

ORDINANCE NO. 450

AS AMENDED

AN ORDINANCE ENACTING A GENERAL
PRETREATMENT PROGRAM, REGULATING
THE USE OF SEWERS AND PROVIDING
PENALTIES FOR VIOLATIONS THEREOF

IN

THE GALESBURG SANITARY DISTRICT
GALESBURG, ILLINOIS

PREAMBLE

WHEREAS, Title III of the Clean Water Act of 1977 (33 USC, Sec. 1251, et seq.) and regulations promulgated thereunder relating to the development by publicly owned treatment works of general pretreatment programs require the Galesburg Sanitary District to develop and implement such a general pretreatment program, and

WHEREAS, the Board of Trustees of The Galesburg Sanitary District has determined that the general pretreatment programs as set forth in this Ordinance regulating the use of sewers complies with the Act and regulations, and

WHEREAS, the Board of Trustees of The Galesburg Sanitary District has determined that this Ordinance is necessary for the public health, safety and welfare

NOW, THEREFORE, be it ordained by the Board of Trustees of The Galesburg Sanitary District, State of Illinois:

PART 100
GENERAL PROVISIONS

Section 100.101 Enactment

Pursuant to the requirements of Title III of the Clean Water Act Amendments (33 USC 1311 et seq.), and regulations promulgated thereunder, the Illinois Environmental Protection Act of 1970 as amended (415 ILCS 5/1 et seq.), and in accordance with the Sanitary District Act of 1917, the following Ordinance is hereby enacted by the Board of Trustees of The Galesburg Sanitary District (District).

Section 100.102 Purpose and Policy

This ordinance sets forth uniform requirements for Users of the Publicly Owned Treatment Works for the District and enables the District to comply with all

applicable State and Federal laws, including the Clean Water Act (33 United States Code [U.S.C.] section 1251 et seq.) and the General Pretreatment Regulations (Title 40 of the Code of Federal Regulations [CFR] Part 403). The objectives of this ordinance are:

- A. To prevent the introduction of pollutants into the Publicly Owned Treatment Works that will interfere with its operation;
- B. To prevent the introduction of pollutants into the Publicly Owned Treatment Works that will pass through the Publicly Owned Treatment Works, inadequately treated, into receiving waters, or otherwise be incompatible with the Publicly Owned Treatment Works;
- C. To protect both Publicly Owned Treatment Works personnel who may be affected by wastewater and sludge in the course of their employment and the general public;
- D. To promote reuse and recycling of industrial wastewater and sludge from the Publicly Owned Treatment Works;
- E. To provide for fees for the equitable distribution of the cost of the implementation of the program established herein; and
- F. To enable the District to comply with its National Pollutant Discharge Elimination System permit conditions, sludge use and disposal requirements, and any other Federal or State laws to which the Publicly Owned Treatment Works is subject.

This ordinance shall apply to all Users of the Publicly Owned Treatment Works. The ordinance authorizes the issuance of individual wastewater discharge permits; provides for monitoring, compliance, and enforcement activities; establishes administrative review procedures; requires User reporting; and provides for the setting of fees for the equitable distribution of costs resulting from the program established herein.

Section 100.103 Jurisdiction

This Ordinance shall apply to Significant Industrial Users that discharge to the District.

Section 100.104 Effective Date

The effective date of this Ordinance shall be January 1, 1985.

Section 100.105 Right of Revision

The District reserves the right to establish by ordinance more stringent limitations or requirements on discharges to the District.

Section 100.106 Severability

If any provision, paragraph, word, section or article of this Ordinance is invalidated by any court of competent jurisdiction, the remaining provisions, paragraphs, words, sections and chapters shall not be affected and shall continue in full force and effect.

Section 100.107 Conflict

All other ordinances and parts of other ordinances inconsistent or conflicting with any part of this Ordinance are hereby repealed to the extent of such inconsistency or conflict.

PART 200 ABBREVIATIONS AND DEFINITIONS

Section 200.100 Definitions

Unless the context specifically indicates otherwise, the following terms and phrases, as used in this Ordinance, shall have the meanings as hereinafter designated.

- (1) A as in Cyanide-A means amenable to alkaline chlorination.
- (2) Act or the Act. The Federal Water Pollution Control Act, also known as the Clean Water Act and the Water Quality Act of 1987, as amended, 33 U.S.C. 1251, et. seq.
- (3) Approval Authority. In Illinois the Administrator of Region 5 of the EPA is the Approval Authority.
- (4) Authorized Representative of Industrial User. An authorized representative of an Industrial User may be: (1) A principal executive officer of at least the level of vice-president, if the Industrial User is a corporation; (2) A general partner or proprietor if the Industrial User is a partnership or proprietorship, respectively; (3) A duly authorized representative of the individual designated above if such representative is responsible for the overall operation of the facilities from which the indirect discharge originates, the authorization is in writing, and the written authorization is submitted to the POTW; (4) If the User is a Federal, State, or local governmental facility: a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or their designee.
- (5) Baseline Report is the report required by 40 CFR 403.12.
- (6) Biochemical Oxygen Demand (BOD₅). The quantity of oxygen utilized in the biochemical oxidation of organic matter under the standard laboratory procedure, five (5) days at 20 degrees centigrade expressed in terms of concentration (milligrams per liter (mg/l)).
- (7) Board of Trustees. The governing authority of the District, created for the government, control and management of the affairs and business of the District.
- (8) Building Sewer. A sewer conveying wastewater from the premises of a User to the POTW.
- (9) Bypass means the intentional diversion of waste streams from any

portion of an Industrial User's treatment facility.

- (10) Categorical Standards. National Categorical Pretreatment Standards or Pretreatment Standard.
- (11) Chemical Oxygen Demand (COD) means the quantity of oxygen consumed from a chemical oxidant (standard potassium dichromate solution) under standard laboratory procedures as described in Standard Methods.
- (12) Combined Waste Stream Formula means the formula as found in 40 CFR Section 403.6(e).
- (13) Composite Sample means a flow proportional sample, collected over a 24-hour period, or over the period of discharge if less than 24 hours. The District may waive flow proportional composite samples sampling for any Industrial User that demonstrates that flow-proportional sampling is infeasible. In such cases, samples may be obtained through time-proportional composite sampling techniques or through a minimum of four (4) grab samples where the User demonstrates that this will provide a representative sample of effluent being discharged.
- (14) Cooling Water. The non-contact water discharged from any use such as air conditioning, cooling or refrigeration, or to which the only pollutant added is heat.
- (15) Compatible Pollutant means BOD₅, COD, FOG, total suspended solids, pH and fecal coliform bacteria.
- (16) Consistent POTW Treatment Works Removal, Pollutant Removal or Removal means reduction in the amount of a pollutant or alteration of the nature or concentration of a pollutant in the influent of the POTW to a less incompatible or concentrated state in the effluent. Consistent District removal efficiency shall be the difference between the average concentration of the pollutant in the influent of the treatment plant and the average concentration of the pollutant in the effluent of the treatment plant divided by the average concentration of the pollutant in the influent.
- (17) Control Authority. The term Control Authority shall refer to the Approval Authority defined hereinabove; or the Superintendent if the District has an approved Pretreatment Program under the provisions of 40 CFR, 403.11.
- (18) Direct Discharge. The discharge of treated or untreated wastewater directly to the waters of the State of Illinois.
- (19) Director means the Director of Illinois EPA.
- (20) District. The Galesburg Sanitary District.
- (21) Environmental Protection Agency, or EPA. The U.S. Environmental Protection Agency, or where appropriate, the Regional Water Management Division Director, the Regional Administrator, or other duly authorized official of said Agency.

- (22) Existing Source means any source of discharge that is not a "New Source".
- (23) Fecal Coliform means any number of organisms common to the intestinal tract of man or animals whose presence in sanitary sewage is an indicator of pollution.
- (24) Fats, Oil, or Grease (FOG) means any hydrocarbons, fatty acids, soaps, fats, waxes, oils, and any other material that is measured by EPA Method 413.1 or Standard Methods 5520B, or any later method published by EPA or Standard Methods.
- (25) Flow means volume of wastewater per unit of time.
- (26) Garbage means solid wastes from the domestic and commercial preparation, cooking and dispensing of food, and from the commercial handling, storage and sale of produce.
- (27) Grab Sample. A sample which is taken from a waste stream on a one-time basis with no regard to the flow in the waste stream over a period of time not to exceed 15 minutes.
- (28) Holding Tank Waste. Any waste from holding tanks such as vessels, chemical toilets, campers, trailers, septic tanks, and vacuum-pump tank trucks.
- (29) Incompatible Pollutant means all pollutants other than compatible pollutants as defined in this Section.
- (30) Indirect Discharge. The discharge or the introduction of nondomestic pollutants from any source into the POTW (including holding tank waste discharged into the system).
- (31) Industrial User or User means any person who introduces pollutants into a POTW from any non-domestic source regulated under the Act, State law or this Ordinance.
- (32) Interference means a Discharge which, alone or in conjunction with a discharge or discharges from other sources both:
- (1) Inhibits or disrupts the POTW, its treatment processes or operations, or its sludge processes, use or disposal; and
 - (2) Therefore is a cause of a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation) or of the prevention of sewage sludge use or disposal in compliance with the following statutory provisions and regulations or permits issued thereunder (or more stringent State or local regulations): Section 405 of the Clean Water Act, the Solid Waste Disposal Action (SWDA) including Title II, more commonly referred to as the Resource Conservation and Recovery Act (RCRA), and including State regulations contained in any State sludge management plan prepared pursuant to Subtitle D of the SWDA), the Clean Air Act, the Toxic Substances Control Act, and the Marine Protection, Research and Sanctuaries Act.

- (33) National Categorical Pretreatment Standard (NCPS) or Pretreatment Standard. Any regulation containing pollutant discharge limits promulgated by the EPA in accordance with section 307 (b) and (c) of the Act (33 U.S.C. 1317) which applies to a specific category of Industrial Users and that appear in 40 C.F.R. Chapter I, Subchapter N, Parts 405-471. This term includes prohibitive discharge limits established pursuant to 40 CFR 403.5 or any revision thereto.
- (34) National Prohibitive Discharge Standard or Prohibitive Discharge Standard. Any regulation developed under the authority of 307(b) of the Act (33 U.S.C. 1317) and 40 CFR, Section 403.5.
- (35) New Source. (1) The term new source means any building, structure, facility or installation from which there is or may be a Discharge of pollutants, the construction of which commenced after the publication of proposed Pretreatment Standards under section 307(c) of the Act which will be applicable to such source if such Standards are thereafter promulgated in accordance with that section, provided that: (i) The building, structure, facility or installation is constructed at a site at which no other source is located: or (ii) The building, structure, facility or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source; or (iii) The production or wastewater generating processes of the building structure, facility or installation are substantially independent of an existing source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant, and the extent to which the new facility is engaged in the same general type of activity as the existing source should be considered.
- (2) Construction on a site at which an existing source is located results in a modification rather than a new source if the construction does not create a new building, structure, facility or installation meeting the criteria of paragraphs (1)(ii), or (1)(iii) of this section but otherwise alters, replaces or adds to existing process or production equipment.
- (3) Construction of a new source as defined under this paragraph has commenced if the owner operator has: (i) Begun, or caused to begin as part of a continuous onsite construction program: (A) Any placement, assembly, or installation of facilities or equipment; or (B) Significant site preparation work including clearing, excavation, or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly, or installation of new source facilities or equipment; or (ii) Entered into a binding contractual obligation for the purchase of facilities or equipment which are intended to be used in its operation within a reasonable time. Options to purchase or contracts which can be terminated or modified without substantial loss, and contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under this paragraph.
- (36) National Pollution Discharge Elimination System or NPDES Permit. A permit issued pursuant to section 402 of the Act (33 U.S.C. 1342).

- (37) Pass Through means a Discharge which exits the POTW into waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation).
- (38) Person. Any individual, partnership, copartnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity or any other legal entity, or their legal representatives, agents or assigns. The masculine gender shall include the feminine, the singular shall include the plural where indicated by the context. This definition includes all Federal, State, and local governmental entities.
- (39) pH. The logarithm (base 10) of the reciprocal of concentration of hydrogen ions expressed in moles per liter of solution.
- (40) Pollution. The manmade or man-induced alteration of the chemical, physical, biological, and radiological integrity of water.
- (41) Pollutant. Any dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, filter backwash, medical wastes, certain characteristics of wastewater (e.g. pH, temperature, TSS, turbidity, color, BOD, COD, toxicity or odor), cellar dirt and industrial, municipal, commercial and agricultural waste or any other contaminant discharged into water.
- (42) POTW Treatment Plant means that portion of the POTW designed to provide treatment to wastewater and sludges produced.
- (43) Pretreatment or Treatment. The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to or in lieu of discharging or otherwise introducing such pollutants into a POTW. The reduction, elimination, or alteration can be obtained by physical, chemical or biological processes, process changes, or other means, except as prohibited by 40 CFR Section 403.6(d).
- (44) Pretreatment Standards means for any specified pollutant, District prohibitive discharge standards as set forth in Section 300.105, District specific limitations on discharges as set forth in Section 300.110, the State of Illinois pretreatment standards or the National Categorical Pretreatment Standards (when effective), whichever standard is most stringent.
- (45) Pretreatment Requirements. Any substantive or procedural requirement related to pretreatment, other than a National Pretreatment Standard imposed on an industrial user.
- (46) Publicly Owned Treatment Works (POTW). A treatment works, as defined by section 212 of the Act (33 U.S.C. section 1292), which is owned by the District. This definition includes any devices or systems used in the collection, storage, treatment, recycling, and

reclamation of sewage or industrial wastes of a liquid nature and any conveyances, which convey wastewater to a treatment plant.

- (47) Regional Administrator means the Regional Administrator for the USEPA for Region V.
- (48) Sanitary Sewer means a sewer which is designed to carry sanitary and industrial wastewater, and to which storm, surface and ground water are not intentionally admitted.
- (49) 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 reasonably would not be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.
- (50) Shall is mandatory; May is permissive.
- (51) Significant Industrial User: (1) Except as provided in paragraph (51) (2) of this section, the term Significant Industrial User means: (i) all industrial users subject to Categorical Pretreatment Standards under 40 CFR 403.6 and 40 CFR Chapter I, Subchapter N; and (ii) Any other industrial user that: discharges an average of 25,000 gallons per day or more of process wastewater to the POTW (excluding sanitary, noncontact cooling and boiler blowdown wastewater); contributes a process waste stream which makes up 5 percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or (iii) is designated as such by the POTW on the basis that the Industrial User has a reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement (in accordance with 40 CFR 403.8(f)(6)).

(2) Upon a finding that an Industrial User meeting the criteria in paragraph (51) (1) (ii) of this section has no reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement, the POTW may at any time, on its own initiative or in response to a petition received from an Industrial User or POTW, and in accordance with 40 CFR 403.8(f)(6), determine that such Industrial User is not a significant Industrial User.

- (52) Significant Noncompliance (SNC) means:

(A) Chronic violations of wastewater discharge limits, defined here as those in which 66 percent or more of all of the measurements taken for the same pollutant parameter during a 6-month period exceed (by any magnitude) a numeric Pretreatment Standard or Requirement, including instantaneous limits, as defined by 40 CFR 403.3(1).

(B) Technical Review Criteria (TRC) violations, defined here as those in which 33 percent or more of all of the measurements taken for each pollutant parameter during a 6-month period equal or exceed the product of the numeric Pretreatment Standard or Requirement including instantaneous limits, as defined by 40 CFR 403.3(1) multiplied by the

applicable TRC (TRC=1.4 for BOD, TSS, fats, oil and grease, and 1.2 for all other pollutants except pH).

(C) Any other violation of a Pretreatment Standard or Requirement as defined by 40 CFR 403.3(1) (daily maximum, long-term average, instantaneous limit, or narrative Standard) that the POTW determines has caused, alone or in combination with other discharges, interference or pass through (including endangering POTW personnel or the general public);

(D) Any discharge of a pollutant that has caused imminent endangerment to human health, welfare or to the environment or has resulted in the POTW's exercise of its emergency authority under paragraph (f) (1) (vi) (B) of 40 CFR 403.8 to halt or prevent such a discharge;

(E) Failure to meet, within 90 days after the schedule date, a compliance schedule milestone contained in a local control mechanism or enforcement order for starting construction, completing construction, or attaining final compliance;

(F) Failure to provide, within 45 days after the due date, required reports such as baseline monitoring reports, 90-day compliance reports, periodic self-monitoring reports, and reports on compliance schedules;

(G) Failure to accurately report noncompliance;

(H) Any other violation or group of violations which the Control Authority determines will adversely affect the operation or implementation of the local pretreatment program, which may include a violation of BMPs.

- (53) Sludge means the solids separated from the liquids during the wastewater treatment processes.
- (54) Slug Means any discharge at a flow rate or concentration, which could cause a violation of the prohibited discharge standards in Sections 300.105 and 300.106 of this ordinance. A Slug Discharge is any Discharge of a non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch Discharge, which has a reasonable potential to cause Interference or Pass Through, or in any other way violate the POTW's regulations, Local Limits or Permit conditions.
- (55) State. State of Illinois.
- (56) Standard Industrial Classification (SIC). A classification pursuant to the Standard Industrial Classification Manual issued by the Executive Office of the President, Office of Management and Budget, 1972.
- (57) Standard Methods. Standard Methods for the Examination of Water and wastewater, latest edition, prepared and published jointly by the American Public Health Association (APHA), American Water Works Association (AWWA), and the Water Environment Federation (WEF).
- (58) Storm Water. Any flow occurring during or following any form of

natural precipitation and resulting therefrom.

- (59) Superintendent. The person designated by the District to supervise the operation of the publicly owned treatment works and who is charged with certain duties and responsibilities by this article, or his duly authorized representative.
- (60) T as in Cyanide-T means total.
- (61) Total Suspended Solids-(TSS) means total suspended matter, expressed in milligrams per liter, that either floats on the surface of, or is in suspension in water, wastewater or other liquids and is removable by laboratory filtration using a Reeve Angel type 934A or 984H glass fiber filter disc as prescribed in Standard Methods.
- (62) Total Toxic Organics means the summation of all quantified values greater than 0.01 milligrams per liter for the toxic organics as specified in Appendix 1. Users are required to sample and analyze for only those individually listed compounds reasonably expected to be present in their wastestream.
- (63) Toxic Pollutant. Any pollutant or combination of pollutants listed as toxic in regulations promulgated by the Administrator of the Environmental Protection Agency under the provisions of CWA 307(a) or other Acts, or in regulations promulgated by the State under State law.
- (64) Unpolluted Water means water of quality equal to or better than the effluent criteria set forth in 35 Ill. Adm. Code Part 304 or water that would not cause violation of receiving water quality standards set forth in 35 Ill. Adm. Code Parts 302 and 303 and would not be benefitted by discharge to the sanitary sewers and wastewater treatment facilities provided.
- (65) Upset means an exceptional incident in which there is unintentional and temporary noncompliance with applicable Pretreatment Standards because of factors beyond the reasonable control of the Industrial User. 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.
- (66) User. Any person who contributes, causes or permits the contribution of wastewater into the POTW.
- (67) Wastewater. The liquid and water-carried industrial or domestic wastes from dwellings, commercial buildings, industrial facilities, and institutions, together with other water that may be present, whether treated or untreated, which is contributed into or permitted to enter the POTW.
- (68) Waters of the State. All streams, rivers, lakes, ponds, marshes, watercourses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, ditches, drainage systems and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through, or border upon the State or any portion thereof. This also includes the flood

plain free flowing waters determined by the Department of Natural Resources on the basis of the 100-year flood frequency.

- (69) Industrial Wastewater Discharge Permit means the document or documents allowing discharge to the POTW issued to a User by the District pursuant to Part 500 of this Ordinance.
- (70) Best Management Practices means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in Section 300.105 and 300.106 [40 CFR 403.5(a)(1) and (b)]. BMPs include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage. [Note: BMPs also include alternative means (i.e., management plans) of complying with, or in place of certain established categorical Pretreatment Standards and effluent limits.]
- (71) Categorical Industrial User means an Industrial User subject to a categorical Pretreatment Standard or categorical Standard.
- (72) Daily Maximum means the arithmetic average of all effluent samples for a pollutant collected during a calendar day.
- (73) Daily Maximum Limit means the maximum allowable discharge limit of a pollutant during a calendar day. Where Daily Maximum Limits are expressed in units of mass, the daily discharge is the total mass discharged over the course of the day. Where Daily Maximum Limits are expressed in terms of a concentration, the daily discharge is the arithmetic average measurement of the pollutant concentration derived from all measurements taken that day.
- (74) Instantaneous Limit means the maximum concentration of a pollutant allowed to be discharged at any time, determined from the analysis of any discrete or composited sample collected, independent of the industrial flow rate and the duration of the sampling event.
- (75) Local Limit means the specific discharge limits developed and enforced by the District upon industrial or commercial facilities to implement the general and specific discharge prohibitions listed in 40 CFR 403.5(a)(1) and (b).
- (76) Monthly Average means the sum of all "daily discharges" measured during a calendar month divided by the number of "daily discharges" measured during that month.
- (77) Monthly Average Limit 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.
- (78) Sewage means human excrement and gray water (household showers, dishwashing operations, etc.).

Section 200.105 Abbreviations

The following abbreviations shall have the designated meanings:

BOD₅ - Five-day Biochemical Oxygen Demand
BMPs - Best Management Practices
CFR - Code of Federal Regulations
COD - Chemical Oxygen Demand
FOG - Fats, Oil and Grease
L - Liter
mg/L - Milligrams per Liter
NCPS - National Categorical Pretreatment Standards
NPDES - National Pollutant Discharge Elimination System
POTW - Publicly Owned Treatment Works
PSES - Pretreatment Standards for Existing Sources
PSNS - Pretreatment Standards for New Sources
RCRA - Resource Conservation and Recovery Act
SIC - Standard Industrial Classification
SNC - Significant Noncompliance
SWDA - Solid Waste Disposal Act, 42 U.S.C. 6901, et seq.
USC - United States Code
TSS - Total Suspended Solids
TTO - Total Toxic Organics
USEPA - United States Environmental Protection Agency

PART 300

WASTEWATER TREATMENT PRETREATMENT REGULATIONS

Section 300.100 Use of Wastewater Facilities

- A. It shall be unlawful for any person to deposit or discharge, or to cause to be deposited or discharged, to any District POTW, any solid, liquid or gaseous waste unless through a connection approved by the District.
- B. Except as provided in this Ordinance, it shall be unlawful to construct, or maintain any privy, privy vault, septic tank, cesspool, or other facilities intended or used for the disposal of wastewater.
- C. It shall be unlawful to discharge wastewater, other than storm water, without an NPDES permit to any natural outlet within the District or in any area under its jurisdiction.

Section 300.105 - General Discharge Prohibitions

No user shall introduce or cause to be introduced into the POTW, directly or indirectly, any pollutant or wastewater which will interfere with the operation or performance of the POTW or pass through the POTW. These general prohibitions apply to all such Users of a POTW whether or not the User is subject to National Categorical Pretreatment Standards or any other National, State, or local Pretreatment Standard or Requirements.

Section 300.106 - Specific Prohibitions

A User may not introduce or cause to be introduced into the POTW any of the following pollutants or wastewater.

- (1) Pollutants which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction with other substances to cause fire or explosive hazard or be injurious in any other way to the POTW or to the operation of the POTW including waste streams with a closed-cup flash point of less than 140 degrees Fahrenheit (60 degrees Centigrade) using the test methods specified in 40 CFR 261.21. At no time, shall two successive readings on an explosion hazard meter, at the point of discharge into the system (or at any point in the system) be more than five percent (5%) nor any single reading over ten percent (10%) of the Lower Explosive Limit (LEL) of the meter. Such materials may include but are not limited to gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides and sulfides and any other substances which the District, the State or EPA has notified the User is a fire hazard or a hazard to the system.
- (2) Solid or viscous substances in amounts which may cause obstruction to the flow resulting in interference with the POTW such as, but not limited to: grease, garbage with particles greater than one-half inch in any dimension, animal guts or tissues, paunch manure, bones, hair, hides or fleshings, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, waste paper, wood, plastics, gas, tar, asphalt residues, residues from refining, or processing of fuel or lubricating oil, mud, or glass grinding or polishing wastes, or any material which can be disposed of as trash.
- (3) Any wastewater which will cause corrosive structural damage to the POTW or equipment, but in no case wastewater having a pH less than 5.0, or greater than 12.5, unless more strictly limited elsewhere in this Ordinance.
- (4) Any wastewater containing incompatible pollutants or a toxic pollutant in sufficient quantity, either singly or by interaction with other pollutants, to injure or interfere with any wastewater treatment process, constitute a hazard to humans or animals, cause a violation of the water quality standards of the receiving waters of the POTW, or to exceed the limitations set forth in a Categorical Pretreatment Standard (when effective), or in Section 300.110 of this Part 300, or create a public nuisance.
- (5) Any noxious or malodorous liquids, gases, or solids which, either

singly or by interaction with other wastes, are sufficient to create a public nuisance or hazard to life or are sufficient to prevent entry into the sewers for maintenance and repair.

- (6) In no case, shall a substance discharged to the POTW cause the POTW to be in non-compliance with sludge use or disposal criteria, guidelines or regulations developed under Section 405 of the Act: any criteria, guidelines, or regulations affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act, or State criteria applicable to the sludge management method being used.
- (7) Any substance which will cause the POTW to violate its NPDES and/or State Disposal System Permit or the receiving water quality standards.
- (8) Any wastewater having a temperature which will inhibit biological activity in the POTW treatment plant resulting in interference, but in no case wastewater with a temperature at the introduction into the POTW treatment plant which exceeds 40 degrees Centigrade (104 degrees F).
- (9) Any pollutants, including compatible pollutants, released at a flow rate or pollutant concentration which will cause interference to the POTW, either singly or by interaction, or will pass through the POTW.
- (10) Any wastewater containing any radioactive wastes or isotopes of such half-life or concentration as may exceed any limit established by the Superintendent in compliance with applicable State or Federal regulations.
- (11) Any wastewater which causes a hazard to life or creates a public nuisance.
- (12) Any wastewater containing BOD₅, total solids, or total suspended solids of such character and quantity that unusual attention or expense is required to handle such materials by the POTW; provided however, that a User may be permitted by specific, written agreement with the District, which agreement to discharge BOD or TSS may provide for special charges, payments or provisions for treating and testing equipment.
- (13) Ammonia nitrogen in amounts that would cause a violation of the water quality standards of the receiving waters of the POTW.
- (14) Any discharge exceeding the standards established in 35 Ill. Adm. Code 307.
- (15) Any sludge discharged to the District POTW.
- (16) Petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin in amounts that will cause interference or pass through.
- (17) Any trucked or hauled pollutants, except at discharge points designated by the District and only after approval from the District.
- (18) Any pollutant which will result in the presence of toxic gases, vapors,

or fumes within the POTW in a quantity that may cause worker health and safety concerns.

Compliance with the provisions of this Section 300.105 shall be required on the effective date of promulgation of this Ordinance.

Section 300.110 Specific Limitations on Significant Industrial Users

All Significant Industrial Users to the District shall comply with the following limits at the discharge location(s) to the POTW:

- (a) No grab sample shall exceed the following numerical limits:

Cadmium (total)	0.1 mg/L
Selenium (total)	0.1 mg/L
Fats, Oil, and Grease	150 mg/L
Total Toxic Organics (TTO)	2.13 mg/L

- (b) No industrial user shall discharge in excess of the following:

Daily Maximum,

<u>Parameter</u>	<u>lbs/day^{1/}</u>
Arsenic (total)	0.17
Chromium (total)	6.5
Copper (total)	1.8
Cyanide (total)	1.5
Lead (total)	0.32
Nickel (total)	1.4
Zinc (total)	3.5

1/ Where multiple discharges occur, the limits apply to the total discharge from each SIU.

Compliance with the above values shall be determined using daily composite samples, and water consumption as measured that day on the total plant water less any adjustments in the wastewater discharged agreed to by the District. In the alternate, actual flow measured can be taken in the sewer.

In addition to the pounds limitations, no outfall, based on daily composite samples, shall exceed the equivalent pollutant concentration based upon the pounds per day listed above and the user's daily average water consumption. Adjustments to reflect water not discharged, as agreed by the District, may be made. These concentration limits shall be included in the industrial permits, and based upon the water consumption for the year preceding the permit application.

All other dischargers to the District are required to meet the effluent limits found in Section 603 of Ordinance 406

Section 300.115 Incorporation of National Categorical Pretreatment Standards

Upon the promulgation of the National Categorical Pretreatment Standard (NCPS) for a particular Industrial User, the said Standard, if more stringent

than the limitations imposed under this Ordinance for sources in that category, shall, when effective, immediately supersede the limitations and conditions imposed under this Ordinance and said standards shall be complied with by all Industrial Users subject to each of said National Categorical Pretreatment Standards. The POTW shall notify all known affected Users of the applicable reporting requirements under 40 CFR Section 403.12, including the potential for authorization to forego sampling of a pollutant regulated by a categorical Pretreatment Standard if the User has demonstrated through the conditions and process specified in 40 CFR 403.12(e) that the pollutant is either not present nor expected to be present in the discharge, or the pollutant is present only at background levels from intake water.

Section 300.120 Final National Categorical Pretreatment Standards

Industrial categories for which pretreatment standards have been promulgated and as amended by the USEPA are listed herein.

<u>Industrial Category</u>	<u>40 CFR Part:</u>
Aluminum Forming	467
Asbestos Manufacturing	427
Battery Manufacturing	461
Canned and Preserved Fruits and Vegetables	407
Carbon Black Mfg	458
Centralized Waste Treatment	437
Coil Coating	465
Concentrated Animal Feeding Operations	412
Copper Forming	468
Electrical & Electronic Components	469
Electroplating	413
Fertilizer Mfg	418
Glass Mfg	426
Grain Mills Mfg	406
Ink Formulating	447
Inorganic Chemicals	415
Iron & Steel	420
Leather Tanning & Finishing	425
Metal Finishing	433
Metal Molding & Casting (Foundries)	464
Nonferrous Metal Forming	471
Nonferrous Metal Mfg.	421
Organic Chemicals, Plastic & Synthetic Fibers	414
Paint Formulating	446
Paving and Roofing	443
Pesticides	455
Petroleum Refining	419
Pharmaceutical Mfg.	439
Plastic Molding & Forming	463
Porcelain Enameling	466
Pulp, Paper & Paperboard	430
Rubber Processing	428
Soap and Detergents Mfg	417
Steam Electric Power Generating	423
Transportation Equip Cleaning	442
Waste Combustors	444

The USEPA will promulgate new categorical pretreatment standards from time to time. This Ordinance shall be amended to include any new standards applicable to this POTW.

Section 300.130 Excessive Discharge and Dilution

No User shall increase the use of process water or in any way attempt to dilute a discharge as a partial or complete substitute for adequate pretreatment to achieve compliance with the limitations contained in the NCPS (when effective), or in any other pollutant-specific limitations developed by the District.

Section 300.135 Spill Prevention and Slug Control Plan

- A. Each Industrial User having the ability to cause interference with the POTW treatment plant or to violate the regulatory provisions of this Ordinance shall develop spill prevention plans and provide protection from accidental discharge to the POTW of prohibited materials or other substances regulated by this Ordinance. Facilities and/or operating procedures to prevent accidental discharge of prohibited materials shall be provided and maintained at the owner or User's own cost and expense.
- B. In the case of an accidental or deliberate discharge of compatible or incompatible pollutants which may cause interference at the POTW or will pass through the POTW or violate requirements of this Ordinance, it shall be the responsibility of the Industrial User to immediately telephone and notify the District of the incident. The notification shall include name of caller, location, date, time and duration of discharge, type of wastewater, concentration and volume, and any corrective actions taken by the user.
- C. Within five (5) days following such an accidental or deliberate discharge the Industrial User shall submit to the District a detailed written report describing the cause of the discharge and the measures to be taken by the User to prevent similar future occurrences. Follow up reports may be required by the District as needed. Such report, or reports, shall not relieve the Industrial User of any expense, loss, damage or other liability which may be incurred as a result of damage to the POTW, fish kills, or any other damage to person or property; nor shall such report relieve the User of any fines, civil penalties, or other liability which may be imposed by this Ordinance or otherwise. Failure to report accidental or deliberate discharges may, in addition to any other remedies available to the District, result in the revocation of the discharger's wastewater discharge permit.
- D. The Industrial User shall control production of all discharges to the extent necessary to maintain compliance with all applicable regulations upon reduction, loss, or failure of its pretreatment facility or processes until the facility or processes are restored or an alternative method of treatment is provided. This requirement applies in the situation where, among other things, the primary source of power of the pretreatment facility is reduced, lost or fails.
- E. Notice to Employees: A notice shall be permanently posted on the User's bulletin board or other prominent place advising employees whom to call in the event of a prohibited discharge. Employers shall insure that all employees who are in a position to cause, discover, or observe such an accidental discharge are advised of the emergency notification procedures.

- F. The District shall evaluate each Significant Industrial User every two years, or more frequently at its discretion, and other Industrial Users as necessary, to determine whether such user needs a plan to control slug discharges. Any newly designated Significant Industrial User must be evaluated within one year of this designation. If the District decides that a slug control plan is needed, the plan shall contain, at a minimum, the following elements:
- (1) Description of discharge practices, including non-routine batch discharges;
 - (2) Description of stored chemicals;
 - (3) Procedures for immediately notifying the POTW of slug discharges, including any discharge that would violate a prohibition under Part 300, with procedures for follow-up written notification within five (5) days;
 - (4) Procedures to prevent adverse impact from accidental spills, including inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site run-off, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants (including solvents), and/or measures and equipment for emergency response.
- G. A Significant Industrial User is required to notify the POTW immediately of any changes at its facility affecting potential for a Slug Discharge. The District shall then evaluate the need for a slug control plan.
- H. The District reserves the right to modify slug control mechanisms as needed to prevent adverse impact to the POTW.

Section 300.140 Right of Revision

The District reserves the right to establish by ordinance more stringent limitations or requirements on discharges to the wastewater disposal systems if deemed necessary to comply with the objectives presented in section 100.102 of this Ordinance.

Section 300.150 Bypass

- A. Bypass not violating applicable pretreatment standards or requirements. An Industrial User may allow any Bypass to occur which does not violate pretreatment standards or requirements, but only if it also is for essential maintenance to assure efficient operation. These Bypasses are not subject to Parts B and C below.
- B. Notice
- (1) If an industrial user knows in advance of the need for a Bypass, it shall submit prior notice to the District, if possible at least ten (10) days before the date of the Bypass.

- (2) An Industrial User shall orally notify the Superintendent of an unanticipated Bypass that exceeds applicable pretreatment standards or requirements immediately after becoming aware of the Bypass. A written submission shall also be provided within five (5) days of becoming aware of the Bypass. The written submission shall contain a description of the Bypass and its cause; the duration of the Bypass, including exact times and dates, and if the Bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the Bypass.

C. Prohibition of Bypass

- (1) Bypass is prohibited and the Superintendent may take enforcement action against an individual user for a Bypass, unless: (i) Bypass was unavoidable to prevent loss of life, personal injury or severe property damage; (ii) There are no feasible alternatives to bypass, such as use of auxiliary treatment facilities, retention of wastes, maintenance during normal periods of equipment downtime, or reducing or stopping production. This condition is not satisfied if adequate back-up equipment should have been installed to prevent Bypass which occurred during normal periods of equipment downtime or preventative maintenance; and (iii) The Industrial User submitted notices as required by Paragraph B of this section.
- (2) The Superintendent may approve an anticipated Bypass, after considering its adverse effects, if the Superintendent determines that it will meet the three conditions listed in Paragraph C (1) of this section.

Section 300.160 Upset Provisions

- A. Effect of an Upset. An Upset shall constitute an affirmative defense to an action brought for noncompliance with categorical Pretreatment Standards if the requirements of paragraph C are met.
- B. Conditions Necessary for a Demonstration of Upset. An Industrial User 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 the Industrial User can identify the cause(s) of the Upset;
 - (2) The facility was at the time being operated in a prudent and workman-like manner and in compliance with applicable operation and maintenance procedures.
 - (3) The Industrial User has submitted the following information to the Superintendent and Control Authority within 24 hours of becoming aware of the Upset (if this information is provided orally, a written submission must be provided within five days):
 - (i) A description of the Discharge and cause of noncompliance;

(ii) The period of noncompliance, including exact dates and times or, if not corrected, the anticipated time the noncompliance is expected to continue;

(iii) Steps being taken and/or planned to reduce, eliminate and prevent recurrence of the noncompliance.

C. Burden of Proof. In any enforcement proceeding the Industrial User seeking to establish the occurrence of an Upset shall have the burden of proof.

D. User Responsibility in Case of Upset. The Industrial User shall control production of all discharges to the extent necessary to maintain compliance with categorical Pretreatment Standards upon reduction, loss, or failure of its treatment facility until the facility is restored or an alternative method of treatment is provided. This requirement applies in the situation where, among other things, the primary source of power of the treatment facility is reduced, lost or fails. Opportunity for a judicial determination on any claim of upset shall be brought only in an enforcement action for noncompliance with categorical Pretreatment Standards.

PART 400

FEES

Section 400.100 Purpose

It is the purpose of this chapter to provide for the recovery of costs from Users of the District's wastewater disposal system for the implementation of the program established herein. The applicable charges or fees shall be set forth in the District's Schedule of Charges and Fees.

Section 400.105 Charges and Fees

The District may adopt charges and fees which may include:

- (1) fees for reimbursement of costs of setting up and operating the District's Pretreatment Program;
- (2) fees for monitoring, inspections, and surveillance procedures;
- (3) fees for reviewing accidental discharge procedures and construction;
- (4) fees for permit applications;
- (5) fees for filing appeals;
- (6) other fees as the District may deem necessary to carry out the requirements contained herein.

These fees relate solely to the matters covered by this Ordinance and are separate from all other fees chargeable by the District.

PART 500

DISCHARGE PERMITS

Section 500.100 Prohibition of Discharges Without Permit

It shall be unlawful for any Significant Industrial User to discharge wastewater to the District POTW without a permit or contrary to a permit issued by the District POTW in accordance with the provisions of this Ordinance.

Section 500.105 Permits

A. Discharge Permits: All Significant Industrial Users proposing to connect to or to contribute to the POTW shall obtain an Industrial Wastewater Discharge Permit before connecting to or contributing to the POTW. All existing Significant Industrial Users connected to or contributing to the POTW shall obtain an Industrial Wastewater Discharge Permit(s) within 180 days after the effective date of this Ordinance, except as set forth in Section 500.105(B) of this Part.

B. Industrial Wastewater Discharge Permit Application

- (1) Users required to obtain an Industrial Wastewater Discharge Permit shall complete and file with the District, an application in a form to be prescribed and furnished by the District, and accompanied by a fee to be determined by the District.
- (2) Existing Users shall apply within 30 days after the effective date of this Ordinance. Proposed new Users shall apply at least 90 days prior to discharging to the POTW.
- (3) In support of the application, the User shall submit, in units and terms appropriate for evaluation, the following information:
 - a) Name, address, and location (if different from the address) and name of owners and operator;
 - b) SIC number according to the Standard Industrial Classification Manual, Bureau of the Budget, 1972, as amended;
 - c) Wastewater constituents and characteristics including but not limited to those set forth in Part 300, Section 300.110 of this Ordinance as determined by a reliable analytical laboratory; sampling and analysis shall be performed in accordance with Standard Methods.
 - d) Time and duration of discharge.
 - e) Average and maximum wastewater flow rates, including daily, monthly and seasonal variations, if any;

f) Site plans, as available, showing all pipe sizes, manholes and locations of sanitary and storm sewers leaving the building or premises, together with all connections to lateral sanitary and storm sewers.

g) Listing of each process activity resulting in a planned discharge.

h) Where known, the nature and concentration of any pollutants in the discharge which are limited by any District, State, or Federal Pretreatment Standards, and a statement signed by an authorized representative of the User and certified by a qualified professional regarding whether or not the pretreatment standards are being met on a consistent basis and if not, whether additional Operation and Maintenance (O&M) and/or additional pretreatment is required for the User to meet applicable Pretreatment Standards. The certification statement as set forth in 40 CFR 403.6(a)(2)(ii) is included on the permit application form.

i) Hours of operation of a plant, and number of employees.

j) Proposed or actual hours of operation of pretreatment system and the name of the IEPA certified pretreatment operator, if applicable.

k) Name of Authorized Representative of the Industrial User.

l) User's source of intake water together with the types of usage and disposal sources of water and the estimated volumes of each category.

m) Listing of raw materials and chemicals used in the manufacturing process which are capable of being discharged into the POTW.

n) If improved operation and maintenance or additional pretreatment facilities will be required to meet pretreatment standards, the shortest schedule by which the User will provide such additional pretreatment. The completion date in this schedule shall not be later than the compliance date established for the pretreatment standard.

The following conditions shall apply to this schedule:

- i The schedule shall contain increments of progress in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the User to meet the applicable Pretreatment Standards (e.g., hiring an engineer, completing preliminary plans, completing final plans, executing contract for major components, commencing construction, completing construction, etc.).
- ii No increment referred to in Section 500.105(B)(3)(n)(i) shall exceed nine (9) months.

iii Not later than 14 days following each date in the schedule and the final date for compliance, the User shall submit a progress report to the District including, as a minimum, whether or not it complied with the increment of progress to be met on such date and, if not, the date on which it expects to comply with this increment of progress, the reason for delay, and the steps being taken by the User to return the construction to the schedule established. In no event shall more than nine (9) months elapse between such progress reports to the District.

o) List of any environmental control permits held by or for the facility.

p) Each product and/or byproduct produced by type, amount, process or processes, and rate of production.

C. Review of Applications

The District will evaluate the data furnished by the User and may require additional information from the User. After evaluation of the data furnished, the District may issue an Industrial Wastewater Discharge Permit. No interim or temporary permit will be issued by the District except as set forth in Section 500.110(D).

D. Industrial Wastewater Discharge Permits

- (1) Industrial Wastewater Discharge Permits issued to an Industrial User shall include limits as specified in Part 300, which includes the limits on average and daily maximum pollutant concentrations from the applicable National Categorical Pretreatment Standards.
- (2) Where the National Categorical Pretreatment Standards are modified by the combined waste stream formula (40 CFR Section 403.6(e)) or net/gross calculations (only as allowed according to 40 CFR Section 403.15) or Fundamentally Different Factors Variance for non-toxic (40 CFR Section 403.13) of the General Pretreatment Regulations, the limits as modified shall be made a part of the Industrial Wastewater Discharge Permit.
- (3) Where an Industrial User has manufacturing processes which are regulated by more than one National Categorical Pretreatment Standard at the same permitted discharge location, the limitation shall be adjusted consistent with U.S.EPA guidelines and regulations.

Section 500.110 Permit Conditions

Permit Conditions

- A. Industrial Wastewater Discharge Permits shall be expressly subject to all provisions of this Ordinance and all other applicable regulations, Users charges and fees established by the District. Permits shall

contain the following:

- (1) Effluent limits, including Best Management Practices, based on applicable general Pretreatment Standards in 40 CFR 403, categorical Pretreatment Standards, local limits, and State and local law;
- (2) Limits on average and maximum rate and time of discharge or requirements for flow regulation and equalization for each separate discharge of a User;
- (3) Requirements for installation and operation and maintenance of inspection, sampling, and monitoring facilities, and pollution control equipment;
- (4) Specifications for monitoring programs which may include sampling locations, frequency of sampling, number, types and standards for tests and reporting schedule;
- (5) Compliance schedules, if necessary;
- (6) Requirements for submission of technical reports or discharge reports;
- (7) Requirements to retain for a minimum of three years any records of monitoring activities and results relating to wastewater discharge and for affording the District access to said records.
- (8) Requirements for 30-day advance notification to the District of any new introduction of wastewater constituents or any substantial change in the volume or character of the wastewater character of the wastewater constituents being introduced into the wastewater treatment system pursuant to the terms of Section 500.110(B) of this Ordinance;
- (9) Requirements for notification of slug discharges, spills, upsets, bypasses, or violations as defined in this Ordinance.
- (10) Requirements for reporting pretreatment sludge disposal practices.
- (11) Other conditions as deemed appropriate by the District to ensure compliance with this Ordinance.
- (12) Statement of duration (not to exceed five years) including issuance, effective date, and expiration dates.
- (13) Requirements to control slug discharges, as determined by the District to protect the sewerage system, and requirements to develop and implement spill and slug control plans, as appropriate.
- (14) General and specific discharge prohibitions as established by Sections 300.105 and 300.110 of this Ordinance.
- (15) Statement of applicable civil or criminal penalties for violation

of pretreatment standards and requirements and any applicable compliance schedules.

(16) Statement of non-transferability without, at a minimum, prior notification to the District and provision of a copy of the existing permit to the new owner or operator.

(17) Conditions for modification or revocation of permit.

B. Change in Conditions

In the event the type, character, or volume of wastewater from the property for which a Wastewater Discharge Permit was previously granted is expected to materially and substantially change as reasonably determined by the permittee or District, including the listed or characteristic hazardous wastes for which the User has submitted initial notification, the User shall give thirty (30) days' notice in writing to the District and shall make a new application to the District prior to said change, in the same manner and form as originally made, provided that information previously submitted and unchanged need not be resubmitted by permittee. No permittee shall materially and substantially change the type, character, or volume of its wastewater, including listed or characteristic hazardous wastes, beyond that allowed by its permit without prior approval of the District. Upon review, the District may deny or conditionally authorize new or increased contributions of pollutants, or changes in the nature of pollutants, where such contributions do not meet applicable Pretreatment Standards and requirements or where such contributions would cause the District to violate its NPDES permit.

C. Permits Duration

Permits shall be issued for a specified time period, not to exceed five (5) years from the effective date of the permit. The Permittee shall file an application for renewal of its permit at least 90 days prior to expiration of the User's Permit. The User's existing Permit shall remain in effect until a new Permit is issued, and if the Permittee requests review of any conditions in the new Permit pursuant to Section 500.118, the conditions of the existing Permit shall remain in effect until such review is finally resolved. The User shall apply, on a form provided by the District, for reissuance of the Permit. Upon reissuance, any applicable provisions issued during the term of the expiring Industrial Wastewater Discharge Permit shall be incorporated as conditions of the new Industrial Wastewater Discharge Permit. The terms of the permit may be subject to modification by the District during the term of the permit as limitations or requirements as identified in Part 300, Section 300.105 are modified or other just cause exists. The Permittee shall have the right to request review of such proposed changes within such 30-day period pursuant to Section 500.118, and if the Permittee requests such review, the proposed changes shall not become effective until such review is finally resolved. Where any changes are made in User's permit, a reasonable time shall be given to achieve compliance.

D. Permit Transfer

Industrial Wastewater Discharge Permits are issued to a specific User for a specific operation. An Industrial Wastewater Discharge Permit shall not be assigned or transferred or sold to a new owner, new User, different premises, or to a new or changed operation in the same or different premises without the prior approval of the District. The User shall give 30 days' notice in writing to the District prior to sale or transfer. If the premises are sold or otherwise transferred by the Permittee to a new owner who will maintain the operation in the same premises, then the permit held by the seller shall be reissued by the District to the new owner; provided that the new owner shall immediately apply for a new permit in accordance with this Ordinance and further provided that the existing permit shall only be effective for ninety (90) days after the date of sale or transfer. The Galesburg Sanitary District shall have the same remedies for violation of these reissued permits as it has for violation of other discharge permits.

E. Plans and Specifications

Process flow diagram and layout drawings of the pretreatment facilities proposed to be constructed shall be prepared by a registered professional engineer and shall be submitted to The Galesburg Sanitary District for review. The review of such plans shall in no way relieve the User from the responsibility of modifying its facility as necessary to comply with this Ordinance.

F. Permit Modifications

Within 9 months of the promulgation of a National Categorical Pretreatment Standard, the Industrial Wastewater Discharge Permit of Users subject to such standards shall be revised to require compliance with such standard within the time frame prescribed by such standard. Where a User, subject to a National Categorical Pretreatment Standard, has not previously submitted an application for an Industrial Wastewater Discharge Permit as required by Part 500, the User shall apply for a Permit within 180 days after the promulgation of the Applicable National Categorical Pretreatment Standard. In addition, the User with an existing Industrial Wastewater Discharge Permit shall submit to the Superintendent within 180 days after the promulgation of an applicable Federal Categorical Pretreatment Standard the information required by Part 500 Section B.

Section 500.115 Denial of Permit

No Industrial Wastewater Discharge permit shall be issued by the District to any person whose wastewater discharge to sewers, whether shown upon his application or determined after inspection and testing conducted by the District, is not in conformity with the District's ordinances and regulations; does not meet applicable Pretreatment Standards and requirements; or would cause the District to violate its NPDES permit; or whose application is incomplete or does not comply with the requirements of Section 500.105(B) as applicable. The District shall state the reason or reasons for denial in writing, which shall be mailed or personally delivered to the applicant within five (5) days after denial.

Section 500.118 Appeal Procedure

- A. If a permit application is denied by the Superintendent, or is granted by the Superintendent upon conditions unsatisfactory to the User, or if the Superintendent proposes to modify an existing permit, the User may obtain review of such action by the Board of Trustees, provided that the User shall make written request for such review within 30 days of being notified of the permit denial, issuance with conditions, or proposed modification. The Board of Trustees shall review the permit application on file, as appropriate, and such other evidence and matters as the User and District Superintendent shall present. The decision of the Board of Trustees shall be final action for purposes of judicial review, and shall become effective 30 days after receipt by the User of written notice of such action unless petition for judicial review is filed pursuant to Section 500.118B.
- B. A User may obtain judicial review of any final action under Section 500.118A by petition to the Circuit Court of Knox County filed within 30 days of receipt of written notice of such final action. Any appeal thereafter shall be in accordance with the rules applicable to appeals from decisions of the Circuit Court.

Section 500.120 Reporting Requirements for Permits

A. General Requirements

- (1) The reports required by Part 500.120 Sections B, C, and D shall be based on sampling and analysis performed in the period covered by the report, and performed in accordance with the techniques described in 40 CFR Part 136 and amendments thereto. Where 40 CFR Part 136 does not contain sampling or analytical techniques for the pollutant in question, or where the Approval Authority determines that the Part 136 sampling and analytical techniques are inappropriate for the pollutant in question, sampling and analysis shall be performed by using validated and analytical methods or any other applicable sampling and analytical procedures, including procedures suggested by the District or other persons, approved by the Approval Authority.
- (2) If sampling performed by an Industrial User indicates a violation, the User shall notify the District within 24 hours of becoming aware of the violation. The User shall repeat the sampling and analysis and submit the results of the repeat analysis to the District within 30 days after becoming aware of the violation. Where the District has performed the sampling and analysis in lieu of the Industrial User, the District must perform the repeat sampling and analysis unless it notifies the User of the violation and requires the User to perform the repeat analysis.
- (3) If an Industrial User subject to the reporting requirement in this section monitors any pollutant more frequently than required by the District, using the procedures prescribed in this section,

the results of this monitoring shall be included in the report.

- (4) Signatory requirements for Industrial User reports. The reports required by this section shall include the certification statement as set forth in 40 CFR 403.6(a)(2)(ii), and shall be signed by an authorized representative as follows:

- (a) By a responsible corporate officer, defined in 40 CFR 403.12(1), if the User is a corporation

- (b) By a general partner or proprietor if the User is a partnership or sole proprietorship, respectively.

- (c) By a duly authorized representative, defined in 40 CFR 403.12(1), of one of these designated individuals.

B. Baseline Report (for categorical dischargers only)

- (1) Industrial Users subject to National Categorical Pretreatment Standards shall submit Baseline Reports to the District.
- (2) Within 180 days after the effective date of a National Categorical Pretreatment Standard, or 180 days after a final administrative decision has been made upon a categorical determination submission in accordance with 40 CFR Section 403.6 (a)(4), whichever is later, Industrial Users which are Existing Sources subject to such National Categorical Pretreatment Standards and currently discharging to the POTW, shall submit a properly completed Baseline Report.
- (3) New Sources, when subject to a National Categorical Pretreatment Standard, shall submit a Baseline Report no later than 90 days prior to discharging to the POTW. New Sources shall give estimates of information required in paragraph (4)(d) and (e), in the Baseline Report. The information in paragraph (4)(d) and (e) shall be amended to the Baseline Report no later than 180 days after discharging to the POTW. A New Source shall report the method of pretreatment it intends to use to meet the applicable categorical standards and estimates of its anticipated flow and quantity of pollutants to be discharged.
- (4) In support of the Baseline Report, the Industrial User shall submit, in units and terms specific in the application, the following information:
 - a) Name and address of the facility including the name of the operator and owners.
 - b) List of any environmental control permits held by or for the facility.
 - c) Brief description of the nature, average rate of production, and standard industrial classification of the operation(s) carried out by such user. This description shall

include a schematic process diagram indicating points of discharge to the POTW from the regulated processes.

- d) Information showing the measured average daily and maximum daily flow, in gallons per day, to the POTW from each of the following:
 - i. Regulated process streams, and
 - ii. Other streams as necessary to allow use of the combined waste stream formula of 40 CFR Section 403.6(e).
- e) The Industrial User shall identify the National Categorical Pretreatment Standards applicable to each regulated process, and shall:
 - i. Submit the results of sampling and analysis identifying the nature and concentration of regulated pollutants in the discharge from each regulated process. Both daily maximum and average concentration shall be reported. The sample shall be representative of daily operations.
 - ii. A minimum of four (4) grab samples must be used for pH, cyanide, total phenols, oil and grease, sulfide, and volatile organics. For all other pollutants, composite samples must be obtained.
 - iii. The User shall take a minimum of one representative sample to compile that data necessary to comply with the requirements of this paragraph.
 - iv. Take the samples immediately downstream from pretreatment facilities if such exist or immediately downstream from the regulated process if no pretreatment exists. If other wastewaters are mixed with the regulated wastewater prior to pretreatment, in order to evaluate compliance with the National Categorical Pretreatment Standards, the Industrial User shall measure the flows and concentrations necessary to allow use of the combined waste stream formula of 40 CFR Section 403.6(e). Where an alternate concentration has been calculated in accordance with 40 CFR Section 403.6(e), this adjusted limit along with supporting data shall be submitted to the District.
 - v. Perform sampling and analysis in accordance with 40 CFR Section 403.12(b)(5)(vi) as amended from time to time.
 - vi. Submit, only with District authorization, a Baseline Report which utilizes only historical data, so long as the data provides information sufficient to determine the need for industrial pretreatment measures.
 - vii. Provide for each report the time, date, and place of sampling and methods of analysis and certification

that such sampling and analysis is representative of normal work cycles and expected pollutant discharges to the POTW.

- f) The Industrial User shall provide a statement, reviewed by an authorized representative of the Industrial User, and certified by a qualified professional indicating whether National Categorical Pretreatment standards are being met on a consistent basis, and, if not, whether additional operation and maintenance measures (O&M) or additional pretreatment is required for the Pretreatment Standards.
- g) If additional pretreatment or O&M will be required to meet the National Categorical Pretreatment Standards, the Industrial User will provide the shortest schedule which will provide such additional pretreatment or O&M. The completion date in this schedule shall not be later than the compliance date established for the applicable National Categorical Pretreatment Standard.
 - i. Where the Industrial User's National Categorical Pretreatment Standard has been modified by the combined waste stream formula (40 CFR Section 403.15), at the time the Industrial User submits a Baseline Report the information required in Section 500.120(B)(4)(f) and (g) shall pertain to the modified limits.
 - ii. If the National Categorical Pretreatment Standard for the Industrial User is modified after the Baseline Report is submitted, the Industrial User shall make any necessary amendments to information provided as a response to Section 500.120(B)(4)(f) and (g) and submit them to the District within 60 days after the modified limit is approved.
- h) The following conditions shall apply to any schedule submitted in response to Section 500.120(B)(4)(g):
 - i. The schedule shall contain increments of progress in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the User to meet the applicable National Categorical Pretreatment Standards (e.g., hiring an engineer, completing preliminary plans, completing final plans, executing contract for major components, commencing construction, completing construction, etc.)
 - ii. No increment referred to in Section 500.120(B)(4)(h)(i) shall exceed nine months.
 - iii. Not later than 14 days following each date in the schedule and final date for compliance, the User shall submit a progress report to the District including, at a minimum, whether or not it complied with

the increment of progress to be met on such date and, if not, the date on which it expects to comply with this increment of progress, the reason for delay, and the steps being taken by the Industrial User to return the construction to the schedule established. In no event shall more than nine months elapse between such progress reports to the District.

C. Compliance Date Report

Within 90 days following the date for final compliance with applicable Pretreatment Standards or, in the case of a New Source, within 45 days following commencement of the introduction of wastewater into the POTW, an Industrial User subject to Pretreatment Standards shall submit to the District a report indicating the nature and concentration of all pollutants in the discharge from the regulated process which are limited by Pretreatment Standards and the average and maximum daily flow for these process units in the User's facility which are limited by such Pretreatment Standards. Data within the report must be based on data obtained through appropriate sampling and analysis performed during the period covered by the report and are representative of conditions occurring during the reporting period.

As in the case of a Baseline Report, a minimum of four (4) grab samples must be used for pH, cyanide, total phenols, oil and grease, sulfide, and volatile organics. For all other pollutants, composite samples must be obtained.

Where equivalent mass or concentration limits are established by the District for a User according to conditions in 40 CFR 403.6(c), this report shall contain a reasonable measure of the User's long-term production rate. Where a User is subject to Categorical Pretreatment Standards expressed in terms of allowable pollutant discharge per unit of production, the report shall include the User's actual production during the appropriate sampling period. The report shall state whether the applicable Pretreatment Standards or Requirements, including Best Management Practices, are being met on a consistent basis and, if not, what additional User operation and maintenance or pretreatment techniques or installations are necessary to bring the User into compliance with the applicable Pretreatment Standards or requirements. This statement shall be signed by an authorized representative of the Industrial User, and certified to by a qualified professional.

D. Periodic Compliance Reports

- (1) Any User subject to a Categorical Pretreatment Standard, after the compliance date of such Standard, or, in the case of a New Source, after commencement of the discharge into the POTW, shall submit to the Superintendent annually during June and during December, unless required more frequently in the Standard or by the Superintendent, a report indicating the nature and the concentration of pollutants in the effluent which are limited by such Pretreatment Standards based upon data obtained through appropriate sampling and analysis performed during the reporting period and representative of conditions occurring during the

reporting period. This report shall include a record of measured or estimated average daily and maximum daily flows for the reporting period. These reports shall also present status of compliance related to applicable Best Management Practices. The District may reduce the sampling requirement (to no less frequently than once per year) if the Pretreatment Standard allows, and the User meets the conditions specified in 40 CFR 403.12(e) (3) (i-v).

- (2) At the discretion of the District, this report shall also include concentrations of BOD/COD/TSS or other pollutants specified by the District. Permittee shall sample and analyze its wastewater of BOD/COD/TSS or other pollutants at the discretion of the District as set forth in the permit issued to permittee. Any pH, cyanide, total phenols, oil and grease, sulfide, and volatile organic compound samples must be grab samples; for all other applicable pollutants, composite samples are required unless otherwise authorized by the District.
- (3) The Superintendent may impose mass limitations on Users which are using dilution to meet applicable Pretreatment Standards or Requirements, or in other cases where the imposition of mass limitations are appropriate. In such cases, the report required by subparagraph (1) of this paragraph shall indicate the mass of pollutants regulated by Pretreatment Standards in the effluent of the User. These reports shall contain the results of sampling and analysis of the discharge, including flow and the nature and concentration, or production and mass where requested by the Superintendent, of pollutants contained therein which are limited by the applicable Pretreatment Standards. The frequency of monitoring shall be determined by the Superintendent of the District. All analysis shall be performed in accordance with procedures established by the U.S. EPA Administrator pursuant to Section 304(g) of the Act and contained in 40 CFR, Part 136 and amendments thereto or with any other test procedures approved by the U.S. EPA Administrator. Sampling shall be performed in accordance with techniques approved by the Administrator. (Comment: Where 40 CFR, Part 136 does not include a sampling or analytical technique for the pollutant in question sampling and analysis shall be performed in accordance with procedures set forth in the EPA publication, Sampling and Analysis Procedures for Screening of Industrial Effluents for Priority Pollutants, April, 1977, and amendments thereto, or with any other sampling and analytical procedures approved by the Approval Authority.)
- (4) Significant Non-categorical Industrial Users shall submit to the District at least once every six months (on dates specified by the District) a description of the nature, concentration, and flow of the pollutants required to be reported by the District. These reports shall be based upon data obtained through appropriate sampling and analysis performed during the reporting period and representative of conditions occurring during the reporting period. These reports shall also present status of compliance related to applicable Best Management Practices. Any pH, cyanide, total phenols, oil and grease, sulfide, and volatile organic compound samples must be grab samples; for all other

applicable pollutants, composite samples are required unless otherwise authorized by the District.

E. Hazardous Waste Notification

- (1) Any Industrial User, except as specified in subpart (5) below, which discharges to the District any substance which, if otherwise disposed of, would be a listed or characteristic hazardous waste under 40 CFR Part 261, shall notify the District, the EPA Regional Waste Management Division Director, and the Illinois Environmental protection Agency in writing of such discharge.
- (2) All hazardous waste notifications shall include:
 - a) The name of the hazardous waste as set forth in 40 CFR Part 261;
 - b) The EPA hazardous waste number;
 - c) The type of discharge (continuous, batch or other); and
 - d) A certification that the User has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree it has determined to be economically practical.
- (3) In addition to the information submitted in section D(2), Industrial Users discharging more than 100 kg of hazardous waste per calendar month to the POTW shall include in the notification to the extent such information is known and readily available to the Industrial User:
 - a) An identification of the hazardous constituents contained in the waste;
 - b) An estimation of the mass and concentration of such constituents in the waste stream discharged during that calendar month; and
 - c) An estimation of the mass of constituents in the waste stream expected to be discharged during the following 12 months.
- (4) Hazardous waste notifications shall be submitted no later than February 19, 1991, except that Industrial Users commencing the discharge of listed or characteristic hazardous wastes after August 23, 1990, shall provide the notification no later than 180 days from the discharge of the wastes. Any notification under this provision need be submitted only once for each hazardous waste discharged, although notifications of changed discharges must be submitted under Section 500.110(B) of this Ordinance.
- (5) Industrial Users are exempt from the hazardous waste notification requirement during a calendar month in which they discharge 15 kg or less of non-acute hazardous wastes. Discharge of any quantity of acute hazardous waste as specified in 40 CFR Part 261.30(d)

and 261.33(e) requires a one-time notification.

- (6) In the case of any new regulations under Section 3001 of RCRA identifying additional characteristics of hazardous waste or listing any additional substance as a hazardous waste, the User must notify the District, the EPA Regional Waste Management Division Director, and the Illinois Environmental Protection Agency of the discharge within ninety (90) days of the effective date of such regulations.

Section 500.125 Monitoring Facilities

- A. For those Users with Categorical Standards, the District shall require to be provided and operated at the User's own expense, monitoring facilities to allow inspection, sampling, and flow measurement of the building sewer and/or internal drainage systems. Such monitoring facilities shall be provided at the end of a process wherein incompatible pollutants are used, produced, or treated. The monitoring facility should normally be situated on the User's premises, but the District may, when such a location would be impractical or cause undue hardship on the User, allow the facility to be constructed in the public street or sidewalk area and located so that it will not be obstructed by landscaping or parked vehicles.
- B. Whenever required by permit, a permittee shall install a large manhole or sampling chamber for each separate discharge in the building sewer in accordance with plans and specifications approved by the District. There shall be ample room in or near such sampling manhole or facility to allow accurate sampling. The facility, sampling, and measuring equipment shall be maintained at all times in a safe and proper operating condition at the expense of the User. The chamber shall be safely and easily accessible to authorized representatives of the District.
- C. Whether constructed on public or private property, the sampling and monitoring facilities shall be provided in accordance with the District's requirements and all applicable local construction standards and specifications. Construction shall be completed within 180 days following written notification by the District.
- D. If the District determines that a User's waste quantity cannot be determined with reasonable certainty by reference to the User's metered water supply, the District may require the User to install measuring equipment satisfactory to the District for measuring the liquid waste quantity.
- E. When required, a minimum of four (4) grab samples must be used for pH, cyanide, total phenols, oil and grease, sulfide and volatile organics. For all other pollutants, composite samples must be obtained. All samples must be properly refrigerated and preserved in accordance with Standard Methods. Such sampling shall be done as prescribed by the Industrial Wastewater Discharge Permit.
- F. The sampling chamber, metering device, and documentation of the frequency of sampling, sampling methods and analyses of samples shall be subject, at any reasonable time, to inspection and verification by

the District.

Section 500.130 Inspection, Sampling and Records Keeping

- A. The District may inspect the facilities of Users to ascertain whether the purposes of this Ordinance are being met and if all requirements are being complied with. Persons or occupants of premises in which a discharge source or treatment system is located or in which records are kept shall allow the District or its representative ready access upon presentation of credentials at reasonable times to all parts of said premises for the purposes of inspection, sampling, examination and photocopying of records required to be kept by this Ordinance, and in the performance of any of their duties. The District shall have the right to set up on the User's property, after consultation with the User regarding appropriate location in consideration of safety, operational and any other relevant factors, such devices as are necessary to conduct sampling, monitoring and metering operations. Where a User has security measures in force which would require suitable identification, necessary arrangements with their security guards so that upon presentation of suitable identification, personnel from the District shall be permitted to enter immediately for the purposes of performing their specific responsibilities.
- B. Users and the District shall maintain records of all information resulting from any monitoring activities required by this Ordinance, including documentation associated with Best Management Practices that are required by a categorical Pretreatment Standard, local limit, state or local law, and in the case of Industrial Users or the District in lieu of an Industrial User, shall include:
- (1) The date, exact place, method and time of sampling and the names of the person or persons taking the samples;
 - (2) The dates analyses were performed;
 - (3) Who performed the analyses;
 - (4) The analytical techniques/methods used; and
 - (5) The results of such analyses.

Users shall make available upon request of authorized representatives of the District, the state, or the EPA all records required to be collected by the User pursuant to this Ordinance or any permit or order issued pursuant to this Ordinance.

- C. The District and Industrial Users shall maintain such records for a minimum of three (3) years. This period of retention shall be extended during the course of any unresolved litigation regarding the discharge of pollutants by the Industrial User or operation of the District's pretreatment program or when requested by the Regional Administrator or the Director of IEPA.

Section 500.140 Confidential Information

- A. Information and data on a User obtained from reports, questionnaires, permit applications, permit and monitoring programs and from inspections shall be available to the public or other governmental agency without restriction unless the User specifically requests and is able to demonstrate to the satisfaction of the District that the release of such information would divulge information, processes or methods of production entitled to protection, as trade secrets of the User under applicable state law. Any such request must be asserted at the time of submission of the information or data. Information and data provided to the District which is effluent data, including wastewater constituents and characteristics data shall be available to the public without restriction.
- B. When requested by the person furnishing information, and until such time as the Superintendent determines that the requested information is not entitled to confidential treatment, the portions of such information which might disclose trade secrets or secret processes shall not be made available for inspection by the public but shall be made available upon written request to governmental agencies for uses related to this Ordinance, the National Pollutant Discharge Elimination System (NPDES) Permit, State Disposal System permit and/or the Pretreatment Programs so long as such agencies agree not to disclose the information designated as confidential; provided, however, that such portions of the information shall be available for use by the State or any state agency in judicial review or enforcement proceedings involving the person furnishing the information only if they are maintained under seal; provided further, that any such confidential information furnished to a governmental agency shall be clearly marked **CONFIDENTIAL-TRADE SECRETS**.
- C. Information accepted by the District as confidential, shall not be transmitted to any governmental agency by the District until and unless a ten-day notification is given to the User and shall be maintained as confidential by any such governmental agency.
- D. Any interested person may petition the Superintendent in writing to reconsider any determination that information shall be accorded confidential treatment. Upon such petition, the Superintendent shall give written notice thereof to the person who submitted the confidential information, and shall conduct a hearing at which the petitioner and the person who submitted the information may present evidence as to whether the information is entitled to confidential treatment. The burden shall be on the petitioner to establish that the information is not entitled to confidential treatment.
- E. Any determination by the Superintendent that information for which confidential treatment is requested is not entitled to such treatment shall be subject to administrative and judicial review pursuant to the provisions of Section 500.118. Any such information shall be treated as confidential pending final determination of any such administrative and judicial review.

PART 600

ENFORCEMENTS

Section 600.050 Public Notification of Significant Violators

The District shall annually publish in the Register-Mail a list of Industrial Users found to be in Significant Noncompliance, as defined in Section 200.100 of this Ordinance, with any provisions of this Ordinance or any permit or order issued hereunder during the period since the previous publication. The notification shall also summarize any enforcement actions taken against the User(s) during the same twelve months.

Section 600.100 Compulsory Compliance Procedures

A. Notice of Violation and Compliance Meeting

Should a Significant Noncompliance occur by an Industrial User, the District shall notify the offending Industrial User, in writing, through a Notice of Violation as to the particulars of such Significant Noncompliance and set a time and place for a meeting (hereinafter called a Compliance Meeting) to be attended by representatives of the District and the Industrial User. The purpose of such a meeting shall be to establish such procedures, investigations, studies and compliance measures as the District deems necessary and desirable to control and prevent the violation of this Ordinance. The Industrial User shall cooperate fully with the District in making such investigations and studies.

B. Compliance Directive

- (1) Following the completion of any procedures, investigations, or studies as described in Section 600.100(A) above, the District may issue a Compliance Directive, directing and requiring the Industrial User to take such action as may be required to control and prevent violations of the Ordinance.
- (2) If the District has sufficient information at the time of the Compliance Meeting to determine necessary and desirable compliance measures, it may, at the time of the Compliance Meeting, issue a Compliance Directive, directing and requiring the User to take such action, including pretreatment, without further investigation or study.
- (3) Failure to comply with the Compliance Directive of the District shall be deemed a violation of the provisions of this Ordinance and may be grounds for revocation of the Industrial User's wastewater discharge permit and grounds for such other actions as may be authorized for violation of this Ordinance.

Section 600.105 Revocation of Permit

A. Conditions for Revocation

- (1) Any User who violates the following conditions of this Ordinance, or applicable state and federal regulations, is subject to having his permit revoked in accordance with the procedures of Part 600

of this Ordinance:

- (a) Failure of a User to factually report the wastewater constituents and characteristics of his discharge;
- (b) Failure of the User to report significant changes in operations, or wastewater constituents and characteristics;
- (c) Refusal of reasonable access to the User's premises for the purpose of inspection or monitoring;
- (d) Failure to report a slug discharge of a pollutant.
- (e) Tampering with, disrupting, or destroying the District's equipment;
- (f) Failure to report an upset of User's treatment facilities;
- (g) Violations of conditions of the permit.

B. Procedures for Revocation

- (1) The Superintendent may order any User who causes or allows any action which is subject to revocation under Section 600.105(A) above to show cause before the Board of Trustees why its permit should not be revoked. A notice shall be served on the User specifying the time and place of a hearing to be held by the Board of Trustees regarding the violation, the reasons why the action is to be taken, the proposed action, and directing the User to show cause before the Board of Trustees why its permit should not be revoked. The notice of the hearing shall be served personally or by registered or certified mail, return receipt requested, at least ten (10) days before the hearing. Service may be made on any authorized representative of the industrial User.
- (2) The Board of Trustees may itself conduct the hearing and take the evidence, or may designate any of its members or its attorney to:
 - (a) Issue in the name of the Board of Trustees notices of hearings requesting the attendance and testimony of witnesses and the production of evidence relevant to any matter involved in such hearing;
 - (b) Take the evidence;
 - (c) Transmit a report of the evidence and hearing, including transcripts and other evidence, together with recommendations to the Board of Trustees for action thereon.
- (3) At any hearing held pursuant to this Ordinance, testimony taken must be under oath and recorded stenographically. The transcript, so recorded, will be made available to any member of the public or any party to the hearing upon payment of the usual copying charges.
- (4) After the Board of Trustees has reviewed the evidence, it may

issue an order to the User responsible for the discharge directing either a) that the discharge permit be revoked and the service be disconnected, or b) that following a specified time the permit shall be revoked and sewer service discontinued unless adequate treatment facilities, devices or other related appurtenances have been installed and operated properly to comply with the discharge permit or c) direct the User to cease the unauthorized discharge effective after a specified period of time or d) that such other relief as deemed necessary by the Board of Trustees to abate the discharge be granted. Further orders and directives as are necessary may be issued. Any order or directive of the Board issued pursuant to this Section shall become effective 30 days after receipt by the User of written notice of such order or directive unless petition for judicial review is filed pursuant to subparagraph (6) hereof, in which event the order or directive shall become effective upon final determination of judicial review affirming the issuance of the order or directive.

- (5) Following an order of revocation becoming effective as provided herein, the User shall cease discharging to the District POTW. Failure to do so shall be evidence of continuing harm to the District and provide grounds for the granting of injunctive relief or temporary restraining orders.
- (6) A User may obtain judicial review of any order or directive issued by the Board pursuant to this Section by petition to the Circuit Court of Knox County, filed within 30 days after receipt of written notice of such order or directive. Any appeal thereafter shall be in accordance with the rules applicable to appeals from decisions of the Circuit Courts.

Section 600.115 Order to Show Cause Regarding Disconnection

The District may, upon discovering an ongoing or potential discharge to the District POTW which presents or may present a danger to the environment or which threatens to interfere with the operation of the POTW, immediately issue an order to the discharger to show cause before the Board of Trustees why the District should not disconnect service, revoke the discharger's wastewater permit or seek injunctive relief to prohibit the discharger from making the discharge. Procedures to be followed by the Board of Trustees in said show cause hearing shall be in accordance with Part 600, Section 600.105(B) of this Ordinance.

Section 600.120 Immediate Disconnection of Services

A. Conditions for Immediate Disconnection of Service

Any User is subject to immediate disconnection of service under either of the following conditions:

- (1) Whenever immediate disconnection is required to halt or prevent any discharge of pollutants to the POTW, which reasonably appears to The District to present an imminent endangerment to the health or welfare of person(s); or that threatens to interfere with the operation of the POTW or which presents or may present an endangerment to the environment.

- (2) Whenever the User's General Industrial Wastewater Discharge Permit is revoked.

B. Procedures for Immediate Disconnection

- (1) Notwithstanding Sections 600.105, 600.110 or 600.115, the Superintendent shall have the authority, after informal notice to the User, to immediately and effectively halt or prevent any discharge of pollutants to the POTW that reasonably appears to present an imminent endangerment to the health or welfare of persons. When the Superintendent determines that such an emergency situation exists, he shall issue a verbal order (followed immediately by a written order) to the User stating the problem and requiring immediate cessation of the discharge. The Superintendent's actions may include disconnection of wastewater collection service. The Superintendent shall obtain the concurrence of the District attorney before initiating action. Methods of informal notice shall include, but not be limited to, any of the following: personal conversation between User and the District employees, telephone calls, letters, hand delivered messages or notices posted at the User's premises or point of discharge.

Section 600.125 Elimination of Discharge/Reinstatement

Any User notified of a disconnection of wastewater treatment service under 600.120 and/or revocation of its Wastewater Discharge Permit shall immediately stop or eliminate the discharge. In the event of a failure of the User to comply voluntarily with the disconnection or revocation order, the District shall take such steps as deemed necessary, including immediate severance of the sewer connection, to prevent or minimize damage to the POTW system or danger to any individuals. The Superintendent shall reinstate the Wastewater Discharge Permit and/or the wastewater treatment service upon proof of the elimination of the non-complying discharge.

Section 600.130 Injunctive Relief

- A. The District may institute a civil action for an injunction to restrain violations of this Ordinance.
- B. The District may, upon discovering an ongoing or potential discharge of pollutants to the District POTW which reasonably appears to present an imminent danger to the health or welfare of persons, seek and obtain from the Circuit Court of Knox County a temporary restraining order or preliminary injunction to halt or prohibit such discharge. Prior to the filing of such petition, the discharger shall be given informal notice of the District's intention to file such action. Methods of informal notice shall include, but not be limited to, any of the following: personal conversation between the discharger and the District employees, telephone calls, letters, hand delivered messages or notices posted at the discharger's premises or point of discharge. Personal contact between the District personnel and the

discharger shall be attempted, but shall not be condition precedent to the District petitioning for and obtaining a temporary restraining order.

Section 600.135 Additional Remedies

- A. In addition to remedies available to The Galesburg Sanitary District set forth elsewhere in this Ordinance, if the District is fined by the State of Illinois or U.S. EPA for violation of the District NPDES Permit or violation of water quality standards as the result of a discharge of pollutants, then the fine, including all the District legal, sampling, analytical testing costs and any other related costs shall be charged to the responsible User if such User has violated its permit or the Ordinance or contributed to the District's violating its NPDES permit. Such charge shall be in addition to, and not in lieu of, any other remedies the District may have under this Ordinance, statutes, regulations, at law or in equity.
- B. If the discharge from any User in violation of its permit or the Ordinance causes a deposit, obstruction, or damage to any of the District wastewater facilities, the Superintendent shall cause the deposit or obstruction to be promptly removed or cause the damage to be promptly repaired. The cost for such work, including materials, labor and supervision, shall be borne by the person causing such deposit, obstruction or damage.
- C. The remedies provided in this Ordinance shall not be exclusive and the District may seek whatever other remedies are authorized by statute, at law or in equity against any person violating the provisions of this Ordinance.

PART 700

COSTS: PENALTIES

Section 700.100 Civil Penalties

Any User who is found to have violated an Order of the District Board of Trustees or who willfully or negligently failed to comply with any provision of this Ordinance, and the orders, rules, regulations and permits issued hereunder, shall be liable to the District for a civil penalty of not less than One Thousand Dollars (\$1,000.00) nor more than Ten Thousand Dollars (\$10,000.00) for each offense, plus actual damages incurred by the District per violation per day for as long as the violation continues. Each day on which a violation shall occur or continue shall be deemed a separate and distinct offense. In addition to the penalties provided herein, the District may recover reasonable attorneys' fees, court costs, court reporter's fees and other expenses of litigation including sampling, monitoring, and analysis expenses by appropriate suit at law against the person found to have violated this Ordinance or the orders, rules, regulations and permits issued hereunder.

The Superintendent shall petition the Court to impose, assess, and recover

such sums. In determining the amount of liability, the Court shall take into account all relevant circumstances, including, but not limited to, the extent of harm caused by the violation, the magnitude and duration, any economic benefit gained through the User's violation, corrective actions by the User, the compliance history of the User, and any other factors as justice requires.

Section 700.105 Criminal Prosecution

Any Industrial User who willfully or negligently violates any provision of this Ordinance or any orders or permits issued hereunder shall, upon conviction, be guilty of a misdemeanor, punishable by a fine not to exceed One Thousand Dollars (\$1,000.00) per violation per day or imprisonment for not more than one year or both. In the event of a second conviction, the User shall be punishable by a fine not to exceed Three Thousand Dollars (\$3,000.00) per violation per day or imprisonment for not more than three years or both.

Section 700.110 Falsifying Information

Any person who knowingly makes any false statements, representation or certification in any application, record, report, plan or other document filed or required to be maintained pursuant to this Ordinance, or Wastewater Contribution Permit, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this Ordinance, shall, upon conviction, be punished by a fine of not more than One Thousand Dollars (\$1,000.00) per violation per day or imprisonment for not more than one year, or by both.

PART 800

EFFECTIVE DATES

Section 800.100

This Amended Ordinance shall be in full force and effect on the 16th day of March, 2017.

Jon A. Vanier

President, Board of Trustees of
The Galesburg Sanitary District

ATTEST: Richard D. Allen

(Seal) Clerk, Board of Trustees
The Galesburg Sanitary District

Appendix 1. List of Toxic Organic Compounds
Regulated as a Component of Total Toxic Organics
Adopted from the Electroplating and Metal Finishing Category

Acenaphthene
Acrolein
Acrylonitrile
Benzene
Benzidine
Carbon tetrachloride (tetrachloromethane)
Chlorobenzene
1,2,4-Trichlorobenzene
Hexachlorobenzene
1,2,-Dichloroethane
1,1,1-Trichloroethane
Hexachloroethane
1,1-Dichloroethane
1,1,2-Trichloroethane
1,1,2,2-Tetrachloroethane
Chloroethane
Bis (2-chloroethyl) ether
2-Chloroethyl vinyl ether (mixed)
2-Chloronaphthalene
2,4,6-Trichlorophenol
Parachlorometa cresol
Chloroform (trichloromethane)
2-Chlorophenol
1,2-Dichlorobenzene
1,3-Dichlorobenzene
1,4-Dichlorobenzene
3,3-Dichlorobenzidine
1,1-Dichloroethylene
1,2-Trans-dichloroethylene
2,4-Dichlorophenol
1,2-Dichloropropane
1,3-Dichloropropylene (1,3-dichloropropene)
2,4-Dimethylphenol
2,4-Dinitrotoluene
2,6-Dinitrotoluene
1,2-Diphenylhydrazine
Ethylbenzene
Fluoranthene
4-Chlorophenyl phenyl ether
4-Bromophenyl phenyl ether
Bis (2-chloroisopropyl) ether
Bis (2-chloroethoxy) methane
Methylene chloride (dichloromethane)
Methyl chloride (chloromethane)
Methyl bromide (bromomethane)
Bromoform (tribromomethane)
Dichlorobromomethane
Chlorodibromomethane
Hexachlorobutadiene
Hexachlorocyclopentadiene

Isophorone
Naphthalene
Nitrobenzene
2-Nitrophenol
4-Nitrophenol
2,4-Dinitrophenol
4,6-Dinitro-o-cresol
N-nitrosodimethylamine
N-nitrosodiphenylamine
N-nitrosodi-n-propylamine
Pentachlorophenol
Phenol
Bis (2-ethylhexyl) phthalate
Butyl benzyl phthalate
Di-n-butyl phthalate
Di-n-octyl phthalate
Diethyl phthalate
Dimethyl phthalate
1,2-Benzanthracene (benzo(a)anthracene)
Benzo(a)pyrene (3,4-benzopyrene)
3,4-Benzofluoranthene (benzo(b)fluoranthene)
11,12-Benzofluoranthene (benzo(k)fluoranthene)
Chrysene
Acenaphthylene
Anthracene
1,12-Benzoperylene (benzo(ghi)perylene)
Fluorene
Phenanthrene
1,2,5,6-Dibenzanthracene (dibenzo(a,h)anthracene)
Indeno(1,2,3-cd) pyrene (2,3-o-phenylene pyrene)
Pyrene
Tetrachloroethylene
Toluene
Trichloroethylene
Vinyl chloride (chloroethylene)
Aldrin
Dieldrin
Chlordane (technical mixture and metabolites)
4,4-DDT
4,4-DDE (p,p-DDX)
4,4-DDD (p,p-TDE)
Alpha-endosulfan
Beta-endosulfan
Endosulfan sulfate
Endrin
Endrin aldehyde
Heptachlor
Heptachlor epoxide (BHC-hexachloro-cyclohexane)
 Alpha-BHC
 Beta-BHC
 Gamma-BHC
 Delta-BHC
PCB-polychlorinated biphenyls
 PCB-1242 (Arochlor 1242)

PCB-1254 (Arochlor 1254)
PCB-1221 (Arochlor 1221)
PCB-1232 (Arochlor 1232)
PCB-1248 (Arochlor 1248)
PCB-1260 (Arochlor 1260)
PCB-1016 (Arochlor 1016)
Toxaphene
2,3,7,8-Tetrachlorodibenzo-p-dioxin (TCDD)