

PART 4: DISCHARGE PERMITS

ARTICLE 1: PROHIBITION OF DISCHARGES WITHOUT PERMIT: It shall be unlawful for any Significant Industrial User to discharge wastewater to the POTW without a permit, or contrary to the conditions of a permit, issued by the POTW in accordance with the provisions of this Chapter.

ARTICLE 2: PERMITS:**(A) Wastewater Discharge Permit**

All Significant Industrial Users proposing to connect to or to contribute to the POTW shall obtain a Wastewater Discharge Permit before connecting to or contributing to the POTW. All Significant Industrial Users which are Existing Sources connected to or contributing to the POTW shall obtain a Wastewater Discharge Permit within one hundred eighty (180) days after the effective date of this Chapter. All Industrial Users which become Significant Industrial Users after promulgation of this Chapter shall apply for a Wastewater Discharge Permit within one hundred eighty (180) days after becoming a Significant Industrial User. (The latter includes, but is not limited to, Industrial Users regulated by a newly promulgated National Categorical Pretreatment Standard.)

(B) Wastewater Discharge Permit Application

1. Significant Industrial Users required to obtain a Wastewater Discharge Permit shall complete and file with the POTW an application in a form to be prescribed and furnished by the POTW.
2. Existing Significant Industrial Users shall apply for a Wastewater Discharge Permit within ninety (90) days after the effective date of this Chapter. Proposed Significant Industrial Users which are New Sources shall apply at least ninety (90) days prior to discharging to the POTW. In case of conflict between application deadlines for Significant Industrial Users in Part 4, Article 2(A) and Part 4, Article 2(B) (2), the stricter deadline shall apply.

3. In support of the application, the Significant Industrial User shall submit, in units and terms appropriate for evaluation the following information:
 - (a) Name, address and location.
 - (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 3 of this Chapter 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 monthly and seasonal variations, if any;
 - (f) Site plans showing all pipe sizes, manholes and location of sanitary and storm sewers leaving the building or premises, together with all connections to lateral sanitary and storm sewers.
 - (g) Total number of employees and hours of operation of a plant.
 - (h) Proposed or actual hours of operation of pretreatment system and the name of the IEPA certified pretreatment operator.
 - (i) Name of the authorized representative of the Significant Industrial User.
 - (j) Significant Industrial User's source of intake water together with the types of usage and disposal sources of water and the estimated volumes in each category.
 - (k) If additional Significant Industrial User operation and maintenance or pretreatment techniques or installations will be required to meet pretreatment standards, the shortest schedule by which the Significant Industrial User will provide such additional pretreatment. The completion date in this schedule shall not be later than the compliance date established under Part 3.

- (I) Any other information as may be deemed by the POTW to be necessary to evaluate the permit application.

(C) Review of Wastewater Discharge Permit Applications

The POTW will evaluate the data furnished by the Significant Industrial User and may require additional information. After evaluation of the data furnished, the POTW may issue a Wastewater Discharge Permit. No temporary permit will be issued by the POTW except as set forth in Part 4, Article 2(G).

(D) Permit Conditions

Wastewater Discharge Permits shall be expressly subject to all provisions of this Chapter and all other applicable regulations, user charges, and fees established by the POTW. Wastewater Discharge Permits shall contain the following:

1. The Wastewater Discharge Permit shall include the limits on daily maximum and average pollutant concentrations from the applicable pretreatment standard (which included federal, state and local limits) whichever is more stringent.
2. Limits on maximum and average flow 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 of inspection, sampling and monitoring facilities.
4. Specifications for monitoring programs which may include sampling locations, frequency of sampling, number, types and standards for tests and reporting schedule.
5. Compliance schedule, if necessary.
6. Requirements for submission of technical reports or discharge reports.
7. Requirements to retain for a minimum of three (3) years any records of monitoring activities and results relating to wastewater discharge and for affording the POTW access to said records.

8. Requirements for advance notification to the POTW of any new introduction of wastewater constituents or any substantial change in the volume or character of the wastewater constituents being introduced into the wastewater treatment system pursuant to the terms of Part 4, Article 2(E) of this Chapter.
9. Requirements for notification of slug discharges as defined in this Chapter.
10. Requirements for reporting pretreatment sludge disposal practices.
11. Requirements that permittee allow the POTW or its representatives ready access upon presentation of credentials at reasonable times to all parts of its premises in which a discharge source or treatment system is located or in which records required by this Chapter are kept for the purposes of inspection, sampling, examination and photocopying of said records and for the performance of any of their duties.
12. Requirements that the permittee provide other information to the POTW from time to time as may reasonably to be required.
13. Other conditions as deemed appropriate by the POTW to ensure compliance with this Chapter, and Pretreatment Requirements and Standards.

(E) Change in Conditions

In the event the type, quality, 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 POTW, the permittee previously granted such permit shall give thirty (30) day notice in writing to the POTW and shall make a new application to the POTW 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, quality or volume of its wastewater beyond that allowed by its permit without prior approval of the POTW.

remedies for violation of temporary permits as it has for violation of other discharge permits.

ARTICLE 3: DENIAL OF PERMIT AND APPEAL PROCEDURE:

- (A) No Wastewater Discharge Permit shall be issued by the POTW to any person or Industrial User whose discharge of material to sewers, whether shown upon his application or determined after inspection and testing conducted by the POTW, is not in conformity with the POTW Ordinances and regulations or whose application is incomplete or does not comply with the requirements of Part 4, Article 2(B). The POTW shall state the reason or reasons for denial in writing, which shall be mailed or personally delivered to the applicant within ten (10) days after denial.
- (B) If the application is denied by the POTW, the applicant may obtain review of the denial by the Village Board, provided that the applicant shall give written notice of this request within thirty (30) days after receipt of such denial. The Village Board shall review the permit application, the written denial and such other evidence and matters as the applicant and POTW Superintendent of Public Works shall present. The decision of the Village Board shall be final.

ARTICLE 4: MONITORING FACILITIES:

- (A) Significant Industrial Users shall provide and operate at the Significant Industrial User's own expense, monitoring facilities to allow inspection, sampling and flow measurement of the building sewer or internal drainage systems. The monitoring facility will normally be situated on the User's premises but the POTW may, when such a location would be impractical and cause undue hardship to 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, parked vehicles, or other activities of the user.
- (B) Where required by the POTW, additional control manholes or sampling chambers shall be provided at the end of each industrial process within an Industrial User's facility suitable for the determination of compliance with Pretreatment Standards.

(F) Duration

Wastewater Discharge Permits shall be issued for a specified time period, not to exceed five (5) years. The Permittee shall file an application for renewal of its permit at least ninety (90) days prior to expiration of the User's permit. The Industrial User shall apply, on a form provided by the POTW, for reissuance of the Permit.

(G) Modification

The terms and conditions of the permit may be subject to modification by the POTW during the term of the permit as limitations or requirements as identified in Section 7-1-3 are modified or other just cause exists. Where the National Categorical Pretreatment Standards are modified by a removal allowance (40 CFR Section 403.7) or the combined waste stream formula (40 CFR Section 403.6(e)) or net/gross calculations (40 CFR Section 403.15) or Fundamentally Different Factor Variance for non-toxics (40 CFR Section 403.13), of the General Pretreatment Regulations, the limits as modified shall be made a part of the Wastewater Discharge Permit and shall be adjusted consistent with USEPA guidelines and regulations. The Significant Industrial User shall be informed of any proposed changes in its permit at least thirty (30) days prior to the effective date of change. Where any changes are made in the Significant Industrial User's permit, a reasonable time shall be given to achieve compliance.

(H) Transfer

Wastewater Discharge Permits are issued to a specific Significant Industrial User for the process activity specified in the permit. A Wastewater Discharge Permit shall not be assigned, transferred or sold to a new owner or new user in different premises or to a new or changed operation in the same or different premises without the approval of the POTW. 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 POTW to the new owner as a temporary permit; provided that the new owner shall immediately apply for a new permit in accordance with this Chapter and further provided that the temporary permit shall only be effective for ninety (90) days after the date of sale or transfer. The POTW shall have the same

- (C) Whenever required by a Wastewater Discharge Permit, any Significant Industrial User 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 POTW, installed and maintained at all times at the User's expense, which shall have ample room in each sampling chamber to permit the POTW to take accurate composite samples for analysis. The chamber shall be safely, easily and independently accessible to authorized representatives of the POTW at any time.
1. Each sampling chamber shall contain a Palmer-Bowlus flume, unless a weir or similar device is approved by the POTW with a recording and totalizing register for measurement of the liquid quantity; or at the discretion of the POTW the metered water supply to the industrial plant may be used as the liquid quantity where it is substantiated to the POTW that the metered water supply and waste quantities are approximately the same, or where a measurable adjustment agreed to by the POTW is made in the metered water supply to determine the liquid waste quantity.
 2. When required, samples shall be taken every hour or half hour, as determined by the POTW and properly refrigerated and preserved in accordance with Standard Methods and shall be composited in proportion to the flow for a representative twenty-four (24) hour sample. Such sampling shall be done as prescribed by the User's Wastewater Discharge Permit.
 3. 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 POTW.
- (D) Whenever required by a Wastewater Discharge Permit, the permittee shall pay the costs of sampling of its discharge and the costs of analyses of its samples, whether or not the sampling and analyses are done by the permittee or by the POTW.
- (E) All measurements, tests, and analyses to which reference is made in this Chapter shall be determined and performed in accordance with the procedures established by the Administrator of the United States Environmental Protection Agency (hereafter "Administrator") pursuant to Section 304(g) of the Act and contained in 40 CFR 136 and amendments thereto or with any other test procedures

approved by the Administrator. Sampling shall be performed in accordance with the techniques approved by the Administrator. Where 40 CFR Part 136 does not include sampling or analytical techniques for the pollutants in question, or where the Administrator determines that the Part 136 sampling and analytical techniques are inappropriate for the pollutant in question, sampling and analyses shall be performed using validated analytical methods or any other sampling and analytical procedures, including procedures suggested by the POTW or other parties, approved by the Administrator.

ARTICLE 5: INSPECTION, SAMPLING AND RECORDS KEEPING:

- (A) The POTW may inspect the facilities of all Industrial Users to ascertain whether the purposes of this Chapter are being met and if all requirements of the Chapter 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 POTW or its representative ready access upon presentation of the 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 Chapter, and in the performance of any of their duties. The POTW shall have the right to set up on the Industrial User's property such devices as are necessary to conduct sampling, monitoring and metering operations. Where an Industrial 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 POTW shall be permitted to enter immediately for the purposes of performing their specific responsibilities. Such arrangements shall be made by all Industrial Users with their security guards within thirty (30) days of the passage of this Chapter.
- (B) Industrial Users and the POTW shall maintain records of all information resulting from any monitoring activities required by this Chapter and 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 use; and
 5. The results of such analyses.
- (C) The POTW and Industrial Users shall maintain such records for a minimum of three (3) years and shall make such records available for inspection and copying by the Director of IEPA and the Regional Administrator of the United States Environmental Protection Agency. 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 POTW pretreatment program or when requested by the said Regional Administrator or the Director of IEPA.

ARTICLE 6: CONFIDENTIAL INFORMATION

- (A) Information and data relating to an Industrial User obtained from reports, questionnaires, permit applications, permits and monitoring programs and from inspections shall be available to the public or other governmental agencies without restriction unless the Industrial User specifically requests, and is able to demonstrate to the satisfaction of the POTW, that the release of such information would divulge information, processes or methods of production entitled to protection as trade secrets of the Industrial User.
- (B) When requested by the person furnishing a report, and until such time as the POTW determines that the requested information is not entitled to confidential treatment, the portions of a report which might disclose trade secrets or secret processes shall not be made available upon written request to governmental agencies for uses related to this Chapter, the National Pollutant Discharge Elimination System (NPDES) permit, and for use by the state or state agency in judicial review or enforcement proceedings involving the person or Industrial User furnishing the report.
- (C) Information and data provided to the POTW which is effluent data shall be available to the public without restriction.
- (D) Information claimed by an Industrial User to be confidential and which is not effluent data shall not be transmitted to the general

public by the POTW except in accordance with the Illinois Freedom of Information Act.

- (E) The POTW shall implement measures to prevent the negligent release of confidential information; however, neither the POTW nor its employees shall be held legally responsible for release of information if they have acted in good faith.

PART 5: ENFORCEMENT PROCEDURES AND PENALTIES:

ARTICLE 1: PUBLIC NOTIFICATION OF SIGNIFICANT VIOLATIONS:

The POTW shall annually publish in the largest daily newspaper published in the municipality in which the POTW is located, a list of Industrial Users who committed significant violations of any Pretreatment Requirement or Standard during the previous twelve (12) months. The notification shall also summarize any enforcement actions taken against those Industrial Users during the same twelve (12) months.

ARTICLE 2: COMPULSORY COMPLIANCE PROCEDURES:

(A) Notice of Violation and Compliance Meeting

Should a violation of this Chapter by an Industrial User occur, whether or not a Significant Industrial User, the POTW shall notify the offending User, in writing, through a "Notice of Violation" as to the particulars of such violation or violations and set a time and place for a meeting (hereinafter called a "Compliance Meeting") to be attended by representatives of the POTW and the Industrial User. The purpose of such a meeting shall be to establish such procedures, investigations, studies and compliance measures as the POTW deem necessary and desirable to control and prevent violation of this Chapter. The Industrial User shall cooperate fully with the POTW in making such investigations and studies.

(B) Order

1. Following the completion of any procedures, investigations or studies as described in Part 5, Article 2(A) above, the POTW may issue an Order which may:
 - (a) Require compliance with applicable Pretreatment Standards and Requirements;