that occur after permit coverage is granted. Illinois EPA reserves the right to take appropriate enforcement actions against MS4s that have not submitted a timely NOI.

B. Contents of Notice of Intent

Dischargers seeking coverage under this permit shall submit the Illinois MS4 NOI form. The NOI shall be signed in accordance with Standard Condition 11 of this permit and shall include all of the following information:

1. The street address, county, and the latitude and longitude of the municipal office for which the notification is submitted;

2. The name, address, and telephone number of the operator(s) filing the NOI for permit coverage and the name, address, telephone number, and email address of the person(s) responsible for implementation and compliance with the MS4 Permit; and

3. The name and segment identification of the receiving water(s), whether any segments(s) is or are listed as impaired on the most recently approved list pursuant to Section 303(d) of the Clean Water Act or any currently applicable Total Maximum Daily Load (TMDL) or alternate water quality study, and the pollutants for which the segment(s) is or are impaired. The most recent 303(d) list may be found at http://www.epa.state.il.us/water/water-quality/index.html. Information regarding TMDLs may be found at http://www.epa.state.il.us/water/tmdl/.

4. The following shall be provided as an attachment to the NOI:

   a. A description of the best management practices (BMPs) to be implemented and the measurable goals for each of the storm water minimum control measures in paragraph IV. B. of this permit designed to reduce the discharge of pollutants to the maximum extent practicable;

   b. The month and year in which you implemented any BMPs of the six minimum control measures, and the month and year in which you will start and fully implement any new minimum control measures or indicate the frequency of the action;

   c. For existing permittees, provide adequate information or justification on any BMPs from previous NOIs that could not be implemented; and

   d. Identification of a local qualifying program, or any partners of the program if any.

5. For existing permittees, certification that states the permittee has implemented necessary BMPs of the six minimum control measures.

C. All required information for the NOI shall be submitted electronically and in writing to the following addresses:

Illinois Environmental Protection Agency
Division of Water Pollution Control
Permit Section
Post Office Box 19276
Springfield, Illinois 62794-9276

epa.ms4noipermit@illinois.gov

D. Shared Responsibilities

Permittees may partner with other MS4s to develop and implement their storm water management program. Each MS4 must fill out the NOI form. MS4s may also jointly submit their individual NOI in coordination with one or more MS4s. The description of their storm water management program must clearly describe which permittees are responsible for implementing each of the control measures. Each permittee is responsible for implementation of best management practices for the Storm Water Management Program within its jurisdiction.

## PART III. SPECIAL CONDITIONS

A. The Permittee's discharges, alone or in combination with other sources, shall not cause or contribute to a violation of any applicable water quality standard outlined in 35 Ill. Adm. Code 302.

B. If there is evidence indicating that the storm water discharges authorized by this permit cause, or have the reasonable potential to cause or contribute to a violation of water quality standards, you may be required to obtain an individual permit or an alternative general permit or the permit may be modified to include different limitations and/or requirements.

C. If a TMDL allocation or watershed management plan is approved for any water body into which you discharge, you must review your storm water management program to determine whether the TMDL or watershed management plan includes requirements for control of storm water discharges. If you are not meeting the TMDL allocations, you must modify your storm water management program to implement the TMDL or watershed management plan within eighteen months of notification by the Agency of the TMDL or watershed management plan approval. Where a TMDL or watershed management plan is approved, the permittee must:

1. Determine whether the approved TMDL is for a pollutant likely to be found in storm water discharges from your MS4.

2. Determine whether the TMDL includes a pollutant waste load allocation (WLA) or other performance requirements specifically for storm water discharge from your MS4.

3. Determine whether the TMDL addresses a flow regime likely to occur during periods of storm water discharge.

4. After the determinations above have been made and if it is found that your MS4 must implement specific WLA provisions of the TMDL, assess whether the WLAs are being met through implementation of existing storm water control measures or if additional control measures are necessary.

5. Document all control measures currently being implemented or planned to be implemented to comply with TMDL waste load allocation(s). Also include a schedule of implementation for all planned controls. Document the calculations or other evidence that shows that the WLA will be met.

6. Describe and implement a monitoring program to determine whether the storm water controls are adequate to meet the WLA.

7. If the evaluation shows that additional or modified controls are necessary, describe the type and schedule for the control additions/revisions.

8. Continue requirements 4 through 7 above until monitoring from two continuous NPDES permit cycles demonstrate that the WLAs or water quality standards are being met.

9. If an additional individual permit or alternative general permit includes implementation of work pursuant to an approved TMDL or alternate water quality management plan, the provisions of the individual or alternative general permit shall supersede the conditions of Part III.C. TMDL information may be found at http://www.epa.state.il.us/water/tmdl/.

D. If the permittee performs any deicing activities that can cause or contribute to a violation of an applicable State chloride water quality standard, the permittee must participate in any watershed group(s) organized to implement control measures which will reduce the chloride concentration in any receiving stream in the watershed.

E. Authorization: Owners or operators must submit either an NOI in accordance with the requirements of this permit or an application for an individual NPDES Permit to be authorized to discharge under this General Permit. Authorization, if granted will be by letter and include a copy of this Permit. Upon review of an NOI, the Illinois EPA may deny coverage under this permit and require submittal of an application for an individual NPDES permit.

1. Automatic Continuation of Expired General Permit: Except as provided in III.E.2 below, when this General Permit expires the conditions of this permit shall be administratively continued until the earliest of the following:

   a. 150 days after the new General Permit is reissued;

   b. The Permittee submits a Notice of Termination (NOT) and that notice is approved by Illinois EPA;

   c. The Permittee is authorized for coverage under an individual permit or the renewed or reissued General Permit;

   d. The Permittee's application for an individual permit for a discharge or NOI for coverage under the renewed or reissued General Permit is denied by the Illinois EPA; or

   e. Illinois EPA issues a formal permit decision not to renew or reissue this General Permit. This General Permit shall be automatically administratively continued after such formal permit decision.

2. Duty to Reapply:

   a. If the permittee wishes to continue an activity regulated by this General Permit, the permittee must apply for permit coverage before the expiration of the administratively continued period specified in III.E.1 above.

   b. If the permittee reapplies in accordance with the provisions of III.E.2.a above, the conditions of this General Permit shall continue in full force and effect under the provisions of 5 ILCS 100/10-65 until the Illinois EPA makes a final determination on the application or NOI.

   c. Standard Condition 2 of Attachment H is not applicable to this General Permit.

F. The Agency may require any person authorized to discharge by this permit to apply for and obtain either an individual NPDES permit or an alternative NPDES general permit. Any interested person may petition the Agency to take action under this paragraph. The Agency may require any owner or operator authorized to discharge under this permit to apply for an individual or alternative general NPDES permit only if the owner or operator has been notified in writing that a permit application is required. This notice shall include a brief statement of the reasons for this decision, an application form, a statement setting a deadline for the owner or operator to file the application, and a statement that on the effective date of the individual NPDES permit or the alternative general permit as it applies to the individual permittee, coverage under this general permit shall automatically terminate. The Agency may grant additional time to submit the application upon request of the applicant. If an owner or operator fails to submit in a timely manner an individual or alternative general NPDES permit application required by the Agency under this paragraph, then the applicability of this permit to the individual or alternative general NPDES permittee is automatically terminated by the date specified for application submittal.

G. Any owner or operator authorized by this permit may request to be excluded from the coverage of this permit by applying for an individual permit. The owner or operator shall submit an individual application with reasons supporting the request, in accordance with the requirements of 40 CFR 122.28, to the Agency. The request will be granted by issuing an individual permit or an alternative general permit if the reasons cited by the owner are adequate to support the request.

H. When an individual NPDES permit is issued to an owner or operator otherwise subject to this permit, or the owner or operator is approved for coverage under an alternative NPDES general permit, the applicability of this permit to the individual NPDES permittee is automatically terminated on the issue date of the individual permit or the date of approval for coverage under the alternative general permit, whichever the case may be.

## PART IV. STORM WATER MANAGEMENT PROGRAMS

A. Requirements

The permittee must develop, implement, and enforce a storm water management program designed to reduce the discharge of pollutants from their MS4 to the maximum extent practicable, 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 permittee's storm water management program must include the minimum control measures described in section B of this Part. For new permittees, the permittee must develop and implement specific program requirements by the date specified in the Agency's coverage letter. The U.S. Environmental Protection Agency's National Menu of Storm Water Best Management Practices (http://cfpub.epa.gov/npdes/stormwater/menuofbmps/index.cfm) and the most recent version of the Illinois Urban Manual should be consulted regarding the selection of appropriate BMPs.

B. Minimum Control Measures

The 6 minimum control measures to be included in the permittee's storm water management program are:

1. Public Education and Outreach on Storm Water Impacts

New permittees shall develop and implement elements of their storm water management program addressing the provisions listed below. Existing permittees renewing coverage under this permit shall maintain their current programs addressing this Minimum Control Measure, updating and enhancing their storm water management programs as necessary to comply with the terms of this section.

a. Distribute educational materials to the community or conduct equivalent outreach activities about the impacts of storm water discharges on water bodies and the steps that the public can take to reduce pollutants in storm water runoff. The educational materials shall include information on the potential impacts and effects on storm water discharge due to climate change. Information on climate change can be found at http://epa.gov/climatechange/. The permittee shall incorporate the following into its education materials, at a minimum:

i. Information on effective pollution prevention measures to minimize the discharge of pollutants from private property and activities into the storm sewer system, on the following topics:

A. Storage and disposal of fuels, oils and similar materials used in the operation of or leaking from, vehicles and other equipment;
B. Use of soaps, solvents or detergents used in the outdoor washing of vehicles, furniture and other property,
C. Paint and related décor;
D. Lawn and garden care; and
E. Winter de-icing material storage and use.

ii. Information about 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, evaporated or reused.

iii. Information on the benefits and costs of such strategies and provide guidance to the public on how to implement them.

b. Define appropriate BMPs for this minimum control measure and measurable goals for each BMP. These measurable goals must ensure the reduction of all of the pollutants of concern in the permittee's storm water discharges to the maximum extent practicable; and

c. Provide an annual evaluation of public education and outreach BMPs and measurable goals. Report on this evaluation in the Annual Report pursuant to Part V.C.1.

2. Public Involvement/Participation

New permittees shall develop and implement elements of their storm water management program addressing the provisions listed below. Existing permittees renewing coverage under this permit shall maintain their current programs addressing this Minimum Control Measure, updating and enhancing their storm water management programs as necessary to comply with the terms of this section.

a. At a minimum, comply with State and local public notice requirements when implementing a public involvement/ participation program;

b. Define appropriate BMPs for this minimum control measure and measurable goals for each BMP, which must ensure the reduction of all of the pollutants of concern in the permittee's storm water discharges to the maximum extent practicable;

c. Provide a minimum of one public meeting annually for the public to provide input as to the adequacy of the permittee's MS4 program. This requirement may be met in conjunction with or as part of a regular council or board meeting;

d. The permittee shall identify environmental justice areas within its jurisdiction and include appropriate public involvement/participation. Information on environmental justice concerns may be found at http://www.epa.gov/environmentaljustice/. This requirement may be met in conjunction with or as part of a regular council or board meeting; and

e. Provide an annual evaluation of public involvement/participation BMPs and measurable goals. Report on this evaluation in the Annual Report pursuant to Part V.C.1.

3. Illicit Discharge Detection and Elimination

New permittees shall develop and implement elements of their storm water management program addressing the provisions listed below. Existing permittees renewing coverage under this permit shall maintain their current programs addressing this Minimum Control Measure, updating and enhancing their storm water management programs as necessary to comply with the terms of this section.

a. Develop, implement, and enforce a program to detect and eliminate illicit connections or discharges into the permittee's small MS4;

b. Develop, if not already completed, a storm sewer system map, showing the location of all outfalls and the names and location of all waters that receive discharges from those outfalls. Existing permittees renewing coverage under this permit shall update their storm sewer system map to include any modifications to the sewer system;

c. To the extent allowable under state or local law, prohibit, through ordinance, or other regulatory mechanism, non-storm water discharges into the permittee's storm sewer system and implement appropriate enforcement procedures and actions, including enforceable requirements for the prompt reporting to the MS4 of all releases, spills and other unpermitted discharges to the separate storm sewer system, and a program to respond to such reports in a timely manner;

d. Develop and implement a plan to detect and address non-storm water discharges, including illegal dumping, to the system;

e. Inform public employees, businesses, and the general public of hazards associated with illegal discharges and improper disposal of waste and the requirements and mechanisms for reporting such discharges;

f. Address the categories of non-storm water discharges listed in Section I.B.2 only if you identify them as significant contributor of pollutants to your small MS4 (discharges or flows from firefighting activities are excluded from the effective prohibition against non-storm water and need only be addressed where they are identified as significant sources of pollutants to waters of the United States);

g. Define appropriate BMPs for this minimum control measure and measurable goals for each BMP. These measurable goals must ensure the reduction of all of the pollutants of concern in your storm water discharges to the maximum extent practicable;

h. Conduct periodic inspections of the storm sewer outfalls in dry weather conditions for detection of non-storm water discharges and illegal dumping. The permittee may establish a prioritization plan for inspection of outfalls, placing priority on outfalls with the greatest potential for non-storm water discharges. Major/high priority outfalls shall be inspected at least annually; and

i. Provide an annual evaluation of illicit discharge detection and elimination BMPs and measurable goals. Report on this evaluation in the Annual Report pursuant to Part V.C.1.

4. Construction Site Storm Water Runoff Control

New permittees shall develop and implement elements of their storm water management program addressing the provisions listed below. Existing permittees renewing coverage under this permit shall maintain their current programs addressing this Minimum Control Measure, updating and enhancing their storm water management programs as necessary to comply with the terms of this section.

a. Develop, implement, and enforce a program to reduce pollutants in any storm water runoff to the permittee's small MS4 from construction activities that result in a land disturbance of greater than or equal to one acre. Control of storm water discharges from construction activity disturbing less than one acre must be included in your program if that construction activity is part of a larger common plan of development or sale that would disturb one acre or more or has been designated by the permitting authority.

At a minimum, the permittee must develop and implement the following:

i. An ordinance or other regulatory mechanism to require erosion and sediment controls, as well as sanctions to ensure compliance, to the extent allowable under state or local law;

ii. Erosion and Sediment Controls - The permittee shall ensure that construction activities regulated by the storm water program require the construction site owner/operator to design, install, and maintain effective erosion controls and sediment controls to minimize the discharge of pollutants. At a minimum, such controls must be designed, installed, and maintained to:

A. Control storm water volume and velocity within the site to minimize soil erosion;
B. Control storm water discharges, including both peak flow rates and total storm water volume, to minimize erosion at outlets and to minimize downstream channel and stream bank erosion;
C. Minimize the amount of soil exposed during construction activity;
D. Minimize the disturbance of steep slopes;
E. Minimize sediment discharges from the site. The design, installation and maintenance of erosion and sediment controls must address factors such as the amount, frequency, intensity and duration of precipitation, the nature of resulting storm water runoff, and soil characteristics, including the range of soil particle sizes expected to be present on the site;
F. Provide and maintain natural buffers around surface waters, direct storm water to vegetated areas to increase sediment removal, and maximize storm water infiltration, unless infeasible; and
G. Minimize soil compaction and preserve topsoil, unless infeasible.

iii. Requirements for construction site operators to control or prohibit non-storm water discharges that would include concrete and wastewater from washout of concrete (unless managed by an appropriate control), drywall compound, wastewater from washout and cleanout of stucco, paint, form release oils, curing compounds and other construction materials, fuels, oils, or other pollutants used in vehicle and equipment operation and maintenance, soaps, solvents, or detergents, toxic or hazardous substances from a spill or other release, or any other pollutant that could cause or tend to cause water pollution;

iv. Require all regulated construction sites to 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, 2014, or as amended including green infrastructure techniques where appropriate and practicable;

v. Procedures for site plan reviews which incorporate consideration of potential water quality impacts and site plan review of individual pre-construction site plans by the permittee to ensure consistency with local sediment and erosion control requirements;

vi. Procedures for receipt and consideration of information submitted by the public; and

vii. Site inspections and enforcement of ordinance provisions.

b. Define appropriate BMPs for this minimum control measure and measurable goals for each BMP. These measurable goals must ensure the reduction of all of the pollutants of concern in your storm water discharges to the maximum extent practicable.

c. Provide an annual evaluation of construction site storm water control BMPs and measureable goals in the Annual Report pursuant to Part V.C.1.

5. Post-Construction Storm Water Management in New Development and Redevelopment

New permittees shall develop and implement elements of their storm water management program addressing the provisions listed below. Existing permittees renewing coverage under this permit shall maintain their current programs addressing this Minimum Control Measure, updating and enhancing their storm water management programs, as necessary, to comply with the terms of this section.

a. Develop, implement, and enforce a program to address and minimize the volume and pollutant load of storm water runoff from projects for new development and redevelopment that disturb greater than or equal to one acre, projects less than one acre that are part of a larger common plan of development or sale or that have been designated to protect water quality, that discharge into the permittee's small MS4 within the MS4's jurisdictional control. The permittee's program must ensure that appropriate controls are in place that would protect water quality and reduce the discharge of pollutants to the maximum extent practicable. In addition, each permittee shall adopt strategies that incorporate the infiltration, reuse, and evapotranspiration of storm water into the project to the maximum extent practicable. The permittee shall also develop and implement procedures for receipt and consideration of information submitted by the public.

b. Develop and implement strategies which include a combination of structural and/or non-structural BMPs appropriate for all projects within the permittee's jurisdiction for all new development and redevelopment that disturb greater than or equal to1 acre (at a minimum) that will reduce the discharge of pollutants and the volume and velocity of storm water flow to the maximum extent practicable. These strategies shall include effective water quality and watershed protection elements and shall be amenable to modification due to climate change. Information on climate change can be found at http://www.epa.gov/climatechange/. When selecting BMPs to comply with requirements contained in this Part, the permittee shall adopt one or more of the following general strategies, listed in order of preference below. The proposal of a strategy shall include a rationale for not selecting an approach from among those with a higher preference.

   i. Preservation of the natural features of development sites, including natural storage and infiltration characteristics;

   ii. Preservation of existing natural streams, channels, and drainage ways;

   iii. Minimization of new impervious surfaces;

   iv. Conveyance of storm water in open vegetated channels;

   v. Construction of structures that provide both quantity and quality control, with structures serving multiple sites being preferable to those serving individual sites; and

   vi. Construction of structures that provide only quantity control, with structures serving multiple sites being preferable to those serving individual sites.

c. If a permittee requires new or additional approval of any development, redevelopment, linear project construction, replacement or repair on existing developed sites, or other land disturbing activity covered under this Part, the permittee shall require the person responsible for that activity to develop a long term operation and maintenance plan including the adoption of one or more of the strategies identified in Part IV.B.5.b. of this permit.

d. Develop and implement a program to minimize the volume of storm water runoff and pollutants from public highways, streets, roads, parking lots, and sidewalks (public surfaces) through the use of BMPs that alone or in combination result in physical, chemical, or biological pollutant load reduction, increased infiltration, evapotranspiration, and reuse of storm water. The program shall include, but not be limited to the following elements:

   i. Annual Training for all MS4 employees who manage or are directly involved in (or who retain others who manage or are directly involved in) the routine maintenance, repair, or replacement of public surfaces in current green infrastructure or low impact design techniques applicable to such projects; and

   ii. Annual Training for all contractors retained to manage or carry out routine maintenance, repair, or replacement of public surfaces in current green infrastructure or low impact design techniques applicable to such projects. Contractors may provide training to their employees for projects which include green infrastructure or low impact design techniques.

e. Develop and implement a program to minimize the volume of storm water runoff and pollutants from existing privately owned developed property that contributes storm water to the MS4 within the MS4 jurisdictional control. Such program must be documented and may contain the following elements:

   i. Source Identification – Establish an inventory of storm water and pollutants discharged to the MS4;

   ii. Implementation of appropriate BMPs to accomplish the following:

      A. Education on green infrastructure BMPs;
      B. Evaluation of existing flood control techniques to determine the feasibility of pollution control retrofits;
      C. Evaluation of existing flood control techniques to determine potential impacts and effects due to climate change;
      D. Implementation of additional controls for special events expected to generate significant pollution (fairs, parades, performances);
      E. Implementation of appropriate maintenance programs, (including maintenance agreements, for structural pollution control devices or systems);
      F. Management of pesticides and fertilizers; and
      G. Street cleaning in targeted areas.

f. Infiltration practices should not be implemented in any of the following circumstances:

i. Areas/sites where vehicle fueling and/or maintenance occur;

ii. Areas/sites with shallow bedrock which allow movement of pollutants into the groundwater;

iii. Areas/sites near Karst features;

iv. Areas/sites where contaminants in soil or groundwater could be mobilized by infiltration of storm water;

v. Areas/sites within a delineated source water protection area for a public drinking water supply where the potential for an introduction of pollutants into the groundwater exists. Information on groundwater protection may be found at:

http://www.epa.state.il.us/water/groundwater/index.html

vi. Areas/sites within 400 feet of a community water supply well if there is not a wellhead protection delineation area or within 200 feet of a private water supply well. Information on wellhead protection may be found at :

http://www.epa.state.il.us/water/groundwater/index.html

g. Develop and implement an ordinance or other regulatory mechanism to address post-construction runoff from new development and redevelopment projects, public surfaces, and existing developed property as set forth above to the extent allowable under state or local law.

h. Require all regulated construction sites to have post-construction management plans that meet or exceed the requirements of Part IV.D.2.h of NPDES permit No. ILR10 including management practices, controls, and other provisions at least as protective as the requirements contained in the most recent version of the Illinois Urban Manual, 2014.

i. Ensure adequate long-term operation and maintenance of BMPs.

j. Define appropriate BMPs for this minimum control measure and measurable goals for each BMP. These measurable goals must ensure the reduction of all of the pollutants of concern in your storm water discharges to the maximum extent practicable.

k. Within 3 years of the effective date of the permit, the permittee must develop and implement a process to assess the water quality impacts in the design of all new and existing flood management projects that are associated with the permittee or that discharge to the MS4. This process must include consideration of controls that can be used to minimize the impacts to site water quality and hydrology while still meeting the project objectives. This will also include assessment of any potential impacts and effects on flood management projects due to climate change.

l. Provide an annual evaluation of post-construction storm water management BMPs and measureable goals in the Annual Report pursuant to Part V.C.1 .

6. Pollution Prevention/Good Housekeeping for Municipal Operations

New permittees shall develop and implement elements of their storm water management program addressing the provisions listed below. Existing permittees renewing coverage under this permit shall maintain their current programs addressing this Minimum Control Measure, updating and enhancing their storm water management programs as necessary to comply with the terms of this section.

a. Develop and implement an operation and maintenance program that includes an annual training component for municipal staff and contractors and is designed to prevent and reduce the discharge of pollutants to the maximum extent practicable.

b. Pollution Prevention- The permittee shall design, install, implement, and maintain effective pollution prevention measures to minimize the discharge of pollutants from municipal properties, infrastructure, and operations. At a minimum, such measures must be designed, installed, implemented and maintained to:

i. Minimize the discharge of pollutants from equipment and vehicle washing, wheel wash water, and other wash waters. Wash waters must be treated in a sediment basin or alternative control that provides equivalent or better treatment prior to discharge;

ii. Minimize the exposure of building materials, building products, construction wastes, trash, landscape materials, fertilizers, pesticides, herbicides, chemical storage tanks, deicing material storage facilities and temporary stockpiles, detergents, sanitary waste, and other materials present on the site to precipitation and to storm water;

iii. Minimize the discharge of pollutants from spills and leaks and implement chemical spill and leak prevention and response procedures; and

iv. Provide regular inspection of municipal storm water management BMPs. Based on inspection findings, the permittee shall determine if repair, replacement, or maintenance measures are necessary in order to ensure the structural integrity, proper function, and treatment effectiveness of structural storm water BMPs. Necessary maintenance shall be completed as soon as conditions allow to prevent or reduce the discharge of pollutants to storm water.

c. Deicing material must be stored in a permanent or temporary storage structure or seasonal tarping must be utilized. If no permanent structures are owned or operated by the Permittee, new permanent deicing material storage structures shall be constructed within two years of the effective date of this permit. Storage structures or stockpiles shall be located and managed to minimize storm water pollutant runoff from the stockpiles or loading/unloading areas of the stockpiles. Stockpiles and loading/unloading areas should be located as far as practicable from any area storm sewer drains. Fertilizer, pesticides, or other chemicals shall be stored indoors to prevent any discharge of such chemicals within the storm water runoff.

d. Using training materials that are available from USEPA, the State of Illinois, or other organizations, the permittee's program must include annual employee training to prevent and reduce storm water pollution from activities such as park and open space maintenance, fleet and building maintenance, operation of storage yards, snow disposal, deicing material storage handling and use on roadways, new construction and land disturbances, and storm water system maintenance procedures for proper disposal of street cleaning debris and catch basin material. In addition, training should include how flood management projects impact water quality, non-point source pollution control, green infrastructure controls, and aquatic habitat.

e. Define appropriate BMPs for this minimum control measure and measurable goals for each BMP. These measurable goals must ensure the reduction of all of the pollutants of concern in your storm water discharges to the maximum extent practicable.

f. Provide an annual evaluation of pollution prevention/good housekeeping for municipal operations and measureable goals in the Annual Report pursuant to Part V.C.1.

C. Qualifying State, County, or Local Program

If an existing qualifying local program requires a permittee to implement one or more of the minimum control measures of Part IV. B. above, the permittee may follow that qualifying program's requirements rather than the requirements of Part IV.B. above. A qualifying local program is a local, county, or state municipal storm water management program that imposes, at a minimum, the relevant requirements of Part IV. B. Any qualifying local programs that permittees intend to follow shall be specified in their storm water management program.

D. Sharing Responsibility

1. Implementation of one or more of the minimum control measures may be shared with another entity, or the entity may fully take over the control measure. A permittee may rely on another entity only if:

a. The other entity implements the control measure;

b. The particular control measure, or component of that measure is at least as stringent as the corresponding permit requirement;

c. The other entity agrees to implement any minimum control measure on the permittee's behalf. A written agreement of this obligation is recommended. This obligation must be maintained as part of the description of the permittee's Storm Water Management Program. If the other entity agrees to report on the minimum control measure, the permittee must supply the other entity with the reporting requirements contained in Part V.C of this permit. If the other entity fails to implement the minimum control measure on the permittee's behalf, then the permittee remains liable for any discharges due to that failure to implement the minimum control measure.

E. Reviewing and Updating Storm Water Management Programs

1. Storm Water Management Program Review- The permittee must perform an annual review of its Storm Water Management Program in conjunction with preparation of the annual report required under Part V.C. The permittee must include in its annual report a plan for complying with any changes or new provisions in this permit, or in any State or federal regulations. The permittee must also include in its annual report a plan for complying with all applicable TMDL Report(s) or watershed management plan(s). Information on TMDLs may be found at:

http://www.epa.state.il.us/water/tmdl/.

2. Storm Water Management Program Update - The permittee may modify its Storm Water Management Program during the life of the permit in accordance with the following procedures:

a. Modifications adding (but not subtracting or replacing) components, controls, or requirements to the Storm Water Management Program may be made at any time upon written notification to the Agency;

b. Modifications replacing an ineffective or infeasible BMP specifically identified in the Storm Water Management Program with an alternate BMP may be requested at any time. Unless denied by the Agency, modifications proposed in accordance with the criteria below shall be deemed approved and may be implemented 60 days from submittal of the request. If the request is denied, the Agency will send the permittee a written response giving a reason for the decision. The permittee's modification 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.

c. Modification of any ordinances relative to the storm water management program, provided the updated ordinance is at least as stringent as the provisions stipulated in this permit; and

d. Modification requests or notifications must be made in writing and signed in accordance with Standard Condition II of Attachment H.

3. Storm Water Management Program Updates Required by the Agency. Modifications requested by the Agency must be made in writing, set forth the time schedule for permittees to develop the modifications, and offer permittees the opportunity to propose alternative program modifications to meet the objective of the requested modification. All modifications required by the Permitting Authority will be made in accordance with 40 CFR 124.5, 40 CFR 122.62, or as appropriate 40 CFR 122.63. The Agency may require modifications to the Storm Water Management Program as needed to:

a. Address impacts on receiving water quality caused, or contributed to, by discharges from the MS4;

b. Include more stringent requirements necessary to comply with new federal or State statutory or regulatory requirements; or

c. Include such other conditions deemed necessary by the Agency to comply with the goals and requirements of the Clean Water Act.

## PART V. MONITORING, RECORDKEEPING, AND REPORTING

A. Monitoring

The permittee must develop and implement a monitoring and assessment program to evaluate the effectiveness of the BMPs being implemented to reduce pollutant loadings and water quality impacts within 180 days of the effective date of this permit. The program should be tailored to the size and characteristics of the MS4 and the watershed. The permittee shall provide a justification of its monitoring and assessment program in the Annual Report. By not later than 180 days after the effective date of this permit, the permittee shall initiate an evaluation of its storm water program. The plan for monitoring/evaluation shall be described in the Annual Report. Evaluation and/or monitoring results shall be provided in the Annual Report. The monitoring and assessment program may include evaluation of BMPs and/or direct water quality monitoring as follows:

1. An evaluation of BMPs based on estimated effectiveness from published research accompanied by an inventory of the number and location of BMPs implemented as part of the permittee's program and an estimate of pollutant reduction resulting from the BMPs, or

2. Monitoring the effectiveness of storm water control measures and progress towards the MS4's goals using one or more of the following:

a. MS4 permittees serving a population of less than 25,000 may conduct visual observations of the storm water discharge documenting color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, or other obvious indicators of storm water pollution; or

b. MS4 permittees may evaluate storm water quality and impacts using one or more of the following methods;

i. Instream monitoring in the highest level hydrological unit code segment in the MS4 area. Monitoring shall include, at a minimum, quarterly monitoring of receiving waters upstream and downstream of the MS4 discharges in the designated stream(s).

ii. Measuring pollutant concentrations over time.

iii. Sediment monitoring.

iv. Short-term extensive network monitoring. Short-term sampling at the outlets of numerous drainage areas to identify water quality issues and potential storm water impacts, and may help in ranking areas for implementation priority. Data collected simultaneously across the MS4 to help characterize the geographical distribution of pollutant sources.

v. Site-specific monitoring. High-value resources such as swimming beaches, shellfish beds, or high-priority habitats could warrant specific monitoring to assess the status of use support. Similarly, known high-priority pollutant sources or impaired water bodies with contaminated aquatic sediments, an eroding stream channel threatening property, or a stream reach with a degraded fish population could be monitored to assess impacts of storm water discharges and/or to identify improvements that result from the implementation of BMPs.

vi. Assessing physical/habitat characteristics such as stream bank erosion caused by storm water discharges.

vii. Outfall/Discharge monitoring.

viii. Sewershed-focused monitoring. Monitor for pollutants in storm water produced in different areas of the MS4. For example, identify which pollutants are present in storm water from industrial areas, commercial areas, and residential areas.

ix. BMP performance monitoring. Monitoring of individual BMP performance to provide a direct measure of the pollutant reduction efficiency of these key components of a MS4 program.

x. Collaborative watershed-scale monitoring. The permittee may choose to work collaboratively with other permittees and/or a watershed group to design and implement a watershed or sub-watershed-scale monitoring program that assesses the water quality of the water bodies and the sources of pollutants. Such programs must include elements which assess the impacts of the permittee's storm water discharges and/or the effectiveness of the BMPs being implemented.

c. If ambient water quality monitoring under 2b above is performed, the monitoring of storm water discharges and ambient monitoring intended to gauge storm water impacts shall be performed within 48 hours of a precipitation event greater than or equal to one quarter inch in a 24-hour period. At a minimum, analysis of storm water discharges or ambient water quality shall include the following parameters: total suspended solids, total nitrogen, total phosphorous, fecal coliform, chlorides, and oil and grease. In addition, monitoring shall be performed for any other pollutants associated with storm water runoff for which the receiving water is considered impaired pursuant to the most recently approved list under Section 303(d) of the Clean Water Act.

B. Recordkeeping

The permittee must keep records required by this permit for 5 years after the expiration of this permit. Records to be kept under this Part include the permittee's NOI, storm water management plan, annual reports, and monitoring data. All records shall be kept onsite or locally available and shall be made accessible to the Agency for review at the time of an on-site inspection. Except as otherwise provided in this permit, permittees must submit records to the Agency only when specifically requested to do so. Permittees must post their NOI, storm water management program plan, and annual reports on the permittee's website. The permittee must make its records available to the public at reasonable times during regular business hours. The permittee may require a member of the public to provide advance notice, in accordance with the applicable Freedom of Information Act requirements. Storm sewer maps may be withheld for security reasons.

C. Reporting

The permittee must submit Annual Reports to the Agency by the first day of June for each year that this permit is in effect. If the permittee maintains a website, a copy of the Annual Report shall be posted on the website by the first day of June of each year. Each Report shall cover the period from March of the previous year through March of the current year. Annual Reports shall be maintained on the permittees' website for a period of 5 years. The Report must include:

1. An assessment of the appropriateness and effectiveness of the permittee's identified BMPs and progress towards achieving the statutory goal of reducing the discharge of pollutants to the maximum extent practicable (MEP), and the permittee's identified measurable goals for each of the minimum control measures;

2. The status of compliance with permit conditions, including a description of each incidence of non-compliance with the permit, and the permittee's plan for achieving compliance with a timeline of actions taken or to be taken;

3. Results of information collected and analyzed, including monitoring data, if any, during the reporting period;

4. A summary of the storm water activities the permittee plans to undertake during the next reporting cycle, including an implementation schedule;

5. A change in any identified BMPs or measurable goals that apply to the program elements;

6. Notice that the permittee is relying on another government entity to satisfy some of the permit obligations (if applicable);

7. Provide an updated summary of any BMP or adaptive management strategy constructed or implemented pursuant to any approved TMDL or alternate water quality management study. Use the results of your monitoring program to assess whether the WLA or other performance requirements for storm water discharges from your MS4 are being met; and

8. If a qualifying local program or programs with shared responsibilities is implementing all minimum control measures on behalf of one or more entities, then the local qualifying program or programs with shared responsibilities may submit a report on behalf of itself and any entities for which it is implementing all of the minimum control measures.

The Annual Reports shall be submitted to the following office and email addresses:

Illinois Environmental Protection Agency
Division of Water Pollution Control
Compliance Assurance Section
Municipal Annual Inspection Report
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276

epa.ms4annualinsp@illinois.gov

## PART VI. DEFINITIONS AND ACRONYMS

All definitions contained in Section 502 of the Clean Water Act, 40 CFR 122, and 35 Ill. Adm. Code 309 shall apply to this permit and are incorporated herein by reference. For convenience, simplified explanations of some regulatory/statutory definitions have been provided. In the event of a conflict, the definition found in the statute or regulation takes precedence.

**Best Management Practices (BMPs)** means structural or nonstructural controls, 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 runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

**BMP** is an acronym for "Best Management Practices."

**CFR** is an acronym for "Code of Federal Regulations."

**Control Measure** as used in this permit refers to any Best Management Practice or other method used to prevent or reduce storm water runoff or the discharge of pollutants to waters of the State.

**CWA or The Act** means the Clean Water Act (formerly referred to as the Federal Water Pollution Control Act or Federal Water Pollution Control Act Amendments of 1972) Pub. L. 92-500, as amended Pub. L. 95-217, Pub. L. 95-576, Pub. L. 96-483 and Pub. L. 97-117, 33 U.S.C. 1251 ET. seq.

**Discharge** when used without a qualifier, refers to discharge of a pollutant as defined at 40 CFR 122.2.

**Environmental Justice (EJ)** means the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies

**Environmental Justice Area** means a community with a low-income and/or minority population greater than twice the statewide average. In addition, a community may be considered a potential EJ community if the low-income and/or minority population is less than twice the state-wide average but greater than the statewide average and it has identified itself as an EJ community. If the low-income and/or minority population percentage is equal to or less than the statewide average, the community should not be considered a potential EJ community.

**Flood management project** means any project which is intended to control, reduce or minimize high stream flows and associated damage. This may also include projects designed to mimic or improve natural conditions in the waterway.

**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, cisterns, and protection and enhancement of riparian buffers and floodplains.

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

**Illicit Discharge** is defined at 40 CFR 122.26(b)(2) and refers to any discharge to a municipal separate storm sewer that is not composed entirely of storm water, except discharges authorized under an NPDES permit (other than the NPDES permit for discharges from the MS4) and discharges resulting from fire fighting activities.

**MEP** is an acronym for "Maximum Extent Practicable," the technology-based discharge standard for Municipal Separate Storm Sewer Systems to reduce pollutants in storm water discharges that was established by CWA Section 402(p). A discussion of MEP as it applies to small MS4s is found at 40 CFR 122.34.

**MS4** is an acronym for "Municipal Separate Storm Sewer System" and is used to refer to a Large, Medium, or Small Municipal Separate Storm Sewer System (e.g. "the Dallas MS4"). The term is used to refer to either the system operated by a single entity or a group of systems within an area that are operated by multiple entities (e.g., the Houston MS4 includes MS4s operated by the city of Houston, the Texas Department of Transportation, the Harris County Flood Control District, Harris County, and others).

**Municipal Separate Storm Sewer** is defined at 40 CFR 122.26(b)(8) and 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 United States; (ii) 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.

**NOI** is an acronym for "Notice of Intent" to be covered by this permit and is the mechanism used to "register" for coverage under a general permit.

**NPDES** is an acronym for "National Pollutant Discharge Elimination System."

**Outfall** is defined at 40 CFR 122.26(b) (9) and means a point source as defined by 40 CFR 122.2 at the point where a municipal separate storm sewer discharges to waters of the United States and does not include open conveyances connecting two municipal storm sewers, or pipes, tunnels or other conveyances which connect segments of the same stream or other waters of the United States and are used to convey waters of the United States.

**Owner or Operator** is defined at 40 CFR 122.2 and means the owner or operator of any "facility or activity" subject to regulation under the NPDES program.

**Permitting Authority** means the Illinois EPA.

**Point Source** is defined at 40 CFR 122.2 and means any discernable, 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.

**Pollutants of Concern** means pollutants identified in a TMDL waste load allocation (WLA) or on the Section 303(d) list for the receiving water, and any of the pollutants for which water monitoring is required in Part V.A. of this permit.

**Qualifying Local Program** is defined at 40 CFR 122.34(c) and means a local, state, or Tribal municipal storm water management program that imposes, at a minimum, the relevant requirements of paragraph (b) of Section 122.34.

**Small Municipal Separate Storm Sewer System** is defined at 40 CFR 122.26(b)(16) and refers to all separate storm sewers that are owned or operated by the United States, a State [sic], city, town, borough, county, parish, district, association, or other public body (created by or pursuant to State [sic] 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 United States, but is not defined as "large" or "medium" municipal separate storm sewer system. This term includes systems similar to separate storm sewer systems in municipalities, such as systems at military bases, large hospital or prison complexes, and highways and other thoroughfares. The term does not include separate storm sewers in very discrete areas, such as individual buildings.

**Storm Water** is defined at 40 CFR 122.26(b) (13) and means storm water runoff, snowmelt runoff, and surface runoff and drainage.

**Storm Water Management Program (SWMP)** refers to a comprehensive program to manage the quality of storm water discharged from the municipal separate storm sewer system.

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

**TMDL** is an acronym for "Total Maximum Daily Load."

**Waters** (also referred to as waters of the state or receiving water) is defined at Section 301.440 of Title 35: Subtitle C: Chapter I of the Illinois Pollution Control Board Regulations and means all accumulations of water, surface and underground, natural, and artificial, public and private, or parts thereof, which are wholly or partially within, flow through, or border upon the State of Illinois, except that sewers and treatment works are not included except as specially mentioned; provided, that nothing herein contained shall authorize the use of natural or otherwise protected waters as sewers or treatment works except that in-stream aeration under Agency permit is allowable.

**"You" and "Your"** as used in this permit is intended to refer to the permittee, the operator, or the discharger as the context indicates and that party's responsibilities (e.g., the city, the country, the flood control district, the U.S. Air Force, etc.).

## Attachment H

## Standard Conditions

### Definitions

**Act** means the Illinois Environmental Protection Act, 415 ILCS 5 as Amended.

**Agency** means the Illinois Environmental Protection Agency.

**Board** means the Illinois Pollution Control Board.

**Clean Water Act** (formerly referred to as the Federal Water Pollution Control Act) means Pub. L 92-500, as amended. 33 U.S.C. 1251 et seq.

**NPDES** (National Pollutant Discharge Elimination System) means the national program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits, and imposing and enforcing pretreatment requirements, under Sections 307, 402, 318 and 405 of the Clean Water Act.

**USEPA** means the United States Environmental Protection Agency.

**Daily Discharge** means the discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in units of mass, the "daily discharge" is calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of measurements, the "daily discharge" is calculated as the average measurement of the pollutant over the day.

**Maximum Daily Discharge Limitation** (daily maximum) means the highest allowable daily discharge.

**Average Monthly Discharge Limitation** (30 day average) means the highest allowable average of daily discharges over a calendar month, calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month.

**Average Weekly Discharge Limitation** (7 day average) means the highest allowable average of daily discharges over a calendar week, calculated as the sum of all daily discharges measured during a calendar week divided by the number of daily discharges measured during that week.

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

**Aliquot** means a sample of specified volume used to make up a total composite sample.

**Grab Sample** means an individual sample of at least 100 milliliters collected at a randomly-selected time over a period not exceeding 15 minutes.

**24-Hour Composite Sample** means a combination of at least 8 sample aliquots of at least 100 milliliters, collected at periodic intervals during the operating hours of a facility over a 24-hour period.

**8-Hour Composite Sample** means a combination of at least 3 sample aliquots of at least 100 milliliters, collected at periodic intervals during the operating hours of a facility over an 8-hour period.

**Flow Proportional Composite Sample** means a combination of sample aliquots of at least 100 milliliters collected at periodic intervals such that either the time interval between each aliquot or the volume of each aliquot is proportional to either the stream flow at the time of sampling or the total stream flow since the collection of the previous aliquot.

(1) **Duty to comply.** The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Act and is grounds for enforcement action, permit termination, revocation and reissuance, modification, or for denial of a permit renewal application. The permittee shall comply with effluent standards or prohibitions established under Section 307(a) of the Clean Water Act for toxic pollutants within the time provided in the regulations that establish these standards or prohibitions, even if the permit has not yet been modified to incorporate the requirements.

(2) **Duty to reapply.** If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain a new permit. If the permittee submits a proper application as required by the Agency no later than 180 days prior to the expiration date, this permit shall continue in full force and effect until the final Agency decision on the application has been made.

(3) **Need to halt or reduce activity not a defense.** It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

(4) **Duty to mitigate.** The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

(5) **Proper operation and maintenance.** The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with conditions of this permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of back-up, or auxiliary facilities, or similar systems only when necessary to achieve compliance with the conditions of the permit.

(6) **Permit actions.** This permit may be modified, revoked and reissued, or terminated for cause by the Agency pursuant to 40 CFR 122.62 and 40 CFR 122.63. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.

(7) **Property rights.** This permit does not convey any property rights of any sort, or any exclusive privilege.

(8) **Duty to provide information.** The permittee shall furnish to the Agency within a reasonable time, any information which the Agency may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with the permit. The permittee shall also furnish to the Agency upon request, copies of records required to be kept by this permit.

(9) **Inspection and entry.** The permittee shall allow an authorized representative of the Agency or USEPA (including an authorized contractor acting as a representative of the Agency or USEPA), upon the presentation of credentials and other documents as may be required by law, to:

(a) Enter upon the permittee's premises where a regulated

facility or activity is located or conducted, or where records must be kept under the conditions of this permit;

(b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;

(c) Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and

(d) Sample or monitor at reasonable times, for the purpose of assuring permit compliance, or as otherwise authorized by the Act, any substances or parameters at any location.

(10) **Monitoring and records.**

(a) Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.

(b) The permittee shall retain records of all monitoring information, including all calibration and maintenance records, and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least 3 years from the date of this permit, measurement, report or application. Records related to the permittee's sewage sludge use and disposal activities shall be retained for a period of at least five years (or longer as required by 40 CFR Part 503). This period may be extended by request of the Agency or USEPA at any time.

(c) Records of monitoring information shall include:

(1) The date, exact place, and time of sampling or measurements;

(2) The individual(s) who performed the sampling or measurements;

(3) The date(s) analyses were performed;

(4) The individual(s) who performed the analyses;

(5) The analytical techniques or methods used; and

(6) The results of such analyses.

(d) Monitoring must be conducted according to test procedures approved under 40 CFR Part 136, unless other test procedures have been specified in this permit. Where no test procedure under 40 CFR Part 136 has been approved, the permittee must submit to the Agency a test method for approval. The permittee shall calibrate and perform maintenance procedures on all monitoring and analytical instrumentation at intervals to ensure accuracy of measurements.

(11) **Signatory requirement.** All applications, reports or information submitted to the Agency shall be signed and certified.

(a) **Application.** All permit applications shall be signed as follows:

(1) For a corporation: by a principal executive officer of at least the level of vice president or a person or position having overall responsibility for environmental matters for the corporation:

(2) For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or

(3) For a municipality, State, Federal, or other public agency: by either a principal executive officer or ranking elected official.

(b) **Reports.** All reports required by permits, or other information requested by the Agency shall be signed by a person described in paragraph (a) or by a duly authorized representative of that person. A person is a duly authorized representative only if:

(1) The authorization is made in writing by a person described in paragraph (a); and

(2) The authorization specifies either an individual or a position responsible for the overall operation of the facility, from which the discharge originates, such as a plant manager, superintendent or person of equivalent responsibility; and

(3) The written authorization is submitted to the Agency.

(c) **Changes of Authorization.** If an authorization under (b) is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of (b) must be submitted to the Agency prior to or together with any reports, information, or applications to be signed by an authorized representative.

(d) **Certification.** Any person signing a document under paragraph (a) or (b) of this section shall make the following certification:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

(12) **Reporting requirements.**

(a) **Planned changes.** The permittee shall give notice to the Agency as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required when:

(1) The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source pursuant to 40 CFR 122.29 (b); or

(2) The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in the permit, nor to notification requirements pursuant to 40 CFR 122.42 (a)(1).

(3) The alteration or addition results in a significant change in the permittee's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan.

(b) **Anticipated noncompliance.** The permittee shall give advance notice to the Agency of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.

(c) **Transfers.** This permit is not transferable to any person except after notice to the Agency.

(d) **Compliance schedules.** Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date.

(e) **Monitoring reports.** Monitoring results shall be reported at the intervals specified elsewhere in this permit.

(1) Monitoring results must be reported on a Discharge Monitoring Report (DMR).

(2) If the permittee monitors any pollutant more frequently than required by the permit, using test procedures approved under 40 CFR 136 or as specified in the permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR.

(3) Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified by the Agency in the permit.

(f) **Twenty-four hour reporting.** The permittee shall report any noncompliance which may endanger health or the environment. Any information shall be provided orally within 24-hours from the time the permittee becomes aware of the circumstances. A written submission shall also be provided within 5 days of the time the permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and time; and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance. The following shall be included as information which must be reported within 24-hours:

(1) Any unanticipated bypass which exceeds any effluent limitation in the permit.

(2) Any upset which exceeds any effluent limitation in the permit.

(3) Violation of a maximum daily discharge limitation for any of the pollutants listed by the Agency in the permit or any pollutant which may endanger health or the environment.

The Agency may waive the written report on a case-by-case basis if the oral report has been received within 24-hours.

(g) **Other noncompliance.** The permittee shall report all instances of noncompliance not reported under paragraphs (12) (d), (e), or (f), at the time monitoring reports are submitted. The reports shall contain the information listed in paragraph (12) (f).

(h) **Other information.** Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application, or in any report to the Agency, it shall promptly submit such facts or information.

(13) **Bypass.**

(a) Definitions.

(1) Bypass means the intentional diversion of waste streams from any portion of a treatment facility.

(2) Severe property damage means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

(b) Bypass not exceeding limitations. The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of paragraphs (13)(c) and (13)(d).

(c) Notice.

(1) Anticipated bypass. If the permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible at least ten days before the date of the bypass.

(2) Unanticipated bypass. The permittee shall submit notice of an unanticipated bypass as required in paragraph (12)(f) (24-hour notice).

(d) Prohibition of bypass.

(1) Bypass is prohibited, and the Agency may take enforcement action against a permittee for bypass, unless:

(i) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;

(ii) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and

(iii) The permittee submitted notices as required under paragraph (13)(c).

(2) The Agency may approve an anticipated bypass, after considering its adverse effects, if the Agency determines that it will meet the three conditions listed above in paragraph (13)(d)(1).

(14) **Upset.**

(a) Definition. Upset means an exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

(b) Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology based permit effluent limitations if the requirements of paragraph (14)(c) are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.

(c) Conditions necessary for a demonstration of upset. A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:

(1) An upset occurred and that the permittee can identify the cause(s) of the upset;

(2) The permitted facility was at the time being properly operated; and

(3) The permittee submitted notice of the upset as required in paragraph (12)(f)(2) (24-hour notice).

(4) The permittee complied with any remedial measures required under paragraph (4).

(d) Burden of proof. In any enforcement proceeding the permittee seeking to establish the occurrence of an upset has the burden of proof.

(15) **Transfer of permits.** Permits may be transferred by modification or automatic transfer as described below:

(a) Transfers by modification. Except as provided in paragraph (b), a permit may be transferred by the permittee to a new owner or operator only if the permit has been modified or revoked and reissued pursuant to 40 CFR 122.62 (b) (2), or a minor modification made pursuant to 40 CFR 122.63 (d), to identify the new permittee and incorporate such other requirements as may be necessary under the Clean Water Act.

(b) Automatic transfers. As an alternative to transfers under paragraph (a), any NPDES permit may be automatically transferred to a new permittee if:

(1) The current permittee notifies the Agency at least 30 days in advance of the proposed transfer date;
(2) The notice includes a written agreement between the existing and new permittees containing a specified date for transfer of permit responsibility, coverage and liability between the existing and new permittees; and
(3) The Agency does not notify the existing permittee and the proposed new permittee of its intent to modify or revoke and reissue the permit. If this notice is not received, the transfer is effective on the date specified in the agreement.

(16) All manufacturing, commercial, mining, and silvicultural dischargers must notify the Agency as soon as they know or have reason to believe:
(a) That any activity has occurred or will occur which would result in the discharge of any toxic pollutant identified under Section 307 of the Clean Water Act which is not limited in the permit, if that discharge will exceed the highest of the following notification levels:
(1) One hundred micrograms per liter (100 ug/l);
(2) Two hundred micrograms per liter (200 ug/l) for acrolein and acrylonitrile; five hundred micrograms per liter (500 ug/l) for 2,4-dinitrophenol and for 2-methyl-4,6 dinitrophenol; and one milligram per liter (1 mg/l) for antimony.
(3) Five (5) times the maximum concentration value reported for that pollutant in the NPDES permit application; or
(4) The level established by the Agency in this permit.
(b) That they have begun or expect to begin to use or manufacture as an intermediate or final product or byproduct any toxic pollutant which was not reported in the NPDES permit application.

(17) All Publicly Owned Treatment Works (POTWs) must provide adequate notice to the Agency of the following:
(a) Any new introduction of pollutants into that POTW from an indirect discharge which would be subject to Sections 301 or 306 of the Clean Water Act if it were directly discharging those pollutants; and
(b) Any substantial change in the volume or character of pollutants being introduced into that POTW by a source introducing pollutants into the POTW at the time of issuance of the permit.
(c) For purposes of this paragraph, adequate notice shall include information on (i) the quality and quantity of effluent introduced into the POTW, and (ii) any anticipated impact of the change on the quantity or quality of effluent to be discharged from the POTW.

(18) If the permit is issued to a publicly owned or publicly regulated treatment works, the permittee shall require any industrial user of such treatment works to comply with federal requirements concerning:
(a) User charges pursuant to Section 204 (b) of the Clean Water Act, and applicable regulations appearing in 40 CFR 35;
(b) Toxic pollutant effluent standards and pretreatment standards pursuant to Section 307 of the Clean Water Act; and
(c) Inspection, monitoring and entry pursuant to Section 308 of the Clean Water Act.

(19) If an applicable standard or limitation is promulgated under Section 301(b)(2)(C) and (D), 304(b)(2), or 307(a)(2) and that effluent standard or limitation is more stringent than any effluent limitation in the permit, or controls a pollutant not limited in the permit, the permit shall be promptly modified or revoked, and reissued to conform to that effluent standard or limitation.

(20) Any authorization to construct issued to the permittee pursuant to 35 Ill. Adm. Code 309.154 is hereby incorporated by reference as a condition of this permit.

(21) The permittee shall not make any false statement, representation or certification in any application, record, report, plan or other document submitted to the Agency or the USEPA, or required to be maintained under this permit.

(22) The Clean Water Act provides that any person who violates a permit condition implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the Clean Water Act is subject to a civil penalty not to exceed $25,000 per day of such violation. Any person who willfully or negligently violates permit conditions implementing Sections 301, 302, 306, 307, 308, 318 or 405 of the Clean Water Act is subject to a fine of not less than $2,500 nor more than $25,000 per day of violation, or by imprisonment for not more than one year, or both.
Additional penalties for violating these sections of the Clean Water Act are identified in 40 CFR 122.41 (a)(2) and (3).

(23) The Clean Water Act provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than $10,000, or by imprisonment for not more than 2 years, or both. If a conviction of a person is for a violation committed after a first conviction of such person under this paragraph, punishment is a fine of not more than $20,000 per day of violation, or by imprisonment of not more than 4 years, or both.

(24) The Clean Water Act provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or non-compliance shall, upon conviction, be punished by a fine of not more than $10,000 per violation, or by imprisonment for not more than 6 months per violation, or by both.

(25) Collected screening, slurries, sludges, and other solids shall be disposed of in such a manner as to prevent entry of those wastes (or runoff from the wastes) into waters of the State. The proper authorization for such disposal shall be obtained from the Agency and is incorporated as part hereof by reference.

(26) In case of conflict between these standard conditions and any other condition(s) included in this permit, the other condition(s) shall govern.

(27) The permittee shall comply with, in addition to the requirements of the permit, all applicable provisions of 35 Ill. Adm. Code, Subtitle C, Subtitle D, Subtitle E, and all applicable orders of the Board or any court with jurisdiction.

(28) The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit is held invalid, the remaining provisions of this permit shall continue in full force and effect.

(Rev. 7-9-2010 bah)

# Appendix 2

# General NPDES Permit No. ILR10

Illinois Environmental Protection Agency
Division of Water Pollution Control
1021 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276
www.epa.state.il.us

## NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

## General NPDES Permit
## For
## Storm Water Discharges From Construction Site Activities

**Expiration Date:** July 31, 2018

**Issue Date:** July 30, 2013

**Effective Date:** August 1, 2013

In compliance with the provisions of the Illinois Environmental Protection Act, the Illinois Pollution Control Board Rules and Regulations (35 Ill. Adm. Code, Subtitle C, Chapter I), and the Clean Water Act, and the regulations thereunder the following discharges are authorized by this permit in accordance with the conditions and attachments herein.

Alan Keller, P.E.
Manager, Permit Section
Division of Water Pollution Control

**Part I. COVERAGE UNDER THIS PERMIT**

A. **Permit Area.** The permit covers all areas of the State of Illinois with discharges to any waters of the State.

B. **Eligibility.**

1. This permit shall authorize all discharges of storm water associated with industrial activity from a construction site that will result in the disturbance of one or more acres total land area or a construction site less than one acre of total land that is a part of a larger common plan of development or sale if the larger common plan will ultimately disturb one or more acres total land area. This permit may authorize discharges from other construction site activities that have been designated by the Agency as having the potential to adversely affect the water quality of waters of the state. This permit also authorizes discharges from construction sites previously approved by the Agency under the previous version of ILR10 that are still occurring after the effective date of this permit, except for discharges identified under Part I.B.3 (Limitations on Coverage). Where discharges from construction sites were initially covered under the previous version of the ILR10, the Storm Water Pollution Prevention Plan must be updated/revised as necessary to ensure compliance with the provisions of this reissued ILR10 permit in accordance with Part II.A.2.

2. This permit may only authorize a storm water discharge associated with industrial activity from a construction site that is mixed with a storm water discharge from an industrial source other than construction, where:

   a. the industrial source other than construction is located on the same site as the construction activity;

   b. storm water discharges associated with industrial activity from the areas of the site where construction activities are occurring are in compliance with the terms of this permit; and

   c. storm water discharges associated with industrial activity from the areas of the site where industrial activities other than construction are occurring (including storm water discharges from dedicated asphalt plants and dedicated concrete plants) are covered by a different NPDES general permit or an individual permit authorizing such discharges.

3. **Limitations on Coverage.** The following storm water discharges from construction sites are not authorized by this permit:

   a. storm water discharges associated with industrial activities that originate from the site after construction activities have been completed and the site has undergone final stabilization;

   b. discharges that are mixed with sources of non-storm water other than discharges identified in Part III.A (Prohibition on Non-Storm Water Discharges) of this permit and in compliance with paragraph IV.D.5 (Non-Storm Water Discharges) of this permit;

c. storm water discharges associated with industrial activity that are subject to an existing NPDES individual or general permit or which are issued a permit in accordance with Part VI.N (Requiring an Individual Permit or an Alternative General Permit) of this permit. Such discharges may be authorized under this permit after an existing permit expires provided the existing permit did not establish numeric limitations for such discharges;

d. storm water discharges from construction sites that the Agency has determined to be or may reasonably be expected to be contributing to a violation of a water quality standard; and

e. storm water discharges that the Agency, at its discretion, determines are not appropriately authorized or controlled by this general permit.

f. storm water discharges to any receiving water specified under 35 Ill. Adm. Code 302.105(d) (6).

C. **Authorization.**

1. In order for storm water discharges from construction sites to be authorized to discharge under this general permit a discharger must submit a Notice of Intent (NOI) in accordance with the requirements of Part II below, using an NOI form provided by the Agency.

2. Where a new contractor is selected after the submittal of an NOI under Part II below, or where site ownership is transferred, a new Notice of Intent (NOI) must be submitted by the owner in accordance with Part II.

3. Unless notified by the Agency to the contrary, dischargers who submit an NOI in accordance with the requirements of this permit are authorized to discharge storm water from construction sites under the terms and conditions of this permit in 30 days after the date the NOI is received by the Agency.

4. The Agency may deny coverage under this permit and require submittal of an application for an individual NPDES permit based on a review of the NOI or other information.

**Part II. NOTICE OF INTENT REQUIREMENTS**

A. **Deadlines for Notification.**

1. To receive authorization under this general permit, a discharger must submit a completed Notice of Intent (NOI) in accordance with Part VI.G (Signatory Requirements) and the requirements of this Part in sufficient time to allow a 30 day review period after the receipt of the NOI by the Agency and prior to the start of construction. The completed NOI may be submitted electronically to the following email address: epa.constilr10swppp@illinois.gov

2. Discharges that were covered by the previous version of ILR10 are automatically covered by this permit. Where discharges associated with construction activities were initially covered under the previous version of ILR10 and are continuing, the Storm Water Pollution Prevention Plan must be updated/revised within 12 months of the effective date of this reissued permit, as necessary to ensure compliance with the provisions of the reissued ILR10. Updating of the SWPPP is not required if construction activities are completed and a Notice of Termination is submitted within 12 months of the effective date of this permit.

3. A discharger may submit an NOI in accordance with the requirements of this Part after the start of construction. In such instances, the Agency may bring an enforcement action for any discharges of storm water associated with industrial activity from a construction site that have occurred on or after the start of construction.

B. **Failure to Notify.** Dischargers who fail to notify the Agency of their intent to be covered, and discharge storm water associated with construction site activity to Waters of the State without an NPDES permit are in violation of the Environmental Protection Act and Clean Water Act.

C. **Contents of Notice of Intent.** The Notice of Intent shall be signed in accordance with Part VI.G (Signatory Requirements) of this permit by all of the entities identified in paragraph 2 below and shall include the following information:

1. The mailing address, and location of the construction site for which the notification is submitted. Where a mailing address for the site is not available, the location can be described in terms of the latitude and longitude of the approximate center of the facility to the nearest 15 seconds, or the nearest quarter section (if the section, township and range is provided) that the construction site is located in;

2. The owner's name, address, telephone number, and status as Federal, State, private, public or other entity;

3. The name, address and telephone number of the general contractor(s) that have been identified at the time of the NOI submittal;

4. The name of the receiving water(s), or if the discharge is through a municipal separate storm sewer, the name of the municipal operator of the storm sewer and the ultimate receiving water(s);

5. The number of any NPDES permits for any discharge (including non-storm water discharges) from the site that is currently authorized by an NPDES permit;

6. A description of the project, detailing the complete scope of the project, estimated timetable for major activities and an estimate of the number of acres of the site on which soil will be disturbed;

7. For projects that have complied with State law on historic preservation and endangered species prior to submittal of the NOI, through coordination with the Illinois Historic Preservation Agency and the Illinois Department of Natural Resources or through fulfillment of the terms of interagency agreements with those agencies, the NOI shall indicate that such compliance has occurred.

8. An electronic copy of the storm water pollution prevention plan that has been prepared for the site in accordance with Part IV of this permit. The electronic copy shall be submitted to the Agency at the following email address: epa.constilr10swppp@illinois.gov

9. Revised notice of intents shall be submitted for any substantial modifications to the project such as: address changes, new contractors, area coverage, additional discharges to waters of the state, or other substantial modifications.

D. **Where to Submit.**

Construction activities which discharge storm water that requires a NPDES permit must use an NOI form provided by the Agency. The applicable fee shall also be submitted. NOIs must be signed in accordance with Part VI.G (Signatory Requirements) of this permit. The NOI form may be submitted to the Agency in any of the following methods:

1. File electronically with digital signature at the following website address: http://dataservices.epa.illinois.gov/SWConstructionPermit/bowLogin.aspx

   Registration specific to the permittee is required in order to file electronically.

2. Submit complete NOI and SWPPP electronically to the following email address: epa.constilr10swppp@illinois.gov. Submit the NOI with original signature and fee by certified mail to the Agency at the following address:

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

E. **Additional Notification.** Construction activities that are operating under approved local sediment and erosion plans, land disturbance permits, grading plans, or storm water management plans, in addition to filing copies of the Notice of Intent in accordance with Part D above, shall also submit signed copies of the Notice of Intent to the local agency approving such plans in accordance with the deadlines in Part A above. See Part IV.D.2.d (Approved State or Local Plans). A copy of the NOI shall be sent to the entity holding an active General NPDES Permit No. ILR40 if the permittee is located in an area covered by an active ILR40 permit.

F. **Notice of Termination.** Where a site has completed final stabilization and all storm water discharges from construction activities that are authorized by this permit are eliminated, the permittee must submit a completed Notice of Termination that is signed in accordance with Part VI.G (Signatory Requirements) of this permit.

1. The Notice of Termination shall include the following information:

   a. The mailing address, and location of the construction site for which the notification is submitted. Where a mailing address for the site is not available, the location can be described in terms of the latitude and longitude of the approximate center of the facility to the nearest 15 seconds, or the nearest quarter section (if the section, township and range is provided) that the construction site is located in;

   b. The owner's name, address, telephone number, and status as Federal, State, private, public or other entity;

   c. The name, address and telephone number of the general contractor(s);

   d. The date when construction was completed and the site was stabilized; and

   e. The following certification signed in accordance with Part VI.G (Signatory Requirements) of this permit:

      "I certify under penalty of law that all storm water discharges associated with construction site activity from the identified facility that are authorized by NPDES general permit ILR10 have otherwise been eliminated. I understand that by submitting this notice of termination, that I am no longer authorized to discharge storm water associated with construction site activity by the general permit, and that discharging pollutants in storm water associated with construction site activity to Waters of the State is unlawful under the Environmental Protection Act and Clean Water Act where the discharge is not authorized by a NPDES permit. I also understand that the submittal of this notice of termination does not release an operator from liability for any violations of this permit or the Clean Water Act."

      For the purposes of this certification, elimination of storm water discharges associated with industrial activity means that all disturbed soils at the identified facility have been finally stabilized and temporary erosion and sediment control measures have been removed or will be removed at an appropriate time, or that all storm water discharges associated with construction activities from the identified site that are authorized by a NPDES general permit have otherwise been eliminated.

2. All Notices of Termination are to be sent to the Agency to the mailing address in Part II.D.1, using the form provided by the Agency, or electronically if the permittee submitted a Notice of Intent by electronic means.

## Part III. SPECIAL CONDITIONS, MANAGEMENT PRACTICES, AND OTHER NON-NUMERIC LIMITATIONS

A. **Prohibition on Non-Storm Water Discharges.**

1. Except as provided in Part I paragraph B.2 and paragraphs 2, 3 or 4 below, all discharges covered by this permit shall be comprised entirely of storm water.

2. a. Except as provided in paragraph b below, discharges of materials other than storm water must be in compliance with a NPDES permit (other than this permit) issued for the discharge.

b. The following non-storm water discharges may be authorized by this permit provided the non-storm water component of the discharges is in compliance with Part IV.D.5 (Non-Storm Water Discharges): discharges from fire fighting activities; fire hydrant flushings; waters used to wash vehicles where detergents are not used; waters used to control dust; potable water sources including uncontaminated waterline flushings; landscape irrigation drainages; routine external building washdown which does not use detergents; pavement wash waters where spills or leaks of toxic or hazardous materials have not occurred (unless all spilled material has been removed) and where detergents are not used; uncontaminated air conditioning condensate; springs; uncontaminated ground water; and foundation or footing drains where flows are not contaminated with process materials such as solvents.

3. The following non-storm water discharges are prohibited by this permit: concrete and wastewater from washout of concrete (unless managed by an appropriate control), drywall compound, wastewater from washout and cleanout of stucco, paint, form release oils, curing compounds and other construction materials, fuels, oils, or other pollutants used in vehicle and equipment operation and maintenance, soaps, solvents, or detergents, toxic or hazardous substances from a spill or other release, or any other pollutant that could cause or tend to cause water pollution.

4. Discharges from dewatering activities, including discharges from dewatering of trenches and excavations, are allowable if managed by appropriate controls.

B. **Discharges into Receiving Waters With an Approved Total Maximum Daily Load (TMDL):**

Discharges to waters for which there is a TMDL allocation for sediment or a parameter that addresses sediment (such as total suspended solids, turbidity, or siltation) are not eligible for coverage under this permit unless the owner/operator develops and certifies a SWPPP that is consistent with wasteload allocations in the approved TMDL. To be eligible for coverage under this general permit, operators must incorporate into their SWPPP any conditions and/or Best Management Practices applicable to their discharges necessary for consistency with the TMDL within any timeframes established in the TMDL. If a specific numeric waste load allocation has been established that would apply to the project's discharges, the operator must incorporate that allocation into its SWPPP and implement necessary steps to meet that allocation.

Please refer to the Agency website at: http://www.epa.state.il.us/water/tmdl/report-status.html

C. Discharges covered by this permit, alone or in combination with other sources, shall not cause or contribute to a violation of any applicable water quality standard.

**Part IV. STORM WATER POLLUTION PREVENTION PLANS**

A storm water pollution prevention plan shall be developed for each construction site covered by this permit. Storm water pollution prevention plans shall be prepared in accordance with good engineering practices. The plan shall identify potential sources of pollution which may reasonably be expected to affect the quality of storm water discharges associated with construction site activity from the facility. In addition, the plan shall describe and ensure the implementation of best management practices which will be used to reduce the pollutants in storm water discharges associated with construction site activity and to assure compliance with the terms and conditions of this permit. The permittee must implement the provisions of the storm water pollution prevention plan required under this part as a condition of this permit.

A. **Deadlines for Plan Preparation and Compliance.**

The plan shall:

1. Be completed prior to the start of the construction activities to be covered under this permit and submitted electronically to the Agency at the time the Notice of Intent is submitted; and

2. Provide for compliance with the terms and schedules of the plan beginning with the initiation of construction activities.

B. **Signature, Plan Review and Notification.**

1. The plan shall be signed in accordance with Part VI.G (Signatory Requirements), and be retained at the construction site which generates the storm water discharge in accordance with Part VI.E (Duty to Provide Information) of this permit.

2. Prior to commencement of construction, the permittee shall provide the plan to the Agency.

3. The permittee shall make plans available upon request from this Agency or a local agency approving sediment and erosion plans, grading plans, or storm water management plans; or in the case of a storm water discharge associated with industrial activity which discharges through a municipal separate storm sewer system. A list of permitted municipal separate storm sewer systems is available at: http://www.epa.state.il.us/water/permits/storm-water/ms4-status-report.pdf

4. The Agency may notify the permittee at any time that the plan does not meet one or more of the minimum requirements of this Part. Such notification shall identify those provisions of the permit which are not being met by the plan, and identify which provisions of the plan require modifications in order to meet the minimum requirements of this part. Within 7 days from receipt of notification from the Agency, the permittee shall make the required changes to the plan and shall submit to the Agency a written certification that the requested changes have been made. Failure to comply shall terminate authorization under this permit.

5. A copy of the letter of notification of coverage along with the General NPDES Permit for Storm Water Discharges from Construction Site Activities or other indication that storm water discharges from the site are covered under an NPDES permit shall be posted at the site in a prominent place for public viewing (such as alongside a building permit).

6. All storm water pollution prevention plans and all completed inspection forms/reports required under this permit are considered reports that shall be available to the public at any reasonable time upon request. However, the permittee may claim any portion of a storm water pollution prevention plan as confidential in accordance with 40 CFR Part 2.

C. **Keeping Plans Current.** The permittee shall amend the plan whenever there is a change in design, construction, operation, or maintenance, which has a significant effect on the potential for the discharge of pollutants to Waters of the State and which has not otherwise been addressed in the plan or if the

storm water pollution prevention plan proves to be ineffective in eliminating or significantly minimizing pollutants from sources identified under paragraph D.2 below, or in otherwise achieving the general objectives of controlling pollutants in storm water discharges associated with construction site activity. In addition, the plan shall be amended to identify any new contractor and/or subcontractor that will implement a measure of the storm water pollution prevention plan. Amendments to the plan may be reviewed by the Agency in the same manner as Part IV.B above. Any revisions of the documents for the storm water pollution prevention plan shall be kept on site at all times.

D. **Contents of Plan.** The storm water pollution prevention plan shall include the following items:

1. **Site Description.** Each plan shall provide a description of the following:

   a. A description of the nature of the construction activity or demolition work;

   b. A description of the intended sequence of major activities which disturb soils for major portions of the site (e.g. clearing, grubbing, excavation, grading, on-site or off-site stockpiling of soils, on-site or off-site storage of materials);

   c. An estimate of the total area of the site and the total area of the site that is expected to be disturbed by clearing, grubbing, excavation, grading, on-site or off-site stockpiling of soils and storage of materials, or other activities;

   d. An estimate of the runoff coefficient of the site after construction activities are completed and existing data describing the soil or the quality of any discharge from the site;

   e. A site map indicating drainage patterns and approximate slopes anticipated before and after major grading activities, locations where vehicles enter or exit the site and controls to prevent offsite sediment tracking, areas of soil disturbance, the location of major structural and nonstructural controls identified in the plan, the location of areas where stabilization practices are expected to occur, locations of on-site or off-site soil stockpiling or material storage, surface waters (including wetlands), and locations where storm water is discharged to a surface water; and

   f. The name of the receiving water(s) and the ultimate receiving water(s), and areal extent of wetland acreage at the site.

2. **Controls.** Each plan shall include a description of appropriate controls that will be implemented at the construction site and any off-site stockpile or storage area, The Illinois Urban Manual www.aiswcd.org/IUM or other similar documents shall be used for developing the appropriate management practices, controls or revisions of the plan. The plan will clearly describe for each major activity identified in paragraph D.1 above, appropriate controls and the timing during the construction process that the controls will be implemented. For example, perimeter controls for one portion of the site will be installed after the clearing and grubbing necessary for installation of the measure, but before the clearing and grubbing for the remaining portions of the site. Perimeter controls will be actively maintained and/or repaired until final stabilization of those portions of the site upward of the perimeter control. Temporary perimeter controls will be removed after final stabilization. The description of controls shall address as appropriate the following minimum components:

   a. **Erosion and Sediment Controls.** The permittee shall design, install and maintain effective erosion controls and sediment controls to minimize the discharge of pollutants. At a minimum, such controls must be designed, installed and maintained to:

      (i) Control storm water volume and velocity within the site to minimize soil erosion;
      (ii) Control storm water discharges, including both peak flowrates and total storm water volume, to minimize erosion at outlets and to minimize downstream channel and streambank erosion;
      (iii) Minimize the amount of soil exposed during construction activity;
      (iv) Minimize the disturbance of steep slopes;
      (v) Minimize sediment discharges from the site. The design, installation and maintenance of erosion and sediment controls must address factors such as the amount, frequency, intensity and duration of precipitation, the nature of resulting storm water runoff, and soil characteristics, including the range of soil particle sizes expected to be present on the site;
      (vi) Provide and maintain natural buffers around surface waters, direct storm water to vegetated areas to increase sediment removal and maximize storm water infiltration, unless infeasible; and
      (vii) Minimize soil compaction and, unless infeasible, preserve topsoil.

   b. **Stabilization Practices.** The storm water pollution prevention plan shall include a description of interim and permanent stabilization practices, including site-specific scheduling of the implementation of the practices. Site plans should ensure that existing vegetation is preserved where practicable and that disturbed portions of the site are stabilized. Stabilization practices may include: temporarily seeding, permanent seeding, mulching, geotextiles, sod stabilization, vegetative buffer strips, protection of trees, preservation of mature vegetation, staged or staggered development, and other appropriate measures. A record of the dates when major grading activities occur, when construction activities temporarily or permanently cease on a portion of the site, and when stabilization measures are initiated, shall be included in the plan. Stabilization of disturbed areas must, at a minimum, be initiated immediately whenever any clearing, grading, excavating or other earth disturbing activities have permanently ceased on any portion of the site, or temporarily ceased on any portion of the site and will not resume for a period exceeding 14 calendar days. Stabilization of disturbed areas must be initiated within 1 working day of permanent or temporary cessation of earth disturbing activities and shall be completed as soon as possible but not later than 14 days from the initiation of stabilization work in an area. Exceptions to these time frames are specified as provided in paragraphs (i) and (ii) below:

      (i) Where the initiation of stabilization measures is precluded by snow cover, stabilization measures shall be initiated as soon as practicable.
      (ii) On areas where construction activity has temporarily ceased and will resume after 14 days, a temporary stabilization method can be used. Temporary stabilization techniques and materials shall be described in the SWPPP.

   c. **Structural Practices.** A description of structural practices utilized to divert flows from exposed soils, store flows or otherwise limit runoff and the discharge of pollutants from exposed areas of the site. Such practices may include silt fences, earth dikes, drainage swales, sediment traps, check dams, subsurface drains, pipe slope drains, level spreaders, storm drain inlet protection, rock outlet protection, reinforced soil retaining systems, gabions, and temporary or permanent sediment basins. Structural practices should be placed on upland soils to the degree practicable. The installation of these devices may be subject to Section 404 of the CWA.

(i) The following design requirements apply to sediment basins if such structural practices will be installed to reduce sediment concentrations in storm water discharges:

a. When discharging from the sediment basin, utilize outlet structures that withdraw water from the surface in order to minimize the discharge.
b. Prevent erosion of the sediment basin using stabilization controls (e.g., erosion control blankets), at the inlet and outlet using erosion controls and velocity dissipation devices:
c. Sediment basins shall be designed to facilitate maintenance, including sediment removal from the basins, as necessary.

d. **Use of Treatment Chemicals.** Identify the use of all polymer flocculants or treatment chemicals at the site. Dosage of treatment chemicals shall be identified along with any information from any Material Safety Data Sheet. Describe the location of all storage area for chemicals. Include any information from the manufacturer's specifications. Treatment chemicals must be stored in areas where they will not be exposed to precipitation. The SWPPP must describe procedures for use of treatment chemicals and staff responsible for use/application of treatment chemicals must be trained on the established procedures.

e. **Best Management Practices for Impaired Waters.** For any site which discharges directly to an impaired water identified on the Agency's website for 303(d) listing for suspended solids, turbidity, or siltation 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 or the Illinois Urban Manual, the storm water pollution prevention plan shall adhere to a more restrictive design criteria. Please refer to the Agency's website at: (http://www.epa.state.il.us/water/tmdl/303d-list.html)

f. **Pollution Prevention.** The permittee shall design, install, implement, and maintain effective pollution prevention measures to minimize the discharge of pollutants. At a minimum, such measures must be designed, installed, implemented and maintained to:

(i) Minimize the discharge of pollutants from equipment and vehicle washing, wheel wash water, and other wash waters. Wash waters must be treated in a sediment basin or alternative control that provides equivalent or better treatment prior to discharge;
(ii) Minimize the exposure of building materials, building products, construction wastes, trash, landscape materials, fertilizers, pesticides, herbicides, detergents, sanitary waste and other materials present on the site to precipitation and to storm water; and
(iii) Minimize the discharge of pollutants from spills and leaks and implement chemical spill and leak prevention and response procedures.

g. **Other Controls.**

(i) Waste Disposal. No solid materials, including building materials, shall be discharged to Waters of the State, except as authorized by a Section 404 permit.
(ii) The plan shall ensure and demonstrate compliance with applicable State and/or local waste disposal, sanitary sewer or septic system regulations.
(iii) For construction sites that receive concrete or asphalt from off-site locations, the plan must identify and include appropriate controls and measures to reduce or eliminate discharges from these activities.
(iv) The plan shall include spill response procedures and provisions for reporting if there are releases in excess of reportable quantities.

h. **Best Management Practices for Post-Construction Storm Water Management.** Describe the measures that will be installed during the construction process to control pollutants in storm water discharges that will occur after construction operations have been completed. Structural measures should be placed on upland soils to the degree attainable. The installation of these devices may be subject to Section 404 of the CWA. This permit only addresses the installation of storm water management measures, and not the ultimate operation and maintenance of such structures after the construction activities have been completed and the site has undergone final stabilization. Permittees are responsible for only the installation and maintenance of storm water management measures prior to final stabilization of the site, and are not responsible for maintenance after storm water discharges associated with industrial activity have been eliminated from the site.

(i) The storm water pollution prevention plan and design and construction plans shall explicitly consider post-construction storm water management. Such practices may include: storm water detention structures (including wet ponds); storm water retention structures; flow attenuation by use of open vegetated swales and natural depressions; infiltration of runoff onsite; and sequential systems (which combine several practices). The Permittee must plan for and put in place storm water BMPs to retain the greatest amount of post-development storm water runoff practicable given the site and project constraints by installing one or more of the Best Management Practices (BMPs) as described in the Illinois Urban Manual.

The storm water pollution prevention plan shall include an explanation of the technical basis used to select the practices to control pollution where post-construction flows will exceed predevelopment levels.

(ii) Velocity dissipation devices shall be placed at discharge locations and along the length of any outfall channel as necessary to provide a non-erosive velocity flow from the structure to a water course so that the natural physical and biological characteristics and functions are maintained and protected (e.g. maintenance of hydrologic conditions, such as the hydroperiod and hydrodynamics present prior to the initiation of construction activities).

(iii) Unless otherwise specified in the Illinois Urban Manual (2012), 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.

i. **Approved State or Local Plans.**

(i) The management practices, controls and other provisions contained in the storm water pollution prevention plan must be at least as protective as the requirements contained in the Illinois Urban Manual, 2012. Construction activities which discharge storm water must include in their storm water pollution prevention plan procedures and requirements specified in applicable sediment and erosion control plans or storm water management plans approved by local officials. Requirements specified in sediment and erosion control plans or site permits or storm water management site plans or site permits approved by local officials that are applicable to protecting surface water resources are, upon submittal of an NOI to be authorized to discharge under this permit, incorporated by reference and are enforceable under this permit. The plans shall include all requirements of this permit and include more stringent standards required by any local

approval. This provision does not apply to provisions of master plans, comprehensive plans, non-enforceable guidelines or technical guidance documents that are not identified in a specific plan or permit that is issued for the construction site.

(ii) Dischargers seeking alternative permit requirements are not authorized by this permit and shall submit an individual permit application in accordance with 40 CFR 122.26 at the address indicated in Part II.D (Where to Submit) of this permit, along with a description of why requirements in approved local plans or permits should not be applicable as a condition of an NPDES permit.

3. **Maintenance.**

a. The plan shall include a description of procedures to maintain in good and effective operating conditions, all erosion and sediment control measures and other Best Management Practices, including vegetation and other protective measures identified in the Storm Water Pollution Prevention Plan.

b. Where a basin has been installed to control sediment during construction activities, the Permittees shall keep the basin(s) in effective operating condition and remove accumulated sediment as necessary.

4. **Inspections.** Qualified personnel (provided by the permittee) shall inspect disturbed areas of the construction site that have not been finally stabilized, structural control measures, and locations where vehicles enter or exit the site at least once every seven calendar days and within 24 hours of the end of a storm or by the end of the following business or work day that is 0.5 inches or greater. Qualified personnel means a person knowledgeable in the principles and practices of erosion and sediment controls measures, such as a licensed Professional Engineer (P.E.), a Certified Professional in Erosion and Sediment Control (CPESC), a Certified Erosion Sediment and Storm Water Inspector (CESSWI) or other knowledgeable person who possesses the skills to assess conditions at the construction site that could impact storm water quality and to assess the effectiveness of any sediment and erosion control measures selected to control the quality of storm water discharges from the construction activities.

a. Inspections may be reduced to once per month when construction activities have ceased due to frozen conditions. Weekly inspections will recommence when construction activities are conducted, or if there is 0.5" or greater rain event, or a discharge due to snowmelt occurs.

b. Disturbed areas and areas used for storage of materials that are exposed to precipitation shall be inspected for evidence of, or the potential for, pollutants entering the drainage system. Erosion and sediment control measures identified in the plan shall be observed to ensure that they are operating correctly. Where discharge locations or points are accessible, they shall be inspected to ascertain whether erosion control measures are effective in preventing significant impacts to receiving waters. Locations where vehicles enter or exit the site shall be inspected for evidence of offsite sediment tracking.

c. Based on the results of the inspection, the description of potential pollutant sources identified in the storm water pollution prevention plan in accordance with Part IV.D.1 (Site Description) of this permit and the pollution prevention control measures identified in the plan in accordance with Part IV.D.2 (Controls) of this permit shall be revised as appropriate as soon as practicable after such inspection to minimize the potential for such discharges. Such modifications shall provide for timely implementation of any changes to the plan and pollution prevention control measures within 7 calendar days following the inspection.

d. A report summarizing the scope of the inspection, name(s) and qualifications of personnel making the inspection, the date(s) of the inspection, major observations relating to the implementation of the storm water pollution prevention plan, and actions taken in accordance with paragraph b above shall be made and retained as part of the storm water pollution prevention plan for at least three years from the date that the permit coverage expires or is terminated. All inspection reports shall be retained at the construction site. The report shall be signed in accordance with Part VI.G (Signatory Requirements) of this permit.

e. The permittee shall notify the appropriate Agency Field Operations Section office by email at: epa.swnoncomp@illinois.gov, telephone or fax within 24 hours of any incidence of noncompliance for any violation of the storm water pollution prevention plan observed during any inspection conducted, or for violations of any condition of this permit. The permittee shall complete and submit within 5 days an "Incidence of Noncompliance" (ION) report for any violation of the storm water pollution prevention plan observed during any inspection conducted, or for violations of any condition of this permit. Submission shall be on forms provided by the Agency and include specific information on the cause of noncompliance, actions which were taken to prevent any further causes of noncompliance, and a statement detailing any environmental impact which may have resulted from the noncompliance. Corrective actions must be undertaken immediately to address the identified non-compliance issue(s).

f. All reports of noncompliance shall be signed by a responsible authority as defined in Part VI.G (Signatory Requirements).

g. After the initial contact has been made with the appropriate Agency Field Operations Section Office, all reports of noncompliance shall be mailed to the Agency at the following address:

Illinois Environmental Protection Agency
Division of Water Pollution Control
Compliance Assurance Section
1021 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276

5. **Non-Storm Water Discharges.** Except for flows from fire fighting activities, sources of non-storm water listed in Part III.A.2 of this permit that are combined with storm water discharges associated with industrial activity must be identified in the plan. The plan shall identify and insure the implementation of appropriate pollution prevention measures for the non-storm water component(s) of the discharge.

E. **Additional requirements for storm water discharges from industrial activities other than construction, including dedicated asphalt plants, and dedicated concrete plants.** This permit may only authorize any storm water discharge associated with industrial activity from a construction site that is mixed with a storm water discharge from an industrial source other than construction, where:

1. The industrial source other than construction is located on the same site as the construction activity;

2. Storm water discharges associated with industrial activity from the areas of the site where construction activities are occurring are in compliance with the terms of this permit; and

3. Storm water discharges associated with industrial activity from the areas of the site where industrial activity other than construction are occurring (including storm water discharges from dedicated asphalt plants [other than asphalt emulsion facilities] and dedicated concrete plants) are in compliance with the terms, including applicable NOI or application requirements, of a different NPDES general permit or individual permit authorizing such discharges.

F. **Contractors.**

1. The storm water pollution prevention plan must clearly identify for each measure identified in the plan, the contractor(s) or subcontractor(s) that will implement the measure. All contractors and subcontractors identified in the plan must sign a copy of the certification statement in paragraph 2 below in accordance with Part VI.G (Signatory Requirements) of this permit. All certifications must be included in the storm water pollution prevention plan except for owners that are acting as contractors.

2. **Certification Statement.** All contractors and subcontractors identified in a storm water pollution prevention plan in accordance with paragraph 1 above shall sign a copy of the following certification statement before conducting any professional service at the site identified in the storm water pollution prevention plan:

> "I certify under penalty of law that I understand the terms and conditions of the general National Pollutant Discharge Elimination System (NPDES) permit (ILR10) that authorizes the storm water discharges associated with industrial activity from the construction site identified as part of this certification."

The certification must include the name and title of the person providing the signature in accordance with Part VI.G of this permit: the name, address and telephone number of the contracting firm; the address (or other identifying description) of the site; and the date the certification is made.

**Part V. RETENTION OF RECORDS**

A. The permittee shall retain copies of storm water pollution prevention plans and all reports and notices required by this permit, records of all data used to complete the Notice of Intent to be covered by this permit and the Agency Notice of Permit Coverage letter for a period of at least three years from the date that the permit coverage expires or is terminated. This period may be extended by request of the Agency at any time.

B. The permittee shall retain a copy of the storm water pollution prevention plan and any revisions to said plan required by this permit at the construction site from the date of project initiation to the date of final stabilization.

**Part VI. STANDARD PERMIT CONDITIONS**

A. **Duty to Comply.** The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Illinois Environmental Protection Act and the CWA and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application. Failure to obtain coverage under this permit or an individual permit for storm water releases associated with construction activities is a violation of the Illinois Environmental Protection Act and the CWA.

B. **Continuation of the Expired General Permit.** This permit expires five years from the date of issuance. An expired general permit continues in force and effect until a new general permit or an individual permit is issued. Only those construction activities authorized to discharge under the expiring general permit are covered by the continued permit.

C. **Need to halt or reduce activity not a defense.** It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

D. **Duty to Mitigate.** The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

E. **Duty to Provide Information.** The permittee shall furnish within a reasonable time to the Agency or local agency approving sediment and erosion control plans, grading plans, or storm water management plans; or in the case of a storm water discharge associated with industrial activity which discharges through a municipal separate storm sewer system with an NPDES permit, to the municipal operator of the system, any information which is requested to determine compliance with this permit. Upon request, the permittee shall also furnish to the Agency or local agency approving sediment and erosion control plans, grading plans, or storm water management plans; or in the case of a storm water discharge associated with industrial activity which discharges through a municipal separate storm sewer system with an NPDES permit, to the municipal operator of the system, copies of all records required to be kept by this permit.

F. **Other Information.** When the permittee becomes aware that he or she failed to submit any relevant facts or submitted incorrect information in the Notice of Intent or in any other report to the Agency, he or she shall promptly submit such facts or information.

G. **Signatory Requirements.** All Notices of Intent, storm water pollution prevention plans, reports, certifications or information either submitted to the Agency or the operator of a large or medium municipal separate storm sewer system, or that this permit requires be maintained by the permittee, shall be signed.

1. All Notices of Intent shall be signed as follows:

a. For a corporation: by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means: (1) a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or (2) any person authorized to sign documents that has been assigned or delegated said authority in accordance with corporate procedures;

b. For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or

c. For a municipality, State, Federal, or other public agency: by either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a Federal agency includes (1) the chief executive officer of the agency, or (2) a senior executive officer

having responsibility for the overall operations of a principal geographic unit of the agency.

2. All reports required by the permit and other information requested by the Agency shall be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:

   a. The authorization is made in writing by a person described above and submitted to the Agency.

   b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of manager, operator, superintendent, or position of equivalent responsibility or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position).

   c. **Changes to Authorization.** If an authorization under Part I.C (Authorization) is no longer accurate because a different individual or position has responsibility for the overall operation of the construction site, a new authorization satisfying the requirements of Part I.C must be submitted to the Agency prior to or together with any reports, information, or applications to be signed by an authorized representative.

   d. **Certification.** Any person signing documents under this Part shall make the following certification:

      "I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

H. **Penalties for Falsification of Reports.** Section 309(c)(4) of the Clean Water Act provides that any person who knowingly makes any false material statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including reports of compliance or noncompliance shall, upon conviction, be punished by a fine of not more than $10,000, or by imprisonment for not more than 2 years, or by both. Section 44(j)(4) and (5) of the Environmental Protection Act provides that any person who knowingly makes any false statement, representation, or certification in an application form, or form pertaining to a NPDES permit commits a Class A misdemeanor, and in addition to any other penalties provided by law is subject to a fine not to exceed $10,000 for each day of violation.

I. **Penalties for Falsification of Monitoring Systems.** The CWA provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by fines and imprisonment described in Section 309 of the CWA. The Environmental Protection Act provides that any person who knowingly renders inaccurate any monitoring device or record required in connection with any NPDES permit or with any discharge which is subject to the provisions of subsection (f) of Section 12 of the Act commits a Class A misdemeanor, and in addition to any other penalties provided by law is subject to a fine not to exceed $10,000 for each day of violation.

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

K. **Property Rights.** The issuance of this permit does not convey any property rights of any sort, nor any exclusive privileges, nor does it authorize any injury to private property nor any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations.

L. **Severability.** The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit shall not be affected thereby.

M. **Transfers.** This permit is not transferable to any person except after notice to the Agency. The Agency may require the discharger to apply for and obtain an individual NPDES permit as stated in Part I.C (Authorization).

N. **Requiring an Individual Permit or an Alternative General Permit.**

1. The Agency may require any person authorized by this permit to apply for and/or obtain either an individual NPDES permit or an alternative NPDES general permit. Any interested person may petition the Agency to take action under this paragraph. Where the Agency requires a discharger authorized to discharge under this permit to apply for an individual NPDES permit, the Agency shall notify the discharger in writing that a permit application is required. This notification shall include a brief statement of the reasons for this decision, an application form, a statement setting a deadline for the discharger to file the application, and a statement that on the effective date of the individual NPDES permit or the alternative general permit as it applies to the individual permittee, coverage under this general permit shall automatically terminate. Applications shall be submitted to the Agency indicated in Part II.D (Where to Submit) of this permit. The Agency may grant additional time to submit the application upon request of the applicant. If a discharger fails to submit in a timely manner an individual NPDES permit application as required by the Agency under this paragraph, then the applicability of this permit to the individual NPDES permittee is automatically terminated at the end of the day specified by the Agency for application submittal. The Agency may require an individual NPDES permit based on:

   a. information received which indicates the receiving water may be of particular biological significance pursuant to 35 Ill. Adm. Code 302.105(d)(6);

   b. whether the receiving waters are impaired waters for suspended solids, turbidity or siltation as identified by the Agency's 303(d) listing;

   c. size of construction site, proximity of site to the receiving stream, etc.

   The Agency may also require monitoring of any storm water discharge from any site to determine whether an individual permit is required.

2. Any discharger authorized by this permit may request to be excluded from the coverage of this permit by applying for an individual permit. In such cases, the permittee shall submit an individual application in accordance with the requirements of 40 CFR 122.26(c)(1)(ii), with reasons supporting the request, to the Agency at the address indicated in Part II.D (Where to Submit) of this permit. The request may be granted by issuance of any individual permit or an alternative general permit if the reasons cited by the permittee are adequate to support the request.

3. When an individual NPDES permit is issued to a discharger otherwise subject to this permit, or the discharger is authorized to discharge under an

alternative NPDES general permit, the applicability of this permit to the individual NPDES permittee is automatically terminated on the effective date of the individual permit or the date of authorization of coverage under the alternative general permit, whichever the case may be. When an individual NPDES permit is denied to a discharger otherwise subject to this permit or the discharger is denied for coverage under an alternative NPDES general permit, the applicability of this permit to the individual NPDES permittee remains in effect, unless otherwise specified by the Agency.

O. **State/Environmental Laws.** No condition of this permit shall release the permittee from any responsibility or requirements under other environmental statutes or regulations.

P. **Proper Operation and Maintenance.** The permittee shall at all times properly operate and maintain all construction activities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit and with the requirements of storm water pollution prevention plans. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. Proper operation and maintenance requires the operation of backup or auxiliary facilities or similar systems, installed by a permittee only when necessary to achieve compliance with the conditions of the permit.

Q. **Inspection and Entry.** The permittee shall allow the IEPA, or an authorized representative upon presentation of credentials and other documents as may be required by law, to:

1. Enter upon the permittee's premises where a regulated construction activity is located or conducted, or where records must be kept under the conditions of this permit;

2. Have access to and copy at reasonable times, any records that must be kept under the conditions of this permit;

3. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and

4. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act, any substances or parameters at any location.

R. **Permit Actions.** This permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

S. **Bypasses and Upsets.** The provisions of 40 CFR Section 122.41(m) & (n) are applicable and are hereby incorporated by reference.

**Part VII. REOPENER CLAUSE**

A. If there is evidence indicating potential or realized impacts on water quality due to any storm water discharge associated with industrial activity covered by this permit, the discharger may be required to obtain an individual permit or an alternative general permit in accordance with Part I.C (Authorization) of this permit or the permit may be modified to include different limitations and/or requirements.

B. Permit modification or revocation will be conducted according to provisions of 35 Ill. Adm. Code, Subtitle C, Chapter I and the provisions of 40 CFR 122.62, 122.63, 122.64 and 124.5 and any other applicable public participation procedures.

C. The Agency will reopen and modify this permit under the following circumstances:

1. the U.S. EPA amends its regulations concerning public participation;

2. a court of competent jurisdiction binding in the State of Illinois or the 7th Circuit Court of Appeals issues an order necessitating a modification of public participation for general permits; or

3. to incorporate federally required modifications to the substantive requirements of this permit.

**Part VIII. DEFINITIONS**

"Agency" means the Illinois Environmental Protection Agency.

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

"Commencement of Construction or Demolition Activities" The initial disturbance of soils associated with clearing, grading, or excavating activities or other construction or demolition activities.

"Construction Activities" Earth disturbing activities, such as clearing, grading and excavation of land. For purposes of this permit, construction activities also means construction site, construction site activities, or site. Construction activities also include any demolition activities at a site.

"CWA" means Clean Water Act (formerly referred to as the Federal Water Pollution Control Act or Federal Water Pollution Control Act Amendments of 1972) Pub. L. 92-500, as amended Pub. L. 95-217, Pub. L. 95-576, Pub. L. (96-483 and Pub. L. 97-117, 33 U.S.C. 1251 et seq.).

"Dedicated portable asphalt plant" A portable asphalt plant that is located on or contiguous to a construction site and that provides asphalt only to the construction site that the plant is located on or adjacent to. The term dedicated portable asphalt plant does not include facilities that are subject to the asphalt emulsion effluent limitation guideline at 40 CFR 443.

"Dedicated portable concrete plant" A portable concrete plant that is located on or contiguous to a construction site and that provides concrete only to the construction site that the plant is located on or adjacent to.

"Dedicated sand or gravel operation" An operation that produces sand and/or gravel for a single construction project.

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

"Final Stabilization" means that all soil disturbing activities at the site have been completed, and either of the two following conditions are met:

(i) A uniform (e.g., evenly distributed, without large bare areas) perennial vegetative cover with a density of 70 percent of the native background vegetative cover for the area has been established on all unpaved areas and areas not covered by permanent structures, or

(ii) Equivalent permanent stabilization measures (such as the use of riprap, gabions, or geotextiles) have been employed.

For individual lots in residential construction, final stabilization means that either:

(i) The homebuilder has completed final stabilization as specified above, or

(ii) The homebuilder has established temporary stabilization including perimeter controls for an individual lot prior to occupation of the home by the homeowner and informing the homeowner of the need for, and benefits of, final stabilization.

"Large and 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 (i) or (ii) and that are designated by the Director as part of the large or medium municipal separate storm sewer system.

"NOI" means notice of intent to be covered by this permit (see Part II of this permit.)

"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 discharges. This term does not include return flows from irrigated agriculture or agricultural storm water runoff.

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

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

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

(i) Facilities subject to storm water effluent limitations guidelines, new source performance standards, or toxic pollutant effluent standards under 40 CFR Subchapter N (except facilities with toxic pollutant effluent standards which are exempted under category (xi) of this paragraph);

(ii) Facilities classified as Standard Industrial Classifications 24 (except 2434), 26 (except 265 and 267), 28, 29, 311, 32, 33, 3441, 373;

(iii) Facilities classified as Standard Industrial Classifications 10 through 14 (mineral industry) including active or inactive mining operations (except for areas of coal mining operations meeting the definition of a reclamation area under 40 CFR 434.11(l)) and oil and gas exploration, production, processing, or treatment operations, or transmission facilities that discharge storm water contaminated by contact with or that has come into contact with, any overburden, raw material, intermediate products, finished products, byproducts or waste products located on the site of such operations; inactive mining operations are mining sites that are not being actively mined, but which have an identifiable owner/operator;

(iv) Hazardous waste treatment, storage, or disposal facilities, including those that are operating under interim status or a permit under Subtitle C of RCRA;

(v) Landfills, land application sites, and open dumps that have received any industrial wastes (waste that is received from any of the facilities described under this subsection) including those that are subject to regulation under Subtitle D of RCRA;

(vi) Facilities involved in the recycling of materials, including metal scrapyards, battery reclaimers, salvage yards, and automobile junkyards, including but

limited to those classified as Standard Industrial Classification 5015 and 5093;

(vii) Steam electric power generating facilities, including coal handling sites;

(viii) Transportation facilities classified as Standard Industrial Classifications 40, 41, 42, 44, and 45 which have vehicle maintenance shops, equipment cleaning operations, or airport deicing operations. Only those portions of the facility that are either involved in vehicle maintenance (including vehicle rehabilitation, mechanical repairs, painting, fueling, and lubrication), equipment cleaning operations, airport deicing operations, or which are otherwise identified under subparagraphs (i)-(vii) or (ix)-(xi) of this subsection are associated with industrial activity;

(ix) Treatment works treating domestic sewage or any other sewage sludge or wastewater treatment device or system, used in the storage treatment, recycling, and reclamation of municipal or domestic sewage, including land dedicated to the disposal of sewage sludge that are located within the confines of the facility, with a design flow of 1.0 mgd or more, or required to have an approved pretreatment program under 40 CFR 403. Not included are farm lands, domestic gardens or lands used for sludge management where sludge is beneficially reused and which are not physically located in the confines of the facility, or areas that are in compliance with 40 CFR 503;

(x) Construction activity including clearing, grading and excavation activities except: operations that result in the disturbance of less than one acre of total land area which are not part of a larger common plan of development or sale unless otherwise designated by the Agency pursuant to **Part I**.B.1.

(xi) Facilities under Standard Industrial Classifications 20, 21, 22, 23, 2434, 25, 265, 267, 27, 283, 31 (except 311), 34 (except 3441), 35, 36, 37 (except 373), 38, 39, 4221-25, (and which are not otherwise included within categories (i)-(x)).

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

"Work day" for the purpose of this permit, a work day is any calendar day on which construction activities will take place.

The following modifications have been made to the final permit from the previously issued General NPDES Permit ILR10:

1. I.B.1: A requirement that existing permittees may have to update/revise their Storm Water Pollution Prevention Plan (SWPPP). See also Section II.A.2 below

2. II.A.2: Provides that permittees must upgrade/revise their SWPPP within 12 months of the effective date of this permit. Projects which will be terminated within the next 12 months are not required to update/revise their SWPPP.

3. II.C.7: The requirement for consultation with the Illinois Historic Preservation Agency and the Illinois Department of Natural Resources was moved from Section I.C.3 to Section II.C.7.

4. II.C.9: Revised Notices of Intent for substantial modifications.

5. II.D: Where to submit Notices of Intent.

6. II.E: NOI shall be copied to local active MS4 permit holders.

7. II.F.1.d: Date of completion and stabilization now included in Notice of Termination (NOT).

8. II.F.2: Provides for electronic submission of NOT.

9. III.A.3: Prohibition of various non-storm water discharges in accordance with 40 CFR 450.

10. III.A.4: Allowance for groundwater dewatering in accordance with 40 CFR 450.

11. IV.B.5: Copy of Approval Letter must be posted at site.

12. IV.D.1.e: Inclusion of information concerning off-site stockpiling of soils or other materials in the site description.

13. IV.D.2.a: Delineation of erosion and sediment controls now specified in accordance with 40 CFR 450.

14. IV.D.2.b: Requirements for initiation of stabilization activities in accordance with 40 CFR 450.

15. IV.D.2.c: Design requirements for sediment basins added to permit.

16. IV.D.2.f: Pollution prevention measures now included in permit in accordance with 40 CFR 450.

17. IV.D.2.g: Provisions for control of other wastes now included in permit.

18. IV.D.2.h: Requirement to explicitly consider post-construction storm water management in the SWPPP.

19. IV.D.3.b. Requirement to keep sediment basins in operating condition.

20. IV.D.4.a: Clarified inspection requirements after construction has temporarily ceased or under frozen conditions.

21. IV.D.4.e: Specified that corrective actions must be undertaken immediately following an incident of non-compliance in accordance with 40 CFR 450.

22. VI.S: Bypass and Upsets provisions were added to the Standard Permit Conditions.

23. VIII: Definition of construction activities was added to permit.

24. VIII: Definition of work day was added to the permit.

25. General: References to the Illinois Environmental Protection Agency's Urban Manual were changed to Illinois Urban Manual (2012).

26. General: The word "facilities" in previous permit was changed to "construction activities" in the draft permit.

27. General: Various edits.

# ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 • (217)782-2829
PAT QUINN, GOVERNOR LISA BONNETT, DIRECTOR

## Illinois Environmental Protection Agency
## Notice of Intent (NOI) General Permit To Discharge Storm Water Associated with Construction Site Activities

**OWNER INFORMATION** **ILR10** _____

Company/Owner Name: _____

Mailing Address: _____ Phone: _____

City: _____ State: _____ Zip: _____ Fax: _____

Contact Person: _____ E-mail: _____

OwnerType __Private __City __Federal __County __Special District __ State MS4 Community: ____ Yes ___ No

**CONTRACTOR INFORMATION**

Contractor Name: _____

Mailing Address: _____ Phone: _____

City: _____ State: _____ Zip: _____ Fax: _____

**CONSTRUCTION SITE INFORMATION**

Select One __New ___ Change of Information for ILR10 _____

Project Name: _____ County: _____

Street Address: _____ City: _____ IL Zip: _____

Latitude: _____ _____ _____ Longitude: _____ _____ _____ _____ _____ _____

(Deg) (Min) (Sec) (Deg) (Min) (Sec) Section Township Range

Approximate Construction Start Date _____ Approximate Construction End Date _____

Total size of construction site in acres: _____ **(Fee Schedule- Less than 5 acres = $250 / 5 or more acres = $750)**

If less than 1 acre, is the site part of a larger common plan of development? _____Yes _____ No

**STORM WATER POLLUTION PREVENTION PLAN (SWPPP)**

Has the Storm Water Pollution Prevention Plan been submitted to the Agency? _____Yes _____No

(Submit SWPPP electronically to: epa.constilr10swppp@illinois.gov)

Location of SWPPP for viewing: Address: _____ City:_____

**SWPPP Contact Information:** **Inspector Qualifications:**

Contact Name: _____ _____

Phone: _____ Fax:_____ E-mail: _____

**Project Inspector, if different from above:** **Inspector Qualifications:**

Inspector's Name: _____ _____

Phone: _____ Fax:_____ E-mail: _____

Information required by this form must be provided to comply with 415 ILCS 5/39 (1996). Failure to do so may prevent this form from being processed and could result in your application being denied. This form has been approved by the Forms Management Center.

***For Office Use Only: Log:*** _____ ***Permit No.:*** _____ ***Date:*** _____

***Date Fee Received*** _____ ***Amount:*** _____ ***Check #*** _____



4302 N. Main St., Rockford, IL 61103 (815)987-7760
595 S. State, Elgin, IL 60123 (847)608-3131
2125 S. First St., Champaign, IL 61820 (217)278-5800
2009 Mall St., Collinsville, IL 62234 (618)346-5120
9511 Harrison St., Des Plaines, IL 60016 (847)294-4000
5407 N. University St., Arbor 113, Peoria, IL 61614 (309)693-5462
2309 W. Main St., Suite 116, Marion, IL 62959 (618)993-7200
100 W. Randolph, Suite 10-300, Chicago, IL 60601 (312)814-6026

PLEASE PRINT ON RECYCLED PAPER

# Illinois Environmental Protection Agency
# Notice of Intent (NOI) General Permit To Discharge Storm Water Associated with Construction Site Activities

**TYPE OF CONSTRUCTION** **ILR10** _____

Select One: _____ SIC Code: _____

(Commercial, Industrial, Residential, Reconstruction, Transportation, Other)

Type a detailed description of the project:

_____

_____

_____

_____

_____

_____

**HISTORIC PRESERVATION AND ENDANGERED SPECIES COMPLIANCE**

The following state agencies must be contacted to satisfy applicable requirements for compliance with Illinois law. Indicate if these Agencies have been notified.

IL Historic Preservation Agency: _____ Yes _____ No http://www.illinoishistory.gov/PS/rcdocument.htm

IL Department of Natural Resources: _____ Yes _____ No http://dnr.illinois.gov/ecopublic/

Submit any correspondence, approvals or consultation determinations for this project.

**RECEIVING WATER INFORMATION**

Does your storm water discharge directly to: _____ Waters of the State or _____ Storm Sewer

Owner of storm water system: _____

Name of closest receiving water body to which you discharge: _____

I certify under penalty of law that this document and all attachments were prepared under my direction and supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons which manage this system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment. In addition, I certify that the provisions of the permit, including the development and implementation of a storm water pollution prevention plan and a monitoring plan, will be complied with.

**Owner Signature:** _____ **Date:** _____

Any person who knowingly makes a false, fictitious, or fraudulent material statement, orally or in writing, to the Illinois EPA commits a Class 4 felony. A second or subsequent offense after conviction is a Class 3 felony. (415 ILCS 5/44(h))

**Electronic or FAX copies of this form may be submitted to the email address listed address. FAX and/or electronic copies should be followed-up with the submission of an original signature copy as soon as possible.**

Mail completed form by certification mail to: Illinois Environmental Protection Agency
Division of Water Pollution Control.- #15
Attn: Permit Section
1021 N. Grand Avenue East, Post Office Box 19276
Springfield, Illinois 62794-9276

---

*For Office Use Only: Log:* _____ *Permit No.:* _____ *Date:* _____

## INSTRUCTIONS FOR COMPLETION OF CONSTRUCTION ACTIVITIY NOTICE OF INTENT (NOI) FORM

Submit complete NOI and SWPPP electronically to the following email address: epa.constilr10swppp@illinois.gov
**Submit the NOI with original signature and fee by certified mail to the following address:**

Illinois Environmental Protection Agency
Division of Water Pollution Control - #15
Attn: Permit Section
1021 N. Grand Avenue East, Post Office Box 19276
Springfield, Illinois 62794-9276

An electronic submittal with digital signature may be filed at the following website address:
http://dataservices.epa.illinois.gov/SWConstructionPermit/bowLogin.aspx

**Reports must be typed or printed legibly and signed.**
Any construction site that is not presently covered by the General NPDES Permit for Storm Water Discharges From Construction Site Activities is considered a new construction site.

If this is a change in your construction site information, contractor, etc., please fill in your permit number on the appropriate line. If the change of information affects the fee schedule please submit the appropriate additional fee with this change of information.

NOTE: CONSTRUCTION SITE LOCATION IS NOT NECESSARILY THE OWNER MAILING ADDRESS, BUT SHOULD DESCRIBE WHERE THE CONSTRUCTION SITE IS LOCATED.

Use the formats given in the following examples for correct form completion.

| | Example | Format |
|---|---|---|
| Section | 12 | 1 or 2 numerical digits |
| Township | 12N | 1 or 2 numerical digits followed by "N" or "S" |
| Range | 12W | 1 or 2 numerical digits followed by "E" or "W" |

For the Name of Closest Receiving Waters, DO NOT use terms such as ditch or channel. For unnamed tributaries, use terms which include at least a named main tributary such as "Unnamed Tributary to Sugar Creek to Sangamon River."

Submission of initial fee and an electronic submission of Storm Water Pollution Prevention Plan (SWPPP) for Initial Permit prior to the Notice of Intent being considered complete for coverage by the ILR10 General Permits.

Please make checks payable to Illinois EPA and send to the above address:

Construction sites with less than 5 acres of land disturbance – fee is $250
Construction site with 5 or more acres of land disturbance – fee is $750

The following Agencies must be contacted:
IL Historic Preservation Agency - http://www.illinoishistory.gov/PS/rcdocument.htm
IL Dept of Natural Resources - http://dnr.illinois.gov/ecopublic/

Submit any correspondence, approvals or consultation determinations for this project from the above Agencies.

SWPPP should be submitted electronically to: epa.constilr10swppp@illinois.gov . When submitting electronically, use construction site name and City as indicated on NOI form.

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

# NOTICE OF TERMINATION (NOT)

## OF COVERAGE UNDER THE GENERAL PERMIT FOR STORM WATER DISCHARGES ASSOCIATED WITH CONSTRUCTION SITE ACTIVITIES

Please use the tab or arrow keys

## OWNER INFORMATION

Owner Name: _____

Owner Type: (select one) ☐ Private ☐ City ☐ Federal ☐ County ☐ Special District ☐ State

Mailing Address: _____

City: _____ State: ___ Zip: _____

Contact Person: _____ Phone: _____

## CONTRACTOR INFORMATION

Contractor Name: _____

Mailing Address: _____ Phone: _____

City: _____ State: ___ Zip: _____

## CONSTRUCTION SITE INFORMATION

Facility Name: _____

Street Address: _____ City: _____ IL Zip: _____

County: _____ NPDES Storm Water General Permit Number.: ILR10 _____

Latitude: _____ (Deg) _____ (Min) _____ (Sec) Longitude: _____ (Deg) _____ (Min) _____ (Sec) _____ Section _____ Township _____ Range

**Date project has been completed and stabilized:** _____

I certify under penalty of law that disturbed soils at the identified facility have been finally stabilized or that all storm water discharges associated with industrial activity from the identified facility that are authorized by an NPDES general permit have otherwise been eliminated. I understand that by submitting this notice of termination, that I am no longer authorized to discharge storm water associated with industrial activity by the general permit, and that discharging pollutants in storm water associated with industrial activity to Waters of the State is unlawful under the Environmental Protection Act and the Clean Water Act where the discharge is not authorized by an NPDES permit.

Owner Signature: _____ Date: _____

*Any person who knowingly makes a false, fictitious, or fraudulent material statement, orally or in writing, to the Illinois EPA commits a Class 4 felony. A second or subsequent offense after conviction is a Class 3 felony. (415 ILCS 5/44(h))*

Mail completed form to: Illinois Environmental Protection Agency
Division of Water Pollution Control
Attn: Permit Section
Post Office Box 19276
Springfield, Illinois 62794-9276

(Do not submit additional documentation unless requested)

For Office Use Only

Log:
Permit No. ILR10 _ _ _ _
Date:

Information required by this form must be provided to comply with 415 ILCS 5/39 (1996). Failure to do so may prevent this form from being processed and could result in your application being denied. This form has been approved by the Forms Management Center.

# GUIDELINES FOR COMPLETION OF NOTICE OF TERMINATION (NOT) FORM

Please adhere to the following guidelines:

Submit original, photocopy or facsimile copies. Facsimile and/or photo copies should be followed-up with submission of an original signature copy as soon as possible. Please write "copy" under the "For Office Use Only" box in the lower right hand corner.

Submit completed forms to:

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

Reports must be typed or printed legibly and signed.

NOTE: FACILITY LOCATION IS NOT NECESSARILY THE FACILITY MAILING ADDRESS, BUT SHOULD DESCRIBE WHERE THE FACILITY IS LOCATED.

Use the formats given in the following examples for correct form completion.

| | Example | Format |
|---|---|---|
| SECTION | 12 | 1 or 2 numerical digits |
| TOWNSHIP | 12N | 1 or 2 numerical digits followed by "N" or "S" |
| RANGE | 12W | 1 or 2 numerical digits followed by "E" or "W" |

Final stabilization has occurred when:

(a) all soil disturbing activities at the site have been completed
(b) a uniform perennial vegetative cover with a density of 70% of the native background vegetative cover for the area has been established on all unpaved areas and areas not covered by permanent structures,
(c) or equivalent permanent stabilization measures have been employed.

# Appendix 3

# Stormwater Outfall Inspection Data Form

**Section 1: Background Data**

| | | |
|---|---|---|
| Date: | Outfall ID: | Temperature: |
| Last Rainfall Date: | Photos Taken (Y/N) | Photo Numbers: |
| Location Description: | | |

**Section 2: Outfall Description**

| Type | Material | Shape | Dimensions | Submerged |
|---|---|---|---|---|
| Storm Sewer (Closed Pipe) | RCP CMP<br>PVC HDPE<br>Steel Clay<br>Other: _____ | Circular<br>Elliptical<br>Box<br>Other: _____ | Diameter: | In Water:<br>No Partially Fully<br>With Sediment:<br>No Partially Fully |
| Open Drainage (Swale/Ditch) | Concrete<br>Earthen<br>Rip-rap<br>Other: _____ | Trapezoid<br>Parabolic<br>Other: _____ | Depth:<br>Top Width:<br>Bottom Width: | |

**Section 3: Physical Description**

| Indicator | Check if Present | Description | Comments |
|---|---|---|---|
| Outfall Damage | | ☐Spalling/Cracking/Chipping ☐Peeling Paint ☐Corrosion | |
| Deposit/Stains | | ☐Oily ☐Flow Line ☐ Paint ☐ Other: | |
| Abnormal Vegetation | | ☐ Excessive ☐ Inhibited | |
| Poor pool quality | | ☐Odors ☐ Colors ☐ Floatables ☐ Oil Sheen ☐Suds ☐ Excessive Algae ☐ Other: | |
| Algae | | ☐Brown ☐Orange ☐Green ☐Other: | |
| Do physical indicators suggest illicit discharge? (Y/N): | | | |

| | |
|---|---|
| Flow Present? | ☐ Yes ☐ No **If no, skip to section 4 & close illicit discharge investigation.** |
| Flow Description | ☐ Trickle ☐ Moderate ☐ Substantial |

**Section 4: Physical Description**

| Indicator | Check if Present | Description | Comments (Severity) |
|---|---|---|---|
| Odor | | ☐ Sewage ☐ Sulfide ☐ Laundry ☐ Sour ☐ Gas ☐ Other: | |
| Color | | ☐ Clear ☐ Gray ☐ Green ☐ Brown ☐ Yellow ☐ Orange/Red ☐ Multi-color ☐ Other | |
| Turbidity | | ☐ Slight Cloudiness ☐ Cloudy ☐ Opaque | |
| Floatables | | ☐ Sewage ☐ Foam ☐ Oil Sheen ☐ Grease ☐ Other: | |
| Do physical indicators suggest illicit discharge? (Y/N): | | | |

**Section 5: Any non-illicit discharge concerns (trash/repairs etc)?**

_____

_____

_____

_____

_____

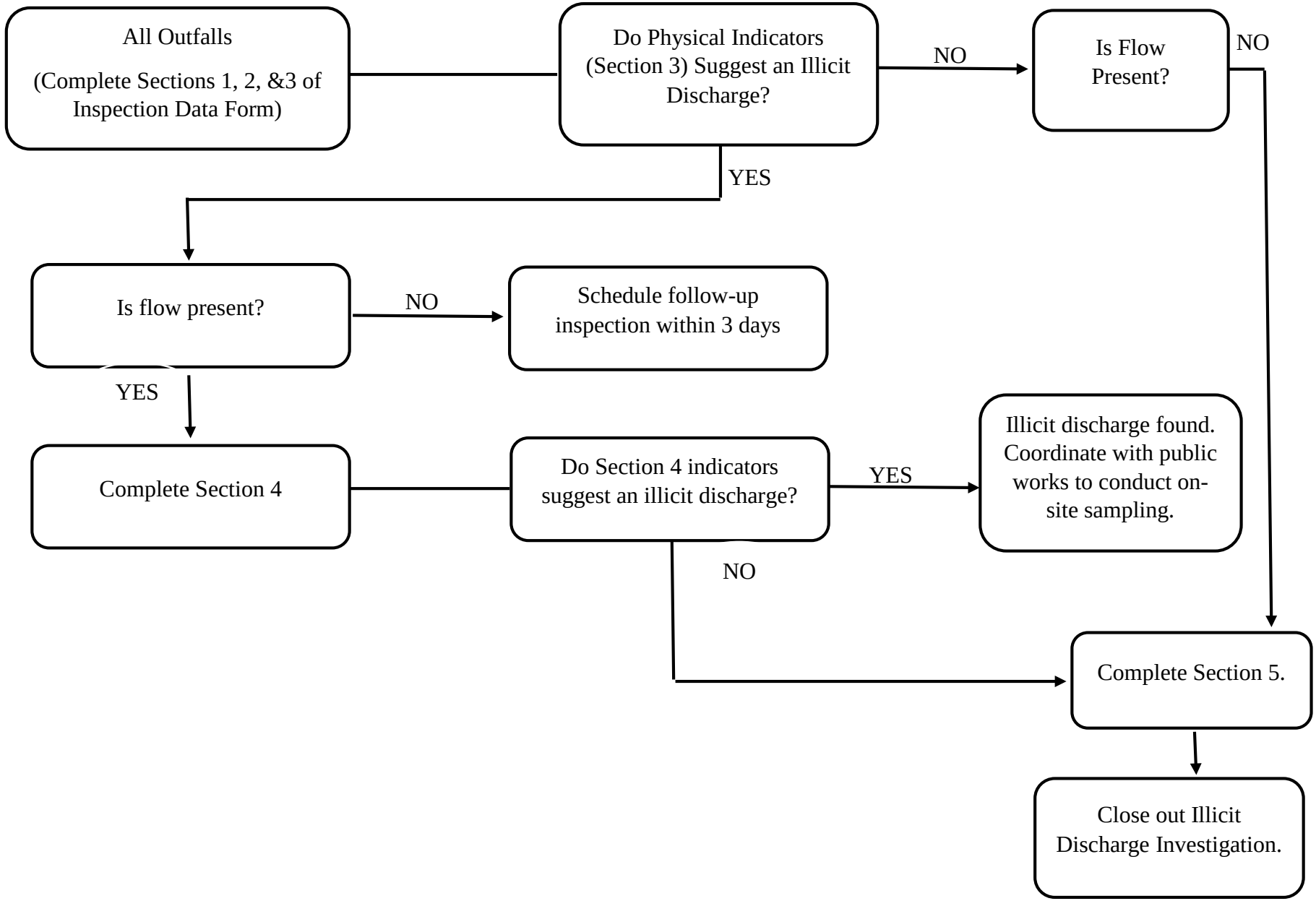



**Figure 1: Outfall Procedure Flow Chart**