

NPDES Permit No. IL0061247  
Notice No. 8291c

Public Notice Beginning Date: **February 27, 2026**

Public Notice Ending Date: **March 30, 2026**

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 Environmental Protection Agency  
Bureau of Water, Division of Water Pollution Control  
Permit Section  
2520 West Iles Avenue  
Post Office Box 19276  
Springfield, Illinois 62794-9276  
217/782-0610

Name and Address of Discharger:

Springfield Coal Company, LLC  
P.O. Box 570  
Canton, Illinois 61520

Name and Address of Facility:

Springfield Coal Company, LLC  
Industry Mine  
1480 E 1200<sup>th</sup> Street  
5 miles southwest of Industry, Illinois  
(McDonough and Schuyler Counties)

The Illinois Environmental Protection Agency (IEPA or Agency) has made a tentative determination to issue an NPDES permit to discharge into 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. Comments will be accepted until midnight of the Public Notice period ending date indicated above, unless a request for an extension of the original comment period is granted by the Agency. Interested persons are invited to submit written comments on the draft permit to the IEPA at the above address. Commentors shall provide his or her name, address and the nature of the issues raised and the evidence supporting those issues. Commentors may include a request for public hearing. The NPDES permit and notice number(s) must appear on each comment page.

The application, engineer's review notes, 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.

As provided in 35 Ill. Adm. Code 309.115(a) any person may submit a request for a public hearing and if such 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. The Agency shall issue public notice of such hearing no less than thirty (30) days prior to the date of such hearing in the manner described by 35 Ill. Adm. Code 309.109 through 309.112 for public notice. The Agency's responses to written and/or oral comments will be provided in the Responsiveness Summary provided when the final permit is issued.

The applicant operates an existing surface coal mine (SIC 1221). Mine reclamation operations result in the discharge of alkaline mine drainage, acid mine drainage, surface runoff from reclamation areas, and stormwater discharges.

Public comments are invited on the entire draft permit. The following proposed modifications were incorporated into this Permit renewal:

The release of approximately 5,350 acres of the reclaimed area from the NPDES permit.

Springfield Coal Company, LLC has requested the relocation of Outfall 018. The Illinois Environmental Protection Agency is removing Outfall 018 from the NPDES Permit because areas tributary to that outfall have been reclaimed in accordance with 35 Ill. Adm. Code 405.109 and the approved abandonment plan for the area. The proposed discharge location named Outfall 018A will discharge to the same watershed that Outfall 018 was permitted to discharge in. An Antidegradation Assessment is not required.

Groundwater Monitoring Well Nos. 24, 25, DG-1, DG-2, DG-3, IDG, UG-1 and UG-2 has been removed from the NPDES Permit because the approved abandonment plan is being conducted in accordance with Illinois Department of Public Health Water Well Construction Code 77 Ill. Adm. Code 920.10 requirements.

Outfalls 002, 003, 009, 018 and 035 are reclassified as reclamation drainage discharges and Outfalls 029, 030, 031, 032, 033 are reclassified as stormwater discharges.

Outfalls 020, 021, 022, 024W, 026 and 027 have been removed from the NPDES Permit because areas tributary to these outfalls have been reclaimed in accordance with 35 Ill. Adm. Code 405.109 and the approved abandonment plan for the area.

This facility has 11 existing discharge(s) which are located in McDonough and Schuyler Counties, Illinois. The following information identifies the discharge points, receiving streams, and stream classifications:

<u>Outfall</u>	<u>Receiving Stream</u>	<u>Latitude (North)</u>	<u>Longitude (West)</u>
002	Unnamed tributary to Grindstone Creek	40° 17' 45"	90° 43' 07"
003	Unnamed tributary to Grindstone Creek	40° 18' 07.6"	90° 42' 55"
009	Willow Creek	40° 16' 20.1"	90° 42' 57.4"
018*	Unnamed tributary to Grindstone Creek	40° 17' 40"	90° 43' 49"
019	Unnamed tributary to Grindstone Creek	40° 17' 55"	90° 44' 06"
029	Unnamed tributary to Willow Creek	40° 16' 22"	90° 45' 08"
030	Unnamed tributary to Willow Creek	40° 16' 16"	90° 44' 51"
031	Unnamed tributary to Grindstone Creek	40° 18' 11.5"	90° 43' 33.6"
032	Unnamed tributary to Grindstone Creek	40° 18' 11.5"	90° 43' 10.6"
033	Unnamed tributary to Grindstone Creek	40° 18' 24.5"	90° 43' 01.9"
035	Unnamed tributary to Grindstone Creek	40° 18' 47.4"	90° 42' 56.3"

The stream segment of DGIA-03 receiving the flow from the unnamed tributary into which Outfalls 002, 003, 019, 031, 032, 033 and 035 discharge is not on the 2020/2024 303(d) list of impaired waters.

The stream segment DGZH of Willow Creek receiving the discharge from Outfall 009 is not on the 2020/2024 303(d) list of impaired waters.

The stream segment DGZH of Willow Creek receiving the flow from the unnamed tributaries into which Outfalls 029, and 030 is not on the 2020/2024 303(d) list of impaired waters.

Application is made for the relocation of one (1) outfall located in McDonough County, Illinois. The following information identifies the discharge points, receiving streams and stream classifications:

<u>Outfall</u>	<u>Receiving Stream</u>	<u>Latitude (North)</u>	<u>Longitude (West)</u>
018A	Unnamed tributary to Grindstone Creek	40° 17' 03"	90° 44' 20"

The stream segment of DGIA-03 receiving the flow from the unnamed tributary into which Outfall 018A discharge is not on the 2020/2024 303(d) list of impaired waters.

The acid mine discharge from this facility shall be monitored and limited at all times as follows:

Outfall: 019

Discharge Condition	Parameters											Flow (MGD)	Settleable Solids (2) (m/l)
	Total Suspended Solids (3) (mg/L)		Iron (total) (3) (4) (mg/L)		pH (3) (S.U.)	Alkalinity / Acidity (3)	Sulfate (1) (mg/L)	Chloride (mg/L)	Mn (total) (mg/L)		Hardness (5)		
	30 day average	daily maximum	30 day average	daily maximum					30 day average	daily maximum			
I	35	70	3.5	7.0	6.5-9.0	Alk.>Acid	2000	500	3.26	7.68	Monitor only	Measure When Sampling	-
II	-	-	-	-	6.0-9.0	-	2000	500	-	-	Monitor only	Measure When Sampling	0.5
III	-	-	-	-	6.0-9.0	-	2000	500	-	-	Monitor only	Measure When Sampling	-
IV	35	70	3.5	7.0	6.5-9.0	Alk.>Acid	2000	500	3.26	7.68	Monitor only	Measure When Sampling	-

- I Dry weather discharge (base flow or mine pumpage) from the outfall.
  - II In accordance with 35 Ill. Adm. Code 406.110(b), any discharge or increase in the volume of a discharge caused by precipitation within any 24-hour period greater than the 1-year, 24-hours precipitation event, but less than or equal to the 10-year, 24 hour precipitation event (or snowmelt of equivalent volume) shall comply with the indicated limitations instead of those in 35 Ill. Adm. Code 406.106(b). The 1-year, 24-hour precipitation event for this area is considered to be 2.79 inches.
  - III In accordance with 35 Ill. Adm. Code 406.110(d), any discharge or increase in volume of a discharge caused by precipitation within any 24-hour period greater than the 10-year, 24-hour precipitation event (or snowmelt of equivalent volume) shall comply with the indicated limitations instead of those in 35 Ill. Adm. Code 406.106(b). The 10-year, 24-hours precipitation event for this area is considered to be 4.93 inches.
  - IV Discharges continuing 24 hours after cessation of precipitation event that resulted in discharge. For outfalls which have no allowed mixing, monitoring requirements and permit limitations of Discharge Condition IV are identical to Discharge Condition I to which the outfall discharge has reverted.
- (1) Sulfate water quality standards and effluent limitations determined in accordance with 35 Ill. Adm. Code 302.208(h).
  - (2) Settleable solids are monitored only as a result of a discharge due to precipitation events which exceed a predetermined 24-hour duration or snowmelt total. Settleable solids effluent limitations for acid mine drainage discharges are contained in 35 Ill. Adm. Code 406.110(b), (c), and (d).
  - (3) Effluent limitations for mine discharges are contained in 35 Ill. Adm. Code 406.106.
  - (4) Discharges from Outfall 019 are subject to a 30-Day average effluent limitation for Iron of 3.5 mg/L. Daily maximum effluent concentrations are calculated as twice the 30-day average.
  - (5) Hardness monitoring is required to determine the appropriateness of the sulfate permit limitation.

The reclamation area discharges from this facility shall be monitored and limited at all times as follows:

Outfall<sup>(1)</sup>: 002, 003, 009, 018A

Discharge Condition	Parameters				
	pH (S.U.)	Sulfate <sup>(2)</sup> (mg/L)	Chloride (mg/L)	Hardness	Settleable Solids (ml/l)
I	6.5-9.0	2000	500	Monitor only	0.5
II	6.0-9.0	2000	500	Monitor only	0.5
III	6.0-9.0	2000	500	Monitor only	-
IV	6.5-9.0	2000	500	Monitor only	0.5

- I Dry weather discharge (base flow, if present) from the outfall.
- II In accordance with 35 Ill. Adm. Code 406.109(b), any discharge or increase in the volume of a discharge caused by precipitation within any 24-hour period less than or equal to the 10-year, 24 hour precipitation event (or snowmelt of equivalent volume) shall comply with the indicated limitations. The 10-year, 24-hour precipitation event for this area is considered to be 4.93 inches for McDonough County and 4.45 inches for Schuyler County.
- III In accordance with 35 Ill. Adm. Code 406.109(c), any discharge or increase in the volume of a discharge caused by precipitation within any 24-hour period greater than the 10-year, 24-hour precipitation event (or snowmelt of equivalent volume) shall comply with the indicated limitations instead of those in 35 Ill. Adm. Code 406.109(b).
- IV Discharges continuing 24 hours after cessation of precipitation event that resulted in discharge. For reclamation area discharges, monitoring requirements and permit limitations of Discharge Condition IV are identical to Discharge Condition I to which the outfall discharge has reverted.

(1) Effluent limitations for reclamation area discharges are contained in 35 Ill. Adm. Code 406.109.

(2) Sulfate water quality standards and effluent limitations determined in accordance with 35 Ill. Adm. Code 302.208(h).

The reclamation area discharges from this facility shall be monitored and limited at all times as follows:

Outfall: 035

Discharge Condition	Parameters					
	pH (S.U.)	Sulfate <sup>(2)</sup> (mg/L)	Chloride (mg/L)	Hardness	Flow (MGD) ***	Settleable Solids (m/l)
I	6.5-9.0	500	500	Monitor only	Measure When Sampling	0.5
II	6.0-9.0	500	500	Monitor only	Measure When Sampling	0.5
III	6.0-9.0	500	500	Monitor only	Measure When Sampling	
IV	6.5-9.0	500	500	Monitor only	Measure When Sampling	0.5

- I Dry weather discharge (base flow, if present) from the outfall.
- II In accordance with 35 Ill. Adm. Code 406.109(b), any discharge or increase in the volume of a discharge caused by precipitation within any 24-hour period less than or equal to the 10-year, 24 hour precipitation event (or snowmelt of equivalent volume) shall comply with the indicated limitations. The 10-year, 24-hour precipitation event for this area is considered to be 4.93 inches for McDonough County in which Outfall 035 is located.
- III In accordance with 35 Ill. Adm. Code 406.109(c), any discharge or increase in the volume of a discharge caused by precipitation within any 24-hour period greater than the 10-year, 24-hour precipitation event (or snowmelt of equivalent volume) shall comply with the indicated limitations instead of those in 35 Ill. Adm. Code 406.109(b).
- IV Discharges continuing 24 hours after cessation of precipitation event that resulted in discharge. For reclamation area discharges, monitoring requirements and permit limitations of Discharge Condition IV are identical to Discharge Condition I to which the outfall discharge has reverted.

(1) Effluent limitations for reclamation area discharges are contained in 35 Ill. Adm. Code 406.109.  
 (2) Sulfate water quality standards and effluent limitations determined in accordance with 35 Ill. Adm. Code 302.208(h).

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

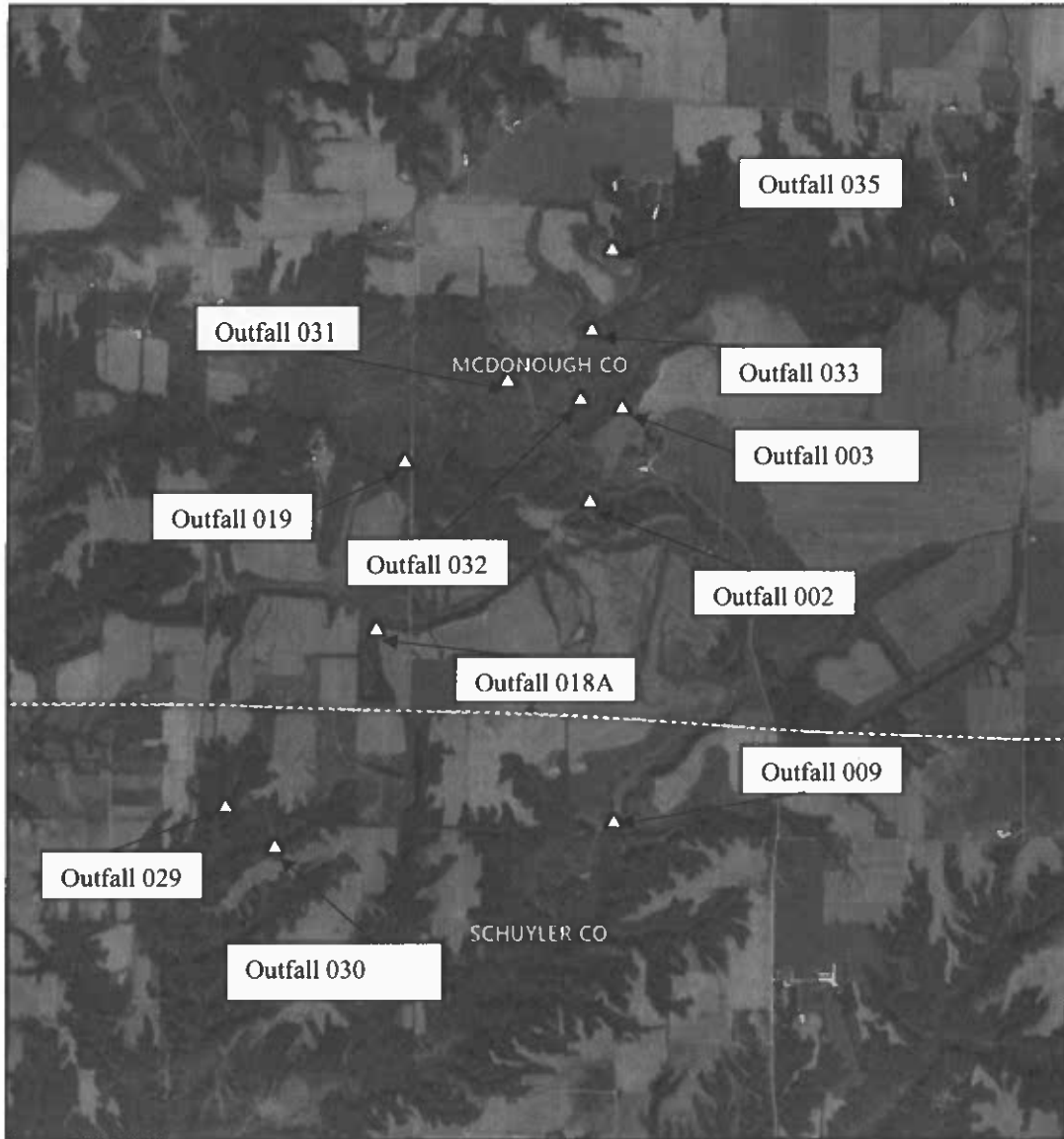
Outfalls: 029, 030, 031, 032, 033

Parameters	
pH (S.U.)	Settleable Solids (mL/l)
6.0-9.0	0.5

- (1) Stormwater effluent limitations for all Discharge Conditions are established pursuant to 40 CFR 122.26, and IEPA correspondence to the industry dated July 31, 1992, with sample frequency for stormwater discharges being once per year.

To assist you in identifying the location of the discharges, please refer to the attached map. The permit area for this facility is located in Sections 23, 24, 25, 26, 27, 28, 33, 34, 35 and 36, Township 4 North, Range 3 West and Sections 19 and 30, Township 4 North, Range 2 West, 4<sup>th</sup> P.M., McDonough County and Sections 2, 3 and 10, Township 3 North, Range 3 West, 4<sup>th</sup> P.M., Schuyler County, Illinois.

## Springfield Coal Company, L.L.C. - Industry Mine



USGS The National Map, National Boundaries Dataset, Data Refreshed October, 2025. Earthstar Geographics, Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS. © OpenStreetMap contributors, and the GIS User Community



NPDES Permit No. IL0061247

Illinois Environmental Protection Agency

Division of Water Pollution Control

2520 West Iles Avenue

P.O. 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:

Springfield Coal Company, LLC  
P.O. Box 570  
Canton, Illinois 61520

Facility Name and Address:

Springfield Coal Company, LLC  
Industry Mine  
1480 E 1200<sup>th</sup> Street  
5 miles southwest of Industry, Illinois  
(McDonough and Schuyler Counties)

Discharge Number and Classification:

Receiving waters

019	Surface Acid Mine Drainage	Unnamed tributary to Grindstone Creek
002, 003, 018A, 035	Reclamation Area Drainage	Unnamed tributary to Grindstone Creek
009	Reclamation Area Drainage	Willow Creek
029, 030	Stormwater Discharge	Unnamed tributary to Willow Creek
031, 032, 033	Stormwater Discharge	Unnamed tributary to Grindstone Creek

In compliance with the provisions of the Illinois Environmental Protection Act, Subtitle C and/or Subtitle D Rules and Regulations of the Illinois Pollution Control Board, and the Clean Water Act, 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

SFN:WJD:/8291c/2-5-26

NPDES Permit No. IL0061247

Effluent Limitations and Monitoring

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

Outfall\*: 019 (Acid Mine Drainage)

Discharge Condition	Parameters											Flow (MGD)	Settleable Solids (mU)
	Total Suspended Solids (mg/L) ***		Iron (total) (mg/L) ***		pH** (S.U.) ***	Alkalinity/ Acidity ***	Sulfate (mg/L) ***	Chloride (mg/L) ***	Mn <sup>+</sup> (total) (mg/L) ***		Hardness ***		
	30 day average	daily maximum	30 day average	daily maximum					30 day average	daily maximum			
I	35	70	3.5	7.0	6.5-9.0	Alk.>Acid	2000	500	3.26	7.68	Monitor only	Measure When Sampling	-
II	-	-	-	-	6.0-9.0	-	2000	500	-	-	Monitor only	Measure When Sampling	0.5
III	-	-	-	-	6.0-9.0	-	2000	500	-	-	Monitor only	Measure When Sampling	-
IV	35	70	3.5	7.0	6.5-9.0	Alk.>Acid	2000	500	3.26	7.68	Monitor only	Measure When Sampling	-

- I Dry weather discharge (base flow or mine pumpage) from the outfall.
- II In accordance with 35 Ill. Adm. Code 406.110(b), any discharge or increase in the volume of a discharge caused by precipitation within any 24-hour period greater than the 1-year, 24-hour precipitation event, but less than or equal to the 10-year, 24-hour precipitation event (or snowmelt of equivalent volume) shall comply with the indicated limitations instead of those in 35 Ill. Adm. Code 406.106(b). The 1-year, 24-hour precipitation event for this area is considered to be 2.79 inches for McDonough County in which Outfall 019 is located.
- III In accordance with 35 Ill. Adm. Code 406.110(d), any discharge or increase in the volume of a discharge caused by precipitation within any 24-hour period greater than the 10-year, 24-hour precipitation event (or snowmelt of equivalent volume) shall comply with the indicated limitations instead of those in 35 Ill. Adm. Code 406.106(b). The 10-year, 24-hour precipitation event for this area is considered to be 4.93 inches for McDonough County in which Outfall 019 is located.
- IV Discharges continuing 24 hours after cessation of precipitation event that resulted in discharge. For outfalls which have no allowed mixing, monitoring requirements and permit limitations of Discharge Condition IV are identical to Discharge Condition I to which the outfall discharge has reverted.

Sampling during all Discharge Conditions shall be performed utilizing the grab sampling method.

\*\*\* There shall be a minimum of nine (9) samples collected during the quarter when the pond is discharging. Of these 9 samples, a minimum of one sample each month shall be taken during either Discharge Condition I or IV should such discharge condition occur. A "no flow" situation is not considered to be a sample of the discharge. In the event that Discharge Conditions II and/or III occur, grab sample of each discharge caused by the above precipitation events (Discharge Conditions II and/or III) shall be taken and analyzed for the parameters identified in the table above during at least 3 separate events each quarter. For quarters in which there are less than 3 such precipitation events resulting in discharges, a grab sample of the discharge shall be required whenever such precipitation event(s) occur(s). Should a sufficient number of discharge events occur during the quarter, the remaining three (3) quarterly samples may be taken during any of the Discharge Conditions described above.

The water quality standards for sulfate and chloride must be met in discharges from the above referenced outfall as well as in the receiving stream.

\* The Permittee is subject to the limitations, monitoring, and reporting requirements of Special Condition No. 13 for the discharges from Outfall 019 and the unnamed tributary to Grindstone Creek receiving such discharges. Also, discharges from Outfall 019 shall be subject to the limitations, monitoring, and reporting requirements of Special Condition No. 15.

\*\* No discharge is allowed from any above referenced permitted outfall during "low flow" or "no flow" conditions in the receiving stream unless such discharge meets the water quality standards of 35 Ill. Adm. Code 302.204 for pH.

NPDES Permit No. IL0061247

Effluent Limitations and Monitoring

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

Outfall\*: 002, 003, 009, 018A (Reclamation Area Drainage)

Discharge Condition	Parameters					
	pH** (S.U.) ***	Sulfate (mg/L) ***	Chloride (mg/L) ***	Hardness ***	Flow (MGD)	Settleable Solids (m/l) ***
I	6.5-9.0	2000	500	Monitor only	Measure When Sampling	0.5
II	6.0-9.0	2000	500	Monitor only	Measure When Sampling	0.5
III	6.0-9.0	2000	500	Monitor only	Measure When Sampling	-
IV	6.5-9.0	2000	500	Monitor only	Measure When Sampling	0.5

- I Dry weather discharge (base flow, if present) from the outfall.
- II In accordance with 35 Ill. Adm. Code 406.109(b), any discharge or increase in the volume of a discharge caused by precipitation within any 24-hour period less than or equal to the 10-year, 24-hour precipitation event (or snowmelt of equivalent volume) shall comply with the indicated limitations. The 10-year, 24-hour precipitation event for this area is considered to be 4.93 inches.
- III In accordance with 35 Ill. Adm. Code 406.109(c), any discharge or increase in the volume of a discharge caused by precipitation within any 24-hour period greater than the 10-year, 24-hour precipitation event (or snowmelt of equivalent volume) shall comply with the indicated limitations instead of those in 35 Ill. Adm. Code 406.109(b).
- IV Discharges continuing 24 hours after cessation of precipitation event that resulted in discharge. For reclamation area discharges, monitoring requirements and permit limitations of Discharge Condition IV are identical to Discharge Condition I to which the outfall discharge has reverted.

Sampling during all Discharge Conditions shall be performed utilizing the grab sampling method. A "no flow" situation is not considered to be a sample of the discharge.

\*\*\* One sample per month (1/month) shall be collected if and/or when a discharge occurs under either Discharge Condition I, II or IV and analyzed for the parameters identified in the table above. In addition, at least three (3) grab samples shall be taken each quarter from separate precipitation events under Discharge Condition III and analyzed for parameters indicated in the above table. For quarters in which there are less than 3 such precipitation events, a grab sample of the discharge shall be required whenever such precipitation event(s) occur(s).

The water quality standards for sulfate and chloride must be met in discharges from the above referenced outfall as well as in the receiving stream.

\* The Permittee is subject to the limitations, monitoring, and reporting requirements of Special Condition No. 13 for the discharges from Outfalls 002, 003, 009, 018A and Willow Creek and the unnamed tributary of Grindstone Creek receiving such discharges.

\*\* No discharge is allowed from any above referenced permitted outfall during "low flow" or "no flow" conditions in the receiving stream unless such discharge meets the water quality standards of 35 Ill. Adm. Code 302.204 for pH.

NPDES Permit No. IL0061247

## Effluent Limitations and Monitoring

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

Outfall\*: 035 (Reclamation Area Drainage)

Discharge Condition	Parameters					
	pH** (S.U.) ***	Sulfate (mg/L) ***	Chloride (mg/L) ***	Hardness ***	Flow (MGD)	Settleable Solids (ml/l) ***
I	6.5-9.0	500	500	Monitor only	Measure When Sampling	0.5
II	6.0-9.0	500	500	Monitor only	Measure When Sampling	0.5
III	6.0-9.0	500	500	Monitor only	Measure When Sampling	-
IV	6.5-9.0	500	500	Monitor only	Measure When Sampling	0.5

- I Dry weather discharge (base flow, if present) from the outfall.
- II In accordance with 35 Ill. Adm. Code 406.109(b), any discharge or increase in the volume of a discharge caused by precipitation within any 24-hour period less than or equal to the 10-year, 24-hour precipitation event (or snowmelt of equivalent volume) shall comply with the indicated limitations. The 10-year, 24-hour precipitation event for this area is considered to be 4.93 inches for McDonough County in which Outfall 035 is located.
- III In accordance with 35 Ill. Adm. Code 406.109(c), any discharge or increase in the volume of a discharge caused by precipitation within any 24-hour period greater than the 10-year, 24-hour precipitation event (or snowmelt of equivalent volume) shall comply with the indicated limitations instead of those in 35 Ill. Adm. Code 406.109(b).
- IV Discharges continuing 24 hours after cessation of precipitation event that resulted in discharge. For reclamation area discharges, monitoring requirements and permit limitations of Discharge Condition IV are identical to Discharge Condition I to which the outfall discharge has reverted.

Sampling during all Discharge Conditions shall be performed utilizing the grab sampling method. A "no flow" situation is not considered to be a sample of the discharge.

\*\*\* One sample per month (1/month) shall be collected if and/or when a discharge occurs under either Discharge Condition I, II or IV and analyzed for the parameters identified in the table above. In addition, at least three (3) grab samples shall be taken each quarter from separate precipitation events under Discharge Condition III and analyzed for parameters indicated in the above table. For quarters in which there are less than 3 such precipitation events, a grab sample of the discharge shall be required whenever such precipitation event(s) occur(s).

The water quality standards for sulfate and chloride must be met in discharges from the above referenced outfall as well as in the receiving stream.

\* The Permittee is subject to the limitations, monitoring, and reporting requirements of Special Condition No. 13 for the discharges from Outfall 035 and the Unnamed tributary of Grindstone Creek receiving such discharges.

\*\* No discharge is allowed from any above referenced permitted outfall during "low flow" or "no flow" conditions in the receiving stream unless such discharge meets the water quality standards of 35 Ill. Adm. Code 302.204 for pH.

NPDES Permit No. IL0061247

Effluent Limitations and Monitoring

Upon completion of Special Condition 10 and approval from the Agency, the effluent of the following discharge shall be monitored and limited at all times as follows:

Outfall\*: 019 (Reclamation Area Drainage)

Discharge Condition	Parameters					
	pH** (S.U.) ***	Sulfate (mg/L) ***	Chloride (mg/L) ***	Hardness ***	Flow (MGD)	Settleable Solids (m/l) ***
I	6.5-9.0	2000	500	Monitor only	Measure When Sampling	0.5
II	6.0-9.0	2000	500	Monitor only	Measure When Sampling	0.5
III	6.0-9.0	2000	500	Monitor only	Measure When Sampling	
IV	6.5-9.0	2000	500	Monitor only	Measure When Sampling	0.5

- I Dry weather discharge (base flow, if present) from the outfall.
- II In accordance with 35 Ill. Adm. Code 406.109(b), any discharge or increase in the volume of a discharge caused by precipitation within any 24-hour period less than or equal to the 10-year, 24-hour precipitation event (or snowmelt of equivalent volume) shall comply with the indicated limitations. The 10-year, 24-hour precipitation event for this area is considered to be 4.93 inches.
- III In accordance with 35 Ill. Adm. Code 406.109(c), any discharge or increase in the volume of a discharge caused by precipitation within any 24-hour period greater than the 10-year, 24-hour precipitation event (or snowmelt of equivalent volume) shall comply with the indicated limitations instead of those in 35 Ill. Adm. Code 406.109(b).
- IV Discharges continuing 24 hours after cessation of precipitation event that resulted in discharge. For reclamation area discharges, monitoring requirements and permit limitations of Discharge Condition IV are identical to Discharge Condition I to which the outfall discharge has reverted.

Sampling during all Discharge Conditions shall be performed utilizing the grab sampling method. A "no flow" situation is not considered to be a sample of the discharge.

\*\*\* One sample per month (1/month) shall be collected if and/or when a discharge occurs under either Discharge Condition I, II or IV and analyzed for the parameters identified in the table above. In addition, at least three (3) grab samples shall be taken each quarter from separate precipitation events under Discharge Condition III and analyzed for parameters indicated in the above table. For quarters in which there are less than 3 such precipitation events, a grab sample of the discharge shall be required whenever such precipitation event(s) occur(s).

The water quality standards for sulfate and chloride must be met in discharges from the above referenced outfall as well as in the receiving stream.

\* The Permittee is subject to the limitations, monitoring, and reporting requirements of Special Condition No. 13 for the discharges from Outfall 019 and the unnamed tributary to Grindstone Creek receiving such discharges.

\*\* No discharge is allowed from any above referenced permitted outfall during "low flow" or "no flow" conditions in the receiving stream unless such discharge meets the water quality standards of 35 Ill. Adm. Code 302.204 for pH.

NPDES Permit No. IL0061247

Effluent Limitations and Monitoring

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

Outfalls: 029, 030, 031, 032, 033 (Stormwater Discharge)

Parameters	
pH* (S.U.) **	Settleable Solids (ml/l) **
6.0-9.0	0.5

Stormwater discharge monitoring is subject to the following reporting requirements:

Analysis of samples must be submitted with second quarter Discharge Monitoring Reports.

If discharges can be shown to be similar, a plan may be submitted by November 1 of each year preceding sampling to propose grouping of similar discharges and/or updated previously submitted groupings. If updating of a previously submitted plan is not necessary, a written notification to the Agency, indicating such is required. Upon approval from the Agency, one representative sample for each group may be submitted.

Annual stormwater monitoring is required for all discharges until Final SMCRA Bond is released and approval to cease such monitoring is obtained from the Agency.

---

\* No discharge is allowed from any above referenced permitted outfalls during "low flow" or "no flow" conditions in the receiving stream unless such discharge meets the water quality standards of 35 Ill. Adm. Code 302.204 for pH.

\*\* One (1) sample per year shall be collected and analyzed for the indicated parameter; however, such sampling and analysis is required only if and/or when a discharge occurs from the individual Outfall(s) identified above.

NPDES Permit No. IL0061247

Effluent Limitations and Monitoring

Upon completion of Special Condition No. 11 and approval from the Agency, the effluent of the following discharge shall be monitored and limited at all times as follows:

Outfalls: 002, 003, 009, 018A, 019, 035 (Stormwater Discharge)

Parameters	
pH* (S.U.) **	Settleable Solids (m/l) **
6.0-9.0	0.5

Stormwater discharge monitoring is subject to the following reporting requirements:

Analysis of samples must be submitted with second quarter Discharge Monitoring Reports.

If discharges can be shown to be similar, a plan may be submitted by November 1 of each year preceding sampling to propose grouping of similar discharges and/or updated previously submitted groupings. If updating of a previously submitted plan is not necessary, a written notification to the Agency, indicating such is required. Upon approval from the Agency, one representative sample for each group may be submitted.

Annual stormwater monitoring is required for all discharges until Final SMCRA Bond is released and approval to cease such monitoring is obtained from the Agency.

---

\* No discharge is allowed from any above referenced permitted outfalls during "low flow" or "no flow" conditions in the receiving stream unless such discharge meets the water quality standards of 35 Ill. Adm. Code 302.204 for pH.

\*\* One (1) sample per year shall be collected and analyzed for the indicated parameter; however, such sampling and analysis is required only if and/or when a discharge occurs from the individual Outfall(s) identified above.

Construction Authorization No. 1384-17

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

A surface mine containing a total of 298.38 acres (OMM Permit No. 16, 261, and 357), located in Sections 22, 23, 24, 25, 26, 27, 28, 33, 34, 35 and 36, Township 4 North, Range 3 West, and Sections 19 and 30, Township 4 North, Range 2 West, 4<sup>th</sup> P.M., McDonough County and Sections 2, 3 and 10, Township 3 North, Range 3 West, 4<sup>th</sup> P.M., Schuyler County, Illinois.

The operations consist of reclamation and surface drainage control facilities.

As proposed and illustrated in IEPA Log No. 4154-24, the removal of 5,352.92 acres from the permitted area is hereby approved. The watersheds tributary to the sedimentation basins discharging through Outfall Nos. 029, 030, 031, and 032 have been successfully reclaimed, with vegetation established and all applicable effluent limitations meeting water quality standards. Bonds for the depicted acreage have been released under the Office of Mines and Minerals (OMM) permit. This reduction is reflected in the revised total permit area indicated above.

As proposed and described in IEPA Log No. 4089-24, the relocation of Outfall 018 to the discharge location of the final cut for final bond release is approved. Springfield Coal Company, LLC has requested the relocation of Outfall 018. The Illinois Environmental Protection Agency is removing Outfall 018 from the NPDES Permit because areas tributary to that outfall have been reclaimed in accordance with 35 Ill. Adm. Code 405.109 and the approved abandonment plan for the area. The proposed discharge location named Outfall 018A will discharge to the same watershed that Outfall 018 was permitted to discharge in. An Antidegradation Assessment is not required.

As approved in IEPA Log No. 5262-23 and Agency correspondence dated February 6, 2024, outfalls 031, 032, and 033 were reclassified from reclamation area drainage to stormwater discharge. Additionally, as approved in IEPA Log No. 9072-19 and Agency correspondence dated December 6 and 17, 2019, outfalls 031, 032, and 033 were previously reclassified from alkaline drainage to reclamation area drainage. As approved in IEPA Log No. 9072-19 and Agency correspondence dated December 6 and 17, 2019, outfalls 024 and 026 were reclassified from alkaline drainage to stormwater discharge and later approved for removal from the permit; stormwater discharge points 020, 021, 022, and 027 were also approved for removal from the permit; outfalls 029 and 030 were reclassified from alkaline drainage to stormwater discharge; and alkaline drainage points 002, 003, 009, and 018 were reclassified as reclamation area drainage points.

As proposed in IEPA Log No. 9312-19 and previously approved in Agency correspondence dated March 6, 2020, Groundwater Monitoring Well Nos. W-24, W-25, DG-1, DG-2, DG-3, IDG, UG-1, UG-2 are hereby released from the permit.

As proposed and described in IEPA Log No. 0073-18 the beneficial ash cell reclamation plan consisting of a permanent incised impoundment with a watershed of approximately 37.5 acres is hereby approved. The impoundment's spillway is a single spillway that will act as a primary and emergency spillway tributary to final cut lake #1 and Outfall 002.

As proposed and described in IEPA Log No. 0072-18 the monitoring of discharges for mercury has been eliminated.

As proposed and described under IEPA Log No. 1220-17 the application and incorporation of lime material for neutralization to facilitate the slurry pond reclamation for OMM Permit No. 16 is approved except that such application shall not exceed the lime sludge limitations authorized by State Construction Permit Nos. 2015-MT-3361 and 2015-MT-3361-1 and incorporated hereunder by Condition 14 of this Construction Authorization.

As proposed and described under IEPA Log No. 1109-17 the post-mining land use changes for OMM Permit No. 357 are hereby approved.

As proposed and described under IEPA Log No. 4059-14 the revised design for reclamation of OMM Permit No. 305 that consists of an incised final cut lake is hereby approved. The final cut lake with a single spillway that will act as both primary and emergency spillways is tributary to outfall 024.

The use of water treatment plant lime sludge from City of Macomb and Burlington Iowa Water Treatment Plants for purposes of soil conditioning in support of reclamation as proposed under IEPA Log Nos. 2123-16, 3361-15-A, and 3361-15 and approved under Illinois EPA State Construction permits 2015-MT-3361 and 2015-MT-3361-1 no longer occurs based on information obtained from the applicant, therefore the aforementioned State Permits are hereby terminated immediately.

As proposed under IEPA Log Nos. 2123-16, 3361-15-A, and 3361-15 and as previously approved under State Construction Permits 2015-MT-3361 and 2015-MT-3361-1, the use of water treatment plant lime sludge from City of Macomb and Burlington Iowa Water Treatment Plants for purposes of soil conditioning in support of reclamation is hereby incorporated into this construction authorization in accordance with the terms and special conditions of the aforementioned permits.

As proposed and described under IEPA Log No. 6267-12 the bulk storage tank for hydrated lime treatment of Pond 019 is hereby approved.

As proposed and described under IEPA Log No. 7213-11 the relocation of the principle and emergency spillways for the final cut lake No. 1 of OMM Permit No. 016 is hereby approved. The spillways would be relocated from the west dam location to the north dam location but would remain tributary to Outfall 009.

Surface drainage control at this facility consists of eleven (11) sedimentation basins with discharges designated and located as indicated below:

Location and receiving stream of the outfall at this facility is as follows:

Outfall Number	Latitude			Longitude			Receiving Water
	DEG	MIN	SEC	DEG	MIN	SEC	
002	40°	17'	45"	90°	43'	07"	Unnamed tributary to Grindstone Creek
003	40°	18'	7.6"	90°	42'	55"	Unnamed tributary to Grindstone Creek
009	40°	16'	20.1"	90°	42'	57.4"	Willow Creek
018A	40°	17'	03"	90°	44'	20"	Unnamed tributary to Grindstone Creek
019	40°	17'	55"	90°	44'	06"	Unnamed tributary to Grindstone Creek
029	40°	16'	22"	90°	45'	08"	Unnamed tributary to Willow Creek
030	40°	16'	16"	90°	44'	51"	Unnamed tributary to Willow Creek
031	40°	18'	11.5"	90°	43'	33.6"	Unnamed tributary to Grindstone Creek
032	40°	18'	11.5"	90°	43'	10.6"	Unnamed tributary to Grindstone Creek
033	40°	18'	24.5"	90°	43'	01.9"	Unnamed tributary to Grindstone Creek
035	40°	18'	47.4"	90°	42'	56.3"	Unnamed tributary to Grindstone Creek

Items SP0800 and SP1200 that were previously referenced as Groundwater Monitoring Wells were determined to be surface water monitoring points under purview of Illinois Department of Natural Resources and are therefore removed from the permit.

The abandonment plan shall be executed and completed in accordance with 35 Ill. Adm. Code 405.109.

All water remaining upon abandonment must meet the requirements of 35 Ill. Adm. Code 406.202. For the constituents not covered by 35 Ill. Adm. Code Parts 302 or 303, all water remaining upon abandonment must meet the requirements of 35 Ill. Adm. Code 406.106.

This Authorization is issued subject to the following Conditions. If such Conditions require additional or revised facilities, satisfactory engineering plan documents must be submitted to this Agency for review and approval to secure issuance of a Supplemental Authorization to Construct.

1. If any statement or representation is found to be incorrect, this permit may be revoked and the permittee thereupon waives all rights thereunder.
2. 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.
3. Final plans, specifications, application and supporting documents as submitted by the permittee and approved by the Agency shall constitute part of this permit in the records of the Agency.
4. There shall be no deviations from the approved plans and specifications unless revised plans, specifications and application shall first have been submitted to the Agency and a supplemental permit issued.
5. The permit holder shall notify the Agency (217/782-3637) immediately of an 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 35 Ill. Adm. Code 405.111. (217/782-3637 for calls between the hours of 5:00 p.m. to 8:30 a.m. and on weekends.)
6. The 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.
7. Initial construction activities in areas to be disturbed shall be for collection and treatment facilities only. Prior to the start of other activities, surface drainage controls shall be constructed and operated to avoid violations of the Act or Subtitle D. At such time as runoff water is collected in the sedimentation pond, a sample shall be collected and analyzed, for the parameters designated as 1M through 15M under Part 5-C of Form 2C and the effluent parameters designated herein with the results sent to this Agency. Should additional treatment be necessary to meet the standards of 35 Ill. Adm. Code 406.106 or applicable water quality

standards, a Supplemental Permit must be obtained. Discharge from ponds is not allowed unless applicable effluent and water quality standards are met in the basin discharge(s).

8. This Agency must be informed in writing and an application submitted if drainage, which was previously classified as alkaline (pH greater than 6.0), becomes acid (pH less than 6.0) or ferruginous (base flow with an iron concentration greater than 10 mg/L). The type of drainage discharging to the basin should be reclassified in a manner consistent with the applicable provisions of 35 Ill. Adm. Code Part 406. The application should discuss the treatment method and demonstrate how the discharge will meet the applicable standards.
9. A permittee has the obligation to add a settling aid if necessary to meet the suspended solids or settleable solids effluent standards. The selection of a settling aid and the application practice shall be in accordance with a. or b. below
  - a. Alum ( $\text{Al}_2(\text{SO}_4)_3$ ), hydrated lime ( $\text{Ca}(\text{OH})_2$ ), soda ash ( $\text{Na}_2\text{CO}_3$ ), alkaline pit pumpage, acetylene production by-product (tested for impurities), and ground limestone are acceptable settling aids and are hereby permitted for alkaline mine drainage sedimentation ponds.
  - b. Any other settling aids such as commercial flocculents and coagulants are permitted only on prior approval from the Agency. To obtain approval a permittee must demonstrate in writing to the Agency that such use will not cause a violation of the toxic substances standard of 35 Ill. Adm. Code 302.210 or of the appropriate effluent and water quality standards of 35 Ill. Adm. Code parts 302, 304, and 406.
10. A general plan for the nature and disposition of all liquids used to drill boreholes shall be filed with this Agency prior to any such operation. This plan should be filed at such time that the operator becomes aware of the need to drill unless the plan of operation was contained in a previously approved application.
11. Any of the following shall be a violation of the provisions required under 35 Ill. Adm. Code 406.202:
  - a. It is demonstrated that an adverse effect on the environment in and around the receiving stream has occurred or is likely to occur.
  - b. It is demonstrated that the discharge has adversely affected or is likely to adversely affect any public water supply.
  - c. The Agency determines that the permittee is not utilizing Good Mining Practices in accordance with 35 Ill. Adm. Code 406.204 which are fully described in detail in Sections 406.205, 406.206, 406.207 and 406.208 in order to minimize the discharge of total dissolved solids, chloride, sulfate, iron and manganese. To the extent practical, such Good Mining Practices shall be implemented to:
    - i. Stop or minimize water from coming into contact with disturbed areas through the use of diversions and/or runoff controls (Section 406.205).
    - ii. Retention and control within the site of waters exposed to disturbed materials utilizing erosion controls, sedimentation controls, water reuse or recirculation, minimization of exposure to disturbed materials, etc. (Section 406.206).
    - iii. Control and treatment of waters discharged from the site by regulation of flow of discharges and/or routing of discharges to more suitable discharge locations (Section 406.207).
    - iv. Utilized unconventional practices to prevent the production or discharge of waters containing elevated contaminant concentrations such as diversion of groundwater prior to entry into a surface or underground mine, dewatering practices to remove clean water prior to contacting disturbed materials and/or any additional practices demonstrated to be effective in reducing contaminant levels in discharges (Section 406.208).

NPDES Permit No. IL0061247

**Special Conditions**

**Special Condition No. 1:** No effluent 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 No. 2:** 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.

**Special Condition No. 3:** All periodic monitoring and reporting forms, including Discharge Monitoring Report (DMR) forms, shall be submitted to the Agency according to the schedule outlined in Special Condition No. 4 or 5 below with one (1) copy forwarded to each of the following addresses:

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

Illinois Environmental Protection Agency  
Division of Water Pollution Control  
Permit Section #15  
2520 West Iles Avenue  
P.O. Box 19276  
Springfield, IL 62794-9276

The Permittee will be required to submit electronic DMRs (NetDMR) instead of mailing paper DMRs to the IEPA, unless a waiver is approved by the Agency. More information, including registration information for the NetDMR program, can be obtained on the IEPA website, <http://www.epa.state.il.us/water/net-dmr/index.html>.

**Special Condition No. 4:** Completed Discharge Monitoring Report (DMR) forms and as well as upstream and downstream monitoring results, shall be retained by the Permittee for a period of three (3) months and shall be submitted electronically (or mailed if waiver is approved by the Agency) and received by the IEPA at the addresses indicated in Special Condition No. 3 above in accordance with the following schedule, unless otherwise specified by the permitting authority.

Period	Received by IEPA
January, February, March	April 15
April, May, June	July 15
July, August, September	October 15
October, November, December	January 15

The Permittee shall record discharge monitoring results on Discharge Monitoring Report (DMR) forms using one such form for each Outfall and Discharge Condition each month. In the event that an Outfall does not discharge during a monthly reporting period or under a given Discharge Condition, the DMR form shall be submitted with "No Discharge" indicated.

Any and all monitoring results, other than NPDES outfall discharge results reported through NetDMR, shall be submitted to the Agency at the addresses indicated in Special Condition No. 3 above.

**Special Condition No. 5:** Completed periodic monitoring and reporting, other than DMR's and stream monitoring (i.e., groundwater monitoring, coal combustion waste analysis reports, etc.), shall be retained by the Permittee for a period of three (3) months and shall be mailed and received by the IEPA at the addresses indicated in Special Condition No. 3 above in accordance with the following schedule, unless otherwise specified by the permitting authority.

Period	Received by IEPA
January, February, March	May 1
April, May, June	August 1
July, August, September	November 1
October, November, December	February 1

**Special Condition No. 6:** The Agency may revise or modify the permit consistent with applicable laws, regulations or judicial orders.

**Special Condition No. 7:** If an applicable effluent standard or limitation is promulgated under Sections 301(b)(2)(C) and (D), 304(b)(2), and 307(a)(2) of the Clean Water Act and that effluent standard or limitation is more stringent than any effluent limitation in the permit or controls a pollutant not limited in the NPDES Permit, the Agency shall revise or modify the permit in accordance with the more stringent standard or prohibition and shall so notify the permittee.

**Special Condition No. 8:** The permittee 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 Regulations.

**Special Condition No. 9:** Plans must be submitted to and approved by this Agency prior to construction of any future sedimentation ponds. At such time as runoff water is collected in the sedimentation pond, a sample shall be collected and analyzed for the parameters designated as 1M-15M under Part 5-C of Form 2C and the effluent parameters designated herein with the results sent to this Agency. Should additional treatment be necessary to meet these standards, a Supplemental Permit must also be obtained. Discharge from a pond is not allowed unless applicable effluent and water quality standards are met.

**Special Condition No. 10:** The special reclamation area effluent standards of 35 Ill. Adm. Code 406.109 apply only on approval from the Agency. To obtain approval, a request form and supporting documentation shall be submitted to request the discharge be classified as a reclamation area discharge. The Agency will notify the permittee upon approval of the change.

**Special Condition No. 11:** The special stormwater effluent standards apply only on approval from the Agency. To obtain approval, a request with supporting documentation shall be submitted to request the discharge to be classified as a stormwater discharge. The documentation supporting the request shall include analysis results indicating the discharge will consistently comply with reclamation area discharge effluent standards. The Agency will notify the permittee upon approval of the change.

**Special Condition No. 12:** Annual stormwater monitoring is required for all discharges not tributary to a sediment basin until Final SMCRA Bond is released and approval to cease such monitoring is obtained from the Agency.

- a. Each discharge must be monitored for pH and settleable solids annually.
- b. Analysis of samples must be submitted with second quarter Discharge Monitoring Reports. A map with discharge locations must be included in this submittal.
- c. If discharges can be shown to be similar, a plan may be submitted by November 1 of each year preceding sampling to propose grouping of similar discharges and/or update previously submitted groupings. If updating of a previously submitted plan is not necessary, a written notification to the Agency indicating such is required. Upon approval from the Agency, one representative sample for each group may be submitted.

**Special Condition No. 13:** Sediment Pond Operation and Maintenance (Outfalls 002, 003, 009, 018A, 019, 029, 030, 031, 032, 033, 035):

- a. For discharges resulting from precipitation events, in addition to the alternate effluent (Discharge Condition Nos. II and III) monitoring requirements, as indicated on the applicable effluent pages of this Permit, discharges from Outfalls 002, 003, 009, 018A, 019, 029, 030, 031, 032, 033, 035 shall be monitored and reported for Discharge Rate, Sulfate, Chloride and Hardness.
- b. The following sampling and monitoring requirements are applicable to flow in the unnamed tributary to Grindstone Creek which receive discharge from Outfalls 002, 003, 018A, 019, 031, 032, 033, 035 and Willow Creek which receives discharge from Outfall 009.
  - i. All sampling and monitoring required under 13(b)(ii) and (iii) below shall be performed during a discharge and monitoring event from the associated outfall.
  - ii. Willow Creek and unnamed tributary to Grindstone Creek shall be monitored and reported quarterly for Discharge Rate, Chloride, Sulfate and Hardness downstream of the associated outfall. This downstream monitoring shall be performed a sufficient distance downstream of the associated outfall to ensure that complete mixing has occurred. At such time that sufficient information has been collected regarding receiving stream flow characteristics and in-stream contaminant concentrations the permittee may request a re-evaluation of the monitoring frequency required herein for possible reduction or elimination. For the purpose of re-evaluating the downstream monitoring frequency of the receiving stream, "sufficient information" is defined as a minimum of ten (10) quarterly sampling events.

In the event that downstream monitoring of the receiving waters is eliminated during the term of this permit based on an evaluation of the quarterly data, a minimum of three (3) additional samples analyzed for the parameters identified above must be submitted with the permit renewal application a minimum of 180 days prior to expiration of this permit.

- iii. Willow Creek and unnamed tributary to Grindstone Creek shall be monitored and reported annually for Discharge Rate, Chloride, Sulfate and Hardness upstream of the associated outfall.

**Special Condition No. 14:** Data collected in accordance with Special Condition No. 13 above will be utilized to evaluate the appropriateness of the effluent limits established in this Permit. Should the Agency's evaluation of this data indicate revised effluent limits are warranted; this permit may be reopened and modified to incorporate more appropriate effluent limitations. This data will also be used for determination of effluent limitations at the time of permit renewal.

**Special Condition No. 15:** Discharges from Outfall 019 shall be monitored twice annually with such monitoring spaced at approximately 6-month intervals during the entire 5-year term of this NPDES Permit. Sampling of the discharges shall be performed utilizing the grab sampling method and analyzed for total (unfiltered) concentrations. The results of the sampling required under this Special Condition shall be submitted twice annually to the Agency in January and July of each calendar year to the addresses indicated in the Special Condition No. 3 above. The parameters to be sampled and the detection limits (minimum reported limits) are as follows:

<u>Parameter</u>	<u>Detection Limit</u>
Arsenic	0.05 mg/L
Barium	0.50 mg/L
Cadmium	0.001 mg/L
Chromium (hexavalent)	0.01 mg/L
Chromium	0.05 mg/L
Copper	0.005 mg/L
Lead	0.05 mg/L
Manganese	0.50 mg/L
Mercury*	1.00 ng/l**
Nickel	0.005 mg/L
Phenols	0.005 mg/L
Selenium	2.000 µg/l***
Silver	0.003 mg/L
Zinc	0.025 mg/L

\* Utilize USEPA Method 1631E and the digestion procedure described in Section 11.1.1.2 of 1631E.

\*\* 1.00 ng/l (nanogram/liter) = 1 part per trillion.

\*\*\* µg/l = micrograms/liter

## Attachment H

## Standard Conditions

## Definitions

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

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

**Board** means the Illinois Pollution Control Board

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

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

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

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

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

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

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

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

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

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

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

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

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

- (1) **Duty to comply.** The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Act and is grounds for enforcement action, permit termination, revocation and reissuance, modification, or for denial of a permit renewal application. The permittee shall comply with effluent standards or prohibitions established under Section 307(a) of the Clean Water Act for toxic pollutants within the time provided in the regulations that establish these standards or prohibitions, even if the permit has not yet been modified to incorporate the requirements.
- (2) **Duty to reapply.** If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain a new permit. If the permittee submits a proper application as required by the Agency no later than 180 days prior to the expiration date, this permit shall continue in full force and effect until the final Agency decision on the application has been made.
- (3) **Need to halt or reduce activity not a defense.** It shall not be a defense for a permittee in an enforcement action that it would have

been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

- (4) **Duty to mitigate.** The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.
- (5) **Proper operation and maintenance.** The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with conditions of this permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of back-up, or auxiliary facilities, or similar systems only when necessary to achieve compliance with the conditions of the permit.
- (6) **Permit actions.** This permit may be modified, revoked and reissued, or terminated for cause by the Agency pursuant to 40 CFR 122.62 and 40 CFR 122.63. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.
- (7) **Property rights.** This permit does not convey any property rights of any sort, or any exclusive privilege.
- (8) **Duty to provide information.** The permittee shall furnish to the Agency within a reasonable time, any information which the Agency may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with the permit. The permittee shall also furnish to the Agency upon request, copies of records required to be kept by this permit.
- (9) **Inspection and entry.** The permittee shall allow an authorized representative of the Agency or USEPA (including an authorized contractor acting as a representative of the Agency or USEPA), upon the presentation of credentials and other documents as may be required by law, to:
  - (a) Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
  - (b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
  - (c) Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
  - (d) Sample or monitor at reasonable times, for the purpose of assuring permit compliance, or as otherwise authorized by the Act, any substances or parameters at any location.
- (10) **Monitoring and records.**
  - (a) Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.
  - (b) The permittee shall retain records of all monitoring information, including all calibration and maintenance records, and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least 3 years from the date of this permit, measurement, report or application. Records related to the permittee's sewage sludge use and disposal activities shall be retained for a period of at least five years (or longer as required by 40 CFR Part 503). This period may be extended by request of the Agency or USEPA at any time.
  - (c) Records of monitoring information shall include:
    - (1) The date, exact place, and time of sampling or measurements;
    - (2) The individual(s) who performed the sampling or measurements;
    - (3) The date(s) analyses were performed;
    - (4) The individual(s) who performed the analyses;
    - (5) The analytical techniques or methods used; and
    - (6) The results of such analyses.
  - (d) Monitoring must be conducted according to test procedures approved under 40 CFR Part 136, unless other test procedures have been specified in this permit. Where no test procedure under 40 CFR Part 136 has been approved, the permittee must submit to the Agency a test method for approval. The permittee shall calibrate and perform maintenance procedures on all monitoring and analytical instrumentation at intervals to ensure accuracy of measurements.
- (11) **Signatory requirement.** All applications, reports or information submitted to the Agency shall be signed and certified.
  - (a) **Application.** All permit applications shall be signed as follows:
    - (1) For a corporation: by a principal executive officer of at least the level of vice president or a person or position

- having overall responsibility for environmental matters for the corporation:
- (2) For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or
  - (3) For a municipality, State, Federal, or other public agency: by either a principal executive officer or ranking elected official.
- (b) **Reports.** All reports required by permits, or other information requested by the Agency shall be signed by a person described in paragraph (a) or by a duly authorized representative of that person. A person is a duly authorized representative only if:
- (1) The authorization is made in writing by a person described in paragraph (a); and
  - (2) The authorization specifies either an individual or a position responsible for the overall operation of the facility, from which the discharge originates, such as a plant manager, superintendent or person of equivalent responsibility; and
  - (3) The written authorization is submitted to the Agency.
- (c) **Changes of Authorization.** If an authorization under (b) is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of (b) must be submitted to the Agency prior to or together with any reports, information, or applications to be signed by an authorized representative.
- (d) **Certification.** Any person signing a document under paragraph (a) or (b) of this section shall make the following certification:
- I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.
- (12) **Reporting requirements.**
- (a) **Planned changes.** The permittee shall give notice to the Agency as soon as possible of any planned physical alterations or additions to the permitted facility.  
Notice is required when:
    - (1) The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source pursuant to 40 CFR 122.29 (b); or
    - (2) The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in the permit, nor to notification requirements pursuant to 40 CFR 122.42 (a)(1).
    - (3) The alteration or addition results in a significant change in the permittee's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan.
  - (b) **Anticipated noncompliance.** The permittee shall give advance notice to the Agency of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.
  - (c) **Transfers.** This permit is not transferable to any person except after notice to the Agency.
  - (d) **Compliance schedules.** Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date.
  - (e) **Monitoring reports.** Monitoring results shall be reported at the intervals specified elsewhere in this permit.
    - (1) Monitoring results must be reported on a Discharge Monitoring Report (DMR).
    - (2) If the permittee monitors any pollutant more frequently than required by the permit, using test procedures approved under 40 CFR 136 or as specified in the permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR.
    - (3) Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified by the Agency in the permit.
- (f) **Twenty-four hour reporting.** The permittee shall report any noncompliance which may endanger health or the environment. Any information shall be provided orally within 24-hours from the time the permittee becomes aware of the circumstances. A written submission shall also be provided within 5 days of the time the permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and time, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance. The following shall be included as information which must be reported within 24-hours:
- (1) Any unanticipated bypass which exceeds any effluent limitation in the permit.
  - (2) Any upset which exceeds any effluent limitation in the permit.
  - (3) Violation of a maximum daily discharge limitation for any of the pollutants listed by the Agency in the permit or any pollutant which may endanger health or the environment. The Agency may waive the written report on a case-by-case basis if the oral report has been received within 24-hours.
- (g) **Other noncompliance.** The permittee shall report all instances of noncompliance not reported under paragraphs (12) (d), (e), or (f), at the time monitoring reports are submitted. The reports shall contain the information listed in paragraph (12) (f).
- (h) **Other information.** Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application, or in any report to the Agency, it shall promptly submit such facts or information.
- (13) **Bypass.**
- (a) **Definitions.**
    - (1) Bypass means the intentional diversion of waste streams from any portion of a treatment facility.
    - (2) Severe property damage means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.
  - (b) Bypass not exceeding limitations. The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of paragraphs (13)(c) and (13)(d).
  - (c) **Notice**
    - (1) Anticipated bypass. If the permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible at least ten days before the date of the bypass.
    - (2) Unanticipated bypass. The permittee shall submit notice of an unanticipated bypass as required in paragraph (12)(f) (24-hour notice).
  - (d) **Prohibition of bypass.**
    - (1) Bypass is prohibited, and the Agency may take enforcement action against a permittee for bypass, unless:
      - (i) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
      - (ii) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and
      - (iii) The permittee submitted notices as required under paragraph (13)(c).
    - (2) The Agency may approve an anticipated bypass, after considering its adverse effects, if the Agency determines that it will meet the three conditions listed above in paragraph (13)(d)(1).
- (14) **Upset**
- (a) **Definition.** Upset means an exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.
  - (b) **Effect of an upset.** An upset constitutes an affirmative defense to an action brought for noncompliance with such technology based permit effluent limitations if the requirements of

- paragraph (14)(c) are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.
- (c) Conditions necessary for a demonstration of upset. A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
- (1) An upset occurred and that the permittee can identify the cause(s) of the upset;
  - (2) The permitted facility was at the time being properly operated; and
  - (3) The permittee submitted notice of the upset as required in paragraph (12)(f)(2) (24-hour notice).
  - (4) The permittee complied with any remedial measures required under paragraph (4).
- (d) Burden of proof. In any enforcement proceeding the permittee seeking to establish the occurrence of an upset has the burden of proof.
- (15) **Transfer of permits.** Permits may be transferred by modification or automatic transfer as described below:
- (a) Transfers by modification. Except as provided in paragraph (b), a permit may be transferred by the permittee to a new owner or operator only if the permit has been modified or revoked and reissued pursuant to 40 CFR 122.62 (b) (2), or a minor modification made pursuant to 40 CFR 122.63 (d), to identify the new permittee and incorporate such other requirements as may be necessary under the Clean Water Act.
- (b) Automatic transfers. As an alternative to transfers under paragraph (a), any NPDES permit may be automatically transferred to a new permittee if:
- (1) The current permittee notifies the Agency at least 30 days in advance of the proposed transfer date;
  - (2) The notice includes a written agreement between the existing and new permittees containing a specified date for transfer of permit responsibility, coverage and liability between the existing and new permittees; and
  - (3) The Agency does not notify the existing permittee and the proposed new permittee of its intent to modify or revoke and reissue the permit. If this notice is not received, the transfer is effective on the date specified in the agreement.
- (16) **All manufacturing, commercial, mining, and silvicultural dischargers must notify the Agency as soon as they know or have reason to believe:**
- (a) That any activity has occurred or will occur which would result in the discharge of any toxic pollutant identified under Section 307 of the Clean Water Act which is not limited in the permit, if that discharge will exceed the highest of the following notification levels:
- (1) One hundred micrograms per liter (100 ug/l);
  - (2) Two hundred micrograms per liter (200 ug/l) for acrolein and acrylonitrile; five hundred micrograms per liter (500 ug/l) for 2,4-dinitrophenol and for 2-methyl-4,6 dinitrophenol; and one milligram per liter (1 mg/L) for antimony.
  - (3) Five (5) times the maximum concentration value reported for that pollutant in the NPDES permit application, or
  - (4) The level established by the Agency in this permit.
- (b) That they have begun or expect to begin to use or manufacture as an intermediate or final product or byproduct any toxic pollutant which was not reported in the NPDES permit application.
- (17) **All Publicly Owned Treatment Works (POTWs) must provide adequate notice to the Agency of the following:**
- (a) Any new introduction of pollutants into that POTW from an indirect discharge which would be subject to Sections 301 or 306 of the Clean Water Act if it were directly discharging those pollutants; and
  - (b) Any substantial change in the volume or character of pollutants being introduced into that POTW by a source introducing pollutants into the POTW at the time of issuance of the permit.
  - (c) For purposes of this paragraph, adequate notice shall include information on (i) the quality and quantity of effluent introduced into the POTW, and (ii) any anticipated impact of the change on the quantity or quality of effluent to be discharged from the POTW.
- (18) **If the permit is issued to a publicly owned or publicly regulated treatment works, the permittee shall require any industrial user of such treatment works to comply with federal requirements concerning:**
- (a) User charges pursuant to Section 204 (b) of the Clean Water Act, and applicable regulations appearing in 40 CFR 35;
  - (b) Toxic pollutant effluent standards and pretreatment standards pursuant to Section 307 of the Clean Water Act; and
  - (c) Inspection, monitoring and entry pursuant to Section 308 of the Clean Water Act.
- (19) If an applicable standard or limitation is promulgated under Section 301(b)(2)(C) and (D), 304(b)(2), or 307(a)(2) and that effluent standard or limitation is more stringent than any effluent limitation in the permit, or controls a pollutant not limited in the permit, the permit shall be promptly modified or revoked, and reissued to conform to that effluent standard or limitation.
- (20) Any authorization to construct issued to the permittee pursuant to 35 Ill. Adm. Code 309.154 is hereby incorporated by reference as a condition of this permit.
- (21) The permittee shall not make any false statement, representation or certification in any application, record, report, plan or other document submitted to the Agency or the USEPA, or required to be maintained under this permit.
- (22) The Clean Water Act provides that any person who violates a permit condition implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the Clean Water Act is subject to a civil penalty not to exceed \$25,000 per day of such violation. Any person who willfully or negligently violates permit conditions implementing Sections 301, 302, 306, 307, 308, 318 or 405 of the Clean Water Act is subject to a fine of not less than \$2,500 nor more than \$25,000 per day of violation, or by imprisonment for not more than one year, or both. Additional penalties for violating these sections of the Clean Water Act are identified in 40 CFR 122.41 (a)(2) and (3).
- (23) The Clean Water Act provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than \$10,000, or by imprisonment for not more than 2 years, or both. If a conviction of a person is for a violation committed after a first conviction of such person under this paragraph, punishment is a fine of not more than \$20,000 per day of violation, or by imprisonment of not more than 4 years, or both.
- (24) The Clean Water Act provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or non-compliance shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than 6 months per violation, or by both.
- (25) Collected screening, slurries, sludges, and other solids shall be disposed of in such a manner as to prevent entry of those wastes (or runoff from the wastes) into waters of the State. The proper authorization for such disposal shall be obtained from the Agency and is incorporated as part hereof by reference.
- (26) In case of conflict between these standard conditions and any other condition(s) included in this permit, the other condition(s) shall govern.
- (27) The permittee shall comply with, in addition to the requirements of the permit, all applicable provisions of 35 Ill. Adm. Code, Subtitle C, Subtitle D, Subtitle E, and all applicable orders of the Board or any court with jurisdiction.
- (28) The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit is held invalid, the remaining provisions of this permit shall continue in full force and effect.