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**AN ORDINANCE AMENDING THE GENERAL PRETREATMENT PROGRAM  
REGULATING USE OF SEWERS  
AND  
PROVIDING PENALTIES FOR VIOLATIONS THEREOF  
IN THE THORN CREEK BASIN SANITARY DISTRICT**

**PREAMBLE**

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

WHEREAS, the Board of Trustees of the Thorn Creek Basin Sanitary District has determined that the general pretreatment program as set forth in this Ordinance regulating the use of sewers complies with the Act and regulations, and

WHEREAS, the Board of Trustees of the Thorn Creek Basin Sanitary District has determined that this Ordinance is necessary for the public health, safety and welfare; and

WHEREAS, revisions and corrections have been found to be necessary to Ordinance No. 526.

NOW, THEREFORE, be it ordained by the Board of Trustees of the Thorn Creek Basin Sanitary District, in Cook and Will Counties, State of Illinois, that the following sections be amended as shown:

**PART 100**

**GENERAL PROVISIONS**

**Section 100.101 ENACTMENT**

Pursuant to the requirements of Title III of the Clean Water Act Amendments (33 USC 1311, et seq.) and regulations promulgated thereunder, the Illinois Environmental Protection Act of 1970 as amended (Ch. 111 2, Ill. Rev. Stat. 1983, Sec. 1001, et seq.), and in accordance with the "Sanitary District Act of 1917", (Ch. 42, IL Rev. Stat. 1983, Sec. 299, et seq.), the following ordinance is hereby enacted by the Board of Trustees of the Thorn Creek Basin Sanitary District.

**Section 100.102 PURPOSE AND POLICY**

This Ordinance regulates the use of sewers, private wastewater disposal, the installation and connection of building sewers, and the discharge of water and wastes into the District's wastewater system. The Ordinance sets forth uniform requirements for dischargers into the wastewater collection and treatment system for the Thorn Creek Basin Sanitary District.

The objectives of this Ordinance are:

- A. To provide uniform requirements for building sewers and connections to the District's wastewater system:
- B. To regulate private wastewater disposal systems;
- C. To prevent the introduction of pollutants into the District's wastewater system that will interfere with the operation of the system or contaminate the resulting sludge;
- D. To prevent the introduction of pollutants into the District's wastewater system that will pass through the system, inadequately treated, into receiving waters or the atmosphere or otherwise be incompatible with the system; and
- E. To improve the opportunity to recycle and reclaim wastewater and sludges from the system.
- F. To protect both Publicly Owned Treatment Works personnel who may be affected by wastewater and sludge in the course of their employment and the general public.
- G. To enable the District to comply with its National Pollutant Discharge Elimination System permit conditions, sludge use and disposal requirements and any other Federal or State laws to which the Publicly Owned treatment Works is subject.

**Section 100.103 JURISDICTION**

This Ordinance shall apply to the Thorn Creek Basin Sanitary District and to persons outside the District who are, by contract or agreement with the District, users of the District's publicly owned treatment works (POTW).

The ordinance authorizes the issuance of individual wastewater discharge permits; provides for monitoring, compliance, and enforcement activities, establishes administrative review procedures; and requires User reporting.

**Section 100.104            EFFECTIVE DATE**

The effective date of this Ordinance shall be July 1, 1985, with amendments effective May 31, 1987, November 6, 1991, May 18, 1992 July 1, 1997, July 19, 1999, October 18, 2002, June 20, 2003, November 5, 2003, June 17, 2005, June 15, 2007 , October 19, 2007, December 16, 2011, March 17, 2021, and March 16, 2022.

**Section 100.105            RIGHT OF REVISION**

The District reserves the right to establish by ordinance more stringent limitations or requirements on discharges to the publicly owned treatment works (POTW).

**Section 100.106            SEVERABILITY**

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

**Section 100.107            CONFLICT**

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

**PART 200**

***ABBREVIATIONS AND DEFINITIONS***

**Section 200.100      ABBREVIATIONS**

The following abbreviations shall have the designated meanings:

|       |   |
|-------|---|
| NH3   | Ammonia   |
| BOD   | Biochemical Oxygen Demand                       |
| CFR   | Code of Federal Regulations                     |
| COD   | Chemical Oxygen Demand                          |
| FOG   | Fats, Oils, and Grease                          |
| IEPA  | Illinois Environmental Protection Agency        |
| mg/l  | Milligrams per liter                            |
| NCPS  | National Categorical Pretreatment Standards     |
| NPDES | National Pollutant Discharge Elimination System |
| POTW  | Publicly Owned Treatment Works                  |
| PSES  | Pretreatment Standards for Existing Sources     |
| PSNS  | Pretreatment Standards for New Sources          |
| RCRA  | Resource Conservation and Recovery Act.         |
| SIC   | Standard Industrial Classification              |
| SWDA  | Solid Waste Disposal Act (42 USC 6901 et seq.)  |
| TCB   | Thorn Creek Basin Sanitary District             |
| TKN   | Total Kjeldahl Nitrogen                         |
| TOC   | Total Organic Carbon                            |
| TSS   | Total Suspended Solids                          |
| TTO   | Total Toxic Organics                            |
| USC   | United States Code                              |
| USEPA | United States Environmental Protection Agency   |

**Section 200.110      DEFINITIONS**

"Act" means the Federal Water Pollution Control Act, also known as the Clean Water Act, as amended. (33 U.S.C. 1251, et seq.)

"Ammonia (NH3)" means ammonia or N as NH3.

"Applicable Pretreatment Standards" or "Pretreatment Standards" shall mean, for any specified pollutant, the District's prohibitive discharge standards, the District's specific limitations on discharge, the State of Illinois pretreatment standards or the National Categorical Pretreatment Standards (when effective), whichever standard is most stringent.

"Approval Authority" shall mean the Regional Administrator of Region V of the U.S. Environmental Protection Agency or Director in a NPDES State with an approved state pretreatment program.

"Authority" shall mean the Thorn Creek Basin Sanitary District.

"Authorized Representative of Industrial User" is (i) a principal executive officer of at least the level of vice president, if the industrial user is a corporation; (ii) a general partner or proprietor if the industrial user is a partnership or proprietorship, respectively; (iii) a duly authorized representative of the individual designated above. A person is a duly authorized representative only if the authorization is made in writing to the District by a person described.

"Baseline Report" means that report required by 40 CFR Section 403.12 (b) (1-7).

"Best Management Practices – BMPs" means schedules of activities, prohibitions or practices, maintenance procedures, and other management practices to implement the prohibitions listed under Section 300.105 "Prohibitive Discharge Standards."

"Biochemical Oxygen Demand (BOD)" means the quantity of oxygen, expressed in mg/l, utilized in the biochemical oxidation of organic matter in five days under standard laboratory procedures as described in 40 CFR 136 as amended or Standard Methods.

"Board of Trustees" or "Board" shall mean the Board of Trustees of Thorn Creek Basin Sanitary District.

"Building Drain - Sanitary" shall mean that part of the lowest horizontal piping of a drainage system which receives sanitary or industrial sewage only, inside the walls of a building and conveys it to the building sewer beginning three (3) feet outside the building wall.

"Building Drain - Storm" shall mean that part of the lowest horizontal piping of a drainage system which receives storm water or other clear water discharge, but no wastewater, from soil and other drainage pipes inside the wall of a building and conveys it to the building sewer beginning (3) feet outside the building wall.

"Building Sewer - Sanitary" shall mean the extension from the building drain to the public sewer or other place of disposal which conveys sanitary or industrial sewage only (also called house or service connection).

"Building Sewer - Storm" shall mean the extension from the building drain to the public sewer or other place of disposal which conveys storm water or other clear water drainage, but no sanitary or industrial sewage (also called house connection).

"Bypass" means the intentional diversion of wastestreams from any portion of an industrial user's treatment facility.

"Categorical Standards" means the national pretreatment standards specifying quantities or concentrations of pollutants or pollutant properties which may be discharged to the sanitary sewer by individuals in specified industrial categories. The standards are promulgated by the USEPA and published in appropriate sections of 40 CFR Chapter I, Subchapter N (Parts 405-471).

"Chemical Oxygen Demand (COD)" means the quantity of oxygen consumed from a chemical oxidant (standard potassium dichromate solution) under standard laboratory procedures as described in 40 CFR 136 as amended or Standard Methods.

"Collection Sewer" shall mean a sewer whose primary purpose is to collect wastewaters from individual point source discharges.

"Combined Sewage" shall mean a combination of both wastewater and storm or surface water.

"Combined Sewer" shall mean a sewer intended to receive both wastewater and storm or surface water.

"Combined Waste Stream Formula" means the formula as found in 40 CFR Section 403.6 (e).

"Composite Sample" means a sample of wastewater based on a flow proportional or time proportional method.

"Cooling Water" means the water discharged from any use such as air conditioning, cooling, or refrigeration, to which the only pollutant added is heat.

"Compatible Pollutant" shall mean biochemical oxygen demand, chemical oxygen demand, FOG, suspended solids, pH, ammonia, nitrogen, total kjeldahl nitrogen, and fecal coliform bacteria, plus any additional pollutants identified in the District's POTW NPDES permit, where the POTW treats such pollutants and, in fact, does treat such pollutants to the degrees required by the POTW's NPDES permit.

"Daily Maximum Limit" shall mean the highest allowable daily discharge.

"Director" means the Director of IEPA.

"Discharge" shall mean the discharge of treated or untreated wastewater to the District POTW.

"Dissolved Solids" shall mean that concentration of residue left in an evaporating dish after evaporation and drying at defined temperatures.

"District or Sanitary District" shall mean the Thorn Creek Basin Sanitary District and its representatives.

"Executive Director" shall mean the chief administrator of the Thorn Creek Basin Sanitary District.

"Existing Source" shall mean any building, structure, facility, or installation from which there is or may be a discharge, which is not a New Source.

"Fecal Coliform" means any number of organisms common to the intestinal tract of man and animals whose presence in sanitary sewage is an indicator of pollution.

"Total Oil or Grease" means any hydrocarbons, fatty acids, soaps, fats, waxes, oils, and any other material that is extracted by methods described in 40 CFR 136 as amended.

"Flow" means volume of wastewater per unit of time.

"Force Main" shall mean a pipe in which wastewater is carried under pressure.

"Garbage" means solid wastes from the domestic and commercial preparation, cooking and dispensing of food, and from the commercial handling, storage, and sale of produce.

"Grab Sample" means a sample which is taken from a waste stream without regard to the flow in the waste stream and over a period not to exceed fifteen (15) minutes.



"Incompatible Pollutant" means all pollutants other than compatible pollutants as defined in this section.

"Indirect Discharge or Discharge" means the introduction of pollutants into a POTW from any non-domestic source regulated under Section 307 (b), (c), or (d) of the Act.

"Industrial Sewage" shall mean a combination of liquid and water-carried wastes, discharged from any industrial establishment and resulting from any trade or process carried on in that establishment (this shall include the wastes from pretreatment facilities and polluted cooling water).

"Industrial User" means a source of Discharge, including but not limited to, a manufacturing or process facility, or other facility engaged in the purchase or sale of goods, transaction of business, or who otherwise renders services to the public or to any person.

"Infiltration" shall mean the water unintentionally entering the public sewer system, including sanitary building drains and sewers, from the ground through such means as, but not limited to, defective pipes, pipe joints, connections, or manhole walls. (Infiltration does not include and is distinguished from inflow).

"Infiltration/Inflow" shall mean the total quantity of water from both infiltration and inflow without distinguishing the source.

"Inflow" shall mean the water discharged into a sanitary sewer system, including building drains and sewers, from such sources as, but not limited to, roof leader, cellar, yard, and area drains, foundation drains, unpolluted cooling water discharges, drains from springs and swampy areas, manhole covers, cross connections from storm sewers and/or combined sewers, catch basins, storm waters, surface runoff, street wash waters, or drainage. (Inflow does not include, and is distinguished from, infiltration).

"Inhibition" shall mean any discharge which has a negative impact upon the biological activity within the District's facilities.

"Instantaneous Limit" shall mean the maximum concentration of a pollutant allowed to be discharged at any time, determined from the analysis of any grab, online analyzer, or composite sample collected, independent of the industrial flow rate and duration of the sampling event.

"Interceptor Sewer" shall mean a sewer whose primary purpose is to transport wastewater from collection sewers to a treatment facility.

"Interference" means a Discharge which, alone or in conjunction with a discharge or discharges from other sources, both:

1. Inhibits or disrupts the POTW, its sludge processes, use or disposal; and
2. Therefore is a cause of a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation) or of the prevention of sewage sludge use or disposal in compliance with the following statutory provisions and regulations or permits issued thereunder (or more stringent State or local regulations): Section 405 of the Clean Water Act, the Solid Waste Disposal Act (SWDA) including Title II, more commonly referred to as the Resource Conservation and

Recovery Act (RCRA), and including State regulations contained in any State sludge management plan (prepared pursuant to Subtitle D of the SWDA), the Clean Air Act, the Toxic Substances Control Act, and the Marine Protection, Research, and Sanctuaries Act.

"Local Limit" shall mean effluent discharge limits applicable to industrial users of the District's system developed by the District in accordance with 40 CFR 403.5(c).

"Low Flow Limit" shall mean effluent discharge limits applicable to industrial users of the District's system developed by the District in accordance with 40 CFR 403.5(c) that discharge less than 20,000 gallons per day. Low flow limits are only applicable by issuance of an Industrial Wastewater Permit from the District.

"Monthly Average" means the highest allowable average of daily discharges measured 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.

"National Categorical Pretreatment Standard" means any pretreatment standard specifying quantities or concentrations of pollutants which may be discharged to a POTW by industrial users in specific industrial subcategories as established in regulations promulgated by the USEPA in 40 CFR Chapter I, Subchapter N.

"National Pollutant Discharge Elimination System Permit (NPDES Permit)" means a permit issued under the National Pollutant Discharge Elimination System for discharge of wastewaters to the navigable waters of the United States pursuant to the Act.

"New Source" means any building, structure, facility, or installation from which there is or may be a discharge of pollutants, the construction of which commenced after the publication of Proposed Pretreatment Standards under Section 307 (c) of the Act which will be applicable to such source if such Standards are thereafter promulgated in accordance with that Section, provided that:

- A. The building, structure, facility, or installation is constructed at a site at which no other source is located; or
- B. The building, structure, facility, or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source; or
- C. The production or wastewater generating processes of the building, structure, facility, or installation are substantially independent of an existing source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant and the extent to which the new facility is engaged in the same general type of activity as the existing source should be considered.
- D. Construction on a site at which an existing source is located results in a modification rather than a new source if the construction does not create a new building, structure, facility or installation meeting the criteria of paragraphs B and C of this section but otherwise alters, replaces, or adds to existing process or production equipment.
- E. Construction of a new source as defined under this paragraph has commenced if the owner or operator has:

1. Begun, or caused to begin as part of a continuous onsite construction program:
  - a) Any placement, assembly, or installation of facilities or equipment; or
  - b) Significant site preparation work including clearing, excavation, or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly, or installation of new source facilities or equipment; or
2. Entered into a binding contractual obligation for the purchase of facilities or equipment or contracts which can be terminated or modified without substantial loss, and contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under this paragraph.

"Noncontact Cooling Water" shall mean water used for cooling which does not come in direct contact with any raw material, intermediate product, waste product, or finished product.

"Normal Domestic Strength Sewage" as defined for the purposes of this Ordinance shall mean wastewater or sewage having an average daily suspended solids concentration of not more than 250 mg/l and an average daily BOD of not more than 200 mg/l (COD or TOC of not more than 300 mg/l).

"Pass Through" means a discharge which exits the POTW into waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation).

"Person" means any individual, firm, company, association, society, corporation or group.

"Permitted Wastewater Hauler Vehicle" shall mean a vehicle used for hauling wastewater, which has been granted a permit under the requirements of the District's applicable ordinances and/or state applicable laws or regulations.

"pH" means the intensity of the acid or base condition of a solution, calculated by taking the logarithm of the reciprocal of the hydrogen ion concentration.

"Pollutant" shall mean any dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt and industrial, municipal and agricultural or other waste discharged into water.

"POTW Treatment Plant" means that portion of the POTW designed to provide treatment to wastewater and sludges produced.

"Pretreatment" means the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater to a less harmful state prior to or in lieu of discharging or otherwise introducing such pollutants into a POTW, in order to meet ordinance or permit limits.

"Pretreatment Coordinator" shall mean that person designated by the Executive Director of the District to be responsible for the operations of the District's Pretreatment Program.

"Pretreatment Requirements" means any substantive or procedural requirement related to pretreatment standard, imposed on an industrial user.

"Pretreatment Standards" means for any specified pollutant, the District's prohibitive discharge standards as set forth in Section 300.105, the District's specific limitations on discharge as set forth in Section 300.110, the State of Illinois pretreatment standards or the National Categorical Pretreatment Standards (when effective), whichever standard is most stringent.

"Private Sewer" shall mean a sewer which is not owned by the Thorn Creek Basin Sanitary District, one of the municipalities within the District, other sanitary district or public utility.

"Prohibitive Discharge Standard" shall mean any regulation developed under the authority of Section 307 (b) of the Act and of CFR, Section 403.5.

"Publicly Owned Treatment Works (POTW)" means a treatment work as defined by Section 212 of the Act, owned by the District. This definition includes any devices and systems used in the storage, treatment, recycling, and reclamation of municipal sewage or industrial wastes of a liquid nature that convey wastewater to the POTW treatment plant regardless of ownership, but does not include sewers, pipes, and other conveyances not connected to the District's POTW treatment plant.

"Public Sewer" shall mean a sewer which is owned and controlled by the Thorn Creek Basin Sanitary District, one of the municipalities within the District, other sanitary district, or public utility.

"Pumping Station" shall mean a station positioned in the public sewer system at which wastewater is pumped to a higher level.

"Regional Administrator" means the Regional Administrator for the USEPA for Region V.

"Sanitary Sewer" means a sewer which is designed to carry sanitary and Industrial wastewater, and to which storm, surface, and ground water are not intentionally admitted.

"Sewage" shall mean the combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants, institutions and other structures (including polluted cooling water and unintentionally admitted infiltration/inflow).

"Sanitary Sewage" shall mean the combination of liquid and water-carried wastes discharged from toilet and other sanitary plumbing facilities.

"Shall" is mandatory. "May" is permissive.

"Significant Industrial User" means:

1. All industrial users subject to Categorical Pretreatment Standards under 40 CFR 403.6 and 40 CFR Chapter I, Subchapter N; or;
2. Any other industrial user that:

discharges an average of 25,000 gallons per day or more of process wastewater to the District (excluding sanitary, noncontact cooling, and boiler blowdown wastewater); contributes a process wastestream which makes up 5 percent or more of the average dry weather hydraulic or organic capacity of the District treatment plant; or is designated as

such by the District on the basis that the industrial user has a reasonable potential for adversely affecting the District's operation or for violating any pretreatment standard or requirement.

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

"Significant Noncompliance" means any one of the following:

- A. Chronic violations. Sixty-six percent or more of the measurements exceed instantaneous limit, the same daily maximum limit or monthly limit in a 6 month period (by any magnitude of exceedance) for the same pollutant parameter.
- B. Technical Review Criteria (TRC) violations. Thirty-three percent or more of the measurements equal or exceed the instantaneous limit, same daily maximum limit or the monthly average limit by more than the TRC in a 6 month period.

There are two groups of TRCs:

Group I for conventional pollutants  
(BOD, TSS, fats, oil and grease)      TRC = 1.4

Group II for all other pollutants  
except pH      TRC = 1.2

- C. Any other violation(s) of a discharge limit (average or daily maximum) or instantaneous limits that the District believes has caused, alone or in combination with other discharges, interference (e.g., slug loads) or pass-through; or endangered the health of the sewage treatment personnel or the general public.
- D. Any discharge of a pollutant that has caused imminent endangerment to human health/welfare or to the environment or has resulted in the District's exercise of its emergency authority to halt or prevent such a discharge.
- E. Violations of compliance schedule milestones, contained in a discharge permit or enforcement order, for starting construction, completing construction, and attaining final compliance by 90 days or more after the schedule date.
- F. Failure to provide reports for compliance schedules, self monitoring data, or categorical standards (baseline monitoring reports, 90-day compliance reports and periodic reports) within 30 days from the due date.
- G. Failure to accurately report noncompliance.
- H. Any other violation or group of violations that the District determines will adversely affect the operation or implementation of the local pretreatment program, which may include a violation of Best Management Practices.

"Sludge" means the settleable solids separated from the liquids during the wastewater treatment processes.

"Slug Load or Slug Discharge" means any discharge at a flow rate or concentration, which could cause a violation of the prohibited discharge standards in Section 300.105 and 300.110 of this ordinance. A Slug Discharge is any Discharge of a non-routine, episode nature, including but not limited to an accidental spill or a non-customary batch Discharge, which has a reasonable potential to cause Interference or Pass Through, or in any other way violate the POTW's regulations, Local Limits or Permit conditions.

"Standard Methods" means the laboratory procedures set forth in the latest edition, at the time of analysis, of Standard Methods for the Examination of Water and Wastewater prepared and published jointly by the American Public Health Association, the American Water Works Association, and the Water Pollution Control Federation, and any other procedures recognized by the USEPA and IEPA.

"Storm Sewer" shall mean a sewer for conveying water, groundwater, or unpolluted water from any source and to which sanitary and/or industrial wastes are not intentionally admitted.

"Total Kjeldahl Nitrogen (TKN)" means analytically organic nitrogen plus ammonia.

"Total Metals" means the sum of the concentration of metals specified in a discharge permit.

"Total Organic Carbon (TOC)" means a measure of the total carbonaceous oxygen demanding characteristic of a material.

"Total Solids" means the sum of suspended and dissolved solids.

"Total Suspended Solids (TSS)" shall mean total suspended matter that either floats on the surface of, or is in suspension in water, wastewater, or other liquids and is removable by laboratory filtration as prescribed in 40 CFR 136 as amended or Standard Methods.

"Total Toxic Organics" shall include the one hundred and ten (110) organic priority pollutants identified in 40 CFR 122 Appendix D, Table 11 as amended.

"Toxic Amount" shall mean concentrations of any pollutant or concentrations of any pollutant or combination of pollutants which upon exposure to or assimilation into any organism will cause adverse effects, such as cancer, genetic mutations, and physiological manifestations, as defined in standards issued pursuant to Section 307 (a) of the Act.

"Trunk Sewer" shall mean a sewer whose primary purpose is to transport wastewater from collection sewers to a treatment facility.

"United States Environmental Protection Agency" or "USEPA" shall include the USEPA Administrator or other duly authorized official of said agency, as appropriate.

"Unpolluted Water" means water of quality equal to or better than the effluent criteria set forth in 35 Ill. Adm. Code Part 304 or water that would not cause violation of receiving water quality standards set forth in 35 Ill. Adm. Code Parts 302 and 303 and would not be benefited by discharge to the sanitary sewers and wastewater treatment facilities provided.

"Upset" means an exceptional incident in which there is unintentional and temporary noncompliance with applicable Pretreatment Standards because of factors beyond the reasonable control of the industrial user. An Upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, lack of preventive maintenance, or careless or improper operation.

"User" means any person who contributes, causes, or permits the contribution of wastewater into the District's POTW.

"Volatile Organic Matter" shall mean the material in the sewage solids transformed to gases or vapors when heated at 500 degrees Centigrade for 30 minutes.

"Wastewater" means the combination of the liquid and water carrying wastes from residences, commercial buildings, industrial plants, institutions and other structures, including polluted cooling water.

- A. Sanitary wastewater means the combination of liquid and water carried wastes, discharged from toilet and other sanitary plumbing facilities.
- B. Industrial Wastewater means a combination of liquid and water carried waste, discharged from an industrial user including the wastewater from pretreatment facilities and polluted cooling water.

"Wastewater Discharge Permit" means the document or documents issued to a user by the District in accordance with the terms of this Ordinance.

"Wastewater Hauler" shall mean any person, partnership or corporation engaged in transporting sanitary wastewater as a commercial venture.

"Wastewater Treatment Facilities" shall mean the structures, equipment, and processes required to collect, transport, and treat domestic and industrial wastes and dispose of the effluent and accumulated residual solids.

"Watercourse" shall mean natural or artificial channel for the passage of water either continuously or intermittently.

"Waters of the State of Illinois" means all streams, lakes, ponds, marshes, water courses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through, or border upon the State of Illinois or any portion thereof.

"Water Works" shall mean all facilities for water supply, treatment, storage reservoirs, water lines, and services and booster stations for obtaining, treating and distributing potable water.

## **PART 300**

### **WASTEWATER TREATMENT AND PRETREATMENT REGULATIONS**

#### **Section 300.100           USE OF WASTEWATER FACILITIES**

- A.     It shall be unlawful for any person to place, deposit, or permit to be deposited in an unsanitary manner upon public or private property within the boundaries of the Thorn Creek Basin Sanitary District, or any area under the jurisdiction of said District, any human or animal excrement, garbage, or other objectionable waste.
  
- B.     It shall be unlawful for any person to deposit or discharge, or to cause to be deposited or discharged, to any wastewater collection facilities, any solid or liquid waste unless through an approved connection.
  
- C.     It shall be unlawful for any person to discharge to the environment any sewage, wastewater, industrial wastewater, or any polluted water except where such person has made and provided treatment therefore rendering the content of such discharge in accordance with the District, state and federal laws, ordinances, and regulations.
  
- D.     In the case of natural outlet discharges, at the time construction is commenced, each such Owner or Operator shall furnish the District an approved NPDES Permit, which shall set forth the effluent limits to be achieved by such treatment facilities and a schedule for the achievement of compliance with such limits by the required date. Such permit shall be kept on file in the Office of the Executive Director and be updated by such information as periodically required by the District, local governments, and/or state and federal agencies.
  
- E.     No person shall connect or cause to be connected any building or facility on property or any part thereof to any sewer unless the entire property shall first be situated within the corporate limits of the District, except as provided in Section 300.102.
  
- F.     Any person owning property situated within the corporate limits of the District, which property is improved with one or more residences, houses, buildings, or structures used or intended to be used for human use, occupancy, employment, or any other similar purpose whatever, and which property abuts on or has access to any street, alley, or right-of-way in which there is located a public sewer within two hundred (200) feet from the nearest property line shall, within ninety (90) days after such public sewer is in service, at the person's expense, install suitable toilet and waste disposal facilities therein, and connect such facilities with the sewer in accordance with the terms and provisions of this Ordinance; Exceptions may be granted by the District at its sole discretion.

#### **Section 300.101           PRIVATE SEWAGE TREATMENT AND DISPOSAL**

- A.     Where a public sewer is not available as set forth in Article IV, Section 1, the building or structure shall be connected to a private sewer and disposal or treatment system constructed in compliance with the terms and provisions of all applicable city, county, state and federal laws and regulations and this Ordinance.



- B. Before commencing construction of a private sewage disposal system, the owner shall obtain a written permit signed by the Executive Director.
- C. A permit for a private sewage disposal system shall not be issued or become effective until plans, specifications, and other information as may be deemed necessary by the Executive Director, have been approved by the Executive Director. The Executive Director shall be permitted to inspect such system at any stage of construction. The owner shall notify the Executive Director when said system is ready for final inspection before underground portions thereof are covered. Such final inspection shall be made by the Executive Director or by the Executive Director's designated representative from the District within 48 hours of the receipt of notice.
- D. The type, capacities, location, and layout of a private sewage disposal system shall comply with the recommendations of the Department of Public Health (State Sanitary Water Board, State of Illinois, and Cook and Will County Health Departments). No permit shall be issued for any private sewage disposal system employing subsurface soil absorption facilities where the area of the lot is less than 40,000 square feet. No septic tank or cesspool shall be permitted to discharge to any public sewer or natural outlet.
- E. Within ninety (90) days after a property served by such private sewer or disposal system as described in this section shall become subject to the terms and provisions of 300.100, a direct connection shall be made to the public sewer according to the terms and provisions of this Ordinance, and all private appurtenances of such private sewer and disposal system shall be disconnected and abandoned, and all openings, tanks, or other containers of material shall be permanently filled with granular material or disposed of as required by any applicable regulation, ordinance, law or governmental entity.
- F. The District shall not be responsible in any way for the operation and maintenance of a private sewer or disposal system or facility.
- G. No provision of this Ordinance shall be construed to provide lesser requirements for such private sewers and disposal systems as are presently or may hereafter be imposed and required by any other local governmental body, the state and federal government.

**Section 300.102 SERVICE TO OUTLYING TERRITORY**

- A. The District, by proper action of the Board of Trustees, shall have the right in its sole discretion, upon payments, terms, and conditions as may be mutually agreed upon, to contract in writing for the right to use any sewer serving property wholly or partly outside its corporate limits.
- B. In the event a contract is made pursuant to 300.102, hereof, the user shall be subject to all of the terms and provisions of this Ordinance, and in addition to all payments and charges, be required to pay all equivalent costs, taxes, charges and expenses for sewer service as would be imposed upon and paid by a user situated within the corporate limits of the District.
- C. If any property of a person desirous of becoming a user is situated outside the corporate limits of the District, the District, in its sole discretion, may permit such connection, provided that there be made and entered into between District and user a contract which shall provide essentially as follows:

1. User may connect buildings situated only on the fully described tract set forth in the agreement, and in accordance with all applicable laws, ordinances, and regulations of the District, local, state and federal governments.
2. The wastes and material discharged shall meet all present and future standards for content and volume, and the user shall further agree to pay all future connection, user, and treatment or service charges which are applicable to all property and sewer users uniformly.
3. The user, his successor, and assigns, shall in addition to costs noted previously, pay annually an amount equivalent to the District taxes computed in the manner following:
  - a. The equalized, assessed value of the user's taxable property, or any subdivided part or separate tract thereof, as determined by the proper authorities of Cook or Will County, Illinois, shall be multiplied by the District's rate of tax upon real estate and personal property situated within its corporate area for said year, when the same is determined.
  - b. Said amount, when computed by the District, shall be charged to the user, its successors, and assigns, and said statement shall be paid within twenty-one (21) days thereafter. Any amount remaining unpaid after due date shall draw interest at the rate of twelve percent (12%) per annum until paid.
  - c. Such amount, for partial years, shall be prorated from the date of the contract.
  - d. If the user, or any successor or assigns thereof, shall fail to pay said amount when due, each and every sewer upon the property, or any subdivided tract thereof, for which payment is not made shall be disconnected by the owner from any other sewer which is legally connected and ultimately attaches to the District's treatment plant. The user shall cause or require its sewer system to be constructed within the property in order that separate tracts may be so disconnected, and hereby gives and grants the District an irrevocable easement for the purpose of going upon the same and disconnecting any such sewer if the user or producer, its successors or assigns (as the case may be) fails to do so promptly when such is required. The user shall pay for any disconnection services.
  - e. In addition to the right of disconnection, the District shall have a lien upon said property or subdivided portion in the amount of any unpaid charges due therefrom. Upon the filing of notice thereof, said lien shall be deemed perfected, and the property sold to satisfy the same in accordance with the statutes made and provided.
  - f. The District shall have the additional right to file a civil suit to recover (i) the amount of said lien, (ii) the full cost incurred in disconnection, and (iii) all its reasonable legal expenses and attorneys' fees incurred as a result of such suit.
  - g. All amounts charged under this sub-section (c) are due and shall continue to be due hereunder, whether or not said sewer is disconnected, and no sewer shall be reconnected until the District is paid in full for all amounts due it and in addition,

there shall be paid to the District a deposit equal to the estimated such charge for the next succeeding year. Such deposit shall be held by the District in escrow, and will be returned upon satisfactory payment of bills for a period of two years.

4. The District shall not, without its prior written consent and acceptance, have dedicated to it, or own any sewer system installed within the property, and the producer or user, its successor and assigns, shall maintain the same at its sole cost; provided, however, that this provision shall not be construed to prohibit the dedication of part or all of said sewer system to another unit of government.
5. Upon conveyance by the owner of all or any subdivided portion or tract of said property, its successor in title shall succeed to all rights and liabilities hereunder, and said owner shall have no future liability to the District thereunder as respects such tract except as shall have accrued as of the date the instrument of conveyance is recorded in the Office of the Recorder of Deeds of Cook or Will Counties, Illinois.
6. In the event that such property therein described, or any subdivided or separate tract thereof, shall be annexed to the District by proper ordinance, then the agreement, as to such property or the subdivided tract thereof which is so annexed shall then terminate and be of no further force and effect.
7. Such agreement shall be recorded in the Office of the Recorder of Deeds of Cook or Will County, Illinois, which recording shall constitute notice to any successor or assign of the owner of its terms and provisions, and to which any subsequent conveyance or assignment of the owners shall be subject.
8. If any part or provision of the agreement shall be found or held by a court of competent jurisdiction to be invalid or unenforceable, then the entire agreement shall terminate, and all sewers of the owner or its successor or assigns shall be promptly disconnected from any such system which ultimately connects to the District's treatment plant.
9. In either case as above, the applicant for treatment service shall agree to assume any charges and industrial waste charges and to obtain from the District the proper building permit which the connection is allowed and discharge permit, if applicable, which indicates what discharge will be made to the treatment system.

**Section 300.103            CONSTRUCTION OF SEWERS AND CONNECTIONS**

- A. All construction and connection of trunk sewers, collection sewers and service lines which connect or are tributary to the District's facilities must comply with the following requirements.
- B. Public Sewers And Private Service Lines
  1. All lines conveying wastewater and tributary to the District facilities will be considered either public sanitary sewers or private service lines. A building sanitary sewer is normally considered a private service line up to the point it connects to a line in an easement or public right of way which serves more than one property owner.

2. Each single family home must be served by a separate service line. A duplex under common ownership may be served by a single service line. An apartment building or building containing condominiums may be served by a single service line. Town homes or rowhouses are required to have a separate service line for each occupancy unit.
3. Multiple commercial or industrial buildings located on property of common ownership may be served by a network of private service lines. A sampling manhole, accessible by District personnel, is required on the service line from industrial sources just before the service connects to the public sewer. The District may require separate service lines for each individual occupant in a commercial or industrial building if the occupants represent unique or separate operations.
4. Public sanitary sewers must be owned and operated by municipal agencies, sanitary districts, public utilities or other governmental bodies.

C. Combined Sewers Not Permitted

All sanitary sewers, service lines and building drains shall be constructed to separate wastewater from storm water. All new construction shall be designed to minimize inflow and infiltration into the sanitary sewer system.

D. Design Standards

All construction of trunk sewers, collection sewers and service lines shall conform with minimum engineering standards as to design, construction and maintenance. The standards shall include provisions to insure the lowest possible level of infiltration and inflow over the design life of the facilities. The minimum engineering standards, known as "Sewer Permit Manual of Procedures and Design Standards" shall be prepared by the Executive Director and approved by the Board of Trustees.

E. Permit Requirements

1. The District requires a separate permit for each sewer extension and each tap in or service connection. A Sewer Extension Permit is required for each extension of a public collection or trunk sewer. A Service Line Connection Permit is required for each connection of a building or other wastewater source to the sewer system tributary to the District's facilities.
2. Permits shall only be issued if all of the following conditions are met:
  - a. The property has been annexed into the District.
  - b. Permit application forms have been properly completed.
  - c. All downstream facilities (sewers, pump stations, and wastewater treatment facilities, whether owned by the District, a municipality or private party) have sufficient reserve capacity to adequately and efficiently handle the additional anticipated waste load.
  - d. The District has determined that the proposed construction conforms with minimum engineering standards as to design, construction and maintenance.
  - e. The District has determined that the existing and proposed buildings meet all requirements of any applicable District ordinances.

- f. All applicable permit fees have been paid.
- 3. Initiation of any construction work in relation to a trunk sewer, collection sewer extension or service line connection including uncovering, making any connection with or opening into, or use which, alters or disturbs any sewer or appurtenances without first receiving a District permit and Illinois EPA permit, if required, shall be considered a violation of this ordinance.

F. Sewer Extension Permit

A Sewer Extension Permit is required for the construction of any new public sanitary sewer tributary to the District's system unless the line is considered a private service line as defined above. Repair of an existing sewer line does not require a permit. The permit application must be signed by the party constructing the sewer line. The party who will own and operate the sewer line once it is put into service must also sign the permit. Only municipal agencies, sanitary districts, public utilities or other governmental bodies are allowed to own and operate public sewer lines in the District. The owner of the sewer extension must agree to not allow connections to the line until the District has issued a Sewer Connection Permit. The permit application must include two copies of the plans and specifications for the proposed construction, certified by an Illinois Registered Professional Engineer. Information to be included in the plans and specifications is defined in the "Sewer Permit Manual of Procedures and Design Standards." The permit fee is based on both the length of sewer to be constructed and the wastewater load to be served. The rates are set forth in the District's "ANNEXATION AND SEWER CONNECTION ORDINANCE."

G. Service Line Connection Permit

A Service Line Connection Permit is required for any connection, addition or penetration of any kind into any public sewer tributary to the District's system. A separate permit is required for each property owner or service line that will be connected to a public sewer tributary to the District's system. A Service Line Connection Permit is required for an increase in load from an existing commercial or industrial source adding four or more PE. A permit is also required if a building is reconstructed to the extent that it is in function a new building as determined by the District; or if a building's plumbing and/or field sewer piping is significantly modified as determined by the District. The Service Line Connection Permit application must be signed by the owner of the property. A plot plan or drawing locating the building and proposed service line must be included with the application. The permit fee is based on the wastewater load to be served. The rates are set forth in the District's "ANNEXATION AND SEWER CONNECTION ORDINANCE."

H. Issuing Permits and Limitations

- 1. The District shall approve, disapprove or request modifications to each Extension or Connection permit application or revised permit application within 15 working days of their submittal.
- 2. Changes in the work or materials to be used from those shown on the plans or set forth in the specifications, as submitted to the District, shall be approved by the District prior to construction.

3. Permits may not be transferred or assigned to other parties without the District's permission.
4. Permits are not required for maintenance work.
5. Permits shall only be valid for 12 months. Permits may be renewed once with the permission of the District. If the line construction is no longer anticipated, then the District will refund a portion of the fee.
6. Permit denials may be appealed to the District's Board of Trustees.

I. Inspection of Construction

The District shall be allowed access for inspection of all construction work requiring a permit as set forth in this Section. The District shall be notified during the District's normal business hours at least 24 hours in advance of any construction work to allow for inspection. The District shall require any construction performed before the 24-hour notice period (or before any notice) to be uncovered for inspection purposes. Following completion of construction, the District will require testing of the new line to insure that infiltration and inflow limits are met.

Required testing may include low pressure air tests and manhole vacuum testing and will be consistent with standard engineering practices as defined in the "Sewer Permit Manual of Procedures and Design Standards." The District shall inspect all testing. Test inspection appointments shall be confirmed with the District at least 48 hours in advance. Retroactive testing and re-testing fees are set forth in the District's "ANNEXATION AND SEWER CONNECTION ORDINANCE."

**Section 300.105 PROHIBITIVE DISCHARGE STANDARDS**

- A. No person shall discharge or cause to be discharged storm water, foundation drainwater, groundwater, roof runoff, surface drainage, cooling waters, or any other unpolluted water to any sanitary sewer. Contaminated storm water may be allowed by the District if stored and discharged as directed by the District.

No person shall discharge any trucked or hauled pollutants, except at discharge points designated by the District.

- B. A user may not introduce into a POTW any pollutant(s) which causes Pass Through or Interference. These general prohibitions apply to each user introducing pollutants into a POTW whether or not the user is subject to other National Pretreatment Standards or any national, state or local pretreatment requirements.

A user shall have an affirmative defense in any action brought against it alleging a violation of this Section 300.105B where the user can demonstrate that:

1. It did not reasonably know or have reason to know that its discharge, alone or in conjunction with a discharge or discharges from other sources, would cause Pass Through or Interference; and

2. A local limit designed to prevent Pass Through and/or Interference, as the case may be, was developed in accordance with paragraph (c) of 40 CFR Part 403.5 for each pollutant in the user's Discharge that caused Pass Through or Interference, and the user was in compliance with such local limit directly prior to and during the Pass Through or Interference or
  3. No local limit exists, but the discharge directly prior to and during the Pass Through or Interference did not change substantially in nature or constituents from the user's prior discharge activity when the POTW was regularly in compliance with the POTW's NPDES permit requirements and, in the case of Interference, applicable requirements for sewage sludge use or disposal.
- C. The following general prohibitions shall apply to all users of the District's POTW whether or not a user is subject to National Categorical Pretreatment Standards or any other national, state, or local pretreatment standards or requirements. A user may not contribute the following substances to the District's POTW:
1. Any liquids, solids or gases which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction with other substances to cause fire or explosion or be injurious or hazardous in any other way to the District or to the operation of the District, including but not limited to wastestreams with a closed cup flashpoint of less than 140 degrees Fahrenheit or 60 degrees Centigrade using the test methods specified in 40 CFR 261.21. At no time shall two successive readings on a meter capable of reading L.E.L. (lower explosive limit) at a point at the nearest accessible point to the District in a sanitary sewer, at the point of discharge into the District, or at any point in the District be more than five percent (5%) nor any single reading greater than ten percent (10%) of the L.E.L.
- The following materials may not be added to the sewers in detectable quantities unless specifically permitted or limited in the user's Wastewater Discharge Permit: petroleum oil, nonbiodegradable cutting oil or products of mineral origin, gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, prechlorates, bromates, polychlorinated biphenyls, polybrominated solvents and sulfides. The permitting of these items in no way relieves the user of prohibitions of discharges of explosive, hazardous, or injurious substances.
2. Solid or viscous substances which may cause obstruction to the flow in a sewer or other interference with the operation of the wastewater treatment facilities such as, but not limited to: grease, garbage with particles greater than one-half inch (1/2") in any dimension, animal parts, guts or tissues, paunch manure, bones, hair, hides or fleshings, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, waste paper, wood, plastics, tar, asphalt residues from refining or processing of fuel or lubricating oil, mud, or glass grinding or polishing wastes, or tumbling or deburring stones.
  3. Any waters or wastes having a pH lower than 5.5 or higher than 9.0 or having any other corrosive property capable of causing damage or hazard to sewers, structures, equipment, and personnel of the sewage works.

4. Any wastewater containing incompatible pollutants in sufficient quantity, either singly or by interaction with other pollutants, to injure or interfere with any wastewater treatment process, constitute a hazard to humans or animals, cause a violation of the water quality standards of the receiving waters of the POTW, exceed the limitation set forth in a National Categorical Pretreatment Standard (when effective) or in Section 300.110 of this Part 300 or create a public nuisance.
5. Any noxious or malodorous liquids, gases, or solids which either singly or by interaction with other wastewaters are sufficient to create a public nuisance or hazard to life or are sufficient to prevent entry into sewers for their maintenance and repair, and pollutants which result in the presence of toxic gases, vapors, or fumes within the District in a quantity that may cause acute worker health and safety problems.
6. Any substance which causes the POTW to be in non-compliance with sludge use or disposal criteria, guidelines or regulations developed under Section 405 of the Act; any criteria guidelines or regulations affecting sludge use or disposal developed pursuant to the RCRA, SWDA, the Clean Water Act, the Toxic Substances Control Act, or state criteria applicable to the sludge management method being used.
7. Any substance which will cause the POTW to violate its NPDES Permit or the receiving water quality standards.
8. Any wastewater having a temperature at the point of discharge to the POTW which will inhibit biological activity in the POTW treatment plant resulting in interference; in no case shall wastewater be introduced to the sewer which exceeds 65° C (149 F) if it alone or in combination with other discharges causes the influent wastewater to exceed 40C (104 F) at the POTW treatment plant.
9. Any pollutants, including compatible pollutants released at a flow or pollutant concentration which will cause interference to the POTW or will pass through the POTW, subject to the affirmative defense contained in Section 300.105(B).
10. Any wastewater containing any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by state or federal regulation.
11. Any water or waste which may contain more than 100 parts per million by concentration of fat, oil, and grease, or FOG, or petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin in amounts that will cause interference or pass through.
12. Any wastewater containing oxygen demanding substances, total solids, or suspended solids of such character and quantity that unusual attention or expense is required to handle such materials at the sewage treatment plant; provided however, that a user may be permitted by specific, written agreement to discharge such substances and said agreement may provide for special charges, payments or provisions for treating and testing equipment.
13. Any slug discharged to the District's POTW.
14. Any discharge exceeding the standards established in 35 Ill. Adm. Code 307.



15. Detergents, surface active agents, or other substances which may cause excessive foaming at the POTW.
  16. Trucked or hauled pollutants, except at discharge points designated by the Executive Director in accordance with Section 300.150 of this ordinance.
  17. Sludges, screening, or other residues from the pretreatment of industrial wastes.
  18. Wastewater which imparts color which cannot be removed by the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions, which consequently imparts color to the treatment plant's effluent.
  19. Medical wastes, except as specifically authorized by the District in a Discharge Permit.
  20. Wastewater causing, alone or in conjunction with other sources, the treatment plant's effluent to fail a toxicity test.
- D. Pollutants, substances, or wastewater prohibited by this section shall not be processed or stored in such a manner that they could be discharged to the POTW.

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

**Section 300.110            SPECIFIC LIMITATIONS ON DISCHARGE**

- A. Daily Average Limits: Unless otherwise noted in Section 300.150, discharges from each separate discharge of a user, as measured under the provisions of this ordinance, shall not contain in excess of the following concentrations based upon a composite sample collected over a 24-hour period or a shorter period if representative of the user's daily discharge. Pollutant concentrations, that is, the total of dissolved and suspended matter shall be measured.

| <u>CHEMICAL</u>       | <u>MILLIGRAMS PER LITER</u> |
|-----------------------|-----------------------------|
| Arsenic               | 0.09                        |
| Barium                | 62                          |
| Boron                 | 4.4                         |
| Cadmium               | 0.06                        |
| Chloride              | 427                         |
| Chromium (total)      | 9.8                         |
| Chromium (hexavalent) | 4.9                         |
| Copper                | 2.0                         |
| Fluoride              | 8.9                         |
| Iron                  | 320                         |
| Lead                  | 0.70                        |
| Manganese             | 19                          |
| Mercury               | 0.015                       |
| Molybdenum            | 0.28                        |
| Nickel                | 0.23                        |
| Selenium              | 0.17                        |
| Silver                | 0.18                        |

Zinc 1.9

B. Instantaneous Limits: No grab sample shall exceed two times the daily average limits or the following:

| <u>CHEMICAL</u>      | <u>MILLIGRAMS PER LITER</u> |
|----------------------|-----------------------------|
| Cyanide              | 0.12                        |
| Total Oil and Grease | 100                         |
| Phenols              | 9.8                         |

pH 5.5-9.0 (units)

A sample may be allowed outside of the local limit if it remains in the range of 5.0 units to 10.0 units and the discharge is brought back into compliance within 1 hour. This provision for a short-term violation shall not be more than two times a quarter or more than four times per year.

Temperature 65°C if the influent wastewater temperature is greater than 40°C at TCB's treatment plant

C. No provision of this section shall be construed to provide less stringent discharge standards than are presently or may hereafter be imposed and required by USEPA or IEPA.

D. Unless otherwise noted in Section 300.110.E or Section 300.150, the admission into a sewer of any material, waters, or wastes having:

1. A five (5) day BOD greater than 600 mg/l, or
2. More than 750 mg/l of suspended solids, or
3. More than 1050 mg/l of COD or
4. More than 60 mg/l of ammonia nitrogen or 90 mg/l of Total Kjeldahl Nitrogen, or
5. An average daily flow greater than five percent (5%) of the average daily flow of the District, or
6. More than 2.5 mg/l of Total Toxic Organics in a grab or composite sample

shall be allowed only by permit. The above limits are based on composite samples except for Total Toxic Organics. This 2.5 mg/l discharge limit is applicable to either a grab or a composite sample. Grab samples shall not exceed two times the composite sample limits for BOD, suspended solids, COD, or Total Kjeldahl Nitrogen.

E. For Industries that discharge less than 20,000 gallons per day, the following limits will apply to parameters listed below:

|     |            |
|-----|------------|
| BOD | 1,000 mg/l |
| COD | 1,750 mg/l |
| SS  | 1,250 mg/l |

|     |          |
|-----|----------|
| TKN | 150 mg/l |
| NH3 | 100 mg/l |

Local limits will apply to all other parameters.

The above Low Flow Limits will only apply to Industrial Users whom have applied and have been granted the limits by the District through the special conditions statement in their Industrial Wastewater Discharge Permit.

- F. Before issuing permits, the District shall consider: the ability of the POTW to handle the additional load; the reserve capacity of the POTW; potential waste loads from other dischargers; and the potential for the permitted discharge to interfere with required treatment performance.

Users seeking variances from standards found in this ordinance, may petition the District for variation from such standards in accordance with the procedures set forth by the District.

The User may request mass limits in lieu of concentration base limits. Before issuing a permit, the District shall consider: the ability of the POTW to handle the additional load; the reserve capacity of the POTW; potential waste loads from other dischargers; and the potential for the permitted discharge to interfere with required treatment performance.

A user with mass limits must be able to accurately report daily and instantaneous flows or Ordinance limits or categorical limits will be applied, which ever is appropriate.

The user must also demonstrate that it does not have daily flow rates, production rates, or pollutant levels that fluctuate so significantly that establishing equivalent mass limits would not be appropriate.

- G. The user may request a waiver for sampling for pollutants not present or expected to be present for the following parameters:

Cyanide, mercury, phenol, organics listed under EPA Method 608, 624 and 625.

The user must demonstrate that a pollutant is not present by providing at least one result from its process area(s) before any treatment. The request must be made by the highest ranking official at this facility. A signed Certification Statement by the “Company Representative” must also be included with the request.

If the facility changes its process and the pollutant is determined to be present, the User must notify the District before discharging and must receive an amended permit.

The User must submit a new request with each new permit application.

**Section 300.111            PRELIMINARY TREATMENT**

- A. Greases, oil, and sand interceptors or retainers shall be installed by the user at its sole expense, when, in the opinion of the Executive Director, such are necessary for the proper handling of liquid wastes containing grease, oils, or sand in excessive amounts, any flammable wastes, and such other harmful ingredients. Such interceptors shall be of a type and capacity approved

by the District, and shall be located as to be readily and easily accessible for both cleaning and inspection.

- B. Where installed, all grease, oil, and sand interceptors shall be maintained by the user, at its expense, and shall be kept in continuous, efficient operation at all times.
- C. A user causing admission of any material into sewers as set forth in Sections 300.105 or 300.110, may be required by the District to construct, install and operate, at its sole expense, such preliminary treatment plant and facilities as may be required in order to control the quantities and rates of discharge of the objectionable wastes. This may include a suitable storage and flow control facility to ensure equalization of flows.
- D. No such preliminary treatment plant and facility shall be constructed or operated unless all plans, specifications, technical operating data, and other information pertinent to its proposed operation and maintenance shall conform to all District, USEPA, IEPA and other local, state, or federal agency regulations, and written approval on plans, specifications, technical operating data, and sludge disposal has been obtained from USEPA, IEPA, and any other local, state, or federal agency having regulatory authority in respect thereto.
- E. All such preliminary treatment facilities as required by this Ordinance shall be maintained continuously in satisfactory and effective operating condition by the user or person operating and maintaining the facility served thereby, and at its sole expense.
- F. No provision contained in this Ordinance shall be construed to prevent or prohibit a separate or special contract or agreement between the District and any industrial user whereby industrial waste and material of unusual strength, character, or composition may be accepted by the District for treatment, subject to additional payment therefore by such industrial user; provided however, that such contract or agreement shall have the prior approval of the Board.
- G. The District reserves the right to reject admission to the system of any waste potentially harmful to the treatment or collection facilities or the receiving stream.

**Section 300.115            INCORPORATION OF NATIONAL CATEGORICAL  
PRETREATMENT STANDARDS**

- A. The National Categorical Pretreatment Standards, located in 40 CFR Chapter I, Subchapter N, Parts 405-471, are hereby incorporated into this Ordinance. Upon the promulgation of the National Categorical Pretreatment Standard (NCPS) for a particular user, the said standard, if more stringent than the limitations imposed under this Ordinance for sources in that category, shall, when effective, immediately supersede the limitations and conditions imposed under this Ordinance. The District shall notify all known affected users of the applicable reporting requirements under 40 CFR Section 403.12.
- B. When the District calculates end of pipe limits, combined waste stream limits, mass of pollutant limits, or equivalent concentration limits based upon data supplied by the user, these shall be enforceable as pretreatment requirements. Any Industrial user operating under any of these alternative limits shall notify the District within two business days after the user has a reasonable basis to know that the data used to calculate the limit are not accurate. Any User not notifying the District of such anticipated change will be required to meet the mass or

concentration limits in its permit that were based on the original estimate of the long term average production rate.

- C. The District reserves the right to establish by ordinance or in Wastewater Discharge Permits, more stringent limitations or requirements on discharges to the POTW.
- D. New Sources shall install, have in operating condition and “startup” all pollution control equipment required to meet applicable Pretreatment Standards before beginning to discharge. Within the shortest feasible time from the first discharge date (not to exceed 90 days), New Sources must meet all applicable Pretreatment Standards.

Users shall provide necessary wastewater pretreatment as required to comply with this ordinance and shall achieve compliance with all applicable pretreatment requirements and standards within the time limitations as specified by appropriate statutes, regulations, and ordinance. National Categorical Pretreatment Standards shall be deemed to be added to this ordinance as amendments.

Any facilities required to pretreat wastewater to a level acceptable to the District shall be provided, properly operated and maintained at the user’s expense. Detailed plans showing the pretreatment facilities shall be submitted to the District for review and must be acceptable to the District before construction of the facility. The user shall obtain all necessary construction operating permits from the IEPA. Such pretreatment facilities shall be under the control and direction of an IEPA certified Wastewater Treatment Operator. The review of such plans shall in no way relieve the user from the responsibility of modifying its facility as necessary to produce an effluent acceptable to the District under the provisions of this ordinance.

Within a reasonable time after the completion of the wastewater treatment facility, the user shall furnish its operations and maintenance procedures for the District to review. Any subsequent, significant changes in the pretreatment facilities or method of operation shall be reported to and be accepted by the District prior to the user’s initiation of the changes.

Whenever deemed necessary, the Executive Director may require users to restrict their discharge during peak flow periods, designate that certain wastewater be discharged only into specific sewers, relocate and/or consolidate points of discharge, separate sewage wastestreams from industrial wastestreams, and such other conditions as may be necessary to protect the POTW and determine the user’s compliance with the requirements of this ordinance.

Users with the potential to discharge flammable substances may be required to install and maintain an approved combustible gas detection meter.

**Section 300.120 FINAL NATIONAL CATEGORICAL PRETREATMENT STANDARDS**

- A. Industrial users regulated by point source categories as promulgated or amended in Final National Categorical Pretreatment Standards shall comply with the compliance date and limitations as published.
- B. The USEPA will promulgate new categorical pretreatment standards from time to time. This Ordinance includes any new standards applicable to this POTW promulgated by the United States of America or the State of Illinois.

**Section 300.130 EXCESSIVE DISCHARGE**

- A. No user shall increase the use of process water or, in any way, attempt to dilute a discharge as a partial or complete substitute for adequate pretreatment to achieve compliance with the limitations contained in the National Categorical Pretreatment Standards (NCPS) (when effective), or in any other pollutant-specific limitations developed by the District.
- B. The District may impose mass limitations on Users who are using dilution to meet applicable Pretreatment Standards or Requirements, or other cases when the imposition of mass limitations is appropriate.

**Section 300.135 ACCIDENTAL SPILL AND SLUG CONTROL PLAN**

- A. Each industrial user having the ability to cause interference with the POTW treatment plant or to violate the regulatory provisions of this Ordinance shall provide protection from accidental or intentional discharge of slugs to the POTW of prohibited materials or other substances regulated by this Ordinance. Facilities to prevent slug discharges of prohibited materials shall be provided and maintained at the owner or user's own cost and expense.

All industrial users whose wastewater include or could include compatible or incompatible pollutants in amounts great enough to cause interference with the POTW are required to have detailed plans on file at the District showing facilities and operating procedures to provide protection from accidental discharge. All industrial users shall complete construction of said facilities within one year of notification. No user who begins contributing to or could contribute such pollutants to the POTW after the effective date of this Ordinance and who has been notified shall be permitted to introduce such pollutants into the POTW until accidental discharge facilities and procedures, as appropriate, have been approved by the District and installed by the industrial user. Review and approval of such plans and operating procedures shall not relieve the industrial user from the responsibility to modify its facility as necessary to meet the requirements of this Ordinance.

- B. Slug Control Plan

The District shall evaluate whether each SIU needs a slug discharge control plan or other action to control slug discharges. The District may require any User to develop, submit for approval, and implement such a plan or take such other action that may be necessary to control slug discharges. Alternatively, the District may develop such a plan for any User. The control plan shall address, at a minimum, the following:

1. Description of discharge practices, including non routine batch discharges;
2. Description of stored chemicals;
3. Procedures for immediately notifying the District of any accidental or slug discharge, as required by Section 300.135 C of this Ordinance; and
4. Procedures to prevent adverse impact from any accidental or slug discharge. Such procedures include, but are not limited to, inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant

site runoff, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants, including solvents, and/or measures and equipment for emergency response.

C. Spill Reporting

In the case of an accidental or deliberate discharge of a slug of compatible or incompatible pollutants which violate requirements of this Ordinance, it shall be the responsibility of the industrial user to immediately investigate and notify the District by telephone as soon as possible but in no case more than sixty (60) minutes following knowledge of the incident. The notification shall include name of caller, location, time of discharge, type of wastewater, concentration and volume. A written report shall be submitted within seven (7) days unless waived by the District, including the following:

1. Reasons for the slug discharge and corrective actions taken.
2. List of chemicals present in the discharge.
3. Quantity of all materials discharged, and
4. Material Safety Data Sheets, or similar information on all chemicals discharged must be made available upon request.
5. Measures taken to prevent similar future occurrences.

D. Follow up reports may be required by the District as needed. Such report, or reports, shall not relieve the industrial user of any expense, loss, damage, or other liability which may be incurred as a result of damage to the POTW, fish kills, or any other damage to person or property; nor shall such report relieve the user of any fines, civil penalties, or other liability which may be imposed by this Ordinance or otherwise. Failure to report accidental or deliberate discharges may, in addition to any other remedies available to the District; result in the revocation of the discharger's applicable wastewater discharge permit.

E. The industrial user shall control production of all discharges to the extent necessary to maintain compliance with all applicable regulations upon reduction, loss, or failure of its treatment facility until the facility is restored or an alternative method of treatment is provided. This requirement applies in the situation where, among other things, the primary source of power of the treatment facility is reduced, lost, or fails.

F. Significant Industrial Users may be required to post a notice as follows:

A notice in English and the language of common use shall be permanently posted on the user's bulletin board or other prominent place advising employees whom to call in the event of a discharge of a prohibitive material. Employers shall insure that all employees who are in a position to cause, discover, or observe such an accidental discharge are advised of the emergency notification procedures.

G. Significant Industrial Users are required to notify the Pretreatment Coordinator immediately of any changes at its facility affecting the potential for a slug discharge.

**Section 300.140**

**REPORTING CRITERIA FOR INDUSTRIAL USER**

- A. The Sanitary District may require from any industrial user the submission of monthly, quarterly, biannual, or annual reports, including a certified statement of the characteristics of its industrial wastes discharged to the sewer. Such documents shall be filed with the District no later than the twentieth day of the month or quarter for the prior month or quarter, as required by the District.

If analyses are performed more frequently than required, all results must be reported to the District.

- B. The District reserves the right to do any sampling necessary or use any available information to determine which industrial users shall be subject to the requirements of this section.
- C. The waste characteristics to be measured and certified by the user shall be constituents that would have a reasonable potential for exceeding the limits of this ordinance, Illinois EPA or US EPA, and shall include any other constituents of the wastewater as directed by the District.
- D. Should there be a difference in understanding between the District and user as to the characteristics in the wastewater, the District reserves the right to use the District results from analyses for any fees or penalties assessed.
- E. Any industrial user may be required to provide monitoring facilities, as per section 400.120.
- F. Hazardous Waste Notification
  1. All industrial users shall provide a one time notification to the District, the EPA Regional Waste Management Division Director, and the Illinois EPA in writing of any discharge into the District of a substance, which, if otherwise disposed of, would be a hazardous waste under 40 CFR part 261. Such waste as set forth in 40 CFR part 261, the EPA hazardous waste number, and the type of discharge (continuous, batch, or other).
  2. The notification requirement in this section does not apply to pollutants already reported under the self monitoring requirements.
  3. If the industrial user discharges more than 100 kilograms of such waste per calendar month to the District, the notification shall also contain the following information to the extent such information is known and readily available to the industrial user: An identification of the hazardous constituents contained in the wastes, an estimation of the mass and concentration of such constituents in the wastestream discharged during that calendar month, and an estimation of the mass of constituents in the wastestream expected to be discharged during the following twelve months.
  4. Industrial users who commence discharging shall provide the notification no later than 180 days after the discharge of the listed or characteristic hazardous waste. Any notification under this paragraph need be submitted only once for each hazardous waste discharged.



5. Dischargers are exempt from the requirements of this section during a calendar month in which they discharge no more than fifteen kilograms of hazardous wastes, unless the wastes are acute hazardous wastes, as specified in 40 CFR 262.30(d) and 261.33(e). Discharge of more than fifteen kilograms of non-acute hazardous wastes in a calendar month or of any quantity of acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e), requires a one time notification. Subsequent months during which the industrial user discharges more than such quantities of any hazardous waste do not require additional notification.
  6. In the case of any new regulations under Section 3001 of RCRA identifying additional characteristics of hazardous waste or listing any additional substance as a hazardous waste, the industrial user must notify the District, the EPA Regional Waste Management Waste Division Director, and state hazardous waste authorities of the discharge of such substance within 90 days of the effective date of such regulations.
  7. In the case of any notification made under this section, the industrial user shall certify that it has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree it has determined to be economically practical.
  8. This provision does not create a right to discharge any substance not otherwise permitted to be discharged by this ordinance, a permit issued there under, or any applicable Federal or State law.
- G. All industrial users shall notify the District of any new introduction of wastewater constituents or any substantial change in volume or character of the wastewater constituents being introduced into the wastewater treatment system. The notification must be in writing and received 30 days prior to discharge.

**Section 300.145            SEPARATORS (GREASE TRAPS)**

- A. Whenever required by the District, the user of any property serviced by a sanitary sewer carrying wastewater to the District POTW shall install separators as necessary for the proper handling of liquid wastes containing grease, sand, oil or any other matters that may violate the provisions of Section 300.105 and 300.110 of this ordinance.
- B. When required, all sanitary sewers of the user, into which waste products are discharged, shall be directed to one or more such separators before connecting with the public sanitary sewers. Such separators shall be installed by the user and be accessible for maintenance purposes and, when feasible, shall be located outside the building. It shall be the user's responsibility to clean and maintain such separator or separators at a regular frequency so as to ensure efficient operation. The construction of separators shall be in strict accordance with applicable state and local plumbing codes.
- C. All new or altered installation serving institutions or commercial establishments in which grease, fats, culinary oil, grease or fats in the above type establishments shall be directed to one or more separators (grease traps) located outside the building and shall be accessible for maintenance purposes. Use of other separators (grease traps) shall require proof of being at least equal to what is prescribed above. See illustration in the Illinois State Plumbing Code.

- D. All new or altered restaurants that require separator (grease trap) shall install a minimum 1000 gallon unit. Sandwich bars and carry out services which only prepare (not cooked foods) cold sandwiches shall install a minimum 400 gallon unit.
- E. The Executive Director may, after reviewing pertinent information, allow the installation of a grease trap having a lesser volume than 400 gallons. The sizing of this grease trap shall be determined by the District.
- F. No person shall reintroduce into the sewer system of the District materials which have been removed from the sewer system by catch basins, grease traps, and other pretreatment devices. Physical, chemical or biological agents shall not be introduced into catch basins, grease traps or other pretreatment devices for the purpose of re-suspending, dissolving, emulsifying or rendering soluble any pollutants or other materials removed from a wastestream by such pretreatment devices and reintroducing these materials into the sewer system.

**Section 300.150            WASTEWATER HAULERS**

- A. Wastewater haulers shall discharge all wastewaters at a designated wastewater hauler dumping station and at times established by the Executive Director. No load may be discharged without prior consent of the Executive Director or designated representative. The District may collect samples of each hauled load to ensure compliance with applicable standards. The District may require the wastewater hauler to provide a waste analysis of any or all loads prior to discharge.
- B. Wastewater haulers shall have a valid Wastewater Hauler Discharge Permit before discharging wastes at the District. The wastewater hauler limits are listed below:

|      |             |
|------|-------------|
| BOD  | 24,000 mg/l |
| COD  | 36,000 mg/l |
| TKN  | 9,600 mg/l  |
| NH3  | 7,200 mg/l  |
| TTO  | 120 mg/l    |
| Zinc | 12 mg/l     |

Local limits found in Section 300.110 of this Ordinance will otherwise apply.

- C. The Hauler shall provide the District with a list of all vehicles used by the Hauler. The list shall contain information as requested by the District. No other wastewater hauling vehicles will be allowed to discharge.
- D. Each truck tank shall have a sight glass calibrated in 100 gallon increments. If a sight glass is not installed, the District will charge for the full capacity of the vehicle.
- E. Representative samples of wastewater discharged by a wastewater hauler shall comply with the provisions of Section 300.110.
- F. Each load delivered to the wastewater dumping station must have a wastewater hauler manifest signed by the source of the wastewater and by the wastewater hauler.

- G. All procedures for discharging, for cleanliness and for general sanitary operation on District property as prescribed by the District shall be strictly adhered to by all wastewater haulers delivering wastewater to the District dumping station.
- H. The source or sources of all liquid wastes being hauled to the POTW treatment plant shall be properly documented using the District's manifest system.
- I. Wastewater from a domestic level user shall not be mixed with wastewater from an industrial user.
- J. In addition to remedies available to the District set forth elsewhere in this ordinance, failure of a wastewater hauler to comply with the provisions of this section shall be grounds for revocation of the hauler's Discharge Permit by the Board of Trustees.

## **PART 400**

### ***DISCHARGE PERMITS***

#### **Section 400.100 PROHIBITION OF DISCHARGES WITHOUT PERMIT**

It shall be unlawful for any significant industrial user to discharge wastewater to the District's POTW without a permit, or contrary to the conditions of a permit, issued by the District in accordance with the provisions of this Ordinance.

#### **Section 400.105 PERMITS**

##### **A. Discharge Permits**

The categorical Pretreatment Standards applicable to each regulated process and any new categorically regulated processes for Existing Sources will require an Industrial Wastewater Discharge Permit.

All significant industrial users proposing to connect to or contribute to the POTW shall obtain an Industrial Wastewater Discharge Permit before connecting to or contributing to the POTW. All existing significant industrial users connected to or contributing to the POTW shall obtain a Wastewater Industrial Discharge Permit(s) within 180 days after the effective date of this Ordinance, except as set forth in Section 400.105(B) of this Part. All significant industrial users requiring categorical requirements in the wastewater discharge permits shall apply for such permits within 180 days after promulgation of applicable National Categorical Pretreatment Standards.

##### **B. Wastewater Discharge Permit Application**

1. All users required to obtain a General Industrial Wastewater Permit shall complete and file with the District an application in a form to be prescribed and furnished by the District and accompanied by a fee to be determined by the District.
2. Existing significant industrial users shall apply for a discharge permit within 90 days after being notified.
3. In support of the application, the user shall submit, in units and terms appropriate for evaluation, the following information:
  - a. Name, address, and location;
  - b. SIC number according to the Standard Industrial Classification Manual, Bureau of Budget, 1972, as amended or the North American Industrial Classification System;
  - c. Wastewater constituents and characteristics including, but not limited to, those set forth in Part 300, Section 300.110 of this Ordinance as determined by a reliable analytical laboratory except those constituents not required by the District.

Sampling and analysis shall be performed in accordance with 40 CFR 136 as amended;

- d. Time and duration of discharge;
- e. Average and maximum wastewater flow rates, including monthly and seasonal variations, if any. This may be estimated if approved by the District;
- f. Site plans showing all pipe sizes, manholes, and location of sanitary and storm sewers leaving the building or premises, together with all connections to lateral sanitary and storm sewers;
- g. Listing of each process activity;
- h. Line diagram and basic information, including capacity, of existing or proposed spill containment areas and installation;
- i. Total number of employees and hours of operation of a plant;
- j. Proposed or actual hours of operation of pretreatment system and the name of the IEPA certified pretreatment operator;
- k. Name of authorized representative of the industrial user. The industrial user may name two authorized representatives. At least one must be an employee regularly available during normal business hours at the site of the operation producing the discharge;
- l. User's source of intake water together with the types of usage and disposal sources of water and the estimated volumes in each category;
- m. Listing of raw materials, chemicals, and wastes that are used in the manufacturing process and are capable of being discharged into the POTW and their disposal techniques with supporting information or documentation (NPDES or RCRA permit numbers);
- n. If additional operation and maintenance or pretreatment techniques or installations will be required to meet pretreatment standards, the shortest schedule by which the user shall provide such additional pretreatment must be submitted. The completion date in this schedule shall not be later than the compliance date established for the pretreatment standard.
  - i. The schedule shall contain increments of progress in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the user to meet the applicable pretreatment standards (e.g. hiring an engineer, completing preliminary plans, completing final plans, executing contract for major components, commencing construction, completing construction, etc.).

- ii. No increment referred to in Section 400.105 B 3 (n) i. shall exceed nine months.
  - iii. Not later than 14 days following each date in the schedule and the final date for compliance, the user shall submit a progress report to the District. This report shall include, as a minimum, whether or not it complied with the increment of progress to be met on such date and, if not, the date on which it expects to comply with this increment of progress, the reason for delay, and the steps being taken by the user to return the construction to the schedule established. In no event shall more than nine months elapse between such progress reports to the District.
- o. Any other information as may be deemed by the District to be necessary to evaluate the permit application.

C. Categorical Requirements

1. Industrial users subject to National Categorical Pretreatment Standards shall submit a Wastewater Discharge Permit Application/Baseline Report.
2. Within 180 days after the effective date of promulgation of a National Categorical Pretreatment Standard, or 180 days after a final administrative decision has been made upon a categorical determination submission in accordance with 40 CFR Section 403.6(a) (4), whichever is later, existing industrial users subject to such National Categorical Pretreatment Standards and currently discharging to the District's POTW shall apply for a Wastewater Discharge Permit.
3. New Sources, when subject to a National Categorical Pretreatment Standard, shall apply for a Wastewater Discharge Permit at least 90 days prior to discharging to the POTW or in the case of new categorical determination within 45 days after notification or commencement of discharge.
4. In support of the Permit Application/Baseline Report, the industrial user shall submit, with its application, in units and terms specified in the application the following information:
  - a. All of the information required in Section 400.105 (B) and the following:
  - b. List of any environmental control permits held by or for the facility;
  - c. Brief description of the nature, average rate of production, and Standard Industrial Classification of the operation(s) carried out by such user. This description shall include a schematic process diagram indicating points of discharge to the POTW from the regulated processes.
  - d. The report must be signed by an appropriate official and contain a statement certifying the accuracy of the data and integrity of the information, as required by the District.

5. In support of the Baseline Report, the industrial user shall submit within 90 days following commencement of the introduction of wastewater to the District, in units and terms specified in the application, the following information:
  - a. Information showing the measured average daily and maximum daily flow, in gallons per day, to the POTW from each of the following:
    - i. Regulated process streams, and
    - ii. Other streams as necessary to allow use of the combined waste stream formula of 40 CFR Section 403.6(e).
  - b. The industrial user shall identify the National Categorical Pretreatment Standards applicable to each regulated process, and shall:
    - i. Submit the results of sampling and analysis identifying the nature and concentration of regulated pollutants in the District from each regulated process. Both daily maximum and average concentration shall be reported. The sample shall be representative of daily operations. The baseline report shall indicate the time, date, and place of sampling and methods of analysis, and shall certify that such sampling and analysis is representative of normal work cycles and expected pollutant dischargers to the POTW.
    - ii. Where feasible, obtain samples through the flow proportional composite sampling techniques specified in the applicable National Categorical Pretreatment Standards. Where composite sampling is not feasible, a grab sample is acceptable.
    - iii. A minimum of four (4) grab samples must be used for pH, cyanide, total phenols, oil and grease, sulfide, temperature and volatile organics. For facilities for which historical data is available, the Pretreatment Coordinator may authorize a lower minimum. For all other pollutants, 24 hour composite samples must be obtained through flow proportional composite sampling techniques where feasible. The District may waive flow proportional composite sampling for any Industrial user that demonstrates that flow proportional sampling is not feasible. In such cases, samples may be obtained through time proportional composite sampling techniques or through a minimum of four (4) grab samples where the user demonstrates that this will provide a representative sample of the effluent being discharged.
    - iv. Take the samples immediately downstream from pretreatment facilities if such exist or immediately downstream from the regulated process if no pretreatment exists. If other wastewaters are mixed with the regulated wastewater prior to pretreatment, in order to evaluate compliance with the National Categorical Pretreatment Standards, the industrial user shall measure the flows and concentrations necessary to allow use of the combined wastestream formula of 40 CFR Section 403.6 (c). Where an alternate concentration has been calculated in accordance with Section

403.6 (c), this adjusted limit along with supporting data shall be submitted to the District.

- v. Perform sampling and analysis in accordance with 40 CFR Part 136
  - vi. Submit, only with District authorization, a Permit Application/Baseline Report which utilizes only historical data, so long as the data provides information sufficient to determine the need for industrial pretreatment measures.
- c. The industrial user shall provide a statement, reviewed by an authorized representative of the industrial user and certified by a qualified professional indicating whether National Categorical Pretreatment Standards are being met on a consistent basis and, if not, whether additional operation and maintenance measures (O&M) or additional pretreatment is required for the user to meet the National Categorical Pretreatment Standards.
- d. If additional pretreatment or O&M will be required to meet the National Categorical Pretreatment Standards, the user will provide the shortest schedule which will provide such additional pretreatment or O&M. The completion date in this schedule shall not be later than the compliance date established for the applicable National Categorical Pretreatment Standard.
- i. Where the industrial user's National Categorical Pretreatment Standard has been modified by the combined wastestream formula (40 CFR Section 403.6(e)], at the time the user applies for the Wastewater Discharge Permit, the information required in Section 400.105 C5(b)&(c) shall pertain to the modified limits.
  - ii. If the National Categorical Pretreatment Standard for the industrial user is modified after the application for a Wastewater Discharge Permit is submitted, the user shall make any necessary amendments to information provided as a response to Section 400.105 C5(b)&(c) and submit them to the District within 60 days after the modified limit is approved.

The following conditions shall apply to the schedule required:

- i. The schedule shall contain increments of progress in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the Industrial User to meet the applicable categorical Pretreatment Standards (e.g., hiring an engineer, completing preliminary plans, completing final plans, executing contract for major components, commencing construction, completing construction, etc.).
- ii. No increment referred to in paragraph (c)(1) of this section shall exceed 9 months.



- iii. Not later than 14 days following each date in the schedule and the final date for compliance, the Industrial User shall submit a progress report to the District including, at a minimum, whether or not it complied with the increment of progress to be met on such date and, if not, the date on which it expects to comply with this increment of progress, the reason for delay, and the steps being taken by the Industrial User to return the construction to the schedule established. In no event shall more than 9 months elapse between such progress reports to the District.
  
- e. Within 90 days following the date for final compliance with applicable categorical Pretreatment Standards or in the case of a New Source following commencement of the introduction of wastewater into the POTW, any Industrial User subject to Pretreatment Standards and Requirements shall submit to the District a report containing the following information:
  - (a) Flow measurement. The User shall submit information showing the measured average daily and maximum daily flow, in gallons per day, to the POTW from each of the following: (i) Regulated process streams; and (ii) Other streams as necessary to allow use of the combined wastestream formula of § 403.6(e). The District may allow for verifiable estimates of these flows where justified by cost or feasibility considerations.
  
  - (b) Measurement of pollutants. (i) The user shall identify the Pretreatment Standards applicable to each regulated process; (ii) In addition, the User shall submit the results of sampling and analysis identifying the nature and concentration (or mass, where required by the Standard or District) of regulated pollutants in the Discharge from each regulated process. Both daily maximum and average concentration (or mass, where required) shall be reported. The sample shall be representative of daily operations. In cases where the Standard requires compliance with a Best Management Practice or pollution prevention alternative, the User shall submit documentation as required by the District or the applicable Standards to determine compliance with the Standard; (iii) The User shall take a minimum of one representative sample to compile that data necessary to comply with the requirements of this paragraph. (iv) Samples should be taken immediately downstream from pretreatment facilities if such exist or immediately downstream from the regulated process if no pretreatment exists. If other wastewaters are mixed with the regulated wastewater prior to pretreatment the User should measure the flows and concentrations necessary to allow use of the combined wastestream formula of 40 CFR 403.6(e) in order to evaluate compliance with the Pretreatment Standards. Where an alternate concentration or mass limit has been calculated in accordance with 40 CFR 403.6(e) this adjusted limit along with supporting data shall be submitted to the District; (v) Sampling and analysis shall be performed in accordance with the techniques prescribed in 40 CFR part 136 and amendments thereto. Where 40 CFR part 136 does not contain sampling or analytical techniques for the pollutant in question, or where the USEPA Administrator determines that the part 136 sampling and analytical techniques are inappropriate for the pollutant

in question, sampling and analysis shall be performed by using validated analytical methods or any other applicable sampling and analytical procedures, including procedures suggested by the POTW or other parties, approved by the USEPA Administrator; (vi) The District may allow the submission of a baseline report which utilizes only historical data so long as the data provides information sufficient to determine the need for industrial pretreatment measures; (vii) The baseline report shall indicate the time, date and place, of sampling, and methods of analysis, and shall certify that such sampling and analysis is representative of normal work cycles and expected pollutant Discharges to the POTW;

(c) Certification. A statement, reviewed by an authorized representative of the Industrial User and certified to by a qualified professional, indicating whether Pretreatment Standards are being met on a consistent basis, and, if not, whether additional operation and maintenance (O and M) and/or additional Pretreatment is required for the Industrial User to meet the Pretreatment Standards and Requirements.

For Industrial Users subject to equivalent mass or concentration limits established by the District in accordance with the procedures in 40 CFR 403.6(c), this report shall contain a reasonable measure of the User's long term production rate. For all other Industrial Users subject to categorical Pretreatment Standards expressed in terms of allowable pollutant discharge per unit of production (or other measure of operation), this report shall include the User's actual production during the appropriate sampling period.

- f. The report must be signed by an appropriate official and contain a statement certifying the accuracy of the data and integrity of the information, as required by the District.

#### D. Review of Permit Applications

The District will evaluate the data furnished by the user and may require additional information from the user. After evaluation of the data furnished, the District may issue an Industrial Wastewater Discharge Permit. No interim or temporary permit will be issued by the District except as set forth in Section 400.105(J). The Wastewater Discharge Permit shall be amended as necessary based on information provided in the Baseline Report submitted after discharge to the Sanitary District.

Incomplete or inaccurate applications will not be processed and will be returned to the User for revision. The District may deny any application for an individual wastewater discharge permit.

#### E. Wastewater Discharge Permits

- 1. General Industrial Wastewater Discharge Permits issued to an industrial user shall be supplemented by the incorporation of categorical requirements for a user which has processes regulated by National Categorical Pretreatment Standards. The Wastewater

Discharge Permit shall include the limits on average and daily maximum pollutant concentrations from the applicable National Categorical Pretreatment Standard.

2. Where the National Categorical Pretreatment Standards are modified by the combined wastestream formula (40CFR Section 403.6(e) or net/gross calculations (40 CFR Section 403.15) or Fundamentally Difference Factor Variance for non-toxics (40 CFR Section 403.13) of the General Pretreatment Regulations), the limits as modified shall be made a part of the Wastewater Discharge Permit.
3. Where an industrial user has manufacturing processes which are regulated by more than one National Categorical Pretreatment Standard at the same permitted discharge location, the limitation in the Wastewater Discharge Permit shall be adjusted consistent with USEPA guidelines and regulations.

F. Permit Conditions

Discharge permits shall be expressly subject to all provisions of this Ordinance and all other applicable regulations, user charges and fees established by the District. Permits may contain the following:

1. Limits on the average and maximum wastewater constituents and characteristics;
2. Limits on average and maximum rate and time of discharge;
3. Requirements for installation and operation of inspection, sampling and monitoring facilities;
4. Specifications for monitoring programs which may include sampling location, frequency of sampling, number, and types and standards for tests and reporting schedule;
5. Compliance schedule, if necessary;
6. Requirements for submission of technical reports or discharge reports;
7. Requirements to retain for a minimum of three years any records of monitoring activities and results relating to wastewater discharge and for affording District access to said records;
8. Requirements for notification of the District of any new introduction of wastewater constituents or any substantial change in volume or character of the wastewater constituents being introduced into the wastewater treatment system;
9. Requirements for submission of any permits or records relating to the disposal of any waste products (i.e. liquid, solid, or hazardous);
10. Other conditions as deemed appropriate by the District to ensure compliance with this Ordinance.

11. Requirements that permittee allow the POTW or its representatives ready access upon presentation of credentials at reasonable times to all parts of its premises in which a discharge source or treatment system is located or in which records required by this ordinance are kept for the purposes of inspection, sampling, examination and photocopying of said records and for the performance of any of their duties.

A permit will contain:

- a. A statement that indicates the wastewater discharge permit issuance date, expiration date, and effective date.
- b. A statement that the wastewater discharge permit is nontransferable without prior notification to the District in accordance Section 400.105J of this ordinance, and provisions for furnishing the new owner or operator with a copy of the existing wastewater discharge permit.
- c. Sampling location, sampling frequency, and sample type, based on the applicable general Pretreatment Standards in 40 CFR 403, categorical Pretreatment Standards, local limits, and State and local law.
- d. Self-monitoring, sampling, reporting, notification and recordkeeping requirements, including an identification of the pollutants to be monitored.
- e. Effluent limits including Best Management Practices, based on applicable Pretreatment Standards.
- f. A statement of applicable civil and criminal penalties for violation of Pretreatment Standards and Requirements and any applicable compliance schedule. Such schedules may not extend the time for compliance beyond that required by applicable Federal, State, or local law.
- g. Any grant of monitoring waiver by the District to a categorical industry will be included in the condition statement of their permit subject to 40 CFR 403.12(e).

The District may authorize the Industrial User subject to a categorical Pretreatment Standard to forego sampling of a pollutant regulated by a categorical Pretreatment Standard if the Industrial User has demonstrated through sampling and other technical factors that the pollutant is neither present nor expected to be present in the Discharge, or is present only at background levels from intake water and without any increase in the pollutant due to activities of the Industrial User. This authorization is subject to the following conditions:

- (i) The District may authorize a waiver where a pollutant is determined to be present solely due to sanitary wastewater discharged from the facility provided that the sanitary wastewater is not regulated by an applicable categorical Standard and otherwise includes no process wastewater.
- (ii) The monitoring waiver is valid only for the duration of the effective period of the Permit or other equivalent individual control mechanism, but in no case longer than 5

years. The User must submit a new request for the waiver before the waiver can be granted for each subsequent control mechanism.

(iii) In making a demonstration that a pollutant is not present, the Industrial User must provide data from at least one sampling of the facility's process wastewater prior to any treatment present at the facility that is representative of all wastewater from all processes.

The request for a monitoring waiver must be signed and include the certification statement in 40 CFR 403.6(a)(2)(ii). Non-detectable sample results may only be used as a demonstration that a pollutant is not present if the EPA approved method from 40 CFR part 136 with the lowest minimum detection level for that pollutant was used in the analysis.

(iv) Any grant of the monitoring waiver by the District must be included as a condition in the User's control mechanism. The reasons supporting the waiver and any information submitted by the User in its request for the waiver must be maintained by the District for 3 years after expiration of the waiver.

(v) Upon approval of the monitoring waiver and revision of the User's control mechanism by the District, the Industrial User must certify on each report with the statement below, that there has been no increase in the pollutant in its wastestream due to activities of the Industrial User:

Based on my inquiry of the person or persons directly responsible for managing compliance with the Pretreatment Standard for 40 CFR \_\_\_\_\_ [specify applicable National Pretreatment Standard part(s)], I certify that, to the best of my knowledge and belief, there has been no increase in the level of \_\_\_\_\_ [list pollutant(s)] in the wastewaters due to the activities at the facility since filing of the last periodic report under 40 CFR 403.12(e)(1).

(vi) In the event that a waived pollutant is found to be present or is expected to be present based on changes that occur in the User's operations, the User must immediately: Comply with the monitoring requirements this section or other more frequent monitoring requirements imposed by the District; and notify the District.

h. Requirements for notification of slug discharges as defined in this Ordinance, if determined by the District to be necessary.

G. Notification of the Discharge of Hazardous Waste

The industrial user shall notify the POTW, the EPA Regional Waste Management Division Director, and state hazardous waste authorities of any discharge into the POTW of a substance which is a listed or characteristic waste under Section 3001 of RCRA. Such notification must include a description of any such wastes discharged, specifying the volume and concentration of such wastes and the type of discharge (continuous, batch, or other), identifying the hazardous constituents contained in the listed wastes, and estimating the volume of hazardous wastes expected to be discharged during the following twelve months. This requirement shall

not apply to pollutants already reported under the self monitoring requirements of 40 CFR 403.12(b), (d), and (e).

This provision does not create a right to discharge any substance not otherwise permitted to be discharged by this ordinance, a permit issued thereunder, or any applicable federal or state law.

#### H. Change in Conditions

The industrial user shall notify the District of any expected changes in wastewater from the property for which a discharge permit was received. In the event the type, quality, or volume of wastewater from the property for which a discharge permit was previously granted shall materially and substantially be expected to change as determined by the District, the person previously granted such permit shall make a new application to the District within 30 days prior to the change, in the same manner and form as originally made, provided that information previously submitted and unchanged need not be resubmitted by permittee. No permittee shall materially and substantially change the type, quality or volume of its wastewater beyond that allowed by its permit without prior approval of the District.

#### I. Duration

Permits shall be issued for a specified time period, not to exceed five (5) years. The permittee shall file an application for renewal of its permit at least 90 days prior to expiration of the user's permit. The user shall apply, on a form provided by the District, for reissuance of the permit. Upon reissuance, any applicable provisions of the Wastewater Discharge Permit issued during the term of the expiring General Wastewater Discharge Permit shall be incorporated as conditions of the new General Wastewater Discharge Permit. The terms and conditions of the permit may be subject to modification by the District during the term of the permit as limitations or requirements as identified in Part 300, Section 300.105 are modified or other just cause exists. The user shall be informed of any proposed changes in his permit at least 30 days prior to the effective date of change. Where any changes are made in user's permit, a reasonable time shall be given to achieve compliance.

#### J. Transfer

Wastewater discharge permits are issued to a specific user for the process activity specified in the permit. A Wastewater Discharge Permit shall not be assigned, transferred, or sold to a new owner or new user in different premises, or to a new or changed operation in the same or different premises without the prior approval of the District. If the premises are sold or otherwise transferred by the permittee to a new owner who will maintain the operation in the same premises, then the permit held by the seller shall be reissued by the District to the new owner as a temporary permit; provided that the new owner shall immediately apply for a new permit in accordance with this Ordinance and further provided that the temporary permit shall only be effective for ninety (90) days after the date of sale or transfer. The District shall have the same remedies for violation of temporary permits as it has for violation of other discharge permits.

K. Plans and Specifications

Detailed plans and specifications prepared by an Illinois registered professional engineer, of the pretreatment facilities proposed to be constructed shall be submitted to the District for review and must be acceptable to the District before construction of the facility is commenced. The review of such plans shall in no way relieve the user from the responsibility of modifying its facility as necessary to comply with this Ordinance. Within a reasonable time after the completion of the wastewater treatment facility, the user shall furnish its operations and maintenance procedures for the District to review and for approval. All modifications to an existing pretreatment facility must also be submitted to the District for review.

**Section 400.110 DENIAL, CONDITION OR REVISION OF PERMIT AND APPEAL PROCEDURE**

- A. The District may deny or condition new or increased industrial contributions, based on information or lack thereof in a permit application. The District may attach conditions or otherwise revise an existing permit for new or increased flows.

No discharge permit shall be issued by the District to any person whose discharge of material to sewers, whether shown upon its application or determined after inspection and testing conducted by the District, is not in conformity with the ordinances and regulations or whose application is incomplete or does not comply with the requirements of Section 400.105(B) or (C) as applicable. The District shall state the reason or reasons for denial in writing, which shall be mailed or personally delivered to the applicant within five days after denial.

- B. If the application is denied by the Executive Director, the user may obtain review of the denial by the Board of Trustees, provided that the user shall give written notice of this request therefore, within thirty (30) days after receipt of such denial. The District staff shall review the permit application, the written denial, and such other evidence and matters as the applicant and Executive Director shall present to the Board. The decision of the Board of Trustees shall be final.

**Section 400.115 REPORTING REQUIREMENTS FOR PERMITTEE**

- A. Compliance Date Report

Within 90 days following the date for final compliance with applicable pretreatment standards, or in the case of New Source, within 45 days following commencement of the introduction of wastewater into the POTW, any user subject to pretreatment standards shall submit to the District a report, on forms provided by the District, indicating the nature and concentration of all pollutants in the discharge from the regulated process which are limited by pretreatment standards and the average and maximum daily flow for these process units in the user facility which are limited by such pretreatment standards. The report shall state whether the applicable pretreatment standards are being met on a consistent basis and, if not, what additional user operation and maintenance or pretreatment techniques or installations are necessary to bring the user into compliance with the applicable pretreatment standards. The report shall include a compliance schedule for making any such changes. This statement shall be signed by an authorized representative of the industrial user and certified to by an Illinois registered professional engineer.

## B. Periodic Compliance Reports

1. All industries with an Industrial Wastewater Permit must report results to the District as specified in their individual permit, at the frequency set in their permit. The reports are due on or before the 20<sup>th</sup> of each month for the previous months sampling. In addition, the User must provide accurate daily flows for the reporting period if they have requested mass base limits on their permit.

If analyses are performed more frequently than required by the District, all results must be reported to the District in their Self-monitoring Report.

If the District performs the sampling for the User, this report is not required. However, should the user elect to perform additional sampling these results must be reported to the District within 30 days of receiving results.

All permitted industries will be required to fill out an Annual Report by a date set by the District.

2. At the discretion of the District, the District shall analyze NH<sub>3</sub>, COD, SS, TKN and any other pollutant listed under Section 300.110.
3. All measurements, tests, and analyses of the characteristics of wastewater to which reference is made in this section shall be performed in accordance with procedures contained in 40 CFR part 136 and amendments thereto or with any other test procedures approved by the USEPA Administrator. Sampling shall be performed in accordance with the techniques approved by the USEPA Administrator. Where 40 CFR part 136 does not include sampling or analytical techniques for the pollutants in question, or where the USEPA Administrator determines that the part 136 sampling and analytical techniques are inappropriate for the pollutant in question, sampling and analyses shall be performed using validated analytical methods or any other sampling and analytical procedures, including procedures suggested by the District or other parties, approved by the USEPA Administrator. (6) If an Industrial User subject to the reporting requirement monitors any regulated pollutant at the appropriate sampling location more frequently than required by the District, the results of this monitoring shall be included in the report.

Grab samples must be used for pH, cyanide, total phenols, oil and grease, sulfide, and volatile organic compounds. For all other pollutants, 24-hour composite samples must be obtained through flow-proportional composite sampling techniques, unless time-proportional composite sampling or grab sampling is authorized by the District. Where time-proportional composite sampling or grab sampling is authorized by the District, the samples must be representative of the Discharge and the decision to allow the alternative sampling must be documented in the Industrial User file for that facility or facilities. Using protocols (including appropriate preservation) specified in 40 CFR part 136 and appropriate EPA guidance, multiple grab samples collected during a 24-hour period may be composited prior to the analysis as follows: For cyanide, total phenols, and sulfides the samples may be composited in the laboratory or in the field; for volatile organics and oil & grease the samples may be composited in the laboratory. Composite



samples for other parameters unaffected by the compositing procedures as documented in approved EPA methodologies may be authorized by the District, as appropriate.

4. If sampling performed by an Industrial User indicates a violation, the User shall notify the District within one hour of becoming aware of the violation. The User shall also repeat the sampling and analysis and submit the results of the repeat analysis to the District within 30 days after becoming aware of the violation. Where the District has performed the sampling and analysis in lieu of the Industrial User, the District must perform the repeat sampling and analysis unless it notifies the User of the violation and requires the User to perform the repeat analysis. Resampling is not required if: (i) The District performs sampling at the Industrial User at a frequency of at least once per month; or (ii) The District performs sampling at the User between the time when the initial sampling was conducted and the time when the User or the District receives the results of this sampling.

Note: Section 300.135 C required immediate notification of all slug discharges.

5. The District may do any sampling necessary or choose to perform the self monitoring for the User. Where the District performs the required sampling and analysis in lieu of the Industrial User, the User will not be required to submit the compliance certification required under this section. In addition, where the District itself collects all the information required for the report, including flow data, the Industrial User will not be required to submit the report.

#### Certification Statement

All reports must be signed by an appropriate official and contain the statement below certifying the accuracy of the data and integrity of the information

The following certification statement must accompany all wastewater discharge applications, periodic reports, and certification of pollutants not present.

“I certify under penalty of law 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 concealing known violations.”

Signature of Company Representative: \_\_\_\_\_ Date signed \_\_\_\_\_

#### **Section 400.120 MONITORING FACILITIES**

- A. The District may require to be provided and operated at the user's own expense, monitoring facilities and to allow inspection, sampling, and flow measurement of the building sewer or internal drainage systems. Such monitoring facilities shall be provided at the end of a process wherein incompatible pollutants are used, produced, or treated. The monitoring facility will normally be situated on the user's premises but the District may, when such a location would

be impractical or cause undue hardship to the user, allow the facility to be constructed in the public street or sidewalk area and located so that it will not be obstructed by landscaping, parked vehicles, or other activities of the user.

- B. Whenever required by the District, any industrial user shall install a large manhole or sampling chamber for each separate discharge in the building-sewer in accordance with plans and specifications approved by the District, installed and maintained at all time at user's expense, which shall have ample room in each sampling chamber to permit the District to take representative grab or composite samples for analysis. The chamber shall be safely, easily, and independently accessible to authorized representatives of the District whenever the facility is in operation or discharging.

One of the objectives of monitoring by the District is to remain unexpected and unrevealed to the User. Requests by the User should not infringe upon this objective. An independent security Company may be used as described in Section 400.125.

When required, a flow meter shall be installed in the sampling chamber or alternate location approved by the District. The meter shall consist of a Palmer-Bowlus flume, a weir, combination level and velocity meter, magnetic or a meter device as approved by the District with a recording and totalizing register for measurement of the liquid quantity. The meter must be installed and regularly calibrated by qualified technicians at a frequency set by the District, but not less than annually. At the discretion of the District, the metered water supply to the industrial plant may be used as the liquid quantity where it is substantiated to the District that the metered water supply and waste quantities are approximately the same, or where a measurable adjustment agreed to by the District is made in the metered water supply to determine the liquid waste quantity.

It is the responsibility of the User to maintain a properly – functioning meter and to take necessary steps if it is reasonably observable that a meter is not functioning properly. The District may require the User to measure the height of wastewater in flume to verify the meter is accurate.

When required, a deduction water meter shall be installed for the purpose of measuring the quantity of water that is consumed as a part of industrial operations, and deducting that quantity from metered water supply usage for the same period, to obtain an estimated quantity of wastewater discharged to the sewer system. Deduction water meters shall be installed in a location approved by the District. The meter device shall be as approved by the District with a recording and totalizing register for measurement of the liquid quantity. The meter must be installed and regularly calibrated by qualified technicians at a frequency set by the District, but not less than annually.

The wastewater monitoring site and flow measurement facilities shall be properly operated, kept clean and maintained in good working order at all times. The failure of a User to keep its monitoring facility in good working order shall not be grounds for the User to claim that sample results are unrepresentative of its discharge.

- C. All measurements, tests, and analyses of the characteristics of water and as to which reference is made in this Ordinance shall be determined in accordance with 40 CFR Part 136.

If 40 CFR Part 136 does not contain sampling or analytical techniques for the pollutant in question, or where the EPA determines that the Part 136 sampling and analytical techniques are inappropriate for the pollutant in question, sampling and analyses shall be performed by using validated analytical methods or any other applicable sampling and analytical procedures, including procedures suggested by the District or other parties approved by EPA.

The procedure for sampling will be determined by the District. The sample must be properly refrigerated and preserved in accordance with 40 CFR 136 as amended and shall be composite in proportion to the flow or time for a representative sample as determined by the District. Such sampling must be done as prescribed by the user's Wastewater Discharge Permit.

The sampling chamber, metering device, documentation of the frequency of sampling, chain of custody documentation, sampling methods, quality control samples, and analyses of samples shall be subject, at any reasonable time, to inspection and verification by the District.

The Chain of Custody (COC) is a record of sampling procedure. It must include date; exact place; method; the time of sampling; the name of the person(s) taking the samples(s); the dates the analyses were performed; who performed the analysis; the analytical techniques used; the quality control results; and the sample results. These records must be made available for a minimum of three (3) years. The User may be notified by the District for a longer retention period.

- D. Where required by the District, additional control manholes or sampling chambers shall be provided at the end of each industrial process within a significant industrial user's facility suitable for the determination of compliance with Pretreatment Standards.

**Section 400.125            INSPECTION, SAMPLING, AND RECORD KEEPING**

- A. The District may inspect the facilities of users to ascertain whether the purposes of this Ordinance are being met and if all requirements of the Ordinance are being complied with. Persons or occupants or premises in which a discharge source or treatment system is located or in which records are kept shall allow the District or its representative ready access upon presentation of credentials at reasonable times to all parts of said premises where wastewater is generated, records are kept, or chemicals are stored for the purposes of inspection, sampling, examination, and photocopying of records required to be kept by this Ordinance, and in the performance of any of their duties. The District shall have the right to set up on the user's property such devices as are necessary to conduct sampling, monitoring, and metering operations. Where a user has security measures in force which would require suitable identification, necessary arrangements with their security guards so that upon presentation of suitable identification, personnel from the District shall be permitted to enter immediately for the purposes of performing their specific responsibilities. Such arrangements shall be made by users with their security guards within 30 days of the passage of this Ordinance.
- B. Users and the District shall maintain records of all information resulting from any monitoring activities required by this Ordinance or in the case of industrial users, by 40 CFR Section 403.12. The District and industrial users shall maintain such records for a minimum of three (3) years. This period of retention shall be extended during the course of any unresolved litigation regarding the discharge of pollutants by the industrial user or operation of the District's pretreatment program or when requested by the Regional USEPA Administrator or

the Director of IEPA. Any Industrial User subject to the reporting requirements established 40 CFR 403.12 shall maintain records of all information resulting from any related required monitoring activities, including documentation associated with Best Management Practices. Such records shall include for all samples:

- (i) The date, exact place, method, and time of sampling and the names of the person or persons taking the samples;
- (ii) The dates analyses were performed;
- (iii) Who performed the analyses;
- (iv) The analytical techniques/methods used; and
- (v) The results of such analyses.

**Section 400.130            CONFIDENTIAL INFORMATION**

- A. Information and data relating to an industrial user obtained from reports, questionnaires, permit applications, permits, and monitoring programs and from inspections shall be available to the public or other governmental agency without restriction unless the user specifically requests, and is able to demonstrate to the satisfaction of the District, that the release of such information would divulge protection as trade secrets under applicable law of the user. Any such request must be asserted at the time of submission of the information or data.
- B. When requested by the person furnishing a report, and until such time as the Executive Director determines that the requested information is not entitled to confidential treatment, the portions of a report which might disclose trade secrets or secret processes shall not be made available for inspection by the public, but shall be made available upon written request to governmental agencies for uses related to this Ordinance, the National Pollutant Discharge Elimination System (NPDES) Permit, and for use by the state or any state agency in judicial review or enforcement proceedings involving the person furnishing the report.
- C. Information and data provided to the District which is effluent data shall be available to the public without restriction.
- D. Information accepted by the District as confidential shall not be transmitted to the general public by the District until and unless a thirty-day notification is given to the user.
- E. The Executive Director shall implement measures to prevent the negligent release of confidential information; however, the Executive Director and the District shall not be held legally responsible for release of information if they have acted in good faith.

**Section 400.140            AUTHORITY**

Any duly authorized employee or agent of the District bearing proper credentials and identification shall at any time be permitted to enter upon all properties within the corporate limits of the District or outside the District and contracted for service for the purpose of inspecting, observing, measuring, sampling, and testing, as may be required in pursuance of the implementation and enforcement of the terms and provisions of this Ordinance.

While performing the necessary work on private properties referred to in this Article, the **duly** authorized employees of the District shall observe all safety rules applicable to the premises established by the company which are disseminated to the District employees, and the company shall

be held harmless for injury or death to the District employees; and the District shall indemnify the company against loss or damage to its property by District employees and against liability claims and demands for personal injury or property damages asserted against the company and growing out of the gauging and sampling operation, except as such may be caused by the negligence or failure of the company, its employees or agents.

**PART 500**

**ENFORCEMENT PROCEDURES**

**Section 500.100 PUBLIC NOTIFICATION OF INDUSTRIAL USERS IN SIGNIFICANT NONCOMPLIANCE**

The District shall publish annually, in a newspaper of general circulation that provides meaningful public notice within its jurisdiction, a list of the Significant Users which, at any time during the previous 12 months, were in Significant Noncompliance with any of the applicable Pretreatment Standards and Requirements. This shall also apply to any User that violates Sections C, D, or H as described under "Significant Noncompliance."

**Section 500.105 COMPULSORY COMPLIANCE PROCEDURES**

**A. Notice of Violation**

Should a violation of this Ordinance, permit or pretreatment standard or requirement by a user occur, the District shall notify the offending user, in writing, through a "Notice of Violation" as to the particulars of such violation and any penalties under Section 600.100. The penalties in Section 600.100 are applicable to each day a user is in violation, may be assessed during or after the user returns to compliance in accordance with the following compliance procedure, and are actionable immediately if the District deems such action necessary.

**B. Notice of Non-Compliance**

Should a violation of this Ordinance for the same parameter occur more than 5 times in a calendar year, the District shall notify the offending user, in writing, through a "Notice of Non-Compliance" as to the particulars of the violations and set a time and place for a meeting (hereinafter called a "Compliance Meeting") to be attended by representatives of the District and the user. The purpose of such a meeting shall be to establish such procedures, investigations, studies, and compliance measures as the District deems necessary and desirable to control and prevent violation of this Ordinance. The user shall cooperate fully with the District in making such investigations and studies.

**C. Compliance Directive**

1. Following the completion of any procedures, investigations, studies, or actions as described in Section 500.105(B) above, the District may issue a Compliance Directive, directing and requiring the user to take such action as may be required to control and prevent violations of the Ordinance.
2. If the District has sufficient information at the time of the Compliance Meeting to determine necessary and desirable compliance measures, it may, at the time of the Compliance Meeting, issue a Compliance Directive, directing and requiring the user to take such action, including pretreatment, without further investigation or study.
3. Failure to comply with the Compliance Directive of the District shall be deemed a violation of the provisions of this Ordinance and may be grounds for revocation of the

user's wastewater discharge permit and grounds for such other actions as may be authorized for violation of this Ordinance.

**Section 500.110            REVOCATION OF PERMIT**

**A.        Conditions for Revocation**

Any user who violates this Ordinance, its permit, the Illinois Environmental Protection Act, or the Federal Act, or regulations promulgated under either act, or any of the following, is subject to having its permit revoked in accordance with the procedures of this Section 500.110:

1.    Failure of a user to factually report the wastewater constituents and characteristics of its discharge as determined by the user's or District's analysis;
2.    Failure of the user to report significant changes in process activity or wastewater constituents and characteristics;
3.    Refusal of reasonable access to the user's premises by District representatives for the purpose of inspection or monitoring; or
4.    Tampering with, disrupting, or destroying District equipment;
5.    Failure to report an accidental discharge of a pollutant;
6.    Failure to report an upset of user's treatment facilities; and
7.    Violations of conditions of the permit.

**B.        Procedures for Revocation**

1.    The Executive Director may order any user who causes or allows any action which is subject to revocation under Section 500.100(A) above to show cause before the Board of Trustees why its permit should not be revoked. A notice shall be served on the user specifying the time and place of a hearing to be held by the Board of Trustees regarding the violation, the reasons why the action is to be taken, the proposed action, and directing the user to show cause before the Board of Trustees why its permit should not be revoked. The notice of the hearing shall be served personally or by registered or certified mail, return receipt requested, at least ten (10) days before the hearing. Service may be made on any agent or officer of a corporation.
2.    The Board of Trustees may itself conduct the hearing and take the evidence, or may designate any of its members or its attorney to:
  - a.    Issue in the name of the Board of Trustees notices of hearings requesting the attendance and testimony of witnesses and the production of evidence relevant to any matter involved in such hearing;
  - b.    Take the evidence;
  - c.    Transmit a report of the evidence and hearing, including transcripts and other evidence, together with recommendations to the Board of Trustees for action thereon.

3. At any hearing held pursuant to this Ordinance, testimony taken must be under oath and recorded. The transcript, so recorded, will be made available to any member of the public or any party to the hearing upon payment of the usual copying charges therefore.
4. After the Board of Trustees has reviewed the evidence, it may issue an order to the user responsible for the discharge directing either a) that the discharge permit be revoked and the service be disconnected or b) that following a specified time the permit shall be revoked and sewer service discontinued unless adequate treatment facilities, devices or other related appurtenances have been installed and operated properly to comply with the discharge permit or c) direct the user to cease the unauthorized discharge effective after a specified period of time or d) that such other relief as deemed necessary by the Board of Trustees to abate the discharge be granted. Further orders and directives as are necessary may be issued.
5. Following an order of revocation, the user shall cease discharging to the District's POTW. Failure to do so shall be evidence of continuing harm to the District and provide grounds for the granting of injunctive relief or temporary restraining orders.

**Section 500.115 ORDER TO SHOW CAUSE REGARDING DISCONNECTION**

The District may, upon discovering an ongoing or potential discharge to the District POTW which presents or may present a danger to the environment or which threatens to interfere with the operation of the POTW, immediately issue an order to the discharger to show cause before the Board of Trustees why the District should not disconnect service, revoke the discharger's Wastewater Permit, or seek injunctive relief to prohibit the discharger from making the discharge. Procedures to be followed by the Board of Trustees in said show cause hearing shall be in accordance with Part 500, Section 110(B) of this Ordinance.

**Section 500.120 IMMEDIATE DISCONNECTION OF SERVICE**

**A. Conditions for Immediate Disconnection of Service**

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

1. Whenever immediate disconnection is required to halt or prevent any discharge of pollutants to the POTW which reasonably appears to the Executive Director to present an imminent endangerment to the health or welfare of persons, the environment, or threatens to interfere with the operation of the POTW.
2. Whenever the user's General Industrial Wastewater Discharge Permit is revoked.

**B. Procedures for Immediate Disconnection**

Notwithstanding Section 500.105, 500.110, or 500.115, the Executive Director shall have the authority, after informal notice to the user, to immediately and effectively halt or prevent any discharge of pollutants to the POTW that reasonably appears to exceed the conditions



described in Section 500.120(A). When the Executive Director determines that such an emergency situation exists, he shall issue a verbal order (followed immediately by a written order) to the user stating the problem and requiring immediate cessation of the discharge. The Executive Director's actions may include disconnection of wastewater collection service. Methods of informal notice shall include, but not be limited to, any of the following: personal conversation between user and District employees, telephone calls, letters, hand delivered messages, or notice posted at the user's premises or point of discharge.

**Section 500.125 ELIMINATION OF DISCHARGE/REINSTATEMENT**

Any user notified of a disconnection of wastewater treatment service under Sections 500.115 or 500.120 and/or revocation of its Wastewater Discharge Permit shall immediately stop or eliminate the discharge. In the event of a failure of the user to comply voluntarily with the disconnection or revocation order, the District shall take such steps as deemed necessary, including immediate severance of the sewer connection, to prevent or minimize damage to the POTW system or danger to any individuals. The Executive Director shall reinstate the Wastewater Discharge Permit and/or the wastewater treatment service upon proof of the elimination of the non-complying discharge.

**Section 500.130 INJUNCTIVE RELIEF**

- A. The District may institute a civil action for an injunction to restrain violations of this Ordinance.
- B. The District may, upon discovering an ongoing or potential discharge of pollutants to the District POTW which reasonably appears to exceed the conditions described in Section 500.120(A), seek and obtain from the Circuit Court of Cook or Will County, a temporary restraining order or preliminary injunction to halt or prohibit such discharge. Prior to the filing of such petition, the discharger shall be given informal notice of the District's intention to file such action. Methods of informal notice shall include, but not be limited to, any of the following: personal conversation between discharger and District employees, telephone calls, letters, hand delivered messages or notices posted at the discharger's premises or point of discharge. Personal contact between District personnel and the discharger shall be attempted, but shall not be a condition precedent to the District petitioning for and obtaining a temporary restraining order.

**Section 500.135 ADDITIONAL REMEDIES**

- A. In addition to remedies available to the District set forth elsewhere in this Ordinance, if the District is fined by the State of Illinois or USEPA for violation of the District NPDES Permit or violation of water quality standards as the result of a discharge of pollutants, then the fine, and all District legal, sampling, analytical testing costs, and any other related costs shall be charged to the responsible user. Such charge shall be in addition to, and not in lieu of, any other remedies the District may have under this Ordinance, statutes, regulations, at law or in equity.
- B. If the discharge from any user causes a deposit, obstruction, or damage to any of the District's wastewater facilities, the Executive Director shall cause the deposit or obstruction to be promptly removed or cause the damage to be promptly repaired. The

cost for such work, including materials, labor, and supervision, shall be borne by the person causing such deposit, obstruction, or damage.

- C. The remedies provided in this Ordinance shall not be exclusive and the Thorn Creek Basin Sanitary District may seek whatever other remedies are authorized by statute, at law or in equity against any person violating the provisions of this Ordinance.
- D. In addition to any fine levied under Part 600, the District may, where the circumstances of the particular case so dictate, seek injunctive relief to prohibit the user from discharging into the sanitary sewer system, or to provide such other affirmative relief as may be appropriate.

## PART 600

### **PENALTIES AND COSTS**

#### **Section 600.100 PENALTIES AND COSTS**

- A. Any person who shall violate any provision of this Ordinance, wastewater discharge permit, compliance directive or approved compliance plan, shall be guilty of a misdemeanor, shall upon conviction thereof be fined in an amount not less than one hundred and fifty dollars (\$150.00) and not more than one thousand dollars (\$1000.00) for each violation in accordance with the terms and provisions of Section 6.1 and 26 of the "Sanitary District Act of 1917" (Illinois Compiled Statutes, 70 ILCS 2405/6.1 and 2405/26). For the purpose of this section, each day in which any such violation shall continue shall be deemed a separate offense, and for each separate violation such person shall be similarly fined in an amount not less than one hundred and fifty dollars (\$150.00) or more than one thousand dollars (\$1,000.00). In the case of a monthly or long-term average discharge limit, penalties shall accrue for each day during the period of the violation.
- B. A person who is fined for violation of any provision of this Ordinance may be committed to the county jail until the fine and costs are paid; provided, however, that no such incarceration shall exceed six (6) months for any one violation.
- C. Any person who shall violate any provision of this Ordinance shall also be:
1. Liable to the District for all costs, expenses, collection fees, loss or damage, if any, incurred by the District as the result of such violation. (See Section 500.135).
  2. Subject to immediate disconnection of the sewer serving the property upon or in connection with which the violation occurred.
  3. Subject to a lien upon said property in the amount of any costs described in Section 600.100 above.
  4. Subject to an action or proceeding in the circuit court.
- D. Any person who causes or allows a discharge in excess of the limitations contained in Sections 300.105 or 300.110 shall be charged a violation penalty which shall be the largest of the following:
1. \$200.00 per day for each limit violated.
  2. \$500.00 per day for each concentration limit exceeded by 100 percent, a pH less than 4.5 or greater than 10.5 or any slug discharge.
  3. \$1,000.00 per day for each concentration limit exceeded by 1,000 percent, a pH less than 3.5 or greater than 12.0 or any discharge which is ten (10) times the discharge limitation.

4. If any industry violates the same parameter more than 3 times in the same calendar year, an additional fine of \$1,000.00 per violation will be charged.
5. The District reserves the right to revoke discharge permits and disconnect service to any user whenever penalties or fees become delinquent.
6. All penalties, fees, costs, expenses and damages shall be paid by the liable person to the District within twenty one (21) days of notice by the District. Notice shall be deemed to have been given on the date the District mails the notice of the amount owed by first class mail.
7. Any Industrial User who falls under Significant Noncompliance will be fined an additional \$1,000.00.

E. Late Filing Of Reports

All industrial users required to submit reports to the District shall comply with the specified due date. Any report not received by the specified due date shall be subject to the following late filing penalties.

1. Reports submitted up to 15 calendar days late will be assessed \$200.00 for each delinquent report.
2. An accumulative fine of \$25.00 per day will be assessed for every day thereafter.

**Section 600.105            FALSIFICATION**

Any person who knowingly makes any false statements, representation, or certification in any application, record, report, plan or other document filed or required to be maintained pursuant to this Ordinance or Wastewater Discharge Permit, or who falsifies, tampers with, or knowingly renders inaccurate results or readings from any monitoring device or method required under this Ordinance, shall be subject to the penalties and costs provided in Section 600.100 and shall in addition be upon conviction thereof be guilty of a misdemeanor and, be punished by a fine of not less than one hundred dollars (\$150.00) or more than one thousand dollars (\$1,000.00) or shall be incarcerated in a penal institution other than the penitentiary for a period not to exceed six (6) months.

## PART 700

### APPEALS PROCEDURE

#### Section 700.100

- A. Unless otherwise waived by the District, the following Appeal Procedure is required for any user of the District's facilities, in order to appeal the provisions of this Ordinance and to have the right to a hearing regarding the appeal.
- B. A written complaint must be submitted to the appropriate supervisory personnel. Documentation required to substantiate the user's complaint must be included. After review of the information presented, the supervisory personnel determination will be made known to the complainant via first class mail. All documentation, review notes and resolution of the complaint shall be filed and retained for a period not less than three years.
- C. In the event that the complaint has not been settled to the satisfaction of the user, the user may file a formal notification of the complaint within thirty days after the District mails notice by first class mail of the supervisory personnel determination. Upon District receipt of the notification, the user will be advised by the District that the complaint has been recorded and that the user has the right to a hearing before the Executive Director. A mutually agreed upon time shall then be scheduled to hear the user's complaint and a decision shall be rendered by the Executive Director, in writing via first class mail, to the complainant. This decision shall give the reasons for either approving or disapproving the user's complaint.
- D. The user has the right to then appeal this decision, in writing, to the Board of Trustees of the Thorn Creek Basin Sanitary District and said written appeal shall be delivered to the District within thirty days after the District mails notice by first class mail to the user of the Executive Director's decision. The user will be allowed to present the appeal at a regularly scheduled meeting of the Board of Trustees. The Board of Trustees shall mail its written decision to the user via first class mail.

No delinquency penalties will be charged against the user during the period of time starting with the initial complaint to the District and ending with the hearing by the Executive Director. If the complainant appeals to the Board of Trustees, the complainant shall be liable for any penalties charged by the District after the meeting with the Executive Director if the Board upholds the Executive Director's decision. In the event the District Board overrules the Executive Director's decision, then the Board may, at its discretion, waive all or part of any penalties charged to the complainant.

All decisions rendered by the Board of Trustees will be considered final and binding to all parties involved.

**PART 800**

**APPROVAL GENERAL PROVISIONS**

**Section 800.100**

Authority

- A. "Sanitary District Act of 1917" (Illinois Compiled Statutes, 70 ILCS 2405/1 et seq.)
- B. "Environmental Protection Act", (Illinois Compiled Statutes, 45 ILCS 5/1 et seq.)
- C. "Clean Water Act of 1977", (33 USC, Section 1251, et. seq.).
- D. All acts, ordinances and regulations cited or referred to in this Ordinance shall also include any and all amendments or other applicable sections.

Validity

The validity of any Section, clause, sentence, or provision of this Ordinance shall not affect the validity of any other part of this Ordinance which can be given effect without such invalid part or parts.

Ordinance in Force

This Ordinance shall be in full force and effect from and after ten days from the date of its publication as provided by law.

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Passed and adopted by the Board of Trustees of the Thorn Creek Basin Sanitary District, Cook and Will Counties, State of Illinois on March 16, 2022.



Francisco Perez, President

Attest:



Frank V. Alston, Sr., Clerk

|                      |                  |                  |
|----------------------|------------------|------------------|
| Approved and Passed: | 05/20/85 No. 295 |                  |
| Amended:             | 06/15/07 No. 447 | 05/18/87 No. 303 |
|                      | 10/21/91 No. 326 | 10/21/91 No. 327 |
|                      | 05/18/92 No. 330 | 05/19/97 No. 359 |
|                      | 07/19/99 No. 371 | 10/18/02 No. 396 |
|                      | 06/20/03 No. 403 | 11/05/03 No. 403 |
|                      | 06/17/05 No. 422 | 06/15/07 No. 447 |
|                      | 10/19/07 No. 453 | 12/16/11 No. 486 |
|                      | 03/17/21 No. 526 | 03/16/21 No. 529 |