

Nuclear

4300 Winfield Road
Warrenville, IL 60555

FAX

To: STUART SASLOW

From: TERRY STEWART

Fax:

Pages: 14 (Including cover sheet)

Phone:

Phone:

Re:

Fax:

Date: 3-17-03

Urgent For Review Please Comment Please Reply Please Recycle

Comments:

SEE HIGHLIGHTED TEXT ON PAGE 1 OF PUBLIC
NOTICE FACT SHEET.

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ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276

217/782-0610

October 11, 2001

Exelon Generation Company, LLC
4300 Winfield Road
Warrenville, Illinois 60555

Re: Exelon Generation Company, LLC
Quad Cities Generating Station
NPDES Permit No. IL0005037
Public Notice Permit

Gentlemen:

Please post the attached Public Notice for the subject discharge for at least a period of thirty days from the date on the Notice in a conspicuous place on your premises.

We have enclosed a copy of the draft NPDES permit on which this official Public Notice is based. If you wish to comment on the draft permit, please do so within 30 days of the Public Notice date. If there are any questions, please contact Blaine Kinsley at the indicated telephone number and address.

Thank you for your cooperation.

Very truly yours,

Thomas G. McSwiggin
Manager, Industrial Unit, Permit Section
Division of Water Pollution Control

TGM:BAK:99123001.daa

Attachments: Draft Permit, Public Notice/Fact Sheet

cc: Records Unit
Compliance Assurance Section
Peoria Region

GEORGE H. RYAN, GOVERNOR

NPDES Permit No. IL0005037
Notice No. BAK:99123001.daa

Public Notice Beginning Date: October 15, 2001

Public Notice Ending Date: November 14, 2001

National Pollutant Discharge Elimination System (NPDES)
Permit Program

Draft Modified NPDES Permit to Discharge into Waters of the State

Public Notice/Fact Sheet Issued By:

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

Name and Address of Discharger:

Exelon Generation Company, LLC
4300 Winfield Road
Warrenville, Illinois 60555

Name and Address of Facility:

Quad Cities Generating Station
22710 206th Avenue North
Cordova, Illinois 61242
(Rock Island County)

The Illinois Environmental Protection Agency (IEPA) has made a tentative determination to issue a modified NPDES permit to discharge into the waters of the state and has prepared a draft permit and associated fact sheet for the above named discharger. The Public Notice period will begin and end on the dates indicated in the heading of this Public Notice/Fact Sheet. The last day comments will be received will be on the Public Notice period ending date unless a commentor demonstrating the need for additional time requests an extension to this comment period and the request is granted by the IEPA. Interested persons are invited to submit written comments on the draft permit to the IEPA at the above address. Commentors shall provide his or her name and address and the nature of the issues proposed to be raised and the evidence proposed to be presented with regards to those issues. Commentors may include a request for public hearing. Persons submitting comments and/or requests for public hearing shall also send a copy of such comments or requests to the permit applicant. The NPDES permit and notice number(s) must appear on each comment page.

The application, engineer's review notes including load limit calculations, Public Notice/Fact Sheet, draft permit, comments received, and other documents are available for inspection and may be copied at the IEPA between 9:30 a.m. and 3:30 p.m. Monday through Friday when scheduled by the interested person.

If written comments or requests indicates a significant degree of public interest in the draft permit, the permitting authority may, at its discretion, hold a public hearing. Public notice will be given 45 days before any public hearing. Response to comments will be provided when the final permit is issued. For further information, please call Blaine Kinsley at 217/782-0610.

This notice also serves as the notice for the water quality certification required by Section 401 of the Clean Water Act (PL 95-217), for a license issued by the Nuclear Regulatory Commission under the Atomic Energy Act of 1954 (PL 83-703) and Title II of the Energy Reorganization Act of 1974 (PL 93-438), for the NPDES permitted discharge.

The applicant operates Quad Cities Station which is an existing nuclear fueled steam electric generating facility located on the Illinois shore of the Mississippi River (Pool 14) at Mile 506.5. The Station utilizes two boiling water nuclear fission reactors to provide steam to an 1800 rpm turbine generator for a total station output of 1618 MW electric power. (SIC 4911).

Quad Cities Station withdraws water from the Mississippi River for condenser cooling and various service water uses. The Station is operated open cycle where cooling water after circulation through the plant's condensers is discharged to the Mississippi River through a two pipe multi-port diffuser system in the river.

Service water is used in various non-contact heat exchangers, equipment seals, equipment washing and maintenance operations. Two wells located on-site provide both potable and reactor pressure vessel supply water. Liquid radioactive wastes are collected and segregated according to conductivity and radioactivity. These waste streams are treated by filtration and/or demineralization. Treated liquid waste is either recycled, or discharged to the river with the cooling water effluent if within limitations specified by the Nuclear Regulatory Commission.

Public Notice/Fact Sheet -- Page 2 -- NPDES Permit No. IL0005037

The following modification is proposed:

The Station is increasing its power generating capacity from a total of 1,618 MW to 1,824 MW. The power uprate is to be accomplished by upgrading the high pressure turbines on each of the two generation units, modifying some plant components, and adjusting certain instrument setpoints. As a result of the uprate Special Condition 6 of the NPDES permit has been changed to reflect a modification of the Temperature Monitoring Curve which is used in conjunction with power capacity and stream data to determine compliance with the the temperature limits at the edge of the mixing zone 500 feet downstream of the diffusers. The compliance language of Special Condition 6 has also been reorganized to provide greater clarity in establishing what data is to be collected and the frequency of collection. It should be noted that the proposed power uprate will not result in increased withdrawals from or discharges to the Mississippi River for cooling purposes. The net effect of the power uprate is that the cooling water temperature will increase a projected 4.4° F above the current delta temperature of 23° F above ambient. The increase will not necessitate an increase in the size of the mixing zone or the permit temperature limits.

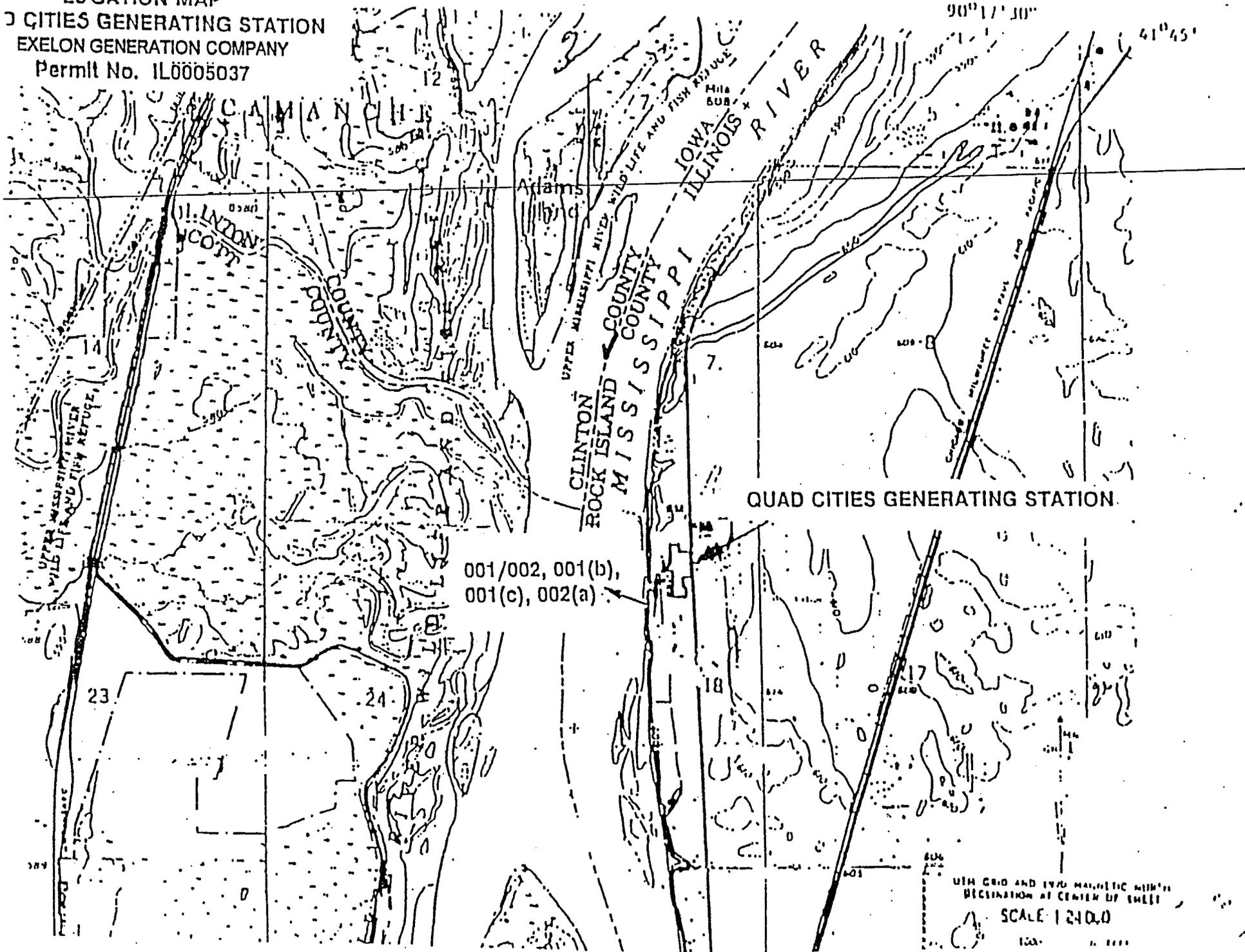
Application is made for the existing discharge(s) which are located in Rock Island County, Illinois. The following information identifies the discharge point, receiving stream and stream classifications:

Outfall	Receiving Stream	Latitude	Longitude	Stream Classification	Biological Stream Characterization
001	Mississippi River	41° 43' 30" North	90° 18' 40" West	General Use	Not Rated
002	Mississippi River	41° 43' 30" North	90° 18' 40" West	General Use	Not Rated

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

The stream segment receiving the discharge from outfall(s) 001 & 002 is not on the 303 (d) list of impaired waters.

LOCATION MAP
 QUAD CITIES GENERATING STATION
 EXELON GENERATION COMPANY
 Permit No. IL0005037



QUAD CITIES GENERATING STATION.

001/002, 001(b),
 001(c), 002(a)

USE GRID AND 1980 MAGNETIC WITHIN
 DEVIATION AT CENTER OF SHEET
 SCALE 1:240,000

NPDES Permit No. IL0005037

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

Iowa Department of Natural Resources
Wastewater Section
Henry A. Wallace Building
900 East Grand Avenue
Des Moines, Iowa 50316

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OCT 15 2001
PUBLIC NOTICED

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

Modified (NPDES) Permit

Expiration Date: May 31, 2005

Issue Date: May 26, 2000
Effective Date: June 1, 2000
Modification Date:

Name and Address of Permittee:

Exelon Generation Company, LLC
4300 Winfield Road
Warrenville, Illinois 60555

Facility Name and Address:

Quad Cities Generating Station
22710 206th Avenue North
Cordova, Illinois 61242
(Rock Island County)

Discharge Number and Name:

001/002 Open Cycle Diffusers
B01 Wastewater Treatment System
C01 Sanitary Waste Treatment Plant
A02 Radwaste Treatment System Blowdown

Receiving Waters:

Mississippi River
Mississippi River
Mississippi River
Mississippi River

In compliance with the provisions of the Illinois Environmental Protection Act, Title 35 of Ill. Adm. Code, Subtitle C and/or Subtitle D, Chapter 1, and the Clean Water Act (CWA), the above-named permittee is hereby authorized to discharge at the above location to the above-named receiving stream in accordance with the standard conditions and attachments herein.

Permittee is not authorized to discharge after the above expiration date. In order to receive authorization to discharge beyond the expiration date, the permittee shall submit the proper application as required by the Illinois Environmental Protection Agency (IEPA) not later than 180 days prior to the expiration date.

Thomas G. McSwiggin, P.E.
Illinois Environmental Protection Agency
Manager, Permit Section
Division of Water Pollution Control

Wayne C. Farrand
Iowa Department of Natural Resources
Supervisor
Wastewater Permit Section
Environmental Protection Division

OCT 15 2004

PUBLIC NOTICED

NPDES Permit No. IL0005037
Effluent Limitations and Monitoring

1. From the effective date of this permit until the expiration date, the effluent of the following discharge(s) shall be monitored and limited at all times as follows:

PARAMETER	LOAD LIMITS lbs/day		CONCENTRATION LIMITS mg/l		SAMPLE FREQUENCY	SAMPLE TYPE
	30 DAY AVG.	DAILY MAX.	30 DAY AVG.	DAILY MAX.		
Outfall(s): B01 Wastewater Treatment System****						
This discharge consists of:*****				Approximate Flow (MGD)		
					0.033	
					0.0015	
					Intermittent	
					Intermittent	
Flow (MGD)					1/Week	24 hr total
Total Suspended Solids			15	30	1/Week	8 hr Composite
Oil and Grease			15	20	1/Month	Grab
Outfall(s): C01 Sanitary Waste Treatment Plant (DMF 0.06 MGD)						
					Approximate Flow 0.008 (MGD)	
Flow (MGD)					2/Month	24 hr total
pH	See Special Condition No. 1				2/Month	Grab
BOD ₅	15	30	30	60	2/Month	24 hr Composite
Fecal Coliform	See Special Condition No. 9				2/Month	Grab
Total Suspended Solids	15	30	30	60	2/Month	24 hr Composite

****Wastewater Treatment System effluent is routed through an oil/water separator prior to discharge.

*****The listed contributory waste streams all pass through an oil/water separator (Unit 1/2 oil/water separator) prior to entering the wastewater treatment plant. Crib House Floor Drain Sump water may be discharged directly to Outfalls 001/002 open cycle diffuser as an alternate route. See Special Condition 18.

Modification Date:

NPDES Permit No. IL0005037

Effluent Limitations and Monitoring

PARAMETER	LOAD LIMITS (lbs/day)		CONCENTRATION LIMITS mg/l		SAMPLE FREQUENCY	SAMPLE TYPE
	30 DAY AVG.	DAILY MAX.	30 DAY AVG.	DAILY MAX.		

1. From the effective date of this permit until the expiration date, the effluent of the following discharge(s) shall be monitored and limited at all times as follows:

Outfall(s): A02 Radwaste Treatment System Blowdown*****

This discharge consists of:

Approximate Flow 0.0422 (MGD)

- Reactor Water
- Contaminated Floor Drains
- Equipment Drains
- Condensate Demineralizer Filter Backwash
- Reactor Cleanup Demineralizer Filter Backwash
- Laboratory Wastewater
- Sodium Pentaborate Tank Testing Drainage

Flow (MGD)					Daily	24 hr total
Total Suspended Solids			15	30	1/Week When Discharging	Grab
Oil and Grease			15	20	1/Month When Discharging	Grab
Iron	See Special Condition No. 17				1/Discharge Period	Grab

****The permittee shall comply with the Nuclear Regulatory Commission Title 10 (10 CFR 0.735-1) regulations for discharge and monitoring of radioactive wastewater discharges. Wastewater is generally batch treated and recycled, therefore the daily average discharge rate from Outfall No. A02 does not reflect influent flow rates.

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OCT 15 2001

PUBLIC NOTICED

NPDES Permit No. IL0005037

Special Conditions

SPECIAL CONDITION 1. The pH shall be in the range 6.0 to 9.0.

SPECIAL CONDITION 2. Samples taken in compliance with the effluent monitoring requirements shall be taken at a point representative of the discharge, but prior to entry into the receiving stream.

SPECIAL CONDITION 3. A minimum of three grab samples shall be taken at approximately five minute intervals in the discharge bay at the diffuser pipes during the respective sodium bromide and/or chlorine injection period of a generating unit allowing for lag time between the initiation of injection and the point of sampling before the first grab sample is taken. The individual values and average (mean) values for each set of samples shall be reported including the Unit sampled, the times samples were collected, the time and duration of the sodium bromide and/or chlorine dosing period plus the rate and amount (lbs.) of sodium bromide and/or chlorine applied. For purposes of reporting, the daily discharge shall be the average of all non-zero values measured in a day and the monthly average shall be the average of all daily discharges.

For the purpose of determining compliance, the highest single instantaneous TRC/TRO concentration measured on any day will be regarded as the daily maximum concentration. Total residual oxidant concentration shall be measured and reported in terms of total residual chlorine.

SPECIAL CONDITION 4. Neither total residual chlorine nor total residual oxidant may be discharged from any unit's main condenser for more than two hours in any one day. Not more than one of the unit's main condensers may discharge total residual chlorine or total residual oxidant at any one time unless the permittee can demonstrate to the Agency that doing so will not violate water quality limitations of the State. Simultaneous chlorination of the generating units will require a modification of the permit. The Agency will public notice the permit modification.

SPECIAL CONDITION 5. Nothing in this permit affects or abrogates the responsibilities or commitments of the Permittee herein as set forth in the agreement entered into by the Permittee in the consolidated cases of Izaak Walton League of America, et. al. v. Schlesinger, No. 2208-71 and People of the State of Illinois, et. al. v. United States Atomic Energy Commission, No. 2208-71 (U.S. District Court, District of Columbia).

SPECIAL CONDITION 6. Discharge of wastewater from this facility must not alone or in combination with other sources cause the receiving stream to violate the following thermal limitations at the edge of the mixing zone:

- A. Maximum temperature rise above natural temperature must not exceed 5°F.
- B. Water temperature at representative locations in the main river shall not exceed the maximum limits in the following table during more than one (1) percent of the hours in the 12-month period ending with any month. Moreover, at no time shall the water temperature at such locations exceed the maximum limits in the following table by more than 3°F. (Main river temperatures are temperatures of those portions of the river essentially similar to and following the same thermal regime as the temperatures of the main flow of the river.)

	<u>Jan.</u>	<u>Feb.</u>	<u>Mar.</u>	<u>Apr.</u>	<u>May</u>	<u>June</u>	<u>July</u>	<u>Aug.</u>	<u>Sept.</u>	<u>Oct.</u>	<u>Nov.</u>	<u>Dec.</u>
°F	45	45	57	68	78	85	86	86	85	75	65	52

C. The area of diffusion of an effluent in the receiving water is a mixing zone, and that mixing zone shall not extend:

- i) over more than 25 percent of the cross sectional area or volume of flow in the Mississippi River;
- ii) more than 26 acres of the Mississippi River

NPDES Permit No. IL0005037

Special Conditions

The following data shall be collected and recorded:

1. Weekly determination of the river flow rate (daily when the river flows fall below 23,000 cfs).
2. Daily determination of the ambient river temperature (at or upstream of station intakes).
3. Daily recording of station discharge rate.
4. Daily continuous recording of the temperature of the station discharge.
5. Daily determination of station load.
6. As deemed necessary according to the above data, daily determination of the cross-sectional average temperature at the 500 foot downstream cross-section in the river.

Compliance with the thermal limitations of Special Condition 6 shall be demonstrated as follows:

1. When river flow is 21,000 cfs or greater and the ambient river temperature is 5° F or more lower than the monthly limiting temperatures, the temperature monitoring curve¹ establishes that the permittee is in compliance for all power generation levels;
2. When the river flow is less than 21,000 cfs and/or the ambient river temperature is within 5° F of the monthly limiting temperatures, the permittee shall demonstrate compliance using either:
 - a. Plant load, river flow, ambient river temperature, and the temperature monitoring curve, or
 - b. Field measurement² of the river cross-sectional average temperature taken 500 feet downstream of the diffusers.

In the event that compliance monitoring shows that the permittee has exceeded the monthly limiting temperature, the number of hours of such exceedance shall be reported on the permittee's Discharge Monitoring Report.

¹The temperature monitoring curve identified as Figure 2 in the December 2000 "Revised Temperature Monitoring Curve for Quad Cities Nuclear Generating Station".

²When conditions such as ice formation render the Mississippi River inaccessible to marine activity, the Permittee may demonstrate compliance with the thermal limitations of Special Condition 6 by using the most recent field measurement data collected at a river flow equal to or less than the flow for which field measurement data cannot be collected. The most recent field measurement data shall be normalized to the power production level for the day when the river was inaccessible.

SPECIAL CONDITION 7. There shall be no discharge of polychlorinated biphenyl compounds from any discharge.

SPECIAL CONDITION 8. There shall be no discharge of complexed metal bearing wastestreams and associated rinses from chemical metal cleaning, unless this permit has been modified to include the new discharge.

SPECIAL CONDITION 9. The daily maximum fecal coliform count examined twice per month shall not exceed 400 per 100 ml.

SPECIAL CONDITION 10. Commonwealth Edison Company's demonstration for the Quad Cities Nuclear Power Station in accordance with Section 316(a) and 316(b) of the Clean Water Act was approved by IEPA by letter dated July 28, 1981 and by the Iowa Department of Environmental Quality (IDEQ) by letter dated May 18, 1981. Based on these conclusions the following actions by permittee are required:

The permittee shall monitor fish impingement once per week, year round. Each year's data shall be tabulated and compared to historical fish impingement data for the same period with the results submitted to IEPA Permit Section and Compliance Assurance Section by July 28, each year.

The permittee shall monitor water temperatures as described in Special Condition 6.

SPECIAL CONDITION 11. A permittee who wishes to establish the affirmative defense of upset as defined in 40 CFR 122.41(n) shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that: An upset occurred and that permittee can identify the cause(s) of the upset; the permitted facility was at the time being properly operated; the permittee notified notice of the upset as required in standard condition 12 of this permit; and the permittee complied with any remedial measures required in standard condition 4 of this permit.

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Modification Date OCT 15 2001
PUBLIC NOTICED

NPDES Permit No. IL0005037

Special Conditions

SPECIAL CONDITION 12. Discharge is allowed from the Unit 1 oil/water separator and the Unit 2 oil/water separator in accordance with the Spill Prevention Control and Countermeasure Plan (SPCC). If an applicable effluent standard or water quality related effluent limitation is promulgated under Section 301 and 302 of the Clean Water Act (CWA) and that effluent or water quality standard or limitation is more stringent than any effluent or water quality limitations in this permit, or controls a pollutant not limited in this NPDES Permit, the Agency shall revise or modify the permit in accordance with the promulgated standard and shall notify the permittee.

SPECIAL CONDITION 13. The permittee shall record monitoring results on Discharge Monitoring Report Forms using one such form for each discharge each month.

SPECIAL CONDITION 14. The completed Discharge Monitoring Report forms shall be mailed and received by the IEPA no later than the 28th day of the following month, unless otherwise specified by the permitting authority. Discharge Monitoring Reports shall be mailed to the IEPA at the following address:

Illinois Environmental Protection Agency
Division of Water Pollution Control
1021 North Grand Avenue East
Springfield, Illinois 62706
Attention: Compliance Assurance Section

SPECIAL CONDITION 15. A discharge limit of 0.05 mg/l (instantaneous maximum) shall be achieved for total residual oxidant when bromine biocides are used for condenser biofouling control, in accordance with Special Condition 3.

SPECIAL CONDITION 16. The Agency has determined that the effluent limitations in this permit constitute BAT/BCT for storm water which is treated in the existing treatment facilities for purposes of this permit reissuance, and no pollution prevention plan will be required for such storm water. In addition to the chemical specific monitoring required elsewhere in this permit, the permittee shall conduct an annual inspection of the facility site to identify areas contributing to a storm water discharge associated with industrial activity, and determine whether any facility modifications have occurred which result in previously-treated storm water discharges no longer receiving treatment. If any such discharges are identified the permittee shall request a modification of this permit within 30 days after the inspection. Records of the annual inspection shall be retained by the permittee for the term of this permit and be made available to the Agency on request.

SPECIAL CONDITION 17. The permittee shall monitor for boron during periods when Sodium Pentaborate is discharged as a result of tank testing and connection drainage from components in the radwaste treatment system. The effluent boron concentration in the subject discharge shall not cause the receiving stream to exceed the water quality standards in Section 302 of 35 Ill. Adm. Code, Chapter 1, Subtitle C. This permit may be modified to include effluent limitations or requirements which are consistent with applicable laws, regulations, or judicial orders. The Agency will public notice the permit modification.

SPECIAL CONDITION 18. Crib House Floor Drain Sump shall only be routed to the Outfall 001/002 Open Cycle Diffusers during periods when increased pump seal cooling water leakage is significant enough so as to overload the wastewater treatment plant. Alternate routing of this discharge shall not take place in lieu of proper maintenance and operation of the circulating pumps.

Standard Conditions

Definitions

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

Agency means the Illinois Environmental Protection Agency.

Board means the Illinois Pollution Control Board.

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

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

USEPA means the United States Environmental Protection Agency.

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

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

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

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

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

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

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

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

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

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

- (1) Duty to comply. The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Act and is grounds for enforcement action, permit termination, revocation and reissuance, modification, or for denial of a permit renewal application. The permittee shall comply with effluent standards or prohibitions established under Section 307(a) of the Clean Water Act for toxic pollutants within the time provided in the regulations that establish these standards or prohibitions, even if the permit has not yet been modified to incorporate the requirement.
 - (2) Duty to reapply. If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain a new permit. If the permittee submits a proper application as required by the Agency no later than 180 days prior to the expiration date, this permit shall continue in full force and effect until the final Agency decision on the application has been made.
 - (3) Need to halt or reduce activity not a defense. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.
 - (4) Duty to mitigate. The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.
 - (5) Proper operation and maintenance. The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with conditions of this permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of back-up, or auxiliary facilities, or similar systems only when necessary to achieve compliance with the conditions of the permit.
- (7) Property rights. This permit does not convey any property rights of any sort, or any exclusive privilege.
 - (8) Duty to provide information. The permittee shall furnish to the Agency within a reasonable time, any information which the Agency may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with the permit. The permittee shall also furnish to the Agency, upon request, copies of records required to be kept by this permit.
 - (9) Inspection and entry. The permittee shall allow an authorized representative of the Agency, upon the presentation of credentials and other documents as may be required by law, to:
 - (a) Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
 - (b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
 - (c) Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
 - (d) Sample or monitor at reasonable times, for the purpose of assuring permit compliance, or as otherwise authorized by the Act, any substances or parameters at any location.
 - (10) Monitoring and records.
 - (a) Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.
 - (b) The permittee shall retain records of all monitoring information, including all calibration and maintenance records, and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least 3 years from the date of this permit, measurement, report or application. This period may be extended by request of the Agency at any time.
 - (c) Records of monitoring information shall include:
 - (1) The date, exact place, and time of sampling or measurements;
 - (2) The individual(s) who performed the sampling or measurements;
 - (3) The date(s) analyses were performed;
 - (4) The individual(s) who performed the analyses;
 - (5) The analytical techniques or methods used; and
 - (6) The results of such analyses.
 - (d) Monitoring must be conducted according to test procedures approved under 40 CFR Part 136, unless other test procedures have been specified in this permit. Where no test procedure under 40 CFR Part 136 has been approved, the permittee must submit to the Agency a test method for approval. The permittee shall calibrate and perform maintenance procedures on all monitoring and analytical instrumentation at intervals to ensure accuracy of measurements.
 - (11) Signatory requirement. All applications, reports or information submitted to the Agency shall be signed and certified.
 - (a) Application. All permit applications shall be signed as follows:
 - (1) For a corporation; by a principal executive officer of at least the level of vice president or a person or position having overall responsibility for environmental matters for the corporation;
 - (2) For a partnership or sole proprietorship; by a general partner or the proprietor, respectively; or
 - (3) For a municipality, State, Federal, or other public agency; by either a principal executive officer or ranking elected official.
 - (b) Reports. All reports required by permits, or other information requested by the Agency shall be signed by a person described in paragraph (a) or by a duly authorized representative of that person. A person is a duly authorized representative only if:
 - (1) The authorization is made in writing by a person described in paragraph (a), and
 - (2) The authorization specifies either an individual or a position responsible for the overall operation of the facility, from which the discharge originates, such as a plant manager, superintendent or person of equivalent responsibility; and
 - (3) The written authorization is submitted to the Agency.

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

12) Reporting requirements.

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

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

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

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

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

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

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

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

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

(2) Violation of a maximum daily discharge limitation for any of the pollutants listed by the Agency in the permit to be reported within 24 hours.

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

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

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

3) Transfer of permits. A permit may be automatically transferred to a new permittee if:

(a) The current permittee notifies the Agency at least 30 days in advance of the proposed transfer date;

(b) The notice includes a written agreement between the existing and new permittees containing a specific date for transfer of permit responsibility, coverage and liability between the current and new permittees; and

(c) The Agency does not notify the existing permittee and the proposed new permittee of its intent to modify or revoke and reissue the permit. If this notice is not received, the transfer is effective on the date specified in the agreement.

1) All manufacturing, commercial, mining, and silvicultural dischargers must notify the Agency as soon as they know or have reason to believe:

(a) That any activity has occurred or will occur which would result in the discharge of any toxic pollutant (identified under Section 307 of the Clean Water Act which is not limited in the permit, if that discharge will exceed the highest of the following notification levels:

(1) One hundred micrograms per liter (100 ug/l);

(2) Two hundred micrograms per liter (200 ug/l) for acrolein and acrylonitrile; five hundred micrograms per liter (500 ug/l) for 2,4-dinitrophenol and for 2-methyl-4,6-dinitrophenol; and one milligram per liter (1 mg/l) for antimony.

(3) Five (5) times the maximum concentration value reported for that pollutant in the NPDES permit application; or

(b) That they have begun or expect to begin to use or manufacture as an intermediate or final product or byproduct any toxic pollutant which was not reported in the NPDES permit application.

(15) All Publicly Owned Treatment Works (POTWs) must provide adequate notice to the Agency of the following:

(a) Any new introduction of pollutants into that POTW from an indirect discharge which would be subject to Sections 301 or 306 of the Clean Water Act if it were directly discharging those pollutants; and

(b) Any substantial change in the volume or character of pollutants being introduced into that POTW by a source introducing pollutants into the POTW at the time of issuance of the permit.

(c) For purposes of this paragraph, adequate notice shall include information on (i) the quality and quantity of effluent introduced into the POTW, and (ii) any anticipated impact of the change on the quantity or quality of effluent to be discharged from the POTW.

(16) If the permit is issued to a publicly owned or publicly regulated treatment works, the permittee shall require any industrial user of such treatment works to comply with federal requirements concerning:

(a) User charges pursuant to Section 204(b) of the Clean Water Act, and applicable regulations appearing in 40 CFR 35;

(b) Toxic pollutant effluent standards and pretreatment standards pursuant to Section 307 of the Clean Water Act; and

(c) Inspection, monitoring and entry pursuant to Section 308 of the Clean Water Act.

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

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

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

(20) The Clean Water Act provides that any person who violates a permit condition implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the Clean Water Act is subject to a civil penalty not to exceed \$10,000 per day of such violation. Any person who willfully or negligently violates permit conditions implementing Sections 301, 302, 306, 307, or 308 of the Clean Water Act is subject to a fine of not less than \$2,500 nor more than \$25,000 per day of violation, or by imprisonment for not more than one year, or both.

(21) The Clean Water Act provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under permit shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than 6 months per violation, or by both.

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

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

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

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

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

(Rev. 3-13-98)