



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

REPLY TO ATTENTION OF  
ECW-15J

**VIA ELECTRONIC MAIL**

Mr. Mike Williams  
Maintenance Manager  
Village of Sauget  
2897 Falling Springs Road  
Sauget, Illinois 62206

villageofsauget@sbcglobal.net

Re: April 21, 2021 Inspection Report

Dear Mr. Williams:

On April 21, 2021 the U.S. Environmental Protection Agency conducted a combined sewer overflow (CSO) inspection in the Village of Sauget.

The enclosed report summarizes observations made by EPA during the inspection.

If you have any questions or concerns regarding this letter, or the inspection report, please contact Ted Flatebo at (312) 886-9402 or at Flatebo.Ted@epa.gov.

Sincerely,

RYAN BAHR Digitally signed by RYAN  
BAHR  
Date: 2021.05.25  
17:36:23 -05'00'

Ryan J. Bahr Chief, Section 2  
Water Enforcement and Compliance Assurance Branch

Enclosure

cc: Rich Sauget Jr., Mayor, Village of Sauget [villageofsauget618@sbcglobal.net]  
Todd Bennett, Illinois EPA [Todd.Bennett@Illinois.gov]  
Sanjay Sofat, Illinois EPA [Sanjay.Sofat@Illinois.gov]  
Joe Stitely, Illinois EPA [Joe.Stitely@Illinois.gov]



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
**REGION 5**  
**77 WEST JACKSON BOULEVARD**  
**CHICAGO, IL 60604-3590**

**REPLY TO ATTENTION OF**  
**ECW-15J**

**Purpose:** Village of Sauget – CSO Compliance Inspection Report

**Facility:** Village of Sauget, IL

**Date of Inspection:** April 21, 2021

**Illinois EPA Inspectors:**

Joe Stitely, (618) 993-7200

Ingrid Acevedo, (618) 993-7200

**U.S. EPA Inspectors:**

Ted Flatebo, EPA Region 5; (312) 886-9402; [Flatebo.Ted@epa.gov](mailto:Flatebo.Ted@epa.gov)

Joan Rogers, EPA Region 5; (312) 886-2785; [Rogers.Joan@epa.gov](mailto:Rogers.Joan@epa.gov)

**Village of Sauget Representatives:**

Mike Williams, Maintenance Manager, (618) 779-0449

Rich Sauget Jr., Mayor, (618) 337-5267

Tom Weis, Engineer – Weis Design Group, (314) 541-1534

**American Bottoms Wastewater Treatment Plant Representatives:**

Kay Anderson, Regulatory Affairs, (618) 337-9726

Heather Faragher, Executive Director, (618) 698-2025

**Inspection Report Prepared by:**

Ted Flatebo, U.S. EPA Region 5 Inspector

**U.S. EPA Inspector Signature:** JOAN ROGERS Digitally signed by JOAN ROGERS  
Date: 2021.05.25 14:49:49 -05'00'

**Approver Name & Title:**

Ryan Bahr, Chief, Section 2, Water Enforcement and Compliance Assurance  
Branch

**Approver Signature and Date:** RYAN BAHR Digitally signed by RYAN BAHR  
Date: 2021.05.25 17:32:38 -05'00'

Village of Sauget  
April 21, 2021

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- I. Introduction
- II. Inspection Activity Summary
- III. Closing Conference and Areas of Concern
- IV. List of Attachments

### I. Introduction

On April 21, 2021, I conducted a combined sewer overflow (CSO) inspection for the Village of Sauget, Illinois. The inspection was conducted as part of the U.S. Environmental Protection Agency's ongoing efforts to investigate sanitary sewage overflows and potential pathways for sewage discharges to reach surface waters in the East St. Louis area. I participated in the following inspection activities:

- Inspection opening conference;
- Document review;
- Field inspection of Sauget's lift stations and grinder stations;
- Closing conference.

The Village of Sauget owns the American Bottoms Wastewater Treatment Facility (American Bottoms) and a separate Physical-Chemical Wastewater Treatment Plant (P-Chem); however, this inspection focused solely on the Village of Sauget collection system.

### II. INSPECTION ACTIVITY SUMMARY

#### Opening Conference

I arrived at the Village of Sauget Village Hall, located at 2897 Falling Springs Road, accompanied by EPA inspector Joan Rogers and Illinois Environmental Protection Agency (IEPA) inspectors Joe Stitely and Ingrid Acevedo on April 21, 2021 at 12:10 P.M. I proceeded to the conference room where I met the Village representatives: Mike Williams, Maintenance Manager; Rich Sauget Jr., Mayor; Tom Weis, Engineer – Weis Design Group; and American Bottoms Regional Wastewater Treatment Facility representatives Kay Anderson, Regulatory Affairs; and Heather Faragher, Executive Director. Ms. Rogers and I presented our EPA credentials to Mr. Williams at the beginning of the opening conference and then proceeded with introductions and outlining what the interview would include.

I began my questioning with asking Mr. Williams how the Village's collection system was operating overall. He responded that the system was functioning well and there were no notable problems. I then asked how many overflows the collection system had experienced in the past three years and Mr. Williams responded that he could not recall the last time one had occurred, but it had been at least a few years. He did state that in the last few months he did observe some possible sewage residue next to the Peterbilt grinder station (Attachment B) but an overflow was

not reported by the business the grinder station services, and when he inspected the station, everything was operating correctly. I proceeded to ask Mr. Williams if the Village had a combined collection system for both sanitary and storm water flows, to which he stated that the west side of the Village has a combined system. He explained that the Village is roughly divided in half by a Union Pacific rail line, and the West side is composed primarily of heavy industry that utilizes a combined system. According to Mr. Weis these combined sewers were built between 1932 to 1954. The east side of the Village has a separated storm sewer system and includes newer businesses which have been developed primarily in the last 20-30 years, and a small residential area which in 2010 had a population of 159.

Mr. Weis explained that the Village is currently undertaking a large project to completely reline the combined sewer collection system. For the past six consecutive years, the Village has applied and been awarded between \$70,000 and \$80,000 from a U.S. Department and Urban Housing grant, which allowed them to spend between a total of \$200,000 to \$300,000 annually to reline a segment of their system. Approximately 50% of the combined system has been relined using a vinyl ester product, with approximately 5,500 to 6,000 feet remaining. Mr. Weis explained that the goal is to continue the project until 100% of the system is relined.

Mr. Weis also explained that the Village's collection system did sustain some damage during the Spring of 2019 large-scale flooding that occurring throughout the Midwest. The Village has since made the necessary critical repairs and filed a Federal Emergency Management Agency (FEMA) application for approximately \$2,000,000 to recoup costs. FEMA did provide the Village with approximately \$105,000 for immediate needs but denied the application.

The Village of Sauget owns two wastewater treatment plants, the American Bottoms Regional Wastewater Treatment Facility (American Bottoms) and the Physical-Chemical Treatment Plant (P-Chem). The P-Chem plant is designed to provide preliminary and primary treatment for the industrial wastewater effluent generated within the Village, whereas American Bottoms is designed to handle domestic wastewater. American Bottoms provides preliminary, primary, and secondary treatment for the wastewater flows it receives.

All the wastewater generated in the Village, which during dry weather is primarily industrial effluent, flows directly to the P-Chem plant for preliminary and primary treatment. From there the effluent flows to the American Bottoms headworks and joins the wastewater flows from the East St. Louis area satellite communities that contribute flow to the plant. These communities include: City of East St. Louis, Village of Cahokia, and parts of Alorton, Centreville, and Belleville serviced by the Commonfields of Cahokia Public Water District. An intergovernmental agreement (IGA) between these municipalities was signed in 1977 and amended in 1982. EPA was provided a copy of these agreements. American Bottoms' National Pollutant Discharge Elimination System (NPDES) permit number is IL0065145. American Bottoms' current NDPEs permit has an effective date of September 1, 2009 and has since been administratively extended by IEPA (Attachment F).

The P-Chem plant also has agreements with the major industrial discharges within the Village. The original agreement is from 1973 and was amended in 1982 and 1993. EPA was also provided copies of these agreements. Ms. Anderson explained that the plant recoups all its costs

retroactively by charging participating members for the actual cost of wastewater treatment based on five wastewater criteria. The billing for American Bottoms' satellite communities is handled separately.

Ms. Faragher explained that both American Bottoms and the P-Chem plant are owned by the Village but are operated by a not-for-profit entity called the Sauget Sanitary Development and Research Association (SSDRA). The SSDRA board has seven individuals which passes budgets that are then sent to the Village's board which provides the final approval. The seven individuals on the SSDRA board are comprised of the Mayor of Sauget and representatives from the major industries in the Village. SSDRA also runs the approved pretreatment program for all the satellite communities.

I next asked Mr. Williams about the lift stations and grinder stations throughout the Village. He explained that the Village has four lift stations, three that handle combined waste on the west side of the Village and one that handles sanitary waste on the east side of the Village (Attachments B and C). The three lift stations that handle combined waste are called Route 3, Falling Springs, and Little Avenue. The lift station that handles separated waste is called Industrial Park Main. Mr. Williams stated that all the lift stations are in good working order. He also stated that he tries to drive past each lift station once a week to do a quick visual inspection. One lift station and two grinder stations have remote alarm systems called Omni Ball. One additional lift station has an auto dialer to alert Mr. Williams of a problem.

In addition to the lift stations, the Village has twenty-one grinder stations that it owns and operates. Each grinder station services one to two businesses and acts to grind up any waste discharged by the business, pressurize the water, and inject the water into the force main which flows to the P-Chem plant. Of these twenty-one, seventeen are in service and four are not. The four out of service grinder stations are installed on vacant parcels of land that are available for future business development. In 1997, the Village completely replaced the residential portion of the sanitary sewer to eliminate basement backups. In this process, every residential house was given the opportunity to have a grinder station installed free of charge. The Village assumed all repairs on the station for one year after installation, but now any issues must be addressed by the residents themselves. Mr. Williams stated that since then, some residents have elected to replace the grinder station with a sump pump.

According to Mr. Williams, the lift stations and grinder stations that are owned and operated by the Village are serviced and repaired by a contractor called Vandevanter Engineering. The firm services the grinder stations annually and the four lift stations biannually. This routine maintenance is documented and provided to the Village (Attachment D). Mr. Williams also stated that the Village has one backup pump for a lift station and a separate backup grinder pump stored in their maintenance yard in the event an emergency repair needs to be made.

Next, I asked about routine maintenance. Mr. Williams explained that the only regularly scheduled routine maintenance is the annual/biannually pump servicing. According to Mr. Williams and Mr. Weis, the collection system does not have a history of debris settling in the pipes and that during large rain events the system flushes itself. I then confirmed that the Village does not conduct regular jetting, tree root cutting, line televising, or smoke testing.

I asked Mr. Williams about how sewer-related complaints are handled. He stated that most residents and businesses within the Village have his cell phone number and call him directly in the event of an issue. He informs residents that have private grinder stations to contact a plumber. Complaint calls that come into the Village Hall are taken by a staff member who then passes the information to Mr. Williams. The Village does not document complaints.

At 1:45 P.M., I concluded the interview portion of the inspection. At this time, the American Bottoms representatives, Ms. Anderson and Ms. Faragher, departed the Village Hall. Mr. Weis then showed Ms. Rogers and me the engineering maps for the Village which included the locations of all the lift stations and grinder stations. He provided digital copies of these maps to EPA.

At 2:35 P.M., the inspection team departed Village Hall to begin the field portion of the inspection. At 2:44 P.M., the team arrived at the Route 3 Lift Station, which is located at the intersection of Route 3 and the Union Pacific railroad line that runs through the center of the Village. This station is part of the combined portion of the collection system. Mr. Williams stated it contains two operable pumps and does have an auto dialer to alert staff in the event of a malfunction but that the auto dialer is currently not operational. The area was fenced in and both the fence gate and control panel were locked with a padlock. Mr. Williams said that this is the next lift station slated for a full renovation, but that the Illinois Department of Transportation was evaluating major construction on Route 3 and the Village was waiting for those plans to be finalized before moving forward with their renovation. See photos of all the lift stations inspected in Attachment A.

At 2:56 P.M., the inspection team arrived at the Falling Springs Lift Station. This lift station is located on Falling Spring Road directly across the street from the entrance to the Village Hall and handles combined wastewater. There is a backup generator for the lift station located directly next to the control panel. Mr. Williams stated that the generator is serviced biannually by a contractor and that the wet well contains two operable pumps. The wet well and control panel were both locked with a padlock.

At 3:06 P.M., the inspection team arrived at the Little Avenue Lift Station located at the intersection of Little Avenue and Ogden Avenue. This lift station also handles combined wastewater but according to Mr. Williams, the flow is primarily composed of storm water. He also stated the wet well contains two operable pumps. There is also a backup generator on site which is serviced biannually by a contractor. The wet well and control panel were both locked with a padlock.

At 3:22 P.M., the inspection team arrived at the Industrial Park Main Lift Station, located south of 1682 Sauget Business Boulevard. This station handles sanitary wastewater. It was rehabilitated within the past few years. During the project, a second wet well was constructed on site to allow the lift station to function while the rehabilitation was underway. This second wet well is still present but is currently dry and does not contain any pumps. The second wet well could be used if maintenance is required on the main wet well. According to Mr. Williams, the primary wet well contains two operable pumps. Both wet wells and the control panel were locked with a padlock.

At 3:31 P.M., the inspection team arrived at a stand-by grinder station located approximately 50 yards northwest of the Industrial Park Main Lift Station along Sauget Industrial Parkway. The wet well for this grinder pump did contain a small amount of standing water and two pumps. Because the station is on a vacant parcel of land, it is not currently being used and Mr. Williams stated he was unsure if the pumps were functional. In the event of site development, the pumps would be serviced or replaced as necessary.

At 3:39 P.M., the inspection team arrived at an active grinder station, located at 1680 Sauget Industrial Drive. This lift station services two business and appeared to be in good working order. The wet well contained two pumps. After inspecting this grinder station, IEPA inspectors Mr. Stitely and Ms. Acevedo needed to depart to their office. I asked both inspectors if they had any areas of concern they would like addressed, they both replied that they did not have any specific concerns. At this time, Mr. Weis also departed the inspection.

At 3:54 P.M., I arrived at the Village Hall accompanied by Ms. Rogers and Mr. Williams. I reviewed the pump service records and the amended Village of Sauget sewer use ordinance (Attachment E). Mr. Williams did not have the Village's original 1974 sewer use ordinance available, but he provided me a copy of it via email after the inspection (Attachment D).

### **III. CLOSING CONFERENCE AND AREAS OF CONCERN**

At 4:25 P.M., I conducted a closing conference at the Village Hall with Mr. Williams. The area of concerns identified during the inspection were the broken auto dialer on the Route 3 Lift Station and there is no routine maintenance program for the pipes in the collection system. At the end of the closing conference, I asked Mr. Williams if he had any remaining questions. He said he did not. I then reminded him that I would write an inspection report and that he would receive a copy when it was finalized. At 4:50 P.M., Ms. Rogers and I concluded the inspection and departed Village Hall.

#### Areas of Concern

- The Route 3 Lift Station auto dialer is broken.
- There is no routine maintenance program for the pipes in the collection system.

### **IV. LIST OF ATTACHEMNTS**

- Attachment A: Photo Log
- Attachment B: List of Village of Sauget Lift Stations
- Attachment C: Map of Village of Sauget Lift Stations
- Attachment D: Village of Sauget Sewer Use Ordinance
- Attachment E: Amended Village of Sauget Sewer Use Ordinance
- Attachment F: American Bottoms Regional Wastewater Treatment Facility  
NPDES Permit IL0065145 – Effective September 1, 2009

Village of Sauget  
April 21, 2021

## **Attachment A**



**Village of Sauget, IL  
EPA Inspection April 21, 2021  
All photos taken by Ted Flatebo, Environmental Engineer, U.S. EPA  
Camera: Ricoh WG-4**

Note the internal clock on the camera used was an hour behind. All photos were taken one hour later than the time code printed on the picture.



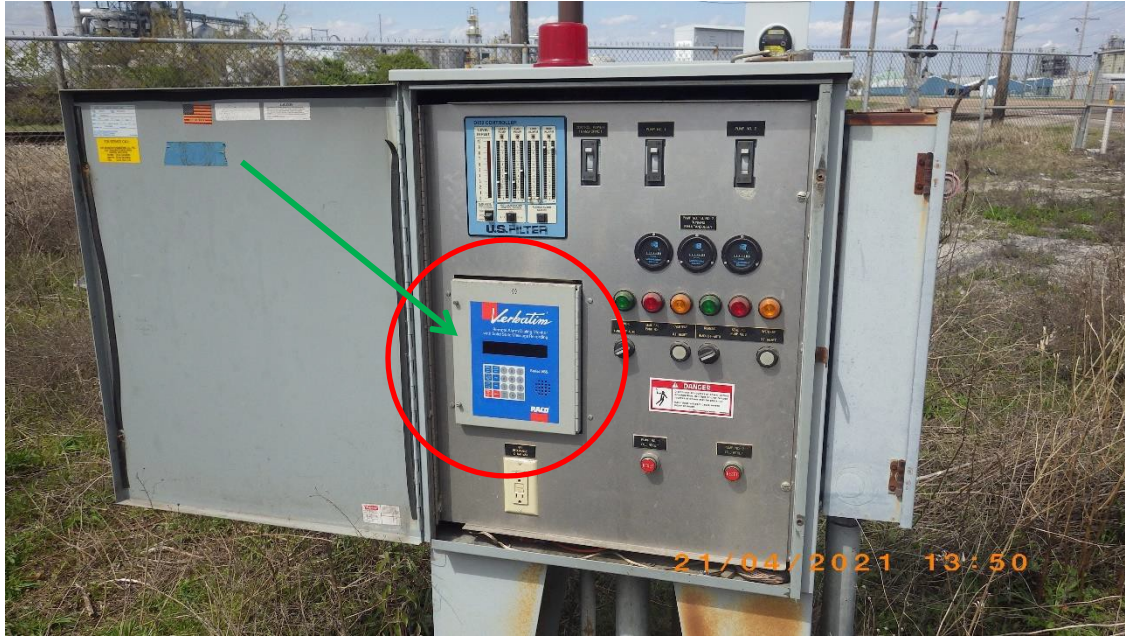
1: RIMG0095

Description: Route 3 Lift Station – Wet well.

Location: Intersection of Route 3 and Union Pacific Railroad Tracks.

Camera Direction: Down

Date/Time: April 21, 2021 / 2:49 P.M.



2: RIMG0096

Description: Route 3 Lift Station – Control panel. Note auto dialer denoted in red circle and by green arrow.

Location: Intersection of Route 3 and Union Pacific Railroad Tracks.

Camera Direction: North

Date/Time: April 21, 2021 / 2:50 P.M.



3: RIMG0097

Description: Route 3 Lift Station – Overview.

Location: Intersection of Route 3 and Union Pacific Railroad Tracks.

Camera Direction: East

Date/Time: April 21, 2021 / 2:52 P.M.



4: RIMG0098  
Description: Falling Springs Lift Station – Wet Well.  
Location: 2897 Falling Springs Road  
Camera Direction: Down  
Date/Time: April 21, 2021 / 3:02 P.M.



5: RIMG0099  
Description: Falling Springs Lift Station – Control Panel.  
Location: 2897 Falling Springs Road  
Camera Direction: West  
Date/Time: April 21, 2021 / 3:03 P.M.



6: RIMG0100

Description: Falling Springs Lift Station – Overview. Note backup generator on site to the left of the control panel for the lift station.

Location: 2897 Falling Springs Road

Camera Direction: Southwest

Date/Time: April 21, 2021 / 3:04 P.M.



7: RIMG0101

Description: Little Avenue Lift Station – Wet Well.

Location: Intersection of Little Avenue and Ogden Avenue.

Camera Direction: Down

Date/Time: April 21, 2021 / 3:10 P.M.



8: RIMG0102

Description: Little Avenue Lift Station – Control Panel.

Location: Intersection of Little Avenue and Ogden Avenue.

Camera Direction: West

Date/Time: April 21, 2021 / 3:12 P.M.



9: RIMG0103

Description: Little Avenue Lift Station – Overview.

Location: Intersection of Little Avenue and Ogden Avenue.

Camera Direction: Southwest

Date/Time: April 21, 2021 / 3:14 P.M.



10: RIMG0104

Description: Industrial Park Main Lift Station – Active Wet Well.

Location: South of 1682 Sauget Business Boulevard.

Camera Direction: Down

Date/Time: April 21, 2021 3:24 P.M.



11: RIMG0105

Description: Industrial Park Main Lift Station – Inactive Wet Well.

Location: South of 1682 Sauget Business Boulevard.

Camera Direction: Down

Date/Time: April 21, 2021 3:27 P.M.



12: RIMG0106

Description: Industrial Park Main Lift Station – Control Panel. Note small white antenna on top of box used for Omni Ball remote alarm system.

Location: South of 1682 Sauget Business Boulevard.

Camera Direction: West

Date/Time: April 21, 2021 3:28 P.M.



13: RIMG0107

Description: Industrial Park Main Lift Station – Overview.

Location: South of 1682 Sauget Business Boulevard.

Camera Direction: Southwest

Date/Time: April 21, 2021 3:31 P.M.





14: RIMG0108

Description: Inactive Grinder Station – Wet Well.

Location: 50 yards northwest of Industrial Park Main Lift Station.

Camera Direction: Down

Date/Time: April 21, 2021 / 3:34 P.M.



15: RIMG0109

Description: Inactive Grinder Station – Overview.

Location: 50 yards northwest of Industrial Park Main Lift Station.

Camera Direction: Northwest

Date/Time: April 21, 2021 / 3:37 P.M.



16: RIMG0110

Description: West #2-Bi-Grinder Station – Wet Well.

Location: 1672 Sauget Industrial Parkway

Camera Direction: Down

Date/Time: April 21, 2021 / 3:42 P.M.



17: RIMG0111  
Description: West #2-Bi-Grinder Station – Control Panel.  
Location: 1672 Sauget Industrial Parkway  
Camera Direction: Southeast  
Date/Time: April 21, 2021 / 3:42 P.M.



18: RIMG0112  
Description: West #2-Bi-Grinder Station – Overview.  
Location: 1672 Sauget Industrial Parkway  
Camera Direction: Southeast  
Date/Time: April 21, 2021 / 3:50 P.M.

## **Attachment B**

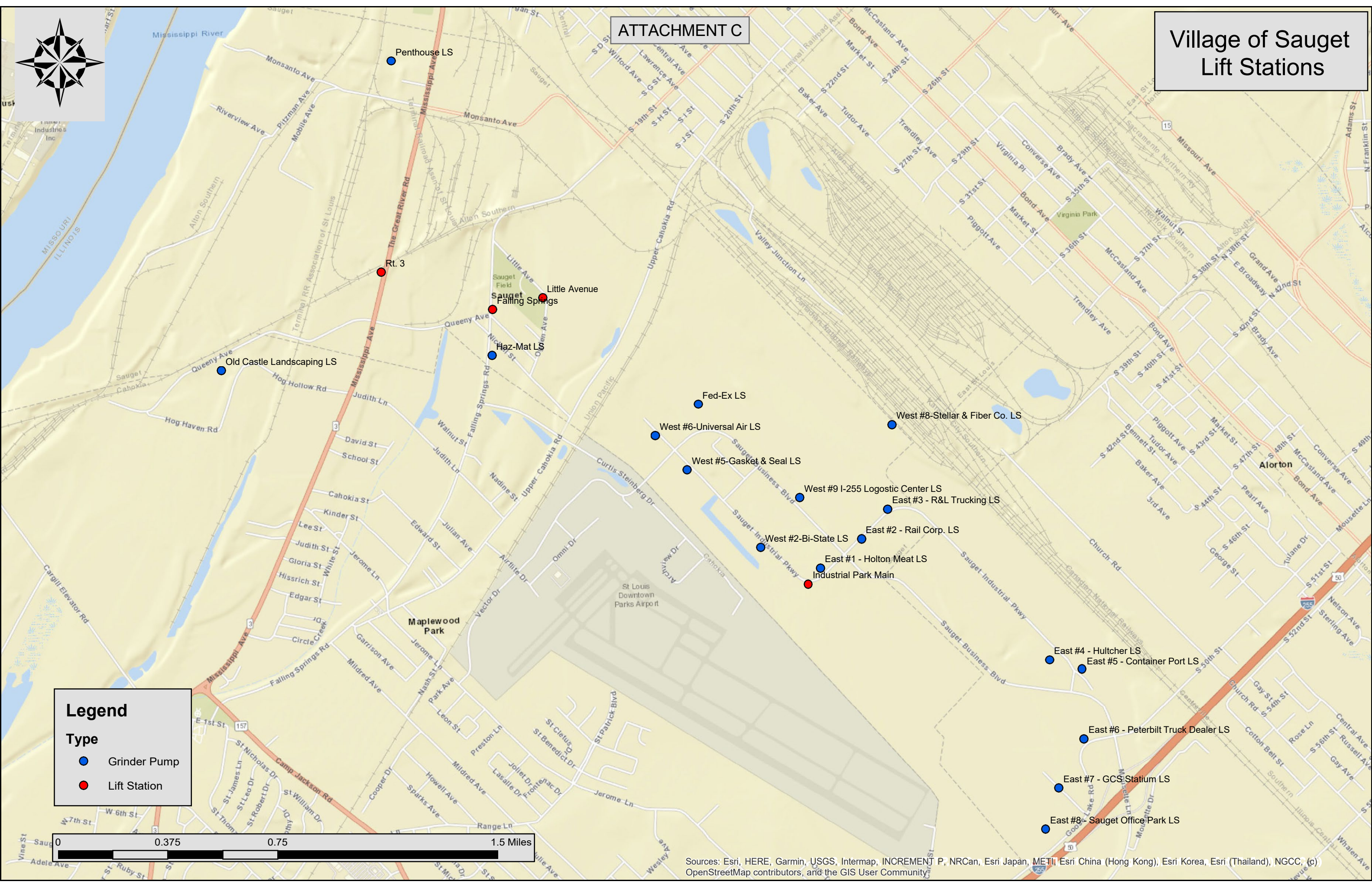
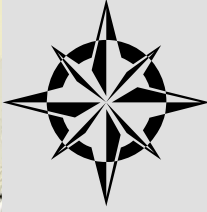
**Village of Sauget Lift Stations and Grinder Stations  
Attachment B**

| <b>Station Name</b>              | <b>Latitude</b> | <b>Longitude</b> | <b>Lift or Grinder Station</b> |
|----------------------------------|-----------------|------------------|--------------------------------|
| Industrial Park Main             | 38.57645        | -90.14983        | Lift Station                   |
| Route 3                          | 38.592487       | -90.17590        | Lift Station                   |
| Little Avenue                    | 38.590953       | -90.16573        | Lift Station                   |
| Falling Springs                  | 38.59063        | -90.16907        | Lift Station                   |
| West #2-Bi-State                 | 38.5784         | -90.15260        | Grinder Station                |
| West #5-Gasket & Seal            | 38.5822         | -90.15700        | Grinder Station                |
| West #6-Universal Air            | 38.584          | -90.15890        | Grinder Station                |
| West #8-Stellar & Fiber Co.      | 38.58414        | -90.15439        | Grinder Station                |
| West #9 I-255 Logistic Center    | 38.5808         | -90.15010        | Grinder Station                |
| East #1 - Holton Meat            | 38.577184       | -90.14889        | Grinder Station                |
| East #2 - Rail Corp.             | 38.5785         | -90.14630        | Grinder Station                |
| East #3 - R&L Trucking           | 38.5799         | -90.14440        | Grinder Station                |
| East #4 - Hultcher               | 38.57226        | -90.13461        | Grinder Station                |
| East #5 - Container Port         | 38.5717         | -90.13250        | Grinder Station                |
| East #6 - Peterbilt Truck Dealer | 38.56832        | -90.13268        | Grinder Station                |
| East #7 - GCS Stadium            | 38.56593        | -90.13426        | Grinder Station                |
| East #8 - Sauget Office Park     | 38.56398        | -90.13522        | Grinder Station                |
| Penthouse                        | 38.6029         | -90.17490        | Grinder Station                |
| Old Castle Landscaping           | 38.5878         | -90.18610        | Grinder Station                |
| Haz-Mat                          | 38.58821        | -90.16901        | Grinder Station                |
| Fed-Ex                           | 38.58541        | -90.15618        | Grinder Station                |

## **Attachment C**

# ATTACHMENT C

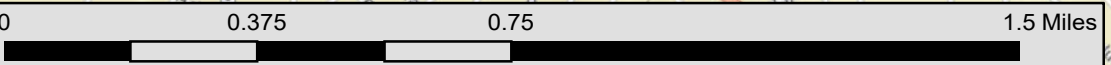
# Village of Sauget Lift Stations



**Legend**

Type

- Grinder Pump
- Lift Station



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

## **Attachment D**



Ordinance File

f1NAI. COPY

ORDINANCE NO. 380

AN ORDINANCE SETTING AND ESTABLISHING RATES AND REGULATIONS FOR USE OF SEWER SYSTEM OF THE VILLAGE OF SAUGET, ST. CLAIR COUNTY, ILLINOIS AND PROVIDING FOR PENALTIES FOR VIOLATING THE SAME

WHEREAS, this VILLAGE OF SAUGET, St. Clair County, Illinois owns and maintains a system of sewers for the collection of sewage and industrial wastes within portions of this VILLAGE; and

WHEREAS, this VILLAGE owns, and the VILLAGE OF SAUGET SANITARY RESEARCH AND DEVELOPMENT ASSOCIATION operates and maintains (under the provisions of a contract with this VILLAGE dated January 19, 1966, as amended and supplemented on December 6, 1966), a plant for the primary treatment of such sewage and industrial waste; and

WHEREAS, this VILLAGE is causing to be constructed certain Extensions to said plant and, in order to finance, in part, the cost of such construction, has issued \$7,870,000.00 of Revenue Bonds to be payable solely and only from and out of the revenue derived by this VILLAGE from said System; and

WHEREAS, by reason of the provisions of the Bond Ordinance, under which said Revenue Bonds were issued and sold, and in order to pay the principal and interest on said Revenue Bonds and to fund the depreciation on said System and to pay the Costs of Operating and Maintaining said System, it is necessary that this VILLAGE establish rates to be paid by the Users of said System; and

WHEREAS, by reason of certain State and Federal statutes and administrative rulings and in order to preserve the public health, welfare and safety, it is necessary that the use of said System and the effluent to be discharged into and from said System be regulated and that penalties be established for the violation of any such regulations

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of this VILLAGE OF SAUGET, St. Clair County, Illinois as follows:

Section 1. Definitions. Each of the following terms shall have the following definition:

a. **"Annual Debt Service": The amount due the holders of the Revenue Bonds for principal or interest, or both, accruing during a particular Fiscal Year.**

b, "ASSOCIATION": the VILLAGE OF SAUGET SANITARY DEVELOPMENT AND RESEARCH ASSOCIATION, an Illinois not-for-profit corporation, and its successors and assigns.

c. **"Bond Ordinance": the Ordinance of VILLAGE pursuant to which the Revenue Bonds have been issued, being the Ordinance entitled "ORDINANCE authorizing the issuance of \$7,870,000 Pollution Control Revenue Bonds, (Sauget Sewerage Project) Series 1974, of this Village of Sauget, Illinois; providing for the payment, sale and delivery thereof; and making certain covenants in that connection," adapted and approved on May 7, 1974,**

d. **"Bond Payment": The amount of Annual Debt Service for a particular Fiscal Year, reduced by the amount in the Bond Payment Account as of the end of the prior Fiscal Year after making provision for the Annual Debt Service for such prior Fiscal Year and further reduced by the amount, if any, which will be transferred for that Fiscal Year from the Capitalized Bond Interest Reserve Account or Sinking Fund Account to the Bond Payment Account.**

e. **"Bond Payment Account": a special account of the VILLAGE which shall be established and maintained in the name of the VILLAGE with the Trustee pursuant to the Bond Ordinance; which shall be used solely to pay Annual Debt Service and into which VILLAGE shall deposit: that portion of charges collected from Users attributable to Bond Payment; such other funds, income and earnings**

as may be deposited therein pursuant to this Rate Ordinance, the Bond Ordinance and otherwise; funds transferred from the Capitalized **Bond Interest Reserve Account; funds transferred, if any, from** the Bond Reserve Account or the Sinking Fund Account; and accrued **interest, if any, received from the purchasers of the Revenue Bonds** at the time of sale.

r. **"Bond Reserve Account": a special account of the** VILLAGE which shall be established and maintained in the name of the VILLAGE with the Trustee pursuant to the Bond Ordinance; which shall be used solely and only as a reserve for the payment of **principal of, and interest on, the Revenue Bonds; and out of which funds will** be transferred to the Bond Payment Account should the **Bond Payment Account ever have an insufficient balance on any date to make the payment of principal of, or interest on, the Revenue Bonds then due. Whensoever the balance then on hand in the Bond Reserve Account (together with balances then on hand in the Bond Payment Account, Sinking Fund Account and Principal Reserve Account) shall** be sufficient to pay the principal of all then outstanding Revenue **Bonds and the interest thereon to accrue to maturity or redemption, such balance shall be transferred to the Bond Payment Account. As** of the last day of the nineteenth (19th) Fiscal Year, the balance then on hand in the **Bond Reserve Account, if any, shall be transferred to the Bond Payment Account.**

g. **"Bond Reserve Payment": The amount required to be paid into the Bond Reserve Account for a particular Fiscal Year. In each month during the first and each subsequent Fiscal Year, the VILLAGE shall collect from Users and deposit into the Bond Reserve Account the lesser of the two (2) following amounts: (1) \$40,000.00 per month or (2) one-twelfth (1/12) of the amount necessary to increase the balance in such Account to \$670,000.00 without considering any expenditures made or to be made from and out of such Account during the then current Fiscal Year. Provided however, that, if at the**

end of any Fiscal Year, the balance in such Account is \$670,000.00, no sum shall be collected from any User for such Account during the succeeding Fiscal Year.

**h. "Capitalized Bond Interest Reserve Account": a special account of the VILLAGE which shall be established and maintained in the name of the VILLAGE with the Trustee pursuant to the Bond Ordinance; into which there shall be deposited the sum of \$670,000.00 at and upon the VILLAGE's receipt of the proceeds of sale of the Revenue Bonds; which, by transfers to the Bond Payment Account, shall be used to pay the interest which will accrue on the Revenue Bonds during the first Fiscal Year; and which, by transfers to the Bond Payment Account and to the extent any balance then remains, shall be used to pay the interest which will accrue on the Revenue Bonds during the second Fiscal Year.**

1. "construction Fund": a special account of the VILLAGE Which shall be established and maintained with the Trustee pursuant to the Bond Ordinance.

**j. "Cost of Operating and Maintaining":**

(1) all costs, whether ordinary or extraordinary, of operating the System and of keeping the System in good repair and working order (including all replacements or substitutions necessary therefor) to the extent that such costs are not paid for with moneys in the Depreciation Fund created by the Bond Ordinance; provided, however, that the costs of repairs and replacements to the existing sewer collection and transmission lines shall not be deemed to be costs of operating and maintaining and such costs shall be paid by VILLAGE from other funds;

(2) the cost of insurance;

(3) the reasonable fees, charges and expenses of the Trustee and any other paying agent of the Revenue Bonds for any services as provided in the Bond Ordinance, as and when the same become due;

(◆) all costs and expenses of VILLAGE in making billings and collections, in keeping records and in causing such records to be audited;

(5) the costs and expenses of ASSOCIATION in keeping records and making any determinations and estimates required under this Rate Ordinance;

(6) the fees and expenses of any Independent Engineer retained by VILLAGE under the provisions of this Rate Ordinance;

(7) uncollected User's charges attributable to Cost of Operating and Maintaining; and

(8) generally, all other expenses (exclusive of depreciation) which, under good accounting practice, are properly chargeable to, and are reasonable and necessary for, the efficient operation and maintenance of the System.

**k. "Depreciation Account":** a special account of the VILLAGE which shall be established and maintained pursuant to the Bond Ordinance and which shall be used for the purpose of making major repairs or replacements to the System (except the existing sewer collection and transmission lines).

**1. "Depreciation Payment":** *The amount required to be paid into the Depreciation Account for a particular Fiscal Year. In each month during the first and each subsequent Fiscal Year, the VILLAGE shall collect from Users and deposit in the Depreciation Account the lesser of the two (2) following amounts: (1) \$5,833.00 per month or (2) one-twelfth (1/12th) of the amount necessary to increase the balance in such Account to \$420,000.00 without considering any expenditures made or to be made out of such Account during the then current Fiscal Year; provided, however, that if at the end of any Fiscal Year, the balance in such Account is \$420,000.00,*

**no sum shall be collected from any" User on such account during the succeeding Fiscal Year.**

**m. "Effluent": any sewage, domestic waste, industrial waste or any other substance placed or discharged into the sewer collection and transmission lines or the System.**

**n. "Extensions": the extensions and improvements to be made to the System by the VILLAGE which are described in Section 3 of the Bond Ordinance.**

**o. "Fiscal Year": each twelve (12) month period commencing on May 1, 1974 and also each twelve (12) month period thereafter so long as this Rate Ordinance is in effect.**

**p. "General Obligation Bonds": the \$800,000,00 of General Obligation Bonds to be issued and sold by the VILLAGE.**

**q. "Independent Engineer": the engineer (or engineering firm) retained from time to time by VILLAGE, upon the recommendation of ASSOCIATION, to implement the provisions of this Rate Ordinance,**

**r. "Principal Reserve Account": a special account of the VILLAGE which shall be established and maintained in the name of the VILLAGE with the Trustee pursuant to the Bond Ordinance; into which certain excess funds, if any, remaining in the Construction Fund will be deposited; which will be used to purchase and then retire Revenue Bonds on the open market if and when the same become available for purchase at a price of 105 or less; and which shall be used to redeem and then retire Revenue Bonds on the earliest possible redemption date.**

**s. "Rate Ordinance": this Ordinance.**

**t. "Report": the report dated August 24, 1972 prepared by MONSANTO ENVIRO-CHEM SYSTEMS, INC., as amended by the Board of Directors of ASSOCIATION at its meeting held on November 21, 1973,**

u. "Revenue Bonds": the \$7,870,000.00 Pollution Control Revenue Bonds, (Sauget Sewerage Project) Series 1974 Issued and sold by VILLAGE pursuant to the Bond Ordinance.

v. **sinking Fund Account**: a special account of the VILLAGE which may be established and maintained in the name of the VILLAGE with the Trustee pursuant to the Bond Ordinance; which shall be used solely and only as a sinking fund for the payment of principal on the Revenue Bonds; and out of which funds will be transferred to the Bond Payment Account as provided in the Bond Ordinance. Whenever the balance then on hand in the Sinking Fund Account (together with the balances then on hand in the Bond Payment Account, Bond Reserve Account and Principal Reserve Account) shall be sufficient to pay the principal of all then outstanding **Revenue Bonds and the interest thereon to accrue to maturity or redemption, such balance shall be transferred to the Bond Payment Account.** As of the last day of the nineteenth (19th) Fiscal Year, the balance then on hand in the Sinking Fund Account, if any, shall be transferred to the Bond Payment Account.

w. "Sinking Fund Payment": the amount required to be paid into the Sinking Fund Account for a particular Fiscal Year as specified in the Bond Ordinance reduced by the amount in the **Sinking Fund Account at the end of the prior Fiscal Year in excess of** the sum of the Sinking Fund Payments for all prior Fiscal Years.

x. "System": the existing sewer collection and transmission lines of VILLAGE; the existing primary sewage treatment plant and pumping station of VILLAGE; the Extensions; and all other property and facilities of VILLAGE used for the collection, transmission and treatment of effluent; all as now existing and as they may hereafter be extended or improved; and also all extensions, additions and improvements thereto or replacements thereof hereafter constructed or acquired by purchase, contract or otherwise; all whether the same are located within or without the corporate boundaries of VILLAGE.

y. "Trustee": the bank or trust company designated in the Bond Ordinance and its successors; provided, however, that such bank or trust company and any successor shall be a member of the Federal Reserve System or the Federal Deposit Insurance Corporation or both.

z. "User": any person, firm or corporation who uses the System or any part thereof; provided, however, that "User" shall not include any person on account of its ownership or use of property only for residential purposes (including residential apartments) and shall not include VILLAGE on account of its ownership or use of the Village Hall or any other public facility.

aa. "User Agreement": that certain written agreement dated on or about December 27, 1973 among VILLAGE, ASSOCIATION, MONSANTO COMPANY, CERRO CORPORATION, EDWIN COOPER, INC. and AMAX ZINC COMPANY.

bb. "VILLAGE": the VILLAGE OF SAUGET, an Illinois municipal corporation, and its successors and assigns.

Section 2. Gender. Wheresoever the word "he" is used herein, it shall refer to any person regardless of gender.


Section 3. Applicability of Regulations and Definition or "Person". The regulations provided in this Ordinance shall apply to:

- (1) every individual;
- (11) every tenant-in-common or a joint tenant;**
- (111) every general or limited partner;
- (iv) every member of an association;**
- (v) every corporation;
- (vi) every trustee;**
- (vii) every fiduciary of an estate of a ward or a decedent;**

and

(v111) every Joint stock company;  
and the word "person" shall include each and every person, firm or corporation described herein, whether or not such person is a User as defined in paragraph z of Section 1 of this Rate Ordinance.



Section 4. Rate prior to Completion of Extensions. From and after the effective date of this Rate Ordinance to and including **the calendar month in which the Extensions are in operation, each** User's monthly payment due this VILLAGE for his use of the System shall be *the*  of the following items:


(1) one-twelfth (1/12th) of such User's pro-rata share (as determined under the provisions of Section 6 hereof) of the Bond Payment due in and for the then current Fiscal Year; plus

(11) such User's pro-rata share (as determined under the provisions of Section 6 hereof) of the Bond Reserve Payment, if **any due in and for the then current month of the then current** Fiscal Year; plus

(111) such User's pro-rata share (as determined under the provisions of Section 6 hereof) of the Depreciation Payment, if **any, due in and for the then current month of the then current Fiscal** Year; plus

(iv) one-twelfth (1/12th) of such user's pro-rata share (as determined under the provisions of Section 6 hereof) of the Sinking Fund Payment, if any, due in and for the then current Fiscal **Yea?'; plus**

(v) such User's pro-rata share (as determined under the **provisions or Section 9 hereof) of the Cost of Operations and** Maintenance incurred and paid by the ASSOCIATION in the preceding **calendar month.**

Section 5. Rate after Completion of Extensions. From and after the calendar month immediately following the calendar **month that the Extensions are in operation, each User's monthly** payment due this VILLAGE for his use of the System shall be the  of the following items:


(1) one-twelfth (1/12th) of such User's pro-rata share (as determined under the provisions of Section 6 hereof) of the **Bond Payment due in and for the then current Fiscal Year; plus**

(11) such User's pro-rata share (as determined under the provisions of Section 6 hereof) of the Bond Reserve Payment, if any, **due in and for the then current month of the then current Fiscal Year; plus**

(111) such User's pro-rata share (as determined under the provisions of Section 6 hereof) of the Depreciation Payment, if any, **due in and for the then current month of the then current Fiscal Year; plus**

(iv) one-twelfth (1/12th) of such User's pro-rata share (as determined under the provisions of Section 6 hereof) of the **Sinking Fund Payment, if any, due in and for the then current Fiscal Year; plus**

(v) such User's pro-rata share (as determined under the provisions of Section 10 hereof) of the Cost of Operations and Maintenance incurred and paid by the ASSOCIATION in the preceding **calendar month.**

**Section 6. Pro-Rata Share of Bond Payment, Bond Reserve Payment, Depreciation Payment and Sinking Fund Payment.** Each User's annual pro-rata share of the Bond Payment (as defined in Section ld hereof), of the Bond Reserve Payment (as defined in Section lg hereof), of the Depreciation Payment (as defined in Section lm hereof) and of the Sinking Fund Payment (as defined in Section lu hereof) shall **be determined by multiplying Bond Payment, Bond Reserve Payment, Depreciation Payment or Sinking Fund Payment, as the case may be,** by the  of the following factors:

(1) Such User's flow-related effluent divided by all Users' flow-related effluent multiplied by 57.44%; plus

(11) Such User's acidity-related effluent divided by all User's acidity-related effluent multiplied by 7.61%; plus

(111) Such User's scum-related effluent divided by all Users' scum-related effluent multiplied by 3.15%; plus

(iv) Such User's sludge-related effluent divided by all Users' sludge-related effluent multiplied by 12.32%; plus

(v) Such User's first flush capacity divided by all Users' first flush capacity multiplied by 19.48%;

**The terms "flow-related" , "acidity-related" • scum-related" • "sludge-related" and "first flush capacity" shall have the same definitions as are contained in the Report.**

a. In making such determination for the first three (3) **Fiscal Years this VILLAGE shall rely upon *the* estimates of usage** contained in Table 4A of the Report.

**b. In making such determination for each subsequent** Fiscal Year, this VILLAGE shall rely upon the actual use of System by such User as measured by the ASSOCIATION or the Independent Engineer during the preceding Fiscal Year (or portion thereof in which the Extensions are in operation).

c. The minimum monthly charge to be paid by any User on account of Bond Payment shall be \$5.00.

d. The minimum monthly charge to be paid by any User **on account of Bond Reserve Payment, if any such Payment is due** for the then current Fiscal Year, shall be \$0.75.

e. The minimum monthly charge to be paid by any User **on account of Depreciation Payment, if any such Payment is due** for the then current Fiscal Year, shall be \$0.25.

r, The minimum monthly charge to be paid by any User on account or Sinking Fund Payment, if any such payment is due for the then current Fiscal Year, shall be \$5,00.

**Section 7. Annual Amount due Bond Reserve Account.** In each month during the first and each subsequent Fiscal Year, this VILLAGE shall collect and pay into the Bond Reserve Account the lesser of the two (2) following amounts: (1) \$90,000.00 per month or (11) one-twelfth (1/12th) of the amount necessary to increase the balance in such Account to \$670,000,00 without considering any **expenditures made or to be made from and out of such Account during the then current Fiscal Year; provided, however,** that, if at the end of any Fiscal Year, the balance in such Account is \$670,000,00, **no sum shall be collected from any User on such account during the succeeding Fiscal Year.**

**Section B. Amount due Depreciation Fund.** In each month during the first and each subsequent Fiscal Year, this VILLAGE shall collect from the Users and pay into the Depreciation Account the lesser of the two (2) following amounts: (1) \$5,833,33 per month **or (11) the amount necessary to increase the balance in such Account to \$20,000.00 without considering any expenditures made or to be made from and out of such Account during the then current Fiscal Year; provided, however,** that if, at the end of any Fiscal Year, the balance in such Account is \$20,000.00, no sum shall be collected from any User on such account during the succeeding Fiscal Year.

**Section 9. Pro-Rata Share of Cost of Operations and Maintenance prior to Completion or Extensions.** From and after the effective date of this Rate Ordinance to and including the calendar month in which the Extensions are in operation, each User's pro-rata share of the Cost of Operations and Maintenance shall be determined as specified in this Section 9,

a. After deducting all sums paid by this VILLAGE in such month to the ASSOCIATION under the provisions of the supplemental agreement between this VILLAGE and the ASSOCIATION dated December 6, 1966; all Costs of Operating and Maintaining incurred and paid by the ASSOCIATION during the preceding calendar month shall be allocated to the following elements requiring treatment in the following percentages:

- (1) 69.12% to flow-related effluent; and
- (2) 30.88% to suspended solids effluent.

**b. Each User's pro-rata share of the Costs allocated to flow shall be that share which is determined by dividing such User's flow by the total of all Users' flow and by multiplying the quotient of such division by the total of all Costs allocated to flow.**

**c. Each User's pro-rata share of the Coats allocated to suspended solids shall be that share which is determined by dividing such User's suspended solids by the total of all Users' suspended solids and by multiplying the quotient of such division by the total or all Costs allocated to suspended solids.**

**d. Each User's flow and suspended solids and the total of all Users' flow and suspended solids shall be those in effect, and used to determine Users' pro-rata shares, for the month of October, 1973 unless and until the ASSOCIATION makes subsequent measurement or measurements and certifies the same to VILLAGE. In the event of a subsequent measurement, it shall be used to determine each User's flow and sludge and the total of all Users' flow and suspended solids for all months from and after the month in which such measurement is made until the next subsequent measurement.**

**e. The minimum monthly charge to be paid by any User on account of Cost of Operations and Maintenance shall be \$1.50.**

**Section 10. Pro-Rata Share of Cost of Operations and Maintenance after Completion of Extensions. From and after the**

calendar month immediately following the calendar month **in** which **the Extensions are in operation. each User's pro-rata share of** the Cost of Operations and Maintenance shall be determined as specified in this Section 10.

a. After deducting all sums paid by this VILLAGE **in** such month to the ASSOCIATION under the provisions of the supplemental agreement between this VILLAGE and the ASSOCIATION dated December 6, 1966; all costs of supplying electrical current, water, gas, oil, telephone and all other utilities for the System incurred and paid by the ASSOCIATION during the preceding calendar month shall be allocated to the following elements requiring treatment **in the following percentages:**

- (1) 67.8% to flow-related **effluent;**
- (2) 5.0% to acidity-related effluent;
- (3) 0.0% to **scum-related effluent;**
- (4) 26.0% to sludge-related effluent; and
- (5) 0.6% to first flush capacity,

b, All costs of purchasing lime incurred and paid by **the ASSOCIATION** during the preceding calendar month shall be **allocated to the following elements requiring treatment in the** following percentages:

- (1) 0,0% to flow-related effluent;
- (2) 100.0% to acidity-related effluent;
- (3) 0,0% to **sewn-related effluent;**
- (4) 0.0% to sludge-related effluent; and(
- 5) 0.0% to first flush capacity,

**c. All costs of purchasing poly-electrolyte incurred** and paid by the ASSOCIATION during the preceding calendar month

shall be allocated to the following elements requiring treatment in the following percentages:

- (1) 100.0% to flow-related effluent;
- (2) 0.0% to acidity-related effluent;
- (3) 0.0% to scum-related effluent;
- (4) 0.0% to sludge-related effluent; and
- (5) 0.0% to first flush capacity.

d. All costs of maintenance incurred and paid by the ASSOCIATION during the preceding calendar month shall be allocated to the following elements requiring treatment in the following percentages:

- (1) 40.0% to flow-related effluent;
- (2) 18.6% to acidity-related effluent;
- (3) 3.1% to scum-related effluent;
- (4) 24.0% to **sludge-related effluent**; and
- (5) 14.3% to first flush capacity.

e. All costs of sludge disposal incurred and paid by the ASSOCIATION during the preceding calendar month shall be allocated to the following elements requiring treatment in the following percentages:

- (1) 0.0% to **flow-related effluent**;
- (2)** 0.0% to acidity-related effluent;
- (3) 0.0% to **scum-related effluent**;
- (4) 100.0% to sludge-related effluent; and
- (5)** 0.0% to first flush capacity.

f. All costs of labor (including employer's payroll taxes) incurred and paid by the ASSOCIATION during the preceding calendar month shall be allocated to the following elements requiring treatment in the following percentages:

- (1) 57.4S to flow-related effluent;
- (2) 7.6% to acidity-related effluent;
- (3) 3.1% to **scum-related effluent**;
- (4) **0.0S** to sludge-related effluent; and
- (5) **0.0S** to first flush capacity.

**g. All costs of insurance premiums and all other costs of operations and maintenance (except those specified in paragraphs a to f hereof of this Section 10) incurred and paid by the ASSOCIATION during the preceding calendar month shall be allocated to the following elements requiring treatment in the following percentages:**

- (1) 57.44% to flow-related effluent;
- (2) 7.61% to acidity-related effluent;
- (3) 3.15% to **scum-related effluent**;
- (4) 12.32% to **sludge-related effluent**; and
- (5) 19.48% to first flush capacity.

**h. Each User's pro-rata share of Costs allocated to flow-related effluent shall be that share which is determined by dividing such User's flow-related effluent by the total of all User's flow-related effluent and by multiplying the quotient of such division by the total of all Costs allocated to flow-related effluent.**

**1. Each User's pro-rata share of Costs allocated to acid-related effluent shall be that share which is determined by dividing such User's acid-related effluent by the total of all User's acid-related effluent and by multiplying the quotient of such division by the total of all Costs allocated to acid-related effluent.**

**j. Each User's pro-rata share of Costs allocated to scum-related effluent shall be that share which is determined by dividing such User's scum-related effluent by the total of all User's scum-related effluent and by multiplying the quotient of such division by the total of all Costs allocated to scum-related effluent**



Each User's pro-rata share of Costs allocated to sludge-related effluent shall be that share which is determined by dividing such User's sludge-related effluent by the total of all User's sludge-related effluent and by multiplying the quotient of such division by the total of all Costs allocated to sludge-related effluent.

1. Each User's pro-rata share of Cost allocated to first flush capacity shall be that share **which is** determined by dividing such User's first flush capacity by the total of all User's first flush capacity and by multiplying the quotient of such division by the total of all Costs allocated to first flush capacity.

The terms "flow-related", "acidity-related", "scum-related", "sludge-related" and "first flush capacity" shall have the same definitions as are contained in the Report.

This VILLAGE reserves the right to cause the provisions of paragraphs a to and including g of this Section 10 to be **reviewed** by an Independent Engineer during the second Fiscal Year that the Extensions are in operation and, based upon his report, to amend such paragraphs, any such amendment to become effective from and after the next succeeding Fiscal Year. This VILLAGE also reserves the right, on its own motion or upon request of the ASSOCIATION, to cause said provisions to be subsequently reviewed by an Independent Engineer and, based upon his report, to amend such paragraphs, any such amendment to become effective from and after the next succeeding Fiscal Year.

The minimum monthly charge to be paid by any User on account of Cost of Operations and Maintenance shall be \$4.00.

Section 11. Statements of User's Charges. As soon as possible on or after the first day of each calendar month, the

Village Clerk of this VILLAGE shall prepare and mail to each User **a statement of such User's monthly payment due for such calendar month as determined under the provisions of, whichever is then applicable, Section 4 or Section 5 hereof.**

**Section 12. Due Date of User's Payment.** Each User shall pay to this VILLAGE the amount shown on such statement on or before the twenty-first (21st) calendar day of *the* calendar month for which **such statement 1s mailed; provided, however, that if the twenty-first (21st) calendar day is a Saturday, Sunday or State holiday,** such payment shall be due on the next succeeding calendar day which is not a Saturday, Sunday or State holiday; and **provided further, however,** that the statement for the month of May, 1974 shall not be due and payable until *June* 8, 1974. Any User may, at his option, make his monthly payment (or any part thereof) directly to *the* Trustee.

**Section 13. Interest on Unpaid User's Payment.** In the event a User fails to pay any amount (or part or parts thereof) shown on such statement on or before the date such payment is due as specified in Section 12, he shall also pay simple interest at *the* rate of 0.05% per day (18.25% per annum) on the unpaid amount of such statement from and after such due date to and including the date it 1s paid; **provided, however, that the minimum amount of interest due shall be \$1.50** regardless of the amount of such delinquent payment or the number of days it is delinquent. Any such interest collected shall be allocated to the several Accounts as the amount of each item for which an unpaid charge 1s made on *the* delinquent bill bears to the total of the unpaid part of *the* delinquent bill.

**Section 14. Attorney's Fees and Expenses.** In the event a User fails to pay the amount shown on such statement on or before *the* date such payment is due as specified in Section 12 and this VILLAGE retains an attorney or incurs any other expenses to collect or attempt to collect said payment and the interest due thereon, such User shall also pay such expenses and the reasonable fees of such attorney.

Section 15. Deposits of Payments Collected. Within five (5) banking days of its receipt of any payment from any User, this VILLAGE shall cause the same to be deposited as specified in this Section 15.

a. The portion of such payment attributable to Bond Payment shall be deposited in the Bond Payment Account.

b. The portion of such payment, if any, attributable to Bond Reserve Payment shall be deposited in the Bond Reserve Account.

c. **The portion of such payment, if any, attributable to the Depreciation Payment shall be deposited in the Depreciation Account.**

d. **The portion of such payment, if any, attributable to Sinking Fund Payment shall be deposited in the Sinking Fund Account.**

e. The portion of such payment attributable to the Costs of Operation and Maintenance shall be deposited in the Operations and Maintenance Account.

Section 16. Remittance to ASSOCIATION. At least as often as monthly, this VILLAGE shall remit to the ASSOCIATION the amount of the Costs of Operation and Maintenance collected by the VILLAGE during the preceding month.

Section 17. Regulations.

a. Except with the advance written consent of this VILLAGE, **no person shall:**

(1) tap into, connect to or discharge any effluent into **the System; or**

(2) discharge into the System any effluent, which harms, injures or interferes with the System or which causes the effluent to be treated by, and discharged from, the System to have a quality other than that for which the System was designed or which requires **any additional, extraordinary, different or special waste treatment** or any additional, extraordinary, different or special disposal **services; or**

(3) discharge into the System any quantity of effluent **in excess of that for which the Extensions were designed and which is allocated to any present User under the provisions of the Report or which requires any further expansion, extension, modification or improvement of the System; or**

(4) fail to connect to the System if he is required to **do so under the provisions of Section 22; or**

(5) interfere **with**, prevent or obstruct this VILLAGE or the ASSOCIATION or their respective duly authorized agents or **employees in the exercise of its or their duties specified in** Section 25; or

(6) fail to supply to this VILLAGE any information requested in writing by this VILLAGE concerning its ownership or **the operation of the System or concerning the effluent being discharged into the System by such person.**

b. No person (as specified in Section 3) shall knowingly **or intentionally allow, permit or condone any violation of any of** the provisions of paragraph a of this Section 17.

c. **Any person violating any provision of any subparagraph** of paragraph a or of paragraph b of this Section 17 shall be guilty **of a misdemeanor and:**

(1) for his first such offense, shall be fined not less than \$10.00 nor more than \$100.00 for each day of such offense; or

(2) for his second such offense, shall be fined not less than \$25.00 nor more than \$250.00 for each day of such offense; or

(3) for his third or any subsequent such offense, shall be fined not less than \$50.00 nor more than \$500.00 for each day of such offense.

Section 18. Collection of Delinquent Payments. This VILLAGE may exercise any remedy provided by then applicable Illinois law to collect any payment due from any User which is more than *one* (1) month delinquent; specifically including, but without thereby limiting the generality of, the filing of any lien against real estate or the filing of any action to collect.

Section 19. Enforcement of Regulations. This VILLAGE may exercise any remedy available at law or in equity, or both, to enforce the provisions of any subparagraph of paragraph a or of paragraph b of Section 17; or to collect from any person the costs and expenses caused by him resulting in any harm or injury to or interference with the System; or to collect the costs and expenses of any additional, extraordinary, different or special waste treatment or additional, extraordinary, different or special disposal services required by his discharge of effluent into the System; or to collect the costs and expenses of further expansion, extensions, modifications or improvements of the System caused by his discharge of any effluent into the System.

Section 20. Joint and Several Liability. The owner of any lot, any parcel of land or any premises receiving the services

of the System and also the lessee, tenant or other occupant of such premises and also the User of the services shall be jointly and severally liable for the payment of sewer usage charges to such lot, parcel of land or premises. All sanitary sewerage services are rendered to the premises in each instance by this VILLAGE only upon the condition that such owner, lessee, tenant, occupant and User shall be jointly and severally liable therefor to this VILLAGE.

In addition the sewer use charge shall be an!!!!!!! charge against any lot, any parcel of land or any premises from which effluent is discharged into, and which are served by, the System, irrespective of whether or not said premises are, in fact, connected to the System. The provisions of this Section shall not apply in the event the premises are used solely and only for residential purposes.

Section 21. Special Increased Rates. This VILLAGE reserves the right to make and establish special additional charges for connection and for service supplied to properties which, in the Judgment of this VILLAGE, should be charged special increased rates, because of the unusual quantity or quality of effluent created upon and discharged from said properties into the said System. No such special charge shall be made unless and until an Independent Engineer has made an investigation and report to this VILLAGE and recommended such charge.

Section 22. Who is Required to Connect. Except with the advance written consent of the VILLAGE, the owner, lessee, tenant and occupant of any premises used for business, commercial or industrial purposes from which the effluent contains waste other than domestic waste is hereby required to cause proper connection to be made with the System prior to occupation and use of said premises for business, commercial or industrial purposes.

Section 23. Segregation or Revenues. All of the revenues received by this VILLAGE, as provided for herein, shall be set aside as collected and kept separate and apart from all other VILLAGE funds.

Section 24. Severability. If any section, paragraph, **subparagraph, clause or provision of this Ordinance shall be held** invalid, the invalidity of such section, paragraph, subparagraph, **clause or provision shall not effect any of the other provisions** of this Ordinance.

Section 25. Inspection. This VILLAGE and the ASSOCIATION **and their respective agents and employees shall have ready access** at all reasonable hours to the premises, places or buildings where sewerage service is supplied by this VILLAGE for the purpose of examining and testing the operation of the System and the effluent discharged from said premises. Every User of the System shall take **and accept the services of said sanitary sewerage system and facilities** upon the conditions prescribed in this Section,

Section 26. VILLAGE'S Right to Change Rates • In addition to VILLAGES'S rights under applicable Illinois law and its duties **under the Bond Ordinance, in the event that a major portion or segment of the Extensions goes into operation before the Extensions,** in their entirety, are in operation, this VILLAGE may set and establish different bases for pro-rating Costs of Operation and Maintenance than are specified in Sections 4, 5, 9 and 10, all **with** the advice of the ASSOCIATION; **provided, however,** that such action shall be **taken only upon an investigation and written report of an Independent** Engineer or the ASSOCIATION which recommends such change.

Section 27. Publication. As soon as possible after the adoption and approval of this Ordinance, the Village Clerk of this







## **Attachment E**

Ordinance No. 06 - 09

AN ORDINANCE AMENDING AN ORDINANCE ENTITLED "AN ORDINANCE SETTING AND ESTABLISHING RATES AND REGULATIONS FOR USE OF SEWER SYSTEM AND THE VILLAGE OF SAUGET, ST. CLAIR COUNTY, ILLINOIS AND PROVIDING FOR PENALTIES FOR VIOLATING THE SAME," ADOPTED AND APPROVED ON MAY 7, 1974, BEING ORDINANCE NO. 380

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BE IT ORDAINED by the President and Board of Trustees of the VILLAGE OF SAUGET, an Illinois municipal corporation situated in St. Clair County, Illinois, as follows:

Section 1. Section 10 of Ordinance: 380, adopted and approved on May 7, 1974, be, and it is hereby amended to read as follows:

Section 2. Section 10.k. of Ordinance No. 380 is repealed in its entirety.

Section 3. Section 10.m. is added to Ordinance No. 380 to read as follows:

Section 10. Pro-rata Share of Cost of Operation and Maintenance after Com.12.letion of Extensions.

m. All cost of sludge disposal as determined in Section 10.a through 10.1 except for Section 10.k, which is repealed, ("Sludge Expenses") shall be further allocated as follows:

(1) For those Users whose effluent has a pH 7.0 or greater and who are not liable for Metal Sludge, their allocation of cost of sludge disposal shall be based on the mass discharge of total suspended solids contained in the as-received sample. These Users will not be allocated any additional cost of sludge disposal. This is the "TSS Sludge" subcategory.

(2) For those Users whose effluent has a pH of less than pH 7.0, their allocation of the cost of sludge disposal shall be based on the mass discharge of the total suspended solids contained in a sample of the User's effluent when the sample is neutralized to pH 7.0. This is the "Neutralization Sludge" subcategory. This User may also be liable for expenses due to Metal Sludge.

(3) For those Users whose effluent requires metals precipitation, their allocation of the cost of sludge disposal shall be based on the mass discharge of the total suspended solids contained in a sample of the User's effluent when the pH of the sample is adjusted from pH 7.0 or its as-received pH to the operating pH of the P-Chem Plant. This is the "Metal Sludge" subcategory.

(4) The Sludge Expenses shall be allocated to the sludge subcategories defined as follows:

(a) TSS Sludge is the mass loading of total suspended solids in the discharges of all Users whose samples have pH greater than pH 7.0 and where the Users are not liable for expenses due to Metal Sludge. This measurement is noted as TSS-1, TSS Sludge.

(b) Neutralization Sludge is the mass loading of total suspended solids in the P-Chem Influent when this sample is neutralized to pH 7.0 and is noted as TSS-2, Neutralization Sludge.

(c) Metal Sludge is the mass loading of total suspended solids in the P-Chem Influent when the sample pH is adjusted from pH 7.0 or its as-received pH to the operating pH of the P-Chem Plant and is noted as TSS-3, Metals Sludge.

(5) Sludge Expenses are allocated as follows:

(a) The expenses for the TSS Sludge subcategory are the Sludge Expenses times TSS-1 divided by the sum of TSS-1, TSS-2 and TSS-3.

Expenses for TSS Subcategory = [Sludge Expenses] × [(TSS-1) / (TSS-1 + TSS-2 + TSS-3)]

(b) The expenses for the Neutralization Sludge subcategory are the Sludge Expenses less the TSS Sludge subcategory portion of the Sludge Expenses above times TSS-2 divided by the sum of TSS-2 and TSS-3.

Expenses for Neutralization Sludge Subcategory = {[Sludge Expenses] - [Expenses for TSS Subcat]} × [TSS-2 / (TSS-2 + TSS-3)]

(c) The expenses for the Metals Sludge category shall be the Sludge Expenses less the expenses for the TSS Sludge and the Neutralization Sludge subcategories.

Expenses for Neutralization Sludge Subcategory = [Sludge Expenses] - [Expenses for TSS Sludge] - [Expenses for Neut. Sludge]

(6) Each User's pro-rata share of the expenses allocated to each of the three sludge subcategories is determined by dividing such User's 12-month moving average mass discharge of TSS for a subcategory by the total of all User's 12-month moving average mass discharge of TSS for that category and by multiplying the quotient of such division by the expenses of the Sludge Expenses allocated to each subcategory.

$$\text{[User's Share of Sludge Subcategory Expense]} = \frac{\text{[Expenses for Sludge Subcategory]} \times \text{[12-month Moving Average of User's mass discharge for the Sludge subcategory]}}{\text{[12-month Moving Average of all Users' mass discharge for the sludge subcategory]}}$$

(7) Samples used for the determination of suspended solids may be made up of daily collected samples composited to a weekly sample that is analyzed for purposes of this expense allocation.

(8) Liability and Allocation of Expenses for Metals Sludge

(a) The liability for the Sludge Expenses allocated to Metal Sludge shall be determined based on the average of one or more randomly chosen samples of Users' effluent for each of the previous twelve calendar months. This determination shall be made in December for application in January, next following. If the average concentration of Cd, Cu and Zn in Users' effluent exceeds 0.04 mg/l for cadmium, 0.04 mg/l for copper or 1.14 mg/l for zinc in the P-Chem Effluent for the same period, the User is liable for all or a portion of the expenses allocation to Metal Sludge if there are other Users liable for Metal Sludge. This allocation is determined in December for application in January, next following and is applied for the calendar year.

b) The above notwithstanding, if the metal concentrations in the P-Chem Plant Influent is less than the above target concentrations, there is no Metal Sludge Expense.

(c) It may be necessary to change target concentrations of metals listed above in the P-Chem Effluent. The Executive Director of the American Bottoms Treatment Plant at his sole discretion may modify the concentration of the metals listed in Section 10.m.8.(a)

(d) The allocation of expenses charged to Metal Sludge between or among liable Users would be in proportion to the mass discharge of the three metals during the survey period.

(e) For calendar year 2007, Big River Zinc is the only User liable for Metal Sludge.

(f) It may be necessary to include additional metals to the list of metals that may cause a User to be liable for expenses for Metal Sludge. The addition of other metals to those listed in Section 10.m.8 shall be determined by the Executive Director of the American Bottoms Treatment Plant at his sole discretion. Users shall be notified as soon as possible of the addition of any metal or metals to the list.

(g) If at any time the metals concentration in the discharge of a User that is not currently liable for Metal Sludge exceeds four times its prior year's average concentration, this User shall be liable for expenses for Metal Sludge for the remainder of the calendar year.

(9) Prohibition on Use of Soda Ash  
Soda Ash (Na<sub>2</sub>CO<sub>3</sub>) may not be used to neutralize a User's discharge at its plant site.

(10) The terms of this amendment shall apply to the billing period beginning December 26, 2006.

(11) The initial 12-month moving average for the current Users at the time of the effective date of this ordinance and any future User of the P-Chem Plant is to be computed as follows:

| <u>Month Number</u> | <u>12-month Moving Average Definition</u>                               |
|---------------------|---|
| 1                   | The average value for the first month                                   |
| 2                   | The average value for the first month and second months                 |
| .                   | .   |
| .                   | .   |
| .                   | .   |
| 11                  | The average value for the first through the eleventh months, inclusive. |

READ AND PRESENTED: December 12, 2006

READ AND PRESENTED FOR A SECOND TIME UNDER SUSPENSION OF RULES:  
December 12, 2006

READ AND PRESENTED FOR A THIRD TIME UNDER SUSPENSION OF RULES:  
December 12, 2006

ENACTED AND ADOPTED: December 12, 2006

ROLL CALL VOTE:

|                     | <u>AYE</u> | <u>NAY</u> |
|---------------------|------------|------------|
| Yvonne E. McDaniel  | ABSENT     | _____      |
| Charlotte I. Cates  | <u>x</u>   | _____      |
| Rhonda L. Nicholson | <u>x</u>   | _____      |
| Homer C. Adele      | <u>x</u>   | _____      |
| Michael E. Wors     | <u>x</u>   | _____      |
| Wuanita W. Thornton | <u>x</u>   | _____      |

ABSENT: \_\_\_\_\_

APPROVED:

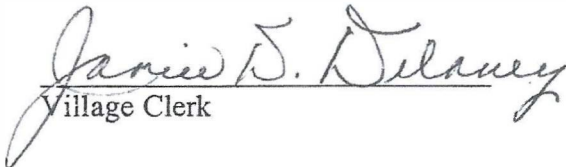
December 12, 2006

APPROVED:

p  4/

(AFFIX VILLAGE SEAL  
HERE)

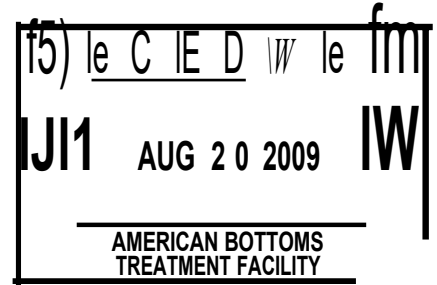
ATTEST:

  
Village Clerk

## **Attachment F**



NPDES Permit No. IL0065145  
Illinois Environmental Protection Agency  
Division of Water Pollution Control  
1021 North Grand Avenue East  
Post Office Box 19276  
Springfield, Illinois 62794-9276



NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

Reissued (NPDES) Permit

Expiration Date: August 31, 2014

Issue Date: August 17, 2009  
Effective Date: September 1, 2009

Name and Address of Permittee:

Village of Sauget  
2897 Falling Springs Road  
Sauget, Illinois 62206-1123

Facility Name and Address:

American Bottoms Regional Wastewater Treatment Facility  
1 American Bottoms Road  
Sauget, Illinois  
(St. Clair County)

Receiving Waters: Mississippi River

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

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

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

NPDES Permit No. IL0065145

Effluent Limitations, Monitoring, and Reporting

FINAL

Discharge Number(s) and Name(s): 002 STP Outfall (includes diffuser and 72" outfall pipe)\*

Load limits computed based on a design average flow (OAF) of 27 MGD (design maximum flow (DMF) of 52 MGD).

Excess flow facilities (if applicable) shall not be utilized until the main treatment facility is receiving its maximum practical flow.

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

| Parameter               | LOAD LIMITS lbs/day<br>OAF (DMF)**             |                    |                  | CONCENTRATION<br>LIMITS MG/L |                   |                  | Sample<br>Frequency | Sample<br>Type           |
|-------------------------|--|--------------------|------------------|------------------------------|-------------------|------------------|---------------------|--------------------------|
|                         | Monthly<br>Average                             | Weekly<br>Average  | Daily<br>Maximum | Monthly<br>Average           | Weekly<br>Average | Daily<br>Maximum |                     |                          |
| Flow(MGD)               |  |                    |                  |                              |                   |                  | Continuous          | RIT                      |
| CBOD <sub>5</sub> ***   | 4,500<br>(8,670)                               | 9,010<br>(17,300)  |                  | 20                           | <b>40</b>         |                  | 3 Days/Week         | Composite                |
| Suspended Solids        | 5,630<br>(10,800)                              | 10,100<br>(19,500) |                  | 25                           | <b>45</b>         |                  | 3 Days/Week         | Composite                |
| pH                      | Shall be in the range of 6 to 9 Standard Units |                    |                  |                              |                   |                  | 3 Days/Week         | Grab                     |
| Fecal Coliform****      | Monitor Only (May through October)             |                    |                  |                              |                   |                  | 1 Day/Week          | Grab                     |
| Total Residual Chlorine |  |                    |                  |                              |                   |                  | 0.05                | ***Irk<br>Grab           |
| Cadmium                 | See Special Condition 8.D                      |                    |                  |                              |                   |                  |                     | Composite                |
| Zinc                    | See Special Condition 8.D                      |                    |                  |                              |                   |                  |                     |                          |
| Manganese               | 225 (434)                                      |                    |                  |                              |                   |                  | 1.0                 | 3 Days/Week<br>Composite |

\*The effluent limitations, monitoring and reporting requirements on this page are applicable for Discharge number 002 when it is used to, discharge secondary effluent. The maximum practical flow shall be discharged through the diffuser.

\*\*Load limits based on design maximum flow shall apply only when flow exceeds design average flow.

\*\*\*Carbonaceous BOD<sub>5</sub> (CBOD<sub>5</sub>) testing shall be in accordance with 40 CFR 136.

\*\*\*\*Fecal Coliform shall be analyzed May through October with analytical results submitted as a daily maximum value on the DMR.

\*\*\*\*\*See Special Condition 7.

Flow shall be reported on the Discharge Monitoring Report (DMR) as monthly average and daily maximum.

pH shall be reported on the DMR as minimum and maximum value.

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Effluent Limitations, Monitoring, and Reporting

FINAL

Discharge Number(s) and Name(s): A02 Treated STP Combined Sewage Outfall

These flow facilities shall not be utilized until the main treatment facility is receiving its maximum practical flow.

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

| Parameter        | CONCENTRATION<br>LIMITS mg/L                   |                 | Sample Frequency       | Sample Type |
|------------------|--|-----------------|------------------------|-------------|
|                  | See Below                                      | Monthly Average |                        |             |
| Total Flow (MG)  | See Below                                      |                 | Daily When Discharging | Continuous  |
| BOD <sub>5</sub> |  |                 | Daily When Discharging | Grab        |
| Suspended Solids |  |                 | Daily When Discharging | Grab        |
| pH               | Shall be in the range of 6 to 9 Standard Units |                 | Daily When Discharging | Grab        |

Total flow in million gallons shall be reported on the Discharge Monitoring Report (DMR) in the quantity maximum column.

Report the number of days of discharge in the comments section of the DMR.

pH shall be reported on the DMR as a minimum and a maximum.

BOD<sub>5</sub> and Suspended Solids shall be reported on the DMR as a monthly average concentration.

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Influent Monitoring, and Reporting

The influent to the plant shall be monitored as follows:

| Parameter        | Sample Frequency | Sample Type |
|------------------|------------------|-------------|
| Flow(MGD)        | Continuous       | RIT         |
| BOD <sub>5</sub> | 3 Days/Week      | Composite   |
| Suspended Solids | 3 Days/Week      | Composite   |

Influent samples shall be taken at a point representative of the influent.

Flow(MGD) shall be reported on the Discharge Monitoring Report(DMR) as monthly average and daily maximum.

BOD<sub>5</sub> and Suspended Solids shall be reported on the DMR as a monthly average concentration.

Influent from the AB plant shall be reported on the DMR as Discharge Number N02.

Influent from the P-Chem plant shall be reported on the DMR as Discharge Number P02.

The effluent from the P-Chem plant transported to the AB Plant shall be reported on the DMR as Discharge Number 201.

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Special Conditions

SPECIAL CONDITION 1. This Permit may be modified to include different final effluent limitations or requirements which are consistent with applicable laws, regulations, or judicial orders. The IEPA will public notice the permit modification.

SPECIAL CONDITION 2. The use or operation of this facility shall be by or under the supervision of a Certified Class 1 operator.

SPECIAL CONDITION 3. The IEPA may request in writing submittal of operational information in a specified form and at a required frequency at any time during the effective period of this Permit.

SPECIAL CONDITION 4. The IEPA may request more frequent monitoring by permit modification pursuant to 40 CFR § 122.63 and Without Public Notice in the event of operational, maintenance or other problems resulting in possible effluent deterioration.

SPECIAL CONDITION 5. The effluent, alone or in combination with other sources, shall not cause a violation of any applicable water quality standard outlined in 35 Ill. Adm. Code 302.

SPECIAL CONDITION 6. Samples taken in compliance with the effluent monitoring requirements shall be taken:

- A. For Discharge Numbers 002- During dry weather flows (no excess flow discharge), samples shall be taken at a point representative of the flows but prior to entry into the receiving stream. During periods of excess flow discharge, CBOD<sub>5</sub>, Suspended Solids, and Ammonia Nitrogen, if Ammonia Nitrogen monitoring and sampling is required on the Effluent Limitations, Monitoring, and Reporting Page of this Permit, shall be monitored at a point representative of the discharge but prior to admixture with the excess flow. If Fecal Coliform limits are different for Discharge Numbers 001 and A01, sampling shall occur at a point representative of the discharge and prior to admixture, if hardware allows. Other parameters may be sampled after admixture but prior to entry into the receiving stream.
- B. For Discharge Numbers A02 - Samples for all parameters shall be taken at a point representative of the discharge but prior to entry into the receiving stream. If Fecal Coliform limits are different for Discharge Numbers 001 and A01, sampling shall occur at a point representative of the discharge and prior to admixture, if hardware allows. The sampling point for other parameters may be at a point after admixture with the dry weather flows.

SPECIAL CONDITION 7. For Discharge No. 002, any use of chlorine to control slime growths, odors or as an operational control, etc. shall not exceed the limit of 0.05 mg/L (daily maximum) total residual chlorine in the effluent. Sampling is required on a daily grab basis during the chlorination process. Reporting shall be submitted on the DMR's on a monthly basis.

SPECIAL CONDITION 8.

A. Publicly Owned Treatment Works (POTW) Pretreatment Program General Provisions

1. The Permittee shall implement and enforce its approved Pretreatment Program which was approved on June 8, 1988 and all approved subsequent modifications thereto. The Permittee shall maintain legal authority adequate to fully implement the Pretreatment Program in compliance with Federal (40 CFR 403), State, and local laws. The Permittee shall:
  - a. Carry out independent inspection and monitoring procedures at least once per year, which will determine whether each significant industrial user (SIU) is in compliance with applicable pretreatment standards;
  - b. Perform an evaluation, at least once every two (2) years, to determine whether each SIU needs a slug control plan. If needed, the SIU slug control plan shall include the items specified in 40 CFR § 403.8 (f)(2)(v);
  - c. Update its inventory of Industrial Users (IUs) at least annually and as needed to ensure that all SIUs are properly identified, characterized, and categorized;
  - d. Receive and review self monitoring and other IU reports to determine compliance with all pretreatment standards and requirements, and obtain appropriate remedies for noncompliance by any IU with any pretreatment standard and/or requirement;
  - e. Investigate instances of noncompliance, collect and analyze samples, and compile other information with sufficient care as to produce evidence admissible in enforcement proceedings, including judicial action;

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Special Conditions

- f. Require development, as necessary, of compliance schedules by each industrial user for the installation of control technologies to meet applicable pretreatment standards; and,
  - g. Maintain an adequate revenue structure for continued operation of the Pretreatment Program.
2. The Permittee shall issue/reissue permits or equivalent control mechanisms to all SIUs prior to expiration of existing permits or prior to commencement of discharge in the case of new discharges. The permits at a minimum shall include the elements listed in 40 CFR § 403.8(f)(1)(iii).
  3. The Permittee shall develop, maintain, and enforce, as necessary, local limits to implement the prohibitions in 40 CFR § 403.5 which prohibit the introduction of specific pollutants to the waste treatment system from filJ.Y source of nondomestic discharge.
  4. In addition to the general limitations expressed in Paragraph 3 above, applicable pretreatment standards must be met by all industrial users of the POTW. These limitations include specific standards for certain industrial categories as determined by Section 307(b) and (c) of the Clean Water Act, State limits, or local limits, whichever are more stringent.
  5. The USEPA and IEPA individually retain the right to take legal action, against any industrial user and/or the POTW for those cases where an industrial user has failed to meet an applicable pretreatment standard by the deadline date regardless of whether or not such failure has resulted in a permit violation.
  6. The Permittee shall establish agreements with all contributing jurisdictions, as necessary, to enable it to fulfill its requirements with respect to all lus discharging to its system.
  7. Unless already completed, the Permittee shall within six (6) months of the effective date of this Permit submit to USEPA and IEPA a proposal to modify and update its approved Pretreatment Program to incorporate Federal revisions to the general pretreatment regulations. The proposal shall include all changes to the approved program and the sewer use ordinance which are necessary to incorporate the regulations commonly referred to as PIRT and DSS, which were effective November 16, 1988 and August 23, 1990, respectively. This includes the development of an Enforcement Response Plan (ERP) and a technical re-evaluation of the Pennittee's local limits.
  8. The Permittee's Pretreatment Program has been modified to incorporate a Pretreatment Program Amendment approved on June 30, 2003. The amendment became effective on the date of approval and is a fully enforceable provision of your Pretreatment Program.

Modifications of your Pretreatment Program shall be submitted in accordance with 40 CFR § 403.18, which established conditions for substantial and nonsubstantial modifications.

B. Reporting and Records Requirements

1. The Permittee shall provide an annual report briefly describing the permittee's pretreatment program activities over the previous calendar year. Permittees who operate multiple plants may provide a single report providing all plant-specific reporting requirements are met. Such report shall be submitted no later than April 28th of each year, and shall be in the format set forth in IEPA's POTW Pretreatment Report Package which contains information regarding:
  - a. An updated listing of the Permittee's industrial users.
  - B. A descriptive summary of the compliance activities including numbers of any major enforcement actions, (i.e., administrative orders, penalties, civil actions, etc.), and the outcome of those actions. This includes an assessment of the compliance status of the Permittee's industrial users and the effectiveness of the Permittee's Pretreatment Program in meeting its needs and objectives.
  - C. A description of all substantive changes made to the Permittee's Pretreatment Program. Changes which are "substantial modifications" as described in 40 CFR § 403.18(c) must receive prior approval from the Approval Authority.
  - D. Results of sampling and analysis of POTW influent, effluent, and sludge.
  - E. A summary of the findings from the priority pollutants sampling. As sufficient data becomes available the IEPA may modify this

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Permit to incorporate additional requirements relating to the evaluation, establishment, and enforcement of local limits for organic pollutants. Any permit modification is subject to formal due process procedures pursuant to State and Federal law and regulation. Upon a determination that an organic pollutant is present that causes interference or pass through, the Permittee shall establish local limits as required by 40 CFR § 403.5(c).

2. The Permittee shall maintain all pretreatment data and records for a minimum of three (3) years. This period shall be extended during the course of unresolved litigation or when requested by the IEPA or the Regional Administrator of USEPA. Records shall be available to USEPA and the IEPA upon request.
3. The Permittee shall establish public participation requirements of 40 CFR 25 in implementation of its Pretreatment Program. The Permittee shall at least annually, publish the names of all IU's which were in significant noncompliance (SNC), as defined by 40 CFR § 403.8(f)(2)(vii), in the largest daily paper in the municipality in which the POTW is located or based on any more restrictive definition of SNC that the POTW may be using.
4. The Permittee shall provide written notification to the Deputy Counsel for the Division of Water Pollution Control, IEPA, 1021 North Grand Avenue East, P.O. Box 19276, Springfield, Illinois 62794-9276 within five (5) days of receiving notice that any Industrial User of its sewage treatment plant is appealing to the Circuit Court any condition imposed by the Permittee in any permit issued to the Industrial User by Permittee. A copy of the Industrial User's appeal and all other pleadings filed by all parties shall be mailed to the Deputy Counsel within five (5) days of the pleadings being filed in Circuit Court.

C. Monitoring Requirements

1. The Permittee shall monitor its influent, effluent and sludge and report concentrations of the following parameters on monitoring report forms provided by the IEPA and include them in its annual report. Samples shall be taken at quarterly intervals at the indicated reporting limit or better and consist of a 24-hour composite unless otherwise specified below. Sludge samples shall be taken of final sludge and consist of a grab sample reported on a dry weight basis.

| <u>STORET<br/>CODE</u> | <u>PARAMETER</u>   | <u>Minimum<br/>detection limit</u> |
|------------------------|--|------------------------------------|
| 01002                  | Arsenic  | 0.05 mg/L                          |
| 01007                  | Barium   | 0.5 mg/L                           |
| 01027                  | Cadmium  | 0.001 mg/L                         |
| 01032                  | Chromium (hex - grab not to exceed 24 hours)****                 | 0.01 mg/L                          |
| 01034                  | Chromium (total)   | 0.05 mg/L                          |
| 01042                  | Copper   | 0.005 mg/L                         |
| 00718                  | Cyanide (grab) (weak acid dissociable)****                       | 5.0 ug/L                           |
| 00720                  | Cyanide (grab) (total)   | 5.0 ug/L                           |
| 00951                  | Fluoride*  | 0.1 mg/L                           |
| 01045                  | Iron (total)   | 0.5 mg/L                           |
| 01046                  | Iron (Dissolved)*  | 0.5 mg/L                           |
| 01051                  | Lead   | 0.05 mg/L                          |
| 01055                  | Manganese  | 0.5 mg/L                           |
| 71900                  | Mercury (effluent grab using USEPA Method 1631 or equivalent)*** | 1.0 ng/L**                         |
| 01067                  | Nickel   | 0.005 mg/L                         |
| 00556                  | Oil (hexane soluble or equivalent) (Grab Sample only)*           | 5.0 mg/L                           |
| 32730                  | Phenols (grab)   | 0.005 mg/L                         |
| 01147                  | Selenium   | 0.005 mg/L                         |
| 01077                  | Silver (total)   | 0.003 mg/L                         |
| 01092                  | Zinc   | 0.025 mg/L                         |

\* Influent and effluent only

\*\*1 ng/L = 1 part per trillion.

\*\*\* Other approved methods may be used for influent (composite) and sludge

\*\*\*\*Effluent only

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Unless otherwise indicated, concentrations refer to the total amount of the constituent present in all phases, whether solid, suspended or dissolved, elemental or combined including all oxidation states. Where constituents are commonly measured as other than total, the phase is so ipdicated.

2. The Permittee shall conduct an analysis for the one hundred and ten (110) organic priority pollutants identified in 40 CFR 122 Appendix D, Table II as amended. This monitoring shall be done quarterly for all pollutants, with the exception of 2-chloroethyl vinyl ether which shall be sampled on a semi-annual basis, and reported on monitoring report forms provided by the IEPA and shall consist of the following:

a. The influent and effluent shall be sampled and analyzed for the one hundred and ten (110) organic priority pollutants. The sampling shall be done during a day when industrial discharges are expected to be occurring at normal to maximum levels.

Samples for the analysis of acid and base/neutral extractable compounds shall be 24-hour composites.

Three (3) grab samples shall be collected each monitoring day to be analyzed for volatile organic compounds. A single analysis for volatile pollutants (Method 624) may be run for each monitoring day by compositing equal volumes of each grab sample directly in the GC purge and trap apparatus in the laboratory, with no less than one (1) ml of each grab included in the composite.

Wastewater samples must be handled, prepared, and analyzed by GC/MS in accordance with USEPA Methods 624 and 625 of 40 CFR 136 or USEPA Method SW-846 as amended.

b. The sludge shall be sampled and analyzed for the one hundred and ten (110) organic priority pollutants. A sludge sample shall be collected concurrent with a wastewater sample and taken as final sludge.

Sampling and analysis shall conform to USEPA Method SW-846 unless an alternate method has been approved by IEPA.

c. Sample collection, preservation and storage shall conform to approved USEPA procedures and requirements.

3 In addition, the Permittee shall monitor any new toxic substances as defined by the Clean Water Act, as amended, following notification by the IEPA.

4 Permittee shall report any noncompliance with effluent or water quality standards in accordance with Standard Condition 12(e) of this Permit.

5. Analytical detection limits shall be in accordance with 40 CFR 136.

D. Removal Credits

1. Cadmium and Zinc

a. This Permit recognizes a 57% removal credit for Cadmium and a 83% removal credit for Zinc, both approved by USEPA on May 4, 1998, and subject to the following conditions:

1. Applying the Combined Wastestream Formula (CWF) in conjunction with the removal credits for Cadmium and Zinc, the Permittee is to first develop revised limits for each parameter and then calculate CWF discharge permit limits by substituting revised limits for the Categorical Standards in the CWF;

2. The removal credits for Cadmium and Zinc are to be granted exclusively to the Big River Zinc facility; and,

3. Within six (6) months of the effective date of this Permit, the Permittee shall re-evaluate, and adopt, if necessary, local limits for the Big River Zinc facility for Cadmium and Zinc.

b. The Permittee shall monitor Cadmium and Zinc in the primary influent and effluent of the P/Chem Plant at least one time



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Special Conditions

per month. The Permittee shall submit annual reports of the primary removal percentages calculated for each such sample and the overall removal percentage for the year for Cadmium and Zinc calculated pursuant to 40 CFR § 403.7(b). This report shall be submitted with the DMRs to IEPA and USEPA annually in the second month following the issuance of the initial industrial discharge permit limits implementing removal credits for Cadmium and Zinc.

2. Should the actual removal percentage for Cadmium, and/or Zinc drop significantly below the percentage for which the removal credits were granted, the Permittee shall implement corrective action to bring the removal percentage for the specific parameter up to the level for which the removal credit was granted. The Permittee shall take appropriate corrective action within sixty (60) days of written notification by IEPA and/or USEPA that a removal percentage has dropped below an authorized level. This sixty (60) day time period may be extended by IEPA and/or USEPA if the Permittee or the effected IU(s) demonstrate(s) that a longer time period is necessary to undertake the appropriate corrective action. Any extension of this sixty (60) day time period must be approved by IEPA and/or USEPA in writing. If the corrective action fails to bring the removal percentage(s) up to an acceptable level within the agreed upon time period, this Permit may be reopened and modified pursuant to the provisions of Paragraph 6 below.
3. Should the Permittee be notified pursuant to Paragraph 3 above, the sampling frequency for the specific parameter shall be four times per month and the reporting frequency shall be quarterly. If the actual removal percentage for an individual parameter meets or exceeds the level for which the removal credit is granted one year after notification pursuant to Paragraph 3 above, the Permittee may decrease sampling frequency for the specific parameter to monthly and the reporting frequency can be decreased to annually, with the first annual report due with the DMRs in the second month following the end of the annual reporting period and annually from then on.
4. Should the Permittee change operations at the treatment plant in a manner reasonably expected to significantly reduce the removal of Cadmium, and/or Zinc, as determined in Paragraph 2 above, the Permittee shall notify IEPA and USEPA in writing within fourteen (14) days of making such operational change(s). The sampling frequency for the affected parameter(s) shall be four times per month for the first six months after the implementation of the operational change. Removal percentages for the affected parameter(s) shall be reported quarterly to IEPA and USEPA during this six month time period.
5. Should corrective action fail to bring the removal percentages up to an acceptable level, this Permit may be reopened and modified to include a withdrawal or modification of the removal credit pursuant to 40 CFR § 403.7(f)(4)(ii) and the provisions of Paragraph 3 above. Such action would not be done without Public Notice of the Removal Credit Modification or Withdrawal.
6. These removal credits shall be re-calculated pursuant to 40 CFR § 403.7(b) and these re-calculations submitted with the application for NPDES permit renewal.

SPECIAL CONDITION 9. During January of each year the Permittee shall submit annual fiscal data regarding sewerage system operations to the Illinois Environmental Protection Agency/Division of Water Pollution Control/Compliance Assurance Section. The Permittee may use any fiscal year period provided the period ends within twelve (12) months of the submission date.

Submission shall be on forms provided by IEPA titled "Fiscal Report Form For NPDES Permittees".

SPECIAL CONDITION 10. The Permittee shall conduct biomonitoring of the effluent from Discharge Number(s) 002.

Biomonitoring

1. Acute Toxicity - Standard definitive acute toxicity tests shall be run on at least two trophic levels of aquatic species (fish, invertebrate) representative of the aquatic community of the receiving stream. Testing must be consistent with Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms (Fifth Ed.) EPA/821-R-02-012. Unless substitute tests are pre-approved; the following tests are required:
  - a. Fish -96 hour static LC<sub>50</sub> Bioassay using fathead minnows (*Pimephales promelas*).
  - b. Invertebrate 48-hour static LC<sub>50</sub> Bioassay using *Ceriodaphnia*.
2. Testing Frequency - The above tests shall be conducted using 24-hour composite samples unless otherwise authorized by the IEPA. Samples must be collected in the 18th, 15th, 12th, and 9th month prior to the expiration date of this Permit.

## NPDES Permit No. IL0065145

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3. Reporting - Results shall be reported according to EPA/821-R-02-012, Section 12, Report Preparation, and shall be submitted to IEPA, Bureau of Water, Compliance Assurance Section within one week of receipt from the laboratory. Reports are due to the IEPA no later than the 16th, 13th, 10th, and 7th month prior to the expiration date of this Permit.
4. Toxicity Reduction Evaluation - Should the results of the biomonitoring program identify toxicity, the IEPA may require that the Permittee prepare a plan for toxicity reduction evaluation and identification. This plan shall be developed in accordance with Toxicity Reduction Evaluation Guidance for Municipal Wastewater Treatment Plants, EPA/833B-99/002, and shall include an evaluation to determine which chemicals have a potential for being discharged in the plant wastewater, a monitoring program to determine their presence or absence and to identify other compounds which are not being removed by treatment, and other measures as appropriate; The Permittee shall submit to the IEPA its plan for toxicity reduction evaluation within ninety (90) days following notification by the IEPA. The Permittee shall implement the plan within ninety (90) days or other such date as contained in a notification letter received from the IEPA.

The IEPA may modify this Permit during its term to incorporate additional requirements or limitations based on the results of the biomonitoring. In addition, after review of the monitoring results, the IEPA may modify this Permit to include numerical limitations for specific toxic pollutants. Modifications under this condition shall follow public notice and opportunity for hearing.

SPECIAL CONDITION 11. Discharge Number B02 (discharge from the bypass lines for the p-chem plant and AB plant) and Discharge 004 (Cahokia pump station) to the Metro East Sanitary District lagoon is an emergency high level bypass. Discharges from this overflow are subject to the following conditions:

- (1) Definitions
  - (i) "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility.
  - (ii) "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.
- (2) 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 (3) and (4) of this section.
- (3) Notice
  - {i} 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.
  - (ii) Unanticipated bypass. The Permittee shall submit notice of an unanticipated bypass as required in Standard Condition 12(e) of this Permit (24-hour notice).
- (4) Prohibition of bypass. Bypass is prohibited, and the IEPA 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 was 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 Standard Condition 12(e) of this Permit.
- (5) Emergency Bypass when discharging, shall be monitored daily by grab sample for BOD<sub>5</sub> and Suspended Solids. The Permittee shall submit the monitoring results on Discharge Monitoring Report forms using one such form for each month in which bypassing occurs. The Permittee shall specify the number of discharges per month that occur and shall report this number in the quantity daily maximum column. The Permittee shall report the highest concentration value of BOD<sub>5</sub> and Suspended

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Solids discharged in the concentration daily maximum column.

SPECIAL CONDITION 12. For the duration of this Permit, the Permittee shall determine the quantity of sludge produced by the treatment facility in dry tons or gallons with average percent total solids analysis. The Permittee shall maintain adequate records of the quantities of sludge produced and have said records available for IEPA inspection. The Permittee shall submit to the IEPA, at a minimum, a semi-annual summary report of the quantities of sludge generated and disposed of, in units of dry tons or gallons (average total percent solids) by different disposal methods including but not limited to application on farmland, application on reclamation land, landfilling, public distribution, dedicated land disposal, sod farms, storage lagoons or any other specified disposal method. Said reports shall be submitted to the IEPA by January 31 and July 31 of each year reporting the preceding January thru June and July thru December interval of sludge disposal operations.

Duty to Mitigate. The Permittee shall take all reasonable steps to minimize any sludge use or disposal in violation of this Permit.

Sludge monitoring must be conducted according to test procedures approved under 40 CFR 136 unless otherwise specified in 40 CFR 503, unless other test procedures have been specified in this Permit.

Planned Changes. The Permittee shall give notice to the IEPA on the semi-annual report of any changes in sludge use and disposal.

The Permittee shall retain records of all sludge monitoring, and reports required by the Sludge Permit as referenced in Standard Condition 23 for a period of at least five (5) years from the date of this Permit.

If the Permittee monitors any pollutant more frequently than required by the Sludge Permit, the results of this monitoring shall be included in the reporting of data submitted to the IEPA.

Monitoring reports for sludge shall be reported on the form titled "Sludge Management Reports" to the following address:

Illinois Environmental Protection Agency  
Bureau of Water  
Compliance Assurance Section  
Mail Code#19  
1021 North Grand Avenue East  
Post Office Box 19276  
Springfield, Illinois 62794-9276

SPECIAL CONDITION 13. The Permittee shall record monitoring results on Discharge Monitoring Report (DMR) Forms using one such form for each outfall each month.

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

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

The completed Discharge Monitoring Report forms shall be submitted to IEPA no later than the 25th day of the following month, unless otherwise specified by the permitting authority.

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

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

Attention: Compliance Assurance Section, Mail Code# 19

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SPECIAL CONDITION 14. The limits in this Permit were determined while powdered activated carbon (PAC) was being added by the Permittee. If the Permittee discontinues the use of PAC, the Permittee shall notify the IEPA within ten (10) days of discontinuing the addition of PAC. If PAC addition is discontinued, this Permit may be reopened and modified to include additional effluent or monitoring requirements.

SPECIAL CONDITION 15. 40 CFR § 122.41(n) is hereby incorporated by reference as if fully set forth herein.

SPECIAL CONDITION 16. A mixing zone and Zone of Initial Dilution (ZID) are recognized for this discharge. According to the USEPA Technical Support Document for Water Quality Based Toxics Control (EPA/505/2-90-001) formula, the ZID extends for 18.5 feet downstream of the diffuser. The diffuser is 100 feet long and therefore the ZID is an area 100 feet by 18.5 feet. A dye study performed after installation of the diffuser found that approximately 49:1 dilution was achieved 18.5 feet downstream. The mixing zone also occupies this area. This mixing zone conforms with 35 IAC 302.102(b)(12) in that it is as small as practicable. According to the regulations at 320.102 and the dye study, more mixing is available if it is shown that such mixing is necessary. The following parameters are recognized as having a mixing zone: Cadmium, copper, fluoride, nickel, phenol, silver, zinc, sulfate, chloride, ammonia, 3-chloroaniline, 1-chloro-2-nitrobenzene, 2,4 D, 2,4-dinitrophenol, 2-chloroaniline, 2-nitroaniline, 4-chloro-2,6-dinitrophenol, 4-chloroaniline, 4-nitroaniline, acrolein, aniline, weak acid dissociable cyanide, heptachlor epoxide, methoxychlor and chronic whole effluent toxicity. The following parameters are recognized as having a ZID: Zinc, 1-chloro-2-nitrobenzene, 2,4 D, 2,4-dinitrophenol, 2-chloroaniline, 4-chloroaniline, 4-nitroaniline, acrolein, heptachlor epoxide, ammonia and acute whole effluent toxicity. Acute and chronic water quality standards for these substances will be achieved within the mixing zone and ZID. All parameters known to be present in this effluent at levels above water quality standards are listed above. Other such parameters may be discovered in the future and will be evaluated for mixing according to the regulation at 35 IAC 302.102.

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 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 non-compliance constitutes a violation of the Act and is grounds for enforcement action, permit termination, revocation and reissuance, modification, or for denial of a permit if renewal application. The permittee shall comply with effluent standards or conditions established under Section 307(a) of the Clean Water Act for its prohibitions, even if the permit has not yet been modified to incorporate the requirement.
- (2) Duty to reapply. If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain a new permit. If the permittee submits a proper application as required by the Agency no later than 180 days prior to the expiration date, this permit shall continue in full force and effect until the final Agency decision on the application has been made. 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.
- (3) 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.
- (4) 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 in whole or in part by the Agency pursuant to 40 CFR 122.62. The filing of a request for modification, planned changes or anticipated non-compliance, does not constitute a violation of this permit.
- (7) Permit modification, revocation and reissuance, or termination, or for cause by the Agency pursuant to 40 CFR 122.62. The filing of a request for modification, planned changes or anticipated non-compliance, does not constitute a violation of this permit.
- (8) Inspection and entry. The permittee shall allow representatives of the Agency, upon the presentation of credentials and other documentation 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 a duplicate, at reasonable times, any records that must be kept under the conditions of this permit;
  - (c) Inspect and test any monitoring equipment (including monitoring control equipment), practices, or operations regulated or required under this permit; and
  - (d) Sample or monitor at any location, for the purpose of assuring compliance, or as otherwise authorized by the Act, any statutes or parts thereof, 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 maintain records of all monitoring data, including calibration and maintenance records, and all original reports required by this permit and records of all data used to complete the application. This period of at least 3 years from the date of this permit; measurement; report application. This period may be extended by request of the Agency at any time.
  - (c) Records of monitoring information shall include:
    - (1) The date, exact place, and time of sampling or measurements;
    - (2) The individual(s) who performed the sampling or measurements;
    - (3) The date(s) analyses were performed;
    - (4) The individual(s) who performed the analyses;
    - (5) The analytical techniques or methods used; and
    - (6) The results of such analyses.
  - (d) Monitoring must be conducted according to test procedure 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 or 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 sole proprietor, respectively; or
    - (3) For a municipally, 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.
- (12) Reporting requirements.
- (a) Planned changes. The permittee shall give notice to the Agency as soon as possible of any planned physical alterations or additions to the permitted facility.
- (b) Anticipated noncompliance. The permittee shall give advance notice to the Agency of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.
- (c) Compliance **schedules**. Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date.
- (d) Monitoring reports. Monitoring results shall be reported at the intervals specified elsewhere in this permit.
- (1) Monitoring results must be reported on a Discharge Monitoring Report (DMR).
- (2) If the permittee monitors any pollutant more frequently than required by the permit, using test procedures approved under 40 CFR 136 or as specified in the permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR.
- (3) Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean, unless otherwise specified by the Agency in the permit.
- (e) Twenty-four hour **reporting**. The permittee shall report any noncompliance which may endanger health or the environment. Any information shall be provided orally within 24 hours from the time the permittee becomes aware of the circumstances. A written submission shall also be provided within 5 days of the time the permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and time; and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance. The following shall be included as information which must be reported within 24 hours:
- (1) Any unanticipated bypass which exceeds any effluent limitation in the permit;
- (2) Violation of a maximum daily discharge limitation for any of the pollutants listed by the Agency in the permit to be reported within 24 hours.
- The Agency may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.
- (f) Other noncompliance. The permittee shall report all instances of noncompliance not reported under paragraphs (12)(c), (d), or (e), at the time monitoring reports are submitted. The reports shall contain the information listed in paragraph (12)(e).
- (g) Quarterly information. Where the permittee becomes aware that it failed to submit information in a permit application, or submitted incorrect information in a permit application, or in any report to the Agency, it shall promptly submit such information or information.
- (13) **Transfer of Permit**. A permit may be automatically transferred to a new permittee
- (a) The current permittee notifies the Agency at least 30 days in advance of the proposed transfer date;
- (b) The notice includes a written agreement between the existing and new permittees concerning a specific date for transfer of permit responsibility, coverage and liability between the current and new permittees; and
- (c) The Agency does not notify the existing permittee and the proposed new permittee of its intent to modify or revoke or reissue the permit. If this notice is not received, the transfer is effective on the date specified in the agreement.
- (14) All manufacturing, commercial, mining, and silvicultural dischargers must notify the Agency if they now or have reason to believe:
- (a) Polluting activity has occurred or will occur which would result in the discharge of a toxic pollutant identified under Section 307 of the Clean Water Act which is 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-nitro-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.
- (15) All Publicly Owned Treatment Works (POTWs) must provide adequate notice to the Agency of the following:
- (a) Any new introduction of pollutants into that POTW from an indirect discharge which would be subject to Sections 301 or 306 of the Clean Water Act if it were directly discharging those pollutants; and
- (b) Any substantial change in the volume or character of pollutants being introduced into that POTW by a source introducing pollutants into the POTW at the time of issuance of the permit.
- (c) For purposes of this paragraph, adequate notice shall include information on (i) the quality and quantity of effluent introduced into the POTW, and (ii) any anticipated impact of the change on the quantity or quality of effluent to be discharged from the POTW.
- (16) If the permit is issued to a publicly owned or publicly regulated treatment works, the permittee shall require any industrial user of such treatment works to comply with federal requirements concerning:
- (a) User charges pursuant to Section 204(b) of the Clean Water Act, and applicable regulations appearing in 40 CFR 35;
- (b) Toxic pollutant effluent standards and pretreatment standards pursuant to Section 307 of the Clean Water Act; and
- (c) Inspection, monitoring and entry pursuant to Section 308 of the Clean Water Act
- (17) If an applicable standard or limitation is promulgated under Section 301(b)(2)(C) and (D), 304(b)(2), or 307(a)(2) and that effluent standard or limitation is more stringent than any effluent limitation in the permit, or controls a pollutant not limited in the permit, the permit shall be promptly modified or revoked, and reissued to conform to that effluent standard or limitation.
- (18) Any authorization to construct issued to the permittee pursuant to 35 Ill. Adm. Code 309.154 is hereby incorporated by reference as a condition of this permit.
- (19) The permittee shall not make any false statement, representation or certification in any application; record, report, plan or other document submitted to the Agency or the USEPA, or required to be maintained under this permit.
- (20) The Clean Water Act provides that any person who violates a permit condition implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the Clean Water Act is subject to a civil penalty not to exceed \$10,000 per day of such violation. Any person who willfully or negligently violates permit conditions implementing Sections 301, 302, 306, 307, or 308 of the Clean Water Act is subject to a fine of not less than \$2,500 nor more than \$25,000 per day of violation, or by imprisonment for not more than one year, or both.
- (21) The Clean Water Act provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under permit shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than 6 months per violation, or by both.
- (22) The Clean Water Act provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit shall, including monitoring reports or reports of compliance or non-compliance shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than 6 months per violation, or by both.
- (23) Collected screening, 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.
- (24) In case of conflict between these standard conditions and any other condition(s) included in this permit, the other condition(s) shall govern.
- (25) The permittee shall comply with, in addition to the requirements of the permit, all applicable provisions of 35 Ill. Adm. Code, Subtitle C, Subtitle D, Subtitle E, and all applicable orders of the Board.
- (26) The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit is held invalid, the remaining provision(s) of this permit shall continue in full force and effect.

(Rev. 3-13-98)

PEORIA



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

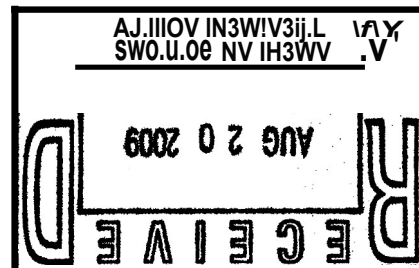
1021 NORTH GRAND AVENUE EAST, P.O. Box 19276, SPRINGFIELD, ILLINOIS 62794-9276 - ( 217) 782-2829  
JAMES R. THOMPSON CENTER, 100 WEST RANDOLPH, SUITE 11-300, CHICAGO, IL 60601 - (312) 814-6026

217/782-0610 ROD R. BLAGOJEVICH, GOVERNOR DOUGLAS P. SCOTT, DIRECTOR

August 17, 2009

Village of Sauget  
2897 Falling Springs Road  
Sauget, Illinois 62206-1123

Re: Village of Sauget  
American Bottoms Regional Wastewater Treatment Facility  
NPDES Permit No. IL0065145  
Final Permit



Gentlemen:

Attached is the final NPDES Permit for your discharge. The Permit as issued covers discharge limitations, monitoring, and reporting requirements. Failure to meet any portion of the Permit could result in civil and/or criminal penalties. The Illinois Environmental Protection Agency is ready and willing to assist you in interpreting any of the conditions of the Permit as they relate specifically to your discharge.

Modifications which have been made to this NPDES Permit after public notice include the following:

1. An effluent limit of 1.0 mg/L has been added to the permit for manganese and manganese has been removed from the parameters recognized as having a mixing zone.
2. Special Condition 16 has been modified to identify the extent of the mixing zone and the Zone of Initial Dilution and to specify the pollutants subject to 35 Ill. Adm Code 320.102.
3. Special Condition 8 has been modified to allow the use of USEPA SW-846 laboratory methods.

The Agency has begun a program allowing the submittal of electronic Discharge Monitoring Reports (eDMRs) instead of paper Discharge Monitoring Reports (DMRs). If you are interested in eDMRs, more information can be found on the Agency website, <http://epa.state.il.us/water/edmr/index.html>. If your facility is not registered in the eDMR program, a supply of preprinted paper DMR Forms for your facility will be sent to you prior to the initiation of DMR reporting under the reissued permit. Additional information and instructions will accompany the preprinted DMRs upon their arrival.

The attached Permit is effective as of the date indicated on the first page of the Permit. Until the effective date of any re-issued Permit, the limitations and conditions of the previously-issued Permit remain in full effect. You have the right to appeal any condition of the Permit to the Illinois Pollution Control Board within a 35 day period following the issuance date.

Should you have questions concerning the Permit, please contact Jeff Hutton at the telephone number indicated above.

Sincerely,

**Alanef&P**

Manager, Permit Section  
Division of Water Pollution Control

SAK:REP:JCH:08040401.daa

Attachment: Final Permit

cc:      Records  
         Compliance Assurance Section  
         Collinsville Region  
         Billing  
         USEPA  
         Missouri DNR  
         SWIMRPC