



SVP-14-013

February 26, 2014

U. S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, D.C. 20555

Quad Cities Nuclear Power Station, Units 1 and 2
Renewed Facility Operating License Nos. DPR-29 and DPR-30
NRC Docket Nos. 50-254 and 50-265

Subject: National Pollutant Discharge Elimination System (NPDES)
Permit No. IL0005037

Pursuant to Appendix B, Section 2.2 (Reporting Related to the NPDES Permits and State Certifications) of the Renewed Facility Operating Licenses for Quad Cities Nuclear Power Station, enclosed is the current NPDES Permit for the Station. The Permit was recently reissued by the Illinois Environmental Protection Agency, with a modification date of January 31, 2014.

Should you have any questions concerning this letter, please contact Mr. Wally J. Beck at (309) 227-2800.

Respectfully,

A handwritten signature in black ink, appearing to read "Scott Darin".

Scott Darin
Site Vice President
Quad Cities Nuclear Power Station

Enclosure: NPDES Permit No. IL0005037

cc: Regional Administrator – NRC Region III
NRC Senior Resident Inspector – Quad Cities Nuclear Power Station

COOL
NRC

Enclosure

NPDES Permit No. IL0005037



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 • (217) 782-2829

PAT QUINN, GOVERNOR

LISA BONNETT, DIRECTOR

217/782-0610

January 31, 2014

Exelon Generation Company, LLC
Quad Cities Generation Station
22710 206th Avenue North
Cordova, Illinois 61242

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

Gentlemen:

The Illinois Environmental Protection Agency has reviewed the request for modification of the above-referenced NPDES Permit and issued a public notice based on that request. The final decision of the Agency is to modify the Permit as follows:

The modification was to change internal outfall C01 to outfall 003.

Enclosed is a copy of the modified Permit. You have the right to appeal this modification to the Illinois Pollution Control Board within a 35 day period following the modification date shown on the first page of the permit.

Should you have questions concerning the Permit, please contact Leslie Lowry at 217/782-0610.

Sincerely,

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

SAK:LRL:05110101.docx

Attachment: Final Permit

cc: Records Unit
Compliance Assurance Section
Rockford Region
Iowa Department of Natural Resources
USEPA – Region 5

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

Iowa Department of Natural Resources
NPDES Section
Henry A. Wallace Building
900 East Grand Avenue
Des Moines, Iowa 50319

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

Modified (NPDES) Permit

Expiration Date: August 31, 2015

Issue Date: August 26, 2010
Effective Date: September 1, 2010
Modification Date: January 31, 2014

Name and Address of Permittee:

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

Facility Name and Address:

Exelon Generation Company, LLC
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
A02 Radwaste Treatment System Blowdown
003 Sanitary Waste Treatment Plant

Receiving Waters:

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, the Iowa Code Section 455B.174 and rule 567-64.3 of the Iowa Administrative Code, 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.



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



Steven Williams
Iowa Department of Natural Resources
NPDES Section
Environmental Services Division

NPDES Permit No. IL0005037

Effluent Limitations and Monitoring

1. From the modification date of this permit until the expiration date, the effluent of the following discharges shall be monitored and limited at all times as follows:

PARAMETER	LOAD LIMITS lbs/day DAF (DMF)		CONCENTRATION LIMITS mg/l		SAMPLE FREQUENCY	SAMPLE TYPE
	30 DAY AVERAGE	DAILY MAXIMUM	30 DAY AVERAGE	DAILY MAXIMUM		
<u>Outfall 001/002 – Open Cycle Diffusers*</u> (Average Flow = 1017.2 MGD)						
The discharge consists of:			Approximate Flow (MGD)			
1. Main Condenser Cooling Water			972.4			
2. House Service Water			44			
3. Radwaste Treatment System Blowdown (Outfall A02)			0.055			
4. Wastewater Treatment Plant (Outfall B01)			0.051			
5. House Service Water Strainer Backwash			0.126			
6. Intake Screen Backwash			0.508			
7. Units 1 and 2 Oil/Water Separators (stormwater)			Intermittent			
8. Fish Culture Facilities			Intermittent			
9. Crib House Floor Drain Sump**			0.05			
Flow (MGD)	See Special Condition 1.				Daily	24-Hour Total
pH	See Special Condition 2.				1/Month	Grab
Temperature***	See Special Condition 7.				Daily	Continuous
Total Residual Chlorine / Total Residual Oxidant	See Special Condition 4.				0.05	1/Month
Zinc (Total)****	Monitor Only				1/Quarter	Grab

* - Outfall 001/002 consists two open cycle diffusers which are side by side and discharge equally into the Mississippi River. See Special Condition 5.

** - This sub-waste stream is an alternative routing from Outfall B01. See Special Condition 17.

*** - Daily grab samples for Temperature are allowed when the Continuous Temperature Recorder is inoperable.

**** - Quarterly sampling for zinc shall only be done when using the zinc-phosphate corrosion inhibitor.

NPDES Permit No. IL0005037

Effluent Limitations and Monitoring

1. From the modification date of this permit until the expiration date, the effluent of the following discharges shall be monitored and limited at all times as follows:

PARAMETER	LOAD LIMITS lbs/day DAF (DMF)		CONCENTRATION LIMITS mg/l		SAMPLE FREQUENCY	SAMPLE TYPE
	30 DAY AVERAGE	DAILY MAXIMUM	30 DAY AVERAGE	DAILY MAXIMUM		
<u>Outfall B01 – Wastewater Treatment System*</u> (DMF = 0.155 MGD)						
The discharge consists of:**		Approximate Flow (MGD)				
1. Crib House Floor Drain		0.050				
2. Aux. Boiler Blowdown		Seasonal				
3. Roof and Floor Drains		Intermittent				
4. Portable Demineralizer Rinse Water		Intermittent				
Flow (MGD)	See Special Condition 1.				2/Month	24-Hour Total
Total Suspended Solids	19	39	15	30	2/Month	8-Hour Composite
Oil and Grease	19	26	15	20	1/Month	Grab

* - Wastewater treatment system effluent is routed through an oil/water separator prior to discharge.

** - The listed contributory waste stream all pass through an oil/water separator (Units ½ oil/water separator) prior to entering the wastewater treatment plant. The crib house floor drain sump water may be discharged directly to Outfalls 001/002 as an alternative route. See Special Condition 17.

Outfall A02 - Radwaste Treatment System Blowdown*
(Average Flow = 0.055 MGD)

The discharge consists of:

1. Laundry Wastewater
2. Floor Drains
3. Equipment Drains
4. Reactor Water
5. Filter Backwash from Reactor Cleanup
6. Filter Backwash from Condensate Demineralizers
7. Laboratory Wastewater
8. Groundwater

Flow (MGD)	See Special Condition 1.				Daily	24-Hour Total
Total Suspended Solids			15	30	1/Month	Grab
Oil and Grease			15	20	1/Month	Grab
Boron	See Special Condition 16.		Monitor Only		1/Discharge Event**	Grab

* - The Permittee shall comply with the Nuclear Regulatory Commission, Title 10, regulations for discharge and monitoring of radioactive wastewater discharges. Wastewater is generally batch treated and recycled. Therefore the daily average discharge rate from Outfall A02 does not reflect influent flow rates.

** - When discharging sodium pentaborate.

NPDES Permit No. IL0005037

Effluent Limitations and Monitoring

1. From the modification date of this permit until the expiration date, the effluent of the following discharges shall be monitored and limited at all times as follows:

PARAMETER	LOAD LIMITS lbs/day DAF (DMF)		CONCENTRATION LIMITS mg/l		SAMPLE FREQUENCY	SAMPLE TYPE	
	30 DAY AVERAGE	DAILY MAXIMUM	30 DAY AVERAGE	DAILY MAXIMUM			
<u>Outfall 003 – Sanitary Waste Treatment Plant</u> (DMF = 0.06 MGD)							
Flow (MGD)	See Special Condition 1.				2/Month	24-Hour Total	
pH	See Special Condition 2.				2/Month	Grab	
Total Residual Chlorine	See Special Condition 4 and 20.				0.05	1/Month	Grab
Fecal Coliform	See Special Condition 13.				400/100ml	2/Month	Grab
BOD ₅	15	30	30	60	2/Month	24-Hour Composite	
Total Suspended Solids	15	30	30	60	2/Month	24-Hour Composite	

NPDES Permit No. IL0005037

Special Conditions

SPECIAL CONDITION 1. Flow shall be measured in units of Million Gallons per Day (MGD) and reported as a monthly average and a daily maximum on the Discharge Monitoring Report.

SPECIAL CONDITION 2. The pH shall be in the range 6.0 to 9.0. The monthly minimum and monthly maximum values shall be reported on the DMR form.

SPECIAL CONDITION 3. 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 4. All samples for Total Residual Chlorine shall be analyzed by an applicable method contained in 40 CFR 136, equivalent in accuracy to low-level amperometric titration or other methods found in Standard Methods for Examination of Water and Wastewater, current edition. Any analytical variability of the method used shall be considered when determining the accuracy and precision of the results.

SPECIAL CONDITION 5. Compliance with discharge limitations for Outfall 001 shall be determined by representative sampling of Outfall 002. Due to the configuration of the discharge bay, which is immediately upstream of the two open cycle diffusers, the effluent from the discharge bay flows into the two open cycle diffuser pipes, which equally release the discharge into the Mississippi River.

SPECIAL CONDITION 6. 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 7. 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

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 7 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;

NPDES Permit No. IL0005037

Special Conditions

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".

² When 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 7 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 8. There shall be no discharge of polychlorinated biphenyl compounds from any discharge.

SPECIAL CONDITION 9. 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 10. 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 the permittee are required:

- A. 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 Compliance Assurance Section and Iowa Department of Natural Resources by July 28, each year.

Iowa Department of Natural Resources
Attn. Fisheries Management Biologist
Bellevue Research Station
24143 Highway 52
Bellevue, Iowa 52031

- B. The permittee shall monitor water temperatures as described in Special Condition 7.

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 the permittee can identify the cause(s) of the upset; the permitted facility was at the time being properly operated; the permittee submitted 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.

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 Agencies shall revise or modify the permit in accordance with the promulgated standard and shall notify the permittee.

SPECIAL CONDITION 13. The daily maximum fecal coliform count shall not exceed 400 per 100 ml.

SPECIAL CONDITION 14. The Permittee shall record monitoring results on Discharge Monitoring Report (DMR) Forms using one such form for each outfall each month.

In the event that an outfall does not discharge during a monthly reporting period, the DMR Form shall be submitted with no discharge indicated.

The Permittee may choose to submit electronic DMRs (eDMRs) instead of mailing paper DMRs to the IEPA. More information, including registration information for the eDMR program, can be obtained on the IEPA website, <http://www.epa.state.il.us/water/edmr/index.html>.

NPDES Permit No. IL0005037

Special Conditions

The completed Discharge Monitoring Report forms shall be submitted to IEPA no later than the 28th day of the following month, unless otherwise specified by the permitting authority.

Permittees not using eDMRs shall mail Discharge Monitoring Reports with an original signature to the IEPA at the following address:

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

Attention: Compliance Assurance Section, Mail Code # 19

SPECIAL CONDITION 15. 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 16. 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 17. 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.

SPECIAL CONDITION 18. This permit authorizes the use of water treatment additives that were requested as part of this renewal. The use of any new additives, or change in those previously approved by the Agencies, or if the permittee increases the feed rate or quantity of the additives used beyond what has been approved by the Agencies, the permittee shall request a modification of this permit in accordance with the Standard Condition - Attachment H.

The permittee shall submit to the Agencies on a yearly basis a report summarizing their efforts with water treatment suppliers to find a suitable alternative to phosphorus based additives.

SPECIAL CONDITION 19. In order for the Agency to evaluate the potential impacts of cooling water intake structure operations pursuant to 40 CFR 125.90(b), the permittee shall prepare and submit information to the Agency outlining current intake structure conditions at this facility, including a detailed description of the current intake structure operation and design, description of any operational or structural modifications from original design parameters, source waterbody flow information, or other information as necessary. The information submitted should be in accordance with the previously submitted information collection proposal received by the Agency on May 10, 2005.

The information shall also include a summary of historical 316(b) related intake impingement and / or entrainment studies, if any, as well as current impingement mortality and / or entrainment characterization data; and shall be submitted to the Agency within six (6) months of the permit's effective date.

Upon the receipt and review of this information, the permit may be modified to require the submittal of additional information based on a Best Professional Judgement review by the Agency. This permit may also be revised or modified in accordance with any laws, regulations, or judicial orders pursuant to Section 316(b) of the Clean Water Act.

SPECIAL CONDITION 20. For a period of 12 months following the modification date of this Permit, Total Residual Chlorine must be monitored only at outfall 003.

A Total Residual Chlorine limit of 0.05 mg/l (Daily Maximum) for outfall 003 shall become effective 12 months from the modification date of this Permit.

NPDES Permit No. IL0005037

Special Conditions

The Permittee shall construct a dechlorination system or some alternative means of compliance in accordance with the following schedule:

- | | |
|---------------------------|--------------------------------------|
| 1. Status Report | 3 months from the modification date |
| 2. Status Report | 6 months from the modification date |
| 3. Status Report | 9 months from the modification date |
| 4. Obtain Operation Level | 12 months from the modification date |

Compliance dates set out in this Permit may be superseded or supplemented by compliance dates in judicial orders, or Pollution Control Board orders. This Permit may be modified, with Public Notice, to include such revised compliance dates.

The Permittee shall operate the dechlorination system or an alternative means of compliance in a manner to ensure continuous compliance with the Total Residual Chlorine limit, not to the extent that will result in violations of other permitted effluent characteristic, or water quality standards.

REPORTING

The Permittee shall submit a report no later than fourteen (14) days following the completion dates indicated above for each numbered item in the compliance schedule, indicating, a) the date the item was completed, or b) that the item was not completed, the reason for non-completion, and the anticipated completion date.

Attachment H
Standard Conditions

Definitions

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

Agency means the Illinois Environmental Protection Agency.

Board means the Illinois Pollution Control Board.

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

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

USEPA means the United States Environmental Protection Agency.

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

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

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

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

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

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

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

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

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

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

- (1) **Duty to comply.** The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Act and is grounds for enforcement action, permit termination, revocation and reissuance, modification, or for denial of a permit renewal application. The permittee shall comply with effluent standards or prohibitions established under Section 307(a) of the Clean Water Act for toxic pollutants within the time provided in the regulations that establish these standards or prohibitions, even if the permit has not yet been modified to incorporate the requirements.
- (2) **Duty to reapply.** If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain a new permit. If the permittee submits a proper application as required by the Agency no later than 180 days prior to the expiration date, this permit shall continue in full force and effect until the final Agency decision on the application has been made.
- (3) **Need to halt or reduce activity not a defense.** It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.
- (4) **Duty to mitigate.** The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.
- (5) **Proper operation and maintenance.** The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with conditions of this permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of back-up, or auxiliary facilities, or similar systems only when necessary to achieve compliance with the conditions of the permit.
- (6) **Permit actions.** This permit may be modified, revoked and reissued, or terminated for cause by the Agency pursuant to 40 CFR 122.62 and 40 CFR 122.63. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.
- (7) **Property rights.** This permit does not convey any property rights of any sort, or any exclusive privilege.
- (8) **Duty to provide information.** The permittee shall furnish to the Agency within a reasonable time, any information which the Agency may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with the permit. The permittee shall also furnish to the Agency upon request, copies of records required to be kept by this permit.

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

- (a) Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
- (b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
- (c) Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
- (d) Sample or monitor at reasonable times, for the purpose of assuring permit compliance, or as otherwise authorized by the Act, any substances or parameters at any location.

(10) **Monitoring and records.**

- (a) Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.
- (b) The permittee shall retain records of all monitoring information, including all calibration and maintenance records, and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least 3 years from the date of this permit, measurement, report or application. Records related to the permittee's sewage sludge use and disposal activities shall be retained for a period of at least five years (or longer as required by 40 CFR Part 503). This period may be extended by request of the Agency or USEPA at any time.
- (c) Records of monitoring information shall include:
 - (1) The date, exact place, and time of sampling or measurements;
 - (2) The individual(s) who performed the sampling or measurements;
 - (3) The date(s) analyses were performed;
 - (4) The individual(s) who performed the analyses;
 - (5) The analytical techniques or methods used; and
 - (6) The results of such analyses.
- (d) Monitoring must be conducted according to test procedures approved under 40 CFR Part 136, unless other test procedures have been specified in this permit. Where no test procedure under 40 CFR Part 136 has been approved, the permittee must submit to the Agency a test method for approval. The permittee shall calibrate and perform maintenance procedures on all monitoring and analytical instrumentation at intervals to ensure accuracy of measurements.

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

- (a) **Application.** All permit applications shall be signed as follows:
 - (1) For a corporation: by a principal executive officer of at least the level of vice president or a person or position having overall responsibility for environmental matters for the corporation;
 - (2) For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or
 - (3) For a municipality, State, Federal, or other public agency: by either a principal executive officer or ranking elected official.
- (b) **Reports.** All reports required by permits, or other information requested by the Agency shall be signed by a person described in paragraph (a) or by a duly authorized representative of that person. A person is a duly

authorized representative only if:

- (1) The authorization is made in writing by a person described in paragraph (a); and
 - (2) The authorization specifies either an individual or a position responsible for the overall operation of the facility, from which the discharge originates, such as a plant manager, superintendent or person of equivalent responsibility; and
 - (3) The written authorization is submitted to the Agency.
- (c) **Changes of Authorization.** If an authorization under (b) is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of (b) must be submitted to the Agency prior to or together with any reports, information, or applications to be signed by an authorized representative.
- (d) **Certification.** Any person signing a document under paragraph (a) or (b) of this section shall make the following certification:

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

(12) **Reporting requirements.**

- (a) **Planned changes.** The permittee shall give notice to the Agency as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required when:
 - (1) The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source pursuant to 40 CFR 122.29 (b); or
 - (2) The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in the permit, nor to notification requirements pursuant to 40 CFR 122.42 (a)(1).
 - (3) The alteration or addition results in a significant change in the permittee's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan.
- (b) **Anticipated noncompliance.** The permittee shall give advance notice to the Agency of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.
- (c) **Transfers.** This permit is not transferable to any person except after notice to the Agency.
- (d) **Compliance schedules.** Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date.
- (e) **Monitoring reports.** Monitoring results shall be reported at the intervals specified elsewhere in this permit.
 - (1) Monitoring results must be reported on a Discharge Monitoring Report (DMR).

- (2) If the permittee monitors any pollutant more frequently than required by the permit, using test procedures approved under 40 CFR 136 or as specified in the permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR.
- (3) Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified by the Agency in the permit.
- (f) **Twenty-four hour reporting.** The permittee shall report any noncompliance which may endanger health or the environment. Any information shall be provided orally within 24-hours from the time the permittee becomes aware of the circumstances. A written submission shall also be provided within 5 days of the time the permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and time; and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance. The following shall be included as information which must be reported within 24-hours:
- (1) Any unanticipated bypass which exceeds any effluent limitation in the permit.
 - (2) Any upset which exceeds any effluent limitation in the permit.
 - (3) Violation of a maximum daily discharge limitation for any of the pollutants listed by the Agency in the permit or any pollutant which may endanger health or the environment.
The Agency may waive the written report on a case-by-case basis if the oral report has been received within 24-hours.
- (g) **Other noncompliance.** The permittee shall report all instances of noncompliance not reported under paragraphs (12) (d), (e), or (f), at the time monitoring reports are submitted. The reports shall contain the information listed in paragraph (12) (f).
- (h) **Other information.** Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application, or in any report to the Agency, it shall promptly submit such facts or information.
- (13) **Bypass.**
- (a) **Definitions.**
 - (1) Bypass means the intentional diversion of waste streams from any portion of a treatment facility.
 - (2) Severe property damage means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.
 - (b) Bypass not exceeding limitations. The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of paragraphs (13)(c) and (13)(d).
 - (c) **Notice.**
 - (1) Anticipated bypass. If the permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible at least ten days before the date of the bypass.
 - (2) Unanticipated bypass. The permittee shall submit notice of an unanticipated bypass as required in paragraph (12)(f) (24-hour notice).
 - (d) **Prohibition of bypass.**
 - (1) Bypass is prohibited, and the Agency may take enforcement action against a permittee for bypass, unless:
 - (i) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
 - (ii) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and
 - (iii) The permittee submitted notices as required under paragraph (13)(c).
 - (2) The Agency may approve an anticipated bypass, after considering its adverse effects, if the Agency determines that it will meet the three conditions listed above in paragraph (13)(d)(1).
- (14) **Upset.**
- (a) **Definition.** Upset means an exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.
 - (b) **Effect of an upset.** An upset constitutes an affirmative defense to an action brought for noncompliance with such technology based permit effluent limitations if the requirements of paragraph (14)(c) are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.
 - (c) **Conditions necessary for a demonstration of upset.** A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
 - (1) An upset occurred and that the permittee can identify the cause(s) of the upset;
 - (2) The permitted facility was at the time being properly operated; and
 - (3) The permittee submitted notice of the upset as required in paragraph (12)(f)(2) (24-hour notice).
 - (4) The permittee complied with any remedial measures required under paragraph (4).
 - (d) **Burden of proof.** In any enforcement proceeding the permittee seeking to establish the occurrence of an upset has the burden of proof.
- (15) **Transfer of permits.** Permits may be transferred by modification or automatic transfer as described below:
- (a) **Transfers by modification.** Except as provided in paragraph (b), a permit may be transferred by the permittee to a new owner or operator only if the permit has been modified or revoked and reissued pursuant to 40 CFR 122.62 (b) (2), or a minor modification made pursuant to 40 CFR 122.63 (d), to identify the new permittee and incorporate such other requirements as may be necessary under the Clean Water Act.
 - (b) **Automatic transfers.** As an alternative to transfers under paragraph (a), any NPDES permit may be automatically

transferred to a new permittee if:

- (1) The current permittee notifies the Agency at least 30 days in advance of the proposed transfer date;
 - (2) The notice includes a written agreement between the existing and new permittees containing a specified date for transfer of permit responsibility, coverage and liability between the existing and new permittees; and
 - (3) The Agency does not notify the existing permittee and the proposed new permittee of its intent to modify or revoke and reissue the permit. If this notice is not received, the transfer is effective on the date specified in the agreement.
- (16) All manufacturing, commercial, mining, and silvicultural dischargers must notify the Agency as soon as they know or have reason to believe:
- (a) That any activity has occurred or will occur which would result in the discharge of any toxic pollutant identified under Section 307 of the Clean Water Act which is not limited in the permit, if that discharge will exceed the highest of the following notification levels:
 - (1) One hundred micrograms per liter (100 ug/l);
 - (2) Two hundred micrograms per liter (200 ug/l) for acrolein and acrylonitrile; five hundred micrograms per liter (500 ug/l) for 2,4-dinitrophenol and for 2-methyl-4,6 dinitrophenol; and one milligram per liter (1 mg/l) for antimony.
 - (3) Five (5) times the maximum concentration value reported for that pollutant in the NPDES permit application; or
 - (4) The level established by the Agency in this permit.
 - (b) That they have begun or expect to begin to use or manufacture as an intermediate or final product or byproduct any toxic pollutant which was not reported in the NPDES permit application.
- (17) All Publicly Owned Treatment Works (POTWs) must provide adequate notice to the Agency of the following:
- (a) Any new introduction of pollutants into that POTW from an indirect discharge which would be subject to Sections 301 or 306 of the Clean Water Act if it were directly discharging those pollutants; and
 - (b) Any substantial change in the volume or character of pollutants being introduced into that POTW by a source introducing pollutants into the POTW at the time of issuance of the permit.
 - (c) For purposes of this paragraph, adequate notice shall include information on (i) the quality and quantity of effluent introduced into the POTW, and (ii) any anticipated impact of the change on the quantity or quality of effluent to be discharged from the POTW.
- (18) If the permit is issued to a publicly owned or publicly regulated treatment works, the permittee shall require any industrial user of such treatment works to comply with federal requirements concerning:
- (a) User charges pursuant to Section 204 (b) of the Clean Water Act, and applicable regulations appearing in 40 CFR 35;
 - (b) Toxic pollutant effluent standards and pretreatment standards pursuant to Section 307 of the Clean Water Act; and
 - (c) Inspection, monitoring and entry pursuant to Section 308 of the Clean Water Act.
- (19) If an applicable standard or limitation is promulgated under Section 301(b)(2)(C) and (D), 304(b)(2), or 307(a)(2) and that effluent standard or limitation is more stringent than any effluent limitation in the permit, or controls a pollutant not limited in the permit, the permit shall be promptly modified or revoked, and reissued to conform to that effluent standard or limitation.
 - (20) Any authorization to construct issued to the permittee pursuant to 35 Ill. Adm. Code 309.154 is hereby incorporated by reference as a condition of this permit.
 - (21) The permittee shall not make any false statement, representation or certification in any application, record, report, plan or other document submitted to the Agency or the USEPA, or required to be maintained under this permit.
 - (22) The Clean Water Act provides that any person who violates a permit condition implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the Clean Water Act is subject to a civil penalty not to exceed \$25,000 per day of such violation. Any person who willfully or negligently violates permit conditions implementing Sections 301, 302, 306, 307, 308, 318 or 405 of the Clean Water Act is subject to a fine of not less than \$2,500 nor more than \$25,000 per day of violation, or by imprisonment for not more than one year, or both. Additional penalties for violating these sections of the Clean Water Act are identified in 40 CFR 122.41 (a)(2) and (3).
 - (23) The Clean Water Act provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than \$10,000, or by imprisonment for not more than 2 years, or both. If a conviction of a person is for a violation committed after a first conviction of such person under this paragraph, punishment is a fine of not more than \$20,000 per day of violation, or by imprisonment of not more than 4 years, or both.
 - (24) The Clean Water Act provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or non-compliance shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than 6 months per violation, or by both.
 - (25) Collected screening, slurries, sludges, and other solids shall be disposed of in such a manner as to prevent entry of those wastes (or runoff from the wastes) into waters of the State. The proper authorization for such disposal shall be obtained from the Agency and is incorporated as part hereof by reference.
 - (26) In case of conflict between these standard conditions and any other condition(s) included in this permit, the other condition(s) shall govern.
 - (27) The permittee shall comply with, in addition to the requirements of the permit, all applicable provisions of 35 Ill. Adm. Code, Subtitle C, Subtitle D, Subtitle E, and all applicable orders of the Board or any court with jurisdiction.
 - (28) The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit is held invalid, the remaining provisions of this permit shall continue in full force and effect.