

VILLAGE OF HILLSIDE

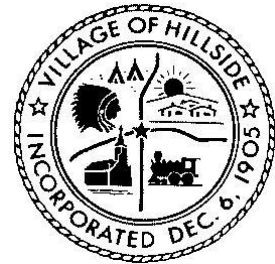
**NPDES PHASE II  
STORM WATER MANAGEMENT  
PROGRAM**

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*Revised October, 2021*

NPDES PHASE II

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For

THE VILLAGE OF HILLSIDE

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Figure B	2010 Census Urbanized Area, Chicago, Illinois

## **LIST OF EXHIBITS**

Exhibit A	General NPDES Permit No. ILR40 and ILR10
Exhibit B	Notice of Intent for Renewal
Exhibit C	Annual Facility Inspection Report
Exhibit D	Storm Water Advisory Panel Outline

## **1. Introduction**

The Village of Hillside has revised this Storm Water Management Program (SWMP) as required to be covered under the Illinois Environmental Protection Agency's (Agency) General NPDES Permit No. ILR40 (attached as Exhibit A). This revised SWMP sets forth policies, procedures, and measurable goals for each of the six minimum control measures required by the permit, referred to as Best Management Practices (BMPs), that must be implemented by the Municipal Separate Storm Sewer Systems (MS4s) to prevent and control pollutants in storm water runoff.

Coverage under the ILR40 permit includes automatic coverage under Permit No.: ILR10 for the discharge of storm water associated with construction site activities for Hillside construction projects disturbing one acre or more. The Village of Hillside agrees to comply with all of the requirements of Permit ILR10 for all such construction projects. The Village of Hillside is required to file the attached Notice of Intent (NOI) for Renewal (Exhibit B) in order to continue coverage under the ILR40 general permit.

The Village of Hillside has developed and implemented the SWMP to the fullest extent possible. This revised SWMP is intended to cover the Village of Hillside, and the Best Management Practices (BMPs) listed within this SWMP will continue to be implemented Village-wide.

The current population of the Hillside is around 8,100 residents. A large portion of the Village drains to a storm sewer system that outfalls outside the corporate limits of the Village. Most of the Village drains to Addison Creek, tributary of the Des Plaines River. The remaining portions of the Village drain to Salt Creek, a tributary of the Des Plaines River. A map of the Village showing the boundaries of drainage sub-basins in the Village of Hillside is attached as Figure A. Figure B illustrates shows the storm water entities as defined by the 2010 Census.

In an effort to increase public awareness plus increase the effectiveness of the Village's SWMP, the Village created a Storm Water Advisory Panel which includes Village employees and consultants. The primary objective of this panel is to monitor and advise on methods to increase the SWMP objectives, BMPs, and further educate employees, residents, business owners, and the public.

The Storm Water Advisory Panel also focuses on the implementation of the next stages of the SWMP (outlined in Exhibit D) plus investigates ways to improve BMP practices that were evaluated as less effective during the previous permit period. Please note that this Storm Water Advisory Panel only advises the Village and its departments. All authority, implementation of procedures, training, and/or any actions will remain the responsibility of the Village board and/or its recognized departments and representatives.

## **2. Administrative Structure**

Storm water management within the Village is the jurisdiction of the Village of Hillside. Village of Hillside storm water management is regulated by the following departments:

- Village of Hillside Planning Commission. The Planning Commission is responsible for area wide planning, and review of subdivisions and large-scale site developments within the Village.
- Village of Hillside. New subdivisions within the Village limits are regulated by the Village of Hillside. The Village is also responsible for the purchase and distribution of water to its residents within the Village limits.
- Hillside Public Works Department. Village maintenance activities that could potentially affect storm water quality are monitored by this department.
- Illinois Department of Transportation (IDOT). IDOT is a state-owned transportation department and controls maintenance and operations of state-owned highways facilities within the urbanized area.
- Cook County Highway Department (CCHD). CCHD is a County's transportation department and controls maintenance and operations of county owned highways within the urbanized area.

No direct source of revenue exists for storm water management activities. Construction and maintenance of storm water facilities is generally financed through private developers and Village of Hillside general funds. The Village does have an overall map of its storm water collection system; as well as keeping construction record drawings of storm water facility updates on file. The Village is also in the initial stages of creating their own GIS that will eventually contain all the storm water system information. The system currently includes all pipe and structure locations. The invert data is the last remaining information to input into the system.

### **Six Minimum Measures**

This SWMP addresses the six minimum control measures were required by General NPDES Permit No.: ILR40 for the previous permit period from 2018 to present. Each measure is addressed separately in this report. The SWMP identifies the Best Management Practices (BMPs) and procedures the Village has implemented or attempted to implement, milestones for the goal that each BMP was intended to achieve, evaluation of that item or program, proposed improvement actions when applicable, and the name or position of the person responsible for implementation.

Programs that are currently in place within the Village that correspond to a BMP are noted as an existing program. Also included at the end of each measure within the SWMP are new or revised control measures and BMPs that the Village intends to implement and monitor during the next five year permit period from 2021 to 2026. The proposed Storm Water Advisory Panel outlined in Exhibit D also contains potential additional procedures and BMPs that may be implemented in the future as part of the SWMP. Each measure will describe what is to be implemented and the potential milestones for that goal. If the Village chooses to adopt any of the new procedures, a request for revision to the SWMP will be submitted as required by the IEPA.

The six minimum measures which are discussed in detail below are:

1. Public Education and Outreach

2. Public Involvement/Participation
3. Illicit Discharge Detection and Elimination
4. Construction Site Storm Water Runoff Control
5. Post-Construction Storm Water Management
6. Pollution Prevention/Good Housekeeping

## ***2.1 Public Education and Outreach***

### ***2.1.1 Regulatory Requirement***

New permittees shall develop and implement elements of their storm water management program addressing the provisions listed below. Existing permittees renewing coverage under this permit shall maintain their current programs addressing this Minimum Control Measure, updating and enhancing their storm water management programs as necessary to comply with the terms of this section.

1. Distribute educational materials to the community or conduct equivalent outreach activities about the impacts of storm water discharges on water bodies and the steps that the public can take to reduce pollutants in storm water runoff. The educational materials shall include information on the potential impacts and effects on storm water discharge due to climate change. Information on climate change can be found at <http://epa.gov/climatechange/>. The permittee shall incorporate the following into its education materials, at a minimum:
  - i. Information on effective pollution prevention measures to minimize the discharge of pollutants from private property and activities into the storm sewer system, on the following topics:
    - A. Storage and disposal of fuels, oils, and similar materials used in the operation of or leaking from, vehicles and other equipment;
    - B. Use of soaps, solvents or detergents used in the outdoor washing of vehicles, furniture and other property,
    - C. Paint and related décor;
    - D. Lawn and garden care; and
    - E. Winter de-icing material storage and use.
  - ii. Information about green infrastructure strategies such as green roofs, rain gardens, rain barrels, bioswales, permeable piping, dry wells, and permeable pavement that mimic natural processes and direct storm water to areas where it can be infiltrated, evaporated or reused.
  - iii. Information on the benefits and costs of such strategies and provide guidance to the public on how to implement them.
2. Define appropriate BMPs for this minimum control measure and measurable goals for each BMP. These measurable goals must ensure the reduction of all of the

pollutants of concern in your storm water discharges to the maximum extent practicable; and

3. Provide an annual evaluation of public education and outreach BMPs and measurable goals. Report on this evaluation in the Annual Report pursuant to Part V.C.1.

## ***2.1.2 Existing BMPs***

### ***2.1.2.1 Previously Selected BMPs***

**BMP: Add information regarding storm water management on the Village website.**

**Measurable Goal:** Information for a website was to be developed during 2003 and 2004.

**Goal Evaluation:** The Village added the stormwater management section in 2009.

**Responsible Party:** Village of Hillside and Department of Public Works.

**BMP: Waste reduction and recycling guide.**

The Village of Hillside provides a package of information about the waste disposal and recycling programs for new residents upon moving into the city. In addition, current residents can find this information at Village Hall and on the website of West Cook County Solid Waste Agency.

**Measurable Goal:** This booklet will continue to be distributed at the above listed locations. The Village may add a link to West Cook County Solid Waste Agency on their website.

**Goal Evaluation:** The booklet has continued to be a success and has proven to be a beneficial means of public awareness.

**Responsible Party:** Village of Hillside and West Cook County Solid Waste Agency.

**BMP: Water Conservation Practices for Homeowners.**

Water is supplied to the Village by the Hillside-Berkeley Water Commission. The Commission purchases Lake Michigan water from the City of Chicago. The Village has several conservation measures that are implemented throughout the Village. All fixtures have to conform to the flow rates specified by the Village and car washes use recycled water in the wash and rinse cycles. In addition, outdoor water use is restricted in the summer months.

**Measurable Goal:** Public awareness of watering restrictions through signs.

**Goal Evaluation:** The Village has added water restriction information to their website, posted signs, and has distributed information via their monthly newsletter as well as separate pamphlets. This BMP has reduced the amount of water usage fines within the Village.

**Responsible Party:** Village of Hillside Water Department

**BMP: Provide Educational Material to Area Schools.**

The Village continues to look for ways to distribute stormwater runoff and stormwater pollution educational material to local elementary schools.

**Measurable Goal:** The material will be distributed to schools ahead of Earth Day and can be worked into any Earth Day activities. In addition, the material can be referenced during the science curriculums that deal with the water cycle.

**Goal Evaluation:** The Village continues to seek a method appropriate to distribute the material to local schools.

**Responsible Party:** Village of Hillside

**BMP: Develop Stormwater Educational Material for Restaurant Owners.**

The Village continues to look for ways to develop stormwater educational materials for restaurant owners that will focus on fats, oils and grease (FOG) management.

**Measurable Goal:** Restaurants who manage their FOG will result in a reduction of oil being discharged to the sanitary sewer which will prevent sewer plugging and sewer overflows to receiving streams.

**Goal Evaluation:** The Village continues to educate local restaurant owners via meetings and discussions. They continue to seek a method to deliver this information in other forms.

**Responsible Party:** Village of Hillside

### ***2.1.3 Proposed BMPs***

**BMP: Distribute effective pollution measures and green infrastructure strategies to homeowners**

Provide information pamphlets to new and existing residents about the following topics: storage and disposal of fuels, oils, and similar materials, use of soaps, solvents or detergents in outdoor cleaning, paint and related décor, lawn and garden care, and winter deicing material storage and use.

**Measurable Goal:** Provide a package of information about effective pollution prevention and green infrastructure strategies to new residents. In addition, current residents can find this information at the Village Hall and posted on the Village website.

**Goal Evaluation:** New and existing residents are made aware of pollution prevention and green infrastructure and how to implement the ideas.

**Responsible Party:** Village of Hillside

## ***2.2 Public Involvement/Participation***

### ***2.2.1 Regulatory Requirement***

New permittees shall develop and implement elements of their storm water management program addressing the provisions listed below. Existing permittees renewing coverage under this permit shall maintain their current programs addressing this Minimum Control Measure, updating and enhancing their storm water management programs as necessary to comply with the terms of this section.

1. At a minimum, comply with State and local public notice requirements when implementing a public involvement/participation program;
2. Define appropriate BMPs for this minimum control measure and measurable goals for each BMP, which must ensure the reduction of all of the pollutants of concern in the permittee's storm water discharges to the maximum extent practicable;
3. Provide a minimum of one public meeting annually for the public to provide input as to the adequacy of the permittee's MS4 program. This requirement may be met in conjunction with or as part of a regular council or board meeting;
4. The permittee shall identify environmental justice areas within its jurisdiction and include appropriate public involvement/participation. Information on environmental justice concerns may be found at <http://www.epa.gov/environmentaljustice/>. This requirement may be met in conjunction with or as part of a regular council or board meeting; and
5. Provide an annual evaluation of public involvement/participation BMPs and measurable goals. Report on this evaluation in the Annual Report pursuant to Part V.C.1.

## ***2.2.2 Existing BMPs***

### ***2.2.2.1 Previously Selected BMPs***

#### **BMP: Public hearings on proposed subdivisions.**

The Planning Commission holds a public hearing for new subdivisions, giving the public the opportunity to comment on erosion, storm water quality, and other concerns.

**Measurable Goal:** This process was implemented and followed for all new qualifying subdivisions.

**Goal Evaluation:** The Village has continued to hold public hearings for all developments within the Village although public response or participation has been minimal.

**Responsible Party:** Village of Hillside Planning Commission.

#### **BMP: Hazardous household waste drop-off.**

The Village of Hillside, in conjunction with the West Cook County Solid Waste Agency, holds a hazardous household waste drop-off every other year to allow citizens to dispose of unused portions of household chemicals, paint, etc.

**Measurable Goal:** This program has been held with a collection every other year.

**Goal Evaluation:** This BMP has proved very effective and has necessitated the Village to coordinate with the surrounding agencies to provide hazardous drop-off locations for residents on a yearly basis.

**Responsible Party:** West Cook County Solid Waste Agency

#### **BMP: Used tire collection.**

The Village of Hillside participates in the used tire collection program by West Cook County Solid Waste Agency.

**Measurable Goal:** Tire collection has been held annually.

**Goal Evaluation:** The Village continues to see the public respond and participate to this program with good results.

**Responsible Party:** West Cook County Solid Waste Agency

**BMP: Stencil Painting on Storm Inlets.**

The Village of Hillside will require new storm inlets added to the system be stenciled with the “No Dumping – Drains to River” stencil. In addition, inlets that are rebuilt or adjusted will also receive the stencil.

**Measurable Goal:** The stencil will inform residents that the inlet drains to a river and potentially deter them from dumping illicit substances into the storm sewer.

**Goal Evaluation:** Due to the costs of this program, the Village is currently continuing this program when it’s feasible and when an opportunity presents itself.

**Responsible Party:** Village of Hillside

**BMP: Provide public guidance on reducing residential storm runoff.**

The Village can compile educational materials for reducing residential stormwater runoff.

**Measurable Goal:** The Village can have the material available at Village Hall and advertise it in the monthly Village newsletter.

**Goal Evaluation:** Pamphlets were created and made available at the Village Hall.

**Responsible Party:** Village of Hillside

## ***2.3 Illicit Discharge Detection and Elimination***

### ***2.3.1 Regulatory Requirement***

New permittees shall develop and implement elements of their storm water management program addressing the provisions listed below. Existing permittees renewing coverage under this permit shall maintain their current programs addressing this Minimum Control Measure, updating and enhancing their storm water management programs as necessary to comply with the terms of this section.

1. Develop, implement and enforce a program to detect and eliminate illicit connections or discharges into the permittee’s small MS4;
2. Develop, if not already completed, a storm sewer system map, showing the location of all outfalls and the names and location of all waters that receive discharges from those outfalls. Existing permittees renewing coverage under this permit shall update their storm sewer system map to include any modifications to the sewer system;
3. To the extent allowable under state or local law, prohibit, through ordinance, or other regulatory mechanism, non-storm water discharges into the permittee’s storm sewer system and implement appropriate enforcement procedures and actions,



including enforceable requirements for the prompt reporting to the MS4 of all releases, spills and other unpermitted discharges to the separate storm sewer system, and a program to respond to such reports in a timely manner;

4. Develop and implement a plan to detect and address non-storm water discharges, including illegal dumping, to the system;
5. Inform public employees, businesses, and the general public of hazards associated with illegal discharges and improper disposal of waste and the requirements and mechanisms for reporting such discharges;
6. Address the categories of non-storm water discharges listed in section I.B.2 only if you identify them as significant contributor of pollutants to your small MS4 (discharges or flows from the firefighting activities are excluded from the effective prohibition against non-storm water and need only be addressed where they are identified as significant sources of pollutants to waters of the United States);
7. Define appropriate BMPs for this minimum control measure and measurable goals for each BMP. These measurable goals must ensure the reduction of all of the pollutants of concern in your storm water discharges to the maximum extent practicable;
8. Conduct periodic inspections of the storm sewer outfalls in dry weather conditions for detection of non-storm water discharges and illegal dumping. The permittee may establish a prioritization plan for inspection of outfalls, placing priority on outfalls with the greatest potential for non-storm water discharges. Major/high priority outfalls shall be inspected at least annually; and
9. Provide an annual evaluation of illicit discharge detection and elimination BMPs and measurable goals. Report on this evaluation in the Annual Report pursuant to Part V.C.1.

### ***2.3.2 Existing BMPs***

#### ***2.3.2.1 Previously Selected BMPs***

**BMP: Create a storm drain system map.**

**Measurable Goal:** The Village was to create a system map showing locations of storm water outfalls. Most of the storm water drains through storm sewers to points outside the Village limits.

**Goal Evaluation:** A storm drainage system map has been created and maintained for the past several years. This has proved to be beneficial for tracking contaminants and unregulated discharges.

**Responsible Party:** Village of Hillside.

**BMP: Identify cross connections through storm sewer televising.**

If a potential illicit discharge to the storm sewer system is reported, the Village can televise the problem sewer to try to identify the illicit connection.

**Measurable Goal:** By televising the storm sewer with an active connection, the Village can identify the source of the pollutant and require that the source be disconnected.

**Goal Evaluation:** Multiple storm sewers were televised during this reporting period. Any connections found were dealt with accordingly. Multiple pipes were also cleared of debris found by the televising. The Village will continue to televise storm sewers whenever an opportunity presents itself.

**Responsible Party:** Village of Hillside

#### ***2.3.2.2 Other Programs***

##### **BMP: Reduce illegal dumping.**

The Village of Hillside investigates complaints of illegal dumping and has an attorney on staff for enforcement action where necessary.

**Measurable Goal:** The Village of Hillside investigates all complaints from the public regarding illegal dumping.

**Goal Evaluation:** The BMP has continuously proven to be an effective means of decreasing illegal dumping. The number of fines issued has decreased over the last several years.

**Responsible Party:** Village of Hillside.

##### **BMP: Inspect restaurants for storm water pollution.**

**Measurable Goal:** Health inspectors from the Cook County Public Health Department will identify sources of storm water pollution (such as floor drains connected to storm instead of sanitary sewers, or disposal of oil and grease through outdoor storm drains) and inform restaurant operators of violations. Inspectors will inform and educate restaurant operators to eliminate sources of storm water pollution.

**Goal Evaluation:** The amount of violations to restaurants within the Village has been minimal and illustrates the success of this BMP.

**Responsible Party:** Cook County Public Health Department.

#### ***2.3.3 Proposed BMPs***

##### **BMP: Create and continually update a storm drain GIS system map**

**Measurable Goal:** The Village of Hillside is covered under the SWMP and was to create a layer on their Geographic Information System (GIS) for storm water in 2005. Storm Water outfalls were to be identified and mapped by 2006. Storm sewers that are constructed after development of the GIS layer will be added to the mapping after construction of the project. Existing storm sewers have been added between 2005 and 2012. Currently all pipes and structures have been added to the GIS layer. The invert data is incomplete.

**Goal Evaluation:** The Village continues to explore and incorporate the use of GIS for the storm drain map and their systems. Multiple drainage studies and basin mapping have been performed within the Village to be incorporated into the GIS when available. A full evaluation of this BMP will be performed once a GIS has been fully established.

**Responsible Party:** Village of Hillside

## ***2.4 Construction Site Storm Water Runoff Control***

### ***2.4.1 Regulatory Requirement***

New permittees shall develop and implement elements of their storm water management program addressing the provisions listed below. Existing permittees renewing coverage under this permit shall maintain their current programs addressing this Minimum Control Measure, updating and enhancing their storm water management programs as necessary to comply with the terms of this section.

1. Develop, implement, and enforce a program to reduce pollutants in any storm water runoff to the permittee's small MS4 from construction activities that result in a land disturbance of greater than or equal to one acre. Control of storm water discharges from construction activity disturbing less than one acre must be included in your program if that construction activity is part of a larger common plan of development or sale that would disturb one acre or more or has been designated by the permitting authority.

At a minimum, the permittee must develop and implement the following:

- i. An ordinance or other regulatory mechanism to require erosion and sediment controls, as well as sanctions to ensure compliance, to the extent allowable under state or local law;
- ii. Erosion and Sediment Controls – The permittee shall ensure that construction activities regulated by the storm water program require the construction site owner/operator to design, install, and maintain effective erosion controls and sediment controls to minimize the discharge of pollutants. At a minimum, such controls must be designed, installed, and maintained to:
  - A. Control storm water volume and velocity within the site to minimize soil erosion;
  - B. Control storm water discharges, including both peak flow rates and total storm water volume, to minimize erosion at outlets and to minimize downstream channel and stream bank erosion;
  - C. Minimize the amount of soil exposed during construction activity;
  - D. Minimize the disturbance of steep slopes;
  - E. Minimize sediment discharges from the site. The design, installation and maintenance of erosion and sediment controls must address factors such as the amount, frequency, intensity and duration of precipitation, the nature of resulting storm water runoff, and soil characteristics, including the range of soil particle sizes expected to be present on the site;
  - F. Provide and maintain natural buffers around surface waters, direct storm water to vegetated areas to increase sediment removal, and maximize storm water infiltration, unless infeasible; and

- G. Minimize soil compaction and preserve topsoil, unless infeasible.
- iii. Requirements for construction site operators to control or prohibit non-storm water discharges that would include concrete and wastewater from washout of concrete (unless managed by an appropriate control), drywall compound, wastewater from washout and cleanout of stucco, paint, form release oils, curing compounds and other construction materials, fuels, oils, or other pollutants used in vehicle and equipment operation and maintenance, soaps, solvents, or detergents, toxic or hazardous substances from a spill or other release, or any other pollutant that could cause or tend to cause water pollution;
- iv. Require all regulated construction sites to have a storm water pollution prevention plan that meets the requirements of Part IV of NPDES permit No. ILR10, including management practices, controls, and other provisions at least as protective as the requirements contained in the Illinois Urban Manual, 2014, or as amended including green infrastructure techniques where appropriate and practicable;
- v. Procedures for site plan reviews which incorporate consideration of potential water quality impacts and site plan review of individual pre-construction site plans by the permittee to ensure consistency with local sediment and erosion control requirements;
- vi. Procedures for receipt and consideration of information submitted by the public; and
- vii. Site inspections and enforcement of ordinance provisions.
- 2. Define appropriate BMPs for this minimum control measure and measurable goals for each BMP. These measurable goals must ensure the reduction of all of the pollutants of concern in your storm water discharges to the maximum extent practicable.
- 3. Provide an annual evaluation of construction site storm water control BMPs and measurable goals in the Annual Report pursuant to Part V.C.1.

## ***2.4.2 Existing BMPs***

### ***2.4.2.1 Previously Selected BMPs***

#### **BMP: Development of erosion control standards for construction on individual lots.**

The Planning Commission was to develop requirements for individual lots to minimize soil erosion caused by construction activities.

**Measurable Goal:** Standards were to be developed in 2004 and an ordinance was to be introduced in 2005.

**Goal Evaluation:** The Village has adopted the ESC standards used by the Illinois Department of Transportation (IDOT) and has required them to be utilized for all proposed developments within the Village. These standards have been incorporated and enforced successfully over the last several years. The Village continues to monitor any updates to the standards in order to remain current.

**Responsible Party:** Village of Hillside Public Works and Building Services Department.

**BMP: Develop penalties for failure to maintain erosion control at construction sites.**

The Village was to develop an enforcement mechanism within the above described ordinance for failing to maintain erosion and sediment control measures at construction sites, either by the ability to stop work or a monetary penalty.

**Measurable Goal:** Standards were to be developed in 2004, and the ordinance was to be introduced in 2005.

**Goal Evaluation:** The Village has enacted an ordinance allowing the denial or suspension of the construction permit if any development is not abiding by the plans approved by the Village which are required to incorporate the IDOT ESC standards and specifications. The Village has received great responses and coordination from developers during construction in regards to this BMP. The Village will continue this practice for future developments.

**Responsible Party:** Village of Hillside Public Works and Building Services Department.

**BMP: Require Storm Water Pollution Prevention Plan (SWPPP) to be submitted for review on applicable projects.**

In addition to the Erosion and Sediment Control (ESC) Plan that is required, developers disturbing one acre or more were to be required to submit the SWPPP to the Public Works for review.

**Measurable Goal:** Every new construction within the Village will be reviewed to determine the necessity for a SWPPP.

**Goal Evaluation:** The Village intends to review every new construction within their limits to determine if a SWPPP or an abbreviated form of a SWPPP could be applicable. If it's found to be applicable, they will require the construction to produce these documents for review. The requirements to the extent of the submittal will be on a case by case basis.

**Responsible Party:** Village of Hillside Public Works and Building Services Department

**BMP: Continue to update site planning and management requirements for future developments.**

The Village currently has requirements for preserving existing greenspace in their development ordinance. The ordinance can continue to be reviewed and amended over time to include additional requirements, enhancements and buffer zones.

**Measurable Goal:** Preserving Natural Vegetation. The Village may enhance the current ordinance and add additional requirements to the green space requirement.

**Goal Evaluation:** The BMP is used to evaluate all proposed developments and allows the Village the authority to require the preservation of natural vegetation. The Village will maintain the records of these requirements and evaluate its success yearly.

**Responsible Party:** Village of Hillside Planning Commission

#### ***2.4.4.2 Other Programs***

**BMP: Erosion and Sediment Control Regulation.**

The control regulations for erosion and sediment control (ESC) are governed by the NPDES requirements.

**Measurable Goal:** Every new subdivision and large scale site development is required to have a control plan that is reviewed by the Village and enforced during construction.

**Goal Evaluation:** The BMP has proven to be successful and the necessary ESC plans, specifications, and details have been incorporated into all proposed developments within the Village. The Village continues to use this BMP with great success.

**Responsible Party:** Village of Hillside Planning Commission

#### **BMP: Construction Site Planning and Management**

The Village plans to institute additional requirements on new developments by further reviewing plans and performing predevelopment site visits in order to establish potential areas of a proposed development that could remain undisturbed. These requirements would be based on a case by case scenario and would be unique to each development.

**Measurable Goal:** Preserving Natural Vegetation. The Village currently has green space requirements that the developer must include in the site development.

**Goal Evaluation:** The BMP is used to evaluate all proposed developments and allows the Village the authority to require certain aspects of the existing sites to remain undisturbed. The Village continues this practice on proposed construction sites.

**Responsible Party:** Village of Hillside Planning Commission.

### ***2.4.3 Proposed BMPs***

#### **BMP: Develop an ordinance for construction site operators to control or prohibit non-storm water discharges**

**Measurable Goal:** The Village can develop an ordinance and refine the requirements over the next few years.

**Goal Evaluation:** This BMP will be used to make construction site operators more aware and careful with any non-storm water discharges. The Village can observe how many violations occur each year to see if any improvements are occurring. This is continuously being investigated.

**Responsible Party:** Village of Hillside

## ***2.5 Post-Construction Storm Water Management***

### ***2.5.1 Regulatory Requirement***

New permittees shall develop and implement elements of their storm water management program addressing the provisions listed below. Existing permittees renewing coverage under this permit shall maintain their current programs addressing this Minimum Control Measure, updating and enhancing their storm water management programs as necessary to comply with the terms of this section.

1. Develop, implement, and enforce a program to address and minimize the volume and pollutant load of storm water runoff from projects for new development and redevelopment that disturb greater than or equal to one acre, projects less than one acre that are part of a larger common plan of development or sale or that have been designated to protect water quality, that discharge into the permittee's small MS4 within the MS4's jurisdictional control. The permittee's program must ensure that appropriate controls are in place that would protect water quality and reduce the discharge of pollutants to the maximum extent practicable. In addition, each permittee shall adopt strategies that incorporate the infiltration, reuse, and evapotranspiration of storm water into the project to the maximum extent practicable. The permittee shall also develop and implement procedures for receipt and consideration of information submitted by the public.
2. Develop and implement strategies which include a combination of structural and/or non-structural BMPs appropriate for all projects within the permittee's jurisdiction for all new development and redevelopment that disturb greater than or equal to 1 acre (at a minimum) that will reduce the discharge of pollutants and the volume and velocity of storm water flow to the maximum extent practicable. These strategies shall include effective water quality and watershed protection elements and shall be amenable to modification due to climate change. Information on climate change can be found at <http://www.epa.gov/climatechange/>. When selecting BMPs to comply with requirements contained in this Part, the permittee shall adopt one or more of the following general strategies, listed in order of preference below. The proposal of a strategy shall include a rationale for not selecting an approach from among those with a higher preference.
  - i. Preservation of the natural features of development sites, including natural storage and infiltration characteristics;
  - ii. Preservation of existing natural streams, channels, and drainage ways;
  - iii. Minimization of new impervious surfaces;
  - iv. Conveyance of storm water in open vegetated channels;
  - v. Construction of structures that provide both quantity and quality control, with structures serving multiple sites being preferable to those serving individual sites; and
  - vi. Construction of structures that provide only quantity control, with structures serving multiple sites being preferable to those serving individual sites.
3. If a permittee requires new or additional approval of any development, redevelopment, linear project construction, replacement or repair on existing developed sites, or other land disturbing activity covered under this Part, the permittee shall require the person responsible for that activity to develop a long term operation and maintenance plan including the adoption of one or more of the strategies identified in Part IV.B.5.b. of this permit.
4. Develop and implement a program to minimize the volume of storm water runoff and pollutants from public highways, streets, roads, parking lots, and sidewalks (public surfaces) through the use of BMPs that alone or in combination result in

physical, chemical, or biological pollutant load reduction, increased infiltration, evapotranspiration, and reuse of storm water. The program shall include, but not be limited to the following elements:

- i. Annual Training for all MS4 employees who manage or are directly involved in (or who retain others who manage or are directly involved in) the routine maintenance, repair, or replacement of public surfaces in current green infrastructure or low impact design techniques applicable to such projects; and
  - ii. Annual Training for all contractors retained to manage or carry out routine maintenance, repair, or replacement of public surfaces in current green infrastructure or low impact design techniques applicable to such projects. Contractors may provide training to their employees for projects which include green infrastructure or low impact design techniques.
5. Develop and implement a program to minimize the volume of storm water runoff and pollutants from existing privately owned developed property that contributes storm water to the MS4 within the MS4 jurisdictional control. Such program must be documented and may contain the following elements:
  - i. Source Identification – Establish an inventory of storm water and pollutants discharged to the MS4;
  - ii. Implementation of appropriate BMPs to accomplish the following:
    - A. Education on green infrastructure BMPs;
    - B. Evaluation of existing flood control techniques to determine the feasibility of pollution control retrofits;
    - C. Evaluation of existing flood control techniques to determine potential impacts and effects due to climate change;
    - D. Implementation of additional controls for special events expected to generate significant pollution (fairs, parades, performances);
    - E. Implementation of appropriate maintenance programs, (including maintenance agreements, for structural pollution control devices or systems);
    - F. Management of pesticides and fertilizers; and
    - G. Street cleaning in targeted areas.
6. Infiltration practices should not be implemented in any of the following circumstances:
  - i. Areas/sites where vehicle fueling and/or maintenance occur;
  - ii. Areas/sites with shallow bedrock which allow movement of pollutants into the groundwater;
  - iii. Areas/sites near Karst features;
  - iv. Areas/sites where contaminants in soil or groundwater could be mobilized by infiltration of storm water;



- v. Areas/sites within a delineated source water protection area for a public drinking water supply where the potential for an introduction of pollutants into the groundwater exists. Information of groundwater protection may be found at: <http://www.epa.state.il.us/water/groundwater/index.html>
- vi. Areas/sites within 400 feet of a community water supply well if there is not a wellhead protection delineation area or within 200 feet of a private water supply well. Information on wellhead protection may be found at: <http://www.epa.state.il.us/water/groundwater/index.html>
- 7. Develop and implement an ordinance or other regulatory mechanism to address post-construction runoff from new development and redevelopment projects, public surfaces, and existing developed property as set forth above to the extent allowable under state or local law.
- 8. Require all regulated construction sites to have post-construction management that meets or exceeds the requirements of Part IV.D.2.h of NPDES permit No. ILR10 including management practices, controls, and other provisions at least as protective as the requirements contained in the most recent version of the Illinois Urban Manual, 2014.
- 9. Ensure adequate long-term operation and maintenance of BMPs.
- 10. Define appropriate BMPs for this minimum control measure and measurable goals for each BMP. These measurable goals must ensure the reduction of all of the pollutants of concern in your storm water discharges to the maximum extent practicable.
- 11. Within 3 years of the effective date of the permit, the permittee must develop and implement a process to assess the water quality impacts in the design of all new and existing flood management projects that are associated with the permittee or that discharge to the MS4. This process must include consideration of controls that can be used to minimize the impacts to site water quality and hydrology while still meeting the project objectives. This will also include assessment of any potential impacts and effects of flood management projects due to climate change.
- 12. Provide an annual evaluation of post-construction storm water management BMPs and measurable goals in the Annual Report pursuant to Part V.C.1.

## ***2.5.2 Existing BMPs***

### ***2.5.2.1 Previously Selected BMPs***

**BMP:** Make available resources for the design of structural BMPs.

**Measurable Goal:** A list of design guides and other resources was to be made available to the public in 2005. Notice of this list will be mailed to area developers and engineers.

**Goal Evaluation:** Information regarding structural BMPs has been provided upon request of developers. The Village has also openly made this information available to the public on their website.

**Responsible Party:** Village of Hillside Public Works and Building Services Department.

**BMP:** Develop an ordinance to encourage the use of structural BMPs.

These BMPs were to include items such as infiltration trenches, porous pavement, bioretention, grassed filter strips, etc. in new subdivisions. The Village was to revise current ordinance to allow the use of these measures in lieu of or to supplement traditional storm water collection and detention methods.

**Measurable Goal:** This issue was studied through the last permit cycle to determine if structural BMPs are feasible and what was most effective for the Village of Hillside.

**Goal Evaluation:** The Village continues to investigate new techniques and technology in hopes to identify feasible structural BMPs.

**Responsible Party:** Village of Hillside Public Works and Building Services Department.

**BMP:** Follow future rulemaking the IEPA is currently reviewing for post development stormwater management and the subsequent permit renewal when the current permit expires in March of 2014.

**Measurable Goal:** Future rulemaking will likely include more stringent runoff requirements for post construction stormwater runoff. The Village will follow the rulemaking and modify future permit renewals to match.

**Goal Measurement:** The future permit requirements will likely reduce the amount of stormwater runoff and improve water quality.

**Responsible Party:** Village of Hillside Planning Commission

**BMP:** Create a free yard waste, leaf and branch pickup program.

**Measurable Goal:** By picking up yard waste and disposing of it properly, it prevents dumping of yard and lawn waste into area waterways and keeps debris out of the storm sewers.

**Goal Measurement:** The Village recently enacted this program and have had good participation by the residents of Hillside.

**Responsible Party:** Village of Hillside

**BMP:** Review street sweeping activities.

**Measurable Goal:** The Village will review the type and volume of material being collected during street sweeping activities. By tracking what the street sweepers are picking up and from what parts of town, the Village can identify potential problem areas that require enforcement.

**Goal Measurement:** The Village continues to review the waste collect by sweepers. They appropriately address any problem found during these investigations.

**Responsible Party:** Village of Hillside

#### ***2.5.2.2 Other Programs***

**BMP:** Surface Water Drainage ordinance.

Village of Hillside ordinances cover surface water drainage requirements for new subdivisions and site developments within the Village. These requirements cover storm sewer and sanitary sewer installation.

**Measurable Goal:** All new subdivisions and large site developments within the Village of Hillside are covered by this section. The Village of Hillside Planning Commission reviews subdivision plans and will not issue approval for construction until this requirement has been met.

**Goal Measurement:** The Village ordinance has proven successful and all proposed developments have met the requirements of the BMP. The Village continues to review this material to ensure it remains current with the latest requirements.

**Responsible Party:** Village of Hillside Planning Commission

**BMP: Restoration of natural areas**

**Measurable Goal:** The village is working on restoring multiple areas within the Village with native plantings. The restoration of the vegetation will provide additional pollutant reductions in these areas along with decreased runoff. The Village will monitor and maintain these areas to determine their effectiveness.

**Goal Evaluation:** Several areas including the Illinois Prairie Path, Mannheim Road, and Oak Ridge Avenue have been restored with natural vegetation. The Village continues to look for additional areas where restoration would be appropriate.

**BMP: Implementation of natural greenways**

**Measurable Goal:** The village has begun areas that could be adapted to become a natural greenway. The goal of this effort is to provide additional areas for storm water to be retained and infiltrated. Upon completion, the Village will monitor the amount of runoff downstream to determine the effectiveness.

**Goal Evaluation:** Currently, Mannheim Road streetscape project implementation and construction is underway in order to provide additional greenways. Also, the Village will continue to look for more opportunities to construct additional natural greenways.

**BMP: Implementation of Permeable Pavers**

**Measurable Goal:** The Village has begun the use of permeable pavers in several locations throughout the Village. The pavers will permit additional infiltration of stormwater and reduces runoff. The Village will monitor these areas to evaluate the effects of the reduced runoff against the cost of maintenance.

**Goal Evaluation:** The Village continues to look for appropriate areas to implement permeable pavers.

### ***2.5.3 Proposed BMPs***

**BMP: Annual training for all MS4 employees and all contractors**

**Measurable Goal:** The Village will develop and annually train all MS4 employees and contractors who manage or are directly involved in the routine maintenance, repair, or replacement of public surfaces in current green infrastructure or low impact design techniques applicable to such projects.

**Goal Evaluation:** The Village will monitor the success of the team and the training provided to its employees through specific evaluations and per each response.

**Responsible Party:** Village of Hillside

**BMP:** Implementation of Bioretention Curb Extensions and Sidewalk Planters

**Measurable Goal:** The village will implement bioretention curb extensions and sidewalk planters in order to use the infiltration and storage to reduce runoff volumes and attenuate peak flows.

**Goal Evaluation:** The village will explore and incorporate the use of bioretention curb extension and sidewalk planters and monitor the effectiveness levels of the bioretention curb extension and sidewalk planters.

**Responsible Party:** Village of Hillside

**BMP:** Implementation of Sidewalk Trees

**Measurable Goal:** The village will explore the implementation of sidewalk trees in order to reduce the stormwater runoff and improve the surrounding air quality.

**Goal Evaluation:** The village will explore and incorporate the use of Sidewalk Trees and monitor the effectiveness levels of the Sidewalk Trees.

**Responsible Party:** Village of Hillside

## ***2.6 Pollution Prevention/Good Housekeeping***

### ***2.6.1 Regulatory Requirement***

New permittees shall develop and implement elements of their storm water management program addressing the provisions listed below. Existing permittees renewing coverage under this permit shall maintain their current programs addressing this Minimum Control Measure, updating and enhancing their storm water management programs as necessary to comply with the terms of this section.

1. Develop and implement an operation and maintenance program that includes an annual training component for municipal staff and contractors and is designed to prevent and reduce the discharge of pollutants to the maximum extent practicable.
2. Pollution Prevention- The permittee shall design, install, implement, and maintain effective pollution prevention measures to minimize the discharge of pollutants from municipal properties, infrastructure, and operations. At a minimum, such measures must be designed, installed, implemented and maintained to:

- i. Minimize the discharge of pollutants from equipment and vehicle washing, wheel wash water, and other wash waters. Wash waters must be treated in a sediment basin or alternative control that provides equivalent or better treatment prior to discharge;
  - ii. Minimize the exposure of building materials, building products, construction wastes, trash, landscape materials, fertilizers, pesticides, herbicides, chemical storage tanks, deicing material storage facilities and temporary stockpiles, detergents, sanitary waste, and other materials present on the site to precipitation and to storm water;
  - iii. Minimize the discharge of pollutants from spills and leaks and implement chemical spill and leak prevention and response procedures; and
  - iv. Provide regular inspection of municipal storm water management BMPs. Based on inspection findings, the permittee shall determine if repair, replacement, or maintenance measures are necessary in order to ensure the structural integrity, proper function, and treatment effectiveness of structural storm water BMPs. Necessary maintenance shall be completed as soon as conditions allow to prevent or reduce the discharge of pollutants to storm water.
3. Deicing material must be stored in a permanent or temporary storage structure or seasonal tarping must be utilized. If no permanent structures are owned or operated by the Permittee, new permanent deicing material storage structures shall be constructed within two years of the effective date of this permit. Storage structures or stockpiles shall be located and managed to minimize storm water pollutant runoff from the stockpiles or loading/unloading areas of the stockpiles. Stockpiles and loading/unloading areas should be located as far as practicable from any area storm sewer drains. Fertilizer, pesticides, or other chemicals shall be stored indoors to prevent any discharge of such chemicals within the storm water runoff.
4. Using training materials that are available from USEPA, the State of Illinois, or other organizations, the permittee's program must include annual employee training to prevent and reduce storm water pollution from activities such as park and open space maintenance, fleet and building maintenance, operation of storage yards, snow disposal, deicing material storage handling and use on roadways, new construction and land disturbances, and storm water system maintenance procedures for proper disposal of street cleaning debris and catch basin material. In addition, training should include how flood management projects impact water quality, non-point source pollution control, green infrastructure controls, and aquatic habitat.
5. Define appropriate BMPs for this minimum control measure and measurable goals for each BMP. These measurable goals must ensure the reduction of all of the pollutants of concern in your storm water discharges to the maximum extent practicable.
6. Provide an annual evaluation of pollution prevention/good housekeeping for municipal operations and measurable goals in the Annual Report pursuant to Part V.C.1.

## ***2.6.2 Existing BMPs***

### ***2.6.2.1 Previously Selected BMPs***

**BMP: Develop specific guidelines for Village of Hillside employees to follow for washing Village vehicles to reduce or eliminate runoff of wash water.**

**Measurable Goal:** Guidelines were developed in 2006 and implemented.

**Goal Evaluation:** This BMP has proven effective. The Village continues their efforts in instituting procedures that eliminate potential contaminants.

**Responsible Party:** Village of Hillside Public Works and Building Services Department.

**BMP: Create educational programs for Village employees on inspection of new subdivisions.**

**Measurable Goal:** Programs were to be developed in 2004. County personnel began more stringent inspections of new subdivisions in 2005.

**Goal Evaluation:** Training for instituting this BMP has been successful. The necessary personnel have been trained in regards to the requirements and inspections of new subdivisions. The Village continues to train and educate employees regarding this item.

**Responsible Party:** Village of Hillside Public Works and Building Services Department.

**BMP: Provide educational material to Village residents on proper fertilizer and herbicide application.**

**Measurable Goal:** The Village intends to develop a pamphlet.

**Goal Evaluation:** The Village has created a pamphlet regarding this item that is available at the Village Hall. They continue to monitor the effects of the pamphlet in order to determine its effectiveness.

**Responsible Party:** Village of Hillside.

**BMP: Provide bag dispensers in Village parks for dog waste pickup.**

**Measurable Goal:** The Village will look into adding bag dispensers in Village parks to encourage owners to pick up dog waste as they walk their dogs.

**Goal Evaluation:** Additional dispensers have been placed at multiple critical locations within the Village to encourage proper disposal. The Village has noticed a significant reduction in animal waste has occurred.

**Responsible Party:** Village of Hillside.

### ***2.6.2.2 Other Programs***

**BMP: Storage of road salt in a salt dome at the Village yard.**

**Measurable Goal:** Road salt will continue to be stored in the covered dome to prevent unnecessary contamination of storm water.

**Goal Evaluation:** This BMP continues to be utilized by the Village and contamination of storm water continues to be restricted.

**Responsible Party:** Village of Hillside Public Works Department.

**BMP: Investigate alternative sources of ice control.**

**Measurable Goal:** The Village of Hillside Public Works Department has utilized new sources of ice control on a trial basis. New sources that are more cost effective and determined feasible will need to be found, and implemented if proven successful.

**Goal Evaluation:** This BMP has not proven to be successful. Any feasible alternatives for ice control that have been presented to the Village are way too expensive to implement. The Village continues to research this in order to find a better alternative or to find ways to reduce the costs of implementation.

**Responsible Party:** Village of Hillside Public Works Department.

**BMP: Municipal facilities and activities – Spill response and prevention.**

**Measurable Goal:** The Village intends to develop and train employees on spill response, containment, and treatment. The Village also plans to assemble a team to provide response to spill within the Village.

**Goal Evaluation:** The Village implemented spill prevention plans and spill response training to the applicable divisions. They continue to monitor the success of the team and the training provided to its employees through specific evaluations and per each response.

**Responsible Party:** Village of Hillside Public Works Department.

**BMP: Additional Drainage Studies**

**Measurable Goal:** Due to the recent flooding experienced by Hillside, the Village has engaged in conducting several drainage studies. The Village will review the information and ascertain if any improvements could be implemented to reduce stormwater runoff and increase natural infiltration.

**Goal Evaluation:** The Village has completed the drainage studies which have proven to be beneficial in reducing inflow into the Village drainage systems.

### ***2.6.3 Proposed BMPs***

**BMP: Annual training to refresh municipal staff and contractors on preventing and reducing discharge of pollutants and storm water pollution**

**Measurable Goal:** The Village will develop and annually train all municipal staff and contractors on preventing and reducing storm water pollution as well as including how flood management projects impact water quality, non-point source pollution control, green infrastructure controls, and aquatic habitat. This training will be accomplished using training materials that are available from USEPA, the State of Illinois, or other organizations.

**Goal Evaluation:** The Village will monitor the success of the team and the training provided to its employees through specific evaluations and per each response.

**Responsible Party:** Village of Hillside

### **3. Updating and Revising the SWMP**

This SWMP may be changed by the MS4 during the five year permit period, following the procedure listed below.

1. BMPs may be added, but not subtracted or replaced, following written notification to the Agency.
2. Ineffective or infeasible BMPs may be replaced with an alternate BMP 60 days from submitting a request to the Agency unless denied by the Agency. If denied, the Agency will send a written response stating the reason for denial. A request for replacing a BMP must include the following:
  - a. An analysis of why the BMP is ineffective or infeasible (including cost prohibitive);
  - b. Expectations on the effectiveness of the replacement BMP; and
  - c. An analysis why the replacement BMP is expected to achieve the goals of the BMP to be replaced.
3. The BMP replacement request or BMP addition notification must be signed by the principal executive officer or ranking elected official.

The SWMP may be required to be updated by the Agency for the following reasons.

1. To address impacts on receiving water quality caused, or contributed to, by discharges from the MS4.
2. To include more stringent requirements necessary to comply with new federal statutory or regulatory requirements; or
3. To include such other conditions deemed necessary by the Agency to comply with the goals and requirements of the Clean Water Act.

Changes requested by the Agency will be made in writing; will set forth the time schedule for the development of changes, and offer the opportunity to propose alternative program changes to meet the objectives of the requested modification.



## **4. Reporting Requirements**

### ***4.1 Monitoring***

Village of Hillside under this permit is required to monitor the results of their SWMP on an ongoing basis throughout the permit period of five years. As the program progresses, the MS4s will need to assess the appropriateness of the BMPs identified in this SWMP. The MS4s must progress towards achieving the measurable goals and reduce the discharge of pollutants to the maximum extent practicable.

### ***4.2 Recordkeeping***

Records associated with the development and implementation of this SWMP must be kept onsite at each agency responsible for a particular BMP for a period of at least five years after the expiration of this permit. These records must be available to the public and the Agency for inspection during regular business hours within ten business days of approval of the SWMP by the Agency. Records need not be submitted to the Agency unless specifically requested to do so.

### ***4.3 Reporting***

The Village of Hillside will be required to file an annual report, either jointly or separately, evaluating the effectiveness of the BMPs implemented or continued during the prior year. If the identified BMPs are not meeting the minimum control measure, the permittee must explain why, and detail how they will develop alternative BMPs to meet the control measure. The annual report should cover, at a minimum, the following:

- An assessment of the appropriateness and effectiveness of the permittee's identified BMPs and progress towards achieving the statutory goal of reducing the discharge of pollutants to the maximum extent practicable (MEP), and the permittee's identified measurable goals for each of the minimum control measures;
- The status of compliance with permit conditions, including a description of each incidence of non-compliance with the permit, and the permittee's plan for achieving compliance with a timeline of actions taken or to be taken;
- Results of information collected and analyzed, including monitoring data, if any, during the reporting period;
- A summary of the storm water activities the permittee plans to undertake during the next reporting cycle, including an implementation schedule;
- A change in any identified BMPs or measurable goals that apply to the program elements;
- Notice that the permittee is relying on another government entity to satisfy some of the permit obligations (if applicable);
- Provide an updated summary of any BMP or adaptive management strategy constructed or implemented pursuant to any approved TMDL or alternate water quality management study. Use the results of your monitoring program to assess

whether the WLA or other performance requirements for storm water discharges from your MS4 are being met; and

- If a qualifying local program or programs with shared responsibilities is implementing all minimum control measures on behalf of one or more entities, then the local qualifying program or programs with shared responsibilities may submit a report on behalf of itself and any entities for which it is implementing all of the minimum control measures.

An annual report is due the first day of June for each year the permit is in effect, with the first report due on June 1, 2019. The report period should cover the period from March of the previous year through March of the current year. the permittee maintains a website, a copy of the Annual Report shall be posted on the website by the first day of June of each year. Annual reports shall be maintained on the permittees' website for a period of 5 years. Reports should be submitted to the following office and email addresses:

Illinois Environmental Protection Agency

Division of Water Pollution Control

Compliance Assurance Section

Municipal Annual Inspection Report

1021 North Grand Avenue East

PO Box 19276

Springfield, IL 62794-9276

[epa.ms4annualinsp@illinois.gov](mailto:epa.ms4annualinsp@illinois.gov)

## 5. Glossary

**Agency:** Illinois Environmental Protection Agency.

**BMP:** Best Management Practice. Schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the state. BMPs also include treatment requirements, operating procedures, and practices to control runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

**IDOT:** Illinois Department of Transportation.

**Illicit Discharge:** Any discharge to a MS4 that is not composed entirely of storm water, except discharges authorized under an NPDES permit and discharges resulting from fire fighting activities.

**MEP:** Maximum Extent Practicable. The technology-based discharge standard for Municipal Separate Storm Sewer Systems to reduce pollutants in storm water discharges that was established by the Clean Water Act 402(p). A discussion of MEP as it applies to small MS4s is found at 40 CFR 122.34.

**MS4:** Municipal Separate Storm Sewer System. Used to refer to either a large, medium, or small municipal separate storm sewer system. The term is used to refer to either the system operated by a single entity or a group of systems within an area that are operated by multiple entities.

**NOI:** Notice of Intent. The mechanism used to “register” for coverage under a general permit.

**NPDES:** National Pollutant Discharge Elimination System.

**Outfall:** Defined at 40 CFR 122.26(b)(9) and means a point source as defined by 40 CFR 122.2 at the point where a municipal separate storm sewer discharges to waters of the United States and does not include open conveyances connecting two municipal storm sewers, or pipes, tunnels or other conveyances which connect segments of the same stream or other waters of the United States and are used to convey waters of the United States.

**Planning Commission:** Village of Hillside Planning Commission.

**Point Source:** Defined at 40 CFR 122.2 and means any discernable, confined and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel or other floating craft from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture or agricultural storm water runoff.

**Storm Water:** Defined at 40 CFR 122.26(b)(13) and means storm water runoff, snowmelt runoff, and surface runoff and drainage.

**SWMP:** Storm Water Management Program. Refers to a comprehensive program to manage the quality of storm water discharged from the municipal separate storm sewer system.

**SWPPP:** Storm Water Pollution Prevention Plan.

**Waters:** All accumulations of water, surface and underground, natural, and artificial, public and private, or parts thereof, which are wholly or partially within, flow through, or border upon the State of Illinois, except that sewers and treatment works are not included except as specially mentioned; provided, that nothing herein contained shall authorize the use of natural or otherwise

protected waters as sewers or treatment works except that in-stream aeration under Agency permit is allowable.

**UA:** Urbanized area.

## 6. References

*General NPDES Permit for Discharges from Small Municipal Separate Storm Sewer Systems (ILR40)*, Illinois Environmental Protection Agency, February 10, 2016.

*Construction Site Activities NPDES Storm Water Permit (ILR10)*, Illinois Environmental Protection Agency, February 13, 2018.

*Illinois Urban Manual (IUM)*, Association of Illinois Soil and Water Conservation Districts, 2014.

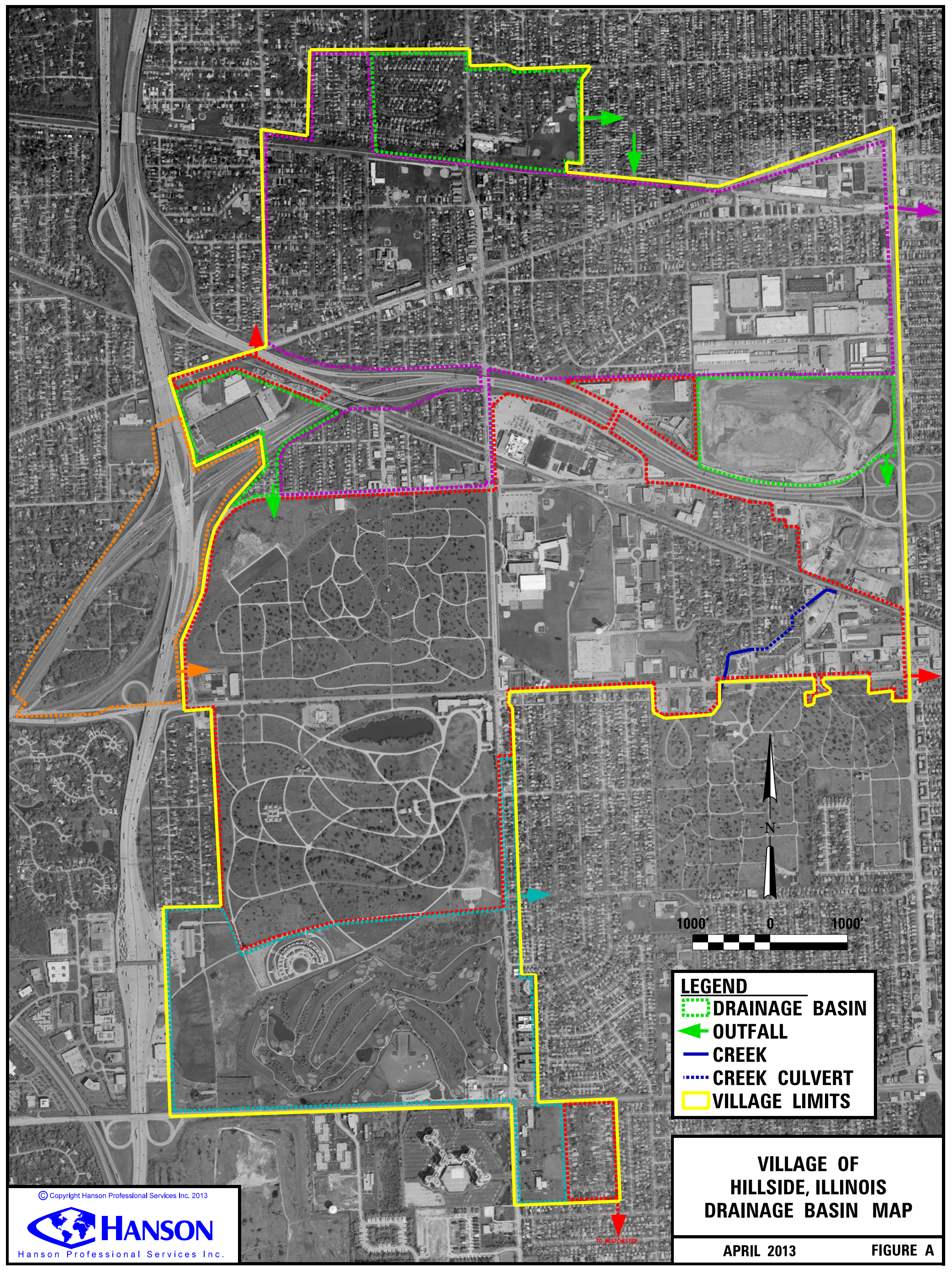
*Chapter 20: Health Regulations, Article II: Garbage and Refuse*, Village of Hillside Code of Ordinances.

*Chapter 22: Water, Article I, Section 106: Outdoor Water Use*, Village of Hillside Code of Ordinances.

*Chapter 24: Miscellaneous Regulations, Article XI½: Model Floodplain Regulations*, Village of Hillside Code of Ordinances.

**FIGURE A**  
**DRAINAGE BASIN MAP**



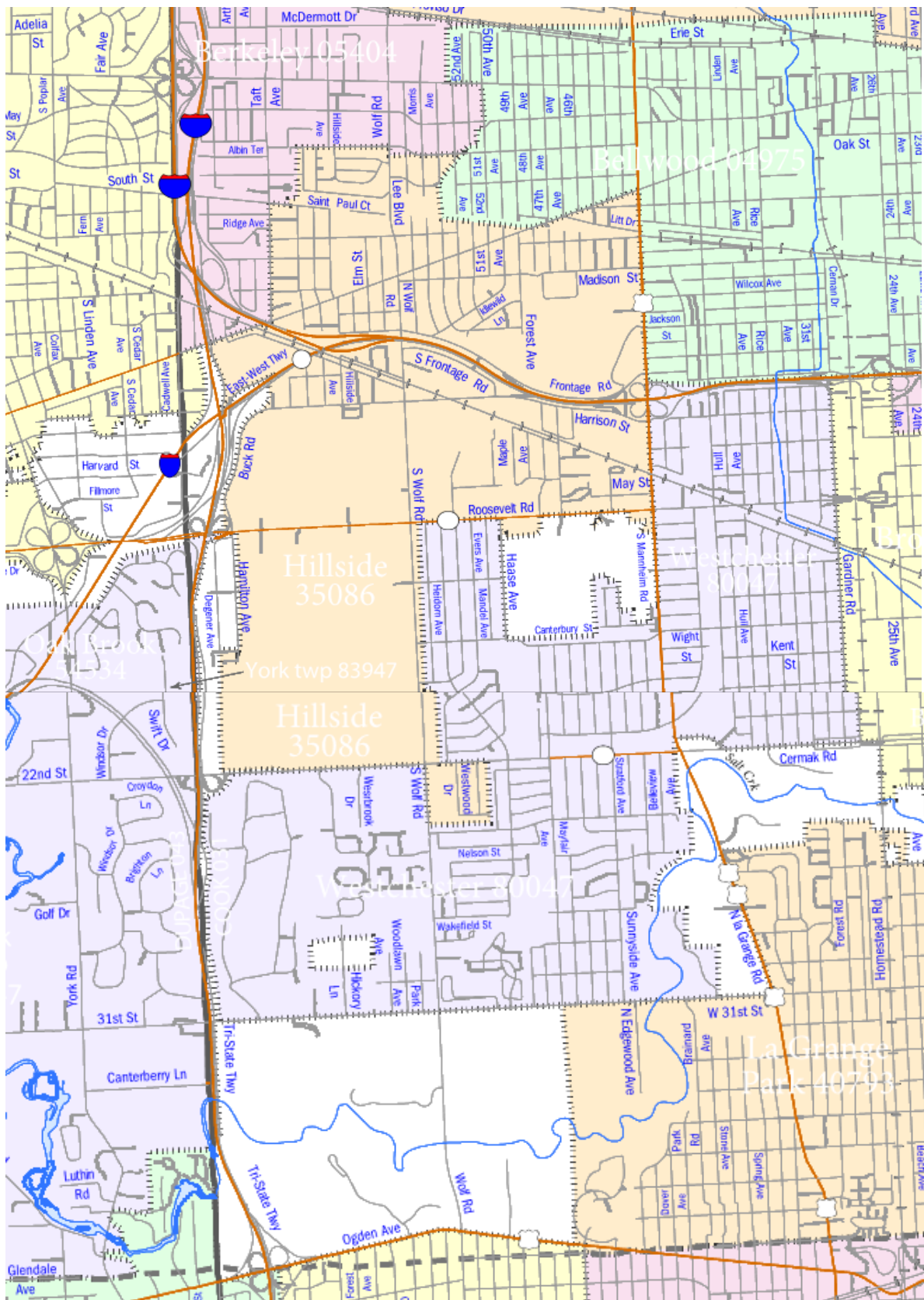




**FIGURE B**  
**2020 CENSUS URBANIZED ARE, CHICAGO, ILLINOIS**



**Figure B**  
**2010 Census Urbanized Area, Chicago, Illinois**



Map compiled from the United States Census Bureau 2010 Urbanized Area Maps

**EXHIBIT A**

**GENERAL NPDES PERMIT NO. ILR40 AND ILR10**



## ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 • (217) 782-3397

BRUCE RAUNER, GOVERNOR

LISA BONNETT, DIRECTOR

217/782-0610

February 10, 2016

Re: General NPDES Permit ILR40 for Discharge from Small Municipal Separate Storm Sewer Systems (MS4)

Dear Permittee:

Enclosed with this letter is the reissued General NPDES Permit ILR40 for the discharge of storm water from small MS4s. Significant changes have been made in the final permit based on comments received by the Agency. Please review the final permit and make any necessary modifications to your storm water management program. The Agency has also provided a list of permit modifications and a summary of responses to comments received by the Agency.

Please note that the Agency will be reviewing the Notice of Intent (NOI) for all NOIs that have been received. If you have not submitted an NOI, you must submit a NOI within 90 days of the effective date of the permit. A separate permit coverage letter will be sent by the Agency to persons who have submitted a complete NOI after review of the NOI.

Should you have any questions or comments regarding this letter, please contact Melissa Parrott or Cathy Demeroukas of my staff at (217) 782-0610 or at the above address.

Sincerely,

A handwritten signature in black ink that reads "Alan Keller".

Alan Keller, P.E.

Manager, Permit Section  
Division of Water Pollution Control

SAK:16020801bah/MS4 NOI Letter

**General NPDES Permit No. ILR40**

**Illinois Environmental Protection Agency**

Division of Water Pollution Control

1021 North Grand East

P.O. Box 19276

Springfield, Illinois 62794-9276

**NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM**

**General NPDES Permit**

**For**

**Discharges from Small Municipal Separate Storm Sewer Systems**

**Expiration Date: February 28, 2021**

**Issue Date: February 10, 2016**

**Effective Date: March 1, 2016**

In compliance with the provisions of the Illinois Environmental Protection Act, the Illinois Pollution Control Board Rules and Regulations (35 Ill. Adm. Code, Subtitle C, Chapter 1) and the Clean Water Act, the following discharges may be authorized by this permit in accordance with the conditions herein:

Discharges of only storm water from small municipal separate storm sewer systems (MS4s), as defined and limited herein. Storm water means storm water runoff, snow melt runoff, and surface runoff and drainage.

**Receiving waters:** Discharges may be authorized to any surface water of the State.

To receive authorization to discharge under this general permit, a facility operator must submit a Notice of Intent (NOI) as described in Part II of this permit to the Illinois Environmental Protection Agency (Illinois EPA). Authorization, if granted, will be by letter and include a copy of this permit.



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

NPDES/Hutton/stormwater/MS4/MSFinal2-9-16.daa

**CONTENTS OF GENERAL PERMIT ILR40**

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**PART I. COVERAGE UNDER GENERAL PERMIT ILR40****A. Permit Area**

This permit covers all areas of the State of Illinois.

**B. Eligibility**

1. This permit authorizes discharges of storm water from MS4s as defined in 40 CFR 122.26 (b)(16) as designated for permit authorizations pursuant to 40 CFR 122.32.
2. This permit authorizes the following non-storm water discharges provided they have been determined not to be substantial contributors of pollutants to a particular small MS4 applying for coverage under this permit:
  - Water line and fire hydrant flushing,
  - Landscape irrigation water,
  - Rising ground waters,
  - Ground water infiltration,
  - Pumped ground water,
  - Discharges from potable water sources, (excluding wastewater discharges from water supply treatment plants)
  - Foundation drains,
  - Air conditioning condensate,
  - Irrigation water, (except for wastewater irrigation),
  - Springs,
  - Water from crawl space pumps,
  - Footing drains,
  - Storm sewer cleaning water,
  - Water from individual residential car washing,
  - Routine external building washdown which does not use detergents,
  - Flows from riparian habitats and wetlands,
  - Dechlorinated pH neutral swimming pool discharges,
  - Residual street wash water,
  - Discharges or flows from fire fighting activities
  - Dechlorinated water reservoir discharges, and
  - Pavement washwaters where spills or leaks of toxic or hazardous materials have not occurred (unless all spilled material has been removed).
3. Any municipality covered by this general permit is also granted automatic coverage under Permit No. ILR10 for the discharge of storm water associated with construction site activities for municipal construction projects disturbing one acre or more. The permittee is granted automatic coverage 30 days after Agency receipt of a Notice of Intent to Discharge Storm Water from Construction Site Activities from the permittee. The Agency will provide public notification of the construction site activity and assign a unique permit number for each project during this period. The permittee shall comply with all the requirements of Permit ILR10 for all such construction projects.

**C. Limitations on Coverage**

The following discharges are not authorized by this permit:

1. Storm water discharges that are mixed with non-storm water or storm water associated with industrial activity unless such discharges are:
  - a. In compliance with a separate NPDES permit; or
  - b. Identified by and in compliance with Part I.B.2 of this permit.
2. Storm water discharges that the Agency determines are not appropriately covered by this general permit. This determination may include discharges identified in Part 1.B.2 or that introduce new or increased pollutant loading that may be a significant contributor of pollutants to the receiving waters.
3. Storm water discharges to any receiving water specified under 35 Ill. Adm. Code 302.105(d) (6).
4. The following non-storm water discharges are prohibited by this permit: concrete and wastewater from washout of concrete (unless managed by an appropriate control), drywall compound, wastewater from washout and cleanout of stucco, paint, form release oils, curing compounds and other construction materials, fuels, oils, or other pollutants used in vehicle and equipment operation and maintenance, soaps, solvents, or detergents, toxic or hazardous substances from a spill or other release, or any other pollutant that could cause or tend to cause water pollution.
5. Discharges from dewatering activities (including discharges from dewatering of trenches and excavations) are allowable if managed by appropriate controls as specified in a project's storm water pollution prevention plan, erosion and sediment control plan, or storm water management plan.

**D. Obtaining Authorization**

In order for storm water discharges from small MS4s to be authorized to discharge under this general permit, a discharger must:

1. Submit a Notice of Intent (NOI) in accordance with the requirements of Part II using an NOI form provided by the Agency (or a photocopy thereof).
2. Submit a new NOI in accordance with Part II within 30 days of a change in the operator or the addition of a new operator.
3. Unless notified by the Agency to the contrary, an MS4 owner submitting a complete NOI in accordance with the requirements of this permit will be authorized to discharge storm water from their small MS4s under the terms and conditions of this permit 30 days after the date that the NOI is received. Authorization will be by letter and include a copy of this permit. The Agency may deny coverage under this permit and require submittal of an application for an individual NPDES permit based on a review of the NOI or other information.

**PART II. NOTICE OF INTENT (NOI) REQUIREMENTS****A. Deadlines for Notification**

1. If an MS4 was automatically designated under 40 CFR 122.32(a)(1) to obtain permit coverage, then you were required to submit an NOI or apply for an individual permit by March 10, 2003.
2. If an MS4 has coverage under the previous general permit for storm water discharges from small MS4s, you must renew your permit coverage under this part. Unless previously submitted for this general permit, you must submit a new NOI within 90 days of the effective date of this reissued general permit for storm water discharges from small MS4s to renew your NPDES permit coverage. The permittee shall comply with any new provisions of this general permit within 180 days of the effective date of this permit and include modifications pursuant to the NPDES permit in its Annual Report.
3. If an MS4 is designated in writing by Illinois EPA under 40 CFR 122.32(a)(2) during the term of this general permit, then you are required to submit an NOI within 180 days of such notice.
4. MS4s are not prohibited from submitting an NOI after established deadlines for NOI submittals. If a late NOI is submitted, your authorization is only for discharges that occur after permit coverage is granted. Illinois EPA reserves the right to take appropriate enforcement actions against MS4s that have not submitted a timely NOI.

**B. Contents of Notice of Intent**

Dischargers seeking coverage under this permit shall submit the Illinois MS4 NOI form. The NOI shall be signed in accordance with Standard Condition 11 of this permit and shall include all of the following information:

1. The street address, county, and the latitude and longitude of the municipal office for which the notification is submitted;

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2. The name, address, and telephone number of the operator(s) filing the NOI for permit coverage and the name, address, telephone number, and email address of the person(s) responsible for implementation and compliance with the MS4 Permit; and
  3. The name and segment identification of the receiving water(s), whether any segments(s) is or are listed as impaired on the most recently approved list pursuant to Section 303(d) of the Clean Water Act or any currently applicable Total Maximum Daily Load (TMDL) or alternate water quality study, and the pollutants for which the segment(s) is or are impaired. The most recent 303(d) list may be found at <http://www.epa.state.il.us/water/water-quality/index.html>. Information regarding TMDLs may be found at <http://www.epa.state.il.us/water/tmdl/>.
  4. The following shall be provided as an attachment to the NOI:
    - a. A description of the best management practices (BMPs) to be implemented and the measurable goals for each of the storm water minimum control measures in paragraph IV. B. of this permit designed to reduce the discharge of pollutants to the maximum extent practicable;
    - b. The month and year in which you implemented any BMPs of the six minimum control measures, and the month and year in which you will start and fully implement any new minimum control measures or indicate the frequency of the action;
    - c. For existing permittees, provide adequate information or justification on any BMPs from previous NOIs that could not be implemented; and
    - d. Identification of a local qualifying program, or any partners of the program if any.
  5. For existing permittees, certification that states the permittee has implemented necessary BMPs of the six minimum control measures.
- C. All required information for the NOI shall be submitted electronically and in writing to the following addresses:
- Illinois Environmental Protection Agency  
Division of Water Pollution Control  
Permit Section  
Post Office Box 19276  
Springfield, Illinois 62794-9276
- [epa.ms4noipermit@illinois.gov](mailto:epa.ms4noipermit@illinois.gov)
- D. Shared Responsibilities

Permittees may partner with other MS4s to develop and implement their storm water management program. Each MS4 must fill out the NOI form. MS4s may also jointly submit their individual NOI in coordination with one or more MS4s. The description of their storm water management program must clearly describe which permittees are responsible for implementing each of the control measures. Each permittee is responsible for implementation of best management practices for the Storm Water Management Program within its jurisdiction.

**PART III. SPECIAL CONDITIONS**

- A. The Permittee's discharges, alone or in combination with other sources, shall not cause or contribute to a violation of any applicable water quality standard outlined in 35 Ill. Adm. Code 302.
- B. If there is evidence indicating that the storm water discharges authorized by this permit cause, or have the reasonable potential to cause or contribute to a violation of water quality standards, you may be required to obtain an individual permit or an alternative general permit or the permit may be modified to include different limitations and/or requirements.
- C. If a TMDL allocation or watershed management plan is approved for any water body into which you discharge, you must review your storm water management program to determine whether the TMDL or watershed management plan includes requirements for control of storm water discharges. If you are not meeting the TMDL allocations, you must modify your storm water management program to implement the TMDL or watershed management plan within eighteen months of notification by the Agency of the TMDL or watershed management plan approval. Where a TMDL or watershed management plan is approved, the permittee must:
  1. Determine whether the approved TMDL is for a pollutant likely to be found in storm water discharges from your MS4.
  2. Determine whether the TMDL includes a pollutant waste load allocation (WLA) or other performance requirements specifically for storm water discharge from your MS4.
  3. Determine whether the TMDL addresses a flow regime likely to occur during periods of storm water discharge.
  4. After the determinations above have been made and if it is found that your MS4 must implement specific WLA provisions of the TMDL, assess whether the WLAs are being met through implementation of existing storm water control measures or if additional control measures are necessary.

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5. Document all control measures currently being implemented or planned to be implemented to comply with TMDL waste load allocation(s). Also include a schedule of implementation for all planned controls. Document the calculations or other evidence that shows that the WLA will be met.
  6. Describe and implement a monitoring program to determine whether the storm water controls are adequate to meet the WLA.
  7. If the evaluation shows that additional or modified controls are necessary, describe the type and schedule for the control additions/revisions.
  8. Continue requirements 4 through 7 above until monitoring from two continuous NPDES permit cycles demonstrate that the WLAs or water quality standards are being met.
  9. If an additional individual permit or alternative general permit includes implementation of work pursuant to an approved TMDL or alternate water quality management plan, the provisions of the individual or alternative general permit shall supersede the conditions of Part III.C. TMDL information may be found at <http://www.epa.state.il.us/water/tmdl/>.
- D. If the permittee performs any deicing activities that can cause or contribute to a violation of an applicable State chloride water quality standard, the permittee must participate in any watershed group(s) organized to implement control measures which will reduce the chloride concentration in any receiving stream in the watershed.
- E. Authorization: Owners or operators must submit either an NOI in accordance with the requirements of this permit or an application for an individual NPDES Permit to be authorized to discharge under this General Permit. Authorization, if granted will be by letter and include a copy of this Permit. Upon review of an NOI, the Illinois EPA may deny coverage under this permit and require submittal of an application for an individual NPDES permit.
1. Automatic Continuation of Expired General Permit: Except as provided in III.E.2 below, when this General Permit expires the conditions of this permit shall be administratively continued until the earliest of the following:
    - a. 150 days after the new General Permit is reissued;
    - b. The Permittee submits a Notice of Termination (NOT) and that notice is approved by Illinois EPA;
    - c. The Permittee is authorized for coverage under an individual permit or the renewed or reissued General Permit;
    - d. The Permittee's application for an individual permit for a discharge or NOI for coverage under the renewed or reissued General Permit is denied by the Illinois EPA; or
    - e. Illinois EPA issues a formal permit decision not to renew or reissue this General Permit. This General Permit shall be automatically administratively continued after such formal permit decision.
  2. Duty to Reapply:
    - a. If the permittee wishes to continue an activity regulated by this General Permit, the permittee must apply for permit coverage before the expiration of the administratively continued period specified in III.E.1 above.
    - b. If the permittee reapplies in accordance with the provisions of III.E.2.a above, the conditions of this General Permit shall continue in full force and effect under the provisions of 5 ILCS 100/10-65 until the Illinois EPA makes a final determination on the application or NOI.
    - c. Standard Condition 2 of Attachment H is not applicable to this General Permit.
- F. The Agency may require any person authorized to discharge by this permit to apply for and obtain either an individual NPDES permit or an alternative NPDES general permit. Any interested person may petition the Agency to take action under this paragraph. The Agency may require any owner or operator authorized to discharge under this permit to apply for an individual or alternative general NPDES permit only if the owner or operator has been notified in writing that a permit application is required. This notice shall include a brief statement of the reasons for this decision, an application form, a statement setting a deadline for the owner or operator to file the application, and a statement that on the effective date of the individual NPDES permit or the alternative general permit as it applies to the individual permittee, coverage under this general permit shall automatically terminate. The Agency may grant additional time to submit the application upon request of the applicant. If an owner or operator fails to submit in a timely manner an individual or alternative general NPDES permit application required by the Agency under this paragraph, then the applicability of this permit to the individual or alternative general NPDES permittee is automatically terminated by the date specified for application submittal.
- G. Any owner or operator authorized by this permit may request to be excluded from the coverage of this permit by applying for an individual permit. The owner or operator shall submit an individual application with reasons supporting the request, in accordance with the requirements of 40 CFR 122.28, to the Agency. The request will be granted by issuing an individual permit or an alternative general permit if the reasons cited by the owner are adequate to support the request.



- H. When an individual NPDES permit is issued to an owner or operator otherwise subject to this permit, or the owner or operator is approved for coverage under an alternative NPDES general permit, the applicability of this permit to the individual NPDES permittee is automatically terminated on the issue date of the individual permit or the date of approval for coverage under the alternative general permit, whichever the case may be.

#### **PART IV. STORM WATER MANAGEMENT PROGRAMS**

##### **A. Requirements**

The permittee must develop, implement, and enforce a storm water management program designed to reduce the discharge of pollutants from their MS4 to the maximum extent practicable, to protect water quality, and to satisfy the appropriate water quality requirements of the Illinois Pollution Control Board Rules and Regulations (35 Ill. Adm. Code, Subtitle C, Chapter 1) and the Clean Water Act. The permittee's storm water management program must include the minimum control measures described in section B of this Part. For new permittees, the permittee must develop and implement specific program requirements by the date specified in the Agency's coverage letter. The U.S. Environmental Protection Agency's National Menu of Storm Water Best Management Practices (<http://cfpub.epa.gov/npdes/stormwater/menuofbmps/index.cfm>) and the most recent version of the Illinois Urban Manual should be consulted regarding the selection of appropriate BMPs.

##### **B. Minimum Control Measures**

The 6 minimum control measures to be included in the permittee's storm water management program are:

###### **1. Public Education and Outreach on Storm Water Impacts**

New permittees shall develop and implement elements of their storm water management program addressing the provisions listed below. Existing permittees renewing coverage under this permit shall maintain their current programs addressing this Minimum Control Measure, updating and enhancing their storm water management programs as necessary to comply with the terms of this section.

- a. Distribute educational materials to the community or conduct equivalent outreach activities about the impacts of storm water discharges on water bodies and the steps that the public can take to reduce pollutants in storm water runoff. The educational materials shall include information on the potential impacts and effects on storm water discharge due to climate change. Information on climate change can be found at <http://epa.gov/climatechange/>. The permittee shall incorporate the following into its education materials, at a minimum:
  - i. Information on effective pollution prevention measures to minimize the discharge of pollutants from private property and activities into the storm sewer system, on the following topics:
    - A. Storage and disposal of fuels, oils and similar materials used in the operation of or leaking from, vehicles and other equipment;
    - B. Use of soaps, solvents or detergents used in the outdoor washing of vehicles, furniture and other property,
    - C. Paint and related décor;
    - D. Lawn and garden care; and
    - E. Winter de-icing material storage and use.
  - ii. Information about green infrastructure strategies such as green roofs, rain gardens, rain barrels, bioswales, permeable piping, dry wells, and permeable pavement that mimic natural processes and direct storm water to areas where it can be infiltrated, evaporated or reused.
  - iii. Information on the benefits and costs of such strategies and provide guidance to the public on how to implement them.
- b. Define appropriate BMPs for this minimum control measure and measurable goals for each BMP. These measurable goals must ensure the reduction of all of the pollutants of concern in the permittee's storm water discharges to the maximum extent practicable; and
- c. Provide an annual evaluation of public education and outreach BMPs and measurable goals. Report on this evaluation in the Annual Report pursuant to Part V.C.1.

###### **2. Public Involvement/Participation**

New permittees shall develop and implement elements of their storm water management program addressing the provisions listed below. Existing permittees renewing coverage under this permit shall maintain their current programs addressing this Minimum Control Measure, updating and enhancing their storm water management programs as necessary to comply with the terms of this section.

- a. At a minimum, comply with State and local public notice requirements when implementing a public involvement/participation program;
- b. Define appropriate BMPs for this minimum control measure and measurable goals for each BMP, which must ensure the reduction of all of the pollutants of concern in the permittee's storm water discharges to the maximum extent practicable;

- c. Provide a minimum of one public meeting annually for the public to provide input as to the adequacy of the permittee's MS4 program. This requirement may be met in conjunction with or as part of a regular council or board meeting;
- d. The permittee shall identify environmental justice areas within its jurisdiction and include appropriate public involvement/participation. Information on environmental justice concerns may be found at <http://www.epa.gov/environmentaljustice/>. This requirement may be met in conjunction with or as part of a regular council or board meeting; and
- e. Provide an annual evaluation of public involvement/participation BMPs and measurable goals. Report on this evaluation in the Annual Report pursuant to Part V.C.1.

### 3. Illicit Discharge Detection and Elimination

New permittees shall develop and implement elements of their storm water management program addressing the provisions listed below. Existing permittees renewing coverage under this permit shall maintain their current programs addressing this Minimum Control Measure, updating and enhancing their storm water management programs as necessary to comply with the terms of this section.

- a. Develop, implement, and enforce a program to detect and eliminate illicit connections or discharges into the permittee's small MS4;
- b. Develop, if not already completed, a storm sewer system map, showing the location of all outfalls and the names and location of all waters that receive discharges from those outfalls. Existing permittees renewing coverage under this permit shall update their storm sewer system map to include any modifications to the sewer system;
- c. To the extent allowable under state or local law, prohibit, through ordinance, or other regulatory mechanism, non-storm water discharges into the permittee's storm sewer system and implement appropriate enforcement procedures and actions, including enforceable requirements for the prompt reporting to the MS4 of all releases, spills and other unpermitted discharges to the separate storm sewer system, and a program to respond to such reports in a timely manner;
- d. Develop and implement a plan to detect and address non-storm water discharges, including illegal dumping, to the system;
- e. Inform public employees, businesses, and the general public of hazards associated with illegal discharges and improper disposal of waste and the requirements and mechanisms for reporting such discharges;
- f. Address the categories of non-storm water discharges listed in Section I.B.2 only if you identify them as significant contributor of pollutants to your small MS4 (discharges or flows from firefighting activities are excluded from the effective prohibition against non-storm water and need only be addressed where they are identified as significant sources of pollutants to waters of the United States);
- g. Define appropriate BMPs for this minimum control measure and measurable goals for each BMP. These measurable goals must ensure the reduction of all of the pollutants of concern in your storm water discharges to the maximum extent practicable;
- h. Conduct periodic inspections of the storm sewer outfalls in dry weather conditions for detection of non-storm water discharges and illegal dumping. The permittee may establish a prioritization plan for inspection of outfalls, placing priority on outfalls with the greatest potential for non-storm water discharges. Major/high priority outfalls shall be inspected at least annually; and
- i. Provide an annual evaluation of illicit discharge detection and elimination BMPs and measurable goals. Report on this evaluation in the Annual Report pursuant to Part V.C.1.

### 4. Construction Site Storm Water Runoff Control

New permittees shall develop and implement elements of their storm water management program addressing the provisions listed below. Existing permittees renewing coverage under this permit shall maintain their current programs addressing this Minimum Control Measure, updating and enhancing their storm water management programs as necessary to comply with the terms of this section.

- a. Develop, implement, and enforce a program to reduce pollutants in any storm water runoff to the permittee's small MS4 from construction activities that result in a land disturbance of greater than or equal to one acre. Control of storm water discharges from construction activity disturbing less than one acre must be included in your program if that construction activity is part of a larger common plan of development or sale that would disturb one acre or more or has been designated by the permitting authority.

At a minimum, the permittee must develop and implement the following:

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- i. An ordinance or other regulatory mechanism to require erosion and sediment controls, as well as sanctions to ensure compliance, to the extent allowable under state or local law;
- ii. Erosion and Sediment Controls - The permittee shall ensure that construction activities regulated by the storm water program require the construction site owner/operator to design, install, and maintain effective erosion controls and sediment controls to minimize the discharge of pollutants. At a minimum, such controls must be designed, installed, and maintained to:
  - A. Control storm water volume and velocity within the site to minimize soil erosion;
  - B. Control storm water discharges, including both peak flow rates and total storm water volume, to minimize erosion at outlets and to minimize downstream channel and stream bank erosion;
  - C. Minimize the amount of soil exposed during construction activity;
  - D. Minimize the disturbance of steep slopes;
  - E. Minimize sediment discharges from the site. The design, installation and maintenance of erosion and sediment controls must address factors such as the amount, frequency, intensity and duration of precipitation, the nature of resulting storm water runoff, and soil characteristics, including the range of soil particle sizes expected to be present on the site;
  - F. Provide and maintain natural buffers around surface waters, direct storm water to vegetated areas to increase sediment removal, and maximize storm water infiltration, unless infeasible; and
  - G. Minimize soil compaction and preserve topsoil, unless infeasible.
- iii. Requirements for construction site operators to control or prohibit non-storm water discharges that would include concrete and wastewater from washout of concrete (unless managed by an appropriate control), drywall compound, wastewater from washout and cleanout of stucco, paint, form release oils, curing compounds and other construction materials, fuels, oils, or other pollutants used in vehicle and equipment operation and maintenance, soaps, solvents, or detergents, toxic or hazardous substances from a spill or other release, or any other pollutant that could cause or tend to cause water pollution;
- iv. Require all regulated construction sites to have a storm water pollution prevention plan that meets the requirements of Part IV of NPDES permit No. ILR10, including management practices, controls, and other provisions at least as protective as the requirements contained in the Illinois Urban Manual, 2014, or as amended including green infrastructure techniques where appropriate and practicable;
- v. Procedures for site plan reviews which incorporate consideration of potential water quality impacts and site plan review of individual pre-construction site plans by the permittee to ensure consistency with local sediment and erosion control requirements;
- vi. Procedures for receipt and consideration of information submitted by the public; and
- vii. Site inspections and enforcement of ordinance provisions.
- b. Define appropriate BMPs for this minimum control measure and measurable goals for each BMP. These measurable goals must ensure the reduction of all of the pollutants of concern in your storm water discharges to the maximum extent practicable.
- c. Provide an annual evaluation of construction site storm water control BMPs and measureable goals in the Annual Report pursuant to Part V.C.1.

#### 5. Post-Construction Storm Water Management in New Development and Redevelopment

New permittees shall develop and implement elements of their storm water management program addressing the provisions listed below. Existing permittees renewing coverage under this permit shall maintain their current programs addressing this Minimum Control Measure, updating and enhancing their storm water management programs, as necessary, to comply with the terms of this section.

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- a. Develop, implement, and enforce a program to address and minimize the volume and pollutant load of storm water runoff from projects for new development and redevelopment that disturb greater than or equal to one acre, projects less than one acre that are part of a larger common plan of development or sale or that have been designated to protect water quality, that discharge into the permittee's small MS4 within the MS4's jurisdictional control. The permittee's program must ensure that appropriate controls are in place that would protect water quality and reduce the discharge of pollutants to the maximum extent practicable. In addition, each permittee shall adopt strategies that incorporate the infiltration, reuse, and evapotranspiration of storm water into the project to the maximum extent practicable. The permittee shall also develop and implement procedures for receipt and consideration of information submitted by the public.
- b. Develop and implement strategies which include a combination of structural and/or non-structural BMPs appropriate for all projects within the permittee's jurisdiction for all new development and redevelopment that disturb greater than or equal to 1 acre (at a minimum) that will reduce the discharge of pollutants and the volume and velocity of storm water flow to the maximum extent practicable. These strategies shall include effective water quality and watershed protection elements and shall be amenable to modification due to climate change. Information on climate change can be found at <http://www.epa.gov/climatechange/>. When selecting BMPs to comply with requirements contained in this Part, the permittee shall adopt one or more of the following general strategies, listed in order of preference below. The proposal of a strategy shall include a rationale for not selecting an approach from among those with a higher preference.
  - i. Preservation of the natural features of development sites, including natural storage and infiltration characteristics;
  - ii. Preservation of existing natural streams, channels, and drainage ways;
  - iii. Minimization of new impervious surfaces;
  - iv. Conveyance of storm water in open vegetated channels;
  - v. Construction of structures that provide both quantity and quality control, with structures serving multiple sites being preferable to those serving individual sites; and
  - vi. Construction of structures that provide only quantity control, with structures serving multiple sites being preferable to those serving individual sites.
- c. If a permittee requires new or additional approval of any development, redevelopment, linear project construction, replacement or repair on existing developed sites, or other land disturbing activity covered under this Part, the permittee shall require the person responsible for that activity to develop a long term operation and maintenance plan including the adoption of one or more of the strategies identified in Part IV.B.5.b. of this permit.
- d. Develop and implement a program to minimize the volume of storm water runoff and pollutants from public highways, streets, roads, parking lots, and sidewalks (public surfaces) through the use of BMPs that alone or in combination result in physical, chemical, or biological pollutant load reduction, increased infiltration, evapotranspiration, and reuse of storm water. The program shall include, but not be limited to the following elements:
  - i. Annual Training for all MS4 employees who manage or are directly involved in (or who retain others who manage or are directly involved in) the routine maintenance, repair, or replacement of public surfaces in current green infrastructure or low impact design techniques applicable to such projects; and
  - ii. Annual Training for all contractors retained to manage or carry out routine maintenance, repair, or replacement of public surfaces in current green infrastructure or low impact design techniques applicable to such projects. Contractors may provide training to their employees for projects which include green infrastructure or low impact design techniques.
- e. Develop and implement a program to minimize the volume of storm water runoff and pollutants from existing privately owned developed property that contributes storm water to the MS4 within the MS4 jurisdictional control. Such program must be documented and may contain the following elements:
  - i. Source Identification – Establish an inventory of storm water and pollutants discharged to the MS4;
  - ii. Implementation of appropriate BMPs to accomplish the following:
    - A. Education on green infrastructure BMPs;
    - B. Evaluation of existing flood control techniques to determine the feasibility of pollution control retrofits;
    - C. Evaluation of existing flood control techniques to determine potential impacts and effects due to climate change;
    - D. Implementation of additional controls for special events expected to generate significant pollution (fairs, parades, performances);
    - E. Implementation of appropriate maintenance programs, (including maintenance agreements, for structural pollution control devices or systems);
    - F. Management of pesticides and fertilizers; and
    - G. Street cleaning in targeted areas.

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- f. Infiltration practices should not be implemented in any of the following circumstances:
  - i. Areas/sites where vehicle fueling and/or maintenance occur;
  - ii. Areas/sites with shallow bedrock which allow movement of pollutants into the groundwater;
  - iii. Areas/sites near Karst features;
  - iv. Areas/sites where contaminants in soil or groundwater could be mobilized by infiltration of storm water;
  - v. Areas/sites within a delineated source water protection area for a public drinking water supply where the potential for an introduction of pollutants into the groundwater exists. Information on groundwater protection may be found at:  
  
<http://www.epa.state.il.us/water/groundwater/index.html>
  - vi. Areas/sites within 400 feet of a community water supply well if there is not a wellhead protection delineation area or within 200 feet of a private water supply well. Information on wellhead protection may be found at :  
  
<http://www.epa.state.il.us/water/groundwater/index.html>
- g. Develop and implement an ordinance or other regulatory mechanism to address post-construction runoff from new development and redevelopment projects, public surfaces, and existing developed property as set forth above to the extent allowable under state or local law.
- h. Require all regulated construction sites to have post-construction management plans that meet or exceed the requirements of Part IV.D.2.h of NPDES permit No. ILR10 including management practices, controls, and other provisions at least as protective as the requirements contained in the most recent version of the Illinois Urban Manual, 2014.
- i. Ensure adequate long-term operation and maintenance of BMPs.
- j. Define appropriate BMPs for this minimum control measure and measurable goals for each BMP. These measurable goals must ensure the reduction of all of the pollutants of concern in your storm water discharges to the maximum extent practicable.
- k. Within 3 years of the effective date of the permit, the permittee must develop and implement a process to assess the water quality impacts in the design of all new and existing flood management projects that are associated with the permittee or that discharge to the MS4. This process must include consideration of controls that can be used to minimize the impacts to site water quality and hydrology while still meeting the project objectives. This will also include assessment of any potential impacts and effects on flood management projects due to climate change.
- l. Provide an annual evaluation of post-construction storm water management BMPs and measureable goals in the Annual Report pursuant to Part V.C.1 .

#### 6. Pollution Prevention/Good Housekeeping for Municipal Operations

New permittees shall develop and implement elements of their storm water management program addressing the provisions listed below. Existing permittees renewing coverage under this permit shall maintain their current programs addressing this Minimum Control Measure, updating and enhancing their storm water management programs as necessary to comply with the terms of this section.

- a. Develop and implement an operation and maintenance program that includes an annual training component for municipal staff and contractors and is designed to prevent and reduce the discharge of pollutants to the maximum extent practicable.
- b. Pollution Prevention- The permittee shall design, install, implement, and maintain effective pollution prevention measures to minimize the discharge of pollutants from municipal properties, infrastructure, and operations. At a minimum, such measures must be designed, installed, implemented and maintained to:
  - i. Minimize the discharge of pollutants from equipment and vehicle washing, wheel wash water, and other wash waters. Wash waters must be treated in a sediment basin or alternative control that provides equivalent or better treatment prior to discharge;
  - ii. Minimize the exposure of building materials, building products, construction wastes, trash, landscape materials, fertilizers, pesticides, herbicides, chemical storage tanks, deicing material storage facilities and temporary stockpiles, detergents, sanitary waste, and other materials present on the site to precipitation and to storm water;
  - iii. Minimize the discharge of pollutants from spills and leaks and implement chemical spill and leak prevention and response procedures; and

- iv. Provide regular inspection of municipal storm water management BMPs. Based on inspection findings, the permittee shall determine if repair, replacement, or maintenance measures are necessary in order to ensure the structural integrity, proper function, and treatment effectiveness of structural storm water BMPs. Necessary maintenance shall be completed as soon as conditions allow to prevent or reduce the discharge of pollutants to storm water.
- c. Deicing material must be stored in a permanent or temporary storage structure or seasonal tarping must be utilized. If no permanent structures are owned or operated by the Permittee, new permanent deicing material storage structures shall be constructed within two years of the effective date of this permit. Storage structures or stockpiles shall be located and managed to minimize storm water pollutant runoff from the stockpiles or loading/unloading areas of the stockpiles. Stockpiles and loading/unloading areas should be located as far as practicable from any area storm sewer drains. Fertilizer, pesticides, or other chemicals shall be stored indoors to prevent any discharge of such chemicals within the storm water runoff.
- d. Using training materials that are available from USEPA, the State of Illinois, or other organizations, the permittee's program must include annual employee training to prevent and reduce storm water pollution from activities such as park and open space maintenance, fleet and building maintenance, operation of storage yards, snow disposal, deicing material storage handling and use on roadways, new construction and land disturbances, and storm water system maintenance procedures for proper disposal of street cleaning debris and catch basin material. In addition, training should include how flood management projects impact water quality, non-point source pollution control, green infrastructure controls, and aquatic habitat.
- e. Define appropriate BMPs for this minimum control measure and measurable goals for each BMP. These measurable goals must ensure the reduction of all of the pollutants of concern in your storm water discharges to the maximum extent practicable.
- f. Provide an annual evaluation of pollution prevention/good housekeeping for municipal operations and measurable goals in the Annual Report pursuant to Part V.C.1.

#### C. Qualifying State, County, or Local Program

If an existing qualifying local program requires a permittee to implement one or more of the minimum control measures of Part IV. B. above, the permittee may follow that qualifying program's requirements rather than the requirements of Part IV.B. above. A qualifying local program is a local, county, or state municipal storm water management program that imposes, at a minimum, the relevant requirements of Part IV. B. Any qualifying local programs that permittees intend to follow shall be specified in their storm water management program.

#### D. Sharing Responsibility

- 1. Implementation of one or more of the minimum control measures may be shared with another entity, or the entity may fully take over the control measure. A permittee may rely on another entity only if:
  - a. The other entity implements the control measure;
  - b. The particular control measure, or component of that measure is at least as stringent as the corresponding permit requirement;
  - c. The other entity agrees to implement any minimum control measure on the permittee's behalf. A written agreement of this obligation is recommended. This obligation must be maintained as part of the description of the permittee's Storm Water Management Program. If the other entity agrees to report on the minimum control measure, the permittee must supply the other entity with the reporting requirements contained in Part V.C of this permit. If the other entity fails to implement the minimum control measure on the permittee's behalf, then the permittee remains liable for any discharges due to that failure to implement the minimum control measure.

#### E. Reviewing and Updating Storm Water Management Programs

- 1. Storm Water Management Program Review- The permittee must perform an annual review of its Storm Water Management Program in conjunction with preparation of the annual report required under Part V.C. The permittee must include in its annual report a plan for complying with any changes or new provisions in this permit, or in any State or federal regulations. The permittee must also include in its annual report a plan for complying with all applicable TMDL Report(s) or watershed management plan(s). Information on TMDLs may be found at:

<http://www.epa.state.il.us/water/tmdl/>.

- 2. Storm Water Management Program Update - The permittee may modify its Storm Water Management Program during the life of the permit in accordance with the following procedures:
  - a. Modifications adding (but not subtracting or replacing) components, controls, or requirements to the Storm Water Management Program may be made at any time upon written notification to the Agency;

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- b. Modifications replacing an ineffective or infeasible BMP specifically identified in the Storm Water Management Program with an alternate BMP may be requested at any time. Unless denied by the Agency, modifications proposed in accordance with the criteria below shall be deemed approved and may be implemented 60 days from submittal of the request. If the request is denied, the Agency will send the permittee a written response giving a reason for the decision. The permittee's modification requests must include the following:
    - i. An analysis of why the BMP is ineffective or infeasible (including cost prohibitive);
    - ii. Expectations on the effectiveness of the replacement BMP; and
    - iii. An analysis of why the replacement BMP is expected to achieve the goals of the BMP to be replaced.
  - c. Modification of any ordinances relative to the storm water management program, provided the updated ordinance is at least as stringent as the provisions stipulated in this permit; and
  - d. Modification requests or notifications must be made in writing and signed in accordance with Standard Condition II of Attachment H.
3. Storm Water Management Program Updates Required by the Agency. Modifications requested by the Agency must be made in writing, set forth the time schedule for permittees to develop the modifications, and offer permittees the opportunity to propose alternative program modifications to meet the objective of the requested modification. All modifications required by the Permitting Authority will be made in accordance with 40 CFR 124.5, 40 CFR 122.62, or as appropriate 40 CFR 122.63. The Agency may require modifications to the Storm Water Management Program as needed to:
- a. Address impacts on receiving water quality caused, or contributed to, by discharges from the MS4;
  - b. Include more stringent requirements necessary to comply with new federal or State statutory or regulatory requirements; or
  - c. Include such other conditions deemed necessary by the Agency to comply with the goals and requirements of the Clean Water Act.

#### **PART V. MONITORING, RECORDKEEPING, AND REPORTING**

##### **A. Monitoring**

The permittee must develop and implement a monitoring and assessment program to evaluate the effectiveness of the BMPs being implemented to reduce pollutant loadings and water quality impacts within 180 days of the effective date of this permit. The program should be tailored to the size and characteristics of the MS4 and the watershed. The permittee shall provide a justification of its monitoring and assessment program in the Annual Report. By not later than 180 days after the effective date of this permit, the permittee shall initiate an evaluation of its storm water program. The plan for monitoring/evaluation shall be described in the Annual Report. Evaluation and/or monitoring results shall be provided in the Annual Report. The monitoring and assessment program may include evaluation of BMPs and/or direct water quality monitoring as follows:

1. An evaluation of BMPs based on estimated effectiveness from published research accompanied by an inventory of the number and location of BMPs implemented as part of the permittee's program and an estimate of pollutant reduction resulting from the BMPs, or
2. Monitoring the effectiveness of storm water control measures and progress towards the MS4's goals using one or more of the following:
  - a. MS4 permittees serving a population of less than 25,000 may conduct visual observations of the storm water discharge documenting color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, or other obvious indicators of storm water pollution; or
  - b. MS4 permittees may evaluate storm water quality and impacts using one or more of the following methods:
    - i. Instream monitoring in the highest level hydrological unit code segment in the MS4 area. Monitoring shall include, at a minimum, quarterly monitoring of receiving waters upstream and downstream of the MS4 discharges in the designated stream(s).
    - ii. Measuring pollutant concentrations over time.
    - iii. Sediment monitoring.
    - iv. Short-term extensive network monitoring. Short-term sampling at the outlets of numerous drainage areas to identify water quality issues and potential storm water impacts, and may help in ranking areas for implementation priority. Data collected simultaneously across the MS4 to help characterize the geographical distribution of pollutant sources.

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- v. Site-specific monitoring. High-value resources such as swimming beaches, shellfish beds, or high-priority habitats could warrant specific monitoring to assess the status of use support. Similarly, known high-priority pollutant sources or impaired water bodies with contaminated aquatic sediments, an eroding stream channel threatening property, or a stream reach with a degraded fish population could be monitored to assess impacts of storm water discharges and/or to identify improvements that result from the implementation of BMPs.
  - vi. Assessing physical/habitat characteristics such as stream bank erosion caused by storm water discharges.
  - vii. Outfall/Discharge monitoring.
  - viii. Sewershed-focused monitoring. Monitor for pollutants in storm water produced in different areas of the MS4. For example, identify which pollutants are present in storm water from industrial areas, commercial areas, and residential areas.
  - ix. BMP performance monitoring. Monitoring of individual BMP performance to provide a direct measure of the pollutant reduction efficiency of these key components of a MS4 program.
  - x. Collaborative watershed-scale monitoring. The permittee may choose to work collaboratively with other permittees and/or a watershed group to design and implement a watershed or sub-watershed-scale monitoring program that assesses the water quality of the water bodies and the sources of pollutants. Such programs must include elements which assess the impacts of the permittee's storm water discharges and/or the effectiveness of the BMPs being implemented.
- c. If ambient water quality monitoring under 2b above is performed, the monitoring of storm water discharges and ambient monitoring intended to gauge storm water impacts shall be performed within 48 hours of a precipitation event greater than or equal to one quarter inch in a 24-hour period. At a minimum, analysis of storm water discharges or ambient water quality shall include the following parameters: total suspended solids, total nitrogen, total phosphorous, fecal coliform, chlorides, and oil and grease. In addition, monitoring shall be performed for any other pollutants associated with storm water runoff for which the receiving water is considered impaired pursuant to the most recently approved list under Section 303(d) of the Clean Water Act.

## B. Recordkeeping

The permittee must keep records required by this permit for 5 years after the expiration of this permit. Records to be kept under this Part include the permittee's NOI, storm water management plan, annual reports, and monitoring data. All records shall be kept onsite or locally available and shall be made accessible to the Agency for review at the time of an on-site inspection. Except as otherwise provided in this permit, permittees must submit records to the Agency only when specifically requested to do so. Permittees must post their NOI, storm water management program plan, and annual reports on the permittee's website. The permittee must make its records available to the public at reasonable times during regular business hours. The permittee may require a member of the public to provide advance notice, in accordance with the applicable Freedom of Information Act requirements. Storm sewer maps may be withheld for security reasons.

## C. Reporting

The permittee must submit Annual Reports to the Agency by the first day of June for each year that this permit is in effect. If the permittee maintains a website, a copy of the Annual Report shall be posted on the website by the first day of June of each year. Each Report shall cover the period from March of the previous year through March of the current year. Annual Reports shall be maintained on the permittees' website for a period of 5 years. The Report must include:

1. An assessment of the appropriateness and effectiveness of the permittee's identified BMPs and progress towards achieving the statutory goal of reducing the discharge of pollutants to the maximum extent practicable (MEP), and the permittee's identified measurable goals for each of the minimum control measures;
2. The status of compliance with permit conditions, including a description of each incidence of non-compliance with the permit, and the permittee's plan for achieving compliance with a timeline of actions taken or to be taken;
3. Results of information collected and analyzed, including monitoring data, if any, during the reporting period;
4. A summary of the storm water activities the permittee plans to undertake during the next reporting cycle, including an implementation schedule;
5. A change in any identified BMPs or measurable goals that apply to the program elements;
6. Notice that the permittee is relying on another government entity to satisfy some of the permit obligations (if applicable);
7. Provide an updated summary of any BMP or adaptive management strategy constructed or implemented pursuant to any approved TMDL or alternate water quality management study. Use the results of your monitoring program to assess whether the WLA or other performance requirements for storm water discharges from your MS4 are being met; and



8. If a qualifying local program or programs with shared responsibilities is implementing all minimum control measures on behalf of one or more entities, then the local qualifying program or programs with shared responsibilities may submit a report on behalf of itself and any entities for which it is implementing all of the minimum control measures.

The Annual Reports shall be submitted to the following office and email addresses:

Illinois Environmental Protection Agency  
Division of Water Pollution Control  
Compliance Assurance Section  
Municipal Annual Inspection Report  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, Illinois 62794-9276

[epa.ms4annualinsp@illinois.gov](mailto:epa.ms4annualinsp@illinois.gov)

## **PART VI. DEFINITIONS AND ACRONYMS**

All definitions contained in Section 502 of the Clean Water Act, 40 CFR 122, and 35 Ill. Adm. Code 309 shall apply to this permit and are incorporated herein by reference. For convenience, simplified explanations of some regulatory/statutory definitions have been provided. In the event of a conflict, the definition found in the statute or regulation takes precedence.

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

**BMP** is an acronym for "Best Management Practices."

**CFR** is an acronym for "Code of Federal Regulations."

**Control Measure** as used in this permit refers to any Best Management Practice or other method used to prevent or reduce storm water runoff or the discharge of pollutants to waters of the State.

**CWA or The Act** means the Clean Water Act (formerly referred to as the Federal Water Pollution Control Act or Federal Water Pollution Control Act Amendments of 1972) Pub. L. 92-500, as amended Pub. L. 95-217, Pub. L. 95-576, Pub. L. 96-483 and Pub. L. 97-117, 33 U.S.C. 1251 ET. seq.

**Discharge** when used without a qualifier, refers to discharge of a pollutant as defined at 40 CFR 122.2.

**Environmental Justice (EJ)** means the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies

**Environmental Justice Area** means a community with a low-income and/or minority population greater than twice the statewide average. In addition, a community may be considered a potential EJ community if the low-income and/or minority population is less than twice the state-wide average but greater than the statewide average and it has identified itself as an EJ community. If the low-income and/or minority population percentage is equal to or less than the statewide average, the community should not be considered a potential EJ community.

**Flood management project** means any project which is intended to control, reduce or minimize high stream flows and associated damage. This may also include projects designed to mimic or improve natural conditions in the waterway.

**Green Infrastructure** means wet weather management approaches and technologies that utilize, enhance or mimic the natural hydrologic cycle processes of infiltration, evapotranspiration and reuse. Green infrastructure approaches currently in use include green roofs, trees and tree boxes, rain gardens, vegetated swales, pocket wetlands, infiltration planters, porous and permeable pavements, porous piping systems, dry wells, vegetated median strips, reforestation/revegetation, rain barrels, cisterns, and protection and enhancement of riparian buffers and floodplains.

**Illicit Connection** means any man-made conveyance connecting an illicit discharge directly to a municipal separate storm sewer.

**Illicit Discharge** is defined at 40 CFR 122.26(b)(2) and refers to any discharge to a municipal separate storm sewer that is not composed entirely of storm water, except discharges authorized under an NPDES permit (other than the NPDES permit for discharges from the MS4) and discharges resulting from fire fighting activities.

**MEP** is an acronym for "Maximum Extent Practicable," the technology-based discharge standard for Municipal Separate Storm Sewer Systems to reduce pollutants in storm water discharges that was established by CWA Section 402(p). A discussion of MEP as it applies to small MS4s is found at 40 CFR 122.34.

**MS4** is an acronym for "Municipal Separate Storm Sewer System" and is used to refer to a Large, Medium, or Small Municipal Separate Storm Sewer System (e.g. "the Dallas MS4"). The term is used to refer to either the system operated by a single entity or a group of systems within an area that are operated by multiple entities (e.g., the Houston MS4 includes MS4s operated by the city of Houston, the Texas Department of Transportation, the Harris County Flood Control District, Harris County, and others).

**Municipal Separate Storm Sewer** is defined at 40 CFR 122.26(b)(8) and means a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains): (i) Owned or operated by a State, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to State law) having jurisdiction over disposal of sewage, industrial wastes, storm water, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under Section 208 of the CWA that discharges to waters of the United States; (ii) Designed or used for collecting or conveying storm water; (iii) Which is not a combined sewer; and (iv) Which is not part of a Publicly Owned Treatment Works (POTW) as defined at 40 CFR 122.2.

**NOI** is an acronym for "Notice of Intent" to be covered by this permit and is the mechanism used to "register" for coverage under a general permit.

**NPDES** is an acronym for "National Pollutant Discharge Elimination System."

**Outfall** is defined at 40 CFR 122.26(b) (9) and means a point source as defined by 40 CFR 122.2 at the point where a municipal separate storm sewer discharges to waters of the United States and does not include open conveyances connecting two municipal storm sewers, or pipes, tunnels or other conveyances which connect segments of the same stream or other waters of the United States and are used to convey waters of the United States.

**Owner or Operator** is defined at 40 CFR 122.2 and means the owner or operator of any "facility or activity" subject to regulation under the NPDES program.

**Permitting Authority** means the Illinois EPA.

**Point Source** is defined at 40 CFR 122.2 and means any discernable, confined and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel or other floating craft from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture or agricultural storm water runoff.

**Pollutants of Concern** means pollutants identified in a TMDL waste load allocation (WLA) or on the Section 303(d) list for the receiving water, and any of the pollutants for which water monitoring is required in Part V.A. of this permit.

**Qualifying Local Program** is defined at 40 CFR 122.34(c) and means a local, state, or Tribal municipal storm water management program that imposes, at a minimum, the relevant requirements of paragraph (b) of Section 122.34.

**Small Municipal Separate Storm Sewer System** is defined at 40 CFR 122.26(b)(16) and refers to all separate storm sewers that are owned or operated by the United States, a State [sic], city, town, borough, county, parish, district, association, or other public body (created by or pursuant to State [sic] law) having jurisdiction over disposal of sewage, industrial wastes, storm water, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under Section 208 of the CWA that discharges to waters of the United States, but is not defined as "large" or "medium" municipal separate storm sewer system. This term includes systems similar to separate storm sewer systems in municipalities, such as systems at military bases, large hospital or prison complexes, and highways and other thoroughfares. The term does not include separate storm sewers in very discrete areas, such as individual buildings.

**Storm Water** is defined at 40 CFR 122.26(b) (13) and means storm water runoff, snowmelt runoff, and surface runoff and drainage.

**Storm Water Management Program (SWMP)** refers to a comprehensive program to manage the quality of storm water discharged from the municipal separate storm sewer system.

**SWMP** is an acronym for "Storm Water Management Program."

**TMDL** is an acronym for "Total Maximum Daily Load."

**Waters** (also referred to as waters of the state or receiving water) is defined at Section 301.440 of Title 35: Subtitle C: Chapter I of the Illinois Pollution Control Board Regulations and means all accumulations of water, surface and underground, natural, and artificial, public and private, or parts thereof, which are wholly or partially within, flow through, or border upon the State of Illinois, except that sewers and treatment works are not included except as specially mentioned; provided, that nothing herein contained shall authorize the use of natural or otherwise protected waters as sewers or treatment works except that in-stream aeration under Agency permit is allowable.

**"You" and "Your"** as used in this permit is intended to refer to the permittee, the operator, or the discharger as the context indicates and that party's responsibilities (e.g., the city, the country, the flood control district, the U.S. Air Force, etc.).

## Attachment H

### Standard Conditions

#### Definitions

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

**Agency** means the Illinois Environmental Protection Agency.

**Board** means the Illinois Pollution Control Board.

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

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

**USEPA** means the United States Environmental Protection Agency.

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

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

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

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

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

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

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

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

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

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

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

- facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
- (b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
  - (c) Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
  - (d) Sample or monitor at reasonable times, for the purpose of assuring permit compliance, or as otherwise authorized by the Act, any substances or parameters at any location.
- (10) **Monitoring and records.**
- (a) Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.
  - (b) The permittee shall retain records of all monitoring information, including all calibration and maintenance records, and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least 3 years from the date of this permit, measurement, report or application. Records related to the permittee's sewage sludge use and disposal activities shall be retained for a period of at least five years (or longer as required by 40 CFR Part 503). This period may be extended by request of the Agency or USEPA at any time.
  - (c) Records of monitoring information shall include:
    - (1) The date, exact place, and time of sampling or measurements;
    - (2) The individual(s) who performed the sampling or measurements;
    - (3) The date(s) analyses were performed;
    - (4) The individual(s) who performed the analyses;
    - (5) The analytical techniques or methods used; and
    - (6) The results of such analyses.
  - (d) Monitoring must be conducted according to test procedures approved under 40 CFR Part 136, unless other test procedures have been specified in this permit. Where no test procedure under 40 CFR Part 136 has been approved, the permittee must submit to the Agency a test method for approval. The permittee shall calibrate and perform maintenance procedures on all monitoring and analytical instrumentation at intervals to ensure accuracy of measurements.
- (11) **Signatory requirement.** All applications, reports or information submitted to the Agency shall be signed and certified.
- (a) **Application.** All permit applications shall be signed as follows:
    - (1) For a corporation: by a principal executive officer of at least the level of vice president or a person or position having overall responsibility for environmental matters for the corporation;
    - (2) For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or
    - (3) For a municipality, State, Federal, or other public agency: by either a principal executive officer or ranking elected official.
  - (b) **Reports.** All reports required by permits, or other information requested by the Agency shall be signed by a person described in paragraph (a) or by a duly authorized representative of that person. A person is a duly authorized representative only if:
    - (1) The authorization is made in writing by a person described in paragraph (a); and
- (2) The authorization specifies either an individual or a position responsible for the overall operation of the facility, from which the discharge originates, such as a plant manager, superintendent or person of equivalent responsibility; and
  - (3) The written authorization is submitted to the Agency.
- (c) **Changes of Authorization.** If an authorization under (b) is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of (b) must be submitted to the Agency prior to or together with any reports, information, or applications to be signed by an authorized representative.
- (d) **Certification.** Any person signing a document under paragraph (a) or (b) of this section shall make the following certification:
- I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.
- (12) **Reporting requirements.**
- (a) **Planned changes.** The permittee shall give notice to the Agency as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required when:
    - (1) The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source pursuant to 40 CFR 122.29 (b); or
    - (2) The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in the permit, nor to notification requirements pursuant to 40 CFR 122.42 (a)(1).
    - (3) The alteration or addition results in a significant change in the permittee's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan.
  - (b) **Anticipated noncompliance.** The permittee shall give advance notice to the Agency of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.
  - (c) **Transfers.** This permit is not transferable to any person except after notice to the Agency.
  - (d) **Compliance schedules.** Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date.
  - (e) **Monitoring reports.** Monitoring results shall be reported at the intervals specified elsewhere in this permit.
    - (1) Monitoring results must be reported on a Discharge Monitoring Report (DMR).

- (2) If the permittee monitors any pollutant more frequently than required by the permit, using test procedures approved under 40 CFR 136 or as specified in the permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR.
    - (3) Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified by the Agency in the permit.
  - (f) **Twenty-four hour reporting.** The permittee shall report any noncompliance which may endanger health or the environment. Any information shall be provided orally within 24-hours from the time the permittee becomes aware of the circumstances. A written submission shall also be provided within 5 days of the time the permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and time; and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance. The following shall be included as information which must be reported within 24-hours:
    - (1) Any unanticipated bypass which exceeds any effluent limitation in the permit.
    - (2) Any upset which exceeds any effluent limitation in the permit.
    - (3) Violation of a maximum daily discharge limitation for any of the pollutants listed by the Agency in the permit or any pollutant which may endanger health or the environment.

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

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

(Rev. 7-9-2010 bah)



**General NPDES Permit No. ILR10**

Illinois Environmental Protection Agency  
Division of Water Pollution Control  
1021 North Grand Avenue East  
Post Office Box 19276  
Springfield, Illinois 62794-9276  
[www.epa.state.il.us](http://www.epa.state.il.us)

**NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM**

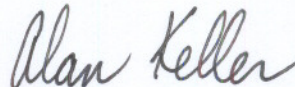
**General NPDES Permit  
For  
Storm Water Discharges From Construction Site Activities**

**Expiration Date:** July 31, 2013

**Issue Date:** August 11, 2008

**Effective Date:** August 11, 2008

In compliance with the provisions of the Illinois Environmental Protection Act, the Illinois Pollution Control Board Rules and Regulations (35 Ill. Adm. Code, Subtitle C, Chapter I), and the Clean Water Act, and the regulations thereunder the following discharges are authorized by this permit in accordance with the conditions and attachments herein.



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

**Part I. COVERAGE UNDER THIS PERMIT**

A. **Permit Area.** The permit covers all areas of the State of Illinois with discharges to any waters of the State.

B. **Eligibility.**

1. This permit shall authorize all discharges of storm water associated with industrial activity from construction sites that will result in the disturbance of one or more acres total land area, construction sites less than one acre of total land that is part of a larger common plan of development or sale if the larger common plan will ultimately disturb one or more acres total land area. This permit also authorizes discharges from construction sites designated by the Agency that have the potential for contribution to a violation of water quality standards or significant contribution of pollutants to waters of the State, occurring after the effective date of this permit (including discharges occurring after the effective date of this permit are also authorized by this permit, except for discharges identified under Part I.B.3 (Limitations on Coverage).
2. This permit may only authorize a storm water discharge associated with industrial activity from a construction site that is mixed with a storm water discharge from an industrial source other than construction, where:
  - a. the industrial source other than construction is located on the same site as the construction activity;
  - b. storm water discharges associated with industrial activity from the areas of the site where construction activities are occurring are in compliance with the terms of this permit; and
  - c. storm water discharges associated with industrial activity from the areas of the site where industrial activity other than construction are occurring (including storm water discharges from dedicated asphalt plants and dedicated concrete plants) are covered by a different NPDES general permit or individual permit authorizing such discharges.
3. **Limitations on Coverage.** The following storm water discharges from construction sites are not authorized by this permit:
  - a. storm water discharges associated with industrial activity that originate from the site after construction activities have been completed and the site has undergone final stabilization;



- b. discharges that are mixed with sources of non-storm water other than discharges identified in Part III.A (Prohibition on Non-Storm Water Discharges) of this permit and in compliance with paragraph IV.D.5 (Non-Storm Water Discharges) of this permit;
- c. storm water discharges associated with industrial activity that are subject to an existing NPDES individual or general permit or which are issued a permit in accordance with Part VI.N (Requiring an Individual Permit or an Alternative General Permit) of this permit. Such discharges may be authorized under this permit after an existing permit expires provided the existing permit did not establish numeric limitations for such discharges;
- d. storm water discharges from construction sites that the Agency has determined to be or may reasonably be expected to be contributing to a violation of a water quality standard; and
- e. Storm water discharges that the Agency, at its discretion, determines are not appropriately authorized or controlled by this general permit.
- f. Storm water discharges to any receiving water specified under 35 Ill. Adm. Code 302.105(d)(6).

**C. Authorization.**

- 1. In order for storm water discharges from construction sites to be authorized to discharge under this general permit a discharger must submit a Notice of Intent (NOI) in accordance with the requirements of Part II below, using an NOI form provided by the Agency.
- 2. Where a new contractor is selected after the submittal of an NOI under Part II below, a new Notice of Intent (NOI) must be submitted by the owner in accordance with Part II.
- 3. For projects that have complied with State law on historic preservation and endangered species prior to submittal of the NOI, through coordination with the Illinois Historic Preservation Agency and the Illinois Department of Natural Resources or through fulfillment of the terms of interagency agreements with those agencies, the NOI shall indicate that such compliance has occurred.
- 4. Unless notified by the Agency to the contrary, dischargers who submit an NOI in accordance with the requirements of this permit are authorized to discharge storm water from construction sites under the terms and conditions of this permit in 30 days after the date the NOI is received by the Agency.
- 5. The Agency may deny coverage under this permit and require submittal of an application for an individual NPDES permit based on a review of the NOI or other information.

**Part II. NOTICE OF INTENT REQUIREMENTS**

**A. Deadlines for Notification.**

- 1. To receive authorization under this general permit, a discharger must submit a completed Notice of Intent (NOI) in accordance with Part VI.G (Signatory Requirements) and the requirements of this Part in sufficient time to allow a 30 day review period after the receipt of the NOI by the Agency and the start of construction. The completed NOI may be submitted electronically to the following email address:  
[epa.constilr10swppp@illinois.gov](mailto:epa.constilr10swppp@illinois.gov)
- 2. Discharges that were previously covered by a valid General NPDES Permit for Storm Water Discharges from Construction Site Activities are automatically covered by this permit.
- 3. A discharger may submit an NOI in accordance with the requirements of this Part after the start of construction. In such instances, the Agency may bring an enforcement action for any discharges of storm water associated with industrial activity from a construction site that have occurred on or after the start of construction.

**B. Failure to Notify.** Dischargers who fail to notify the Agency of their intent to be covered, and discharge storm water associated with construction site activity to Waters of the State without an NPDES permit, are in violation of the Environmental Protection Act and Clean Water Act.

**C. Contents of Notice of Intent.** The Notice of Intent shall be signed in accordance with Part VI.G (Signatory Requirements) of this permit by all of the entities identified in paragraph 2 below and shall include the following information:

- 1. The mailing address, and location of the construction site for which the notification is submitted. Where a mailing address for the site is not available, the location can be described in terms of the latitude and longitude of the approximate center of the facility to the nearest 15 seconds, or the nearest quarter section (if the section, township and range is provided) that the construction site is located in;
- 2. The owner's name, address, telephone number, and status as Federal, State, private, public or other entity;
- 3. The name, address and telephone number of the general contractor(s) that have been identified at the time of the NOI submittal;
- 4. The name of the receiving water(s), or if the discharge is through a municipal separate storm sewer, the name of the municipal operator of the storm sewer and the ultimate receiving water(s);
- 5. The number of any NPDES permit for any discharge (including non-storm water discharges) from the site that is currently authorized by an NPDES permit;



6. A description of the project, detailing the complete scope of the project, estimated timetable for major activities and an estimate of the number of acres of the site on which soil will be disturbed; and
7. An electronic copy of the storm water pollution prevention plan that has been prepared for the site in accordance with Part IV of this permit. The electronic copy shall be submitted to the Agency at the following email address: [epa.constilr10swppp@illinois.gov](mailto:epa.constilr10swppp@illinois.gov)

**D. Where to Submit.**

1. Facilities which discharge storm water associated with construction site activity must use an NOI form provided by the Agency. NOIs must be signed in accordance with Part VI.G (Signatory Requirements) of this permit. NOIs and the applicable fee for construction site activities are to be submitted by certified mail to the Agency at the following address:

Illinois Environmental Protection Agency  
Division of Water Pollution Control, Mail Code #15  
Attention: Permit Section  
1021 North Grand Avenue East  
Post Office Box 19276  
Springfield, Illinois 62794-9276

The completed NOI and SWPPP may be submitted electronically to the following email address: [epa.constilr10swppp@illinois.gov](mailto:epa.constilr10swppp@illinois.gov)

2. A copy of the letter of notification of coverage along with the General NPDES Permit for Storm Water Discharges from Construction Site Activities or other indication that storm water discharges from the site are covered under an NPDES permit shall be posted at the site in a prominent place for public viewing (such as alongside a building permit).
- E. Additional Notification.** Facilities which are operating under approved local sediment and erosion plans, grading plans, or storm water management plans, in addition to filing copies of the Notice of Intent in accordance with Part D above, shall also submit signed copies of the Notice of Intent to the local agency approving such plans in accordance with the deadlines in Part A above. See Part IV.D.2.d (Approved State or Local Plans).
- F. Notice of Termination.** Where a site has been finally stabilized and all storm water discharges from construction sites that are authorized by this permit are eliminated, the permittee of the facility must submit a completed Notice of Termination that is signed in accordance with Part VI.G (Signatory Requirements) of this permit.

1. The Notice of Termination shall include the following information:

- a. The mailing address, and location of the construction site for which the notification is submitted. Where a mailing address for the site is not available, the location can be described in terms of the latitude and longitude of the approximate center of the facility to the nearest 15 seconds, or the nearest quarter section (if the section, township and range is provided) that the construction site is located in;
- b. The owner's name, address, telephone number, and status as Federal, State, private, public or other entity;
- c. The name, address and telephone number of the general contractor(s); and
- d. The following certification signed in accordance with Part VI.G (Signatory Requirements) of this permit:

"I certify under penalty of law that all storm water discharges associated with construction site activity from the identified facility that are authorized by NPDES general permit ILR10 have otherwise been eliminated. I understand that by submitting this notice of termination, that I am no longer authorized to discharge storm water associated with construction site activity by the general permit, and that discharging pollutants in storm water associated with construction site activity to Waters of the State is unlawful under the Environmental Protection Act and Clean Water Act where the discharge is not authorized by a NPDES permit. I also understand that the submittal of this notice of termination does not release an operator from liability for any violations of this permit or the Clean Water Act."

For the purposes of this certification, elimination of storm water discharges associated with industrial activity means that all disturbed soils at the identified facility have been finally stabilized and temporary erosion and sediment control measures have been removed or will be removed at an appropriate time, or that all storm water discharges associated with construction activities from the identified site that are authorized by a NPDES general permit have otherwise been eliminated.

2. All Notices of Termination are to be sent to the Agency to the mailing address in Part II.D.1, using the form provided by the Agency.

**Part III. SPECIAL CONDITIONS, MANAGEMENT PRACTICES, AND OTHER NON-NUMERIC LIMITATIONS**

**A. Prohibition on Non-Storm Water Discharges.**

1. Except as provided in Part I paragraph B.2 and paragraph 2 below, all discharges covered by this permit shall be composed entirely of storm water.
2. a. Except as provided in paragraph b below, discharges of materials other than storm water must be in compliance with a NPDES permit (other than this permit) issued for the discharge.



- b. The following non-storm water discharges may be authorized by this permit provided the non-storm water component of the discharges is in compliance with Part IV.D.5 (Non-Storm Water Discharges): discharges from fire fighting activities; fire hydrant flushings; waters used to wash vehicles where detergents are not used; waters used to control dust; potable water sources including uncontaminated waterline flushings; landscape irrigation drainages; routine external building washdown which does not use detergents; pavement washwaters where spills or leaks of toxic or hazardous materials have not occurred (unless all spilled material has been removed) and where detergents are not used; uncontaminated air conditioning condensate; springs; uncontaminated ground water; and foundation or footing drains where flows are not contaminated with process materials such as solvents.

**B. Discharges into Receiving Waters With an Approved Total Maximum Daily Load (TMDL):**

Discharges to waters for which there is a TMDL allocation for sediment or a parameter that addressed sediment (such as total suspended solids, turbidity, or siltation) are not eligible for coverage under this permit unless you develop and certify a SWPPP that is consistent with the assumptions and requirements in the approved TMDL. To be eligible for coverage under this general permit, operators must incorporate into their SWPPP any conditions applicable to their discharges necessary for consistency with the assumptions and requirements of the TMDL within any timeframes established in the TMDL. If a specific numeric waste load allocation has been established that would apply to the project's discharges, the operator must incorporate that allocation into its SWPPP and implement necessary steps to meet that allocation. Please refer to the Agency website at:

<http://www.epa.state.il.us/water/tmdl/report-status.html>

- C. Discharges covered by this permit, alone or in combination with other sources, shall not cause or contribute to a violation of any applicable water quality standard.

**Part IV. STORM WATER POLLUTION PREVENTION PLANS**

A storm water pollution prevention plan shall be developed for each construction site covered by this permit. Storm water pollution prevention plans shall be prepared in accordance with good engineering practices. The plan shall identify potential sources of pollution which may reasonably be expected to affect the quality of storm water discharges associated with construction site activity from the facility. In addition, the plan shall describe and ensure the implementation of best management practices which will be used to reduce the pollutants in storm water discharges associated with construction site activity and to assure compliance with the terms and conditions of this permit. Facilities must implement the provisions of the storm water pollution prevention plan required under this part as a condition of this permit.

**A. Deadlines for Plan Preparation and Compliance.**

The plan shall:

1. Be completed prior to the start of the construction to be covered under this permit and submitted electronically to the Agency; and
2. Provide for compliance with the terms and schedule of the plan beginning with the initiation of construction activities.

**B. Signature, Plan Review and Notification.**

1. The plan shall be signed in accordance with Part VI.G (Signatory Requirements), and be retained on-site at the facility which generates the storm water discharge in accordance with Part VI.E (Duty to Provide Information) of this permit.
2. Prior to commencement of construction, the permittee shall provide the plan to the Agency. Said plan shall be available at the site.
3. The permittee shall make plans available upon request from this Agency or a local agency approving sediment and erosion plans, grading plans, or storm water management plans; or in the case of a storm water discharge associated with industrial activity which discharges through a municipal separate storm sewer system with an NPDES permit, to the municipal operator of the system.
4. The Agency may notify the permittee at any time that the plan does not meet one or more of the minimum requirements of this Part. Such notification shall identify those provisions of the permit which are not being met by the plan, and identify which provisions of the plan require modifications in order to meet the minimum requirements of this part. Within 7 days from receipt of notification from the Agency, the permittee shall make the required changes to the plan and shall submit to the Agency a written certification that the requested changes have been made. Failure to comply shall terminate authorization under this permit.
5. All storm water pollution prevention plans and all completed inspection forms/reports required under this permit are considered reports that shall be available to the public at any reasonable time upon request. However, the permittee may claim any portion of a storm water pollution prevention plan as confidential in accordance with 40 CFR Part 2.

- C. **Keeping Plans Current.** The permittee shall amend the plan whenever there is a change in design, construction, operation, or maintenance, which has a significant effect on the potential for the discharge of pollutants to Waters of the State and which has not otherwise been addressed in the plan or if the storm water pollution prevention plan proves to be ineffective in eliminating or significantly minimizing pollutants from sources identified under paragraph D.2 below, or in otherwise achieving the general objectives of controlling pollutants in storm water discharges associated with construction site activity. In addition, the plan shall be amended to identify any new contractor and/or subcontractor that will implement a measure of the storm water pollution prevention plan. Amendments to the plan may be reviewed by the Agency in the same manner as Part IV.B above. Any revisions of the documents for the storm water pollution prevention plan shall be kept on site at all times.

**D. Contents of Plan.** The storm water pollution prevention plan shall include the following items:

1. **Site Description.** Each plan shall, provide a description of the following:
  - a. A description of the nature of the construction activity or demolition work;



- b. A description of the intended sequence of major activities which disturb soils for major portions of the site (e.g. clearing, grubbing, excavation, grading);
  - c. An estimate of the total area of the site and the total area of the site that is expected to be disturbed by excavation, grading, or other activities;
  - d. An estimate of the runoff coefficient of the site after construction activities are completed and existing data describing the soil or the quality of any discharge from the site;
  - e. A site map indicating drainage patterns and approximate slopes anticipated before and after major grading activities, locations where vehicles enter or exit the site and controls to prevent offsite sediment tracking, areas of soil disturbance, the location of major structural and nonstructural controls identified in the plan, the location of areas where stabilization practices are expected to occur, surface waters (including wetlands), and locations where storm water is discharged to a surface water; and
  - f. The name of the receiving water(s) and the ultimate receiving water(s), and areal extent of wetland acreage at the site.
2. **Controls.** Each plan shall include a description of appropriate controls that will be implemented at the construction site. The Illinois Urban Manual (<http://www.il.nrcs.usda.gov/technical/engineer/urban/index.html>) or other similar documents shall be used for developing the appropriate management practices, controls or revisions of the plan. The plan will clearly describe for each major activity identified in paragraph D.1 above, appropriate controls and the timing during the construction process that the controls will be implemented. (For example, perimeter controls for one portion of the site will be installed after the clearing and grubbing necessary for installation of the measure, but before the clearing and grubbing for the remaining portions of the site. Perimeter controls will be actively maintained until final stabilization of those portions of the site upward of the perimeter control. Temporary perimeter controls will be removed after final stabilization). The description of controls shall address as appropriate the following minimum components:
- a. **Erosion and Sediment Controls.**
    - (i) **Stabilization Practices.** A description of interim and permanent stabilization practices, including site-specific scheduling of the implementation of the practices. Site plans should ensure that existing vegetation is preserved where practicable and that disturbed portions of the site are stabilized. Stabilization practices may include: temporarily seeding, permanent seeding, mulching, geotextiles, sod stabilization, vegetative buffer strips, protection of trees, preservation of mature vegetation, staged or staggered development, and other appropriate measures. A record of the dates when major grading activities occur, when construction activities temporarily or permanently cease on a portion of the site, and when stabilization measures are initiated shall be included in the plan. Except as provided in paragraphs (A) and (B) below, stabilization measures shall be initiated as soon as practicable in portions of the site where construction activities have temporarily or permanently ceased, but in no case more than 7 days after the construction activity in that portion of the site has temporarily or permanently ceased as follows:
      - (A) Where the initiation of stabilization measures by the 7th day after construction activity temporarily or permanently ceases on a portion of the site is precluded by snow cover, stabilization measures shall be initiated as soon as practicable.
      - (B) Where construction activity will resume on a portion of the site within 14 days from when activities ceased, (e.g. the total time period that construction activity is temporarily ceased is less than 14 days) then stabilization measures do not have to be initiated on that portion of site by the 7th day after construction activity temporarily ceased.
    - (ii) **Structural Practices.** A description of structural practices utilized to divert flows from exposed soils, store flows or otherwise limit runoff and the discharge of pollutants from exposed areas of the site. Such practices may include silt fences, earth dikes, drainage swales, sediment traps, check dams, subsurface drains, pipe slope drains, level spreaders, storm drain inlet protection, rock outlet protection, reinforced soil retaining systems, gabions, and temporary or permanent sediment basins. Structural practices should be placed on upland soils to the degree practicable. The installation of these devices may be subject to Section 404 of the CWA.
    - (iii) **Best Management Practices for Impaired Waters.** For any site which discharges directly to an impaired water identified on the Agency's website for 303(d) listing for suspended solids, turbidity, or siltation the storm water pollution prevention plan shall be designed for a storm event equal to or greater than a 25-year 24-hour rainfall event. If required by federal regulations or the Illinois Environmental Protection Agency's Illinois Urban Manual, the storm water pollution prevention plan shall adhere to a more restrictive design criteria. Please refer to the Agency's website at: (<http://www.epa.state.il.us/water/tmdl/303d-list.html>)
  - b. **Storm Water Management.** A description of measures that will be installed during the construction process to control pollutants in storm water discharges that will occur after construction operations have been completed. Structural measures should be placed on upland soils to the degree attainable. The installation of these devices may be subject to Section 404 of the CWA. This permit only addresses the installation of storm water management measures, and not the ultimate operation and maintenance of such structures after the construction activities have been completed and the site has undergone final stabilization. Permittees are responsible for only the installation and maintenance of storm water management measures prior to final stabilization of the site, and are not responsible for maintenance after storm water discharges associated with industrial activity have been eliminated from the site.
    - (i) Such practices may include: storm water detention structures (including wet ponds); storm water retention structures; flow attenuation by use of open vegetated swales and natural depressions; infiltration of runoff onsite; and sequential systems (which combine several practices). The storm water pollution prevention plan shall include an explanation of the technical basis used to select the practices to control pollution where flows exceed predevelopment levels.
    - (ii) Velocity dissipation devices shall be placed at discharge locations and along the length of any outfall channel as necessary to provide a non-erosive velocity flow from the structure to a water course so that the natural physical and biological characteristics and functions are



maintained and protected (e.g. maintenance of hydrologic conditions, such as the hydroperiod and hydrodynamics present prior to the initiation of construction activities).

- (iii) Unless otherwise specified in the Illinois Environmental Protection Agency's Illinois Urban Manual, the storm water pollution prevention plan shall be designed for a storm event equal to or greater than a 25-year 24-hour rainfall event.

c. **Other Controls.**

- (i) **Waste Disposal.** No solid materials, including building materials, shall be discharged to Waters of the State, except as authorized by a Section 404 permit.
- (ii) The plan shall ensure and demonstrate compliance with applicable State and/or local waste disposal, sanitary sewer or septic system regulations.
- (iii) For construction sites that receive concrete or asphalt from off site locations, the plan must identify and include appropriate controls and measures to reduce or eliminate these discharges.

d. **Approved State or Local Plans.**

- (i) The management practices, controls and other provisions contained in the storm water pollution prevention plan must be at least as protective as the requirements contained in Illinois Environmental Protection Agency's Illinois Urban Manual, 2002. Facilities which discharge storm water associated with construction site activities must include in their storm water pollution prevention plan procedures and requirements specified in applicable sediment and erosion site plans or storm water management plans approved by local officials. Requirements specified in sediment and erosion site plans or site permits or storm water management site plans or site permits approved by local officials that are applicable to protecting surface water resources are, upon submittal of an NOI to be authorized to discharge under this permit, incorporated by reference and are enforceable under this permit. The plans shall include all requirements of this permit and include more stringent standards required by any local approval. This provision does not apply to provisions of master plans, comprehensive plans, non-enforceable guidelines or technical guidance documents that are not identified in a specific plan or permit that is issued for the construction site.
- (ii) Dischargers seeking alternative permit requirements are not authorized by this permit and shall submit an individual permit application in accordance with 40 CFR 122.26 at the address indicated in Part II.D (Where to Submit) of this permit, along with a description of why requirements in approved local plans or permits should not be applicable as a condition of an NPDES permit.

- 3. **Maintenance.** The plan shall include a description of procedures to maintain in good and effective operating conditions vegetation, erosion and sediment control measures and other protective measures identified in the site plan.

- 4. **Inspections.** Qualified personnel (provided by the permittee) shall inspect disturbed areas of the construction site that have not been finally stabilized, structural control measures, and locations where vehicles enter or exit the site at least once every seven calendar days and within 24 hours of the end of a storm that is 0.5 inches or greater or equivalent snowfall. Qualified personnel means a person knowledgeable in the principles and practices of erosion and sediment controls measures, such as a licensed Professional Engineer (P.E.), a Certified Professional in Erosion and Sediment Control (CPESC), a Certified Erosion Sediment and Storm Water Inspector (CESSWI) or other knowledgeable person who possesses the skills to assess conditions at the construction site that could impact storm water quality and to assess the effectiveness of any sediment and erosion control measures selected to control the quality of storm water discharges from the construction activities.

- a. Disturbed areas and areas used for storage of materials that are exposed to precipitation shall be inspected for evidence of, or the potential for, pollutants entering the drainage system. Erosion and sediment control measures identified in the plan shall be observed to ensure that they are operating correctly. Where discharge locations or points are accessible, they shall be inspected to ascertain whether erosion control measures are effective in preventing significant impacts to receiving waters. Locations where vehicles enter or exit the site shall be inspected for evidence of offsite sediment tracking.
- b. Based on the results of the inspection, the description of potential pollutant sources identified in the plan in accordance with Part IV.D.1 (Site Description) of this permit and pollution prevention measures identified in the plan in accordance with Part IV.D.2 (Controls) of this permit shall be revised as appropriate as soon as practicable after such inspection. Such modifications shall provide for timely implementation of any changes to the plan within 7 calendar days following the inspection.
- c. A report summarizing the scope of the inspection, name(s) and qualifications of personnel making the inspection, the date(s) of the inspection, major observations relating to the implementation of the storm water pollution prevention plan, and actions taken in accordance with paragraph b above shall be made and retained as part of the storm water pollution prevention plan for at least three years from the date that the permit coverage expires or is terminated. All inspection reports shall be retained at the construction site. The report shall be signed in accordance with Part VI.G (Signatory Requirements) of this permit.
- d. The permittee shall notify the appropriate Agency Field Operations Section office by email at: [epa.swnoncomp@illinois.gov](mailto:epa.swnoncomp@illinois.gov), telephone or fax within 24 hours of any incidence of noncompliance for any violation of the storm water pollution prevention plan observed during any inspection conducted, or for violations of any condition of this permit. The permittee shall complete and submit within 5 days an "Incidence of Noncompliance" (ION) report for any violation of the storm water pollution prevention plan observed during any inspection conducted, or for violations of any condition of this permit. Submission shall be on forms provided by the Agency and include specific information on the cause of noncompliance, actions which were taken to prevent any further causes of noncompliance, and a statement detailing any environmental impact which may have resulted from the noncompliance.
- e. All reports of noncompliance shall be signed by a responsible authority as defined in Part VI.G (Signatory Requirements).



- f. After the initial contact has been made with the appropriate Agency Field Operations Section Office, all reports of noncompliance shall be mailed to the Agency at the following address:

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

5. **Non-Storm Water Discharges.** Except for flows from fire fighting activities, sources of non-storm water listed in Part III.A.2 of this permit that are combined with storm water discharges associated with industrial activity must be identified in the plan. The plan shall identify and insure the implementation of appropriate pollution prevention measures for the non-storm water component(s) of the discharge.
- E. **Additional requirements for storm water discharges from industrial activities other than construction, including dedicated asphalt plants, and dedicated concrete plants.** This permit may only authorize any storm water discharge associated with industrial activity from a construction site that is mixed with a storm water discharge from an industrial source other than construction, where:
1. The industrial source other than construction is located on the same site as the construction activity;
  2. Storm water discharges associated with industrial activity from the areas of the site where construction activities are occurring are in compliance with the terms of this permit; and
  3. Storm water discharges associated with industrial activity from the areas of the site where industrial activity other than construction are occurring (including storm water discharges from dedicated asphalt plants (other than asphalt emulsion facilities) and dedicated concrete plants) are in compliance with the terms, including applicable NOI or application requirements, of a different NPDES general permit or individual permit authorizing such discharges.
- F. **Contractors.**
1. The storm water pollution prevention plan must clearly identify for each measure identified in the plan, the contractor(s) or subcontractor(s) that will implement the measure. All contractors and subcontractors identified in the plan must sign a copy of the certification statement in paragraph 2 below in accordance with Part VI.G (Signatory Requirements) of this permit. All certifications must be included in the storm water pollution prevention plan except for owners that are acting as contractors.
  2. **Certification Statement.** All contractors and subcontractors identified in a storm water pollution prevention plan in accordance with paragraph 1 above shall sign a copy of the following certification statement before conducting any professional service at the site identified in the storm water pollution prevention plan:

"I certify under penalty of law that I understand the terms and conditions of the general National Pollutant Discharge Elimination System (NPDES) permit (ILR10) that authorizes the storm water discharges associated with industrial activity from the construction site identified as part of this certification."

The certification must include the name and title of the person providing the signature in accordance with Part VI.G of this permit: the name, address and telephone number of the contracting firm; the address (or other identifying description) of the site; and the date the certification is made.

## Part V. RETENTION OF RECORDS

- A. The permittee shall retain copies of storm water pollution prevention plans and all reports and notices required by this permit, and records of all data used to complete the Notice of Intent to be covered by this permit, for a period of at least three years from the date that the permit coverage expires or is terminated. This period may be extended by request of the Agency at any time.
- B. The permittee shall retain a copy of the storm water pollution prevention plan and any revisions to said plan required by this permit at the construction site from the date of project initiation to the date of final stabilization.

## Part VI. STANDARD PERMIT CONDITIONS

- A. **Duty to Comply.** The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Illinois Environmental Protection Act and the CWA and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.
- B. **Continuation of the Expired General Permit.** This permit expires five years from the date of issuance. An expired general permit continues in force and effect until a new general permit or an individual permit is issued. Only those facilities authorized to discharge under the expiring general permit are covered by the continued permit.
- C. **Need to halt or reduce activity not a defense.** It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.
- D. **Duty to Mitigate.** The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.



- E. Duty to Provide Information.** The permittee shall furnish within a reasonable time to the Agency or local agency approving sediment and erosion control plans, grading plans, or storm water management plans; or in the case of a storm water discharge associated with industrial activity which discharges through a municipal separate storm sewer system with an NPDES permit, to the municipal operator of the system, any information which is requested to determine compliance with this permit. Upon request, the permittee shall also furnish to the Agency or local agency approving sediment and erosion control plans, grading plans, or storm water management plans; or in the case of a storm water discharge associated with industrial activity which discharges through a municipal separate storm sewer system with an NPDES permit, to the municipal operator of the system, copies of all records required to be kept by this permit.
- F. Other Information.** When the permittee becomes aware that he or she failed to submit any relevant facts or submitted incorrect information in the Notice of Intent or in any other report to the Agency, he or she shall promptly submit such facts or information.
- G. Signatory Requirements.** All Notices of Intent, storm water pollution prevention plans, reports, certifications or information either submitted to the Agency or the operator of a large or medium municipal separate storm sewer system, or that this permit requires be maintained by the permittee, shall be signed.
1. All Notices of Intent shall be signed as follows:
    - a. For a corporation: by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means: (1) a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or (2) any person authorized to sign documents that has been assigned or delegated said authority in accordance with corporate procedures;
    - b. For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or
    - c. For a municipality, State, Federal, or other public agency: by either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a Federal agency includes (1) the chief executive officer of the agency, or (2) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency.
  2. All reports required by the permit and other information requested by the Agency shall be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:
    - a. The authorization is made in writing by a person described above and submitted to the Agency.
    - b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of manager, operator, superintendent, or position of equivalent responsibility or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position).
    - c. **Changes to Authorization.** If an authorization under Part I.C (Authorization) is no longer accurate because a different individual or position has responsibility for the overall operation of the construction site, a new authorization satisfying the requirements of Part I.C must be submitted to the Agency prior to or together with any reports, information, or applications to be signed by an authorized representative.
    - d. **Certification.** Any person signing documents under this Part shall make the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."
- H. Penalties for Falsification of Reports.** Section 309(c)(4) of the Clean Water Act provides that any person who knowingly makes any false material statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including reports of compliance or noncompliance shall, upon conviction, be punished by a fine of not more than \$10,000, or by imprisonment for not more than 2 years, or by both. Section 44(j)(4) and (5) of the Environmental Protection Act provides that any person who knowingly makes any false statement, representation, or certification in an application form, or form pertaining to a NPDES permit commits a Class A misdemeanor, and in addition to any other penalties provided by law is subject to a fine not to exceed \$10,000 for each day of violation.
- I. Penalties for Falsification of Monitoring Systems.** The CWA provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by fines and imprisonment described in Section 309 of the CWA. The Environmental Protection Act provides that any person who knowingly renders inaccurate any monitoring device or record required in connection with any NPDES permit or with any discharge which is subject to the provisions of subsection (f) of Section 12 of the Act commits a Class A misdemeanor, and in addition to any other penalties provided by law is subject to a fine not to exceed \$10,000 for each day of violation.
- J. Oil and Hazardous Substance Liability.** Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under section 311 of the CWA.
- K. Property Rights.** The issuance of this permit does not convey any property rights of any sort, nor any exclusive privileges, nor does it authorize any injury to private property nor any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations.
- L. Severability.** The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit shall not be affected thereby.



- M. **Transfers.** This permit is not transferable to any person except after notice to the Agency. The Agency may require the discharger to apply for and obtain an individual NPDES permit as stated in Part I.C (Authorization).
- N. **Requiring an Individual Permit or an Alternative General Permit.**
1. The Agency may require any person authorized by this permit to apply for and/or obtain either an individual NPDES permit or an alternative NPDES general permit. Any interested person may petition the Agency to take action under this paragraph. Where the Agency requires a discharger authorized to discharge under this permit to apply for an individual NPDES permit, the Agency shall notify the discharger in writing that a permit application is required. This notification shall include a brief statement of the reasons for this decision, an application form, a statement setting a deadline for the discharger to file the application, and a statement that on the effective date of the individual NPDES permit or the alternative general permit as it applies to the individual permittee, coverage under this general permit shall automatically terminate. Applications shall be submitted to the Agency indicated in Part II.D (Where to Submit) of this permit. The Agency may grant additional time to submit the application upon request of the applicant. If a discharger fails to submit in a timely manner an individual NPDES permit application as required by the Agency under this paragraph, then the applicability of this permit to the individual NPDES permittee is automatically terminated at the end of the day specified by the Agency for application submittal. The Agency may require an individual NPDES permit based on:
    - a. information received which indicates the receiving water may be of particular biological significance pursuant to 35 Ill. Adm. Code 302.105(d)(6);
    - b. whether the receiving waters are impaired waters for suspended solids, turbidity or siltation as identified by the Agency's 303(d) listing;
    - c. size of construction site, proximity of site to the receiving stream, etc.
- The Agency may also require monitoring of any storm water discharge from any site to determine whether an individual permit is required.
2. Any discharger authorized by this permit may request to be excluded from the coverage of this permit by applying for an individual permit. In such cases, the permittee shall submit an individual application in accordance with the requirements of 40 CFR 122.26(c)(1)(ii), with reasons supporting the request, to the Agency at the address indicated in Part II.D (Where to Submit) of this permit. The request may be granted by issuance of any individual permit or an alternative general permit if the reasons cited by the permittee are adequate to support the request.
  3. When an individual NPDES permit is issued to a discharger otherwise subject to this permit, or the discharger is authorized to discharge under an alternative NPDES general permit, the applicability of this permit to the individual NPDES permittee is automatically terminated on the effective date of the individual permit or the date of authorization of coverage under the alternative general permit, whichever the case may be. When an individual NPDES permit is denied to a discharger otherwise subject to this permit, or the discharger is denied for coverage under an alternative NPDES general permit, the applicability of this permit to the individual NPDES permittee remains in effect, unless otherwise specified by the Agency.
- O. **State/Environmental Laws.** No condition of this permit shall release the permittee from any responsibility or requirements under other environmental statutes or regulations.
- P. **Proper Operation and Maintenance.** The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit and with the requirements of storm water pollution prevention plans. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. Proper operation and maintenance requires the operation of backup or auxiliary facilities or similar systems, installed by a permittee only when necessary to achieve compliance with the conditions of the permit.
- Q. **Inspection and Entry.** The permittee shall allow the IEPA, or an authorized representative upon presentation of credentials and other documents as may be required by law, to:
1. Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
  2. Have access to and copy at reasonable times, any records that must be kept under the conditions of this permit;
  3. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
  4. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act, any substances or parameters at any location.
- R. **Permit Actions.** This permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

## Part VII. REOPENER CLAUSE

- A. If there is evidence indicating potential or realized impacts on water quality due to any storm water discharge associated with industrial activity covered by this permit, the discharger may be required to obtain an individual permit or an alternative general permit in accordance with Part I.C (Authorization) of this permit or the permit may be modified to include different limitations and/or requirements.
- B. Permit modification or revocation will be conducted according to provisions of 35 Ill. Adm. Code, Subtitle C, Chapter I and the provisions of 40 CFR 122.62, 122.63, 122.64 and 124.5 and any other applicable public participation procedures.



C. The Agency will reopen and modify this permit under the following circumstances:

1. the U.S. EPA amends its regulations concerning public participation;
2. a court of competent jurisdiction binding in the State of Illinois or the 7<sup>th</sup> Circuit Court of Appeals issues an order necessitating a modification of public participation for general permits; or
3. to incorporate federally required modifications to the substantive requirements of this permit.

## Part VIII. DEFINITIONS

"Agency" means the Illinois Environmental Protection Agency.

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

"Commencement of Construction or Demolition Activities" The initial disturbance of soils associated with clearing, grading, or excavating activities or other construction or demolition activities.

"CWA" means Clean Water Act (formerly referred to as the Federal Water Pollution Control Act or Federal Water Pollution Control Act Amendments of 1972) Pub. L. 92-500, as amended Pub. L. 95-217, Pub. L. 95-576, Pub. L. (96-483 and Pub. L. 97-117, 33 U.S.C. 1251 et seq.).

"Dedicated portable asphalt plant" A portable asphalt plant that is located on or contiguous to a construction site and that provides asphalt only to the construction site that the plant is located on or adjacent to. The term dedicated portable asphalt plant does not include facilities that are subject to the asphalt emulsion effluent limitation guideline at 40 CFR 443.

"Dedicated portable concrete plant" A portable concrete plant that is located on or contiguous to a construction site and that provides concrete only to the construction site that the plant is located on or adjacent to.

"Dedicated sand or gravel operation" An operation that produces sand and/or gravel for a single construction project.

"Director" means the Director of the Illinois Environmental Protection Agency or an authorized representative.

"Final Stabilization" means that all soil disturbing activities at the site have been completed, and either of the two following conditions are met:

- (i) A uniform (e.g., evenly distributed, without large bare areas) perennial vegetative cover with a density of 70 percent of the native background vegetative cover for the area has been established on all unpaved areas and areas not covered by permanent structures, or
- (ii) Equivalent permanent stabilization measures (such as the use of riprap, gabions, or geotextiles) have been employed.

For individual lots in residential construction, final stabilization means that either:

- (i) The homebuilder has completed final stabilization as specified above, or
- (ii) The homebuilder has established temporary stabilization including perimeter controls for an individual lot prior to occupation of the home by the homeowner and informing the homeowner of the need for, and benefits of, final stabilization.

"Large and Medium municipal separate storm sewer system" means all municipal separate storm sewers that are either:

- (i) Located in an incorporated place (city) with a population of 100,000 or more as determined by the latest Decennial Census by the Bureau of Census (these cities are listed in Appendices F and G of 40 CFR Part 122); or
- (ii) Located in the counties with unincorporated urbanized populations of 100,000 or more, except municipal separate storm sewers that are located in the incorporated places, townships or towns within such counties (these counties are listed in Appendices H and I of 40 CFR Part 122); or
- (iii) Owned or operated by a municipality other than those described in paragraph (i) or (ii) and that are designated by the Director as part of the large or medium municipal separate storm sewer system.

"NOI" means notice of intent to be covered by this permit (see Part II of this permit.)

"Point Source" means any discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel or other floating craft from which pollutants are or may be discharges. This term does not include return flows from irrigated agriculture or agricultural storm water runoff.

"Runoff coefficient" means the fraction of total rainfall that will appear at the conveyance as runoff.

"Storm Water" means storm water runoff, snow melt runoff, and surface runoff and drainage.



"Storm Water Associated with Industrial Activity" means the discharge from any conveyance which is used for collecting and conveying storm water and which is directly related to manufacturing, processing or raw materials storage areas at an industrial plant. The term does not include discharges from facilities or activities excluded from the NPDES program. For the categories of industries identified in subparagraphs (i) through (x) of this subsection, the term includes, but is not limited to, storm water discharges from industrial plant yards; immediate access roads and rail lines used or traveled by carriers of raw materials, manufactured products, waste material, or by-products used or created by the facility; material handling sites; refuse sites; sites used for the application or disposal of process waste waters (as defined at 40 CFR 401); sites used for the storage and maintenance of material handling equipment; sites used for residual treatment, storage, or disposal; shipping and receiving areas; manufacturing buildings; storage areas (including tank farms) for raw materials, and intermediate and finished products; and areas where industrial activity has taken place in the past and significant materials remain and are exposed to storm water. For the categories of industries identified in subparagraph (xi), the term includes only storm water discharges from all areas listed in the previous sentence (except access roads) where material handling equipment or activities, raw materials, intermediate products, final products, waste materials, by-products, or industrial machinery are exposed to storm water. For the purposes of this paragraph, material handling activities include the storage, loading and unloading, transportation, or conveyance of any raw material, intermediate product, finished product, by-product or waste product. The term excludes areas located on plant lands separate from the plant's industrial activities, such as office buildings and accompanying parking lots as long as the drainage from the excluded areas is not mixed with storm water drained from the above described areas. Industrial facilities (including industrial facilities that are Federally or municipally owned or operated that meet the description of the facilities listed in this paragraph (i)-(xi)) include those facilities designated under 40 CFR 122.26(a)(1)(v). The following categories of facilities are considered to be engaging in "industrial activity" for purposes of this subsection:

- (i) Facilities subject to storm water effluent limitations guidelines, new source performance standards, or toxic pollutant effluent standards under 40 CFR Subchapter N (except facilities with toxic pollutant effluent standards which are exempted under category (xi) of this paragraph);
- (ii) Facilities classified as Standard Industrial Classifications 24 (except 2434), 26 (except 265 and 267), 28, 29, 311, 32, 33, 3441, 373;
- (iii) Facilities classified as Standard Industrial Classifications 10 through 14 (mineral industry) including active or inactive mining operations (except for areas of coal mining operations meeting the definition of a reclamation area under 40 CFR 434.11(l)) and oil and gas exploration, production, processing, or treatment operations, or transmission facilities that discharge storm water contaminated by contact with or that has come into contact with, any overburden, raw material, intermediate products, finished products, byproducts or waste products located on the site of such operations; inactive mining operations are mining sites that are not being actively mined, but which have an identifiable owner/operator;
- (iv) Hazardous waste treatment, storage, or disposal facilities, including those that are operating under interim status or a permit under Subtitle C of RCRA;
- (v) Landfills, land application sites, and open dumps that have received any industrial wastes (waste that is received from any of the facilities described under this subsection) including those that are subject to regulation under Subtitle D of RCRA;
- (vi) Facilities involved in the recycling of materials, including metal scrapyards, battery reclaimers, salvage yards, and automobile junkyards, including but limited to those classified as Standard Industrial Classification 5015 and 5093;
- (vii) Steam electric power generating facilities, including coal handling sites;
- (viii) Transportation facilities classified as Standard Industrial Classifications 40, 41, 42, 44, and 45 which have vehicle maintenance shops, equipment cleaning operations, or airport deicing operations. Only those portions of the facility that are either involved in vehicle maintenance (including vehicle rehabilitation, mechanical repairs, painting, fueling, and lubrication), equipment cleaning operations, airport deicing operations, or which are otherwise identified under subparagraphs (i)-(vii) or (ix)-(xi) of this subsection are associated with industrial activity;
- (ix) Treatment works treating domestic sewage or any other sewage sludge or wastewater treatment device or system, used in the storage treatment, recycling, and reclamation of municipal or domestic sewage, including land dedicated to the disposal of sewage sludge that are located within the confines of the facility, with a design flow of 1.0 mgd or more, or required to have an approved pretreatment program under 40 CFR 403. Not included are farm lands, domestic gardens or lands used for sludge management where sludge is beneficially reused and which are not physically located in the confines of the facility, or areas that are in compliance with 40 CFR 503;
- (x) Construction activity including clearing, grading and excavation activities except: operations that result in the disturbance of less than one acre of total land area which are not part of a larger common plan of development or sale unless otherwise designated by the Agency pursuant to Part I.B.1.
- (xi) Facilities under Standard Industrial Classifications 20, 21, 22, 23, 2434, 25, 265, 267, 27, 283, 31 (except 311), 34 (except 3441), 35, 36, 37 (except 373), 38, 39, 4221-25, (and which are not otherwise included within categories (i)-(x)).

"Waters" mean all accumulations of water, surface and underground, natural, and artificial, public and private, or parts thereof, which are wholly or partially within, flow through, or border upon the State of Illinois, except that sewers and treatment works are not included except as specially mentioned; provided, that nothing herein contained shall authorize the use of natural or otherwise protected waters as sewers or treatment works except that in-stream aeration under Agency permit is allowable.

**EXHIBIT B**  
**NOTICE OF INTENT FOR RENEWAL**



# Illinois Environmental Protection Agency

1021 North Grand Avenue East • P.O. Box 19276 • Springfield • Illinois • 62794-9276 • (217) 782-3397

## Notice of Intent for New or Renewal of General Permit for Discharges from Small Municipal Separate Storm Sewer Systems (MS4's)

### Part I. Municipal (MS4) Contact Information

1. Name of Municipality: Village of Hillside MS4 #: ILR40  
Population (based on 2010 census): 8157
2. MS4 Mailing Address: 425 Hillside Avenue City: Hillside, IL Zip: 60162
3. Primary MS4 Contact Person (Authorized Representative for MS4 Permit)  
Name: Joe Pisano Title: Village Administrator  
Phone: 708-202-4330 Email Address: jpisano@hillside-il.org

### General Information

4. Latitude and Longitude at approximate geographical center of MS4 for which you are requesting authorization to discharge:  
Latitude: 39 38 47 Longitude: 85 05 34  
Degrees Minutes Seconds Degrees Minutes Seconds
5. Community Type: Village Other: \_\_\_\_\_
6. Name(s) of governmental entity(ies) in which MS4 is located:
- | City/Village | Township | County |
|--------------|----------|--------|
| Hillside     |          | Cook   |
7. Area of land within your MS4 in square miles: 3.17
8. Percent of MS4 served by combined sewer: 3.17 Percent of MS4 served by separate sewer: 3.17

### Impaired Waters

The most recent 303(d) list may be found at <https://www2.illinois.gov/epa/topics/water-quality/watershed-management/tmdls/Pages/303d-list.aspx>. Information regarding TMDLs may be found at <https://www2.illinois.gov/epa/topics/water-quality/watershed-management/tmdls/Pages/default.aspx>.

- 9.
- | Name(s) of known receiving waters (in and within 3 miles of MS4 area) | Impairment listed on 303d List or TMDL?                       |
|---|---|
| Addison Creek   | <input checked="" type="radio"/> Yes <input type="radio"/> No |
| Salt Creek  | <input checked="" type="radio"/> Yes <input type="radio"/> No |

9a. If impaired, which potential causes and source?

Causes: Heavy metals, Fecal Coliform, Phosphorous, Oil

Source: Urban activity

9b. Are the receiving waterbodies included in an approved TMDL or alternate water quality management plan? ☐ Yes ☒ No

9c. Is the MS4 community included in the chloride variance? ☐ Yes ☒ No

### Program Responsibility

#### 10. Shared Responsibility

Is your MS4 responsible for any permit requirements of another MS4 community? ☐ Yes ☒ No

Does your MS4 Community rely on another MS4 to satisfy any of the permit requirements? ☐ Yes ☒ No

**11. Co-Permittee**

Is your MS4 Community a Co-Permittee with another MS4 Community? ☐ Yes ☒ No

**12. Other contacts responsible for implementation or coordination of Stormwater Management Program**

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Area of Responsibility: \_\_\_\_\_



Part II. Best Management Practices (include shared responsibilities) which have been implemented or are proposed to be implemented in the MS4 area

**A. Public Education and Outreach**

Approximate date first implemented: \_\_\_\_\_ Frequency of each BMP program: \_\_\_\_\_

Qualifying Local Programs

See attached revised stormwater management plan.

Measurable Goals (include shared responsibilities)

- ☐ A.1 Distributed Paper Material
- ☐ A.2 Speaking Engagement
- ☐ A.3 Public Service Announcement
- ☐ A.4 Community Event
- ☐ A.5 Classroom Education Material
- ☐ A.6 Other Public Education

**B. Public Participation/Involvement**

Approximate date first implemented: \_\_\_\_\_ Frequency of each BMP program: \_\_\_\_\_

Qualifying Local Programs

See attached revised stormwater management plan.

Measurable Goals (include shared responsibilities)

- ☐ B.2 Educational Volunteer
- ☐ B.3 Stakeholder Meeting
- ☐ B.4 Public Hearing
- ☐ B.5 Volunteer Monitoring
- ☐ B.6. Program Involvement
- ☐ B.7 Other Public Involvement

**C. Illicit Discharge Detection and Elimination**

Approximate date first implemented: \_\_\_\_\_ Frequency of each BMP program: \_\_\_\_\_

Qualifying Local Programs

See attached revised stormwater management plan.

Measurable Goals (include shared responsibilities)

- ☐ C.1 Sewer Map Preparation
- ☐ C.2 Regulatory Control Program
- ☐ C.3 Detection/Elimination Prioritization Plan
- ☐ C.4 Illicit Discharge Tracing Procedures
- ☐ C.5 Illicit Source Removal Procedures
- ☐ C.6 Program Evaluation and Assessment
- ☐ C.7 Visual Dry Weather Screening
- ☐ C.8 Pollutant Field Testing

- ☐ C.9 Public Notification
- ☐ C.10 Other Illicit Discharge Controls

#### D. Construction Site Runoff Control

Approximate date first implemented: \_\_\_\_\_ Frequency of each BMP program: \_\_\_\_\_

##### Qualifying Local Programs

See attached revised stormwater management plan.

Measurable Goals (include shared responsibilities)

- ☐ D.1 Regulatory Control Program
- ☐ D.2 Erosion and Sediment Control BMPs
- ☐ D.3 Other Waste Control Program
- ☐ D.4 Site Plan Review Procedures
- ☐ D.5 Public Information Handling Procedures
- ☐ D.6 Site Inspection/Enforcement Procedures
- ☐ D.7 Other Construction Site Runoff Controls

#### E. Post-Construction Runoff Control

Approximate date first implemented: \_\_\_\_\_ Frequency of each BMP program: \_\_\_\_\_

##### Qualifying Local Programs

See attached revised stormwater management plan.

Measurable Goals (include shared responsibilities)

- ☐ E.1 Community Control Strategy
- ☐ E.2 Regulatory Control Program
- ☐ E.3 Long Term O & M Procedures
- ☐ E.4 Pre-Construction Review of BMP Designs
- ☐ E.5 Site Inspections During Construction
- ☐ E.6 Post-Construction Inspections
- ☐ E.7 Other Post-Construction Runoff Controls

#### F. Pollution Prevention/Good Housekeeping

Approximate date first implemented: \_\_\_\_\_ Frequency of each BMP program: \_\_\_\_\_

##### Qualifying Local Programs

See attached revised stormwater management plan.

Measurable Goals (include shared responsibilities)

- ☐ F.1 Employee Training Program
- ☐ F.2 Inspection and Maintenance Program
- ☐ F.3 Municipal Operations Storm Water Control
- ☐ F.4 Municipal Operations Waste Disposal
- ☐ F.5 Flood Management/Assess Guidelines
- ☐ F.6 Other Municipal Operations Controls

**BMPs Currently Implemented and Proposed**

BMP Number	Location

**Approximate Pollutant Reduction Resulting from each BMP**

BMP Number	Pollutant	Reduction

**Instream Monitoring Program**

Is there an instream monitoring program currently in place?    ☐ Yes    ☒ No

Is an instream monitoring program currently being proposed?    ☐ Yes    ☒ No

**Sediment Monitoring**

Is sediment monitoring currently taking place?    ☐ Yes    ☒ No

**Sample Monitoring of Outfalls**

Is sample monitoring of outfalls currently taking place?    ☐ Yes    ☒ No

**Other Monitoring**

Describe other types of monitoring implemented or proposed to evaluate the BMP effectiveness or water quality impact of stormwater.

--

### Part III. Certification

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

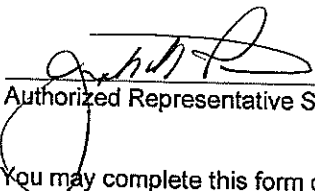
Any person who knowingly makes a false, fictitious, or fraudulent material statement, orally or in writing, to the Illinois EPA commits a Class 4 felony. A second or subsequent offense after conviction is a Class 3 felony (415 ILCS 5/44 (h)).

Joe Pisano

Authorized Representative Name

City Administrator

Title

  
Authorized Representative Signature

11/4/2021  
Date

You may complete this form online and save a copy locally before printing and signing the form. It should then be sent to:

Illinois Environmental Protection Agency  
Bureau of Water  
Division of Water Pollution Control  
Attn: Permit Section  
P.O. Box 19276  
1021 North Grand Avenue East  
Springfield, IL 62794-9276

Information required by this form must be provided to comply with 415 ILCS 5/39 (2000). Failure to do so may prevent this form from being processed and could result in your application being denied.



**EXHIBIT C**  
**ANNUAL FACILITY INSPECTION REPORT**



# Illinois Environmental Protection Agency

Bureau of Water • 1021 N. Grand Avenue E. • P.O. Box 19276 • Springfield • Illinois • 62794-9276

## Division of Water Pollution Control ANNUAL FACILITY INSPECTION REPORT

Acrobat Reader 8.0 or above installed to use the form

### for NPDES Permit for Storm Water Discharges from Separate Storm Sewer Systems (MS4)

*This fillable form may be completed online, a copy saved locally, printed and signed before it is submitted to the Compliance Assurance Section at the above address. Complete each section of this report.*

Report Period: From March, 2020 To March, 2021

Permit No. ILR40

#### MS4 OPERATOR INFORMATION: (As it appears on the current permit)

Name: Village of Hillside Mailing Address 1: 425 Hillside Avenue

Mailing Address 2: County: Cook

City: Hillside State: IL Zip: 60162 Telephone: 708-202-3434

Contact Person: Joseph Pisano, Director of Public Works Email Address: jpisano@hillside-il.org

(Person responsible for Annual Report)

#### Name(s) of governmental entity(ies) in which MS4 is located: (As it appears on the current permit)

Village of Hillside IDOT

Cook County Highways Department MWRDGC

#### THE FOLLOWING ITEMS MUST BE ADDRESSED.

A. Changes to best management practices (check appropriate BMP change(s) and attach information regarding change(s) to BMP and measurable goals.)

- |  |                          |   |                                     |
|--|--------------------------|---|-------------------------------------|
| 1. Public Education and Outreach             | <input type="checkbox"/> | 4. Construction Site Runoff Control       | <input checked="" type="checkbox"/> |
| 2. Public Participation/Involvement          | <input type="checkbox"/> | 5. Post-Construction Runoff Control       | <input type="checkbox"/>            |
| 3. Illicit Discharge Detection & Elimination | <input type="checkbox"/> | 6. Pollution Prevention/Good Housekeeping | <input type="checkbox"/>            |

B. Attach the status of compliance with permit conditions, an assessment of the appropriateness of your identified best management practices and progress towards achieving the statutory goal of reducing the discharge of pollutants to the MEP, and your identified measurable goals for each of the minimum control measures.

C. Attach results of information collected and analyzed, including monitoring data, if any during the reporting period.

D. Attach a summary of the storm water activities you plan to undertake during the next reporting cycle ( including an implementation schedule.)

E. Attach notice that you are relying on another government entity to satisfy some of your permit obligations (if applicable).

F. Attach a list of construction projects that your entity has paid for during the reporting period.

**Any person who knowingly makes a false, fictitious, or fraudulent material statement, orally or in writing, to the Illinois EPA commits a Class 4 felony. A second or subsequent offense after conviction is a Class 3 felony. (415 ILCS 5/44(h))**

Owner Signature:

Joseph Pisano

Printed Name:

Date:

Director of Public Works

Title:

#### EMAIL COMPLETED FORM TO:

or Mail to: ILLINOIS ENVIRONMENTAL PROTECTION AGENCY  
WATER POLLUTION CONTROL  
COMPLIANCE ASSURANCE SECTION #19  
1021 NORTH GRAND AVENUE EAST  
POST OFFICE BOX 19276  
SPRINGFIELD, ILLINOIS 62794-9276

This Agency is authorized to require this information under Section 4 and Title X of the Environmental Protection Act (415 ILCS 5/4, 5/39). Failure to disclose this information may result in: a civil penalty of not to exceed \$50,000 for the violation and an additional civil penalty of not to exceed \$10,000 for each day during which the violation continues (415 ILCS 5/42) and may also prevent this form from being processed and could result in your application being denied. This form has been approved by the Forms Management Center.

**EXHIBIT D**

**STORM WATER ADVISORY PANEL OUTLINE**

# **STORM WATER ADVISORY PANEL OUTLINE**

## **FOR**

### **THE VILLAGE OF HILLSIDE**

The Village of Hillside has created a Storm Water Advisory Panel whose purpose is to analyze the Village's existing SWMP, procedures, and make recommendations for necessary changes to increase the effectiveness of the Village's program. The panel may also aide in the implementation of programs, training, etc. as approved or instructed by the Village.

The following is an outline of this panel and their potential duties.

1. The panel may consist of any Village employee, consultant, and resident of the Village.
2. The panel may evaluate the existing BMP practices an indicated in the SWMP.
3. The panel may advise the Village of its findings.
4. The panel may recommend and analyze potential solutions for future or more beneficial BMPs.
5. The panel may assemble guides for training programs, new BMPs, or programs that may benefit the Village.
6. The panel may plan and assemble necessary paperwork, items, coordination, and other items that the Village approves in regards to the storm water system of the Village.
7. The panel may also analyze or research the following:

#### **Public Education & Outreach**

- a. Implementation of a Village-wide Education & Outreach program.
- b. Potential speaking engagements.
- c. Community events.
- d. Classroom education material.
- e. Other public education programs.
- f. Specific Storm Water Messages to be used.
- g. Potential creation of a Storm Water Hotline.
- h. Methods to be used to distribute material.
- i. Volunteer programs.
- j. Public comments on Storm Water Program.
- k. Disposal of pet waste.

- l. Applying lawn chemicals.
- m. Washing cars.
- n. Lawn trimmings.
- o. Changing motor oil and disposal.
- p. Paint disposal and household chemicals.
- q. Outreach for commercial businesses.
- r. Outreach programs for minorities and disadvantaged communities.
- s. Display, pamphlets, booklets, bill inserts.
- t. Promotional giveaways.
- u. Alternative to toxic substances.
- v. Landscape and lawncare.
- w. Pest control.
- x. Water conservation for homeowners.
- y. Pollution prevention for businesses.

### **Public Involvement/Participation**

- a. Educational volunteering.
- b. Program coordination.
- c. Other public involvement activities.
- d. Adopt a creek.
- e. Reforestation programs, tree plantings, etc.
- f. Storm drain markings.
- g. Stream cleanup and monitoring.

### **Illicit Discharge Detection and Elimination**

- a. Regulatory Control Program.
- b. Illicit discharge tracing procedures.
- c. Program evaluation and assessment.
- d. Visual dry weather screening.
- e. Pollutant field testing.
- f. Public notification.
- g. Other illicit discharge controls.
- h. Document incidents.
- i. Enforcement actions.
- j. Potential Ordinances to aide in compliance.
- k. Investigation procedures.
- l. Track changes of pollutants in water.
- m. Data analysis and records.
- n. Inspection plan for storm system and records.
- o. Education program on hazards associated with illicit discharges.
- p. Used oil recycling program.
- q. Preventing septic system failures.
- r. Sewage from recreational activities.

- s. Community hotlines/volunteers.

### **Construction Site Stormwater Runoff Control**

- a. Other Waste Control Programs.
- b. Public Information/Enforcement Procedures
- c. Other construction site runoff controls.
- d. Preserving natural vegetation.
- e. Concrete washouts.
- f. Spill Prevention and Control Procedures and plans.

### **Post-Construction Stormwater Management in New Development and Redevelopment**

- a. Community Control Strategies.
- b. Other post-construction runoff controls.
- c. Structural storm water BMPs.
- d. Maintenance responsibilities.
- e. Enforcement actions.
- f. Green designs.
- g. Green parking.
- h. Green roofs.

### **Pollution Prevention/Good Housekeeping for Municipal Operations**

- a. Employee Training Program.
- b. Inspection and Maintenance Program.
- c. Other municipal operations controls.
- d. Landscaping.
- e. Vehicle fueling.
- f. Equipment maintenance.
- g. Equipment washing.
- h. Parking lot cleaning.
- i. Materials management.
- j. Material storage.