

ORDINANCE NO. 972

AN ORDINANCE ENACTING A GENERAL WASTE CONTROL PROGRAM
REGULATING THE USE OF THE PUBLIC TREATMENT WORKS AND PUBLIC AND
PRIVATE SEWERS AND DRAINS IN THE
BLOOMINGTON AND NORMAL WATER RECLAMATION DISTRICT

Bloomington and Normal Water Reclamation District
2015 West Oakland Avenue
Bloomington, Illinois 61701
309-827-4396

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ORDINANCE NO. 972

AN ORDINANCE ENACTING A GENERAL WASTE CONTROL PROGRAM
REGULATING USE OF THE TREATMENT WORKS AND PUBLIC AND PRIVATE
SEWERS AND DRAINS, AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF
IN THE BLOOMINGTON AND NORMAL WATER RECLAMATION DISTRICT

WHEREAS, the Bloomington and Normal Water Reclamation District has heretofore constructed sewage works for collection and treatment of sanitary sewage and non-domestic wastes produced within the District; and

WHEREAS, the purposes of the sewage works constructed and operated by the Bloomington and Normal Water Reclamation District are saving and preserving the water supplied to the inhabitants and protecting the natural waters from pollution by the sanitary sewage and non-domestic wastes produced within the District; and these purposes can be accomplished only by proper control of the design, construction and use of the sewers and sewer systems connected into the sewage works of the District; and

WHEREAS, the Board of Trustees of the Bloomington and Normal Water Reclamation District passed an Ordinance on January 9, 1979 relating to sewers and sewer systems and has amended that Ordinance and other Ordinances from time to time; and

WHEREAS, the said Ordinance passed on January 9, 1979 and other Ordinances now have to be comprehensively amended to meet the requirements of the Federal Water Pollution Control Act of 1972 (P.L. 92-500) and the Clean Water Act of 1977 (P.L. 95-217) and the Water Quality Act Amendments of 1987(P.L. 100-4) and the rules and regulations of the United States Environmental Protection Agency promulgated pursuant thereto; and

WHEREAS, federal requirements for acceptance of a P.L. 92-500 grant for improving the quality of effluent discharges from waste treatment plants require the enactment of regulatory provisions; and

WHEREAS, the Board of Trustees of the Bloomington and Normal Water Reclamation District has determined that the Sections of this Ordinance provide a just regulation of public waste treatment and collection facilities, including applicable pretreatment standards, and comply with applicable Federal Regulations.

NOW, THEREFORE, BE IT ORDAINED by the Board of Trustees of the Bloomington and Normal Water Reclamation District of McLean County, Illinois, as follows:

ARTICLE I

GENERAL PROVISIONS

SECTION 1. AUTHORITY

- A. The Articles of this Ordinance are enacted by the Board of Trustees pursuant to the requirements of Title III of the Clean Water Act Amendments (33 USC, 1311 et seq.) and regulations promulgated there under, and the Illinois Environmental Protection Act (Ch. 111^{1/2}, Ill. Rev. Stat. 1983, Sec. 1001, et seq.), and in accordance with the Sanitary District Act of 1917 (Ch. 42, Ill. Rev. Stat. 1983 Sec. 298.99 et seq.).

SECTION 2. GENERAL PURPOSES

- A. The general purposes of this Ordinance are to provide for the making and continuing of connections into the sewage works of the District; authorize the making and maintenance of such connections upon certain conditions, including permission thereto; providing for the making of rules and regulations in connection with the making and maintenance of such connections and enforcements thereto; regulating the use of municipal and private sewers and drains, individual wastewater disposal, the installation, connection, and disconnection of building sewers, the discharge of water and waste in the public sewer system; providing for penalties for violation therefore; and providing for termination of sewer service and of permits issued by the District pursuant to the provisions hereof.
- B. The intent of this Ordinance is to prevent the introduction of pollutants to the wastewater disposal system which will interfere with the proper operation of the system or the use of the disposal of sludge; to prevent the introduction of pollutants into the wastewater disposal system which will pass through the system inadequately treated into the receiving waters or the atmosphere and otherwise being incompatible with the system; and to improve the opportunity to recycle and reclaim wastewater and sludge from the system.

SECTION 3. CONFIDENTIAL INFORMATION

- A. Information and data relating to an Industrial User obtained from reports, questionnaires, permit applications, permits and monitoring programs and from inspections shall be available to the public or other governmental agency without restriction unless the user specifically requests, and is able to demonstrate to the satisfaction of the District that the release of such information would divulge information, processes, or methods of production entitled to protection as trade secrets of the User.
- B. When requested by the person furnishing a report, and until such time as the District determines that the requested information is not entitled to confidential treatment, the portions of a report which might disclose trade secrets or secret

processes as determined by the District shall not be made available for inspection by the public, but shall be made available upon written request to governmental agencies for uses related to this Ordinance, the National Pollutant Discharge Elimination System (NPDES) Permit, and for use by the State or any state agency in judicial review or enforcement proceedings involving the person furnishing the report.

- C. The wastewater constituents and characteristics will not be recognized as confidential information.
- D. Information accepted by the District as confidential shall not be transmitted to the general public by the District until and unless a 30-day notification is given to the User.
- E. The District shall implement measures to prevent the negligent release of confidential information; however, the District, the Board of Trustees, and the Executive Director shall not be held legally responsible for release of information if they have acted in good faith.
- F. If any of the provisions of this section 3 are in conflict with the Freedom of Information Act, the provisions of that act shall prevail.

SECTION 4. RECORDS RETENTION

- A. Users and the District shall maintain records of all information resulting from any monitoring activities required by this Ordinance, and in the case of Industrial Users, shall include:
 - 1) The date, exact place, method, and time of sampling and the names of the person or persons taking the samples;
 - 2) The dates the analyses were performed;
 - 3) The entity performing the analyses.
 - 4) The analytical techniques/methods used; and
 - 5) The results of such analyses.
- B. The District and Industrial Users shall maintain such records for a minimum of three (3) years. This period of retention shall be extended during the course of any unresolved litigation regarding the discharge of pollutants by the Industrial User or operation of the District pretreatment program or when requested by the Regional Administrator or the Director of IEPA.

ARTICLE II

DEFINITIONS

SECTION 1. TECHNICAL TERMS

- A. Technical terms used in this Ordinance but not included in the Definition of Terms are used in accordance with the Third Edition of "Glossary, Water and Wastewater Control Engineering", copyright 1981.

SECTION 2. ABBREVIATIONS

- A. The following abbreviations shall have the designated meanings:

BMP	Best Management Practices
BOD	Biochemical Oxygen Demand
CFR	Code of Federal Regulations
COD	Chemical Oxygen Demand
FOG	Fats, Oils and Grease
IEPA	Illinois Environmental Protection Agency
gpd	Gallons per day
mg/l	Milligrams per liter
NCPS	National Categorical Pretreatment Standards
NPDES	National Pollutant Discharge Elimination System
POTW	Publicly Owned Treatment Works
PSES	Pretreatment Standards for Existing Sources
PSNS	Pretreatment Standards for New Sources
RCRA	Resource Conservation and Recovery Act
SIC	Standard Industrial Classification
SIU	Significant Industrial User
SWDA	Solid Waste Disposal Act, 42 USC 6901 et. seq.
TOSCA	Toxic Substance Control Act
TRC	Technical Review Criteria
TSS	Total Suspended Solids
TTO	Total Toxic Organics
USC	United States Code
USEPA	United States Environmental Protection Agency

SECTION 3. DEFINITIONS

"Act" shall mean the Federal Water Pollution Control Act, as amended, 33 USC 1251 et. seq., also known as the Clean Water Act.

"Accidental Discharge" shall mean the unplanned release of substances either directly or indirectly in such magnitude to cause substantial effects on receiving systems or treatment processes. Release is the result of accident, acts of nature or operational malfunctions.

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

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

"Approval Authority" shall mean the Regional Administrator of USEPA, Region V.

"Authority" shall mean the Bloomington and Normal Water Reclamation District.

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

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

"Best Management Practices" (BMPs) shall mean schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in 40 CFR 403.5 (a)(1) and (b). 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.

"Biochemical Oxygen Demand (BOD)" shall mean the quantity of oxygen, expressed in mg/l, utilized in the biochemical oxidation of organic matter under standard laboratory procedures as described in 40 CFR Part 136.

"Board of Trustees" or "Board" shall mean the Board of Trustees of the Bloomington and Normal Water Reclamation District.

"Building Sewer Line" shall mean the sewer which transports the wastewater from a discharger's facility to the public sanitary sewer system.

"Bypass" shall mean the intentional diversion of waste streams from any portion of an Industrial User's treatment facility.

"Chemical Oxygen Demand (COD)" shall mean the quantity of oxygen consumed from a chemical oxidant (standard potassium dichromate solution) under standard laboratory procedures as described in 40 CFR Part 136.

"Chronic Violation of Wastewater Discharge Limits" shall mean where sixty-six percent (66%) or more of the measurements taken for the same pollutant parameter exceed the

same daily maximum limit or the same monthly average limit or any instantaneous limit, all in a six month period.

"Combined Waste Stream Formula" shall mean the formula as found in 40 CFR Section 403.6 (e) (1) (I).

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

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

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

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

"Control Authority" shall mean USEPA until IEPA has an approved pretreatment program, at which time IEPA shall be the control authority, provided that the District will be the control authority when the submission of its pretreatment program under 40 CFR 403.11 has been approved as provided in said section.

"Discharge or Indirect Discharge" shall mean the introduction of pollutants into the District POTW from any non-domestic source regulated under section 307 (b), (c) or (d) of the Act.

"District" or "Sanitary District" shall mean the Bloomington and Normal Water Reclamation District.

"District Engineer" shall mean the Engineer of the District registered as a Professional Engineer by the State of Illinois.

"Executive Director" shall mean the Chief Administrator of the District.

"Existing Source" shall mean any building, structure, facility or installation from which there is or may be a discharge, the operation of which commenced prior to the promulgation of the Applicable Pretreatment Standards under Section 307(c) of the Act which are applicable to such sources.

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

"Fats, Oil, or grease (FOG)" shall mean any hydrocarbons, fatty acids, soaps, fats, waxes, oils, and any other material that is extracted by hexane solvent.

"Flow" shall mean volume of wastewater.

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

"Grab Sample" shall mean a sample which is taken from a waste stream on a one-time basis with no regard to the flow in the waste stream and without consideration of time.

"General Pretreatment Regulations" shall mean General Pretreatment Regulations for Existing and New Sources, 40 CFR part 403, as amended.

"Incompatible Pollutant" shall mean all pollutants other than compatible pollutants as defined in Section 20 of this Article.

"Industrial User" or "User" shall mean a source of indirect discharge.

"Interference" shall mean an inhibition or disruption of the POTW, its treatment processes or operations, or its sludge processes, use or disposal which is a cause of or significantly contributes to either a violation of any requirements of the POTW's NPDES Permit (including an increase in the magnitude or duration of a violation) or to the prevention of sewage sludge use or disposal by the POTW in accordance with the following statutory provisions and regulations or permits issued thereunder (or more stringent State or Local regulations): Section 405 of the Clean Water Act, the Solid Waste Disposal Act (SWDA) (including title II more commonly referred to as the Resource Conservation and Recovery Act (RCRA) and including State regulations contained in any State sludge management plan prepared pursuant to Subtitle D or the SWDA), the Clean Air Act, and the Toxic Substances Control Act.

An Industrial User significantly contributes to such a permit violation of prevention of sludge use or disposal in accordance with above-cited authorities whenever such User:

1. Discharges a daily pollutant loading in excess of that allowed by permit with the POTW or by Federal, State or Local law; or
2. Discharges wastewater which substantially differs in nature or constituents from the Industrial User's average discharge; or
3. Knows or has reason to know that its discharge, alone or in conjunction with discharges from other sources, would result in a POTW permit violation or prevent sewage sludge use or disposal in accordance with the

above-cited authorities as they apply to the POTW'S selected method of sludge management.

"Mass Limitation" shall mean limits imposed upon a discharger based upon volumes or concentrations that are converted to weight units.

"May" is permissive.

"Monthly Average" shall mean the numerical average of all daily composite samples taken during a calendar month. A monthly average must be based upon at least four daily composite samples.

"Multiple Family Sewer Connection" shall mean a sanitary sewer connecting a dwelling structure containing two or more dwelling units or apartments, consisting of any combination of the following: (a) One bedroom or efficiency or single room dwelling units.

(b) Two bedroom dwelling units (c) Three or more bedroom dwelling units.

"National Categorical Pretreatment Standard" shall mean any regulation containing pollutant discharge limits promulgated by the USEPA in accordance with Section 307(b) and (c) of the Act, (33 USC 1317) which apply to a specific category of Users and which appear in 40 CFR Chapter I, Subpart N, Parts 405-471.

"National Pollutant Discharge Elimination System Permit (NPDES Permit)" shall mean a permit issued under the National Pollutant Discharge Elimination System for Discharge of Wastewaters to the Navigable Waters of the United States pursuant to the Act.

"New Source" shall mean any building, structure, facility, or installation from which there is or may be a discharge of pollutants, the construction of which commenced after promulgation of Applicable Pretreatment Standards under Section 307(c) of the Act which will be applicable to such source if such standards are thereafter promulgated in accordance with that Section. If National Categorical Pretreatment Standards are not applicable, "New Source" shall mean any building, structure, facility, or installation from which there is or may be a Discharge of Pollutants, the remodeling (if that remodeling could result in the application of a new Standard Industrial Classification code) or construction of which commences after the effective date of this Ordinance

"Pass Through" shall mean the discharge of pollutants through the POTW into navigable waters in quantities or concentrations which are a cause of or significantly contribute to a violation of any requirements of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation). An Industrial User significantly contributes to such permit violation where it:

1. Discharges a daily pollutant loading in excess of that allowed by permit with the POTW or by Federal, State or Local law.
2. Discharges wastewater which substantially differs in nature and constituents from the User's average discharge.

3. Knows or has reason to know that its discharge, alone or in conjunction with discharges from other sources, would result in a permit violation; or,
4. Knows or has reason to know that the POTW is, for any reason, violating its final effluent limitations in its permit and that such Industrial User's discharge either alone or in conjunction with discharges from other sources, increases the magnitude or duration of the POTW's violations.

"Person" shall mean any individual, firm, company, association, society, municipal, private or public corporation, institution, enterprise, governmental agency, or any other entity.

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

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

"Population Equivalent" shall mean a measure of the flow volume of raw sewage. One population equivalent of flow volume shall be 100 gallons per day. One population equivalent of strength shall be 0.17 pounds per day of BOD and 0.20 pounds per day of TSS.

"Pretreatment" shall mean the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater to a less harmful state prior to or in lieu of discharging or otherwise introducing such pollutants into a POTW.

"Pretreatment Requirements" shall mean any substantive or procedural requirement related to pretreatment, other than a National Categorical Pretreatment Standard, imposed on an Industrial User.

"Prohibitive Discharge Standard" shall mean any regulation developed under the authority of Section 307(b) of the Act and 40 CFR Section 403.5.

"Publicly Owned Treatment Works (POTW)" shall mean a treatment works as defined by Section 212 of the Act, owned by the District. This definition includes any interceptor sewers that convey wastewater to the POTW treatment plant regardless of ownership, but does not include pipes, sewers or other conveyances not connected to a facility providing treatment. For the purposes of this ordinance, POTW shall also include any sewers that convey wastewaters to the POTW from persons outside the District who are by contract or agreement with the District, Users of the District's POTW.

"Qualified Professional" shall mean an individual with working knowledge of facility processes and wastewater discharge.

"Residential User" shall mean a person who discharges exclusively domestic waste from a single or multi-family residence.

"RCRA" shall mean Resource Conservation and Recovery Act, Public Law 94-482 including all subsequent amendments and applicable regulations promulgated thereto.

"Sanitary Sewer" shall mean a sewer which carries sanitary and industrial wastewater, and to which storm, surface and groundwater are not intentionally admitted.

"Sewer Extensions" shall mean sanitary sewer greater than six inches in diameter which is designed to serve more than one building.

"Shall" is mandatory.

"Significant Industrial User" shall mean any Industrial User in the District: (I) whose Discharge is subject to National Categorical Pretreatment Standards; or (ii) who discharges an average of 25,000 gallons per day or more of process wastewater to the POTW(excluding sanitary, noncontact cooling and boiler blowdown wastewater); or (iii) who contributes a process wastestream which makes up 5 percent or more of the average dry weather hydraulic or organic capacity of the POTW; or (iv) whose discharged wastewater is found by the District, IEPA, or USEPA to have reasonable potential for adversely affecting the POTW's operation or for violating any Pretreatment Standard or Requirement.

Upon a finding that an Industrial User meeting the criteria in the definition of a Significant Industrial User has no reasonable potential for adversely affecting the POTW's operation or for violating any Applicable Pretreatment Standards or Pretreatment Requirements, the District may at any time on its own initiative or in response to a petition received from an Industrial User, and in accordance with 40 CFR 403.8(f)(6), determine that such Industrial User is not a Significant Industrial User.

"Significant Noncompliance" includes any conduct engaged in by an Industrial User which meets one or more of the following criteria:

- (1) Chronic Violations of Wastewater Discharge Limits;
- (2) Technical Review Criteria (TRC) Violations;
- (3) Any other violation or violations of an effluent limit (monthly average, or daily maximum, instantaneous, or narrative standard) that the District believes caused, alone or in combination with other discharges, interference or pass-through as defined by the Ordinance; or endangered the health of the sewage treatment personnel or the public;

- (4) Any discharge of a pollutant which has caused imminent danger to human health and/or welfare or the environment and resulted in the District using emergency authority to halt or prevent such a discharge;
- (5) Violations of a Wastewater Discharge Permit for starting construction, completing construction, and attaining final compliance by 90 days or more after the schedule date;
- (6) Failure to provide reports for compliance schedules, self-monitoring data or NCPS (baseline monitoring reports, 90-day compliance reports, and periodic reports) within 30 days from the due date;
- (7) Failure to accurately report noncompliance;
- (8) Any other violation or group of violations which the District considers to be significant.

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

"Slug" shall mean any discharge of water or wastewater which in concentration of any given pollutant, as measured by a grab sample, exceeds more than five (5) times the specific limit concentrations as given in Article IV of this Ordinance, or any pollutant, including oxygen demanding pollutants (BOD, etc.), released in a discharge at a flow rate and/or pollutant concentration which reasonably appears to present an imminent endangerment to the health and welfare of persons, which presents or may present an endangerment to the environment, or which threatens to cause interference with the POTW.

"Technical Review Criteria (TRC) Violations" shall be defined as thirty three percent (33%) or more of all the Discharge measurements of any Industrial User's Discharge to the POTW taken during a six-month period equal or exceed the product of the daily average maximum limit or the average limit or the instantaneous limit, times the applicable TRC of 1.4 for BOD, TSS, FOG, and 1.2 for all other Pollutants except pH.

"TOSCA" shall mean Toxic Substance Control Act referring to Public Law 94-469 including all subsequent amendments and applicable regulations promulgated thereto.

"Total Suspended Solids (TSS)" shall mean total suspended matter, expressed in milligrams per liter, that either floats on the surface of, or is in suspension in water, wastewater or other liquids and is removable by laboratory filtration using the approved methods in 40 CFR Part 136.

"Total Toxic Organics" shall mean the summation of all quantified values greater than 0.01 milligrams per liter for the toxic organics as specified in the applicable Federal, State or Local regulation.

"United States Environmental Protection Agency" or "USEPA" shall include the

Administrator or other duly authorized official of said Agency, as appropriate.

"Unpolluted Water" shall mean water of quality equal to or better than the State of Illinois effluent criteria in effect, or water that would not cause a violation of applicable Federal or State water quality standards and would not be benefited by discharge to the sanitary sewers and wastewater treatment facilities provided by the District.

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

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

"Wastewater" shall mean the combination of the liquid and water carried wastes from residences, commercial buildings, industrial plants and institutions including polluted cooling water.

- A. "Sanitary Wastewater" shall mean the combination of liquid and water-carried wastes discharged from toilet and other sanitary plumbing facilities.
- B. "Industrial Wastewater" shall mean a combination of liquid and water-carried waste, discharged from any industrial establishment and resulting from any trade or process carried on in that establishment including the wastewater from pretreatment facilities and polluted cooling water.
- C. "Combined Wastewater" shall mean wastewater including sanitary wastewater, industrial wastewater, storm water, infiltration and inflow carried to the POTW treatment facilities by a sewer.

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

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

ARTICLE III

USE OF PUBLIC AND DISTRICT SEWERS

SECTION 1. CONDITIONS FOR DISCHARGE TO THE DISTRICT SEWERS

- A. Public wastewater collection facilities are required to be used for deposit of human, commercial, or industrial liquid wastes that do not meet IEPA NPDES standards for discharge to surface waters.
- B. Except as provided in this Ordinance, or per the terms of any approved pre-annexation agreement, no person shall connect or cause to be connected any building or facility on property or any part thereof to any sewer unless the entire property shall first be situated within the corporate limits of the District.
- C. It shall be unlawful for any person to deposit or discharge, or to cause to be deposited or discharged, to any wastewater collection facilities, any solid, liquid or gaseous waste unless through a connection approved by the District.
- D. Any person owning improved property within the District, which abuts any street, alleyway, or right-of-way in which a public sewer is located shall if the improvements are used or are intended to be used for any type of human use or employment and if the sewer is within three hundred (300) feet of the nearest property line of the property, at his expense, install therein, suitable toilet and waste disposal facilities and within ninety (90) days after such sewer is in service connect such facilities to the sewer in accordance with District ordinance; provided, however, that in the event compliance with this section causes severe economic hardship to said person, he may apply to the District for exemption from this section. Such applications shall state in detail the circumstances which are claimed to cause such economic hardship. Such exemptions shall only be granted to residential Users, shall not apply to other Users, and shall be granted only for such times as the demonstrated hardship exists.
- E. Such person as described in this Article III, Section 1(C) and 1(D) shall not avoid connection to such sewer by reason of actual distance from a building or structure to the connection point of such sewer.

SECTION 2. SEWER CONNECTION PERMIT

- A. A permit shall be obtained from the District to uncover or make any connection with or opening into, or alter, disturb or extend any sanitary sewer or appurtenances tributary to the facilities of the District except for the municipalities, sanitary districts and public utilities for the purposes of operation, maintenance and repair, except for any connection with or opening into, or alteration, disturbance or extension of any existing sanitary sewer or appurtenances tributary to the facilities of the District by a discharger which does not result in an increased population equivalent loading. A permit shall be obtained from the District when a change in the use of a facility occurs whereby

the population equivalent loading is increased, or when such a change in use results in an introduction of industrial wastewater to the POTW. A District permit shall not be valid until all other permits required by this Section are obtained. A District permit, once issued, is applicable to only the property or site specified in the permit, and is not transferrable to any other property or site.

- B. A permit from the Illinois Environmental Protection Agency shall be obtained for any sanitary sewer connection which will or can serve more than one building, or for one building or building addition within which fifteen (15) or more residents may reside, or which will contribute to a flow to the sewers of 1,500 or more gallons a day.
- C. A building permit shall be obtained from the municipality; the Town of Normal, the Village of Downs or the City of Bloomington, within whose corporate limits the work will be performed only after a District Sewer Connection Permit has been obtained.
- D. A District sewer connection permit to allow a new building sewer service line to be connected to any District sewer or sewer tributary to a District sewer shall not be issued unless it can be demonstrated that the downstream District sewage facilities including sewers, pump stations, and wastewater treatment works, have adequate reserve capacity to transport and treat the additional wastewater to be discharged from the building sewer service lines.
- E. A sewer connection permit shall only be issued and a sewer connection allowed providing the plans, specifications and details of construction meet all the requirements of this ordinance and all other applicable ordinances of the District, the Town of Normal, the Village of Downs, the Bloomington Township Public Water District and the City of Bloomington.
- F. The District connection permit shall not be issued until the District's Connection Fee as set forth in AN ORDINANCE FOR THE CODIFICATION OF THE FEES AND CHARGES OF THE BLOOMINGTON AND NORMAL WATER RECLAMATION DISTRICT has been paid. If an industrial or residential user is found to have a sewer connection without a permit and/or without having paid the appropriate connection fee such user shall be subject to one or more of the following, upon reasonable notice, or a period of ten (10) days exclusive of a Holiday, whichever is lesser, as determined by the District:
 - 1. A fine of not less than one hundred (\$100.00) nor more than one thousand (\$1,000.00) per day;
 - 2. Disconnection of said sewer connection;
 - 3. All incidental and consequential costs and damages associated with enforcement;
 - 4. Disconnect of the water supply by the appropriate governmental

body until connection fee and all fines and other charges have been paid;

5. Such other remedies as allowed by law or ordinance.

G. A permit shall not be required for the rearranging of facilities within a building providing that the sewage exits the building through the same sewer connections.

SECTION 3. SEWER CONSTRUCTION PERMIT APPLICATION

A. The application for any permit required by Article III, Section 2A above shall be made in a format required by the District. The application shall consist of the following:

1. Completed District Application Form.
2. Check payable to the District for the permit fee.
3. A copy of the IEPA Permit, if required; and a copy of the permit from the municipality; and
4. In addition, in the case of a single-family residential application:
 - (a) A sketch or plot plan showing the street name on which the residence faces, the nearest cross street name, location of the house, sanitary sewer and proposed sewer service.
5. Or, in addition, in the case of multi-family residential application:
 - (a) Two copies of plot plan drawn to scale, showing the property lines and dimensions, the street and street name on which the building faces, the nearest cross street and name; the location of the building, the sanitary sewer and the proposed sewer service; and an arrow indicating the North direction of the drawing.
 - (b) Two sets of floor plans and the plumbing plans.
6. Or, in addition, in the case of non-residential application:
 - (a) Two copies of the plot plan drawn to scale, showing the property lines and dimensions; the street and street name on which the building faces; the nearest cross street and name; the location of the building, the sanitary sewer, the proposed sewer service, the sampling manhole, the water main, the proposed water service, storm sewers, inlets, catch basins, proposed storm drains and appurtenances and an arrow indicating the North direction of the drawing. If the building for which application is being made is part of a development involving several buildings, the

applicant shall furnish two copies of the total development plan showing the information required above.

(b) Two sets of the floor plans and the plumbing plans.

(c) Industrial waste information as may be required by the Executive Director.

SECTION 4. CONSTRUCTION STANDARDS

- A. The size, slope, alignment, materials of construction of a sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing and backfilling the trench, shall all conform to the requirement of the District and of the municipality in which the work is to be done. The materials and procedures set forth in the latest editions of Illinois Plumbing Code, appropriate sections of the specifications of the American Society of Testing Materials, Water Pollution Control Federal Manual of Practice No. 9, and Standard Specifications for Water and Sewer Main Construction in Illinois shall apply. In cases of conflict between standards, the more stringent shall apply.
- B. Connections with any District Sewer shall be made only at manholes or such other junctions as may be provided or designated by the District and then only in such manner as directed by the Executive Director and no such connection shall be made or connecting sewers constructed, except by skilled and responsible sewer builders and drain layers.
- C. No connections shall be made of roof downspouts, exterior foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer or building drain which, in turn, is connected directly or indirectly to a District Sewer.
- D. All excavation shall remain open until the work has been inspected and approved, at which time the excavations shall be backfilled and the site of the work restored to a condition equal to or better than that which existed prior to the commencement of said work.
- E. Sewer connections from buildings having holding tanks such as septic tanks, cesspools, and grease traps in residential buildings shall be made in such a manner that these devices are isolated from the line of waste flow and upon completion of construction shall be pumped out by a septic hauler, and filled with compacted granular material.
- F. Grease, oil and sand interceptors shall be provided when, in the opinion of the Executive Director, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Executive Director and shall be readily and easily accessible for cleaning and inspection.

SECTION 5. REQUIRED INSPECTIONS

- A. Upon receiving a connection permit from the District, together with a permit from IEPA and, where applicable, from the municipality within whose bounds the connection is to be made, the applicant may proceed to make the connection to the sanitary sewer.
- B. The municipality within whose boundaries the work is being done shall be responsible for the inspection and approval of the work. The District reserves the right to also inspect any such work.
- C. When the proposed work does not fall within the boundaries of a municipality, the District shall inspect and, when the work is satisfactorily completed, approve the said work. Where the District has sole responsibility, the Contractor or other entity performing the work shall post a bond with the District in the amount of \$25,000.00 guaranteeing that all of the work shall be in compliance with the requirements of the District. Each contractor shall carry such insurance as is deemed necessary from time to time by the District to protect it against claims, causes of actions, or any act of any permittee.
- D. The applicant shall notify the District and the municipality responsible for any required inspections at least twenty-four (24) hours prior to the commencement of the work to be done.
- E. Any sewer builder or drain layer who shall neglect, refuse or fail to correct any defect or fault in any of his work done under any permit from the District, shall not be permitted to do any further or additional work upon any sewer or appurtenance connecting with or designed to connect with or directly or indirectly discharge into any District Sewer, excepting sewers built or being built by the City of Bloomington, Village of Downs, the Bloomington Township Public Water District, or the Town of Normal, until such defects or faults have been corrected in a manner satisfactory to the District Engineer; and any and all then existing District permits in favor of such sewer builder or drain layer shall be suspended until any such defects or faults are so corrected.

ARTICLE IV

GENERAL DISCHARGE REGULATIONS

SECTION 1. DISCHARGES SUBJECT TO GENERAL REGULATIONS

- A. No person shall discharge wastes to District sewers without first having complied with Article III of this Ordinance.
- B. All non-residential waste discharges to District sewers shall comply with the General Prohibitions and Specific Discharge Limitations of this Article of this Ordinance except that some non-residential dischargers may be subject to National Categorical Pretreatment Standards (NCPS) who must also comply with the provisions of Article V of the ordinance.
- C. The District shall develop and enforce specific limits to implement the prohibitions listed in Article IV, Section 2 of this Ordinance. These specific discharge limitations are listed in Article IV, Section 3 of this Ordinance and shall not be developed and enforced without individual notice to persons or groups who have requested such notice and an opportunity to respond. The District may develop Best Management Practices (BMPs) to implement the specific discharge limitations. Such BMPs and the specific discharge limitations are to be considered Local Limits and Pretreatment Standards.

SECTION 2. GENERAL PROHIBITIONS

- A. Where conflicting requirements of applicable federal, state or local governments governing waste discharges exist, the most stringent shall apply.
- B. No User shall increase the use of potable or process water in any way, nor mix separate waste streams for the sole purpose of diluting a discharge as partial or complete substitute for adequate treatment, in order to achieve compliance with standards as set forth in this ordinance.
- C. No person shall discharge or cause to be discharged any stormwater, foundation drainwater, groundwater, roof runoff, surface drainage, cooling waters, or any other unpolluted water to any sanitary sewer.
- D. No User shall contribute or cause to be contributed, directly or indirectly, any pollutant or wastewater which will pass through or interfere with the operation or performance of the POTW. The following general prohibitions shall apply to all Users of District's POTW whether or not a user is subject to National Categorical Pretreatment Standards or requirements. A User may not contribute the following substances to District's POTW:
 - (1) Pollutants that create a fire or explosive hazard in the POTW, including, but not limited to, wastestreams with a closed cup flashpoint of less than 140 degrees Fahrenheit (60 degrees Centigrade) using the test methods specified in 40 CFR 261.21, or any liquids, solids or gases which by reason of their nature

or quantity are, or may be, sufficient either alone or by interaction with other substances to cause fire or explosion or be injurious or hazardous in any other way to the POTW or the operation of the POTW. At no time shall two successive readings on a meter capable of reading L.E.L. (lower explosive limit) at the point of discharge of the building's sewer line to the municipal sewer, or at the point of discharge into the POTW, interceptor sewer, or at any point in the POTW treatment works be more than five percent (5%) nor any single reading greater than ten percent (10%). Materials in this subsection include, but are not limited to, gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, polychlorinated biphenyls, carbides, hydrides, Stoddard solvents, and sulfides.

(2) Solid or viscous substances which may cause obstruction to the flow in a sewer or other interference with the operation of the wastewater treatment facilities of the POTW such as, but not limited to: grease, garbage with particles greater than one-half inch (2") in any dimension, animal guts or tissues, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, waste paper, wood, plastics, tar, asphalt residues from refining or processing of fuel or lubricating oil, mud or glass grinding or polishing wastes, or tumbling and de-burring stones.

(3) Any wastewater having a pH less than 5.0, unless more strictly limited elsewhere in this Ordinance.

(4) Any wastewater containing incompatible pollutants in sufficient quantity, either singly or by interaction with other pollutants, to injure or interfere with any wastewater treatment process, constitute a hazard to humans or animals, create an incompatible effect in the receiving water of the POTW, exceed the limitation set forth in a National Categorical Pretreatment Standard (when effective) or in Section 3 of this Article IV or create a public nuisance. An incompatible pollutant shall include, but not be limited to, any pollutant identified pursuant to Section 307(a) of the Act.

(5) Any noxious or malodorous liquids, gases, or solids which either singly or by interaction with other wastewaters are sufficient to create a public nuisance or hazard to life, or which are sufficient to prevent entry into sewers for their maintenance and repair, or which result in the presence of toxic gases, vapors or fumes within the POTW in a quantity that may cause acute worker health and safety problems.

(6) In no case shall a substance discharged to the POTW cause the POTW to be in non-compliance with sludge use or disposal criteria, guidelines or regulations developed under Section 405 of the Act; any criteria guidelines or regulations affecting sludge use or disposal developed pursuant to the RCRA, SWDA, the Act, the Toxic Substances Control Act (TOSCA), or State criteria applicable to the sludge management method being used by the District.

(7) Any substance which will cause the POTW to violate its NPDES Permit or

the State of Illinois water quality standards.

(8) Any wastewater having a temperature at the point of discharge to the POTW which will inhibit biological activity in the POTW treatment plant resulting in interference; but in no case shall wastewater be introduced to the POTW which exceeds 65°C (157°F) at the point of discharge or which exceeds 40°C (104°F) at the POTW treatment plant.

(9) Any pollutants, including compatible pollutants, released at a flow or pollutant concentration which a User knows or has reason to know will cause interference to the POTW. In no case shall a slug measured at the point of discharge to the POTW have a flow rate or contain concentrations of pollutants that exceed more than five (5) times the average twenty-four (24) hour concentrations, or 24-hour flow during normal operation; provided, however, that a User subject to National Categorical Pretreatment Standards shall comply with such standards in addition to this subsection D (9).

(10) Any wastewater containing any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by state or federal regulations.

(11) Any wastewater containing BOD, total solids, or suspended solids of such character and quantity that unusual attention or expense is required to handle such materials at the sewage treatment plant; provided, however, that a User may be permitted by specific, written agreement with the District, which agreement to discharge such BOD or TSS may provide for special charges, payments or provisions for treating and testing equipment.

(12) Ammonia nitrogen in amounts that would cause the District to fail to comply with State of Illinois effluent or water quality standards.

(13) Mercury in amounts that would exceed the requirements of Section 304.126 of Title 35: Environmental Pollution, Subtitle C, Water Pollution, Chapter 1, Pollution Control Board, as amended.

(14) Any wastewater containing concentrations of fats, oil, grease, (FOG), including, but not limited to, petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin, or trichlorotrifluoroethane extractable material which is sufficient to cause interference or pass through at the POTW.

(15) Any substance which, if otherwise disposed of, would be a hazardous waste under 40 CFR Part 261, or other applicable state or local hazardous waste disposal laws, without written permission of the Executive Director granted pursuant to Article IV, Section 9 of this Ordinance.

(16) Any pollutant, including oxygen demanding pollutants (BOD, etc.) released in a Discharge at a flow rate and/or pollutant concentration which will cause interference with the POTW.

(17) Any trucked or hauled pollutants, except at discharge points designated by the District.

E. Compliance with the provisions of this Section 2 shall be required on the effective date of this Ordinance.

SECTION 3. SPECIFIC DISCHARGE LIMITATIONS

A. Discharges from each separate discharge of a User, as measured under the provisions of this Ordinance, shall not contain in excess of the following concentrations based upon a 24-hour composite sample. Multiple industrial wastewater discharges from a permitted facility may be combined by flow-weighted averages to determine compliance with the following limitations for a 24-hour composite sample.

<u>Material</u>	<u>Concentration Limit, mg/l</u>
Arsenic	0.52
Barium	62.0
Cadmium	0.29
Chromium	8.83
Copper	3.0
Iron	72.0
Iron (dissolved)	18.0
Lead	1.20
Manganese	18.8
Mercury	0.0005
Molybdenum	0.16
Nickel	1.38
Selenium	0.28
Silver	0.39
Zinc	8.21

Discharges from each separate discharge of a User, as measured under the provisions of this Ordinance, shall not contain in excess of the following concentrations based upon an instantaneous grab sample.

<u>Parameter</u>	<u>Concentration</u>
Chromium (hexavalent)	0.52 mg/l
Cyanide	1.20 mg/l
Oil and Grease	100.0 mg/l
Phenols	2.13 mg/l
pH	6-10 std. units

B. Wastes containing BOD levels in excess of 200 mg/l and TSS in excess of 250 mg/l will be subject to surcharge according to the provisions of AN ORDINANCE FOR CODIFICATION OF THE FEES AND CHARGES OF THE BLOOMINGTON AND NORMAL WATER RECLAMATION DISTRICT. Wastes high in BOD and TSS may be rejected or pretreatment may be required.

- C. Compliance with the provisions of Section 3.A., of this Article shall be required as of the effective date of the Ordinance.
- D. As waste loads, plant processes, stream conditions change or regulations change, the District may amend Section 3.A., of this Article from time to time as may be necessary to meet the intent of this Ordinance as specified in Article I, Section 2.B..

SECTION 4. EXCESSIVE DISCHARGES

- A. No User shall increase the use of process water, or in any way attempt to dilute a discharge as a partial or complete substitute for adequate pretreatment to achieve compliance with the limitations contained in an applicable National Categorical Pretreatment Standards (NCPS), or in any other Specific Limitations developed by the District.

SECTION 5. SPILL CONTAINMENT AND CONTROL OF SLUG DISCHARGES

- A. Each Industrial User having the ability to cause interference with the POTW treatment plant or, or to create a hazardous condition to exist in the POTW, or to violate the regulatory provisions of this Ordinance shall provide protection from accidental or slug discharges to the POTW of prohibited materials or other substances regulated by this Ordinance. Facilities to prevent accidental or slug discharge of prohibited materials shall be provided and maintained at the Industrial User's own cost and expense. Significant Industrial Users are required to notify the District immediately of any changes at its facility affecting the potential for a Slug Discharge.
- B. All Significant Industrial Users and any other Industrial User whose wastewater includes or could include compatible or incompatible pollutants in amounts great enough to cause interference with the POTW must have detailed plans on file at the District showing facilities and operating procedures to provide protection from accidental or slug discharges. No Industrial User who begins contributing to or could contribute such pollutants to the POTW after the effective date of the Ordinance shall be permitted to introduce such pollutants into the POTW until accidental or slug discharge facilities and procedures, as appropriate, have been approved by the District and installed by the Industrial User. Review and approval of such plans and operating procedures shall not relieve the Industrial User from the responsibility to modify its facility as necessary to meet the requirements of this Ordinance. These plans must include a plan to control accidental or slug discharges which describes:
 - (1) Discharge practices, including non-routine batch discharges;
 - (2) Stored chemicals;

(3) Procedures for immediately notifying the District of accidental or slug discharges, including any discharge that would violate a prohibition under 40CFR 403.5(b), or any of the requirements of this Ordinance, with procedures for follow-up written notification to the District within 5 days.

(4) If necessary, procedures to prevent adverse impact from accidental or slug discharges, including but not limited to inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site run-off, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants (including solvents), and/or measures and equipment for emergency response.

- C. Each Significant Industrial User who has not previously submitted to the POTW a plan to control accidental and slug discharges pursuant to this Ordinance shall be evaluated by the District at least once every two years to determine whether the Significant Industrial User is required to have a plan to control slug discharges pursuant to this section.
- D. In the case of an accidental, slug or deliberate discharge of compatible or incompatible pollutants which may cause interference at the POTW or will pass through the POTW or violate requirements of this Ordinance, it shall be the responsibility of the Industrial User to immediately telephone and notify the District of the incident. The notification shall include name of caller, location and time of discharge, type of wastewater, concentration and volume.
- E. Within fifteen (15) days following such an accidental, slug or deliberate discharge, the Industrial User shall submit to the District a detailed written report describing the cause of the discharge and the measures to be taken by the User to prevent similar future occurrences. Follow-up reports may be required by the District as needed. Such report, or reports, shall not relieve the Industrial User of any expense, loss, damage or other liability which may be incurred as a result of damage to person or property; nor shall such report relieve the Industrial User of any fines, civil penalties, or other liability which may be imposed by this Ordinance or otherwise. Failure to report accidental, slug or deliberate discharges may, in addition to any other remedies available to the District, result in the revocation of the discharger's wastewater discharge permit.
- F. The Industrial User shall control production or all discharges to the extent necessary to maintain compliance with all applicable regulations upon reduction, loss, or failure of its treatment facility until the facility is restored or an alternative method of treatment is provided. This requirement applies in the situation where, among other things, the primary source of power of the treatment facility is reduced, lost or fails.
- G. A notice in English and the language of common use shall be permanently posted on the Industrial User's bulletin board or other prominent place advising employees whom to call in the event of a discharge of prohibitive material. Employers shall insure that all employees who are in a position to cause, discover, or observe such an accidental discharge, are advised of the emergency

notification procedures.

SECTION 6. BYPASS CRITERIA

- A. An Industrial User may allow any bypass of a treatment facility to occur which does not cause Applicable Pretreatment Standards or Pretreatment Requirements to be violated, but only if it also is for essential maintenance to assure efficient operation. Such bypasses are not subject to the provisions of the following paragraphs in section 6.
- B. If an Industrial User knows in advance of the need for a bypass, it shall submit prior notice to the District, if possible at least ten days before the date of the bypass.
An Industrial User shall submit oral notice of an unanticipated bypass that exceeds applicable Pretreatment Standards to the District within 24 hours from the time the Industrial User becomes aware of the bypass. A written submission shall also be provided within 5 days of the time the Industrial User becomes aware of the bypass. The written submission shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times, and, if the bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass. The District may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.
- C. Bypass is prohibited, and the District may take enforcement action against an Industrial User for a bypass unless;
- (1) Bypass was unavoidable to prevent loss of life, personal injury, or "Severe Property Damage" as defined in 40 CFR 403.17(a),(2);
 - (2) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance; and
 - (3) The Industrial User submitted notices as required under paragraph B of this section.
- D. The District may approve an anticipated bypass, after considering its adverse effects, and if the District determines that it will meet the three conditions listed in paragraph C of this section.

SECTION 7. VARIANCE

- A. To the extent consistent with the applicable provisions of the Act and the Illinois Environmental Protection Act (Ch. 111 2, Ill. Rev. Stat., Secs. 1001, et seq.), the Board may grant individual variances beyond the limitations prescribed in Article

IV, Section 3 of this Ordinance, provided that the Petitioner has demonstrated that failure to receive a variance would work an arbitrary or unreasonable hardship on the Petitioner and provided further that Petitioner has demonstrated that Petitioner will be in compliance by the end of the variance period granted. The burden of showing such arbitrary and unreasonable hardship shall be on petitioner who shall, before such variance is granted, show such arbitrary and unreasonable hardship to the Board by clear and convincing proof. In no case shall the Board grant any variance whose terms might or could cause "Interference" or "Pass Through" as such terms are defined in this Ordinance.

- B. In granting a variance, the Board may impose such conditions, exceptions, time limitations, duration and other limitations as the policies of this Ordinance, the Illinois Environmental Protection Act may require, including limitations that will assure that Petitioner will be in compliance by the end of the variance period. Any variance granted by the Board shall not exceed two (2) years and shall be granted upon the condition that the person who receives such variance shall make such periodic progress reports as the Board shall specify. Such variance may be extended twice for up to two years each time by affirmative action of the Board, but only if satisfactory progress has been shown. However, no petitioner shall receive any variances, including any extension, exceeding a combined total of five years for any specific pollutant.
- C. Any person seeking a variance shall do so by filing a petition for variance with the District Director in a format required by the District. Within 21 days of receipt of the petition, notice of the petition shall be published in a newspaper of local circulation once a week for three weeks.
- D. The District shall specify information required to be submitted by the Petitioner. To enable the District to rule on the petition for variance, the following information where applicable, shall be included in the petition:
 - (1) A clear and complete statement of the precise extent of the relief sought, including specific identification of the particular provisions of the ordinance from which the variance is sought.
 - (2) Data describing the nature and extent of the present failure to meet the numerical standards or particular provisions from which the variance is sought and a factual statement why compliance with the ordinances was not or cannot be achieved by the required compliance date.
 - (3) A detailed description of the existing and proposed equipment or proposed method of control to be undertaken to achieve full compliance with the ordinance, including a time schedule for the implementation of all phases of the control program from initiation of design to program completion and the estimated costs involved for each phase and the total cost to achieve compliance.
 - (4) Past efforts to achieve compliance including costs incurred, results achieved and permit status.

(5) A discussion of the availability of alternate methods of compliance, the extent that such methods were studied, and the comparative factors leading to the selection of the control program proposed to achieve compliance.

(6) A concise factual statement of the reasons the petitioner believes that compliance with the particular provisions of the ordinance would impose an arbitrary or unreasonable hardship; and

(7) Such other information as required by the District

E. The District Director shall investigate such petition, consider the views of persons who might be adversely affected by the granting of a variance and make a report to the Board of the disposition of the petition. If the Board in its discretion concludes that a hearing would be advisable or if the District Director or any other person files a written objection to the granting of such variance within fifteen (15) days from the date of publication of the petition in the newspaper, then a hearing shall be held and the burden of proof shall be on the Petitioner. Such hearing shall be conducted in the same manner specified in Article X Sections B.2. through B.3.

F. If the limits of a variance are exceeded or if any terms of a variance are violated by the person granted a variance, a violation of this ordinance is deemed to have occurred and the variance may be revoked on thirty (30) days notice.

SECTION 8. NOTIFICATION OF CHANGED DISCHARGE

Each user shall notify the Executive Director in advance of any planned significant changes to the user's operation or system which might alter the nature, quantity, volume or characteristics of its wastewater at least thirty (30) days before the change.

A. The Executive Director may require the user to submit such information as may be deemed necessary to evaluate the changed condition, including the submission of a discharge permit application under Article VI of this Ordinance.

B. The Executive Director may issue a wastewater discharge permit under Article VI, Section 4A. of this Ordinance or modify an existing discharge permit in response to changed conditions or anticipated changed conditions.

C. For purposes of this requirement, significant changes include, but are not limited to flow increases of 20% or greater and the discharge of previously unreported pollutants.

D. The requirements of this Section apply to all changes in discharges, including discharges of hazardous waste permitted by the Executive Director under Article IV., Section 9 of this Ordinance.

SECTION 9. PERMISSION TO DISCHARGE HAZARDOUS WASTE

- A. Any user who proposes to commence discharge of a substance to the POTW which, if otherwise disposed of, would be a hazardous waste under 40 CFR Part 261 or other State or local hazardous waste disposal laws, shall request permission in writing from the Executive Director at least thirty (30) days prior to the date of the proposed discharge. Such request shall include the name of the hazardous waste as set forth in 40 CFR Part 261, or the applicable State or local hazardous waste law, the USEPA hazardous waste number, and the type of discharge (continuous, batch, or other). If the user proposes to discharge more than one hundred (100) kilograms of such waste per calendar month to the POTW, the request shall also contain the following information, to the extent such information is known and readily available to the user: an identification of the hazardous constituents contained in the wastes, an estimation of the mass and concentration of such constituents in the waste stream discharged during that calendar month, and an estimation of the mass of constituents in the waste stream expected to be discharged during the following twelve (12) months.
- B. If the Executive Director grants permission to a user to discharge a hazardous waste, the discharge will be subject to the notification of changed discharge requirements of Article IV, Section 8 of this Ordinance.
- C. Any user that is given permission to discharge a hazardous waste shall certify that it has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree it has determined to be economically practical.
- D. This provision does not create a right to discharge any substance not otherwise permitted to be discharged by this ordinance, a permit issued thereunder, or any applicable Federal or State law.
- E. An application for a discharge permit under Article VI of this Ordinance which provides the information set forth in paragraph A of this Section will satisfy the requirement for a request in writing for permission to discharge a hazardous waste. A user to whom a discharge permit has already been issued shall satisfy the requirements of paragraph A by providing the information set forth therein in a new application to the District submitted at least thirty (30) days prior to the proposed discharge, in the same manner and form as originally made, except that information previously submitted and unchanged need not be resubmitted by the permittee. Nothing in this Section shall require the Executive Director to issue a discharge permit under Article VI of this Ordinance or to include permission to discharge hazardous waste in any permit issued.

ARTICLE V

NATIONAL CATEGORICAL PRETREATMENT STANDARDS

SECTION 1. INCORPORATION OF NATIONAL STANDARDS

Upon the promulgation of the National Categorical Pretreatment Standard (NCPS) for a particular user, the said standard, if more stringent than the limitations imposed under this Ordinance for sources in that category, shall, when effective, immediately supersede the limitations and conditions imposed under this Ordinance. The District shall notify all known affected users of the applicable reporting requirements under 40 CFR Section 403.12.

SECTION 2. FINAL NATIONAL CATEGORICAL PRETREATMENT STANDARDS

- A. Job shop and independent printed circuit board manufacturers regulated by the electroplating point source category (40 CFR Part 413), as amended, have been given a compliance date of April 27, 1984. Integrated electroplating facilities regulated by the electroplating point source category, as amended, have been given a compliance date of June 30, 1984. The limitations for this point source category are found in Appendix A of the Ordinance.
- B. Industrial Users regulated by the metal finishing point source category (40 CFR Part 433) have been given a compliance date of February 15, 1986. The limitations for this point source category are found in Appendix B of this Ordinance.
- C. Additional Appendices containing limitations for other industrial categories may be added to this ordinance by amendment as they are finalized by USEPA and/or as they apply to District Industrial Users.

ARTICLE VI

DISCHARGE PERMITS

SECTION 1. PROHIBITION OF DISCHARGES WITHOUT PERMITS

- A. It shall be unlawful for any Significant Industrial User to discharge wastewater to the District's POTW without or contrary to the conditions of a permit issued by the District Board in accordance with the provisions of this Ordinance.
- B. It shall also be unlawful for any Significant Industrial User who has been issued a General Discharge Permit to continue to discharge wastes to the POTW without meeting the requirements of the permit and of this Ordinance.
- C. The District Executive Director shall send written notification to Industrial Users existing at the effective date of this Ordinance and discharging wastes to District sewers that permits shall be required for continued discharging of wastes to sewers. Industrial Users so notified shall obtain permits.

SECTION 2. GENERAL DISCHARGE PERMITS

- A. All Significant Industrial Users proposing to connect to or contribute to the POTW shall obtain a General Wastewater Discharge Permit before connecting to or contributing to the POTW. All existing significant industrial users connected to or contributing to the POTW shall obtain a General Wastewater Discharge Permit within 180 days after receiving notification that they must apply for a permit. Application for the General Discharge Permit shall be made in a format required by the District and shall be accompanied by the fee as set forth in AN ORDINANCE FOR CODIFICATION OF THE FEES AND CHARGES OF THE BLOOMINGTON AND NORMAL WATER RECLAMATION DISTRICT
- B. Existing industrial users shall apply for a Discharge Permit within 90 days after receiving notification that permits are required. Proposed new users shall apply at least 90 days prior to discharging to the POTW.
- C. In support of the application for a General Discharge Permit, the user shall submit, in units and terms appropriate for evaluation, the following information:
 - (1) Name, address, location and SIC number according to the Standard Industrial Classification Manual, Bureau of the Budget, 1972, as amended;
 - (2) Wastewater constituents and characteristics including but not limited to, those set forth in Article IV, Section 3 of this Ordinance as determined by a reliable analytical laboratory; sampling and analysis shall be performed in accordance with 40 CFR Part 136.
 - (3) Time and duration of discharge;

- (4) Average and maximum wastewater flow rates, including monthly and seasonal variation, if any;
- (5) Site plans showing all pipe sizes, manholes and location of sanitary and storm sewers leaving the building or premises, together with all connections to lateral sanitary and storm sewers.
- (6) Listing of each process activity.
- (7) Line diagram and basic information, including capacity, of existing or proposed spill containment area and installation.
- (8) Total number of employees and hours of operation of a plant.
- (9) Proposed or actual hours of operation of any pretreatment system and the name of the IEPA certified pretreatment operator.
- (10) Name of authorized representative of the industrial user.
- (11) User's source of intake water together with the types of usage and disposal sources of water and the estimated volumes in each category.
- (12) Listing of raw materials and chemicals that are used in the manufacturing process and are capable of being discharged into the POTW.
- (13) Description of sludge handling quantities and procedures if sludges are generated in waste pretreatment processes.
- (14) Brief description of types and volumes of toxic and hazardous wastes generated in manufacturing, how they are disposed of, and the site disposal permit numbers. Describe methods to prevent spills to sewers of these materials.
- (15) If additional user proper operation and maintenance or pretreatment techniques or installations will be required to meet waste discharge standards, the shortest schedule by which the user will provide such additional pretreatment. The completion date in this schedule shall not be later than the compliance date established for the discharge standard.
 - (a) The schedule shall show the calendar dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the user to meet the applicable pretreatment standards (e.g., hiring an engineer, completing preliminary plans, completing final plans, executing contract for major components, commencing construction, completing construction, etc.) No time increment between events shall exceed nine (9) months.
 - (b) No later than 14 days following each date in the schedule and the final date for compliance, the user shall submit a progress report to the

District including, as a minimum, whether or not it complied with the increment of progress, the reason for delay, and the steps being taken by the user to return the construction to the schedule established. In no event shall more than nine (9) months elapse between such progress reports to the District.

(16) Any other information as may be deemed by the Executive Director to be necessary to evaluate the permit application.

D. Industrial Users subject to National Categorical Pretreatment Standards shall also comply with Section 3 of this Article.

SECTION 3. ADDITIONAL REQUIREMENTS FOR USERS SUBJECT TO NATIONAL CATEGORICAL PRETREATMENT STANDARDS

A. Industrial Users applying for General Discharge Permits who are also subject to National Categorical Pretreatment Standards shall comply with the procedures of Section 2 of this Article. In addition, such users shall also provide the information and comply with the procedures specified in Section 3 of this Article.

The District may determine that an Industrial User subject to categorical Pretreatment Standards under 403.6 and 40 CFR chapter I, subchapter N is a Non-Significant Categorical Industrial User rather than a Significant Industrial user on a finding that the Industrial User never discharges more than 100 gallons per day of total categorical wastewater (excluding sanitary, non-contact cooling and boiler blowdown wastewater, unless specifically included in the Pretreatment Standard) and the following conditions are met:

(1) The Industrial User, prior to the District's finding, has consistently complied with all applicable categorical Pretreatment Standards and Requirements;

(2) The Industrial User annually submits the certification statement required in 403.12(q) together with any additional information necessary to support the Certification statement; and

(3) The Industrial User never Discharges any untreated concentrated wastewater.

B. If an Industrial User not subject to National Categorical Pretreatment Standards (NCPS) has been issued a General Discharge Permit by the District and later becomes subject to a NCPS, that user shall apply for a modification to the General Discharge Permit within 180 days of the effective date of the NCPS. The application for modification shall include all information and procedures required by Section 3 of this Article.

C. An Industrial User subject to a National Categorical Pretreatment Standard shall submit a Baseline Report which includes, in units and terms specified in the

application, the following information:

- (1) Name and address of the facility including the name of the operator and owners.
- (2) List of any environmental control permits held by or for the facility.
- (3) Brief description of the nature, average rate of production, and Standard Industrial Classification of the operation(s) carried out by such user. This description shall include a schematic process diagram indicating points of discharge to the POTW from the regulated processes.
- (4) Information showing the measured average daily and maximum daily flow, in gallons per day, to the POTW from each of the following:
 - (a) Regulated process streams, and
 - (b) Other streams as necessary to allow use of the combined waste stream formula of 40 CFR Section 403.6(e).

The District may allow for verifiable estimates of these flows when it is justifiable for cost or feasibility considerations.

- (5) The Industrial User shall identify the National Categorical Pretreatment Standards applicable to each regulated process and shall:
 - (a) Submit the results of sampling and analysis identifying the nature and concentration (or mass, where required by the Standard or Control Authority) of regulated pollutants in the discharge from each regulated process. Both daily maximum and average concentration (or mass where required) shall be reported. The sample shall be representative of daily operations. In cases where the Standard requires compliance with a Best Management Practice or pollution prevention alternative, the User shall submit documentation as required by the District or the applicable Standards to determine compliance with the Standard.
 - (b) Assure that samples are collected using acceptable sampling techniques. A minimum of four (4) grab samples must be used for pH, cyanide, total phenols, oil and grease, sulfide, and volatile organics. For all other pollutants, 24-hour composite samples must be obtained through flow-proportioned composite sampling techniques where feasible. The District may waive flow-proportional composite sampling for any Industrial User that demonstrates that flow-proportional sampling is infeasible. In such cases, samples may be obtained through time-proportional composite sampling techniques or through a minimum of four (4) grab samples where the user demonstrates that this will provide a representative sample of the effluent being discharged.
 - (c) Where the flow of the stream being sampled is less than or equal to

250,000 gpd, the User must take three (3) samples within a two-week period. Where the flow of the waste stream is greater than 250,000 gpd, the User must take six samples within a two-week period.

(d) Obtain such samples immediately downstream from pretreatment facilities if such exist or immediately downstream from the regulated process if no pretreatment exists. If other wastewaters are mixed with the regulated wastewater prior to pretreatment, in order to evaluate compliance with the National Categorical Pretreatment Standards, the industrial user shall measure the flows and concentrations necessary to allow use of the combined waste stream formula of 40 CFR Section 403.6 (e). Where an alternate concentration has been calculated in accordance with 40 CFR Section 403.6 (e), this adjusted limit along with supporting data shall be submitted to the District.

(e) Assure that sampling and analysis are performed in accordance with the techniques prescribed in 40 CFR Part 136 and amendments thereto. Where 40 CFR Part 136 does not contain sampling or analytical techniques for the pollutant in question, or where the Administrator determines that the Part 136 sampling and analytical techniques are inappropriate for the pollutant in question, sampling and analysis shall be performed by using validated analytical methods or any other applicable sampling and analytical procedures, including procedures suggested by the District or other parties, approved by the Administrator.

(f) Submit, only with District authorization, a Supplemental Permit Application/Baseline Report which utilizes only historical data, so long as the data provides information sufficient to determine the need for industrial pretreatment measures.

(g) Provide, for each report the time, date, and place of sampling and methods of analysis and certification that such sampling and analysis is representative of normal work cycles and expected pollutant discharges to the POTW.

(6) The Industrial User shall provide a statement, reviewed by an authorized representative of the Industrial User and certified by an Illinois Registered Professional Engineer, indicating whether National Categorical Pretreatment Standards are being met on a consistent basis and, if not, whether additional proper operation and maintenance measures (O&M) or additional pretreatment is required for the user to meet the National Categorical Pretreatment Standards

(7) New Sources, when subject to a NCPS and existing Sources that become Industrial Users subsequent to the promulgation of an applicable Categorical Standard shall submit a baseline report containing the information listed in this subsection C. at least 90 days prior to commencement of discharge to the POTW.

D. If additional pretreatment or proper O&M will be required to meet the National Categorical Pretreatment Standards, the user will provide the shortest schedule which will provide such additional pretreatment or proper O&M. The completion date in this schedule shall not be later than the compliance date established for the applicable National Categorical Pretreatment Standards.

(1) Where the Industrial User's National Categorical Pretreatment Standard has been modified by the combined waste stream formula (40 CFR Section 403.6(e)), and/or Fundamentally Different Factors Variance (40 CFR 403.13), at the time the user applies for the Supplemental Wastewater Discharge Permit, the information required in Sections 3D (6) and E of this Article shall pertain to the modified limits.

(2) If the National Categorical Pretreatment Standard for the industrial user is modified by a removal allowance (40 CFR 403.7), the combined wastestream formula (40 CFR 403.6 (e)), and/or a Fundamentally Different Factors variance (40 CFR 403.13), after the application for a Supplemental Wastewater Discharge Permit is submitted, the user shall make any necessary amendments to information provided as a response to Sections 3C(6) and E of this Article and submit them to the District within 60 days after the modified limit is approved.

E. The following conditions shall apply to any schedule submitted in response to Section 3D, Article VI of this Ordinance.

(1) The schedule shall contain calendar dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the user to meet the applicable National Categorical Pretreatment Standards (e.g., hiring an engineer, completing preliminary plans, completing final plans, executing contract for major components, commencing construction, completing construction, etc.) No time increment in the schedule shall exceed nine (9) months.

(2) Not later than 14 days following each date in the schedule and the final date for compliance, the user shall submit progress to be met on such date and, if not, the date on which it extends to comply with this increment of progress, the reason for delay, and the steps being taken by the industrial user to return the construction to the schedule established. In no event shall more than nine (9) months elapse between such progress reports to the District.

SECTION 4. REVIEW OF GENERAL DISCHARGE PERMIT APPLICATIONS

A. The District will evaluate the data furnished by the user and may require additional information from the user. After evaluation of the data furnished, the District may issue a General Wastewater Discharge Permit.

B. Permits to Users Subject to National Categorical Standards

(1) General industrial wastewater discharge permits issued to an Industrial User which has processes regulated by National Categorical Pretreatment

Standards shall include the limits on average and daily maximum pollutant concentrations from the applicable National Categorical Pretreatment Standard and Best Management Practices if applicable.

(2) Where the National Categorical Pretreatment Standards are modified by the combined waste stream formula (40 CFR Section 403.6(e)) of the General Pretreatment Regulations, the limits as modified shall be made a part of the Supplemental Wastewater Discharge Permit.

(3) Where an industrial user has manufacturing processes which are regulated by more than one National Categorical Pretreatment Standard at the same permitted discharge location, the limitation in the Wastewater Discharge Permit shall be adjusted consistent with USEPA guidelines and regulations.

SECTION 5. PERMIT CONDITIONS

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

(1) Limits on the average and maximum wastewater constituents and characteristics;

(2) Limits on average and maximum rate and time of discharge or requirements for flow regulation and equalization for each separate discharge of a user;

(3) Requirements for installation and operation of inspection, sampling, and monitoring facilities;

(4) Specifications for monitoring programs which may include sampling locations, frequency of sampling, number, types and standards for tests and reporting schedule;

(5) Compliance schedule, if necessary, to install technology to meet applicable pretreatment standards and requirements;

(6) Requirements for submission of technical reports or discharge reports;

(7) Requirements to retain for a minimum of three years any records of monitoring activities and results relating to wastewater discharge and for affording District access to said records;

(8) Requirements for advanced notification of the District of any new introduction of wastewater constituents or any substantial change in the volume or character of the wastewater constituents being introduced into the wastewater treatment system.

(9) Requirements for notification of slug discharges as defined in this Ordinance.

(10) Other conditions, including Best Management Practices, as deemed appropriate by the District to ensure compliance with this Ordinance.

- B. In the event the type, quality, or volume of wastewater from the property for which a discharge permit was previously granted is expected to materially and substantially change as determined by the District, the person previously granted such permit shall give thirty (30) days notice in writing to the District and shall make a new application to the District prior to said change, in the same manner and form as originally made, provided that information previously submitted and unchanged need not be resubmitted by permittee. No permittee shall materially and substantially change the type, quality of volume of its wastewater beyond that allowed by its permit without prior approval of the District.
- C. Permits shall be issued for a specified time period, not to exceed five (5) years. The permittee shall file an application for renewal of its permit at least 90 days prior to expiration of the user's permit. The user shall apply, in a format required by the District, for reissuance of the Permit. The terms and conditions of the permit may be subject to modification by the District during the term of the permit. The user shall be informed of any proposed changes in his permit at least 30 days prior to the effective date of change. Where any changes are made in user's permit, a reasonable time shall be given to achieve compliance.
- D. Wastewater discharge permits are issued to a specific user for the process activity specified in the permit. A Wastewater Discharge Permit shall not be assigned, transferred or sold to a new owner or new user in different premises or to a new or change operation in the same of different premises without the approval of the District. If the premises are sold or otherwise transferred by the permittee to a new owner who will maintain the operation in the same premises, then the permit held by the seller shall be reissued by the District to the new owner as a temporary permit; provided that the new owner shall immediately apply for a new permit in accordance with this Ordinance and further provided that the temporary permit shall only be effective for ninety (90) days after the date of sale or transfer. The District shall have the same remedies for violation of temporary permits as it has for violation of other discharge permits.

SECTION 6. PRETREATMENT FACILITY CONSTRUCTION PERMITS AND INSPECTION

- A. If pretreatment and/or equalization of the waste flow is required to meet limitations of this Ordinance, a permit by the District to construct the facilities necessary for treatment of the wastes shall also be required. A user's application for a permit to construct such facilities shall include the following:

- (1) Summary of design information used to select and size the process to be constructed.
- (2) Schematic diagram of the proposed treatment processes showing flow rates and pollutant loadings.
- (3) Description of sludge disposal scheme.
- (4) Copy of IEPA permit to construct and operate proposed facilities.
- (5) Municipal or county building permit copy.
- (6) Two (2) copies of plans and specifications.
- (7) A check for the construction permit review fee set forth in AN ORDINANCE FOR CODIFICATION OF THE FEES AND CHARGES OF THE BLOOMINGTON AND NORMAL WATER RECLAMATION DISTRICT.

- B. A permit to construct the facilities shall be issued if the facilities proposed are shown to bring the user's waste stream into compliance with this Ordinance and if the design meets all other applicable codes, ordinances and laws.
- C. The industrial user shall notify the District when construction begins. The District shall inspect the work for conformance with the approved plans. The construction must also pass required municipal or county building inspections.

SECTION 7. DENIAL OF PERMITS AND APPEALS

- A. No discharge or facility construction permit shall be issued by the Executive Director to any person whose discharge of material to sewers, whether shown upon his application or determined after inspection and testing conducted by the District, is not in conformity with all applicable ordinances, and regulations or whose application is incomplete or does not comply with the requirements of this Ordinance. The Executive Director shall state the reason or reasons for denial in writing, which shall be mailed or personally delivered to the applicant within five (5) days after denial.
- B. If the application is denied by the Executive Director, the user may obtain a review of the denial by the Board of Trustees, provided that the user shall give written notice of this request therefore, within thirty (30) days after receipt of such denial. The Board shall review the permit application, the written denial and such other evidence and matters as the applicant and Executive Director shall present. The decision of the Board shall be final.

SECTION 8. REPORTING REQUIREMENTS

A. Date of Compliance Report

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

B. Periodic Compliance Reports

(1) Any Significant Industrial user subject to an applicable pretreatment standard, (except a Non-Significant Categorical User as defined in 403(v)(2)), after the compliance date of such applicable pretreatment standard or, in the case of a new source, after discharge of wastewater to the POTW begins, shall submit to the District on or before the 20th day of the months of July and January, unless required more frequently in the Pretreatment Standard or by the District or the Approval Authority, a certified report, based upon data obtained during the preceding two calendar quarters, indicating the nature and concentration of pollutants in the discharge which are limited by such applicable pretreatment standards. In addition, this report shall include a record of measured or estimated average and maximum daily wastewater flows for the reporting period including any discharge reported in 3 (C),(4), of this Article except that the District may require more detailed reporting of flows. In the cases where the Pretreatment Standard requires compliance with a Best Management Practice (or pollution prevention alternative), the User shall submit documentation required by the District or the Pretreatment Standard necessary to determine the compliance status of the User. All of the wastewater samples collected and analyzed for the periodic compliance report must be representative of the Industrial User's daily operational discharge. All periodic compliance reports must be signed and certified in accordance with Article 6, Section 10. of this Ordinance. This required sampling and analysis may be performed by the District in lieu of the significant non-categorical Industrial User.

(2) At the discretion of the Executive Director, this report shall also include concentrations of BOD/COD/TSS or other pollutants specified by District. Permittee shall sample and analyze its wastewater BOD/COD/TSS or other pollutants at the discretion of the Executive Director as set forth in the permit issued to the permittee.

(3) At the discretion of the Executive Director and in consideration of such factors as local high or low flow rate, holidays, budget cycles, the Executive Director may agree to alter the months during which the above reports are submitted.

(4) All measurements, tests, and analyses of the characteristics of wastewater to which reference is made in this Section shall be determined in accordance with the techniques prescribed in 40 CFR Part 136 and amendments thereto. Where 40 CFR Part 136 does not contain sampling or analytical techniques for the pollutant in question, or where the Administrator determines that the Part 136 sampling and analytical techniques are inappropriate for the pollutant in question, sampling and analysis shall be performed by using validated analytical methods or any other applicable sampling and analytical procedures, including procedures suggested by the District or other parties, approved by the Administrator, and shall be performed at the expense of the Industrial User.

(5) The required periodic compliance report shall be based upon data obtained through appropriate sampling and analyses performed during the period covered by the report. The Industrial User must assure that samples are collected using acceptable sampling techniques. Grab samples must be used for pH, cyanide, total phenols, oil and grease, sulfide, and volatile organics. For all other pollutants, 24-hour composite samples must be obtained through flow-proportioned composite sampling techniques where feasible. The District may waive flow-proportional composite sampling for any Industrial User that demonstrates that flow-proportional sampling is infeasible. In such cases, samples may be obtained through time-proportional composite sampling techniques or with the number of grab samples deemed necessary by the District to assess and assure compliance with applicable Pretreatment Standards and Requirements. If an Industrial User monitors any pollutant more frequently than required by the District, using the sampling and analysis procedures prescribed in Subsection B.4. above, the results of this additional monitoring shall be included in the report.

(6) The District may authorize an industrial user subject to a categorical pretreatment standard to forego sampling of a pollutant regulated by a categorical pretreatment standard if the industrial user has demonstrated through sampling and other technical factors that the pollutant is neither present nor expected to be present in the discharge, or is present only at background levels from intake water and without any increase in the pollutant due to activities of the

industrial user. This authorization is subject to the conditions stated in 40 CFR 403.12 (e)(2).

(7) The District may reduce the required sampling frequency stated in Article VI, Section 8, (B), (1) of this ordinance to report no less frequently than once per year, unless required more frequently in the Pretreatment Standard or by the Approval Authority. In order to qualify for a sampling reduction, the industrial user must meet all of the required conditions stated in 40 DFR 403.12(e) (3).

C. Reporting Violations

If sampling performed by an Industrial User indicates a violation, the User shall notify the District within 24 hours of becoming aware of the violation. The User shall also repeat the sampling and analysis and submit the results of the repeat analyses to the District within 30 days after becoming aware of the violation, except the Industrial User is not required to resample if: the District performs sampling at the Industrial User at a frequency of at least once per month; or the District performs sampling at the User between the time when the User performs its initial sampling and the time when the User receives the results of this sampling. In cases where the District is performing sampling and analyses in lieu of the Industrial User, the District must perform the repeat sampling and analyses unless it notifies the user of the violation and requires the User to perform the repeat analysis.

SECTION 9. DISTRICT COMPLIANCE MONITORING

- A. The District may inspect the facilities of Users to ascertain whether the purposes of this Ordinance are being met and if all requirements of the Ordinance are being complied with. Persons or occupants of premises in which a discharge source or treatment system is located or in which records are kept shall allow the District or its representative ready access upon presentation of credentials at reasonable times to all parts of said premises for the purposes of inspection, sampling, examination and photocopying of records required to be kept by this Ordinance and in the performance of any of their duties. The District shall have the right to set upon the User's property such devices as are necessary to conduct sampling, monitoring and metering operations. Where a User has security measures in force which would require suitable identification necessary arrangements with their security guards so that upon presentation of suitable identification, personnel from the District shall be permitted to enter immediately for the purposes or performing their specific responsibilities. Such arrangements shall be made by Users with their security guards within 30 days of the passage of this Ordinance.
- B. The District may sample either routinely or on a random basis any non-residential user's discharge for compliance with the limits specified in this Ordinance or in a

user's discharge permit. The District shall inspect and sample all SIUs at least once per year. The District may inspect and sample on a more frequent basis as appropriate due to the nature of the SIUs operation or compliance status. Any sample taken by the District for analysis will be split with the user if so requested by the user.

- C. Each user sampled by the District for compliance may be required to pay for the cost of sampling and analysis according to the ORDINANCE PROVIDING FOR THE CURRENT RATES FOR FEES, CHARGES, PERMITS AND PENALTIES OF THE BLOOMINGTON AND NORMAL WATER RECLAMATION DISTRICT.

SECTION 10. SIGNATORY REQUIREMENTS

- A. The reports required in Section 3, and in Section 8A and 8B of Article VI, shall include the certification statement as set forth in 40 CFR 403.6(a)(2)(ii), and shall be signed by an Authorized Representative of the Industrial User.

SECTION 11. RECORD KEEPING REQUIREMENTS

- A. Any Industrial User subject to the reporting requirements established in Section 3, and Section 8 of Article VI shall maintain records of all information resulting from any required reports or monitoring activities required by those sections, including documentation associated with Best Management Practices. These records shall include for all samples: The date, exact place, method, and time of sampling, the names of the person or persons taking the samples, the dates analyses were performed, who performed the analyses, the analytical technique/method used and the results of such analyses. These records shall be retained for a minimum of 3 years and shall be made available for inspection and copying by the District and the EPA Regional Administrator. This period of retention shall be extended during the course of any unresolved litigation with respect to industrial pretreatment reporting or the discharge of pollutants by the Industrial User when requested by the District or the EPA Regional Administrator.

ARTICLE VII

REQUIRED MONITORING FACILITIES

- A. All non-residential dischargers shall provide a suitable control manhole accessible by the District for observation, sampling and measurement of wastes. If the process is controlled by a national categorical pretreatment standard, such control manholes shall be provided at the end of a process wherein non compatible pollutants are used, produced, or treated.
- B. Such control manhole shall be accessible and safely located and shall be constructed in accordance with plans approved by the District. Each manhole shall be situated on the discharger's premises. Where such a manhole location would be impractical or cause undue hardship on the discharger, the District may concur with the manhole being constructed in a public street or sidewalk area providing that the manhole is located so that it shall not be obstructed by landscaping or parked vehicles. In those cases where a sampling manhole must be in a parking lot, a permanent barricade, such as a vertical pipe, shall be placed around the manhole to prevent vehicles from driving or parking over the manhole cover.
- C. The sampling manhole shall be located on the sewer connection pipe at a point where there are no changes in grade or alignment for at least 10 pipe diameters upstream and downstream from the manhole. The grade (slope) of the pipe shall not exceed 2% (2 foot per 100 feet) through the manhole and for a distance of 10 pipe diameters upstream and downstream from the manhole. At locations where these requirements are impractical or would cause undue hardship on the discharger, the District may approve alternate designs.
- D. There shall be ample room in or near such sampling manhole to allow accurate sampling and preparation of samples for analysis. The manhole shall be installed by the discharger at his own expense, and shall be maintained so as to be safe and accessible to the District at all times.
- E. All dischargers directed by the Executive Director to do so, shall install an open channel flow measuring device in said manhole. The user shall complete installation of the flume or similar device within 90 days after being directed to provide such device by the District.
- F. The District may, at it's option, based on the water usage and/or waste loadings, require the discharger to install a device with a recording and totalizing register for measurement of the liquid quantity. This equipment shall be installed and maintained by the discharger at his own expense. The discharger shall be required to calibrate and maintain the equipment in accordance with the manufacturer's recommended procedures and frequencies and shall further document this information in a log which shall be available for inspection by

District personnel.

- G. In the event that waste loads cannot be accurately evaluated by time composite samples, the District shall require a flow proportional automatic sampler to be installed and maintained at the discharger's expense.

ARTICLE VIII

DOMESTIC SEPTAGE HAULERS

SECTION 1. CONDITIONS FOR DISCHARGE OF DOMESTIC SEPTAGE TO DISTRICT TREATMENT FACILITIES

- A. Any person, firm or corporation may discharge septic tank or other wastes into the treatment facilities of the District provided they comply fully with the provisions of this Ordinance.
- B. Any violation of this ordinance by a wastehauler shall be justification for the Executive Director to immediately bar the hauler from dumping wastes to the District POTW for a period of time as may be determined by the Executive Director.

SECTION 2. DUMPING FEES

- A. Fees for dumping wastes are contained in AN ORDINANCE PROVIDING FOR THE CURRENT RATES FOR FEES, CHARGES, PERMITS AND PENALTIES OF THE BLOOMINGTON AND NORMAL WATER RECLAMATION DISTRICT.

SECTION 3. WASTE DUMPING RULES

- A. No person, firm or corporation shall dispose of any septic tank wastes upon any property of the District other than that property designated by the District from time to time.
- B. Disposal shall be limited to wastes from a septic tank, chemical toilet, or any other watertight enclosure used for storage and decomposition of human excrement and/or domestic wastes.
- C. Routine disposal shall be permitted daily at the Treatment Plant between the hours of 8:00 a.m. and 3:00 p.m. Emergency dumping will be permitted between the hours of 3:00 p.m. and 11:30 p.m. daily if the hauler first telephones the District an hour in advance of arrival. These hours may be adjusted from time to time by the Executive Director.
- D. All trucks which are licensed by the District shall be painted as follows:
 - (1) Owner's name, address, and phone number
 - (2) Liquid capacity
- E. For each load disposed of at the District Plant, the truck driver shall deliver to the operational office in the building designated on the permit, a signed, numbered

ticket showing the identification number, liquid capacity of the load, time of arrival and departure, origin of the load, along with the telephone number of the originating source. The driver shall not unload until obtaining approval by District operating personnel.

- F. District operating personnel may require the load be dumped over a period of a half-hour or more, depending upon the flow and characteristics of the incoming sewage at the Plant.
- G. A sample may be taken by the District personnel of each truckload of waste delivered to the District Plant, and shall be analyzed by the District for compliance with this ordinance.
- H. Persons disposing of waste at the District shall be responsible for cleaning up all the spills and replacing the manhole covers at the end of the unloading process.
- I. All wastes dumped at the District's Treatment Plant shall comply with the provisions of Articles IV and V of this ordinance.
- J. The District reserves the right to reject any wastes delivered to the facilities of the District which the District believes may have an adverse effect on the treatment works and/or processes.

SECTION 4. INSURANCE

- A. A Certificate of Insurance shall be filed with the Executive Director by each permit holder. After approval of the Certificate, the septic tank waste hauler shall be permitted to discharge at the designated location. No one shall be allowed on the site without a valid Certificate of Insurance. The District shall be a named insured on any such policies. The Certificate of Insurance shall include the coverage for general liability, automobile liability and workman's compensation in amounts specified from time to time by the Executive Director.

ARTICLE IX

PROTECTION OF SEWAGE WORKS, EMPLOYEES AND AGENTS

SECTION 1. CESSATION OF DISCHARGES DUE TO TREATMENT PLANT MALFUNCTION

- A. The Executive Director or his designated representative, shall have the authority to order an immediate halt to any discharge of waste to the POTW when because of upset or failure of District treatment works equipment and/or processes, in his opinion, the continuation of such discharge would cause risk to the life and limb of employees, risk of damage to the treatment works or endangerment to public health or welfare and/or the environment.
- B. Following such action to order cessation of a discharge because of a disaster, the Executive Director shall immediately inform the President of the Board of Trustees and shall provide a written report of the facts to the Board within 48 hours of the decision.
- C. The user so ordered to cease discharge under the provisions of this Section will be allowed to recommence discharging when the Executive Director has determined that the threats to the POTW or public health or welfare or environment caused by the malfunction no longer exist.
- D. An order to cease discharging may be transmitted to a user by telephone or hand-delivered letter to any supervisory level employee of the user. Any telephone communication of such an order shall be confirmed by hand-delivered letter within one hour after telephone communication.

ARTICLE X

ENFORCEMENT

SECTION 1. PUBLIC NOTIFICATION OF SIGNIFICANT VIOLATORS

The District shall annually publish in the Daily Pantagraph newspaper a list of Industrial Users who were in Significant Noncompliance during the previous 12 months. The notification shall also summarize any enforcement actions taken against Users during the same 12 months.

SECTION 2. COMPULSORY COMPLIANCE PROCEDURES

A. Notice of Violation and Compliance Meeting

Should a violation of this Ordinance by a user occur, the District shall notify the offending user, in writing, through a "Notice of Violation" as to the particulars of such violation or violations and may set a time and place for a meeting (hereinafter called a "Compliance Meeting") to be attended by representatives of the District and the user. The purpose of such a meeting shall be to establish such procedures, investigations, studies and compliance measures as the District deems necessary and desirable to control and prevent violation of this Ordinance. The user shall cooperate fully with the District in making such investigations and studies and shall bear the cost of such studies and investigations.

B. Compliance Directive

(1) Following the completion of any procedures, investigations or studies as described in Section 2.A. above, the District may issue a Compliance Directive, directing and requiring the user to take such action as may be required to control and prevent violations of the Ordinance.

(2) If the District has sufficient information at the time of the Compliance Meeting to determine necessary and desirable compliance measures, it may at the time of the Compliance Meeting, issue a Compliance Directive, directing and requiring the user to take such action, including pretreatment, without further investigation or study.

(3) Failure to comply with the Compliance Directive of the District shall be deemed a violation of the provisions of this Ordinance and may be grounds for revocation of the user's wastewater discharge permit and grounds for such other actions as may be authorized for violation of this Ordinance.

C. Any action to be performed by the District pursuant to this Section may be performed by the Executive Director in accordance with the District Enforcement

Management System (EMS).

SECTION 3. REVOCATION OF PERMITS

A. Conditions for Revocation

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

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

B. Procedures for Revocation

(1) The Board may order any user who causes or allows any action which is subject to revocation under Section 3.A. above to show cause before the Board why its permit should not be revoked. A notice shall be served on the user specifying the time and place of a hearing to be held by the Board regarding the violation, the reasons why the action is to be taken, the proposed action, and directing the user to show cause before the Board why its permit should not be revoked. The notice of the hearing shall be served personally or by registered or certified mail, return receipt requested, at least 10 days before the hearing. Service may be made on any agent or officer of a corporation.

(2) The Board may itself conduct the hearing and take the evidence, or may designate any of its members or its Executive Director or its attorney to:

- (a) Issue in the name of the Board notices of hearings requesting the attendance and testimony of witnesses and the production of evidence relevant to any matter involved in such hearing;

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

SECTION 4. IMMEDIATE DISCONNECTION

- A. The Executive Director may issue an order to a user to immediately cease discharging all or part of the user's waste stream under any of the following conditions:
- (1) When treatment plant process malfunction has occurred and cessation is ordered under the provisions of Article IX, Section 3 of this Ordinance; or,
 - (2) When it is discovered that a user is discharging materials of a type and quantity which, in the Executive Director's opinion, present an imminent threat to the public health or damage to the environment or interference with the operation of the POTW; or,
 - (3) Whenever a connection to the POTW has been made without an approved connection permit or without payment of the connection fee to the POTW; or,

(4) Whenever a user's General Wastewater Discharge Permit is revoked.

- B. The Executive Director shall have the authority, after informal notice to the user, to immediately and effectively halt or prevent any discharge of pollutants to the POTW that reasonably appears to present an imminent endangerment to the health or welfare of persons. When the Executive Director determines that such an emergency situation exists, he shall issue an oral order (followed immediately by a written order) to the user stating the problem and requiring immediate cessation of the discharge. The Executive Director's actions may include disconnection of wastewater collection service. The Executive Director shall obtain the concurrence of the District's attorney before initiating action. Methods of informal notice shall include, but not be limited to, personal telephone calls, letters, hand-delivered messages or notices posted at the user's premises or point of discharge.
- C. Any user ordered to cease discharging or to disconnect under the provisions of this Section or Section 3 of Article IX of this Ordinance shall immediately stop or eliminate the offending discharge. If the user fails to comply with the order, the Executive Director shall take such steps as deemed necessary, including immediate severance of the sewer connection, to prevent or minimize damage to the POTW system or damage to any individuals. The Executive Director shall reinstate the Wastewater Discharge Permit and/or the wastewater treatment service upon proof of the elimination of the non-complying discharge.

SECTION 5. INJUNCTIVE RELIEF

- A. The District may institute a civil action for an injunction to restrain violations of this Ordinance.
- B. The District may, upon discovering an ongoing or potential discharge of pollutants to the District POTW which reasonably appears to present an imminent danger to the health or welfare of persons, seek and obtain from the Circuit Court of McLean County, a temporary restraining order or preliminary injunction to halt or prohibit such discharge.

SECTION 6. ADDITIONAL REMEDIES

- A. In addition to remedies available to the District set forth elsewhere in this Ordinance, if the District is fined by the State of Illinois or USEPA for violation of the District NPDES Permit or violation of water quality standards as the result of a discharge of pollutants, then the fine, including all District legal, sampling, analytical testing costs and any other related costs shall be charged to the responsible user. Such charge shall be in addition to, and not in lieu of, any other remedies the District may have under this Ordinance, statutes, regulations, at law or in equity.

- B. If the discharge from any user causes a deposit, obstruction, or damage to any of the District wastewater facilities, the Executive Director shall cause the deposit or obstruction to be promptly removed or cause the damage to be promptly repaired. The cost for such work, including materials, labor, and supervision, shall be borne by the person causing such deposit, obstruction, or damage.
- C. The remedies provided in this ordinance shall not be exclusive and the District may seek whatever other remedies are authorized by statute, at law or in equity against any person violating the provisions of this Ordinance.

SECTION 7. PENALTIES AND COSTS

- A. Any user who is found to have violated an order of the Board or who has failed to comply with any provision of this Ordinance and the orders, rules and regulation and permits issued hereunder, may be fined in an appropriate suit of law for an amount not less than \$100.00 nor more than \$1,000.00 per day for each violation in accordance with the terms and provisions of the Sanitary District Act of 1917 (Ill. Rev. Stat. Ch. 42, Sec. 305.1). For the purpose of this Section, each day in which any such violation shall occur, shall be deemed a separate violation, and a separate violation shall be deemed to have occurred for each constituent which has limitations listed in this Ordinance found to exceed the limits established in this Ordinance during any such day. In addition to the penalties provided herein, the District may recover reasonable attorney's fees, court costs, court reporter fees and other expenses of litigation by appropriate suit at law against the person found to have violated this Ordinance or the orders, rules, regulations and permits issued hereunder.
- B. Any person who fails to submit reports or information required by this Ordinance or who knowingly makes any false statements, representation or certification in any application, record, report, plan or other document filed or required to be maintained pursuant to this Ordinance or Wastewater Discharge Permit, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this Ordinance, shall be subject to the penalties and costs provided in Section 7A and shall, in addition, be guilty of a misdemeanor and upon conviction, may be punished by (1) a fine of not more than \$1,000.00, or (2) incarceration in a penal institution other than a penitentiary for a period not to exceed three (3) months, or both.
- C. A penalty of 10% per month shall be added to the unpaid balance beginning thirty days from the date the penalty or fine was assessed or the original due date, whichever is later.

ARTICLE XI

ORDINANCE VALIDITY

SECTION 1. SEVERABILITY

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

SECTION 2. CONFLICT

- A. All other ordinances and parts of other ordinances inconsistent or conflicting with any part of this Ordinance are hereby repealed to the extent of such inconsistency or conflict.
- B. Ordinances No.732 and 466 and amending Ordinances No. 479, No. 511, No. 512, No. 514 and No. 543 are hereby repealed.

SECTION 3. FORMER OFFENSES

- A. This Ordinance shall not be construed or held to repeal a former Ordinance whether such former Ordinance is expressly repealed or not, as to any offense committed against such former Ordinance or as to any act done, any penalty, forfeiture or punishment so incurred, or any right accrued or claim arising under the former Ordinance, or in any way whatsoever to affect any such offense or act so committed or so done, or any penalty, forfeiture or punishment so incurred or any right accrued or claim arising before this Ordinance takes effect, save only that proceedings thereafter shall conform to the Ordinance in force at the time of such proceeding, so far as practicable. Nothing contained in this Ordinance shall be construed as abating any action now pending.

SECTION 4. ORDINANCE IN FORCE

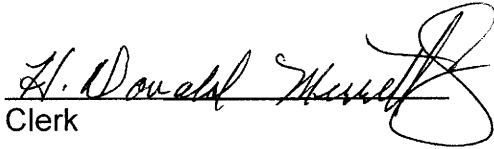
- A. Upon passage of this Ordinance, the Clerk of the Board hereby is directed to file a certified copy thereof in the office of the Recorder of Deeds of McLean County, Illinois.
- B. Upon its passage, approval and publication as required by law, this Ordinance shall thereafter be in full force and effect on and after May 9th, 2011.

Passed and approved this 9th day of May, 2011.



President, Board of Trustees
The Bloomington and Normal Water Reclamation District
of McLean County

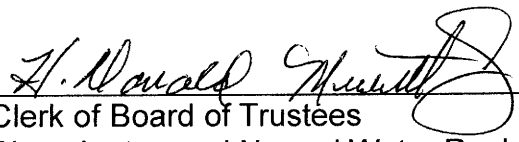
ATTEST:



Clerk

I, H. Donald Merritt, the duly elected, qualified and acting Clerk of the Board of Trustees of Bloomington and Normal Water Reclamation District, and in said capacity the keeper of the records, do hereby certify that the foregoing is a true and complete copy of the original Ordinance No. 972 passed by the Board of Trustees of the Bloomington and Normal Water Reclamation District at a regular meeting held on the 9th day of May, 2011, the vote on the passage of the Ordinance having been taken by Ayes and Nays and all of the Trustees having voted favorably thereon, and the vote having been entered on the journal of the proceedings of said Board of Trustees.

Witness my hand and the seal of the Bloomington and Normal Water Reclamation District this 9th day of May, 2011.


Clerk of Board of Trustees
Bloomington and Normal Water Reclamation District

(SEAL)

APPENDIX A

A. ELECTROPLATING POINT SOURCE CATEGORY (40 CFR PART 413)

1. The Applicable Pretreatment Standards for Existing Sources for the following subparts of 40 CFR 412 are set forth below.

Subpart A: Electroplating of Common Metals Subcategory

Subpart E: Coating Subcategory

Subpart F: Chemical Etching and Milling Subcategory

Subpart G: Electroless Plating Subcategory

Subpart H: Printed Circuit Board Subcategory

POLLUTANT OR POLLUTANT PROPERTY	PSES for Facilities Discharging Greater than 10,000 Gallons per day (mg/l)		PSES for Facilities Discharging Less than 10,000 Gallons per day (mg/l)	
	1-DAY Maximum	4-DAY Average	1-DAY Maximum	4-DAY Average
	Cyanide (Total)	1.9	1.0	---
Cyanide (Amenable)	---	---	5.0	2.7
Copper	4.5	2.7	---	---
Nickel	4.1	2.6	---	---
Chromium	7.0	4.0	---	---
Zinc	4.2	2.6	---	---
Lead	0.6	0.4	0.6	0.4
Cadmium	1.2	0.7	1.2	0.7
Total Metals	10.5	6.8	---	---
Total Toxic Organics (TTO)	2.3	---	4.57	---

2. The Applicable Pretreatment Standards for Existing Standards for Subpart B (Electroplating Precious Metals) are the same as in the table above, except that Applicable Pretreatment Standards for Existing Standards for silver is added as follows:

Subpart "B": means Electroplating of Precious Metals Subcategory

POLLUTANT OR POLLUTANT PROPERTY	PSES for Facilities Discharging Greater than 10,000 Gallons per day (mg/l)		PSES for Facilities Discharging Greater than 10,000 Gallons per day (mg/l)	
	1-DAY Maximum	4-DAY Average	1-DAY Maximum	4-DAY Average
	Silver	1.2	0.7	---

APPENDIX B

A. METAL FINISHING POINT SOURCE CATEGORY (40 CFR PART 433)

1. Applicable Pretreatment Standards for Existing Sources are as follows:

PSES FOR ALL PLANTS (433.15)

POLLUTANT OR POLLUTANT PROPERTY	Maximum for any 1-Day (mg/L)	Monthly Average Shall Not Exceed (mg/L)
Cadmium (Total)	0.69	0.26
Chromium (Total)	2.77	1.71
Copper (Total)	3.38	2.07
Lead (Total)	0.69	0.43
Nickel (Total)	3.98	2.38
Silver (Total)	0.43	0.24
Zinc (Total)	2.61	1.48
Cyanide (Total)	1.20	0.65
Total Toxic Organics (TTO)	4.57(1)	----
Total Toxic Organics (TTO)	2.13(2)	----

(1) Interim standard effective June 30, 1984 until February 14, 1986.

(2) Final standard effective February 15, 1986.

2. Applicable Pretreatment Standards for New Sources are the same as the table above except as follows:

PSES FOR ALL PLANTS (433.17)

POLLUTANT OR POLLUTANT PROPERTY	Maximum for Any 1-DAY (mg/L)	Monthly Average Shall Not Exceed (mg/L)
Cadmium (Total)	0.11	0.07
Total Toxic Organics (TTO)	2.13	----