

PRETREATMENT ORDINANCE NO. 2019-28

WHEREAS, the Sangamon County Water Reclamation District of Illinois (DISTRICT) is required, as part of its NPDES Permits relating to operation of its plants, to develop a Pretreatment Program for industrial users within its service area, and;

WHEREAS, the DISTRICT is required by USEPA to maintain said Pretreatment Program,

NOW THEREFORE BE IT ORDAINED by the Board of Trustees of the Sangamon County Water Reclamation District that following is its Pretreatment Program.

1. Severability

If any provision, paragraph, word, section or chapter 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.

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other ordinances and parts of other ordinances inconsistent or conflicting with any part of this Ordinance are hereby repealed to the extent of such inconsistency or conflict.

3. Ordinance in Force

This Ordinance shall be in full force and effect following its passage, adoption, approval and publication as provided by law.

PASSED AND ADOPTED by the Board of Trustees of the Sangamon County Water Reclamation District of Sangamon County, Illinois, this 29th day of October, 2019.

SIGNED: 
President, Board of Trustees

ATTEST: 
Clerk, Board of Trustees



Published: October 31, 2019

Sangamon County Water Reclamation District – Pretreatment Program

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CHAPTER 1 - GENERAL PROVISIONS

1.1 Purpose and Policy

This Ordinance sets forth uniform requirements for Industrial Users of the District's wastewater collection and treatment systems, and enables the District to protect public health in conformity with all applicable local, State and Federal laws relating thereto.

The objectives of this Ordinance are:

- a) to prevent the introduction of pollutants into the District wastewater collection and treatment system which will interfere with the normal operation of the system or contaminate the resulting municipal sludge;
- b) to prevent the introduction of pollutants into the District wastewater collection and treatment system which do not receive adequate treatment in the POTW, and which will pass through the system into receiving waters or the atmosphere or otherwise be incompatible with the system;
- c) to improve the opportunity to recycle and reclaim wastewater and sludge from the system.

This Ordinance provides for the regulation of discharges into the District wastewater collection and treatment system through the enforcement of administrative regulation and Wastewater Discharge Permits. This Ordinance does not provide for the recovery of operations, maintenance or replacement costs of the POTW including costs incurred in the implementation of this Ordinance or the costs associated with the construction of collection and treatment systems used by Industrial Users, in proportion to their use of the POTW, which are the subject of separate enactments.

CHAPTER 2 - ABBREVIATIONS AND DEFINITIONS

2.1 Abbreviations

The following abbreviations shall have the designated meanings:

BOD5	Biochemical Oxygen Demand
CERCLA	Comprehensive Environmental Response, Compensation and Liability Act of 1980
CFR	Code of Federal Regulations
COD	Chemical Oxygen Demand
CWA	Clean Water Act
FOG	Fats, Oils and Grease
IEPA	Illinois Environmental Protection Agency
IU	Industrial User
IPC	Industrial Pretreatment Coordinator
mg/L	Milligrams Per Liter
NCPS	National Categorical Pretreatment Standard
NPDES	National Pollutant Discharge Elimination System
NRD	Non-Residential Discharger
POTW	Publicly Owned Treatment Works
PSES	Pretreatment Standards for Existing Sources
PSNS	Pretreatment Standards for New Sources
RCRA	Resource Conservation and Recovery Act
SARA	Superfund Amendments and Reauthorization Act of 1986
SIC	Standard Industrial Classification
SIU	Significant Industrial User
SNC	Significant Noncompliance
SWDA	Solid Waste Disposal Act
TOMP	Toxic Organics Management Plan
TSS	Total Suspended Solids
TTO	Total Toxic Organics
USC	United States Code
USEPA	United States Environmental Protection Agency

2.2 Definitions

"A" as in "Cyanide-A" means amenable to alkaline chlorination.

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

"Approval Authority" is the United States Environmental Protection Agency Region 5.

"Authorized Representative of Industrial User" is (i) a responsible corporate officer or a duly authorized representative of that individual if the Industrial User is a corporation. Responsible corporate

officer includes the President, Secretary, Treasurer or a Vice-President of the corporation in charge of a principal business function; (ii) a general partner, proprietor or a duly authorized representative if the Industrial User is a partnership or sole proprietorship respectively; The duly authorized representative of the individual designated above may be an individual responsible for the overall operation of an Industrial User's facility or an individual in charge of all environmental matters for that Industrial User. This representative must be designated in writing and submitted to the SCWRD.

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

"Biochemical Oxygen Demand (BODs)" means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures for five (5) days at 20 degrees Celsius, usually expressed as a concentration (e.g., mg/L) as described in Standard Methods.

"Blowdown" means the minimum discharge of recirculating water for the purpose of discharging materials contained in the water, the further buildup of which would cause concentration in amounts exceeding limits established by best engineering practice.

"Bypass" means the intentional diversion of waste streams from any portion of an Industrial User's treatment system.

"Chemical Oxygen Demand (COD)" means a measure of the oxygen-consuming capacity of inorganic and organic matter present in wastewater. COD expressed as the amount of oxygen consumed in mg/L. Results do not necessarily correlate to the biochemical oxygen demand (BOD) because the chemical oxidant may react with substances that bacteria do not stabilize.

"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. Noncontact cooling water means water used for cooling which does not come into direct contact with any raw material, intermediate product, waste product or finished product.

"Compatible (conventional) Pollutant" means BODs, COD, certain FOG, suspended solids, pH, fecal coliform bacteria, ammonia and phosphorus.

"Consistent POTW Treatment Works Removal, Pollutant Removal or Removal" means reduction in the amount of a pollutant or alteration of the nature or concentration of a pollutant in the influent of the POTW to a less incompatible or concentrated state in the effluent. Consistent % removal efficiency shall be the difference between the average concentration of the pollutant in the influent of the treatment plant and the average concentration of the pollutant in the effluent of the treatment plant divided by the average concentration of the pollutant in the influent.

"Control Authority" means the entity directly administering and enforcing the Pretreatment Standards

and Requirements against Industrial Users. The Sangamon County Water Reclamation District.

“Daily Maximum” means the arithmetic average of all effluent samples for a pollutant collected during a calendar day.

“Daily Maximum Limit” means the maximum allowable discharge limit of a pollutant during a calendar day. Where Daily Maximum Limits are expressed in units of mass, the daily discharge is the total mass discharged over the course of the day. Where Daily Maximum Limits are expressed in terms of a concentration, the daily discharge is the arithmetic average measurement of the pollutant concentration derived from all measurements taken that day.

"District" means the Sangamon County Water Reclamation District of Sangamon County, Illinois, acting by its duly constituted Board of Trustees or other duly authorized representatives or representative.

"District Sewer" means any sewer constructed or under construction by the Sangamon County Water Reclamation District or under the jurisdiction of any other person or municipality that is in any manner connected to a sewer under the jurisdiction of the Sanitary District, and shall include all manholes, intercepting chambers or other appurtenances thereof.

"Director" means the Executive Director of the District.

"Domestic Wastewater Discharge" means the spent water from an exclusively residential water supply to which have been added the wastes from sanitary and domestic kitchen and laundry facilities.

“Environmental Protection Agency” (EPA) means the US Environmental Protection Agency, or where appropriate, the Regional Water Management Division Director, the Regional Administrator, or other duly authorized official of said agency.

"Existing Source" means 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.

"Fats, Oil or Grease (FOG)" means any hydrocarbons, fatty acids, soaps, fats, waxes, oils, and any other material that is extracted by hexane as described in EPA Method 1664.

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

"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 on a one-time basis without regard to the flow in the waste stream and over a period of time not to exceed 15 minutes.

"Incompatible Pollutant" means all pollutants other than compatible (conventional) pollutants as defined in this section, including certain FOG.

"Industrial User (IU)" for the purpose of this Ordinance means a source of Indirect Discharge.

"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.

"Instantaneous Limit" means the maximum concentration of a pollutant allowed to be discharged at any time, determined from the analysis of any discrete or composited sample collected, independent of the industrial flow rate and the duration of the sampling event.

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

- (1) Inhibits or disrupts the District, its treatment processes or operations, or its sludge processes, use or disposal; and
- (2) Therefore is a cause of a violation of any requirement of the District's NPDES permit and/or the District's Sludge Disposal 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" means the specific discharge limits developed and enforced by the District upon industrial or commercial facilities to implement the general and specific discharge prohibitions listed in 40 CFR 403.5(a)(1) and (b).

"Medical Waste" means isolation wastes, infectious agents, human blood and blood products, pathological wastes, sharps, body parts, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes, and dialysis wastes.

"Monthly Average" means the sum of all "daily discharges" measured during a calendar month divided by the number of "daily discharges" measured during that month.

"Monthly Average Limit" means the highest allowable average of "daily discharges" over a calendar month, calculated as the sum of all "daily discharges" measured during a calendar month divided by the number of "daily discharges" measured during that month.

"National Categorical Pretreatment Standard" means any pretreatment standard specifying quantities or concentrations of pollutants which may be discharged to a POTW by Significant Industrial Users in specific industrial subcategories as established in regulations promulgated by the USEPA in 40 CFR Chapter I, Subchapter N, Parts 405-471.

"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. Other specific criteria, as defined in 40 CFR 403.3 (m) (1,2,3) will also be used to determine "New Source" dischargers.

"Non-contact cooling water" means water used for cooling that does not come into direct contact with any raw material, intermediate product, waste product, or finished product.

"Nonresidential Discharger" means any building, structure, facility or installation from which there is or may be a discharge to a District sewer excluding domiciles.

"Non-significant Industrial User" means an industrial user that never discharges more than 100 gallons per day of total categorical wastewater (excluding sanitary, non-contact cooling and boiler blow down wastewater, unless specifically include in the Pretreatment Standard) and the following conditions are met:

- A. The Industrial User, prior to the Control Authority's finding, has consistently complied with all applicable categorical Pretreatment Standard and Requirements,
- B. The Industrial User annually submits the certification statement required in 40 CFR 403.12 (q) together with any additional information necessary to support the certification statement, and
- C. The Industrial User never discharges any untreated concentrated wastewater.
- D. The Industrial User has no reasonable potential for adversely affecting the District's operation or for violating any Pretreatment Standards or Requirements.

"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 and/or Sludge Disposal Permit (including an increase in the magnitude or duration of a violation).

"Permitted Wastewater Hauler Vehicle" means a vehicle used for hauling wastewater which has been granted a permit under the requirements of District Ordinance.

"Person" means any individual, firm, company, association, society, corporation, government entity or group or their legal representatives, agents, or assigns.

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

"Pollutant" means any dredged spoil, solid waste, incineration residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discharged

equipment, rock, sand, cellar dirt or industrial, municipal and agricultural 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. This can be accomplished by physical, chemical or biological processes, process change, or other means, except as prohibited by 40 CFR Section 403.6(d).

"Pretreatment Coordinator" means the District employee whose primary role is to administer the Pretreatment Program of the District. The Coordinator's duties include, but are not limited to inspecting, sampling, issuing permits, issuing Notices of Violation, and following up on violations.

"Pretreatment Standards" means for any specified pollutant, the District's general prohibitive discharge standards as set forth in Section 3.01, specific limitation on discharge as set forth in Section 3.03, specific limitation on discharge as set forth in a Wastewater Discharge Permit, the State of Illinois Pretreatment Standards or the National Categorical Pretreatment Standards (as contained in 40 CFR Chapter 1, Subchapter N, Parts 405-471) in effect whichever standard is most stringent.

"Pretreatment Requirements" means any substantive or procedural requirement related to pretreatment, other than a pretreatment standard, imposed on an Industrial User.

"Publicly Owned Treatment Works (POTW)" means a treatment works 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 District's treatment plant regardless of ownership.

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

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

"Significant Industrial User (SIU)" for the purpose of this Ordinance shall mean a source of Indirect 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 and whose discharges (1) are subject to National Categorical Pretreatment Standards (as contained in 40 CFR Chapter 1, Subchapter N, Parts 405-471); (2) exceed 25,000 gallons per day of process wastewater (excluding sanitary, noncontact cooling and boiler blowdown wastewaters); (3) contribute process wastewaters which are at least 5% of the average dry weather hydraulic and/or organic capacity of the POTW; or (4) is designated as such by the District on the basis that it has a reasonable potential to adversely affect the POTW's operation or violate a pretreatment standard or requirement. Significant Industrial Users are required to comply with portions of this Ordinance that refer to Industrial Users as well as those portions which refer to Significant Industrial Users.

"Significant Noncompliance (SNC)" means a violation of the Ordinance and/or Wastewater Discharge Permit conditions which meet one or more of the following criteria:

- A. Chronic violations of wastewater discharge limits, meaning when sixty-six (66) percent or more of all measurements taken during a six (6) month period exceed, by any magnitude, the Pretreatment Standards or requirement, including instantaneous limits as defined by 40 CFR 403.3(1) and as outlined in the Ordinance and/or contained in a Wastewater Discharge Permit for the same pollutant parameter.
- B. Technical Review Criteria (TRC) violations, meaning when thirty-three (33) percent of all measurements for each pollutant taken during a six (6) month period equal or exceed the product of the numeric Pretreatment Standard or Requirement, including instantaneous limits as defined by 40 CFR 403.3(1) and as outlined in the Ordinance and/or a Wastewater Discharge Permit multiplied by the applicable TRC (TRC = 1.4 for BOD, TSS, Fats, Oil and Grease, and 1.2 for all other pollutants except pH).
- C. Any other violation of a Pretreatment Standard or requirement, including instantaneous limits as defined by 40 CFR 403.3(1) and as outlined in the Ordinance and/or Wastewater Discharge Permit that the District determines has caused, alone or in combination with other discharges, interference or pass through or endangers the health of District personnel or the general public.
- D. Any discharge of a pollutant that has cause imminent endangerment to human health, welfare or to the environment or has resulted in the District's exercise of its enforcement authority under Chapter 5 of the Ordinance to halt or prevent such discharge.
- E. Failure to meet, within ninety (90) days after the schedule date, a Compliance Schedule milestone date contained in the Ordinance, a Compliance Schedule Work Plan or enforcement order for starting construction, completing construction, or attaining final compliance as outlined in their Wastewater Discharge Permit.
- F. Failure to provide, within thirty (30) days after the due date any reports required by the Ordinance.
- G. Failure to accurately report noncompliance.
- H. Any other violation or group of violations which the District determines will adversely affect the operation or implementation of the District's pretreatment program.

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

"Slug Load" or **"Slug Discharge"** means any discharge of a non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch discharge, which has a reasonable potential to cause interference or pass through, or in any other way violate the District'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 Environment Federation, and any other procedures recognized by the USEPA and IEPA.

“Storm Water” means any flow occurring during or following any form of natural precipitation, and resulting from such precipitation, including snow melt.

"T as in Cyanide-T" means total.

"Tax-Exempt Users" shall mean any user which pays no ad valorem taxes or receives substantial credits in paying such taxes, such as tax-exempt institutions or governmental users, but excluding publicly owned facilities performing local governmental functions (e.g. city office building, police station, school) which discharge solely domestic wastes.

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

"Total Suspended Solids (TSS)" means total suspended matter, expressed in milligrams per liter, that either floats on the surface of, or is in suspension in water, wastewater or other liquids and is removable by laboratory filtration using a glass fiber filter disk as prescribed in Standard Methods.

"Total Toxic Organics (TTO)" means the summation of all quantified values greater than 0.01 milligrams per liter for the toxic organics as listed in parts II-VI of Appendix "A".

"Toxic Organics Management Plan (TOMP)" means the plan submitted to the District to show that adequate controls are used to prevent the discharge to District sewers of Toxic Organics. This plan shall include an inventory of toxic organics, disposal methods and spill prevention procedures.

"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, inadequate treatment facilities, lack of preventive maintenance or careless or improper operation.

"User" means any person who is connected to and discharges wastewater to a District sewer or POTW.

"Wastewater" means the combination of the liquid and water carrying wastes from residences, commercial buildings, industrial plants and institutions 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 the combination of liquid and water carried waste, discharged from any Industrial User including the wastewater from pretreatment facilities and polluted cooling water.
- C. Process Wastewater means any water which, during manufacturing or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, by-product, or waste product.

"Wastewater" is synonymous and used interchangeable with "Sewage".

"Wastewater Hauler" means any person, partnership or corporation engaged in transporting sanitary wastewater as a commercial venture to the District's POTW or approved discharge location.

CHAPTER 3 - GENERAL DISCHARGE REGULATIONS

3.1 General Discharge Prohibitions

No User shall contribute or cause to be contributed, directly or indirectly, any pollutant or wastewater which will interfere with the operation or performance of the POTW or will Pass Through the POTW. These general prohibitions apply to all Users of the POTW whether or not they are subject to categorical Pretreatment Standards or any other National, State, or local Pretreatment Standards or Requirements.

No User shall contribute or cause to be discharged, directly or indirectly, any of the following described substances into a District Sewer or otherwise introduce them to the POTW:

- A. Any liquids, solids or gasses which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction to cause fire or explosion or are injurious in any other way to the operation of the POTW.
- B. Any waste stream 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.
- C. Solids or viscous substances including FOG, which will or may cause obstruction to the flow in a sewer, accumulate in wet wells or other interference with the operation of the District's POTW. This includes, but is not limited to, any material which can be disposed of as trash.
- D. Any wastewater having a pH less than 5.0 or greater than 12.0 or having any other corrosive property capable of causing damage or hazard to structures, equipment, or personnel of the system.
- E. Pollutants, including oxygen-demanding pollutants (BOD, etc.), released in a discharge at a flow rate and/or pollutant concentration which, either singly, or by interaction with other pollutants, will cause Interference or Pass Through at the POTW.
- F. Any wastewater containing toxic or hazardous pollutants in sufficient quantity, either singly or by interaction to interfere with any wastewater treatment process, constitute a hazard to humans or animals, to exceed the limitation set forth in National Categorical Pretreatment Standards (as contained in 40 CFR Chapter 1, Subchapter N, Parts 405-471) promulgated by the USEPA in accordance with Section 307(b) and (c) of the Act or pass through the POTW and pollute the waters of the State.

A toxic or hazardous pollutant shall include but not be limited to any pollutant identified in the Priority Pollutant List set forth in Appendix A hereto and/or 40 CFR part 261.

- G. Any noxious or malodorous liquids, gasses, or solids which either singly or by interaction are capable of creating a public nuisance or hazard to life or are sufficient to prevent entry

into the District sewers for their maintenance and repair.

- H. Any substance which may cause the District's effluent or treatment residues, sludges, or scums, to be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no case, shall a substance discharged to the District cause the District to be in noncompliance with sludge use or disposal criteria, the District's IEPA Sludge Disposal Operating Permit, guidelines or regulations developed under Section 405 of the Act; any criteria, guidelines or regulations affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act, or State standards applicable to the sludge management method being used.
- I. Any substance which will cause the District to violate its NPDES Permits.
- J. Any substance with objectionable color not removed in the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions.
- K. 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 District sewer system which exceeds 65° C (149°F) or which exceeds 40°C (104°F) at the District's treatment plants.
- L. Any slug load.
- M. Any substance which results in the presence of toxic gases, vapors or fumes within the POTW or District sewers in a quantity that may cause acute worker health and safety problems.
- N. Any wastewater containing radioactive wastes or isotopes of such half-life or concentration that exceeds limits established by the District in compliance with applicable State or Federal regulations.
- O. Petroleum oil, non-biodegradable cutting oil or products of mineral oil origin in amounts that will cause interference or pass through.
- P. Any trucked or hauled pollutants, except at discharge points permitted by the District.
- Q. Bulk, expired, outdated or concentrated prescription or non-prescription drugs.

The 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.

3.2 Pretreatment Requirements

- A. Industrial Users shall provide necessary wastewater treatment as required to comply with the most stringent standards of this Ordinance, National Categorical Pretreatment Standards (as contained in 40 CFR Chapter 1, Subchapter N, Parts 405-471), State standards and permit conditions, Wastewater Discharge Permit conditions and shall achieve compliance with all National Categorical Pretreatment Standards (as contained in 40 CFR Chapter 1, Subchapter N, Parts 405-471) within the time limitations as specified by the Federal pretreatment regulations, and with any other pretreatment standards by applicable deadlines.
- B. Any facilities required to pretreat wastewater shall be provided, operated and maintained at the Industrial User's expense. Detailed plans showing the pretreatment facilities and operating procedures shall be submitted to the District before construction of the facility. The review and approval of plans and operating procedures does not relieve the Industrial User from complying with the provisions of this ordinance and permit conditions. Any subsequent changes in the pretreatment facilities or method of operation shall be reported to and approved by the District prior to the Industrial User's initiation of the changes.
- C. No Industrial User shall increase the use of process water or dilute a discharge as a substitute for adequate treatment to achieve compliance with any Pretreatment Standard or Requirement.

3.3 District Standards

In the absence of more stringent State, Federal or Wastewater Discharge Permit Standards no Industrial User shall discharge wastewater containing concentrations of the following enumerated materials, exceeding the following values:

a) **CONVENTIONAL (COMPATIBLE) POLLUTANTS**

These limits represent loadings that may be discharged to the plant without surcharge fees.

Pollutant	Concentration Limit*
Biochemical Oxygen Demand (BOD5)	200 mg/l
Total Suspended Solids (TSS)	250 mg/l
Fats, Oil and Grease (FOG)	100 mg/l
Ammonia (NH3 as N)	25 mg/l
Phosphorus (as P)	4 mg/L
pH-Range	5.0-12.0 pH Units

* All samples are composite samples, except pH

- (1) All Industrial Users and Tax-Exempt Users whose discharge contains conventional pollutants at levels which exceed the limit(s) in the table above

will be assessed a surcharge for the pounds of conventional pollutants discharged above the limit(s).

In addition, Industrial Users and Tax-Exempt Users whose discharge exceeds 25,000 gallons per day (GPD) will be assessed an additional surcharge for all flow.

- (2) The rates of surcharge will be based on a 2-tier system, with increased charges for higher amounts of discharge.

Pollutant	Tier 1 Strength, mg/L	Tier 2 Strength, mg/L
BOD5	> 200 - < 1000	1000 - 2000
TSS	> 250 - < 1000	1000 - 2500
FOG	> 100 - < 200	200 - 300
Ammonia	> 25 - < 250	250 - 500
Phosphorus	> 4 - < 10	10 - 15

- (3) The surcharge rates for flow are established by separate ordinance.
- (4) The surcharge rates for Tier 1 and 2 are listed in Appendix B of this Ordinance. Surcharge rates or Appendix B, separately or jointly, may be amended from time to time by ordinance of the Board of Directors. The rates are based in part on the actual costs the District incurs to treat Flow, and in part to encourage industry to lower its loads to the plant.
- (5) Pounds of pollutant are calculated by the following formula:
- $$\text{lbs. pollutant} = (\text{MGD flow}) \times (\text{mg/l pollutant}) \times 8.34$$
- (6) These surcharges are billed annually. Industrial Users may request more frequent billings. Industrial Users will be given credit toward the additional surcharges for a portion of the ad valorem taxes paid to the District.
- (7) Industrial Users shall not view the surcharges as a method to avoid reducing the pollutant load in their discharge where practical or economically feasible.
- (8) The District reserves the right to implement escalating surcharges if it is determined that an Industrial User is abusing the surcharge conditions of this Ordinance.
- (9) Industrial Users whose discharge contains conventional pollutants at levels which exceed Tier 2 levels are considered to be in violation of this ordinance and subject to Enforcement/Penalties as contained in Chapter 5.

b) **TOXIC POLLUTANTS**

Pollutant	Sample Type	Concentration
Arsenic	Comp	0.4 mg/l
Cadmium	Comp	0.3 mg/l
Chloride*	Comp	15,000 lbs/day to SpringCreek 6255 lbs/day to SugarCreek
Chromium, Total	Comp	25 mg/l
Chromium, Hex	Grab	2.5 mg/l
Copper	Comp	10 mg/l
Cyanide	Grab	0.8 mg/l
Lead	Comp	3 mg/l
Mercury	Grab	0.0005 mg/l
Molybdenum	Comp	0.4 mg/l
Nickel	Comp	2 mg/l
Phenol	Grab	25 mg/l
Selenium	Comp	0.5 mg/l
Silver	Comp	0.9 mg/l
Zinc	Comp	10 mg/l

* Concentration limits will be calculated for each applicable industry based on maximum flow data.

In cases where an Industrial User discharges for less than a 24-hour period, compliance with applicable limits will be based on samples taken during times of discharge. In cases where an Industrial User has batch discharges, compliance with applicable limits will be based on samples taken from each batch.

The District may impose mass limitations on Industrial Users in cases where the imposition of mass limitations is deemed appropriate by the District. Mass Limitations may require pretreatment. Industrial Users granted Mass Limitations will be reclassified as Significant Industrial Users and issued a Wastewater Discharge Permit.

All 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 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 District or other parties, approved by the Administrator.

3.4 Right of Revision

The District reserves the right to amend this Ordinance to provide for more stringent limitations or requirements on discharges to the POTW where deemed necessary to comply with the objectives set forth in Section 1.01 of this Ordinance or to comply with Federal or State requirements. Industrial Users shall be informed of any proposed amendments to this ordinance at least thirty (30) days prior to the effective date of such amendments. Industrial Users shall be given a reasonable time to achieve compliance with ordinance amendments.

3.5 Accidental Discharges

Each Industrial User shall provide protection from accidental discharge, "slug load" and/or spills of prohibited or regulated materials or substances established by this Ordinance. Where necessary, spill containment facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at the Industrial User's cost and expense. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the District for review, and shall be approved in writing, by the District before construction of the facility. Review and approval of such plans and operating procedures by the District shall not relieve the Industrial User from the responsibility to modify its facility as necessary to meet the requirements of this Ordinance.

It shall be the responsibility of Industrial Users to immediately telephone the District upon the occurrence of a "slug load", or accidental discharge of substances prohibited by this Ordinance, Federal or State standards or an Industrial User's Wastewater Discharge Permit. The notification shall include name of the caller, location of discharge, date and time thereof, type of waste, concentration and volume, and corrective actions. Any Industrial User who discharges a slug load of prohibited materials shall be liable for any expense, loss or damage to the District, in addition to the amount of any fines imposed on the District on account thereof under State or Federal Law.

Within five (5) days following such an occurrence the Industrial User shall submit to the District a detailed written report describing the cause of the discharge and the corrective measures to be taken by the Industrial User to prevent future occurrences. Follow up reports may be required by the District. Said 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 such a

discharge or spill. Failure to report accidental or deliberate discharges may result in enforcements and/or penalties as outlined in Chapter 5 of this Ordinance.

Signs shall be permanently posted in conspicuous places on the Industrial User's premises, advising employees whom to call in the event of a "slug load" or accidental discharge. Employers shall instruct all employees, who may have the potential to cause or discover such a discharge, on emergency notification procedures.

3.6 Changes in the Discharge of Pollutants

All Industrial Users shall notify the District at least thirty (30) days in advance of a planned increased contribution of pollutants or change in the nature of pollutants to be discharged to the

District's facilities. The District may deny or limit new or increased contributions of pollutants, or changes in the nature of pollutants discharged to District facilities by Industrial Users where such contributions do not meet applicable Pretreatment Standards and Requirements or where such contributions would cause the District to violate its NPDES permit.

CHAPTER 4 - REGULATIONS FOR INDUSTRIAL USERS

4.1 General

This chapter regulates the discharge of nonresidential wastes to any District Sewer. This chapter sets forth the requirements for Wastewater Discharge Permits, reporting, monitoring facilities, inspection and sampling. All Industrial Users proposing to connect and Industrial Users with existing connections must comply with all terms of this Ordinance.

Upon the promulgation of a National Categorical Pretreatment Standard, the said standard, if more stringent than the limitations imposed under this Ordinance for sources in that category, shall, when effective, immediately be considered as incorporated into this Ordinance and supersede the limitations and conditions imposed under this Ordinance. The District shall notify all known affected Industrial Users of the applicable reporting requirements under 40 CFR Section 403.12. The Industrial User will then be reclassified as a Significant Industrial User, unless they are presently classified as a SIU.

4.2 District Wastewater Discharge Reports

Industrial Users with wastewater discharges containing pollutants subject to Ordinance Pretreatment Standards or National Categorical Pretreatment Standards shall complete and file reports with the District on forms prescribed by the District.

4.2.1 Baseline Reports

Existing Industrial Users subject to Ordinance Pretreatment Standards or National Categorical Pretreatment Standards shall be required to file a Baseline Report with the District within one hundred and eighty days of the date it is determined they are subject to the above standards. New sources shall be required to submit a proforma Baseline Report at least ninety (90) days prior to discharging to the District's facilities.

The Baseline Report shall be made on written forms provided by the District and shall, as a minimum, provide the following information:

- a) Name, address, location and phone number of the Industrial User.
- b) Name and title of the authorized Industrial User's representative.
- c) The name and I.D. number of the operator of the Industrial User's pretreatment system - if applicable.
- d) List of any environmental control permits held by or for the facility.
- e) The number of employees and the number of shifts worked by the Industrial User.
- f) Brief description of the nature, average rate of production, and Standard Industrial

Classification of the operation(s) carried out by such Industrial User.

- g) Disclosure of the type and amount of raw materials and chemicals used and stocked by the Industrial User.
- h) Information showing the measured average daily and maximum daily flow, in gallons per day, to the District's facilities from each of the following:
 - 1. Regulated process streams, and
 - 2. Nonregulated process streams, and
 - 3. Other streams as necessary if the facility is allowed use of the Combined Waste Stream Formula of 40 CFR Section 403.6 (e).
 - 4. The District may allow for verifiable estimates of these flows where justified by cost or feasibility considerations.
- i) Disclosure of site plans, floor plans, mechanical and plumbing plans and details to show all sewers, sewer connections, inspection manholes, sampling chambers and appurtenances by size, location and elevation.
- j) The Industrial User shall identify the Ordinance Standards and the National Categorical Pretreatment Standards applicable to each process, and shall:
 - 1. Submit the results of sampling and analysis identifying the nature and concentration of regulated pollutants in the discharge from each process. Both daily maximum and average concentration shall be reported, the sample shall be representative of daily operations.
 - 2. A minimum of four (4) grab samples must be used for pH, cyanide, total phenols, fats, oil and grease, sulfide, and volatile organics. 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 infeasible. In such cases, samples may be obtained through time-proportional composite sampling techniques or through a minimum of four (4) grab samples where the Industrial User demonstrates that this will provide a representative sample of the wastewater being discharged.
 - 3. The Industrial User shall take a minimum of one representative sample to compile that data necessary to comply with the requirements of this paragraph.
 - 4. Samples should be taken immediately downstream from pretreatment facilities if such exist or immediately downstream from the process regulated by this Ordinance and/or National Categorical Pretreatment Standards if no pretreatment exists. If other wastewaters are mixed with the

regulated wastewater prior to pretreatment the Industrial User shall measure the flows and concentrations necessary to allow use of the Combined Waste Stream Formula of 40 CFR Section 403.6(e) in order to evaluate compliance with the Pretreatment Standards. Where an alternate concentration or mass limit has been calculated in accordance with 40 CFR Section 403(e), this adjusted limit along with supporting data shall be submitted to the District.

5. All 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 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 District or other parties, approved by the Administrator.
 6. 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.
 7. 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 District facilities.
-
- k) Brief description of any wastewater pretreatment systems operated by the Industrial User.
 - l) Description of any spill and/or "slug load" prevention control measures used at the facility.
 - m) Description and method of documentation of any Best Management Practices used by the Industrial User.
 - n) If applicable a description of all disposal methods used for the disposal of toxic and/or hazardous materials as defined by 40 CFR 261 and:
 1. A statement indicating that the Industrial User has complied with all of the State and Federal reporting requirements for the disposal and/or discharge of toxic and/or hazardous wastes as defined in 40 CFR 403.12 (p.) (l).
 2. If ~~applicable~~, a statement indicating that the Industrial User has a program in place to reduce the volume or toxicity of toxic or hazardous wastes generated to the degree it has been determined to be economically practical.

- o) If applicable the details on a Toxic Organics Management Plan (TOMP) used to control the discharge of Toxic Organics.

The Sangamon County Water Reclamation District reserves the right to approve or restrict an Industrial User's discharge of toxic or hazardous materials, as defined by 40 CFR 261, to District facilities.

- p) The location of entry of process waste sewers to District sewers and inspection and sampling manholes or structures as required by Section 4.03 of this Ordinance.
- q) A statement indicating whether Ordinance and/or National Categorical Pretreatment Standards are being met on a consistent basis, and, if not, whether additional pretreatment is required for the Industrial User to meet the Ordinance and/or National Categorical Pretreatment Standards. This statement must be reviewed by the authorized representative of the Industrial User and certified by a qualified professional.
- r) If additional pretreatment and/or O and M will be required to meet the Ordinance and/or National Categorical Pretreatment Standards, the Industrial User shall provide the shortest schedule which will provide such additional pretreatment and/or O and M. The completion date in this schedule shall not be later than the compliance date established for the applicable Ordinance and/or National Categorical Pretreatment Standard (See Sections 4.02.2 - 4.02.4).
 - 1. Where the Industrial User's National Categorical Pretreatment Standard has been modified by a removal allowance (40 CFR Section 403.7), the Combined Waste Stream Formula (40 CFR Section 403.6(e), a Fundamentally Different Factors Variance (40 CFR Section 403.13) or Net/Gross Calculations (40 CFR Section 403.15) at the time the Industrial User submits the Baseline Report, the information required in the report shall pertain to the modified limits.
 - 2. If the National Categorical Pretreatment Standard is modified by a removal allowance (40 CFR Section 403.7), the Combined Waste Stream Formula (40 CFR Section 403.6(e), a Fundamentally Different Factors Variance 40 CFR 403.13) or Net/Gross Calculations (40 CFR Section 403.15) after the Industrial User submits the Baseline Report required by this Ordinance, any necessary amendments to the information requested shall be submitted by the Industrial User to the District within sixty (60) days after the modified limit is approved.
- s) The signatory/certification requirements for this Baseline Report are as defined in Section 4.08 of this chapter.
- t) The following reports, in the form prescribed by the District, shall be submitted in response to Section 4.02.1(q):

4.2.2 Compliance Schedule Work Plan Report

- (1) The schedule shall contain milestone dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required to comply with the requirements of this Ordinance, Wastewater Discharge Permits and/or National Categorical Pretreatment Standards including, but not limited to dates relating to hiring an engineer, completing preliminary plans, completing final plans, submission of an application for IEPA Construction and Operating Permits, executing contract for major components, commencing construction, completing construction, and all other acts necessary to achieve compliance with this Ordinance, Wastewater Discharge Permits and/or National Categorical Pretreatment Standards.
- (2) Under no circumstance shall the District approve a time increment for any single step directed toward compliance which exceeds nine (9) months.
- (3) The signatory/certification requirements for this report are as defined in Section 4.08 of this Chapter.

4.2.3 Compliance Schedule Progress Report – 14 Day

- (1) Not later than fourteen (14) days following each milestone date in the schedule and the final date for compliance, the Industrial User shall submit a Progress Report to the District, including no less than a statement as to whether or not it complied with the increment of progress represented by that milestone date and, if not, the date which it expects to comply with this increment of progress, the reason for delay, and the steps being taken to return the construction to the approved schedule.

The signatory/certification requirements for this report are as defined in Section 4.08 of this Chapter.

4.2.4 Final Compliance Date Report

- (1) Within ninety (90) days following the date for final compliance with requirements set forth in this Ordinance, Wastewater Discharge Permit and/or National Categorical Pretreatment Standards or in the case of a New Source ninety (90) days following commencement of the introduction of wastewater into a District sewer any Industrial User subject to Ordinance Wastewater Discharge Permit and/or National Categorical Pretreatment Standards shall submit to the District a report indicating the nature and concentration of all prohibited or regulated substances contained in its discharge, and the average and maximum daily flow in gallons. The report shall state whether the applicable Ordinance, Wastewater Discharge Permit and/or National Categorical Pretreatment Standards are being met on a consistent basis and, if not, what additional O&M and/or pretreatment is necessary to bring the discharger into compliance with the applicable Ordinance, Wastewater Discharge Permit and/or National Categorical Pretreatment Standards.

- (2) The signatory/certification requirements for this report are as defined in Section 4.08 of this Chapter.

4.2.5 District Semi-Annual Wastewater Discharge Reports

Industrial Users as designated in 4.02 shall complete and file with the District, Semi- Annual Wastewater Discharge Reports in the form prescribed by the District.

Semi-Annual Reports cover the periods from January 1 to June 30 and July 1 to December 31 each year. These reports are due July 31 and January 31 respectively. The Semi-Annual Reports shall be made on written forms provided by the District and shall provide, as a minimum, the following information:

- a) Name, address, location and phone number of the Industrial User;
- b) Name and title of the authorized Industrial User's representative.
- c) If applicable, Wastewater Discharge Permit number and expiration date.
- d) Description of any process changes that have occurred since any previous reports were submitted.
- e) Disclosure of the type and amount of raw materials and chemicals that have been added to or deleted from stocking inventory since any previous reports were submitted.
- f) Disclosure of average daily wastewater flow rates in gallons per day. All flows shall be measured unless other verifiable techniques are approved by the District. Copies of water bills for the reporting period must also be supplied as verification of wastewater flows.
- g) Disclosure of the nature and concentration of any pollutants or materials regulated by this Ordinance, Wastewater Discharge Permit and/or applicable National Categorical Pretreatment Standards in the discharge. Each Industrial User has the option of providing data on self-monitored sampling or they shall use the District's data, or a combination of both is also permissible.
- h) If applicable, a statement indicating that all self-monitored sampling and analysis was conducted using the methods and procedures in 40 CFR Part 136.
- i) A statement regarding whether or not compliance is being achieved with this

Ordinance, Wastewater Discharge Permit and/or applicable National Categorical Pretreatment Standards on a consistent basis and if not, whether additional operation and maintenance activities and/or additional pretreatment is required to comply with applicable standards. (See Sections 4.02.2 – 4.02.4)

A statement regarding discharges of Total Toxic Organics (TIO) and continued implementation of an approved Toxic Organics Management Plan (TOMP) is also required of those Industrial Users who are required to do so by applicable National Categorical Pretreatment Standards.

- j) A statement regarding the control, discharge and reporting of toxic or hazardous wastes as defined by 40 CFR 261 and 40 CFR 403.12(p)(l).
- k) Any categorical user who is not currently discharging waste to the District must complete a District Semi-Annual Zero Discharge Certification instead of the typical Semi-Annual Discharge Report.
- l) The signatory/certification requirements for this report are as defined in Section 4.08 of this chapter.

4.3 Monitoring Facilities

Each Industrial User shall provide and operate at his own expense, a monitoring facility to allow inspection, sampling, and flow measurement of each sewer discharge to a District sewer. These shall have an opening of no less than 24 inches in diameter and an internal diameter of no less than 42 inches and be located downstream of the process and before discharge to the District sewers. Each monitoring facility shall be situated on the Industrial User's premises, except where such a location would be impractical or cause undue hardship, the District may concur with the facility being constructed in the public street or sidewalk area providing that the facility is located so that it will not be obstructed by landscaping or parked vehicles. There shall be ample room in or near such sampling facility to allow accurate sampling and preparation of samples for analysis. The facility, sampling and measuring equipment shall be maintained at all times in a safe and proper operating condition at the expense of the discharger. The District may inspect the monitoring facilities of any Industrial User to determine compliance with the requirements of this Ordinance.

Where required by the Sangamon County Water Reclamation District, additional control manholes or sampling chambers shall be provided at the end of each industrial process within an Industrial User's facility suitable for the determination of compliance with Ordinance, Wastewater Discharge Permit and/or National Categorical Pretreatment Standards.

4.4 Inspections and Sampling

Industrial Users shall allow the District or its representatives, upon presentation of credentials of identification, to enter upon, at all reasonable hours, the premises where wastewater is discharged for

the purposes of inspection, sampling, examination and photocopying of records required to be kept by this Ordinance. The District shall have the right to set up on the discharger's property such devices as are necessary to conduct sampling, inspection, compliance monitoring and/or metering operations. Industrial Users shall, at the request of the District, provide such additional information as may reasonably be required by the District to determine compliance with applicable Ordinance, Wastewater Discharge Permit and/or National Categorical Pretreatment Standards.

Inspections of Industrial Users' premises are conducted on an annual basis, at a minimum. The District reserves the right to inspect more frequently if necessary, to determine compliance.

The frequency of sampling and the types and frequency of the various analyses to be done on Industrial User's discharges for the purpose of determining compliance with the provisions of this Ordinance, Wastewater Discharge Permit and or National Categorical Pretreatment Standards are outlined in each individual industrial permit. Sampling must occur at least annually, at a minimum, and incorporate all pollutants of concern to the District as outlined in Section 3.3 District Standards.

All costs incurred by the District in sampling and testing such Industrial Users shall be recovered by invoicing such Industrial Users according to the rates listed in an Ordinance of the District Establishing Laboratory Fees.

4.5 Wastewater Discharge Permits

- a. All Significant Industrial Users proposing to connect to or discharge to Sangamon County Water Reclamation District facilities shall apply for a Wastewater Discharge Permit at least ninety (90) days before connecting to or discharging to District facilities. Application shall be made in a form to be prescribed and furnished by the District. No Significant Industrial User shall discharge wastewater into the POTW without first obtaining an individual wastewater discharge permit from the District, except that a Significant Industrial User that has filed a timely application pursuant to this ordinance may continue to discharge for the time period specified therein.
- b. Existing Significant Industrial Users shall apply for a Wastewater Discharge Permit within ninety (90) days after the effective date of this Ordinance. New Source Significant Industrial Users shall apply for a Wastewater Discharge Permit at least ninety (90) days prior to discharging to District facilities. Existing Industrial Users which become Significant Industrial Users shall apply for a Wastewater Discharge Permit within ninety (90) days after notification of the change in classification. Application shall be made in a form to be prescribed and furnished by the District.
- c. Upon receipt of a permit application, the District will, within thirty (30) days, issue a draft permit to the applicant. The applicant will have thirty (30) days to respond in writing requesting modification or stating acceptance of permit conditions. If the applicant does not respond within the thirty (30) days the final permit will be issued as submitted.
- d. Wastewater Discharge Permits shall be expressly subject to all provisions of this Ordinance and all other applicable regulations, Significant Industrial User charges and fees established by the District. Wastewater Discharge Permits shall contain, but not be limited to, the following:

1. Discharge limitations based on the applicable pretreatment standard (which includes Federal, State and local limits) whichever is more stringent.
2. Limits on maximum and average flow rates and times of discharge. This may include requirements for flow regulation and equalization for each separate discharge of a Significant Industrial User.
3. Requirements for installation and operation of inspection, sampling and monitoring facilities.
4. Requirements and specifications for monitoring programs including sampling locations, frequency of sampling, number, types and standards for tests and reporting schedule.
5. Compliance Work Plan Schedules, if applicable.
6. Requirements for submission of technical reports, discharge reports or certifications statements.
7. Requirements for collecting, retaining and providing access to plant records relating to the Significant Industrial User's discharge.
8. Requirements for notification of any change in the volume or character of wastewater discharges.
9. Requirements for notification of accidental or "slug load" discharges. If deemed necessary, the District may require the User to develop a plan to control slug discharges.
10. Requirements which allow the District access to the Significant Industrial User's facilities for the purpose of inspection, sampling and/or examination of records.
11. Description of any enforcement and/or penalty provisions as contained in this Ordinance.
12. Requirements that the permittee provide other information to the District as may reasonably be required.
13. Description of permit duration.
14. Requirements for notifying the District, within 24 hours, if sampling by a Significant Industrial User indicates a standards violation and a requirement that the Significant Industrial User must resample and submit results of the resampling to the District within thirty (30) days.
15. Other conditions as deemed appropriate by the District to ensure compliance with this Ordinance, Wastewater Discharge Permits and/or National Categorical Pretreatment

Standards.

- e. In the event the volume or characteristic of wastewater discharges from a facility for which a Wastewater Discharge Permit was previously issued is expected to materially change as reasonably determined by the permittee or the District, the permittee shall give thirty (30) days' notice in writing to the District of such changes and request a modification in-the Significant Industrial User's permit. No permittee shall materially change the volume or characteristic of its wastewater discharges beyond that allowed by its permit without prior District approval.
- f. Wastewater Discharge Permits shall be issued for a specified time period, not to exceed five (5) years. The permittee shall file an application for renewal of its permit at least ninety (90) days prior to expiration of its existing permit on a form to be prescribed and furnished by the District.
- g. The terms and conditions of a Significant Industrial User's permit may be subject to modification by the District during the term of the permit for the following reasons:
 - a. Limits and/or conditions in this Ordinance are amended.
 - b. Limits and/or conditions in applicable National Categorical Pretreatment Standards are amended.

The permittee shall be informed of any proposed changes in its permit at least thirty (30) days prior to the effective date of the change. Where any changes are made in the Significant Industrial User's permit, a reasonable time shall be given to achieve compliance.

- h. Wastewater Discharge Permits are issued to a specific Significant Industrial User for the process activity specified in the permit. A permit shall not be assigned, transferred or sold to a new owner or new Significant Industrial User in different premises or to a new or changed operation in the same or different premises without 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 permits.
- i. Any violation of the terms and conditions of an individual wastewater discharge permit (or a general permit, as applicable) shall be deemed a violation of this ordinance and subjects the wastewater discharge permittee to penalties as set out in this ordinance. Obtaining a wastewater discharge permit does not relieve a permittee of its obligation to comply with all Federal and State Pretreatment Standards or Requirements or with any other requirements of Federal, State, and local law.

4.6 Zero Discharge Permits

Any categorical industrial user with listed numerical pretreatment standards who is not discharging to the District must apply for a Zero Discharge Permit by completing a District Zero Discharge Certification.

4.7 Denial of Permit and Appeal Procedure

- a. No Wastewater Discharge Permit shall be issued by the District to any Significant Industrial User whose discharge of materials to District facilities is, after inspection and testing conducted by the District, not in conformity with District ordinances and regulations or does not comply with the requirements of Section 4.05 of this Ordinance. The District shall state the reason or reasons for permit denial in writing, which shall be mailed or personally delivered to the applicant within thirty (30) days after denial.
- b. If a permit is denied by the District, the applicant may obtain review of the denial by the District's Board of Trustees, provided that the applicant shall give written notice of this request within thirty (30) days after receipt of denial. The Board of Trustees shall review the denial and such other evidence as the applicant and District personnel shall present, at a meeting of the Board of Trustees, after giving notice of the time and place of the meeting to the applicant. The decision of the District's Board of Trustees shall be final.

4.8 Confidential Information

- a) Information and data relating to an Industrial User obtained from reports, questionnaires, permit applications, permits and monitoring programs and from inspections shall be available to the public or other governmental agencies without restriction unless the Industrial User specifically requests and is able to demonstrate to the satisfaction of the District that the release of such information would divulge information, processes or methods of production entitled to protection as trade secrets. Any such claim shall be asserted at the time the information is submitted to the District. If no claim is asserted at the time of submission, the information may be made available to the public without further notice.
- b) When confidentiality is requested by the person furnishing a report, the portions of a report which are considered confidential 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 or Industrial User furnishing the report.
- c) Information and data provided to the District which is effluent data shall be available to the public without restriction.
- d) The District shall adopt reasonable measures to prevent the inadvertent release of confidential information; however, neither the District nor its employees shall be held

legally responsible for release of information if they have acted in good faith.

4.9 Signatory/Certification Requirements for Industrial User Reports

The reports required by Sections 4.02.1, 4.02.2, 4.02.3, 4.02.4, 4.02.5 and 7.03 of this Ordinance shall include a certification statement as set forth in 40 CFR 403.6(a)(2)(ii) and shall be signed by duly authorized representative of the Industrial User and certified to by a qualified professional. A duly authorized representative may be:

1. A responsible corporate officer or a duly authorized representative of that individual if the Industrial User submitting the reports is a corporation. Responsible corporate officer includes the President, Secretary, Treasurer or a Vice-President of the corporation in charge of a principal business function.
2. A general partner, proprietor or a duly authorized representative if the Industrial User submitting the reports is a partnership or sole proprietorship respectively.
3. A duly authorized representative of the individual designated in subparagraph (1) and (2) of this Section may be an individual responsible for the overall operation of an Industrial User's facility or an individual in charge of all environmental matters for that Industrial User.

A qualified professional may be:

1. A representative of the Industrial User that the District agrees is qualified to review reports and certify as to their content and accuracy. The District may require this representative be a Registered Professional Engineer.

4.10 Falsifying Information

Any person who knowingly makes any false statements, representation or certification in any application, record, report, plan or other document filed or required to be maintained pursuant to this Ordinance, shall be subject to Enforcement/Penalty action as defined in Chapter 5 of this Ordinance.

4.11 Failure to Report

Any Industrial User who fails to file a report so required by this Ordinance within the time allotted shall be subject to a late filing fee of \$50.00 and may be subject to other enforcement action as detailed in Chapter 5 of this Ordinance.

4.12 Publication of Users in Significant Noncompliance

The District shall publish annually, in The State Journal Register, a list of the Users which, at any time during the previous twelve (12) months, were in Significant Noncompliance with applicable Pretreatment Standards and Requirements. The term Significant Noncompliance shall be applicable to all Significant Industrial Users (or any other Industrial User that violates paragraphs (C), (D), or (H) of this Section) and shall mean:

- A. Chronic violations of wastewater discharge limits, defined here as those in which 66% or

more of all the measurements taken for the sample pollutant parameter taken during a 6-month period exceed by any magnitude a numeric Pretreatment Standard or Requirement, including Instantaneous Limits;

- B. Technical Review Criteria (TRC) violations, defined here as those in which 33% or more of wastewater measurements taken for each pollutant parameter during a 6-month period equals or exceeds the product of the numeric Pretreatment Standard or Requirement including Instantaneous Limits, multiplied by the applicable criteria (1.4 for BOD, TSS, FOG and 1.2 for all other pollutants except pH);
- C. Any other violation of a Pretreatment Standard or Requirement such as Daily Maximum, long-term average, Instantaneous Limit, or narrative standard that the District determines has caused, alone or in combination with other discharges, Interference or Pass-Through, including endangering the health of POTW personnel or the general public;
- D. Any discharge of a pollutant that has caused imminent endangerment to the public or to the environment, or has resulted in the District's exercise of its emergency authority to halt or prevent such a discharge;
- E. Failure to meet, within 90 days of the scheduled date, a compliance schedule milestone contained in an individual wastewater discharge permit or enforcement order for starting construction, completing construction, or attaining final compliance;
- F. Failure to provide within 30 days after the due date, any required reports, including baseline monitoring reports, reports on compliance with categorical Pretreatment Standard deadlines, periodic self-monitoring reports, and reports on compliance with compliance schedules;
- G. Failure to accurately report noncompliance; or
- H. Any other violations, which may include a violation of Best Management Practices, which the District determines will adversely affect the operation or implementation of the local Pretreatment program.

CHAPTER 5 - SCWRD ENFORCEMENT RESPONSE PLAN (ERP)

The purpose of the ERP is to provide consistent enforcement responses for similar violations and circumstances. The ERP describes violations, defines a range of appropriate enforcement actions based on the nature and severity of the violation and other relevant factors, and identifies personnel responsible for finalizing enforcement responses.

All entities discharging nondomestic waste to the POTW are subject to the provisions of the ERP. The District consistently administers and implements all elements of the ERP. The ERP does not preclude the District from taking any, all, or any combination of actions against a noncompliant industrial user.

5.1 Identifying and Investigating Instances of Noncompliance

Section 4.3 of this Ordinance requires Industrial Users to provide access to their facilities and waste streams. There are many activities associated with the identification and investigation of noncompliance. A description of these activities is provided here, and additional sampling and inspection information is outlined in Section 4.4 of this Ordinance, and in the individual permits. The investigations are conducted by the Pretreatment Coordinator of the District and are as follows:

5.1.1 Monitoring and Inspection.

5.1.1.1 The Industrial Pretreatment Coordinator (IPC) is responsible for performing a comprehensive inspection of each SIU at least once per year. All SIUs are placed on an annual inspection schedule unless excessive reporting and discharge violations are occurring. If an SIU has more than 3 violations in a calendar year, increasing the inspection frequency may be considered. Inspection frequency will revert back to annually at the discretion of the IPC and management staff.

5.1.1.2 Pre-inspection Preparation

5.1.1.2.1 The IPC will review the SIUs file, sample results, reports, and previous inspection reports to prepare for a new inspection.

5.1.1.2.2 The IPC uses the Industrial Pretreatment Inspection Report form (IPIR-1) to ensure consistent, thorough, and well-documented inspections. The Report form outlines the elements of the facility inspection, and is used to document data collection and sampling. The IPIR-1 document requires the following information:

5.1.1.2.2.1 The date of the inspection and the SCWRD personnel present,

5.1.1.2.2.2 Information about the SIU including name, address, contact person, representatives of the industry who were present at the inspection, and the nature of the business,

5.1.1.2.2.3 Reason for the inspection and whether it was scheduled or unscheduled, and whether it was routine or initiated by complaint,

5.1.1.2.2.4 Verification of Baseline Report Information for new IUs, or verification of Semi-Annual Report Information for existing IUs,

5.1.1.2.2.5 Deviations or Additions to Baseline or Semi-Annual Reports,

5.1.1.2.2.6 Process Description with flow diagram,

- 5.1.1.2.2.7 Compliance check with all applicable standards,
- 5.1.1.2.2.8 Compliance Schedule Work Plan compliance, if applicable,
- 5.1.1.2.2.9 Spill potential evaluation,
- 5.1.1.2.2.10 Whether or not samples were collected at the inspection,
- 5.1.1.2.2.11 Self-Monitoring Statement verification, and
- 5.1.1.2.2.12 Additional comments or concerns.

5.1.1.3 Entry Procedures

- 5.1.1.3.1 Inspections are coordinated with the contact person at each SIU.
- 5.1.1.3.2 If entry is denied or consent to inspect is withdrawn, the IPC will contact the Executive Director who will issue an Administrative Order to comply. An Administrative Fine may also be issued. See Section 5.3 VIOLATIONS DETECTED DURING SITE VISITS, Section 1.
- 5.1.1.3.3 If entry is still denied after the AO is issued, the IPC will contact the District Attorney who has the responsibility to obtain a search warrant so the inspection can be completed. Additional Penalties and Permit Revocation or Disconnection of service are possible outcomes. See Section 5.3 VIOLATIONS DETECTED DURING SITE VISITS, Section 1.
- 5.1.1.4 Evaluation of Findings
 - 5.1.1.4.1 Results of any sampling that took place are evaluated along with the inspection report. If no follow up is required, they are filed in the SIUs file in the IPC's office.
 - 5.1.1.4.2 Information gathered during Industrial User Monitoring and Inspections is used to verify compliance status and to determine if enforcement response must be initiated or continued. If follow up is needed, it is documented in the Pretreatment Noncompliance Tracking logbook along with a plan of action. See Section 5.3 for Enforcement Action guidance.

5.1.2 Compliance Screening through Sampling

- 5.1.2.1 The Pretreatment Coordinator or other trained staff is responsible for all routine sampling required by permits, compliance verification sampling, and follow-up sampling to ensure return to compliance after a violation.
- 5.1.2.2 The sampling plan for each SIU is outlined in their individual wastewater permit. Sample frequency is annual at a minimum, and monthly for high volume industries and those that may trigger surcharge billing. Samples are collected by the IPC as scheduled and nonscheduled visits.
- 5.1.2.3 Composite samplers are used to collect samples over time. The composite time range is dependent on the industrial work day, and is specified in the individual wastewater permit. Grab samples are collected with dipsticks. Chain of custody forms are used to record sampling times and locations.
- 5.1.2.4 Sample analysis is performed in accordance with 40 CFR Part 136 by a nationally accredited laboratory.
- 5.1.2.5 Results are received by the IPC and evaluated for compliance against the industry's permit requirements. Enforcement response is initiated, if applicable.
- 5.1.2.6 Results are filed by the IPC in the industry's Pretreatment file.

5.1.3 Data Management

- 5.1.3.1 Updating IU Inventory. An essential step for identifying noncompliance is knowing who is discharging nondomestic waste to the POTW, where they are located, and the nature of the waste being discharged. The IPC is responsible for maintaining IU inventory through various means. No other staff assists with this responsibility.

5.1.3.1.1 New industries and restaurants are added to the inventory on an ongoing basis as new information becomes available. Contacts within the District (new construction inspection) and at the City offices (building construction inspectors and building permit reviewers) assist in keeping our inventory current.

5.1.3.1.2 Industrial User Survey. Every 5 years, the IPC initiates an Industrial User Survey to assess the District for new industrial users, and to update the list of nondomestic wastewater sources. Phone listings, the Better Business Bureau, and city contacts are used to generate a mailing list. Surveys ask for the following information:

1. Name, address, and responsible contact,
2. Nature of the business and SIC number,
3. Number of employees and hours of operation,
4. Water usage,
5. Hazardous or Toxic discharges
6. Process waste streams characterization,
7. Pretreatment, if any.

The surveys are evaluated by the IPC and any potential SIUs are contacted, inspected, and permitted as needed. Surveys are kept on file in the IPC office.

5.1.3.1.3 Annual Inspections are used to keep current permitted IU information up to date.

5.1.3.2 SIU Report Tracking.

All reports from IUs and all analysis from laboratories are carefully reviewed, on an as-received basis for timeliness, completeness and accuracy by the IPC. The screening process includes an evaluation of compliance with report due dates, numerical standards, sample handling and analysis requirements, signatory/certification requirements, monitoring frequency, etc. All received reports are logged into the Pretreatment Report Tracking logbook and evaluated within 5 days of receipt. The logbook has space for recording the Date Received, IU, Type of Report Received, Who and When the Compliance Check was done, and whether any noncompliance was identified. The following is a list of the specific types of reports that are tracked in the logbook.

- 5.1.3.2.1 Baseline Monitoring Reports (4.2.1)
- 5.1.3.2.2 Compliance Schedule Work Plan Reports (4.2.2)
- 5.1.3.2.3 Compliance Schedule Progress Reports (4.2.3)
- 5.1.3.2.4 Final Compliance Date Reports (4.2.4)
- 5.1.3.2.5 Semi-Annual Wastewater Discharge Reports (4.2.5)
- 5.1.3.2.6 Analytical Results from Sampling
- 5.1.3.2.7 Self-Monitoring Reports
- 5.1.3.2.8 Certification Statements
- 5.1.3.2.9 Notices of Changed Discharge
- 5.1.3.2.10 Notices of Upset or By-Pass

Correspondence with SIUs related to Notices of Violation or other enforcements and their responses are tracked as described in Section 5.1.3.3.

5.1.3.3 Tracking Significant Noncompliance and Compliance Activities.

If a noncompliance is identified during report tracking, the noncompliance is logged into the Pretreatment Noncompliance Tracking logbook. This logbook has space for recording the Date the

Noncompliance was Identified, IU, Nature of the Noncompliance, and what Enforcement Response was issued and the date. The enforcement that is chosen is guided by the chart in Section 5.4 of this Ordinance, however, there is room for comments if extenuating circumstances need to be noted, or the reasoning behind the enforcement response is warranted. There is also space for Follow Up with Date if necessary. The IPC maintains the tracking logbook. No other staff assist with this responsibility.

5.2 Noncompliance Enforcement Actions

5.2.1 Verbal Telephone Notice (VTN)

Whenever the District finds that an Industrial User has committed a very minor violation of this Ordinance or Wastewater Discharge Permit conditions, the District's Pretreatment Coordinator will verbally contact the Industrial User. No further enforcement action is normally needed in such an instance. The VTN is documented in the Pretreatment Noncompliance Tracking logbook.

5.2.2 Site Visit (SV)

Whenever the District finds that an Industrial User has committed a minor violation of this Ordinance or Wastewater Discharge Permit conditions, the District may decide a Site Visit is warranted to discuss and observe the problem. A Site Visit can be a substitution for a Verbal Telephone Notice or a Notice of Violation or can be made in conjunction with a Notice of Violation. Such a Site Visit may require a written response from the Industrial User within ten (10) days, indicating a reason for the violation and what corrective steps are being taken to eliminate future violations. District personnel will complete an inspection report whenever a Site Visit is conducted. This responsibility is carried out by the Pretreatment Coordinator.

5.2.3 Notice of violation (NOV)

Whenever the District finds that any Industrial User has violated or is violating this Ordinance, Wastewater Discharge Permit conditions or National Categorical Pretreatment Standards, the Pretreatment Coordinator shall notify the offending Industrial User, in writing, through a "Notice of Violation" as to the particulars of such violation or violations. The NOV is documented in the Pretreatment Noncompliance Tracking logbook.

Within ten (10) days of the receipt date of such a "Notice of Violation", the Industrial User shall submit, in writing, to the District an explanation of the violation and a plan for the satisfactory correction and prevention thereof, including specific required actions. Submission of this plan in no way relieves the Industrial User of liability for any violations occurring before or after receipt of the "Notice of Violation".

5.2.4 Administrative Order (AO) (Consent Order)

- 1) Following the completion of any procedures, investigations or studies as described in Sections 5.2.2 and 5.2.3, the District may issue an Order which may:
 - a) Require compliance with applicable Ordinance and/or National Categorical Pretreatment

Standards by a specified deadline;

b) Control the contribution to the District to ensure compliance with applicable Ordinance and/or National Categorical Pretreatment Standards;

c) Require: (A) the development of a Compliance Schedule Work Plan for the installation of equipment and/or processes required to meet applicable pretreatment standards and requirements and (B) the submission of all notices and reports as are necessary to assess and assure compliance by Industrial Users with applicable Standards and Requirements, including but not limited to the reports required by Chapter 4 of this Ordinance.

- 2) Failure to comply with an Administrative order of the District shall be deemed a violation of the Ordinance and may be grounds for additional enforcement action.
- 3) An Administrative Order is approved and signed by the Executive Director.

5.2.5 Show Cause Hearing (SCH)

The District may, upon discovering an ongoing or potential discharge to District facilities which presents or may present a danger to the environment, which threatens or causes interference with the operation of District facilities or is a recurring or continuing violation of this Ordinance, Wastewater Discharge Permit conditions or National Categorical Pretreatment Standards, immediately issue an order to the responsible Industrial User to show cause before the Board of Trustees or its designate, why the District should not initiate formal enforcement action. Formal enforcement action may include; Administrative Fines, Wastewater Discharge Permit Revocation, Immediate Disconnection of Service, Civil Penalties or Criminal Suit.

The Board of Trustees may itself conduct the hearing and take the evidence, or may designate any of its members, the Director 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.

At any hearing held pursuant to this Ordinance, testimony taken shall be under oath and recorded stenographically or by tape recording. The transcript of said hearing shall be made available to any member of the public or any party to the hearing.

After the Board of Trustees or its designate has reviewed the evidence it shall issue an Order to the Industrial User indicating the enforcement action to be taken.

5.2.6 Compliance Directives (CD)

The District may, upon discovering an ongoing or potential discharge to District facilities which presents or may present a danger to the environment, which threatens or causes interference with the operation of District facilities or is a recurring or continuing violation of this Ordinance, Wastewater Discharge Permit conditions or National Categorical Pretreatment Standards, immediately issue a Compliance Directive to the IU responsible for the discharge, ordering the User to come into compliance within a time period stated in the Directive. If the User does not come into compliance within the stated time period, sanitary sewer service shall be discontinued unless adequate treatment facilities, devices, or other related equipment are installed and properly operated.

- a. The Compliance Directive may also contain other requirements to address the non-compliance, including but not limited to: additional self-monitoring, management practices designed to minimize the amount of pollutants discharged, payment of fines, or any other additional remedies deemed necessary by the District to bring the IU into compliance in the shortest time frame feasible.
- b. A Compliance Directive shall not exceed the deadline for compliance established for a Federal pretreatment standard, or equivalent.
- c. A Compliance Directive shall not release the User of liability for any for any violation(s), including continuing violation(s), nor shall the issuance of a Compliance Directive be a prerequisite for taking other enforcement action or enforcement remedies against the User.

5.2.7 Administrative fine (AF)

Any Industrial User who is found to have failed to comply with any or all forms of lesser enforcement action, including but not limited to a Notice of Violation or Administrative Order, may be assessed an Administrative Fine. An Administrative Fine is an alternate to litigation used to correct the problem and/or emphasize the seriousness of the problem to the Industrial User involved. The fine is \$1,000.00 a day for each violation. The next step in the enforcement action may be, but is not limited to, Cease and Desist Orders, Injunctive Relief, Revocation of the Industrial User's Wastewater Discharge Permit, Immediate Disconnection of Service, Civil Penalties or Criminal Suit. Administrative fines are issued by the Executive Director.

5.2.8 Cease and Desist Orders (CDO)

The District may, upon discovering an ongoing or potential discharge to District facilities which presents or may present a danger to the environment, which threatens or causes interference with the operation of District facilities or is a recurring or continuing violation of this Ordinance, Wastewater Discharge Permit conditions or National Categorical Pretreatment Standards, issue an order directing the User responsible for the discharge to cease and desist all illegal or un-authorized discharges immediately.

- a. In emergency situations where harm to the District, environment, or persons is at risk, a Cease and Desist Order may be given by telephone.
- b. In non-emergency situations, a Cease and Desist Order may be used to suspend or

- permanently revoke an IU's Wastewater Discharge Permit.
- c. The Cease and Desist Order may require the User to take such appropriate remedial or preventative action as may be needed to properly address a continuing or threatened violation, including halting operations and/or terminating the discharge.
 - d. The issuance of a Cease and Desist Order shall not be a prerequisite for taking other action or enforcement remedies against the User.

5.2.9 Revocation of Wastewater Discharge Permit (RWDP)

Any Significant Industrial User who violates this Ordinance, an Administrative Order, 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 Wastewater Discharge Permit revoked.

- a) Failure of a Significant Industrial User to fully and accurately report the wastewater constituent's and characteristics of its wastewater discharge as determined by the Significant Industrial User's or District's analysis;
- b) Failure of the Significant Industrial User to fully and accurately report significant changes in process activity which could affect its wastewater discharge or wastewater constituents and characteristics;
- c) Refusal of reasonable access to the Significant Industrial User's premises by District representatives for the purpose of inspection or monitoring;
- d) Tampering with, disrupting or destroying District equipment;
- e) Failure to report an accidental discharge or "slug load" of a pollutant;
- f) Failure to report an upset of the Significant Industrial User's treatment facilities;
- g) Violations of any condition of the Wastewater Discharge Permit;
- h) Violations of Section 3.1 "General Discharge Prohibitions" of this Ordinance.

Following an Order of Revocation of its Wastewater Discharge Permit, the Significant Industrial User shall cease discharging to the District facilities in accordance with the terms of said Order. Failure to do so shall be prima facie evidence of continuing harm to the District and provide grounds for further enforcement action.

Revocation of Wastewater Discharge Permits are carried out by the Pretreatment Coordinator, but must be approved by the Director.

5.2.10 Immediate Disconnection of Service (IDS)

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

- a) Whenever a Significant Industrial User's Wastewater Discharge Permit is revoked; or
- b) The Director shall have the authority, after informal notice to the Industrial User, to immediately and effectively halt or prevent any discharge of pollutants to District facilities that reasonably appears to present an imminent endangerment to the health or

welfare of persons. When the Director determines that such an emergency situation exists, he shall issue a verbal order (followed immediately by a written order) to the Industrial User stating the problem and requiring immediate cessation of the discharge. The 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 the Industrial User and District employees, telephone calls, letters, hand delivered messages or notices posted at the Industrial User's premises or point of discharge; or

- c) The Director shall have the authority, after notice to the Industrial User and an opportunity to respond to immediately and effectively halt or prevent any discharge to District facilities which presents or may present an endangerment to the environment or which threatens to interfere with the operation of District facilities. The Director's actions may include disconnection of wastewater collection service. Methods of notice shall include, but not be limited to, any of the following: personal conversation between the Industrial User and District employees, telephone calls, letters, hand delivered messages or notices posted at the Industrial User's premises or point of discharge.

Any Industrial User notified of a disconnection of wastewater treatment service shall immediately stop or eliminate the discharge. In the event of a failure of the Industrial User to comply voluntarily with the disconnection order, the District shall take such steps as deemed necessary, including immediate blockage or severance of the sewer connection, to prevent or minimize damage to the District facilities or danger to any person. The Director shall reinstate the wastewater treatment service upon proof of the elimination of the non-complying discharge.

5.2.11 Civil Penalties (CP) including Injunctive Relief

- a) Any Industrial User who is found to have violated any lesser enforcement action may be subjected to the imposition of a civil penalty of not less than \$1,000 and not more than \$10,000 a day for each violation. The penalties herein provided shall be collectable only by an action in the name of the Sangamon County Water Reclamation District in the Circuit Court of the appropriate Judicial Circuit as provided by law. Such penalties shall not be determined to be exclusive and are in addition to all other rights and remedies which the District may have according to law.
- b) The District may, upon discovering an ongoing or potential discharge of pollutants to the District facilities which reasonably appears to present an imminent danger to the health or welfare of persons, seek and obtain from any Court of competent jurisdiction 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.

5.2.12 Criminal Suit (CS)

Any person who is an officer or a manager of the Industrial User who is found to have violated the Ordinance or the IU permit may be subject to criminal prosecution for each violation of the Ordinance or the IU permit that occurs or continues. The criminal prosecution may be prosecuted by or on behalf of the Sangamon County Water Reclamation District in the Circuit Court of the appropriate Circuit as provided by law. Such prosecution shall not be determined to be exclusive and are in addition to all other rights and remedies which the District may have according to law.

5.2.13 Publication of Violators

In addition to other enforcement actions, the District shall publish annually, in The State Journal Register, a list of the Users which, at any time during the previous twelve (12) months, were in Significant Noncompliance with applicable Pretreatment Standards and Requirements as outlined in Section 4.12 of this Ordinance.

5.2.14 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's NPDES permit or violation of water quality standards as the result of discharge of pollutants, then the fine, including all the District's legal, sampling analytical testing costs and any other related costs shall be charged to the responsible Industrial 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 Industrial User causes a deposit, obstruction or damage to any of the District's wastewater facilities, the District 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 or Industrial User causing such deposit, obstruction, or damage.
- c. Refusal to pay assessed costs shall constitute a violation of this Ordinance enforceable under the provisions of Chapters 5 of this Ordinance.
- d. The remedies provided in this Ordinance shall not be exclusive and the District may seek whatever other remedies are authorized by statute, at law or in equity against any person or Industrial User violating the provisions of this Ordinance.

5.3 Guide for Escalating Enforcement Responses

5.3.1 Summary of Responsible Personnel and Enforcement Responses

IPC – Industrial Pretreatment Coordinator
D – Executive Director
DA – District’s Attorney
VTN – Verbal Telephone Notice
SV – Site Visit
NOV – Notice of Violation
AO – Administrative Order (Consent Order)
SCH – Show Cause Hearing
CD – Compliance Directive
AF – Administrative Fine
CDO – Cease and Desist Order
RWDP – Revocation of Wastewater Discharge Permit
IDS – Immediate Disconnection of Service
CP – Civil Penalties, including Injunctive Relief
CS – Criminal Suit

5.3.2 Timeframes for Responses

5.3.2.1 All violations will be identified and documented in the IU Noncompliance Logbook within 5 days of receiving compliance information.

5.3.2.2 Initial enforcement responses involving contact with the IU and information requests on corrective actions will occur within 15 days of violations detection.

5.3.2.3 Follow up on actions for continuing or reoccurring violations will be taken within 60 days of the initial enforcement response. For all continuing violations, the response will include a Compliance Schedule.

5.3.2.4 Violations which threaten health, property or environmental quality are considered emergencies and will receive immediate responses such as halting the discharge or terminating service.

5.3.2.5 All violations meeting the criteria for significant noncompliance will be addressed with an enforceable order within 30 days of the identification of significant noncompliance.

5.3.3 Criteria for Determining an Appropriate Enforcement Response

Pretreatment Enforcement Responses by their nature are difficult to apply uniformly across all situations as each IU, situation and violation are unique to the time and space where they occur. The following chart is used as a guide. For each Violation, the Nature of the Violation has multiple responses that could be meted out. The following criteria should be considered when selecting the Enforcement Response:

5.3.3.1 Magnitude of the Violation. This is covered in part under the Nature of the Violation category, such as “harm” or “no harm” considerations, however how large the discharge or violation should be considered when selecting a Response.

5.3.3.2 Duration of the Violation. How long a violation has been occurring should be taken into account when selecting a Response,

5.3.3.3 Effect on Receiving Waters and POTW. This is covered under the Nature of the Violation

section as “harm or no harm to the environment or POTW”.

5.3.3.4 Compliance History and Good Faith of the IU. No matter the violation, the compliance history and good faith efforts of the IU should be taken into consideration. Leniency should always be considered when an IU has a history of compliance and makes a good faith effort to be in compliance during difficult circumstances.

5.4 Enforcement Response Guide

Noncompliance	Nature of the Violation	Enforcement Responses	Personnel
UNAUTHORIZED DISCHARGES			
1. Unpermitted Discharge	IU unaware of the requirement; no harm to POTW	VTN, NOV	IPC
	IU unaware of the requirement; harm to POTW	NOV, AO, AF	IPC, D
	Failure to apply continues after NOV	CD, AF, CDO, CP, CS, IDS	D, DA
2. Nonpermitted Discharge	IU has not submitted application within 10 days of due date	VTN, NOV	IPC
3. Discharge of a Slug Load	Discharge that causes no harm to POTW or environment	VTN, NOV	IPC
	Discharge that causes harm to POTW or environment	NOV, AO to develop prevention plan, AF	IPC, D
	Recurring with harm to POTW or environment	SCH, CD, AF, CDO, CP, IDS	D, DA
DISCHARGE LIMIT VIOLATION			
1. Exceedance of Local or Federal Standard (permit limit)	Isolated, not significant	VTN, NOV	IPC
	Isolated, significant (no harm)	NOV	IPC
	Isolated, harm to POTW or environment	NOV, AO to develop prevention plan, AF	IPC, D
	Recurring, no harm	CD, AF	IPC, D
	Recurring, significant, harm	CD, AF, SCH, CP, IDS	D, DA

MONITORING AND REPORTING VIOLATIONS			
1. Reporting Violation	Report is improperly signed or certified	VTN, NOV	IPC
	Report is improperly signed or certified after notice	NOV, AO	IPC, D
	Late report, not significant (i.e. 5 days)	VTN	IPC
	Late report, significant (i.e. 30 days)	NOV	IPC
	Reports routinely late or no reports at all	AO, AF, SCH	IPC, D
	Failure to report spill, slug load, or changed discharge (no harm)	NOV	IPC
	Failure to report spill, slug load, or changed discharge (harm)	AO, AF, CP	IPC, D, DA
	Repeated failure to report spills or slug loads	CDO, AF, SCH, CP, RWDP, IDS	D, DA
	Falsification	CS, RWDP, IDS	D, DA
2. Failure to monitor correctly	Failure to monitor all pollutants as required by permit	NOV	IPC
	Recurring failure to monitor	AO, AF, CP	D
3. Improper Sampling	Evidence of Intent	CDO, AF, CP, CS, RWDP, IDS	D, DA
4. Failure to install monitoring equipment	Delay of less than 30 days	NOV	IPC
	Delay of 30 days or more	CD to install, AF for each additional day	IPC, D
5. Compliance Schedules in permit	Missed milestone by less than 30 days, will not affect final milestone	NOV	IPC
	Missed milestone by more than 30 days, or will affect final milestone	AO, AF	IPC, D

	Missed milestone by more than 30 days, or will affect final milestone with no good cause for delay	CD, AF, SCH, CP, RWDP, IDS	D, DA
	Recurring violation or violation of schedule in CD	CP, CS, IDS	D, DA
OTHER PERMIT VIOLATIONS			
1. Wastestreams are diluted in lieu of treatment	Initial Violation	NOV, AO	IPC
	Recurring	CDO, CD, AF, SCH, RWDP, IDS	D, DA
2. Failure to mitigate noncompliance or halt production	No harm	NOV, AO	IPC
	Harm to POTW or environment	CDO, CD, AF, CP	IPC, D, DA
3. Failure to properly operate and maintain pretreatment facility	See 2 above		
VIOLATIONS DETECTED DURING SITE VISITS			
1. Entry Denial	Entry denied or consent withdrawn. Copies of records denied.	AO, AF	IPC, D
	Continued denial of entry	CP, CS, RWDP, IDS	D, DA
2. Illegal Discharge	No harm to POTW or environment	AO, AF	IPC, D
	Discharge causes harm or evidence of intent or negligence.	CDO, CP, CS	D, DA
	Recurring violation of AO	CP, RWDP, IDS	D, DA
3. Improper Sampling	Unintentional sampling at incorrect location	NOV	IPC
	Unintentionally using incorrect sample type	NOV	IPC

	Unintentionally using incorrect sample techniques	NOV	IPC
4. Inadequate Recordkeeping	Required records incomplete or missing (no evidence of intent)	NOV	IPC
	Recurring	AO, AF	IPC, D
5. Failure to report additional monitoring	Inspection finds additional files	NOV	IPC
	Recurring	AO, AF	IPC, D

CHAPTER 6 - RECORDS RETENTION

6.1 Record Keeping Requirements

- a) Any Industrial User subject to the reporting requirements established in this Ordinance shall maintain records of all information resulting from any monitoring activities required by this Ordinance. Such records shall include for all samples:
 - 1. The date, exact place, method, time of sampling and the names of the person or persons taking the samples;
 - 2. The dates analyses were performed;
 - 3. Who performed the analyses;
 - 4. The analytical techniques/methods used; and
 - 5. The results of such analyses.
- b) Any Industrial User subject to the reporting requirements established in this Ordinance shall be required to retain for a minimum of 3 years any records of monitoring activities and results (whether or not such monitoring activities are required by this Ordinance) and shall make such records available for inspection and copying by the Director, Regional Administrator, and the District. This period of retention shall be extended during the course of any unresolved litigation regarding the Industrial User or District or when requested by the Director or the Regional Administrator or the District.
- c) The District shall retain reports submitted by an Industrial User pursuant to Section 4.02 of this Ordinance for a minimum of 3 years and shall make such reports available for inspection and copying by the Director and the Regional Administrator. This period of retention shall be extended during the course of any unresolved litigation regarding the discharge of pollutants by the Industrial User or the operation of the District Pretreatment Program or when requested by the Director or the Regional Administrator.

CHAPTER 7 - MISCELLANEOUS

7.1 Removal Credits

Where applicable, the District may elect to initiate a program of removal credits as part of this Ordinance to reflect the POTW's ability to remove pollutants in accordance with current applicable Federal regulations.

7.2 Net/Gross Calculations

Significant Industrial Users subject to National Categorical Pretreatment Standards may request adjustments to applicable standards to reflect the presence of pollutants in the Significant Industrial User's intake water in accordance with 40 CFR Part 403.15. Requests for such adjustment must be made by the Significant Industrial User to the Enforcement Division Director of USEPA Region V.

CHAPTER 8 - VALIDITY

8.1 Severability

If any provision, paragraph, word, section or chapter 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.

8.2 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.

8.3 Ordinance in Force

This Ordinance shall be in full force and effect following its passage, adoption, approval and publication as provided by law.

APPENDIX A

TABLE A. LIST OF 1. METALS AND INORGANICS (PART I)
2. PRIORITY POLLUTANTS (PART II-V)
3. TOTAL TOXIC ORGANICS (TTO) PARTS II-V)

I. METALS AND INORGANICS	
1. Arsenic	
2. Boron	
3. Cadmium	
4. Chloride	
5. Chromium, Total	
6. Chromium, Hexavalent	
7. Copper	
8. Cyanide	
9. Iron, dissolved	
10. Lead	
11. Manganese	
12. Mercury	
13. Molybdenum	
14. Nickel	
15. Phenol	
16. Selenium	
17. Silver	
18. Zinc	
II. PESTICIDES AND PCB's	
1. Aldrin	
2. Alpha - BHC	
3. Beta - BHC	
4. Gamma - BHC (Lindane)	
5. Delta - BHC	
6. Chlorodane (Technical mixture and metabolites)	
7. 4, 4' - DDT	
8. 4, 4' - DDE (P, P - DDX)	
9. 4, 4' - DDD (P, P - TDE)	
10. Dieldrin	
11. Alpha - endosulfan	
12. Beta - endosulfan	
13. Endosulfan Sulfate	
14. Endrin	
15. Endrin aldehyde	
16. Heptachlor	
17. Heptachlor epoxide	
18. PCB - 1242 (Arochlor 1242)	
19. PCB - 1254 (Arochlor 1254)	
20. PCB - 1221 (Arochlor 1221)	
	21. PCB - 1232 (Arochlor 1232)
	22. PCB - 1248 (Arochlor 1248)
	23. PCB - 1260 (Arochlor 1260)
	24. PCB - 1016 (Arochlor 1016)
	25. Toxaphene
III. VOLATILE ORGANICS	
1. Acrolein	
2. Acrylonitrile	
3. Benzene	
4. Bromoform (tribromomethane)	
5. Carbon Tetrachloride	
6. Chlorobenzene	
7. Chloroethane	
8. 2-Chloroethylvinylether	
9. Chloroform	
10. Chlorodibromomethane	
11. Dichlorobromomethane	
12. 1, 1 - Dichloroethane	
13. 1, 2 - Dichloroethane	
14. 1, 1 - Dichloroethylene	
15. 1, 2 - Dichloropropane	
16. 1, 3 - Dichloropropylene	
17. Ethylbenzene	
18. Methyl Bromide (bromomethane)	
19. Methyl Chloride (chloromethane)	
20. Methylene Chloride (dichloromethane)	
21. 1, 1, 2, 2 - Tetrachloroethane	
22. Tetrachloroethylene	
23. Toluene	
24. 1, 2- trans-dichloroethylene	
25. 1, 1, 1 - trichloroethane	
26. 1, 1, 2 - trichloroethane	
27. Trichloroethylene	
28. Vinyl chloride (chloroethylene)	

IV. SEMIVOLATILE ORGANICS	
1.	Acenaphthene
2.	Acenaphthylene
3.	Anthracene
4.	Benzidine
5.	1, 2 - benzanthracene (benzo (a) anthracene)
6.	Benzo (a) pyrene (3, 4 - benzopyrene)
7.	3, 4 - Benzofluoranthene (benzo (b) fluoranthene)
8.	1, 12 - benzoperylene (benzo (ghi) perylene)
9.	11, 12 - benzofluoranthene (benzo (k) fluoranthene)
10.	Bis (2 - chloroethoxy) methane
11.	Bis (2 - chlorethyl) ether
12.	Bis (2 - cloroisopropyl) ether
13.	Bis (2 - ethylhexyl) phthalate
14.	4 - bromophenyl phenyl ether
15.	Butyl benzyl phthalate
16.	2 - chloronaphthalene
17.	4 - chlorophenyl phenyl ether
18.	Chrysene
19.	1, 2, 5, 6 - dibenzanthracene (dibenzo (a, h) anthracene)
20.	1, 2 - dichlorobenzene
21.	1, 3 - dichlorobenzene
22.	1, 4 - dichlorobenzene
23.	3, 3 - dichlorobenzidine
24.	Diethyl phthalate
25.	Dimethyl phthalate
26.	Di-n-butyl phthalate
27.	2, 4 - dinitrotoluene
28.	2, 6 - dinitrotoluene
29.	Di-n-octyl phthalate
30.	1, 2 - diphenylhydrazine
31.	Fluoranthene
32.	Fluorene
33.	Hexachlorobenzene
34.	Hexachlorobutadiene
35.	Hexachlorocyclopentadiene
36.	Hexachloroethane
37.	Indeno (1, 2, 3 - cd) Pyrene (2, 3 -o-phenylene pyrene)

38.	Isophorone
39.	Naphthalene
40.	Nitrobenzene
41.	N-nitrosodimethylamine
42.	N-nitrosodi-n-propylamine
43.	N-nitrosodiphenylamine
44.	Phenanthrene
45.	Pyrene
46.	1, 2, 4 – trichlorobenzene
47.	2 - chlorophenol
48.	2, 4 - dichlorophenol
49.	2, 4 - dimethylphenol
50.	4, 6 - dinitro-o-cresol
51.	2, 4 - dinitrophenol
52.	2 - nitrophenol
53.	4 - nitrophenol
54.	Parachlororneta cresol
55.	Pentachlorophenol
56.	Phenol
57.	2, 4, 6 - Trichlorophenol
V. OTHER ORGANICS	
1.	2, 3, 7, 8 - tetrachlorodibenzo-o-dioxin

APPENDIX B

The surcharge rates for Tier 1 and 2 are listed below. Surcharge rates of this Appendix B, separately or jointly, may be amended from time to time by ordinance of the Board of Directors. The rates are based in part on the actual costs the District incurs to treat Flow, and in part to encourage industry to lower its loads to the District.

Pollutant	Tier 1 Rate, cost/pound	Tier 2 Rate, cost/pound
BOD ₅	\$0.25	\$0.25
TSS	\$0.34	\$0.34
FOG	\$0.30	\$0.50
Ammonia	\$0.30	\$0.40
Phosphorus	\$0.30	\$0.50