

VILLAGE OF ANTIOCH

ORDINANCE NO. 20-08-25

SEWER USE AND PRETREATMENT ORDINANCE

ADOPTED BY THE PRESIDENT AND BOARD OF TRUSTEES

OF THE

VILLAGE OF ANTIOCH, ILLINOIS

ON

AUGUST 10, 2020

**Published in pamphlet form by authority of the Village Board
of the Village of Antioch, Lake County, Illinois,
this 11th day of August, 2020**

LAWRENCE M. HANSON	President	JERRY JOHNSON	Trustee
		MARY DOMINIAK	Trustee
LORI K. ROMINE	Clerk	TED POULOS	Trustee
		SCOTT A. PIERCE	Trustee
ROBERT J. LONG	Attorney	ED MACEK	Trustee
		DANIEL YOST	Trustee

ORDINANCE 20-08-25

**AN ORDINANCE REPEALING AND REPLACING CHAPTER 8-2
OF THE MUNICIPAL CODE OF ANTIOCH
RELATING TO PRETREATMENT OF SEWAGE**

WHEREAS, federal and state environmental laws require the Village to establish and maintain regulations over the waste materials introduced into the Village's sewers and wastewater treatment system by certain users, and

WHEREAS, the Village works diligently to comply with the foregoing laws to protect the waters surrounding the Village and enhance the natural beauty of Antioch and its environs, and

WHEREAS, the USEPA and IEPA have directed that a periodic review of the Village's current pretreatment regulations be undertaken, which was done over a period of several years, including review by these federal and state regulatory agencies, all of which have now indicated approval of a draft replacement of the existing regulations in the form attached as Exhibit A hereto, and

WHEREAS, the Village Board finds that it is necessary, prudent and appropriate to adopt the draft revisions set forth in Exhibit A and to enforce the same as the pretreatment regulations of the Village,

NOW THEREFORE, BE IT ORDAINED by the Village of Antioch, Lake County, Illinois, as follows:

SECTION ONE: Chapter 8-2 of the Antioch Municipal Code is hereby repealed in its entirety and replaced by the provisions set forth on Exhibit A.

SECTION TWO: This Ordinance shall be in full force and effect from and after its passage, approval and publication as required by law.

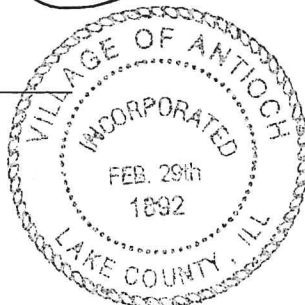
PASSED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF ANTIOCH, ILLINOIS,
ON THIS 10TH DAY OF AUGUST, 2020.

ATTEST:



LORI K. ROMINE, VILLAGE CLERK


LAWRENCE M. HANSON, MAYOR



STATE OF ILLINOIS)
) SS
COUNTY OF LAKE)

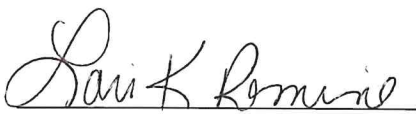
CERTIFICATE

I, Lori K. Romine, certify that I am the duly appointed Municipal Clerk of the Village of Antioch, Lake County, Illinois.

I certify that on August 10, 2020, the Corporate Authorities of such municipality passed and approved Ordinance No. 20-08-25 entitled "SEWER USE AND PRETREATMENT ORDINANCE" which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 20-08-25 including the Ordinance and cover sheet thereof, was prepared and a copy of such Ordinance was posted in the municipal building, commencing on August 11, 2020 and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the Municipal Clerk and online.

DATED at Antioch, Illinois, this 11th day of August, 2020.



Lori K. Romine, Village Clerk



VILLAGE OF ANTIOCH, ILLINOIS
SEWER USE AND PRETREATMENT ORDINANCE

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8-2-1: GENERAL PROVISIONS

8-2-1-1 Enactment

Pursuant to the requirements of the Federal Clean Water Act and regulations promulgated thereunder, the Illinois Environmental Protection Act of 1970, as amended, and in accordance with Illinois Municipal Code, this Chapter, hereafter known as *SEWER USE AND PRETREATMENT ORDINANCE*, is hereby enacted by the Board of Trustees of the Village of Antioch.

8-2-1-2 Purpose and Policy

This chapter sets forth uniform requirements for users of the Publicly Owned Treatment Works (POTW) for the Village of Antioch, hereafter referred to interchangeably as the Village. This chapter provides for the use of public and private sewers and drains, private Sewage disposal, and authorizes the installation and continuing of connections into the Sewage works of the Village upon certain conditions, including permission thereof; providing for the installation and maintenance of such connections and enforcements thereto; regulating the use of municipal and private sewers and drains; individual Wastewater disposal, the installation, connection and disconnection of Building Sewers, the Discharge of water and waste in the Public Sewer system providing for penalties for violation thereof; and providing for penalties for violation thereof; and providing for termination of permits issued by the Village pursuant to the provisions hereof.

This chapter enables the Village to comply with all applicable State and Federal laws, including the Clean Water Act (33 United States Code § 1251 et seq.) and the General Pretreatment Regulations (40 Code of Federal Regulations Part 403). Additional objectives of this chapter are:

- A. To prevent the introduction of Pollutants into the POTW that will interfere with its operation;
- B. To prevent the introduction of Pollutants into the POTW that will Pass Through the POTW, inadequately treated, into receiving waters, or otherwise be incompatible with the POTW;
- C. To protect both POTW personnel who may be affected by air, Wastewater and Biosolids in the course of their employment and the general public;
- D. To promote reuse and recycling of industrial Wastewater and Biosolids from the POTW;
- E. To provide for fees for the equitable distribution of the cost of operation, maintenance, and improvement of the POTW;
- F. To enable the Village to comply with its National Pollutant Discharge Elimination System (NPDES) permit conditions, Biosolids Use and Disposal Requirements, and any other Federal or State laws to which the POTW is subject;
- G. To provide uniform requirements for Food Service Establishments for the control of grease Discharge to the Sanitary Sewer system; and
- H. To regulate private Wastewater disposal systems.

This chapter shall apply to all users of the POTW and provides for the enforcement of general requirements for users. The chapter authorizes the issuance of Wastewater connection and Discharge Permits; provides for monitoring, compliance, and enforcement activities; establishes administrative review procedures; requires user reporting; and provides for the setting of fees for the equitable distribution of costs resulting from the programs established herein. The Ordinance authorizes the issuance of Wastewater Discharge Permits that do not allow the Discharge of defined process waste streams but continue to allow the Discharge of domestic or Sanitary Wastewater.

8-2-1-3 Administration

Except as otherwise provided herein, the Pretreatment Coordinator and Duly Authorized Agent(s) shall administer, implement, and enforce the provisions of this chapter. Any powers granted to or duties imposed upon the Pretreatment Coordinator and Duly Authorized Agent(s) may be delegated by the Village or Pretreatment Coordinator to other Village personnel or agents of the Village.

8-2-1-4 Jurisdiction

This chapter shall apply to the Village and to Persons outside the Village who are, by contract or agreement with the Village, users of the Village POTW.

8-2-1-5 Funding

It is the intent of the Village to pass some of the costs of the Pretreatment program to Industrial Users. The charges that shall apply to those users subject to the Pretreatment program are based on SIU classification and are established in Article C of this chapter. Billing shall be based on the billing cycle for water and sewer and shall be added on to the water and sewer bill. The rates or charges for Pretreatment service shall be payable bi-monthly. The owner of the premises, the occupant thereof, and the user of the service shall be jointly and severally liable to pay for the service to such premises and the service is furnished to the premises by the Village only upon the condition that the owner of the premises, occupant and user of the service are jointly and severally liable therefore to the Village.

8-2-1-6 Abbreviations

The following abbreviations, when used in this chapter, shall have the designated meanings:

BD	-	Building Department
BOD	-	Biochemical Oxygen Demand
BMP	-	Best Management Practices
BMR	-	Baseline Monitoring Report
CFR	-	Code of Federal Regulations
CIU	-	Categorical Industrial User
COD	-	Chemical Oxygen Demand
DPW	-	Director of Public Works
FOG	-	Fats, Oils and Grease, interchangeable with Oil and Grease

FSE	-	Food Service Establishment
gpd	-	Gallons per day
IAC	-	Illinois Administrative Code
IEPA	-	Illinois Environmental Protection Agency
IU	-	Industrial User
mg/l	-	Milligrams per liter
NFSE	-	Non Food Service Establishment
NPDES	-	National Pollutant Discharge Elimination System
NSCIU		Non-Significant Categorical Industrial User
NSRU	-	Non-Significant Regulated User
POTW	-	Publicly Owned Treatment Works
PSES	-	Pretreatment Standards for Existing Source
PSNS	-	Pretreatment Standards for New Source
ppm	-	Part per million
RCRA	-	Resource Conservation and Recovery Act
SIU	-	Significant Industrial User
TSS	-	Total Suspended Solids
TTO	-	Total Toxic Organics
U.S.C.	-	United States Code
USEPA	-	U.S. Environmental Protection Agency
VE	-	Village Engineer

8-2-1-7 Definitions

Unless a provision explicitly states otherwise, the following terms and phrases, as used in this chapter, shall have the meanings hereinafter designated.

ACT, THE ACT, CLEAN WATER ACT, OR FEDERAL ACT: The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. § 1251 et seq.

AGENCY: The Illinois Environmental Protection Agency.

AMALGAM PROCESS WASTEWATER: Any wastewater generated and discharged by a dental discharger through the practice of dentistry that may contain dental amalgam.

AMALGAM SEPARATOR: A collection device designed to capture and remove dental amalgam from the amalgam process wastewater of a dental facility.

APPROVAL AUTHORITY: The Regional Administrator of Region V of USEPA, until such time that the State of Illinois has a USEPA approved pretreatment program.

AUTHORIZED REPRESENTATIVE OF THE USER:

A. If the User is a corporation, by a responsible corporate officer:

1. The president, secretary, treasurer, or a vice-president of the corporation in charge of a principal business function, or any other Person who performs similar policy or decision-making functions for the corporation; or
2. The manager of one or more manufacturing, production, or operation facilities provided the manager is authorized to make management decisions that govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or

actions taken to gather complete and accurate information for individual Wastewater permit (or general permit) requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

- B. If the User is a partnership or sole proprietorship: a general partner or proprietor, respectively.
- C. If the User is a limited liability company (LLC): any managing member of the company.
- D. If the User is a Federal, State, or local governmental facility: a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or their designee.
- E. The individuals described in subsections A, B, C and D of this definition, may designate another duly authorized representative, if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the Discharge originates or having overall responsibility for environmental matters for the company, and the written authorization is submitted to the Village of Antioch.
- F. If an authorization under subsection E of this definition is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, or overall environmental matters for the company, a new authorization satisfying the requirements of subsection E must be submitted to the Village of Antioch within 30 days. If an authorization under subsection E of this section is no longer accurate because the individual described in subsections A, B, C and D of this definition has changed, a new authorization satisfying the requirements of subsection E must be submitted to the Village of Antioch within 30 days.

BEST MANAGEMENT PRACTICE (BMP): The schedule of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in Section 8-2-5-2 [40 CFR Section 403.5(a)(1) and (b)] and/or prevent or reduce the pollution conveyed to the POTW. BMPs include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, Biosolids or waste disposal, or drainage from raw materials storage.

BIOCHEMICAL OXYGEN DEMAND (BOD) or (BOD₅): The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures approved in 40 CFR 136 for five (5) days at 20 degrees centigrade, usually expressed as a concentration (e.g., mg/l).

BIOSOLIDS: Refers to the stabilized organic solids removed from the POTW and disposed of on agricultural land or at a land fill.

BUILDING DEPARTMENT: A department of the Village of Antioch Community Development Department administered by the Community Development Director and his designee(s).

BUILDING DRAIN: That part of the lowest piping of a drainage system which receives the Discharge from waste, and other drainage pipes inside the walls of the building and conveys it to the Building Sewer or other approved point of Discharge, beginning five feet (5') (1.5 m) outside the inner face of the building wall. Discharge of Stormwater runoff to the Building Drain is prohibited.

BUILDING SEWER: The extension from the Building Drain to the Public Sewer or other place of disposal.

BYPASS: The intentional diversion of waste streams from any portion of a user's treatment or Pretreatment facility.

CATEGORICAL INDUSTRIAL USER (CIU): An Industrial User subject to a Categorical Pretreatment Standard or Categorical Standard. A CIU is considered to be a Significant Industrial User.

CATEGORICAL PRETREATMENT STANDARD OR CATEGORICAL STANDARD: Any regulation containing Pollutant Discharge limits promulgated by USEPA in accordance with Sections 307(b) and (c) of the Act

(33 U.S.C. § 1317) which apply to a specific category of users and which appear in 40 CFR Chapter I, Subchapter N, Parts 405-471.

CHEMICAL OXYGEN DEMAND (COD): Chemical oxidization under standard laboratory procedures as described in 40 CFR 136 usually expressed as a concentration (e.g. mg/l).

COMBINED SEWER: A pipe or conduit that is designed and constructed to carry both polluted water, including sanitary Sewage and non-domestic waste, and Unpolluted Water, including stormwater, surface water and ground water and Cooling Water.

COMBINED WASTE STREAM FORMULA: The formula set forth in 40 CFR Section 403.6(e).

COMPOSITE SAMPLE: A sample of Wastewater composed of two or more discrete samples collected, based on a Flow-proportional or time-proportional method.

CONTROL AUTHORITY: The Village of Antioch.

COOLING WATER: The water Discharged from any use such as air conditioning, cooling or refrigeration, to which the only Pollutant added is heat.

DAILY MAXIMUM: The maximum allowable Discharge limit of a Pollutant during a calendar day. Where Daily Maximum are expressed in terms of a concentration, the daily Discharge is the arithmetic average measurement of the Pollutant concentration derived from all measurements taken that day. Where Daily Maximum are expressed in units of mass, the daily Discharge is the total mass Discharged over the course of a day.

DENTAL AMALGAM: An alloy of elemental mercury and other metal(s) that is used in the practice of dentistry.

DENTAL DISCHARGER: A facility where the practice of dentistry is performed, including, but not limited to, institutions, permanent or temporary offices, clinics, home offices, and facilities owned and operated by Federal, state or local governments, that discharges wastewater to a POTW.

DISCHARGE PERMIT: Permit issued to a User which specifies the requirements for Discharge of Wastewater or the requirements for zero Discharge of Wastewater as appropriate.

DISCHARGER: Any Person, firm establishment or institution that Discharges Wastewater, excluding inflow and infiltration, into the POTW from any non-domestic source regulated under Section 307(b), (c), or (d) of the Act and 35 Ill Adm. Code (IAC) 307.

DIRECTOR OF PUBLIC WORKS: The Director of Public Works of the Village of Antioch, or his authorized agent.

DULY AUTHORIZED AGENT: The Mayor and Board of Trustees or the Village Administrator of the Village of Antioch and designated employees and agents of the Village.

EASEMENT: An acquired legal right for the specific use of land owned by others.

EFFLUENT CRITERIA: Those criteria defined in any applicable "NPDES" Permit.

ENVIRONMENTAL PROTECTION AGENCY: The U.S. Environmental Protection Agency or, where appropriate, the Regional Water Management Division Director, the Regional Administrator, or other duly authorized official of said agency.

EXISTING DENTAL DISCHARGER SOURCE: A dental discharger that is not a new source.

EXISTING SOURCE: Any source of Discharge that is not a "New Source".

FATS, OIL, AND GREASE (FOG): Is used interchangeably with “Oils and Grease”.

FEDERAL GRANT means the United States government participation in the financing of the construction of POTW as provided by Title II-Grants for Construction of Treatment Works of the Act and implementing regulations.

FLOATABLE OIL: Oil, fat or grease in a physical state such that it will separate by gravity from Wastewater by treatment in an approved Pretreatment facility. A Wastewater shall be considered free of floatable fat if it is properly treated, and Wastewater does not interfere with the collection system.

FLOW: Volume of Wastewater per unit of time.

FOOD SERVICE ESTABLISHMENT (FSE): Any User engaged in the activities of manufacturing, preparing, serving, or otherwise making available for consumption foodstuffs that use one or more of the following preparation activities: blending, cooking by frying (all methods), baking (all methods), grilling, sautéing, rotisserie cooking, broiling (all methods), boiling, blanching, roasting, toasting, or poaching and infrared heating, searing, barbecuing, and any other food preparation or servicing activity that produces a consumable food product in or on a receptacle requiring washing to be reused. A limited food preparation establishment is not considered to be a FSE when only engaged in reheating, hot holding or assembly of ready to eat food products and as a result, there is no wastewater discharge containing significant amounts of Oil and Grease.

GARBAGE: Solid wastes from domestic and commercial preparation, cooking, and dispensing of food, and from the commercial handling, storage, and sale of produce.

GRAB SAMPLE: A sample which is taken from a wastestream on a one-time basis without regard to the flow in the wastestream and over a period of time not to exceed fifteen (15) minutes.

HAULED WASTE: Sanitary Wastewater transported as a commercial venture.

INDIRECT DISCHARGE OR DISCHARGE: The introduction of Pollutants into a POTW from any non-domestic source regulated under section 307(b), (c) or (d) of the Act.

INDUSTRIAL USER: An entity that causes an Indirect Discharge from a non-domestic source.

INDUSTRIAL WASTE: A combination of liquid and water carried wastes Discharged, permitted to flow or escape from any Industrial User, including the Wastewater from Pretreatment facilities and polluted Cooling Water.

INSTANTANEOUS LIMIT: The maximum concentration of a Pollutant allowed to be Discharged at any time, determined from the analysis of any discrete or composited sample collected, independent of the industrial Flow rate and the duration of the sampling event.

INTERFERENCE: A Discharge by any user which alone or in conjunction with Discharges by other sources, both: (1)inhibits or disrupts the POTW, its treatment processes or operations, or its Biosolids processes, use or disposal and (2) therefore is a cause of a violation of any requirement of the POTW’s NPDES permit (including an increase in the magnitude or duration of a violation) or of the prevention of Wastewater or Biosolids use or disposal by the POTW in accordance with the following statutory provisions and regulations or permits issued thereunder (or more stringent State or local regulations): Section 405 of the Clean Water Act, the Solid Waste Disposal Act (SWDA) (including title II, more commonly referred to as the Resource Conservation and Recovery Act (RCRA) and including State regulations contained in any State Biosolids management plan prepared pursuant to subtitle D or SWDA) the Clean Air Act, the Toxic Substance Control Act, and the Marine Protection Research and Sanctuaries Act.

LIMITED DENTAL DISCHARGER SOURCE: A dental discharger that does not place dental amalgam, and does not remove dental amalgam except in limited emergency or unplanned, unanticipated circumstances. A New Limited Dental Discharge Source means a limited dental discharger whose first discharge to a POTW occurs after July 14, 2017. An Existing Limited Dental Discharge Source means a limited dental discharger that is not a new source.

LOCAL LIMIT: Specific Discharge limits developed and enforced by the Village upon Non-Residential Users or facilities to implement the general and specific Discharge prohibitions listed in 40 CFR Section 403.5(a)(1) and (b).

MEDICAL WASTES: Isolation wastes, infectious agents, human blood and blood products, pathological wastes, sharps, body parts, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes, and dialysis wastes.

MILLIGRAMS PER LITER: A unit of the concentration of water or Wastewater constituent representing 0.001 g of the constituent in 1,000 ml of water.

MOBILE UNIT: A specialized mobile self-contained van, trailer, or equipment used in providing dentistry services at multiple locations.

MONTHLY AVERAGE: The sum of all "Daily Discharges" measured during a calendar month divided by the number of "Daily Discharges" measured during that month.

MONTHLY AVERAGE LIMIT: The highest allowable average of "Daily Discharges" over a calendar month, calculated as a sum of all the "Daily Discharges" measured during a calendar month divided by the number of "Daily Discharges" measured during that month.

NATIONAL CATEGORICAL PRETREATMENT STANDARD, CATEGORICAL PRETREATMENT STANDARD, OR CATEGORICAL STANDARD: Any regulation containing Pollutant Discharge limits promulgated by USEPA in accordance with Sections 307(b) and (c) of the Act (33 U.S.C. 1317) which apply to a specific category of users and which appear in 40 CFR Chapter I, Subchapter N, Parts 405-471.

NATIONAL POLLUTANT DISCHARGE ELIMINATOR SYSTEM OR NPDES: The national program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits from point sources to waters of the United States, and imposing and enforcing Pretreatment requirements, under section 402 of the CWA.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT (NPDES PERMIT): A permit issued pursuant to Section 402 of the CWA. The Village operates its POTW under NPDES Permit No. IL0020354.

NATURAL OUTLET: Any outlet into a watercourse, pond, ditch, lake or other body of surface or ground water.

NEW DENTAL DISCHARGER SOURCE: A dental discharger whose first discharge to a POTW occurs after July 14, 2017.

NEW SOURCE:

- A. Any building, structure, facility, or installation from which there is (or may be) a Discharge of Pollutants, the construction of which commenced after the publication of proposed Pretreatment standards under Section 307 (c) of the Act which will be applicable to such source if such standards are thereafter promulgated in accordance with that section, provided that one of the following is true:
 1. The building, structure, facility, or installation is constructed at a site which no other source is located;
 2. The building, structure, facility, or installation totally replaces the process or production equipment that causes the Discharge of Pollutants at an Existing Source; or
 3. The production or Wastewater generating processes of the building, structure, facility, or installations are substantially independent of an Existing Source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant, and the extent to which the new facility is engaged in the same general type of activity as the Existing Source, should be considered.
- B. Construction on a site at which an Existing Source is located results in a modification rather than a New Source if the construction does not create a new building, structure, facility, or installation meeting the

criteria of subsection A2 or A3 of this definition but otherwise alters, replaces, or adds to existing process or production equipment.

- C. Construction of a New Source as defined under this paragraph has commenced if the owner of operator has done one of the following:
 - a. Begun, or caused one of the following to begin as part of a continuous onsite construction program:
 - i.) Any placement, assembly, or installation of facilities or equipment; or
 - ii.) Significant site preparation work including, clearing, excavation, or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly, or installation of New Source facilities or equipment; or
 - b. Entered into a binding contractual obligation for the purchase of facilities or equipment which are intended to be used in its operation within a reasonable time. Options to purchase or contracts which can be terminated or modified without substantial loss, and contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under this paragraph.
- 4. New Sources shall install and have in operating condition and shall “start-up” all pollution control equipment required to meet applicable Pretreatment standards before beginning to Discharge. Within the shortest feasible time (not to exceed 90 days), New Sources shall meet all applicable standards.

NONCONTACT COOLING WATER: Water used for cooling which does not come into direct contact with any raw material, intermediate product, waste product, or finished product.

NONRESIDENTIAL USER: All users not defined “Residential Users”.

NON-SIGNIFICANT REGULATED USER: A Non-Residential User that meets the criteria outlined in Section 8-2-7-2.D.5.

OIL AND GREASE: Any hydrocarbons, fatty acids, soaps, fats, waxes, oils and any other material that is extracted by a solvent in a method approved in 40 CFR 136.

OVERHEAD SEWER: A sewer that does not Discharge to a public or private sewer main through the use of gravity. Overhead Sewers utilize a pump to lift the Sewage to an elevation where gravity can then carry away the Wastewater.

PASS THROUGH: A Discharge that exits the POTW into waters of the United States in quantities or concentrations, which alone or in conjunction with Discharges from other sources, is a cause of a violation of any requirement of the POTW’s NPDES permit (including an increase in the magnitude or duration of a violation).

PERSON: Any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity, or any other legal entity; or their legal representatives, agents, or assigns. This definition includes all Federal, State, and local governmental entities.

pH: A measure of the acidity or basicity of a solution, calculated by taking the logarithm of the reciprocal of the hydrogen ion concentration expressed in standard units.

POPULATION EQUIVALENT: A term used to evaluate the impact of industrial or other waste on a treatment works or stream. One Population Equivalent is 100 gallons (380 liters) of Sewage per day, containing 0.17 pounds (77 g) of BOD₅ (five-day biochemical oxygen demand), 0.20 pounds (91 g) of Total Suspended Solids and 0.021 (10 g) of phosphorus. The impact on a treatment works is evaluated or defined as the highest Population Equivalent of the four (4) parameters.

POLLUTANT: Any dredged spoil, solid waste, incinerator residue, filter backwash, Sewage, Garbage, Wastewater Biosolids, munitions, Medical Wastes, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt or industrial, municipal, and agricultural Wastes and certain characteristics of Wastewater (e.g., pH, temperature, TSS, turbidity, color, BOD, COD, toxicity, or odor.)

POTENTIAL PROBLEM: Any Discharge which alone or in combination with discharges from other sources inhibits or disrupts the POTW or any of its processes or operations including plant emissions or any conditions which create public nuisance, causing the POTW to expend additional resources or manpower or take additional steps to protect the POTW processes or receiving stream.

PPM: Parts per million.

PRETREATMENT: The reduction of the amount of Pollutants, the elimination of Pollutants, or the alteration of the nature of Pollutant properties in Wastewater to a less harmful state prior to, or in lieu of, discharging or otherwise introducing such Pollutants into the POTW. This reduction or alteration can be obtained by physical, chemical, or biological processes; by process changes; or by other means, except by diluting the concentrations of the Pollutants unless allowed by an applicable Pretreatment Standard.

PRETREATMENT COORDINATOR: The Wastewater Supervisor of the Village of Antioch or his designee.

PRETREATMENT REQUIREMENTS: Any substantive or procedural requirement related to Pretreatment, other than a Pretreatment Standard, imposed on an Industrial User.

PRETREATMENT STANDARDS OR STANDARD: Means that for any specified Pollutant, Village prohibitive Discharge standards as set forth in Section 8-2-5-2, Village specific limitations on Discharge as set forth in Section 8-2-5-5, State of Illinois Pretreatment Standards in Ill. Adm. Code Section 307, or the National Categorical Pretreatment Standards.

PROPERLY SHREDDED GARBAGE: The wastes from the preparation, cooking and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the Flow conditions normally prevailing in Public Sewers, with no particle greater than one-half inch (1.27 centimeters) in any dimension.

PUBLIC SEWER: A sewer provided by or subject to the jurisdiction of the Village. It shall also include sewers within or outside the Village limits that serve one or more Persons and, ultimately Discharge into the Village Sanitary Sewer system, even though those sewers may not have been constructed with Village funds.

PUBLICLY OWNED TREATMENT WORKS (POTW): The “treatment works”, as defined by Section 212 of the Act, owned by the Village and any devices and systems used in the collection, conveyance, storage, treatment, recycling or reclamation of municipal Sewage or Industrial Wastes of a liquid nature that are connected to the Village POTW regardless of ownership, but does not include sewers, pipes, and other conveyances not connected to the Village POTW treatment plant.

RESIDENTIAL SOURCE OR RESIDENTIAL USER: Any single family or multi-family dwelling unit designed primarily as a place of human habitation which Discharges to the Village’s system domestic Wastewater only.

SANITARY SEWER: A pipe of conduit designed and/or intended to carry Wastewater from residences, commercial buildings, industrial plants and institutions, and to which stormwater, surface water, ground water and unpolluted non-contact Cooling Water are not intentionally admitted.

SANITARY WASTEWATER: See definition of Wastewater.

SEPTIC TANK WASTE: Any Sewage from holding tanks such as vessels, chemical toilets, campers, trailers, and septic tanks.

SEWAGE: Human excrement and gray water (household showers, dishwashing operations, etc.).

SEWER: A pipe or conduit for conveying Sewage or any other waste liquids, including storm, surface and, ground water drainage.

SEWERAGE: The system of sewers and appurtenances for the collection, transportation and pumping of Sewage.

SHALL/MAY: “Shall” is mandatory; “May” is permissive.

SIGNIFICANT INDUSTRIAL USER: Any Industrial User of the POTW who is:

- A. Is subject to any National Categorical Pretreatment Standards; or
- B. A User that:
 - 1. Has an average process Wastewater Discharge Flow of twenty-five thousand (25,000) gallons (excluding sanitary, non-contact cooling and boiler blow-down Wastewater) or more per Work Day;
 - 2. Has a Discharge Flow of process Wastewater that makes up five percent (5%) or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or
 - 3. Is designated as such by the Village on the basis that the Industrial User has a reasonable potential for adversely affecting the POTW’s operation or for violating any Pretreatment Standard or requirement.
- C. The Village May determine that a User subject to Categorical Pretreatment Standards is a Non-Significant Categorical Industrial User (NSCIU) rather than a Significant Industrial User on a finding that the User never Discharges more than 100 gallons per day (gpd) of total categorical Wastewater (excluding sanitary, non-contact cooling and boiler blowdown Wastewater, unless specifically included in the Pretreatment Standard) and the following conditions are met:
 - 1. The User, prior to the Village’s finding, has consistently complied with all applicable Categorical Pretreatment Standards and Requirements;
 - 2. The User annually submits the certification statement required in Section 8-2-9-3.C [see 40 CFR Section 403.12(q)], together with any additional information necessary to support the certification statement; and
 - 3. The User never Discharges any untreated concentrated Wastewater.
- D. Upon a finding that a User meeting the criteria in Subsection (B) of this part has no reasonable potential for adversely affecting the POTW’s operation or for violating any Pretreatment Standard or requirement, the Village may at any time, on its own initiative or in response to a petition received from a User, determine that such user should not be considered a Significant Industrial User in accordance with 40 CFR Section 403.8(f)(6).

SLUDGE: See definition of Bio-solids

SLUG OR SLUG LOAD: Any Discharge of water or Wastewater which is non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch Discharge or any Discharge of flow rate or concentration, which has a reasonable potential to cause Interference or Pass Through or in any other way violate the POTW’s regulations, Local Limits or Permit conditions that could cause a violation of the Prohibited Discharge Standards in Section 8-2-5-2 of this chapter.

STORM SEWER: A sewer that carries rain water, snow melt and surface drainage but excludes Sewage and Industrial Wastes other than unpolluted Cooling Water.

STORMWATER: Any flow occurring during or following any form of natural precipitation including snow melt.

TAP: The connection to the sewer main through the use of a factory “wye” or “tee”, a saddle connection, an Inserta tee ©, or other plumber connection (i.e. hammer tap).

TOTAL SUSPENDED SOLIDS (TSS): Total suspended matter, expressed in milligrams per liter, that either floats on the surface of, or is in suspension in water, Wastewater or other liquids and is removable by laboratory filtration, under standard laboratory procedures approved in 40 CFR 136.

TOTAL TOXIC ORGANICS: The summation of all quantifiable values greater than 0.01 mg/l for the toxic organics specified in the applicable regulation.

UNPOLLUTED WATER: Water quality equal to or better than the Effluent Criteria in effect or water that would not cause violation of receiving Water Quality Standards and would not be benefited by Discharge to the Sanitary Sewers and POTW provided.

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

USER: Any Person or source that contributes, causes or allows the contribution of Wastewater into the POTW. It may also include such Persons or sources that are prohibited from discharging specific Pollutants or waste streams to the POTW.

VILLAGE: The Village of Antioch and any reference to “within the Village” shall mean all territory within the corporate limits of the village or wastewater service area.

VILLAGE BUSINESS DAY: Any full day that the Village administrative offices are open.

VILLAGE ENGINEER: An individual or corporation designated by the Village that holds a Professional Engineering license.

WASTEWATER: The combination of the liquid and water carried wastes from residences, commercial buildings, industrial and manufacturing plants and institutions, whether treated or untreated including which are contributed to the POTW.

- A. Sanitary Wastewater means the combination of liquid and water carried wastes Discharged from toilets and other sanitary plumbing facilities.
- B. Industrial Wastewater means a combination of liquid and water carried wastes Discharged from any Non-Residential User, including the Wastewater from Pretreatment facilities and polluted Cooling Water.

WASTEWATER DISCHARGE PERMIT: The document or documents issued to a user by the Village pursuant to sections 8-2-7 and 8-2-8 of this chapter.

WATER QUALITY STANDARDS: Those standards defined in the Water Pollution Regulations of Illinois, Title 35, Subtitle C, Chapter I.

WATERS OF THE STATE OF ILLINOIS: All streams, lakes, ponds, marshes, water courses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through, or border upon the State of Illinois or any portion thereof.

WORK DAY: A day on which work or service is performed by an industry.

8-2-2: SEWER EXTENSION REQUIREMENTS

8-2-2-1 *Applicability*

The extension of a Sanitary Sewer by any entity that will serve or in the future may serve more than one building and that will connect either directly or indirectly to the POTW of the Village shall be made only after an application for a Village permit has been made in writing on forms prescribed and furnished by the Village and an extension permit is issued by the Village.

8-2-2-2 *Requirements*

- A. Application. Persons desiring such extension of the sewer system shall file with the Village Engineer (VE) two (2) copies of the following documents:
 - A. Detailed plans and specifications prepared by a registered professional engineer registered in the State of Illinois.
 - B. IEPA permit application with such supporting documents required by the IEPA, completely filled out and ready for Village signature.
 - C. Detailed estimate of the cost of the extension.

The Person or Persons extending the sewer shall pay all costs of plan review by the Village Engineer to the Village prior to the Village or Duly Authorized Agent signing the IEPA permit application.

- B. Issuance. The Village Engineer will issue an Extension permit in accordance with the following:
 - 1. It has been demonstrated that the downstream POTW, including Village sewers and pump stations, have sufficient reserve capacity to adequately and efficiently handle the additional anticipated waste load.
 - 2. A permit has been issued by the Illinois Environmental Protection Agency. The Village permit shall expire on the expiration date of the Illinois Environmental Protection Agency permit. Those portions of the work, for which a Village permit has been issued and the work has been approved by the Village shall be completed within the permit time. Future construction on the project for which the original permit was issued shall require a new permit that will be issued in compliance with the ordinances of the Village at the time of the application for the new permit. All fees and charges assessed under the conditions of the Village permit are forfeited by the applicant/owner upon the expiration of the permit.
 - 3. The Village has received an agreement and bond executed by the permittee wherein he agrees to make and install the improvements in accordance with plans and specifications identifying a completion date not more than six (6) months after the date of the agreement unless the Village Board determines, on the basis of the recommendation of the Village Engineer, that a longer time is necessary.

The guarantee for completion of the improvements by the permittee shall be in the principal amount of 100 percent of the estimated cost as approved by the Village Engineer; and secured by either:

- a. An escrow account at a federally insured bank or savings and loan association subject to draw by the Village Administrator or designee to complete the improvements if it is not completed within the prescribed time limit.
- b. A clean, non-declining, irrevocable letter of credit issued by a federally insured bank or savings

and loan association. The letter shall be approved by the Village Treasurer and provide that funds may be drawn only by the Village Administrator or Treasurer.

The bond shall remain in effect for a period of one year after acceptance of the work by the Village Engineer as a guarantee of good faith of the permittee to correct defects. At the discretion of the Village Board, the bond may be reduced during the maintenance period.

4. The Village Engineer has received copies of all permits, insurance and bonds required for street openings or stream crossings and any other permits required by an agency having jurisdiction.
5. The Village Engineer has received Certificates of Insurance protecting the Village from any liability or damage whatsoever from injury, including death, to any Person or property. The amount of the insurance shall be as established by the Village Board.
6. The Village Engineer has received payment for the cost of the permit and the estimated cost of inspection. The cost of inspection shall include resident supervision if deemed necessary by the Village Engineer. The estimated cost of inspection, approved by the Village Engineer, shall be deposited with the Village Treasurer prior to the start of work and additional funds added during the work if required. The permittee, however, shall pay only the actual costs of such services based on standard engineering fees. At the completion of the work any unused portion of the amount deposited shall be returned. No interest shall be paid on deposited funds.

C. Construction Requirements

1. The rules, regulations, ordinances and policies listed hereafter and issued by the authorities indicated are incorporated herein by reference and shall govern the work so far as they apply to said work.
2. The Village's rules, regulations, resolutions, policies, directives and instructions that may be adopted or issued from time to time by the Village Engineer, Administrator or Village Board of Trustees.
 - a. "Standard Specifications for Water and Sewer Main Construction in Illinois" latest edition.
 - b. The Illinois Environmental Protection Agency's rules, regulations, technical releases and requirements.
 - c. "The Illinois Recommended Standards for Sewage Works," IEPA, latest edition.
 - d. "The State of Illinois Plumbing Code" (latest edition)
3. The permittee agrees that they shall provide adequate inspection during the entire construction period which, at the option of the Village Engineer, may require a full-time resident engineer. The Village Engineer reserves the right to review the construction.
4. Changes in the work to be done or materials to be used from those shown on the plans or set forth in the specifications, as submitted to the Village Engineer, shall be approved by the Village prior to the changed work being done or the changed materials being installed.
5. The Contractor or the Contractor's representative, constructing the sewer extension shall notify the Village Engineer twenty-four (24) hours prior to commencing construction. When the construction of the sewer extension is interrupted for a period of seven (7) calendar days or more, the Village Engineer shall be notified twenty-four (24) hours prior to continuing construction of the sewer extension.
6. At the time a sewer extension is connected to an existing sewer, the connection shall be made at an existing manhole or in a manhole constructed over the existing sewer. If an existing manhole is the point of connection and a suitable stub is not provided for the extension, the existing manhole shall be core drilled and a suitable connection stub installed. The sewer extension shall be plugged with a water tight concrete plug by the Contractor at the time the connection to the existing sewer is made. The

plug shall be maintained in place at all times until the sewer extension is approved in writing by the Village Engineer. If the plug is not maintained in place, the Village Engineer shall install a concrete plug and charge a fee to the Contractor for each time a plug is installed by the Village Engineer. The fee for the installation of a plug is established by the Village in Article C of this chapter. Mechanical plugs are also an acceptable means of plugging the sewer to maintain it out of service.

7. Upon completion of construction, the contractor shall notify the Village Engineer requesting final review of the work. The Contractor shall televise the completed extension in the presence of a Village Engineer or his designee who will take immediate possession of the videotape prior to leaving the site. The Village Engineer shall review the work for conformance with the Village's requirements and adherence to the approved plans and specifications for which the Village's sewer extension permit was issued. If deficiencies are found in the work, the Village Engineer shall furnish the Contractor with a listing of such deficiencies. When the Contractor believes that the deficiencies have been corrected, the Contractor shall request a re-review of the work. Should the re-review of the work show that the deficiencies as set forth have not been corrected, the Contractor shall make the necessary corrections, and subsequent to that, shall notify the Village Engineer and request another review. The Village Engineer shall charge a fee for each additional inspection after the first inspection following the issuance of the list of deficiencies. The fee for each additional review is published as part of Article C of this chapter.
8. All Sanitary Sewers shall be constructed within public rights of way or within Easements dedicated for public utilities. No Sanitary Sewer mains shall be installed nor their Easements established in the rear or side yard of any property unless first approved by the VE.
9. Minimum Sanitary Sewer main size shall be eight-inch (8") diameter for public sewer mains or sewer mains serving more than one building.
10. Manholes shall be pre-cast reinforced concrete sections meeting ASTM C-478 and ASTM C-443 standards. Manholes for Sanitary Sewers twenty-four inches (24") or less in diameter shall have a minimum inside diameter of forty-eight (48"). Sanitary Sewers greater than twenty-four (24") in diameter shall have a minimum inside diameter of sixty (60") and be spaced at a maximum of four hundred (400'). Additionally, manholes will be installed under the following conditions: termination of existing and future lines, changes in direction (horizontal or vertical), changes in shape or pipe size, or junctions with other sewers. Curved sections of sewers are not allowed.

Drop manholes shall be provided for manholes with any pipe having a difference in invert elevation more than twenty-four inches (24") above the invert of the sewer leaving the manholes. All drop manholes shall be of the external type. No internal drop manhole connections will be allowed.

D. Project Completion

No connection permits shall be issued or building permits released until such time that final approval of the improvement has been made in writing by the Village Engineer. Final approval is contingent upon the following:

1. All punch-list work has been completed;
2. As-built or project record drawings prepared by a Registered Illinois Professional Engineer are furnished to the Village Engineer;
3. The sewer has been televised by the Contractor or by the entity in the presence of Village Engineer or his designee; and
4. A video record of the television inspection has been provided to the Village. In addition to a video record, Air Exfiltration Testing as outlined in Division III, Section 31-1.11 of the Standard Specifications for Water & Sewer, will be completed prior to acceptance.

- E. Connections to Extension. No connection shall be made to the Sanitary Sewer until sewer connection permits have been issued by the Village under Section 8-2-3 of this chapter.
- F. Performance Bond Release. The performance bond will not be released until the guarantee period has expired and the following documents are filed with the Village Clerk and approved by the Village Engineer:
 - 1. As-built drawings: 1 reproducible set, two (2) sets of prints and 1 electronic copy in a version acceptable to the Village;
 - 2. Release of all permits, and
 - 3. Copies of all tests required by the Village Engineer.

8-2-3: SEWER CONNECTION PROCEDURES

8-2-3-1 Use of Public Sewers Required

- A. It shall be unlawful for any Person to place, deposit or permit to be deposited in any unsanitary manner on public or private property within the Village or in any area under the jurisdiction of the Village, any human or animal excrement, Garbage or other objectionable waste.

It shall be unlawful to Discharge to any Natural Outlet within the Village, or in any area under the jurisdiction of the Village without the express approval from the Village Engineer (VE) that all state and federal effluent limitations have been met and there are no reasonable alternative methods of disposal.

- B. Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool or other facility intended or used for the disposal of Sewage.
- C. The owner of all the houses, buildings, or properties used for human occupancy, employment, recreation or other purpose situated within the Village and abutting on any street, alley or right-of-way in which there is now located or may in the future be located any public Sanitary Sewer of the Village, is hereby required at his expense to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this chapter, within ninety (90) days after date of official notice to do so, provided that said public sewer is within 200 feet (200') (61 m) of the property line. If such public sewer benefits other properties, the Village Board may enact a recapture ordinance and make best efforts to assure that the benefited property owners pay to the owner amounts as required. All public sewer extensions shall be made in accordance with Section 8-2-2-2 of this chapter.
- D. It shall be unlawful to Discharge any sanitary waste, including, without limitation, any residential, commercial or industrial liquid waste product into any Storm Sewer, drainage facility, retention pond, detention pond or other stormwater control structure or device located within the Village limits.

8-2-3-2 Private Sewage Disposal

No Person shall construct a Wastewater treatment facility within the corporate limits of the Village or in any area under the jurisdiction of the Village for the purpose of treating Wastewater and discharging same to a water course unless the following provisions are met.

- A. For the purpose of treating Industrial Wastes, the VE determines that the Wastewater treatment facilities have inadequate capacity, and issues a permit for the construction and operation of a Wastewater treatment facility. No Village permit shall become effective until:
1. The VE has approved the plans and specifications in writing,
 2. Approval has been obtained from the Lake County Department of Health,
 3. An IEPA permit issued to construct the facility has been received,
 4. An IEPA NPDES permit to operate the facility has been issued and received, and
 5. The final inspection has been completed the installation is completed to the satisfaction by the VE.

Persons operating a Wastewater treatment facility shall file copies of all operating reports sent to the USEPA and IEPA with the VE and such other reports as the VE deems necessary.

- B. Where a public Sanitary Sewer is not available under the provisions of Section 8-2-3-1 of this chapter and the Wastewater source to be treated is domestic in nature, the Building Sewer shall be connected to a private Sewage disposal system employing subsurface absorption facilities.

No Person shall construct a private Wastewater treatment facility with subsurface disposal without previous approval from the VE. If approval is given the Person must adhere to the following limitations:

1. Permit Requirements

- a. Before commencement of construction of a private Sewage disposal system the owner shall first obtain a written permit signed by the VE. The application for such permit shall be made on a form furnished by the VE which the applicant shall supplement by any plans, specifications and other information as deemed necessary by the VE. A permit and inspection fee as published in the current Title 13 of this code or reimbursement of costs shall be paid to the Village at the time the application is filed. The permit shall not be issued until applicable State and County permits are on file.
- b. The type, capacities, location and layout of a private Sewage disposal system shall comply with all regulations and provisions of the State of Illinois Private Sewage Disposal Licensing Act and Code, with the State of Illinois Environmental Protection Agency and the Lake County Health Department, latest revision. No permit shall be issued for any private Sewage disposal system employing subsurface soil absorption facilities where the area of the lot is less than forty thousand (40,000) square feet. No septic tank or cesspool shall be permitted to Discharge to any Natural Outlet.
- c. A permit for a private Sewage disposal system shall not become effective until the installation is completed to the satisfaction of the VE. The VE shall be allowed to inspect the work at any stage of construction and, in any event, the applicant for the permit shall notify the VE when the work is ready for final inspection, and before any underground portions are covered. The inspection shall be made within twenty four (24) hours of the receipt of written notice by the VE, except that no inspections will be made at any time other than regular Village working hours.

- C. Where development is possible but gravity sewers and conventional sewer systems are not practical.

Accordingly, it is the policy of the Village to approve grinder pump systems on a discretionary case-by-case basis. In order to implement a grinder pump system, a developer or individual homeowner must prove to the VE that a grinder pump system is the only viable option other than a conventional Sanitary Sewer system. A permit for a private Wastewater treatment facility employing a grinder pump system shall not be issued until the design and installation is completed to the satisfaction of the VE.

1. Installation: The VE shall be allowed to inspect the work at any stage of the construction and, in any event, the applicant for the permit shall notify the VE when the grinder pump system is ready for final inspection, and before any underground portions are covered.
2. Operation and Maintenance: The VE or his designee shall be entitled to inspect the grinder pump system if said VE has any reason to believe that the grinder pump system is not operating properly or pursuant to a routine inspection protocol developed by the VE. Should the grinder pump system fall into disrepair or otherwise need maintenance as determined by the VE, and the owner refuses to repair, replace or otherwise fix the grinder pump system to the specifications of the Village, the Village may do so at its own expense and obtain reimbursement from the individual owner. In that regard, and as a condition of obtaining a Village permit for a grinder pump system, the individual owner shall enter into a contractual agreement indemnifying the Village for any costs the Village may incur with regards to maintaining the grinder pump system, and further allow the VE reasonable access to the grinder pump system for inspection purposes.

D. Other provisions.

1. The owner shall operate and maintain the private Sewage disposal facilities in a sanitary manner at all times, and at no expense to the Village.
2. As provided in subsection B of this section, at such time as a public sewer becomes available to a property served by a private Sewage disposal system, a direct connection shall be made to the public sewer within sixty (60) days in compliance with this section. Any septic tanks, cesspools and similar private Sewage disposal facilities shall be cleaned of Biosolids and filled with suitable material such as clean bank-run gravel or dirt.
3. No statement contained in this section shall be construed to interfere with any additional requirements that may be imposed by the Lake County Department of Health.

8-2-3-3 Building Sewer and Connections

A. Permit Requirements

No Person shall construct a new Wastewater source and connect same to the POTW of the Village without first making application for the privilege of making said connection to the Village.

1. No unauthorized Person shall uncover, make any connections with, or opening into; use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the VE and an IEPA permit when required under 35 Illinois Administrative Code 309.
2. No addition to or alteration of any Building Sewer shall be made or caused to be made by any Person without a permit from the VE and then only through a sewer contractor. No permit shall authorize anything not explicitly stated in the application.
3. All disposal by any Person into the sewer system is unlawful except those Discharges in compliance with federal standards promulgated pursuant to the Federal Act, the Illinois Environmental Protection Act and regulations promulgated thereto, and the Antioch Municipal Code.
4. There shall be two (2) classes of Building Sewer permits: for Residential Wastewater service, and Non-Residential (at a minimum commercial, institutional / governmental or industrial) Wastewater service. In either case, the owner or his agent shall make application on a special form furnished by the Village. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the VE.
5. Persons desiring to construct a new waste source and connect it to the POTW of the Village shall state the quantity, quality and rate of Discharge into the sewer. The non-residential user, as a condition of permit authorization, must provide information describing its Wastewater constituents, characteristics and type of activity per Sections 8-2-4-1 and 8-2-4-4 of this chapter. In the case of any fraudulent representation upon the part of the user, the permit fees will be forfeited and the use of the sewer stopped.
6. A Building Sewer permit will only be issued and a sewer connection shall only be allowed if it can be demonstrated that the downstream Sewerage facilities, including sewers, pump stations and Wastewater treatment facilities, have sufficient reserve capacity to adequately and efficiently handle the additional anticipated waste load based on the Population Equivalent.
7. The applicant will secure a building permit if the waste source is new equipment to be installed in an existing building with an existing sewer.
8. Each excavation for any of the purposes set out in this subsection shall require a separate permit.

9. The building permit will be issued for a period of twenty-four (24) months consistent with the IEPA permits.

B. Building Sewer Connections

1. A separate and independent Building Sewer shall be provided for every building, except that where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard or driveway, the Building Sewer from the front building may be extended to the rear building and the whole considered as one Building Sewer and may be done only with the explicit approval of the VE.
2. Old Building Sewers may be used in connection with new buildings only when they are found, on examination and test by the VE or his designee, to meet all requirements of this chapter. All costs shall be borne by the applicant.
3. The size, slope, alignment, materials of construction of a Building Sewer and the methods to be used in excavating, placing of the pipe, jointing, testing and backfilling the trench, shall all conform to the requirements of the building and plumbing code or other applicable rules and regulations of the Village. In the absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the American Society of Testing Materials, "Water Pollution Control Federation Manual of Practice No. 9", and "Standard Specifications for Water and Sewer Main Construction in Illinois" shall apply.
4. No Building Sewer shall be laid parallel to or within three (3') feet of any bearing wall. No Building Sewers shall be installed in any place where they may be subject to freezing temperatures unless adequate provisions are made to protect them from frost. Changes in direction shall be made only with properly curbed pipe and fittings, or a manhole, as determined by the VE.

In all buildings in which any Building Drain is too low to permit gravity Flow to the public sewer, sanitary Sewage carried by such Building Drain shall be lifted by approved artificial means and Discharged to the Building Sewer. Where possible, all building sanitary services shall be "overhead" installations. Buildings having basements will have a pump or ejector provided to pump the Wastewater to the Sanitary Sewer service for gravity transport to the sewer main.

6. The connection of the Building Sewer into the public sewer shall be a saddle connection and conform to the requirements of the building and plumbing code, or other applicable rules and regulations of the Village, or the procedures set forth in appropriate specifications of the American Society of Testing Materials, "Water Pollution Control Federation Manual of Practice No. 9", and "Standard Specifications for Water and Sewer Main Construction in Illinois". All such connections shall be made gastight and watertight.

C. Construction Requirements

Construction may not be started until all fees are paid consistent with Section 8-2-3-4 of this chapter, Title 13 of this code and a written permit is issued by the Village after issuance and receipt of an IEPA permit for the project when applicable. The following conditions are also required:

1. The applicant shall secure a Public Right-Of-Way opening permit from the VE when appropriate in conformance with the provisions of Section 13-1-5 of this code.
2. All excavations for Building Sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Village. Failure to properly barricade will be cause for the job site to be shut down and a penalty, as established in the Title 13 of this code, must be paid before any further work can commence.

3. The applicant for the Building Sewer permit shall notify the VE twenty-four (24) hours prior to the start of any underground piping installation and when the Building Sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of a qualified Duly Authorized Agent of the Village during regular Village working hours.
4. All costs and expenses incident to the installation and connection of the Building Sewer shall be borne by the owner. The owner shall indemnify the Village from any loss or damage that may directly or indirectly be occasioned by the installation of the Building Sewer.
5. The applicant shall file a certificate of liability insurance in the amount of a minimum of two million dollars (\$2,000,000) with the Village Engineer or Clerk to protect the Village from any liability or damage whatsoever for injury, including death, to any Person or property.
6. Minimum building sanitary service sewer size shall be six-inch (6") diameter. All cleanouts shall be installed on the owner's property and not in Village ROW. The maximum distance between cleanouts is one hundred twenty feet (120').
7. Sewer services shall not be connected to manholes. All Sanitary Sewer services serving single-family residences shall have "blind" connections to the sewer main (as stated in subsection C8 of this section). Only exceptions are when homes are located in a cul-de-sac and the connection to the sewer main would be impractical. This exception must be approved by the VE or his designee.
8. Sewer service connections to existing sewer mains shall be made by the installation of a strap-on saddle with stainless steel banding in accordance with manufacturers' recommendations. Romac "CB" style saddles with stainless steel bands, Geneco "Sealtight" strap-on saddles, PVC saddles meeting ASTM D3033/ASTM S3034, or other approved manufacturers may be accepted.

The installation of the new saddle fitting will be use of a circular sawcut by proper tools ("sewer tap" machine or similar device). All such connections shall be done in the presence of the VE, or his designated representative. After the saddle connection has been made, encasement in four (4) to six (6") inches of concrete may be required to provide a secure and watertight connection collar, if in the opinion of the inspector, the existing pipe is not sufficiently stabilized. Factory wye/tee, Inserta tee © be allowed on eight (8) or ten (10") inch sewer main pipe.

8-2-3-4 Fees

Fees shall be charged for when permitting and constructing a new Wastewater source and connecting it the POTW of the Village and are found in Title 13 of this code for the following activities:

- A. A permit review and inspection fee in accordance with the current fee schedule for sewer permit shall be paid to the Village at the time the residential application is filed. Permit review costs for non-residential permits will be determined on a case-by-case basis by the VE.
- B. An inspection fee in accordance with the current fee schedule shall be paid for any additional inspections. This includes but is not limited to inspections of sampling manholes, Flow metering or sampling equipment, Garbage grinders, grease, oil and sand interceptors, and grease interceptors.
- C. Connection fees:
Title 13 shall be used for determining appropriate fees to be paid for connections to the Village sewer system.
 1. For uses involving extra strength Wastewater:

- a. The VE may require industrial or commercial sewer users to report to the VE concentrations and Flow rates of Wastewater Discharged to the Village collection system. For Wastewater the strength of which exceeds normal domestic Wastewater in any constituent the fees shall be based as follows. In the event that the Wastewater exhibits a ratio of BOD₅ to COD of less than 0.3, the BOD₅ Population Equivalent will be calculated on the basis of 1/3 of the COD value. A permit connection fee then will be charged on the basis of the impact on the POTW as the equivalent of the highest Population Equivalent of the three parameters: Flow, BOD₅, TSS or phosphorus.
- b. When the volume and strength of the Wastewater to be Discharged to the public Sanitary Sewers is not known at the time of the connection, the fee shall be estimated and adjusted to reflect actual conditions during the billing period just prior to a full year of operation.
- c. The volume and strength of the Wastewater for fee purposes shall be the reasonable maximum daily Discharge of constituents.
- d. When a connection is made based on the applicant's statement that the strength of the Wastewater does not exceed normal domestic Wastewater in any constituent, and at the end of the billing period just prior to a full year of operation it is determined that the Wastewater does exceed domestic Wastewater in strength, the VE may accept or reject the wastes and backcharge the applicant for fees plus penalties for the extra strength waste or have the service disconnected and the premises closed.

D. Properties Outside of Corporate Limits

1. The connection fee calculated using the strength determination for any User not located within the corporate limits of the Village Shall be two (2) times the applicable connection fee listed in Section 8-2C-2-3. On payment of the fee, the property baseline Shall be adjusted to the newly established PE.

8-2-3-5 Use of Public Sewers

- A. It shall be unlawful to Discharge or cause to be Discharged to any facility served by the Village, without having first complied with the terms of this chapter. At minimum, all Users are subject to the Prohibited Discharge Standards in Section 8-2-5-2 of this chapter, Change Notification in Section 8-2-9-6 of this chapter and Hazardous Waste Notification in Section 8-2-9-9 of this chapter if applicable. Spill/Slug Control Planning may also be necessary for some Non-Residential Users as identified in Section 8-2-6-3 of this chapter. All Non-Residential Users are subject to Notification of Potential Problems in Section 8-2-9-7 of this chapter.
- B. No User(s) shall make connection of roof downspouts, exterior foundation drains, areaway drains, or other sources of surface runoff or groundwater to a Building Sewer or Building Drain which in turn is connected directly or indirectly to a public Sanitary Sewer.

8-2-3-6 Monitoring Facilities

- A. An inspection fee as provided in Section 8-2-3-4 of this chapter shall be paid to the Village prior to issuance of the permit should it be determined that the User is required to install any of the following structures:
 1. Sampling Manhole Requirements. All users located in areas zoned industrial and such other users as required by the VE, except domestic users, are required to install a monitoring manhole for each separate Discharge in the Building Sewer in accordance with the plans and specifications approved by the VE. Each manhole shall be situated on the User's premises in an Easement dedicated to the Village.

Where such a manhole location would be impractical or cause extreme hardship on the User, the VE may concur with the manhole being constructed in the public street or sidewalk area providing that the manhole is located so that it shall not be obstructed by landscaping or parked vehicles. In those cases

where a sampling manhole must be in a parking lot, a permanent barricade, such as a vertical pipe shall be placed around the manhole to prevent vehicles from driving or parking over the manhole cover. A Waiver for a sampling manhole will be handled on case-by-case basis by the VE when it is determined that the Discharge is solely from a domestic source and the site is not in an area zoned B-3, M-1, or M-2.

The sampling manhole shall be located on the sewer connection pipe at a point where there are no changes in grade or alignment for at least fifteen (15) pipe diameters upstream and downstream from the manhole. The grade (slope) of the pipe shall not exceed one percent (1%) (1 foot per 100 feet) through the manhole and for a distance of fifteen (15) pipe diameters upstream and downstream from the manhole.

There shall be ample room in or near such sampling manhole to allow accurate sampling and preparation of samples for analysis. The manhole shall be installed and maintained by the owner/User at his sole expense so as to be safe and accessible to the Village Engineer at all times. The failure of a User to keep its monitoring facility in good working order shall not be grounds for the User to claim that sample results are unrepresentative of its Discharge.

2. Liquid Quantity Measurements. All Significant Industrial Users may be required to install an open channel Flow measuring device in said sampling manhole. When required, the sampling chamber shall contain a Palmer-Bowlus or Parshall flume or equivalent, unless a weir or similar device is approved by the Village Engineer.

The Village Engineer may, at his option, based on the water usage and/or waste loadings, require the User to install a device with a recording and totalizing register for measurement of the liquid quantity. The device shall include a circular chart recorder, suitable to record seven (7) days of Flow. The equipment required to indicate, record and totalize the Flow shall be located in a warm dry location and be accessible to the Village Engineer for reading. This equipment shall be installed and maintained by the User at his sole expense. Should the requirement be made, the User shall complete installation of the flume and secondary Flow measuring device based on the installation schedule approved for such device by the Village Engineer.

The User shall be required to calibrate and maintain the Flow metering equipment in accordance with the manufacturer's recommended procedures and frequencies. Users who operate Flow measuring devices will submit the procedure for operation and maintenance (O & M) to the Village Engineer. The User shall further document O & M in a log which shall be available for inspection by Village Engineer or his designee. At minimum, the User shall submit a semi-annual calibration report performed by an outside representative by the deadline defined in the User's Discharge Permit. The User shall submit Flow records to the Pretreatment Coordinator monthly.

3. Sampling Equipment. The Village Engineer may, at his option, based on water usage and/or waste loadings or when the waste loads cannot be accurately evaluated by time Composite Samples, require the User to install sampling equipment. This equipment shall be installed and maintained by the User at his sole expense.

Users shall submit the procedure for operation and maintenance to the Village Engineer. The User shall further document O & M in a log which shall be available for inspection by Village personnel. At minimum, the User shall submit an annual report confirming the accurate operation of the equipment performed by an outside representative by the deadline defined in the Discharge Permit.

8-2-3-7 Additional Structures Required for the Use of the Public Sewers

- A. An inspection fee as provided by Section 8-2-3-4 of this chapter shall be paid to the Village Engineer prior to issuance of the permit should it be determined that the User is required to install any of the following structures:

1. Garbage Grinders. Garbage is required to be properly shredded in order to be approved to be Discharged to the Public Sewer. Wastes classified as Properly Shredded Garbage contain all particles being carried freely under the Flow conditions normally prevailing in Public Sewers, with no particle greater than one-half inch (½") (1.27 centimeters in any dimension). The installation and operation of any Garbage grinder equipped, with a motor of three-fourths (¾) horsepower (0.76 hp metric) or greater shall be subject to review and approval of the Village Engineer.
2. Grease, Oil, and Sand Interceptors. Interceptors shall be provided in services connected to the Village sewer system where it is determined that they are necessary for the proper handling of the Wastewater containing excessive amounts of grease and oil, or sand except that such interceptors shall not be required for private living quarters or dwelling units. All interception units shall be of type and capacity approved by the Village Engineer and shall be so located to be easily accessible for cleaning and inspection. Such interceptors shall be inspected, cleaned and repaired regularly, as needed, by the owner at his expense.
3. Neutralizing Basins. Laboratory and facilities commonly using acid or alkaline chemicals or compounds must install a neutralizing basin. All basins shall be of type and capacity approved by the Village and shall be so located to be easily accessible for cleaning and inspection. Such basins shall be inspected, cleaned and repaired regularly, as needed, by the owner at his expense.

Equipment and devices installed under this section shall not be considered to provide Pretreatment to Wastewater. Any user operating devices installed in this section shall submit operating data as may be required by the Village.

B. Equalization and Pretreatment Equipment.

1. Approval. If the Village Engineer requires the equalization or Pretreatment of waste Flows, the design and installation of the plants and equipment shall be subject to the review and approval of the Village Engineer, and, subject to the requirements of all applicable codes, ordinances and laws. Said facilities shall also be subject to approval by IEPA consistent with IEPA regulations.
2. O&M. Where Flow-equalizing or Pretreatment facilities are provided, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.

8-2-3-8 Sewer Line Maintenance/Replacement

- A. The property owner is responsible for the maintenance and repair of the private sewer line from their structure to the main sewer or Public Sewer including the Tap into the main/Public Sewer.
- B. In the event the property owner finds it necessary to excavate the private sewer line for maintenance or replacement that shall be the property owner's responsibility.
- C. In those instances when the property owner has had to excavate and as a result the sidewalk, curb and street have been dug out, the property owner will be responsible for the restoration of the street (surface and sub-surface) curb and sidewalk.
- D. In those instances where Subsection C of this section is involved, it is recommended tunneling under the curb and sidewalk whenever practical. Sidewalk and curb must be cut when removal is required.
- E. All work, as it is related to the replacement and/or repair of the private sewer line, shall be in conformance with the Village standard construction specifications.
- F. No work of any kind may be commenced on any sewer line without first notifying the Village's Public

Works Department. This includes, without limitation, any replacement of pipe, any repair of pipe, any flushing of pipe and any rodding or reaming of any pipe. In the event of an emergency occurring after hours and requiring immediate attention, the property owner and/or contractor shall contact the Village by calling 911 and shall take only such action as is necessary to halt the Discharge of Pollutants until directions are given by the Director of Public Works or a designee thereof.

- G. All work, once complete, shall be inspected by a Duly Authorized Agent of the Village, and shall be approved only when it fully meets all applicable codes, including those of the State of Illinois and the Village.
- H. The property owner and any contractor working for him, her or it, shall be jointly responsible for the notifications required under the terms of this section.
- I. The property owner and any contractor working for him, her or it, shall be jointly liable for any Discharge of Pollutants caused by any violation of this section.
- J. Any Person violating any provision of this section shall be subject to the penalties set forth in Sections 8-2-14-1 through 8-2-14-5 of this chapter.

8-2-3-9 Food Service Establishments

- A. Grease and Interceptors – Food Service Establishments (FSE). Hydro-mechanical grease interceptors and gravity grease interceptors (collectively referred to as grease interceptors or GI) are required to be installed in all new FSE. The Building Department (BD) May require GI to be installed or modified in existing FSE where FSE that have caused or contributed to overflows and/or blockages, or at existing FSE that meet the remodeling requirements identified in Section 8-2-3-9 or when streetscapes or street/sewer replacements are installed.
 - 1. Installation Requirements.
 - a) All newly constructed FSE's shall install an exterior GI prior to operation of the facility.
 - b) Common Interceptors are required to be installed when the tenants or purchasers of sub-properties that are unknown by the complex Owner and zoning allows the build-out of an FSE in said properties. The Owner of the property on which the Common Interceptor is located shall be primarily responsible for the maintenance, upkeep, and repair of the Common Interceptor.
 - c) Existing FSE. All existing FSE's may be required to install a GI at the request of the BD. The BD may require a GI to be installed or modified in an existing FSE within ninety (90) calendar days of notification by the Village where the FSE has caused or contributed to overflows and/or blockages, when any reconstruction, rebuilding, or remodeling of fifty percent (50%) or more of the building occurs, or when streetscapes or Street/Sewer Replacements are installed. The BD may require a new GI to be installed when the facility has an undersized, irreparable, or defective GI. In the event that winter weather will impact the installation of a GI, the BD may grant an extension of the installation schedule to a maximum of one hundred eighty (180) calendar days.
 - d) Existing FSE where Hot Spots or blockages have occurred. GI's will be required to be installed within ninety (90) calendar days of a notice by the Village if Hot Spots or blockages have occurred. GI's interior to the building may be required as an interim measure to the installation of an exterior GI. Such GI will be required to be installed within from five (5) to thirty (30) calendar days, as determined by the BD based upon the nature of the Hot Spot or blockage, after a notice by the Village.

- e) Waivers for installations at establishments only serving beverages and snack bars with no food preparation other than food warming will be handled on a case-by-case basis by the BD.
 2. Location. All GI shall be so located to be easily accessible for cleaning and inspection. All GI will be provided exterior to the building for all new construction and when feasible at existing FSE. The GI Shall not be located in drive-through lanes.
 3. An inspection fee as provided by Section 8-2-3-4 and found in Section 8-2C-2-3 Shall be paid to the Village prior to issuance of the permit should it be determined that the User is required to install any GI.
 4. Sign-off Inspection. Prior to the initial operation of any FSE, the GI shall be inspected by the Village and a sign-off will be issued by the Village. Notification will be made by the FSE to the BD during normal business hours of the Village. Inspections will be made normally by the Village within two (2) Village business days of the notice. The FSE will be required to make appropriate changes prior to initial operation, in the event that the GI does not meet requirements.
 5. Maintenance. Such GIs Shall be inspected, the grease cap and solids blanket cleaned every three months, the entire contents of the trap cleaned annually and repaired regularly, as needed, by the owner at his expense. It Shall be the responsibility of the FSE to inspect its GI during the pumping procedure to ensure the trap is properly cleaned out and that all fittings and fixtures inside the trap are in working condition and functioning properly. In the event that actual operations of the GI fail to produce results that consistently prevent prohibitive Discharges as defined in Section 8-2-5-2 and/or meet the local limits in Section 8-2A-2-1, the owner of the FSE will be required by the BD to have the GI cleaned at a more frequent rate or install additional Pretreatment as necessary.
 6. Modifications. The BD May make determinations of GI adequacy, need, design, appropriateness, application, location, modification(s), and conditional usage based on review of all relevant information regarding GI performance, facility site and building plan review by all regulatory reviewing agencies and May require repairs to, or modification or replacement of the GI.
 7. FSE when required will be issued a general permit as provided by Sections 8-2-7 and 8-2-8.
- B. Grease Interceptor Sizing Criteria. All GIs shall be of a type and capacity approved by the BD based on an evaluation of the volume and characteristics of the Discharge in conjunction with the operating plan of the FSE. Each GI will be sized so that it will continuously produce an effluent that conforms with the local limits identified in Section 8-2A-2-1. GI installed at new and existing FSE must meet the following criteria:
1. The size will be determined by a formula approved by the Village. The minimum capacity of any individual FSE unit Shall be 500 gallons and the maximum capacity Shall be 1500 gallons. Common Interceptors may be required to be sized larger. Where sufficient capacity cannot be achieved with a single unit, installation of GI in series is required.
 2. Twenty-five Percent Requirement. Provide for a minimum hydraulic retention time of 24 minutes at actual peak Flow between the influent and effluent baffles, with twenty-five percent (25%) of the total volume of the exterior gravity GI being allowed for any food derived solids to settle or accumulate and floatable grease-derived materials to rise and accumulate, identified as a solids blanket and grease cap respectively.
 3. Access Manholes. Access manholes, with a minimum diameter of 24 inches, Shall be provided over each exterior gravity GI chamber and each sanitary tee. The access manholes Shall extend at least to finished grade and be designed to and maintained to prevent water inflow or infiltration. The manholes Shall also have readily removable covers to facilitate inspection, grease removal, and Wastewater sampling activities.

4. Prohibitions. Food waste disposal units Shall not be connected to or Discharged into any GI. Dishwashers whose discharge has not been tempered to less than 150 degrees Fahrenheit are prohibited to be Discharged into any GI.

C. Waivers that are available to FSE are identified below. A request for a waiver is required to be filed with the BD on a form provided by the Village and a waiver review fee will be required at the time of the filing as defined in Section 8-2C-3. Waiver requests are not considered to be filed until the request has been reviewed and determined complete. If the BD fails to act on a completed waiver request within 45 calendar days, a request for waiver Shall be deemed to be denied. While waivers May result in an alteration of the GI requirements, it does not waive the requirement to prevent prohibitive Discharges through alternate technologies and Best Management Plan practices.

1. Existing External FSE GI Installation Waiver. The requirement to install and to properly operate and maintain a GI is conditionally stayed, that is, delayed in its implementation by the BD. Terms and conditions for application of a stay to a FSE Shall be set forth in a permit. The terms May include the requirement to install GI(s) inside the facility, alternate technology and the use of Best Management Practices. The waiver will not apply to any existing facility that has not operated as a FSE for the last 12 consecutive months prior to the adoption of this ordinance. Such facilities will be required to install a GI in order to operate a FSE in the Village Sanitary Sewer service area.
2. Common GI Waiver. Common GI means one or more interceptors receiving FOG laden Wastewater from more than one establishment. Common interceptors May be used in lieu individual GI at each FSE provided a waiver has been granted by the BD. A common GI May be located at shopping centers, malls, entertainment complexes, sporting arenas, hotels, multi-tenant “flex” spaces, mixed use spaces, and other sites where multiple establishments are connected to a single GI. The owner of the property on which the common grease interceptor is located Shall be responsible for operating and maintenance of the common interceptor including program documentation, upkeep, and repair. In such cases, a permit will be issued to the property owner for the GI and general permits will also be required at each FSE for Best Management Practices requirements.
3. Limited Food Preparation Establishments GI Installation Waiver. Waivers for installations at FSE only serving beverages and snack bars with no food preparation other than food warming will be handled on a case-by-case basis by the BD and are deemed to be limited food preparation establishments.
4. Constraint Waivers at existing FSE. Where the installation of a GI is not feasible and no equivalent alternative Pretreatment can be installed, a waiver from the installation of the GI requirement May be granted. The BD determination to grant the waiver will be based upon, but not limited to, evaluation of the following conditions:
 - a) There is no adequate space for installation and/or maintenance of a grease interceptor;
 - b) There is no adequate slope for gravity Flow between the kitchen plumbing fixtures and the GI and/or between the GI and the private collection lines or Public Sewer; or
 - c) A waiver from GI installation cannot be granted to allow alternative Pretreatment technology that is, at least, equally effective in controlling the FOG Discharge in lieu of a GI.

If a Constraint Waiver is granted, the DPW will institute the Grease Disposal Mitigation Fee as defined in Section 8-2C-2-3.

5. Alternate Technology Waiver. The use of automatic grease removal systems is permissible only upon the written approval of the BD, and the lead plumbing inspector of the Village.. Approval of the device Shall be based on demonstrated (proven) removal efficiencies and reliability of operation. The Village May approve these types of devices dependent on manufacturer’s specifications on a case-by-case basis. Any User operating an alternative technology May be subject to additional operational requirements. Any User with this equipment Shall operate the system in such a manner that attainment of the grease Wastewater Discharge limit, as measured from the unit’s outlet, is consistent achieved as required by the DPW.

6. Cleaning Cycle Waiver. The property May petition the BD to reduce the cleaning and servicing of the GI from every three months to a maximum of every six months upon demonstration that the amount removed every three months is significantly less than 25% rule for the basin capacity and the Discharge does not exceed the Oil and Grease Local Limit in Section 8-2A-2-1.

8-2-3-10 Automobile Service, Repair and Fuel Dispensing Properties

- A. When property use involves automotive repair or handling, sale and dispensing of petroleum products and/or automotive fluids, all Discharges Shall have installed a sampling manhole consistent with the requirements of Section 8-2-3-7. All sampling manholes of this type Shall be monitored throughout the year in a manner secured and coordinated by the Pretreatment Coordinator. Additionally, any property involved in the repair or servicing of automobiles, trucks, or engine-powered equipment Shall install a triple basin oil separator in the sanitary line (per State of Illinois Plumbing codes) servicing the repair area of the building. This system Shall be cleaned, serviced and inspected at least four times per year by the owner at his expense. The property May petition the Pretreatment Coordinator to reduce the cleaning and servicing of the triple basin oil separator to two times per year upon demonstration that the amount removed quarterly is significantly less than 25% rule for the basin capacity and the Discharge does not exceed the Oil and Grease Local Limit. Conversely, the system May be required by the Pretreatment Coordinator to be cleaned at a more frequent rate if the property cannot meet the requirements.
- B. When property use involves automotive repair or handling, sale and dispensing of petroleum products and/or automotive fluids, there Shall be a separate drainage system constructed to collect all fluids from the areas associated with pump islands and under pump canopies. This separate drainage system Shall collect these fluids and hold them in a separate sealed tank for testing and removal by approved special waste handling methods. All fuel dispensing equipment, piping and venting Shall be installed in accordance with the standards listed below and be in accordance and in compliance with the current adopted building, electrical and fire codes:
 1. *Guidance Manual for LUST Cleanups in Illinois*, September 1989; and *Leaking Underground Storage Tank Manual*, September 1991; both published by IEPA, 2200 Churchill Road, P.O. Box 19276, Springfield, IL 62794-9276.
 2. *Recommended Practices for Installation of Underground Liquid Storage Systems*, PEI/RP 100, 1994; published by Petroleum Equipment Institute, P.O. Box 2380, Tulsa, OK 74101.
 3. *Flammable and Combustible Liquid Code*, NFPA/30; *Automotive and Marine Services Station Code*, NFPA/30A; *National Electric Code*, NFPA/70; and *Underground Leakage of Flammable and Combustible Liquids*, NFPA/329; latest editions all published by National Fire Protection Association, 1 Batterymarch Park, P.O. Box 9101, Quincy, MA 02269-9904.
 4. *Underground Storage Tanks; Technical Requirements and State Program Approval; Final Rules*, 40 CFR Parts 280 and 281, Part II, Federal Register, Friday, September 23, 1988; and *Musts for UST's: A Summary of the New Regulations for Underground Storage Tank Systems, and Hazardous Waste Management Standards*, Federal Register, July 14, 1986, both published by USEPA, Office of Underground Storage Tanks, 401 M Street, S.W., Washington, DC 20460.
 5. *Rules of the Illinois State Fire Marshall*, Parts 170 & 180, Title 41, Chapter 1, State of Illinois, Office of the Fire Marshall, 1035 Stevenson Parkway, Springfield, IL 62703.
- C. Jurisdiction:
 1. These requirements Shall be met by any property use associated with automotive repair or the handling, sale or dispensing of petroleum products and/or automotive fluids, where any water main, Wastewater

or Stormwater facility is under the jurisdiction of the Village, regardless of whether or not such property lies within the corporate limits of the Village.

2. The requirements of this Section 8-2-3-10 Shall not be applied to existing property uses except that whenever a permit Shall be required for new construction or reconstruction of a property use associated with automotive repair or the handling, sale or dispensing of petroleum products and/or automotive fluids, involving placement, replacement, reconfiguration, removal or modification of any fueling area, or a Discharge has occurred that does not meet the Local Limits, or a blockage has been caused or contributed to, compliance with the provisions of Section 8-2-3-8 Shall be required.

8-2-3-11 Amalgam Management at Dental Offices

A. Applicability.

1. Except as provided in paragraphs 3, 4, and 5 of this section, this part applies to Dental Dischargers as defined in Section 8-2-1-7.
2. Dental Dischargers subject to this part are not Significant Industrial Users as defined in 40 CFR Part 403, and are not Categorical Industrial Users or industrial users subject to Categorical Pretreatment Standards as those terms and variations are used in 40 CFR Part 403, as a result of applicability of 40 CFR Part 441.
3. This part does not apply to Dental Dischargers that exclusively practice one or more of the following dental specialties: oral pathology, oral and maxillofacial radiology, oral and maxillofacial surgery, orthodontics, periodontics, or prosthodontics.
4. This part does not apply to wastewater discharges from Mobile Units as defined in Section 8-2-1-7 operated by a Dental Discharger.
5. This part does not apply to Dental Dischargers that do not discharge any Amalgam Process Wastewater as defined in Section 8-2-1-7 to a POTW, such as Dental Dischargers that collect all Dental Amalgam Process Wastewater for transfer to a Centralized Waste Treatment facility as defined in 40 CFR Part 437.
6. Dental Dischargers that do not place Dental Amalgam as defined in Section 8-2-1-7, and do not remove amalgam except in limited emergency or unplanned, unanticipated circumstances, and that certify such to the Control Authority as required in 40 CFR Section 441.50 are exempt from any further requirements of this part.

B. Existing Dental Discharger Compliance. Within the shortest reasonable time, but not later than July 14, 2020, any Existing Dental Discharger as defined in Section 8-2-1-7 subject to this section must comply with the requirements of 40 CFR Section 441.30(a) that defines removal of amalgam solids and (b) implementation of two Best Management Practices. Dental Dischargers must file a One-Time Compliance Report per 40 CFR 441.50(a) by October 12, 2020 to the Village and maintain and make available for inspection defined records per 40 CFR Section 441.50(b).

1. If a transfer of an Existing Source occurs after July 14, 2020, the new owner must submit a new One-Time Compliance Report to the Village no later than 90 days after the transfer.

C. New Dental Discharger Compliance. As of July 14, 2017, any New Dental Discharger Source as defined in Section 8-2-1-7 subject to this section must comply with the requirements of 40 CFR Section 441.40 that states discharges must comply with the requirements of 40 CFR Section 441.30(a) that defines removal of amalgam solids and (b) implementation of two Best Management Practices. Dental Dischargers must file a One-Time Compliance Report per 40 CFR Section 441.50(a) to the Village no later than 90 days

following the introduction of wastewater into the POTW and maintain and make available for inspection defined records per 40 CFR Section 441.50(b).

1. If a transfer of a New Source occurs after July 14, 2017, the new owner must submit a new One-Time Compliance Report to the Village no later than 90 days after the transfer.
- D. Limited Dental Dischargers. Limited Dental Dischargers must file with the Village a One-Time Compliance Report with certification that they do not remove dental amalgam except in limited emergency or unplanned, unanticipated circumstances by October 12, 2020 for Existing Sources and within 90 days following the introduction of wastewater for New Sources.
- E. Signatory Requirements. The One-Time Compliance Report must be signed and certified by a responsible corporate officer, a general partner or proprietor if the dental discharger is a partnership or sole proprietorship, or a duly authorized representative in accordance with the requirements of 40 CFR Section 403.12(j) and Section 8-2-1-7 under Authorized Representative (5) and (6).

8-2-4: INFORMATION REQUIRED OF NON-RESIDENTIAL USERS

8-2-4-1 Initial Survey (Questionnaire)

- A. The Initial Survey shall be completed in order to ensure that said Users of the POTW of the Village adhere to and comply with the restrictions and prohibitions set forth in Section 8-2-5-2 of this chapter pertaining to Prohibited Discharges into the POTW of the Village, and to facilitate the Village Engineer's investigation of apparent or suspected violations thereof. The requirements are as follows:
1. All existing or new Non-Residential users, or in areas receiving sewer service from the Village, shall complete and submit an Initial Survey on a form provided by the Village when requested by the Village.
 2. All Users defined in subsection A1 of this section seeking to establish a new account for Sanitary Sewer service from the Village or to establish a new connection to the POTW of the Village shall file a completed Initial Survey with the Village as a condition to the establishment of such new Sanitary Sewer service account or connection to the POTW of the Village.
 3. All Users defined above that fail to complete and submit to the Village an Initial Survey shall be in violation of the provisions of the provisions of this section and shall be subject to all of the applicable penalties thereof, including, but expressly not limited to, the revocation of all permits and approvals previously granted to the commercial or Industrial User in question for the Discharge of Sewage or Wastewater into the POTW of the Village.

B. Food Service Establishment (FSE) Survey

The Initial FSE Survey shall ensure that Food Service Establishments using the POTW of the Village adhere to and comply with the restrictions and prohibitions pertaining to Pretreatment Standards of wastes Discharged into the POTW of the Village set forth in Section 8-2-3-9 of this chapter and to control spill of raw materials, intermediates and waste as set forth in Section 8-2-6-3 of this chapter, and shall facilitate the Village's investigation of apparent or suspected violations thereof. The requirements for the Initial FSE Survey are as follows:

1. All existing or new FSE's, including those in areas receiving Sewer Service from the Village, shall complete and submit an Initial FSE Survey on a form provided by the Village when requested by the Village.
2. The Initial FSE Survey shall cover at a minimum information that includes a description of processes, kitchen fixtures, water usage and Wastewater characteristics, plus grease usage and management for the facility. This information will be required to be submitted and will be evaluated by the Village for determination of the requirement to issue a General FSE Discharge Permit or FSEP per Section 8-2-8-2.C of this chapter.
3. All new FSE's that establish a new account for Sanitary Sewer Service or those that transfer an existing FSE account in the Village shall file a completed Initial FSE Survey with the Village as a condition to the establishment of such new or transferred Sanitary Sewer Service account or connection to the POTW of the Village.
4. The Initial Survey shall contain a statement affirming the truth, completeness and correctness of information submitted signed by an Authorized Representative of the User as defined in Section 8-2-1-7 of this chapter. In the event that the Village obtains the information through a site inspection(s) but the Initial Survey is not signed by an Authorized Representative, the Village may proceed to determine classification and permit as appropriate based on the information obtained at the site.

5. All Users defined above that fail to complete and submit to the Village an Initial Survey within thirty (30) calendar days of notice by the Village shall be in violation of the provisions of this Division (Section 8-2-4-1.A of this chapter) and shall be subject to all of the applicable penalties thereof, including but expressly not limited to the revocation of all permits and approvals previously granted to the User in question for the Discharge of Sewage or Wastewater into the POTW of the Village.
6. The Village may require an update to the Initial Survey in the event of blockages and violations of the Village code.

8-2-4-2 Affirmation to Initial Survey

- A. The Village shall determine based on building, zoning and occupant usage whether the User shall be required to file an Affirmation of Survey. The Users status will be defined by the Village after review of the Initial Survey submitted as required in Section 8-2-4-1 of this chapter.
- B. Any User, defined in Section 8-2-4-1 of this chapter, having filed an Initial Survey where the information remains true, complete and correct in all respects may be required to submit a statement that the information remains current as part of a discharge permit application process.
 1. The statement is required to be signed by an Authorized Representative of the firm.
 2. The statement will be due not later than January 31 of each year required.
 3. All Users defined above that fail to file an Affirmation with the Village shall be in violation of the provisions of this section and shall be subject to all of the applicable penalties thereof, including but expressly not limited to the revocation of all permits and approvals previously granted to the commercial or Industrial User in question for the Discharge of Sewage or Wastewater into the POTW of the Village.

8-2-4-3 Reports of Changed Conditions

- A. Any User, defined in Section 8-2-4-1 of this chapter, that makes any changes determined to be substantial as defined in Section 8-2-9-6 of this chapter shall report said changes as required in Section 8-2-9-6 of this chapter. Reports of changed conditions are required to be made prior to the change. The User may be required to file an updated survey as a result of changed conditions.

8-2-4-4 Additional Survey Information

- A. After review of the Initial Survey completed per Section 8-2-4-1 of this chapter, all Non-Residential Users that have the potential to be defined a Significant Industrial User or permitted under Sections 8-2-7 and 8-2-8 of this chapter shall be required to complete and file a more detailed Wastewater Survey on a form provided by the Village. At a minimum, a description of processes, water usage and Wastewater characteristics for the facility will be required to be submitted. This information will be evaluated by the Village for determination of the requirement to issue a Wastewater Discharge Permit per Sections 8-2-7 and 8-2-8 of this chapter.
- B. The information provided in the Wastewater Survey may be required to be revised and/or updated for the following conditions:
 1. A Report of Changed Conditions is filed as required in Section 8-2-9-6 of this chapter,
 2. An application for a Wastewater Discharge Permit is required to be filed per Sections 8-2-7 and 8-2-8

of this chapter, or

3. A re-issuance of a Wastewater Discharge Permit occurs per Section 8-2-8-7 of this chapter.
- C. In addition to the Wastewater Survey defined in Section 8-2-4-1 of this chapter, Categorical Industrial Users may be required to complete a category specific survey that identifies sub-processes and processes performed at the site in order to define which sub-processes and processes are regulated by an USEPA Effluent Guideline category.

8-2-5: General Discharge Requirements

8-2-5-1 *Applicability*

- A. It shall be unlawful to Discharge or cause to be Discharged to any facility served by the Village, without having first complied with the terms of this chapter.
- B. Users must meet the most stringent applicable requirements and limitations at all times either as set forth in this chapter, or in individual or general Wastewater Discharge Permits, Federal Pretreatment standards as established by 40 CFR Part 403, or State of Illinois standards as codified in 35 Illinois Administrative Code 307. Said users shall provide the necessary Wastewater treatment to achieve compliance with all National Categorical Pretreatment Standards and requirements within the time limitations as specified by the Federal Pretreatment Regulations, and with any other Pretreatment Standards including Local Limits and requirements, by applicable deadlines.
- C. Each FSE shall provide Wastewater Pretreatment and implement Best Management Practices as necessary to comply with this code and shall achieve compliance with all Local Limits and the prohibitions set out in Sections 8-2-5-5 and 8-2-5-2, respectively, of this chapter within the time limitations specified by the Pretreatment Coordinator.

8-2-5-2 *Prohibited Discharge Standards*

These general prohibitions apply to all Users of the POTW whether or not they are subject to a Categorical Pretreatment Standard or any other National, State or local Pretreatment Standards or Requirements.

- A. No User shall contribute or cause to be contributed, directly or indirectly to the POTW, any Pollutant or Wastewater contaminant which will cause Pass Through, cause Interference with, inhibition of, or Upset to the operation of the POTW;
- B. No User shall increase the use of potable or process water, or in any other way, attempt to dilute a Discharge as a partial or complete substitute for adequate treatment in order to achieve compliance with a Pretreatment Standard or requirement except where expressly authorized to do so by an applicable Categorical Pretreatment Standards or Requirements; and
- C. No User shall contribute, or cause to be contributed, either directly or indirectly, any of the following described Pollutants, substances or Wastewater into the POTW:
 - 1. Any Unpolluted Water including, but not limited to, uncontaminated non-contact Cooling Water, storm-water, surface and ground-waters, subsurface drainage, roof run-off, spill contaminant area run-off, footing drains or construction drainage except as specifically permitted by the Pretreatment Coordinator;
 - 2. Any Pollutants which by reason of their nature or quantity, are or may be sufficient, either alone or by interaction, to cause safety hazards, fire or explosion or be injurious in any other way to the facilities or personnel of the Village, or to the operation of Village POTW. Materials considered in this regard are those with a closed cup flashpoint of less than one hundred forty degrees Fahrenheit (140° F) or sixty degrees Celsius (60° C) using the test methods specified in 40 CFR Section 261.21;
 - 3. Any solid, solid waste or viscous substance that will cause obstruction to the Flow in a sewer or the POTW, or other Interference to the operation of the POTW. Prohibited materials include but are not limited to: grease, GI wastes, Garbage with particles greater than one-half (1/2") in any direction, animal guts or tissues, paunch manure, bones, hair, hides or fleshings, entrails, whole blood, feathers,

ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains or hops, paper, wood, plastics, residues from gas, tar or asphalt, residues from refining or processing of fuel or lubricating oils, mud or glass grinding or polishing waste, fatty acids or esters of fatty acids, or any material which can be disposed of as trash;

4. Any noxious or malodorous solids, liquids, or gases or other Wastewater, which either singly or by their interaction are capable of creating a public nuisance or hazard to life, or to interfere with, inhibit or Upset any operation of POTW, including but not limited to, prevention of entry into sewers for their maintenance and repair;
5. Pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems or which necessitates the Village taking special measures to counteract and/or alleviate the impact of the Pollutant(s);
6. Any Wastewater containing substances in sufficient quantity to interfere with the POTW;
7. Any toxic Pollutants in sufficient quantity, either singly or by interaction, to injure, interfere with or Upset any POTW treatment processes or facilities, constitute a hazard to humans or animals, or to exceed limitation as set forth in the existing Act, or the Act as it may be amended;
8. Any Wastewater having a temperature which shall inhibit biological activity or cause Interference in the Village's POTW facilities, but in no case heat in such a quantity that the influent temperature at the POTW will exceed forty degrees Celsius (40° C) (104° F.);
9. Any Wastewater having a pH less than 5.0 or higher than 9.5 or having any other corrosive property capable of causing damage or hazard to structures, equipment or personnel in the POTW. The pH limits shall be met at all times, and are not subject to averaging;
10. Any Pollutant, including oxygen demanding Pollutants, released in a Discharge at a Flow rate and/or Pollutant concentration (including any Slug Load), either singly or by interaction with other Pollutants which may cause Interference with, inhibit, or Upset the POTW;
11. Any wastes containing detergents, surface active agents or other substances which may cause excessive foaming in the POTW. Wastes prohibited in this section shall not be processed or stored in such a manner that they could be Discharged to the POTW;
12. Petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin in amounts that will cause Interference or Pass Through;
13. Any Wastewater containing any organism, including viruses, considered pathogenic and/or detrimental to POTW organisms other than by direct excrement and any other wastes defined as Medical Waste;
14. Any Wastewater containing any radioactive wastes or isotopes, except in compliance with Village, State and Federal rules governing such Discharges;
15. Wastewater or wastes containing iron pickling wastes or concentrated plating solutions whether neutralized or not;
16. Any leachate, groundwater remediation Wastewater or waste material, originating within the POTW service area, which does not meet Discharge limitations as set forth in this chapter or determined by this chapter except at Discharge points designated by the Pretreatment Coordinator;
17. All trucked or Hauled Waste except at Discharge points designated by the POTW. All such wastes are to be individually approved and permitted by the Village as set forth in this chapter prior to Discharge;
18. Any Biosolids, screenings or other residues from the Pretreatment of non-residential wastes;

19. Any solid, solid waste or viscous substances that have caused an obstruction to the Flow in a sewer that is eliminated by a professional service or contractor;
 20. Inert suspended solids (such as, but not limited to Fullers earth, lime slurries and lime residues) or of dissolved solids (such as, but not limited to sodium chloride and sodium sulfate) that Upset or Interfere with POTW operations;
 21. Any substance with color which is not removed in the treatment processes, such as, but not limited to: dye waste, ink waste and vegetable tanning solutions;
 22. Any substances that inhibit the use of UV for disinfection purposes;
 23. Wastewater or wastes containing substances which are not amenable to treatment or reduction by the POTW treatment processes employed, or are amenable to treatment only to such degree that the POTW effluent cannot meet the requirements of agencies having jurisdiction over Discharge to the receiving waters;
 24. Any substance or combination of substances which shall cause the POTW to be in violation of its NPDES permit(s), or to cause the Village's POTW to violate receiving stream water quality and/or general effluent Discharge standards;
 25. Any Wastewater causing the POTW effluent to fail a toxicity test;
 26. Any substance which may cause the Village's POTW effluents or Biosolids, to be unsuitable for reclamation and re-use, or interfere with the reclamation processes. In no case shall a substance Discharged to the Village's POTW cause the Village to be in noncompliance with any Biosolid use or disposal regulations developed under Section 405 of the Act; or any regulations affecting Biosolid use or disposal developed pursuant to the Resource Conservation and Recovery Act, Solids Waste Disposal Act, Toxic Substance Control Act, or any State or local standards applicable to any Biosolid management methods either being used, or considered by the Village;
 27. Ammonia nitrogen in amounts that would cause a violation of the Water Quality Standards of the receiving waters of the POTW; or
 28. Additives for the purpose of emulsifying or biologically/chemically treating FOG for grease remediation or as a supplement to Interceptor maintenance that have a content of enzymes, surfactants or solvents that is greater than ten percent (10%) of the volume without the written consent of the Pretreatment Coordinator;
 29. Any waste containing items that could clog or damage the Village's sanitary sewers, pump stations or POTW operation including but not limited to the following items: disposable wipes, personal care wipes and products, antibacterial wipes, feminine care products, diapers, baby wipes, wet/dry cleaning cloths, rags, paper towels, napkins, string, zip ties, laundry dryer sheets, and any plastic products.
- D. Wastes prohibited in this section shall not be processed or stored in such manner that they could be Discharged to the POTW. All Users with prohibited wastes in this Section or those that have Hazardous Wastes as defined in Section 8-2-9-9 of this chapter shall develop and implement a Spill Prevention/Slug Control Containment and Countermeasures Plan consistent with the requirements in Section 8-2-6-3 of this chapter. Notice Requirements shall be permanently posted as provided in Section 8-2-9-7, "Reports of Potential Problems", of this chapter.
- E. Requirements of Polluted Discharges - Discharge Locations:
1. Discharge of Polluting Substances From Fixtures into Storm Sewers Prohibited. It Shall be unlawful for any Person or User to connect or cause to be connected, any drain carrying, or to carry, any toilet, sink, basement, septic tank, cesspool, Industrial Waste, or any fixture or device discharging polluting

substances, to any Storm Sewer or storm water drainage system within the corporate limits of the Village.

2. Discharge of Sanitary and Industrial Waste into Storm Drainage Systems Prohibited, Nuisance Declared. For reasons of the protection of the health, safety and welfare of the inhabitants of the Village, is the declared policy of the Village to prohibit sanitary and Industrial Waste from entering into the storm water drainage system, and any such connection to the storm water drainage system is determined to be injurious to the public health and welfare and is hereby declared a public nuisance.
3. Prohibited Discharges into Natural Outlets. It Shall be unlawful to Discharge into any Natural Outlet within the Village or in any area under the jurisdiction of the Village, any sanitary Sewage, Industrial Wastes or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this chapter and the required permits have been obtained.

F. Requirements of Unpolluted Discharges

1. Discharge of Sump Pumps. A Sump Pump or Sump Pumps must Discharge into a Storm Sewer system; or with the prior written permission of the Director of Public Works (DPW) May Discharge outside a building in an area first approved by the DPW. A shut-off valve or similar device which can divert the unpolluted Discharge from the Sump Pump into the Sanitary Sewer system, rather than into the storm system, or vice versa, Shall not be constructed or installed, and any construction or installation of same Shall be deemed a violation of this chapter. It Shall be prima facie evidence of a violation of this chapter if any Person or User has on his premises or under his control a Sump Pump, or any other pump, fixture, or gravity drain connected to the Sanitary Sewer system which would allow the Flow of Unpolluted Water into the Sanitary Sewer system.
2. Discharge of Unpolluted Drainage into Storm Sewers or Natural Outlets. Storm water and all other unpolluted drainage Shall be Discharged to such sewers as are specifically designated as Storm Sewers, or to a Natural Outlet approved by the DPW. Industrial Cooling Waters or unpolluted process waters May be Discharged, upon approval by the DPW and the IEPA if appropriate, to a Storm Sewer or Natural Outlet.
3. Discharge of Unpolluted Discharges Upon Adjacent Property or Public Streets or Ways Prohibited. It Shall be unlawful for any Person or User to Discharge any storm water, surface water, ground water, roof runoff, or subsurface drainage, including the use of a Sump Pump for such purpose in such manner as to cause waters to overflow onto adjacent property or to be Discharged upon any public street or public way.

8-2-5-3 National Categorical Pretreatment Standards

These Pretreatment requirements shall apply to all Non-Residential Users subject to National Categorical Pretreatment Standards, promulgated by the USEPA in accordance with Section 307(b) and (c) of the Act, currently discharging or scheduled to Discharge to the Village. The National Categorical Pretreatment Standards, found in 40 CFR Chapter 1, Subchapter N, Parts 405 – 471 are hereby incorporated into this chapter.

Limits in Categorical Pretreatment Standards shall apply to the Discharge from the process regulated by the standard or as otherwise specified by the standard. Compliance with National Categorical Pretreatment Standards is mandatory.

- A. Where a Categorical Pretreatment Standard is expressed only in terms of either the mass or the concentration of a Pollutant in Wastewater, the Pretreatment Coordinator may impose equivalent concentration or mass limits in accordance with paragraphs B and E below and 40 CFR Section 403.6(c) unless specifically restricted by the categorical standard. These equivalent limitations calculated in accordance with the following requirements are deemed Pretreatment Standards. Users shall be required

to comply with the equivalent limitations instead of the promulgated Categorical Standards from which the equivalent limitations were derived. An alternative Pretreatment limit shall not be used if the alternative limit is below the analytical detection limit for any of the regulated Pollutants.

- B. When the limits in a Categorical Pretreatment Standard are expressed only in terms of mass of Pollutant per unit production, the Village Engineer may convert the limits to equivalent limitations expressed either as mass of Pollutant Discharged per day or effluent concentration for purposes of calculating effluent limitations applicable to individual Users (see 40 CFR Section 403.6(c)(2)).

The Village Engineer, in calculating equivalent mass-per-day limitations, shall calculate such limitations by multiplying the limits in the standard by the User's average rate of production. This average rate of production shall be based not upon the designed production capacity, but rather upon a reasonable measure of the User's actual long-term daily production during a representative year. For New Sources, actual production shall be estimated using projected production.

The Village Engineer, in calculating equivalent concentration limitations, shall calculate such limitations by dividing the mass limitations by the average daily Flow rate of the User's regulated process Wastewater. This average daily Flow rate must be based upon a reasonable measure of the User's actual long-term average Flow rate, such as the average daily Flow rate during the representative year.

- C. When Wastewater subject to a Categorical Pretreatment Standard is mixed with Wastewater not regulated by the same standard, Pretreatment Coordinator shall impose an alternate limit using the Combined Waste Stream Formula in 40 CFR Section 403.6(e) provided that the regulation allows the Wastewaters to be mixed and the User can supply the information necessary to issue an alternative limit.
- D. A User may request a variance from Categorical Pretreatment Standards from USEPA based on fundamentally different factors. The request must comply with the procedural and substantive provisions in 40 CFR Section 403.13.
- E. When a Categorical Pretreatment Standard is expressed only in terms of Pollutant concentrations, a User May request that the Village convert the limits to equivalent mass limits (see 40 CFR Section 403.6(c)(5)). The determination to convert concentration limits to mass limits is within the discretion of the Pretreatment Coordinator. The Village May establish equivalent mass limits only if the User meets all the conditions set forth in Sections 1(a) through 1(e) below.

1. To be eligible for equivalent mass limits, the User must:

- a) Employ, or demonstrate that it will employ, water conservation methods and technologies that substantially reduce water during the term of its individual Wastewater Discharge Permit;
- b) Currently use control and treatment technologies adequate to achieve compliance with the applicable Categorical Pretreatment Standard, and not have used dilution as a substitute for treatment;
- c) Provide sufficient information to establish the facility's actual average daily Flow rate for all wastestreams, based on data from a continuous effluent Flow monitoring device, as well as the facility's long-term average production rate. Both the actual average daily Flow rate and the long-term average production rate must be representative of current operating conditions;
- d) Not have daily Flow rates, production levels, or Pollutant levels that vary so significantly that equivalent mass limits are not appropriate to control the Discharge; and
- e) Have consistently complied with all applicable Categorical Pretreatment Standards during the period prior to the User's request for equivalent mass limits.

2. A User subject to equivalent mass limits must:

- a) Maintain and effectively operate control and treatment technologies adequate to achieve compliance with the equivalent mass limits;
- b) Continue to record the facility's Flow rates through the use of a continuous effluent Flow monitoring device;
- c) Continue to record the facility's production rates and notify the Pretreatment Coordinator whenever production rates are expected to vary by more than 20 percent from its baseline production rates determined in paragraph 1(c) of this Section. Upon notification of a revised production rate, the Pretreatment Coordinator will reassess the equivalent mass limit and revise the limit as necessary to reflect changed conditions at the facility; and
- d) Continue to employ the same or comparable water conservation methods and technologies as those implemented pursuant to paragraph 1(a) of this Section so long as it Discharges under an equivalent mass limit.

3. When developing equivalent mass limits, the Pretreatment Coordinator:

- a) Will calculate the equivalent mass limit by multiplying the actual average daily Flow rate of the regulated process(es) of the User by the concentration-based Daily Maximum and Monthly Average Standard for the applicable Categorical Pretreatment Standard and the appropriate unit conversion factor;
- b) Upon notification of a revised production rate, will reassess the equivalent mass limit and recalculate the limit as necessary to reflect changed conditions at the facility; and
- c) May retain the same equivalent mass limit in subsequent individual Wastewater Discharge Permit terms if the User's actual average daily Flow rate was reduced solely as a result of the implementation of water conservation methods and technologies, and the actual average daily Flow rates used in the original calculation of the equivalent mass limit were not based on the use of dilution as a substitute for treatment pursuant to Section 8-2-5-2.B of this chapter. The User must be in compliance with Section 8-2-16-3 regarding the prohibition of Bypass.

- F. The Pretreatment Coordinator May convert the mass limits of the Categorical Pretreatment Standards of 40 CFR Parts 414, 419 and 455 to concentration limits for purposes of calculating limitations applicable to individual Users. The conversion is at the discretion of the Pretreatment Coordinator.
- G. Once included in its Wastewater Discharge Permit, the User must comply with the equivalent limitations developed in this Section in lieu of the promulgated Categorical Pretreatment Standards from which the equivalent limitations were derived.
- H. Many Categorical Pretreatment Standards specify one limit for calculating Maximum Daily Discharge limitations and a second limit for calculating Maximum Monthly Average, or 4-day Average, limitations. Where such Standards are being applied, the same production or Flow figure Shall be used in calculating both the average and the maximum equivalent limitations.
- I. Any User operating under a permit incorporating equivalent mass or concentration limits calculated from a production-based Standard Shall notify the Pretreatment Coordinator with two (2) business days after the User has a reasonable basis to know that the production level will significantly change within the next calendar month. Any User not notifying the Pretreatment Coordinator of such anticipated change will be required to meet the mass or concentration limits in its permit that were based on the original estimate of the long term average production rate.

All Users that are subject to National Categorical Pretreatment Standards are required to file reports as required in Section 8-2-9-2 and Subsection 8-2-9-3.B of this chapter, signed by an Authorized Representative. These reports shall include all information that the Village deems necessary to make compliance determinations.

8-2-5-4 State Limits

- A. All Users are subject to State Standards and requirements as defined in 35 Illinois Administrative Code (IAC) 307. Specifically, the standard for Discharge of mercury is as follows:

1. Mercury (35 IAC 307.1102)

- a) Except as provided below, no Person shall cause or allow the concentration of mercury in any Discharge to a publicly owned or publicly regulated sewer system to exceed the following level, subject to the averaging rule contained in 35 IAC 304.104(a):

CONSTITUENT	STORET NUMBER	CONCENTRATION
Mercury	71900	mg/l 0.0005

- b) It shall be an exception to subsection a) if the Discharge is to a publicly owned or publicly regulated sewer system which is required to meet a limitation less stringent than the 0.0005 mg/l mercury concentration in which case the Discharge limitation shall be the same as that applicable to the publicly owned or regulated sewer system to which it Discharges.
- c) It shall be an exception to subsection a) if all the following conditions are met:
- 1) The Discharger does not use mercury; or, the Discharger uses mercury and this use cannot be eliminated; or, the Discharger uses mercury only in chemical analysis or in laboratory or other equipment and takes reasonable care to avoid contamination of Wastewater; and,
 - 2) The Discharge mercury concentration is less than 0.003 mg/l, as determined by application of the averaging rules of 35 IAC 304.104(a); and,
 - 3) The Discharger is providing the best degree of treatment consistent with technological feasibility, economic reasonableness and sound engineering judgment. This may include no treatment for mercury; and,
 - 4) The Discharger has an inspection and maintenance program likely to reduce or to prevent an increase in the level of mercury Discharges.
- d) The Discharge of wastes from medicinal or therapeutic use of mercury, exclusive of laboratory use, shall be exempt from the limitations of subsection a) if all the following conditions are met:
- 1) The total Discharge is less than 227 g (one half pound) as mercury (Hg) in any year;
 - 2) This Discharge is to a Public Sewer system; and
 - 3) The Discharge does not, alone or in conjunction with other sources, cause the effluent from the sewer system or treatment plant to exceed 0.0005 mg/l of mercury.
- e) No Person shall cause or allow any Discharge of mercury to a publicly owned or publicly regulated sewer system which, alone or in combination with other sources, causes a violation by the sewer treatment plant Discharge of the Water Quality Standard of 35 IAC 302 for mercury applicable in the receiving stream.
- f) For purposes of permit issuance the IEPA may consider application of the exception of subsection A.1.b or A.1.c to determine compliance with this Section. The IEPA may impose permit conditions necessary or required to assure continued application of the exception. When

subsection A.1.b or A.1.c applies, the IEPA may impose an effluent limitation in the permit which allows the Discharge of a concentration of mercury greater than 0.0005 mg/l but not more than 0.003 mg/l.

8-2-5-5 Local Limits

The following Pollutant limits are established to protect against Pass Through and Interference.

A. Non-Toxic Limits for Discharge

No User should Discharge any Wastewater containing concentrations greater than the Local Limits as set forth in Section 8-2A-2-1 of this chapter into any Sewers that connect either directly or indirectly to the POTW.

B. Toxic Pollutants

No User should Discharge any Wastewater containing concentrations greater than the Local Limits as set forth in Section 8-2A-2-2 of this chapter into any sewers that connect either directly or indirectly to the POTW.

C. The Village will apply the Local Limits found in Sections 8-2-5-5 A. and B. above normally at the end-of-pipe point where the Non-Residential waste is Discharged to the municipal sewer system.

D. Quantities and Rates of Discharge: The Village reserves the right to establish requirements, by ordinance or in a Wastewater Discharge Permit or General Permit, to require control over the quantities and rates of Discharge from any User.

E. Mass Limitations On Discharges: The Village reserves the right to establish, by ordinance or in a Wastewater Discharge Permit, mass limitations rather than concentration limitations on Discharges particularly if Users are using dilution to meet applicable Pretreatment Standards and requirements, or in other cases when the imposition of mass limitations is appropriate.

F. The Village reserves the right to set specific limits for those Pollutants not identified in Section 8-2A-2-1 or 8-2A-2-2 on a case by case basis for impacts caused to the POTW including but not limited to Interference, Upset, Pass Through and prevention of beneficial Biosolids re-use. Those limits shall be set forth in a Wastewater Discharge Permit per Section 8-2-8 of this chapter.

1. Local Limits for additional Pollutants not identified in Section 8-2A-2-1 or 8-2A-2-2 will be noticed to the permit holder a minimum of 30 days prior to the effective date of the Wastewater Discharge Permit. In the event that the Village receives written comment on said limit during the comment period, the limit will take effect within 60 days of the public notice date to allow review and comment by the Village.

G. The Village may develop Best Management Practices (BMPs), by ordinance or in individual Wastewater Discharge Permits or General Permits, to implement Local Limits and the requirements of Section 8-2-5-2.

H. Any User, whose Discharge may be pretreated or treated more effectively and which Discharges to the Village's facilities that cause the Village's alteration of its method of Wastewater treatment or Biosolid disposal to a more costly method, Shall be assessed the differential cost between the more costly method of treatment and the less costly method of treatment. Such costs Shall only be assessed upon approval of the Village Board.

8-2-5-6 Right of Revision

The Village reserves the right to establish, by ordinance or in wastewater discharge permits, more stringent limitations or requirements on discharges to the POTW.

8-2-5-7 Sampling Facilities

A. Applicability.

1. All Non-Residential Users may be required to install a monitoring manhole for each separate Discharge in the Building Sewer in accordance with the plans and specifications approved by the Village Engineer and Section 8-2-3-6 A.1 of this chapter.
 - a. When required by the Village, a SIU or NSRU, that does not have a unique sampling chamber at end-of-pipe, Shall install a monitoring manhole or sampling chamber for use as the regulation location of Local Limits in the Building Sewer in accordance with plans and specifications approved by the Village.
 - b. When required by the Village Engineer, a Categorical Industrial User shall install a monitoring manhole or sampling chamber for the regulation location of the categorically regulated Discharge in the Building Sewer in accordance with plans and specifications approved by the Village. This sampling chamber may be required to be installed within the building and may be in addition to an end-of-pipe manhole.
2. The Village reserves the right to apply said Local Limits in Section 8-2-5-5 at an end-of process Discharge location that connects to the POTW sewer system in the event that:
 - a. A unique sampling manhole at end-of-pipe is not available;
 - b. A more representative sample can be taken of a process batch discharge even though an end-of-pipe manhole exists;
 - c. A more representative sample can be taken at the end-of-process location than the end-of-pipe location as a result of impacts from dilute wastestreams;
 - d. An end-of process location is used because the IU is unable to provide adequate flow documentation to use a combined wastestream formula.
3. In the event that a suitable sampling facility does not exist, the “sampling manhole” shall be considered to be either the nearest downstream manhole in the Public Sewer to the point at which the Building Sewer is connected or the point of process Wastewater Discharge is accessible by the Village.

B. Wastewater Monitoring and/or Flow Facility Operation and Maintenance

1. Such facilities will be installed and maintained at all times at the User’s expense. The failure of a User to keep its monitoring facility in good working order shall not be grounds for the User to claim that the sample results are unrepresentative of its Discharge. Installation will be consistent with the requirements of Section 8-2-3-6 of this chapter.
2. The manhole or chamber located on a Building Sewer Discharge shall be easily accessible to authorized representatives of the Village twenty-four (24) hours per day, seven (7) days per week and shall be located in dedicated Easements.
3. The manhole or chamber for a Categorical Industrial User or Discharge location within the building shall be accessible to authorized representatives of the Village during normal operating hours.
4. Metered water supply may be used to determine Wastewater Flow if it is substantiated to the Village that the metered water supply and Wastewater quantities are approximately the same, or where an adjustment agreed to by the Village Board of Trustees is made in the metered water supply to determine Wastewater Flow. In the event that the Wastewater Flow cannot be substantiated at any regulated

location, the User will be required to install Flow monitoring consistent with Section 8-2-3-6 A.2 of this chapter.

5. The sampling chamber, Flow metering device, sampling equipment and documentation of the frequency of sampling, sampling methods and analysis of samples shall be subject, at any reasonable time, to inspection by the Village Engineer.

8-2-5-8 Monitoring Requirements

A. Applicability

At minimum, all Significant Industrial Users (SIU) including Categorical Industrial Users (CIU) as well as Non-Significant Regulated Users (NSRU) are required to sample based on the Village monitoring frequency stated in the Wastewater Discharge Permit. Other Users are required to sample upon the request of the Village Engineer. The Users shall pay the costs of sampling of its Discharge and the costs of analyses of its samples, whether or not the sampling and analyses are done by the User or by the POTW.

B. Frequency

1. All SIUs including CIUs with Wastewater Discharge Permits must sample their effluent consistent with the permit requirements and report the results to the POTW at least twice yearly. The Village may specify more frequent reporting, quarterly or monthly, dependent of the frequency for those parameters specified in the User's Permit and the Village Monitoring Frequency defined in the Village's Enforcement Response Plan. The SIU may have the Village conduct routine monitoring using an independent laboratory. Sampling visits of this type will normally be unannounced.
2. Any NSRUs with an individual or general Wastewater Discharge Permit Shall sample their effluent and report the results to the POTW consistent with the requirements of the Wastewater Discharge Permit and the Village Monitoring Frequency.
3. Hauled Waste and batch Discharges that have been approved by the Pretreatment Coordinator will have sampling and analysis as defined in an individual Wastewater Discharge permit.
4. The Village shall have the right to perform its own sampling at any time at any location.
5. The Village may resample a FSE within thirty (30) calendar days when a violation of the twenty-five percent (25%) requirement as defined in Section 8-2A-2-3 is identified.
6. The Village may initiate sampling and analyses at a greater frequency as a result of a violation of any Discharge Permit limit, including cases where hot spot maintenance issues or blockage to the Sanitary Sewer System has occurred.

C. Sample Collection

1. Samples collected to satisfy reporting requirements must be based on data obtained through appropriate sampling and analysis performed during the period covered by the report, based on data that is representative of conditions occurring during the entire sampling and reporting period as defined in the Wastewater Discharge Permit.
2. Except as indicated in Subsections C.3 and C.5 below, the User must collect Wastewater samples using Flow proportional composite collection techniques.

3. In the event Flow proportional sampling is infeasible, the Pretreatment Coordinator may authorize the use of time proportional sampling at minimum collecting samples every 15 minutes during a 24-hour workday; or a minimum of four (4) Grab Samples where the User demonstrates that this will provide a representative sample of the effluent being Discharged. A proportional number of samples shall be collected for Wastewater Discharges less than 24 hours.
4. Single Grab Samples may be required in the event of an infrequent batch Discharge or to show compliance with instantaneous Discharge limits.
5. Samples for Oil and Grease, temperature, pH, cyanide, hexavalent chromium, phenols, sulfides, and volatile organic compounds must be obtained using the number of Grab Samples necessary to assess and assure compliance with applicable Pretreatment Standards and Requirements. Multiple Grab Samples that are individually preserved as specified in 40 CFR 136 and appropriate USEPA guidance that are collected during a 24-hour period may be composited prior to the analysis, as follows:
 - a) For, cyanide, hexavalent chromium, phenols, and sulfides: multiple Grab Samples may be composited in the laboratory or in the field;
 - b) For volatile organics and Oil and Grease: multiple Grab Samples may only be composited in the laboratory.
6. Composite Samples for other parameters unaffected by the compositing procedures as documented in approved EPA methodologies may be authorized by the Village, as appropriate.

D. Cost

The cost of Village sampling and analysis for any monitoring will be invoiced to the applicable User.

8-2-5-9 Analytical Requirements

All Pollutant analyses, including sampling techniques, to be submitted as part of a Wastewater Discharge Permit application or report shall be performed in accordance with the techniques prescribed in 40 CFR Part 136, unless otherwise specified in an applicable Categorical Pretreatment Standard. If 40 CFR Part 136 does not contain sampling or analytical techniques for the Pollutant in question, or where the USEPA determines that the Part 136 sampling and analytical techniques are inappropriate for the Pollutant in question, sampling and analyses shall be performed using validated analytical methods or any other applicable sampling and analytical procedures, including procedures suggested by the Pretreatment Coordinator or other parties approved by USEPA.

8-2-5-10 Protection of Village Sampling and Flow Metering Equipment From Damage

No unauthorized Person shall maliciously, willfully, or negligently break, damage, destroy, or tamper with any structure, appurtenance, or equipment which is owned or contracted by the Village. Any Person violating this provision shall be subject to immediate arrest under charge of disorderly conduct.

8-2-6: PRETREATMENT OF WASTEWATER

8-2-6-1 *Pretreatment Facilities*

Each User that Discharges Non-Residential Source waste shall provide Wastewater treatment and Best Management Practices as necessary to comply with this chapter and shall achieve compliance with all Categorical Pretreatment Standards, Local Limits, and the prohibitions set out in Section 8-2-5 of this chapter within the time limitations specified by USEPA, the State, or the Pretreatment Coordinator, whichever is more stringent.

Any Pretreatment facilities necessary for compliance shall be provided, operated, and maintained at the User's expense. Detailed plans describing such facilities and operating procedures shall be submitted to the Pretreatment Coordinator for review, and shall be acceptable to the Pretreatment Coordinator before such facilities are constructed. The review of such plans and operating procedures shall in no way relieve the User for the responsibility of modifying such facilities as necessary to produce a Discharge acceptable to the Village Engineer under the provisions of this chapter.

All Users are required to comply with IEPA permitting requirements. Users shall obtain all necessary construction-operating permits from the IEPA prior to the Village connection and/or Discharge Permit(s) being issued. IEPA will make the determination of actual permitting requirements based on changes in the Wastewater volume or characteristics generated at the User site. The Village will track and parallel this IEPA permitting process. No sources of non-residential Wastewater will be allowed to Discharge to Village POTW until all permitting requirements have been satisfied. Such Pretreatment facilities shall be under the control and direction of an IEPA-certified Wastewater operator.

Any subsequent changes in the Pretreatment facilities or method of operation shall be reported to the Village and IEPA prior to the User's initiation of the changes. Users shall obtain all additional construction-operating permits from IEPA and the Village for the changes prior to Discharge.

8-2-6-2 *Additional Pretreatment Measures*

At minimum, the Village may require the additional Pretreatment measures defined below. The Village reserves the right to make unannounced inspections of any additional Pretreatment measures during normal business hours whether the User has been issued an individual or general Wastewater Discharge Permit or not.

- A. Whenever deemed necessary, the Pretreatment Coordinator may require Users to restrict their Discharge during peak Flow periods, designate that certain Wastewater be Discharged only into specific sewers, relocate and/or consolidate points of Discharge, separate Sewage waste streams from Industrial Waste streams, and such other conditions as may be necessary to protect the POTW and determine the User's compliance with the requirements of this chapter.
- B. The Pretreatment Coordinator may require any Person or User discharging into the POTW to install and maintain, on their property and at their expense, a suitable storage and Flow-control facility to ensure equalization of Flow. The Village may issue an individual or general Wastewater Discharge Permit solely for Flow equalization.
- C. Users with the potential to Discharge flammable substances may be required to install and maintain an approved combustible gas detection meter.

8-2-6-3 Accidental Discharge / Slug Control Plan

At minimum, all permitted Non-Residential Users are required to develop and implement an Accidental Discharge / Slug Control Plan hereafter referred to a Spill Plan. At least once every two (2) years the Pretreatment Coordinator shall evaluate whether each Significant Industrial User needs a revision to its Spill Plan. The Pretreatment Coordinator may require any User to submit such Spill Plan or require modification of an existing Spill Plan based on changes that have occurred at the site or in response to an incident that had the potential to impact the POTW. In alternate years, the Pretreatment Coordinator shall evaluate whether each Non-Significant Regulated User is required to file a revision to its Spill Plan based on changes that have occurred at the site or in response to an incident that had the potential to impact the POTW. Review of such plans and operating procedures by the Village Engineer shall not relieve the User from the responsibility to modify the User's facility or Spill Plan as necessary to meet all requirements of this chapter. Review by the Village does not constitute an approval of a Spill Plan and the Village and its designee(s) are not to be construed as responsible for the actions of the User and any impacts the User may cause as a result of a spill or Slug Load. An Accidental Discharge / Slug Control Plan shall address, at a minimum, the following:

- A. Description of Discharge practices, including non-routine batch Discharges;
- B. Description of stored chemicals, including quantity of chemicals and type and number of storage containers;
- C. Site diagram showing location of all tanks holding greater than or equal to 250 gallons or areas containing 8 drums or more of raw materials, prohibited wastes, hazardous wastes or final product. Identification and location of all liquid materials, as well as locations of drains to the Sanitary Sewer in the vicinity of the storage area(s), is mandatory;
- D. Procedures for immediately notifying the Pretreatment Coordinator of any accidental or Slug Discharge, as required by Section 8-2-9-7 of this chapter;
- E. Location of Notice/Signs posted in conspicuous places advising employees in English and the language of common use whom to call in the event of a spill, accidental Discharge of prohibited materials, Slug Discharge or a Bypass of any part of a Pretreatment system;
- F. Procedures to prevent adverse impact from any accidental or Slug Discharge. Such procedures include, but are not limited to, inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site runoff, worker training, building of containment structures or equipment, measures for containing toxic organic Pollutants, including solvents, and/or measures and equipment for emergency response. Building containment structures or production equipment changes are considered procedures to prevent adverse spills. If containment structures are connected to the Sanitary Sewer, a valve normally left in a closed position is required;
- G. Documentation to ensure that all employees who are in a position to cause, discover, or observe such Discharge are advised of the emergency notification procedures;
- H. Documentation such as logs to verify inspection and maintenance procedures to prevent adverse impacts and confirm that said procedures are being performed on a regular basis must be maintained incorporated. Logs are required to verify valves, if present, are closed in containment structures; and
- I. Emergency telephone number (24-hour) off-site and backup telephone number. If the Spill Plan has been submitted, any change in the telephone numbers should be submitted within five working days when revised.

8-2-6-4 Closure Plan

- A. Any Non-Residential User meeting the requirements of Section 8-2-6-3.A including but not limited to those with Wastewater Discharge Permits that determines it will cease operations permanently, or if some of the processes that classify the User as significant are closed, the User Shall file a written closure plan with the Village. The closure plan shall be submitted 10 working days prior to the initiation of the plan and Shall contain, at a minimum, the following:
1. A description of each Wastewater generating process that will be closed;
 2. A description of how the facility will be closed and the extent of operations during the closure period;
 3. An inventory and estimate of the volume of all process Wastewater, chemicals, and hazardous waste on site. A description of the methods for disposal, including procedures for removing, transporting, treating, storing, or disposing of all waste and identifying all off-site waste management facilities to be used;
 4. A schedule of the closure activities indicating the time required to complete each closure step; and
 5. Additional monitoring scheduled that will identify compliance with Pretreatment Standards during the closure operations.

8-2-7: WASTEWATER DISCHARGE PERMIT APPLICATION

8-2-7-1 Wastewater Information and Analysis

When requested by the Pretreatment Coordinator, a User must submit information on the nature and characteristics of its Wastewater within thirty (30) days of the request. The Pretreatment Coordinator is authorized to prepare a form for this purpose and may periodically require Users to update this information. The Pretreatment Coordinator may also prepare specialized forms for various business types and functions. Information that may be required will be consistent with Section 8-2-5-2 C.17. Hauled Waste is permitted under the provisions in Sections 8-2-7-2 and 8-2-7-8.

8-2-7-2 Wastewater Discharge Permit Authority and Requirements

- A. Individual Wastewater Discharge Permit Issued to Significant Industrial Users (SIUs) Which Includes Categorical Industrial Users (CIUs). No SIU, including any CIU, shall Discharge Wastewater into the POTW without first obtaining an individual Wastewater Discharge Permit from the Pretreatment Coordinator except that a SIU, including any CIU, that has filed a timely application pursuant to this chapter may continue to Discharge for the time period specified therein.
- B. General Wastewater Discharge Permit Issued to SIU and CIU. At the discretion of the Pretreatment Coordinator, the Village may use general Wastewater Discharge Permits to control SIU or CIU Discharges to the POTW if the following conditions are met:
 - 1. Involve the same or substantially similar type of operations;
 - 2. Discharge the same types of waste;
 - 3. Require the same effluent limitations or Best Management Practices;
 - 4. Require the same or similar monitoring and/or reporting requirements; and
 - 5. In the opinion of the Pretreatment Coordinator, are more appropriately controlled under a general permit than under individual Wastewater Discharge Permits.
- C. The Pretreatment Coordinator may require other Users to obtain Wastewater Discharge Permits as necessary to carry out the purposes of this chapter. Any User subject to National Categorical Pretreatment Standards that opts not to Discharge Pollutants shall obtain a Zero Wastewater Discharge Permit issued by the Pretreatment Coordinator. Holders of Wastewater Discharge Permits issued under this section shall not be classified as Significant Industrial Users.
- D. Other Wastewater Discharge Permits. The Pretreatment Coordinator may require other Non-Residential Users to obtain either individual or general Discharge Permits as necessary to carry out the purposes of this chapter. Holders of Wastewater Discharge Permits issued under this section shall not be classified as Significant Industrial Users. Non-Residential Users with Wastewater Discharge Permits in this class may include but are not limited to:
 - 1. Any User that has been determined to be a Non-Significant Categorical Industrial User as defined in Section 8-2-1-7;
 - 2. Any User that has been determined not to be a Significant Industrial User as defined in Section 8-2-1-7 that the Pretreatment Coordinator requires to be regulated by Wastewater Discharge Permit;

3. Any User subject to National Categorical Pretreatment Standards that opts not to Discharge Pollutants shall obtain a Zero Process Wastewater Discharge Permit;
 4. Any User that is a non-Categorical Zero Process Wastewater Discharger that the Pretreatment Coordinator determines shall be permitted;
 5. Non-Significant Regulated Users (NSRU) as defined below:
 - a) NSRU that Discharge a process Wastewater Flow greater than or equal to one half (0.5) percent of the POTW's design dry-weather hydraulic capacity, or five thousand (5,000) gallons per day, whichever is smaller;
 - b) NSRU that Discharge more than or equal to one half (0.5) percent of the design dry-weather organic treatment capacity of the POTW;
 - c) NSRU that Discharge one half (0.5) percent of the maximum allowable headworks loading for any Pollutant regulated by a Local Limit developed in accordance with Section 8-2-5-5; or
 - d) NSRU that intermittently Discharge any individual batch or batches that would meet the criteria in 1, 2, or 3 above when Discharged or otherwise has the potential to Discharge a Slug Load to the POTW;
 6. Non-Residential Users that have devices installed to remove oils, grease and sand;
 7. Food Service Establishments (FSE) in accordance with Section 8-2-8-2 C;
 8. Trucked waste;
 9. Batch waste; and
 10. Non-Residential Users required to eliminate or control specified Pollutants from their wastestream through the development and implementation of a Best Management Practice (BMP) Plan.
- E. Any violation of the terms and conditions of an individual or general Wastewater Discharge Permit shall be deemed a violation of this chapter and subject the Wastewater Discharge permittee to the sanctions set out in Sections 8-2-13 through 8-2-15 of this chapter. Obtaining an individual or general Wastewater Discharge Permit does not relieve a permittee of its obligation to comply with all Federal and State Pretreatment Standards or requirements or with any other requirements of Federal, State, and local law.

8-2-7-3 Wastewater Discharge Permitting: Existing Connections

Any User required to obtain a Wastewater Discharge Permit who was Discharging Wastewater into the POTW prior to the effective date hereof and who wishes to continue such Discharges in the future, shall, within ninety (90) days after said date, apply to the Pretreatment Coordinator for a Wastewater Discharge Permit in accordance with Section 8-2-7-5 of this chapter, and shall not cause or allow Discharges to the POTW to continue after 180 days of the effective date hereof in accordance with a Wastewater Discharge Permit issued by the Pretreatment Coordinator.

8-2-7-4 Wastewater Discharge Permitting: New Connections

Any User who proposes to begin or recommence Discharging into the POTW must obtain such permit prior to the beginning or recommencing of such Discharge. An application for this individual or general Wastewater Discharge Permit, in accordance with Section 8-2-7-5 of this chapter, must be filed at least ninety (90) days prior to the date upon which any Discharge will begin or recommence pending review by the Pretreatment Coordinator.

8-2-7-5 Individual and General Wastewater Discharge Permit Application Contents

- A. Individual Application Requirement. All Users required to obtain an individual Wastewater Discharge Permit or Zero Process Wastewater Discharge Permit must submit a permit application to the Pretreatment Coordinator. Incomplete or inaccurate applications will not be processed and will be returned to the User for revision.
- B. Individual Application Contents. The Pretreatment Coordinator may require all Users to submit as part of an application all or some of the following information:
 - 1. All information required by Section 8-2-4-1 and Section 8-2-4-4 of this chapter;
 - 2. Identifying and contact information for the site including name and address of the facility, the name of the operator and owner and Authorized Representative.
 - 3. Description of Operations.
 - a. A brief description of the nature of the activities, services, production, and plant processes on the premises, including a list of all raw materials and chemicals used or stored at the facility which are, or could accidentally or intentionally be, Discharged to the POTW. Each product produced by type, amount, process or processes, and rate of production;
 - b. Number and type of employees, hours of operation, and proposed or actual hours of operation;
 - c. Type and amount of raw materials processed (average and maximum per day) including a list of all raw materials and chemicals used or stored at the facility which are, or could accidentally or intentionally be, Discharged to the POTW;
 - 4. Plans and Diagrams
 - a. Site plans/floor plans that show the footprint of the building with an outline of major equipment similar to an emergency exit plan;
 - b. Site plans, floor plans, mechanical and plumbing plans, and details to show all sewers, floor drains, and appurtenances by size, location and elevation, and all points of Discharge;
 - c. A diagram showing the location for monitoring the Discharge of all wastes covered by the permit;
 - 5. Time and duration of Discharges with an estimate of the average daily and maximum Flow;
 - 6. Waste Characteristics. Information showing the nature and concentration of the Discharge in relation to applicable Pretreatment Standards and Local Limits;

7. Requests for a monitoring waiver for a Pollutant regulated as a Categorical Pretreatment neither present nor expected to be present in the Discharge based on 40 CFR Section 403.12(e)(2). Representative sampling and analysis will be required to substantiate the request;
8. Any other information as may be deemed necessary by the Pretreatment Coordinator to evaluate the Wastewater Discharge Permit application.

C. General Application Requirement.

1. The Pretreatment Coordinator May require all Industrial Users that are required to obtain a general Wastewater Discharge Permit to submit an application on a form provided by the Village which is specific to the category regulated by the general Wastewater Discharge Permit. The form May require but is not limited to contact information, production processes, the types of wastes generated, and the location for monitoring all wastes if regulated by the general permit. Where the Standard will require compliance with a BMP or pollution prevention alternative, the User Shall submit documentation as required by the Pretreatment Coordinator.
2. The Building Department May require all FSE that are required to obtain a general Wastewater Discharge Permit to submit an application on a form provided by the Village which is specific to FSE regulated by the general Wastewater Discharge Permit. The form May require but is not limited to contact information, FSE operation description, sources of Oil & Grease, description of plumbing fixtures, grease interceptor (GI), maintenance criteria for GI cleaning, and the location for monitoring all wastes. The status of compliance with a BMP requirement for FSE as defined in Section 8-2-7-2 C shall also be included.

D. Categorical Monitoring Waivers

1. Authority. Pursuant to 40 CFR Section 403.12(e)(2)(v) and (vi), the Village May authorize an Industrial User subject to a Categorical Pretreatment Standard to forego sampling of a Pollutant regulated by a Categorical Pretreatment Standard if the User has demonstrated through sampling and other technical factors that the Pollutant is neither present nor expected to be present in the Discharge, or is present only at background levels from intake water and without any increase in the Pollutant due to activities of the User. This waiver is not available to Users whose concentration Standards are derived from mass Standards or production based Standards. This authorization is subject to the following conditions:
 - a. The waiver May be authorized where a Pollutant is determined to be present solely due to Sanitary Wastewater Discharged from the facility provided that the Sanitary Wastewater is not regulated by an applicable Categorical Pretreatment Standard and otherwise includes no process Wastewater.
 - b. The monitoring waiver is valid only for the duration of the effective period of the individual Wastewater Discharge Permit, but in no case longer than 5 years. The User must submit a new request for the waiver before the waiver can be granted for each subsequent individual Wastewater Discharge Permit.
 - c. This provision does not supersede certification processes and requirements established in Categorical Pretreatment Standards, except as otherwise specified in the Categorical Pretreatment Standard.
2. Application Requirements
 - a. In making a demonstration that a Pollutant is not present, the User must provide data from at least one sampling of the facility's process Wastewater prior to any treatment present at the facility that is representative of all Wastewater from all processes.

- b. The request for a monitoring waiver must be signed in accordance with Section 8-2-7-6, and include the certification statement in Section 8-2-7-6.
 - c. Non-detectable sample results May be used only as a demonstration that a Pollutant is not present if the EPA approved method from 40 CFR Part 136 with the lowest minimum detection level for that Pollutant was used in the analysis.
3. Documentation and Record Retention for CIU Monitoring Waivers

Any grant of the monitoring waiver by the Pretreatment Coordinator must be included as a condition in the User's permit. The reasons supporting the waiver and any information submitted by the User in its request for the waiver must be maintained by the Pretreatment Coordinator for 3 years after expiration of the waiver.

Incomplete or inaccurate applications will not be processed and will be returned to the User for revision.

8-2-7-6 Individual and General Application Signatories and Certification

- A. All Wastewater Discharge Permit applications, User reports, certification statements and initial monitoring waivers must be signed by an Authorized Representative of the User and contain the following certification statement:

"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".

- B. If the designation of an Authorized Representative is no longer accurate because a different individual or position has responsibility for the overall operation of the facility or overall responsibility for environmental matters for the company, a new written authorization satisfying the requirements of this Section must be submitted to the Pretreatment Coordinator prior to or together with any reports to be signed by an Authorized Representative.

8-2-7-7 Individual and General Wastewater Discharge Permit Decisions

The Pretreatment Coordinator will evaluate the data furnished by the User and may require additional information. Within ninety (90) days of receipt of a complete individual or general Wastewater Discharge Permit application, the Pretreatment Coordinator will determine whether or not to issue an individual or general Wastewater Discharge Permit. The Pretreatment Coordinator may deny any application for an individual or general Wastewater Discharge Permit. If the Pretreatment Coordinator fails to act within ninety (90) days, a request for permit application shall be deemed to be denied.

8-2-7-8 Trucked Discharges

- A. Permits

No person, firm or corporation shall Discharge septic tank wastes, holding tank wastes, portable toilet wastes, steam cleaning wastes, leachate or other wastes from a tanker truck into the designated discharge facilities of the Village without first obtaining a written permit from the Village. No trucked wastes are to be Discharged by any entity except at the Discharge points designated by the Village.

1. Application for permits shall be filed with the Village on forms so provided. The application shall be signed as required by Section 8-2-7-6.
2. Each permit shall designate the location and manner of disposing of trucked wastes.
3. A separate permit shall be obtained for each truck and shall be in the possession of the driver of the truck at all times.
4. No permit shall be valid for a period of more than two (2) years, and each permit shall expire on January 31st of the expiration year.
5. No permit shall be transferable. A permit becomes void under any of the following conditions:
 - a. Change in ownership of the permittee;
 - b. Change in vehicle for which the permit is issued; or
 - c. Change in the name and address of the permittee.

B. Administration and Fees

The Village, from time to time shall review said applications and fees, and issue said permits, if in compliance with this Ordinance.

1. Fees for the initial permit and individual vehicle permits are contained in the Article C Fees for Nonresidential Sewer System Connection and Usage Section 8-2C.
2. Fees for the treatment of trucked wastes Discharged shall be recovered through the Village' user charge system as set forth in the Article C Fees for Nonresidential Sewer System Connection and Usage Section 8-2C.

C. Rules and Regulations

No person, firm or corporation shall dispose of any trucked wastes upon any property of the Village other than at the designated discharge point so defined by the Village. In its discretion the Village may accept waste subject to the following:

1. Septic tank disposal shall be limited to wastes from a septic toilet, chemical closet, or any other water-tight enclosure used for storage and decomposition of human excrement and/or domestic wastes. Other non-residential wastes shall be approved on a case-by-case basis by the Village. The Village will not accept hauled waste containing RCRA hazardous waste.
2. Disposal shall be limited to wastes generated within Lake County, Illinois.
3. Disposal shall be permitted at the Village's Treatment Plant between the hours of 7:00 A.M. and 2:00 P.M., Monday through Friday. No disposal shall be permitted on any legal holidays that are observed by the Village.
4. All trucks which are permitted by the Village shall be identified with the following:
 - a. Owner's name, address and phone number;
 - b. Liquid capacity; and
 - c. The Village Permit No. and Year covered.

5. For each trucked load disposed of at the Village's Treatment Plant, the truck driver shall deliver to the operational office in the building designated on the permit, a signed, numbered ticket showing the permit identification number, liquid capacity of the truck, time of arrival and departure, origin of every pickup point comprising the load, along with the telephone number of each originating source. The ticket shall contain a signed certification that all septic tank and portable toilet wastes identifying where the load has originated and that they are domestic in origin. The ticket shall also contain a certification that the load does not contain RCRA hazardous waste. The driver shall not unload until obtaining approval by the Operator at the Village.
6. The driver is required to take a sample of every load Discharged in accordance with Village procedures. A sample may also be taken by the Village of each truckload of waste delivered to the Village's Treatment Plant. The samples may be analyzed by the Village for compliance with this Ordinance.
7. Persons disposing of waste at the Village shall be responsible for cleaning up all the spills and replacing the manhole covers at the end of the unloading process.
8. The permittee shall furnish a list of authorized drivers to the Village covered by the permit and keep this list current.
9. The Village reserves the right to reject any wastes delivered to the facilities of the Village, which the Village believes may have an adverse effect on the treatment works and/or processes.

D. Insurance Requirements

Each permittee shall carry such insurance as is deemed necessary by the Village to protect it against claims, causes of actions or any act of any permittee.

1. A Certificate of Insurance shall be filed with the Village. After approval of the Certificate and upon issuance of a permit, the septic tank waste hauler shall be permitted to discharge at the designated location. No one shall be allowed on the site without a valid Certificate of Insurance. The Village shall be a named insured on any such policies. The Certificate of Insurance shall conform to the types and amounts of insurance as listed in the Insurance Requirements on file with the Village.

E. Revocation of Permits

Any violation of the conditions states above shall be justification for the Village to immediately revoke any or all permits issued in addition to the reasons stated in Section 8-2-8-6. The Village reserves the right to revoke any and all permits at any time if it determines the revocation of said permits is in the best interests of the Village.

8-2-8: WASTEWATER DISCHARGE PERMIT ISSUANCE PROCESS

8-2-8-1 Individual and General Wastewater Discharge Permit Duration

- A. An individual Wastewater Discharge Permit shall be issued for a specified time period, not to exceed five (5) years from the effective date of the permit. An individual Wastewater Discharge Permit may be issued for a period less than five (5) years, likely for three (3) years, at the discretion of the Pretreatment Coordinator. Each individual Wastewater Discharge Permit will indicate a specific date upon which it will expire.
- B. A general Wastewater Discharge Permit shall be issued for a specific time period, not to exceed five (5) years from the effective date of the permit. The Village will identify in the individual or general Wastewater Discharge Permit whether or not the permittee is defined as a Significant Industrial User.
- C. The Pretreatment Coordinator may extend a permit issued under subsection A or B above with a duration of less than five (5) years to a maximum duration of five (5) years upon written notification.

8-2-8-2 Wastewater Discharge Permit Contents

A Wastewater Discharge Permit shall include such conditions as are deemed reasonably necessary by the Pretreatment Coordinator to prevent Pass Through or Interference, protect the quality of the water body receiving the treatment plant's effluent, protect worker health and safety, facilitate Biosolids management and disposal, and protect against damage to the POTW.

- A. Individual and General Wastewater Discharge Permits must contain:
 - 1. A statement that indicates Wastewater Discharge Permit issuance date, expiration date and effective date;
 - 2. A statement that the Wastewater Discharge Permit is nontransferable without prior notification to the Village Administrator in accordance with Section 8-2-8-5 of this chapter, and provisions for furnishing the new owner or operator with a copy of the existing Wastewater Discharge Permit;
 - 3. Effluent limits, including Best Management Practices, based on applicable Pretreatment Standards;
 - 4. Requirements to control Slug Discharge, in addition to Spill Control, if determined by the Pretreatment Coordinator to be necessary.
 - 5. Self-monitoring, sampling, reporting, notification, and record-keeping requirements. These requirements shall include an identification of Pollutants to be monitored, sampling location, sampling frequency, and sample type based on Federal, State, and local law; and
 - 6. A statement of applicable civil and criminal penalties for violation of Pretreatment Standards and requirements, and any applicable compliance schedule. Such schedule may not extend the time for compliance beyond that required by applicable Federal, State, or local law.
 - 7. An individual Wastewater Discharge Permit May contain the process for seeking a waiver from monitoring for a Pollutant neither present nor expected to be present in the Discharge in accordance with Section 8-2-7-5.D. Any grant of the monitoring waiver by the Pretreatment Coordinator Shall be included as a condition of the User's permit.

B. Individual and General Wastewater Discharge Permit may contain, but need not be limited to, the following conditions:

1. Limits on the average and/or maximum rate of Discharge, time of Discharge, and/or requirements for Flow regulation and equalization;
2. Requirements for the installation of Pretreatment technology, pollution control, or construction of appropriate containment devices, designed to reduce, eliminate, or prevent the introduction of Pollutants into the POTW;
3. Requirements that allow the use of Bypass of the Pretreatment system conditions consistent with 40 CFR Section 403.17 and Section 8-2-16-3 of this chapter;
4. Requirements for the development and implementation of Spill Prevention Containment and Countermeasures / Slug Control Plan or other special conditions including management practices necessary to adequately prevent accidental, unanticipated, or non-routine Discharges;
5. Development and implementation of waste minimization plans to reduce the amount of Pollutants Discharged to the POTW;
6. Development and implementation of Best Management Practices Plans to reduce the amount of Pollutants Discharged to the POTW if the categorical standards do not already require the implementation of a Best Management Practices Plan;
7. The unit charge or schedule of User charges and fees for the management of the Wastewater Discharged to the POTW;
8. Requirements for installation and maintenance of inspection and sampling facilities and equipment;
9. Requirements for the zero Discharge of process waste regulated by a National Categorical Pretreatment Standard or local standard;
10. Documentation of any monitoring waiver approved by the Pretreatment Coordinator for categorically regulated Pollutants found to be not present and requirements to re-institute monitoring in the event that a waived Pollutant is found to be present or is expected to be present because of changes that occur in the User's operation;
11. A statement that compliance with the Wastewater Discharge Permit does not relieve the permittee of responsibility for compliance with all applicable Federal and State Pretreatment Standards, including those which become effective during the term of the Wastewater Discharge Permit; and
12. Other conditions as deemed appropriate by the Pretreatment Coordinator to ensure compliance with this chapter, and State and Federal laws, rules, and regulations.

C. General Permits for Food Service Establishments.

1. A general permit will be issued by the BD to those FSE that results in the partial or complete blockage of the building sewer connecting to the Village, or adversely affects the treatment or transmission capabilities of the Village sanitary sewer system, or requires excessive maintenance, or poses a possible health hazard. The general permit for FSE will include the implementation of a Best Management Practices (BMP) plan as defined:
 - a) Installation of drain screens;
 - b) Segregation and collection of waste cooking oil;

- c. Disposal of food waste into the trash or Garbage;
- d. Employee training;
- e. Record keeping requirements;
- f. Notifications required, and
- g. Kitchen signage.

Other permit requirements in the permit will include: grease interceptor installation with operation, cleaning and maintenance specifics plus record keeping, and remedies provided including cost recovery to prevent blockages or for blockage removal.

- 2. If the FSE has a waiver for some aspect of the program, that waiver will be documented in an attachment to a general permit.
- 3. A FSE will not be issued a general permit provided that it is meeting the FOG discharge limits in Section 8-2A-2-1 and has implemented a BMP plan in its operation to minimize the Discharge of FOG to the sewer system in compliance with Section 8-2-8-2 C.1.

8-2-8-3 Individual and General Wastewater Discharge Permit Appeals

The Pretreatment Coordinator shall provide public notice of the issuance of an individual or general Wastewater Discharge Permit. Any Person, including the User, may petition the Pretreatment Coordinator to reconsider the terms of a Wastewater Discharge Permit within thirty (30) days of notice of its issuance. The following conditions apply to Wastewater Discharge Permit appeals:

- A. Failure to submit a timely petition for review shall be deemed to be a waiver of the administrative appeal.
- B. In its petition, the appealing party must indicate the Wastewater Discharge Permit provisions objected to, the reasons for this objection, and the alternative condition, if any, it seeks to place in the Wastewater Discharge Permit.
- C. The effectiveness of the Wastewater Discharge Permit shall not be stayed pending the appeal.
- D. If the Pretreatment Coordinator fails to act within thirty (30) days, a request for reconsideration shall be deemed to be denied. Decisions not to reconsider a Wastewater Discharge Permit, not to issue a Wastewater Discharge Permit, or not to modify a Wastewater Discharge Permit shall be considered final administrative actions for purposes of judicial review.
- E. Aggrieved parties seeking judicial review of the final administrative Wastewater Discharge Permit decision must do so by filing a complaint with the Circuit Court for Lake County as applicable within sixty (60) calendar days.

8-2-8-4 Individual and General Wastewater Discharge Permit Modification

- A. The Pretreatment Coordinator may modify a Wastewater Discharge Permit for good cause, including, but not limited to, the following reasons:

1. To incorporate any new or revised Federal, State or local Pretreatment Standards or requirements;
 2. To address substantial alterations or additions to the User's operation, processes, or Wastewater volume or character since the time of Wastewater Discharge Permit issuance;
 3. To address introduction of a Pollutant for which a monitoring waiver had been obtained;
 4. A change in the POTW that requires either a temporary or permanent reduction or elimination of the authorized Discharge;
 5. Information indicating that the permitted Discharge poses a threat to the Village's POTW, Village personnel, or the receiving waters;
 6. Violation of any terms or condition of the Wastewater Discharge Permit;
 7. Misrepresentations or failure to fully disclose all relevant facts in the Wastewater Discharge Permit application or in any required reporting;
 8. Revision of or a grant of variance from Categorical Pretreatment Standards pursuant to 40 CFR Section 403.13;
 9. To correct typographical or other errors in the Wastewater Discharge Permit;
 10. To reflect a transfer of either the facility ownership or operation to either a new owner or operator as provided by Section 8-2-8-5 of this chapter; or
 11. To reflect the issuance of a monitoring waiver.
- B. The Pretreatment Coordinator or BD as appropriate May modify a general Wastewater Discharge Permit for good cause, including, but not limited to, the following reasons:
1. To incorporate any new or revised Federal, State or local Pretreatment Standards or Requirements;
 2. A change in the POTW that requires either a temporary or permanent reduction or elimination of the authorized Discharge;
 3. To correct typographical or other errors in the Wastewater Discharge Permit; or
 4. To reflect a transfer of either the facility ownership or operation to either a new owner or operator as provided by Section 8-2-8-5.

8-2-8-5 Individual and General Wastewater Discharge Permit Transfer

Wastewater Discharge Permit shall not be transferred, assigned, or sold to a new owner or new User in different premises or to a new or different operation in the same or different premises without the expressed written approval of the Village Administrator. If the premises sold or otherwise transferred by the permittee to a new owner who will maintain the operation in the same premises, whether or not the seller will continue to operate the equipment or the equipment is leased to another entity for its operation at the site of the original permittee, then the permit held by the seller and/or owner shall be reissued by the Village to the new owner and/or operator as a temporary permit; provided:

- A. The new owner and/or operator notified the Village Administrator thirty (30) calendar days in advance of

the transaction, and

- B. The new owner and/or operator confirmed to the Village Administrator, within 24 business hours of the transaction, of completion of the date of sale or execution of an operating contract, and
- C. The new owner and/or operator shall immediately apply for a new permit in accordance with chapter.

Failure to provide the sale/transfer notification defined in subsection A and B above, renders the Wastewater Discharge Permit void as of said sale / transfer date. It is further provided that the temporary permit shall only be effective for ninety (90) days after the date of sale or transfer. The Village shall have the same remedies for violation of temporary permits as it has for violation of other Discharge Permits.

8-2-8-6 Individual and General Wastewater Discharge Permit Revocation

The Pretreatment Coordinator or BD as appropriate may revoke an individual or general Wastewater Discharge Permit for good cause, including, but not limited to, the following reasons:

- A. Failure to notify the Pretreatment Coordinator of substantial changes to the Wastewater prior to the changed Discharge;
- B. Failure to provide prior notification to the Pretreatment Coordinator of changed conditions pursuant to Sections 8-2-9-4 and 8-2-9-6 of this chapter;
- C. Misrepresentation or failure to fully disclose all relevant facts in the Wastewater Discharge Permit application;
- D. Falsifying self-monitoring reports and certification statements;
- E. Tampering with monitoring equipment;
- F. Refusing to allow the Pretreatment Coordinator timely access to the facility premises and records;
- G. Failure to meet effluent limitations;
- H. Failure to pay fines;
- I. Failure to pay sewer charges;
- J. Failure to meet compliance schedules;
- K. Failure to complete a Wastewater survey or the Wastewater Discharge Permit application;
- L. Failure to provide advance notice of the transfer of business or operation ownership of a permitted facility;
or
- M. Violation of any Pretreatment Standard or requirement, or any terms of the Wastewater Discharge Permit or this chapter.

Wastewater Discharge Permit shall be voidable upon cessation of operations or transfer of business or operation ownership. All Wastewater Discharge Permit issued to a particular User are void upon the issuance of a new Wastewater

Discharge Permit to that User.

8-2-8-7 Individual and General Wastewater Discharge Permit Re-issuance

A User with an expiring Wastewater Discharge Permit shall apply for Wastewater Discharge Permit re-issuance by submitting a complete Wastewater Discharge Permit application, in accordance with Section 8-2-7-5 of this chapter, a minimum of ninety (90) days prior to the expiration of the User's existing Wastewater Discharge Permit.

8-2-8-8 Regulation of Waste Sent to Other Jurisdictions

- A. The Village Board of Trustees has entered into an intergovernmental agreement with Lake County Department of Public Works (LCDPW) to provide sewage treatment for its Users in an area in the Village that exist in the Lake County Northeast Sanitary Sewer System Facilities Planning area (NE area) which discharges to the Mill Creek POTW.
- B. The Village Administrator shall provide the following information from the Users in NE area annually to LCDPW.
 - 1. A description of the quality and volume of Wastewater Discharge to the Mill Creek POTW by Antioch;
 - 2. An inventory of all non-residential Users located within Antioch that are discharging to the Mill Creek POTW; and
 - 3. A list of SIUs located in the service area.
- C. Operation of Federally Approved Pretreatment Program in Antioch in NE Area
 - 1. The Village shall operate its Federally approved Pretreatment Program in the Antioch NE Area until such time as LCDPW receives formal approval of its pretreatment program.
 - 2. The Village will adopt the LCDPW local limits for the Mill Creek POTW for use with its program and discharge of its permitted Users in the NE area.
- D. An intergovernmental agreement, shall be modified at such time LCDPW has an approved program and will contain the following conditions:
 - 1. The Village will maintain its authority to survey the non-residential Users on an annual basis;
 - 2. The Village will advise and consult with LCDPW on the correct classification of the non-residential Users;
 - 3. LCDPW will advise the Village when it will conduct annual site inspections of permitted Users or enforcement actions so that the Village may attend and/or participate in such activities; and
 - 4. A provision specifying remedies available for breach of the terms of the intergovernmental agreement.

8-2-8-9 Regulation of Waste Received from Other Jurisdictions

- A. If another municipality, or User located within another municipality, contributes Wastewater to the POTW, the Village Board of Trustees shall enter into an intergovernmental agreement with the contributing municipality.
- B. The Village Administrator shall request the following information from the contributing municipality annually:
 - 1. A description of the quality and volume of Wastewater Discharge to the POTW by the contributing municipality;
 - 2. An inventory of all Users located within the contributing municipality that are discharging to the POTW; and
 - 3. Such other information as the Pretreatment Coordinator may deem necessary.
- C. An intergovernmental agreement, as required by paragraph A, above, shall contain the following conditions:
 - 1. A requirement for the contributing municipality to adopt a sewer use ordinance which is at least as stringent as this chapter and Local Limits which are at least as stringent as those set out in Section 8-2-5-5 of this chapter for the area to be served by the Village. The requirement shall specify that such ordinance and limits must be revised as necessary to reflect changes made to the Village's ordinance or Local Limits.
 - 2. A requirement for the contributing municipality to submit a revised Non-Residential User inventory at a frequency determined by the Village but likely on an annual basis;
 - 3. A provision specifying that Pretreatment implementation activities, including Wastewater Discharge Permit issuance, inspection and sampling, and enforcement, will be conducted by the Pretreatment Coordinator;
 - 4. A requirement for the contributing municipality to provide the Pretreatment Coordinator with access to all information that the contributing municipality obtains as part of its pretreatment activities;
 - 5. Limits on the nature, quality, and volume of the contributing municipality's Wastewater at the point where it Discharges to the POTW;
 - 6. Requirements for monitoring the contributing municipality's Discharge;
 - 7. A provision ensuring the Pretreatment Coordinator access to the facilities of Users located within the contributing municipality's jurisdictional boundaries for the purpose of inspection, sampling, and any other duties deemed necessary by the Pretreatment Coordinator; and
 - 8. A provision specifying remedies available for breach of the terms of the intergovernmental agreement.

8-2-9: REPORTING REQUIREMENTS

Each User of the POTW and facilities of the Village shall provide reports as necessary to comply with this chapter and any Wastewater Discharge Permit. Reporting requirements may apply to Users that are not required to obtain a Wastewater Discharge Permit.

8-2-9-1 Pretreatment Requirements for Non-Residential Users

Should the Village find that a Non-Residential User does not meet Pretreatment Standards and requirements applicable to its Discharge, causes or contributes to a POTW Upset, or when analysis of waste or observation of the effect of such wastes on the POTW indicate that said wastes cannot be treated satisfactorily at such POTW, or that said wastes are injurious to the POTW, or to the treatment processes, or pollute the natural waters within the Village, its service areas or the Waters of the State of Illinois then the Village will require additional Pretreatment and/or O&M to meet Pretreatment Standards and requirements. Such facilities as the Village may deem necessary for Pretreatment of the wastes shall be furnished by and at the expense of the User as a condition of the Discharge of said wastes into the POTW or to any natural water within the Village service area.

- A. Pretreatment Review: The Pretreatment Coordinator will require the User to initiate a Pretreatment review through a telephone call, letter or certified letter to the Authorized Representative of the User.
- B. Pretreatment Initiation Meeting. A Pretreatment Initiation Meeting will be held between the Pretreatment Coordinator and the User to discuss the problem and the solution to said problem. If it determined that changes in operation and maintenance, plant modifications, and/or the installation of Pretreatment equipment shall occur to resolve noncompliance, a schedule shall be established with events and completion deadlines agreeable to both parties to resolve the noncompliance. A Compliance Agreement defining the agreed upon schedule will be sent from the Village Engineer to the User shortly after the meeting. If a schedule for compliance acceptable to the Pretreatment Coordinator cannot be established, the matter will be referred for further enforcement action consistent with the provisions of Section 8-2-13 of this chapter as appropriate.
- C. Progress Reports. Progress Reports will be filed by the User on a schedule agreed to by the Pretreatment Coordinator and the User concerning the completion of major events leading to the construction and operation of additional Pretreatment required for the User to meet the applicable Pretreatment Standards (such events include, but are not limited to, hiring an engineer, completing preliminary and final plans, executing contracts for major components, commencing and completing construction, and beginning and conducting routine operation); The User shall identify whether or not it complied with the increment of progress, the reason for any delay, and, if appropriate, the steps being taken by the User to return to the established schedule.
- D. Final Report. A Final Report will be filed with the Pretreatment Coordinator by the User normally required within 90 calendar days from the end of the schedule deadline to verify the success or failure or the schedule objective chosen by the User. The Final Report will, if appropriate, identify the steps being taken by the User to resolve noncompliance.

8-2-9-2 Pretreatment Requirements for Categorical Industrial Users

In the event that either the Village, EPA or a User determines that the User is regulated as a Categorical Industrial User by standards and requirements promulgated by the USEPA in accordance with Section 307 (b) and (c) of the Act, the following reports are required to be filed by the User with both the Village and USEPA in the event that the Village does not have an Approved Pretreatment Program status from USEPA:

A. Baseline Monitoring Reports

Within either one hundred eighty (180) days after the effective date of a Categorical Pretreatment Standard, or the final administrative decision on a category determination under 40 CFR Section 403.6(a)(4), whichever is later, existing Categorical Industrial Users currently discharging to or scheduled to Discharge to the POTW shall submit to the Pretreatment Coordinator a report which contains the information listed below. At least ninety (90) days prior to commencement of their Discharge, New Sources, and sources that become Categorical Industrial Users subsequent to the promulgation of an applicable Categorical Standard, shall submit to the Pretreatment Coordinator a report which contains the information listed below. A New Source shall report the method of Pretreatment it intends to use to meet applicable Categorical Standards. A New Source also shall give estimates of its anticipated Flow and quantity of Pollutants to be Discharged.

Users described above shall submit the information set forth below.

1. Identifying Information. The name and address of the facility, including the name of the operator and owner.
2. Environmental Permits. A list of any environmental control permits held by or for the facility.
3. Description of Operations. A brief description of the nature, average rate of production (including each product produced by type, amount, processes, and rate of production), and standard industrial classifications of the operation(s) carried out by such User. This description should include a schematic process diagram, which indicates points of Discharge to the POTW from the regulated processes.
4. Flow Measurement. Information showing the measured average daily and maximum daily Flow, in gallons per day, to the POTW from regulated process streams and other streams, as necessary, to allow use of the Combined Waste Stream Formula set out in 40 CFR Section 403.6(e).
5. Measurements of Pollutants.
 - a. The User shall identify Categorical Pretreatment Standards applicable to each regulated process and any new categorically regulated processes for Existing Sources.
 - b. The User shall submit the results of sampling and analysis identifying the nature and concentration, and/or mass, where required by the Standard or by the Pretreatment Coordinator, of regulated Pollutants in the Discharge from each regulated process. Instantaneous, daily maximum, and average concentrations, or mass, where required, Shall be reported. The sample shall be representative of daily operations. In cases where the Standard requires a Best Management Practice or pollution prevention alternative, the User shall submit documentation as required by the Pretreatment Coordinator or the applicable Standards to determine compliance with the Standard;
 - c. The User shall take a minimum of one representative sample to compile the data necessary to comply with the requirements of this paragraph. A minimum of four (4) Grab Samples are required for pH, cyanide, total phenols, oil and grease, sulfide, and volatile organic compounds;

- d. Samples should be taken immediately downstream from Pretreatment facilities if such exist or immediately downstream from the regulated process if no Pretreatment exists. If other Wastewaters are mixed with the regulated Wastewater prior to Pretreatment the User should measure the Flows and concentrations necessary to allow the use of the Combined Waste Stream Formula of 40 CFR Section 403.6(e) in order to evaluate compliance with Pretreatment Standards. Where an alternate concentration or mass limit has been calculated in accordance with 40 CFR Section 403.6(e) this adjusted limit along with supporting data shall be submitted to the Control Authority;
 - e. Sampling must be performed in accordance with procedures set out in Section 8-2-5-8 of this chapter and shall be analyzed in accordance with procedures set out in Section 8-2-5-9 of this chapter.
 - f. The Pretreatment Coordinator may allow the submission of a baseline report which utilizes only historical data so long as the data provides information sufficient to determine the need for industrial Pretreatment measures; and
 - g. The baseline report shall indicate the time, date and place, of sampling, and methods of analysis, and shall certify that such sampling and analysis is representative of normal work cycles and expected Pollutant Discharges to the Village.
- 6. Compliance Certification. A statement, reviewed by the User's Authorized Representative of the CIU and certified by a qualified professional, indicating whether Pretreatment Standards are being met on a consistent basis, and, if not, whether additional operation and maintenance (O&M) and/or additional Pretreatment is required to meet the Pretreatment Standards and requirements.
 - 7. Compliance Schedule. If additional Pretreatment and/or O&M will be required to meet the Pretreatment Standards, the shortest schedule by which the User will provide such additional Pretreatment and/or O&M. The completion date in this schedule shall not be later than the compliance date established for the applicable Pretreatment Standard. A compliance schedule pursuant to this section must meet the requirements set out in Section 8-2-9-2 B.1 of this chapter.
 - 8. Signature and Certification. All baseline monitoring reports must be signed and certified in accordance with Section 8-2-7-6 of this chapter.

B. Compliance Schedule Progress Reports

The following condition shall apply to the compliance schedule required by subsection A7 of this section:

- 1. The schedule shall contain progress increments in the form of dates for the commencement and completion of major events leading to the construction and operation of additional Pretreatment required for the User to meet the applicable Pretreatment Standards (such events include, but are not limited to, hiring an engineer, completing preliminary and final plans, executing contracts for major components, commencing and completing construction, and beginning and conducting routine operation);
- 2. No increment referred to above shall exceed nine (9) months;
- 3. The User shall submit a progress report to the Pretreatment Coordinator no later than fourteen (14) calendar days following each date in the schedule and the final date of compliance including, as a minimum, whether or not it complied with the increment of progress, the reason for any delay, and, if appropriate, the steps being taken by the User to return to the established schedule; and
- 4. In no event shall more than nine (9) calendar months elapse between such progress reports to the Pretreatment Coordinator.

5. All compliance schedule progress reports must be signed and certified in accordance with Section 8-2-7-6 of this chapter.

C. Reports On Compliance With Categorical Pretreatment Standard Deadline

Within ninety (90) calendar days following the date for final compliance with applicable Categorical Pretreatment Standards, or in the case of a New Source following commencement of the introduction of Wastewater into the POTW, any User subject to such Pretreatment Standards and requirements shall submit to the Pretreatment Coordinator a report containing the information described in subsection A of this section. For Users subject to equivalent mass or concentration limits established in accordance with the procedures in 40 CFR Section 403.6(c) and Section 8-2-5-3.E of this chapter, this report shall contain a reasonable measure of the User's long-term production rate. For all other Users subject to Categorical Pretreatment Standards expressed in terms of allowable Pollutant Discharge per unit of production (or other measure of operation), this report shall include the User's actual production during the appropriate sampling period. All compliance reports must be signed and certified in accordance with Section 8-2-7-6 of this chapter.

8-2-9-3 Periodic Compliance Reports / Self-Monitoring Reports

A. Significant Non-Categorical Industrial Users

1. Significant Non-Categorical Industrial Users Shall, at a frequency determined by the Pretreatment Coordinator but in no case less than twice per year (on dates specified by the Village submit a report to the Village with a description of the nature, concentration of Pollutants in the Discharge which are limited by Pretreatment Standards and the measured or estimated average and maximum daily Flows for the reporting period. All periodic compliance reports must be signed and certified in accordance with Section 8-2-7-6 of this chapter.
2. These reports Shall be based on sampling and analysis performed in the period covered by the report, and performed in accordance with the techniques described in 40 CFR Part 136 and amendments thereto. All Wastewater samples must be representative of the User's Discharge and comply with the requirements of Sections 8-2-5-8 and 8-2-5-9.
3. All sampling and analysis May be performed by the Village in lieu of Significant Non-Categorical Industrial User. In such cases, the Village will issue an Attachment to the Wastewater Discharge Permit that specifies the Village will perform sampling and analysis semi-annually at minimum.
4. In cases where the Pretreatment Standard requires compliance with a Best Management Practice (BMP) or pollution prevention alternative, the User must submit documentation required by the Pretreatment Coordinator or the Pretreatment Standard necessary to determine the compliance status of the User.
5. Where the Village itself collects all the information required for the report, the Significant Non-Categorical Industrial User will not be required to submit the report.

B. Categorical Industrial Users

1. All Industrial Users subject to a categorical Pretreatment Standard (Categorical Industrial Users) shall, at a frequency determined by the Pretreatment Coordinator but in no case less than twice per year (in July and January), submit a report indicating the nature and concentration of Pollutants in the Discharge which are limited by Pretreatment Standards and the measured or estimated average and maximum daily Flows for the reporting period. At the recommendation of the Village Engineer and in consideration of such factors as local high or low Flow rates, holidays, budget cycles, etc., the Village may agree to alter the months during which the above reports are to be submitted. All periodic

compliance reports must be signed and certified in accordance with Section 8-2-7-6 of this chapter.

2. These reports shall be based on sampling and analysis performed in the period covered by the report, and performed in accordance with the techniques described in 40 CFR Part 136 and amendments thereto. All Wastewater samples must be representative of the User's Discharge and comply with the requirements of Sections 8-2-5-8 and 8-2-5-9. Wastewater monitoring and Flow measurement facilities shall be properly operated, kept clean, and maintained in good working order at all times. The failure of a User to keep its monitoring facility in good working order shall not be grounds for the User to claim that sample results are unrepresentative of its Discharge.
3. This sampling and analysis may be performed by the Village in lieu of Categorical Industrial User. In such cases, the Village will issue an attachment to the Wastewater Discharge Permit that specifies the Village will perform sampling and analysis semi-annually at minimum.
4. If a User subject to the reporting requirement in this section monitors any Pollutant more frequently than required by the Pretreatment Coordinator, using the procedures prescribed in Sections 8-2-5-8 and 8-2-5-9 of this chapter, the results of this monitoring shall be included in the report.
5. Where the Village has imposed mass limitations on Users as provided for by 40 CFR Section 403.6(d), the report required by subsection B1 of this section shall indicate the mass of Pollutants regulated by the Pretreatment Standards in the Discharge from the Industrial User.
6. For Users subject to equivalent mass or concentration limits established by the Village in accordance with the procedures in Section 8-2-5-3.E of this chapter, the report required by subsection B1 of this section shall contain a reasonable measure of the User's long term production rate. For all other Users subject to Categorical Pretreatment Standards expressed only in terms of allowable Pollutant Discharge per unit of production (or other measure of operation), the report required by subsection B1 of this section shall include the User's actual average production rate for the reporting period.
7. In cases where the Pretreatment Standard requires compliance with a Best Management Practice (BMP) or pollution prevention alternative, the User must submit documentation required by the Pretreatment Coordinator or the Pretreatment Standard necessary to determine the compliance status of the User.
8. Upon approval of a monitoring waiver for Pollutants found to be not present and revision of the User's permit by the Pretreatment Coordinator, the User must certify on each periodic report with the statement in Section 8-2-7-6, that there has been no increase in the Pollutant in its wastestream due to activities of the User with the following statement:

“Based on my inquiry of the Person or Persons directly responsible for managing compliance with the Pretreatment Standard for 40 CFR _____ (specify applicable National Categorical Pretreatment Standard part(s)), I certify that, to the best of my knowledge and belief, there has been no increase in the level of the _____ (list the categorically regulated Pollutant(s)) in the Wastewaters due to the activities at the facility since filing of the last periodic report.”
9. In the event that a waived Pollutant is found to be present or is expected to be present because of changes that occur in the User's operations, the User must immediately comply with the monitoring requirements of Section 8-2-9-3 B.1. or other more frequent monitoring requirements imposed by the Pretreatment Coordinator, and notify the Pretreatment Coordinator.

C. Non-Significant Categorical Industrial Users

1. Non-Significant Categorical Industrial Users as defined in Section 8-2-1-7 shall, at a frequency determined by the Pretreatment Coordinator but in no case less than twice per year (on dates specified by the Village) submit a report which contains the certification statement contained in subsection 3 below and a description of the nature, concentration, and Flow of the Pollutants required to be reported

by the Village.

2. These reports shall be based on sampling and analysis performed in the period covered by the report, and performed in accordance with the techniques described in 40 CFR Part 136 and amendments thereto. This sampling and analysis may be performed by the Village in lieu of Non-Significant Categorical Industrial User. In such cases, the Village will issue an Attachment to the Wastewater Discharge Permit that specifies the SIU has determined the Village will perform sampling and analysis semi-annually. Where the Village itself collects all the information required for the report, the Non-Significant Categorical Industrial User will not be required to submit the report.
3. Certification Statement. A facility determined to be a Non-Significant Categorical User by the Pretreatment Coordinator must annually submit the following certification statement signed in accordance with the signatory requirements in Section 8-2-1-7 of this chapter.

“Based on my inquiry of the Person or Persons directly responsible for managing compliance with the Categorical Pretreatment Standards under 40 CFR ____, I certify that, to the best of my knowledge and belief that during the period from _____, _____ to _____, _____ (months, days, year):

- a) The facility described as _____ (facility name) met the definition of a Non-Significant Categorical Industrial User as described by Section 8-2-1-7;
- b) The facility complied with all applicable Pretreatment Standards and Requirements during this reporting period; and
- c) The facility never Discharged more than 100 gallons of total categorical Wastewater on any given day during this reporting period.

This compliance certification is based on the following information:

_____”

4. The report is required to be signed by an Authorized Representative of the User.

D. Other Non-SIU Regulated Users

1. Categorical Zero Process Dischargers, Non-Categorical Zero Process Dischargers, Batch Dischargers, FSE and any firms regulated by individual or general permit requirements including but not limited to BMP shall, at a frequency determined by the Pretreatment Coordinator, submit a periodic report as defined in their Wastewater Discharge Permits.
2. The reports may require sampling and analyses or some other measure to determine compliance with permit Pretreatment Standards and requirements. The User must submit documentation necessary to determine the compliance status of User as defined by the Pretreatment Coordinator and identified in the Wastewater Discharge Permit.

8-2-9-4 Authorized Representative Change Notification

Any Significant Industrial User which changes the Authorized Representative of its company as defined in Section 8-2-1-7 of this chapter shall file a change notice with the Village within thirty (30) calendar days.

8-2-9-5 Reports from Non-permitted Users

All Users not required to obtain a Wastewater Discharge Permit shall provide appropriate reports to the Pretreatment

Coordinator as required. These reports include but are not limited to surveys of business activities, water usage, wastes Discharged, spill and Slug Loading potential, Pretreatment equipment, waste hauling and facility layout.

8-2-9-6 *Reports of Changed Conditions*

Each User must notify the Pretreatment Coordinator of any planned substantial changes to the User's operations or system which might alter the nature, quality, or volume of its Wastewater at least thirty (30) calendar days before the change that results of an increase or addition or planned shutdown or deletion of products. Immediate shutdowns or deletions of products are required to be noticed within five (5) working days of determination.

- A. The Pretreatment Coordinator may require the User to submit such information as may be deemed necessary to evaluate the changed condition, including the submission of a Wastewater Discharge Permit application under Section 8-2-7-5 of this chapter.
- B. The Pretreatment Coordinator may issue an individual or general Wastewater Discharge Permit under Section 8-2-7-7 of this chapter or modify an existing individual or general Wastewater Discharge Permit under Section 8-2-8-4 of this chapter in response to changed conditions or anticipated changed conditions.
- C. For purposes of this requirement, substantial changes include, but are not limited to, Flow increases of twenty percent (20%) or greater, the addition or deletion of a shift, the Discharge of any previously unreported Pollutants including changes to the listed or characteristic hazardous wastes for which User has submitted initial notification under Section 8-2-9-9 of this chapter, introduction of a Pollutant for which a monitoring waiver had been obtained, the addition of a new process regardless of waste Discharge or lack of Discharge, shutdown of a process, or addition or deletion of a product.
- D. Significant Industrial Users and Categorical Industrial Users are required to immediately notify the Pretreatment Coordinator of any changes at its facility affecting the potential for a Slug Discharge.

8-2-9-7 *Reports of Potential Problems*

- A. Initial Notification. In the case of any Discharge, including, but not limited to, accidental Discharges, Discharges of a non-routine, episodic nature, a non-customary batch Discharge, or a Slug Load, that may cause potential problems for the POTW, any User shall immediately telephone (within fifteen minutes), and notify the Pretreatment Coordinator of the incident. If this notification cannot be made to the POTW staff during routine business hours, the User shall notify the Village Police Department. This notification shall include the location of the Discharge, physical state of Discharge, chemical composition, concentration and volume, if known, and date and time of Discharge as well as duration of the Discharge, and corrective actions taken by the User. The notification shall include what Federal, State and local entities have also been notified by the User.
- B. The User shall control production of all Discharges to the extent necessary to maintain compliance with all applicable regulations upon reduction, loss or failure of its treatment facility until the facility is restored or an alternative method of treatment is provided. This requirement includes the situation where, among other things, the primary source of power of the treatment facility is reduced, lost or fails.
- C. Written Notification: Within five (5) working days following such Discharge, the User shall, unless waived by the Pretreatment Coordinator, submit a detailed written report describing the cause(s) of the Discharge and the measures to be taken by the User to prevent similar future occurrences. The report may also include further defined dates when updates or progress reports will be submitted for activities not completed at the

time of the Written Notification.

- D. Notification Not A Relief Of Liability: Such notifications shall not relieve the User of any expense, loss, damage, or other liability which may be incurred as a result of damage to the POTW, natural resources, or any other damage to Person or property; nor shall such notification relieve the User of any fines, penalties, or other liability which may be imposed pursuant to this chapter.
- E. Employee Notification Procedure: A Notice/Sign shall be permanently posted on the User's bulletin board or other prominent place advising employees in English and the language of common use whom to call in the event of a Discharge described in paragraph A, above. Employers shall ensure through documentation that all employees, who may cause such a Discharge to occur, are advised of the emergency notification procedure.

8-2-9-8 Notice of Violation/Repeat Sampling and Reporting

If sampling performed by a User indicates a violation, the User must notify the Pretreatment Coordinator within twenty-four (24) hours of becoming aware of the violation. The User shall also repeat the sampling and analysis and submit the results of the repeat analysis to the Pretreatment Coordinator within thirty (30) calendar days after becoming aware of the violation. The User is not required to resample if the Pretreatment Coordinator monitors at the User's facility at least once a month, or if the Pretreatment Coordinator samples between the User's initial sampling and when the User receives the results of this sampling. If the Village performed the sampling and analysis in lieu of the User, the Village will perform the repeat sampling and analysis unless it notifies the User of the violation and requires the User to perform the repeat sampling and analysis.

8-2-9-9 Notification of the Discharge of Hazardous Waste

- A. Pursuant to 40 CFR Section 403.12 (p) any User who commences the Discharge of hazardous waste shall notify the POTW, the USEPA Regional Waste Management Division Director, and State hazardous waste authorities, in writing, of any Discharge into the POTW of a substance which, if otherwise disposed of, would be a hazardous waste under 40 CFR Part 261. Such notification must include the name of the hazardous waste as set forth in 40 CFR Part 261, the EPA hazardous waste number, and the type of Discharge (continuous, batch, or other). If the User Discharges more than one hundred (100) kilograms of such waste per calendar month to the POTW, the notification also shall contain the following information to the extent such information is known and readily available to the User: an identification of the hazardous constituents contained in the wastes, an estimation of the mass and concentration of such constituents in the waste stream Discharged during that calendar month, and an estimation of the mass of constituents in the waste stream expected to be Discharged during the following twelve (12) months. All notifications must take place no later than one hundred and eighty (180) calendar days after the Discharge commences. Any notification under this paragraph need be submitted only once for each hazardous waste Discharged. However, notifications of changed conditions must be submitted under Section 8-2-9-6 of this chapter. The notification requirement in this section does not apply to Pollutants already reported by Users subject to Categorical Pretreatment Standards under the self-monitoring requirements of Sections 8-2-9-2 A, C, and 8-2-9-3 B of this chapter.
- B. Dischargers are exempt from the requirements of paragraph A, above, during a calendar month in which they Discharge no more than fifteen (15) kilograms of hazardous wastes, unless the wastes are acute hazardous wastes as specified in 40 CFR Section 261.30(d) and 261.33(e). Discharge of more than fifteen (15) kilograms of non-acute hazardous wastes in a calendar month, or of any quantity of acute hazardous wastes as specified in 40 CFR Section 261.30(d) and 261.33(e), requires a one-time notification.

Subsequent months during which the User Discharges more than such quantities of any hazardous waste do not require additional notification.

1. In the case of any new regulations under Section 3001 of RCRA identifying additional characteristics of hazardous waste or listing any additional substance as a hazardous waste, the User must notify the Pretreatment Coordinator, the USEPA Regional Waste Management Waste Division Director, and State hazardous waste authorities of the Discharge of such substance within ninety (90) calendar days of the effective date of such regulations.
2. In the case of any notification made under this section, the User shall certify that it has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree it has determined to be economically practical.
3. This provision does not create a right to Discharge any substance not otherwise permitted to be Discharged by this chapter, a permit issued thereunder, or any applicable Federal or State law.

8-2-9-10 Report Submittal Due Dates

Written reports will be deemed to have been submitted on the date postmarked. For reports which are not mailed, postage prepaid, into a mail facility serviced by the United States Postal Service, the date of receipt of the report shall govern. In order to meet deadlines, reports may be faxed on the due date to the Village. The original of the Fax is required to be mailed to the Village postmarked within one (1) working day of the Fax.

8-2-10: COMPLIANCE MONITORING

8-2-10-1 *Right of Entry: Inspection and Sampling*

The Pretreatment Coordinator and his designee(s), Duly Authorized Agents of the Village, the Illinois Environmental Protection Agency, and the United States Environmental Protection Agency, hereafter referred to as above named entities, shall have the right to enter the premises of any User to determine whether the User is complying with all requirements of this chapter and any individual or general Wastewater Discharge Permit or order issued hereunder. Users shall allow the above named entities ready access to all parts of the premises for the purposes of inspection, observation, measurement, sampling, analyses, records examination and copying, and the performance of any additional duties.

- A. Where a User has security measures in force which require proper identification and clearance before entry into its premises, the User shall make necessary arrangements with its security guards so that, upon presentation of suitable identification, the above named entities will be permitted to enter without delay for the purposes of performing specific responsibilities.
- B. The Village shall have the right to set up on the User's property, or require installation of, such devices as are necessary to conduct sampling and/or metering of the User's operations.
- C. The Pretreatment Coordinator may require the User to install monitoring equipment as necessary. The facility's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the User at its own expense. All devices used to measure Wastewater Flow and quality shall be calibrated twice yearly (at six month intervals) to ensure their accuracy. The User shall submit these calibration reports semi-annually to the Village with the Periodic Compliance Reports required in Section 8-2-9-3 of this chapter.
- D. Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the User at the written or verbal request of the Pretreatment Coordinator and shall not be replaced. The costs of clearing such access shall be borne by the User.
- E. Unreasonable delays in allowing the Pretreatment Coordinator and his designee access to the User's premises shall be a violation of this chapter.

8-2-10-2 *Record Keeping*

- A. Users. Users subject to the reporting requirements of this chapter shall retain, and make available for inspection and copying, all records of information obtained pursuant to any monitoring activities required by this chapter and any additional records of information obtained pursuant to monitoring activities undertaken by the User independent of such requirements, and documentation associated with Best Management Practices established under Section 8-2-8-2 of this chapter. Records shall include the date, exact place, method, and time of sampling, and the name of the Person(s) taking the samples; the dates analyses were performed; who performed the analyses; the analytical techniques or methods used; and the results of such analyses. These records shall remain available for a period of at least three (3) years. This period shall be automatically extended for the duration of any litigation concerning the User or the Village, or where the User has been specifically notified of a longer retention period by the Pretreatment Coordinator.
- B. Village. The Village will maintain documentation of any monitoring waiver issued per Section 8-2-7-5.D of this chapter for a period of three (3) years after the expiration of the waiver. The documentation will include the reasons supporting the waiver and any information submitted by the User in its request for the

waiver.

8-2-10-3 Search Warrants

If the Pretreatment Coordinator has been refused access to a building, structure, or property, or any part thereof, and is able to demonstrate probable cause to believe that there may be a violation of this chapter, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program designed to verify compliance with this chapter or any permit or order issued hereunder, or to protect the overall public health, safety and welfare of the community, then the Pretreatment Coordinator may seek issuance of a search warrant from the Circuit Court of Lake County as appropriate.

8-2-11: CONFIDENTIAL INFORMATION

Information and data on a User obtained from reports, surveys, Wastewater Discharge Permit applications, individual or general Wastewater Discharge Permits, and monitoring programs, and the Pretreatment Coordinator inspection and sampling activities, shall be available to the public without restriction, unless the User specifically requests, and is able to demonstrate to the satisfaction of the Pretreatment Coordinator and Village Attorney, that the release of such information would divulge information, processes, or methods of production entitled to protection as trade secrets under applicable State law. Any such request must be asserted at the time of submission of the information or data. When requested and demonstrated by the User furnishing a report that such information should be held confidential, the portions of a report which might disclose trade secrets or secret processes shall not be made available for inspection by the public, but shall be made available immediately upon request to governmental agencies for uses related to the NPDES program or Pretreatment program, and in enforcement proceedings involving the Person furnishing the report. Wastewater constituents and characteristics and other "effluent data" as defined by 40 CFR Section 2.302 will not be recognized as confidential information and will be available to the public without restriction.

8-2-12: PUBLICATION OF USERS IN SIGNIFICANT NONCOMPLIANCE

8-2-12-1 Publication Frequency

The Pretreatment Coordinator shall publish annually, in a newspaper of general circulation that provides meaningful public notice within the jurisdiction served by the POTW, a list of the Users which, at any time during the previous twelve (12) months, were in Significant Non-Compliance with applicable Pretreatment Standards and requirements. The term Significant Non-Compliance shall be applicable to all Significant Industrial Users and Categorical Industrial Users (or any other User that violates paragraphs (C), (D) or (H) of Section 8-2-12-2 below.

8-2-12-2 Significant Non-Compliance Definition

- A. Chronic violations of Wastewater Discharge limits, defined here as those in which sixty-six percent (66 percent) or more of Wastewater measurements taken for the same Pollutant parameter during a six-(6) month period exceed (by any magnitude) a numeric Pretreatment Standard or requirement including instantaneous limits as defined in Section 8-2-5;
- B. Technical Review Criteria (TRC) violations, defined here as those in which thirty-three percent (33 percent) or more of Wastewater measurements taken for each Pollutant parameter during a six-(6) month period equals or exceeds the product of the numeric Pretreatment Standard or requirement including Instantaneous Limits as defined by Section 8-2-5 multiplied by the applicable criteria (1.4 for BOD, TSS, fats, oils and grease, and 1.2 for all other Pollutants except pH);
- C. Any other violation of a Pretreatment Standard or requirement as defined by Section 8-2-5 (Daily Maximum, long-term average, Instantaneous Limit, or narrative Standard) that the Pretreatment Coordinator has determined caused, alone or in combination with other Discharges, Interference or Pass Through, including endangering the health of POTW personnel or the general public;
- D. Any Discharge of Pollutants that has caused imminent endangerment to the public or to the environment, or has resulted in the Pretreatment Coordinator exercise of its emergency authority to halt or prevent such a Discharge;
- E. Failure to meet, within ninety (90) days of the scheduled date, a compliance schedule milestone contained in a Wastewater Discharge Permit or enforcement order for starting construction, completing construction, or attaining final compliance;
- F. Failure to provide within forty five (45) days after the due date, any required reports, including baseline monitoring reports, reports on compliance with Categorical Pretreatment Standard deadlines, periodic self-monitoring reports, and reports on compliance with compliance schedules;
- G. Failure to accurately report noncompliance; or
- H. Any other violation(s), which may include a violation of Best Management Practices, that the Pretreatment Coordinator determines will adversely affect the operation or implementation of the local Pretreatment program.

8-2-13: ADMINISTRATIVE ENFORCEMENT REMEDIES

These remedies apply to the provisions of this chapter and to the Local Limits provisions of Article A of this chapter.

8-2-13-1 Notification of Violation

- A. When the Pretreatment Coordinator finds that a User has violated, or continues to violate, any provision of this chapter, a Wastewater Discharge Permit or order issued hereunder, or any other Pretreatment Standard or requirement, the Pretreatment Coordinator may serve upon that User a written Notice of Violation. Within ten (10) working days of the receipt of this notice an explanation of the violation and a plan for the satisfactory correction and prevention thereof, to include specific required actions, shall be submitted by the User. to the Pretreatment Coordinator. Submission of this plan in no way relieves the User of liability for any violations occurring before or after receipt of the Notice of Violation.
- B. The Pretreatment Coordinator May initiate a Pretreatment Review meeting for any Violation issued under Section 8-2-13-1.A of this chapter but most likely for the first violation of any parameter. The Village shall schedule a Pretreatment Review meeting, normally within thirty calendar days of the determination that a meeting is required.
- C. As a result of a Pretreatment Review meeting, the Village May issue a compliance directive stating that the User is in a “corrective action” status. A plan for correction and compliance schedule illustrating milestones May be issued by the Village to the User. This plan for correction and compliance schedule May become part of the User’s permit. The User is responsible for meeting the permit limits at all times. The plan for correction, compliance schedule and revised permit do not relieve the User of meeting the permit limits and/or Ordinance requirements. The User shall take whatever actions are necessary to meet the permit limits and permit conditions.
- D. As a result of a violation, the Village May continue to sample the User and inspect the User’s progress towards meeting milestones as needed to determine if the User is complying with the conditions of the plan of action, compliance schedule and/or permit. In the event the Village detects and documents any violation; a NOV will be issued to the User.
- E. Each detected Violation of the plan of action, compliance schedule, and permit, will result in an NOV being issued to the User. When NOV #3 (total of three NOVs) is issued, a “ticket” may be issued to the User, Authorized Representative per Title I, Chapter 6, Article C of the Antioch Municipal Code. The ticket is a legal notice requiring the User to appear in court, either Lake County Circuit Court or Village Adjudication Court per Section 8-2-14-2 of this chapter. The Village may charge assessments to the User as provided for in this chapter.
- F. When the User has met the conditions of the plan of action, compliance schedule, and permit, the Village will notify the User in writing that the conditions have been satisfied and they are no longer under a “corrective action” status if such a status was formally issued.
- G. Nothing in this section shall limit the authority of the Pretreatment Coordinator to take any action, including emergency actions or any other enforcement action, without first issuing a Notice of Violation.

8-2-13-2 Compliance Agreements

The Pretreatment Coordinator may enter into Compliance Agreements, assurances of compliance, or other similar documents establishing an agreement with any User responsible for noncompliance. Such documents will include specific action to be taken by the User to correct the noncompliance within a time-period specified by the document. Such documents

shall have the same force and effect as the administrative orders issued pursuant to Sections 8-2-13-4 and 8-2-13-5 of this chapter and shall be judicially enforceable.

8-2-13-3 Show Cause Order

The Pretreatment Coordinator may order a User which has violated, or continues to violate, any provision of this chapter, a Wastewater Discharge Permit or order issued hereunder, or any other Pretreatment Standard or requirement, to appear before the Village Board and show cause why the proposed enforcement action should not be taken. Notice shall be served on the User specifying the time and place for the meeting, the proposed enforcement action, the reasons for such action, and a request that the User show cause why the proposed enforcement action should not be taken. The notice of the meeting shall be served personally or by registered or certified mail (return receipt requested) at least ten (10) working days prior to the hearing. Such notice may be served on any Authorized Representative of the User. A show cause hearing shall not be a bar against, or prerequisite for, taking any other action against the User.

8-2-13-4 Compliance Orders

When the Pretreatment Coordinator finds that a User has violated, or continues to violate, any provision of this chapter, a Wastewater Discharge Permit or order issued hereunder, or any other Pretreatment Standard or requirement, the Pretreatment Coordinator may issue an order to the User responsible for the Discharge directing that the User come into compliance within a specified time. If the User does not come into compliance within the time provided, sewer service may be discontinued unless adequate treatment facilities, devices, or other related appurtenances are installed and properly operated. Compliance orders also may contain other requirements to address the noncompliance, including additional self-monitoring and management practices designed to minimize the amount of Pollutants Discharged to the sewer. A compliance order may not extend the deadline for compliance established for a Pretreatment Standard or requirement, nor does a compliance order relieve the User of liability for any violation, including any continuing violation. Issuance of a compliance order shall not be a bar against, or a prerequisite for, taking any other action against the User.

8-2-13-5 Cease and Desist Orders

When the Pretreatment Coordinator finds that a User has violated, or continues to violate, any provision of this chapter, an individual or general Wastewater Discharge Permit or order issued hereunder, or any other Pretreatment Standard or requirement, or that the User's past violations are likely to recur, the Pretreatment Coordinator or Village Attorney may issue an order to the User directing it to cease and desist all such violations and directing the User to:

- A. Immediately comply with all requirements; and
- B. Take such appropriate remedial or preventive action as may be needed to properly address a continuing or threatened violation, including halting operations and/or terminating the Discharge.

Issuance of a cease and desist order shall not be a bar against, or a prerequisite for, taking any other action against

the User.

8-2-13-6 Emergency Suspensions

The Pretreatment Coordinator may immediately suspend a User's Discharge, after informal notice to the User, whenever such suspension is necessary to stop an actual or threatened Discharge which reasonably appears to present or cause an imminent or substantial endangerment to the health or welfare of Persons. The Pretreatment Coordinator may also immediately suspend a User's Discharge, after notice and opportunity to respond, that threatens to interfere with the operation of the POTW, or which presents, or may present, an endangerment to the environment.

- A. Any User notified of a suspension of its Discharge shall immediately stop or eliminate its contribution. In the event of a User's failure to immediately comply voluntarily with the suspension order, the Pretreatment Coordinator may take such steps as deemed necessary, including immediate severance of the sewer connection, to prevent or minimize damage to the POTW, its receiving stream, or endangerment to any individuals. The Pretreatment Coordinator may allow the User to recommence its Discharge when the User has demonstrated to the satisfaction of the Pretreatment Coordinator that the period of endangerment has passed, unless the termination proceedings in Section 8-2-13-7 of this chapter are initiated against the User.
- B. A User that is responsible, in whole or in part, for any Discharge presenting imminent endangerment shall submit a detailed written statement, describing the causes of the harmful contribution and the measures taken to prevent any future occurrence, to the Pretreatment Coordinator prior to the date of any show cause or termination hearing under Sections 8-2-13-3 or 8-2-13-7 of this chapter.

Nothing in this section shall be interpreted as requiring a hearing prior to any emergency suspension under this section.

8-2-13-7 Termination of Discharge

In addition to the provisions in Section 8-2-13-6 of this chapter, any User who violates the following conditions is subject to Discharge termination:

- A. Violation of Wastewater Discharge Permit conditions;
- B. Failure to accurately report the Wastewater constituents and characteristics of its Discharge;
- C. Failure to report substantial changes in operations or Wastewater volume, constituents, and characteristics prior to Discharge;
- D. Refusal of reasonable access to the User's premises for the purpose of inspection, monitoring, or sampling; or
- E. Violation of the Pretreatment Standards in Section 8-2-5 of this chapter.

Such User will be notified of the proposed termination of its Discharge and be offered an opportunity to show cause under Section 8-2-13-3 of this chapter why the proposed action should not be taken. Exercise of this option by the Pretreatment Coordinator shall not be a bar to, or a prerequisite for, taking any other action against the User.

8-2-14: PENALTIES AND JUDICIAL ENFORCEMENT REMEDIES

These penalties apply to the provisions of this chapter and to the Local Limits provisions of Article A of this chapter.

8-2-14-1 Recovery of Costs Incurred

Any entity violating any of the provisions of this chapter, or who causes damage to or impairs the Village's POTW shall be liable to the Village for any expense, loss or damage caused by such violation or Discharge. The Village may invoice the costs, including but not limited to, sampling and analyses associated with the investigation, costs of mitigating impact to the POTW, costs of preparing the administrative enforcement actions such as notices and orders; investigative and/or correction actions, and review of response(s) from the User. In the event of damage, losses or impairments, the Village Engineer or Treasurer shall bill the entity for the costs incurred by the Village for any cleaning, repair, replacement or other investigative and/or corrective actions as a response to the violation or Discharge. Refusal to pay the assessed costs shall constitute a violation of this chapter enforceable under the provisions of Section 8-2-13 of this chapter.

Recovery of costs incurred also includes but is not limited to the following provisions specific for Food Service Establishments (FSE):

- A. Grease Disposal Mitigation Fee. FSE that operate without a grease interceptor (GI) May be required to pay an annual Grease Disposal Mitigation Fee to equitably cover the costs of increase maintenance of the sewer system as a result of the FSE's inability to adequately remove FOG from its Wastewater Discharge. This Section Shall not be interpreted to allow the new construction of, or existing FSE undergoing remodeling to operate without an approved GI.
 1. The Grease Disposal Mitigation Fee Shall be established in Section 2C-4-2 and Shall be based on the estimated annual increased cost of maintaining the sewer system for inspection and removal of FOG and other viscous or solidifying agents attributable to the FSE resulting from the lack of a grease interceptor or grease control device.
 2. Sewer System Overflows, Public Nuisance, Abatement and Cleanup Costs. Notwithstanding the waiver of grease interceptor installation for existing FSE established in Section 8-2-3-9, FSE found to have contributed to a sewer blockage, Sewer System Overflows (SSOs) or any sewer system Interferences resulting from the Discharge of Wastewater or waste containing FOG May be subject to costs incurred by the Village's established in Section 2C-4-2. SSOs May cause threat and injury to public health, safety, and welfare of life and property and are hereby declared public nuisances. Furthermore, sewer lateral failures and SSOs caused by FSE alone or collectively, are the responsibility of the private property owner or FSE, and individual(s) as a responsible officer or owner of the FSE. If the Village must act immediately to contain and clean up an SSO caused by blockage of a private or Public Sewer lateral or system serving a FSE, or at the request of the property owner or operator of the FSE, or because of the failure of the property owner or FSE to abate the condition causing immediate threat of injury to the health, safety, welfare, or property of the public, the Village's costs for such abatement May be entirely borne by the property owner or operator of the FSE, and the individual(s) as a responsible officer or owner of the FSE(s) and May constitute a debt to the Village and become due and payable upon the Village's request for reimbursement of such costs.

8-2-14-2 Alternative Adjudication Hearing Process

The Pretreatment Coordinator in conjunction with the Village Attorney as defined in Title 1, Chapter 6, Article C of the Antioch Municipal Code shall have the discretion to direct any process involving the civil fines and penalties set forth in

this subchapter to the administrative hearing process described in Title 1, Chapter 6, Article D of the Antioch Municipal Code. Upon the filing of any action before the administrative hearing officer, he or she shall have plenary powers to levy all civil fines and penalties, to decide and continue cases and to take all other quasi-judicial steps which are consistent with the grant of powers given in said Article D. However, consistent with the limitations on the grants of powers that can be devolved onto such hearing officers, the administrative hearing officer shall have no jurisdiction to levy any criminal fine or to issue any form of injunction, restraining order or other extraordinary remedy.

8-2-14-3 Injunctive Relief

When the Pretreatment Coordinator finds that a User has violated, or continues to violate, any provision of this chapter, an individual or general Wastewater Discharge Permit, or order issued hereunder, or any other Pretreatment Standard or requirement, the Pretreatment Coordinator may petition the Circuit Court of Lake County as applicable through the Village Attorney for the issuance of a temporary or permanent injunction, as appropriate, which restrains or compels the specific performance of the individual or general Wastewater Discharge Permit, order, or other requirement imposed by this chapter on activities of the User. The Pretreatment Coordinator may also seek such other action as is appropriate for legal and/or equitable relief, including a requirement for the User to conduct environmental remediation. A petition for injunctive relief shall not be a bar against, or a prerequisite for, taking any other action against a User.

8-2-14-4 Civil Penalties

When the Pretreatment Coordinator finds that a User has violated, or continues to violate, any provision of this ordinance, an individual or general Wastewater Discharge Permit, or order issued hereunder, or any other Pretreatment Standard or Requirement, the Pretreatment Coordinator may petition the Circuit Court of Lake County through the Village Attorney for civil penalties as follows:

- A. Any User shall be subject to the imposition of a civil penalty in at least the amount of one thousand dollars (\$1,000.00) a day for each violation. In the case of a monthly or other long-term average Discharge limit penalties Shall accrue for each day during the period of the violation.
- B. The Pretreatment Coordinator may recover costs, including but not limited to, filing fees, witness fees, attorneys' fees, court costs, and other expenses associated with enforcement activities, including sampling and monitoring expenses, and the cost of any actual damages incurred by the Village.
- C. In determining the amount of civil liability, the Court shall take into account all relevant circumstances, including, but not limited to, the extent of harm caused by the violation, the magnitude and duration of the violation, any economic benefit gained through the User's violation, corrective actions by the User, the compliance history of the User, and any other factor as justice requires.
- D. Filing a suit for civil penalties shall not be a bar against, or a prerequisite for, taking any other action against a User.

8-2-14-5 Remedies Nonexclusive

The remedies provided for in this chapter are not exclusive. The Pretreatment Coordinator may take any, all, or any

combination of these actions against a noncompliant User. Enforcement of Pretreatment violations will generally be in accordance with the Village's Enforcement Response Plan. However, the Pretreatment Coordinator may take other action against any User when the circumstances warrant. Further, the Pretreatment Coordinator is empowered to take more than one enforcement action against any noncompliant User.

8-2-15: SUPPLEMENTAL ENFORCEMENT ACTION

8-2-15-1 *Failure to Report or Notify*

- A. Reports or Notifications required by non-Significant Industrial Users
Any non-Significant Industrial User who fails to file any report or notification so required by this chapter shall be subject to the following late filing fees:

1.	First Offense	Issuance of Warning Citation
2.	Recurring reporting violations	\$100.00
	NOV response noncompliance	\$250.00
	Cost per additional day past final request deadline	\$50.00
3.	Substantial changes	
	No written notification of substantial changes whether	
	Discharged or not:	
	At start-up or shutdown	\$500.00
	Per each additional 15 days in excess of 30 calendar days	\$100.00

- B. Reports or Notifications required by Significant Industrial Users
Any Significant Industrial User who fails to file any report or notification so required by this chapter shall be subject to the following late filing fees:

1.	First Offense	Issuance of Warning Citation
2.	Recurring reporting violations	\$250.00
	NOV response noncompliance	\$500.00
	Cost per additional day past final request deadline	\$100.00
3.	Substantial changes	
	No written notification of substantial changes whether	
	Discharged or not:	
	At start-up or shutdown	\$1000.00
	Per each additional 15 days in excess of 30 calendar days	\$200.00

- C. Notification Specific to Industrial Users With Wastewater Discharge Permits

1.	No written notification of change in ownership and/ or operation of facility, or any portion thereof.	\$1000.00
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8-2-15-2 *Performance Bonds*

The Pretreatment Coordinator may decline to issue or reissue an individual or general Wastewater Discharge Permit to any User who has failed to comply with any provision of this chapter, an individual or general previous Wastewater Discharge Permit, or order issued hereunder, or any other Pretreatment Standard or requirement, unless such User first files a satisfactory bond, payable to the Village, in a sum not to exceed a value determined by the Pretreatment Coordinator to be necessary to achieve consistent compliance.

8-2-15-3 Liability Insurance

The Pretreatment Coordinator may decline to issue or reissue an individual or general Wastewater Discharge Permit to any User who has failed to comply with any provision of this chapter, a previous individual or general Wastewater Discharge Permit, or order issued hereunder, or any other Pretreatment Standard or requirement, unless the User first submits proof that it has obtained financial assurances sufficient to restore or repair damage to the POTW caused by its Discharge.

8-2-15-4 Water Supply Severance

Whenever a User has violated or continues to violate any provision of this chapter, an individual or general Wastewater Discharge Permit, or order issued hereunder, or any other Pretreatment Standard or requirement, water service to the User may be severed. Service will only recommence, at the User's expense, only after the User has satisfactorily demonstrated its ability to comply and paid outstanding costs, fees and penalties. The User shall pay the entire expense incurred by the Village for the shut off and restarting of service before the water will be turned on again.

8-2-15-5 Public Nuisances

A violation of any provision of this chapter, an individual or general Wastewater Discharge Permit, or order issued hereunder, or any other Pretreatment Standard or requirement is hereby declared a public nuisance and shall be corrected or abated as directed by the Pretreatment Coordinator. Any Person(s) creating a public nuisance shall be subject to the provisions governing such nuisances, including reimbursing the Village for any costs incurred in removing, abating, or remedying said nuisance.

8-2-15-6 Contractor Listing

Users which have not achieved compliance with applicable Pretreatment Standards and requirements are hereby declared to be non-responsible Users and therefore are not eligible to receive a contractual award for the sale of goods or services to the Village. Existing contracts for the sale of goods or services to the Village held by a User found to be in Significant Non-Compliance with Pretreatment Standards or requirements may be terminated at the discretion of the Pretreatment Coordinator.

8-2-16: AFFIRMATIVE DEFENSES TO DISCHARGE VIOLATIONS

8-2-16-1 *Upset*

- A. For the purposes of this section, "Upset" means an exceptional incident in which there is unintentional and temporary noncompliance with Categorical Pretreatment Standards because of factors beyond the reasonable control of the User. An Upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.
- B. An Upset shall constitute an affirmative defense to an action brought for noncompliance with Categorical Pretreatment Standards if the requirements of subsection C of this section are met.
- C. A User 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 the User can identify the cause(s) of the Upset;
 - 2. The facility was at the time being operated in a prudent and workman-like manner and in compliance with applicable operation and maintenance procedures; and
 - 3. The User has submitted the following information to the Pretreatment Coordinator within twenty-four (24) hours of becoming aware of the Upset (if this information is provided orally, a written report must be provided within five (5) working days):
 - a. A description of the Indirect Discharge and cause of noncompliance;
 - b. The period of noncompliance, including exact dates and times or, if not corrected, the anticipated time the noncompliance is expected to continue; and
 - c. Steps being taken and/or planned to reduce, eliminate, and prevent recurrence of the noncompliance.
- D. In any enforcement proceeding, the User seeking to establish the occurrence of an Upset shall have the burden of proof.
- E. Users will have the opportunity for a judicial determination on any claim of Upset only in an enforcement action brought for noncompliance with Categorical Pretreatment Standards.
- F. Users shall control production of all Discharges to the extent necessary to maintain compliance with Categorical Pretreatment Standards upon reduction, loss, or failure of its treatment facility until the facility is restored or an alternative method of treatment is provided. This requirement applies in the situation where, among other things, the primary source of power of the treatment facility is reduced, lost, or fails.

8-2-16-2 *Prohibited Discharge Standards*

A User shall have an affirmative defense to an enforcement action brought against it for noncompliance with the general prohibitions in Section 8-2-5-2 A of this chapter or the specific prohibitions in subsections 8-2-5-2 C1 through C26 (excluding paragraphs C2, C9 and C17) of this chapter if it can prove that it did not know, or have reason to know, that its Discharge, alone or in conjunction with Discharges from other sources, would cause Pass Through or Interference or that either:

- A. A Local Limit exists for each Pollutant Discharged and the User was in compliance with each limit directly prior to, and during, the Pass Through or Interference; or
- B. No Local Limit exists, but the Discharge did not change substantially in nature or constituents from the User's prior Discharge when the Village was regularly in compliance with its NPDES permit, and in the case of Interference, was in compliance with applicable Biosolids use or disposal requirements.

8-2-16-3 Bypass

- A. Definitions: For the purposes of this section:
 - 1. BYPASS: The intentional diversion of waste streams from any portion of a User's treatment or Pretreatment facility.
 - 2. SEVERE PROPERTY DAMAGE: 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 Allowances: A User may allow any Bypass to occur which does not cause Pretreatment Standards or requirements to be violated, but only if it also is for essential maintenance to assure efficient operation. These Bypasses are not subject to the provision of Subsections C and D of this section.
- C. Bypass Notifications:
 - 1. Anticipated: If a User knows in advance of the need for a Bypass, it shall submit prior notice to the Pretreatment Coordinator, at least ten (10) working days before the date of the Bypass, if possible.
 - 2. Unanticipated: A User shall submit oral notice to the Pretreatment Coordinator of an unanticipated Bypass that exceeds applicable Pretreatment Standards within twenty-four (24) hours from the time it becomes aware of the Bypass. A written submission shall also be provided within five (5) working days of the time the User becomes aware of the Bypass. The written submission shall contain a description of the Bypass and its cause; the duration of the Bypass, including exact dates and times, and, if the Bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the Bypass. The Pretreatment Coordinator may waive the written report on a case-by-case basis if the oral report has been received within twenty-four (24) hours.
- D. POTW Actions:
 - 1. Bypass is prohibited, and the Pretreatment Coordinator may take an enforcement action against a User for a Bypass, unless:
 - a. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
 - b. 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
 - c. The User submitted notices as required under subsection C of this section.
 - 2. The Pretreatment Coordinator may approve an anticipated Bypass, after considering its adverse effects, if the Pretreatment Coordinator determines that it will meet the three (3) conditions listed in subsection D1 of this section.

8-2-17: MISCELLANEOUS PROVISIONS

8-2-17-1 *Pretreatment Charges and Fees*

The Village Board may adopt reasonable fees for reimbursement of costs of setting up and operating the Village's Pretreatment Program which may include:

- A. Fees for monitoring, inspection, and surveillance procedures including the cost of collection and analyzing a User's Discharge, and reviewing monitoring reports submitted by Users;
- B. Fees for reviewing plans or construction relating to Spill Prevention Containment and Countermeasures / Slug Load Plans as defined in Section 8-2-6-3 of this chapter;
- C. Fees for responding to Report of Potential Problems as defined in Section 8-2-9-7 of this chapter;
- D. Fees for filing appeals; and
- E. Other fees as the Village may deem necessary to carry out the requirements contained herein. These fees relate solely to the matters covered by this chapter and are separate from all other fees, fines, and penalties chargeable by the Village.

8-2-17-2 *Severability*

If any provision of this chapter is invalidated by any court of competent jurisdiction, the remaining provisions shall not be affected and shall continue in full force and effect.

8-2-17-3 *Conflict*

All other ordinances and parts of other ordinances inconsistent or conflicting with any part of this Ordinance are hereby repealed to the extent of such inconsistency or conflict.

8-2-17-4 *Offenses Under Previous Ordinances*

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

8-2-18: EFFECTIVE DATE

This ordinance shall be in full force and effect immediately following its passage, approval, and publication, as provided by law.

ARTICLE A. LOCAL LIMITS REGULATIONS

8-2A-1: GENERAL PROVISIONS:

8-2A-1-1: *ENACTMENT:*

Pursuant to the requirements of the Federal Clean Water Act and regulations promulgated thereunder, the Illinois Environmental Protection Act of 1970, as amended, and in accordance with Illinois municipal code, this chapter establishing the Local Limits for the sewer use and Pretreatment, hereafter known as limits ordinance, is hereby enacted by the Board of Trustees of the Village of Antioch.

8-2A-2: LOCAL LIMITS:

8-2A-2-1: *NON-TOXIC POLLUTANTS:*

- A. The following are the standards established by the Board of Trustees pursuant to the authority granted by Section 8-2-5-5.A of the Sewer Use and Pretreatment Ordinance. No User Shall Discharge any Wastewater containing concentrations greater than the Local Limits as set forth below into any Sewers that connect either directly or indirectly to the POTW.

Pollutant (Total unless otherwise listed)		Concentration (Instantaneous)
Oil and Grease –	at non-food service establishment (FSE) or food manufacturing sites	100 mg/l
Oil and Grease -	at FSE	200 mg/l

- B. The Village reserves the right to apply the FSE Local Limit as appropriate above at an end-of-pipe Discharge location that connects to the Public Sewer system in the event that a unique sampling location in the end compartment of a Grease Interceptor (GI) is not available or there is no external GI.
- C. The Village also reserves the right to apply the FSE Local Limit to the Wastewater in the next Sanitary Sewer manhole downstream of the facility in the event that there is neither a GI sampling location nor a Sampling Manhole at the site.
- D. FSE Twenty-five Percent (25%) Requirement. The Village reserves the right to use the 25% rule in lieu of the FSE Oil and Grease Local Limit in either FSE, non-FSE or manufacturing situations where an external grease interceptor exists.
1. The last section of an external GI at an FSE Shall be measured to determine that the total volume of the GI being used for any food-derived solids to settle or accumulate plus the floatable grease-derived materials that rise and accumulate, identified as a solids blanket and grease cap respectively, is less than twenty-five percent (25%) of the total design hydraulic depth as measured from the effluent discharge pipe to the bottom (“Twenty-five Percent (25%) Requirement”).
 2. The Village will apply the Twenty-five Percent (25%) Requirement above normally at the Discharge side of the external Grease Interceptor prior to mixing with any other Wastewater from the contributing FSE’s property.

8-2A-2-2: TOXIC POLLUTANTS:

The following are the standards established by the Board of Trustees pursuant to the authority granted by Section 8-2-5-5.B of the Sewer Use and Pretreatment Ordinance. No User Shall Discharge any Wastewater containing concentrations greater than the Local Limits as set forth below into any sewers that connect either directly or indirectly to the POTW. Multiple industrial Discharges from a permitted facility may be combined with the following limitations upon approval by the POTW.

<u>POLLUTANT (total unless otherwise listed)</u>	<u>CONCENTRATION (mg/l)</u>	
	Daily Maximum	Instantaneous
Arsenic	0.1	
Cadmium	0.1	
Chromium	8.5	
Chromium (hexavalent)		0.3
Copper	1.0	
Cyanide		0.3
Lead	0.6	
Mercury	0.0005	
Nickel	0.7	
Selenium	1.3	
Silver	0.5	
Zinc	1.3	

Individual Wastewater Discharge Permits identify requirements for testing of these Pollutants.

ARTICLE B. NORTHEAST SEWER SYSTEM CONNECTIONS

8-2B-1: NORTHEAST CONNECTION CHARGES:

- A. Payment Obligation: The Village northeast connection charge shall be paid by any owner of properties in the Antioch northeast service area and properties contiguous to said area that:
 - 1. Are not original county SSA parcels;
 - 2. Have been lawfully annexed to the county SSA; and
 - 3. Connect, directly or are tributary, to the Village northeast sewer system.
- B. Amount Of Payment: The Village northeast connection charge shall be:
 - 1. One thousand four hundred forty dollars (\$1,440.00) for each PE unit of sewer service capacity needed to serve the property (necessary PE units) for which the charge is paid, provided that the Village transfers to the owner of such property the number of connection fee credits that is equal to the number of necessary PE units; or
 - 2. If the Village does not own or have the ability to acquire the number of connection fee credits that is equal to the number of necessary PE units, then the charge shall be equal to the sum of nine hundred twenty nine dollars (\$929.00) for each necessary PE units, plus five hundred eleven dollars (\$511.00) for each PE unit of connection fee credit transferred to such property owner; or
 - 3. If connection fee credits are no longer available for acquisition by the Village, then the charge shall be equal to the sum of nine hundred twenty nine dollars (\$929.00) for each necessary PE unit.
- C. Time of Payment: The Village connection charge shall be paid at or before the time of, and as a condition to, the execution by the Village of an application to the Illinois Environmental Protection Agency for a permit to connect the property for which the Village northeast connection charge is paid.
- D. Acquisition Of Connection Fee Credits: The Village is hereby authorized to acquire connection fee credits from the owners of original SSA parcels that are located in the Antioch northeast service area for the price of nine hundred forty dollars (\$940.00) for each PE unit of connection fee credit acquired.

8-2B-2: NORTHEAST CONNECTION LOCAL LIMITS:

Non-Residential User shall be regulated by local limits adopted by the County of Lake for the Northeast service area.

ARTICLE C. FEES FOR NONRESIDENTIAL SEWER SYSTEM CONNECTIONS AND USAGE

8-2C-1: GENERAL PROVISIONS:

8-2C-1-1: ENACTMENT:

Pursuant to the requirements of the Federal Clean Water Act and regulations promulgated thereunder, the Illinois Environmental Protection Act of 1970, as amended, and in accordance with Illinois municipal code, this article establishing the fees and charges for this chapter, hereafter known as fees ordinance, is hereby enacted by the Board of Trustees of the Village of Antioch.

8-2C-2: SEWER EXTENSION AND CONNECTION REQUIREMENTS:

8-2C-2-1: CAPITAL RECOVERY FEES:

The following are the fees established and assessed by the Board of Trustees pursuant to the authority granted by Section 8-2-3 of this chapter for properties connected to the Village of Antioch POTW through a sewer owned by another entity:

Capital Recovery Fees	See Subsection 13-1-3C of this code
Each nonresidential connection for each Population Equivalent.	

8-2C-2-2: ANNEXATION FEES:

The following are the fees established and assessed by the Board of Trustees pursuant to the authority granted by Sections 8-2-2 and 8-2-3 of this chapter. The fees will be calculated on the estimated population of the property to be served by the Village, using the following schedule:

Annexation Fees	See Subsection 13-1-8B of this code
Each nonresidential connection for each Population Equivalent.	

8-2C-2-3: BUILDING SEWER CONNECTION PERMIT FEES:

The following are the fees established and assessed by the Board of Trustees to be charged for Sanitary Sewer connections pursuant to the authority granted by Section 8-2-3 of this chapter:

Connection Fees	See Section 13-1-3 of this code
Each nonresidential connection for each Population Equivalent.	

8-2C-2-4: PRIVATE SEWAGE DISPOSAL FEES:

Application and inspection fee	Permit and 1 inspection, \$50.00
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8-2C-2-5: PRIVATE SEWAGE DISPOSAL FEES:

See Section 13-1-2 of this code	
Application and inspection fee	Permit and 1 inspection
Additional inspection fee if outside regular 40 hours	Per inspection
Re-inspection for deficient work	Per inspection
Inspection fee for monitoring facilities	Per location
Inspection fee for additional structures per Section 8-2-3-7 of this chapter	Per structure
Failure to properly barricade fee	Per incident
Inspection fee when no permit obtained prior to digging	Per inspection

8-2C-3: SEWER CONNECTION PROCEDURES:**8-2C-3-1: PRETREATMENT FEES:**

The following charges shall apply to those Users subject to the Pretreatment program with Discharge permits based on water usage:

Monthly Water Usage (Gallons)	Monthly Charge
0-1,000	\$200.00 (minimum)
1,000-infinity	Reserved

8-2C-3-2: WASTEWATER DISCHARGE PERMIT APPLICATION:

Wastewater Discharge Permit Application	Per application \$100.00
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8-2C-4: INFORMATION REQUIRED OF NONRESIDENTIAL USERS:**8-2C-4-1: MISCELLANEOUS FEES:**

The following are miscellaneous fees established and assessed by the Board of Trustees pursuant to the authority granted by this chapter:

Sampling and Preparation Fees	Per hour, \$50.00
Sampling and Preparation Fees	Per analyses, as quoted by lab

Costs of sample analyses	Per analyses, as quoted by lab
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8-2C-4-2: RECOVERY OF COSTS INCURRED:

Any cleaning, repair, replacement as a response to the violation or Discharge	Per hour, \$100.00
Any other investigative and/or corrective actions	Per hour, \$100.00
Fees for review plans or construction relating to SPCC/Slug Control Plans	Per hour, \$100.00
Fees for responding to report of potential problems	Per hour, \$100.00
Fees for grease mitigation	Per hour, \$100.00
Fees for preparing enforcement actions or filing appeals	Per hour, \$100.00

Baxter & Woodman, Inc.

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