NPDES Permit No.: IL0001759
Notice No.: ostIL0001759

Public Notice Beginning Date: July 25, 2025

Public Notice Ending Date: August 24, 2025

National Pollutant Discharge Elimination System (NPDES)
Permit Program

Draft Reissued NPDES Permit to Discharge into Waters of the State

Public Notice/Fact Sheet Issued By:

Illinois EPA
Bureau of Water
Facility Evaluation Unit
2520 West Iles Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276
217/782-3362

Name and Address of Discharger:

Wedron Silica LLC
3450 E. 2056th Road
Wedron, Illinois 60557

Name and Address of Facility:

Wedron Silica LLC
3450 E. 2056th Road
Wedron, Illinois 60557
(LaSalle County)

The Illinois Environmental Protection Agency (IEPA) has made a tentative determination to issue a NPDES Permit to discharge into the waters of the state and has prepared a draft Permit and associated fact sheet for the above named discharger. The Public Notice period will begin and end on the dates indicated in the heading of this Public Notice/Fact Sheet. The last day comments will be received will be on the Public Notice period ending date unless a commenter demonstrating the need for additional time requests an extension to this comment period and the request is granted by the IEPA. Interested persons are invited to submit written comments on the draft permit to the IEPA at the above address. Commenters shall provide his or her name and address and the nature of the issues proposed to be raised and the evidence proposed to be presented with regards to those issues. Commenters may include a request for public hearing. Persons submitting comments and/or requests for public hearing shall also send a copy of such comments or requests to the permit applicant. The NPDES permit and notice number(s) must appear on each comment page.

The application, engineer's review notes including load limit calculations, Public Notice/Fact Sheet, draft permit, comments received, and other documents are available for inspection and may be copied at the IEPA between 9:30 a.m. and 3:30 p.m. Monday through Friday when scheduled by the interested person.

If written comments or requests indicate a significant degree of public interest in the draft permit, the permitting authority may, at its discretion, hold a public hearing. Public notice will be given 45 days before any public hearing. Response to comments will be provided when the final permit is issued. For further information, please contact Oyetunde (Stephen) Tinuoye at 217/782-0610 or oyetunde.tinuoye@illinois.gov.

The applicant is engaged in industrial sand mining (SIC 1446). Plant operation results in an average discharge of 0.1 MGD of storm water, process water, and pit pumpage from outfall 001, 2.52 MGD of storm water, process water, and pit pumpage from outfall 002, 0.01 MGD of storm water, process water, and pit pumpage from outfall 003, and 0.58 MGD of storm water, process water, and pit pumpage from outfall 004, and 2 52 MGD of storm water, process water, and pit pumpage from outfall 005.

The term of draft reissued permit is approximately 5 years.

Discharger has applied for authorization of existing discharge(s) which are located in LaSalle County, Illinois.

The following modification(s) is/are proposed:

1. Expansion of the facility's property boundary to approximately 2,766 acres from approximately 2,633 acres
2. Addition of Outfall 005 for permitted discharge.

This draft reissued permit does not increase the facility's DAF, DMF, concentration limits, and/or load limits.

The following table identifies the discharge point(s) and information regarding their respective receiving stream(s). To assist you further in identifying the location of the discharge a map is also provided further below.

Outfall	Receiving Stream	Latitude	Longitude	Stream Classification	Integrity Rating	Diversity Rating
001	Buck Creek	41° 25' 50.76" N	88° 46' 27.63" W	General Use	B	B
002	Buck Creek	41° 26' 7.69" N	88° 46' 42.86" W	General Use	B	B
003	Fox River	41° 26' 8.45" N	88° 46' 6.66" W	General Use	Not Rated	Not Rated
004	Unnamed Tributary to Fox River	41° 25' 22.49" N	88° 46' 56.65" W	General Use	Not Rated	Not Rated
005	Buck Creek	41° 25' 55.73" N	88° 47' 25.56" W	General Use	B	B

According to the Illinois State Water Survey maps the above listed receiving waters have approximately 0.23 cubic feet per second (cfs) of stream flow exists during the lowest 7-day average flow that occurs on average once every 10 years (7Q10).

According to the Illinois Integrated Water Quality Report and Section 303(d) List, Volume 1, Surface Water - 2022, the stream segments receiving discharge from the above listed outfalls has been assessed by the Agency and is assigned stream segment code IL_DTZB-02 (Buck Creek), IL_DT-02 (Fox River), and IL_DT-36 (Unnamed Tributary to Fox River).

The report indicates that Aquatic Life Use and Aesthetic Quality Use are fully supported for stream segment IL_DTZB-02.

The following General Use water impairments, causes, and sources have been identified in the 2024 Illinois integrated Water Quality Report and Section 303(d) List for stream segment IL_DT-02:

Use Impairment	Cause(s) (Parameters)	Potential Source(s)
Fish Consumption	Mercury | PCBs |	Source Unknown

The following General Use water impairments, causes, and sources have been identified in the 2024 Illinois integrated Water Quality Report and Section 303(d) List for stream segment IL_DT-36:

Use Impairment	Cause(s) (Parameters)	Potential Source(s)
Aquatic Life	pH | Cause Unknown	Hydromodification | Flow Regulation/Modification | Contaminated Sediments
Fish Consumption	Aldrin | Dieldrin | Endrin | Heptachlor | Mercury | Mirex | PCBs | Toxaphene	Source Unknown

The 2024 Illinois Integrated Water Quality Report and 303(d) list of impaired waters addresses all the above listed causes of impairments and may be found on the Agency's website at:
https://epa.illinois.gov/content/dam/soi/en/web/epa/topics/water-quality/watershed-management/tmdls/documents/303d/c1.pdf

Pursuant to Title 35: Environmental Protection, Subtitle C: Water Pollution, Section 302.206(d): Stream Segment for Enhanced Dissolved Oxygen Protection:
The stream segment IL_DTZB-02 (Buck Creek) receiving discharge from outfalls 001, 002, and 005, is not on the 303(d) list of impaired waters but is subject to enhanced dissolved oxygen standards. The stream segments IL_DT-02 (Fox River) receiving discharge from outfall 003 and IL_DT-36 (Unnamed Tributary to Fox River) receiving discharge from outfall 004 are on the 303(d) list of impaired waters but are not subject to enhanced dissolved oxygen standards.

According to the 2008 Illinois Department of Natural Resources Publication – *Integrating Multiple Taxa in a Biological Stream Rating System*, the stream segments receiving discharge from the above listed outfalls are not a biologically significant streams.

The stream segment IL_DTZB-02 has been assigned a Biological Stream Integrity rating of B and has been assigned a Biological Stream Integrity rating of B.

Agency Discussion:
The facility has requested the addition of an outfall 005 to discharge to Buck Creek and an expansion of property areas to bring the facility total land area to 2,766 acres. The Agency's Antidegradation Assessment dated 3/5/2025, found that all technically and economically reasonable measures to avoid or minimize the extent of the proposed increase in pollutant loading have been incorporated into the proposed activity.

Below is the fact sheet

The discharges from the facility shall be monitored and limited at all times as follows:

Outfalls: 001, 002, 003, 004, and 005

	LOAD LIMITS lbs/day DAF (DMF)			CONCENTRATION LIMITS mg/l		
PARAMETER	30 DAY AVERAGE	DAILY MAXIMUM	REGULATION	30 DAY AVERAGE	DAILY MAXIMUM	REGULATION
pH	Shall be in the range of 6.5 to 9 standard units					302.204
Total Suspended Solids				25	45	40 CFR 436
Offensive Conditions	No effluent shall contain settleable solids, floating debris, visible oil, grease, scum or odor. Turbidity shall be below obviously visible levels.					406.107
Benzene				Monitor Only		
Ethylbenzene				Monitor Only		
Toluene				Monitor Only		
Xylene				Monitor Only		
Dissolved Oxygen (DO)				Monitor Only		
Phosphorus				Monitor Only		

Antidegradation Assessment
NPDES Permit No. IL0001759

The subject facility has applied for an NPDES permit to expand the industrial silica sand mine. The facility is engaged in the mining and processing of industrial silica sand. Overburden is mechanically removed, the underlying rock is removed via hydraulic jetting and/or by the use of explosives. The rock is removed from the mine pits, is processed into a slurry and pumped to the processing portions of the mine where it is washed, dried, coated, and packaged. The facility is proposing to expand and relocate Outfall 002. The relocation of Outfall 002 will be approximately 3,100 feet upstream and will be renamed Outfall 005. Buck Creek receives the effluent from the existing Outfall 002 and the proposed Outfall 005 and an unnamed tributary of the Fox River receives the effluent from Outfall 004. Outfall 002 will increase from 1.44 MGD to 5.04 MGD and Outfall 004 will increase from 0.58 MGD to 1.44 MGD.

Identification and Characterization of the Affected Water Body.

Outfall 002 becomes Outfall 005

The subject facility currently discharges (Outfall 002) to Buck Creek at a point where 0.23 cfs of flow exists upstream of the outfall during critical 7Q10 low-flow conditions and the relocation of the discharge (Outfall 005) at a point where 0.2 cfs of flow exists upstream of the outfall during critical 7Q10 low-flow conditions. According to the 2008 IDNR document "Integrating Multiple Taxa in a Biological Stream Rating System", Buck Creek is not a biologically significant stream at this location, however, it is rated a "B" stream using IDNR's integrity rating system at this location. Buck Creek, Waterbody Segment, DTZB-02, is not listed on the draft 2012 Illinois Integrated Water Quality Report and Section 303(d). Aquatic life use is fully supported. Buck Creek is subject to enhanced dissolved oxygen standards.

Outfall 004

The subject facility discharges to an unnamed tributary of the Fox River at a point where 0 cfs of flow exists upstream of the outfall during critical 7Q10 low-flow conditions. The unnamed tributary of the Fox River is classified as a General Use Water. The unnamed tributary of the Fox River is not listed as a biologically significant stream in the 2008 Illinois Department of Natural Resources Publication *Integrating Multiple Taxa in a Biological Stream Rating System*, nor is it given an integrity rating in that document. The unnamed tributary of the Fox River, tributary to Waterbody Segment, DT-36, is not listed on the draft 2012 Illinois Integrated Water Quality Report and Section 303(d) List since it has not been assessed. The unnamed tributary of the Fox River is not subject to enhanced dissolved oxygen standards.

The USGS Illinois Streamstats basin characteristics program gives a watershed size of 0.7 square miles for Outfalls 004 at the discharge point on the unnamed tributary of Fox River. According to the Illinois State Water Survey, the unnamed tributary of Fox River in the area of the proposed mine discharges is likely to be a 7Q1.1 zero flow stream. In this region of Illinois, 7Q1.1 zero flow streams are streams with a watershed area of 1 square miles or less. These streams will exhibit no flow for at least a continuous seven day period nine out of ten years. Aquatic life communities in these headwater streams are tolerant of the effects of drying. Depending on the rainfall received before biological surveys, either a very limited aquatic life community, or no community at all would be found. Given this flow regime, no additional biological characterization is required.

Identification of Proposed Pollutant Load Increases or Potential Impacts on Uses.

This proposed effluent would be similar to other effluents from sand mining. Total suspended solids (TSS) permit limits will be set at the most stringent federal categorical limits applicable. The stream will nonetheless experience an increase in loading due to the new effluent discharge.

Fate and Effect of Parameters Proposed for Increased Loading.

The total suspended solids (TSS) discharged by this facility will become part of the sediment load of the stream.

Purpose and Social & Economic Benefits of the Proposed Activity.

The proposed project will maintain jobs and provide silica sand to industry.

Assessments of Alternatives for Less Increase in Loading or Minimal Environmental Degradation.

The plans for the settling ponds are consistent with appropriate technology for this size and type of project. Treatment plant specifications have been selected to avoid or minimize environmental impacts. They also represent an economically reasonable design taking into consideration both initial capital costs and ongoing maintenance expenses. Viable alternatives to the selected treatment process do not exist for this project.

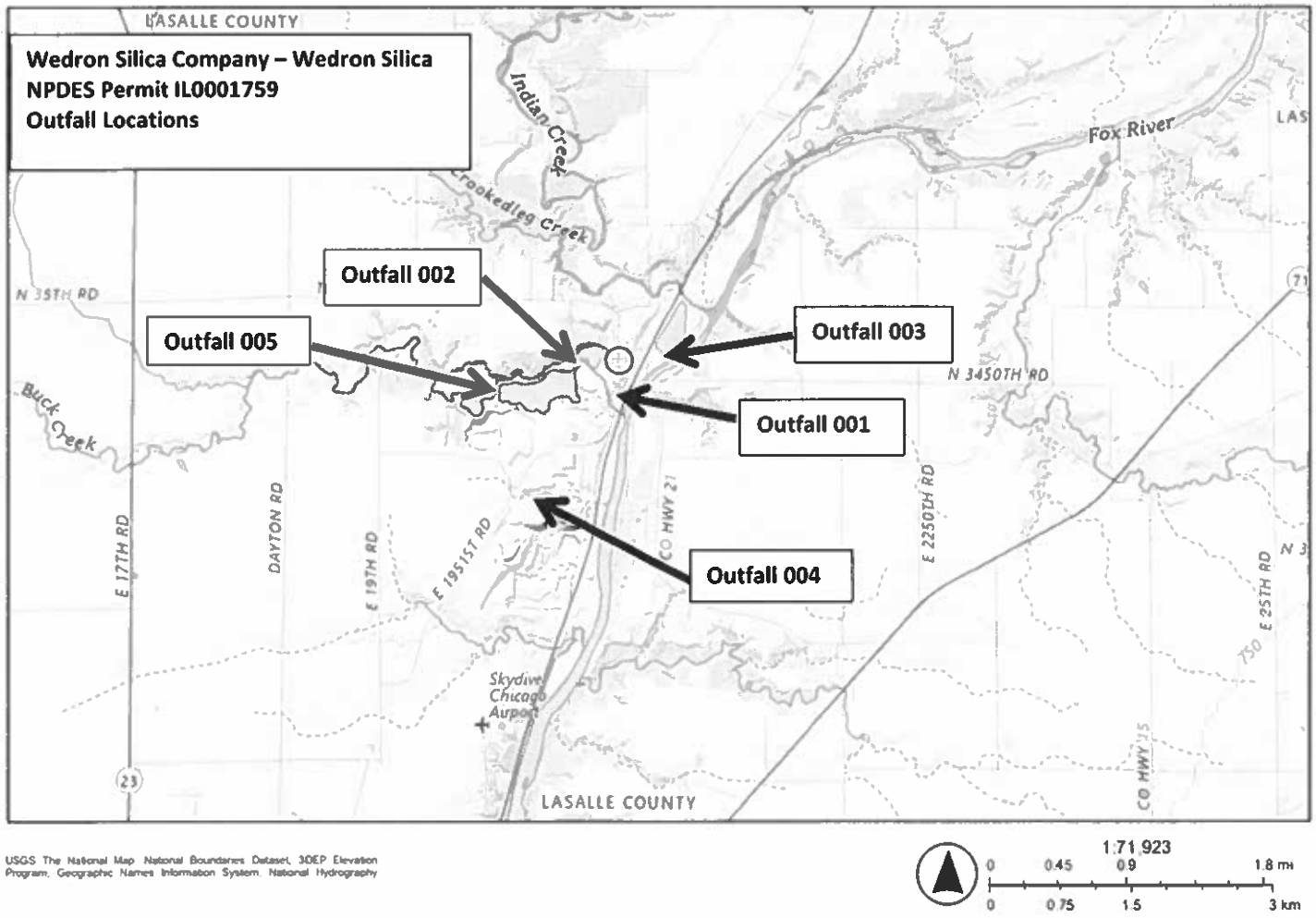
Summary Comments of the Illinois Department of Natural Resources, Regional Planning Commissions, Zoning Boards or Other Entities.

On August 15, 2013, the IDNR EcoCAT web-based tool was used and indicated that there were aquatic endangered/threatened species present in the vicinity of the discharge (River Redhorse (*moxostoma carinatum*) and the Fox River INAI Site, Wedron Palisades INAI Site, and the Lower Fox River – Wedron Palisades Nature Preserve). IDNR terminated the consultation request on September 25, 2013.

Agency Conclusion.

This preliminary assessment was conducted pursuant to the Illinois Pollution Control Board regulation for Antidegradation found at 35 Ill. Adm. Code 302.105 (antidegradation standard) and was based on the information available to the Agency at the time the draft permit was written. We tentatively find that the proposed activity will result in the attainment of water quality standards; that all existing uses of the receiving stream will be maintained; that all technically and economically reasonable measures to avoid or minimize the extent of the proposed increase in pollutant loading have been incorporated into the proposed activity; and that this activity will benefit the community at large by maintaining jobs and providing silica sand to industry. Comments received during the NPDES permit public notice period will be evaluated before a final decision is made by the Agency.

Map of Facility and discharge location(s)



NPDES Permit No. IL0001759

Illinois Environmental Protection Agency

Division of Water Pollution Control

2520 West Iles Avenue

Post Office Box 19276

Springfield, Illinois 62794-9276

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

Reissued (NPDES) Permit

Expiration Date:	Issue Date: Effective Date:
Name and Address of Permittee:	Facility Name and Address:
Wedron Silica Company 3450 E. 2056th Road Wedron, Illinois 60557	Wedron Silica Company 3450 E. 2056th Road Wedron, Illinois 60557 (LaSalle County)

Discharge Number and Name:	Receiving Waters:
001 Storm Water, Process Water, and Pit Pumpage	Buck Creek
002 Storm Water, Process Water, and Pit Pumpage	Buck Creek
003 Storm Water, Process Water, and Pit Pumpage	Fox River
004 Storm Water, Process Water, and Pit Pumpage	Unnamed Tributary to Fox River
005 Storm Water, Process Water, and Pit Pumpage	Buck Creek
Stormwater Runoff	General Use Waters

In compliance with the provisions of the Illinois Environmental Protection Act, Title 35 of Ill. Adm. Code, Subtitle C and/or Subtitle D, Chapter 1, and the Clean Water Act (CWA), the above-named permittee is hereby authorized to discharge at the above location to the above-named receiving stream in accordance with the standard conditions and attachments herein.

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

Stephen F. Nightingale, P.E.
Manager, Industrial Unit, Permit Section
Division of Water Pollution Control

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Effluent Limitations and Monitoring

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

	LOAD LIMITS lbs/day DAF (DMF)		CONCENTRATION LIMITS mg/l			
PARAMETER	30 DAY AVERAGE	DAILY MAXIMUM	30 DAY AVERAGE	DAILY MAXIMUM	SAMPLE FREQUENCY	SAMPLE TYPE
Outfall(s): 001, 002, 003, 004, and 005						
Flow (MGD)	See Special Condition 4					
pH	Shall be in the range of 6.5 to 9 standard units				1 Per Month	Grab
Total Suspended Solids			25	45	See Special Condition 7	
Offensive Conditions	No effluent shall contain settleable solids, floating debris, visible oil, grease, scum or odor. Turbidity shall be below obviously visible levels.				1 Per Month	Visual Inspection
Benzene			Monitor Only		1 Per 3 Months	Grab
Ethylbenzene			Monitor Only		1 Per 3 Months	Grab
Toluene			Monitor Only		1 Per 3 Months	Grab
Xylene			Monitor Only		1 Per 3 Months	Grab
Dissolved Oxygen (DO)			Monitor Only		3 Per Month	Grab
Phosphorus			Monitor Only		3 Per Month	Composite

Storm water runoff shall be subject to the Storm Water Pollution Prevention Plan pursuant to Special Condition No. 17.

Special Conditions

SPECIAL CONDITION 1. Permit Coverage: For the purpose of this permit, the discharges are limited to those discharges identified on page one of the permit, free from other process and wastewater discharges.

SPECIAL CONDITION 2. Water Quality: No discharge from any mine related facility area under this permit shall, alone or in combination with other sources, cause a violation of any applicable water quality standard as set out in the Illinois Pollution Control Board Rules and Regulations, Subtitle C: Water Pollution.

SPECIAL CONDITION 3. Emergency Notification: The permit holder shall notify the Illinois Environmental Protection Agency (217/782-3637) immediately of any emergency at the mine or mine refuse area which causes or threatens to cause a sudden discharge of contaminants into the waters of Illinois and shall immediately undertake necessary corrective measures as required by Rule 405.111 under Chapter 1, Subtitle D: Mine Related Water Pollution of Illinois Pollution Control Board Rules and Regulations.

SPECIAL CONDITION 4. Effluent sampling for flow shall be continuous if hardware allows, otherwise, it shall be a single reading when monitoring for other parameters. Flows shall be reported in units of Million Gallons per Day (MGD) and as a monthly average on the monthly Discharge Monitoring Reports.

SPECIAL CONDITION 5. Samples taken in compliance with the effluent monitoring requirements shall be taken at a point representative of the discharge, but prior to entry into the receiving stream. Samples shall be representative of the discharges from the facility considering factors such as frequency, duration and intensity of precipitation runoff and operational practices that affect discharge quality. The Permittee shall ensure that appropriate measures or facilities are provided to facilitate flow monitoring and effluent collection at the monitoring point.

SPECIAL CONDITION 6. Discharge Monitoring Reports: The Permittee shall record monitoring results on Discharge Monitoring Report (DMR) electronic forms using one such form for each outfall each month. In the event that an outfall does not discharge during a monthly reporting period, the DMR Form shall be submitted with no discharge indicated. The Permittee is required to submit electronic DMRs (NetDMRs) instead of mailing paper DMRs to the IEPA unless a waiver has been granted by the Agency. More information, including registration information for the NetDMR program, can be obtained on the IEPA website, https://www2.illinois.gov/epa/topics/water-quality/surface-water/netdmr/Pages/quick-answer-guide.aspx. The completed Discharge Monitoring Report forms shall be submitted to IEPA no later than the 25th day of the following month, unless otherwise specified by the permitting authority. Permittees that have been granted a waiver shall mail Discharge Monitoring Reports with an original signature to the IEPA at the following address:

Illinois Environmental Protection Agency
Division of Water Pollution Control
Attention: Compliance Assurance Section, Mail Code # 19
2520 West Iles Avenue
Post Office Box 19276
Springfield, Illinois 62794-9276

SPECIAL CONDITION 7. Samples for monitoring shall be taken three times a month as separate grab samples or one time a month as a composite sample. Composite samples shall consist of at least 3 sample aliquots of approximately equal volume of at least 100 milliliters each, collected at periodic intervals within a 24-hour period. If the permittee elects to take and analyze grab samples, in lieu of a composite sample then: 1) if the discharge is expected to occur on only a single day, three grab samples may be taken within a single 24-hour period or, 2) if the discharge is expected to occur on more than one day, three separate grab samples shall be taken over more than one day to represent the monthly discharge. The one composite sample or three grab samples shall be representative of the discharge over the calendar month. The analysis results of each composite and grab sample shall be reported on the Discharge monitoring reports. The monthly average shall be reported on the Discharge Monitoring Reports.

SPECIAL CONDITION 8. Abandonment Plan: The permittee shall implement the abandonment plan submitted with application documents received by the Agency on July 1, 2024, in accordance with 35 Il. Adm. Code 405.110. Additionally, in accordance with Section 405.109(c), the Agency hereby modifies the abandonment plan with the following conditions:

a. All mining equipment, structures, stockpiles, raw materials and debris which are not consistent with the proposed post-mining land use shall be removed from the premises and disposed of properly.

b. All disturbed areas shall be graded to an acceptable slope, covered with sufficient uncontaminated topsoil as needed to support vegetation, seeded at an adequate rate with an appropriate grass mixture to stabilize such areas and properly maintained with vegetation and other practices to minimize the potential for erosion.

c. Erosion control measures shall be consistent with the "Illinois Urban Manual" http://www.aiswcd.org/illinois-urban-manual/.

d. The abandonment plan shall be completed within one (1) year of abandonment of the mine or refuse area unless approval for a longer period of time is granted by the Agency.

Special Conditions

e. Within sixty (60) days of abandonment plan completion, a report titled "Mine or Refuse Area Abandonment Report" shall be submitted to the Illinois EPA, Division of Water Pollution Control, Permit Section, 2520 West Iles Avenue East, Springfield, IL 62794-9276. The contents of the report shall include descriptions of all work accomplished to complete the abandonment plan and other activities that were completed or are planned to be completed so as to not cause a violation of the Illinois Environmental Protection Act

SPECIAL CONDITION 9. The permit holder shall notify the Agency in writing by certified mail within thirty days of abandonment, cessation, or suspension of active mining for thirty days or more unless caused by a labor dispute. During cessation or suspension of active mining, whether caused by a labor dispute or not, the permittee shall provide whatever interim impoundment, drainage diversion, and wastewater treatment is necessary to avoid violations of the Act or Subtitle D, Chapter 1.

SPECIAL CONDITION 10. Refuse Disposal: The permittee shall handle and dispose of mine refuse, as defined in this permit, in accordance with 35 Ill. Adm. Code, Subtitle D, Section 405.106.

SPECIAL CONDITION 11. Acceptance of Materials: The permittee shall comply with the requirements of Section 3.160 and 22.51 of the Illinois Environmental Protection Act, and the regulations adopted thereunder, for the acceptance of clean construction and demolition debris and uncontaminated soil. Notwithstanding site specific Bureau of Land permit or registration exemptions, the acceptance and usage as fill of materials obtained from offsite sources shall comply with Subparts B, E and F of 35 Ill. Adm. Code, Subtitle J, Part 1100 for the protection of water quality and groundwater. Discharges of waters that contact clean construction and demolition debris or uncontaminated soil shall be routed to the mine outfall(s), meet the effluent limits, sampling and monitoring requirements of this permit for mine outfall(s) and the water quality provisions of Special Condition No. 2 of this permit. The abandonment plan shall conform to Sections 3.160 and 22.51 of the Illinois Environmental Protection Act and regulations thereunder and Bureau of Land (BOL) authorizations for the acceptance of clean construction and demolition debris or uncontaminated soil. If the abandonment plan must be modified to meet the BOL requirements the modified abandonment plan shall be submitted to the Bureau of Water for approval prior to implementation.

SPECIAL CONDITION 12. Well Setbacks: Mining excavation shall not be conducted within setback zones (200 feet) of potable wells pursuant to Section 14.2 of the Illinois Environmental Protection Act.

SPECIAL CONDITION 13: Oil and Hazardous Substance Liability: Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under section 311 of the CWA.

SPECIAL CONDITION 14 Flocculant Additives: The use of flocculants and/or coagulants is authorized providing that dosing rates are minimized to the extent necessary to achieve solids removal and meet TSS or chemical-specific permit limits. The products must be applied in strict accordance with the manufacturer's recommended application rates in regard to solids content, which must be verified through TSS measurements of the water or jar/bench testing of the products using site-water. The permittee must keep records of the amount (kg) of product added and an estimated dosage rate (mg/L) at the time of product application. Application of a product at concentrations exceeding the manufacturer's recommendations is not authorized

SPECIAL CONDITION 15. Storm Water Discharges: The Illinois Environmental Protection Agency has determined that the effluent limitations for the mine outfall(s) in this permit constitute BAT/BCT for storm water which is treated in the existing treatment facilities for purposes of this permit issuance, and no pollution prevention plan will be required for such storm water. This does not preclude the use of pollution prevention techniques as a means or partial means of meeting the effluent limits. In addition to the chemical specific monitoring required elsewhere in this permit, the permittee shall conduct an annual inspection of the facility site to identify areas contributing to a storm water discharge associated with mining and determine whether any facility modifications have occurred which result in previously treated storm water discharges no longer receiving treatment. If any such discharges are identified, the permittee shall request a modification of this permit within 30 days after the inspection unless such discharges meet the conditions of Special Condition No. 17. Records of the annual inspection shall be retained by the permittee for the term of this permit and shall be made available to the Illinois Environmental Protection Agency upon request.

SPECIAL CONDITION 16. Prohibited Storm Water Discharges: This permit is not applicable to storm water discharges from the following facilities:

a. Hazardous waste treatment, storage or disposal facilities.

b. Storm water discharges associated with inactive mining occurring on Federal lands where an operator cannot be identified.

SPECIAL CONDITION 17. Storm Water Runoff: All storm water runoff from areas affected by mining activities such as, earthen berms, aggregate processing plants, overburden stockpiles, and crushed stone stockpiles, sand and gravel stockpiles and industrial sand product stockpiles and all storm water associated with industrial activity at a mining site such as asphalt plants and ready mix plants, shall be routed to mine outfalls except for the following identified in (a) and (b) below:

a. **Surface Runoff from Earthen Areas:** Surface runoff from earthen berms or other earthen areas using spoil from the mining operation is not required to be routed to the mine outfall(s) when the earthen areas meet the following conditions:

Special Conditions

i) The area is graded to an acceptable slope, covered with sufficient uncontaminated topsoil as needed to support vegetation, seeded at an adequate rate with an appropriate grass mixture to stabilize such areas, properly maintained with vegetation and other practices to minimize the potential for erosion and final stabilization has been completed for the area.

ii) For areas in which final stabilization under (a) (i) of this Special Condition are incomplete, erosion control measures described in the current version of the Illinois Urban Manual are implemented.

iii) The earthen berms or areas are not contaminated by mine refuse, chemical spillage, other wastes or wastewaters from mining activities at the site.

iv) The earthen material does not contain acid producing material.

v) The earthen area has no contact with waters of the State.

vi) Surface runoff from the earthen areas does not cause water quality violations.

vii) The area is identified in the storm water pollution prevention plan required in (b) below as meeting (a) (i-vi) of this Special Condition above.

b. **Storm Water Discharges and Certain Non-storm Water Discharges.** Storm water runoff discharges and non-storm water discharges are allowed according to the following conditions and this permit provided that the discharges do not contain the following: mine process wastewater; pit pumpage; pit overflows; mine dewatering wastewaters; cooling waters, heated effluents or surface runoff from disturbed earthen areas that contain mine refuse, chemical spillage, other wastes, or acid producing material.

i) **Prohibition on Non-Storm Water Discharges.** All discharges covered by this special condition shall be composed entirely of storm water except for:

discharges from firefighting activities; fire hydrant flushings; waters used to control dust on vehicle traffic areas outside the mine area and mined area; potable water sources including uncontaminated waterline flushings; irrigation drainages; routine external building washdown which does not use detergents; pavement washwaters where spills or leaks of toxic or hazardous materials have not occurred (unless all spilled material has been removed) and where detergents are not used; air conditioning condensate; springs; uncontaminated ground water; and foundation or footing drains where flows are not contaminated with process materials such as solvents. These non-storm water discharges must comply with (b) (ii) (D) (ii) (3) of this Special Condition.

ii) **Storm Water Pollution Prevention Plans**

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

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

The plan shall:

(i) Be completed prior to the start of the mining activities to be covered under this special condition and updated as appropriate; and

(ii) Provide for compliance with the terms and schedule of the plan beginning with the initiation of mining activities.

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

(i) The plan shall be signed in accordance with Standard Condition 11 Attachment H (Signatory Requirements) and be retained on-site at the facility which generates the storm water discharge in accordance with Standard Condition 8 Attachment H (Duty to Provide Information) of this permit.

Special Conditions

(ii) The permittee shall make plans available upon request from this Agency or a local agency approving sediment and erosion plans, grading plans, or storm water management plans; or in the case of a storm water discharge associated with industrial activity at a mining site which discharges through a municipal separate storm sewer system with an NPDES permit, to the municipal operator of the system.

(iii) The Agency may notify the permittee at any time that the plan does not meet one or more of the minimum requirements of this special condition. Such notification shall identify those provisions of the permit which are not being met by the plan and identify which provisions of the plan require modifications in order to meet the minimum requirements of this part. Within 30 days from receipt of notification from the Agency, the permittee shall make the required changes to the plan and shall submit to the Agency a written certification that the requested changes have been made. Failure to comply shall terminate authorization under this special condition.

(iv) All storm water pollution prevention plans required under this permit are considered reports that shall be available to the public at any reasonable time upon request. However, the permittee may claim any portion of a storm water pollution prevention plan as confidential in accordance with 40 CFR Part 2, including any portion describing facility security measures.

(C) **Keeping Plans Current.** The permittee shall amend the plan whenever there is a change in design, construction, operation, or maintenance, which has a significant effect on the potential for the discharge of pollutants to the Waters of the State and which has not otherwise been addressed in the plan or if the storm water pollution prevention plan proves to be ineffective in eliminating or significantly minimizing pollutants from sources identified under (b) (ii) (D) (ii) of this Special Condition below, or in otherwise achieving the general objectives of controlling pollutants in storm water discharges associated with mining activities. Amendments to the plan may be reviewed by the Agency in the same manner as (b) (ii) (B) (ii) of this Special Condition above.

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

(i) Site Description. Each plan shall provide a description of the following:

1. A description of the intended sequence of major activities which disturb soils for major portions of the site (e.g. grubbing, excavation, grading);

2. Estimates of the total area of the site and the total area of the site that is expected to be disturbed by excavation, grading, or other activities;

3. An estimate of the runoff coefficient of the site after mining activities are completed and existing data describing the soil or the quality of any discharge from the site;

4. A site map indicating drainage patterns and approximate slopes anticipated before and after major grading activities, locations where vehicles enter or exit the site and controls to prevent offsite sediment tracking, areas of soil disturbance, the location of major structural and nonstructural controls identified in the plan, the location of areas where stabilization practices are expected to occur, an outline of storm water drainage areas for each storm water discharge point, paved areas and buildings, and locations where storm water is discharged to a surface water;

5. Description of the areas used for outdoor manufacturing, storage, or disposal of significant materials, including activities that generate significant quantities of dust or particulates.

   a. Location of existing storm water structural control measures (dikes, coverings, detention facilities, etc.);

   b. Surface water locations and/or municipal storm drain locations;

   c. Areas of existing and potential soil erosion;

   d. Vehicle service areas;

   e. Material loading, unloading, and access areas.

Special Conditions

6. A narrative description of the following:

   a. The nature of the industrial activities conducted at the site, including a description of significant materials that are treated, stored or disposed of in a manner to allow exposure to storm water;

   b. . Materials, equipment, and vehicle management practices employed to minimize contact of significant materials with storm water discharges;

   c. Industrial storm water discharge treatment facilities;

   d. Methods of onsite storage and disposal of significant materials;

   e. A list of the types of pollutants that have a reasonable potential to be present in storm water discharges in significant quantities;

   f. An estimate of the size of the facility in acres or square feet, and the percent of the facility that has impervious areas such as pavement or buildings;

   g. A summary of existing sampling data describing pollutants in storm water discharges;

   h. The name of the receiving water(s) and the ultimate receiving water(s), and aerial extent of wetland acreage at the site.

(ii) **Controls.** Each plan shall include a description of appropriate controls that will be implemented at the mining site. The plan will clearly describe for each major activity identified in (b) (ii) (D) (i) (1) of this Special Condition above, appropriate controls and the timing during the mining process that the controls will be implemented. (For example, perimeter controls for one portion of the site will be installed after the clearing and grubbing necessary for installation of the measure, but before the clearing and grubbing for the remaining portions of the site. Perimeter controls will be actively maintained until final stabilization of those portions of the site upward of the perimeter control. Temporary perimeter controls will be removed after final stabilization). The description of controls shall address as appropriate the following minimum components:

1. Erosion and Sediment Controls.

   a. Stabilization Practices. A description of interim and permanent stabilization practices, including site-specific scheduling of the implementation of the practices. Site plans should ensure that existing vegetation is preserved where attainable and that disturbed portions of the site are stabilized. Stabilization practices may include: temporary seeding, permanent seeding, mulching, geotextiles, sod stabilization, vegetative buffer strips, protection of trees, preservation of mature vegetation, and other appropriate measures. A record of the dates when major grading activities occur, when construction activities temporarily or permanently cease on a portion of the site, and when stabilization measures are initiated shall be included in the plan. Except as provided in paragraphs i and ii below, stabilization measures shall be initiated as soon as practicable in portions of the site where mining activities have temporarily or permanently ceased, but in no case more than 14 days after the mining activities in that portion of the site has temporarily or permanently ceased.

      i. Where the initiation of stabilization measures by the 14th day after mining activities temporarily or permanently cease is precluded by snow cover, stabilization measures shall be initiated as soon as practicable.

      ii. Where mining activities will resume on a portion of the site within 21 days from when activities ceased, (e.g. the total time period that mining activities is temporarily ceased is less than 21 days) then stabilization measures do not have to be initiated on that portion of site by the 14th day after mining activities temporarily ceased.

   b. Structural Practices. A description of structural practices to the degree attainable, to divert flows from disturbed earthen areas, store flows or otherwise limit runoff and the discharge of pollutants from exposed areas of the site. Such practices may include silt fences, earth dikes, drainage swales, sediment traps, check dams, subsurface drains, pipe slope drains, level spreaders, storm drain inlet protection, rock outlet protection, reinforced soil retaining systems, gabions, and temporary or permanent sediment basins. Structural practices should be placed on upland soils to the degree attainable. The installation of these devices may be subject to Section 404 of the CWA.

Special Conditions

c. Best Management Practices for Impaired Waters. For any site which discharges directly to an impaired water identified in the Agency's 303(d) listing for suspended solids, turbidity, or siltation the storm water pollution prevention plan shall be designed for a storm event equal to or greater than a 25-year 24-hour rainfall event. If required by federal regulations or the Illinois Environmental Protection Agency's Illinois Urban Manual, the storm water pollution prevention plan shall adhere to a more restrictive design criteria.

2. Storm Water Management. A description of measures that will be installed during mining to control pollutants in storm water discharges that will occur after mining operations have been completed. Structural measures should be placed on upland soils to the degree attainable. The installation of these devices may be subject to Section 404 of the CWA. This permit only addresses the installation of storm water management measures, and not the ultimate operation and maintenance of such structures after the mining activities have been completed and the site has undergone final stabilization. Permittees are responsible for only the installation and maintenance of storm water management measures prior to final stabilization of the site and are not responsible for maintenance after storm water discharges associated with industrial activity at a mining site have been eliminated from the site.

   a. Such practices may include: storm water detention structures (including wet ponds); storm water retention structures; flow attenuation by use of open vegetated swales and natural depressions; infiltration of runoff onsite; and sequential systems (which combine several practices). The pollution prevention plan shall include an explanation of the technical basis used to select the practices to control pollution where flows exceed predevelopment levels.

   b. Velocity dissipation devices shall be placed at discharge locations and along the length of any outfall channel as necessary to provide a non-erosive velocity flow from the structure to a water course so that the natural physical and biological characteristics and functions are maintained and protected (e.g. maintenance of hydrologic conditions, such as the hydroperiod and hydrodynamics present prior to the initiation of mining activities).

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

   d. Other Controls.

      i. No solid materials, including building materials, shall be discharged to Waters of the State, except as authorized by a Section 404 permit.

      ii. The plan shall ensure and demonstrate compliance with applicable State and/or local waste disposal, sanitary sewer or septic system regulations.

   e. Pollution Prevention Practices

      i. Storm Water Pollution Prevention Personnel - Identification by job titles of the individuals who are responsible for developing, implementing, and revising the plan.

      ii. Preventive Maintenance - Procedures for inspection and maintenance of storm water conveyance system devices such as oil/water separators, catch basins, etc., and inspection and testing of plant equipment and systems that could fail and result in discharges of pollutants to storm water.

      iii. Good Housekeeping - Good housekeeping requires the maintenance of clean, orderly facility areas that discharge storm water. Material handling areas shall be inspected and cleaned to reduce the potential for pollutants to enter the storm water conveyance system.

      iv. Spill Prevention and Response - Identification of areas where significant materials can spill into or otherwise enter the storm water conveyance systems and their accompanying drainage points. Specific material handling procedures, storage requirements, spill cleanup equipment and procedures should be identified, as appropriate. Internal notification procedures for spills of significant materials should be established.

Special Conditions

v. Storm Water Management Practices - Storm water management practices are practices other than those which control the source of pollutants. They include measures such as installing oil and grit separators, diverting storm water into retention basins, etc. Based on assessment of the potential of various sources to contribute pollutants, measures to remove pollutants from storm water discharge shall be implemented. In developing the plan, the following management practices shall be considered:

Containment - Storage within berms or other secondary containment devices to prevent leaks and spills from entering storm water runoff;

Oil & Grease Separation - Oil/water separators, booms, skimmers or other methods to minimize oil contaminated storm water discharges;

Debris & Sediment Control - Screens, booms, sediment ponds or other methods to reduce debris and sediment in storm water discharges;

Waste Chemical Disposal - Waste chemicals such as antifreeze, degreasers and used oils shall be recycled or disposed of in an approved manner and in a way which prevents them from entering storm water discharges.

Storm Water Diversion - Storm water diversion away from mining excavation, materials processing, materials storage and other areas of potential storm water contamination;

Covered Storage, Processing or Mining Areas - Covered fueling operations, materials processing and storage areas to prevent contact with storm water.

vi. Employee Training - Employee training programs shall inform personnel at all levels of responsibility of the components and goals of the storm water pollution control plan. Training should address topics such as spill response, good housekeeping and material management practices. The plan shall identify periodic dates for such training.

vii. Inspection Procedures - Qualified plant personnel shall be identified to inspect designated equipment and plant areas. A tracking or follow-up procedure shall be used to ensure appropriate response has been taken in response to an inspection. Inspections and maintenance activities shall be documented and recorded.

3. Verification of Non-Storm Water Discharges - The plan shall include a certification that the discharge has been tested or evaluated for the presence of non-storm water discharges. The certification shall include a description of any tests for the presence of non-storm water discharges, the methods used, the dates of the testing, and any onsite drainage points that were observed during the testing. Any facility that is unable to provide this certification must describe the procedure of any test conducted for the presence of non-storm water discharges, the test results, potential sources of non-storm water discharges to the storm sewer, and why adequate tests for such storm sewers were not feasible. Except as provided in (b) (i) of this Special Condition, discharges not comprised entirely of storm water are not authorized by this Special Condition.

4. The permittee shall conduct an annual facility inspection to verify that all elements of the plan, including the site map, potential pollutant sources, and structural and non-structural controls to reduce pollutants in industrial storm water discharges are accurate. Observations that require a response and the appropriate response to the observation shall be retained as part of the plan. Records documenting significant observations made during the site inspection shall be submitted to the Agency in accordance with the reporting requirements of this permit.

5. This plan should briefly describe the appropriate elements of other program requirements, including Spill Prevention Control and Countermeasures (SPCC) plans required under Section 311 of the CWA and the regulations promulgated thereunder, and Best Management Programs under 40 CFR 125.100.

6. The plan shall include the signature and title of the person responsible for preparation of the plan and include the date of initial preparation and each amendment thereto.

7. Facilities which discharge storm water associated with industrial activity at a mining site to municipal separate storm sewers may also be subject to additional requirements imposed by the operator of the municipal system.

Special Conditions

8. Approved State or Local Plans. - The management practices, controls and other provisions contained in the storm water pollution prevention plan must be at least as protective as the technical standards contained in the current version of the Illinois Urban Manual (https://illinoisurbanmanual.org/). Facilities which discharge storm water associated with industrial activities at a mining site must include in their storm water pollution prevention plan procedures and requirements specified in applicable sediment and erosion site plans or storm water management plans approved by local officials. Requirements specified in sediment and erosion site plans or site permits or storm water management site plans or site permits approved by local officials that are applicable to protecting surface water resources are, upon the effective date of this NPDES permit to be authorized to discharge, incorporated by reference and are enforceable under this permit even if they are not specifically included in a storm water pollution prevention plan required under this permit. This provision does not apply to provisions of master plans, comprehensive plans, non-enforceable guidelines or technical guidance documents that are not identified in a specific plan or permit that is issued for the mining site.

(iii) **Maintenance.** A description of procedures to maintain in good and effective operating conditions vegetation, erosion and sediment control measures and other protective measures identified in the site plan.

(iv) **Inspections.** Qualified personnel (provided by the permittee) shall inspect disturbed areas of the mining site that have not been finally stabilized, structural control measures, and locations where vehicles enter or exit the site **quarterly**. Qualified personnel means a person knowledgeable in the principles and practice of erosion and sediment controls, such as a licensed professional engineer or other knowledgeable person who possesses the skills to assess conditions at the mining site that could impact storm water quality and to assess the effectiveness of any sediment and erosion control measures selected to control the quality of storm water discharges from the mining activities.

1. Disturbed areas and areas used for storage of materials that are exposed to precipitation shall be inspected for evidence of, or the potential for, pollutants entering the drainage system. Erosion and sediment control measures identified in the plan shall be observed to ensure that they are operating correctly. Where discharge locations or points are accessible, they shall be inspected to ascertain whether erosion control measures are effective in preventing significant impacts to receiving waters. Locations where vehicles enter or exit the site shall be inspected for evidence of off-site sediment tracking.

2. Based on the results of the inspection, the description of potential pollutant sources identified in the plan in accordance with (b) (ii) (D) (i) of this Special Condition (Site Description) and pollution prevention measures identified in the plan in accordance with (b) (ii) (D) (ii) of this Special Condition (Controls) shall be revised as appropriate as soon as practicable after such inspection. Such modifications shall provide for timely implementation of any changes to the plan within 30 calendar days following the inspection.

3. A report summarizing the scope of the inspection, name(s) and qualifications of personnel making the inspection, the date(s) of the inspection, major observations relating to the implementation of the storm water pollution prevention plan, and actions taken in accordance with (b) (ii) (D) (iv) 2 of this Special Condition above shall be made and retained as part of the storm water pollution prevention plan for at least three years from the date that the permit coverage expires or is terminated. The report shall be signed in accordance with standard conditions Attachment H(Signatory Requirements) of this permit.

4. The permittee shall complete and submit within 5 days an "Incidence of Noncompliance" (ION) report for any violation of the storm water pollution prevention plan observed during an inspection conducted, including those not required by the Plan. Submission shall be on forms provided by the Agency and include specific information on the cause of noncompliance, actions which were taken to prevent any further causes of noncompliance, and a statement detailing any environmental impact which may have resulted from the noncompliance.

5. All reports of noncompliance shall be signed by a responsible authority as defined in standard conditions Attachment H (Signatory Requirements).

6. All reports of noncompliance shall be submitted to the Agency using one of the following methods:

   a. Electronic Reports must be submitted to: epa.indannualinsp@illinois.gov

   b. If electronic submittal is not available, reports should be mailed to:

Special Conditions

Illinois Environmental Protection Agency
Division of Water Pollution Control
Compliance Assurance Section
2520 West Iles Avenue
P.O. Box 19276
Springfield, Illinois 62794-9276

(v) **Reporting.** The facility shall submit an annual inspection report to the Illinois Environmental Protection Agency. The report shall include results of the annual facility inspection which is required by sections (b) (ii) (D) (ii) (4) and (b) (ii) (D) (iv) of this Special Condition and of the Storm Water Pollution Prevention Plan of this permit. The report shall also include documentation of any event (spill, treatment unit malfunction, etc.) which would require an inspection, results of the inspection, and any subsequent corrective maintenance activity. The report shall be completed and signed by the authorized facility employee(s) who conducted the inspection(s).

1. The first report shall contain information gathered during the one year time period beginning with the effective date of coverage under this permit and shall be submitted no later than 60 days after this one year period has expired. Each subsequent report shall contain the previous year's information and shall be submitted no later than one year after the previous year's report was due.

2. If the facility performs inspections more frequently than required by this permit, the results shall be included as additional information in the annual report.

3. The permittee shall retain the annual inspection report on file at least 5 years. This period may be extended by request of the Illinois Environmental Protection Agency at any time.

4. Annual inspection reports shall be submitted to the Agency using one of the following methods:

   a. Electronic Annual Reports must be submitted to: epa.indannualinsp@illinois.gov

   b. If electronic submittal is not available, reports should be mailed to:

      Illinois Environmental Protection Agency
      Division of Water Pollution Control
      Compliance Assurance Section
      Annual Inspection Report
      2520 West Iles Avenue
      P.O. Box 19276
      Springfield, Illinois 62794-9276

(vi) **Non-Storm Water Discharges** - Except for flows from firefighting activities, sources of non-storm water listed in (b) (i) of this Special Condition that are combined with storm water discharges associated with industrial activity at a mining site must be identified in the plan. The plan shall identify and insure the implementation of appropriate pollution prevention measures for the non-storm water component(s) of the discharge.

(vii) **Discharging Pollutants for Which a Water Body is Impaired With an Approved TMDL.**

1. Existing dischargers, new dischargers and new sources: you must carefully document the justifications for all BMP selections in your SWPPP, and install, implement and maintain BMPs that are consistent with all relevant TMDL allocations and with all relevant conditions in an implementation plan.

2. For discharges to waters for which there is a TMDL allocation for sediment or a parameter that addressed sediment (such as total suspended solids, turbidity, or siltation), the applicant shall develop and certify a SWPPP that is consistent with the assumptions and requirements in the approved TMDL. Operators must incorporate into their SWPPP any conditions applicable to their discharges necessary for consistency with the assumptions and requirements of the TMDL within any timeframes established in the TMDL. If a specific numeric waste load allocation has been established that would apply to the facility's discharges, the operator must incorporate that allocation into its SWPPP and implement necessary steps to meet that allocation.

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SPECIAL CONDITION 18. Oil and Hazardous Substance Discharge Prohibition: This permit does not authorize the discharge of hazardous substances or oil resulting from an on-site spill and does not supersede any reporting requirements for spills or releases of hazardous substances or oil.

SPECIAL CONDITION 19. Bulk Storage and Hazardous Waste Containment Area: Provisions for handling storm water from bulk storage and hazardous waste containment areas.

a. This permit does not authorize the discharge of storm water collected in containment areas at bulk storage and hazardous waste facilities where the storm water becomes contaminated by direct contact with a spill or release of stored materials into the containment area. Such storm water should be handled properly by on-site treatment or hauling off-site for treatment and disposal.

b. Where a spill or release to a dry containment area occurs, the permittee shall institute procedures to clean up the spill in order to prevent contamination of any storm water, which subsequently collects in the containment area. Where these procedures are followed, collected storm water may be discharged; following visual inspection to assure that the storm water contains no unnatural turbidity, color, oil films, foams, settleable solids, or deposits.

c. Storage piles of salt used for deicing or other commercial or industrial purposes must be enclosed or covered to prevent exposure to precipitation (except for exposure resulting from adding or removing materials from the pile). Piles of salt do not need to be enclosed or covered where storm water from the pile is not discharged to waters of the state or the discharges from the piles are authorized under another permit.

d. Nothing in this Special Condition supersedes any permit requirements, waste management procedures, or waste disposal requirements as described under Title 35, Subtitle G, Chapter I. Questions related to handling waste under these sections should be directed to Bureau of Land, Permit Section at 217/524-3300.

SPECIAL CONDITION 20. Reopener: This permit may be modified to include different discharge limitations or other requirements which are consistent with applicable laws, regulations, or judicial orders.

SPECIAL CONDITION 21. Prior to undertaking any activity that may result in the discharge of dredged or fill material into waters of the United States, or that involves the diversion, redirection, or impoundment of streams, the permittee shall obtain a Section 404 permit from the U.S. Army Corps of Engineers and a Section 401 Water Quality Certification from the Illinois Environmental Protection Agency, as required under the federal Clean Water Act.

SPECIAL CONDITION 22. Continuation of Permit:
If this permit is not reissued or replaced prior to the expiration date, it will be administratively continued in accordance with the Administrative Procedures Act and remain in force and effect. Any permittee who was granted permit coverage prior to the expiration date will automatically remain covered by the continued permit until the earlier of:

a. Reissuance or replacement of this permit, or

b. Your submittal of a notice of termination.

The permittee shall submit a revised or updated NOI, or NPDES permit application to the Agency no later than 180 days prior to the expiration date of this permit in order for permit coverage to be administratively continued.

SPECIAL CONDITION 23. Definitions from 35 Ill. Admin. Code, Subtitle D, Section 402.101:
"Acid Producing Material" ("APM") means material which when exposed to air and water is capable of causing drainage containing sulfuric acid. In determining whether material is acid producing consideration shall be given to the sulfur content of the material, the size and spatial distribution of pyritic compounds of sulfur, the neutralizing effect of surrounding intermixed materials and the quality of drainage produced by mining on sites with similar soils.

"Alkaline Mine Drainage" means mine drainage which, prior to drainage, has a pH equal to or greater than 6.0 and a total iron concentration of less than 10 mg/l.

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

"Clean Construction or Demolition Debris" means uncontaminated broken concrete without protruding metal bars, bricks, rock, stone, reclaimed or other asphalt pavement, or soil generated from construction or demolition activities.

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

"Final Stabilization" means that all soil disturbing activities at the site have been completed, and that a uniform perennial vegetative cover with a density of 70% cover for unpaved areas and areas not covered by permanent structures has been established or equivalent stabilization measures (such as the use of riprap, gabions or geotextiles) have been employed.

"Heated effluent" means mine process wastewater contaminated with heat from mining operations.

"Mine Area or Mined Area" means the surface and subsurface land where mining has occurred or is occurring. The term does not include the unmined surface land directly above underground mine workings which is not otherwise disturbed by mining activities.

"Mine Discharge" means any point source discharge, whether natural or man-made, from a mine related facility. Such discharges include mechanical pumpages, pit overflows, spillways, drainage ditches, seepage from mine or mine refuse areas, and effluent from processing and milling or mineral preparation plants. Other discharges including sanitary sewers and sewage treatment works are not mine discharges. The term mine discharge includes surface runoff discharged from a sedimentation pond but does not include non-point source mine discharges.

"Mine Process Wastewater or Process Wastewater" means waters used for or generated from: cooling of mining and mine processing equipment; mineral processing plants; cleaning mining and mining processing equipment; air emission controls (e.g, dust control); pit pumpage; pit overflows; mine dewatering; sedimentation ponds; or surface runoff from disturbed areas that contain mine refuse; chemical spillage; other wastes or acid producing materials.

"Mine Refuse" means gob, coal, rock, slate, shale, mill tailings, boney, clay, pyrites and other unmerchantable solid or slurry material intended to be discarded that results from cleaning and preparation of mined materials at a preparation plant or washery. It includes sludge or other precipitated matter produced by the treatment of acid mine drainage but does not generally include sediment from alkaline mine drainage. The term also includes acid-producing spoil.

"Mine Refuse Area" means any land used for dumping, storing or disposing of mine refuse.

"Mining" means the surface or underground extraction or processing of natural deposits of, gravel, sand or stone by the use of any mechanical operation or process. The term also includes the recovery or processing of the minerals from a mine refuse area. It does not include drilling for oil or natural gas.

"Mining Activities" means all activities on a facility which are directly in furtherance of mining, including activities before, during and after mining. The term does not include land acquisition, exploratory drilling, surveying and similar activities. The term includes, but is not limited to, the following:

a) Preparation of land for mining activities;
b) Construction of mine related facilities which could generate refuse, result in a discharge or have the potential to cause water pollution;
c) Ownership or control of a mine related facility;
d) Ownership or control of a coal storage yard or transfer facility;
e) Generation or disposal of mine refuse;
f) Mining;
g) Opening a mine;
h) Production of a mine discharge or non-point source mine discharge;
i) Surface drainage control; and
j) Use of acid-producing mine refuse.

"Mine Outfalls" means point sources that discharge mine dewatering waters, process wastewaters, pit pumpage or pit overflows.

"Non-point Source Mine Discharge" means surface runoff from the affected land. The term does not include surface runoff discharged from a sedimentation pond or seepage from a mine or mine refuse area.

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

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

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"Significant materials" includes, but is not limited to: raw materials; fuels; materials such as solvents, detergents, and plastic pellets; finished materials such as metallic products; raw materials used in food processing or production; hazardous substances designated under section 101(14) of CERCLA; fertilizers; pesticides; and waste products such as ashes, slag and sludge that have the potential to be released with storm water discharges.

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

"Storm Water Discharges" means discharges that contain only storm water.

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

i) Facilities classified as Standard Industrial Classifications 10 through 14 (mineral industry) including active or inactive mining operations (except for areas of coal mining operations meeting the definition of a reclamation area under 40 CFR 434.11(l)) and oil and gas exploration, production, processing, or treatment operations, or transmission facilities that discharge storm water contaminated by contact with or that has come into contact with, any overburden, raw material, intermediate products, finished products, byproducts or waste products

ii) located on the site of such operations; inactive mining operations are mining sites that are not being actively mined, but which have an identifiable owner/operator;

iii) Construction activity including clearing, grading and excavation activities that disturbs land area at a mining site.

iv) Any asphalt plant, ready mix plant or industrial facility with SIC Code 29 or 32 located on the mining site.

"Uncontaminated Soil" means soil that does not contain contaminants in concentrations that pose a threat to human health and safety and the environment.

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

"Bulk Storage" – refers to non-inert materials such as fuels, oils, salt, etc. which may be stored at the permitted facility and would reasonably be assumed to cause or threaten to cause water pollution as defined under Section 3.545 of the Act if such materials or stormwater runoff from such materials were discharged to waters of the State or released to the environment.

Construction Authorization

Authorization is hereby granted to the above designee to construct the mine and mine refuse area described as follows:

The permitted facility is an approximately 2,766-acre industrial silica plant (SIC Code 1446) known as the Wedron Silica Company, Wedron Plant. The facility is located in Sections 3, 4, 8, 9, 10, 16, 17, 20 and 21, T34N, R4E of the 3rd P.M. in, LaSalle County, Illinois.

As depicted in application documents received on July 1, 2024, the permittee proposes to expand the industrial silica mine by 154 acres. The proposed effluent would be similar to other effluents from existing operations at this mine. Stream segment IL_DTZB_02 (Buck Creek) will receive the effluent from proposed outfall 005. Outfall 005 will have a DAF of 2.52 MGD

Mine operations include drilling, blasting, excavation, washing, screening, and drying of silica sand. Water is drawn from Buck Creek as necessary to maintain the water level in the fresh water pond. Process wastewater is collected in a settling pond for either reuse or discharge to Buck Creek. Operations result in the average discharge of 0.1 MGD of storm water, process water, and pit pumpage from outfall 001 to Buck Creek, 2.52 MGD of storm water, process water, and pit pumpage from outfall 002 to Buck Creek, 0.01 MGD of storm water, process water, and pit pumpage from outfall 003 to the Fox River, 0.58 MGD of storm water, process water, and pit pumpage from outfall 004 to an unnamed tributary to the Fox River, and 2.52 MGD of storm water, process water, and pit pumpage from outfall 005 to Buck Creek.

The abandonment plan received with the application documents dated June 1, 2024, shall be executed and completed in accordance with Rule 405.109 of Subtitle D: Mine Related Water Pollution and Special Condition No. 6 of this permit.

Storm Water Pollution Prevention Plan: Authorization is hereby granted to construct treatment works and related equipment that may be required by the Storm Water Pollution Prevention Plan developed pursuant to this permit. Discharging sedimentation ponds are not covered under the Storm Water Pollution Prevention Plan authorization, unless they discharge to a mine outfall specifically identified in a construction authorization under this permit.

This Authorization is issued subject to the following condition(s).

1. If any statement or representation is found to be incorrect, this authorization may be revoked and the permittee thereupon waives all rights thereunder.

2. Termination of an NPDES discharge monitoring point or cessation of monitoring of an NPDES discharge is not authorized by this Agency until the permittee submits adequate justification to show what alternate treatment is provided or that untreated drainage will meet applicable effluent and water quality standards.

3. Plans and specifications of all treatment equipment being included as a part of the storm water management plan shall be included in the SWPPP.

4. Any modification of or deviation from the plans and specifications in the initial SWPPP requires amendment of the SWPPP.

5. Construction activities which result from treatment equipment installation, including clearing, grading and excavation activities which result in the disturbance of land area must meet the conditions of this permit.

The issuance of this permit (a) shall not be considered as in any manner affecting the title of the premises upon which the mine or mine refuse area is to be located; (b) does not release the permittee from any liability for damage to person or property caused by or resulting from the installation, maintenance or operation of the proposed facilities; (c) does not take into consideration the structural stability of any units or parts of the project; and (d) does not release the permittee from compliance with other applicable statutes of the State of Illinois, or with applicable local laws, regulations or ordinances.

This permit may be automatically transferred to a new permittee in accordance with Standard Condition 15(b) (Automatic transfers) Attachment H of this permit provided the written agreement includes a statement that the new permittee plans to meet the provisions of the abandonment plan submitted by the existing permittee and approved by the Agency for coverage under this permit. If a new or modified abandonment plan is submitted with the transfer request, coverage may not be automatically transferred under this permit.

There shall be no deviations from the approved plans and specifications unless revised plans, specifications and application shall first have been submitted to the Illinois Environmental Protection Agency and a supplemental permit issued.

The permit holder shall notify the Illinois Environmental protection Agency (217/782-3637) immediately of any emergency at the mine or mine refuse area which causes or threatens to cause a sudden discharge of contaminants into the waters of Illinois and shall immediately undertake necessary corrective measures as required by Rule 405.111 under Chapter 1, Subtitle D: Mine Related Water Pollution of Illinois Pollution Control Board Rules and Regulations.

Final plans, specifications, application and supporting documents as submitted and approved shall constitute part of this permit and are identified in the records of the Illinois Environmental Protection Agency, by the permit number designated in the heading of this section.